



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

SENATE—Monday, June 13, 2011

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, the center of our joy, Your word says You bless those who do not walk in the counsel of the ungodly. You also say that those who delight in Your word day and night are like fruitful trees planted by streams of water. Today, let Your word guide those who serve here on Capitol Hill. Infuse our Senators and their staffs with Your presence, power, and peace. Lord, make Your power available to them hour by hour so that they will have the physical, intellectual, emotional, and spiritual stamina to complete the duties of this day. And Lord, in the midst of the business of this day, allow them to experience Your peace that passes all understanding.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 13, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of

Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 6 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. JOHANNIS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THUNE. I also ask unanimous consent I be allowed to enter into a colloquy with my colleague from Nebraska, Senator JOHANNIS.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ETHANOL

Mr. THUNE. Mr. President, tomorrow the Senate will vote on a cloture motion that deals with an amendment that would do away with a tax provision that was enacted many years back by Congress but was extended just this last December. In fact, there were a whole series of tax extenders that were passed by the Congress in December of last year, but this particular one, the volumetric ethanol excise tax credit, was also extended. It was extended

until the end of the year 2011. December 31 of this year is when it would expire with the amendment we will be voting on tomorrow—or at least the cloture motion we will be voting on is with regard to an amendment that would eliminate that and end it now. There are a number of problems associated with that approach, one of which is this issue of economic certainty. We have lots of people across this country who have made investments. We have lots of jobs that are impacted by this industry. In fact, if you look, there are 204 plants, ethanol plants, in America today, spread across 29 States and on the order of about half a million jobs—all of which, I might add, are American jobs—you have half a million American jobs impacted by this industry. The ironic thing, too, is coming on the heels of an announcement last week that Venezuela, Libya, and Iran will block OPEC from producing more oil to relieve gasoline prices, we continue to be held more and more hostage every single day by our addiction to foreign oil.

We send \$1 billion a day outside the United States to purchase foreign oil—\$1 billion every single day to purchase foreign oil. The ethanol industry, which now represents about 10 percent of the fuel mix in this country, displaces 445 million barrels of oil every single year. That is the equivalent of \$34 billion that we don't send overseas—445 million barrels of oil displaced every single year, \$34 billion that we don't have to spend purchasing foreign oil. So this is an issue that has a direct bearing on the issue of energy independence, the issue of continuing what I think is a very dangerous dependence on foreign sources of energy, foreign oil, and has a direct bearing as well on the price consumers pay at the pump. Clearly, if you took 10 percent of the fuel mix out of production or out of that mix, you would put an additional pressure on the price that currently is being paid by consumers.

In fact, there was a study done by Iowa State University that said, in 2010, if you took away the contribution ethanol makes to the fuel mix in the country today, you would see gasoline

prices increase by 89 cents per gallon. When you are already facing \$4 gasoline prices in this country, which I think is having a profound impact on our economy and particularly on consumers who, day in and day out, are having to deal with these high prices, it seems ironic that we would be looking at legislation and policy that would further drive up the cost of gasoline. We ought to look at ways we can reduce it, and this clearly would have the opposite effect.

A few weeks ago there was a proposal to put additional taxes on oil and gas or at least to change some gas policy with regard to oil and gas which many of us argued would add to the cost of gasoline in this country. It would essentially, in effect, be raising taxes on gasoline.

This proposal would have the same effect. It would increase the cost of energy and obviously impact many of the jobs to which I just alluded. It would also break faith with the commitment made by this Congress last December when we extended the VEETC, the volumetric ethanol excise credit, for another year. We have a lot of folks who made investments, you have people across the country whose livelihoods and jobs depend upon this, and I think it makes sense, when we put policy in place and we say it is going to be in place for a certain period of time, that that be honored.

Having said that, I have been working closely with my colleague from Nebraska and others of our colleagues on both sides of the aisle, Republicans and Democrats, on a proposal that would reform the VEETC and move us in a direction that puts us on a pathway or a trajectory into the future that will take greater advantage of this contribution that is being made by biofuels to our country's energy independence and also phase out the VEETC tax credit but that does it in a way that does not impact and disrupt in a way that this would, where you say you are going to end this today. As I said, you have lots of people who made investment decisions based on current policy. You would change that policy immediately and abruptly, but that is not the right way or correct way to go about this. There is a better way. That is what my colleague from Nebraska and I have been working on. I hope my colleagues in the Senate will vote tomorrow against this attempt to end this abruptly and to disrupt this market and do tremendous harm to an industry that is contributing, in a significant way, to America's move toward energy independence and is helping to keep gas prices lower than they would otherwise be were it not for the 10-percent contribution ethanol makes year in and year out to our energy.

So there are lots of reasons why we think it is a bad idea to move forward with the amendment that will be of-

fered tomorrow and the cloture motion that would get on that amendment. I hope my colleagues will defeat that cloture motion so we can work on a more responsible, reasonable way that phases out the VEETC and, in a responsible way, that would allow those who have made investments to be able to plan accordingly.

I would simply say, as we get into that debate tomorrow, this is an issue which has ramifications for our economy because of the price of fuel and the impact ethanol has on the price of fuel in this country. It has an impact on the old issue of energy independence and whether we are going to continue to be held hostage and over a barrel by oil we have to import from other places around the world. Of course, it has implications as well for just the jobs that are created here at home, American jobs that could very well be lost if we move down a path that, in my view, would be very harmful for this industry and its ability to create jobs.

I have my colleague from Nebraska here as well this afternoon and I would welcome his thoughts on this subject and would like to enter into a dialog with him about the impact this industry has on his State of Nebraska—and not just the impact it has on Nebraska or South Dakota but the impact it has on this country by creating jobs, by lessening the dependence we have on foreign sources of energy, and by keeping gas prices at a more reasonable level than we would otherwise see if it were not for the contribution ethanol makes to our fuel mix.

I am going to yield to the Senator from Nebraska for his observations about this subject.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANN. I wish to start out thanking my colleague from South Dakota. He has been a very reasoned voice on this issue, and he has brought forward some ideas that I believe are the right approach to dealing with ethanol. If you think about it, about 50 percent of our oil is now imported from another part of the world. The more dramatic piece of that is that oftentimes the importation of that oil comes from parts of the world that do not share our philosophy, do not share our view of the world, are not democracies, and do everything they can to, in effect, fight against what we believe in. So not only are we dependent on foreign oil, we are dependent on a source of foreign oil that oftentimes is contrary to the values and beliefs of American citizens.

One of these days, I think we are going to learn the lesson of that dependency, and we are going to alter our course. We are going to do a whole host of things that make sense: more drilling, more exploration, more nuclear power plants, as Senator LAMAR ALEXANDER has advocated for, and just ev-

erything on the list. It is all a piece of the puzzle.

A piece of that puzzle is also renewable fuels. It could be biodiesel, it could be ethanol, it could be cellulosic ethanol, which I championed when I was Secretary of Agriculture. Again, I think it is going to be a whole host of things.

Ten or twenty years ago, if I were on the Senate floor making those statements, many would have looked at me and said: Well, MIKE, that is just a pipedream. But as the Senator from South Dakota points out, 10 percent of our fuel in the United States is now ethanol—10 percent. It did displace 445 million barrels of oil last year. There is nothing else going on out there that has had that kind of impact. We can report that \$34 billion was kept in the U.S. economy. We often hear about this massive transfer of wealth that is occurring by us sending our hard-earned dollars to other parts of the world—again, parts of the world that do not share our values. In this case, with this product, we kept \$34 billion here. At least one study indicates the average family saved \$800 a year because of this. Our gas prices are about 89 cents lower per gallon than they otherwise would have been. Those are real savings to people who are out there trying to figure out how to pay for filling the tank.

Many years ago, when I was Governor of Nebraska, we took a long, hard look at our State. We wanted to know how we might best diversify our economy. Some of the things we did worked. I am very pleased to report our unemployment rate during this time never got over 5 percent. Today it is about 4.2 percent. I am also pleased to tell you we balanced the budget. We did not borrow money to do it. One of the things we did was we said: Look, ethanol is a piece of this puzzle in Nebraska, and so we actually created State programs to try to encourage the construction of ethanol plants.

I will tell you, at the time I was Governor, I thought maybe two plants would be built. Well, the marketplace responded and we built a number of plants. Today, Nebraska is the second largest producer of ethanol. We have 24 plants in the State. Those 24 plants produce 2 billion gallons per year, \$4 billion of capital investment. It directly employs 1,300 Nebraskans in high-quality jobs. It also does some great things for our livestock sector because our cattle industry—well, they buy the distiller grains. They have real value if you are feeding cattle, which we do a lot in our State.

We have recognized in Nebraska, and I think across the country, that it is time to move to the next step when it comes to ethanol production. That is why I was pleased to sign on to Senator GRASSLEY's bill when he introduced it.

I was also pleased to work with Senator THUNE who has provided such excellent leadership in this area. Basically, what this plan does is it says: Let us take a thoughtful, measured approach. Let's not jeopardize someone's situation and cause them to pay higher fuel prices at the pump because we did something in a rash and hasty sort of way. It also helps to pay off some of the deficit. We are literally saying: OK, if we are going to make some changes, we will make a contribution to deficit reduction.

Well, let me wrap up my comments and say: Senator THUNE's approach is the right approach. It is an approach that says: Look, we are not going to take this industry, which has become such an important part of our energy strategy, and walk it off the cliff and just see how it lands. Instead, what we are going to do is, we are going to take a measured approach. We are going to build the infrastructure necessary. We are going to add some money to reduce the deficit, and we are not going to jeopardize somebody's price at the pump. It is already expensive enough. I am very pleased to support that approach. My hope is that our colleagues will listen to this approach, get behind it, and support it because it is the right approach. It is the right approach for Nebraska, but it is the right approach for the country.

With that, I thank the Senator from South Dakota for his help.

I yield the floor to him.

Mr. THUNE. Mr. President, if I might just say to the Senator from Nebraska, because I am wondering if perhaps in his discussions with farmers and ranchers in his State—I am sure the issue which he alluded to, which I think is an important one, comes out—I wonder if other people around the country realize, when we make a gallon of ethanol, we take a bushel of corn—which is a remarkable thing that we have gotten to, where the technology enables us to do that—we produce 2.7 gallons of ethanol from a bushel of corn. We have almost 3 gallons of ethanol from a bushel of corn which goes into our fuel supply and represents about 10 percent of all the fuel we use. I wonder if a lot of people realize that one of the byproducts of that, as the Senator from Nebraska has mentioned, is something called dried distillers grain. The DDGs, as we refer to it, is something that is then used to feed livestock.

Now, a lot of people think there is this whole corn debate about food versus fuel, but I don't think most Americans realize that only about 12 percent of our corn crop in this country actually ends up in foods. It is either consumed directly, such as corn chips, or indirectly, such as high fructose corn syrup. But one-third of the grain that goes into ethanol production comes out as dried distillers grain, these DDGs, and for each bushel of

corn used in the ethanol-making process—as I said, the 2.7 gallons of ethanol—18 pounds of DDGs and 18 pounds of carbon dioxide.

If we took, let's just say, for example, 5 billion bushels of corn used for ethanol production in a year, the feed product equivalent of about 1.7 billion bushels of corn is returned to the livestock food chain as an ethanol byproduct. So we take about one-third of all of the grain that is put into the process to make ethanol, and that comes back in the form of something we feed to livestock and something that has been a great source of protein for livestock producers in this country. I don't think most Americans even realize we are not just talking about the fuel component; we are not just talking about that liquid we use to blend with petroleum products and get ethanol in this country; but there is also this other byproduct which is essential for livestock producers to feed their livestock.

I am wondering if, in the conversations the Senator from Nebraska, I assume, has with his farmers and ranchers—of course, they are very familiar with this—the average person around this country understands this.

Mr. JOHANNES. Mr. President, that is an excellent point. When I was Secretary of Agriculture, this whole debate started about food versus fuel. It was almost like there was this impression that you took that bushel of corn, you somehow burned it up to create ethanol, and that is all you got out of it. Then there was this big debate about whether that was worth it. As the Senator from South Dakota points out, a whole different process is occurring.

So in our State, it is not just the dried distiller grains because to dry them down takes some energy. We have the cattle yards in close proximity to the ethanol plants. So they buy the wet mash, which is what we call it. They ship it over, they feed it immediately, and it is a wonderful product to feed to cattle.

When we think about the approach the Senator from South Dakota has come up with, we realize it hits on all cylinders. It does reform the ethanol tax credit. Again, I believe the industry has come to the conclusion that is a thoughtful, reasonable step.

No. 2, it invests in the blender pumps. One of the challenges I had for a long time was with the flex-fuel vehicle. I am in the State that is the second largest producer of ethanol. Yet I could not get the E-85 unless we really went out and searched for it. What if we had a pump where I could literally pull up to it and dial it up to E-85 and put that in my vehicle? So it invests in the blender pumps.

It extends cellulosic tax credits for the small producers. Here is what I would say: The next generation is not going to be just corn-based ethanol.

That will be a part of the picture, but I believe we will see the day—and we are already seeing the day—where we will have a cellulosic product converted into ethanol.

Then, finally, \$1 billion is added to deficit reduction. The ethanol industry is saying: Look, we agree we need to do our share. We agree we need to start on this process of phasing this out.

So I think the Senator from South Dakota has hit all the right points. It does not take this industry and drop it off the cliff. It is a thoughtful, measured approach to dealing with this issue.

Again, I thank the Senator from South Dakota for his leadership, and I yield to him.

Mr. THUNE. Mr. President, in closing, I wish to, first of all, thank the Senator from Nebraska for joining us. He has a great wealth of experience, not only having grown up on a family farm in his early years but representing his State as a mayor, as a Governor, and then representing our Nation as the Secretary of Agriculture. I recall working with him when he was the Secretary of Agriculture on a lot of these issues.

One of the things that strikes me about where we are today relative to where we were then is the prosperity that has returned to the agricultural sector in our economy, to rural America. We can't say the biofuels industry has been solely responsible for that, but certainly a contributing factor. We have seen growth in the economy in the Midwest.

Again, what I would point out about this, which is so important for people to realize is that these are American jobs. This is our home-grown industry. We are either going to get fuel in the United States or we are going to buy it from some foreign country. That is what we have been doing, and that is what we continue to do to the tune of \$1 billion every single day. So to the degree we can promote domestic energy production in this country and add to the supply in this country, which is what biofuels does, it is for the American consumer and, obviously, good for America's economy and America's dangerous dependence we currently have on foreign energy.

So the proposal the Senator from Nebraska is a cosponsor of and that he and I have worked together on and that we will file as a bill today will present an alternative to the approach that will be advanced, or that they will attempt to advance tomorrow, which is to just right now, in a very disruptive way, abruptly end something that we just voted on in December to put in place. We have people who have made investments in it, and it has made a tremendous impact on jobs in this country.

The approach the Senator from Nebraska and I are advocating I believe is

a reasoned approach. It is forward looking in the sense that it promotes the next generation of biofuels, advanced biofuels, and cellulosic ethanol. In the same way the Senator from Nebraska mentioned, it gets us to where we have more choices for American consumers when they come into a filling station by investing in some of the pumps out there and giving consumers more choices.

Then, finally, as the Senator from Nebraska said, it also puts money toward the debt, toward deficit reduction, and phases out the tax credit that is available today to ethanol producers in this country. It is a reasonable, responsible and, as the Senator said, measured way of dealing with this, not the way that is being proposed by the vote we are going to have tomorrow.

So I hope our colleagues will join us in working in a constructive way to continue to grow this industry and do it in a way that creates jobs for Americans and lessens our dependence on foreign nations.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011

Mr. KYL. Mr. President, I am going to talk about the basic underlying bill we are debating, not the amendment my colleagues have just been talking about. As a way of framing the discussion about this bill, I will cite some statistics that I think will help us understand the nature of the problem our country faces right now and why, in my opinion, this particular legislation does not solve that problem.

According to official statistics, the unemployment rate in the U.S. has risen from 6.8 percent when President Obama was elected in November of 2008 to 9.1 percent in May of 2011. Between the end of 2008 and the year 2010, America experienced a net job loss in the nonfarm sector of almost 7 million jobs. So just since the end of 2008 through 2010, 7 million jobs lost. In that same time, the unemployment rate peaked at 10.1 percent—that was in October of 2009. It averaged 9.3 percent during 2009, 9.6 percent during 2010, and the 5-month average for 2011 so far is 9.1 percent, where we are right now.

We are not making progress. In short, since President Obama's stimulus was enacted, unemployment has averaged more than 9 percent a year, and that is up from 6.8 percent when he took office. This is not progress.

The May unemployment figures show that the U.S. economy added only 54,000 jobs—far fewer than the 150,000 needed just to keep pace with population growth, let alone to help dig us out of the recession. So we only had about one-third of the jobs created that

we need just to stay even. We are getting deeper in the hole. In fact, the number of unemployed totals now almost 14 million Americans, and the long-term unemployed increased to 6.2 million.

Real growth in our economy, the GDP growth from the end of the recession in mid-2009 has been only about half as strong as it was during each of the previous nine recessions since World War II. So unlike previous times, we are not recovering as fast as we recovered from those earlier recessions.

On the TV program "Meet the Press" this weekend, the host, David Gregory, asked the chair of the Democratic National Committee, Representative DEBBIE WASSERMAN-SCHULTZ:

Why should Americans trust Democratic governance right now on the economy, and particularly the president's?

Amazingly, the head of the Democratic National Committee answered:

Because we were able to, under President Obama's leadership, turn this economy around.

Well, the economy has not turned around. The unemployment statistics I just cited demonstrate that it is getting worse.

Most observers recognize that the steps the President took to try to revive the economy have not worked. I think it is time we admit that our massive debt and deficit, which were exacerbated by the 2009 stimulus spending bill, have hurt our economy. It has made things worse.

Republicans are not recommending reductions in government spending just for the sake of austerity. We are pushing for the government to get its fiscal house in order so that the job creators in the private sector will have the confidence to begin hiring and expanding their operations. Right now, uncertain of their future tax liability, worried about the general fiscal path of this country and the increasing regulatory burdens imposed upon them, job creators are sitting on the sidelines. We need to cut government spending to keep our tax burden low, approve pending free-trade agreements, and make a serious effort to reduce red tape so our economy can begin growing again. In other words, we need to realize that the government does not create private sector jobs. What we can do in Washington is to create the environment where the private sector is free to grow and create jobs.

This bill we are talking about right now, the Economic Development Revitalization Act of 2011, is touted by some of its proponents as being a job creator. The bill is not a jobs bill. Calling it that doesn't make it so. The bill has 21 sections. The truth is, many of these provisions would have zero effect on facilitating the creation of American jobs. For example, section 16 moves the State of Montana from the Denver office to the Seattle office.

That doesn't create any jobs. Most of the provisions of the bill don't have anything to do with creating jobs. There are only four that even mildly could be called related to job creation.

The central component is a reauthorization of the bill's amount of spending, and it would reauthorize it at \$500 million a year—\$½ billion a year. Remember that almost half of that has to be borrowed. We don't have the money to spend \$½ billion a year, so we will have to go out and borrow the money from someone in order to be able to spend it.

Given the fiscal constraints facing our Nation today, we can't afford that. Ironically, even the White House is not shy about admitting the fact that this EDA bill is too expensive. Specifically, the President's budget for 2012 requested only \$324.9 million for EDA, not \$500 million. Additionally, the administration's Statement of Administration Policy declared:

The bill would authorize spending levels higher than those requested by the President's budget, and the administration believes that the need for smart investments that help America win the future must be balanced with the need to control spending and reduce the deficit.

Well, this is one thing on which I agree with the administration. This bill would spend too much money. Hopefully, we will get a chance to vote on amendments, including one by the ranking Republican on the committee, Mr. INHOFE, to reduce this level to a more reasonable and realistic one.

The rest of the bill includes provisions, as I noted, that are of little importance. Section 11, for example, creates a \$5 million-per-year grant program related to renewable energy and brownfields sites. Section 12 relates to energy and water efficiency and decreasing foreign oil competition. These are part of a green jobs fad and are not really going to provide significant job creation for our country. If we really want to decrease the consumption of foreign oil, of course, and create U.S. jobs, we should develop more of our own resources. I mentioned another meaningless provision—just moving one State from the jurisdiction of the Denver office to the Seattle office.

Again, these are things that are not going to produce jobs in our country. So it seems to me, rather than spending time on bills such as this EDA bill, which will not actually create jobs, we should actually be focusing on the big cliff we are heading for and begin preparing for the debt ceiling debate. This is where we can insist on a very large down payment of reduced spending, reform entitlements, and put a straitjacket on future congressional budgets—all of which will give businesses and markets greater certainty about our fiscal future. As a start, we should have a thorough debate and a vote on a constitutional balanced budget amendment, which would get us on the right path to a sound fiscal future.

In the long run, the only way for our economy to create jobs is for the government to spend, borrow, and tax less, thus freeing America's enterprises to do what they do best. I suggest we not wait any longer. It is time to begin this debate. Let's have a vote on a constitutional amendment, find ways to reduce spending, ensure we do not increase taxes, and create the climate in which America's businesses can get back to work and put their fellow Americans back to work.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PATENT REFORM

Mr. GRASSLEY. Mr. President, I wanted to address the issue of patent reform—a bill the Senate has already passed by an overwhelming margin. It is my understanding the House of Representatives is expecting to pass a patent reform bill the House wants, and in the process the House wants the Senate to agree very soon thereafter and do it without a formal conference.

I want my colleagues to understand why I hope the House-passed bill will contain a provision that was not in our Senate bill but passed unanimously out of the House Judiciary Committee.

The House committee report recognized that the "need to modernize patent laws has found expression in the courts" but that "the courts are constrained in their decisions by the text of statutes at issue." That is from the House committee report.

The House Judiciary Committee amendment that passed unanimously resulted from a recent Federal court case that had as its genesis the difficulty that the FDA—the Food and Drug Administration—and the patent office face when deciding how to calculate Hatch-Waxman deadlines. The Hatch-Waxman law was a compromise between drug patent holders and the generic manufacturers. Under the Waxman-Hatch law, once a patent holder obtains market approval, the patent holder has 60 days to request the patent office to restore the patent term—time lost because of the FDA's long deliberating process eating up valuable patent rights.

The citation for the case I am talking about is 731 F. Supp 2nd 470. The court case found:

the FDA treats submissions to the FDA received after its normal business hours differently than it treats communications from the agency after normal hours . . . when no-

tice of FDA approval is sent after normal business hours, the combination of the patent trade office's calendar day interpretation and its new counting method effectively deprives applicants of a portion of the 60-day filing period that Congress expressly granted them . . . an applicant could lose a substantial portion, if not all, of its time for filing a patent trademark extension application as a result of mistakes beyond its control . . . an interpretation that imposes such drastic consequences when the government errs could not be what Congress intended.

That is the end of the judge's statement on why he ruled as he did in this particular case. Congress did not intend those drastic consequences that happen as a result of a difference between whether you are making an application to or an application from an agency. In other words, there should not be any difference. Congress did not intend the consequences that come from such a different application of the law. So the court clarified the law so when FDA sends a notice of approval after normal business hours, the 60-day period requesting patent restoration begins the next business day. The House Judiciary Committee takes the court decision where common sense dictates: to protect all patent holders against losing patent extensions as a result of confused counting calculations.

I want to quote Ranking Member CONYERS of the House Judiciary Committee who sponsored the amendment and committee Chairmen SMITH who supported Mr. CONYERS. Ranking Member JOHN CONYERS stated during markup the amendment is needed to "remove what amounts to a trap and would clarify the term 'business day' . . . and so, our attempt here is to make the congressional effort at patent reform more clear, more efficient."

Chairman LAMAR SMITH also advocated passage of this amendment during markup in the House Judiciary Committee. I will quote him.

I will recognize myself in support of the amendment. Now, the gentleman's amendment—

Meaning the Conyers amendment—clarifies the counting rules that are imposed on patent holders who must submit documents to the agency within statutory time limits. It has been established that the PTO has inconsistently applied these rules, which is not fair to various patent holders. The gentleman's amendment tracks the recent court case decided in favor of a patent holder that originally applied for an extension 10 years ago. My understanding is that there are not scoring problems with this provision and I support it.

That is what Chairman LAMAR SMITH of the House Judiciary Committee said.

This is a commonsense amendment. It improves our patent system fairness through certainty and clarity, and I hope the House will leave that in their bill when it sends it over here to the Senate.

My interest in this amendment is because I opposed it 2 or 3 years ago when

it was first brought up. Because of the court decision, I am convinced the different application of the 60-day rule is very unfair. As ranking member of the Senate Judiciary Committee, I want the House Judiciary Committee to know that several Republican and Democratic Senators have asked me to support the Conyers language as well.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE ECONOMY

Mr. BOOZMAN. Mr. President, the latest unemployment numbers indicate that nearly 106,000 Arkansans are unemployed. This 7.7 percent unemployment rate is higher than when the so-called stimulus passed that President Obama and Majority Leader REID promised would produce jobs for hard-working Americans. Although this rate is below the national average, the numbers show that out-of-work Arkansans continue to struggle to find gainful employment.

What is more alarming is that the President and the majority here in the Senate are resisting real change and insisting on more of the same borrow, spend, and tax policies that have given us record unemployment and a sluggish economy.

In November, Americans gave a clear sign that job creation needs to be a priority. Unfortunately, the Senate majority and President Obama have failed to prove that this is at the top of the agenda. Time and time again, the Senate and our President add to the uncertainty that is stifling job creation. Commonsense legislation that would create the conditions for job growth is not brought to the floor. It is not because the Senate has more pressing issues. There is no excuse as to why the Chamber avoids voting on legislative and policy items that will provide real relief for the unemployed, such as the stalled free-trade agreements.

As news reports have pointed out over the past several weeks, the business in this body is progressing at a historically slow pace. As the Washington Post reported last week, "Quorum calls have taken up about a third of its time since January, according to the C-SPAN statistics."

Americans are tired of the games. They need jobs, and it is our duty to help.

Linda from Mountain Home, AR, recently wrote to me asking the same thing millions of Americans want to

know: "Where are the jobs?" She continued her e-mail asking what legislation Republicans introduced that will stimulate the economy and create jobs. I want to thank Linda for her letter and let her know my colleagues and I are on the side of the American worker, and that is evident by the legislation we have offered. These practical free market ideas will put Americans back to work, and, like the millions of Americans who are looking for jobs, we are anxious to vote on them and approve these measures.

In February, we introduced the REINS Act, of which I am a proud cosponsor. Too often, Federal agencies overstep their boundaries and enact expensive mandates that strangle investment and job creation without congressional approval. This commonsense legislation provides a check and balance between Congress and the executive branch and allows business to focus on growth instead of how to comply with burdensome regulations.

This starts with making changes to unfunded mandates by the Environmental Protection Agency. Unnecessary and burdensome regulations imposed on our businesses cost money and cost jobs. EPA has put a target on America's industrial, manufacturing, and agricultural job creators. Clean air, clean water, and conservation are all very important, but the heavy-handed regulations coming from this EPA have little or nothing to do with clean air or clean water. We are witnessing a Federal bureaucratic power grab on behalf of a radical, job-destroying agenda. These regulations are making food more expensive, energy more expensive, and gasoline more expensive, and they are driving jobs out of our country. Our competitors are taking our jobs and emitting far more pollution into our atmosphere and oceans than we would here in the United States. Again, it is all pain and no gain. As the administration works to drive up the cost of energy, they seem to forget that a prosperous country is a country that can invest in conservation and protect the environment.

The President still wants to blame his predecessor for our sluggish economy and lack of jobs. The blame game won't help the President politically, and it won't help turn our economy around. It is true that President Obama inherited a weak economy, but he made it worse. Before President Obama took office, the Federal Government was carrying out many policies that distorted the market and contributed to the meltdown. In 2008, we were spending too much money and running severe deficits. Now our deficit is three times as big. Sadly, President Obama has made each of our economic problems worse.

I believe it is important to provide American businesses with an equal opportunity to compete and succeed

while opening new markets for American products. I strongly believe that when presented with a level playing field, American businesses and workers can outperform any in the world in terms of quality and value.

With three pending trade agreements on the table waiting for approval, we are wasting precious time and resources at our disposal to open foreign markets to U.S. products. The lack of action on the Colombia, Panama, and South Korea agreements is concerning. I believe we need to move forward as quickly as possible to ratify these policies. American companies and their workers are losing market share and are being denied valuable business opportunities. That is why one of the first pieces of legislation I cosponsored as a Member of the Senate was S. Res. 20, legislation that urges this Chamber to consider and approve the pending free-trade agreements with these countries.

On multiple occasions, President Obama expressed support for the implementation of all of these trade agreements in order to reduce our Nation's deficit and create American jobs for American workers. So far, there is still a failure to act on any of these agreements.

Americans deserve legislation that will promote job growth, but one of President Obama's legislative cornerstones, health care reform, actually costs jobs. We were told ObamaCare would create 4 million jobs, but reality tells a different story.

According to the Congressional Budget Office, there will be 750,000 fewer jobs. This legislation is bad for business. That is why we voted to eliminate the onerous 1099 reporting requirements included in this flawed legislation.

I will continue to fight for a full repeal of this law as we seek meaningful health care reform that provides quality, affordable access for all citizens based on free market principles.

The simple truth is there are 14 million Americans out of work and millions more who have been forced into retirement or gave up looking for a job. These 14 million Americans are calling for our help, yet the majority and the administration continue to ignore their pleas.

We have a plan that is ready to move, and the practical free market ideas it is based upon will put Americans back to work. Let's show Linda in Mountain Home and the millions of Americans looking for a job that we are working to change the direction our country is headed and be a job creator.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

THE ECONOMY

Mr. SESSIONS. Mr. President, I had the opportunity this morning to catch the CNBC program that had Jack Welch, former CEO of GE on, and I thought he made a number of valuable points. He is very worried about our economy. He believes we are facing serious troubles, and we need to take action to do something about it. As a corporate leader of great renown, one of the more respected corporate leaders in America at this time, he evidenced a real frustration at the lack of leadership this administration is showing with regard to our financial crisis.

He said a number of things. One of them was classic leadership, classic thought by a manager, a man who has managed a very large corporation worldwide with many moving parts. He said we have to have a strategy, and we have no strategy. I think that is correct. I do not believe the American people sense that this country is able to articulate a serious strategy to confront the difficulties with which we are now dealing.

He said everything needs to go through a screen, and in his opinion the screen should be what our strategy is and our strategy should be, in general, to create an economy that is productive, innovative, and growing; creating jobs, creating wealth, creating prosperity, and everything ought to be judged by that.

One of the points he mentioned was drilling for oil and gas in America. We have all kinds of government agencies here, all kinds of regulations and a permitorium, a blocking of the giving of permits, that has substantially reduced the ability of this Nation to produce oil and gas at home, a critical factor if we are going to be competitive and economically prosperous.

We need to quit buying so much abroad, sending wealth abroad, and keep it at home. He just threw that out as one of the things that would never get through a screen. Instead of helping this country to be more prosperous and create jobs and growth, it does just the opposite. Yet in this massive government, we take contradictory actions, and as a result we are muddling along at a very unhealthy rate, and the American people are worried about it.

Last week was the sixth consecutive week that the stock market fell. We were told in January, when things were progressing, that everything was just doing great and that we are creating a lot of jobs; we are creating jobs, and the market is doing better. But in fact it is not moving very well. If we read the financial pages, we see that the people who spend their lives dealing with the economic threats we face are uneasy about our future.

Just read those articles in Barron's that just came out over the weekend about the roundtable of worldwide economic experts. It was very troubling to me. Many of them had serious concerns about the future. Would we have a doubledip? Some seem to say yes. The Presiding Officer, Mr. COONS, is on the Budget Committee and knows the numbers we are dealing with and has heard the testimony that Mr. Bowles, former Chief of Staff for President Clinton, and Alan Simpson, in their Fiscal Commission Report, said we are facing the most predictable crisis in our history, and it could cause economic difficulties for us soon. Mr. Bowles said 2 years, give or take. Not just for our grandchildren, but soon.

This is why the experts say we have a problem. I do not believe we have from the White House any call to the kind of action necessary to alter the unsustainable debt trajectory we are on.

I do not think the American people fully understand, but they understood enough to punish the Congress in this last election. I am afraid they are going to punish us again because no Congress can defend itself from the criticism that we have presided over a government that is borrowing 40 cents of every dollar and spending \$3.7 billion and taking in only \$2.2 billion and borrowing the rest. We are on a path that does not alter that. The President's budget is the most irresponsible ever submitted and would make our debt path worse rather than better, so I am worried about it. So the majority leader announces: Well, it would be foolish to have a budget. Senator REID said it would be foolish to have a budget, at a time when we have never faced a greater threat to the integrity of our economic system than we face today.

Let me repeat that. We have never been in a position in which the economy could do as much harm to our Nation as it can today. We are heading to the wall at warp speed. It is a dangerous circumstance. But we can get off this path. We have to do some things that are not very pleasant, but not impossible, that are being done by mayors and county commissioners and Governors all over America and in countries around the world. The British made some very substantial cuts to their overall spending program, far more than we are discussing, and some people pushed back and said, We are cutting too much. That debate will happen here, if we cut spending here.

The International Monetary Fund, certainly no bastion of conservative economic thought, said, No, U.K., stay the course. Don't weaken now. You set a good, tough path for constraining and reducing spending, and if you stay the course you will be more successful than if you give up and quit under the pressure that you might be under today.

So how do we get there? How do we get to the point where we deal with

these issues? Harvard economist Alberto Alesina, drawing from his and others' research on large fiscal adjustments across multiple nations, said this:

Spending cuts are far more effective than tax increases in stabilizing the debt and avoiding economic downturns. In fact, in several episodes, spending cuts adopted to reduce deficits have been associated with government expansions rather than recessions.

Goldman Sachs has also done a study that indicates that. We have empirical evidence that countries that have taken firm steps to get their financial house in order have found that, maybe almost to their surprise, they have had economic growth quicker than many had projected.

So where are we today? Apparently, we are not going to have any kind of regular budget process in the Senate, to my great disappointment. I believe Senator CONRAD, the chairman of the Budget Committee—I am the ranking Republican on that committee—was prepared to have a markup, but the Democratic leadership has decided not to. Senators can't call a Budget Committee markup; only the chairman and the leaders can do those kinds of things. They have decided not to. Under the Congressional Budget Act, the Budget Committee should have marked up and passed a budget resolution by April 1 of this year, and Congress should have passed it by April 15. We are now getting close to July 4 and we have had no real public discussion, no national debate, about the challenges this Nation faces.

First we had the Gang of Six. They have been meeting in secret, and I don't know who advised them. I don't think average Americans, in their struggles—maybe they have lost their job or haven't seen their pay increase or have seen their overtime eliminated—were in the room with them. They are good people. I was kind of getting anxious for a month or so to hear something from them. Maybe it would be a good deal. Maybe it would be something to get us moving. I don't know. I had my doubts about it, and I expressed that, but I expressed my support to see what they could produce. Maybe it would be worthwhile. I am withholding judgment. So now we are not hearing from them, although they apparently have enough work product—maybe even a plan—that they met with 10 other Senators, I understand, to discuss what they are planning on. They haven't let anybody else in on the deal.

But now we hear, Don't worry about the Gang of Six. If that doesn't work, we have the Vice President. President Obama has asked him to have meetings with a very small group of Senate and House leaders, and they are going to write us a budget. There are some good people meeting in that group, I don't have any doubt about that. But weeks

have gone by. We had a week recess and apparently it was over 2 weeks that they didn't even meet.

The President is traveling around the world making speeches, raising money, and this country has not had a budget in 775 days. This Senate has not passed a budget in 775 days. The Budget Act requires us to pass a budget. It can't be filibustered. It can be passed with a simple majority. If it is going to be a partisan effort—and sometimes it is a purely partisan vote—53 Democratic Senators here ought to be able to pass a budget. We passed a budget when Republicans had a one-vote majority. Sometimes you can get a bipartisan agreement on a budget. That is the best thing. Sometimes it is done with a simple majority. So we have the potential to do that.

But, oh, no. Weeks have gone by and we are waiting on these meetings at the White House. Nobody knows exactly what is happening there. It is supposed to be secret. Normally a budget is brought up, it is brought before the Budget Committee, the chairman lays down the chairman's mark, everybody gets to offer complete substitutes, gets to offer their whole budget or technical amendments or significant amendments to that budget, and they get voted on, and the matter is discussed. The American people can get a copy of the chairman's mark and the amendments offered by the other members of the committee. That is how we do business in a democracy, the last I heard, and then we are accountable, right? By how much do you think we ought to raise taxes on the American people? By how much do you think we are going to cut spending? Are you going to dare to make any changes in Medicare? I will not vote for it if you make any change in Medicare. Or: You have to do something about these entitlements. You didn't do anything about the Medicare entitlements? You are going to let them go broke? Those are the kinds of good discussions we would be having, and the American people could see it. Then it comes to the floor of the Senate. It has an expedited process, but there is a real opportunity to have amendments—even hundreds of amendments—to offer to the Budget Act, and we then have something that at least is seen by the American people and at least they will know if their representatives voted for or against it. But I think this idea of doing it in some other order, not the regular order, is an unhealthy process, and I hope we can do better.

I wish to conclude by saying that in 775 days, I don't believe we have fulfilled our responsibility. We obviously have not fulfilled our statutory responsibility under the Budget Act, which says we should have a budget by April 15. It also says we should have held a markup by April 1. Well, it is tough business, standing before the American

people in this crisis we are in, and proposing the kinds of severe actions that are going to be necessary to put our country on the right path—not the path to decline, not the path to debt crisis, but the path to prosperity. It is going to take some effort. It is going to be painful in some ways. But we are not moving in that direction at all.

What about the House of Representatives? They passed a budget. They passed a bold budget—a budget that goes 10 years and then even further, and it laid out a historic plan. It confronted the growth in entitlement programs that is a threat to their very viability. It encouraged economic growth. It reduced spending, which has surged in the last several years. Indeed, in the last two cycles, we have increased nondefense discretionary spending 25 percent. People act as though if we cut spending, we are going to sink in the ocean. That growth could be eliminated and we would be no worse off than we were 3 years ago.

So the House did their duty. And what happened? Our Democratic leader over here in the Senate, instead of producing his own budget, calls up the House budget and he wants to talk about how horrible it is and then vote on it. It got quite a number of votes in the Senate—certainly not enough to pass. We got a lot of votes. So I offered the President's budget, the one he submitted a couple months ago and that I call the most irresponsible budget ever to be presented to this Nation—and I stand by that. We are in a systemic crisis that has to be confronted with serious decision making, and the President's budget comes nowhere close to doing that. So I offered it. The President's budget failed 97 to 0. Not one Member of this Senate, Republican or Democrat, voted for that budget.

I think this is irresponsible. We have seen 775 days pass. We didn't have a budget last year. We didn't pass a single appropriations bill last year. Everything was cobbled together in this monumental CR we heard about, the continuing resolution. It is a totally ineffective method of governing this country and spending money. Congress ought to do its 12 appropriations bills properly every year. First, they should have a budget that tells all the committees how much money they have to spend and then they should pass the 12 appropriations bills. Each one should be brought up subject to amendment and voted on.

We have been in this irresponsible circumstance. My request is to our colleagues who are working either in the White House with the Vice President or whatever they are doing over there, the Gang of Six or Five or whatever—whatever they are doing—how about getting busy. How about let's see some numbers so we can get to work. I don't think it is going to be well received by Members of the Senate to have plopped

down in our lap, on the eve of some important matter such as the debt ceiling, a budget proposal that nobody has had a chance to study and that the American people don't know the details of. I thought that was one of the things we learned in the last election. I thought we learned the American people want transparency. They want accountability. They want to know what their representatives are doing, and they want to see them working in the light of day, not the dark of night. I think that is reasonable. That is the way our Congress was set up to work. That is what I wish to see.

I think it is time for these meetings to start wrapping up. I think it is time for us to start seeing some numbers. What are they going to do, wait for the last possible day to raise the debt ceiling and then waltz in here with some sort of agreement we are all supposed to rubberstamp in a state of panic? I don't appreciate that. I don't think the American people will either. It is not good government. If they have a plan, let's start seeing what it is. Let's bring it up and let's start having a public discussion on it and vote on it. I think that is the right way to go about our business.

I am very concerned that we have gotten away from the regular order. I believe we have gotten away from our august responsibility to pass a budget, to decide openly and publicly how much we think we can spend, how much we are going to tax, how much debt we are going to have. We ought to do that publicly and openly. I believe that will be held before the public and it will help the American people understand how deep a hole we are in. It is far deeper than most of us realize. I have looked at the numbers. They are very grim indeed. We need to get started sooner rather than later.

I thank the Chair.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHANOL

Ms. COLLINS. Mr. President, I am pleased to join with Senators COBURN and FEINSTEIN in offering an amendment to repeal the ethanol excise tax credit and the ethanol import tariff. These policies are fiscally irresponsible, environmentally unwise, and economically indefensible.

Historically, our government has helped a product compete in one of three ways: either we subsidize it, we protect it from competition, or we re-

quire its use. Right now, ethanol may be the only product receiving all three forms of support.

The ethanol tax break is extraordinarily expensive. The Government Accountability Office has found that the tax credit costs American taxpayers a staggering \$6 billion annually. This is quite a sum to prop up a fuel that is causing land conversion for corn production, commodity and food prices to rise, and is barely putting a dent in our Nation's dependence on foreign oil.

With our amendment, which has an effective date of July 1, we have the opportunity to immediately save American taxpayers nearly \$3 billion in just the 6 months remaining in this year.

The 2007 Energy Independence and Security Act requires the production of at least 36 billion gallons of biofuels in 2022, up from the original 2005 Energy Policy Act, which required 7.5 billion gallons by 2012. Collectively, the first generation biofuels industry will receive tens of billions in unnecessary subsidies through the year 2022.

If the current subsidy were allowed to continue for 5 years, the Federal Treasury would pay oil companies at least \$31 billion to use 69 billion gallons of corn-based ethanol that the Federal Renewable Fuels Standard already requires them to use. We simply cannot afford to pay the oil industry for following the law.

The data overwhelmingly demonstrates that the costs of the current ethanol subsidies and tariffs far outweigh their benefits. The Center for Agricultural and Rural Development at Iowa State University estimated that a 1-year extension of the ethanol subsidy and tariff would lead to only 427 additional direct domestic jobs at a cost of almost \$6 billion. That is roughly \$14 million of taxpayer money per job.

While expanding our capacity to generate alternative domestic fuel sources is an important step toward becoming less dependent on foreign oil, I have serious concerns about the effects of increased ethanol use. There are other alternative sources of energy that make far more sense.

The energy, agricultural, and automotive sectors are already struggling to adapt to the existing ethanol mandates. I am disappointed the Environmental Protection Agency has issued a partial waiver for the use of E-15, a blend of gasoline containing 15 percent ethanol. Many residents in my State have already experienced difficulties using gasoline blended with 10 percent ethanol, finding that it causes problems in older cars, snowmobiles, boats, lawn mowers, and off-the-road vehicles. The EPA's E-15 waiver fails to adequately protect against misfueling and will add unnecessary confusion at the gas pump for consumers. We simply cannot place so many engines in jeopardy.

These first-generation biofuel mandates also present environmental concerns, as they could result in energy efficiency losses and increased emissions of air pollutants because the mechanical failures can jeopardize the effectiveness of mission control devices and systems installed on engines.

In addition, over recent years, we have seen food and feed prices increase as crops have been diverted to first-generation biofuel production. I think of it this way: We should be raising crops for food, not for fuel.

Senate Homeland Security Committee chairman JOE LIEBERMAN and I held a series of hearings in 2008 that examined the impact of corn-based ethanol on food prices, and we found that it certainly had a negative impact. For one thing, crops that had been grown to support other grains were being converted to produce corn. The land was being switched to corn production, and the corn was no longer available for the products that used corn for food, but instead was being diverted to the production of ethanol.

The bottom line is that we can no longer ignore the cost of this policy to our Nation and its taxpayers, particularly given our current fiscal crisis. At a time when we are projecting a deficit, this year alone, of \$1.5 trillion, why in the world are we spending \$6 billion subsidizing ethanol? Subsidizing the blending of corn-based ethanol into gasoline is simply fiscally indefensible.

I urge my colleagues to join me in supporting the Coburn-Feinstein amendment to repeal the ethanol excise tax credit and to eliminate the ethanol import tariff.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

MEDICAID

Mr. ROCKEFELLER. Mr. President, in 1964 President Johnson envisioned an America that “rests on abundance and liberty for all.” It was against LBJ’s backdrop of the Great Society that we reignited a tradition of community. This was a little spillover of the 1960s and our flight to the Moon and all of that, but the Nation somehow came together, and we sensed that we were a community and that we had a mutual obligation to each other, and that is at the very least characteristic of the American people, more then than now. Programs such as VISTA, Peace Corps, Social Security, Medicare, and Medicaid were born in those few years, 1961 through 1964.

Sadly, nearly 50 years after LBJ’s war on poverty, we have witnessed vicious attempts to roll back government programs designed to give low-income Americans a hand up in life. I do not mean just low-income Americans but disabled Americans, very poor senior Americans who qualify for both

Medicare and Medicaid—such a difficult journey they have. What we want to do is not to give people a hand up but simply to be a safety net. That is what he said this country owed its people. That is true about defense, and that is true about social policy. We have responsibility, all of us, to do that, to make sure nobody is left out.

There is no question that we must reduce our deficit, and I have a whole series of ways that can be done in abundance, but we should not do so on the backs of working families still struggling under the weight of this recession. Oh, yes, we are in a recession, so everything that was true about people who were having a hard time before is a lot truer now. Yet bill after bill proposed by Republicans seeks to do exactly that.

The House Republican H.R. 1 was a direct attack on America’s working families and the successful education, job-training, and community development programs designed to combat poverty.

The Republican budget proposal for next year goes even further. It attacks Medicare and Medicaid, the health programs on which over 100 million American people rely—some more than others, but all have to have that as a safety net.

At a critical moment in our economic recovery, Republicans are more focused on settling old scores—evidently from health care reform and the bitterness of that fight—than they are on creating jobs or protecting people. The Republican plan for getting our deficit under control amounts to an upside-down government. Instead of helping those who depend on government programs to support their families, the Republican plan would guarantee that millionaires, billionaires, and large corporations continue to receive trillions of dollars—to wit, \$4 trillion under the new budget—in government subsidies, subsidies that will grow exponentially over time and substantially increase their benefit. They will do very, very well indeed were we to make the tragic mistake of accepting that.

Republicans are not for a fair or balanced approach to deficit reduction, and it is a great mystery to me. It is a quandary to me. I mean, you can say it is theological or whatever, you can make up all kinds of nasty political views of it, but nevertheless that is what it is. What they are there for is a government that only exists to support big business and wealthy Americans—kind of a perpetual TARP for their friends.

Well, I reject that notion, and the American people do too. In my estimation, there is no government program that more fully embodies our Nation’s tradition of community than Medicaid, our sense of mutual obligation. Some people are born wealthy.

Some people are born very poor. Some people are born in between. Some people are born wealthy and then become poor. Some people are born poor and then become wealthy. But while they are down, they have a safety net, and it is called Medicaid. You don’t hear people talking about it very much, particularly, frankly—somewhat disappointedly—from my side of the aisle.

After almost 50 years, Medicaid is still a lifesaving part of what we do as a government, what we are meant to do as a government. Medicaid is simply too important to millions of people.

Nationally, there were 68 million people enrolled in Medicaid in 2010—68 million children, seniors, people with disabilities, pregnant women. These are families who are living on the edge and barely making it. They now have a safety net, more efficient than any private insurance program in existence. They have that.

In West Virginia, there were over 402,000 people enrolled in 2008, 152,000 of those aged and disabled and 191,000 children—children. So almost 50 years later, Medicaid is still a lifesaving part of our Nation’s health care system. In West Virginia, Medicaid covers 50 percent of all births. That tells you something.

In our country, 40 percent of all births are taken care of by Medicaid. That says a lot.

Sixty-two percent of long-term care is Medicaid and, along with the Children’s Health Insurance Program it covers 34 percent of the children in our country. There are a lot of people who fought very hard over a number of years to get the Children’s Health Insurance Program that would insure more children who were not at that point eligible. Well, they are still getting it, but the House wants to get rid of that program altogether. That is 34 percent of the children in our country.

Medicaid provides an essential lifeline to families during difficult economic times, when people lose jobs that have provided them health insurance.

Medicaid is the health care program that helps States during crises—not just people but States—including, obviously, the September 11 attacks, Hurricanes Katrina and Rita, the recent floods and tornadoes in the South and the Midwest—all being helped by Medicaid.

Medicaid is part of the fabric of our great Nation, and to be clear at this point, I need to say that the House bill that was passed by the House—and who voted for it and who did not obviously is very much on record—would devastate Medicaid and government in general out of discretionary spending.

Anyway, people who are covered by Medicaid do matter. They are people. They are families. They have their needs, their wants, their ambitions,

their dreams, their sadnesses, their depressions, whatever.

Darren Hale, from Princeton, WV, wrote me.

I am a disabled West Virginian whose family relies on Medicare and Medicaid.

That may be a dual-eligible—you know, poor enough to be on Medicaid, old enough to be on Medicare, not able to survive simply on just one or the other.

I hope and pray that these health programs won't be ended or totally changed. Please do not support Republican changes to these programs as a way of cutting costs to the taxpayer. The poor of West Virginia and elsewhere should not and cannot bear the burden of the deficit reduction that Republicans want.

We need to think very seriously about our priorities. That is what this conversation really leads me to.

Let's say I am a 10-year-old boy, and I am being brought up in West Virginia. My means are meager. I step out into a road, and I am hit by a car. I don't die, but perhaps my spine is fractured—probably—legs broken, and I am condemned to a life in a wheelchair.

Now, that child is not protected by the private enterprise system. That child, unless they are an unusual child from a fairly wealthy family who then can provide insurance—but they will spend themselves down, with that insurance being so incredibly important, and they will eventually qualify for Medicaid.

You know, when you are hit by a car, that is not something you plan on. It is not something you failed to do because you did not have a work ethic or whatever the common wisdom would be about that. It is just something that happened. But the fact remains that your health care is cut, your life is changed, and it grows more miserable because you have nothing in the way of a safety net if the Republican budget is passed, if we get too aggressive about cutting Medicaid.

I am troubled. Members of Congress and senior advocates have rightfully rallied in staunch defense of Medicare. You can find wonderful groups here in Washington who rise up in anger when people talk about cutting Medicare. They are for Medicare. They know what it is. They know what it was intended to do. They know what it does. They know what a difference it makes. But aside from an occasional editorial or story, there has been an unsettling silence about Medicaid, even from members of my own party. This is despite the fact that the five main arguments made in support of Medicare, which seem to have had a rebirth recently, are also true of Medicaid.

No. 1, the public strongly supports Medicaid, just as they do Medicare. Sixty percent of people say they would prefer to keep Medicaid as it is now. That surprises me. I would have thought the figure would have been

much lower. I will get into that in a moment.

No. 2, Medicaid also creates jobs, unlike tax cuts for oil companies and rich people, et cetera. Every \$1 million in Federal Medicaid spending results in 17.1 new jobs. Sounds boring. Maybe it is, but not to the people who get those jobs. That is at hospitals, that is at nursing homes, community health centers, and doctors' offices because that is what Medicaid covers.

No. 3, a Medicaid block grant or a spending cap, which is proposed by some—the cap is proposed by some to get away from the words “block grant,” but the effect—don't be fooled by that—is the same. They would both reduce the Medicaid benefits and increase cost sharing for seniors—for all of the recipients on Medicaid from day one. Understand that clearly, I would say to my colleagues. Much has been said about a Medicare voucher system, but capping Medicaid spending would be just as bad for the 5.5 million seniors and 11 million individuals with disabilities enrolled in Medicaid.

No. 4, instead of reducing the deficit, the savings achieved by drastically cutting Medicaid would also be used to pay for more tax breaks for wealthy Americans and large corporations.

Here is where I come to what I just don't understand about what is going on in this body.

Evidently, it is not going on outside in America. Sixty percent don't want Medicaid touched. The fact that it is a majority in Medicaid is amazing and wonderful to me. I just don't understand, Mr. President. I think it is political. I think people know that poor people and the disabled—I run into them often and seek them out sometimes, the disabled. They gather in clusters of 30, 50, or 75 people in wheelchairs. They depend upon Medicaid. That is what they depend on. We see them in the Capitol. Do people stop to see them? Not particularly, no. They know that. They are not very good lobbyists. They cannot be because it is hard for them to get around. So is it political?

The Ryan budget cuts taxes on the wealthy, on big deal people and big deal corporations, by \$4 trillion. But it cuts Medicaid. Is that an act of social conscience or budget wisdom, or is that a thought-through value system? Is it just political, basically because they know that poor people don't vote? That is what I think the answer is.

You get worried about Medicare real fast.

We saw the results. We saw the House back off from that. But Medicaid? Not so. And it won't be so unless people stand up for Medicaid because they don't have lobbyists; they cannot afford them. They don't even speak that much for themselves. I don't get as many letters from them as from others, by a factor of 10. They have a sense

that life has it in for them. That is partly an Appalachian characteristic, and I think many other parts of the country. There is a certain fatalism in life—that God has a plan for you, and it is not necessarily very good. If people accept that—which I don't—as a theory, then they are not going to fight for what Lyndon Johnson gave to the Nation and passed overwhelmingly in 1965.

Cuts to Medicaid will also, to the pleasure of some, undermine the health care reform law that we just passed—which is still law. Medicaid is the underpinning of the entire coverage expansion of reform. We talk about 32 million people that we are going to cover. That goes way down, Mr. President, if these Medicaid cuts are made.

So I ask my colleagues, why is Medicaid so often treated like a second-class program? More to the point, why are people who are on Medicaid treated so often as second-class people? How does that work out? Is that a product of the American sense of justice, or is that a thoughtful America looking around them? We all have friends who have been on Medicaid, or are on it, and have made it out.

Unfortunately, sometimes those people forget their Medicaid background and turn away from it because they are on to a new and better life. Somebody has to fight for these people.

Is it the feeling that maybe they are an unwanted burden on society? We have a tendency in America to say if you don't work, it is because you don't want to. If you don't have a decent job and you have a shabby home, it is because that is what you sought, not what was given to you in your, at least, destiny of the moment.

Again, I think, is it because most of the people enrolled are low-income people and many do not vote? I think that sums it up pretty well. But it is more than that. You can't go into the hollows of Appalachia or Nebraska or many other places and organize poor people to vote because their sense is, why? What does it get me?

Decade after decade, a little bit—is there a little disdain on the part of the American people for those on Medicaid? It is a glorious program, but sometimes it is an inglorious word because it implies they don't want to better themselves.

I won't go through my experiences in West Virginia for the 58th time on this floor. But I have seen so many examples of people who are beaten down—not with a cudgel but because all economic opportunity vanished from their lives. The coal mines shut down, or there weren't any other jobs around. They didn't get to go to school because no schoolbus would come because they were too far away and county law said they don't have to be picked up.

So is the deck stacked against them? Yes, it is. Out of that group, there is

one—I guess a guy who is about 40; I will not mention his name. He has a terrific job. He works with the CSX System as one of their railroad maintenance people. He has a good family and is a wonderful person. But his parents were killed in a vehicle crash, and his brothers have been fighting all kinds of problems. So it really takes something special to fight your way out of that self-defined position and make your move forward.

I must say to my colleagues, the point of a representative democracy is not to serve the few, not even to serve the many, but to serve all as best we can. Does that mean we don't touch anything in Medicaid? No, but does it mean that we keep Medicaid as a safety net? Yes, it does.

We are not here elected by some people with incomes above X amount of dollars. We are here for all people—even the people who didn't vote for us or didn't vote at all. I take that very seriously, and I take my experience in West Virginia very seriously.

Sixty-eight million people are enrolled in Medicaid. They deserve a voice in this debate, and I, for one, will speak out for them. It is because somehow we feel that Medicaid recipients are not worthy—and I have expressed that in different words—simply because they have fallen on hard times or were born in hard times.

How do you help the fact that your father or mother didn't work because there wasn't any work available? What do you do about that situation? Or you were born in the ghetto. Oh, you just rise above that. Barack Obama did, therefore, anybody can. Life doesn't work like that, and the Presiding Officer knows that very well.

Then I must ask of my colleagues, how could this be? We all have neighbors, friends, and family who have or do benefit from Medicaid—even perhaps in their distant past. In fact, nearly half of all Americans have a friend or a family member that has received Medicaid assistance at some point, and they are absolutely worthy of our support.

Is it because we believe Medicaid spending is truly out of control? Then I remind colleagues that Medicaid costs per beneficiary grew much lower over the past decade than costs for any private health insurance coverage. The administrative costs in Medicaid are between 1 and 2 percent. An average health insurance company is probably 10, 15, or 20 percent—and all of this despite the fact that Medicaid has more comprehensive benefits. They are much larger benefits that cover more. They do more for people, and significantly lower cost sharing.

I fervently believe the American tradition of shared responsibility—everybody working together for the greater good—is a tradition worth upholding and that a government has an ongoing

role to play in its preservation. It cannot play that role perfectly, but it can do it as best and most fairly as possible.

Instead of shortchanging Medicaid, we must have the courage to rein in tax breaks for corporate America and for people of great wealth. Medicaid does exactly what it was designed to do all those years ago: provide a safety net for low-income Americans. There are lots of worthwhile and positive ways we can improve the program, I grant you that. But trashing Medicaid, gutting Medicaid—especially if it is sort of flipping it aside for political gain—cannot be an option.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

ETHANOL

Mr. GRASSLEY. Mr. President, tomorrow afternoon we will vote on Senator COBURN's amendment dealing with ethanol.

I come to the floor at this time to express my strong opposition to that amendment. Senator COBURN's amendment would raise the tax on domestic energy production. It would do this by repealing an incentive for the use of a home-grown renewable fuel called ethanol.

With conflicts in the Middle East and crude oil priced at \$100 a barrel or more, we should be on the same side. Let me make that clear. We have Middle East problems. We have crude oil priced at over \$100 a barrel. Oil interests and biofuels interests, if both are domestically produced, should be on the same side of the energy issue.

Why would anyone prefer less domestic energy production? In other words, why would anyone prefer importing more oil over domestically produced energy, whether it is fossil fuel or renewable? We should all be on the same side of more domestically produced energy.

The tremendous cost of America's dependence upon foreign oil has never been more clear. I support drilling here and drilling now. I support renewable energy. I support conservation. I support nuclear energy. The reason I support different forms of energy and why we have to support more energy is that if we are going to have an expanding economy and create more jobs, we are obviously going to use more energy.

Remember, I included conservation in my energy program. So the attacks on domestic energy are quite a remarkable thing happening right now, when gasoline is \$4 a gallon. We are spending \$835 million a day imported oil. So whether it is oil or renewable energy, we should not be fighting each other over any source of domestic energy. We should be fighting together against OPEC and these foreign dictators and oil sheiks—some of them hate the

United States—from holding our economy hostage.

The author of the amendment has argued that the production of clean, home-grown ethanol is fiscally irresponsible. It is important to remember that the incentive exists to help producers of ethanol to compete with the oil industry—in other words, to have a level playing field for all forms of energy.

Remember, the oil industry has been well supported by the Federal Treasury for more than a century. The Senator from Oklahoma, the sponsor of the amendment, has touted with much fanfare a letter from oil companies that says they don't need or want the credit. It is my understanding that many of the oil refineries are no longer in the business of downstream ethanol blending and, subsequently, do not pay the excise tax on gasoline and do not benefit from the credit.

Now, isn't it easy to be advocating repeal of something when you don't benefit from it? It is even easier to advocate for repeal when doing so would undercut your competition.

It shouldn't surprise anyone that the oil refiners and Big Oil are advocating a position that would reduce the competitiveness of renewable ethanol. Refineries enjoy a cozy monopoly on our Nation's transportation fuel. They opposed the Renewable Fuels Standard because it cuts into their monopoly.

Alternatively, if the members of the National Petrochemical and Refiners Association say they don't want or don't need the credit, then it is pretty simple: Don't take it. It is a tax credit which they must apply for to the Internal Revenue Service. If they don't want it and they don't need it, they shouldn't file for that credit with the Internal Revenue Service. I would be glad to work with the Senator from Oklahoma in getting the members of the National Petrochemical and Refiners Association to return the credit to the Federal Treasury. No one is forcing them to take the credit. Since they seem eager to return it, perhaps Senator COBURN and I can work together to get them to return it.

If you like tight gasoline supplies and if you like \$4 gasoline, join the campaign led by Big Oil and the National Petrochemical and Refiners Association. If you want less dependence on foreign oil and more use of home-grown, renewable fuels, support ethanol producers.

The fact is, the portion of the industry that blends ethanol and sells it to the consumers supports maintaining this credit. The Society for Independent Gasoline Marketers of America, or SIGMA, recently wrote to the Senate majority leader and minority leader opposing efforts to prematurely and abruptly eliminate the blender's credit:

On behalf of our client, the Society of Independent Gasoline Marketers of America, I

write to you to oppose efforts in Congress to prematurely and abruptly eliminate the VEETC—that is the ethanol blenders credit.

Increasing the tax paid on ethanol-blended gasoline makes no sense at a time when consumer fuel prices are already high and the need to maximize domestic energy sources is so very critical.

Very true at the time when gasoline is \$4 a gallon.

SIGMA's members account for 37 percent of the petroleum retail market. SIGMA works to promote competition in the marketplace to help keep consumer fuel costs down. This is contrary to the position of oil refiners who prefer no competition.

I have further words from that letter.

This incentive has been an extremely useful tool in helping the Nation's fuel marketers and chain retailers deliver fuels to the market at a competitive price.

By providing long-term price competitiveness for ethanol-blended fuels, VEETC also helps provide assurances to marketers and retailers that important infrastructure investments necessary to deliver these fuels will continue to provide returns, and not result in wasted improvements.

Simply put, SIGMA opposes recent moves to prematurely or abruptly end the subsidies without any consideration for future fuel and fuel-delivery costs.

To end this incentive immediately would no doubt result in an immediate spike in consumers' fuel costs.

SIGMA believes that a policy that provides an effective transition for the industry from the current tax structure is a better alternative to the slash and cut budget strategy being promoted by some Members of Congress.

I ask unanimous consent to have this letter printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRASSLEY. The Senator from Oklahoma also mentioned the total cost of the blender's credit as a reason for supporting repeal of VEETC. He claimed the American people will have spent \$32 billion on this credit over the past 30 years. That may be the case.

Again, I don't believe we should be debating ethanol incentives by themselves or in a vacuum. For comparison's sake, I wish to inform my colleagues of the cost and duration of a few oil subsidies.

The Senator from Oklahoma has derided the 30-year-old ethanol blender's credit, arguing that the industry is mature. Well, what about our century-old oil industry? Don't forget, oil was discovered in Pennsylvania in 1859. We haven't had the incentives for that long, but according to the Government Accountability Office, the tax break allowing for the expensing of intangible drilling costs began in 1916, more than 95 years ago, and continues today. The percentage depletion allowance was enacted in 1926, 85 years ago, and it still exists today. After 95 years, is the domestic oil industry not mature?

I know my colleagues will be interested in how much these two subsidies

have cost the American people. A report issued by the General Accounting Office in the year 2000 looked at the subsidies for oil production. It reviewed the 32-year period between 1968 to 2000. During that timeframe, the intangible drilling subsidy cost the American people as much as \$52 billion. The percentage depletion subsidy cost the American people \$82 billion. So these two provisions, enacted nearly a century ago, cost the American people as much as \$114 billion from 1968 through 2000. And this doesn't even include the subsidies during the past 11 years.

Last month, we had a vote here in the Senate to repeal a number of these oil and gas tax provisions. Opponents of repealing oil and gas subsidies argued then, and I presume would argue today, that doing so would reduce domestic energy production and drive up our dependence on foreign oil. Opponents at that time also argued it would cost U.S. jobs, and increase prices at the pump for consumers.

I happen to agree with those arguments. But if those arguments are good for oil, then they are good not just for ethanol but they are good for all sorts of green energy as well.

Prices at the pump are nearly \$4 a gallon. All of our constituents are crying out for action to lower these prices, so it makes sense that Congress would consider steps to address the rising energy costs and work to drive down the cost to consumers at the pump.

That is not what the Coburn amendment would do. It would not drive down the cost at the pump at all. It would very likely lead to higher prices for consumers. It won't lead to the production of anymore energy. It won't create anymore jobs. It very well could lead to less domestic energy production and less employment in the U.S. energy sector; in other words, more unemployment and more dependence on foreign sources of energy.

At a time of \$4 gas and 9.1 percent unemployment, why would we in this body consider an amendment that will increase the cost of energy production, reduce domestic energy supply, and lead to job losses?

Ethanol is reducing prices at the pump. A recent study by the Center for Agriculture and Rural Development found that ethanol is reducing the price at the pump by an average of 89 cents a gallon.

The fact is, this amendment is not about reducing prices at the pump. The amendment before us is not about reducing our dependence on foreign oil. This amendment is about raising taxes. And one thing is for certain: If you raise taxes on any activity, you get less of it. That is a common economic principle.

A taxpayer watchdog group considers a repeal of this tax incentive to be what it is, a tax hike. Americans for Tax Reform said, "Repealing the eth-

anol credit is a corporate income tax increase." I agree.

Now is not the time to impose a gas tax hike on the American people. Now is not the time to send pink slips to ethanol-related jobs.

I know we all agree that we cannot and should not allow job-killing tax hikes during this time of economic uncertainty. What this Congress should be doing is increasing the domestic production of energy as a way to increase jobs, increase domestic investment, and lower prices at the pump. This amendment does none of those things, and actually it does exactly the opposite. A repeal of the ethanol tax incentive is a tax increase that will surely be passed on to the American consumers. Repealing incentives for ethanol would have the same exact result as a repeal of the oil and gas subsidies. We will get less domestically produced energy. It will cost U.S. jobs. It will increase our dependence upon foreign oil. It will increase prices at the pump for the American consumer.

So why do my colleagues want to increase our foreign energy independence when we can produce it right here at home? I wish to ask my colleagues who voted against repealing the oil and gas subsidies but support repealing incentives on renewable fuels, why the inconsistency?

Interestingly, the same oil and gas association that is lobbying for repeal of the ethanol incentive led the charge against raising taxes on the oil and gas industry. The president of the National Petrochemical and Refiners Association stated:

Targeting a specific industry or even a segment of that industry is what we would consider punitive and unfair tax policy, and it is not going to get us increased energy security, increased employment and certainly not going to lower the price of gasoline.

That is the end of the quote from the president of the National Petrochemical and Refiners Association.

The fact is, it is intellectually inconsistent to say that increasing taxes on ethanol is justified but that it is irresponsible to do so on oil and gas production. If tax incentives lead to more domestic energy production and to good-paying jobs, why are only incentives for oil and gas important? It is even more ridiculous to claim that the 30-year-old ethanol industry is mature but the oil and gas industry, now over 100 years old, is not. Regardless, I don't think we should be raising taxes on any type of energy production or on any individual, particularly when we have a very weak economy. This amendment is a tax increase.

The Senator from Oklahoma also insists that because the renewable fuel is required to be used, it does not need an incentive. But with oil prices at \$100 a barrel, oil companies are doing everything they can to extract more oil from the ground. There is not a mandate to

use oil but oil already has a 100-year-old monopoly on our transportation infrastructure. They want to maintain as much of that 100-year-old monopoly as they can right now. Right now, because 10 percent of the energy used in cars is ethanol, they may only have a 90-percent monopoly, but they sure have a lot to say about what goes into your gas tank without competition.

When there is little competition to oil and it is enormously profitable, wouldn't that industry argue that the necessary incentives exist to produce it without additional taxpayer support? Oil essentially has a mandate today, and the economics of oil production are clearly in favor of producers.

It is still unclear to me why we are having this debate on this bill. This is not an energy bill. It is not a tax bill. Its prospects in the Senate are uncertain. Maybe most important, if this amendment were attached to this bill, the entire bill would be blue-slipped by the House because revenue bills under our Constitution must originate in the House of Representatives, and this is not a House revenue bill we are working on.

If we send it to the other body with this amendment, they will send it right back to us. It will be dead on arrival in the other body. So why are we having this debate on this bill? We should be debating this amendment in the context of a comprehensive energy plan. This debate should include a review of the subsidies for all energy production, not just for one of many renewable resources.

I could ask: Why are we talking about this subsidy on ethanol when we are not talking about the subsidies on oil? Why should we be talking about this subsidy on one alternative energy, which is ethanol, but not talking about the subsidies for wind and solar and biomass and geothermal and I suppose a dozen other alternative energy sources that we have? It boils down to the fact that we should not be singling out ethanol. Nearly every type of energy gets some sort of market-distorting subsidy from the Federal Government. I have indicated that at least for 95 years on one oil subsidy.

An honest energy debate should include ethanol, oil, natural gas, nuclear, hydropower, wind, solar, biomass, and probably a lot of others that do not come to my mind at this particular time. In December, 2010, Congress enacted a 1-year extension of the volumetric ethanol excise tax credit—that, for short, goes by the acronym VEETC—but this is also known as the blenders' credit.

This 1-year extension has allowed Congress and the domestic biofuels industry to determine the best path forward for Federal support of biofuels.

As a result of these discussions, Senator CONRAD and I introduced bipartisan legislation on May 4 that is a se-

rious, responsible first step to reducing and redirecting Federal tax incentives for ethanol. Our bill will reduce VEETC to a fixed rate of 20 cents in 2012, and 15 cents in 2013. It will then convert to a variable tax incentive for the remaining 3 years based upon the price of crude oil. When crude oil is more than \$90 a barrel, there will be no blenders credit. When crude oil is \$50 a barrel or less, the blenders credit would be 30 cents. The rate will vary when the price of crude is between \$50 and \$90 a barrel.

When oil prices are high, a natural incentive should exist in the market to drive ethanol use. The bill also would extend through the year 2016 the alternative fuel refueling property credit, the cellulosic producers tax credit, and the special depreciation allowance for cellulosic biofuel plant property.

Today, Senator THUNE and Senator KLOBUCHAR are introducing another bipartisan bill to immediately reduce and reform the ethanol tax incentive. It includes many of the same features as the bill I introduced last month, but it enacts the reforms this year. The approach of Senator THUNE also leads to significant deficit reduction.

The legislation we have introduced is a responsible approach that will reduce the existing blenders credit and put those valuable resources into investing in alternative fuel infrastructure, including alternative fuel pumps.

It would responsibly and predictably reduce the existing tax incentive and help get alternative fuel infrastructure in place so consumers can decide at the pump which fuel they would prefer. I know that when the American consumers have their choice, they will choose domestic, clean, affordable renewable fuel. They will choose fuel from America's farmers and ranchers rather than from oil sheiks and foreign dictators. Both of the ethanol reform bills I mentioned are supported by the ethanol advocacy groups. In an almost unprecedented move, the ethanol industry is advocating for a reduction in their Federal incentives. No other energy industry, whether it is fossil fuels or renewables, has come to the table to reduce their subsidies. No other energy advocate has come to me with a plan to reduce their Federal support.

In conclusion, I would like to address two points that ethanol opponents continue to make, despite facts to the contrary. First, ethanol and ethanol incentives are not a major factor in rising food and corn prices. The U.S. Secretary of Agriculture, Tom Vilsack, recently stated:

During the great run-up in food and commodity prices in 2007 and 2008, biofuel production played only a minor role, accounting for about 10 percent of the total increase in global prices.

But going back to that time or even more recently, listening to the big food manufacturers that are part of this co-

alition attacking ethanol, you would think the entire blame for the increase in the price of food is because of ethanol, even though ethanol consumes only 3 percent of the coarse grain produced in the entire world. A recent report by the Center for Agriculture and Rural Development concluded that only 8 percent of the increase in corn prices from 2006 to 2009 was due to ethanol subsidies. Further, they concluded that because of this small impact, it "... necessarily implies that the contribution of ethanol subsidies to food inflation is largely imperceptible in the United States."

Second, ethanol reduces greenhouse gas emissions significantly compared to gasoline. The fact is, under the renewable fuels standard created in 2007, corn ethanol was required to reduce greenhouse gas emissions compared to gasoline by at least 20 percent. The fact is, corn ethanol exceeded that threshold. If you remove EPA's use of the murky science surrounding emissions from indirect land use changes, ethanol reduces greenhouse gas emissions by 48 percent compared to gasoline.

A recent peer-review study published in the *Yale Journal of Industrial Ecology* found that ethanol reduces greenhouse gas emissions by up to 59 percent compared to gasoline. Ethanol currently accounts for 10 percent of our gasoline fuel pool. A study found that the ethanol industry contributed \$3.4 billion to the Federal Treasury in 2009. That happens to be \$3.4 billion more than the ethanol incentive. Today, the industry supports 400,000 U.S. jobs. That is why I support homegrown, renewable, reliable biofuels.

I would rather our Nation be dependent upon renewable fuel producers across this country rather than relying on Middle Eastern oil sheiks or Hugo Chavez in Venezuela. None of those people like us, and some of them are using our own money to train terrorists to kill us. Instead, I would prefer we support our renewable fuel producers based right here in the continental United States. I would prefer we decrease our dependence on Hugo Chavez and not increase it. I certainly don't support raising the tax on gasoline during a weak economy.

I encourage my colleagues to vote no on the motion to invoke cloture on the Coburn amendment.

I yield the floor.

EXHIBIT 1

STEPTOE & JOHNSON LLP,
Washington, DC, April 1, 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: On behalf of our client, the Society of Independent Gasoline Marketers of America, SIGMA, I write to urge you to oppose efforts in Congress to prematurely or abruptly eliminate the Volumetric Ethanol Excise

Tax Credit or VEETC. Increasing the tax paid on ethanol blended gasoline makes no sense at a time when consumer fuel prices are already high and the need to maximize domestic energy sources is so critical.

As the national trade association representing America's independent fuel marketers and chain retailers, SIGMA represents an important and innovative part of the America's fuel marketing industry. SIGMA's approximately 270 corporate members command some 37 percent of the petroleum retail market, selling 64 billion gallons of motor fuel each year. For more than 50 years, SIGMA has supported the nation's fuel marketers by encouraging policies that promote growth, innovation, and fairness in the industry, and competition in the marketplace to help keep consumer fuel costs down.

As the leading marketers of ethanol-blended fuel at the retail level, SIGMA's members and customers are the beneficiaries of VEETC. This incentive has been an extremely useful tool in helping the nation's fuel marketers and chain retailers deliver fuels to the market at a competitive price. By providing long term price competitiveness for ethanol blended fuels, VEETC also helps provide assurances to marketers and retailers that important infrastructure investments necessary to deliver these fuels will continue to provide returns, and not result in wasted improvements.

Simply put, SIGMA opposes recent moves to prematurely or abruptly end the subsidies without any consideration for future fuel and fuel-delivery costs. To end this incentive immediately would no doubt result in an immediate spike in consumers' fuel costs. SIGMA believes that a policy that provides an effective transition for the industry from the current tax structure, is a better alternative to the slash and cut budget strategy being promoted by some Members of Congress.

I thank you in advance for your support in this regard. If you have any questions or wish to discuss this matter further, please feel free to contact me.

Sincerely,

R. TIMOTHY COLUMBUS,
*General Counsel to the Society of Independent
Gasoline Marketers of America.*

The PRESIDING OFFICER. The Senator from New Jersey.

EXTENSION OF MORNING BUSINESS

Mr. MENENDEZ. Mr. President, I ask unanimous consent the period for morning business be extended until 7 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak in morning business for 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC POLICY

Mr. MENENDEZ. Mr. President, to the millions of Americans who are struggling to find jobs or make ends meet, this is simply stating the obvious, but I rise, a decade after we were told the Bush tax cuts for the wealthy

would stimulate the economy and create jobs, to say they have done neither. A decade of the Bush tax cuts have proven what we knew from the beginning; that they disproportionately benefited the wealthy, shifted wealth, did nothing for the middle class, and nothing trickled down.

The tax cuts exploded the debt and continue to be an economic burden that has been twisted into a Republican mantra, an ironic rallying cry for what clearly is a failed economic policy. Yet adherence to the tax cuts for the wealthy is a Republican political litmus test, no matter how clear the evidence is that they have failed to deliver on the promise.

We again hear our colleagues on the other side of the aisle pursuing their "my way or the highway" approach to legislating. This time they are protecting these failed tax policies in the current debt limit negotiations, and they are putting tax cuts for millionaires ahead of poor seniors in nursing homes.

These are the very same tax cuts for millionaires that helped get us into this fiscal mess, and they should most certainly be on the table to help us get out. It is like my Republican colleagues have thrown a lavish dinner party for the past decade and now they want us to pick up the check. What we are saying is: Let's go dutch and share the tab.

Ten years later, it is abundantly clear that tax cuts for the wealthy are nothing more than an ideological and political pivot point, not a sustainable economic policy. Our Republican colleagues use this failed notion as a one-size-fits-all for political sleight of hand for all economic circumstances: tax cuts in bad times, tax cuts in good times, tax cuts in all types of economic circumstances. That is not policy, it is a convenient bumper sticker slogan.

Our Republican friends on the other side come to the floor prepared to end Medicare as we know it. They come to the floor prepared to slash government to the bone. But they are unwilling to even entertain revisiting this failed economic policy, unwilling to consider adding a single penny to the revenue side of the equation by limiting this blind giveaway to those who need it the least. They will not entertain asking the wealthiest to be part of the solution for America, and I believe if asked, they would be. They would not put tax cuts on the table but have made ending Medicare, as we know it, the centerpiece. They told us from the beginning that wealth will trickle down, tax cuts will lift all boats, those who get the benefit of the cuts will do what is right for America and its people and create American jobs for American families. Well, the facts do not suggest such an altruistic outcome. Tax cuts for the wealthy have turned out to be the greatest failed jobs pro-

gram in American history. All of the grand promises aside, all of the rhetoric about job growth and economic stimulus, all of that lofty rhetoric aside, just 3 years after the Bush tax cuts in June of 2004, we lost almost 1 million jobs, more than 300,000 jobs a year for each year of 3 years.

The fact is this economic policy did not stimulate job growth at home, but it did create job transfers abroad. Factories closed, jobs went overseas, services were outsourced. The rich got richer and tax cuts produced no jobs in America for 3 years. None. In April of 2003, almost 2 years after the tax cuts were passed, President Bush stood before the American people and said:

These tax reductions will bring real and immediate benefits to middle income Americans. By speeding up the income tax cuts, we will speed up economic recovery and the pace of job creation.

He called the tax cuts "a victory for fairness and a vote for economic growth."

The fact is the Bush tax cuts coincided with the most anemic economic expansion of the postwar period. It exploded the deficit and the debt and concentrated wealth at the top unlike any concentration of wealth since the Gilded Age of the late 19th century. This, in addition to two wars unpaid for in Iraq and Afghanistan, a new entitlement program passed by Republicans unpaid for, and a marketplace that instead of being a free market was a free-for-all market created the excesses that brought us to the culmination of 2008's incredible economic challenge to this country on the verge of a potential new depression and drove so much of the debt the Nation faces today.

For all the rhetoric from the right, the Bush tax cuts have been the greatest failed jobs program and the most ineffective economic stimulus effort in our history, succeeding only in creating a new class of super-rich in America.

Let's talk about this shift in wealth from the last decade. As much as my Republican colleagues tried to twist themselves into knots and jump through elaborate hoops to disprove the obvious, the facts are clear. Ten years later and the Bush tax cuts have disproportionately widened the income gap to a point today where the wealthiest 1 percent of households in this country owns almost 40 percent of all private wealth in this country, more wealth than the bottom 90 percent of all Americans combined. Think about it. The wealthiest 1 percent of households in this country owns 40 percent of all private wealth, more than almost all of the rest of us combined. That is an extraordinary shift in wealth in the 10 years since the tax cuts were enacted that has cost this Nation \$2.5 trillion in revenue with about 40 percent of the benefits going to households with incomes over \$380,000. Yet

our friends on the other side say no to a single mother who sits up in the middle of the night with a sick child wondering if she can afford to take that child to the doctor, praying she can afford the medicine that child needs and still put food on the table, hoping she will be able to keep her job and her health care plan.

All that wealth at the top and Republicans have said no to a young student who needs a Pell grant so he or she can get the education they need to succeed. All that wealth at the top and Republicans have said no to a mom-and-pop grocery store owner who cannot get the capital they need to make repairs or expand. Our friends on the other side have looked into the eyes of that mother, that student, that store owner and said, no; no to health care, no to education, no to small business capital. They even said no to extending unemployment benefits, but asking the wealthy to pay their fair share is off the table. The one thing they have said yes to is ending Medicare as we know it and leaving seniors to fend for themselves.

I have been visiting senior centers in my home State of New Jersey. I just came from, earlier today, to hear thoughts on the current budget discussions of Medicare. A typical 65-year-old at these meetings under the Republican budget proposal would pay an additional \$7,000 by the year 2022. Right now over 140,000 seniors in New Jersey are paying more for their medications because they fall into that doughnut hole.

Under the Republican plan, those New Jersey seniors will pay an additional \$80 million for prescription drugs next year, and by 2020 seniors currently in the doughnut hole will pay an additional \$1.6 billion. Nationwide nearly 4 million seniors will pay \$2.2 billion more for prescription drugs in 2012 alone under the Republican plan, a plan that would end Medicare and would also force at least 1 million seniors to pay over \$110 million more for annual wellness visits in 2012. Then turning to Medicaid, looking to turn that into a block grant program, the Republican plan could cost America more than 2 million private sector jobs over the next 5 years and threaten our economic recovery.

That is not all. Nationwide the Republican plan could cut more than \$503 billion in Medicaid funding for seniors, for the disabled, including lifesaving nursing home care, leaving us with the uncomfortable and unanswerable question I pose to my Republican friends: What will those fellow Americans do? Where will they go? What happens to them under the Republican budget plan? These are people, not budget numbers. What happens to them?

Something is wrong with that picture of America. It is not the America I know. Something is fundamentally

wrong when we let seniors fend for themselves and enact policies that lead to inequalities in income and wealth that are the most skewed since the Gilded Age and the Great Depression. How many years are we going to buy into the failed negotiation of trickle-down voodoo economics that reward the winners and leave the middle class behind?

We all know we need to cut wasteful spending, we all know we need to balance the budget, and we have done it before. It wasn't that long ago that, in fact, during another Democratic administration we had budget surpluses as far out as the eye could see. How quickly we forget the day Bill Clinton left office he handed the incoming President a \$236 billion surplus with a projected surplus of \$5.6 trillion over the next 10 years. When President Bush left office, he turned a \$236 billion surplus into a \$1.3 trillion budget deficit with projected shortfalls of over \$8 trillion over the next decade and handed the new President, President Obama, an economy headed off the cliff.

Now our Republican colleagues want to go back to the same failed policies. They want to give more tax cuts to millionaires and billionaires, continue subsidies to Big Oil while they end Medicare as we know it and gut Pell grants and all that they mean to our economic future. They insist on tax cuts that will cost \$700 billion on the revenue side over the next 10 years and trillions more by slashing tax rates for the wealthy and the powerful.

Those making more than \$1 million a year will see a windfall of \$125,000 each from the tax cuts and tens of thousands of dollars more for proposed tax rate cuts while people in my home State lose \$34 billion in health benefits and 400,000 New Jerseyans end up without health coverage at all. They want to shift the balance to millionaires and billionaires while making Draconian cuts to health care benefits for seniors.

Cuts do not reflect our value as a people or as a nation. Even a majority of tea partiers think it is a bad idea according to recent polls. I am reminded that our distinguished Republican colleagues are symbolized in their party by an elephant, a large animal that never forgets. Our Republican colleagues have forgotten what Vice President Cheney told America on national television as he was waging two wars, both unpaid for. He said, "Deficits don't matter." Vice President Cheney: "Deficits don't matter."

Well, Republicans have apparently forgotten President Bush's own words on April 16, 2001, about the benefits of favoring the wealthiest Americans:

Tax relief will create new jobs. Tax relief will generate new wealth, and tax relief will open new opportunities.

He was right about one thing; it created new wealth and new opportunities—all of them at the top. But show

me the jobs. Show me the new opportunities for middle-class families. Show me what it did to keep our economy on track and protect hard-working families from losing their homes in mortgage schemes and hedge fund gambles that stole the wealth of middle-class families taking us to the brink of economic ruin.

Let's look at the simple facts about the Bush tax cuts 10 years later. The top one-tenth of 1 percent of American wage earners, those earning more than \$3 million a year, received an average tax cut of \$520,000 each—far more than most American families dream of making—a tax cut more than 450 times larger than the meager tax cut of an average middle-class wage earner. Those earning over \$3 million benefited from lower tax rates on capital gains; lower tax rates on dividends, and lower marginal rates for the top two tax brackets.

From 2002 to 2007, the top 1 percent of American wage earners enjoyed 65 percent of the total income gains during that 5-year period. In those 5 years nothing trickled down. In fact, real hourly earnings fell by almost 2 percent for men in the bottom 10 percent of wage earners. It fell one-half of 1 percent for men in the middle of the 50th percentile but increased almost 3 percent for men in the top 10 percent. Nothing trickled down.

If the Bush tax cuts were designed as a stimulus, they failed again. Moody's has said making the cuts permanent would generate only 35 cents in economic activity per dollar they cost.

Under the American Recovery Act, the payback would be \$1.17 for every dollar of the Making Work Pay credit and \$1.38 for the child tax credit. Clearly, the stimulus effect of the Bush cuts was not a stimulus at all. As far as the debt is concerned, from 2001 to 2010 the cuts added \$2.6 trillion to the debt, 50 percent of the total accrued during that 10-year period. The fact is the Bush cuts averaged out to lower revenue levels as a share of the economy than any previous decade since the 1950s, even as we have America's sons and daughters in two wars waging abroad, unpaid for. The extension of the cuts in the December tax bill is projected to decrease revenues by \$432 billion, from 2012 to 2021, making the total costs more than \$5 trillion over the next decade. Yet Republicans will not put any of that \$5 trillion on the table, not even the tax cuts for millionaires, but they will happily end Medicare as we know it and kick poor seniors out of their nursing homes. This is something we cannot let happen.

So, Mr. President, as I have said before on the floor of the Senate, in their ideological haze they seem to have lost sight of the real people whose lives would be affected by the choices we make. The Republican vision of America is about the bottom line. It seems

to me they failed to realize that budgets are not just about numbers, budgets are about people, their hopes, their dreams, their expectations for a better life for themselves and their children. They are about the promise of this country and the dream we have come to expect, the vision we have of safe, clean, vibrant communities in which to raise our families.

Budgets are a reflection of our values, not a faceless calculation of pluses and minuses just to reach an arbitrary number regardless of the impact on middle-class families looking to get back to work and pay the bills. All of us have a budget. Maybe it is not a formal budget, but we all have one. On the revenue side we have what we earn from gainful employment, investments, interest on savings. On the flip side we have our expenses, mortgage payments, groceries, utilities, and we have our contributions perhaps to our church or synagogue or donations to a favorite charity or a worthy cause. These are expressions of our personal values, just as the Nation's budget is an expression of its collective values.

We may not always think of the budget in those terms, but we should. It is about our values. The Bush tax cuts enacted a decade ago are antithetical to the values that we as a people and nation have. Middle-class families and seniors should not be left to pay the tab for a decade of lavish tax cuts that did nothing but make millionaires richer. Those tax breaks helped us to get into this mess, and they certainly should be on the table to help us get out of it. If we do that, then we have the wherewithal to do what we did once again under President Clinton: Balance the budget for the first time in a generation, create record surpluses, low unemployment, low interest rates, low inflation, and the greatest peacetime economy in over a generation. Those are the choices before the Senate and the country, and I hope we can get our colleagues to understand the right choice on behalf of the Nation's progress and prosperity.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

COBURN AMENDMENT

Mr. FRANKEN. Mr. President, I rise today to express my strong opposition to the amendment offered by my colleague from Oklahoma which we will be voting on tomorrow. Before I talk about the substance of the amendment, I wish to comment on the procedure through which it was offered. There was no warning to Senate leadership or to any of our colleagues. And while technically it wasn't in violation of Senate rules, it undermines the basic comity that makes this body work. It is a disservice to do business this way—to our colleagues, to bipartisanship,

and to the American people who sent us in Washington to get work done by working together. So I am disappointed in the way this was handled.

Now let me talk about the amendment itself. Today, families in Minnesota and around the country are paying painfully high prices at the pump as oil still hovers around \$100 a barrel. What this amendment does is cut the legs out from under the most viable alternative to foreign oil we have. Despite decade after decade of rhetoric about weaning our country off foreign oil, we are still dependent on it. And while about a third of our oil imports comes from Canada and Mexico, close to half come from the Persian Gulf, Africa, or Venezuela.

Last year at this time we were dealing with the gulf oilspill, the worst environmental catastrophe we have ever had. That was maybe the most jarring reminder of what has been clear for decades—that we have to kick our addiction to oil. While that is not something we can do overnight, we need to do everything in our power to transition to alternatives.

There is no more viable alternative than biofuels. Today, the industry that has been most successful in displacing oil is under attack. We are talking about an industry using homegrown American resources, an industry that has created thousands of jobs and catalyzed economic development across rural America. The first generation of biofuels has paved the way for the next generation of advanced biofuels. The first commercial-scale cellulosic ethanol plant is being built this year in Emmetsburg, IA, where it will be making ethanol from corn cobs.

According to a recent study done by the researchers at Iowa State University and the University of Wisconsin-Madison, the growth in ethanol production reduced wholesale gas prices by an average of 89 cents per gallon in 2010. In the Midwest, that number was higher: \$1.37 per gallon. Let me repeat that. At a time when so many American families are struggling to pay their bills and make ends meet, they would have paid an average of 89 cents more per gallon of gas last year had we not had ethanol.

But instead of giving this industry the tools it needs to grow and reduce our oil dependence even more, this amendment hangs the ethanol industry out to dry. It makes no sense.

I share the concern of my colleague from Oklahoma about the deficit and our national debt. To cut our deficit, everyone in America will have to make some sacrifices, and that includes the ethanol industry. The easy part here is that the ethanol industry agrees. Ethanol producers stand ready to phase out the ethanol blenders credit. But we need to be consistent. If the ethanol industry is being asked to make some sacrifices, other fuel industries need to

be willing to do the same. Yet, just a month ago, many of my colleagues, including my colleague from Oklahoma, voted against repealing billions of dollars in subsidies we pay every year to the biggest five oil companies. We are talking about companies that have made almost \$1 trillion in profit over the last decade. My colleagues chose to leave those tax breaks in place, amounting to 21 billion in taxpayer dollars to oil companies over the next 10 years. Expert after expert has basically concluded these subsidies are not lowering the cost of gas and would not cause it to increase if they were eliminated. But we do not need experts to tell us that. Subsidies for oil and gas are on the books right now, and some have been on the books since as far back as 1916, but they have done nothing to stem the skyrocketing gas prices that are squeezing the budgets of American families. Yet when we are talking about ethanol—a homegrown alternative to foreign oil that lowers prices at the pump—my colleagues seem to think it is absolutely imperative to repeal this tax credit now.

When it is repealing subsidies for oil and gas companies operating in oil-producing States such as Oklahoma, that somehow is a tax hike. But cutting a tax credit that supports an American renewable fuel, that is “fiscal responsibility.” The hypocrisy here is stunning.

Regardless, America's ethanol producers are ready and willing to phase out this credit. But there is a right way and a wrong way to do it. The Coburn amendment, which abruptly ends the credit at the end of this month, is the wrong way. The right way is to responsibly phase out the tax credit in a manner that allows the industry to build out the infrastructure it needs to bring advanced biofuels into the U.S. market.

Today my colleagues and I are introducing legislation that does it the right way, and I urge every Member of this body to support it. Right now, our biofuels industry is hitting a wall because of the national 10-percent ethanol blend limit we have had on the books. It also is hamstrung by the inability of most cars and gas pumps to use blends higher than 10 percent ethanol. That means cellulosic ethanol and other advanced biofuels have no market access or market to grow into. This isn't an industry problem, it is a public policy problem.

The EPA's E15 waiver was a step in the right direction to address this very problem. But without pumps that can deliver higher ethanol blends, American consumers have no way to access additional ethanol that would and should be on the market. What our legislation does is reform our ethanol tax policy by ending the ethanol tax credit in its current form at the end of the month. It then invests part of the savings into biofuels infrastructure, part

toward extending the cellulosic ethanol credit, and puts \$1 billion toward reducing our deficit.

Reducing America's dependence on oil is going to require a national strategy, and biofuels are just one part of that strategy. We also need to do things such as deploy more electric vehicles and make our entire economy more energy efficient. We have to recognize that if we don't fix our national policies to allow the biofuels industry to grow, we are actively choosing foreign oil and dirty fossil fuels over domestic, homegrown, renewable fuels.

Let me tell my colleagues something: We are never going to see a massive ethanol spill in the Gulf of Mexico that kills 11 workers, destroys thousands and thousands of livelihoods, and does irreparable harm to vital ecosystems. We are never going to see foreign countries collude to restrict the supply of ethanol and drive up gas prices for American families. As we transition to advanced biofuels and expand this industry, we are not going to see these jobs go overseas. This is an American industry, it is American jobs, and it is American energy independence. I urge my colleagues to make the responsible choice—one that will keep this industry moving forward.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. I thank the Chair.

(The remarks of Ms. KLOBUCHAR and Mr. THUNE pertaining to the introduction of S. 1185 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. BENNET). The Senator from Oklahoma.

ETHANOL

Mr. COBURN. Mr. President, I had a good time this afternoon listening to the debate on the amendment I have offered and visiting with Senators. I think there is an important distinction that needs to be made in the arguments that have been brought forward.

The first is we have a mandated level of ethanol that has to be produced and blended into gasoline, and it grows from now on. There will be zero job losses if this amendment is approved.

The second thing is, my colleague—and I love him to death—from South Dakota says we are going to save \$1 billion. We can save \$3 billion if we eliminate the VEETC blending subsidy.

Now, why should we do that? Here is a subsidy that goes to all the blenders of gasoline in the United States—all of them—and they all have called and written and said: We do not want the \$3 billion for the rest of the year. We do not want it.

We actually have a letter from the National Petrochemical and Refiners Association, which they are all mem-

bers of, saying: We do not want this money. So the best way to get money against the deficit is to not give money to people who do not want it on something that is already mandated anyway.

I spent a great deal of time listening to my colleague from Iowa, Senator GRASSLEY, and his figures were very good. But they were only up through 2008.

According to the U.S. Department of Agriculture, 40 percent of last year's corn crop was utilized, converted to ethanol. Why would the American Bakers Association, the American Frozen Food Institute, the American Meat Institute, California Dairies, the Grocery Manufacturers Association, the International Dairy Foods Association, the Milk Producers Council, the National Chicken Council, the National Council of Chain Restaurants, the National Meat Association, the National Restaurant Association, the National Turkey Federation, the National Wildlife Federation—which is just about one-third of the people who are endorsing this—why would they be for this?

Because it is not just less than 3 percent of the cost of food, it has been, this last year, the significant driver. Corn prices are at \$7.65 a bushel. They are 2½ times what they were 3½ years ago. And I am not against the farmers. I am for ethanol. I do not want to do away with ethanol blending. I do not want to do away with ethanol as a substitute. But we have a way to get the same amount of ethanol produced and put into our cars without spending \$3 billion between now and the end of the year—\$5.8 billion is what it has averaged over the last few years.

We spent \$34 billion of money we didn't have subsidizing something that is mandated. I mean, it even goes beyond the Reagan quote, which was that the government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.

We have the incentive to blend the ethanol, and that incentive is you by law have to blend it. They do not have a choice. So we are going to use ethanol in this country.

Another factor the American people ought to take into consideration when they go buy a gallon of fuel today—you already have \$1.72 worth of subsidy in there. That does not have anything to do with oil and gas drilling; that has to do with the subsidies that go to this program for ethanol. And I am for using cellulosic. I am actually for using corn ethanol. I just do not think we ought to pay twice for it. I think we ought to pay once.

The number the Senator from Minnesota talked about in terms of subsidy, there are—I have worked on the President's commission on debt. I have worked with the Gang of 6. You cannot

be for changing the Tax Code to get rid of tax expenditures and vote against this amendment. I mean, how do you explain? Here is one we do not need the incentive for and we are going to pay for, and yet you say you want to solve the problems of the country. But the first time we have a vote to really eliminate one that will make no difference in terms of the amount of ethanol that is produced in this country—it will just save us \$3 billion—you can't be on both sides of that issue.

Let me address the oil and gas industries for a minute. They get accelerated depreciation and writeoff. That is true. And that amounts to taking legitimate business expenses and saying: You can write them off sooner. Why did we do that?

It started in 1903, by the way. That is when we started. We started it because it is a capital-intensive business in terms of the exploration. It is associated with a lot of dry holes.

Now, the very companies that we say we want to take some of their "subsidies"—there is a big difference between a subsidy that is a tax credit and allowing someone to advance depreciation because they are going to get to write it off anyhow. The net effect to the Federal Government's revenue, if you take all of those away, is still zero. The Federal Government does not get any additional money because under accounting standards they get to write off those expenses anyway; they just do not get to write them off fast.

So the body has already chosen to not do that because they are legitimate business expenses. We are not saying: Take away legitimate business expenses from the ethanol distilleries or the blenders. We are just saying: Do not pay them money for something that they are going to have to do anyhow that they have already said to us they do not want.

Tomorrow during the debate, I will add to the RECORD the statement from the National Petrochemical and Refiners Association.

The other point I would make: There is no question we are not energy independent, and there is no question that biofuels and cellulosic ethanol can contribute to what our results can be in terms of maintaining that independence. But we are the only Nation in the world where we as citizens own more oil and gas than Canada, China, and Saudi Arabia combined, and our Government will not let us have it. Think about that for a minute. According to the Congressional Research Service, there is more oil, gas, and gas liquids untapped in the United States than is known in all of Canada, all of China, and all of Saudi Arabia combined. So the reason we are in trouble and importing oil is because our own government will not let us have our own resources. Why would we continue that? That is a debate for another time.

No matter what we believe in terms of green energy, what we do know is that we are 30 years away from getting away from carbon-based fuels—at the earliest. So we can either pay a price or we can buy from the Saudis or buy from other Middle Eastern countries or we can develop our own. Talk about jobs. The estimate is that if we would truly go after our own energy, we would generate over 100,000 jobs a year the next 10 years in the oil and gas industry in this country—cleanly.

The other comment I have heard is that this amendment was not brought up properly. Well, let me talk about something for a minute. When the Senator from South Dakota and I came to the Senate, the first 2 years you could offer an amendment on anything, on any bill at any time because that is the way the Senate was intended to operate. As a Senator, a Member of this body, you had the right to offer an amendment. Now, you may lose it or it may get tabled, but you had to right to do it. That is not a majority leader's prerogative; it is a prerogative of every individual Senator that you ought to cherish and protect because if the majority leader is the only one who will decide what amendments get offered and when they get offered, this is no longer the Senate. There is no longer an ability to offer what is in the best interests of our country or our constituency.

The very fact that we do not want to have controversial amendments that we have much disagreement on coming to the floor because we do not want to have to go home and defend them or we do not want to vote on them because we might lose—the Senate ought to be a free place to offer ideas and get them voted down.

In my first 2 years in the Senate, I had tons—in fact, I had every amendment voted down. There was not an amendment I won. But I had the freedom to offer the amendments. And do you know what. We passed 10 times as much legislation in that Congress than we have the last two. So limiting amendments is not the prerogative of the majority leader. Deciding what bills come to the floor is the prerogative of the majority leader.

If we want to go home and tell our constituents that we have voted against saving \$3 billion, that we are going to borrow 40 percent of it from outside of this country because we do not like the way an amendment was brought up—how else do you bring up an amendment if you cannot in the Senate?

Every true and proper procedure was followed in bringing up this amendment, and had this amendment been allowed to come up, if other Members had not objected to it, we would have never used cloture to bring up an amendment. You should not have to use cloture to bring up an amendment.

You should be able to bring up any amendment you want and let Senators have the courage to vote the way they want on it rather than to say: I am going to hide behind not having to vote, so I am going to object to having a vote on an amendment.

Well, if we start down that process, we are never going to have any amendments and every amendment is going to end up having 60 votes just to be brought up. If we are going to move to that procedure—and I know procedure in this body pretty well—then I will insist that we do it all the time. That will dead stop the Senate.

So the idea that you can hide behind the excuse that even though you want to save the \$3 billion but you do not like the way the amendment was brought up is a pretty flimsy excuse to go home and explain to your public that you think we should not ever have cloture motions on amendments. We ought to be able to bring any amendment up at any time.

I see the majority leader coming to the floor. He is a dear friend of mine. He has the hardest job in Washington, there is no question. But the privilege to bring an amendment to the floor ought to be protected for both sides of this aisle, and you vote it down, you table it, but you do something with it.

Let me just finish by saying that I agree this is supposed to expire at the end of this year. I hope it does because we do not need it. Our corn farmers do not need it. The worldwide demand for corn is high. We are going to continue to produce ethanol. We have a federally mandated requirement that we produce ethanol. This amendment does not touch that, never intended to touch that.

But ethanol as a fuel should be processed to the next stage, which is methanol, because methanol is not water soluble and it has the same octane rating as gasoline. Ethanol is not a great fuel. It is not an economical fuel. But we can take that same carbon atom and add to it and create methanol from corn and get a much better fuel that can be transported much easier and have much greater effect on our economy and have much better gas mileage and less effect on the engines and drivetrains and all of the other—the smog prevention we have on automobiles today.

So let me say it again. I am not against using biocrops. I am for biocrops. I am not against cellulosic-based. I am not against ethanol. I am not against algae. But ExxonMobil has spent a couple of billion of their own money on algae-based biofuels without the government's help, which is one of the points with this amendment. We no longer need to help. We no longer need to spend the money.

So I look forward to the debate tomorrow. I will be on the floor all day to answer questions and to debate the pros and cons of this amendment.

I yield the floor.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2070. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Inclusion of Option Amounts in Limitations on Authority of the Department of Defense to Carry Out Certain Prototype Projects" ((RIN0750-AH23)(DFARS Case 2011-D024)) received in the Office of the President of the Senate on June 8, 2011; to the Committee on Armed Services.

EC-2071. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Warranty Tracking of Serialized Items" ((RIN0750-AG74)(DFARS Case 2009-D018)) received in the Office of the President of the Senate on June 8, 2011; to the Committee on Armed Services.

EC-2072. A communication from the Commission on Wartime Contracting in Iraq and Afghanistan, transmitting, pursuant to law, a report entitled "Sustainability: Hidden Costs Risk New Waste"; to the Committee on Armed Services.

EC-2073. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "United States and Area Median Gross Income Figures" (Rev. Proc. 2011-37) received in the Office of the President of the Senate on June 8, 2011; to the Committee on Armed Services.

EC-2074. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (11) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2075. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Singapore for depot repair,

overhaul and modification supporting the AH-64D Apache in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2076. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Spain to support the design, manufacturing and delivery phases of the Amazonas 3 Commercial Communications Satellite Program for Spain in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2077. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to support the replication of the Have Quick I/II and SATURN Electronic Counter-Counter Measure (ECCM) for integration into Radio Communications in Germany; to the Committee on Foreign Relations.

EC-2078. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan to support the design, manufacture, and modification of the Lead Computing Gyro Systems for F-15 Gun Targeting; to the Committee on Foreign Relations.

EC-2079. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan to support the design, manufacture and modification of Bell 205 (UH-1H)-205B helicopters and spare parts; to the Committee on Foreign Relations.

EC-2080. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2081. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress: 2006 National Estimates of the Number of Boarder Babies, Abandoned Infants, Discarded Infants and Infant Homicides"; to the Committee on Health, Education, Labor, and Pensions.

EC-2082. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the interim final rule entitled "Health Insurance Issuers Implementing Medical Loss Ratio (MLR) Requirement Under the Patient Protection and Affordable Care Act"; to the Committee on Health, Education, Labor, and Pensions.

EC-2083. A communication from the Director, Employee Services, Office of Personnel

Management, transmitting, pursuant to law, the report of a rule entitled "General Schedule Locality Pay Areas" (RIN3206-AM25) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2084. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 1st Quarter of Fiscal Year 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2085. A communication from the Acting General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2086. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2087. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2088. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2089. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Performance and Accountability Report for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-2090. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2091. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-2092. A communication from the Director, Executive Office for United States Trustees, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Procedures Governing Administrative Review of a United States Trustee's Decision to Deny a Chapter 12 or Chapter 13 Standing Trustee's Claim of Actual, Necessary Expenses" (RIN1105-AB16) received in the Office of the President of the Senate on June 7, 2011; to the Committee on the Judiciary.

EC-2093. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (4); Amdt. No. 494" ((RIN2120-AA63) (Docket No. 30787)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2094. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Anthropomorphic Test Devices; Hybrid III Test Dummy, ES-2re Side Impact Crash Test Dummy" (RIN2127-AK64) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2095. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials Requirements for Storage of Explosives During Transportation" (RIN2137-AE06) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2096. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Launch Safety: Lightning Criteria for Expensible Launch Vehicles" ((RIN2120-AJ84) (Docket No. FAA-2011-0181)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2097. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Standards; Electrical and Electronic System Lightning Protection" ((RIN2120-AJ57) (Docket No. FAA-2010-0224)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2098. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Koito Industries, Ltd., Seats and Seating Systems Approved Under Technical Standard Order (TSO) TSO-C39b, TSO-C39c, or TSO-C127a" ((RIN2120-AA64) (Docket No. FAA-2010-0857)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2099. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-92A Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0548)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2100. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc (RR) RB211-535 Series Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2010-0994)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2101. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Viking Air Limited Model DHC-3 (Otter) Airplanes" ((RIN2120-AA64) (Docket No. FAA-

2011-0543)) received in the Office of the President of the Senate on June 7, 2011; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 191. A bill to direct the Department of Homeland Security to undertake a study on emergency communications (Rept. No. 112-22).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 679. A bill to reduce the number of executive positions subject to Senate confirmation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON of South Dakota (for himself, Mr. SHELBY, Mr. KERRY, Mr. MCCAIN, Mr. LEVIN, Mr. LIEBERMAN, and Mr. REED):

S. 1180. A bill to authorize the President to confiscate and vest certain property of the Government of Libya and to authorize the use of that property to provide humanitarian relief to and for the benefit of the people of Libya, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. LUGAR, Mr. SCHUMER, Mr. HARKIN, Mr. INHOFE, Mr. ENZI, Mr. BENNET, Mr. UDALL of New Mexico, Mr. BLUNT, Mr. ISAKSON, Mr. SESSIONS, and Mr. JOHANNES):

S. 1181. A bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself and Mr. LEE):

S. 1182. A bill to prohibit the further extension or establishment of national monuments in Utah except by express authorization of Congress; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 1183. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CANTWELL:

S. 1184. A bill to amend title 38, United States Code, to revise the enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. JOHANNES,

Mr. HOEVEN, Mr. FRANKEN, Mr. MORAN, Mr. LUGAR, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. JOHNSON of South Dakota, Mr. KIRK, Mr. COATS, Mr. DURBIN, and Mrs. McCASKILL):

S. 1185. A bill to amend the Internal Revenue Code of 1986 to provide for a variable VEETC rate based on the price of crude oil, and for other purposes; to the Committee on Finance.

By Mr. SESSIONS:

S. 1186. A bill to amend chapter 1 of title 9, United States Code, to establish fair procedures for arbitration clauses in contracts; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 1187. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to improve a pilot program on addressing shortages of long-term parking for commercial motor vehicles, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO:

S. Res. 207. A resolution supporting National Men's Health Week; considered and agreed to.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 119

At the request of Mr. VITTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 119, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal and federally funded construction projects.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 491

At the request of Mr. THUNE, his name was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

At the request of Mr. PRYOR, the name of the Senator from Maine (Ms.

SNOWE) was added as a cosponsor of S. 491, *supra*.

S. 542

At the request of Mr. BEGICH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 542, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 613

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 613, a bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 815

At the request of Ms. SNOWE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

S. 891

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 975

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 975, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1018

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1018, a bill to amend title 10, United States Code, and the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to provide for implementation of additional recommendations of the Defense Task Force on Sexual Assault in the Military Services.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from New Jersey

(Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1034

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1034, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1067

At the request of Mr. UDALL of Colorado, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1067, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out a research and development and demonstration program to reduce manufacturing and construction costs relating to nuclear reactors, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1113

At the request of Ms. MURKOWSKI, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1113, a bill to facilitate the reestablishment of domestic, critical mineral designation, assessment, production, manufacturing, recycling, analysis, forecasting, workforce, education, research, and international capabilities in the United States, and for other purposes.

S. 1169

At the request of Mr. NELSON of Nebraska, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1169, a bill to provide for benchmarks to evaluate progress being made toward the goal of transitioning security responsibilities in Afghanistan to the Government of Afghanistan.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses

and other equines to be slaughtered for human consumption, and for other purposes.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 144

At the request of Mrs. HUTCHISON, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. Res. 144, a resolution supporting early detection for breast cancer.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Virginia (Mr. WARNER), the Senator from Florida (Mr. RUBIO), the Senator from Arkansas (Mr. PRYOR), the Senator from Florida (Mr. NELSON), the Senator from Massachusetts (Mr. BROWN), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 202

At the request of Mr. CONRAD, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 202, a resolution designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day".

AMENDMENT NO. 436

At the request of Mr. COBURN, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Maine (Ms. COLLINS) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of amendment No. 436 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JOHNSON of South Dakota (for himself, Mr. SHELBY, Mr. KERRY, Mr. MCCAIN, Mr. LEVIN, Mr. LIEBERMAN, and Mr. REED):

S. 1180. A bill to authorize the President to confiscate and vest certain property of the Government of Libya and to authorize the use of that property to provide humanitarian relief to and for the benefit of the people of Libya, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. JOHNSON of South Dakota. Mr. President, today I join Senator SHELBY and other senior Senators to introduce the Libyan Assets for Humanitarian Relief Act of 2011, designed to explicitly authorize the President to confiscate and distribute some of the assets of Muammar Qaddafi's government to be used to provide urgent humanitarian relief for the people of Libya. This issue lies within the jurisdiction of the Committee on Banking, Housing and Urban Affairs because it involves frozen assets being held by U.S. banks and other financial institutions. We are joined by Chairman KERRY of the Senate Foreign Relations Committee, Armed Services Committee Chairman LEVIN and Ranking Minority Member JOHN MCCAIN, and Homeland Security and Government Affairs Committee Chairman LIEBERMAN as original cosponsors of this measure.

A few weeks ago the President's senior advisors from the Treasury Department, the State Department, and the White House came to Congress and provided draft legislation to explicitly authorize the President to seize and vest the Qaddafi government's assets to be used to benefit the Libyan people. This measure is an updated version of that legislation, imposing certain conditions on that authority, and providing for certain reporting, tracking and auditing requirements on the use of the funds.

Currently, there are approximately \$36 billion in Libyan Government assets in banks and other financial institutions subject to the jurisdiction of the United States, both here and abroad. According to the Treasury Department, a little over \$8.1 billion is physically present in the U.S.—and of that, a little over \$200 million is in cash and available for immediate seizure and use to support humanitarian efforts in Libya. This measure would allow for confiscation of up to \$8 billion of the Qaddafi government's assets—plus an additional \$2 billion if necessary to avert an imminent humanitarian emergency.

The bill provides for the confiscation and distribution of the funds in two batches—the first \$4 billion could be seized, vested and distributed upon the bill's enactment, and a second \$4 billion could be confiscated and released after a 30-day notification period designed to give Congress an opportunity to deny the seizure of the funds via enactment of a joint resolution of disapproval. The additional \$2 billion could be released upon certification of a humanitarian emergency.

Notwithstanding how my colleagues feel about the current military situation, or U.S. involvement in Libya—and I know there is a wide range of opinions in Congress on that issue, which we'll likely debate on the Senate floor soon—one thing is clear: in the wake of continuing violence perpetrated by the Libyan regime against its own people, there is a real, urgent and growing need for humanitarian relief and assistance.

The U.S. has already provided tens of millions of dollars of its own funds in relief aid for Libya's citizens, and last week pledged additional aid. This bill would simply authorize the confiscation of certain assets of the Government of Libya, already frozen by the U.S. government under existing legal authorities, to be used to provide additional humanitarian relief to meet urgent needs there. It would effectively give the true owners of these assets—the Libyan people—access to some of their own money to provide relief for Libya's citizens.

The bill authorizes the President to seize and distribute these assets. I understand the Administration intends the funds to be overseen by the State Department, and to go mainly through non-governmental humanitarian relief and development organizations currently active in Libya; this measure ultimately allows the President to decide who the recipients are, with some limitations. It also requires that the funds be used only for purposes related to humanitarian relief, consistent with UN Security Council resolutions on this matter, and imposes a set of accounting, recordkeeping and Congressional reporting requirements on the funds.

It requires that the funds not go to anyone or any organization whose assets are blocked under U.S. law, or those identified as terrorists or affiliated with terrorist organizations, or those complicit in human rights abuses. It also provides the President with powerful investigative and penalty authorities, to ensure appropriate distribution of the funding and to combat any potential fraud in the distribution of aid. The Administration has made clear that such assets would be disbursed only through partners that meet U.S. legal and policy standards that the United States generally applies to the provision of assistance, including those relating to human rights and transparent oversight of the disbursements. While these are not U.S. taxpayer funds, I believe we still have a fiduciary responsibility for its efficient and effective distribution, and that's why we have imposed these important accountability measures.

Such seizure of another government's assets is not unprecedented. In the past, the U.S. government has seized and frozen the assets of other governments with whom we were involved in a conflict, going all the way back to

World War I. The latest example is when we seized and used a portion of Iraqi government assets in 2003 to provide urgent reconstruction assistance and other forms of support for the people of Iraq.

I hope we can move quickly on this legislation to authorize the release of these funds and show that Congress and the Executive branch are working together on this issue and that despite our differences on U.S. military action there we can act promptly and decisively to provide needed humanitarian assistance to the people of Libya. I urge my colleagues to join us in this effort.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Libyan Assets for Humanitarian Relief Act of 2011".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) On February 26, 2011, the United Nations Security Council adopted Resolution 1970, which imposed an asset freeze on Colonel Muammar Qaddafi and members of his family.

(2) On March 17, 2011, the United Nations Security Council adopted Resolution 1973, which expanded the asset freeze to include the Central Bank of Libya, the Libyan Investment Authority, the Libyan Foreign Bank, the Libyan Africa Investment Portfolio, and the Libyan National Oil Corporation.

(3) The United Nations Security Council stated in Resolution 1973 that the assets frozen would "at a later stage, as soon as possible, be made available to and for the benefit of the people of the Libyan Arab Jamahiriya".

(4) On March 3, 2011, the President of the United States stated that "Muammar Qaddafi has lost the legitimacy to lead, and he must leave".

(5) On March 29, 2011, the Transitional National Council of the Libyan Republic issued "A Vision of a Democratic Libya", which stated that its goal is "building a free and democratic society and ensuring the supremacy of international humanitarian law and human rights declarations", and that "[t]his can only be achieved through dialogue, tolerance, co-operation, national cohesiveness and the active participation of all citizens". In that statement, the Transitional National Council pledged itself, without reservation, to the establishment of "a constitutional civil and free state" that upholds intellectual and political pluralism and the peaceful transfer of power and guarantees full citizenship rights to all Libyans.

(6) On April 7, 2011, Ali Aujali, the Official Representative to the United States of the Transitional National Council of the Libyan Republic, wrote to the United States Secretary of the Treasury and requested "immediate access to some of the frozen Qaddafi regime funds to purchase needed humanitarian

supplies and to support critical services such as hospitals, water distribution and sanitation".

(7) On May 19, 2011, the President of the United States, referring to the Transitional National Council of the Libyan Republic, stated that "the opposition has organized a legitimate and credible interim council".

SEC. 3. AUTHORIZATION OF CONFISCATION OF PROPERTY OF THE GOVERNMENT OF LIBYA.

(a) IN GENERAL.—The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) is amended by adding at the end the following:

"SEC. 209. AUTHORIZATION OF CONFISCATION OF PROPERTY OF THE GOVERNMENT OF LIBYA.

"(a) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

"(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

"(2) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning given that term in section 133 of title 41, United States Code.

"(3) GOVERNMENT OF LIBYA.—The term 'Government of Libya'—

"(A) means the Government of Libya on the date of the enactment of the Libyan Assets for Humanitarian Relief Act of 2011, including any agency or instrumentality of that Government, any entity controlled by that Government, and the Central Bank of Libya; and

"(B) does not include a successor government of Libya.

"(4) SUCCESSOR GOVERNMENT OF LIBYA.—The term 'successor government of Libya' means a successor government to the Government of Libya (as defined in paragraph (3)) that is recognized as the legitimate governing authority of Libya by the Government of the United States.

"(b) STATEMENT OF POLICY.—It is the policy of the United States to provide humanitarian relief to and for the benefit of the people of Libya and to support the aspirations of the people of Libya for democratic self-government.

"(c) AUTHORIZATION OF CONFISCATION OF PROPERTY OF THE GOVERNMENT OF LIBYA.—

"(1) IN GENERAL.—The President—

"(A) may confiscate and vest, through instructions or licenses or in such other manner as the President determines appropriate, funds and other property of the Government of Libya that are subject to the jurisdiction of the United States in the amounts specified in subsection (f);

"(B) may liquidate or sell any of such property; and

"(C) shall deposit any funds confiscated and vested under subparagraph (A) and any funds resulting from the liquidation or sale of property under subparagraph (B) in the account established under subsection (d).

"(2) VESTING.—All right, title, and interest in funds and other property confiscated under paragraph (1) shall vest in the Government of the United States.

"(d) ESTABLISHMENT OF ACCOUNT FOR CONFISCATED PROPERTY.—

"(1) IN GENERAL.—The President shall establish a non-interest-bearing account to consist of the funds deposited into the account under subsection (c)(1)(C).

"(2) USE OF FUNDS.—The funds in the account established under paragraph (1) shall

be available to be used only as specified in subsection (e)(1).

“(e) USE OF CONFISCATED PROPERTY TO PROVIDE HUMANITARIAN RELIEF TO THE PEOPLE OF LIBYA.—

“(1) IN GENERAL.—Subject to paragraph (2), the President may transfer funds from the account established under subsection (d)—

“(A) to such executive agencies and, subject to paragraph (3), such other persons as the President determines appropriate, to be used only for costs related to providing humanitarian relief to and for the benefit of the people of Libya, consistent with the purposes of United Nations Security Council Resolutions 1970 (2011) and 1973 (2011); and

“(B) on and after the date on which a successor government of Libya is recognized by the Government of the United States, to the successor government of Libya.

“(2) LIMITATIONS ON TRANSFER OF FUNDS.—

“(A) LIMITATIONS ON TRANSFER TO CERTAIN PERSONS AND ORGANIZATIONS.—None of the funds transferred under this subsection may knowingly be provided to—

“(i) an organization designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

“(ii) a person that provides support for acts of international terrorism or for an organization described in clause (i);

“(iii) a person whose property or interests in property are blocked pursuant to this Act, unless the transfer is authorized by the Secretary of the Treasury; or

“(iv) a person the President determines is responsible for violations of internationally recognized human rights.

“(B) PROHIBITION ON USE OF FUNDS FOR MILITARY PURPOSES.—None of the funds transferred under this subsection may be used to purchase weapons or military equipment of either a lethal or nonlethal nature.

“(3) CERTIFICATIONS BY CERTAIN PERSONS.—The President may not transfer funds to any person, other than an executive agency, under paragraph (1)(A) unless that person certifies to the President that the person—

“(A) will use such funds only for the costs described in paragraph (1)(A); and

“(B) will not—

“(i) transfer any of such funds to a person or organization described in paragraph (2)(A); or

“(ii) use any of such funds to purchase weapons or military equipment of either a lethal or nonlethal nature.

“(4) TERMS AND CONDITIONS.—If the President exercises the authority provided under this section, the President shall impose such additional terms and conditions as the President determines appropriate with respect to the transfer of funds under this subsection and with respect to the use of such funds.

“(5) USE BY EXECUTIVE AGENCIES.—Notwithstanding any other provision of law, any funds transferred to an executive agency under this subsection—

“(A) shall remain available until expended;

“(B) shall be used only for the costs described in paragraph (1)(A);

“(C) may be distributed in such manner as the head of the executive agency determines appropriate to accomplish the purposes of this section, including through grants and contributions; and

“(D) may be transferred among executive agencies.

“(f) INITIAL AND SUBSEQUENT AUTHORIZATIONS OF CONFISCATION OF PROPERTY.—

“(1) AUTHORITY.—The authority of the President to confiscate and vest funds and other property under subsection (c) shall be limited as follows:

“(A) INITIAL LIMITATION.—Effective on and after the date of the enactment of the Libyan Assets for Humanitarian Relief Act of 2011, the President may confiscate and vest not more than \$4,000,000,000 under subsection (c).

“(B) CONFISCATION AND VESTING OF ADDITIONAL AMOUNTS.—

“(i) IN GENERAL.—If, at any one time after the date of the enactment of the Libyan Assets for Humanitarian Relief Act of 2011, the President submits to Congress the notification described in clause (ii), effective on and after the day after the end of the 30-day period beginning on the date on which that notification is submitted, the President may confiscate and vest not more than an additional \$4,000,000,000 under subsection (c) over the amount authorized to be confiscated and vested under subparagraph (A), unless a joint resolution of disapproval described in paragraph (2) is enacted within the 30-day period after the notification is submitted.

“(ii) NOTIFICATION DESCRIBED.—The notification described in this clause is a notification—

“(I) that the President intends to confiscate and vest the additional amount specified in clause (i) to be used for the costs described in subsection (e)(1)(A); and

“(II) submitted with a report—

“(aa) describing the necessity of confiscating and vesting that additional amount; and

“(bb) detailing the plan of the President with respect to the use of that additional amount.

“(C) EMERGENCY CERTIFICATION; CONFISCATION AND VESTING TO ADDRESS EMERGENCY HUMANITARIAN NEEDS.—

“(i) IN GENERAL.—If, at any one time after the date of the enactment of the Libyan Assets for Humanitarian Relief Act of 2011, the President submits to Congress the certification described in clause (ii), effective on and after the date on which that certification is submitted, the President may confiscate and vest not more than an additional \$2,000,000,000 under subsection (c) over the amounts otherwise authorized to be confiscated and vested under this paragraph.

“(ii) CERTIFICATION DESCRIBED.—The certification described in this clause is a certification by the President that it is necessary to confiscate and vest the additional amount specified in clause (i) to address an emergency need for additional humanitarian assistance.

“(2) JOINT RESOLUTION OF DISAPPROVAL.—

“(A) JOINT RESOLUTION OF DISAPPROVAL.—In this paragraph, the term ‘joint resolution of disapproval’ means only a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: ‘That Congress disapproves of the confiscation and vesting of the amount of funds or other property specified in section 209(f)(1)(B)(i) of the International Emergency Economic Powers Act.’.

“(B) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

“(i) INTRODUCTION.—A joint resolution of disapproval—

“(I) may be introduced in the House of Representatives or the Senate during the 10-day period beginning on the date on which a notification described in paragraph (1)(B)(ii) is submitted;

“(II) in the House of Representatives, may be introduced by any Member of the House of Representatives;

“(III) in the Senate, may be introduced by any Member of the Senate; and

“(IV) may not be amended.

“(ii) REFERRAL TO COMMITTEES.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and a joint resolution of disapproval introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs.

“(iii) COMMITTEE DISCHARGE AND FLOOR CONSIDERATION.—The provisions of subsections (c) through (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to committee discharge and floor consideration of certain resolutions in the House of Representatives and the Senate) apply to a resolution of disapproval under this paragraph to the same extent as such subsections apply to joint resolutions under such section 152, except that—

“(I) subsection (c)(1) of such section 152 shall be applied and administered by substituting ‘10 days’ for ‘30 days’; and

“(II) subsection (f)(1)(A)(i) of such section 152 shall be applied and administered by substituting ‘Committee on Banking, Housing, and Urban Affairs’ for ‘Committee on Finance’.

“(C) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph is enacted by Congress—

“(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

“(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“(g) RECORDKEEPING.—

“(1) IN GENERAL.—The President may, in exercising the authority provided under this section, require any person to keep a full record of—

“(A) any act or transaction carried out pursuant to any regulation, instruction, license, order, or direction issued under this section, either before, during, or after the completion of the act or transaction;

“(B) any property in which any foreign country or any national of a foreign country has or has had any interest; and

“(C) any other information the President determines necessary to carry out the provisions of this section.

“(2) PRODUCTION OF INFORMATION.—The President may require any person—

“(A) to provide any information required to be kept by the person under paragraph (1) under oath and in the form of reports or any other form; and

“(B) to produce any books of account, records, contracts, letters, memoranda, or other papers in the custody or control of the person that relate to any information required to be kept under paragraph (1).

“(h) REPORTS ON USE OF FUNDS.—

“(1) IN GENERAL.—Not later than 90 days after the President first confiscates and vests funds or other property under subsection (c), and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report detailing, for the 90-day period preceding the submission of the report—

“(A) the amount of funds and other property confiscated and transferred under this section;

“(B) the executive agencies and other persons to which such funds were transferred;

“(C) the manner in which such funds were used; and

“(D) the amount remaining in the account established under subsection (d) at the end of the 90-day period.

“(2) SPECIAL RULE WITH RESPECT TO REPORT RELATING TO AUTHORIZATION OF CONFISCATION OF ADDITIONAL AMOUNTS.—If, after the date on which a report is required to be submitted by paragraph (1) and before the next such report is required to be submitted, the President submits to the appropriate congressional committees the report described in subsection (f)(1)(B)(ii)(II), the President—

“(A) shall include in the report described in subsection (f)(1)(B)(ii)(II) the information required to be included in the report required by paragraph (1) for the period that—

“(i) begins on the date on which the last report required by paragraph (1) was required to be submitted; and

“(ii) ends on the date on which the President submits the report described in subsection (f)(1)(B)(ii)(II); and

“(B) may include in the next report required by paragraph (1) only the information required by paragraph (1) for the period—

“(i) beginning on the date on which the report described in subsection (f)(1)(B)(ii)(II) is submitted; and

“(ii) ending on the date on which the report required by paragraph (1) is required to be submitted.

“(i) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 180 days after the date of the enactment of the Libyan Assets for Humanitarian Relief Act of 2011, and every 180 days thereafter, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the confiscation and vesting of funds and other property under subsection (c) and the use of funds under subsection (e).

“(j) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, instruction, license, order, or direction issued under this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a).

“(k) JUDICIAL REVIEW.—

“(1) SAFE HARBOR.—A person that complies fully with a regulation, instruction, license, order, or direction issued under this section may not be held liable for a violation of this section.

“(2) GOOD FAITH COMPLIANCE.—A person may not be held liable in any court for or with respect to any act or omission done in good faith in connection with the administration of, or pursuant to and in reliance on, this section, or any regulation, instruction, license, order, or direction issued under this section.

“(3) NO LEGAL PROCESS WITH RESPECT TO CONFISCATED PROPERTY.—Any funds or other property confiscated and vested under subsection (c), including any proceeds from the liquidation or sale of such property, shall be immune from any legal process or attachment.

“(4) ACTIONS TAKEN UNDER THIS SECTION.—No action taken under this section, other than the imposition of penalties with respect to a person under subsection (j), shall be reviewable in any court in the United States.

“(5) RULE OF CONSTRUCTION.—This section does not create any right or benefit, substantive or procedural, that is enforceable at law or in equity by any party against the United States, any agency of the United

States, any officer or employee of the United States, or any other person.

“(1) TERMINATION.—

“(1) IN GENERAL.—Except to the extent necessary to carry out the plan required by paragraph (2), the provisions of this section (other than subsections (a), (g), (j), (k), and (m)) shall terminate on the date described in paragraph (3).

“(2) PLAN FOR DISTRIBUTION OF REMAINING AMOUNTS.—On the date described in paragraph (3), the President shall submit to the appropriate congressional committees a report describing the plan of the President for using any funds remaining of the amounts confiscated and vested under this section that—

“(A) describes how any of such funds that are obligated as of that date will be expended; and

“(B) provides for the distribution of any of such funds that are unobligated as of that date to a successor government of Libya.

“(3) DATE DESCRIBED.—The date described in this paragraph is the date on which the national emergency declared by the President with respect to Libya pursuant to section 202 expires and is not continued by the President.

“(m) REGULATIONS.—The President shall prescribe such regulations as may be necessary to carry out the provisions of this section.”.

(b) CLERICAL AMENDMENT.—Section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703) is amended—

(1) in subsection (b), by striking “Whenever” and inserting “Except as provided in subsection (e), whenever”; and

(2) by adding at the end the following:

“(e) REPORTS RELATING TO CONFISCATION OF ASSETS OF THE GOVERNMENT OF LIBYA.—If the President exercises the authority provided under section 209, the President shall submit reports in accordance with subsection (h) of that section.”.

SUMMARY OF LIBYAN ASSETS FOR HUMANITARIAN RELIEF ACT OF 2011

Authorization of Confiscation: The measure authorizes the President to confiscate and vest certain funds and other property of the Government of Libya currently frozen by the U.S. government, allows liquidation of the assets and sale of any property, and directs the proceeds to be used solely for humanitarian purposes to benefit the Libyan people. The Government of Libya is defined to include Libya's Central Bank.

Account Established for Confiscated Funds: The bill requires the President to establish a U.S. government account to hold confiscated funds and the proceeds from any asset or property sales. The Secretary of the Treasury may hold in escrow funds that are not needed immediately to meet urgent humanitarian needs.

Use of Confiscated Funds for Humanitarian Purposes to Benefit the Libyan People: Libyan Government funds confiscated may only be used for humanitarian purposes to benefit the Libyan people, consistent with United Nations Security Council resolutions. None may be used to purchase weapons or military equipment. The President must designate recipients of funds and impose appropriate terms and conditions, which may include detailed recordkeeping requirements, on recipients. The measure prohibits the knowing transfer of funds to: 1) foreign terrorist organizations; 2) supporters of acts of terrorism or of terrorist organizations; 3) a person whose assets are blocked by the International Emergency Economic Powers Act

(IEEPA); or 4) a person the President determines to be responsible for violations of internationally recognized human rights.

Framework for Confiscation of Funds: The bill authorizes an initial confiscation and distribution of \$4 billion; if additional funds are needed, the President may notify Congress of his intent to confiscate an additional \$4 billion, to be released within 30 days unless Congress objects via enactment of a Joint Resolution of Disapproval. The President's request for the additional funds must include information about how prior confiscated funds were disbursed, a description of the need for additional funds, a plan of how the additional funds will be used, and other information. In the event of a humanitarian emergency, the measure also authorizes the President to notify Congress of his intent to confiscate, on an expedited basis and upon certification of need, an additional \$2 billion to meet emergency needs.

Investigations and Recordkeeping: The President may conduct appropriate investigations of recipients as necessary, and require recordkeeping from recipients of these funds, which could include books of account, records, contracts, letters, memoranda, or other papers related to distributions under the Act.

Audit and Reporting Requirements: The President must provide detailed reports to Congress every 90 days describing the amount of funds confiscated and transferred to designated recipients, the recipients of these funds, and the manner in which these funds were used. If the President notifies Congress of an additional confiscation in the middle of a 90-day period, the President must only include any new information on fund distribution. GAO is required to conduct and provide to Congress periodic audits of the program.

Penalties: Substantial penalties apply to persons who violate provisions of the Act, including huge fines provided for under section 206 of IEEPA.

Legal Protections/Judicial Review: Decisions made with respect to confiscated assets are not subject to judicial review; a “good faith” exception is provided for those acting consistent with the requirements of the Act; and any funds or property confiscated under the Act are immune from any legal process or attachment.

Termination: The authorities provided for in the bill terminate once the existing emergency determination of the President under IEEPA with respect to Libya expires. Upon termination, the President must submit to Congress a report describing a plan for use of any remaining unspent funds, including return of such funds to a successor government of Libya.

Regulations: The bill requires the President to prescribe regulations as necessary under the Act.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 1183. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, today along with Senator CARPER, I am introducing the Comprehensive National Mercury Monitoring Act. This bill would ensure that the Environmental Protection Agency, EPA, has accurate information about the extent of mercury pollution.

A comprehensive national mercury monitoring network is needed to protect human health, safeguard fisheries, and track the impact of emissions reductions. By accurately quantifying regional and national changes in atmospheric deposition, ecosystem contamination, and bioaccumulation of mercury in fish and wildlife in response to changes in mercury emissions, this monitoring network would help policy makers, scientists, and the public to better understand the sources, consequences, and trends in United States mercury pollution.

Mercury is a potent neurotoxin of significant ecological and public health concern, especially for children and pregnant women. It is estimated that approximately 410,000 children born in the U.S. were exposed to levels of mercury in the womb that are high enough to impair neurological development. Mercury exposure has gone down as U.S. mercury emissions have declined; however, levels remain unacceptably high.

Each new scientific study seems to find higher levels of mercury in more ecosystems and in more species than we had previously thought. For example, as of 2008, every state in the country has issued mercury advisories for human fish consumption. These advisories cover 57 percent of the Nation's total lake acreage, and 68 percent of our total river miles. This is 19 percent more lake acreage and 42 percent more river area than in 2006.

At present, scientists must rely on limited information to understand the critical linkages between mercury emissions and environmental response and human health. Successful design, implementation, and assessment of solutions to the mercury pollution problem require comprehensive long-term information—information that is currently not available. We must have more comprehensive information and we must have it soon; otherwise, we risk making misguided policy decisions.

Specifically, the Comprehensive National Mercury Monitoring Act would direct EPA, in conjunction with the Fish and Wildlife Service, U.S. Geological Survey, National Park Service, the National Oceanic and Atmospheric Administration, and other appropriate Federal agencies, to establish a national mercury monitoring program to measure and monitor mercury levels in the air and watersheds, water and soil chemistry, and in aquatic and terrestrial organisms at multiple sites across the Nation.

The act would establish a scientific advisory committee to advise on the establishment, site selection, measurement, recording protocols, and operations of the monitoring program; establish a centralized database for existing and newly collected environmental mercury data that can be freely

accessed on the Internet; and require a report to Congress every 2 years on the program, including trend data, and an assessment of the reduction in mercury deposition rates that are required to be achieved in order to prevent adverse human and ecological effects every 4 years.

We must establish a comprehensive, robust national mercury monitoring network to provide EPA the data it needs to make decisions that protect the people and environment of Maine and the entire Nation.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. JOHANNES, Mr. HOEVEN, Mr. FRANKEN, Mr. MORAN, Mr. LUGAR, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. JOHNSON of South Dakota, Mr. KIRK, Mr. COATS, Mr. DURBIN, and Mrs. McCASKILL):

S. 1185. A bill to amend the Internal Revenue Code of 1986 to provide for a variable VEETC rate based on the price of crude oil, and for other purposes; to the Committee on Finance.

Ms. KLOBUCHAR. Mr. President, I first wish to thank my colleague from Minnesota who spoke before me for his strong words. Also, I am here with the Senator from South Dakota, Mr. THUNE, to speak about the legislation we are introducing today, along with several other Senators, to find a good way to handle this—not the way it thus far has been handled.

My colleague from Minnesota talked about Senator COBURN's amendment, which we will be voting on tomorrow. I urge my colleagues to oppose this amendment. First of all, I believe we need to invest in homegrown energy. The Coburn amendment would abruptly eliminate the VEETC—the Volumetric Ethanol Excise Tax Credit—without any kind of a glidepath during this year. Consequently, the 450,000 people who are directly or indirectly employed in this industry—when we think about all of the jobs we work on every single day, just because jobs are in States that maybe some people don't live in, including North Dakota, South Dakota, Minnesota, and Iowa, these are very important jobs throughout the country.

The other piece of this I think we can't neglect is the effect this would have on gas prices. That being said, both Senator THUNE and I understand this is a situation that needs to change. We are in a difficult budget situation in the Senate, and that is why we are introducing legislation today and working with stakeholders and Members from both sides of the aisle to find a reasonable solution that offers a responsible and cost-effective approach to reforming our biofuels policy.

This bill would transition to a more sustainable model of support for renewable fuel production in America in-

stead of pulling the rug out from under an industry, with 4 days' notice, that employs hundreds of thousands of people in this country, as well as provides an alternative to oil. Senator THUNE is here, and maybe he wishes to address this a bit. We will go back and forth.

But I think one thing people need to understand is that this biofuels industry has become a major component of our fuel supply. One statistic is that the gasoline that is made from the oil we import from Canada—people know Canada is our biggest trading partner for oil. We literally produce as much biofuels as we produce gas from the oil we import from Canada, so it is a major part of our fuel supply. So we shouldn't just decide with 4 days' notice to change the rules of the game. In fact, as a recent vote showed us, oil is keeping every single cent of its subsidy.

Senator THUNE and I have a bill which basically gives away the subsidies for the rest of the year that the biofuels industry has and puts \$1 billion toward deficit reduction—\$1 billion toward deficit reduction—as well as making some investment with the remaining money in the infrastructure that this industry needs to be able to compete on any kind of an even playing field with oil.

So I know Senator THUNE has some thoughts on this as well, and I would like to come back and talk a little bit about what has been going on with oil versus ethanol in this country. But I think it is important to understand the bill we are introducing today could be a major help with \$1 billion in deficit reduction.

Mr. THUNE. Mr. President, if I might just say to my colleague from Minnesota, I appreciate her good work and advocacy on this subject. This is something we have been working on for some time, along with some of our colleagues on both sides of the aisle, for a lot of reasons; one of which, of course, is because, as the Senator from Minnesota mentioned, these are difficult fiscal times.

Obviously, every area in our budget needs to be reviewed and scrutinized and looked at to see where we might be able to achieve some savings. But, as my colleague noted, there is a right way and a wrong way to do this. The way that has been proposed in the amendment that was offered, and on which the cloture vote will occur tomorrow, is the wrong way. We cannot tell an industry in December we are going to give them a set of policies that are going to be in effect for the year, that they are going to be able to make investment decisions, they are going to be able to go to their lenders, they are going to be able to go secure financing based upon this set of policies—we do that around here all the time. We make policy, and we try to do it in a way, hopefully, that gives those

who are investing their dollars some certainty about what those policies are going to be. Well, how can we then, in the middle of the year, come back and say we are just going to pull the rug right out from under them? We are sorry, that is just the way it is. This is gone.

Well, frankly, there is a much better way to go about doing this, and what the Senator from Minnesota and I have proposed does just that and, in my view, does this in a responsible, measured, thoughtful, reasonable way. We get to the same ultimate result, which is that for those who are really interested in doing away with the volumetric ethanol excise tax credit, it does phase it out, but it does it in a way that does not create disruption and harm and allows people to plan for the future. It also invests some of those resources in areas that are important to the future of that industry; namely, blender pumps, which is the one thing that does not exist out there today, at least not in any great numbers. If those pumps were more available, I believe we would see a lot higher usage of the fuel than we already have seen. But we already know it is 10 percent of our fuel supply.

Whether the opponents of this like it or not—and I know they do not—there are 13 billion gallons of ethanol produced in this country. At least that is what it was in 2010. We assume it will be that number, maybe a little higher, this year. That displaces 445 million barrels of imported crude oil. That is 55 million barrels more than the total crude oil imports from Saudi Arabia last year.

Now, think about that: a fuel that is produced from a kernel of corn now displaces more than the entire imports of Saudi foreign oil into this country. That is what we ought to be looking at. We ought to be looking at more ways to produce domestic energy, home-grown energy, adding that to our fuel supply rather than taking it out.

What the amendment our colleagues are trying to get a vote on tomorrow would do is basically to say to this industry: Yes, we are going to take away this particular tax incentive, and we are going to do it right in the middle of the year. We are going to do it, and we do not like this industry—which is probably what animates a lot of the opposition to this because if people look at the facts, if they look at the contribution that biofuels have made to our fuel supply in this country, it is significant.

Ten percent of our entire fuel now is biofuels. In fact, if we look at the other byproduct of biofuels—once we take the starch out of that kernel of corn and convert it into liquid form, we can get, for every bushel of corn, almost 3 gallons of ethanol. But we also get dry distillers grain, which is something that has been used extensively now for feed for livestock.

So if we take 5 billion bushels of corn, for example, that are used for ethanol production in any given year, the feed product equivalent is about 1.7 billion bushels of corn that is returned to the livestock food chain as this ethanol byproduct called dry distillers grain. So we are adding additional protein that is fed to livestock in addition to the almost 3 gallons of ethanol we get from every single bushel of corn.

So I do believe there is an approach that makes sense. What the Senator from Minnesota and I and many of our colleagues on both sides have come together around is a way in which we can move forward, and do it in a way that not only makes it reasonable for the industry to plan for the future but also in a way that returns dollars to the Treasury of this country because there is \$1 billion in here for debt retirement. I think that is something the industry recognizes, we all recognize, and we need to address. It is addressed as part of this bill.

So I appreciate the good work of the Senator from Minnesota in working with me, along with other colleagues of ours, to introduce the bill we introduce today.

Ms. KLOBUCHAR. Mr. President, if I may continue, I thank Senator THUNE for his work.

One point I think he made that is incredibly important: I think not all of our colleagues understand that the way it is under the current rules is VEETC, which has been in place to make sure we have an alternative to oil in this country, ends at the end of this year. The one piece of it that continues for another year is the cellulosic research, the cellulosic credit. But the rest of it ends at the end of this year.

So instead of looking at a glidepath, as suggested in our bill, where we could take \$1 billion and put it into deficit reduction, and take another \$1 billion or so—which would be going right now as a credit—and put that into the infrastructure, the alternative that is suggested by the amendment offered by our colleague from Oklahoma is just to cut it off today, basically, with a few days' notice.

What I have heard time and time again from businesses—whether it is in the energy area or in the medical device area—is they want certainty. They do not want Washington just coming in with one day's notice and changing things. That is why I ask my colleagues to look at this bill as an alternative. We are glad to discuss details with them.

One of the things we have tried to do with this bill is to acknowledge the emerging field of cellulosic with algae and other forms of research into biofuels. That would continue into next year. But, basically, the proposal Senator THUNE and I have put forward would end VEETC as we know it.

We look at the comparisons here. Over the last few decades more than

\$360 billion worth of subsidies have gone to the oil companies. That is nearly 10 times greater than the investments we have made in home-grown biofuels. Now they are set up in a different way, but those are the numbers. We have to remember the jobs with biofuels are jobs that are made in America. We are basically investing in the farmers and the workers of the Midwest instead of the oil cartels in the Mideast.

I have seen the boom in oil drilling in North Dakota. That has been a good thing. So I am not just a one-size fuel person. But I think to disrupt an industry like this, with no notice, is the wrong way to go. I hope our colleagues will look at our bill seriously, talk to us about this, think about the gas prices which have now topped \$3.75 per gallon. While they are high now, look at the fact that the Chicago Tribune looked at the fact that if we ceased to produce the 13 billion gallons of ethanol we make every year, as Senator THUNE has pointed out, it would drive up prices at the pump by as much as \$1.40 per gallon. I do not think that is something we can afford right now.

We have put together a good-faith proposal that basically even those who have a lot of questions about biofuels right now, about ethanol, will have to admit is a dramatic change. It ends VEETC as we know it. It puts a big chunk of change, \$1 billion—that otherwise would be going to subsidies this year, right now—toward deficit reduction while still allowing for that infrastructure investment, and then looking into next year for just some of the key pieces but severely changing any kind of subsidy for this industry.

So with that, I thank Senator THUNE. I do not know if the Senator has something else to add.

Mr. THUNE. Mr. President, if I might add one point.

I think the Senator from Minnesota did point out that there are a significant number of jobs that are associated with this industry—in fact, one-half million jobs. They are American jobs. They are jobs in the heartland of this country. They are jobs that help grow the economy, make it more prosperous. It strikes me, at least, that what we ought to be looking at is more jobs in this country and less investment in foreign regimes, where we get a lot of our energy today.

Mr. President, \$1 billion a day is what we send outside the United States because of our addiction to foreign oil. We have a dangerous dependence upon foreign energy, and we have a fuel that, as I said, displaces 445 million barrels of oil every single year—more than we import from Saudi Arabia. That is a pretty remarkable number when you think about it.

We had a debate here a few weeks ago on the floor of the Senate about whether we ought to change tax policy with

regard to oil companies. The decision was reached that we should not do that; that it would be punitive, directed at oil companies. We decided, too, that it would raise taxes on gas for people in this country.

I would make the same argument today. We are talking about a tax increase—a large tax increase—which we know is going to get passed on. So we are talking about raising taxes on consumers at a time when they can least afford it.

We have today 3½ to \$4-a-gallon gasoline. The last thing consumers in this country need is something that would actually push that gas price higher. In fact, if we did away with biofuels altogether—which some people would like to do—there was a study out last year, in 2010, that said the price per gallon of gasoline would go up by 89 cents a gallon. So we have a proposal here that would have an adverse impact on energy prices, fuel prices for people in this country, which, frankly, again, because of the commitment that was made last December, strikes at the very heart of economic certainty, which so many of us come down here and talk about: the importance of having policies in place that are reliable, that people who are investing in particular areas of our economy can know they are going to be there, at least when Congress makes a commitment.

This completely undermines the commitment Congress made back in December that this particular tax credit would be in place until the end of the year. So what the Senator from Minnesota and I have done is propose a path forward that we believe makes sense and that is a thoughtful, measured, reasonable, responsible way in which to get to the goal that many of the proponents of the amendment that will be voted on tomorrow want to get to; that is, to phase down the volumetric ethanol excise tax credit. But it does it in a way that makes sense for American consumers and those who have investments in the industry today.

So I hope my colleagues will take a look at this legislation. We think we can get it moving this year. It does, as was noted by my colleague from Minnesota, put a significant amount toward reducing the debt, which I think is something all of our colleagues are very interested in doing. So we will present this legislation, obviously, to our colleagues and hope there will be many who will choose to support it.

Mr. President, I yield the floor back to the Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, again, we just hope our colleagues will look at this bill. It is a serious bill and very different than other bills that have been proposed in the past, and it actually takes existing money that was set out for the end of this year and puts a big number—\$1 billion—into debt reduction.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 207—SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. CRAPO submitted the following resolution; which was considered and agreed to:

S. RES. 207

Whereas despite advances in medical technology and research, men continue to live an average of more than 5 years less than women, and African-American men have the lowest life expectancy;

Whereas 9 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas between ages 45 and 54, men are over 1½ times more likely than women to die of heart attacks;

Whereas men die of heart disease at 1½ times the rate of women;

Whereas men die of cancer at almost 1½ times the rate of women;

Whereas testicular cancer is 1 of the most common cancers in men aged 15 to 34, and, when detected early, has a 96 percent survival rate;

Whereas the number of cases of colon cancer among men will reach almost 49,470 in 2010, and nearly half of those men will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men who developed prostate cancer in 2010 is expected to reach more than 217,730, and an estimated 32,050 of those men will die from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of health problems that affect men, such as prostate cancer, testicular cancer, colon cancer, and infertility, could be detected and treated if awareness among men of those problems was more pervasive;

Whereas more than ½ of the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100, women outnumber men by a ratio of 4 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for those diseases;

Whereas appropriate use of tests such as prostate specific antigen exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of those problems in their early stages and increase the survival rates to nearly 100 percent;

Whereas women are 2 times more likely than men to visit their doctor for annual examinations and preventive services;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons;

Whereas Congress established National Men's Health Week in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of all 50 States issue proclamations annually declaring

Men's Health Week in their respective States;

Whereas since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the United States that promote health awareness events focused on men and family;

Whereas the National Men's Health Week Internet website has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespans and their roles as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups;

Whereas June 13 through 19, 2011, is National Men's Health Week; and

Whereas the purpose of National Men's Health Week is to heighten the awareness of preventable health problems and encourage early detection and treatment of disease among men and boys: Now, therefore, be it

Resolved, That the Senate—

(1) supports the annual National Men's Health Week; and

(2) calls upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 459. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 460. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 461. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 462. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 463. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 464. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 465. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 459. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, between the matter after line 2 and line 3, insert the following:

SEC. 13. OVERSIGHT AUTHORITY.

(a) IN GENERAL.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 12(a)) is amended by adding at the end the following:

“SEC. 220. OVERSIGHT AUTHORITY.

“For each fiscal year, the Government Accountability Office shall—

“(1) conduct such audits and assessments as are necessary to ensure, to the maximum extent practicable, that funds provided in the form of grants under this Act are so provided—

“(A) through a competitive award process; and

“(B) in accordance with all requirements and criteria established under this Act; and

“(2) submit to the Committee on Environment and Public Works of the Senate and the Committee of Transportation and Infrastructure of the House of Representatives a report describing the results of the audits and assessments.”.

(b) CONFORMING AMENDMENT.—The table of contents of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by adding after the item relating to section 219 (as added by section 12(b)) the following:

“Sec. 220. Oversight authority.”.

SA 460. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF RENEWABLE FUEL STANDARD.

Section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) is repealed.

SEC. ____ . PERMANENT ESTATE TAX RELIEF.

(a) IN GENERAL.—Title III of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, and the amendments made thereby, are repealed; and the Internal Revenue Code of 1986 shall be applied as if such title, and amendments, had never been enacted.

(b) EXCLUSION FROM EGGTRA SUNSET.—Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to the provisions of, and amendments made by, subtitle A or E of title V of such Act.

(c) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to estates of decedents dying, gifts made, and generation skipping transfers after December 31, 2009.

SA 461. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . LIGHTING ENERGY EFFICIENCY.

(a) IN GENERAL.—Subtitle B of title III of the Energy Independence and Security Act of 2007 (Public Law 110-140) is repealed.

(b) APPLICATION.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) shall be applied and administered as if subtitle B of title III of the Energy Independence and

Security Act of 2007 (and the amendments made by that subtitle) had not been enacted.

SA 462. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, between the matter after line 19 and line 20, insert the following:

SEC. 13. PREVENTION OF FRAUD, WASTE, AND ABUSE OF TAXPAYER DOLLARS THROUGH EFFECTIVE OVERSIGHT.

(a) IN GENERAL.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 12(a)) is amended by adding at the end the following:

“SEC. 220. PREVENTION OF FRAUD, WASTE, AND ABUSE OF TAXPAYER DOLLARS THROUGH EFFECTIVE OVERSIGHT.

“(a) IN GENERAL.—To limit, fraud, waste, and abuse, any grant authorized or funded under section 203, 207(a), 701(a), or 704 shall be subject to the requirements of this section.

“(b) PROHIBITION ON AWARDING OF GRANTS TO DELINQUENT FEDERAL DEBTORS.—

“(1) IN GENERAL.—The head of any executive agency that offers a grant under a provision of law referred to in subsection (a), in excess of an amount equal to the simplified acquisition threshold (as defined in section 134 of title 41, United States Code), may not award such grant to any person unless such person submits with the application for such grant a form—

“(A) certifying that the person does not have a seriously delinquent tax debt; and

“(B) authorizing the Secretary of the Treasury to disclose to the head of the executive agency information limited to describing whether the person has a seriously delinquent tax debt.

“(2) TIME OF DISCLOSURE.—The authorization for disclosure required under paragraph (1)(B) shall authorize such disclosures to be made with respect to seriously delinquent tax debt—

“(A) at the time the form described in paragraph (1) is submitted; and

“(B) in the case of a grant that is awarded over period lasting more than 1 year, for each year during which the person receives such grant beginning with the year after the year in which the form described in paragraph (1) is submitted.

“(3) RELEASE OF INFORMATION.—The Secretary of the Treasury shall make available to all executive agencies a standard form for the certification and authorization described in paragraph (1).

“(4) REVISION OF REGULATIONS.—Not later than 270 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall revise such regulations as necessary to incorporate the requirements of this section.

“(5) DEFINITIONS AND SPECIAL RULES.—For purposes of this section:

“(A) SERIOUSLY DELINQUENT TAX DEBT.—

“(i) IN GENERAL.—The term ‘seriously delinquent tax debt’ means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code.

“(ii) EXCEPTIONS.—Such term does not include—

“(I) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

“(II) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (b), (c), or (f) of section 6015 of such Code, is requested or pending.

“(B) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning given such term in section 133 of title 41, United States Code.

“(C) SECRETARY OF THE TREASURY.—The term ‘Secretary of the Treasury’ includes a delegate of the Secretary of the Treasury.

“(D) TREATMENT OF PARTNERSHIPS AND S CORPORATIONS.—

“(i) PARTNERSHIPS.—A partnership shall be treated as a person with a seriously delinquent tax debt if such partnership has a partner who—

“(I) owns 50 percent or more of either the capital interest or profits interest in such partnership; and

“(II) has a seriously delinquent tax debt.

“(ii) TREATMENT OF S CORPORATIONS.—An S corporation (as defined in section 1361 of the Internal Revenue Code of 1986) shall be treated as a person with a seriously delinquent tax debt if such S corporation has a member or a shareholder who—

“(I) owns 50 percent or more (by vote or value) of the stock of such corporation; and

“(II) has a seriously delinquent tax debt.

“(c) ANNUAL AUDITS.—

“(1) DEFINITION OF UNRESOLVED AUDIT FINDING.—In this subsection, the term ‘unresolved audit finding’ means an audit report finding or recommendation that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 1-year period beginning on the date of an initial notification of the finding or recommendation.

“(2) AUDIT REQUIREMENT.—Effective for fiscal year 2012 and each fiscal year thereafter, to prevent waste, fraud, and abuse of funds by grantees, the Comptroller General of the United States shall conduct an audit of not less than 10 percent of all grantees awarded funding under a provision of law referred to in subsection (a).

“(3) MANDATORY EXCLUSION.—A grantee that is awarded funds under a provision of law referred to in subsection (a) that is found to have an unresolved audit finding shall not be eligible for an award of grant funds under this Act for the 2 fiscal years following the applicable 1-year period described in paragraph (1).”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by adding after section 219 (as added by section 12(b)) the following:

“Sec. 220. Prevention of fraud, waste, and abuse of taxpayer dollars through effective oversight.”.

SA 463. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, add the following:

SEC. ____ . CLOSURE OF BIG OIL TAX LOOP-HOLES.

(a) FINDINGS.—Congress finds that—

(1) gas prices have risen significantly largely in response to unrest in north Africa and the Middle East, unrest that speculators are capitalizing on to increase oil futures prices and make huge profits;

(2) high gas prices are hurting the quality of life of people of the United States, cutting

into savings, and jeopardizing jobs and the economic recovery of the United States;

(3) implementation of the regulatory reforms enacted by Congress in the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 1376) to prevent energy market manipulation and control excessive speculation has been delayed and has been threatened with funding reductions in the House of Representatives;

(4) the United States is producing more oil than any time in the last 13 years and companies hold abundant inventories of oil, but the United States is still importing more than 11,000,000 barrels of oil per day and the Energy Information Administration projects that full production in all onshore and offshore areas would reduce gas prices by only 3 cents per gallon by 2030;

(5) domestic refining capacity now exceeds United States demand for refined petroleum products, resulting in increased idle refinery capacity;

(6) oil companies are sitting idly on approximately 60,000,000 acres of leased Federal lands and waters containing more than 11,000,000,000 barrels of oil and 59,000,000,000 cubic feet of natural gas;

(7) the United States possesses less than 2 percent of the proven oil reserves of the world, yet consumes an unsustainable 25 percent of the oil production of the world;

(8) the economy of the United States suffers huge net losses in jobs and productivity from the growing annual trade deficit in energy, due mainly to the outflow of \$250,000,000,000 or more to pay for foreign oil;

(9) world oil prices have risen steadily since the slow beginning of the global economic recovery and, absent major efficiency or conservation improvements or deployment of alternative fuels, those oil prices are projected to remain well above \$100 per barrel or higher as world demand grows as China, India and other countries industrialize;

(10) the oil production policies of cartel of the Organization of the Petroleum Exporting Countries (OPEC) are a large determinant of the world price of oil, so the economy of the United States will be affected by decisions of OPEC as long as the United States depends on oil for a significant portion of the energy consumption of the United States;

(11) the major oil companies have accumulated more than \$1,000,000,000,000 in net profits over the last 10 years and collected more than \$40,000,000,000 in tax breaks during the same period, but have invested negligible amounts of those funds into research and development of the production of clean and renewable fuels made in the United States, leaving consumers with few if any choices at the pump; and

(12) in the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 et seq.), Congress increased fuel economy standards for the first time in 30 years and established ambitious requirements for domestic biofuels, actions that have reduced oil consumption and reduced upward pressure on gas prices.

(b) SENSE OF SENATE ON HIGH GAS PRICES.—It is the sense of the Senate that—

(1) the President and Administration should be commended for recognizing the severity of high gas prices and for taking appropriate actions to help reduce gas prices, including actions—

(A) to move forward with expeditious and responsible domestic production in the Gulf of Mexico and elsewhere;

(B) to form a Task Force led by the Department of Justice to investigate and elimi-

nate oil and gas price gouging and market manipulation;

(C) to establish a national oil savings goal to cut imports by 33 percent by 2025;

(D) to call for 1,000,000 electric vehicles to be on the road by 2015;

(E) to harmonize corporate average fuel standards under section 32902 of title 49, United States Code, (CAFE) and carbon pollution standards to achieve 1,800,000,000 barrels in oil savings from new vehicles built before 2017, and working with stakeholders to increase those savings from future year vehicles;

(F) to establish the National Clean Fleets Partnership and Green Fleet Initiative to reduce diesel and gasoline use in fleets by incorporating electric vehicles, alternative fuels like natural gas, and efficiency measures; and

(G) to clarify and expand the use of E-15 fuel for new motor vehicles;

(2) Congress should take additional actions to complement the efforts of the President, including enacting provisions—

(A) to encourage diligent and responsible development of domestic oil and gas resources onshore and off-shore;

(B) to eliminate subsidies for major oil and gas companies and use the savings to promote research, development, and deployment of affordable alternative fuels and vehicles;

(C) to give consumers more choices at the pump and incentives for buying vehicles that displace petroleum consumption; and

(D) to direct and fund the Commodity Futures Trading Commission and the Federal Trade Commission to rapidly implement the energy consumer protection requirements of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 1376);

(3) the Organization of the Petroleum Exporting Countries (OPEC) should contribute to the stabilization of world oil markets and prices and reduce the burden of high gasoline prices borne by the consumers in the United States by using existing idle oil production capacity to compensate for any supply shortages experienced in member countries; and

(4) the economic, environmental, and national security of the United States depend on a sustained effort to drastically reduce and eventually eliminate the dependency of the United States on oil.

(c) MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

(1) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (as defined in section 167(h)(5)(B)) to a foreign country or possession of the United States for any period shall not be considered a tax—

“(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

“(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or

possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

“(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘generally applicable income tax’ means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

“(i) persons who are not dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.”.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(B) CONTRARY TREATY OBLIGATIONS UPHOLD.—The amendments made by this subsection shall not apply to the extent contrary to any treaty obligation of the United States.

(d) LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.—

(1) DENIAL OF DEDUCTION.—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.—In the case of any taxpayer who is a major integrated oil company (as defined in section 167(h)(5)(B)) for the taxable year, the term ‘domestic production gross receipts’ shall not include gross receipts from the production, transportation, or distribution of oil, natural gas, or any primary product (within the meaning of subsection (d)(9)) thereof.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2011.

(e) LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS.—

(1) IN GENERAL.—Section 263(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This subsection shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (as defined in section 167(h)(5)(B)).”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to amounts paid or incurred in taxable years beginning after December 31, 2011.

(f) LIMITATION ON PERCENTAGE DEPLETION ALLOWANCE FOR OIL AND GAS WELLS.—

(1) IN GENERAL.—Section 613A of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) APPLICATION WITH RESPECT TO MAJOR INTEGRATED OIL COMPANIES.—In the case of

any taxable year in which the taxpayer is a major integrated oil company (as defined in section 167(h)(5)(B)), the allowance for percentage depletion shall be zero.”.

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2011.

(g) **LIMITATION ON DEDUCTION FOR TERTIARY INJECTANTS.**—

(1) **IN GENERAL.**—Section 193 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) **APPLICATION WITH RESPECT TO MAJOR INTEGRATED OIL COMPANIES.**—This section shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (as defined in section 167(h)(5)(B)).”.

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply to amounts paid or incurred in taxable years beginning after December 31, 2011.

(h) **REPEAL OF OUTER CONTINENTAL SHELF DEEP WATER AND DEEP GAS ROYALTY RELIEF.**—

(1) **IN GENERAL.**—Sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904, 15905) are repealed.

(2) **ADMINISTRATION.**—The Secretary of the Interior shall not be required to provide for royalty relief in the lease sale terms beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published.

(i) **DEFICIT REDUCTION.**—The net amount of any savings realized as a result of the enactment of this section and the amendments made by this section (after any expenditures authorized by this section and the amendments made by this section) shall be deposited in the Treasury and used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

(j) **BUDGETARY EFFECTS.**—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this section, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 464. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 12 through 16 and insert the following:

“(A) **125-PERCENT HIGHER UNEMPLOYMENT RATE.**—In the case of a grant made in an area for which the 24-month unemployment rate is at least 125 percent of the national average or the per capita income is not more than

SA 465. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . TAXATION OF INCOME OF CONTROLLED FOREIGN CORPORATIONS ATTRIBUTABLE TO IMPORTED PROPERTY.

(a) **GENERAL RULE.**—Subsection (a) of section 954 of the Internal Revenue Code of 1986 is amended by striking the period at the end of paragraph (5) and inserting “, and”, by redesignating paragraph (5) as paragraph (4), and by adding at the end the following new paragraph:

“(5) imported property income for the taxable year (determined under subsection (j) and reduced as provided in subsection (b)(5)).”.

(b) **DEFINITION OF IMPORTED PROPERTY INCOME.**—Section 954 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) **IMPORTED PROPERTY INCOME.**—

“(1) **IN GENERAL.**—For purposes of subsection (a)(5), the term ‘imported property income’ means income (whether in the form of profits, commissions, fees, or otherwise) derived in connection with—

“(A) manufacturing, producing, growing, or extracting imported property;

“(B) the sale, exchange, or other disposition of imported property; or

“(C) the lease, rental, or licensing of imported property.

Such term shall not include any foreign oil and gas extraction income (within the meaning of section 907(c)) or any foreign oil related income (within the meaning of section 907(c)).

“(2) **IMPORTED PROPERTY.**—For purposes of this subsection—

“(A) **IN GENERAL.**—Except as otherwise provided in this paragraph, the term ‘imported property’ means property which is imported into the United States by the controlled foreign corporation or a related person.

“(B) **IMPORTED PROPERTY INCLUDES CERTAIN PROPERTY IMPORTED BY UNRELATED PERSONS.**—The term ‘imported property’ includes any property imported into the United States by an unrelated person if, when such property was sold to the unrelated person by the controlled foreign corporation (or a related person), it was reasonable to expect that—

“(i) such property would be imported into the United States; or

“(ii) such property would be used as a component in other property which would be imported into the United States.

“(C) **EXCEPTION FOR PROPERTY SUBSEQUENTLY EXPORTED.**—The term ‘imported property’ does not include any property which is imported into the United States and which—

“(i) before substantial use in the United States, is sold, leased, or rented by the controlled foreign corporation or a related person for direct use, consumption, or disposition outside the United States; or

“(ii) is used by the controlled foreign corporation or a related person as a component in other property which is so sold, leased, or rented.

“(D) **EXCEPTION FOR CERTAIN AGRICULTURAL COMMODITIES.**—The term ‘imported property’ does not include any agricultural commodity which is not grown in the United States in commercially marketable quantities.

“(3) **DEFINITIONS AND SPECIAL RULES.**—

“(A) **IMPORT.**—For purposes of this subsection, the term ‘import’ means entering, or withdrawal from warehouse, for consumption or use. Such term includes any grant of the right to use intangible property (as defined in section 936(h)(3)(B)) in the United States.

“(B) **UNITED STATES.**—For purposes of this subsection, the term ‘United States’ includes

the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(C) **UNRELATED PERSON.**—For purposes of this subsection, the term ‘unrelated person’ means any person who is not a related person with respect to the controlled foreign corporation.

“(D) **COORDINATION WITH FOREIGN BASE COMPANY SALES INCOME.**—For purposes of this section, the term ‘foreign base company sales income’ shall not include any imported property income.”.

(c) **SEPARATE APPLICATION OF LIMITATIONS ON FOREIGN TAX CREDIT FOR IMPORTED PROPERTY INCOME.**—

(1) **IN GENERAL.**—Paragraph (1) of section 904(d) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C), and by inserting after subparagraph (A) the following new subparagraph:

“(B) imported property income, and”.

(2) **IMPORTED PROPERTY INCOME DEFINED.**—Paragraph (2) of section 904(d) of such Code is amended by redesignating subparagraphs (I), (J), and (K) as subparagraphs (J), (K), and (L), respectively, and by inserting after subparagraph (H) the following new subparagraph:

“(I) **IMPORTED PROPERTY INCOME.**—The term ‘imported property income’ means any income received or accrued by any person which is of a kind which would be imported property income (as defined in section 954(j)).”.

(3) **CONFORMING AMENDMENT.**—Clause (ii) of section 904(d)(2)(A) of such Code is amended by inserting “or imported property income” after “passive category income”.

(d) **TECHNICAL AMENDMENTS.**—

(1) Clause (iii) of section 952(c)(1)(B) of the Internal Revenue Code of 1986 is amended—

(A) by redesignating subclauses (II), (III), (IV), and (V) as subclauses (III), (IV), (V), and (VI), and

(B) by inserting after subclause (I) the following new subclause:

“(II) imported property income.”.

(2) The last sentence of paragraph (4) of section 954(b) of such Code is amended by striking “subsection (a)(5)” and inserting “subsection (a)(4)”.

(3) Paragraph (5) of section 954(b) of such Code is amended by striking “and the foreign base company oil related income” and inserting “the foreign base company oil related income, and the imported property income”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA, Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 23, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “The Indian Reorganization Act—75 Years Later: Renewing our Commitment to Restore Tribal Homelands and Promote Self-Determination.”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

The PRESIDING OFFICER. The majority leader.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 207.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 207) Supporting National Men's Health Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 207) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 207

Whereas despite advances in medical technology and research, men continue to live an average of more than 5 years less than women, and African-American men have the lowest life expectancy;

Whereas 9 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas between ages 45 and 54, men are over 1½ times more likely than women to die of heart attacks;

Whereas men die of heart disease at 1½ times the rate of women;

Whereas men die of cancer at almost 1½ times the rate of women;

Whereas testicular cancer is 1 of the most common cancers in men aged 15 to 34, and, when detected early, has a 96 percent survival rate;

Whereas the number of cases of colon cancer among men will reach almost 49,470 in 2010, and nearly half of those men will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men who developed prostate cancer in 2010 is expected to reach more than 217,730, and an estimated 32,050 of those men will die from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of health problems that affect men, such as prostate cancer, testicular cancer, colon cancer, and infertility, could be detected and treated if awareness among men of those problems was more pervasive;

Whereas more than ½ of the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100, women outnumber men by a ratio of 4 to 1;

Whereas educating both the public and health care providers about the importance

of early detection of male health problems will result in reducing rates of mortality for those diseases;

Whereas appropriate use of tests such as prostate specific antigen exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of those problems in their early stages and increase the survival rates to nearly 100 percent;

Whereas women are 2 times more likely than men to visit their doctor for annual examinations and preventive services;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons;

Whereas Congress established National Men's Health Week in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of all 50 States issue proclamations annually declaring Men's Health Week in their respective States;

Whereas since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the United States that promote health awareness events focused on men and family;

Whereas the National Men's Health Week Internet website has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespans and their roles as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups;

Whereas June 13 through 19, 2011, is National Men's Health Week; and

Whereas the purpose of National Men's Health Week is to heighten the awareness of preventable health problems and encourage early detection and treatment of disease among men and boys: Now, therefore, be it

Resolved, That the Senate—

(1) supports the annual National Men's Health Week; and

(2) calls upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, June 14, following the 2:15 cloture vote on the Coburn amendment No. 436, as modified, Senator RUBIO of Florida be recognized as in morning business for debate only for up to 20 minutes for the purpose of delivering his maiden speech in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President,

pursuant to 22 U.S.C. 276h-276k, as amended, appoints the following Senator as Vice Chairman of the Mexico-U.S. Interparliamentary Group during the 112th Congress: the Senator from Texas (Mrs. HUTCHISON).

ORDERS FOR TUESDAY, JUNE 14, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 14; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 11 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate proceed to executive session under the previous order; further, that the filing deadline for second-degree amendments to the Coburn amendment No. 436, as modified, be at 11:30 tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, tomorrow at noon, there will be up to two rollcall votes in relation to the Cecchi and Salas nominations. Additionally, at 2:15 p.m. there will be a rollcall vote on the cloture motion Senator COBURN filed on his ethanol amendment.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senators THUNE and COBURN, who will speak as in debate only.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Just so I have some idea, I ask Senator THUNE, how long does the Senator wish to speak?

Mr. THUNE. For 10 minutes.

Mr. REID. How much time does the Senator need?

Mr. COBURN. Ten minutes.

Mr. REID. That would be the order. Senator COBURN will be recognized for 10 minutes following the remarks of Senator THUNE, who will speak for up to 10 minutes. They are both for debate only.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHANOL

Mr. THUNE. Mr. President, the Senator from Oklahoma has a strongly held view about ethanol, particularly on this issue, on the VEETC, and I understand that. I understand there are Members who would like to see that particular tax credit go away. I understand that.

What the Senator from Minnesota and I have come up with is a way for them to achieve that objective, but it does it in a way that is reasonable, measured, and which doesn't totally, in the middle of the year, abruptly disrupt an industry and all of the investment that has been made.

The question I ask my colleague is, does our word mean anything around here? We passed this in December. There were 81 Senators who voted for a package of tax extenders, one of which was the volumetric ethanol excise tax credit. Eighty-one Senators are on record. If you want to do away with it, there are lots of ways you can do that. But the way the Senator from Oklahoma is proposing to do that is to say, tomorrow let's pass this and end it. It is \$2.5 billion we can save the taxpayers. Well, about \$500 million a month is about what this is going to cost. With every month that goes by, there is a little less available to the taxpayer.

What we are saying is that we put in a billion dollars today into this proposal that would go toward debt retirement, and we phase out the tax credit to which the Senator from Oklahoma refers, and we take a very forward-looking, futuristic-type view toward ethanol production in this country, biofuel production in this country. We are going to be capped out at 15 billion gallons, which is the RFS, the renewable fuel standard to which the Senator from Oklahoma referred. We are going to hit that. Then we have to get to the next generation of biofuels.

With all due respect to my colleague from Oklahoma, methanol is not a realistic option. You would have to retool every plant in this country. We have 204 plants in America today that, directly or indirectly, employ 500,000 Americans. Those are the jobs that are impacted. We have had policy on the books now for nearly 30 years that has encouraged the investment in these plants on the belief that we need to get beyond dependence on foreign sources of energy. That ought to be our energy policy, and we ought to be looking to producing more.

I am for oil and gas. The reason I voted against the proposals leveled a

couple weeks ago that would have targeted the oil and gas industry is because I think we need all forms of energy—oil and gas, clean coal, biofuels, nuclear, and we need any form of energy we can generate and produce in the United States. I am for it. That is why I think the future of this industry is still very bright, because I think there is an advanced biofuels future out there, and a cellulosic ethanol, next-generation ethanol, whatever you want to call it, where we can make it from switch grass, from blue stem grass, from corn stover, and these types of products. That is out there. But you don't get there unless you have a corn-based platform to start with.

The Senator talked about a renewable fuel standard and talked about this being redundant public policy. One of our colleagues from South Carolina introduced an amendment to this bill that would end that. I assume—I don't know this for a fact—that my colleague from Oklahoma would support that amendment, which would do away with the renewable fuel standard.

Mr. COBURN. Will the Senator yield?

Mr. THUNE. Certainly.

Mr. COBURN. The Senator obviously didn't hear what I said. I said I support ethanol, and I would not support that. I have been upfront with the Senator in the past, and you know my position on that.

So the question here—and I ask him a question: How do you fit what the people who would get this \$3 billion, who the Senator says they don't want—why would they say that if it is going to have a negative impact on their industry?

Mr. THUNE. Well, I say to my colleague from Oklahoma that I was not aware he said he supports ethanol. I was not aware he supports the RFS. If there is an amendment offered to strike the RFS, which there will be—am I wrong in saying the Senator would oppose that amendment?

Mr. COBURN. I will oppose that amendment. My worry is because of the process of the Senate, we may not get that amendment to vote on. My colleague, as part of our leadership, would recognize that we have a problem with amendments.

Mr. THUNE. I don't disagree with that. There is an issue I have not argued. It is your prerogative to bring this up and file cloture, which you have done in this circumstance. I think the renewable fuels standard that creates the sort of policy construct we are talking about here today is one aspect of the biofuels policy going forward. The other aspect, going back for long time, historically, is the blenders credit.

I will tell you—because the statement you made is all the people who get this don't want it—well, that is not

true. The large integrated oil companies, which are also refiners and, in many cases, retailers of refined gasoline, don't want it, maybe. I understand you have a letter to that effect. But there are lots of smaller refiners who do want it.

There are also an awful lot of—the blenders credit gets passed on to the retailer, which gets passed on to the consumer, hopefully. The people who will be impacted by this are not just the large integrated oil companies. If you talk about the large integrated oil companies, saying they don't want this—they said in hearings before congressional committees a few years ago they didn't want the oil subsidies they get in the Tax Code today. They are on the record saying that. Yet we voted to keep those in place just a few weeks ago.

Mr. COBURN. Will the Senator yield?

Mr. THUNE. Yes.

Mr. COBURN. Would the Senator define what a subsidy is to him, because part of the problem with the debate is that we keep saying "subsidies." We don't have subsidies—not in the Senator's State or in Oklahoma. We have accelerated depreciation, which even if you took that away, the dollars to the Federal Government would not increase. How is there a subsidy to the oil and gas industry?

Mr. THUNE. When we characterize what you called tax expenditures, there are a bunch that fall into that category. I know the Senator is familiar with that as he served on the President's debt commission. It is about \$1.1 trillion a year. In some way or another, we reduce the tax liability of various individuals and businesses around the country. I don't disagree with you. In fact, I will work with the Senator on a proposal that would address this and look at all those types of tax expenditures.

I think it is punitive to single out one and say we are going to kill this one, after we committed in December, with 81 votes, that we are for this. I don't know how we can, in good faith, go to this industry, which employs 500,000 Americans, and say we are going to pull the rug out from under you after 6 months.

That being said, I would characterize it as anything that reduces the tax liability that is public policy. I think it is characterized as tax expenditures. The oil depletion allowance and the intangible drilling costs—those are all things that are unique to the oil industry.

Mr. COBURN. Does it include charitable contributions—a subsidy, the same category?

Mr. THUNE. If it is under the definition of tax expenditure, sure. Oil depletion allowances and intangible drilling costs are characterized, for subsidy

purposes, the same way as the ethanol tax credit. We have lots of what we would characterize as tax credits and earned income tax credits in the Tax Code. We have lots of what is characterized as tax expenditures. You may characterize it differently, and that is accelerated depreciation, but in fact for the purposes of description, as we describe things here, it fits into that category.

The oil industry came in front of congressional committees and said they didn't want those. So for them to say they don't want this particular blenders credit—and my view certainly isn't determinative, but I think the large integrated oil companies that get the blenders credit also view ethanol as a threat. Like it or not, today the only viable alternative to petroleum—the only one we have—is 10 percent of our fuel supply in this country.

I am not debating the Senator from Oklahoma about whether the merits of this particular policy—at least in its current form—should not be transformed and should be reformed; I am saying that we should. I have come to the Senator with a proposal to do that. That is not something, obviously, that he agrees to. That is fine. He is entitled to not support that. But I believe we ought to reform it. I think the way we reform it is do it in a reasonable way that doesn't cut it off tomorrow but, rather, phases it out.

I think that for the Senator from Oklahoma, to me, it is something that is a win for him as well. He gets what he wants. He gets the phaseout, plus \$1 billion in debt reduction, and if this thing goes to the end of the year, we get zero. We get goose-egged.

This thing expires at the end of the year. Whether it gets extended or not remains to be seen. But one thing we know with certainty is that I am putting a proposal on the table today that gets \$1 billion in reduction, that provides some certainty at least in phasing out the VEETC and also makes an investment in blender pumps, which is something that is very important to the future of the industry.

So I think it is a reasonable way to deal with this issue.

The Senator from Oklahoma and I have a disagreement, and that is probably not going to change. But I am offering what I think is a reasonable proposal that gets you where you want to end up and I think also is a way in which we can keep this industry from having the rug pulled out from under them after we made a commitment to them in December of last year.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, let me make a couple of points.

When the Federal Government writes a tax credit, that means we take

money from our Treasury, which is empty; therefore, we borrow it, and we write a check to people. When we have an "accelerated appreciation," what we do is allow people to pay less back in, a big difference.

How many of the ethanol refineries and blenders are not represented by this group? It is about 11 percent. They all reside in the upper Midwest. That is why there is such a resistance to it.

When I met with the representatives of the ethanol industry, the reason they don't want the credit to go away is because they are afraid that they won't be able to drive as hard a bargain with the large blenders of gasoline, that they will actually be able to determine what their grind cost is—in other words, what their true cost is.

The difference between what the Senator from Minnesota and the Senator from South Dakota offer is \$2 billion. That is the only difference. Theirs is just denial and spend \$1 billion on pumps and infrastructure—money we don't have—and mine is to say quit doing it because we are going to blend the ethanol anyway. That is the only difference in the two programs. One continues to subsidize noneconomic blenders, obviously, because they want it—a very small portion. But the vast majority of people are producing ethanol-blended gasoline. And they say: How did they ever get to the point in our country where the Federal Government is going to tell you that you have to buy a gasoline that is only 65 percent as efficient as the gasoline you were buying? And, oh, by the way, because it is only 65 percent efficient, it actually pollutes more. That is why in this list of people supporting this are all the environmental groups, because they know it is bad policy.

The reason I support a mandated level of ethanol is that until we have a cogent drilling policy in this country that says we are going to actually utilize our own resources, we need to keep ethanol. But what really ought to happen is we ought to let markets determine it. We will all be better off. We will have less government regulation, we will have less Tax Code expenditure and the markets will determine what the most efficient product is by what people will buy—what people will buy, what they want to buy. It is called freedom.

We have gotten ourselves in this mix where, actually, what people don't realize is we are down to only 47 percent of our oil coming into this country is coming from outside now. We have moved from 62 down to 47 percent, and the reason is because the oil and gas industry has actually gone out there and found an environmentally smart way to produce tons of gas liquids, which are easier to convert into fuel than anything—easier than oil, easier than any other product we have.

So the Senator didn't really answer why the people who are getting the money don't want it and yet we should continue sending it to them.

Ask yourself the question. We are broke, we are going to run a \$1.4 or \$1.5 or \$1.6 trillion deficit this year and here is a way to save \$3 billion, and the people we are going to send the money to—and borrow the money to be able to send it to them—don't want it. Yet they cannot answer why they do not want it. This represents 97 percent of all the blending in the country. They don't want the money and we are going to sit here as a body and continue to send them money they do not want? Go home and explain that to your constituents.

From which child are we going to take opportunity because we do not have the courage to do the smart thing? We have a mandate. They have to blend it. They are making a ton of money.

One final point, and I will let the Senate staff go home. Every time you go home to buy a gallon of gasoline today, the price you pay at the pump is not the price you pay. If you look at all the subsidies that are going to ethanol, when you go look at that \$3.75—or that \$4 around here, \$3.50 in Oklahoma and Colorado—add \$1.72 per gallon to it because that is what you paid in terms of the government support for the ethanol program in terms of subsidies, \$1.72 a gallon. You buy it for \$3.50, add \$1.72, and you are paying \$5.22 a gallon. You just don't know that we have picked your pocket through the government expenditures. Out of your taxes you paid, we pay them \$1.72 per gallon. It makes no sense. What this does is eliminate 45 cents of that. It doesn't take it all away, the grants and the loans, the low-interest loans.

The other thing people do not recognize is most of the ethanol plants, even with this subsidy, have been bought out because they were not economical because they did not know how to run them. That is why most of them ended up with the large companies, because they did not know how to run them, they were not efficient, and now they are profitable even without the blenders credit.

It is a simple question: Do we save \$3 billion or save \$1 billion? I tell you, with what is in front of us as a Nation with our \$14.3 trillion debt, I am going to opt for the kids who follow us and the grandkids. I am going for the \$3 billion, not \$1 billion.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:02 p.m.,
adjourned until Tuesday, June 14, 2011,
at 10 a.m.

NOMINATIONS

Executive nominations received by
the Senate:

FEDERAL DEPOSIT INSURANCE CORPORATION

MARTIN J. GRUENBERG, OF MARYLAND, TO BE CHAIR-
PERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL
DEPOSIT INSURANCE CORPORATION FOR A TERM OF
FIVE YEARS, VICE SHEILA C. BAIR, RESIGNED.

MARTIN J. GRUENBERG, OF MARYLAND, TO BE A MEM-
BER OF THE BOARD OF DIRECTORS OF THE FEDERAL DE-
POSIT INSURANCE CORPORATION FOR A TERM EXPIRING
DECEMBER 27, 2018. (REAPPOINTMENT)

ENVIRONMENTAL PROTECTION AGENCY

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSIST-
ANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTEC-
TION AGENCY, VICE PETER SILVA SILVA, RESIGNED.

HOUSE OF REPRESENTATIVES—Monday, June 13, 2011

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. MCCLINTOCK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 13, 2011.

I hereby appoint the Honorable TOM MCCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

On this day we ask Your blessing on the men and women, citizens all, whose votes have populated this people's House. Each Member of this House has been given the sacred duty of representing them.

O Lord, we pray that those with whom our Representatives met during this past week in their home districts be blessed with peace and an assurance that they have been listened to.

We ask Your blessing as well on the Members of this House, whose responsibility lies also beyond the local interests of constituents while honoring them. Give each Member the wisdom to represent both local and national interests, a responsibility calling for the wisdom of Solomon. Grant them, if You will, a double portion of such wisdom.

Bless us this day and every day, and may all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Virginia (Mr. RIGELL) come forward and lead the House in the Pledge of Allegiance.

Mr. RIGELL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

EXPRESSING DEEP CONCERN OVER THE PRESIDENT'S STANCE ON JOB CREATION

(Mr. RIGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIGELL. Mr. Speaker, recently the President said this about our most recent new jobs numbers that were greatly disappointing: "People and the markets are still skittish and nervous, and so they pull back because they're still thinking about the traumas of just 2½ years ago."

Mr. Speaker, I want the President to know that American entrepreneurs and job creators are not looking to the past. Entrepreneurs and job creators by their very nature are looking to the future, and all they see, Mr. Speaker, is the perfect storm of uncertainty based on the President's fiscal policies: They see an EPA that is a hindrance—not a partner—in job creation; they see a nationalized health care that's creating uncertainty about health care costs and where that's going; they see a mountain of debt that continues to grow each and every day; and they see local bankers who aren't hiring local account executives to reach out to small business owners, but they're hiring those account executives to go out and look at regulations that are just continuing to pour down on our small banks.

Thomas Friedman wrote this in the New York Times this weekend; he said: The epidemic of uncertainty is one of the principal problems undermining U.S. job growth today.

We can do better, Mr. Speaker. Let's support and unlock the greatest job-producing engine the world has ever known: the American small business owner.

HOSPITALITY INDUSTRY PROMOTES JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Friday marks the 1-year anniversary of the current administration's

"Recovery Summer." The 3-month "victory lap" was designed to celebrate the fabricated success of the so-called "stimulus" plan. The reality of this victory lap is failure. Since passage of the stimulus, America has lost 1.6 million jobs.

Sadly, earlier this month, the Bureau of Labor Statistics announced more families are without jobs. The failed economic policies of this administration, with skyrocketing gas prices promised by the President, have slowed the growth of small businesses. These are America's primary job creators, especially the hospitality industry of hotels and motels which have promoted job opportunities for millions of persons across the country.

Tragically, over 14 million Americans are now without jobs. House Republicans presented the "Cut and Grow" congressional plan. It's common sense. First cut spending, then the economy will grow. That is the best way to produce jobs by small businesses.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

CONGRESSIONAL PAY ACCOUNTABILITY ACT

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to ask whether Congress can raise itself to the standard of accountability of your home State, the State of California, that was set there recently.

On April 15 of this year, I introduced the Congressional Pay Accountability Act of 2011, a bill that requires Congress to pass a budget and appropriations bills before the beginning of the fiscal year. If we don't, we don't get paid.

I introduced this bill because if Congress is unable to perform its basic fundamental duties—to pass the budget and appropriations bills—we aren't doing our job and should be held accountable and should not get paid.

Recently, I read that California voters approved a ballot measure that requires the same thing of their State legislators—pass a budget or don't get paid. California voters, facing one of the worst budget crises in U.S. history, spoke up and said that they wanted to hold their elected officials accountable.

As America faces the worst debt crisis in its history, I hope Congress can

stand up and declare that we, too, want to be held accountable.

Ask yourselves: If California can do it, why can't Congress do it?

□ 1410

GENERAL LEAVE

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2055, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentleman from Texas?

There was no objection.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2055.

□ 1412

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. MCCLINTOCK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 2, 2011, the amendment offered by the gentleman from Texas (Mr. CULBERSON) had been disposed of and the bill was open for amendment from page 2, line 8, through page 60, line 9.

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, insert after the dollar amount the following: "(increased by \$25,000,000)".

Page 9, line 21, insert after the dollar amount the following: "(decreased by \$25,000,000)".

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. Mr. Chairman, I come to the floor this afternoon to present an amendment that would transfer \$25 million from one of the accounts, that is the NATO Security Investment Program, to the Military Construction

Army National Guard Account. I take this action for several reasons.

First, in our State of Florida, we have at least two projects that are very important to the operation of the National Guard. Our men and women who belong to the National Guard, not only in Florida but across the Nation, deserve an upgrade in their facilities. We have several projects that have gone on for years and years. One of the projects I understand has had difficulty in the contract falling apart. Nonetheless, whether it is in Florida, again, in south Florida, central Florida, or in any State, we should adequately fund the account that protects and provides the accommodations necessary for the facilities for our National Guard. So here we want to plus-up by \$25 million from the NATO Security Investment Program to our National Guard facilities. Across the country I hear the same thing—that National Guard facilities, many of which are two or three times older than those who are serving there, need replacement.

So this is a general amount, \$25 million, but I believe that it can help boost up the facilities account that is so important for Florida and for the Nation. I am willing to work with the committee in any fashion to plus-up this account. I am not trying to pick on NATO, although I believe that there is room in their budget to transfer these funds without doing any damage. I would ask my colleagues to consider this amendment.

I thank the committee. I usually don't get into other folks' turf, particularly military construction. I deal mostly with transportation in the House, and I understand the difficulty sometimes when other Members come in and try to manage some of the important dollars that are made available. I know the difficult choices that the committee has in trying to assign appropriate dollars, particularly for defense facilities construction.

Again, I won't just take up the House's time in unnecessary conversation, but it is a simple matter. We transfer \$25 million from the NATO security investment account to fund military construction for our National Guard. We have the need across the Nation. It is evident in every State where we have National Guard activities. This isn't a great amount, but I think it can make a significant difference on a number of projects throughout the United States.

I urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, this amendment would decrease the NATO Security Investment Program by \$25 million and increase the

Army National Guard account by \$25 million. We support the Guard and our Reserves wholeheartedly, but I want to join Chairman CULBERSON in some concerns that I have about the amendment.

The MilCon portion of this bill for the most part is flat-funded, and the resources provided in this title were distributed, we believe, in a very judicious manner. The bill funds the Guard account at the budget request level, which makes the needed investments in Guard facilities.

In addition, I am concerned that the offset that the gentleman has chosen could cause shortfalls in the NATO Security Investment Program, which in turn could cause further delays in the NATO Security Construction Program. The Security Investment Program provides support for many of the important operations that we are involved in, including our current operations in Afghanistan. I believe that we have to get the NATO program back on track because it will ultimately save us money in the long run.

□ 1420

While I agree with the spirit of the amendment, I do have some concerns about the gentleman's amendment. I won't oppose it at this time, but I hope that we will be able to work through those concerns as we work through this process and as the bill goes to the Senate and it comes back and we can deal with these concerns in conference.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I certainly agree with the gentleman from Florida, our distinguished chairman of the Transportation and Infrastructure Committee, that we need to do everything we can to support our National Guard. I look forward to working with the gentleman in conference.

We will accept the amendment, again, as an expression of our support for making sure that our National Guard and Reserve components have all the support they need. But we'll work with the chairman in conference to see if we can find the best source of funding for this addition plus-up on the National Guard. We, of course, want to make sure that they're not only taken care of in the State of Florida but around the Nation.

I know the chairman shares my concern with border security. The National Guard plays a vital role in helping our Border Patrol agents and in helping all of our law enforcement and Homeland Security folks in securing the border. So we want to make sure those elements of the National Guard's role in securing our Nation's borders are fully funded as well.

So we will accept the amendment at this time.

Mr. MICA. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Florida.

Mr. MICA. Thank you.

Again, I want to thank Mr. CULBERSON for his leadership and for his willingness to work with us, both sides of the aisle. Again, if it is necessary to take funds from another account—and we chose NATO in this instance for this amendment—we would welcome any assistance in plussing-up our National Guard facilities and construction accounts.

So, again, thank you so much for your leadership—I know you have difficult choices and I know the people that serve in our National Guard are grateful for your leadership—and also for accepting the amendment at this time.

Mr. CULBERSON. Mr. Chairman, again, we accept the amendment and move its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 414. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, or to make a grant to, any corporation that was convicted of a felony criminal violation under any Federal or State law within the preceding 24 months.

SEC. 415. None of the funds made available by this Act may be used to enforce Executive Order 13502 (41 U.S.C. 251 note), FAR Rule 2009-005, or any agency memorandum, bulletin, or contracting policy that derives its authority from Executive Order 13502 or FAR Rule 2009-005.

AMENDMENT OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, strike lines 16 through 21.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATOURETTE. This is a simple, straightforward amendment.

During the committee markup of the Military Construction bill, under the able leadership of the subcommittee chairman, an amendment was offered by Mr. FLAKE of Arizona to deny funding to the President's Executive order dealing with project labor agreements. The matter was accepted by voice vote. It was accepted by voice vote because, quite frankly, I couldn't rustle up enough votes in the committee to overturn it.

However, this continues a pattern that we've seen in this Congress. I believe we've had on the floor four votes on whether or not Davis-Bacon should

be the law of the land. In each one of the cases, the proponents of Davis-Bacon have been successful, the last one garnering 52 Republican votes. This would be the third vote by those who would wish to do away with project labor agreements that will occur on the House floor. In the previous two, again, the proponents of project labor agreements have prevailed. In the last instance, 28 Republicans were, in fact, supportive of project labor agreements.

Mr. Chairman, basically, project labor agreements are those agreements wherein someone who is doing a construction project determines that they want to have an all-encompassing universal agreement that covers the construction from start to finish. If union labor is involved, it denies unions the ability to strike. It denies the contractor the ability to lock out. Wages are set. Terms are set. Conditions are set. And, quite frankly, the project labor agreements have been resounding successes.

As a matter of fact, project labor agreements, 90 percent of them are used by private industry. Some of the biggest users of project labor agreements are the Disney Corporation and, in fact, Walmart. So neither of those companies have ever been sort of identified as big labor-loving organizations.

Now, this is a backdoor piece of language in line 16 to 21 because it doesn't attack project labor agreements. What it does is, if you go back and look in February when President Obama enacted this Executive order, he said: I don't know which is going to be better and which is going to be cheaper, based upon the size of the project, where the project is located, what it is we want to get done.

So funds are appropriated to the agencies. Say it's the Department of Veterans Affairs and they're going to build a new hospital. You say, Department of Veterans Affairs, you study which is going to bring that project in at the best quality, the best price, on time, and giving the taxpayer the best bang for his or her buck.

Well, this amendment strikes that funding. And so it doesn't say you can't use project labor agreements. What it does say is that the agency can't make that comparison. And if you're not making that comparison to find out which is better for the taxpayer, which is in fact going to cause the project to come in at the lowest cost and with the best quality and under time, then it has nothing to do with saving the taxpayer money.

We hear a lot about these are tough times and we have to tighten our belts. I agree with that. I voted for that consistently. But that is just union bashing. This is just saying we don't want to know whether a project labor agreement can develop a project that is cheaper, of better quality, and under time.

Quite frankly, although there are studies on both sides, there is an organization called ABC. They have a study that shows that it adds so much cost. You have a study by organized labor that says it reduces so much cost. I choose not to look at either of those because each of those folks and organizations, quite frankly, have some skin in the fight and have some incentive, if you will, to look at the data one way or another.

I would go with our nonpartisan, bipartisan Congressional Research Service, which last October was asked to study this issue, and they indicated, quite frankly, that the jury is out and, if anything, the data indicates that they really can't say and they can't find any convincing data as to whether or not project labor agreements save money or don't save money, which really is the genius of the President's Executive order because it says you should study it.

Quite frankly, the CRS goes on to indicate that in those areas of the country where there's a lot of organized labor, the project labor agreements tend to bring these projects in on time, under cost, with better quality. In those areas of the country which aren't heavily unionized, the opposite is, in fact, true.

So with the jury being out and all of us wanting to achieve the greatest savings for the taxpayer and build good, quality projects in the military construction account which benefits our men and women in uniform, why would we deny the departments the opportunity to study which way is cheaper, better, more effective, and with a better quality? So there's only one reason. It's to continue this constant drumbeat of: We hate unions. And that's not a good reason to have this language in the bill.

I urge support of the amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. This is a straightforward vote to the House about whether or not we will, on behalf of American taxpayers, vote to impose union collective bargaining requirements on any private company doing business with the Federal Government. The Executive order that our bill does not fund and the amendment attempts to strike, language in our bill which does not fund this Executive order, the Executive order says that "in awarding any contract in connection with a large-scale construction project, the administration may require the use of a project labor agreement."

□ 1430

A project labor agreement, under the Executive order's own definition, means a pre-hire collective bargaining

agreement with one or more labor organizations. So the Obama administration through this Executive order is attempting to unionize any private company in America that wants to do business with the Federal Government. That's just an outrage.

Again, in looking at a Wall Street Journal editorial from April 14 of 2010, it reiterates data that is widely available and that has been repeatedly verified: that only about 15 percent of the Nation's construction workers are unionized. So from now on, under this Executive order, the other 85 percent of America's construction workers will have to give up the opportunity to work on a Federal project, or not be unionized.

This is just a blatant attempt by the Obama administration to impose union collective bargaining on any private company in America that wants to do business with the Federal Government. If indeed the idea were to reduce the costs, that's fine. We are in an era of austerity unlike anything this Nation has ever experienced. We confront record debt, record deficit, record public debt held by foreign nations. This is unlike anything we have ever seen before.

As I showed when we debated this bill earlier, just before the break, every single dollar of Federal revenue that comes in the door is already spent on existing social welfare programs. In fact, 104 percent of Federal income is obligated to pay for the existing social safety net. Social Security, Medicare, Medicaid, veterans' benefits, and interest on the national debt consume 104 percent of our Nation's income. Therefore, America is living on borrowed money, and it is our obligation as stewards of the Treasury to ensure that we do not waste any of these precious dollars and that we cut spending everywhere we possibly can so that we do everything within our power to limit the atrocious debt burden that we are passing on to our children and grandchildren. This is an unacceptable direction the Nation is taking because of uncontrolled spending by previous Congresses.

Why would we voluntarily, knowingly, allow our kids and grandkids to pay, as The Wall Street Journal points out and as the Veterans Administration discovered, and why would we voluntarily pay 12 to 14 percent more for construction contracts? In a study they did, the VA discovered, when they looked at the construction costs for hospitals in three of five markets, the cost of construction would jump by as much as 9 percent. The Beacon Hill Institute at Boston Suffolk University in 2006 said, when you impose these project labor agreements, it will increase school construction costs by 12 to 14 percent. Why would we voluntarily do that?

This amendment must be defeated. This amendment is an effort to prevent

Congress from saving precious tax dollars. If this amendment passes, the Obama administration will be able to impose collective bargaining on any private company that wants to do business with the Federal Government. I strongly urge Members to oppose this amendment.

I yield back the balance of my time. Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, as much as I agree with many of the objectives expressed by the chairman in his discussion just a few moments ago, particularly that we want to make the most efficient use of taxpayer dollars, I think the very arguments that he makes support why we need to have project labor agreements.

This has nothing to do with union or nonunion workforce standards. The project labor agreements do not mandate or predetermine that a workforce has to be union or nonunion. It allows for the project owner, such as the government or a private sector entity, to establish workforce standards that both union and nonunion workers have to meet in order to be hired by contractors and subcontractors under the project labor agreements.

This is a model that increases the efficiency and the quality of construction projects. Of course the ultimate objective is that we will have a workforce that will ensure construction projects are built correctly the first time so that we won't have cost overruns, so that they are built on time, so that we won't have to extend the contracts, and so that we won't have safety problems because of having unskilled workers. Basically, in the awarding of these contracts, these project labor agreements will make sure that the government's money is spent well. We want to get the most bang for taxpayer bucks. We want to make sure we make the most efficient use of taxpayer dollars.

There has been study after study after study that illustrates how the use of these project labor agreements does not extend costs to the taxpayers or to other projects—rather, that they often save money. In fact, in most cases, they do save money because, as a result of having a higher skilled workforce, they don't have to worry about equipment being broken; they don't have to worry about the waste of resources and materials; they don't have to worry about the contracts not being performed on time. It's to the contrary. If you're worried about protections, project labor agreements will prohibit strikes or work stoppages by any kind of construction workers on the project. They will establish a single procedure for handling workforce disputes.

It is a tool for ensuring that large and complex projects, as many of our

government projects are, are completed on time. It allows for the employment of local citizens. And right now, with the unemployment rate as it is and with so many of our skilled workers out of work, it allows for flexibility.

The Executive order, which seems to be the source of the complaint, really does not require that they be used. It gives the government the option of making a decision that is in the best interest of the American taxpayers. Certainly, we want to do everything that we can possibly do to make sure that we come in on budget or under budget, with the highest quality, with the safest work environment, and that we are able to employ the people in our communities to get the job done. As much as we need to improve employment, to increase the number of people who are working, these project labor agreements just add another tool to allow, in the awarding of taxpayer funded contracts, the most efficient use of those dollars. So I join the gentleman in support of this amendment. I think it is well thought out and that it's a benefit to the taxpayers.

With all due respect to my colleague on the other side who is opposed to this amendment, I think, when it is all said and done, the bottom line is these project labor agreements in this Executive order, while not requiring the use of project labor agreements, will be an added tool in our arsenal to get the most bang for taxpayer bucks to enhance what we do for our country, for our citizens whom we put to work, and to make sure that the conditions and terms of their employment and the work that they do is done with appropriate standards.

I yield back the balance of my time. Mr. HARRIS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HARRIS. I thank my colleague from Ohio for introducing this amendment and, once again, for this dialogue on an important issue.

I will remind my colleague that, although he brings up the fact that this has been decided in the Chamber twice already in other similar circumstances, it's not really the same because, last Friday, of course, we found out that our unemployment rate is rising in the country. It's now 9.1 percent again. We only created 54,000 jobs, not the 200,000 jobs we'd hoped we would create and certainly much fewer than the 150,000 jobs we need to create in order to get back to full employment. That's how many we need to create every month.

What this amendment means, very simply, is that we are going to have to spend 10 to 20 percent more on every single project that ends up in a project labor agreement—and more projects will. If more projects wouldn't, then

the advocates wouldn't care about whether we put this provision in. It clearly will result in project labor agreements, so let's review what a project labor agreement does.

First and foremost, it increases the cost 10 to 20 percent on every project. Now, Mr. Chairman, if you or I or people in my congressional district were going to contract to build something around their homes, they wouldn't put a provision in normally that says that we're only going to hire union contractors.

□ 1440

They will go out. They will get the bids. They will go out. They will seek to find out what the reputations of the bidders are, and then they will make the decision based purely on price and quality and value whether or not to make that deal, not whether someone is a member of a union or hires union laborers; but that's what a project labor agreement does.

So let's talk about jobs a little bit. What is our important role here in Congress? Our role in Congress is to try to get our unemployment rate up. Well, if we save 10 to 20 percent on every job, we certainly can do more construction jobs. I just met over lunch with one of the people in my district who is an electrical contractor and he's not unionized, and he asked me to come down here and he said, please, go to the floor today and ask so that those 80 percent, or 7 percent, of us who are contractors who are not unionized can get a piece of that pie so that we don't have to fire our employees.

Mr. Chairman, it's simple. If we can save 10 to 20 percent on every project, we can hire 10 to 20 percent more people to do more projects. And again, the sad fact is our unemployment rate is 9.1 percent. It's going up, not down. The number of new jobs created last month, 54,000, going down, not up. We've got to reverse that, and we've got to do it by being efficient and being smart with our dollars, and one way is to not require project labor agreements.

Finally, let me address the issue of local citizens. I want these contracts to go into the First Congressional District of Maryland; but, Mr. Chairman, I don't have a lot of union contractors in my district. There are a lot of districts that don't have a lot of union contractors. So if we want local contractors to be employed, if we want local citizens to get jobs, our local unemployment rates to go down, Mr. Chairman, I would suggest we defeat this amendment, which will frequently require that in order to qualify for a contract you have to hire out of district. You may have to go to another State. That's not good for anyone, certainly not good for the folks in the First Congressional District of Maryland.

Mr. Chairman, again, I want to thank my colleague from Ohio for bringing

this issue up, but we do need to revisit this issue because we don't live in the same world we lived in one week ago. We live in a world where the talk of the double-dip recession is sincere and it's serious and our unemployment rate going up, not down; the number of jobs going down, not up. The last thing we should do is to take those hard-earned taxpayer dollars and to use them, and I will say to waste them, in some circumstances, on project labor agreements.

I yield back the balance of my time. Mr. DICKS. I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The gentleman's amendment would strike the provision in the bill prohibiting the use of project labor agreements on any project funded in this bill. PLAs are a benefit to both employers and unions. They provide uniform wages, benefits, overtime. A PLA sets the terms and conditions of employment for all workers on site, including work conditions and rules. In addition, a PLA prohibits strikes and work stoppages. A PLA provides a single collective bargaining unit which allows for easier management of a project.

Executive order 13502 only encourages executive agencies to consider the use of project labor agreements. There is no requirement to use a PLA. It should be up to the agency and project manager if the use of a PLA is appropriate for their particular project. And I was pleased that the chairman, Mr. CULBERSON, read the language and it says "may," not "shall."

Two weeks ago during the consideration of the FY 2012 Homeland Security appropriations bill, an amendment was offered to prohibit the Department from allowing project labor agreements, and it was defeated. We should support the option on the use of PLAs.

I urge the adoption of the LaTourette amendment.

Mr. LATOURETTE. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Ohio.

Mr. LATOURETTE. I thank the distinguished ranking member very much; and, you know, Mr. HARRIS from Maryland is a wonderful new Member, and I enjoyed his remarks very much and his passion, and it would be a compelling argument if his facts were correct.

The difficulty is no one on this floor would support project labor agreements if the evidence was that project labor agreements increased the cost of a construction project by 10 to 20 percent. The study cited by Mr. CULBERSON, the chairman of the Subcommittee, by the U.S. Department of Veterans Affairs, concluded that the effect of PLAs on construction costs was strongly influenced by the degree of

unionization in an area. In highly unionized cities, the costs of a PLA are less and the project comes in under cost, under time, better quality. And those that don't have, as apparently the First District of Maryland doesn't have as many unions, the evidence does, in fact, come in; in some of those cases costs can increase by 5 to 9 percent, not 10 to 20.

But the problem with this language is, it doesn't condemn project labor agreements. This is an appropriations bill. What this amendment does is deprive the agency of the funds to study in your area—my area happens to be heavily unionized, so Cleveland, Ohio—prevents the VA from studying whether or not use of the PLA would save the government money or cost the government money.

And I've got to tell you, if the conclusion is that it's going to cost the government money, it's like "I Love Lucy" and Ricky Ricardo. I mean, I'm sure that somebody is going to ask the head of that agency, you know, you've got a lot of explaining to do why you went with a program that's going to cost the government more money.

That isn't what this is about. This is union bashing. This isn't costing or saving money. It's just we don't like unions, and I thank the gentleman for yielding.

Mr. DICKS. I thank the gentleman for offering the amendment, and I completely agree with him. I don't think there's any evidence that except for some of the people like the Wall Street Journal who say this, I don't see any evidence of it; and as the gentleman says, if there was evidence, Congress would not approve of project labor agreements.

So I, again, rise in strong support of the LaTourette amendment and urge that it be adopted.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. Mr. Chairman, I'm here today in opposition to this amendment, and I've heard a lot of the compelling arguments here today as to why this amendment should be adopted.

Well, first, let me remind the Members that the Appropriations Committee passed the language that's in this bill right now that restricts funding from going to projects that require project labor agreements. That's all this does, and I think we should all be for it. We should all be for free markets. We should all be for capitalism, for the best contractor competing against the best contractor and putting up the best price for the project.

Now, they said that there were reports cited in The Wall Street Journal, and I just happen to have what The Wall Street Journal cited, and they did

cite the independent study that was commissioned by the Department of Veterans Affairs that says in the study, the Obama project labor agreement would likely raise the VA construction costs for hospitals by as much as 9 percent in three of the five markets. So it's clear that there is a study by an independent organization there that says costs will go up.

Now, can we not accept that as evidence enough that we do not need project labor agreements as a mandate to receive the funding for projects throughout this Nation? I mean, we live in a day and a time in which the debt and deficit are out of control, and it seems to be what we spend our arguments about and our debates about is spending, and that's an important topic. But the number one issue facing this Nation right now is the economy and the job losses.

Mr. HARRIS, he was so eloquent as he was talking about unemployment, 9.1 percent now. We all know that. We're here on the celebration of the 1 year since the beginning of the summer of recovery, and yet we don't see any recovery.

These project labor agreement requirements by the executive order were placed in effect in 2009; and as Mr. BISHOP referenced, you know, this was good for jobs, good for creating local jobs. Well, where are the jobs? They do not exist. In essence, we've had 2 years of a failed experiment, Mr. Chairman; and I think it's time to say, you know what, look, the experiment didn't work, let's put it up on the shelf, and let's try something new. Let's go back to what we know works and that's empowering the private sector, empowering the free markets, allow competition to thrive, allow costs to come down and the quality of goods to go up.

I have to tell you, Mr. Chairman, when I go home, it pains me to see the new "For Sale" signs that are up, the new "For Rent" signs that go up each and every time, and I'm sure we see it in each and every one of our districts as we go home. And oftentimes previously, 4 or 5 years ago, you might see a vacancy in a shop because they had moved out, because they had expanded their operations and they were moving up. But now it's just the opposite. We know that businesses are not moving out and expanding as much as they once did. Instead, they're shutting down and closing the doors and that "For Rent" or "For Sale" sign goes up.

It's time to reverse that back, and we know how to do that. It is so simple; it is so clear. Why it binds this Congress up, I have no idea, when our Nation was founded on such great principles as we have been founded on and yet over the years we feel like we can manipulate the marketplaces, just like the project labor agreement requirements are going to do as well.

Mr. Chairman, I say we defeat this amendment, and we think about that 1-

year anniversary here of that summer of recovery declaration from last year. And I know there was a lot of hope that that summer of recovery would occur; but the one thing that is true, Mr. Chairman, is you cannot change the facts, and the facts are clear. Americans are ready to be empowered with new jobs and employment. The only way we can do that, though, is to empower the private sector, and let's get government out of the way to do it.

Mr. Chairman, I yield back the balance of my time.

□ 1450

Ms. RICHARDSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. RICHARDSON. Mr. Chairman, I rise in strong support of the LaTourette amendment. But before I get into the details, I would like to speak to the comments that were just made.

I happen to have the privilege of serving currently on the Transportation and Infrastructure Committee, and I would say to any Member of Congress who would like to know about the thousands of jobs that were, in fact, created and maintained through the American Recovery Act, I would be more than happy to give them a copy of that document. Let me move into, though, the topic that is at hand, which is really the LaTourette amendment, which is not in reference to the American Recovery Act.

I strongly speak in support of this amendment because, one, it protects American jobs; two, it completes projects safely; and, three, it oftentimes saves the taxpayers money. The LaTourette amendment ensures that funds for large-scale construction projects utilize the most cost-effective and efficient process for the awarding of Federal contracts. Section 415 of H.R. 2055 prohibits agencies from being able to use all available methods to ensure that Federal contracts are cost efficient, including the utilization of project labor agreements.

Our ranking member, Mr. DICKS, just recently spoke a few moments ago about section 415, and I will only reiterate two points: One, section 1, subsection (b) says, "Accordingly, it is the policy of the Federal Government to encourage executive agencies to consider requiring the use of project labor agreements." Section 3, subsection (a) says, "In awarding any contract, executive agencies may, on a project-by-project basis." And then finally, section 5 says, "This order does not require an executive agency to use a project labor agreement."

So, if we're going to speak on the floor of this House, it's important, if we're going to talk about facts, let's actually say those facts. So this dispels the myth that Executive Order 13502

makes requirements in the awarding of Federal contracts.

Now let's talk a little bit about those project labor agreements.

There is no substantial evidence that says that PLAs decrease the number of bidders on a project or increase the costs of construction projects. In fact, project labor agreements promote cost-effectiveness and efficiency in those construction projects. Having project labor agreements prevents labor disputes; it eliminates project delays and, thereby, helps us to get the projects done.

We can all talk about facts and figures and dates and sections, but I would like to talk about what's happening in my district. I know from firsthand experience that project labor agreements work. In California, we have seen project labor agreements negotiated and implemented with incredible success.

There have been many who have talked about project labor agreements. Here are just a few of the many examples of successful project labor agreements in California:

One, the construction of the L.A. Metro's Blue Line; number two, the expansion and renovation of the Los Angeles World Airports; the recent Middle Harbor Project at the Ports of Los Angeles and Long Beach, which are the largest ports in this country; and then, finally, the \$2.2 billion Alameda Corridor Project. That was a project that was completed on time and under budget.

So, with that, Mr. Chairman, I would ask respectfully that Mr. LATOURETTE's amendment would be found in order and that all of our colleagues will join in support of it.

Finally, I would just like to say, for those who say that PLAs drive up the cost of construction, if they would say that, then we would simply ask: Why is it that Walmart is increasingly using PLAs and Toyota Motor Corporation has built every one of its North American manufacturing facilities under a project labor agreement?

So, when we talk about this, Mr. LATOURETTE has been a leader on this issue. I strongly support his amendment. I stand in lockstep.

Mr. LATOURETTE. Will the gentlewoman yield?

Ms. RICHARDSON. I yield to the gentleman from Ohio.

Mr. LATOURETTE. First of all, I want to thank the gentlewoman very much. I want the body to know that Ms. RICHARDSON was going to offer this amendment and, over the weekend, permitted me to offer it as a member of the committee. I appreciate that very much. She is certainly a champion of PLAs.

I want to address the gentleman from Georgia's observations because he is exactly right, and it doesn't change anything that I said.

The VA said that you should study both PLAs and non-PLAs based upon the area of the country. Now, he is correct. The VA study said that in three of the five that they studied, PLAs would have increased labor costs. It doesn't say anything about the benefit from having increased quality, on time, and all that other business.

But what happened to the other two? In 40 percent of them, the answer is either there was no difference or they reduced costs, which is exactly the point. The amendment strikes out the language inserted in the bill by the gentleman from Arizona (Mr. FLAKE) that would prevent an agency from studying which way gets you the bigger bang for the buck. Why would we want to do that?

I thank the gentlelady.

Ms. RICHARDSON. All of us in Congress are looking for ways to rein in the deficit.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. RICHARDSON. I strongly support the LaTourette amendment.

PROJECT LABOR AGREEMENT ACTIVITY IN CALIFORNIA 1984 THROUGH MARCH 2010

This is a working list maintained by Kevin Dayton, Government Affairs Director of Associated Builders and Contractors of California. Identification comes from primary documents as well as secondary sources that include web sites, union publications, and newspaper articles. PLAs on private projects are often not publicized, so this list may not include all PLAs imposed on refineries, power plants, industrial facilities, and housing projects.

LARGE INFRASTRUCTURE

IMPLEMENTED

Los Angeles Metropolitan Transportation Authority—Blue Line—1984.

San Joaquin Hills Transportation Corridor—1993.

Metropolitan Water District of Southern California—Eastside (Domenigoni) Reservoir Project—1994.

Contra Costa Water District—Los Vaqueros Reservoir Project—Three Components—1994-1995.

Contra Costa Water District—Ralph D. Bollman Water Treatment Plant Upgrade—1995.

Metropolitan Water District of Southern California—Inland Feeder Project—1996.

San Francisco International Airport Expansion and Renovation—1996.

U.S. Department of Energy—Lawrence Livermore National Laboratories—National Ignition Facility—1997.

Sacramento Regional Transit District—South Corridor Extension—1998.

Alameda County Transportation Authority—Alameda Corridor Project—1998.

Los Angeles to Pasadena Metro Construction Authority—Gold Line—1998.

Los Angeles Department of Public Works—Hyperion Full Secondary Treatment Plant—1998.

Port of Oakland Maritime and Aviation Expansion and Renovation—1999.

Golden Gate Bridge Highway & Transportation District—Seismic Retrofit Phase I—1999.

San Diego County Water Authority—Emergency Storage Project—1999.

Los Angeles World Airports Expansion and Renovation—2000.

Contra Costa Water District—Multi-Purpose Pipeline Project—2000.

Los Angeles Department of Public Works—East Central Interceptor Sewer and North-east Interceptor Sewer—2000.

Port of Los Angeles/Long Beach—Pier 400 Phase II—2002.

San Jose International Airport Expansion and Renovation—2002.

Metropolitan Water District of Southern California—Capital Program—2003.

Sacramento Regional County Sanitation District—Affholder, Inc. (a general contractor) signed for Lower Northwest Interceptor Northern and Southern Sacramento River Tunnel Crossings—2004.

San Diego County Water Authority—Policy to Consider PLAs for Projects Over \$100 Million—2005.

Contra Costa Water District—Brentwood Water Treatment Plant—2005.

Port of Los Angeles/Long Beach—Berths 90-91 Cruise Terminal Baggage Handling Building—2006.

Napa County Flood Control and Water Conservation District—Three contractors signed for Napa River Flood Protection Project—2006.

City of San Francisco—Measure A—Water System Improvement Program (Hetch Hetchy)—2007.

Contra Costa Water District—Alternative Intake Project—2007.

Port of Los Angeles/Long Beach—Berth 408 Liquid Bulk Petroleum Terminal—2008.

Port of Long Beach—Middle Harbor Project—2010.

NEGOTIATIONS APPROVED

East Bay Municipal Utility District—Supplemental Water Supply Project—1999.

Port of Los Angeles/Long Beach—All Future Projects on Port Property—2008.

PROPOSED

Temperance Flat Dam—Madera/Fresno Counties—2002.

Contra Costa Water District—Los Vaqueros Reservoir Expansion—2003.

Port of Los Angeles/Long Beach—Berth 93C-94 Boardwalk—2003.

San Francisco International Airport—West Field Cargo Redevelopment Project—2003.

City of Santa Paula—Wastewater Treatment Plant—2008.

City of Long Beach—Airport Expansion—2009.

Los Angeles County Metropolitan Transportation Authority—Metro Gold Line Foothill Extension—2009.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Los Osos Community Services District—Wastewater Project—2003.

San Diego County Water Authority—Twin Oaks Valley Water Treatment Plant—2005.

Palmdale Water District—All Work—2007.

Central Marin Sanitation Agency—Wet Weather Improvement Project—2007.

San Diego County Regional Airport Authority—Terminal 2 Expansion—2009.

PROHIBITED BY PRESIDENTIAL EXECUTIVE ORDER 13202

Golden Gate Bridge Highway & Transportation District—Seismic Retrofit Phase II—2001.

East Bay Municipal Utility District—Walnut Creek-San Ramon Valley Improvement Project—2001.

Sacramento Regional Transit District—Folsom Line Extension—2001.

Los Angeles Metropolitan Transportation Authority—Interstate 405 Improvements—2006.

Port of Los Angeles/Long Beach—Highway Improvements to Harry Bridges Boulevard—2010.

MUNICIPAL IMPLEMENTED

City of Los Angeles—Convention Center—1990.

Contra Costa County—Merrithew Memorial Regional Medical Center—1994.

City of West Sacramento—Palamidessi Bridge—1995.

City of Concord—Police Station—1995.

City of Sacramento—Sump 2 Improvement Project—1998.

City of Concord—Concord Avenue Parking Garage—1999.

Contra Costa County—Family Law Center—2001.

Contra Costa County—All Work Over \$1 Million (revised—original policy never implemented)—2002/2003.

Solano County—Government Center and Parking Garage—2002.

City of San Jose—City Hall/Civic Center—2002.

Contra Costa County—Two Small Renovation Projects in Richmond and Antioch—2002.

Contra Costa County—New Discovery House Facility—2003.

City of San Mateo—New Main Library—2004.

Santa Clara County—Valley Specialty Center Bid Package 2—2004.

City of Carson—All General Contracts over \$125,000, All Specialty Contracts over \$25,000—2005.

City of Santa Cruz—West Coast Santa Cruz Hotel and Conference Center Redevelopment—2005.

Santa Clara County—Gilroy Valley, Fair Oaks, and Milpitas Health Centers; New Crime Lab—2005.

Santa Clara County—Required Staff Analysis of PLA Benefits for Projects Over \$10 Million—2005.

Los Angeles Department of Public Works—New Police Headquarters, Metro Detention Center, Harbor Area Police Station and Jail Facility, Fire Station 64, Hollenback Police Station, Main Street Parking/Motor Transport Division and Aiso Street Parking, Automated Traffic Surveillance and Control (ATSAC) Systems—2005-2009.

Port of Los Angeles/Long Beach—2005-06, 2006-07 Site Improvements—2005.

City of San Fernando—All General Contracts over \$150,000, All Specialty Contracts Over \$25,000—2005.

City of San Mateo—New Police Station—2005.

El Camino Hospital District—Measure D—Hospital Bldg. Replacement and Central Utility Plant—2005.

City of Milpitas—New Library, Parking Garage, and Other Midtown Projects—2006.

Solano County—All Work Over \$10 Million (Threshold Increased from \$1 Million Estab. in 2004)—2007.

City of Richmond—Civic Center—2007.

San Joaquin County—New Administration Building—2007.

City of Los Angeles Community Redevelopment Agency—All Work—2008.

City of Milpitas—Senior Center—2008.

City of Brentwood—Civic Center—2009.

Solano County—321 Tuolumne Street/Solano Justice Center and 355 Tuolumne Street Renovation—2009.

City of Vallejo—Downtown Parking Garage—2009.

Upper San Gabriel Valley Municipal Water District—Future Capital Improvement Projects—2010.

City of Brentwood—Parking Garage—2010.

Sacramento Municipal Utility District—Corporation Yard—2010.

NEGOTIATIONS APPROVED

City of Long Beach—All Work—2005, 2007.
Alameda County Medical Center—Highland Hospital Acute Care Tower Replacement—2008.
Alameda County—All Work—2008.
Santa Barbara County—All Work—2010.

PROPOSED

City of San Diego—New Central Library—1999.
City of San Jose—Convention Center Expansion—2002.
City of Union City—Intermodal Station Mixed Use Development Project—2002.
City of Alhambra—West Main Street Corridor Redevelopment—2005.
City of South El Monte—All Work—2007.
City of Los Angeles—All Work—2004, 2008.
City of San Leandro—All Work—2009.
Various Projects in Ventura County (Santa Paula, Fillmore, Oxnard, Piru)—2009.
City of Long Beach—Airport Expansion—2009.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

City of Sacramento—Sewer Maintenance Building—1996.
City of Pinole—City Hall—1996.
City of Redding—Civic Center—1998.
City of Sacramento—All Work—1998.
City of San Francisco—All Work—1998.
City of West Hollywood—All Work—1999.
City of San Diego Convention Center Expansion—1999.
City of Fresno—All Work—2000.
Sacramento County—Sacramento International Airport Parking Garage—2000.
City of Sacramento—Sacramento River Water Treatment Plant Replacement Intake—2000.
City of Santa Rosa—The Geysers Recharge Project—2000.
City of Santa Rosa—Downtown Hotel and Convention Center—2000.
City of West Sacramento—City Hall/Civic Center—2001.
City of San Diego—SeaWorld Hotel and Expansion—2002.
City of Cupertino—New Library—2003.
City of Watsonville—Civic Center—2004.
City of Gardena—Gardena Transit Facility Project—2006.
City of Fairfield—All Work—2007.
Washington Township Health Care District—Measure FF—Central Plant and Hospital Expansion—2007, 2008.
Imperial County—Green Retrofit Program—2009.

TERMINATED

San Francisco Housing Authority—All Work—1994–2003.
Orange County—All General Contracts over \$225,000, All Specialty Contracts over \$15,000—2000–2005.
Solano County—All Work Over \$1 Million (Threshold Increased to \$10 Million on 5/22/07)—2004–2007.

PROHIBITED BY PRESIDENTIAL EXECUTIVE ORDER 13202

City of Richmond—Former Ford Motor Assembly Building.
City of Richmond—Bay Area Rapid Transit Village.
City of Richmond—Former Port Terminal One.
City of Vallejo—Downtown Parking Garage (not built during Bush Administration)—2000.
Orange County—Resurfacing of Santiago Canyon Road.
Los Angeles County/USC Medical Center Replacement Project—2003.
San Mateo County Youth Services Center—2004.

City of Pasadena City Hall Restoration—2004.

Orange County—Glassell Street Bridge Replacement Project—2004.

City of Hayward—Water Pollution Control Facility Improvement Project—Phase 1—2005.

Union City—Union City Intermodal Transit Village—2006.

Santa Cruz Metropolitan Transit District—MetroBase Project—2006.

PROHIBITED

City of Fresno—All Work (ordinance)—2000.

City of Antioch—All Work (sense of the council resolution)—2002.

Orange County—All Work (ordinance)—2009.

San Diego County—All Work (ordinance)—2010.

PROPOSED BUT REJECTED OR ABANDONED PROHIBITIONS

Riverside County—All Work (ordinance)—2010.

PROPOSED PROHIBITIONS

City of Chula Vista—All Work (June—2010 ballot initiative for proposed ordinance)—2009.

City of San Diego—All Work (qualification for Nov. 2010 ballot initiative for charter amendment)—2009.

City of Oceanside—All Work (June 2010 ballot initiative for new charter)—2009.

City of Roseville—All Work (proposed June 2010 ballot initiative for proposed charter amendment)—2009.

EDUCATIONAL IMPLEMENTED

Los Angeles Unified School District—Proposition BB, Measure K, Measure R, Measure Q—1999–2009.

West Contra Costa Unified School District—Measure E, Measure M, Measure D—2000–2005.

Vallejo City Unified School District—Measure A—2001.

Los Angeles Community College District—Proposition A—2001.

Rialto Unified School District—District High School #3—2001.

San Mateo Community College District—Proposition C—2002.

San Mateo Union High School District—San Mateo High School Modernization Phases I and II—2002.

Rancho Santiago Community College District (Orange County)—Measure E—2003.

East Side Union High School District (San Jose)—Measure G, Measure E—2003, 2008.

Solano County Community College District—Measure G—Certain Larger Projects—2004.

Oakland Unified School District—Measure A after February 2004 (adopted by administrator)—2004.

Peralta Community College District—Vista Campus (Measure E)—2004.

Hartnell Community College (Salinas)—Measure H—Five Small Contracts—2004.

Pittsburg Unified School District—All Work Over \$1 Million/Measure E—2005.

City College of San Francisco—Proposition A after February 2005—2005.

Albany Unified School District—Measure A—2005.

Rio Hondo Community College District (Whittier)—Measure A—2005.

Compton Unified School District—Remainder of Measure I—2005.

Sacramento City Unified School District—Remainder of Measures E and I—2005.

San Jose/Evergreen Community College District—2006.

Mt. Diablo Unified School District—Pilot Project—Prototypical Classrooms 2006 Groups 1 and 2—2006.

Chabot-Las Positas Community College District—Seven Projects Funded by Measure B—2006.

San Leandro Unified School District—Measure B—2007.

Mt. Diablo Unified School District—Certain Projects Over \$2 Million for One Year—2007.

Foothill-DeAnza Community College District—Measure C—2008.

College of Marin—Two Large Projects Funded by Measure C—2008.

San Francisco Unified School District—Proposition A (2006)—2008.

Mt. Diablo Unified School District—Classroom Projects and HVAC Work—2008.

John Swett Unified School District—Measure A—2009.

San Mateo Union High School District—Half of Measure M—2009.

San Diego Unified School District—Proposition S (Original and Revised Versions)—2009.

Alum Rock Union Elementary School District (San Jose)—Measure G—2009.

Fremont Union High School District—All Outdoor Athletic Facilities—2009.

Hayward Unified School District—Measure I—2009.

Peralta Community College District—Berkeley City College Build-Out, Phase 2—2009.

Sacramento City Unified School District—All Projects More Than \$1 Million—Four-Year Renewal—2009.

Riverside Community College District—Remainder of Measure C—2010.

NEGOTIATIONS APPROVED

Alisal Union School District (Salinas)—New High School—Not Built.

Contra Costa Community College District—Measure A (2006)—2006.

Centinela Valley Union High School District (Hawthorne, Lawndale, and Lennox)—Measure CV—2009.

San Gabriel Unified School District—Future Construction—2010.

PROPOSED

West Valley-Mission Community College District—Measure H—2005, 2008.

San Juan Unified School District—Measure C—2005.

New Haven Unified School District—Measure A—2005.

Konocti Unified School District—Measure G—2005.

Allan Hancock Joint Community College District—Future Construction—2005.

Natomas Unified School District—Measure D—2006.

Napa Valley Unified School District—Measure G—2007.

Jefferson Union High School District—Measure N—2007.

Sweetwater Union High School District—Proposition O—2007.

San Diego Community College District—Proposition N—2007.

Alisal Union School District—Measure A (2006)—2008.

Southwestern Community College District (Chula Vista)—Measure R—2010.

San Bernardino City Unified School District—Future Construction—2010.

Pasadena Unified School District—Future Construction 2010.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

San Diego Unified School District—Proposition MM—1999.

Sacramento City Unified School District—Six Summer 2000 School Projects—2000.

Grant Joint Union High School District (Sacramento)—2001.

Fairfield-Suisun Unified School District—2001.

Sonoma County Junior College—Measure A—2002.

John Swett Unified School District (Crockett)—New Elementary School—2002.

University of California at Merced—New Campus—2002.

Ohlone Community College District—Measure A—2002.

Oakland Unified School District—Measure A through February 2004—2002.

Contra Costa County Community College—Measure A (2002)—2002.

Ventura County Community College District—Measure S—2003.

Foothill-DeAnza Community College District—Measure E—2003 (?).

San Jose Unified School District—Measure F—2003.

Fairfield-Suisun Unified School District—Measure C after February 2004—2004.

Berryessa Union School District—2004.

Rialto Unified School District—Measure H—2004.

San Joaquin-Delta Community College District—Measure L—All Work—2004, 2010.

Hartnell Community College (Salinas)—Measure H—CALL Building—2004.

City College of San Francisco—Proposition A through February 2005—2002.

Washington Unified School District—Measure Q—2004.

Cabrillo Community College District (Aptos)—Measure D—2004.

Chino Valley Unified School District—Measure M—2004.

Napa Valley College—Measure N—2004.

Mt. Diablo Unified School District—Summer 2005 School Projects Funded by Measure C—2005.

Sonoma County Junior College—Measure A after May 2005—2005.

San Francisco Unified School District—Proposition A Work at least through January 2007—2004.

San Joaquin-Delta Community College District—Measure L—One Pilot Project in 2007—2005.

Montebello Unified School District—Measure M—2006.

Del Norte Unified School District—New and Modernization Projects—2009.

Mendocino-Lake Community College District—Measure W—2009.

TERMINATED

Santa Ana Unified School District—Measure C—2000–2005.

PROHIBITED BY PRESIDENTIAL EXECUTIVE ORDER 13202

East Side Union High School District—Network Upgrades at Three High Schools—2005.

Los Angeles Unified School District—Networking Projects at Various Schools—2001–2005.

MUNICIPAL POWER PLANTS

IMPLEMENTED

Sacramento Municipal Utility District—Carson Ice-Gen Plant—1993.

Sacramento Municipal Utility District—Proctor & Gamble Company Generation Plant—1995.

Sacramento Municipal Utility District—Campbell Soup Cogeneration Plant—1996.

Los Angeles Department of Water and Power—Valley Generating Station—2001.

City of Santa Clara—Pico Power Project—2003.

Sacramento Municipal Utility District—New Cosumnes Power Plant—2003.

City of Burbank Magnolia Power Project—2003.

City of Pasadena Glenarm Power Plant—2003.

City of Vernon/Malburg Generating Station—2003.

Kings River Conservation District (Fresno) Peaker Plant—2004.

City of Roseville—Roseville Energy Park—2004.

Imperial Irrigation District—Niland Gas Turbine Plant—2007.

City of Vernon Power Plant—Cancelled.

City of Palmdale Hybrid Power Plant—2009.

Sacramento Municipal Utility District—Solano Phase 3 Wind Project—2010.

PROPOSED

Kings River Conservation District (Fresno)—Community Power Plant—2007.

Northern California Power Authority—Lodi Power Plant—2008.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Modesto Irrigation District Electric Generation Station—Ripon—2004.

Turlock Irrigation District—Walnut Energy Center—2004.

City of Riverside Acorn Peaker—2004.

City of Victorville Solar Hybrid Power Plant—2007.

City of Riverside Energy Resource Center—Units 3 & 4—2008.

PRIVATE PROJECTS

IMPLEMENTED

Alameda 1 and 2 Residential and Commercial Developments, Alameda.

Alameda Point Community Partners Housing and Office Development, Alameda.

Alexandria Parking Structure, S.F. Redevelopment Agency (Alexandria Real Estate Equities).

ARCO Refinery Project, Carson (Cherne Contracting Corp.)

Ballpark District, East Square Village, San Diego.

Buck Center for Research in Aging, Novato Buena Vista Rancheria of Me-Wuk Indians Casino (City of Ione, Amador County)—Proposed.

Carson Terminal Expansion Project (Kinder Morgan Energy Partners)—2004.

Chevron El Segundo Refinery Project (Cherne Contracting Corp.)

Chevron Richmond Refinery Upgrade.

CIM Downtown Redevelopment, San Jose—2002.

Coast Santa Cruz Hotel Renovation—Not Built.

Community Health Systems Downtown Campus, Fresno.

ConocoPhillips 66 Refinery Project, Rodeo ConocoPhillips 66 Conversion to Ultra-Low Sulfur Diesel, Rodeo—2004.

Cypress Walk Development, Pacifica (The Olson Company)—Proposed.

Diablo Canyon Nuclear Power Plant Dry Cask Storage (PG&E)—2006.

Diablo Canyon Nuclear Power Plant Steam Generator Replacement Project (SGT)—2008.

Diablo Grande Golf Development, Patterson.

Dixon Downs Racetrack and Development (Magna Entertainment Corp.)—Rejected.

Downtown Vallejo Redevelopment Project

East Housing/Fleet Industrial Supply Center, Alameda (Catellus Development Company)—2007.

Equilon Refinery Project, Wilmington (Cherne Contracting Corp.)

Estrada de Santa Barbara.

Ethanol Plant, Goshen (Phoenix Bio Industries)—2005.

Ethanol Plant, Madera (Pacific Ethanol)—2005.

Ethanol Plant, Pixley (Calgren Renewable Fuels)—2005.

Ethanol Plant, San Joaquin County/Stockton (Pacific Ethanol)—2006.

Ethanol Plant, Stanislaus County (Cilion)—2006.

Exxon Clean Fuels Project, Benicia.

Federated Indians of Graton Rancheria Casino (Sonoma County)—Proposed.

Genentech Phases I and II, Vacaville

The Getty Center, Los Angeles.

Kern River Pipeline Expansion (Williams Gas Pipeline/MidAmerican Energy Holdings) L.A. Live (Anschutz Entertainment Group)—2005.

Lagoon Valley Development, Vacaville (Triad Communities)—Proposed.

Long Beach Memorial Medical Center Expansion—2005.

Lytton Band of Pomo Indians Casino (City of San Pablo)—Proposed.

Marina Hotel Renovation, Los Angeles Harbor (San Pedro Ownership, Inc.)—2005.

Marine World, Vallejo.

Mission Bay Project (Catellus Development Company), San Francisco.

Motorplex at Yuba County—Not Built.

Myers Development Retail/Commercial, Bay Area.

Pacific Bell Park, San Francisco Giants Baseball Stadium.

Pacific Commons (Catellus Development Company), Fremont.

Pacific L.A. Marine Terminal, Port of Los Angeles/Long Beach, Pier 400—Berth 408—2009.

Park Station Lofts, South San Francisco (James E. Roberts, Obayashi Corporation)—2006.

Petco Park, San Diego Padres Baseball Stadium (cost \$474 million; received \$300 million subsidy from City of San Diego).

Playa Vista Development, Los Angeles.

Poseidon Resources Corporation—Carlsbad and Huntington Beach Desalination Plants—Proposed.

Providence Holy Cross Medical Center (Mission Hills) Expansion—2010.

River Islands at Lathrop (Cambay Development Group)—Proposed.

Roman Catholic Diocese of Los Angeles—Cathedral of Our Lady of Los Angeles.

San Diego Ballpark Development Project (JMI Realty and Lennar-San Diego Urban Division)—2005.

San Mateo Marriott Addition (Tarsadia Hotels).

Santee Court, Downtown Los Angeles (MJW Investments)—2005.

Shell Clean Fuels Project, Martinez

Sheraton Grand Hotel, Sacramento (received subsidy from City of Sacramento)

Signature Properties Oak to Ninth Street Project, Oakland.

616 East Carson Street Project, Carson (Community Dynamics)—required by city council—2009.

655 Broadway, San Diego (Lankford & Associates).

Staples Center, Los Angeles (cost \$375 million; City of Los Angeles borrowed \$38.5 million for it).

Station District Family Housing, Union City (Mid-Peninsula Housing Coalition)—2009.

Sutter Health—Sacramento Medical Center Expansion

Taco Bell Discovery Science Center, Santa Ana.

Tongva Casino, Compton—Gabrielino-Tongva Tribal Council.

Tosco Refinery Upgrade (Bechtel).

Trans Bay Cable Project, Pittsburg (Babcock & Brown Power Operating Partners)—2007.

United Spiral Pipe Manufacturing Plant, Pittsburg—2007.

Uptown Project, Oakland (Forest City)—2006.

Valero Improvement Project—Refinery Upgrade, Benicia.

Westfield San Francisco Center (Westfield Corporation and Forest City)—2005.

Westfield Roseville Galleria Expansion—2006.

Wild Goose Storage, Inc. Natural Gas Storage Expansion Project and Pipeline, Butte County—2002.

Yerba Buena Project, San Francisco.

PROPOSED

Roman Catholic Diocese of Oakland Cathedral—2000.

Roman Catholic Diocese of San Bernardino—All Work—2002.

Sutter Health—San Francisco, San Mateo, Vallejo Facilities—2002.

Mitsubishi Liquified Natural Gas Terminal—Los Angeles Harbor—2003.

HCA Regional Medical Center San Jose—2003.

San Diego Chargers Football Stadium—2004.

BHP Billiton Cabrillo Port Liquified Natural Gas Deepwater Port (off Ventura County coast)—2004.

Wood Street/West Oakland Train Station Development, Oakland—2005.

Treasure Island, Treasure Island Development Authority, San Francisco—2005.

Chula Vista Bayfront Redevelopment—Gaylord Entertainment Co.—Abandoned.

Tesoro Refinery Coker Upgrade, Martinez—2006.

Anaheim NFL Stadium—2006.

Orange County Great Park—Lennar Corporation—2006.

New Sacramento Kings Arena—Maloof Sports & Entertainment—2006.

MacArthur BART Transit Village Project (receiving subsidy from City of Oakland)—2006.

Grand Avenue Redevelopment Project, Los Angeles—2006.

Target Store, City of Davis—2006.

Universal City Vision Plan (NBC Universal)—2006.

Hunters Point Development, San Francisco (Lennar/BVHP)—2007.

Candlestick Point Development, San Francisco (TopVision)—2007.

La Bahia Hotel, Santa Cruz (1999—King Ventures, 2007—Barry Swenson Builder)—1999, 2007.

Alameda Street Redevelopment between First & Temple Streets, Los Angeles—2007.

Placer Vineyards Specific Plan, Placer County—2007.

Lane Field Development, San Diego (Woodfin Hotels)—2007.

Marriott Convention Hotel at Ballpark Village (JMI Realty)—2007.

Greenbriar, City of Sacramento (AKT Development and Woodside Homes)—2008.

CityWalk in Oakland (The Olsen Company)—2008.

Douglas Park, Long Beach (Boeing Realty Corporation)—2008.

Santa Ana Renaissance Plan—2008.

TrePac Terminal Expansion, Berth 136-147, Port of Los Angeles—2008.

Placer County Developments: Riolo Vineyards, Curry Creek—2008.

City of Roseville Developments: Creekview, Sierra Vista, Placer Ranch, Brookfield—2008.

Sacramento County Development: Cordova Hills/University of Sacramento (Conwy LLC)—2008.

Sutter Health—Elk Grove Facility—2008.

PrimaFuels, Inc. Biofuel Plant, West Sacramento—2008.

Drexel University New West Coast Campus and Related Development, Placer County—2008.

Delta Shores, City of Sacramento (M&H Realty Partners LLC)—2009.

San Leandro Crossings/Cannery Court (BRIDGE Housing) (receiving subsidy from San Leandro)—2009.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Raley Field—Sacramento River Cats AAA Baseball Stadium—1999.

Roman Catholic Diocese of Sacramento—Cathedral of the Blessed Sacrament Renovations—2002.

Save Mart Center—Fresno State University—2000.

Thunder Valley Casino—United Auburn Indian Community (Placer County)

Casino—Upper Lake Band of Pomo Indians (West Sacramento)—Cancelled.

Bay Street Emeryville, Phase II.

Las Lomas (Los Angeles)—Rejected.

Flying J/Big West Refinery Upgrade (Bakersfield)—Cancelled.

Sacramento Railyards Project (Thomas Enterprises)—2007.

Sonoma Mountain Village (Coddling Enterprises)—2009.

Pomona Valley Hospital Medical Center Upgrade Phase 1—2010.

PRIVATE POWER PLANTS

IMPLEMENTED

The State Building and Construction Trades Council of California claimed on April 30, 2003 that “of the 35 power plants that have been licensed for construction, 34 have signed Project Labor Agreements for their construction.” As of November 1, 2009, the State Building and Construction Trades Council of California claims that since 1999, developers of 57 of the 63 power plants larger than 50 megawatts built in California have signed PLAs.

Blythe, Blythe (Caithness)—Completed.

Colusa, Colusa County (Reliant Energy)—Not Built.

Costa Costa, Antioch (Mirant)—On Hold.

Delta Energy Center, Pittsburg (Calpine/Bechtel)—Completed.

East Altamont Energy Center, Alameda County (Calpine)—On Hold.

Elk Hills, Kern County (Sempra/Occidental)—Completed.

Fourmile Hill Geothermal Project, Siskiyou County (Calpine)

Hanford, Hanford (GWF Power Systems)—Not Built.

High Desert, Victorville (Constellation Power)—Completed.

High Winds Energy Center expansion, Colinsville (Florida Power & Light).

Inland Empire Energy Center, Romoland (Calpine)—On Hold.

Ivanpah Solar Electric Generating System (BrightSource Energy/Bechtel)—Proposed.

La Paloma, Kern County (PG&E/NEG)—Completed.

Los Medanos Energy Center, Pittsburg (Calpine)—Completed.

Metcalf, San Jose (Calpine/Bechtel)—Under Const.

Midway-Sunset, Kern County (Edison)—On Hold.

Morro Bay, San Luis Obispo (Duke Energy)—On Hold.

Moss Landing, Monterey County (Duke Energy)—Completed.

Mountainview, San Bernardino (Edison)—On Hold.

Nueva Azalea, South Gate (Sunlaw)—Not Built.

Orange Grove Energy Peaking Power Plant (J-Power USA Development)—Proposed.

Otay Mesa, San Diego (Calpine)—On Hold.

Palomar, Escondido (Sempra Energy)—Under Const.

Pastoria, Kern County (Calpine)—Under Const.

Rio Linda, Rio Linda (Florida Power & Light)—Not Built.

Russell City, Hayward (Calpine/Bechtel) Calpine/General Electric)—On Hold.

Salton Sea Six Geothermal Plant (CE Obsidian Energy)—Approved.

San Joaquin Valley Energy Center, San Joaquin (Calpine)—On Hold.

Stirling Energy Systems Solar Two Project, Imperial County—Proposed.

Sunrise Cogeneration, Kern County (Texaco and Edison Mission)—Completed.

Sutter Power, Yuba City (Calpine)—Completed.

Tesla (Florida Power & Light)—On Hold.

Three Mountain, Burney (Ogden Energy)—On Hold.

Tracy Peaker Project (GWF Energy)—Completed.

United Golden Gate, San Mateo County (El Paso Merchant)—Not Built.

PROPOSED

Altamont Pass Wind Resource Area expansion (Florida Power & Light).

Solar Thermal Power Plant, San Luis Obispo County (Ausra)—Cancelled.

Beacon Solar Energy Project (Florida Power & Light)—Proposed.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Huntington Beach Units 3 and 4 (AES)—Completed.

Valero Energy Corporation Cogeneration Unit I—Completed.

Sun Valley Energy Project, Romoland (Edison Mission)—Under Const.

HOUSING DEVELOPMENTS

IMPLEMENTED

Bay Area (Kaufman & Broad)

Brentwood (Pulte Homes)—496 houses—2002.

Foster City (Summerhill Construction)—160 houses

Foster City (Webcor Builders).

Half Moon Bay (Ailanto Builders)—145 houses.

Hercules (Hercules Victoria and subsequent developers)—Victoria by the Bay—plumbers & elect.

Oakley Magnolia Park Project (Pulte Homes).

Pacifica (Ryland Homes)—43 houses.

San Francisco (HMS Gateway Office).

San Francisco (Waterford Associates)—21 houses.

San Francisco (Western Pacific)—74 houses.

San Francisco (Saddle Mountain Estates)—74 houses.

San Francisco (Greystone Homes)—212 units.

San Francisco (Parkside Homes Developers)—156 condos.

San Pedro—Pointe Vista (Bisno Development Co.)—Proposed.

Vacaville Southtown Project (Western Pacific Housing)—2004.

PROPOSED

Sebastopol (Schellinger Brothers)—157 units—2002.

San Rafael-St. Vincent School for Boys Development (Shappell Industries)—2002.

IMPLEMENTED THEN DECLARED ILLEGAL BY NLRB

Anatolia-Sacramento County (Sun Ridge)—2714 houses—2002-2004.

PUBLIC/PRIVATE HYBRID PROJECTS

Contra Costa Community College District—San Ramon Valley Center—2004.

This project is covered by the Windemere Development private PLA with U.A. Local 159 Plumbers and Steamfitters Union. The college board of trustees did not vote on this PLA.

Brentwood Union School District (Pulte Homes—Magnolia Park Project)—2004.

This project is covered by the Pulte Homes private PLA with three unions.

West Roseville Specific Plan (Westpark Property)—Roseville City School District—2005.

This development is covered by the Signature Properties private PLA with three unions. The district board of trustees voted to cut language in their documents ratifying the PLA.

Rio School District—RiverPark East Elementary School—2005.

This project was covered by a Shea Homes private PLA.

PROPOSED

City of San Diego Civic Center Complex—2009.

Leading prospective bidder Gerdling Edlen has indicated intent to sign a PLA.

PROPOSED BUT REJECTED OR NOT IMPLEMENTED

Rio School District—RiverPark East Intermediate School—2006.

This project was initially covered by a Shea Homes private PLA.

Solar Project at Fresno Yosemite International Airport—2007.

World Water & Solar Technologies Corp. is building this private project to serve the airport and rental car facilities at the airport.

UNION-ONLY LANGUAGE IN BID SPECIFICATIONS

IMPLEMENTED

Capitol Park Safety and Security Improvements—2005.

State Compensation Insurance Fund (State Fund)—Fresno District Office Automation System—2008.

REJECTED

Arvin-Edison Water District—North Canal Spreading Works—1999.

South San Joaquin Irrigation District—South County Water Supply Program Turn-out Facilities—2003.

Santa Cruz Metropolitan Transit District—MetroBase Project Parking Garage—2005.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in support of the LaTourette amendment and of the thousands of American workers, contractors and small businesses that benefit from the use of Project Labor Agreements.

Created by the National Labor Relations Act of 1935, Project Labor Agreements, or PLAs, allow construction workers to enter into a collective bargaining agreement that establishes the terms and conditions of employment for all workers on a construction project.

Project Labor Agreements are cost effective and pro-business. They are used in every State on private- and public-sector construction projects. Fortune 500 companies such as Wal-Mart, Toyota, and Boeing praise and use PLAs because they provide contractors with a reliable and uninterrupted supply of trained workers at predictable costs for wages and benefits.

PLAs provide uniform working conditions and rules on construction sites, thereby making the work site safer while businesses ben-

efit by paying less in worker compensation and avoid project delays due to the lessened risk of job site accidents.

PLAs encourage the employment of local residents, ensuring that these workers' paychecks will be spent in the local community. PLAs can also be used as a way to enhance the work opportunities of military veterans and underrepresented communities.

PLAs have been used for the construction of some of our Nation's most iconic building projects, including the Coulee Dam in Washington State, the Trans-Alaska Pipeline, and the Kennedy Space Center in Florida.

PLAs represent the best of what can happen when labor and business come together.

I urge my colleagues on both sides of the aisle to support American workers and businesses and vote in favor of the LaTourette amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 416. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

AMENDMENT NO. 1 OFFERED BY MR. MEEKS

Mr. MEEKS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used to declare as excess to the needs of the Department of Veterans Affairs or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the St. Albans campus, consisting of approximately 55 acres of land, with borders near Linden Boulevard on the northwest, 115th Avenue on the west, the Long Island Railroad on the northeast, and Baisley Boulevard on the southeast.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. MEEKS. Mr. Chair, I rise in support of the amendment I have regarding the St. Albans VA Hospital in New York.

First of all, this is clearly a bipartisan bill. I have the support of my good friends PETER KING and MICHAEL GRIMM of New York to stop the enhanced lease process for the St. Albans

VA in my district. There is rarely a time that you have an issue where everybody has come together, and, clearly, here is an issue where members of the community and the veterans have spoken with one voice to say that what is being proposed there is against the best wishes of the veterans and the needs of the veterans and against the wishes of the community, basically changing the whole complexity of the community so that the people that live there would have a terrible injustice and disservice.

Now, I know that the EUL process works in certain areas because part of it is supposed to be where the EUL process works with the community and veterans and everybody agreeing and working together. That is not the case in this scenario.

In this scenario, we have veterans from all over—in fact, we have the Queens County Council of VFWs. We have the Vietnam Vets of America. We have the New York Vets Advocacy Group. We have the Department of New York District 1 VFW, United Council for Veterans Rights, Nassau County VFW, Vets Helping Vets, Inc., all of whom are supportive of this amendment saying that this is not in the best interests of veterans.

The VA has come up with the idea of putting together a facility that doesn't even include a full-service hospital and is not based upon the number of vets that we have coming back from Afghanistan and Iraq. Now, they have put everything on the line for them, and here we have the opportunity to make sure that we do the very best that we can for our veterans. And here the whole community surrounds us, and we want what the veterans want. We want to stand behind them in 100 percent lockstep. And it seems as though, to some at the VA, there is a deaf ear in regard to that.

So we will continue to fight. And what this bill says is that we will stop the EUL process in New York at the St. Albans facility because it is not what is needed. It is not what the vets want. It just seems to me that, instead of working with the community, the VA has chosen to go out and do a high-density residential area, residential building in this facility that is not even just for veterans, which will then have a devastating impact on the local community.

So we're saying no, that shouldn't happen. You can't destroy the very fabric of a great community, and you can't produce something that does not benefit the very vets that we're supposed to be here to help.

So, Mr. Chair, I urge support of this amendment regarding the St. Albans VA Hospital. I urge that we support our veterans who are absolutely united on this matter.

I yield back the balance of my time.

□ 1500

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in support of the amendment. We will accept Mr. MEEKS' amendment because it's vitally important that all Federal agencies, the VA included, understand that the Member of Congress representing that district, he's their voice.

I represent Houston, Texas. I'm proud to do so. I have an obligation, obviously, to look after the entire Nation. But first and foremost, I am the Representative of the people of District Seven in Houston, Texas, as Mr. MEEKS is the Representative of his constituents in New York. And I think it's vitally important that every Federal agency understand that they need to work with and earn the support of the Representative of that district before they move forward with a major project of any kind.

And as Mr. MEEKS has said, the community is opposed to the direction the VA is taking. And I would join with my friend, Mr. BISHOP. And we strongly support the VA looking to the private sector to partner with the private sector to find innovative, cost-effective ways of providing better services to our veterans by partnering with the private sector.

And certainly, the committee does not want to discourage in any way the VA's expansion of private partnerships to give better service to veterans. We encourage it. We want the VA to look for ways to save money, to provide better service to our veterans, to use the extraordinary expertise of hospitals and medical communities like the Texas Medical Center, which I represent. The work that Mr. BISHOP is doing with Fort Benning and the VA in his district has created a marvelous partnership with private physicians to provide better services. We want the VA to continue that effort.

But it is absolutely essential that the VA understand that they have to earn the support and approval of the community. That means they have to earn the support and approval of the Representative for that district. And in this instance, I hope the VA is tuned in and listening. The VA needs to earn the support and approval of Congressman MEEKS before they move forward with this effort.

So for that reason, we will accept the amendment. And I want to know that the VA is not only returning Mr. MEEKS' phone calls, but they are listening to, responding to, and satisfying the needs of the community, the needs of his constituents, the needs of the veterans that he represents; and that the VA, once they have earned the support of the community, they are going to have the support of Mr. MEEKS. And

when Mr. MEEKS comes to the subcommittee and says that the VA has earned his support, the community has earned his support, then the committee will be prepared to move forward and support the VA work at St. Albans.

So for those reasons, we will accept the amendment. And I am looking forward to the day when Mr. MEEKS comes and tells us the VA is in his office and earning his support and the support of the community.

I yield back the balance of my time. Mr. ACKERMAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ACKERMAN. Mr. Chairman, I rise in strong support of the Meeks amendment, which not only affects his district, but affects at least 11 congressional districts that surround his district, all in support of our veterans and fighting men and women who have returned from wars overseas, some of them severely injured and in need of our care, concern, and support at this very moment.

For 7 years now, the Department of Veterans Affairs has pursued a perhaps well-intentioned but a stubbornly wrongheaded plan for the St. Albans Primary and Extended Care facility which is located in the county of Queens. I am very concerned that the VA is proceeding full speed ahead with its plans to lease a property for 34 years, property currently dedicated exclusively for veterans. And what are the veterans supposed to do for the next 75 years without this facility, when there is a rising demand among our veterans for medical services?

The justification—you have to hear this—the justification for the VA's decision stems from an absurd outdated report that relied on data from 2003, 8 years ago, when we were only at the beginning of the wars in Iraq and Afghanistan. We have, unfortunately, seen tremendous increases in veterans homelessness, foreclosures, divorce, substance abuse, PTSD and, yes, suicides.

And yet the VA report from all those years ago projected at that time, almost a decade ago, that mental health services for our veterans was going to decrease over the next 20 years. It's been 8 years since that report. And what have we seen during the 8 years alone? And there's 12 years more to go. We've seen increases in all of these problems among our veterans. And yet they cling stubbornly to the data in that report, thinking that these things are going to go down among our veterans. And this, everybody knows, is certainly not going to be the case.

All evidence suggests that returning veterans are going to require a greater significant increase especially in VA mental health services. A Rand Center report alone found that already 18.5

percent of all U.S. servicemembers who have returned already from Afghanistan and Iraq currently suffer from PTSD or depression, and that 19.5 percent suffer from traumatic brain injury.

Where is the Veterans Administration's common sense? To give away this property, which is intended and secured right now for our veterans, is a huge mistake, based on a report that is already discredited by the facts. This is something that we can't allow to continue.

These are veterans who have sacrificed so much. We have to stand here today on the floor. And I want to thank my colleagues on both sides of the aisle, colleagues in the majority especially, for seeing through the politics of this and understanding that these are our veterans that we are fighting for; that we, as Members of Congress, understand our constituencies and our needs and their needs.

I want to personally thank Representatives GRIMM and KING, who are among our delegation, as well as the rest of the Democratic members of the delegation in our region, and thank Representative MEEKS for his dynamic and great leadership in bringing this to our attention so that we could stand together as patriotic Americans all, at least on this issue, and fight for the needs of our veterans.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MEEKS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. AMASH

Mr. AMASH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to administer or enforce the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, popularly known as the "Davis-Bacon Act."

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. AMASH. Mr. Chairman, the Davis-Bacon Act requires nearly all Federal construction contracts to pay a prevailing wage determined by the Department of Labor. Under the law, construction contractors and subcontractors may not pay their own workers wages lower than the department's pay rate, even if the workers bargain for a wage below the government-set rate.

My amendment blocks application of Davis-Bacon to the Military Construction and Veterans' Affairs appropriations bill. There are two main reasons why the House should block Davis-Bacon.

First, Davis-Bacon wastes taxpayer dollars on overpriced contracts. A recent study showed that, on average, nationwide, the government-set rate is 22 percent higher than the true market rate. For example, if sheet metal workers in Long Island, New York, are paid \$28.79 per hour, while the government-set rate for that area is \$45.40, factoring in the cost of materials and other supplies, studies suggest that the Federal Government overpays for construction contracts by between 10 percent and 15 percent.

Second, Davis-Bacon gives an unfair advantage to union employees. Small businesses, many of which are non-union, lower their prices to compete against larger union firms. The trade-off for nonunion employees is a lower wage rate but more work. We should not disadvantage nonunion employees who are willing to perform more construction for less money. By eliminating government-mandated wages, we can better allocate resources, increase efficiency, and put hardworking Americans back on the job.

Providing for our national defense and the care of our veterans are critical priorities. Construction projects in the appropriations bill include VA facilities, family housing, schools and infrastructure for our National Guard troops stationed on the border. We owe it to our constituents to stretch every taxpayer dollar and spend wisely.

Blocking Davis-Bacon's application to military construction and VA projects will honor our commitment to fiscal responsibility and to our veterans. Let's let competition determine wages, not the Federal Government. Please support my amendment to block Davis-Bacon.

□ 1510

I now yield to the gentleman from Texas.

Mr. CULBERSON. I thank the gentleman from Michigan for bringing this important amendment. I strongly support this amendment and urge the House to adopt the gentleman's amendment because it will save, again, our children and grandchildren a significant amount of money.

We are in an era of austerity unlike anything America has ever experienced. We are living on borrowed money. Every dollar the Federal Government brings in goes right out the back door to pay for the existing social safety net. Social Security, Medicare, Medicaid, interest on the national debt and veterans' benefits consume 104 percent of America's revenue. Therefore, all the money we appropriate for the entire year for military construction, for the VA, for transportation, for homeland security, for the Defense Department, all of it, is borrowed. Therefore, we need to do everything we can to cut, to save money, to eliminate fraud, waste and abuse and to avoid spending more money than we should.

Here, very straightforward, the gentleman's amendment would save American taxpayers a significant amount of money. It depends on what study you're looking at, but my very capable staff has looked at this and analyzed a whole variety of studies that indicate that there's a whole range of savings. The Chamber of Commerce believes that Davis-Bacon, or paying union prevailing wages in, for example, a free market environment like in Texas, we don't pay prevailing wage. We in Texas on a highway project pay the competitive free market wage.

First of all, not only are we going to save money, but why would we discourage competition? Why, in this terrible economy, would we prevent contractors, businesses, from coming in and competing for a job?

As on the last amendment, the LaTourette amendment, which I hope the House defeats, that amendment we need to defeat so that we could encourage companies to come in and compete for Federal contracts, this amendment needs to be adopted to encourage businesses to come in and compete for Federal contracts. This would expand the universe of companies that could compete and apply for work. As in Texas, for example, on a highway project, we pay the competitive, best price for bids, and in the Chamber of Commerce's opinion, if we eliminate the Davis-Bacon prevailing wage, it would save about 15 percent on average on project construction. The Cato Institute estimates a 10 percent savings.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Thank you very much.

If I could, Mr. Chairman, point out that the Heritage Foundation estimates that there will be a 22 percent savings to taxpayers by eliminating the Davis-Bacon requirement. The Beacon Hill Institute at Suffolk University in Boston estimates a 10 percent savings.

This whole variety of savings, if you line them up, for example, we'll just say, for the sake of argument, that there is about a 10 percent savings in construction costs, we as a Nation living on borrowed money should not voluntarily, willingly pay 10 percent more. It makes no sense.

The gentleman's amendment is extraordinarily important. It will save taxpayers a significant amount of money on every construction project. On average, you're going to wind up saving, under the gentleman's amendment, about 10 percent. Ten percent goes a long way on a lot of these massive construction projects. The gentleman's amendment is vitally important in this economy. The adoption of the

gentleman's amendment will increase the number of jobs available for people to work on Federal projects. The gentleman's amendment will create jobs and save money for taxpayers. In an era of record debt, record deficit, and record burden that we simply cannot pass on to our kids, it is vitally important that the House approve the gentleman's amendment, and I urge its adoption.

I yield back the balance of my time. Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, I rise in opposition to this amendment.

The Davis-Bacon Act is a pretty simple concept, and it's a fair concept. What it does is to protect the government as well as the workers in carrying out the policy of paying decent wages for government contracts.

I noticed that the previous speaker was really concerned about the possibility that Davis-Bacon would raise the cost of the performance of these contracts, but it only requires that prevailing wages in the area where the contract is going to be performed is maintained. For example, if in some of the urban areas where labor costs are very, very high and the prevailing wages are there, the standard of living and the wage payment for that area would be consistent. If it was in a lower wage area, then Davis-Bacon wages would be the wages that were paid in that market. So basically it just allows the workers to be paid at a rate consistent with where the project is being conducted.

The act requires that every construction contract that the Federal Government participates in in excess of \$2,000 has to have this provision defining the minimum wage. It was taken up by this House just a few days ago, and, of course, three times this House has defeated attempts to repeal this Davis-Bacon requirement. It would appear to me that this House has exercised great wisdom three times in this session in preserving the right of workers to earn the wages that are paid in the area where the project is being constructed. That just makes sense. We want our workers to be paid fairly. We don't want the government to overpay. So we won't pay higher wages in an area where prevailing wages are lower. We won't pay lower wages in an area where the prevailing wages are higher, where the cost of living is higher, where the cost of doing business is higher, where the cost of doing the construction would be higher. We want the government to get the best bang for the buck.

These amendments are probably very well-intentioned. We want to save the taxpayers' dollars, but we cannot and we should not be penny-wise and pound-foolish. The repeal of Davis-

Bacon, I think, and I think that this House has stated on at least three occasions on this floor during this session of Congress, would be pound-foolish.

I yield back the balance of my time.
Mr. SHERMAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SHERMAN. I join the gentleman from Georgia in opposing this amendment and associate myself with his remarks.

The Federal Government is in a different position from a private company having construction done, for two reasons: First, one of the greatest social problems we face in this country is the eroding wages of middle class families. We see that even in times when there are sufficient jobs, the average American doesn't make any more on an inflation-adjusted basis than a decade or two decades ago. The Federal Government should not play a role in pushing down people out of the middle class. We have a social responsibility to work to a return to what used to be the American norm, and that is that each generation does better than the last.

But the second, even from a crudely proprietary position, the Federal Government is in a very different position than a private homeowner, private property owner. I know I was tempted the last time we fixed our home, maybe I should go with the slipshod, cheap-skate company. After all, I'm only going to live there a few more years. Even many private owners, they're only going to own the building for a few years.

So many of us in our daily lives use government-constructed projects from the 1930s. When the government builds something, it is normally going to be owned and operated by the government and used by our citizens for many, many decades. Why do we want slipshod construction? Why do we want those who are not looking to have skilled craftsmen and craftswomen but, rather, are looking to slap it up there in the cheapest possible way?

□ 1520

Our public works need to be built by those with the proper construction skills; it's not a matter of just hiring as many hands as you can as cheaply as possible.

And so I support the gentleman from Georgia and his comments, and I urge the defeat of this amendment.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to this amendment. Some in the minority continue to try to repeal Davis-Bacon, despite the House being on record supporting the protection of labor standards.

Two weeks ago, the full committee voted to strip the anti-Davis-Bacon provision that was added by the chairman of the subcommittee. A similar amendment repealing Davis-Bacon was offered during the consideration of the FY 2012 Homeland Security appropriations bill. It failed on a vote of 183-234.

I have been a longtime supporter of Davis-Bacon's prevailing wage requirements. It helps ensure that local projects provide local jobs with affordable middle class wages. The law protects the government from contractors trying to win Federal contracts by bidding too low to attract competent workers. I strongly oppose this amendment.

I point out, if there is a problem here, it's because we do not do the wage surveys on a continuing and consistent basis. That is a real problem. That rests with the Department of Labor, and we need to make sure that they're doing their part of the equation.

Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, let me just say that the Davis-Bacon Act prevents competition for construction contracts from artificially depressing local labor standards. The Davis-Bacon Act will prevent subverting the prevailing wage laws, which will lead to shoddy construction and substantial cost overruns.

Under the prevailing wage laws, contractors are forced to compete on the basis of who can best train, best equip, and best manage a construction crew, not on the basis of who can assemble the cheapest, most exploitable workforce, either locally or through importing labor from outside.

The Davis-Bacon Act does not require a union wage; it requires prevailing wage based upon surveys of wages and benefits that are actually paid to various job classifications of construction workers, such as iron workers in a community, without regard to whether they belong to a union or not.

According to the Department of Labor, a whopping 72 percent of prevailing wage rates issued in 2000 were based upon nonunion wage rates. A union wage prevails only if the Department of Labor survey determines that the local union wage is paid to more than 50 percent of the workers in that job classification.

Now higher wages and skills result in greater productivity and lower cost. It's so much greater among high-wage, high-skill workers that projects that use high-skilled workers and high-paid workers often cost less than those that use the low-wage, low-skilled workers

due to repairs, revisions, and lengthy delays.

The opponents who claim that the government could save billions by eliminating the Davis-Bacon protections ignore the productivity, quality, safety, community development and other economic benefits which contribute to the real cost effectiveness of Davis-Bacon. A study of 10 States where nearly half of all of the highway and bridge work is done in the United States showed that when high-wage workers were paid double the wage of low-wage workers, they built 74.4 more miles of roadbed and 32.8 more miles of bridges for \$557 million less.

Driving wages down will not help balance the budget. The Davis-Bacon Act will improve our local economies and it will result in increased productivity.

I am convinced that, again, we have people with good intentions that want to save us money, but if you pay cheaper wages, you will have to employ less skilled workers. If you hire less skilled workers, they will, in all likelihood, have to have work redone that will have to be repaired. It will extend the cost, it will extend the time, and ultimately it will cost our taxpayers more money, and we will not get the efficiencies that each and every tax dollar should have because they are hard-earned tax dollars, and our taxpayers don't give them up lightly. But when we do pay our taxes, everybody in this body and across this country wants to make sure that we get the best bang for the buck. Davis-Bacon would give us that result. It has proven that. The studies show that.

I would submit that this amendment is ill-advised and should be defeated.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. AMASH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. SHERMAN

Mr. SHERMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

Mr. SHERMAN. May the Clerk read the amendment?

The Acting CHAIR. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of

the War Powers Resolution (50 U.S.C. 1541 et seq.).

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SHERMAN. Mr. Chairman, I had the Clerk read the amendment because it's a simple one-sentence amendment. It says that none of the money in this act can be used deliberately by the President to violate the law, in particular, the War Powers resolution, often referred to as the War Powers Act, which is found in title 50 of the United States Code.

This is the same amendment I offered to the Homeland Security appropriations bill. Some 208 Members of Congress voted for that amendment. The only argument against the amendment at that time was that it wasn't exactly appropriate or relevant to the Homeland Security bill. After all, I was preventing the funding of violation of the War Powers Act with the funds provided to the Department of Homeland Security.

Now that I offer this amendment to the MilCon bill, it is relevant. This is a bill that provides tens of billions of dollars for the Defense Department. And it is necessary and appropriate, if we are going to adopt a policy that says that money is not going to be appropriated for deliberate violation of our law, that we apply this amendment not only to the Defense Appropriations bill, but to this second bill that funds the Pentagon.

Why is this amendment necessary? Because so many administrations have embraced the idea of an imperial Presidency, the idea that a President can send our forces into battle for unlimited duration, for any purpose, unlimited in scope. This is not what the Constitution and the law provides.

The War Powers Act is the law of the land, and it says the President may indeed commit our forces, but the President must seek congressional authorization and must withdraw within 60 days if that authorization is not provided by the affirmative vote of both Houses of Congress.

In Libya, we face not an attack on the United States, not an attack on our allies. But even in this circumstance, this President, like others, claims that he does not have to follow the law.

□ 1530

The administration has implied that there are substitutes for congressional authorization; they have implied that resolutions by the United Nations, the Arab League or NATO can be a substitute for congressional authorization; and they implied that consulting congressional leaders, a lunch with leadership, is a substitute for the affirmative vote of both Houses of Congress. It is time for us to stand up and say, No, Mr. President, you actually have to follow the law.

Obviously, this amendment is even more apropos to the Defense appropriations bill, but we will be dealing with that weeks from now. The President has been violating the War Powers Act for many weeks. It is time to act today.

Moreover, if we put this amendment only on the Defense appropriations bill and don't put it on this bill, then we invite the administration to try to figure out clever accounting ways to use the billions of dollars provided to the Defense Department in this bill to carry out operations in Libya. We should not invite a loophole hunt. We should put the same restriction on both of the bills that fund the Defense Department.

Now, if we can pass the amendment, the President will, I hope, request an authorization from Congress to take action in Libya, and he will have to accept an authorization that will, I expect, be limited in time and scope. Perhaps it will say that only air forces and not ground forces can be committed. Perhaps it will require renewal every 3 or 6 months. There may be conditions on funding sources. For example, perhaps we use some of the \$33 billion that Qadhafi was stupid enough to leave invested in the United States in ways that we could find and that we have frozen rather than use taxpayer dollars.

Congress will ask some tough questions. And we may put some conditions requiring certain action also by the Benghazi transitional government. We would ask why the Benghazi government has refused to disassociate itself from the al Qaeda fighters and the Libyan Islamic Fighting Group men who are in their midst and why they will not remove from that transitional government those that have American blood on their hands from Iraq and Afghanistan.

This is not just the issue of an aggrandizing President. It is also the issue of a derelict Congress. Continuing military action in Libya should be conducted only consistent with American law. If Congress habitually appropriates funds knowing that those funds will be used to violate the law of the land, then we are complicit in undermining democracy and the rule of law in the United States. The question is not democracy and the rule of law in Libya; the question is democracy and the rule of law in the United States.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment, and I will happily accept it, because it is evident that the administration is in direct violation of the War Powers Act, which requires

the President to either certify to the Congress that the United States has been attacked or there is a national security interest of the United States at stake, and, if not, then we need to be notified. I think we are still waiting for the administration to talk to us, to justify, to explain the involvement of U.S. forces in Libya. Now we read over the weekend that the administration may send U.S. forces, our young men and women, into harm's way in Yemen. What are we going to do, Syria next?

The Congress of the United States has an obligation to make sure that, in the stewardship of our precious tax dollars and the responsibility we have to ensure the protection of our men and women in uniform and the people of this Nation, that we are enforcing the War Powers Act, that we are directly involved as a partner in the defense of the United States.

The administration has persistently and consistently refused to involve the Congress in these decisions to send our men and women into Libya and whether or not we are going to go into Yemen. Mr. SHERMAN's amendment is very reasonable and points out that, simply, we are not going to spend any money in violation of the law, we are not going to spend any money in violation of the War Powers Resolution.

The distinguished Chairman of the Committee of the Whole House is unable to speak, but I have to say that Mr. MCCLINTOCK's editorial, the positions that the gentleman from California has taken, I agree with completely.

The action in Libya, as Mr. MCCLINTOCK has said, there could not be a more clear violation of the War Powers Act than the President's involvement of American Armed Forces in Libya. The Congress has never been notified. There has been obviously no attack on the United States. There is no strategic interest of the United States at stake in Libya or in Yemen. Where else is he going to send our troops without notifying the Congress and the people of the United States as required by the War Powers Act?

So, Mr. Chairman, I rise in support of the gentleman's amendment. I want to rise in support of Mr. TOM MCCLINTOCK of California's eloquent defense of the War Powers Act, and I urge the House to adopt Mr. SHERMAN's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. AMASH

Mr. AMASH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Senator in the United States Senate or as the President of the United States.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes on his amendment.

Mr. AMASH. Mr. Chairman, at the start of this Congress, the House made important changes to the way the institution operates. We began by ending earmarks. Americans understood that the practice favored Representatives' pet projects while the taxpayer was left to foot the bill. Earmarks diverted our constituents' hard-earned money to low-priority projects and, even worse, appeared corrupt. Americans started to lose confidence in their government when they saw their Representatives using public funds for personal gain.

In a similar vein, this Congress continued last Congress' prohibition on "monuments to me." Like earmarks, when House Members name Federal programs and buildings after themselves, Americans can't be sure whether the programs are funded because they are worthwhile or because they benefit a House Member personally.

The appropriations bill we are considering today has a prohibition on "monuments to me" that mirrors the House rules and bans naming programs and buildings after current House Members. My amendment extends that same prohibition to current Senators and the President.

Ending "monuments to me" is an important step to preventing the waste of taxpayer dollars and to ensuring that our appropriations are in the best interests of the public, not the personal interests of elected representatives. I ask you to support my amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I insist on my point of order.

I certainly agree with the gentleman's sentiment. It is important that we as Members of Congress don't spend any money to name anything after ourselves. It is inappropriate. It just ought not be done.

I know that my colleague from Texas (Mr. MCCAUL) has also been working on this to prevent the use of taxpayer funds from being spent on monuments built at taxpayer expense to Members of Congress that are still living. This

rule is in place for the House of Representatives. It ought to be in place for the Senate and the President of the United States.

POINT OF ORDER

Unfortunately, the gentleman's amendment imposes a duty on Federal agencies in violation of clause 2 of rule XXI, so I regret reluctantly I have to raise a point of order against the gentleman's amendment in that it proposes to change existing law, Mr. Chairman, and therefore constitutes legislation in an appropriations bill in violation of clause 2 of rule XXI, and that the amendment seeks to impose additional duties on a Federal agency or entity.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this amendment includes language requiring a new determination by the relevant executive branch official of the current membership of a body in the legislative branch. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

□ 1540

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 4 _____. None of the funds made available by this Act shall be available to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Mr. Chairman, my amendment is quite simple. During the 110th Congress there was a section added to the Energy Independence and Security Act that bans Federal agencies from entering into contracts for procurement of alternative fuel sources unless the "lifecycle greenhouse gas emissions" are less than or equal to such emissions from an equivalent conventional fuel produced from conventional petroleum sources. This amendment would simply prohibit the government from enforcing this ban on Federal agencies funded by the underlying bill.

I was not yet in Congress when the Energy Independence and Security Act was considered, but section 526 raises concerns over national security, economic security, and it creates bureaucratic uncertainty. Section 526 was added to this bill to stifle the Defense Department's plans to buy and develop coal-based—or "coal-to-liquids"—jet fuels. Environmentalists allege that

this coal-based fuel will ultimately produce more greenhouse emissions than would traditional petroleum resources. This allegation is uncertain at best and does not account for ongoing improvements in carbon-capture technologies in association with CTL technology.

My amendment prohibits funds in the bill from being used to enforce section 526. Section 526 makes it more difficult for our Defense Department to become energy independent and to rely on more domestic and more stable sources of fuel instead of sources located in more unstable, volatile parts of the world. This is very problematic for our Defense Department by creating uncertainty about what fuels DOD can procure, and it discourages development of new sources, particularly reliable domestic sources of energy supplies for the Armed Forces. Section 526 opens DOD up to court or administrative challenges for every fuel purchase it makes. Per a July 9, 2008, letter to Senator JAMES INHOFE from the Pentagon, "Such a decision could cause significant harm to the readiness of the Armed Forces because these fuels may be widely used and particularly important in certain geographical areas."

Not only have extreme environmental views, policies, and regulations like section 526 burdened American families, hurt job creation, and hurt American businesses, but they are now potentially causing significant harm to the readiness of the Armed Forces. The Defense Department should not be wasting its time studying fuel emissions and should not have to be stifled by the arguments over how to interpret a small section of an energy law. This is an unacceptable burden to continue to place on our Nation's military, and it is an unacceptable precedent set in regard to America's energy policy.

I urge my colleagues to support passage of this commonsense amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in strong support of the gentleman's amendment.

The United States is the Saudi Arabia of coal. We've been blessed by the good Lord with extraordinary resources. We have, apparently, the world's largest supply of shale gas, shale oil. Yet the administration is doing everything in their power to prevent us from even finding or locating additional shale oil or gas. The administration is doing everything in their power to prevent us from drilling in the Gulf of Mexico, which we've done for decades cleanly, safely, economically.

We could create hundreds and hundreds and hundreds of thousands of high-paying jobs in the United States if

the administration would simply get out of the way and let Texans run Texas, and let the gulf States and the energy community unleash American ingenuity to do what they do best—produce domestic oil and gas cleanly and safely. The jobs that are produced in the Gulf of Mexico in the energy industry across the United States are safe, high-paying, high-quality jobs that the economy and the people of America desperately need.

Mr. FLORES has brought a very important amendment to the floor which would expand the use of petroleum derived from coal. The United States is blessed with abundant amounts of coal. This Federal law, section 526 of the Energy Independence and Security Act, discourages the production of liquefied gas or fuel from coal—and that's a vital part of our energy future. We understand, as constitutional conservatives, as the new majority in the House, that the United States needs to continue to invest in alternative technologies for the future. We are all in support of finding new ways to generate electricity to move the United States into the next era of energy beyond petroleum. But in the meantime, in the short term, we need to drill here and drill now. We need to use every available resource that the good Lord has blessed this Nation with in a way that's obviously clean, safe, ecologically friendly. We've done it in Texas for years.

Mr. FLORES has extensive experience in the energy industry. I'm proud to represent the energy corridor of Texas. Houston is to the energy industry what California and Silicon Valley are to the computer industry. We've proven time and time again that we can produce oil and gas safely, cleanly. We desperately need to open up drilling in the gulf. This administration has deliberately and systematically shut down drilling in the Gulf of Mexico, which increases our dependence on foreign oil, while the administration has used our tax dollars and its influence in the International Monetary Fund to attempt to prop up and support Brazilian exploration for oil and gas, discouraging American development of oil and gas. It's a policy that continues to drive up the unemployment rate and drive down the production of American oil and gas. Mr. FLORES' amendment will allow us to expand the production of one vital American resource that we have in abundance—and that's coal.

So I strongly support the gentleman's amendment and urge its adoption.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise today in opposition to the gentleman's amendment. Sec-

tion 526 of the Energy Independence and Security Act of 2007 is intended to ensure that any alternative fuel that is introduced to replace conventional petroleum-based fuels must have greenhouse gas emissions that are less than or equal to the fuel it is replacing. That is a commonsense approach. The Department of Defense alone is the single largest energy consumer in the world. Its leadership in this area is critical to any credible approach to dealing with energy independence issues. Section 526 provides an opportunity for DOD to play a substantial role in spurring the innovation needed to produce alternative fuels which will not further exacerbate global climate change.

I would like to congratulate Secretary Mabus, Secretary of the Navy, for his energetic approach to trying to find alternative fuels. I think he, as Secretary, has done an outstanding job. He has put the Navy on a path towards energy independence and reducing the amount of petroleum products that we're using today.

So I urge my colleagues to vote "no" on this very shortsighted amendment.

Mr. LANGEVIN. Mr. Chair, I rise in opposition to the amendment to the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act that exempts various agencies from Section 526 of the Energy Independence and Security Act, a critical provision for our national security.

This exemption will derail the government's efforts to strengthen national security through greenhouse gas reduction. Furthermore, many senior defense leaders do not want such provisions. During recent testimony before Energy & Commerce, Navy Deputy Assistant Secretary Tom Hicks stated the Defense Department was comfortable with Section 526 and that the provision was an effective policy tool. Furthermore, it is important to note Section 526 actually supports the development of alternative domestic fuels; a point that many critics of this provision do not fully understand or articulate in their arguments against it.

Allowing this amendment to become law will ultimately endanger our national security. I hope my colleagues can work together to reach a compromise to strengthen this energy security provision as this bill moves through the legislative process.

Mr. DICKS. I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. The amendment I've offered the past week would simply reduce the information technology account in the VA by \$70 million and increase the same account by \$70 million.

□ 1550

My intention is to make it clear to the Department of Veterans Affairs that we must see progress on efforts to integrate the Department of Defense's

and the VA's electronic medical records.

It is unthinkable that as we seek to make the transition from the military back to the homeland as seamless as possible we have a system as befuddling as the one we have, where a servicemember literally needs a paper copy of his or her medical records to ensure information isn't lost in transitioning between the two systems. When severely injured patients are released and transferred from Walter Reed to the VA center at Mountain Home in Johnson City, Tennessee, all the information regarding their injuries and transfers can be terribly difficult to access. That shouldn't be the case.

This is why I support Chairman CULBERSON's report language, which recommends that the Department of Veterans Affairs set aside \$70 million of the overall \$3.25 billion in the Information Technology account for the Virtual Lifetime Electronic Medical Record system. I would, in fact, like to strengthen this language by putting it in the underlying bill to ensure this money gets spent on integration.

The VA and DOD maintain the two largest health care systems in the Nation, providing health care to 6 million veterans and to over 1.5 million active duty servicemembers respectfully. Within the VA alone, there are over 1,500 different facilities that provide care to veterans. To provide this care, the DOD and VA both rely on electronic health record systems to create, maintain, and manage patient health information; but the two agencies for years have operated different systems that can't talk to each other.

Let me give you an example: Ten billion dollars has been spent. A soldier leaves the military, and his records can't be transferred electronically to the VA. I had someone in my office just before I walked over here on the House floor who showed where an electronic medical records system would have prevented the delay in treatment of a veteran.

This general lack of cooperation between the two Departments has occurred for years at the collective cost of billions of dollars. I first became aware of this problem when I arrived in Congress and didn't realize it had been worked on for years.

I applaud the Appropriations Committee for highlighting the need for the VLER in its committee report, and I think this language should be put in the bill to ensure the VA spends the money for this purpose. A lifetime electronic health records system would improve the delivery of care to servicemembers who are transitioning from military to civilian life.

As a physician myself, I know the importance of having an organized and efficient electronic medical records systems. In fact, I helped put an electronic medical records system in my

office for over 70 providers and tens of thousands of patients. I do understand the difficulties, and I know how hard it is to be done, but I know the importance of it. I hope the committee will adopt this amendment and work on strengthening it in the final bill to ensure we make clear to the VA that this integration must be a priority.

Mr. DICKS. Will the gentleman yield?

Mr. ROE of Tennessee. I yield to the gentleman from Washington.

Mr. DICKS. We are trying to vote on the Flores amendment. Could you have waited until we had voted on the amendment to make your 5-minute speech? This is totally irrelevant to this debate.

Mr. ROE of Tennessee. I apologize to the gentleman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COFFMAN OF COLORADO

Mr. COFFMAN of Colorado. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available in this Act may be used to by the Secretary of Veterans Affairs to provide disability compensation under chapter 11 of title 38, United States Code, to any veteran for post-traumatic stress disorder if the required in-service stressor claimed by the veteran is related to the veteran's fear of hostile military or terrorist activity and the places, types, and circumstances of the veteran's service did not include a combat zone.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Colorado is recognized for 5 minutes.

Mr. COFFMAN of Colorado. Mr. Chairman, I stand with the American people in wanting to make sure that our returning servicemembers from Iraq and Afghanistan are taken care of.

The signature wound in this war has emerged to be post-traumatic stress disorder. Since 2008, almost 100,000 claims for disability based on post-traumatic stress disorder have been awarded at a tremendous cost; but the concern is, again, that these veterans are taken care of. In July of last year, new rules were promulgated as to the eligibility criteria for post-traumatic stress disorder. What they did was to no longer require the servicemembers to relate a specific combat occurrence or occurrences to their post-traumatic stress disorders.

It is my belief that these rules are too loosely written and that what we

ought to have is more definition to say that someone who has never served in a combat zone should not be eligible for post-traumatic stress disorder disability benefits—not treatment. Certainly, one would be eligible for treatment, but I understand that this amendment will require the Veterans Administration to create a definition and to make decisions on something they currently don't do, which is: service in a combat zone.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. COFFMAN of Colorado. I yield to the gentleman.

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

I certainly can appreciate the concerns that the gentleman raises that have caused him to offer the amendment. Yet I want to remind the gentleman of the awful incident that occurred at Fort Hood in Texas. There were a lot of our servicemembers who were present who experienced that awful, awful situation. Under this amendment, it would prevent the veterans and servicemembers, once they're discharged, from being able to take advantage of the benefits of the Department of Veterans Affairs because they were at Fort Hood as opposed to Afghanistan or Iraq or in some other place of hostility.

Also, I would remind the gentleman that the servicemembers who operate our unmanned aerial vehicles, such as the Predator, which has great capability for causing destruction in war—it's one of our great weapons—actually can see on video, in realtime, the death and the destruction and the dismemberment that is caused by the utilization of that, although they're in Nevada and the weapon is actually making its impact in Afghanistan. Of course, because of that, they would be disqualified.

Under this amendment, I think the gentleman's point is well taken in wanting to make sure that only those people who are entitled to veterans benefits in fact get them, but I think that perhaps there are some problems in the artful drafting of the amendment, which should be clarified. Because of that, I am reluctant to support it, and of course must oppose this amendment.

Mr. COFFMAN of Colorado. Reclaiming my time, the chairman has raised a similar issue. I certainly agree with him and understand about the issue of expanding the definition in this amendment to reflect terrorist activity that would be beyond a combat zone. Again, certainly, treatment would be available. We're not talking about that. We're merely talking about disability compensation. I probably disagree with you, as a combat veteran myself, on the ground side of your UAV example.

I realize that the amendment is out of order because of the fact that it real-

ly impedes on authorizing versus appropriating. Certainly, it is my intent—and I'd be happy to work with the gentleman from Georgia as well as with the gentleman from Texas—to come up with a definition that makes sure that we take care of those veterans who are most in need.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

□ 1600

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FITZPATRICK. Mr. Chairman, I rise today to offer an amendment that would level the playing field for our Nation's veterans when it comes to contracting with the Federal Government.

After putting their lives on the line and at times their families and careers on hold in the service of our Nation, America's veterans deserve every consideration we can give them to adjust to life once they return. Veteran-owned small businesses are part of the American fabric; and as a government and a people, we must do all we can to encourage them.

Here are a few facts: According to the most recent census, over 2.4 million of our Nation's veterans are now small business owners. Veteran-owned companies now make up 9 percent of all U.S. firms. The Small Business Administration now estimates that one in seven veterans are self-employed or a small business owner. And, finally, nearly a quarter of veterans say they're interested in starting or in buying a small business.

Despite these encouraging numbers, the truth of the matter is veterans are unemployed at a higher level than any of us find acceptable. For instance, the unemployment rate for young veterans returning from Afghanistan and Iraq reached a staggering 22 percent last

year. Mr. Chairman, this number is simply unacceptable. We must work to reduce this number, and it should be the explicit, stated policy of all government agencies to assist veteran entrepreneurs.

As our Nation struggles to achieve an economic recovery, we should be looking to utilize the talent, expertise, and leadership skills of our Nation's veterans. These men and women volunteered to selflessly serve our country and, in order to succeed, must display self-discipline and leadership. It is characteristics and character traits like that that should be nurtured and fostered to help our economy grow again and put people back to work.

Veterans have served our Nation nobly across the world. Now, their innovation and expertise can help lead our American recovery. Ultimately, we must all be focused on putting our constituents back to work, and I believe, Mr. Chairman, that this amendment will help to do that.

This amendment will give veteran-owned small businesses preferences for contracts in this bill equal to any group eligible for preferred consideration, except for service-disabled veteran-owned small businesses. The practice of the Federal Government providing preferences to encourage government to do business with certain groups is well established. This amendment does not diminish preferences to any other group. It simply extends to veteran-owned small businesses the same level of consideration.

The amendment would apply to all Federal contracts authorized by the Military Construction and Veterans Affairs Act and would be attached to any portion of State and local projects funded with Federal dollars.

To preserve the integrity of the program, small businesses are considered those defined by the Small Business Administration, and eligible businesses must be registered veteran-owned businesses with the Department of Veterans Affairs. The VA's Center for Veteran Enterprise maintains a database of certified registered veteran-owned businesses. In many cases, this amendment will simply be codifying existing practice and ensure that it will continue to be the policy of our Nation.

Mr. Chairman, veterans have sacrificed much for our Nation. It is only fair that, if any group is given preferential contracting status, that veterans receive it as a well. I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. CULBERSON. I rise in support of the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I want to express the committee's strong support for the gentleman's amendment.

We are all in agreement that the Nation needs to look first to attempt to

hire our veterans who have served this Nation, to attempt to encourage the businesses that are developed and built by veterans to thrive and to prosper; and the gentleman's amendment is a great way to encourage veteran-owned businesses to thrive.

We should, in the work the Federal Government contracts out, do everything we can to encourage the development of, and hiring of, small businesses owned and operated by veterans; and we strongly support the gentleman's amendment and urge its adoption.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Let me just say that the gentleman's amendment is very, very well taken. I fully support it; and it works in tandem with some other legislation, some authorizing legislation that I think the chairman, Mr. CULBERSON, and I, along with Mr. DICKS and Mr. YOUNG and many, many others, on a bipartisan basis, have often called the Hiring Heroes Act, which basically supports our veterans as they come back to make sure that they can be gainfully employed and that they are duly allowed to participate in the economy, to work and to engage in gainful employment.

I think that this amendment, as far as small businesses go, as far as veterans preferences, is very well taken, and I think that we ought to do that, as well as everything else we can possibly do, to make sure that the transition from full-time active service to the civilian population of our country on the part of our veterans is fully supported by this Congress and by the people of the United States.

With that, I yield back the balance of my time.

Mr. DICKS. I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in support of the gentleman's amendment. Veteran-owned companies are a great asset that we should be further encouraging. These businesses obviously play a positive role in the economy by providing not only jobs, goods, and services, but also are reducing unemployment amongst veterans who are already struggling with the unemployment rate greater than that of the general populace.

Furthermore, the government has done poorly in reaching its 3 percent contracting goal for veterans. For example, agencies' contract awards were below 1 percent from 2003 to 2006. The most recent figures for 2009 show agencies awarded only 1.98 percent to service-disabled veterans. We must do more to ensure that our veterans are transitioning from soldiers to civilians

and we are actively encouraging new opportunities for vets.

I believe this amendment will help the Department of Defense and VA to do better. I support this amendment and urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The amendment was agreed to.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I rise to engage in a colloquy with the gentleman from Texas.

Mr. Chairman, the gentleman from Pennsylvania (Mr. FATTAH) brought a matter to our attention that is very, very important and significant, and I think it's appropriate that we ought to at least examine that in the form of a colloquy here on the floor as we consider this Military Construction, Veterans Affairs, and Related Agencies appropriations bill.

Mr. Chairman, many veterans have returned home from Iraq and Afghanistan with severe disabilities; and when their service results in a disability, we have a duty to help them. And one way that veterans receive this help is through the use of guide dogs. Now, the way the process works, veterans are assessed and they're trained for orientation and mobility. If a veteran needs a guide dog, information on how to contact guide dog schools is provided. Essentially, the veteran is referred to a nonprofit. There's no funding provided directly from the VA to these nonprofits; and with the costs associated with training these dogs, it takes time to raise the money which, in turn, causes a backlog for veterans, as well as for nonveterans.

□ 1610

We have to look at this issue and see what it is that the Veterans Administration can do to help because these dogs mean so much to those who need them.

Mr. CULBERSON. Will the ranking member yield?

Mr. BISHOP of Georgia. I yield to the chairman of the subcommittee.

Mr. CULBERSON. Mr. BISHOP, the gentleman from Pennsylvania has raised a very important matter that we need to look into in the subcommittee as we move into conference. And I want to reassure the gentleman from Pennsylvania that the subcommittee and I will work diligently with him to look further into this issue to find ways that we can help make sure that the veterans who need guide dogs and service dogs get them.

Mr. BISHOP of Georgia. I am sure, Mr. Chairman, that Mr. FATTAH and other Members will be very, very appreciative of you. We thank you for

your comments, and we look forward to working with all of our colleagues to support our veterans and their families.

Mr. DICKS. Will the gentleman yield?

Mr. BISHOP of Georgia. I would be delighted to yield to the gentleman from Washington.

Mr. DICKS. I just want to mention a program called Pets for Patriots. I happened to have attended an event here just about a week ago where there is a national organization being created to get pets for our returning veterans and especially for some of those who have very serious injuries. So I think there is a real need for this, and I think it's been demonstrated. And I commend Mr. FATTAH for his diligence and for your help in raising this issue.

Mr. BISHOP of Georgia. Thank you very much for your comments.

I yield back the balance of my time. Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FITZPATRICK) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 13 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LANKFORD) at 6 o'clock and 30 minutes p.m.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2055.

□ 1832

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WESTMORELAND (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) had been disposed of and the bill had been read through page 61, line 2.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

The amendment by Mr. LATOURETTE of Ohio.

Amendment No. 4 by Mr. AMASH of Michigan.

Amendment No. 2 by Mr. SHERMAN of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LA TOURETTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 204, noes 203, not voting 25, as follows:

[Roll No. 413]

AYES—204

Ackerman	Cicilline	Donnelly (IN)
Altmire	Clarke (MI)	Doyle
Andrews	Clarke (NY)	Edwards
Baca	Clay	Ellison
Baldwin	Cleaver	Emerson
Barrow	Clyburn	Farr
Barton (TX)	Cohen	Fattah
Bass (CA)	Connolly (VA)	Filner
Becerra	Conyers	Frank (MA)
Berkley	Cooper	Fudge
Berman	Costa	Garamendi
Biggart	Costello	Gonzalez
Bishop (GA)	Courtney	Green, Al
Bishop (NY)	Critz	Green, Gene
Blumenauer	Crowley	Grimm
Boswell	Cuellar	Gutierrez
Brady (PA)	Cummings	Hanabusa
Briley (IA)	Davis (CA)	Hastings (FL)
Brown (FL)	Davis (IL)	Hayworth
Capps	DeFazio	Heinrich
Capuano	DeGette	Himes
Carnahan	DeLauro	Hinchey
Carney	Deutch	Hinojosa
Carson (IN)	Diaz-Balart	Hirono
Castor (FL)	Dicks	Hochul
Chandler	Doggett	Holden
Chu	Dold	Holt

Honda	McNerney	Sánchez, Linda
Hoyer	Meeks	T.
Inslie	Michaud	Sanchez, Loretta
Israel	Miller (NC)	Sarbanes
Jackson (IL)	Miller, George	Schakowsky
Jackson Lee	Moore	Schiff
(TX)	Moran	Schmidt
Johnson (GA)	Murphy (CT)	Schock
Johnson (IL)	Murphy (PA)	Schrader
Johnson, E. B.	Nadler	Schwartz
Kaptur	Napolitano	Scott (VA)
Keating	Neal	Scott, David
Kildee	Olver	Serrano
Kind	Owens	Sewell
King (NY)	Pallone	Sherman
Kissell	Pascarella	Shuler
Kucinich	Pastor (AZ)	Sires
Lance	Payne	Smith (NJ)
Langevin	Pelosi	Smith (WA)
Larsen (WA)	Perlmutter	Stark
Larson (CT)	Peters	Sutton
LaTourette	Peterson	Thompson (CA)
Levin	Petri	Thompson (MS)
Lewis (GA)	Pingree (ME)	Tierney
Lipinski	Polis	Tonko
LoBiondo	Price (NC)	Towns
Loebuck	Quigley	Turner
Lofgren, Zoe	Rahall	Van Hollen
Lowey	Rangel	Velázquez
Lujan	Reichert	Visclosky
Lynch	Reyes	Walsh (IL)
Maloney	Richardson	Walz (MN)
Markey	Richmond	Waters
Matheson	Ros-Lehtinen	Watt
Matsui	Roskam	Waxman
McCarthy (NY)	Ross (AR)	Welch
McCollum	Rothman (NJ)	Whitfield
McCotter	Roybal-Allard	Wilson (FL)
McDermott	Runyan	Woolsey
McGovern	Ruppersberger	Wu
McIntyre	Ryan (OH)	Yarmuth
McKinley		Young (AK)

NOES—203

Adams	Duncan (SC)	Jordan
Aderholt	Duncan (TN)	Kelly
Akin	Ellmers	Kingston
Alexander	Farenthold	Kinzing (IL)
Amash	Fincher	Kline
Austria	Fitzpatrick	Labrador
Bachus	Flake	Lamborn
Barletta	Fleischmann	Landry
Bartlett	Fleming	Lankford
Bass (NH)	Flores	Latham
Benishak	Forbes	Latta
Berg	Fortenberry	Lewis (CA)
Bilbray	Fox	Long
Bilirakis	Franks (AZ)	Lucas
Bishop (UT)	Frelinghuysen	Luetkemeyer
Black	Galleghy	Lummis
Blackburn	Gardner	Lungren, Daniel
Bonner	Garrett	E.
Bono Mack	Gerlach	Mack
Boren	Gibbs	Manzullo
Boustany	Gibson	Marchant
Brooks	Gingrey (GA)	Marino
Buchanan	Gohmert	McCarthy (CA)
Bucshon	Goodlatte	McCauley
Buerkle	Gosar	McClintock
Burgess	Gowdy	McHenry
Burton (IN)	Granger	McKeon
Calvert	Graves (GA)	McMorris
Camp	Graves (MO)	Rodgers
Campbell	Griffin (AR)	Meehan
Canseco	Griffith (VA)	Mica
Cantor	Guinta	Miller (FL)
Capito	Guthrie	Miller (MI)
Carter	Hall	Miller, Gary
Cassidy	Hanna	Mulvaney
Chabot	Harper	Myrick
Chaffetz	Harris	Neugebauer
Coble	Hartzler	Noem
Coffman (CO)	Hastings (WA)	Nugent
Cole	Heck	Nunes
Conaway	Hensarling	Nunnelee
Cravack	Herger	Olson
Crawford	Herrera Beutler	Palazzo
Crenshaw	Huelskamp	Paulsen
Culberson	Hultgren	Pearce
Davis (KY)	Hunter	Pence
Denham	Hurt	Pitts
Dent	Issa	Platts
DesJarlais	Jenkins	Poe (TX)
Dreier	Johnson (OH)	Pompeo
Duffy	Jones	Posey

Price (GA) Scalise Tiberi
 Quayle Schilling Tipton
 Reed Schweikert Upton
 Rehberg Scott (SC) Walberg
 Renacci Scott, Austin Walden
 Ribble Sensenbrenner Webster
 Rigell Sessions West
 Rivera Shuster Westmoreland
 Roby Simpson Wilson (SC)
 Roe (TN) Smith (NE) Wittman
 Rogers (AL) Smith (TX) Wolf
 Rogers (KY) Southerland Womack
 Rogers (MI) Stearns Woodall
 Rohrabacher Stutzman Yoder
 Rooney Sullivan Young (FL)
 Ross (FL) Terry Young (IN)
 Royce Thompson (PA)
 Ryan (WI) Thornberry

NOT VOTING—25

Bachmann Grijalva Shimkus
 Brady (TX) Higgins Slaughter
 Broun (GA) Huizenga (MI) Speier
 Butterfield Johnson, Sam Stivers
 Cardoza King (IA) Tsongas
 Dingell Lee (CA) Wasserman
 Engel Paul Schultz
 Eshoo Rokita Weiner
 Giffords Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There are 5 minutes remaining in the vote.

□ 1854

Messrs. BASS of New Hampshire and ROYCE changed their vote from “aye” to “no.”

Mr. CLARKE of Michigan, Ms. DEGETTE, Messrs. MEEKS, CHANDLER, and DAVIS of Illinois changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. HUIZENG of Michigan. Mr. Chair, on rollcall No. 413, had I been present, I would have voted “no.”

AMENDMENT NO. 4 OFFERED BY MR. AMASH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. AMASH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 232, not voting 22, as follows:

[Roll No. 414]

AYES—178

Adams Benishek Brooks
 Aderholt Berg Buchanan
 Akin Bilirakis Burchon
 Amash Bishop (UT) Buerkle
 Austria Black Burgess
 Bachus Blackburn Burton (IN)
 Bartlett Bonner Calvert
 Barton (TX) Bono Mack Camp
 Bass (NH) Boustany Campbell

Canseco Cantor
 Carter Herrera Beutler
 Cassidy Huelskamp
 Chabot Huizenga (MI)
 Chaffetz Hunter
 Coble Hurt
 Coffman (CO) Issa
 Conaway Jenkins
 Crawford Johnson (OH)
 Crenshaw Johnson, Sam
 Culberson Jones
 Davis (KY) Jordan
 Denham King (IA)
 Dent Kingston
 DesJarlais Kline
 Labrador Latta
 Lamborn Lewis (CA)
 Landry Long
 Lankford Lucas
 Latham Luetkemeyer
 Latta Lummis
 Lewis (CA) Lungren, Daniel
 Long E.
 Lucas Mack
 Luetkemeyer Manzanillo
 Lummis Marchant
 Lungren, Daniel Marino
 E. McCarthy (CA)
 Mack McCaul
 Manzanillo McClintock
 Marchant McHenry
 Marino McIntyre
 McCarthy (CA) McKeon
 McCaul McMorris
 McClintock Rodgers
 McHenry Miller (FL)
 McIntyre Miller, Gary
 McKeon Mulvaney
 McMorris Myrick
 Rodgers Neugebauer
 Miller (FL) Noem
 Miller, Gary Nugent
 Mulvaney Hastings (WA)
 Myrick Hayworth
 Neugebauer Nunnelee

NOES—232

Ackerman Costa
 Alexander Heck
 Altmire Courtney
 Andrews Cravaack
 Baca Critz
 Baldwin Crowley
 Barletta Cuellar
 Barrow Cummings
 Bass (CA) Davis (CA)
 Becerra Davis (IL)
 Berkley DeFazio
 Berman DeGette
 Biggert DeLauro
 Bilbray Deutch
 Bishop (GA) Diaz-Balart
 Bishop (NY) Dicks
 Blumenauer Doggett
 Boren Dold
 Boswell Donnelly (IN)
 Brady (PA) Doyle
 Braley (IA) Duffy
 Brown (FL) Edwards
 Capito Ellison
 Capps Emerson
 Capuano Fattah
 Carnahan Filner
 Carney Fitzpatrick
 Carson (IN) Frank (MA)
 Castor (FL) Fudge
 Chandler Garamendi
 Chu Gerlach
 Cicilline Gibson
 Clarke (MI) Gonzalez
 Clarke (NY) Graves (MO)
 Clay Green, Al
 Cleaver Green, Gene
 Clyburn Grijalva
 Cohen Grimm
 Cole Gutierrez
 Connolly (VA) Hall
 Conyers Hanabusa
 Cooper Hanna

Lujan Lynch
 Maloney Paulsen
 Markey Pearce
 Matheson Pence
 Matsui Pitts
 McCarthy (NY) Platts
 McCollum Poe (TX)
 McCotter Pompeo
 McDermott Posey
 McGovern Price (GA)
 McKinley Quayle
 McNeerney Reed
 Meehan Renacci
 Meeks Ribble
 Michaud Rigell
 Miller (MI) Rangel
 Miller (NC) Roybal-Allard
 Miller, George Runyan
 Moore Ruppertsberger
 Moran Rush
 Murphy (CT) Ryan (OH)
 Murphy (PA) Ryan (WI)
 Nadler Sanchez, Linda
 Napolitano T.
 Neal Sanchez, Loretta
 Olver Sarbanes
 Owens Schakowsky
 Pallone Schiff
 Pascarell Schilling
 Pastor (AZ) Schmidt
 Payne Schock
 Pelosi Schrader
 Perlmutter Schwartz
 Peters Scott (VA)
 Peterson Scott, David

NOT VOTING—22

Bachmann Farr
 Brady (TX) Giffords
 Broun (GA) Higgins
 Butterfield Lee (CA)
 Cardoza Paul
 Dingell Rokita
 Engel Shimkus
 Eshoo Shuster

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 One minute remains in this vote.

□ 1900

Messrs. VISCLOSKEY, CUMMINGS, and CARNAHAN changed their vote from “aye” to “no.”

Mr. BROOKS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MCINTYRE. Mr. Chair, during rollcall vote No. 414 the Amash amendment on H.R. 2055, I mistakenly recorded my vote as “yes” when I should have voted “no.”

Mr. FARR. Mr. Chair, on rollcall No. 414, the Amash amendment, had I been present, I would have voted “no.”

(By unanimous consent, Mr. BACA was allowed to speak out of order.)

CHARITABLE GOLF TOURNAMENT

Mr. BACA. Mr. Speaker, today we had an event, and it was on behalf of the wounded warriors, sponsored by Disabled Sports USA. These are many of our men and women who are fighting for us, have come back, and we appreciate everything that they’ve done for us.

On behalf of ANDER CRENSHAW, my co-captain on the Republican side, and myself, we want to thank all of the Members who participated, both Members and former Members, and all of the sponsors and individuals involved. It was a tournament for a good cause.

There were no losers. The winners were the wounded warriors and the disabled sports vets who will get an opportunity to revamp their lives, enjoy golf.

This was a match between the Republicans and the Democrats. And I know that last year the Republicans won and retained the cup then, but today, the Democrats ended up winning and retaining the cup.

On behalf of all the Democrats here and the players who participated, thank you very much.

I would like to yield to the gentleman from Florida, **ANDER CRENSHAW**, my co-captain.

Mr. CRENSHAW. I thank the gentleman for yielding.

Let the record reflect that's a small trophy that you just held up. But I certainly want to congratulate the Democratic team. It was a great day to make some friends among the serving Members. It was great to see some of the former Members come back and visit with them. As has been pointed out, the real winners were the wounded warriors and the organizations that work every day to help them rebuild their lives.

I want to again congratulate the Democratic team members and thank everybody for their involvement. It was a wonderful day.

Mr. BACA. Thank you very much. With that, it says Speaker's Trophy.

I yield back the balance of my time.

AMENDMENT NO. 2 OFFERED BY **MR. SHERMAN**

The Acting **CHAIR**. Without objection, 2-minute voting will continue.

There was no objection.

The Acting **CHAIR**. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (**Mr. SHERMAN**) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting **CHAIR**. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting **CHAIR**. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 163, not voting 21, as follows:

[Roll No. 415]

AYES—248

Adams	Becerra	Buerkle
Akin	Benishak	Burgess
Amash	Berg	Burton (IN)
Andrews	Bilirakis	Camp
Austria	Bishop (GA)	Campbell
Baca	Bishop (NY)	Capuano
Bachus	Bishop (UT)	Carnahan
Baldwin	Boswell	Cassidy
Bartlett	Braley (IA)	Chabot
Barton (TX)	Brooks	Chaffetz
Bass (CA)	Buchanan	Chu
Bass (NH)	Bucshon	Cicilline

Clarke (MI)	Hirono	Pompeo
Clarke (NY)	Holt	Posey
Clay	Honda	Price (GA)
Coble	Huelskamp	Quayle
Coffman (CO)	Huizenga (MI)	Quigley
Cohen	Hurt	Rangel
Cole	Inslee	Reichert
Connolly (VA)	Issa	Renacci
Conyers	Jackson (IL)	Ribble
Costello	Jackson Lee	Richardson
Crenshaw	(TX)	Rigell
Culberson	Jenkins	Roe (TN)
Cummings	Johnson (IL)	Rohrabacher
Davis (IL)	Johnson (OH)	Rooney
Davis (KY)	Jones	Ross (FL)
DeFazio	Jordan	Roybal-Allard
Denham	Kaptur	Royce
Dent	Keating	Rush
Doggett	Kildee	Ryan (OH)
Dold	Kind	Ryan (WI)
Doyle	Kingston	Sanchez, Linda
Duffy	Kline	T.
Duncan (SC)	Kucinich	Sanchez, Loretta
Duncan (TN)	Labrador	Sarbanes
Edwards	Landry	Scalise
Ellison	Langevin	Schakowsky
Emerson	Larsen (WA)	Schmidt
Farenthold	Larson (CT)	Schweikert
Farr	Latham	Scott (SC)
Fattah	Lewis (GA)	Scott (VA)
Filner	LoBiondo	Scott, Austin
Fincher	Loebback	Scott, David
Fitzpatrick	Lofgren, Zoe	Sensenbrenner
Flake	Lowe	Serrano
Fleischmann	Lujan	Sherman
Fleming	Lummis	Smith (NJ)
Flores	Lynch	Smith (WA)
Forbes	Mack	Southerland
Fox	Maloney	Stark
Frank (MA)	Manzullo	Stearns
Frank (AZ)	Markey	Stutzman
Fudge	McClintock	Sutton
Gallegly	McCollum	Tierney
Garamendi	McDermott	Tipton
Garrett	McGovern	Tonko
Gerlach	McIntyre	Towns
Gibbs	McNerney	Turner
Gibson	Michaud	Upton
Gingrey (GA)	Miller (FL)	Velázquez
Gohmert	Miller (MI)	Visclosky
Goodlatte	Miller (NC)	Walberg
Gosar	Miller, Gary	Walden
Gowdy	Miller, George	Walsh (IL)
Graves (GA)	Moore	Waters
Green, Gene	Mulvaney	Watt
Griffith (VA)	Myrick	Waxman
Grijalva	Nadler	Webster
Grijaiva	Napolitano	Welch
Guinta	Neal	West
Guthrie	Nugent	Olver
Gutierrez	Hall	Westmoreland
Hanabusa	Pallone	Wilson (SC)
Hanna	Pastor (AZ)	Wittman
Harris	Paulsen	Wolf
Hartzer	Payne	Woolsey
Hastings (FL)	Pearce	Wu
Heinrich	Peters	Yarmuth
Hensarling	Petri	Yoder
Herger	Pingree (ME)	Young (AK)
Herrera Beutler	Pitts	Young (FL)
Hinchey	Platts	Young (IN)
Hinojosa	Poe (TX)	

NOES—163

Ackerman	Cantor	DeLauro
Aderholt	Capito	DesJarlais
Alexander	Capps	Deutch
Altmire	Carney	Diaz-Balart
Barietta	Carson (IN)	Dicks
Barrow	Carter	Donnelly (IN)
Berkley	Castor (FL)	Dreier
Berman	Chandler	Ellmers
Biggert	Cleaver	Fortenberry
Bilbray	Clyburn	Frelinghuysen
Black	Conaway	Gardner
Blackburn	Cooper	Gonzalez
Blumenauer	Costa	Granger
Bonner	Courtney	Graves (MO)
Bono Mack	Cravaack	Green, Al
Boren	Crawford	Griffin (AR)
Boustany	Critz	Grimm
Brady (PA)	Crowley	Harper
Brown (FL)	Cuellar	Hastings (WA)
Calvert	Davis (CA)	Hayworth
Canseco	DeGette	Heck

Himes	McCaul	Rogers (AL)
Hochul	McCotter	Rogers (KY)
Holden	McHenry	Rogers (MI)
Hoyer	McKeon	Ros-Lehtinen
Hultgren	McKinley	Roskam
Hunter	McMorris	Ross (AR)
Israel	Rodgers	Rothman (NJ)
Johnson (GA)	Meehan	Runyan
Johnson, E. B.	Meeks	Ruppersberger
Johnson, Sam	Mica	Schiff
Kelly	Moran	Schilling
King (IA)	Murphy (CT)	Schock
King (NY)	Murphy (PA)	Schrader
Kinziger (IL)	Neugebauer	Schwartz
Kissell	Noem	Sessions
Lamborn	Nunes	Sewell
Lance	Nunnelee	Shuler
Lankford	Olson	Shuster
LaTourette	Owens	Simpson
Latta	Palazzo	Sires
Levin	Pascrell	Smith (NE)
Lewis (CA)	Pelosi	Smith (TX)
Lipinski	Pence	Sullivan
Long	Perlmutter	Terry
Lucas	Peterson	Thompson (CA)
Luetkemeyer	Polis	Thompson (MS)
Lungren, Daniel	Price (NC)	Thompson (PA)
E.	Rahall	Thornberry
Marchant	Reed	Tiberi
Marino	Rehberg	Van Hollen
Matheson	Reyes	Walz (MN)
Matsui	Richmond	Wilson (FL)
McCarthy (CA)	Rivera	Womack
McCarthy (NY)	Roby	Woodall

NOT VOTING—21

Bachmann	Giffords	Stivers
Brady (TX)	Higgins	Tsongas
Broun (GA)	Lee (CA)	Wasserman
Butterfield	Paul	Schultz
Cardoza	Rokita	Weiner
Dingell	Shimkus	Whitfield
Engel	Slaughter	
Eshoo	Speler	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting **CHAIR** (during the vote). There is 1 minute remaining in this vote.

□ 1907

Ms. MCCOLLUM changed her vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting **CHAIR**. The Clerk will read the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the “Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012”.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (**Mr. BASS** of New Hampshire) having assumed the chair, **Mr. WESTMORELAND**, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, reported the bill back to the House with sundry amendments adopted in the Committee

of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 288, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 288, the question is on retaining the title of the bill beginning on page 25, line 14 relating to the Department of Veterans Affairs.

The question is, Shall that title be retained?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. FOXX. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 409, noes 1, not voting 22, as follows:

[Roll No. 416]

AYES—409

Ackerman	Carney	Ellison
Adams	Carson (IN)	Elmiers
Aderholt	Carter	Emerson
Akin	Cassidy	Farenthold
Alexander	Castor (FL)	Farr
Altmire	Chabot	Fattah
Amash	Chaffetz	Filner
Andrews	Chandler	Fincher
Austria	Chu	Fitzpatrick
Baca	Cielline	Flake
Bachus	Clarke (MI)	Fleischmann
Baldwin	Clarke (NY)	Fleming
Barletta	Clay	Flores
Barrow	Cleaver	Forbes
Bartlett	Clyburn	Fortenberry
Barton (TX)	Coble	Foxx
Bass (CA)	Coffman (CO)	Frank (MA)
Bass (NH)	Cohen	Franks (AZ)
Becerra	Cole	Frelinghuysen
Benishkek	Conaway	Fudge
Berg	Connolly (VA)	Galleghy
Berkley	Conyers	Garamendi
Berman	Cooper	Gardner
Biggert	Costa	Garrett
Bilbray	Costello	Gerlach
Bilirakis	Courtney	Gibbs
Bishop (GA)	Cravaack	Gibson
Bishop (NY)	Crawford	Gingrey (GA)
Bishop (UT)	Crenshaw	Gohmert
Black	Critz	Gonzalez
Blackburn	Crowley	Goodlatte
Blumenauer	Cuellar	Gosar
Bonner	Culberson	Gowdy
Bono Mack	Cummings	Granger
Boren	Davis (CA)	Graves (GA)
Boswell	Davis (IL)	Graves (MO)
Boustany	Davis (KY)	Green, Al
Brady (PA)	DeFazio	Green, Gene
Braley (IA)	DeGette	Griffin (AR)
Brooks	DeLauro	Grijalva
Brown (FL)	Denham	Grimm
Buchanan	Dent	Guinta
Bucshon	DesJarlais	Guthrie
Buerkle	Deutch	Gutierrez
Burgess	Diaz-Balart	Hall
Burton (IN)	Dicks	Hanabusa
Calvert	Doggett	Hanna
Camp	Dold	Harper
Campbell	Donnelly (IN)	Harris
Canseco	Doyle	Hartzer
Cantor	Dreier	Hastings (FL)
Capito	Duffy	Hastings (WA)
Capps	Duncan (SC)	Hayworth
Capuano	Duncan (TN)	Heck
Carnahan	Edwards	Heinrich

Hensarling	McGovern
Herrera Beutler	McHenry
Himes	McIntyre
Hinchey	McKeon
Hinojosa	McKinley
Hirono	McMorris
Hochul	Rodgers
Holden	McNerney
Holt	Meehan
Honda	Meeks
Hoyer	Mica
Huelskamp	Michaud
Huizenga (MI)	Miller (FL)
Hultgren	Miller (MI)
Hunter	Miller (NC)
Hurt	Miller, Gary
Inslee	Miller, George
Israel	Moore
Issa	Moran
Jackson (IL)	Mulvaney
Jackson Lee	Murphy (CT)
(TX)	Murphy (PA)
Jenkins	Myrick
Johnson (GA)	Nadler
Johnson (IL)	Napolitano
Johnson (OH)	Neal
Johnson, E. B.	Neugebauer
Johnson, Sam	Noem
Jones	Nugent
Jordan	Nunes
Kaptur	Nunnelee
Keating	Olson
Kelly	Olver
Kildee	Owens
Kind	Palazzo
King (IA)	Pallone
King (NY)	Pascarell
Kingston	Pastor (AZ)
Kinzinger (IL)	Paulsen
Kissell	Payne
Kline	Pearce
Kucinich	Pelosi
Labrador	Pence
Lamborn	Perlmutter
Lance	Peters
Landry	Peterson
Langevin	Petri
Lankford	Pingree (ME)
Larsen (WA)	Pitts
Larson (CT)	Platts
Latham	Poe (TX)
LaTourette	Polis
Latta	Pompeo
Levin	Posey
Lewis (CA)	Price (GA)
Lipinski	Price (NC)
LoBiondo	Quayle
Loeb sack	Quigley
Lofgren, Zoe	Rahall
Long	Rangel
Lowey	Reed
Lucas	Rehberg
Luetkemeyer	Reichert
Lujan	Renacci
Lummis	Reyes
Lungren, Daniel	Ribble
E.	Richardson
Lynch	Richmond
Mack	Rigell
Maloney	Rivera
Manzullo	Roby
Marchant	Roe (TN)
Marino	Rogers (AL)
Markey	Rogers (KY)
Matheson	Rogers (MI)
Matsui	Rohrabacher
McCarthy (CA)	Rooney
McCarthy (NY)	Ros-Lehtinen
McCaul	Roskam
McClintock	Ross (AR)
McCollum	Ross (FL)
McCotter	Rothman (NJ)
McDermott	Roybal-Allard

NOES—1

Griffith (VA)

NOT VOTING—22

Bachmann	Engel	Lewis (GA)
Brady (TX)	Eshoo	Paul
Broun (GA)	Giffords	Rokita
Butterfield	Herger	Shimkus
Cardoza	Higgins	
Dingell	Lee (CA)	

Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Slaughter
Speier
Stivers

Tsongas
Wasserman
Schultz

Weiner

□ 1926

So the question was decided in the affirmative, and title II of the bill was retained.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. LEE. Mr. Speaker, I was unable to cast my votes this evening. Had I been present to cast my votes, I would have voted "yes" on the amendment offered by Mr. LATOURETTE and "yes" on the amendment offered by Mr. SHERMAN. I would have voted "no" on the amendment offered by Mr. AMASH, and finally I would have voted "yes" on retaining title II, the Department of Veterans Affairs.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained on official business and missed rollcall vote Nos. 413, 414, 415 and 416. Had I been present, I would have voted "aye" on rollcall vote No. 413, "nay" on rollcall No. 414, "aye" on rollcall vote No. 415 and "aye" on rollcall vote No. 416.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 2055 is postponed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. BUCSHON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor to H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2112, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 112-103) on the resolution (H. Res. 300) providing for consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. COFFMAN of Colorado. Mr. Speaker, I ask unanimous consent to have my name removed from H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

POLITICAL IED IN IRAQ

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, having just returned from Iraq with other Members to see our military, we further met with Prime Minister Maliki. We discussed the killing of the 35 freedom-seeking Iranian dissidents at Camp Ashraf by Iraqi authorities. The United States has turned over the protection of these people who oppose Iranian dictator Ahmadinejad to Iraq. The Prime Minister's candid position was that the dissidents were responsible for their own deaths and the Iraqi Government was not to be blamed for their recent demise.

Upon requesting that we wished to visit the camp to hear from the people who actually saw what happened, you would have thought a political IED had gone off. The Prime Minister curtly rejected that request. In an effort to fairly get at the truth, the statements from the ones actually present at the homicides was important. It is disturbing that the Prime Minister refused us access to the Iranian dissidents he promised the United States he would protect.

What does the Iraqi Government have to hide? Maybe the truth. Meanwhile, 35 innocent people are dead and hundreds of others are wounded by this new "free" democracy in Iraq.

And that's just the way it is.

CONGRATULATING DALLAS MAVERICKS ON WINNING 2011 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the Dallas Mavericks on winning the 2011 National Basketball Association Championship. This is the organization's first NBA world championship title, and I congratulate the team owner, Mark Cuban, Coach Rick Carlisle, his staff, and the entire Mavericks organization on this great accomplishment. I also congratulate the team's captain, Dirk Nowitzki, on being named the recipient of the NBA Finals Most Valuable Player Award, so much deserved.

The Mavericks also display a strong commitment to the Dallas community through its foundation. The Dallas Mavericks Foundation is dedicated to inspiring and motivating our youth to take their education seriously and to strive for healthy bodies and minds.

Mr. Speaker, I urge my colleagues to join me in congratulating each member of the 2011 NBA Championship Dallas

Mavericks for their very many victories, but their very first championship, the champions of our community.

□ 1930

CREATING JOBS IN AMERICA

The SPEAKER pro tempore (Mr. FLORES). Under the Speaker's announced policy of January 5, 2011, the gentleman from Arkansas (Mr. GRIFFIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. GRIFFIN of Arkansas. Mr. Speaker, I would like to yield to some of my friends here. We are going to spend some time talking tonight about the difficulty this country is having in terms of unemployment and job creation. We have got a big challenge ahead of us, and the Republicans here in the House have a lot of good ideas about how we can get this economy going, how we can take the regulatory burden off of small businesses, how we can reform the Tax Code for individuals and for businesses so we can be competitive.

I would like to yield to my friend from Illinois, ADAM KINZINGER.

Mr. KINZINGER of Illinois. I thank the gentleman from Arkansas for yielding.

Mr. Speaker, we are facing some pretty tough times in our country. I remember the days when we had very low unemployment, and if you wanted a job you had multiple offers when you got out of college, and everybody needed you and the economy was thriving. And now we are creeping back up in the unemployment.

I remember when we passed an \$800 billion spending package out of the House of Representatives—\$800 billion—and we were told that if we pass this spending package, unemployment will not exceed 8 percent, and we approached 10 percent. Thankfully, unemployment began to go down, but now it is stalled out, and it is beginning to go up again.

What we have is this idea of we need to spend, we need to borrow, and we need to tax our way to prosperity. And what does that do? Well, I will tell you what it does. It raises our taxes, and it just piles burdens on our children and grandchildren—and us. Yes, we all care about our children and grandchildren, but even this generation now is swimming in debt.

Think about this: If you combine the cost of the war in Iraq and the cost of the war in Afghanistan, you combine them this year, do you realize that is less expensive than what we are paying just in interest on our national debt? Just in interest. And that is going to continue to grow. As we add more and more debt, that interest is going to continue to get bigger and bigger. And do you know what? We have another year of deficits, so the interest is big-

ger, and we have another year, so the interest is bigger.

Meanwhile, the job creators, the people who really get this economy rolling, the people who we are going to rely on to take individuals who are unemployed and take them from recipients of tax dollars—where they don't want to be—to taxpayers, the small business owners and these factory owners that we want to get manufacturing back, they are the ones that have to say, look, I have to invest for 10 and 15 and 20 years in the future, and all I see is a future of debt, doubt, and despair.

I think my colleagues will agree with me when I say that we live in the greatest country in the world, and I think they will agree with me when I say there is absolutely no reason, there is no reason that Americans should begin to accept the fact that we are in decline.

America doesn't have to be a nation in decline. America is a world leader, and we can retain our position as the world leader, but it is not going to be through what is done in government. It is not going to be by passing more regulations. It is not going to be by passing more taxation. It is not going to be by more and more rules and redtape. No. It is going to be done by restoring that entrepreneurial spirit that made our country so great in the first place.

I remember as a kid watching cowboy movies and seeing the old West and how America built the country that we have today, and learning about the Industrial Revolution and learning about those folks that worked long hours to make what we have, and being very proud of what I saw, every moment. But we began to accept that is no longer in our DNA. Ladies and gentleman, that is not true. That is in our DNA. That is who we are.

We can recover from this massive debt we are seeing, and we can do it easily. Well, we have got to cut spending, but we have got to get people back to work.

My home State of Illinois, the President's home State of Illinois, is a shining example of what not to do to create jobs. In Illinois, we just increased the individual tax rate. Well, that was probably not overly brilliant, because now people are leaving Illinois at an even faster rate than they were prior.

But then we did something especially crazy—we increased the corporate tax rate in Illinois. So now you have our neighbors in Indiana that are really having a field day with businesses coming over to them. You have our friends in Texas and in the South, like my friend from Arkansas, that are begging folks to come over and bring their businesses from Illinois. In fact, The Wall Street Journal just came out with an article that said while Illinois has raised \$300 million in receipts from this tax increase, they have given away \$240 million just to keep businesses there

that were leaving because of the tax increase. Then we even contemplate in these halls increasing taxes on job creators again.

Debt, doubt, and despair and big bloated bureaucracy is in our future right now. It doesn't need to be. Our future is the future of the America that when you remember your parents and grandparents working hard, that is what we are going to be again.

The situation we are in is not fun. The situation we are in right now is very difficult. It is going to take a lot of hard work. It is going to take tough proposals. We put forward a budget plan to begin to get us out of the deficit and balance the budget. But you know what we got from the other side of the aisle, as my colleagues can attest to, is just demonization. No, not an alternative that we can take our budget and their budget and try to come up and meet in the middle somewhere, which the American people want. They want both sides to talk and come to a conclusion. But we didn't get that. We got television commercials. We got attempts to frighten senior citizens. We got politics as usual.

I don't think it is any doubt if you are watching, I am a young guy. I can tell you that the generation today believes in an America that I believe in. We see people go overseas all the time to Iraq and Afghanistan and defend freedom and stand for what they believe in. And do you know what? Some of these people going overseas today were 8 years old when 9/11 happened, but they know what we represent.

I will not accept second place. My colleagues on the Republican side of the aisle will not accept an America in decline, because we will maintain our position as the greatest country in the world. But, ladies and gentlemen, to do that, we have got to make tough decisions. It can't be about the next election anymore. It has got to be about the next generation. It can't be about 2012. It has got to be somewhat about 2011—right now.

So I thank the gentleman from Arkansas for organizing this opportunity to just talk to the American people and say, look, we want to get people back to work, but you can't spend, you can't tax, and you can't borrow your way to prosperity. Never accept second best. We will continue to maintain our role as the greatest country in the world, and I kind of like being in that position.

Mr. GRIFFIN of Arkansas. I thank the gentleman.

I hear a lot of folks who talk about the problem that we have economically, the debt problem, all of the many things that we have been trying to address here in the House, and I hear them say, well, if we can just get to where we need to be after the next Presidential election, after the next President, whoever that President is,

after that President is sworn in in January of 2013, if we can just get to that point in time, then we can really address the problems.

□ 1940

That scares me because I don't think we can wait anywhere near that long. In fact, I think we are already living on borrowed time in terms of the crisis that this country is facing. We know for a fact President Clinton appointed a Medicare commission over a decade ago, a bipartisan Medicare commission.

Why did he do that? He did it because we had a problem then. We had a problem then in 1998, and we still have that problem now. We have a problem with the insolvency of Medicare. We have a problem with rising health care costs. We have a problem with our debt and the deficits that we run year after year after year. We have a problem with too much regulation—too much government regulation—which stifles job creation. We have a problem with our Tax Code. If you're talking about our business Tax Code and business taxes, we have a problem there. Why? Because it's hard to compete with other countries when you've got the highest corporate tax rate in the world.

It's not about whether you like big business or small business. It's about job creators. And our Tax Code discourages job creation. If you're talking about individual income tax, we've got a problem there, too. We've got one of the most complicated Tax Codes.

So what have we done about it here in the House? Well, on all of these counts we have acted. We have acted. And we've been passing legislation that addresses the jobs issue, our spending issue, Medicare, the Tax Code, over-regulation. This is what we've been doing day in and day out since we got here.

And I would like to yield to some of my friends. Before I do, I would just like to say this: we're the only one with a plan. Where's the Senate's plan? Where's the President's plan?

So as we discuss here tonight, I just ask us all to think about where is the other plan that we can compare ours to. There's not one. In fact, a former Democratic National Committee chair who's running for Senate now in Virginia, Tim Kaine, said today, It's a pretty bad deal when the Senate hasn't even passed a budget. The U.S. Senate doesn't have a plan. The President doesn't have a plan. This House has a plan. And we're working hard every day to execute it and implement it.

I would like to yield now to the gentlelady from Washington.

Ms. HERRERA BEUTLER. Thank you. I appreciate my friend's work here on the floor.

I just came back from a week in my home district in southwest Washington. It's a tremendous place. It's where I grew up. Some of my fondest

memories are in and around southwest Washington, whether it was lakes or rivers or streams or working my first job at the Vancouver Mall. It's not even called the Vancouver Mall anymore. I had a lot of opportunities—a lot of opportunities that I am very worried the next generation of Washingtonians are not going to have. And let me tell you why. Our unemployment has been over double digits going on 3 years now.

Let me read this to you because this is important. These aren't just empty numbers. These represent families and lives: Clark County, 10.2 percent; Cowlitz County, 11.9 percent; Lewis County, 13.2 percent; Pacific County, 12.5 percent; Wahkiakum, 11.8 percent; Skamania, 12.9 percent; and Thurston County is at 8 percent.

Let me compare those numbers quickly. I'm not happy about 8 percent. I'm not happy about 13 percent. But there's a slight difference in the reason that the Thurston County numbers are lower than the other counties, and that's because that's where the State government is housed.

So there are more government jobs, more public sector jobs in that area. But the rest of the district and even in Thurston County is based on small businesses. These are the hearts and souls of our economy. Small business owners, entrepreneurs, mom-and-pop shops.

I got to tour Somarakis Vacuum Pumps. He is an engineer that started a small little company. Built it up. He's passing it on to his son. He's now expanded into two counties. He has a vision to grow and hire people. In fact, he has been able to stay afloat these last few years because a lot of the trade that he's done, he deals with other corporations and other countries across the world, which is one of the reasons he's been able to remain competitive.

You know what he told me this last week when I was home and I was touring his new facility? He said, JAIME—I wish I could give you his Greek accent, but I can't—he said, JAIME, I'm a proud American. I built this company because I believe in the entrepreneurial spirit of America. I believe in this country. But you in Washington, D.C.—and he's speaking to the governing class here—are making it harder for me to function. You're making it harder for me to survive: the unpredictability, the high taxes, the new energy proposals, some of which the President has supported.

He said, JAIME, if that cap-and-trade bill went into effect or if you increase my energy taxes through the EPA, I will be out of business. I will not be able to hire the next generation of engineers and pass this company on.

And other small businesses around our whole region and around our Nation are saying the same thing: can

you give us some predictability, quit raising our taxes, get the EPA off our backs. We all want to protect our way of life, but what's happening right now is small business owners, the job creators, are being squeezed. And why?

I was reflecting on, it's true, neither the Senate nor the President has put forward a really strong governing jobs agenda this year. When we got to meet with the President a couple of weeks ago, he pointed to some of the bills that they passed last year, and some of the plans. If I reflect on the \$700 billion-plus bailout or the \$800 billion stimulus or the health care bill that was over a trillion dollars, one would think if we spent that kind of money, we would have the jobs to show for it.

But where are the jobs? I just read you the unemployment numbers for southwest Washington State. They have actually not gone up in tremendous rise. So, clearly, borrowing and spending more has, at the very least, a negligible effect. We can do better. We have to do better. The way we do that—stop bailing out big corporations, banks, auto dealers. Right? Stop spending more money.

Fast fact: I had some job creators in my office a couple of weeks ago, and they were asking for more investment. And I asked them about the stimulus—the \$800 billion stimulus bill that the President and the Democrats here voted on and passed last year—how much that had actually stimulated job creation. You know what they told me? Less than 3 percent of that number actually went to build roads. Remember the shovel-ready hurrah that was talked about? We're passing this because we're going to build infrastructure. I'm one of those who believes infrastructure is important. Less than 3.5 percent was actually used to build roads.

Where is the rest of that money? My goodness, we borrowed almost half of that. We're going to pass the interest and the debt on to the next generation, and yet we didn't even use it on what we said we were going to use it on. That tells me that we're spending too much, we're borrowing too much. It's time to cut back.

Every family in southwest Washington and across this Nation has cut their own budget back in recent years. Every small business owner, job creators, they will tell you—I have several in my area who haven't even taken a paycheck in several years in order that they not lay anyone else off. And they're looking at us, saying, Why can't you live within your means? Well, guess what? We're going to. Not only are we going to make sensible cuts and reductions, we're also going to stimulate job growth.

Energy was one of the things I mentioned. In the last couple of months we have passed off this House floor several bills that allow us to drill for energy

here in America, using American entrepreneurialism, American innovation, and creating American jobs. I call on our Senate to pass those bills and the President to sign them into law. They're saying thousands and thousands of jobs could be created here in America if we simply take advantage of the resources in our backyards. That will do several things. It will drive down the cost of gas, which is going to hit every family and every small business here in the next several months. That's one immediate step we can take, in addition to cutting back overspending. That's a jobs production bill.

□ 1950

We could also make sure that we allow for some predictability. With these Federal regulations that are coming out, small business owners call me regularly, and say, Good grief. I just barely get one rule under order, and you're sending me five new ones. I can't keep up.

Here is the difference. Small businesses, small business owners, they can't just hire someone who is not being productive and just dedicate that person's time to going through Federal regulations. Maybe a big corporation could, one which can retain lots of lobbyists or lawyers; but at the True Value Hardware on Main Street in Ridgefield, both the owners actually work the store, so they can't just waste money to jump through government regulations and government hoops. It has got to stop.

Last year, the EPA released 900 new regulations—900. Do you know what the EPA acting director for the water department told us on the Transportation Committee just 2 or 3 months ago? She basically said she didn't have to take into account any of those regulations and their impact on our economy. That wasn't her concern. I'm sorry. Since when does the government put forward regulations and rules and then say, "We don't have any concern for what that's going to do to the economy"? That's why we're in the mess we're in now.

We can change it. We can take some steps to bring oversight to these regulatory agencies. Man, they're just going crazy. We're going to work to streamline those, and we're going to do it now because House Republicans believe and understand that job creators and job growth occur in the private sector when individuals and entrepreneurs have the freedom to grow and to develop, not when they're hampered, not when their wrists are tied, not when they're told, You have to jump through these hoops just to sell your product or just to hire someone. It has got to stop, which is why we're putting forward and why House Republicans are proud to put forward bills that are either going to pull back some of these regulations or streamline them, reform

them or allow for more American job growth here in the United States.

So I appreciate that, and I look forward to hearing what my other colleagues have to say about this pro-growth agenda.

Mr. GRIFFIN of Arkansas. Thank you.

Before I yield to my colleagues, I would like to just go through the plan that the House Republicans have put together that certainly includes addressing the debt, that certainly includes addressing our spending. It's a plan that we believe will help get us on the right fiscal path and help this country—the private sector—create jobs. There is much, much more to what we're trying to do here in the House to encourage private sector job creation, and I'd like to run through some of those.

As I indicated, certainly we need to deal with the debt. That's why we talk about reforming Medicare and saving Medicare for those on it and saving it for the next generation. We talk about that a lot because that directly relates to our debt, and we have to get our debt under control if we're going to have the type of job growth that we are accustomed to in this country: job growth based on technological advancement and innovation. So dealing with the debt is a critical component of encouraging private sector job creation.

Yet there are other parts to our plan, which include increasing energy development, maximizing energy production. We have passed numerous bills here in the House that will encourage drilling in the gulf and that will encourage drilling offshore so that we can create more jobs in energy production and become energy independent. It's not just a jobs issue. It's a national security issue.

There is also the issue of the Tax Code that I referred to earlier. We can't be competitive in this country if we don't reform the way we tax individuals and the way we tax businesses. Ultimately, when businesses decide to land somewhere, they look and they ask, Is that where I want to do business? Unfortunately, we have created an environment in this country that runs business off. We want businesses to look around the world and say, The United States is where I want to create jobs. That's the only place for me. In order to do that, we've got to make sure that we have rules in place that encourage private sector job creation.

I'd now like to yield to my colleague from Colorado.

Mr. GARDNER. I thank the gentleman from Arkansas for organizing tonight's conversation with the American people about what our plan for job creation is all about and how we're going to, once again, restore the greatness of this country by getting America back to work, by creating an economy for job creators.

The gentlelady from Washington reminded me of my visits throughout my district this past week in eastern Colorado and northern Colorado, Colorado's Fourth Congressional District. It's around 6 o'clock back home, and there are probably a lot of people who are just now coming home from work or who are about to get off work. They're worried about how they're going to continue to pay for their daughter's education, how they're going to make ends meet, what they're going to do to afford that car payment.

I and every single person here tonight will assure them that we have a plan for jobs, that we have voted on our plan for jobs and that we will continue to pursue policies to create jobs in this country, not because they're created by government but because we get government out of the way and allow the private sector to flourish.

This last week in Colorado, I met with a number of businesses. I toured a number of businesses in northern and eastern Colorado, and I had the opportunity to talk to the leadership of those companies and to the people who work on the lines in the factories. I was struck by one statement, one statement by an individual who said, It's time that we let loose the innovators and the entrepreneurs in America.

What are we doing to let loose the innovators and the entrepreneurs in this great country?

I know what the Republicans have been doing to make sure that we're reducing regulations, to make sure that we have an energy policy that, instead of strangling the American working family, helps the American working family and that opens up our resources. We can do so in an environmentally responsible manner. We have done it, and we will continue to do it. We will continue to pursue tax policies that are fair and that don't chase businesses overseas but that allow those jobs to be created right here.

Another business owner in my State gave me a call last year, and said, You know what? My number one competitor just moved to Ireland, and I'm left with a choice. I can either stay headquartered here in Colorado and pay 30 percent more in taxes than they do or I can go overseas and find another place to do business and take those jobs with me.

That's not the kind of choice that we ought to be presenting in this country to the men and women who create business in the United States. Instead of deciding where to go, the question they ought to be asking is, How much can we grow right here in the U.S.? Along these lines, of the factories that I toured and of the manufacturing plants that I toured, I spoke with one employee who came up to me and said, I'm just glad this business is located in Colorado. I'm glad they chose Colorado.

It wasn't that long ago that I was a State legislator. I remember one of the debates that we were dealing with was a particular regulation that many small businesses were struggling with. They were trying to figure out whether or not they could survive under that regulation. While the debate in the Colorado State Legislature was taking place on whether or not this regulation was good for job creation or not, there was an advertisement on one of the State's largest radio stations from our neighbor to the north, the great State of Wyoming. Their Chamber of Commerce and one of their municipalities said, Come to Wyoming, a business friendly place. They said that because Colorado was forcing a regulation on its business owners that was going to put the men and women of our State out of business. They saw an opportunity. They said, Come to us. We'll take your jobs. We'll take your businesses. You can do it right here, and you'll be better for it.

That's not the kind of policy I want for Colorado, and that's not the kind of policy I want for the United States. The policy of this country should be this:

We will make sure our government gets out of your way to let you do what you do best—run your businesses, your families and your lives. We're not going to foster policies that force you to make a decision to go overseas because of an arbitrary decision in our Tax Code or a regulatory scheme that says, Don't do business here because we're going to make it too tough on you to do business.

Our plan for jobs in the 112th Congress is clear. Unfortunately, on the other side of the aisle, my colleagues on the Democratic side seem to have labeled their 112th Congress mission the "kick the can down the road" tour.

□ 2000

It is the kick the can down the road tour because they're not going to present solutions for Medicare. They're not going to present solutions to solve our energy crisis. They're not going to present solutions to solve our debt and deficit, but no, they're going to pass it on to the next generation. They're going to kick the can down the road and say, You know what? If you're 50 or 55, we're going to go ahead and put the burden all on you, all on you.

That is not a solution for this country. That is debt, doubt, and despair, as my colleague from Illinois just a few minutes ago so eloquently stated. Debt, doubt, and despair. I haven't heard a campaign theme of debt, doubt, and despair, but that is certainly what they are running on.

We can do better, and I'm glad to be part of the 112th Congress and the Republican majority that has said we will create jobs in this country, we will get back to economic opportunity, and we

will start by taking care of future generations, and that work begins today.

I thank the gentleman from Arkansas for his time.

Mr. GRIFFIN of Arkansas. Thank you to the gentleman from Colorado.

I now yield to the gentlelady from Alabama.

Mrs. ROBY. I appreciate my colleague from Arkansas for giving us time tonight to talk about this most important issue, which is jobs.

It is the number one issue here, and what I see and we've all testified to tonight is that, as we travel throughout our districts, the number one thing that we hear from business owners all throughout the United States is the heavy hand of government has created so much uncertainty that the private sector, even those who have the ability to create jobs, are not doing so because they're fearful. They don't know what the Federal Government is going to do to them next, and this is so evident by the recent unemployment numbers that have come out.

Since the first day that this administration took office through the end of April of this year, the economy has lost 2.5 million jobs. That is an average of 3,044 jobs every single day. And unfortunately, and just to talk about the gentlelady from Washington's unemployment numbers, those numbers aren't even necessarily correct, because the rate is so much higher because so many job seekers are giving up and they are leaving the labor force.

I traveled, like you all did, throughout my district this week, and I found myself at Rand Manufacturing, and they manufacture water heaters. It's a household name. They have over 1,000 jobs in the city of Montgomery, and they brought me into a room that was used for research and development for their company, but it was an addition, a \$1 million addition to their headquarters which is already over 700,000 square feet, but \$1 million that they had to invest due to regulation alone. This is not a research and development facility to further their products. This is to keep up with the government regulations that they have to comply with.

How in the world can we expect the private sector to invest in job creation when every dime they have is going toward complying with government regulation? Companies in the United States of America are hitting the brakes on hiring and production. And to go back to the U.S. factory sector, the engine of our recovery, it had its biggest 1-month slowdown since 1984, and they showed private sector hiring dropped drastically.

You know, I'm a mom. I have two children, Margaret and George, who you hear me talk about often, and a lot of Members have their children up here this week with them. And as I look around the floor and I see these young

people, I think: This is why we're here. And as was so eloquently said, it has to be about the future generation and not the next election. And when I look into my children's eyes, I am reminded about how important it is that we do all we can, which is what we are. We're leading. We're doing all we can to lift this heavy hand of government. And when I go to the grocery store and when I'm at the gas pump, we see it. We feel it. We know exactly what is going on.

In January of 2011, President Obama said entrepreneurs embody the promise of America, the idea that if you have a good idea and you are willing to work hard and see it through, you can succeed in this country, and in pursuing this promise, entrepreneurs also play a critical role in expanding our economy and creating jobs. That was President Obama in January of 2011. The Obama administration has done nothing to encourage businesses to create jobs. They have been obstructionists, causing uncertainty, this growing uncertainty with this overreaching regulation. Economic growth has been stifled.

House Republicans have taken steps to reduce spending in a meaningful way by approving all the legislation that the gentleman from Arkansas talked about to decrease spending for the rest of the year, and we adopted a budget that will cut nearly \$6 trillion over the course of the next 10 years.

Our friends on the other side of the aisle have done nothing to demonstrate their commitment to private job growth in this country. Increased spending, misguided attacks on the budget that we passed, raising the debt without deficit reduction, and burdensome regulations—this is the plan being offered by the other side of the aisle, and this is not what the American people sent us here to Washington to do for that future generation.

I ask the President and my Democrat colleagues to let us make sure that entrepreneurs continue to embody the promise of America. Enough is enough. More taxation, regulation, and litigation will not create more jobs in this country.

America is certainly at a crossroads. We have an opportunity here, and House Republicans are committed to taking every possible step to spur job creation and get our economy back on track so that Americans can do what they do best, that is, create and innovate and lead.

I again thank the gentleman from Arkansas.

Mr. GRIFFIN of Arkansas. Thank you to the gentlelady from Alabama.

You know, when I think about where we are in this country in terms of unemployment and I think about what we can do to encourage job creation, it's clear to me that we can fix this problem. This is something that is possible.

Sometimes I feel like this administration's solution to the unemploy-

ment problem is to go around and beg the private sector to invest, to beg the private sector to create jobs. That doesn't work.

There's a reason that folks in the private sector who have money to invest are not investing. They're sitting on the sidelines. Why? Well, it's a lot like investing in your own family situation. You want to be careful with your money. You've got a certain amount of money to invest. You want to invest it in something that's safe. You want to invest it in something where there's certainty. You certainly don't want to take this money that you have, this limited amount of money, and just gamble it on something risky. You want to make sure that what you're putting your money into is going to pay dividends.

And so what you have is you have a lot of businesses in this country who have money to invest but they're uncertain. We've heard that word "uncertainty" tonight. Well, it is not just a buzzword. It's a fact. When businesses don't know what's going to happen, job creators, when they don't know what's going to happen, they hold on to that money and they say, Well, I better wait; I better wait until I know how things, with more certainty, how things are going to shake out.

There's certainly always going to be some sort of uncertainty. Are the crops going to get rain? Well, that's not something we have control over. But some types of certainty and uncertainty we do have a control over, and it directly relates to policy.

Mr. GARDNER. Will the gentleman yield?

Mr. GRIFFIN from Arkansas. I yield to the gentleman from Colorado.

□ 2010

Mr. GARDNER. A group of us had the opportunity today to discuss with one of the Nation's leading economists job creation and what's happening to our businesses around the country. And he made the observation, he said, You know, there are a lot of businesses—exactly what you had said—there are a lot of businesses out there that have money on their rolls, but they're not investing into our economy because of what he called and used the term "government activism," policies that relate to government activism. I said, What do you mean by government activism? I am assuming you are not talking about somebody going out from government with a picket sign. And he said, No, no, no. Government activism in terms of the policies that they are pursuing that result in uncertainty, whether it's a regulatory approach that is an activist approach that takes away the certainty business has for the tax structure, for business environment regulations. And the conversation you had was, If we could bring back certainty, if we could get this

country back to a point where businesses know what's ahead tomorrow, they know what's ahead next year, then they can plan, and they won't be afraid to invest that money. They'll start creating jobs now. That's one of the Nation's leading economists who said exactly what my colleague from Arkansas is saying tonight.

Mr. GRIFFIN of Arkansas. And I think the debt is directly related to the issue of certainty or uncertainty. If you are an investor and you want to build a new plant, create a new business, do something that would result in job creation, whether you are from outside this country or here in the United States, you are thinking about investing, you look at the nervousness in the market, you look at the debt that we have, you think about the housing collapse in September 2008, and you sort of think to yourself, You know, this debt makes me nervous. I'm not sure where this is going. And they look and say, Is the government of the United States, led by the President, are they going to get their fiscal house in order so that if I invest, it's a safe bet? So if I invest, I can be certain that I'm investing in a country where the government has got their act together? Or am I looking to invest in a country that's going to just continue to raise that debt ceiling, see no limit?

I actually was in the Judiciary Committee a couple of weeks ago, and one of my colleagues on the other side made the argument that we just haven't spent enough money. If we only would spend another trillion or so, we might have some economic activity. I couldn't believe what I was hearing. And I said to myself, How high does unemployment have to go? How high does the debt have to go before we realize that we've got to get the spending under control?

Ms. HERRERA BEUTLER. Will the gentleman yield?

Mr. GRIFFIN of Arkansas. I yield to the gentlelady from Washington.

Ms. HERRERA BEUTLER. I was thinking through your comments here. And the gentleman from Colorado was talking about the uncertainty in investment. Why would you invest when you saw someone just burning through cash? You know, there's another reason that people wouldn't invest, and I think of a company in my district, Longview Fibre.

In southwest Washington, we have tremendous resources in our timber, sawmills, Holden paper companies, just tremendous renewable resources. And one of those energy sources that people have seemed to research is the ability to, through biomass, create energy. This is a green source of energy.

Let's talk about what uncertainty can do to a business. So in the last couple of years, the EPA has signaled—and then pulled back and then signaled—that they're not going to count biomass as green. So a company takes

considerable time, energy, effort, and resources to put in play a biomass facility. And then the EPA steps in and says, Oh, time out, it doesn't matter how much money you have invested, it doesn't matter how much time and resources you have invested, we don't think that is going to count—and puts everything on hold.

Well, the EPA decided to stay its ruling for a little bit, meaning they're not really sure whether biomass is green or not. In an environment like that, what company would take the time and the energy and the resources to create a biomass facility? And for a moment there—let me explain. Biomass isn't chipping whole, new, old-growth trees—I guess that would be old trees. It's chips. It's the waste. It's the bark. It's actually fully using the resource of timber, right? It's properly managing that resource. But the EPA—actually, what I think it is is some bureaucrat in the central planning office somewhere here in Washington, D.C., has said, Ah, we don't understand that. We think you are going to cut all your trees down. We're just going to go ahead and tie your hands. It ties up resources, capital, and jobs.

Longview Fibre is in Cowlitz County. Cowlitz County is upwards in double-digit unemployment. These are good-paying, family wage jobs. This uncertainty is killing us. You know, another thing you mentioned—actually, I think it was the gentleman from Colorado who talked a little bit about business is not hiring and why.

I'm a member of the Small Business Committee. And through testimony, I think it was about 2 weeks ago, we had a whole panel on—it had to do with health information technology. But interestingly, the Gallup organization was represented there, and they do nightly surveys. On some of the questions that they had asked, it showed small businesses, that small business owners were not hiring to capacity. In fact, there was about 40 percent more they could hire. So existing businesses could hire up to 40 percent more people if they weren't doing it. So, naturally, we asked "Why?" in the answer. Shoot, they didn't have the certainty to know whether or not they were going to have any kind of cash flow, or if they could make payroll if they did it. You know what was on the top of that list up there? Health care. Health care costs.

Our small business owners continue to be targeted by government-run health care schemes. And that's what they are. Because if we want to talk health care, we can talk health care. We can talk compromise in health care because that's a passion of mine. But the schemes that were passed target, unfairly, these small businesses. Now some are getting waivers. Some are not getting waivers. Shoot, why in the world would you hire more employees if you didn't know whether you are

going to be targeted or not targeted? That's uncertainty, and it's got to stop.

It's time that we put people before politics. We think of the families who are at the pump, the moms who are trying to make ends meet, balance the checkbook, go get groceries, pick up the kids from school, make health care appointments. It's time we put them first, not agendas, not ideas. It's time we put people before politics, and that's exactly what we have been doing and that's what we are going to continue to fight for here on this House floor.

Mrs. ROBY. To add to that, again, the district work weeks, this new schedule that we have, which affords all of us more time with our constituents, which is so important for transparency and accountability to the people who elected us to be here, who we are making decisions for on their behalf, representing their interests. I can't tell you how many times in these meetings—just what you are saying—in preparation for full implementation of this health care law, we are seeing businesses sit around conference tables, throwing their hands up, having to spend lots and lots of dollars that could go toward creation of jobs. But they're spending all this money just trying to figure out how this law is going to affect them and their bottom line. And it is a huge travesty. And I'm sure that each of you have had similar situations. But we know that there are free-market solutions to driving down the cost of health care in this country, and that law does nothing to do that, to increase competition and to drive down cost. But yet what we do see every time we sit down at the table with these business owners is, we see how the costs associated with implementing the law is killing them.

So I just wanted to add that to the table. And on behalf of the folks in Alabama that I'm so grateful to have the opportunity to be here to represent, I can't say it strong enough and loud enough about the plan that we have here in the majority of the House to do all that we can to untie the hands of our business owners so that we can get this country back on track.

□ 2020

Mr. GRIFFIN of Arkansas. Thank you. You make some good points about health care. And one of the things that we have pursued here in the House is medical liability reform. And when we were meeting with the President at the White House, a little over a week ago, someone raised the issue of medical liability reform. He said, well, I'm for that. I'm for that.

It's one thing to say you're for it. It's another thing to advocate for this sort of legislation. We're going to send it over to the Senate from here in the House, and we need the President to get engaged on this issue.

Medical liability reform is one of many solutions, market-based solutions, that can help reduce the health care costs. And it's not enough for the President to say, well, I'm for that.

The President said in the State of the Union on the issue of business taxes, he understands that we're at a competitive disadvantage. He says he does. He says he would like to see us be more competitive with regard to business taxes. But no action, nothing, no leadership on the issue of business taxes.

If he wants to talk about competitiveness, let's talk about competitiveness. Let's talk about having a tax structure that welcomes job creators, not repels them.

If you want to talk about competitiveness, let's talk about trade agreements. On January 27 of 2010, President Obama said, "If America sits on the sidelines while other nations sign trade deals, we will lose the opportunity to create jobs on our shores."

Mr. President, opportunity lost. We've been waiting. We've got three free trade agreements just sitting on the shelf, one with Colombia, one with Panama and one with South Korea. And the estimates are that these trade agreements, if they were implemented, would increase U.S. exports by more than \$10 billion. I've got to think that \$10 billion in increased exports would equal some jobs. But no action from the President.

I yield to the gentleman from Colorado.

Mr. GARDNER. I thank the gentleman from Arkansas. And I too have heard the President talk about his desire to increase trade and the exports of this country. In fact, I believe I've heard the statistic quoted, something to the effect that if we could increase trade in this Nation by exports by 1 percent, we'd create tens of thousands of jobs.

We talk about what we're going to do to get this country moving forward again, how we're going to get this economy back, and there is a perfect example of what we can do, not only from my home State of Colorado, but for this country. The goods that we produce, to share them with the world, to make not just U.S. consumers, but world consumers of the excellence in manufacturing that this country used to be, can be, still ought to be and should be into the future.

And so again, I think you talk about the opportunities that we have missed. The other night we came to the floor, and there was a group talking about make it in America. Well, you know what we need to make it in America? We need a business environment that fosters job growth. We need a tax policy that doesn't penalize people for choosing to work in the United States.

To make it in America we need an energy policy that doesn't force people to pay \$60, \$70 every time they fill up a

tank of gas just to get to work. To make it in America we need regulations that are pro-business, not anti-business.

To make it in America we need a government that actually represents the American working families, not just bureaucracy. That's what we need to make it in America. And when it comes to trade agreements, I believe that we can and we ought to make it in America, and we can sell it abroad.

Mr. GRIFFIN of Arkansas. You make a good point. It's not just happenstance when a country has a good manufacturing base. You don't just happen to have job creation. It's a function of policies. It's a function of the policies that we adopt in the Congress, or that we don't adopt.

For example, we haven't reformed our business taxes in years. While other countries are making themselves more competitive, we're sitting on our hands. It's not happenstance.

I want to be so attractive in this country to job creators that manufacturers in other countries want to come here. I want manufacturers around the world to want to be in this country. And the manufacturers that we might have lost, I want them to say, hey, they've changed their tune. I'm going back home. I want businesses, job creators around the world to say, that's the country where I want to create jobs because it's the best place to do business.

And we, the policies that we adopt here, the regulations that the administration puts forth, it all has an impact. It's not happenstance. It's by design. So we need to make sure that we're doing the things here that encourage the private sector job growth.

Ms. HERRERA BEUTLER. And I couldn't agree more. I was just sitting here reflecting on the number of people who come up and talk to me in my district in southwest Washington about how hard it is to find work, how hard it is to find a good paying family-wage job.

I mentioned timber resources. In our neck of the woods we traditionally have had just a booming timber economy, resource-based economy; and a lot of those operations have either shut down or moved elsewhere to be more competitive.

We've got to allow job growth. I mean, it sounds simple. It really does. You know, the last time our country had the amount of spending that we see happening right now was actually in the lead up to World War II. And I've talked a lot about cutting and reducing government overspending and government growth. It needs to be done. In the last 3 years, the what we call discretionary spending, the money that has to be appropriated annually has increased by over 80 percent. Federal employment has increased by 10 percent in about that same time. So govern-

ment spending has grown. And people are saying that the way to—not “people”—my colleagues on the other side of the aisle and the President are saying that the reason we have stagnant job opportunities is because we haven't spent enough.

Well, I listed earlier the stimulus, the bailouts, the auto bailouts, the health care bill, all this spending that's taken place; and we're still where we are now. And people say, well, it happened during World War II; we spent a ton of money and then coming out of that we grew jobs. The difference, the big difference was coming out of World War II, the last time our debt to GDP ratio was near where it is now, the difference was, and the thing that saved us, was the immediate cuts. Right?

We cut government spending back, but we grew jobs. We literally made things here in America. You know why? We had an environment that fostered job creation. We had an environment that cultivated entrepreneurs. We grew jobs here in America because we made things here. We produced things.

Again, in southwest Washington we had a roaring timber industry that has all but shut down, and the sad thing is if you don't manage the health of a forest, it deteriorates. Some of these folks who are here in these bureaucratic offices in Washington, D.C. I swear have never stepped foot in a real forest. They think you just tie a big ribbon around it and don't let anybody in or out, and that's how we protect our environment. They're wrong. You see, they think that our environment and our economy are mutually exclusive.

Man, that is such a low opinion of American researchers. That really must say that we don't think we can, our citizens, our people are intelligent enough to come up with new and innovative ways to both manage our timber and our timber economy and protect our environment.

So what we have now is shut off stands of trees ripe for beetle infestation, disease or worse, fire as we enter the summer seasons with a lot of dry foliage and underbrush. You know, it sure would be great if the EPA would have allowed some of those companies I mentioned in my district to create their biomass facilities, because then we could create jobs because we'd have a biomass facility up and running. We would be taking the remnants of trees. We wouldn't be taking full trees, but chips and bark, and using those in the biomass facility so we are creating green energy. We're fully utilizing a renewable resource, and we're creating jobs.

My goodness. That's a novel concept. We need to get there.

□ 2030

Mr. GRIFFIN of Arkansas. I thank the gentlelady.

I yield to the gentleman from Colorado.

Mr. TIPTON. I thank the gentleman for yielding.

I just came back from our work week. I traveled better than 1,500 miles throughout Colorado. It was remarkable to me. At every one of our meetings, we found cities, counties, small businesspeople, talking about the opportunity to be able to get America back to work. But the problem, the obstacle that we are truly facing, it is not the American spirit but it is over-regulation coming out of Washington, D.C. Rather than being the stepping-stone, it has become a stumbling block, and we are going to be able to get this economy working and moving forward once again if we simply free up that American spirit.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. GRIFFIN of Arkansas. Thank you, Mr. Speaker.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. GARDNER. Mr. Speaker, I ask unanimous consent that my name be removed from H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that my name be removed from H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROKITA (at the request of Mr. CANTOR) for today and the balance of the week on account of medical reasons.

Mr. SHIMKUS (at the request of Mr. CANTOR) for today on account of family reasons.

Mr. WEINER (at the request of Mr. CAPUANO) for a period of two weeks on account of personal matters.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on May 26, 2011 she presented to the President of the United States, for his approval, the following bills.

H.R. 1893. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United

States Code, to extend the airport improvement program, and for other purposes.

H.R. 793. To designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Velloza Post Office".

Karen L. Haas, Clerk of the House also reports that on June 1, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 754. To authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ADJOURNMENT

Mr. TIPTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 14, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1882. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Theft Prevention Standard [Docket No.: NHTSA-2009-0069] (RIN: 2127-AK81) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1883. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Auditor's Review of the Operations and Administration of the Office of Public Education Facilities Modernization", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

1884. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Passenger Vessels, Sector Southeastern New England Captain of the Port Zone [Docket No.: USCG-2010-0864] (RIN: 1625-AA87) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1885. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones: Fireworks Displays in the Captain of the Port Columbia River Zone [Docket No.: USCG-2010-0997] (RIN: 1625-AA00) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1886. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones: Charleston Race Week, Charleston Harbor, Charleston, SC [Docket No.: USCG-2010-1152] (RIN: 1625-AA00) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1887. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30119; Amdt. No. 3422] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1888. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30780; Amdt. No. 3423] May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1889. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30775; Amdt. No. 3419] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1890. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30774; Amdt. No. 3418] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1891. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAL-1] (RIN: 2120-AA66) received May 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1892. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30778; Amdt. No. 493] received May 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1893. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Commercial Driver's License Testing and Commercial Learner's Permit Standards [Docket No.: FMCSA-2007-27659] (RIN: 2126-AB02) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1894. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning the extension of waiver authority for Turkmenistan, pursuant to Public Law 93-618, section 402(d)(1) and 409; (H. Doc. No. 112-34); to the Committee on Ways and Means and ordered to be printed.

1895. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2011-41] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1896. A letter from the Chief, Publications and Regulations, Internal Revenue Service,

transmitting the Service's final rule — Administrative Exemptions to the Specified Tax Return Preparer Electronic Filing Requirement Under Internal Revenue Code Sec. 6011(e)(3) and Regulations Under Sec. 6011(e)(3) [Notice 2011-26] May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1897. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — The Mailing of Individual Income Tax Returns By Specified Tax Return Preparers in Calendar Year 2011 [Notice 2011-27] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1898. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Industry Director's Directive #2—Employment Tax and the Employees on the U.S. Outer Continental Shelf [LB&I Control Number: LB&I-4-0211-005] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1899. A letter from the Acting Chair, Social Security Advisory Board, transmitting a report entitled "A Vision of the Future for the Social Security Administration"; to the Committee on Ways and Means.

1900. A letter from the Director, Office of Science and Technology, transmitting a letter regarding Section 1340 of the Department of Defense and Full-Year Continuing Appropriations Act of 2011; jointly to the Committees on Science, Space, and Technology and Foreign Affairs.

1901. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft bill entitled, "Veterans Benefit Programs Improvements Act of 2011"; jointly to the Committees on Veterans' Affairs and the Judiciary.

1902. A letter from the Director, Office of Management and Budget, transmitting proposed legislation to improve cybersecurity for the American people; jointly to the Committees on the Judiciary, Energy and Commerce, Oversight and Government Reform, Homeland Security, and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOX: Committee on Rules. House Resolution 300. Resolution providing for consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-103). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA:

H.R. 2146. A bill to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Utah (for himself and Mr. CHAFFETZ):

H.R. 2147. A bill to prohibit the further extension or establishment of national monuments in Utah except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. BURTON of Indiana (for himself, Mr. COURTNEY, and Mrs. ELLMERS):

H.R. 2148. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges to veterans with a compensable service-connected disability and to their dependents; to the Committee on Armed Services.

By Ms. HANABUSA:

H.R. 2149. A bill to designate the facility of the United States Postal Service located at 4354 Pahoehoe Avenue in Honolulu, Hawaii, as the "Cecil L. Heftel Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Washington (for himself, Mr. YOUNG of Alaska, Mr. LAMBORN, Mr. BROUN of Georgia, Mr. GOSAR, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. FLEMING, Mr. MCCLINTOCK, Mr. FLEISCHMANN, Mr. BISHOP of Utah, and Mr. SOUTHERLAND):

H.R. 2150. A bill to amend the Naval Petroleum Reserves Production Act of 1976 to direct the Secretary of the Interior to conduct an expeditious program of competitive leasing of oil and gas in the National Petroleum Reserve in Alaska, including at least one lease sale in the Reserve each year in the period 2011 through 2021, and for other purposes; to the Committee on Natural Resources.

By Mr. HONDA:

H.R. 2151. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. KING of New York, Mr. VAN HOLLEN, Ms. DELAUNO, Mr. MORAN, Mr. JACKSON of Illinois, Mr. HINCHEY, Ms. NORTON, Mrs. MALONEY, Mr. LANGEVIN, Ms. JACKSON LEE of Texas, Ms. SPEIER, Ms. HIRONO, Mr. SCOTT of Virginia, Mr. CARNEY, Mrs. CHRISTENSEN, Mr. LEWIS of Georgia, Mr. RUPPERSBERGER, Mr. CARSON of Indiana, Mr. BOSWELL, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. SCHIFF, Mr. FARR, Mr. MEEKS, Mr. BUTTERFIELD, Mr. FILLNER, Mr. ENGEL, Mr. OLVER, Ms. ESHOO, and Mr. CICILLINE):

H.R. 2152. A bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mr. DUNCAN of Tennessee, Mr. ROSS of Florida, Mr. GARY G. MILLER of California, Mr. BURTON of Indiana, and Ms. JENKINS):

H.R. 2153. A bill to amend the National Labor Relations Act to protect employer rights; to the Committee on Education and the Workforce.

By Mr. MACK:

H.R. 2154. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Re-

sources System Gasparilla Island Unit FL-70P; to the Committee on Natural Resources.

By Mr. MACK:

H.R. 2155. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P16; to the Committee on Natural Resources.

By Mr. MACK:

H.R. 2156. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P17; to the Committee on Natural Resources.

By Mr. McKEON:

H.R. 2157. A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes; to the Committee on Natural Resources.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. BACA, Mr. BILBRAY, Mr. CALVERT, Mr. CAMPBELL, Mr. CARDOZA, Mr. COSTA, Mrs. DAVIS of California, Ms. ESHOO, Mr. FARR, Mr. GALLEGLY, Mr. HONDA, Mr. HUNTER, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, Mr. MCCLINTOCK, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. PELOSI, Ms. RICHARDSON, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. STARK, Mr. THOMPSON of California, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 2158. A bill to designate the facility of the United States Postal Service located at 14901 Adelfa Drive in La Mirada, California, as the "Wayne Grisham Post Office"; to the Committee on Oversight and Government Reform.

By Mr. ROE of Tennessee:

H. Res. 301. A resolution expressing support for designation of June 20, 2011, as "American Eagle Day", and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; to the Committee on Financial Services.

By Mr. RYAN of Wisconsin (for himself and Mr. ISRAEL):

H. Res. 302. A resolution expressing support for the designation of August 22, 2011, as Rose Brucia Stranger Safety Awareness Day, and for other purposes; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ISSA:

H.R. 2146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. BISHOP of Utah:

H.R. 2147.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Arti-

cle IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BURTON of Indiana:

H.R. 2148.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Ms. HANABUSA:

H.R. 2149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6, "The Congress shall have Power . . . To establish Post Offices and post Roads;"

By Mr. HASTINGS of Washington:

H.R. 2150.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the Constitution.

By Mr. HONDA:

H.R. 2151.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HOYER:

H.R. 2152.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Eunice Kennedy Shriver Act pursuant to Clause 1 of Section 8 of Article I of the Constitution of the United States.

By Mr. KING of Iowa:

H.R. 2153.

Congress has the power to enact this legislation pursuant to the following:

This legislation introduces a clarification that limits the scope of an existing statute. As such, this bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance with Amendment X of the United States Constitution.

By Mr. MACK:

H.R. 2154.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MACK:

H.R. 2155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MACK:

H.R. 2156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McKEON:

H.R. 2157.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in

this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 2158.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7: To establish Post Offices and post Roads.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. BILBRAY and Mrs. CAPITO.
 H.R. 104: Mr. HIMES and Mr. GIBBS.
 H.R. 198: Ms. LEE of California and Mr. ROE of Tennessee.
 H.R. 333: Mr. BASS of New Hampshire.
 H.R. 389: Mr. BARLETTA.
 H.R. 452: Mr. FATTAH, Mr. SMITH of New Jersey, Mrs. MILLER of Michigan, and Ms. CASTOR of Florida.
 H.R. 456: Ms. CLARKE of New York.
 H.R. 458: Ms. BALDWIN.
 H.R. 459: Mr. AKIN and Mr. SULLIVAN.
 H.R. 512: Ms. NORTON, Mr. GUTIERREZ, and Mr. HONDA.
 H.R. 539: Mr. REYES.
 H.R. 589: Mr. RYAN of Ohio.
 H.R. 607: Mr. MEEKS and Ms. HIRONO.
 H.R. 614: Mr. RUSH.
 H.R. 633: Mr. LONG.
 H.R. 674: Mr. STEARNS, Mr. RUNYAN, Mr. SARBANES, Mr. GOWDY, Ms. ROS-LEHTINEN, Mr. HUELSKAMP, Mr. DOLD, and Mrs. NOEM.
 H.R. 676: Ms. MOORE, Mr. PAYNE, Mr. BUTTERFIELD, and Ms. WILSON of Florida.
 H.R. 687: Mr. HASTINGS of Washington.
 H.R. 703: Mr. CRAVAACK.
 H.R. 707: Mr. DEFazio.
 H.R. 711: Ms. RICHARDSON.
 H.R. 733: Mr. PIERLUISI, Mr. PERLMUTTER, Mr. GONZALEZ, and Mr. DEUTCH.
 H.R. 765: Mr. COFFMAN of Colorado.
 H.R. 800: Mr. STIVERS.
 H.R. 816: Mr. OLSON and Mr. CARTER.
 H.R. 860: Mr. BILBRAY, Mr. RUSH, Mr. DAVIS of Illinois, Mr. HIGGINS, Ms. ESHOO, Mr. CARTER, Mr. ROSS of Florida, and Mr. ENGEL.
 H.R. 880: Mr. AKIN.
 H.R. 883: Ms. WOOLSEY.
 H.R. 886: Mr. DICKS.
 H.R. 905: Mr. GINGREY of Georgia and Ms. MATSUI.
 H.R. 942: Mr. ROSKAM and Mr. LEWIS of California.
 H.R. 997: Mr. AKIN, Mr. BROOKS, Mr. YOUNG of Florida, Mr. NUNNELEE, and Mr. MCKEON.
 H.R. 1004: Mr. GRIFFIN of Arkansas.
 H.R. 1044: Mr. BONNER.
 H.R. 1085: Mr. ROTHMAN of New Jersey.
 H.R. 1093: Mr. HOLDEN and Ms. BUERKLE.
 H.R. 1112: Mr. PETERS and Mr. RAHALL.
 H.R. 1161: Mrs. MCCARTHY of New York and Ms. BERKLEY.
 H.R. 1172: Mr. JACKSON of Illinois.
 H.R. 1174: Mr. ROTHMAN of New Jersey.
 H.R. 1182: Mr. CHAFFETZ.
 H.R. 1206: Mr. REHBERG, Mr. FARENTHOLD, and Mr. BASS of New Hampshire.
 H.R. 1236: Mr. BARTLETT, Mr. TONKO, Mr. LYNCH, Mr. STARK, Mr. PETERS, Mr. ISSA, Mr. FITZPATRICK, Mr. LANDRY, Mr. COFFMAN of Colorado, Mr. BILBRAY, Mr. BILIRAKIS, Mr. HIGGINS, Mr. DENT, Mr. CONYERS, Mr. MCGOVERN, Mr. TOWNS, and Mr. TIERNEY.
 H.R. 1259: Mr. PENCE, Mr. JOHNSON of Illinois, Mr. REICHERT, Mr. HURT, Mr. SIMPSON, Mr. LANDRY, Mr. KING of Iowa, Mr. FLEMING, Mrs. SCHMIDT, Mr. MILLER of Florida, Mr.

STUTZMAN, Mrs. ELLMERS, Mr. DUFFY, Mr. AKIN, and Mr. CHAFFETZ.
 H.R. 1265: Mrs. ELLMERS.
 H.R. 1293: Mr. JOHNSON of Georgia.
 H.R. 1296: Mr. VAN HOLLEN.
 H.R. 1327: Mr. ROKITA.
 H.R. 1331: Ms. BALDWIN.
 H.R. 1332: Mr. JOHNSON of Illinois, Mr. HUNTER, Mr. CAPUANO, Mr. CARNAHAN, and Mr. MURPHY of Pennsylvania.
 H.R. 1350: Ms. SLAUGHTER.
 H.R. 1351: Mr. McDERMOTT, Mr. JOHNSON of Georgia, Ms. PINGREE of Maine, Mr. ROSS of Arkansas, Mr. COSTELLO, and Ms. MATSUI.
 H.R. 1358: Mr. DIAZ-BALART.
 H.R. 1370: Mrs. McMORRIS RODGERS and Mr. ROGERS of Michigan.
 H.R. 1380: Mr. SCHRADER and Mr. LARSEN of Washington.
 H.R. 1391: Mr. HUELSKAMP, Mr. DAVIS of Kentucky, Mr. STUTZMAN, and Mr. KING of Iowa.
 H.R. 1404: Ms. NORTON and Ms. MCCOLLUM.
 H.R. 1418: Mr. FILNER, Mr. HOLT, and Mr. HERGER.
 H.R. 1425: Mr. JONES.
 H.R. 1426: Mr. HINCHEY, Mr. MORAN, Mr. POSEY, Mr. COURTNEY, Mr. GRIJALVA, Mr. MARINO, and Mr. RANGEL.
 H.R. 1465: Mr. MCGOVERN.
 H.R. 1466: Mr. DEUTCH.
 H.R. 1498: Mr. GRIJALVA, Mr. DEUTCH, Mr. SCHRADER, and Mr. PETRI.
 H.R. 1505: Mr. GOODLATTE, Mr. LANKFORD, Mrs. MYRICK, Mr. WESTMORELAND, and Mr. CRAWFORD.
 H.R. 1506: Mr. TOWNS.
 H.R. 1515: Mr. HIGGINS.
 H.R. 1527: Mr. RENACCI.
 H.R. 1546: Mr. SMITH of New Jersey, Mr. HINCHEY, Mr. CLEAVER, Mr. RANGEL, Mr. GRIJALVA, Mrs. LOWEY, Mr. MARINO, Mr. HOLT, and Mr. ACKERMAN.
 H.R. 1558: Mr. SOUTHERLAND, Mr. LABRADOR, and Mr. KINZINGER of Illinois.
 H.R. 1563: Mr. LIPINSKI.
 H.R. 1580: Mr. GRIFFITH of Virginia and Mr. WALDEN.
 H.R. 1588: Mr. GOODLATTE and Mr. ALEXANDER.
 H.R. 1596: Mr. McDERMOTT.
 H.R. 1606: Mr. GRIJALVA.
 H.R. 1617: Ms. SCHAKOWSKY.
 H.R. 1639: Mr. RAHALL, Mr. BENISHEK, and Mr. BILIRAKIS.
 H.R. 1646: Mr. SOUTHERLAND and Mr. NUGENT.
 H.R. 1663: Mrs. BLACKBURN, Mr. PAUL, Mr. RIGELL, Mr. ROSS of Florida, Mr. YOUNG of Florida, Mr. STIVERS, Mr. CLAY, Mr. BILIRAKIS, and Mrs. CHRISTENSEN.
 H.R. 1683: Mr. ROSS of Florida.
 H.R. 1692: Mr. ENGEL.
 H.R. 1705: Mr. ROKITA.
 H.R. 1739: Mr. HENSARLING.
 H.R. 1744: Mr. NUNES, Mrs. NOEM, Mr. FARENTHOLD, Mrs. BARTON of Texas, Mr. HUELSKAMP, Mr. HARRIS, Mr. LABRADOR, Mr. PEARCE, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. RIGELL, Mr. GOWDY, Mr. WALBERG, Mr. PITTS, Mr. DESJARLAIS, Mr. BARLETTA, Mrs. BONO MACK, and Mr. LANCE.
 H.R. 1747: Mr. STIVERS, Mr. SCHRADER, Mr. BRALEY of Iowa, Mr. MCINTYRE, and Mr. KINZINGER of Illinois.
 H.R. 1792: Mrs. LOWEY, Mr. JACKSON of Illinois, and Mr. PASCRELL.
 H.R. 1814: Ms. HIRONO.
 H.R. 1815: Ms. DELAURO, Ms. SLAUGHTER, and Mr. OLVER.
 H.R. 1826: Mr. STARK.
 H.R. 1829: Mr. HARRIS.
 H.R. 1836: Mr. RANGEL.
 H.R. 1852: Mr. BARROW, Ms. MATSUI, Mr. MARKEY, Mr. BRALEY of Iowa, Mr. WEINER,

Mr. RENACCI, Mr. JOHNSON of Georgia, Mr. RYAN of Ohio, Mr. GENE GREEN of Texas, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. INSLEE, Mr. LATOURETTE, Mr. REICHERT, Mr. CLEAVER, Mr. ROGERS of Alabama, Mr. MORAN, and Mr. BACHUS.
 H.R. 1873: Mr. CAPUANO.
 H.R. 1880: Mr. GONZALEZ, Mr. SIRES, and Mr. MCGOVERN.
 H.R. 1881: Ms. HANABUSA, Ms. SLAUGHTER, Ms. MATSUI, and Ms. BORDALLO.
 H.R. 1931: Mr. LARSON of Connecticut.
 H.R. 1932: Mrs. MYRICK, Mr. COFFMAN of Colorado, Mr. LANKFORD, Ms. FOXX, and Mr. PLATTS.
 H.R. 1938: Mr. LONG, Mr. DUNCAN of Tennessee, Mr. LANDRY, Ms. GRANGER, and Mr. MACK.
 H.R. 1958: Mr. ALTMIRE.
 H.R. 1959: Ms. BROWN of Florida.
 H.R. 1964: Mr. LUTKEMEYER, Mr. FARENTHOLD, and Mr. HANNA.
 H.R. 1970: Mr. TONKO and Mr. MCGOVERN.
 H.R. 1974: Mr. YARMUTH and Mr. KIND.
 H.R. 1975: Mr. BECERRA, Mr. BACA, Mr. THOMPSON of California, Ms. WATERS, Ms. BASS of California, Mr. HERGER, Mr. GARY G. MILLER of California, Mr. LEWIS of California, Mr. ROYCE, Mr. DANIEL E. LUNGREN of California, Mr. CAMPBELL, Mr. DENHAM, Mr. MCKEON, and Ms. LINDA T. SÁNCHEZ of California.
 H.R. 1985: Ms. LINDA T. SÁNCHEZ of California, Mr. FARR, and Mr. FILNER.
 H.R. 1987: Mr. ANDREWS and Mr. ROTHMAN of New Jersey.
 H.R. 2008: Mr. HANNA.
 H.R. 2040: Mr. GRIFFIN of Arkansas, Mr. BUCHANAN, Mr. HARPER, Mr. FLEMING, and Mr. HUELSKAMP.
 H.R. 2061: Mr. WESTMORELAND.
 H.R. 2064: Mr. CARTER.
 H.R. 2082: Mr. GONZALEZ and Mr. TOWNS.
 H.R. 2104: Mr. REICHERT, Mr. MORAN, Ms. FUDGE, Mr. ROGERS of Michigan, Mr. RAHALL, and Ms. SCHWARTZ.
 H.R. 2107: Mr. FILNER and Mr. BUTTERFIELD.
 H.R. 2110: Mr. SERRANO, Mr. ACKERMAN, Mr. COURTNEY, Mr. MURPHY of Connecticut, Ms. DELAURO, Mr. ISRAEL, Mr. CROWLEY, Mr. ENGEL, Mrs. LOWEY, Mr. HIMES, and Mrs. MCCARTHY of New York.
 H.R. 2115: Mr. FARR.
 H.R. 2129: Mr. FILNER.
 H.J. Res. 62: Mr. COFFMAN of Colorado.
 H. Con. Res. 58: Mrs. SCHMIDT.
 H. Res. 19: Ms. SLAUGHTER.
 H. Res. 20: Mrs. LOWEY.
 H. Res. 21: Ms. SLAUGHTER.
 H. Res. 111: Mr. KISSELL, Mr. KING of Iowa, Mr. GUINTA, and Mr. CARSON of Indiana.
 H. Res. 134: Mr. SARBANES, Mr. MCGOVERN, Mr. CARTER, Mr. WELCH, Mr. GOODLATTE, and Mr. FILNER.
 H. Res. 177: Mr. CICILLINE and Mr. OLVER.
 H. Res. 247: Mr. POMPEO.
 H. Res. 253: Mr. LAMBORN, Mr. JONES, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. NEUGEBAUER, Mr. MCCOTTER, Mr. CONAWAY, Mr. BACHUS, and Mr. STEARNS.
 H. Res. 256: Mr. LEVIN and Mr. DONNELLY of Indiana.
 H. Res. 262: Mrs. MALONEY and Mr. MILLER of North Carolina.
 H. Res. 266: Mr. MILLER of Florida.
 H. Res. 268: Mr. NUNNELEE, Mrs. CAPITO, Mr. FLORES, Mr. GIBSON, Mr. BARROW, Mr. DEFazio, Mr. PIERLUISI, Mr. VISCLOSKEY, Mr. MCKEON, Mr. BARLETTA, Mr. BASS of New Hampshire, Mr. CONAWAY, Mr. OLSON, Mr. PRICE of Georgia, Mr. CARTER, Mr. MACK, Ms. FOXX, Mr. KING of Iowa, Ms. ROS-LEHTINEN, Mr. CARNEY, Mr. CRENSHAW, Mr. POSEY, Mr.

RUNYAN, Mr. SCOTT of South Carolina, Mr. SMITH of New Jersey, Mr. STIVERS, Mr. YOUNG of Alaska, Mr. CONNOLLY of Virginia, Mr. GARAMENDI, Mr. RIVERA, Mrs. McMORRIS RODGERS, Mr. LANCE, Mr. BOSWELL, Mr. CLARKE of Michigan, Mr. GUINTA, Mr. SHIMKUS, Mr. GONZALEZ, Mr. FLEMING, Mr. BILIRAKIS, Mrs. SCHMIDT, Mr. WEST, Mr. GOWDY, Mr. LONG, Mr. GRIMM, Mr. WAXMAN, Ms. HANABUSA, Ms. CHU, Mr. RANGEL, Mr. RUPERSBERGER, Mr. SCHRADER, Mr. SHULER, Mr. HERGER, Mr. THOMPSON of Pennsylvania, Mr. SHERMAN, Mr. SESSIONS, Mr. MCCLINTOCK, Mr. HUNTER, Mr. DESJARLAIS, Mr. MARCHANT, and Mr. BURGESS.

H. Res. 270: Mr. LAMBORN.
H. Res. 286: Mr. McDERMOTT.
H. Res. 296: Mr. RANGEL and Ms. SLAUGHTER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. BUCSHON, Mr. COFFMAN of Colorado, Mr. TIPTON, and Mr. GARDNER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2055

OFFERED BY: MR. FLORES

AMENDMENT No. 6: At the end of the bill (before the short title), add the following new section:

SEC. 4. None of the funds made available by this Act shall be available to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

H.R. 2055

OFFERED BY: MR. MICA

AMENDMENT No. 7: Page 6, line 18, insert after the dollar amount the following: "(increased by \$25,000,000)".

Page 9, line 21, insert after the dollar amount the following: "(decreased by \$25,000,000)".

H.R. 2112

OFFERED BY: MS. FOXX

AMENDMENT No. 1: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to support any Know Your Farmer, Know Your Food initiative of the Department of Agriculture.

H.R. 2112

OFFERED BY: MS. FOXX

AMENDMENT No. 2: Page 45, line 1, after the dollar amount, insert "(reduced by \$75,000,000)".

Page 45, line 3, after the dollar amount, insert "(reduced by \$7,500,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$82,500,000)".

H.R. 2112

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to pay the salaries

and expenses of personnel of the Department of Agriculture to provide benefits described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity in excess of \$125,000.

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 4: Page 8, line 15, after the dollar amount, insert "(reduced by \$7,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$7,000,000)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 5: Page 49, line 23, after the dollar amount, insert "(reduced by \$104,019,800)".

Page 80, line 2, after the dollar amount, insert "(increased by \$104,019,800)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 6: Page 50, line 18, after the first dollar amount, insert "(reduced by \$180,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$180,000,000)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 7: Page 56, line 18, insert "231" in place of "461".

Page 56, line 19, insert "231" in place of "456".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 8: Page 5, line 5, after the first dollar amount, insert "(reduced by \$20,900,000)".

Page 5, line 6, after the first dollar amount, insert "(reduced by \$20,900,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$20,900,000)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 9: Page 17, line 25, after the first dollar amount, insert "(reduced by \$7,750,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$7,750,000)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 10: Page 27, line 23, after the first dollar amount, insert "(reduced by \$15,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$15,000,000)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 11: Page 33, line 12, after the first dollar amount, insert "(reduced by \$20,480,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$20,480,000)".

H.R. 2112

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 12: Page 48, line 11, after the first dollar amount, insert "(reduced by \$175,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$175,000,000)".

H.R. 2112

OFFERED BY: MR. CHAFFETZ

AMENDMENT No. 13: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay the salaries

and expenses of personnel who provide non-recourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008. (7 U.S.C. 8731).

H.R. 2112

OFFERED BY: MR. CHAFFETZ

AMENDMENT No. 14: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to make (or to pay the salaries and expenses of personnel in the Department of Agriculture to make) payments for the storage of cotton under section 1204(g) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8734(g)) or for the storage of peanuts under section 1307(a) of such Act (7 U.S.C. 8757(a)).

H.R. 2112

OFFERED BY: MR. DAVIS OF ILLINOIS

AMENDMENT No. 15: Page 8, line 7, after the dollar amount, insert "(reduced by \$1,312,000)".

Page 13, line 10, after the dollar amount, insert "(increased by \$1,312,000)".

H.R. 2112

OFFERED BY: MR. DAVIS OF ILLINOIS

AMENDMENT No. 16: Page 8, line 7, after the dollar amount, insert "(reduced by \$400,000)".

Page 12, line 17, after the dollar amount, insert "(increased by \$400,000)".

H.R. 2112

OFFERED BY: MR. NUGENT

AMENDMENT No. 17: Page 48, line 11, after the dollar amount, insert "(reduced by \$17,500,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$17,500,000)".

H.R. 2112

OFFERED BY: MR. NUGENT

AMENDMENT No. 18: At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to close or dispose of (or to pay the salaries and expenses of personnel of the Department of Agriculture to close or dispose of) any Agricultural Research Service facility that conducts beef cattle research.

H.R. 2112

OFFERED BY: MR. NUGENT

AMENDMENT No. 19: Page 9, line 5, insert after the dollar amount the following: "(increased by \$2,000,000)".

Page 48, line 11, insert after the dollar amount the following: "(reduced by \$2,000,000)".

H.R. 2112

OFFERED BY: MS. WOOLSEY

AMENDMENT No. 20: At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to carry out the directive in the committee report instructing the Food and Nutrition Service to issue a new proposed rule on implementing new national nutrition standards for the school breakfast and school lunch programs in the report of the Committee on Appropriations of the House of Representatives to accompany H.R. 2112 of the 112th Congress (House Report 112-101).

EXTENSIONS OF REMARKS

EDWARDS, JOHNSON & HUBBOARD
FAMILY REUNION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, in the mid 1800s, the union of Henryetta Hubbard and William Johnson in Choctaw County, Mississippi has blessed us with descendants that have helped to shape our Nation; and

Whereas, the Hubbard and Johnson union produced many well respected citizens, today we honor all of the matriarchs and patriarchs, who are pillars of strength for the Edwards, Johnson and Hubbard families; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have many members of the Edwards, Johnson and Hubbard families, such as Ms. Dorothy Edwards, who are some of our most productive citizens in our District; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Edwards, Johnson and Hubbard families have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year's family reunion in Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Edwards, Johnson and Hubbard families;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim July 22, 2011 as Edwards, Johnson & Hubbard Family Reunion Day in the 4th Congressional District.

Proclaimed, this 22nd day of July, 2011.

HONORING HABITAT FOR HUMANITY
OF GREATER NEW HAVEN
AS THEY CELEBRATE THEIR
25TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to join the supporters and volunteers gathered this evening to congratulate Habitat for Humanity of Greater New Haven as they celebrate their silver anniversary. In its 25 year history this outstanding organization, fueled by the generosity and energy of its volunteers, has revitalized many of our neighborhoods and enhanced the quality of life in our community. Theirs is a mission that is quite literally reflected in the theme of this celebration—building hope, lives, and neighborhoods.

Over the course of its history, Habitat for Humanity of Greater New Haven has forged partnerships with individuals, religious and civic organizations, as well as local businesses and corporations that have translated into homeownership opportunities for more than eighty families. Offering a hand up rather than a hand out, families who qualify for the homebuyers program work side by side with community volunteers to build their home, investing a minimum of 400 "sweat equity" hours to the project. The families' personal investment also translates into their personal investment in the community.

Founded by a group of community leaders, Habitat for Humanity of Greater New Haven, like its sister chapters across the country, is a real grassroots organization. It encourages people to dedicate their words and actions to the elimination of poverty housing and attracts more than 2,000 volunteers every year. The need for affordable and safe housing is as much a need today as it was when this local organization was founded 25 years ago and it is heartening to know that there are so many who so willingly devote their time and energies to these efforts.

I would like to take this opportunity to extend my deepest thanks and appreciation to the many volunteers and donors who have gathered tonight to celebrate this remarkable milestone. Without their generosity, compassion, and willingness to devote their time and energy, the mission of Habitat for Humanity would not be possible. Whether they have donated funds, construction material, or simply their time, it has been through their good work that Habitat for Humanity of Greater New Haven has been able to make such a difference in our community.

A home is so much more than simply a roof over ones head—it is a source of pride, comfort, independence and stability. This is the gift of Habitat for Humanity and I have been proud to support the good work that they have accomplished throughout Greater New Haven. I am honored to stand today to extend my heartfelt congratulations to Habitat for Humanity of Greater New Haven on their 25th Anniversary. I have no doubt that they will continue their extraordinary contributions for as long as there is a need.

BOB HENLEY TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Bob Henley for his outstanding service as a founding member of the Chimney Rock Interpretive Association in the San Juan National Forest.

In 1996, Mr. Henley began working as a tour guide for Chimney Rock, which helped to

foster his appreciation of the archeological area, and urged him to seek that tours of the ruins be independently operated in order to ensure the area receive proper attention and upkeep. In 2003, Mr. Henley's work helped to make Chimney Rock an independent organization.

Because of his efforts and the efforts of many volunteers, the Chimney Rock Interpretive Association hosts nearly 11,000 visitors in total each year, allowing it to be independently funded and operated. In addition, the Association is able to give elementary schools free tours, educating between 300 and 500 students about the history of the Chimney Rock Archeological site every year.

Mr. Speaker, it is my honor to recognize Bob Henley today. His service has provided many assets to the Chimney Rock Interpretive Association and the San Juan National Forest.

HONORING LILA STERN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. ENGEL. Mr. Speaker, Hebrew School teacher and long-time community volunteer Lila Stern of Rockland County, is being honored by Congregation Shaaray Israel at their annual Journal Dinner Dance on June 12, 2011. For her numerous contributions to her community, Lila will receive the congregation's prestigious "Woman of Valor" award.

Lila has served as a leader of the Rockland Jewish community since 1953. As her husband Jules rose to the head of their congregation in the 1970s, Lila sought to encourage women's involvement in the Jewish issues as Chairwoman of Rockland County Israel Bonds Women's Division, President of Sisterhood at the Jewish Community Center, and a lifelong member of Hadassah.

In addition to her work in the Jewish community, Lila pursued a career as a "Professional Volunteer."

While raising three children, she took the time to work as a Pink Lady at Good Samaritan Hospital and as a literacy volunteer.

Lila now works as an adult teacher at Shaaray Israel where she teaches a class on Jewish appreciation. Every Wednesday she leads a discussion on Jewish issues ranging from religious issues to Israeli politics.

As a grandmother of 11, Lila has instilled in her family a respect for Jewish tradition as well as a sense of gratitude and support for the state of Israel, which she and her husband travel to frequently. Her visits to Israel began in 1950, when she first went with her parents lugging suitcases of clothing as well as money for the needy of the fledgling new country.

Through her charity and tireless dedication to her community, Lila has certainly earned

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

her title as a "Woman of Valor," and I congratulate her on this honor.

BRIAN COOPER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize and congratulate Brian Cooper for earning the Alamosa Police Department's Life-saver Award. His quick thinking and decisive action during his regular patrol of the small Colorado town saved the life of another resident.

Detective Cooper, a patrol officer at the time, saw one of the town's elderly residents choking. After calling an ambulance, he cleared the man's airway of the food he was choking on and successfully administered CPR. Paramedics credit Officer Cooper for saving the life of a man who would have otherwise died had he not intervened.

Detective Cooper is one of only a handful of recipients of the Lifesaver Award. It is not given lightly, but there was little argument against the Detective's merit. A father of two and loving husband to his high school sweetheart, Brian Cooper is an exemplary member of Colorado's police force.

Mr. Speaker, it is an honor to recognize Brian Cooper today. Alamosa is deservedly proud of him and I have no doubt that he will continue to expand on his already excellent record.

HONORING OFER BAVLY

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. DEUTCH. Mr. Speaker, I rise today to honor Ofer Bavly, the Consul General of Israel to Florida and Puerto Rico for his many years of service to the South Florida Jewish Community, which is being honored this evening by the Jewish Community Relations Council of the Jewish Federation of South Palm Beach County.

The son of Israeli diplomats, Mr. Bavly has dedicated his life to public service since his graduation from the Hebrew University of Jerusalem with dual degrees in International Relations and Middle Eastern Studies. Like many Israelis, Mr. Bavly courageously served his country in the Israel Defense Forces, rising to the rank of Captain.

In 1991, Mr. Bavly joined Israel's Foreign Ministry, and has since served his country in Israel's Embassies around the world, including Madrid and Rome. Mr. Bavly's success as a diplomat and foreign policy expertise led to his appointment as a Policy Advisor to the Foreign Minister of Israel in 2005. Subsequently, Mr. Bavly was appointed Counselor in the Foreign Ministry's North America Division in 2006.

Mr. Bavly's diplomatic career has culminated with his 2007 appointment to his current position of Consul General of Israel to

Florida and Puerto Rico. It has been an honor working side by side with Mr. Bavly to further America's unshakeable relationship with Israel.

I congratulate Mr. Bavly, his wife Ayala, and their three children for their great honor tonight, and I look forward to many more years of strong partnership with Mr. Bavly as we work towards our shared goals of advancing the safety and security of Israel and creating a lasting peace.

CARL TAYLOR TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Carl Taylor, a farmer, soldier, and Colorado Native who lived his life in service of his country and family.

Mr. Taylor was born in Blanca, Colorado on May 16, 1919. Shortly after his twenty-third birthday, Mr. Taylor joined the U.S. Army. He was assigned to Fort Bliss in Company B, 271st Infantry, which eventually allowed him to serve in military campaigns all over the world. He was involved in the Battle of the Bulge, as well as other campaigns in Tunisia, Naples, Rhineland, Rome and Southern France.

After the war, Mr. Taylor returned to Colorado where he farmed barley. He and his wife lived in Center, Colorado, where they eventually began to distribute their barley to the Colorado Coors factory. On January 8, 2008, Mr. Taylor and his wife, Mona, retired and moved to the Colorado State Veteran Center at Homelake, Colorado.

Mr. Speaker, it is an honor to recognize Carl Taylor today. Throughout his life he has served as an outstanding soldier and citizen, and his great life achievements deserve to be noted.

IN RECOGNITION AND REMEMBRANCE OF MR. LUTHER R. GATLING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. RANGEL. Mr. Speaker, I rise with great sadness as I pay tribute to my dear friend Luther Gatling who recently passed away peacefully in his home in Teaneck, New Jersey on Tuesday, May 31st. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable man who, over his many years of service in government and credit counseling, etched his name in history as The Credit Doctor.

Luther dedicated his life to public service and championed diversity. And, as a long-time civil rights and business leader, he possessed a remarkable moral compass that inspired fiscal responsibility upon many disadvantaged people. Mr. Gatling has provided mentorship to our youth and much needed credit guidance to all. He stood for the empowerment, development, and prosperity of our Nation.

Luther R. Gatling was born in Waterbury, Connecticut on September 9, 1931. He received his Bachelors degree in business administration from Temple University. Luther then went on to serve as the president of the Waterbury City Council. He became the mayor of Waterbury before the age of 30 and later served as the assistant director at the Manpower Assistance of Boston program in Washington, D.C.

In my community of Harlem, Mr. Gatling is well known for his service as the President of the New York Chapter of the One Hundred Black Men, Inc. for 8 years. He also served on the executive committee and Board of Directors of the National One Hundred Black Men of America organization. In 1976, Luther created Budget and Credit Counseling Services, Inc. to help educate consumers with financial difficulties. BuCCS provided counseling and advocacy for more than 40,000 consumers.

Luther Gatling was an economically savvy man who never resisted sharing his wealth of knowledge with those in need. The Credit Doctor, as he was known, believed in empowering struggling and financially illiterate consumers through the power of sound credit comprehension.

Consumer credit, debt education, financial literacy are passions of Mr. Gatling. Instructing consumers on how to manage their credit wisely and pay their debts responsibly was important to my friend Luther.

Luther symbolized the American Dream. He worked vigorously with the One Hundred Black Men to expand educational and economic opportunities for African Americans and other minority communities. Mr. Gatling worked tirelessly with the BuCCS to properly educate the public on fiscal responsibility. Luther extended his guidance through practically every medium to educate the masses. He worked his first job as a taxi driver later to become the CEO of the Budget and Credit Counseling Service.

I would like for my colleagues in the Congress to join me in offering our heartfelt condolences to his wife Bonnie Gatling and their children, Dr. Sharon G Waldrum, Lydia Miller, Robbin Gatling, and Richard Patton. It is important that they know that their friends and all of those whose lives were touched by Luther over the years, are with them in spirit and the Gatling family are in our thoughts and prayers.

No amount of words can ever replace this titan. Luther bore his illness with great dignity and pride. And through his illness, he continued to persist on living and fighting for causes true to his faith and community. Now free from pain and discomfort, we can all draw some comfort in knowing that he has found peace in the eternity of God's Kingdom. He will long be remembered for his extraordinary commitment, humor, liveliness, energy, wisdom, discipline, principle and clear purpose which won the admiration of all who were privileged to come to know and work with him during his distinguished career.

Mr. Speaker, I consider myself fortunate to have had the opportunity to observe and experience Luther's example as a personal inspiration. Though Luther is no longer with us, we will continue to keep his memory alive in our hearts and minds, and continue to honor his legacy with our advocacy for the issues he

cared about the most. We as a nation are all blessed to have known a Luther Gatling, "The Credit Doctor," a titan who shaped financial counseling history with his everlasting spirit.

ED ELLIS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ed Ellis for his commitment to the railroad industry and his investment in Colorado's infrastructure.

Mr. Ellis has provided many Coloradans with railroad service to remote areas that would normally not see such attention. His company, Iowa Pacific Holdings, LLC, specializes in reviving smaller railways that serve less populated areas. One of these lines is the Rio Grande Scenic Railroad in Colorado's San Luis Valley. His dedication to running the scenic train has provided a much needed boost to the area's economy and tourism.

Mr. Ellis has provided a needed service to southern Colorado and a number of other states that benefit from his attention and investment.

Mr. Speaker, it is an honor to stand and pay tribute to a man so devoted to local transit and to a small company fighting in a big industry. I have no doubt that under Mr. Ellis' leadership Iowa Pacific Holdings will continue to thrive.

IN HONOR OF EDWARD M. KING,
VICE PRESIDENT FOR GOVERNMENT
AND COMMUNITY AFFAIRS
AT BOSTON UNIVERSITY

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. LYNCH. Mr. Speaker, I rise today in honor of Edward M. King in recognition of his 23 years of dedicated service to Boston University and his passionate advocacy on behalf of the University throughout the halls of government and the communities of Boston.

Ed began his tenure at Boston University in 1987 as Associate Vice President for Government & Community Affairs. In 1991, Ed became Vice President, overseeing all functions relating to federal, state, city, and community relations. Prior to coming to Boston University, Ed was the Director of Community Relations and Public Affairs for the Massachusetts Turnpike Authority. He was also the Executive Secretary and Deputy Director of the Youth Activities Commission for the City of Boston and is a former Manager of Little City Hall in South Boston as well as a former assistant to Mayor Kevin White.

Throughout his career at Boston University, Ed served under Presidents John Silber, Jon Westling, Aram Chobanian, and Robert Brown. During Ed's tenure, Boston University went through an unprecedented growth that benefitted both the University and the economy

of the city of Boston. Through Ed's effort at both the community and governmental levels, the University successfully completed such projects as: Biosquare, Sargent College, the John Hancock Student Village complex that includes 1,800 new dormitory beds and the Harry Agganis Arena, the School of Management, the Photonics Center, the Life Science & Engineering building on Cummington Street, and the new East Campus Student Services Center on Bay State Road. There was nearly \$1 billion of construction that went through extensive community and government review during Ed's time at Boston University.

Additionally, Ed was the University's ambassador to the business and academic communities. He was Boston University's contact to the Greater Boston Chamber of Commerce, A Better City, Association of Independent Colleges and Universities of Massachusetts, Associated Industries of Massachusetts, and the Massachusetts Association of Non-Profit Schools & Colleges. He was active in charities such as The Boys and Girls Clubs, the Greater Boston Girl Scouts Council, the West End House, the Little House, Dorchester neighborhood Little Leagues, and Catholic Charities.

A 1981 graduate of Boston State College, where he received his Bachelor of Arts degree in Sociology, Ed currently resides with his wife, Kimberly, and their son, Charles, in Hingham.

Mr. Speaker, it is my distinct honor to join with Ed's family, friends, and the Boston University community to thank him for his incredible dedication and commitment to the University and the city of Boston. I hope my colleagues will join me in celebrating Ed's distinguished career and in wishing him good health and success in all of his future endeavors.

JAMES BEDARD TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Dr. James Bedard, of Alamosa, Colorado, for being selected to the E. (Kika) de la Garza Fellowship program. With this recognition, Dr. Bedard will be able to further represent southern Colorado and Adams State College while continuing his already impressive research.

Dr. Bedard is one of 20 other faculty members in schools across the country selected for the honor. Nominees for the fellowship are chosen based on their educational experience and the relevance of their research to the USDA, specifically to issues facing the Hispanic population. It is one of the most prestigious awards available to Hispanic-American citizens.

The new resources available to Dr. Bedard will allow him to provide a more thorough education to his students and show them opportunities that were more elusive. He will also have greater access to federal agencies that specialize in agricultural problems facing the community.

Mr. Speaker, it is an honor to stand and recognize Dr. James Bedard today. Southern

Colorado has long benefitted from his work and will now see even greater results with help from the E. (Kika) de la Garza Fellowship. I have no doubt that Dr. Bedard will continue his important agricultural research and thrive as a teacher and community leader.

CELEBRATING THE 50TH ANNIVERSARY
OF TERRA LINDA HIGH
SCHOOL

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor the 50th anniversary of Terra Linda High School in San Rafael, California. The school's Golden Anniversary was celebrated on May 28, 2011, by a gathering of three generations of proud Terra Linda alumni.

Since its founding, Terra Linda High School has provided thousands of Marin County children the firm and balanced footing they deserve, and it has played an integral role in the strength and success of San Rafael and Marin County. The school upholds high standards in education and extracurriculars, balancing a host of advanced placement offerings with the art, music, and athletic activities that truly enrich the learning experience. Terra Linda and schools like it remind us of the limitless potential of our system of public education when students are provided the resources they need to excel.

Mr. Speaker, I ask you to join me in celebrating the 50th anniversary of Terra Linda High School. Few institutions are as intimately tied to our national identity as our public schools, and none is more essential to our collective future. Terra Linda represents the best of this tradition, and I am proud to honor its legacy in our county.

JIM B. JONES TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise to pay tribute to Jim B. Jones, a man who proudly served his country during WWII.

Drafted into the U.S. Army in 1945, Mr. Jones was assigned to G Company as a corporal, and was sent to Hawaii. Upon arrival in Hawaii, Mr. Jones boarded the USS *Niagara*, to Okinawa. During his time in Okinawa, the United States dropped the bombs on Hiroshima and Nagasaki. On V-J Day, only a few days after the bombing, Mr. Jones was moved to Korea. Here, he took part in accepting the surrender of the Japanese Army in ceremonies in Seoul.

During the remainder of his time in Korea, Mr. Jones served as a rifleman and a clerk typist in Chengju.

In 1946, when he was twenty years old, Mr. Jones left Korea after spending a year there. He arrived home in time for the first day of hunting season.

Mr. Speaker, it is my honor to recognize the service and character of Jim B. Jones.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF THE TEMPLE BETH SHOLOM

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. ACKERMAN. Mr. Speaker, I rise today in celebration and recognition of 60 years of unrivaled spiritual leadership and unequalled community service by Temple Beth Sholom in Roslyn Heights, New York.

In the summer of 1951, approximately 70 Jewish families gathered with the hopes of establishing a place of worship for the Jewish community in Roslyn and the surrounding area. They could have hardly hoped or anticipated that these humble beginnings would grow into such a vibrant and vital temple—renowned for its excellent religious school, its benevolent activism, and its strong commitment to the Jewish faith and Jewish values.

In 1957, the still nascent congregation came together to raise funds to construct a new school wing, an atrium, offices, and a synagogue and sanctuary—facilities they still use today. Since then, the congregation has only continued to grow in both reach and mission. Temple Beth Sholom has been recognized for its extraordinary educational program—from nursery school to adult education. The Temple's Rabbi Ario S. and Tess Hyams Judaica Museum, founded in 1968, houses an impressive collection of art and artifacts important to Jews and the Jewish faith. The generous congregation has donated and raised funds to continually improve the function and facilities of the Temple. Moving forward, the congregation will continue to expand and improve its positive influence on both their membership and the community.

For decades, the Temple has maintained an unwavering fidelity to the values of the Conservative Jewish movement while encouraging both open-mindedness and innovative practices. Emblematic of this, Temple Beth Sholom elected its first woman president in 1972 and, in subsequent years, became one of the first egalitarian congregations in the Conservative movement. The Temple was also one of the first to collect congregational contributions according to a sliding scale based on income—recognizing diverse capabilities to give within their membership. Through innovation and creativity, Temple Beth Sholom has remained faithful to its Conservative tradition while embracing new and pioneering practices.

Under the current direction of Rabbi Alan B. Lucas, Temple Beth Sholom is continuing in its great tradition of faith, family, and community. His spiritual guidance is an invaluable asset to the congregation and the surrounding community, and his leadership and commitment will allow the Temple to continue its good works for years to come.

On June 12, 2011, Temple Beth Sholom will celebrate its 60th anniversary. Since 1951, it has been an essential element of the Roslyn Heights community. I am proud to recognize

the synagogue's extraordinary accomplishments. I ask my colleagues to join me in expressing my gratitude and congratulations to Temple Beth Sholom for its six decades of service to the Jewish community of Roslyn.

JOAN ANZELMO TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, it is my honor to rise and pay tribute to one of America's most dedicated and passionate Civil Servants. On July 1st, 2011 Joan Anzelmo will be hanging up her "flat hat" after a meritorious 35 year career with the National Park Service.

Joan is a native of Washington, D.C., and graduated from the University of Maryland in 1975 with a Bachelor's Degree in French. She began her Park Service career the next year as the Visitor Services Chief at the National Visitor Center in Washington, D.C. Along the way, Joan has served in Virginia at Great Falls Park, Yellowstone National Park and Grand Teton National Park, and has been tasked by the Park Service to coordinate large scale events including the Bicentennial Celebrations at Yorktown, the 75th Anniversary Celebrations of the National Park Service in Yellowstone, and the 50th Anniversary Celebrations for Grand Teton National Park. Among her accomplishments is her service as National Park Service spokesperson during the 1988 wildfires that swept through Yellowstone, equipping her with nationally recognized crisis communications prowess, and seeing her assigned to the Unified Area Command for the National Park Service in response to the BP Oil Spill in 2010. She has received numerous awards for her service, including the Superior Service and Meritorious Service awards, two of the Department of Interior's most prestigious honors.

Joan wraps up her career overseeing the management of the awe-inspiring red rock canyons and formations of the Colorado National Monument in my district at the far western edge of Colorado, where she serves as Superintendent. With rising visitation, active outreach to the local school population, and a very successful centennial celebration just this year, this is a fitting capstone to an accomplished career, and worthy of our recognition. I wish her well as she returns to Jackson, Wyoming, where she will be in close proximity to her daughter, Jenny, who is herself employed at Grand Teton National Park's public affairs office.

TRIBUTE TO MRS. ADELE WILSON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, our lives have been touched by the life of this one woman . . . who has given of herself in order for others to stand; and

Whereas, Mrs. Adele Wilson's work is present not only in the city of New Orleans, but around the nation for all to see, being an usher, missionary and friend; and

Whereas, this giant of a woman gave so much to her family, her community and her church; and

Whereas, this remarkable woman gave of herself, her time, her talent and her life; she never asked for fame or fortune to uplift those in need, she just wanted to do what was right and she not only talked the talk, she walked the walk for others to get involved in matters of the community; and

Whereas, Mrs. Adele Wilson led by doing, she was a warrior for education, a beacon of light for all people, a wife, a mother, a daughter, a friend; she was a Proverbs 31 woman, our matriarch, a woman of great integrity who remained true to the uplifting of our community until her end; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow an honorable mention and recognition on Mrs. Adele Wilson for her leadership, friendship and service to all of the citizens of the United States of America; a citizen of great worth and so noted distinction;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress that Mrs. Adele Wilson of New Orleans, Louisiana is deemed worthy and deserving of this "Congressional Honorable Mention."

Mrs. Adele Wilson,

U.S. Citizen of Distinction

in the 4th Congressional District.

Proclaimed, this 11th day of June, 2011.

INTRODUCTION OF THE VITA ACT

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. HONDA. Mr. Speaker, I rise today upon the introduction of the VITA Act of 2011. This legislation would permanently authorize the Community Volunteer Income Tax Assistance (VITA) Matching Grant Program that has been funded through the annual appropriations process since Fiscal Year 2008.

The availability of free tax education and assistance programs in local communities helps many low-income individuals avoid having to depend upon paid tax return preparers and refund anticipation loans in order to successfully file their annual federal income tax returns. Currently, the Community VITA Program is a federally-supported taxpayer education and assistance program funded through the Internal Revenue Service, aimed at supporting low-income individuals and targeted subpopulations during the tax preparation process.

VITA programs offer free tax assistance to low-to-moderate income individuals who cannot afford professional assistance. More than 75,000 VITA volunteers prepare basic tax returns for low income taxpayers with a focus on at least one specific underserved group with special needs, including persons with disabilities, non-English speaking persons, Native Americans, rural taxpayers, and the elderly. The continued federal support has enabled

community VITA programs to reach more underserved low-income taxpayers, and resulted in more families accessing vital tax credits, such as the Earned Income Tax Credit (EITC) and the Child Tax Credit (CTC). During the 2009 filing season, VITA centers prepared over 1.2 million tax returns and brought back over \$1.6 billion in tax returns to working families.

The VITA Act of 2011 would authorize \$30 million in matching grants to eligible Community VITA Programs to be used for program operation, taxpayer outreach, and related financial services. The legislation would also establish a National Center to Promote Quality, Excellence, and Evaluation in VITA with a \$5 million authorization to disseminate best practices, facilitate technical assistance, coordinate program outcomes, and ensure continuation of service to underserved taxpayers for the 4,500 VITA sites operating nationwide.

The benefits of this community-based approach are abundant. First, VITA centers offer taxpayers a free, community-based alternative to commercial tax preparation chains, some of which steer low-income taxpayers into Refund Anticipation Loans, essentially borrowing their own money at high interest rates. Second, considerable evidence demonstrates that VITA centers significantly increase taxpayer compliance. Finally, VITA centers ensure that taxpayers not only claim the benefits of which they are entitled, but that they are also exposed to a variety of financial literacy tools and savings strategies aimed at helping them build assets for the future.

For these reasons, I have joined Senator SHERROD BROWN in introducing the Volunteer Income Tax Assistance Act of 2011, which is focused on expanding the original successes of the VITA program and ensuring the program is brought to a national scale. I urge all my colleagues to join me in this bill, which saves the Federal Government money, pumps money into our communities and gives a fair deal to our working families.

JOHN F. MARTINEZ TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, it is a great privilege to rise in commendation of John F. Martinez, who has served his country with great honor and dignity during WWII.

Mr. Martinez was born in San Luis, Colorado, in 1917. He worked as a farmer and answered his country's call, enlisting in the US Army at Fort Logan in 1942. There he was assigned to the 358th Infantry Division as squad leader.

The admirable career of Mr. Martinez included campaigns in Normandy, Europe, Africa and the Middle East. Because of his courageous service, Mr. Martinez has received ribbons for each campaign, was awarded a Bronze Star, and received a Purple Heart after being wounded in combat.

Mr. Speaker, John F. Martinez embodies the values of hard work, courage and sacrifice that make this country great. His actions and service are worthy of admiration and praise.

HONORING THE TRINITY CHOIR OF MEN AND BOYS AS THEY CELEBRATE THEIR 125TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. DELAURO. Mr. Speaker, it is with great pride that I rise today to join the New Haven community in commemorating the 125th Anniversary of the Choir of Men and Boys of Trinity Church. This extraordinary group of gifted adults and children has been in continuous service since its founding and has been nationally and internationally recognized for its talent and service.

With members as young as age eight and ranging to men well into adulthood, the Trinity Choir of Men and Boys is the oldest such choir in Connecticut, one of the oldest in the United States, and one of very few that have been in continuous service since inception. In addition to providing choral music at Trinity worship services, the choir also performs at the Christmas and spring concerts as well as throughout events in the wider community. The dedication and talent of its membership have earned the choir a distinguished reputation and they have regularly appeared with other musical organizations such as the Orchestra of Old Fairfield Academy and the members of the Choir of Christ Church in Greenwich, Connecticut, the Julliard Orchestra, the Boston Philharmonic and the American Classical Orchestra. They have appeared in venues ranging from the Green in New Haven to Carnegie Hall, Lincoln Center, and the White House. The boys of the choir have also performed in the United Kingdom and Italy. They have received well-deserved accolades throughout their history and they continue to make their hometown of New Haven, Connecticut proud.

The youngest of the group have a separate identity as the Trinity Boys Choir and their service to the community is certainly something to be recognized. Their frequent outreach activities have included benefit performances for the Children's Center, Ronald McDonald House, Sage Services, Newington Children's Hospital, the Fair Haven Parents' Ministry, the Smilow Cancer Center, and, most recently, for WFSB Channel 3's annual Joy for Kids Holiday Show at the Hartford Stage. They have sung in the Cathedrals of the British Isles and have been invited to appear at five Christmas time celebrations at the White House. Their talent is remarkable, but it is the commitment they have made to bring the joy of music to some of our most vulnerable citizens that is what makes the choir so special.

Today, with members past and present gathered as their year-long celebration comes to an end, the choir can reflect on their exceptional history and look forward to many more years of acclaimed performances. I consider it a privilege to have this opportunity to join the New Haven community in extending my heartfelt congratulations to the Trinity Men and Boys Choir as they celebrate their 125th anniversary. Under the leadership Music Director Walden Moore, Associate Music Director An-

drew Kotylo, and Organ Scholar Benjamin Straley, I have no doubt that the Trinity Choir of Men and Boys will continue to bring distinctive and unique performances to our community and others across the world.

HONOR FLIGHT CHICAGO PROGRAM

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. HULTGREN. Mr. Speaker, I rise today to honor all the World War II veterans, but especially our distinguished guests from the Honor Flight Chicago Program. This noble program enables hundreds of Veterans from the Chicago area to come visit the memorial built to honor their great service and courage, and I have the great privilege of welcoming them to Washington DC.

We all have a special appreciation for our veterans because we know the sacrifices they made to protect us and bring peace to a world ravaged by war. These servicemen answered our nation's call during one of its greatest times of need. These brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them our deepest gratitude and thanks for protecting and ensuring our future.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men for all to see, hear, recognize, and I call on my colleagues to rise and join me in expressing thanks.

Joseph Bialek, Stephen Bobic, George Bosy, Norman Breyer, Ralph Brockman, Peter Broustis, Simon Bult, Joseph Burke, Joseph Buzinski, Ingemar Carlson, John Carlson, James Carson, John Casper, George Charnas, Lehman Cheshire, William Corrigan, Raymond Craig, John DeHesus, Arthur DeLorenzo, Cyril Diskin, James Doheny, Raymond Donovan, William Doyle, John Dryja, Eileen DuPont, Willard Duvall, Irving Ellis, Robert Elmer, Robert Engdahl, Charles Etnner, Guy Franzese, Julian Friedman, William Froelke, Alfred Galuszka, Olaf Gjovik, Norman Goone, Lester Guenther, Gilbert Hancock, Robert Heinzen, Vernon Hill, Donald Hintz, Andrew Hitzelberger, Rick Jimenez, James Kinnard, Fred Klooster, Alfred Koszyk, Guenther Krieger, Walter Krulac, Andrew Kwinn, Lloyd Lage, Seymour Laurie, John Lavelle, Thomas Leo, Irving Lerner, James Letarte, Marcel Levesque, C. Russel Lockwood, Joseph Mann, John Marias, Richard Martial, Marvin McGreal, Marion Mitchell, Edward Moran, William Nicholson, John Oberholz, Louis Olmetti, David Perlman, Richard Pevitts, John Plisky, Joseph Pratl, Emil Pribula, George Renner, Arthur Reynders, William Rjeker, Robert Riplow, Frank Rock, James Rossi, Edward Ryan, Charles Sauer, Donald Schoo, Robert Shields, Edward Siessmann, Paul Sternfeld, Howard Surrent, Leonard Sytsma, Anthony Thomas, Robert Tinucci, John Torhan, Eugene Tronvig, Howard Vander Meer, Robert Vehlow, Dorothy Vesely, Lawrence Wallach, Frank Washburn, Albert Wiener, Elmer Wilhelm, Robert Winscott, Theodore Woytowicz, Joseph Zajac, Richard Zidek, and Henry Westrop.

HONORING CHIEF ROBERT FINN

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MARCHANT. Mr. Speaker, it is with great pride that I rise today to honor the service of an outstanding public servant in the 24th Congressional District of Texas. Police Chief Robert Finn is a hard working, family-oriented individual who has served the Southlake area selflessly throughout his personal and professional life. Chief Finn is retiring after 24 years of public service with the City of Southlake.

Chief Finn graduated from Grand Canyon University in Phoenix, Arizona, with a bachelor's degree of Public Safety Administration and an Executive Masters of Business Administration. In 2001, Chief Finn also graduated from the FBI National Academy. He has been married to his wife, Monica, for eight years and has two children.

In 1987, Chief Finn began his career in public safety as a Firefighter EMT-Paramedic for the city of Southlake. In 2002, he was appointed as the Southlake Fire Chief, and in 2008 he became Chief of the Southlake Police Department.

During his tenure as a public servant, Chief Finn assisted in the completion of the beautiful Southlake Department of Public Safety headquarters. Chief Finn developed strong relationships with neighboring cities, Keller and Colleyville, for joint cooperation in jail and dispatch services. He created and implemented a career guide to improve the knowledge, skills, and abilities of the command staff and supervisors in a successful effort to secure a safer community.

Chief Finn has received numerous awards and recognitions throughout his career. In 1993, Chief Finn was recognized as Southlake Firefighter of the Year, and in 1995 he received the Southlake DPS Director's Award for Excellence. As a member of the community, Chief Finn's leadership has been recognized by the Southlake Rotary Club as 2007 Rotarian of Year and Southlake Chamber of Commerce as 2008 Southlake Citizen of the Year.

Chief Finn has also served as a leader in many of the Southlake community organizations. He was the President of the Texas Association of Law Enforcement Planners from 2000–2001, Peer Assessor for the Commission of Accreditation for Law Enforcement Agencies from 2000–2005, FBI National Academy Alumni Association member since 2001, Peer Assessor and Team Leader of the Center for Public Safety Excellence since 2006, Rotarian since 2004 and President from 2006–2007, Advisory Board Member for Southlake Art in the Square since 2008, Board of Trustee Member of Metroport Meals on Wheels since 2010, and Advisory Board Member of Kids Matter International since 2011.

On behalf of the 24th Congressional District of Texas, I ask my colleagues to join me in thanking Chief Finn for his 24 years of public service to the City of Southlake.

HONORING STACIE AND KEN Podos

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. ENGEL. Mr. Speaker, Congregation Shaaray Israel of Monroe, NY, will honor Stacie and Ken Podos at their Journal Dinner Dance on June 12, 2011 for their long-time dedication to the congregation. Stacie and Ken are deeply involved in the synagogue and have held various leadership positions within the congregation.

Ken, a sales representative for J.K.J. Sales, Inc., currently serves as Chairman of Shaaray Israel's Board, and until recently was President of the congregation. Before his term as President, Ken began as financial secretary at Shaaray Israel, eventually moving on to serve as third, second and first Vice President. In addition to his work at the congregation, Ken is active on the Jewish Federation of Rockland's Board of Trustees.

Stacie, like her husband, is a leader in the congregation. She currently serves as chairperson of Shaaray Israel's Dedication Committee and is the incoming Vice-President of the Sisterhood. In addition to her work within the congregation, Stacie was heavily involved in the construction and design of the synagogue's new building. Trained at the Fashion Institute of Technology, Stacie is an interior designer by trade and helped decide on the materials and look of the synagogue.

Ken's and Stacie's commitment to the Jewish community extends beyond their congregation. They are actively involved in the Jewish Community Center of Long Beach Island, and serve on various national Jewish organizations. Ken and Stacie have been honored with the Tree of Life Award from Israel Bonds and serve as Solidarity Founders and Keepers of the Gate for Hadassah. Stacie, who has been a member of Hadassah for 24 years, also holds a position on the organization's national board.

Ken and Stacie are proud parents of Jordan, Kimberly, and Jared and are expecting their first grandchild this September. They have made outstanding contributions to their community through their involvement and dedication to Jewish issues, and I congratulate them on this honor they so richly deserve.

WILLIAM R. THURSTON TRIBUTE**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. TIPTON. Mr. Speaker, I rise to pay tribute to businessman, community philanthropist, and courageous WWII and Korean War hero, William R. Thurston.

While studying for a geology degree at Harvard University, Mr. Thurston trained to fly torpedo bombers for the Navy after Pearl Harbor. He was awarded the Air Medal 11 times and the Distinguished Flying Cross three times for his bravery while flying missions in the Pacific and over Japan.

Mr. Thurston put his geology degree to use, working for Sun Oil Co. between WWII and the Korean War, and for an independent oilman in Denver after the Korean War.

Mr. Thurston moved to Durango in 1977 with his wife Beatrice, where he became involved in the local arts scene and was an avid supporter of community theater. Lovers of live-music, the Thurstons founded Four corners Opera in 1980, and also became sponsors of Music in the Mountains, organizers for the Raise the Roof concert series, and participants in many other community endeavors.

Mr. Thurston's community involvement also included efforts to preserve and protect the rich history of the Four Corners area, and educate others about the region and its people. He supported the founding of the Crow Canyon Archaeological Center in 1983, with the hope of sharing his great enthusiasm for the area's remarkable past, precious artifacts, and cultural significance with others.

Mr. Speaker, it is my honor to rise and pay tribute to the inspiring life of William R. Thurston. Colorado was fortunate to benefit from his tremendous spirit and lifetime of community service.

**RECOGNIZING THE LIFE OF
ALPHONSE "AL" G. CONDON, JR.****HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Alphonse "Al" G. Condon, Jr.

The people of Northwest Florida have come to associate the name Al Condon with the terms honest, hardworking and benevolent. For 45 years, Mr. Condon practiced law with the Emmanuel, Sheppard and Condon law firm where he demonstrated these traits while serving his community. Mr. Condon, born in Pensacola, graduated from St. Michael's Catholic School and Pensacola Catholic High School. After receiving a bachelor's degree, Cum Laude, from Vanderbilt University, he joined the United States Marine Corps to serve his country. He then pursued a law degree from the University of Florida College of Law and established himself as a premier trial lawyer.

Civil litigation was not just a practice for Mr. Condon. His passion for justice transpired from the courtroom into his daily activities as well and is evident in his service as a past President of the Escambia-Santa Rosa Bar Association, member of the Board of Governors of The Florida Bar and an emeritus member of the Florida Board of Bar Examiners. Mr. Condon also served as special counsel to former Governor Bob Graham.

The impact Al Condon had on the Northwest Florida community extended far beyond his legal practice. A pivotal leader in the local community, Mr. Condon was actively involved with Big Brothers/Big Sisters, the Development Council of Pensacola Catholic High School, the YMCA, Pensacola Sports Association, and the City of Pensacola Recreation Board. The

Catholic Church recognized Mr. Condon's lifetime service to the Diocese of Pensacola-Tallahassee by awarding him the Medal of Honor.

Throughout his life, Al Condon exemplified the Catholic High School motto *Pro Deo et Patria* and United States Marine Corps motto *Semper Fidelis* in all he did. His legacy as a man of honor and sacrifice for his community will stand the test of time. Survived by his wife Judy of 48 years, five children, and nine grandchildren, he will forever be remembered by his family as a loving husband, father, and grandfather.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the life of Al Condon, Jr. of Pensacola, Florida. My wife Vicki and I offer our prayers for his entire family. He will be truly missed by all of us.

HONORING PAUL HIRSCHON

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. DEUTCH. Mr. Speaker, I rise today to honor Paul Hirschon, the Deputy Consul General of Israel to Florida and Puerto Rico for his many years of service to the South Florida Jewish Community, which is being honored this evening by the Jewish Community Relations Council of the Jewish Federation of South Palm Beach County.

Born in London, Mr. Hirschon spent his early life in South Africa and pursued degrees in accounting, law, and business before immigrating to Israel. Upon his move to Israel, Mr. Hirschon served in the Israel Defense Forces and worked in the Civil Service.

After a brief time back in England, Mr. Hirschon returned to Israel and spent ten years as a respected businessman in the hi-tech sector, where he focused on developing lasting relationships with businesses throughout the Middle East. However, in 2004, Mr. Hirschon returned to public service and joined the Foreign Service.

Mr. Hirschon was quickly promoted up the ranks of Israel's Foreign Ministry, working for the Consul General's Office in the Persian Gulf countries before being named the Deputy Consul General of Israel to Florida and Puerto Rico in 2008. It has been an honor working side by side with Mr. Hirschon as Israel and the United States continue advancing our shared core values of freedom, equality, and democracy.

I congratulate Mr. Hirschon for this great honor tonight, and I look forward to many more years of strong partnership with Mr. Hirschon.

INTRODUCTION OF H.R. XXXX, "TO DESIGNATE THE FACILITY OF THE UNITED STATES POSTAL SERVICE LOCATED AT 14901 ADELFA DRIVE IN LA MIRADA, CALIFORNIA, AS THE 'WAYNE GRISHAM POST OFFICE'."

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to introduce H.R. XXXX, the "To designate the facility of the United States Postal Service located at 14901 Adelfa Drive in La Mirada, California, as the 'Wayne Grisham Post Office'."

Mr. Wayne Grisham spent a significant portion of his life working for our country. He valiantly served our country as a fighter pilot during World War II and was held as a prisoner of war when his plane was shot down over Germany. Mr. Grisham was awarded the Purple Heart for his courageous service. After the war, an entrepreneurial spirit drove Mr. Grisham to open his own realty business in La Mirada, which he maintained for much of his life.

His dedication to the local community was truly remarkable. Mr. Grisham proudly served the City of La Mirada for over two decades, beginning in 1970 when he was elected to the city council. He continued his service to the community with his election to Congress in 1978 and the California State Assembly in 1984. He also lent his talents to the Peace Corps, serving as Director in Kenya in 1983.

A resident of Long Beach and later La Mirada, and graduate of Whittier College, Wayne Grisham was a longtime leader in the local community.

Mr. Speaker, I urge my colleagues to join me to honor the service and memory and of this true civic leader.

A TRIBUTE TO NORTH CAROLINA VETERANS PARK

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mrs. ELLMERS. Mr. Speaker, I rise today not only to celebrate our nation's 235th birthday, but also to take note of another very special event taking place in the great state of North Carolina. Today in Fayetteville, NC there will be a very special celebration for the dedication of the North Carolina Veterans Park.

Fayetteville, North Carolina has a rich history of supporting our troops and honoring those who choose to serve their country in such an admirable way. Across the state, our military institutions have led the way in protecting our country whether it be from Cherry Point Air Station to Charlotte Air National Guard from Camp Lejeune to U.S. Coast Guard Air Station Elizabeth City, from Fort Bragg and Pope Army Air Field to New River Air Station and Seymour Johnson Air Force

Base, from the Military Ocean Terminal at Sunny Point to the Oak Island and Wrightsville Beach Coast Guard Stations. North Carolina has opened its hearts and hands to support those who have made so many sacrifices for all of us.

Today's dedication of the Veterans Park is yet another way that North Carolina can show its appreciation to our men and women in uniform. Just as each generation has continued to protect our freedoms, this park exemplifies why North Carolina continues to hold the designation as the "Most Military Friendly State."

The NC Veterans Park will be a place of remembrance, and it further solidifies the commitment that North Carolina and its citizens have to the military and to all veterans. Today, our state affirms its gratitude for the men and women who have sacrificed in protecting the freedoms of this great nation.

Mr. Speaker, in closing I would like to offer some words from General Douglas MacArthur, who understood the commitment of those who choose to serve and the honor that they bestow upon this great nation by doing so.

The soldier above all others prays for peace, for it is the soldier who must suffer and bear the deepest wounds and scars of war. Therefore, let no man [be] entitled to the blessings of freedom unless he be vigilant in its preservation.

Veterans; the people of North Carolina dedicate this park in honor of your service. God Bless you all and may God continue to bless the United States of America.

RECOGNIZING PASTOR ROBERT E. SMITH, SR. AND MOTHER GILDA J. SMITH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. KILDEE. Mr. Speaker, I rise today to recognize Pastor Robert E. Smith, Sr. and his wife, Mother Gilda J. Smith, as they retire from the White Cloud Empowerment Center Church of God in Christ after 45 years ministering to the people in White Cloud and Flint, Michigan.

Pastor Smith and his wife Gilda were married in 1960 after he completed a tour of duty in the United States Air Force. Gilda graduated from the Hurley Hospital School of Nursing the following year and Robert went to work at Delphi. During this time they sustained a lifetime of ministry, calling individuals to live in Christ Jesus. Their ministry has taken them throughout the country but the focus has been in the State of Michigan. Pastor Smith and Mother Gilda have walked the streets of several communities giving prayer and encouragement to the people they meet. They have reached out to youth, the homeless, and the disaffected. As the pastor of the White Cloud Empowerment Center Church of God in Christ they have traveled every week from Flint to White Cloud to hold services and minister to the people of that community. In addition, Pastor Smith has served his jurisdiction as Assistant State Sunday School Superintendent, District Superintendent (on 3 occasions), State Sunday School Superintendent, Chairman of

Auxiliaries-in-Ministry, and presently serves as Administrative Assistant to Bishop P.A. Brooks, Jurisdictional Prelate, who is also 1st Assistant presiding Bishop of the Church of God in Christ.

Their three sons are all ministers and they have five grandchildren. Retired from their jobs at Delphi and Hurley Medical Center, Pastor Smith and Mother Gilda continue to encourage and bring spiritual healing to their many "adopted children" throughout our Nation.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Pastor Robert E. Smith, Sr. and Mother Gilda Smith as they retire from ministry at the White Cloud Empowerment Center, Church of God in Christ and I pray they will find much joy as they enter this next phase of their lives.

**HONORING SERGEANT CORNELIUS
H. CHARLTON, "THE HERO OF
HILL 543"**

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. RANGEL. Mr. Speaker, I rise today before you in continued celebration of the 60th Anniversary of the Korean war in honor of SGT Cornelius H. Charlton, the Hero of Hill 543. On Saturday, June 11, the Cornelius H. Charlton Memorial Society and the 369th Historical Society celebrate the bravery of Sergeant Charlton by unveiling an exhibition in his honor highlighting his historic exploits on Hill 543, a major battle during the Korean war.

SGT Cornelius H. Charlton is one of 87 African-American Medal of Honor recipients. He was born on July 24, 1929, in East Gulf, West Virginia to Van and Clara Charlton. In 1944, the family moved to the Bronx, New York. Cornelius attended James Monroe High School. After graduation he enlisted in the U.S. Army in 1946. Initially assigned to an engineering group, Sergeant Charlton requested a transfer to an infantry unit and was placed in Company C of the 24th Infantry Regiment, 25th Infantry Division. The 24th Infantry, nicknamed the "Buffalo Soldiers," was the United States Army's last, all-Black, segregated regiment to engage in combat. Sergeant Major Charlton volunteered for frontline duty for this rear-echelon outfit.

On June 2, 1951, near the village of Chipori, northeast of Seoul, Korea, Sergeant Charlton's platoon encountered heavy resistance while attempting to take Hill 543. Taking command after his platoon leader was wounded, he regrouped his men and led an assault against the hill. Wounded by a grenade, Sergeant Charlton refused medical attention and continued to lead the charge. He single handedly attacked and disabled the last remaining enemy gun emplacement, suffering another grenade wound in the process. Sergeant Charlton succumbed to his wounds and died after he knocked out two Chinese machine guns guarding Hill 543. The North Korean and Communist Red troops had stalled United Nations troop advance for three days.

Prior to that tragic battle, and ultimate sacrifice, Sergeant Charlton was recommended

for a battlefield commission by his Commander. On February 12, 1952, for his actions during the battle, he was posthumously awarded the Medal of Honor and the Purple Heart.

After his death, Sergeant Charlton's body was returned to the United States and buried in his mother's family burial place in Virginia. According to family members and other veterans, Sergeant Charlton was not buried at Arlington National Cemetery because of his race. The Army later stated he was not buried at Arlington because of an administrative oversight. In 1989, the Medal of Honor Society discovered Sergeant Charlton's burial site in poor condition; and in 1990 re-interred his remains at the American Legion Cemetery in Beckley, West Virginia. Finally, on November 12, 2008, Sergeant Charlton was finally re-interred at Arlington National Cemetery.

The Cornelius H. Charlton Memorial Society, Inc., CHCMS, a non-profit organization, was founded in 2010 by the family and friends of SGT Cornelius H. Charlton. Sergeant Charlton, a member of Company C, 24th Infantry Regiment, 25th Infantry Division, was awarded the Congressional Medal of Honor during the Korean war, 1950–1953. The mission of CHCMS is to preserve the heroic legacy of Sergeant Charlton, while also promoting his character and leadership qualities to young people through its college scholarship fund.

The 369th Historical Society Museum is housed in the 369th Regimental Armory, home of the famous Harlem Hellfighters. The 369th Historical Society is an all volunteer non-profit 501 (c) 3 organization, chartered by the New York State Board of Regents. Established in 1960 to collect, preserve and maintain artifacts, books, papers, photographs, film and articles on the history of the 369th Regiment, its allies and affiliates, and of African American soldiers who served in the Military Service of the United States. The Museum's holdings consist of an extensive collection of photographs and artifacts of the 369th soldiers from WWI to the present.

Mr. Speaker, I ask you and my colleagues to join two very grateful nations in honor and in memory of our American hero, Medal of Honor and Purple Heart recipient, SGT Cornelius H. Charlton, as we continue to celebrate and remember the 60th Anniversary of the Korean war.

**RECOGNIZING THE UNIVERSITY OF
WEST FLORIDA ARGONAUTS
BASEBALL TEAM AS THE 2011
NCAA DIVISION II NATIONAL
CHAMPIONS**

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the University of West Florida's baseball team on becoming the 2011 NCAA Division II National Champions.

Saturday, June 4, 2011 was a proud day to be wearing green and blue. Over 700 miles from home, the USA Baseball National Training Complex was filled with Argonaut spirit.

After a remarkable season of 52–9, the University of West Florida baseball team scored a National Championship, bringing home the first national NCAA title for UWF.

Under the direction of Head Coach and former Argo player Mike Jeffcoat, the impressive victory of 12–2 against Winona State showcased not only his leadership, but also the determination of these young athletes. Through their unwavering dedication and teamwork, these young men earned the title of national champions and have made Northwest Florida proud. Their inspiration and victory was a grand slam not only for the team, but for the University and the entire Gulf Coast.

On behalf of the United States Congress, I congratulate the University of West Florida Argonauts for their outstanding accomplishments. My wife Vicki joins me in offering our best wishes to the team, coaches, faculty, and students at the University of West Florida for their continued success.

**HONORING 50 YEARS OF EXEM-
PLARY SERVICE BY THE FILI-
PINO LADIES ASSOCIATION OF
GUAM**

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to honor the Filipino Ladies Association of Guam (FLAG) for their years of exemplary service to our community. Founded in 1962, FLAG has worked to foster unity and friendship amongst Filipinas throughout Guam by promoting the traditions and values of the Filipino culture. The organization has also worked to address the needs of our island community through volunteer services.

For 50 years, FLAG has been instrumental in contributing to our local community through volunteer efforts, educational assistance, and fundraising projects for local charities. FLAG has contributed to national charities such as the American Red Cross, American Cancer Society, Salvation Army, and local non-profit organizations such as Erica's House Family Visitation Center, Aleeh Shelter, Sanctuary Incorporated, Carmelite Sisters, the University of Guam, and our local hospital. FLAG's efforts have been an asset our community, especially for our island's women and children.

I congratulate the Filipino Ladies Association of Guam on their 50th Anniversary, and I commend them for their years of humanitarian service and efforts in helping Guam's community. I also commend the efforts of the Board of Trustees, executive officers, members, and volunteers who have dedicated and contributed their time in promoting Filipino culture and values over the last five decades. I look forward to many more years of service as we commemorate the hard work and contributions of the Filipino Ladies Association of Guam.

HONORING HARRIET BEECHER
STOWE ON HER BICENTENNIAL
ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. DeLAURO. Mr. Speaker, this month marks the bicentennial anniversary of the birth of one of our nation's most influential and eminent women authors, Harriet Beecher Stowe, and it is with great pride that I rise today to join Connecticut's Harriet Beecher Stowe Center in recognizing this remarkable milestone as well as celebrate this Connecticut daughter's life and distinguished career.

Harriet Beecher Stowe was the most famous American woman of the 19th century and what earned her that status was her best-selling, anti-slavery novel *Uncle Tom's Cabin*. What you may not know is that she made her home in Hartford, Connecticut, and with neighbors including Mark Twain, Isabella Beecher, Joseph Hawley, Charles Dudley Warner, and William Gillette, Stowe lived and worked in what was one of the nation's preeminent literary communities.

Uncle Tom's Cabin was and still is an extraordinary story. Through its pages, Stowe brought humanity to slavery in the United States and catapulted the issue to the forefront of the time's political debate. Her informal, conversational style spoke to people, touching them in a way that political speeches and newspaper accounts could not. While there were many contributing factors to the outbreak of the Civil War, it is often said that *Uncle Tom's Cabin* and the debates that its publication sparked helped 19th century Americans determine what kind of country they wanted. In fact, it is said that upon meeting Stowe in the White House in 1862, President Abraham Lincoln said to her, "So you are the little woman who wrote the book that started the Great War."

Stowe was a prolific writer and *Uncle Tom's Cabin* may have been her most famous work but it was certainly not her only book. In fact, over her lifetime, she wrote more than 30 books and novels. Her broad range of interests resulted in such varied publications as children's text books, advice books on homemaking and child rearing as well as biographies and religious studies. In each of her works, Stowe's unique style encouraged discussion among everyday people and those ranged from slavery to religious reform to gender roles. Though overshadowed by her most famous of works, Stowe's ability to influence public debate on a variety of controversial topics and the influence she had on shaping public opinion is undeniable.

Today, the Harriet Beecher Stowe Center, located in Hartford, Connecticut, uses Stowe's life story and work to inspire social justice and positive change with programs and initiatives that reach thousands across the world. In Connecticut, we are proud to call Harriet Beecher Stowe our First Lady of Literature and we could not be more proud to celebrate her life, her work, and her invaluable contributions to our society. Two hundred years after her birth, Harriet Beecher Stowe's life continues to in-

spire the belief that each of us can make a difference in the world—that one person, using their talent and determination, can create change.

TRIBUTE TO DONNIE A. BRYANT

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. JOHNSON, of Georgia. Mr. Speaker, Whereas, Twenty two years ago a tenacious man of God accepted his calling to serve in the corporate world of South Central Bell, BellSouth and AT&T; and

Whereas, Mr. Donnie A. Bryant began his career in 1981 serving in various positions with the company and serving in various cities in the United States, cities such as Baton Rouge, Louisiana, Lafayette, Louisiana, New Orleans, Louisiana, Birmingham, Alabama, Conyers, Georgia and Atlanta, Georgia; and

Whereas, Mr. Bryant has shared his time and talents, giving the citizens of our District a friend to help those in need, a community leader and a servant to all who wants to insure that the system works for everyone; and

Whereas, Mr. Donnie A. Bryant is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mr. Donnie A. Bryant on his retirement from AT&T and to wish him well in his new endeavors;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim June 5, 2011 as Mr. Donnie A. Bryant Day in the 4th Congressional District.

Proclaimed, this 5th day of June, 2011.

RECOGNIZING DR. MARION J.
BROOKS AND THE NAMING OF
THE DR. MARION J. BROOKS
BUILDING

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. BURGESS. Mr. Speaker, I rise today to recognize the contributions of Dr. Marion Jackson Brooks, an individual fondly known as "Dr. Jack," a name not only synonymous with medical care among Fort Worth's African-American community, but also the community at large. As a lifelong resident of the City of Fort Worth, he was a devoted family man, a generous and caring physician, a tireless advocate for social justice and a steadfast friend. His legacy of community service has been immortalized in Fort Worth through the naming of the Tarrant County Health Building in his honor.

Jack Brooks was the third of four boys born to Roy and Eula Brooks, graduating from I.M. Terrell High School in 1936. A born leader, he became commander of the ROTC while attending Prairie View A & M College, a service

that presaged his role in World War II as an army First Lieutenant.

On Christmas Day, 1945, Jack married the former Marie Louise Norris and shortly thereafter moved to Washington D.C. where he received an honorable discharge and enrolled in Medical School at Howard University. He graduated 5th in the medical school class in 1951 and returned to Fort Worth with his wife and four children to begin practicing medicine in Fort Worth's black business district.

From this vantage point, he recognized the broad needs of his community beyond the delivery and access to quality health care and encouraged and helped politically organize the African-American community through dissemination of information, programs, voter registration and organization.

Dr. Brooks worked toward expanding access and equality for his community. Initiatives he worked and advocated for included integration of Fort Worth's hospitals and public school district, serving as co-founder and the first president of the Sickle Cell Anemia Association of Texas, and service on boards and commissions devoted to his alma mater, Prairie View. Additionally he worked to expand economic opportunities as head of the local Urban League chapter and toward expanding political empowerment as a founding organizer of the Tarrant County Precinct Workers Council.

He expanded his medical practice with his brother Donald through the establishment of the Brooks Clinic in Fort Worth's Morningside Community, a full-service medical facility in the heart of the African-American community. In this neighborhood he and his wife established a home for what had now expanded to a family of five children and organized the Morningside United Methodist Church in their living room in 1962. From this foundation he served over 30 years as Sunday school teacher.

Dr. Brooks also contributed to the McDonald Branch Y.M.C.A., Free and Accepted Masons-Prince Hall, Ft. Worth Chamber of Commerce, the Ft. Worth Symphony Orchestra and served as the first African-American member of the Parks and Recreation Board of the City of Ft. Worth. He was also a professional affiliate of the Tarrant county Medical Society, American Association of Family Practice Physicians, and the National Medical Association. He was also a member of the Alpha Phi Alpha Fraternity, NAACP and SNCC.

Through his medical practice and his life, Dr. Brooks remained committed to the under-represented and underprivileged. He accepted his role of service as a physician within the African-American community and broadened the responsibility to speak out for the rights of its citizens as an elder statesman, impacting the lives before closing his story of service to God, family and community on March 3, 2003.

Mr. Speaker, I am honored to recognize Dr. Brooks contributions to the City of Fort Worth and to celebrate the naming of the Dr. Marion J. Brooks Building. He has enriched the city, county and state which I am honored to represent.

HONORING SUKANYA ROY

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MARINO. Mr. Speaker, I rise today in honor of my constituent, Miss Sukanya Roy, to celebrate her victory in the Scripps National Spelling Bee. Sue, as she is more commonly known, is currently an eighth grader at Abington Heights Middle School. She lives in South Abington Township with her father Abhi Roy, a professor at Scranton University, and her mother Mousumi Roy, a professor at the Pennsylvania State University.

Sue is an avid member of her school's Ecology Club and plays the violin in the school orchestra. Outside of academia, Sue enjoys indoor rock climbing, ice skating, and playing the piano. She is also fluent in Bengali and keeps in touch with her heritage by traveling to India every summer.

This was the third consecutive year that Sue participated in the National Spelling Bee, having finished in the top twenty in previous years. This year Sue said she knew every word and did not guess once. Sue was crowned this year's champion after correctly spelling "CYMOTRICHOS," a word of Greek origin relating to having wavy hair.

Although she is just about to enter high school, Sue wants to pursue a career in International Relations and hopes to bring an end to world poverty and hunger.

Mr. Speaker, I rise today to honor Sukanya Roy and ask my colleagues to join me in praising her achievement as the 84th Scripps National Spelling Bee Champion.

IN HONOR OF JENNEFER LLOYD
SANTEE WINEMAN**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. FARR. Mr. Speaker, I rise today to honor the life of Jennefer Lloyd Santee Wineman. Jennefer was a gracious, loving and strikingly beautiful woman who generously gave her time and talents in an effort to better the lives of those around her whom she loved. She passed away on November 26, 2010.

Jennefer was born on May 15, 1931 in Montreal Canada, but soon moved to Carmel, California where she later became a proud U.S. citizen. In the beautiful backdrop of cypress trees and glowing sunsets, Jennefer flourished and graduated from Carmel High School in 1949 earning the "Gold C" award, which was given to an outstanding scholastic female student. It was during my years at Carmel High School that I really became close with Jennefer, through her younger sister Cindy. Following Carmel High, Jennefer attended Stanford University where she met Nathaniel Baylis and they soon were married. Jennefer and "Nat" were blessed with two wonderful sons, Owen and Lloyd. Those closest to her have said that her most natural and intuitive gift was that of being a wonderful, caring mother.

In addition to being a loving wife and mother, Jennefer helped pioneer a revolutionary form of education. She became a teacher at the Charles Armstrong School for the dyslexic, a school which specifically caters to the needs of children who require a different method of teaching. Education became Jennefer's passion and led her to play a pivotal role in the establishment of Chartwell School in Carmel. Through her dedication to improving the lives of her students and their families, Jennefer molded Chartwell school into one of the premier special education institutions. After completing her long held dream of providing Chartwell with its own independent campus, families from across America began to relocate to the Central Coast just to have their children attend. Chartwell graduates have gone on to very successful careers in many fields, adding to the strength of our country. As Margaret Mead said, "never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever does". Jennefer and the Chartwell School did change the worlds of many young people for the better.

Not only a brilliant educator, Jennefer was the guiding light for the Lloyd family, a family which will be celebrating the anniversary of its 100th year in Carmel this coming July. She loved her family and cherished her family's history. She set to work tracing her lineage and eventually joined the Daughters of the Revolution, in which her membership remained an integral part of her life. She challenged her family just as she did her students, to overstep the insurmountable and to take what you want from life with tenacity; she was the catalyst that lit the fire.

Jennefer's bright smile and positive outlook helped her see the good in everyone around her and she had the ability to always bring the best qualities of a person to light. Her friends and family have many stories of how Jennefer encouraged them to try again, to gain new skills and reinvent themselves. As a friend of Jennefer's, I truly believe she took to heart the song, "Over the Rainbow." She believed "the dreams that you dare to dream really do come true."

Christmas was Jennefer's favorite holiday because it was a time for the entire family to be together and a special time to give thanks for the wonderful things in life. If you were to ask her what she wanted for Christmas, the answer was always the same, "peace on earth".

Mr. Speaker, Jennefer Lloyd Santee Wineman always put others before herself and dedicated her life to serving her community and family. She was so beautiful, caring and remarkable and I know that one day, on the other side of the rainbow, where skies are blue, and where troubles melt like lemon drops, that is where I'll find her.

THE BETHLEHEM GRANGE
NUMBER 121**HON. CHRISTOPHER S. MURPHY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the Bethlehem Grange on

their 120th anniversary. The Bethlehem Grange Number 121 is one of nearly sixty National Grange chapters in the state of Connecticut. On January 6, 1891, the Bethlehem Grange was organized by 24 charter members. Through the years, the Bethlehem Grange has grown substantially, having at one point over 150 members. The Bethlehem Grange has maintained a strong commitment to the rural communities of northwestern Connecticut.

The Bethlehem Grange has a rich history of promoting family farming and community service in rural Connecticut. In 1891 the Bethlehem Grange sponsored their first Grange Fair in the Town Hall. The fair has grown and expanded since then, eventually becoming the popular Bethlehem Fair, which I've had the pleasure of attending numerous times over the years.

The Bethlehem Grange is committed to fostering a deeply-rooted sense of community. In addition to their monthly activities, the Grange supports their local food bank, donates dictionaries to the local elementary school, and provides scholarships to local high school students. Their dedication to civic responsibility doesn't end there: the Bethlehem Grange holds an annual community flea market and participates in the Adopt-A-Road program.

Over its 120 years of existence, the Bethlehem Grange has done its part to preserve the cherished historical character of northwestern Connecticut. Mr. Speaker, I believe that we can all learn from the Bethlehem Grange's dedication to fellowship and service, and so I ask my colleagues to join with me, and the people of Bethlehem, in recognizing the Bethlehem Grange Number 121 on their 120th anniversary.

RECOGNIZING SAM GILLIAM

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Sam Gilliam, a world-renowned artist, an innovative leader in artistic expression, and a resident of the District of Columbia. Sam Gilliam's work has been acclaimed throughout our nation. We now ask the Congress of the United States to officially recognize Sam Gilliam as well.

Born in Tupelo, Mississippi, Sam has spent most of his distinguished career as a resident of the nation's capitol. Through the guidance and encouragement of his elementary school teachers, Sam discovered his interest in painting and artistic expression while growing up in Louisville, Kentucky. After graduating from Central High School in Louisville, Sam earned a bachelor of arts degree in fine arts and a master's degree in painting at the University of Louisville. He taught in Louisville public schools and served in the United States Army.

Sam Gilliam's work is distinctive in its creative artistry, using bright, piercing colors (which solidified his place at the Washington Color School), distorting geometric shapes, and displaying unframed painted canvases,

enabling the work of art and background to blend as one.

As a member of the Smithsonian Art Collectors Program, Sam has produced several pieces to benefit arts education programs at the Smithsonian Institution, including *In Celebration*, 1987 and *Museum Moment*, 2009. In 2005, the District's prestigious Corcoran Gallery of Art honored Sam with a retrospective exhibition that highlighted his artistic achievements. Sam's first solo exhibition was featured in the District's Jefferson Place Gallery, and the current exhibition of his work at two premiere galleries in the city, the Phillips Collection and the Katzen Center at American University, indicate continuing appreciation of his unique pieces. Sam has been awarded numerous honorary degrees, and his work has been featured throughout the world, including the National Gallery of Art, Washington, DC; Tate Gallery, London; Metropolitan Museum of Art, New York; Hirshhorn Museum and Sculpture Garden, Washington, DC; Cleveland Museum of Art, Cleveland, OH; and the Musée d'Art Moderne de la Ville de Paris, Paris, France. Sam's new piece for the Washington Metropolitan Area Transit Authority's (Metro) Art-in-Transit Program, *From a Model to a Rainbow*, is being displayed at the Metro underpass at 4th and Cedar Street, NW near Takoma Station. I will be among the guests to recognize Sam on Saturday, June 11, 2011, at Takoma Station.

The District of Columbia and its residents are particularly grateful for Sam Gilliam's work in developing the next generation of artists by mentoring and teaching art classes to DC Public Schools students. His studio is located in the historic Shaw neighborhood, an area of the city known for its diverse forms of music, dance, and culture.

For a lifetime of achievements and for continuing contributions to the arts, as recognized throughout the nation and the world, I ask the House to join me in celebrating the uniquely distinctive place of Sam Gilliam in the arts.

IN HONOR OF LANCE CORPORAL
NICHOLAS O'BRIEN

HON. SUE WILKENS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mrs. MYRICK. Mr. Speaker, it is with a heavy heart that I rise today to honor the life of Lance Corporal Nicholas O'Brien—a Marine from Stanley, NC, who was killed in action while serving our country in Afghanistan. He had just turned 21 two weeks earlier.

Nic—as he was known to family and friends—entered the United States Marine Corps knowing the risks, but also knowing that he had a calling to serve our country.

From a young age, he knew he wanted to be a Marine, and even turned down scholarships to continue playing baseball—he was a star player at East Gaston High School, from which he graduated in 2008.

Lance Corporal Nic O'Brien is what his father calls “a true American hero in every sense of the word.” He's right.

There is no way that we can adequately thank our men and women in uniform all for

their service and sacrifice to protect our freedoms. The thoughts and prayers of our entire Nation are with them—those who have bravely served, and the families of those whose ultimate sacrifice will never be forgotten.

Mr. Speaker, I ask my colleagues to join me in expressing our deepest thanks and condolences to the O'Brien family and to everyone who knew Nic—a true American hero.

REGARDING THE LEGENDARY
JIMMY HEATH, RECIPIENT OF
THE 2011 DC JAZZ FESTIVAL
LIFETIME ACHIEVEMENT AWARD

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. CONYERS. Mr. Speaker, many of my colleagues know of my passion for jazz music. This original American art form has played an influential role in my life and is as integral to my District as Motown and automobiles. As such, it has been my pleasure to support and promote the music over my many years in Washington.

I am proud to be an original supporter of the 7-year old DC Jazz Festival, now the largest music festival in the Nation's Capital. It has truly been a pleasure to be a part of this event and all it offers the District and the Nation—from great year-round jazz programming to real educational partnerships with the DC public schools. Truly, the DC Jazz Festival demonstrates that equality, inclusion and democratic values stand at the heart of jazz music.

Since its inception in 2005, the DC Jazz Festival honors living legends each year with a Lifetime Achievement Award. Past recipients include Dave Brubeck, Dr. Billy Taylor, Clark Terry, Hank Jones, Buck Hill, George Wein, Ellis Marsalis and James Moody. Today I rise to add my words of congratulations to the most recent jazz legend to receive this honor—Mr. Jimmy Heath.

The second oldest brother of the legendary Heath Brothers, Jimmy Heath has long been recognized as a virtuoso instrumentalist, and magnificent composer and arranger. He has performed on more than 100 recordings with his own groups, as well as with jazz icons such as Dizzy Gillespie, James Moody, and Miles Davis, to name just a few. Nicknamed “Little Bird” due to his similarities in saxophone style to Charlie “Bird” Parker, Mr. Heath has written more than 125 compositions, many of which have become jazz standards. Mr. Heath has also long understood the importance of educating the next generation jazz musician. A preeminent educator, he directed the jazz program at Queens College in New York for over twenty years. Jimmy Heath was also a panelist at my 1987 Congressional Black Caucus Foundation Jazz Forum entitled: “Jazz a Family Tradition.” He talked about his experience growing up in a household with two brothers who also became world renowned jazz musicians: Percy Heath, and Albert “Tootie” Heath.

Jimmy Heath has served on the Board of the Louis Armstrong Archives housed at Queens College, and taught at renowned insti-

tutions, including New York's famed Jazzmobile, Housatonic College, the City College of New York, and The New School for Social Research. Recipient of the 2003 NEA Jazz Masters Award, we celebrate Jimmy Heath's enduring achievements and contributions to our nation's singular original art form.

Today, I am proud to honor this American living legend and pass on my congratulations for a job well done and an award well deserved.

HONORING KARL BAUER

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the life and accomplishments of Karl Bauer who passed away on February 16, 2011. For many years, he served as an active member of the Greater Independence Park Neighborhood Association and a source of joy for all those who knew him.

As a young man, Mr. Bauer escaped from East Germany and arrived in Chicago in 1957. He brought with him tremendous skill as a machinist and worked in several small shops throughout the city over the course of his life.

After marrying Edith Bauer, the love of his life, the two bought a house at the corner of Byron and Hamlin in the center of the 5th Congressional District. This house served as a source of pride and happiness for Mr. Bauer and came to be a model of excellence for the rest of the neighborhood. He soon became active in his new community, joined GIPNA and, in the words of his neighbors, served as “a familiar and loveable presence.” Always willing to help, he acted as a dependable block representative and made sure to greet neighbors at the pancake breakfast every year.

Mr. Speaker, I ask my colleagues to join me in remembering Karl Bauer and his commitment to improving and supporting his neighborhood. His work has touched the lives of many in his community, and his contributions will be greatly missed.

IN HONOR OF THE REVEREND
JOHN KEVIN RING

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. PELOSI. Mr. Speaker, I rise to honor Father John Kevin Ring, who on June 12, 2011 will celebrate his Golden Jubilee of priestly service in San Francisco, California.

I join my fellow parishioners in profound gratitude for Father Ring's service as Pastor of St. Vincent de Paul Church and St. Vincent de Paul School, both which have flourished with his guidance over the past 24 years.

Father John Ring was born in San Francisco and grew up in St. Anne's Parish in the Sunset district. He entered the seminary at St. Joseph's College in Mountain View and continued his studies for the Priesthood at St.

Patrick's Seminary in Menlo Park. Father Ring was ordained a priest on June 10, 1961 at St. Mary's Cathedral and began his first assignment at the Most Holy Redeemer Parish in San Francisco. He served at St. Patrick's in Larkspur, St. Matthew's in San Mateo, St. Brigid's in San Francisco and Mater Dolorosa Church in South San Francisco before being appointed by Archbishop Quinn in 1986 to serve as fifth Pastor of St Vincent de Paul Church in San Francisco.

St. Vincent de Paul Catholic Church was founded in 1901, also called the "Church of Cow Hollow" for its oldest neighborhood, "Church of the Exposition" for the Panama Pacific International Exposition that took place largely in the Marina District and the "Church of the Earthquakes" since it withstood both of San Francisco's big earthquakes.

The 1989 earthquake was a momentous event in the history of the St. Vincent de Paul parish because much of the damage was sustained in the Marina District, including considerable structural damage to the church itself. On the Friday following the earthquake Archbishop John Quinn offered mass at the church. Father Ring presided over the church's renovation which was celebrated at the Feast of St. Vincent de Paul on September 27, 1991. Both the new altar and the new pipe organ were dedicated by Archbishop Quinn in 1993.

As Pastor of St. Vincent de Paul Church, Father Ring stressed the need to involve the laity in decision and policy making. During his Pastorate there were many beginnings, including a mass for young adults, a group of Home Visitors to care for the sick and homebound in the parish, and beyond, and girls were allowed to be altar servers.

Father Ring formed a Parish Finance Committee and worked to stabilize St. Vincent de Paul School that has become a highly regarded parochial school in San Francisco.

The individuals and families in Father Ring's parish have been blessed with a Pastor who has strengthened their church and school, built community, and inspired their love for service and their love for God.

On a personal note, my husband Paul's parents John and Corinne Pelosi became parishioners of St. Vincent de Paul in the 1930s and our family has had a relationship with this parish for over 70 years. Although Father Ring will be retiring he will long be an inspiration to our family.

IN RECOGNITION OF HONDA NORTH AMERICA'S OPERATIONS BACK UP BY AUGUST 2011

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to the people of Honda by including an editorial below from The Daily Home on May 28th about their resilience after the tragedies in Japan.

It is very good news that Honda expects all its North American operations to be back to full speed by August and that includes its

Lincoln plant where three of its most popular vehicles are assembled.

The March earthquake and tsunami in Japan severely hampered Honda's supply chain and ended up costing the giant automaker months of production as it faced difficult and at times insurmountable obstacles to getting supplies from Japan to North America.

Without those supplies, cars could not be built.

As time passed, the supply chain opened up a bit, and then a little more.

But not too long ago Honda officials (along with other Japanese automakers) were expecting a late fall date for full production to resume.

Last week, however, the company announced it wouldn't take that long.

"Honda will increase production volume at its North America automobile plants to a rate of 100 percent original production plan in August," a company press release announced.

Honda's employees in Lincoln met the news with enthusiasm.

"Today we announced to our associates in plant-wide meetings that we are planning to accelerate recovery of our production. . . ." said Mark Morrison, a company spokesman. "When we announced that the Odyssey and Pilot would reach 100 percent of their original production plan in August, our associates greeted the news with great applause," he said.

That kind of reaction is what you would expect from Honda employees. The 4,000 people who work in the local plant are intensely loyal and, based on the plant's expansion since opening, also are very productive.

That loyalty and productivity have been rewarded with a unique approach to the forced slowdown in production. Rather than lay off workers, Honda allowed them to work on maintenance chores, or to take earned vacation time to keep their paychecks coming. And after the April 27 tornadoes ripped through our area, Honda allowed its employees to take two days per week to volunteer at cleanup activities while getting paid as though they were at work.

Those policies say a lot about Honda and the kind of company it is. And they say a lot about Honda's employees and the kind of people they are.

Honda made it through this parts crisis without laying off a single employee in their North American plants, the company said. Now that they are ready to ramp up production again, those employees are available and their morale should be high, since no one had to do with a reduced paycheck during the difficult times.

The Japanese automaker obviously enjoys great economic strength to be able to weather such a crisis without cutting employee paychecks. We commend Honda for its approach, we continue to wish the company a long and prosperous future in Lincoln and the rest of its North America plants.

PERSONAL EXPLANATION

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. BASS of New Hampshire. Mr. Speaker, on June 3, 2011, I was on a leave of absence from the House of Representatives to attend the funeral of former Congressman Peter

Frelinghuysen. As a result, I did not have the opportunity to vote on rollcall votes 410, 411, and 412. On rollcall vote 410, providing consideration of H. Res. 292 and H. Con. Res. 51, I would have voted in the affirmative. On rollcall vote 411, declaring that the President shall not deploy, establish, or maintain the presence of units and members of the United States Armed Forces on the ground in Libya, I would have voted in the affirmative. On rollcall vote 412, directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Libya, I would have voted in the affirmative.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. REED. Mr. Speaker, on May 10, 2011, I was unable to be on the House floor to vote for the three amendments to H.R. 1229. Had I been there, I would have voted as follows: rollcall 299: Polis amendment: "nay"; rollcall 300: Garamendi amendment: "nay"; rollcall 301: Markey amendment: "nay."

Also, I regretfully inform you I was detained during a vote on May 11, 2011. Had I been present, I would have voted as follows: rollcall 312: Connolly amendment: "nay."

Finally, in addition, I was detained during a vote on May 25, 2011. Had I been present, I would have voted as follows: rollcall 338: Foxx amendment: "yea."

HONORING HARRIET BEECHER STOWE

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the bicentennial of the birth of Harriet Beecher Stowe. Stowe was born on June 14, 1811, and was an integral figure in the abolition movement. She is best known for her anti-slavery novel Uncle Tom's Cabin—a book that painted a human picture of slavery in the United States.

Her writing stirred an international groundswell of support for abolition. Uncle Tom's Cabin, first serialized in the weekly National Era, became the best-selling book of the 19th century, with 10,000 copies sold in the first week of publication. In Great Britain, 1.5 million copies were sold in its first year. Uncle Tom's Cabin has since been translated into 60 languages and continues to be read around the world.

Stowe leveraged the media of her day, demanding that America fulfill its promise of freedom and recognize the human face of bondage. Virulent criticism from slavery proponents prompted Stowe to publish A Key to Uncle Tom's Cabin, detailing her sources. Over the next decade, public attitudes toward slavery changed.

Stowe's informal, conversational writing style inspired people in a way that political speeches and newspaper accounts could not. Many believe that Uncle Tom's Cabin helped 19th century Americans determine what kind of country they wanted.

Harriet Beecher Stowe's legacy is proof that we all have the ability to make profound position changes to our world, no matter the obstacles. Her creativity and courage positively influenced the lives of many. I ask my colleagues to join with me in officially recognizing the bicentennial of the birth of an incredible American, Harriet Beecher Stowe.

PLEDGE FOR RESPECT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. BLUMENAUER. Mr. Speaker, the National Council of La Raza (NCLR) has called on Congress to oppose irresponsible and inflammatory rhetoric toward Latinos, and instead to focus on finding solutions to the nation's most pressing concerns that work for all Americans. Today, I join with them in opposing irresponsible rhetoric and supporting the importance of civil discourse in the political process, especially on issues related to race and ethnicity.

The current national immigration narrative misrepresents the Latino community. Some use the community as a scapegoat, and some blatantly encourage xenophobia for political gain. Like all Americans, Latinos care about and are deeply affected by the complex issues facing our nation: serious economic challenges, a flawed immigration system in need of reform, an unnecessarily complex tax code that often hurts the middle class, and an aging infrastructure that endangers the literal ties between us. Those who slander, dehumanize or disrespect any community in particular are refusing to solve problems in a thoughtful, constructive way.

If we as a country join hands, move forward and choose to be respectful of Latino—and all racial and ethnic communities—we can solve our problems together. Every day, Latinos make substantial contributions to the economic, civic, and cultural life of Oregon and this country. I encourage my colleagues to seek out and consider the Latino perspective on today's issues, and to find areas of common ground based on our shared values and interests. I encourage them to meet with NCLR and other Latino businesses, non-profits and community groups in their area. Hearing the Latino perspective benefits all Americans. I consider it an honor to represent the Latino families, students, workers and constituents of the 3rd congressional district in Oregon.

HONORING LEONARD REZMIERSKI

HON. THADDEUS G. MCCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MCCOTTER. Mr. Speaker, today I rise to honor and acknowledge Mr. Leonard Rezmierski upon his retirement after 46 years of service with Northville Public Schools and having served the last 20 years as Superintendent.

After receiving a Bachelor of Science from Western Michigan University in 1965, Leonard Rezmierski went on, in 1969, to earn a Master of Arts majoring in Special Education with a minor in Administration at the University of Michigan. He earned a Doctor of Philosophy, majoring in Education and Anthropology, at the University of Michigan in 1982.

Founder of the Galileo Leadership Training Program, Dr. Rezmierski served as the Tri-County Alliance President and as the Michigan Association of School Administrators Region 9 President during the 2003/2004 school year. He held the position of MASA Region 9 Vice President in the prior year and during the 2006/2007 school year he was chosen as President Elect while also being an active member and Past President of the Wayne County School Superintendents' Association. Dedicating considerable time and effort to the Council for Exceptional Children at the state, national and international levels, Leonard has also devoted himself to the Wayne County and the Michigan Association of Administrators of Special Education.

Dr. Leonard Rezmierski has been the recipient of numerous awards including the Northville Parent-Teacher Organization Service Achievement Award, the Marvin E. Beekman Administrator of the Year Award, the Susan Phillips Gorin Award for Outstanding Service to University Students and the TASH (The Association for Persons with Severe Handicaps) Award for Leadership in Non-Adversive Programming for Handicapped Students.

Active in his community as a member and Past President of the Northville Rotary and as a member of First Presbyterian Church of Ann Arbor, Leonard has volunteered as a Boy Scout Leader, a youth hockey and Little League Baseball coach, and with Meals for the Homeless Program. Perhaps, the most poignant recognition of his devotion to educational distinction, innovation and leadership in academics, athletics, the arts and community service is the establishment of the Dr. Leonard Rezmierski Fund for Excellence. This enduring legacy will stand as confirmation of Leonard Rezmierski's idea of valuing the unique contributions of every child and adult to their school community. His perception of educational experience transcending classroom walls and reaching beyond traditional academics innovatively prepares students to work, live and succeed in our ever more global society.

Mr. Speaker, Dr. Leonard Rezmierski has faithfully served the students and citizens of Northville, Michigan. As he enters the next phase of his life with his beloved wife Virginia, his daughter Sara and his son Ryan, he leaves behind a legacy of dedication, integrity,

and excellence. Today, I ask my colleagues to join me in congratulating Dr. Leonard Rezmierski upon his retirement and recognizing his years of loyal service to our community and country.

HONORING THE LIFE AND LEGACY OF MR. FRITZ CARL STEIN, JR.

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the memory of Mr. Fritz Carl Stein, Jr., a founding member of the Sugar Cane Growers Cooperative of Florida. Mr. Stein was the vice president and secretary-treasurer of the Belle Glade cooperative and a third-generation farmer in the Everglades Agricultural Area. He also owned and operated Stein Sugar Farms and a cattle ranch in Highlands County.

A talented farmer and businessman, Mr. Stein had a heart as big as the Everglades. He was a leader in many organizations, donating his time to the Boy Scouts and the Belle Glade Little League, among others. Mr. Stein served on the boards of the South Florida Conservancy District, the South Florida Water Management District, and the Palm Beach County Soil and Water Conservation District.

Demonstrating his concern for the less fortunate, Mr. Stein was chairman of the Belle Glade Housing Authority. As an example of the trust and respect he enjoyed among his fellow Belle Glade residents, he was a founding trustee of Glades Day School. He was also a longtime member of the Belle Glade Rotary Club and the Belle Glade Missionary Alliance Church.

Mr. Speaker, Mr. Stein was a graduate of Belle Glade High School and the University of Florida and he served honorably in the United States Army. He made great contributions to the sugar cane growers cooperative and contributed immensely to the economic health of the Glades area. His passing will be mourned by his wife, Lois, six children, nine grandchildren, two great-grandchildren and people throughout the community surrounding Lake Okeechobee.

HONORING REVEREND MARVIN DOZIER

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. BISHOP of New York. Mr. Speaker, on the occasion of his retirement from the Southampton School Board, I rise to commend the Reverend Marvin Dozier for a life spent in service to others.

As a board member and past president of the board, Reverend Dozier devoted eleven-and-a-half years to the children and families of our community. Never concerned with recognition or accolades, he made the students his first priority. He was the first African-American

to serve as president of the school board, and he worked tirelessly, with dignity and wisdom, to encourage collaboration and forge a common understanding among those with different backgrounds.

Reverend Dozier's community activism began when he was a student at Southampton High School during the 1960s. He worked with several teachers to organize diversity training workshops for students, advocated for the hiring of black teachers and served as a voice for the minority in student government. Although he considered himself an activist, his goal was never to be divisive, but to work to bring people together.

In 1980, Reverend Dozier was ordained a minister by the First Baptist Church of Southampton and is now pastor of the Unity Baptist Church of Mattituck. He also served as chair of the Southold Town Anti-Bias Task Force. Among many other contributions, Reverend Dozier is Director of the Southampton Youth Association, an organization that coordinates sports programs and summer camps for the school district and seeks to build character through sports. He has insisted that SYA remain true to its mission to give every child an opportunity whether or not the family has money or resources to pay for it.

Furthermore, Reverend Dozier serves as the voice for those who cannot stand up for themselves, making sure they have a chance to participate and become involved. A man who always seems to have a smile and a warm welcome for everyone he encounters, Reverend Dozier makes sure his work is guided by his desire to put the children of the community first—not himself, not his own children, but all the children.

Additionally, Reverend Dozier has held positions of leadership with great responsibility and dedication, always striving to raise social consciousness and create awareness. His purpose has never been to blame, but to hold people accountable for their actions.

Mr. Speaker, it gives me great pleasure on behalf of New York's first congressional district to thank Reverend Martin Dozier for making our community a better place and to wish him well as he continues a life of service and contribution.

CONGRATULATING THE 2011 NATIONAL BASKETBALL ASSOCIATION CHAMPIONS, THE DALLAS MAVERICKS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the Dallas Mavericks, on winning the 2011 National Basketball Association Championship. This is the organization's first NBA World Championship title.

I congratulate team owner Mark Cuban, Coach Rick Carlisle, his staff, and the entire Maverick organization for their accomplishment in winning basketball's coveted Larry O'Brien championship trophy.

I also congratulate the team's captain, Dirk Nowitzki, on being named the recipient of the

Bill Russell NBA Finals Most Valuable Player Award.

The Mavericks's success is a result of contributions by the entire team, including players Jose Barea, Rodrigue Beaubois, Corey Brewer, Caron Butler, Brian Cardinal, Tyson Chandler, Brendan Haywood, Dominique Jones, Jason Kidd, Ian Mahinmi, Shawn Marion, DeShawn Stevenson, Peja Stojakovic, and Jason Terry; head coach Rick Carlisle, and assistant coaches Terry Stotts, Dwane Casey, Darrell Armstrong, Monte Mathis and Robert Hackett, head athletic trainer Casey Smith, and assistant trainer Dionne Calhoun, led the Mavericks to their first NBA championship by stressing teamwork and determination.

The Mavericks have such a loyal following not only because they are champions on the court, but because they are champions in the community as well. The Dallas Mavericks possess a strong sense of social responsibility, acknowledging that a community is only as strong as its weakest link. The team displays a strong commitment to the community through its foundation. The Dallas Mavericks Foundation is dedicated to inspiring and motivating youth to take their education seriously, strive for healthy bodies and minds, become involved in community service activities, set personal goals, visualize their dreams and take responsibility for their own lives and neighborhoods.

Mr. Speaker, I urge my colleagues to join me in congratulating each member of the 2011 NBA Champion Dallas Mavericks for their many victories on the court and in the community. They are champions to their sports fans, to beneficiaries of their Foundation, and to the entire Dallas community. We thank them for bringing the NBA championship trophy where it belongs—the American Airlines Center located in the heart of the 30th Congressional District of Texas.

HONORING SRI SRI RAVI SHANKAR

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. QUIGLEY. Mr. Speaker, Sri Sri Ravi Shankar is a renowned spiritual leader and multi-faceted humanitarian whose mission of uplifting human values and creating a stress-free, violence-free world has inspired millions of people around the world over the past 30 years; and

In 1981, Sri Sri established the Art of Living Foundation, an international nonprofit educational and humanitarian organization, with a presence in 151 countries, which offers educational and self-development programs designed to eliminate stress and foster well-being, including programs which are helping inner city youth turn away from gang violence and programs which are helping transform the lives of veterans, prison inmates, terrorists and victims of trauma around the world; and

Through Sri Sri's message of religious harmony, non-violence, equality, tolerance and peace transcends class; race, religion and nationality and promotes ecumenical and universal human values; and

In 1997, Sri Sri founded the International Association for Human Values, a humanitarian nonprofit organization that advances and strengthens society by strengthening the individual.

The Art of Living Foundation and the International Association for Human Values collaborate on humanitarian initiatives that include some of the following: trauma relief at the site of the world's most horrific natural disasters and conflicts, including helping such traumatized populations as survivors, refugees, veterans, Katrina and 9/11 survivors, earthquake and tsunami survivors in Japan, and others; and prison settings, where more than 350,000 staff and inmates in 32 countries have participated in stress relief and life-skills programs, including both adult and juvenile offenders; and corporate, military, and government settings, bringing stress relief, team building, and a competitive edge to the World Bank, IBM, Shell Oil, Intel, the Third Circuit Court, the Army National Guard, and many other organizations in the U.S. and around the world; and addressing corruption and ethics, including hosting the World Forum for Ethics and Business each year at the European Parliament and speaking out against corruption in India; and the Youth Leadership Training Program, which has trained 100,000 at-risk youth and others to become leaders, who in turn have brought transformation to more than 36,000 rural villages; and the environment, with numerous environmental initiatives, including clean-up and awareness programs, sustainable agriculture and the planting of 10 million trees around the world; and U.S. school initiatives, with more than 12,000 U.S. students participating in school stress relief and life-skills programs in the last year alone; and

The Foundation's self-development programs have benefitted over 30 million people around the world over the past 30 years.

GINA CALABRESE

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor a great woman and constituent, Gina Calabrese. Ms. Calabrese is the principal of the Rotella Interdistrict Magnet School in Waterbury, Connecticut, and was recently honored as the National Principal of the Year by the Magnet Schools of America. This award is presented annually to an exemplary school leader who has created and fostered innovative academic and extracurricular programs in magnet schools.

The students of the Rotella Magnet School and the community of Waterbury as a whole are fortunate to have a leader like Gina Calabrese, and I am proud that the Rotella School is in my district. Her dedication to education and her students is remarkable. In fact, largely because of Ms. Calabrese's leadership, the Rotella Interdistrict Magnet School was also honored in 2008 with the Magnet Schools of America's Dr. Ronald P. Simpson Distinguished Magnet Schools of Excellence.

Ms. Calabrese has demonstrated an outstanding commitment to innovation and education, and her efforts have raised the bar for magnet schools and educational institutions in Connecticut and across the country. Gina's achievements represent the highest dedication to success, and I am proud to recognize her contributions here today.

Although the Rotella School only opened in 2000, it has quickly distinguished itself as one of the best Magnet Schools in the country. It embodies a dedication to a holistic education that incorporates a strong academic program and an emphasis on the performing and visual arts. This approach combines the most valuable aspects of the arts—self-expression, creativity and practice—with academics, leading to a unique and valuable student experience.

On behalf of the people of Waterbury, I want to congratulate Ms. Calabrese for this award and thank her for her tireless efforts to educate the future leaders of Connecticut.

STANLEY K. SHEINBAUM

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. BLUMENAUER. Mr. Speaker, I rise to celebrate the 91st birthday of Stanley Sheinbaum, one of our country's most unique civic leaders. In his early years, Stanley served as a cartographer in World War II and was a student at Stanford, where he received top honors. He went on to become a Fulbright scholar and a professor of economics—first at Stanford, then at Michigan State. In 1964 he married Betty Warner and together they moved to Santa Barbara, where Stanley became one of the most vocal opponents of the war in Viet Nam. He twice ran for Congress on an aggressive anti-war platform and helped raise money for the legal defense fund of Daniel Ellsberg, the Defense Department analyst who leaked the "Pentagon Papers" to the New York Times.

After the war, Stanley remained deeply involved in the causes that were dear to him. His many interests, accomplishments, and important relationships are too numerous to recount. A few of the highlights include the nine years he served as chairman of the American Civil Liberties Union Foundation of Southern California, where his leadership led to a tenfold increase in contributions. In 1988, he was the leader of a Jewish-American delegation that convinced Yasser Arafat to recognize Israel and disavow terrorism. From 1991–93 he served as president of the Los Angeles Board of Police Commissioners in the wake of the Rodney King beating, during which time he led the fight for justice and accountability, during that explosive period in the city's history.

His many achievements are in a delightful documentary, *Citizen Stanley*, which pays tribute to his many years of service and activism. Today, here in Congress, we have the opportunity to wish "Citizen Stanley" a happy birthday as we celebrate his extraordinary life and many contributions, especially to American justice and foreign affairs. At 91 years of age,

Stanley Sheinbaum continues to inspire the best of the American progressive tradition.

REPUBLICAN POLICY PROPOSALS HARM SENIORS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to discuss how the proposed Republican policies will harm our seniors. Republicans are attacking our seniors' most vital support systems.

The Republican budget would replace Medicare with an underfunded voucher system that eliminates guaranteed Medicare benefits. Private insurance companies, which would be much more expensive than traditional Medicare, would be in charge of seniors' health care for those currently under the age of 55. It is estimated that seniors' health care costs would increase by more than \$6,000 a year and costs would continue to skyrocket over time.

Republicans have claimed that their budget does not affect current Medicare beneficiaries; however, this claim is false. In fact, the Republican proposal would immediately cut benefits and would require seniors to pay more out-of-pocket for prescription drugs.

With respect to Medicaid, the Republican budget would cut almost \$800 billion dollars over the next decade. Currently, Medicaid is the primary payer for nursing home care; massive cuts in this area would result in staffing shortages and reduced care quality.

At a time where our seniors are struggling to stay afloat in an unstable and unpredictable economy, we should be creating policies that will protect them instead of proposing policies that will place them in harm's way. Balancing the budget on the backs of seniors is reprehensible to say the least. We must fight for our nation's seniors and defend them against these reckless attacks on their health, economic security, and peace of mind.

TRIBUTE TO JESSICA BOLAND

HON. BENJAMIN QUAYLE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. QUAYLE. Mr. Speaker, today, I would like to recognize Jessica Boland, a third-grade teacher at Rose Lane Elementary School in Phoenix, Arizona, who on April 28th, 2011, received the 2010 Presidential Award for Excellence in Mathematics and Science. This honor is recognition of teachers with an exemplary record in both mathematics and science. Ms. Boland is one of only 85 recipients of this celebrated honor.

Ms. Boland always knew she wanted to be a teacher. The goal of all teachers should be to do everything possible to encourage, support, and promote excellence in the classroom, and she eagerly takes on this challenge every day. Ms. Boland has proven that she is

up to this task, and while she is humbled and honored by this award, the satisfaction she gets every day when a classroom of eager students "get it," is by far her greatest reward.

Jessica's day does not begin with the first bell, nor does it end when her class is dismissed. She provides before and after school assistance to students who are struggling with their school work, offering a greater opportunity to succeed. She facilitates math academies for parents so that their children have more than just one teacher to help them understand. Her belief is that if a parent can help at home, then the child never runs out of opportunities to learn. She also works with student teachers who will soon be entering the field of education. This allows for each new generation of teachers to have a greater feeling of comfort when entering the classroom for the first time. Students then receive a quality education, regardless of the experience of their teacher.

Few awards offer such esteem and honor as the Presidential Award for Excellence in Mathematics and Science. This award is testimony to the gratitude that our nation shares for teachers like Jessica Boland. I am proud today to enter this recognition of Jessica's achievements into the CONGRESSIONAL RECORD, and hope that all teachers across our great nation share in the responsibility that she has undertaken. It is with great joy and honor that I recognize Jessica Boland, and thank her with never-ending gratitude for giving her students the greatest opportunity to succeed.

HONORING MARINE SERGEANT SEAN T. CALLAHAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2011

Mr. WOLF. Mr. Speaker, Marine Sergeant Sean T. Callahan of Warrenton, Virginia, made the supreme sacrifice for his country on April 23, 2011, while conducting combat operations in Helmand Province, Afghanistan. Sergeant Callahan was assigned antitank missile duties and was with the 3rd Battalion of the 9th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, based at Camp Lejeune, North Carolina.

Sean joined the Marine Corps in March 2008 and received a combat meritorious promotion to the grade of sergeant on February 2, 2011. He deployed in support of Operation Iraqi Freedom from August until October 2009. He deployed again in support of Operation Enduring Freedom in December, 2010. His awards include a Purple Heart, the Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Combat Action Ribbon, and Navy-Marine Corps Commendation Medal with Valor Device. Sean was escorted home from Dover, Delaware, by his brother, Corporal Daniel J. Callahan, who is assigned to the 1st Light Armored Reconnaissance Battalion at Camp Pendleton, California.

Sean was born on Flag Day, June 14, 1987, in Manassas, Virginia, the youngest of four

children. He grew up in Prince William County and graduated from Brentsville High School in 2005. He was an accomplished guitar player who loved music and went out of his way to encourage younger musicians to pursue their shared love of music.

Sergeant Callahan's leadership qualities, his loyalty and dedication all found a purpose when he joined the United States Marine Corps. He believed deeply in his calling to defend the freedoms granted in America and in the defense of dignity and freedom in other countries.

Sean was a true son of Virginia and will be deeply missed by those who knew and loved him.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 14, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 15

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the "Wall Street Reform and Consumer Protection Act" and implementation of Title VII one year later.

SR-328A

Armed Services

Emerging Threats and Capabilities Subcommittee

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2012.

SR-232A

10 a.m.

Environment and Public Works

To hold hearings to examine the "Clean Air Act" and public health.

SD-406

Banking, Housing, and Urban Affairs

Financial Institutions and Consumer Protection Subcommittee

To hold hearings to examine enhancing safety and soundness, focusing on lessons learned and opportunities for continued improvement.

SD-538

11 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Defense.

SD-192

2:30 p.m.

Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2012.

SR-232A

Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Jennifer A. Di Toro, Donna Mary Murphy, and Yvonne M. Williams, all to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342

United States Senate Caucus on International Narcotics Control

To hold hearings to examine the continued construction of illegal tunnels on the southwest border of the United States and the role these tunnels may play in the transport of drugs, weapons and human beings.

SD-562

JUNE 16

9:30 a.m.

Armed Services

Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2012.

SR-232A

10 a.m.

Banking, Housing, and Urban Affairs

Business meeting to consider S. 1180, to authorize the President to confiscate and vest certain property of the Government of Libya and to authorize the use of that property to provide humanitarian relief to and for the benefit of the people of Libya; to be immediately followed a hearing to examine credit unions, focusing on member business lending.

SD-538

Environment and Public Works

Clean Air and Nuclear Safety Subcommittee

To hold a joint oversight hearing to examine the Nuclear Regulatory Commission's preliminary results of the nuclear safety review in the United States following the emergency at Fukushima Daiichi power plant in Japan.

SD-406

Foreign Relations

Business meeting to consider S. Res. 194, expressing the sense of the Senate on United States military operations in Libya, and the nominations of William J. Burns, of Maryland, to be Deputy Secretary, Gary Locke, of Washington, to be Ambassador to the People's Republic of China, and Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Afghanistan, all of the Department of State.

S-116, Capitol

Judiciary

Business meeting to consider S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation, S. 978, to amend the criminal penalty provision for criminal infringement of a copyright, S. 1145, to amend

title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Marina Garcia Marmolejo, to be United States District Judge for the Southern District of Texas, Michael Charles Green, to be United States District Judge for the Western District of New York, Wilma Antoinette Lewis, of the District of Columbia, to be Judge for the District Court of the Virgin Islands, and Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, Executive Office of the President.

SD-226

Small Business and Entrepreneurship

To hold hearings to examine Small Business Administration programs, focusing on eliminating inefficiencies, duplications, fraud and abuse.

SR-428A

10:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD-366

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine achieving the policy goals of the "Native American Graves Protection and Repatriation Act" (NAGPRA).

SD-628

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JUNE 17

9:30 a.m.

Armed Services

Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2012.

SR-232A

JUNE 20

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine 2050, focusing on implications of demographic trends in the Organization for Security and Co-operation in Europe (OSCE) region.

2247, Rayburn Building

JUNE 21	JUNE 22	homelands and promote self-determination.
2:30 p.m. Judiciary Crime and Terrorism Subcommittee To hold hearings to examine cybersecurity, focusing on evaluating the Administration's proposals.	10 a.m. Judiciary To hold an oversight hearing to examine intellectual property law enforcement efforts.	SD-628
Foreign Relations To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.	JUNE 23	Foreign Relations Western Hemisphere, Peace Corps and Global Narcotics Affairs Subcommittee International Development and Foreign Assistance, Economic Affairs and International Environmental Protection Subcommittee To hold joint hearings to examine Haiti, focusing on reinvigorating aid under Martelly.
Homeland Security and Governmental Affairs Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee To hold hearings to examine inspiring students to Federal service.	9:30 a.m. Agriculture, Nutrition, and Forestry To hold hearings to examine farm bill accountability, focusing on the importance of measuring performance, while eliminating duplication and waste. 2:15 p.m. Indian Affairs To hold an oversight hearing to examine the "Indian Reorganization Act" 75 years later, focusing on restoring tribal	SD-419
SD-226	SD-226	JUNE 29
SD-106	SD-G50	2:30 p.m. Veterans' Affairs Business meeting to consider pending calendar business.
SD-342	SR-418	

SENATE—Tuesday, June 14, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who has blessed us abundantly with inner joy and external blessings, enlighten our minds this day so that we can reach beyond guessing to knowing and beyond doubting to certainty. Purify our hearts so that the wrong desires may not only be kept under control but may be destroyed.

Strengthen the wills of our lawmakers so that they may pass beyond resolving to doing and beyond intention to action. Answer for them the questions no human wisdom can answer.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 14, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate

will be in morning business until 11 a.m. this morning. The majority will control the first half, the Republicans will control the final half. At 11 a.m., the Senate will be in executive session to consider the Cecchi and Salas nominations, with 1 hour of debate. At noon, there will be up to two votes on confirmation of the Cecchi and Salas nominations. Following the votes, the Senate will recess for the weekly caucus meetings until 2:15 p.m. At 2:15 p.m., there will be an additional roll-call vote on the motion to invoke cloture on the Coburn amendment No. 436 regarding ethanol. Finally, following the cloture vote, Senator RUBIO will be recognized to give his maiden speech to the Senate.

Madam President, I ask unanimous consent that morning business consist of 1 full hour equally divided rather than ending at 11 a.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEDICARE

Mr. REID. Madam President, on this side of the aisle, we Democrats want to protect seniors on Medicare. That is our top priority. I have heard my friend, the ranking member of the Budget Committee, come here and talk for hours, and he keeps talking about things that really have no bearing on what I think is important for the country today.

We know the Republicans have put forward a budget that destroys Medicare. That is what we received. We voted on it over here, and it was turned down. It must be the Republicans' top priority because we have had votes on the Senate floor protecting taxpayer handouts, especially to oil companies. We had a full debate here that suggested we take this money that now goes to these oil companies—and even executives have said that they do not want the money, that they do not need the money—and apply it toward the deficit. Overwhelmingly, the Republicans voted no, so we couldn't get it done. So it appears clear they would rather balance the budget on the backs of seniors and Medicare than end the constant giveaways to oil and gas companies making billions a year in profits. These oil companies have made the largest profits in the history of the world. In the last quarter, they had \$36 billion in net profits.

The Republicans' plan to end Medicare as we know it would put insurance company bureaucrats between seniors and their doctors and raise seniors'

drug costs, forcing them to pay \$6,400 more out-of-pocket costs every year. The American people are overwhelmingly opposed to this plan to end Medicare. A poll released yesterday showed that less than half the Republicans support the Republicans' plan to end Medicare. Overwhelmingly, Independents and Democrats joined with these Republicans who oppose the Republicans' plan to end Medicare.

We believe there is a need to reduce our deficit. That is why we have been working with Vice President BIDEN. Representing the Democrats in the Senate, Senator INOUE, chairman of the Appropriations Committee, and Senator BAUCUS, chairman of the Finance Committee, are meeting with Vice President BIDEN, and progress is being made.

There is no question we should be closing tax loopholes and targeting wasteful giveaways to oil companies. I am sure Vice President BIDEN is leading the Senators and House Members toward that end. Closing these tax loopholes and targeting wasteful giveaways to the oil companies making these record profits while charging—Madam President, here in the Washington, DC, area, as I do my morning exercise, I walk past a station right off the waterfront where gasoline is \$5 a gallon. I haven't looked at it since this past week, but that is what it is. It is over \$4 a gallon all over the United States, in many, many different places. We should be focusing on that instead of ending Medicare.

So I tell my friend, the ranking member of the Budget Committee, come and talk about the Republican plan to end Medicare as we know it. And what about the subsidies for these oil companies. Shouldn't we get rid of them? It is time the Republicans abandoned their ideological plan to end Medicare and work with us to strengthen and preserve our promise to seniors instead.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

WAR ON TERROR

Mr. McCONNELL. Madam President, since the attacks on 9/11 and the very beginning of the war on terror in 2001, most Americans have understood that we could no longer kind of passively wait for the next enemy attack. In order to defeat, dismantle, and disrupt al-Qaida, our intelligence, military, and law enforcement officials would have to work together to defeat terrorist cells, whether they are in the tribal areas of Pakistan or, frankly, here in our own backyard. Yet, if some had begun to think, after the killing of Osama bin Laden, that we could now sit back and relax a little, the recent arrest in my State, in the hometown of my colleague, Senator PAUL, of two foreign fighters who have openly admitted to conducting attacks against U.S. soldiers and marines in Iraq shows how mistaken a notion that is.

Let's look at that again. Here are two Iraqi terrorists arrested in Bowling Green, KY, within the last couple of weeks. And the Director of Central Intelligence stated in an open hearing on Capitol Hill last week that about 1,000 members of al-Qaida in Iraq continue to fight us over in Iraq. Now we know that at least two of them—at least two of them—have left the battlefield over there to live right here in the United States.

The case of Waad Ramadan Alwan and Mohanad Shareef Hammadi shows us that terrorists continue to pose an imminent threat. We owe a debt of gratitude to the men and women who made sure they couldn't inflict more harm on Americans here or abroad once they arrived here. Anyone who has read about the investigation into their activities can only be impressed with the courage, the skill, and the professionalism of those who were involved in this effort.

Specifically, I wish to thank the men and women from the FBI's Louisville Division, the U.S. Attorney's Office for the Western District of Kentucky, the Louisville Joint Terrorism Task Force, and the Justice Department's National Security Division. Every one of those folks involved clearly did their job, and they did it very well.

That having been said, I think it is safe to say that a lot of Kentuckians, including me, would like to know why two men who either killed or plotted to kill U.S. soldiers and marines over in Iraq aren't sitting in a jail cell in Guantanamo right now. When it comes to enemy combatants, our top priority, as I have said repeatedly, should be to capture, detain, and interrogate. That wasn't done here. These men are foreign fighters—unlawful enemy combatants—who should be treated as such.

Alwan is on tape admitting to having procured explosives and missiles in Iraq and to using them daily—daily—to conduct strikes.

He said he had personally used improvised explosive devices, or IEDs,

hundreds of times over a period of several years. He has talked about using them against U.S. troops and the damage he has done to U.S. military vehicles such as Humvees. He told undercover agents he was "very good with a sniper rifle end." In a reference to attacks on U.S. troops, he said his lunch and dinner would be "an American." He admitted that he "collected everything," TNT, electronic detonators, tank explosive detonators, IED detonators, mortar shells, and rocket-propelled grenades. He also said that he often placed IEDs after the curfew, and it was this activity that led to his being asked to join the mujahedin.

He even tried to demonstrate his expertise as a foreign fighter by drawing diagrams of four types of IEDs, explaining how to build them and discussing various occasions in which he used these devices against U.S. troops in Iraq. In describing one particular type of IED, Alwan said, "Anything lethal could be stuffed into it, such as ball bearings, nails, gravel, and whatever item that kills." Alwan's fingerprints have also allegedly been found on IEDs over in Iraq in an area in which he is known to have lived.

Once Alwan made his way to the United States, he is alleged to have recruited Hammadi to continue his fight against Americans over in Iraq by burrowing himself into a community where he thought he would go undetected. Like Alwan, Hammadi was an experienced insurgent fighter in Iraq. He too had participated in IED attacks and was part of an insurgent group that had 11 surface-to-air missiles.

Together, these two men organized shipments of money and weapons, including rocket grenade launchers, Stinger missiles, and C4 explosives that they thought they were sending back to the war zone in Iraq.

Anyone who has taken up arms against U.S. forces in the field of battle is an enemy combatant, pure and simple, and should be treated like one. They should be hunted and captured, detained and interrogated, and tried away from civilian populations according to the laws of war.

Unfortunately, since the earliest days of this administration when the President signed a series of Executive orders which directed the closing of the military detention facility at Guantanamo Bay, and limited the ability of the military and intelligence community to detain and interrogate prisoners, a higher priority has been placed upon prosecution than on executing the war on terror.

But I can say with certainty that Kentuckians don't want foreign fighters who have bragged about killing and maiming U.S. soldiers in a combat theater treated like common criminals in their own backyards. They don't want foreign fighters to be afforded all of the legal rights and privileges of U.S. citi-

zens. They don't want foreign fighters to have their interrogations curtailed. And they don't want their fellow citizens in Kentucky subjected to the risk of reprisal that is associated with these kinds of cases, reprisals against civilian judges, reprisals against civilian jurors, and the broader community in which civilian trials are held. That was one of the many reasons that residents and lawmakers in New York City rebelled against the administration's equally foolhardy plan to try Khalid Sheikh Mohammed in a courtroom in New York. That is to say nothing of the security costs and the disruption that civilian trials for terrorists create for any American community. We have firsthand experience of this from the 2006 murder trial of Zacarias Moussaoui in Alexandria, VA.

Despite all of this, however, the administration seems fixated on the idea that once we have caught terrorists, the goal isn't to get as much intelligence out of them as quickly as possible to prevent further attacks on soldiers and citizens but to prove that we can treat them the same way we treat everybody else.

My response to that is, maybe we could. Maybe we can do that. And you can put them in a U.S. court, but why in the world would you want to? You could, but should you?

The administration likes to tout its confidence in the U.S. legal system. Well, I don't believe the American people need to try any enemy combatants in our own hometowns and cities to prove that our court system works. We know it works. We are American citizens.

Prosecution is certainly important. But let's be clear, prosecution is not our ultimate goal in this war. Our goal is to capture or kill those who want to kill us, here and abroad, and who are plotting even now, as this case clearly proves, to wreak havoc on our troops overseas.

This is quite simple: Those whom we capture should be interrogated and, if necessary, indefinitely detained and tried in a military setting. Through these interrogations additional intelligence can be derived that leads to additional targets, thereby weakening al Qaeda and other associated terror groups at a moment when they are vulnerable.

The good news is we already have the perfect solution for a case such as the one I have been discussing in Kentucky. These men don't belong in a courtroom in Kentucky. They belong in a secured detention facility at Guantanamo Bay, Cuba, far away from U.S. civilians. Sending them to Gitmo is the only way to ensure they will not enjoy all the rights and privileges of U.S. citizens. Sending them to Gitmo is the only way we can be certain there won't be retaliatory attacks in Kentucky. How would you like to be the judge in

this case? How would you like to be the jurors in this case? Do they run the risk of being targets for the rest of their lives? Are they in sort of witness protection programs indefinitely? Why should we subject U.S. citizens to this kind of risk?

Sending them to Gitmo is the only way we can prevent Kentuckians from having to cover the cost and having to deal with the disturbance and disruptions that would come with a civilian trial, and sending them to Gitmo is the best way to ensure they get what they deserve.

Today I am calling on the administration to change course. Get these men out of Kentucky. Send them to Guantanamo where they belong. Get these terrorists out of the civilian system, get them out of our backyards, and give them the justice they deserve.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m. for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with time equally divided and controlled between the two leaders and their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from California.

ETHANOL

Mrs. FEINSTEIN. Madam President, I rise today in support of the Ethanol Subsidy and Tariff Repeal Act, which Senator COBURN has offered and I have cosponsored, along with Senators BURR, CARDIN, COLLINS, CORKER, LIEBERMAN, RISCH, SHAHEEN, TOOMEY, and WEBB.

I know the fact that this amendment is on the floor scheduled to be voted on at 2:15 this afternoon has caused some deep consternation on my side of the aisle. There is objection to the procedures used. I am not going to get into that. I am going to say a vote is a vote, and we are facing a vote at 2:15 unless something changes.

To be candid, if there were an offer to bring this to the floor next week or the week after for a time specific and a commitment specific, I believe the author and myself and our cosponsors would certainly agree to that. But in the absence of that offer, it is important that the Senate take a position on a program that has become both gross and egregious, and I want to explain why I feel that way.

No other product I know of has the triple crown of government support that corn ethanol enjoys in this country. Its use is mandated by law. Oil companies are paid by the Federal Government to use it, so there is a subsidy, and corn ethanol is protected by a rather high tariff. Consequently, it has been very profitable for farmers. This amounts to almost \$6 billion a year of taxpayers' money that goes to support the corn ethanol industry in this country.

Put another way, that is \$15 million each and every day spent on this subsidy at a time when, candidly, we simply can't afford it.

They say there are very few privileges left out there. This is one that is enormous, and I think we have to take a look at it. I think if this amendment passes, nearly \$3 billion is saved between July 1 and the end of the year. That is not insignificant. It goes into the general fund and it helps abate the deficit.

Since 2005, we have spent \$22.6 billion on this subsidy, and it gets more expensive every year. In 2011, the government will spend \$5.7 billion; in 2012, \$5.9 billion; in 2013, \$6.2 billion. And you can see, since the program came into being in 2005—and I voted against it then—it was at \$1.5 billion; the next year, \$2.6 billion; the next year, \$3.3 billion; the next year \$4.4 billion, the next year, \$5.2 billion; and 2010, \$5.7 billion of a trifecta of triple-crown subsidies to go to recompense people for using corn ethanol. It is wrong.

On top of this subsidy, we have imposed a 54-cent-per-gallon tariff on ethanol products from Brazil, India, and Australia and others that could import it more cheaply than it is grown here. This then contributes to making the United States more dependent on oil imports from OPEC.

Our amendment is simple. Beginning July 1, we would repeal the 45-cent-per-gallon ethanol subsidy, which goes overwhelmingly to large oil companies, and it would eliminate the 54-cent-per-gallon tariff on imported ethanol.

I believe very strongly that we need to act to repeal these subsidies and these tariffs before another \$2.7 billion in taxpayer money, which is \$15 million a day, is wasted over the remaining 6 months of this year.

Let me describe the real-world impact of these unwise subsidies and tariffs to our economy.

Last week, I was in the Central Valley at an event and I would say anywhere from six to eight farmers came up to me and said, "Thank you for trying to end the ethanol business. I can no longer afford feed." I began to think, and so we took a look at what the situation is. The fact is this ethanol policy is inflating the price of corn and impacting other sectors of the economy.

Today, approximately 39 percent of our corn crop is now used to produce

ethanol in this country. Here is where it has gone: The percent of corn for 2000, 7 percent; 2005, 14 percent; and 2010, 39 percent of the entire corn crop goes to produce ethanol. Corn futures reached a record \$7.99 a bushel on the Chicago Board of Trade last week. Prices are up 140 percent in the past 12 months and continue to rise. In 2006, prices were \$2 a bushel. Today they are \$7.99 a bushel.

This has been a real spike in the price of feed. If it continues one can expect major price increases in grain and food as well. The average price of corn has risen 225 percent since 2006.

Here it is, here it goes on this chart. It goes down slightly and then it has gone up.

In California, the annual feed costs for Foster Farms—this is the largest poultry producer on the west coast—has tripled over the past year, increasing Foster Farms' cost for feed by more than \$2 million. This is more than the largest profit the company has ever made.

I hear similar stories from small producers, from co-ops, from dairymen and cattlemen throughout California. The price of feed is rising to such an extent that experts are predicting a mass slaughter of hogs and dairy cows this summer. In other words, it is becoming cheaper to slaughter the animals rather than to feed them. That is wrong.

Paul Cameroon of Imperial County, CA, recently wrote to me:

As a cattle producer who has never asked for a subsidy of any kind, I only ask that ethanol production stand on its own and allow true supply and demand to dictate the real price of corn.

It seems to me he is spot on. It seems to me when we look at charts like this on grain prices, on the huge subsidy that oil companies get, on the protective tariff, we have to say enough is enough. The USDA predicts that continued demand from the livestock, ethanol, and food industry will reduce corn reserves to the lowest level since the mid-1990s. These low grain reserves will have repercussions globally. We know rising food prices exacerbate global poverty and could intensify political unrest in some parts of the world. But the bottom line is, diverting 39 percent of our crop toward ethanol is artificially driving up corn prices, which in turn is straining people and industries that depend on affordable corn.

In addition to impacting the price of corn, the \$6 billion annual ethanol subsidy is fiscally irresponsible. If the current subsidy were to exist through 2014, as the industry has proposed, the Treasury would pay oil companies at least \$31 billion to use 69 billion gallons of corn ethanol that the Federal renewable fuels standard already requires them to use under the Clean Air Act. The biggest recipient receiving money is BP. According to reports, it receives

\$55 million. We cannot afford and should not pay oil companies such as ExxonMobil and BP to follow the law to the tune of \$6 billion a year. As the GAO has found, the mandate for the use “is duplicative in stimulating domestic production and use of ethanol, and can”—and is—“resulting in substantial loss of revenue to the Treasury.”

Let me just say one thing about the tariff. The tariff on low-carbon sugarcane ethanol, which I proposed repealing in 2006, makes our Nation more dependent on foreign oil. How? The combined tariffs on ethanol are 60 cents per gallon, at least 15 cents per gallon higher than the ethanol subsidies they supposedly offset. So this is essentially a major trade barrier.

We have a real problem with this triple crown: We mandate its use, we pay people to use it, and then we set a large tariff barrier to prevent anybody from importing any ethanol, whether it is corn or sugar, that is cheaper. This is expensive, \$15 million a day, \$6 billion, as I said, a year.

I know many of my colleagues agree with the substance of this legislation, and I appreciate very much that the amendment is being considered under somewhat unusual circumstances and procedures. I hope we can have a fair vote. I hope Members will not disregard the import of what we are doing. We are essentially saving the government nearly \$6 billion a year by simply repealing the subsidy, repealing the mandate, and repealing the tariff. I believe the time has come.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

LIBYA

Mr. UDALL of New Mexico. Madam President, I rise today because I believe the United States is headed down a slippery path toward an escalation of military force in Libya. I also believe if the U.S. military is to be involved in such an escalation, then the Congress must exercise its constitutional authority and approve or disapprove the President's proposal.

I supported President Obama's initial decision to engage in a limited military operation to prevent an imminent humanitarian catastrophe. President Obama and the international community were clear that targeting of civilians by Muammar Qadhafi would not be tolerated. It has been over 60 days since the President notified the Congress that he intended to use military force in Libya. We are adrift. We are without direction. We are in danger of fighting an expanded war, a war that was originally justified as a limited military operation, a no-fly zone, to prevent civilian casualties and imminent catastrophe. This war has now been slowly expanded for one that is pushing for regime change.

We have been down this path before. Let's not go there. In Libya we are now receiving reports that helicopter gunships are being used to target ground forces—something that was never originally intended under the premise of a no-fly zone. In fact, it seems that the no-fly zone has slowly evolved into what some have called a no-drive zone. Congress has not approved this action.

I do not believe the U.N. Security Council approved such an action in U.N. Security Council Resolution 1973.

We also hear it is now the policy to support regime change and that there are some plans to arm rebel groups. Some outside groups and Members of Congress are clamoring to escalate the war in Libya. They believe air power will never dislodge Muammar Qadhafi and his family. The Congress has not approved the use of military force to achieve regime change. Flooding the region with small arms is also being proposed. This would be a major mistake and could lead to a host of unintended consequences.

We do not know enough about the rebels fighting Qadhafi, but we do know there are plenty of mercenaries, as well as members of al-Qaida, waiting to exploit any chaos. If arms are flooded into the region, there is no guarantee they will be able to account for those arms. In my opinion, there is a high likelihood those arms could end up in the hands of some very unsavory and dangerous individuals.

The bottom line is this: Congress has not had the opportunity to weigh in. Like my colleagues, I deplore Muammar Qadhafi. I support a democratic transition and his departure from power, but the military goals should be defined and limited as a matter of policy. It should not include regime change. This would be a dangerous escalation.

As many of you know, the Senate Foreign Relations Committee was planning a markup for last Thursday of S. Res. 194, titled “Expressing the Sense of the Senate on the United States Military Operations in Libya.” I had strong concerns about the resolution we were scheduled to consider. A sense of the Senate is clearly not an authorization for use of military force. A sense of the Senate does not meet the requirements of the War Powers Act. And a sense of the Senate falls short of meeting our constitutional obligation to declare war.

I drafted an amendment to S. Res. 194. I ask unanimous consent the text of this amendment be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. UDALL of New Mexico. My amendment stated:

The President is not authorized to deploy ground forces, including special operations forces, in pursuance of any goals related to United States policy in Libya, unless expressly authorized by Congress or as determined necessary by the President to protect a member of the United States Armed Forces currently deployed in the region.

I believe any authorization of military force should contain similar language. I understand Senator WEBB and Senator CORKER have introduced a resolution with these prohibitions and exceptions to protect our troops and I support these efforts to limit the mission in Libya. It is important that we do not escalate military actions in Libya. An escalation would be a dangerous course, and it would be costly to the region and our country.

While the markup has been postponed, it is my understanding that Senator KERRY and others are working on language that would fulfill our constitutional obligations and comply with the War Powers Act. I look forward to consideration of a resolution of this kind in the Foreign Relations Committee and strongly believe it should include language similar to the amendment I was going to offer.

I have been proud to serve in the Congress for more than a decade. We have fought two lengthy wars during this period of time. I have seen the impact on our military, on their families, on our national deficit. Before the United States escalates its involvement in another overseas conflict, Congress must weigh in. It is our constitutional duty.

EXHIBIT 1

DRAFT AMENDMENT TO S. RES. 194

That the President is not authorized to deploy ground forces, including special operations forces, in pursuance of any goals related to United States policy in Libya, unless expressly authorized by Congress or as determined necessary by the President to protect a member of the United States Armed Forces currently deployed in the region.

Mr. DURBIN. Will the Senator from New Mexico yield for a question?

Mr. UDALL of New Mexico. I will be happy to yield.

Mr. DURBIN. Madam President, I thank the Senator from New Mexico, my colleague on the Senate Foreign Relations committee, for his statement on the floor this morning. It reflects my sentiments completely. I have believed since I was first elected to the House of Representatives and my time in the Senate that we have an awesome responsibility under the Constitution to speak for the American people when the United States of America makes a decision to engage in conduct that relates to our military—particularly when it comes to a declaration of war.

It is clearly understood that if American citizens are under attack or American soil is under threat of attack, the President has the power to move, and move quickly, as Commander in Chief

to protect us. In this instance, the War Powers Act suggests that it is now, after 60 days, at that point the responsibility of Congress to step forward, to speak for the American people, and to make a decision as to whether we go forward with a military commitment.

What the Senator from New Mexico has suggested I believe goes right to the heart of our constitutional responsibility. It is a responsibility which we swore to uphold. It is also a responsibility which politically we try to avoid. It is a hard debate and a hard decision.

I am sure the Senator from New Mexico believes, as I do, that some of the toughest votes we have ever had to face as Members of Congress relate to this decision because if the decision is made to go to war, we know the lives of Americans are at risk.

That is why I believe what the Senator from New Mexico said on the Senate floor this morning is so critically important. I am going to work with him and with the chairman of the Senate Foreign Relations Committee to move forward on a resolution which is consistent with the War Powers Act which expressly states the feelings of the American people through their Representatives in Congress about this decision and our constitutional responsibility.

I sincerely hope we can resolve this before we end this work period, which will be about July 1. If we can bring an issue forward on the floor for that purpose, I believe it is in the best interests of our senatorial responsibility.

I might say, because I have discussed this with the Senator from New Mexico, we know one of our colleagues on the other side of the aisle wants to expressly authorize the use of ground forces in Libya. Let me make it clear, the President has not asked for that. He is not engaged with ground forces, land forces in Libya. At this time I would not only reject it, I would fight it. I think it is a bad decision. I think to engage the United States in a third theater of war with ground forces is way too much at this moment in our history.

So I thank the Senator from New Mexico for not letting this issue disappear amidst the hubbub of all the agendas we face on the floor of the Senate but coming to the floor and reminding us of our constitutional responsibility.

I will close by thanking Senator CARDIN of Maryland as well, who has been a lead sponsor in our efforts. I will be working with him and the Senator from New Mexico and other like-minded Senators.

I thank the Senator for coming to the floor.

I know that wasn't in the nature of a question, but I ask the Senator, does he agree?

Mr. UDALL of New Mexico. I thank the Senator for his statement. I believe

with all of us working together—our chairman of the Foreign Relations Committee, Senator CARDIN, and others, as well as the Presiding Officer, who is also on the Foreign Relations Committee with us—we can come to a resolution which complies with what the President has stated.

The President says he has no intention of sending ground forces into Libya. But it is important at this point in time, as the Senator from Illinois pointed out and as the Constitution mandates, that we step in and express the will of the American people on this issue. That is the whole purpose of what I am on the floor for today, and I look forward to working very closely with the Senator from Illinois.

With that, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COATS. Madam President, I know the Democratic side has not used its full allotment of time, but because another speaker is not here, I will go ahead, and hopefully we will be able to yield time if someone else does come forward.

THE ECONOMY

Mr. COATS. Madam President, I have been on the Senate floor several times now during the last few weeks to discuss our grave economic condition, the need to reduce Washington's out-of-control spending, and, most importantly, the urgent need to start taking action before time runs out.

If there is any remaining doubt in anyone's mind that the U.S. economy is facing a historic and unprecedented fiscal crisis, consider a few of the recent news reports since I last spoke on the floor, which was not that many days ago. Reports came out saying that the national unemployment rate increased to 9.1 percent, with over 22 million Americans unemployed or underemployed. This is not how we rebound from a recession, historically. There is something more going on here than the normal downturns and upturns of the economic cycle. This is something of historic proportion.

Since I last spoke on this floor, two more rating agencies—Moody's and Fitch—have issued serious warnings that they may downgrade America's AAA debt rating. This comes after S&P already lowered its outlook of the U.S. economy to negative.

Just last week, on its cover, USA TODAY published the frightening head-

line "U.S. owes \$62 trillion; unfunded obligations amount to \$534,000 per household." Those are unfunded obligations. We have funded obligations we currently owe in addition to that, and some put those even higher.

There was an interview yesterday with Bill Gross, who heads up PIMCO, the largest bondholder in the country—in the world, actually. Bill Gross indicated in this interview that the money owed to cover future liabilities in entitlement programs in the United States is actually in worse financial shape than Greece and other debt-laden European countries. Much of the attention, of course, is focused on our public debt, which is running at \$14.3 trillion, but what hasn't been focused on as much are the unfunded liabilities that will come due, the obligations and promises already made that will have to be paid for, that will be in addition to the \$14.3 trillion already on the books. Taken together, Gross said this is going to equal nearly \$100 trillion. It is a number beyond anyone's comprehension, it is hard to fathom what \$100 trillion means to the American taxpayer, to America's abilities, obligations and financial responsibilities. Now, maybe \$100 trillion is a little high. It doesn't matter whether it is \$80 trillion or \$90 trillion or \$100 trillion; it is certainly going to put our country in a very, very difficult position.

I wish to read one more piece from the CNBC interview with Bill Gross:

We've always wondered who will buy Treasuries after the Federal Reserve purchases the last of its \$600 billion to end the second leg of its quantitative easing program later this month. It's certainly not Pimco and it's probably not the bond funds of the world.

I quoted Erskine Bowles, who is a Democrat, was Chief of Staff for President Clinton and was one of the co-authors of the fiscal commission report presented at the request of the President laying out the dire crisis we face and recommendations on how to address it. Erskine Bowles, co-chair of the President's fiscal reform commission, said that the growing national debt and Federal deficits are "a cancer and they are truly going to destroy this country from within, unless we have the common sense to do something about it."

This is the challenge before us—each Member of the House of Representatives and each Member of the Senate and the President of the United States. This dwarfs all other matters before this Congress. With all due respect, the Senate spending several weeks on the Small Business Innovation Research Act, the Federal Aviation Administration's bill, and now the Economic Development Revitalization Act has left little time for the debate that ought to be undertaken on this floor in continuous fashion to address this fiscal situation. The crisis has implications for

the future of our country, the future of this Nation.

The rapid escalation of the deficit and debt requires our full engagement—not later but now. The growing consensus among those who have given serious analysis to our fiscal plight calls for an all-of-the-above approach in addressing the problem, including—dare I say it—entitlement spending, which essentially is Social Security, Medicaid, and Medicare.

If Congress and the White House are serious about preventing the destruction of our economy, it is time we get serious about talking about entitlements, including Medicare, because the hard truth is that if Medicare is not included in the debate, any effort to put together any kind of a credible plan necessary to bring about fiscal stability will be defeated.

Medicare has proven to be the greatest fiscal challenge facing this country. It alone last year took in \$1.8 trillion of new liabilities, which is more than we spend on all nondefense discretionary spending. Nondefense discretionary spending is that spending which goes to every other function of the Federal Government other than interest on our national debt and mandatory spending.

The Medicare trustees recently sounded alarm bells in a report announcing that the program's total of unfunded future obligations is a staggering \$38.4 trillion. They cautioned that the hospital trust fund, known as Medicare Part A, will be exhausted by 2024. This is 5 years earlier than what they had predicted just a year earlier. So 1 year has passed, and the trustees are now so alarmed they are saying we are going to run out of money 5 years earlier than we thought. What are they going to say next year? They will probably shorten that time even more.

Economists and policy experts on both sides of the aisle—Republican, Democratic, conservative, liberal—have been warning about the dangers of Medicare spending and the impact on our national debt for years. Yet Congress has punted its responsibilities, saying “we will take care of it after the next election.”

Back in 2006, Chairman of the Federal Reserve Alan Greenspan warned lawmakers, saying that Medicare spending is unsustainable and could one day drive debt and government interest rates substantially higher. I suggest that date is here, and this crisis is knocking on our door.

Michael Cannon, director of health policy studies at the Cato Institute, said: Nothing presents as great a threat to the Federal budget—and therefore to economic growth—as the persistent and rapid growth of Medicare spending.

At a White House summit last year, President Obama recognized the unsustainability of entitlement spending. This is a quote from our President:

Almost all of the long-term deficit and debt that we face relates to the exploding costs of Medicare and Medicaid. Almost all of it. That is the single biggest driver of our federal debt. And if we don't get control over that, we can't get control over our federal budget.

I am quoting the words of the President of the United States, who now has taken the position that we shouldn't address the Medicare problem. Yet, as President, he has said that almost all of the deficit and debt we face relates to the exploding costs of these two programs, Medicare and Medicaid. He repeats it by saying “almost all of it” and “the single biggest driver of our Federal debt.”

Alice Rivlin, who served as budget director under President Bill Clinton, said it best: “There's no mystery about what we ought to do, we just need to get on with it.”

Madam President, we just need to get on with it. But that hasn't happened. Despite the President's own recognition of the single biggest driver of our Federal debt and despite the warning sirens from economists and even the Medicare trustees, the President has yet to submit a single proposal to address this urgent problem.

Others in positions of leadership have also decided to ignore these critical warnings about Medicare and its looming insolvency and threat to our fiscal house. They have rejected any proposals for changing Medicare as we know it. Well, the category for these people are the “do-nothings.”

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes. Mr. COATS. I ask unanimous consent for 2 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COATS. Let me skip forward here.

Despite the President's own recognition of this problem, we have not taken this plan forward. There are do-nothings who think that if we do not act, Medicare will be secure. Actually, the do-nothings are the ones who are making Medicare's future unstable. It is those who have taken the responsibility to stand up and recognize this problem and be free and open in debate and honest with the American people who are the ones who have had the courage to go forward. Yet they get reviled for “throwing grandma under the bus” or taking Medicare away.

I was approached by a person in a factory in Indiana who came up to me and said: You are taking away my 88-year-old mother's health care. He was upset, and rightfully so, but I told him he is upset at the wrong person because we are trying to save that health care. We are trying to save Medicare.

We have two options: We can either continue with the status quo and let Medicare go bankrupt or we can step up to the plate, debate thoughtful pro-

posals, and work to keep our promise to America's seniors by enacting meaningful reform. It is those of us who are willing to step up to the plate who are here to save Medicare, not destroy Medicare. It is those who are saying we need to do nothing or who refuse to do anything who are going to cause Medicare to go bankrupt and take benefits away from seniors.

This is the debate we need to have. We are burdened by this. We need to address it. It is the challenge of the day. Let's go forward, stand up, and do the right thing.

I appreciate the extension of time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. I ask unanimous consent to speak as in morning business and that I be followed by Senator COBURN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ETHANOL

Mr. CHAMBLISS. Madam President, I rise today to speak about the amendment offered by my colleague, the Senator from Oklahoma, to the Economic Development Revitalization Act which would repeal the volumetric ethanol excise tax credit. His amendment is No. 436.

For months, there has been very heated public debate surrounding the blender tax credit for ethanol and the tariff on imported ethanol. Some of my colleagues advocate repealing ethanol tax incentives immediately, while others are adamantly opposed to changing course on tax policy that was enacted at the end of the last Congress and would extend these tax credits through the end of this year. Regardless, it is clear that Congress must make a decision on whether to reform the ethanol blenders tax credit and import tariff this year.

In my home State of Georgia, I see both the positive and the negative effects this tax policy has had. While it has spurred the growth of the ethanol industry, some say it has caused drastic increases in the price of corn-based feedstock.

A new study prepared for the upcoming G20 meeting shows that biofuel subsidies are directly related to food price volatility. I believe that because the credit is set to expire in December of this year and many ethanol producers have the credit embedded in their business plans, Congress should not immediately repeal the tax credit. When it expires at the end of this year—even though I have supported this tax credit for all the years I have served in both the House and the Senate—I think the time has come for it to end. If we tell the blenders today that at the end of this year this tax credit is

going to expire, it needs to expire then. So I do not intend to support an extension of that tax credit beginning upon the expiration at the end of this year.

Regardless of where one stands on the underlying issue itself, I believe the amendment deserves to have a vote on its merits and not be blocked by procedural tactics. Because so much attention has been paid to the issue and because we have had such extensive debates, this amendment deserves an up-or-down vote, rather than being stopped by a filibuster. For this reason, I intend to vote in favor of the motion to invoke cloture on the amendment of the Senator from Oklahoma, and I encourage my colleagues to do the same. I yield the floor.

Mr. COBURN. Madam President, may I make an inquiry of the Chair?

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. How much time remains for the Republicans in morning business?

The ACTING PRESIDENT pro tempore. There is 15 minutes 20 seconds.

Mr. COBURN. I thank the Chair.

These are interesting days in our country. We find ourselves in a very deep hole, and it is not the fault of the people; it is the fault of the Congress. We continue to spend money we do not have on things we do not need. When we do that personally, we end up filing bankruptcy. Pretty soon, we run out of new credit cards to take on, and we get to the point where we can't pay our debts. That is a question that is in front of our country today as our economy is struggling and we have this massive debt. We ought to be about every small, medium, and large step we can take to solve the problem, not to solve the problem by saying we can't pay our bills but to solve the problem so we create a prosperous future for our kids and those who follow us.

There is a lot of controversy over the amendment I offered, and it is inaccurately claimed by the majority leader that this amendment was rule XIV'd. It was not rule XIV'd. According to the procedures of the Senate, you can file cloture on any amendment at any time. That is a privilege every Senator has. Why would somebody file cloture on an amendment? It is because, over the first 5½ months of this year, through the leadership of the Senate, we have been unable to have a free and open debate and free and open offering of amendments. Because the procedure is rarely used does not mean it is not ethical and not accurate. As a matter of fact, the reason the procedure was put there was in case at a point in time your rights as a Senator to offer amendments are being limited by the majority. That is why we have this rule. Because you can take 16 of your colleagues and file a cloture petition and, therefore, have a vote on your amendment.

So what we are hearing going on in the background today is, the reason you shouldn't vote for this amendment, even though you agree we should get rid of and save \$3 billion, much as the Senator from California outlined, \$3 billion that the very people who are blending and receiving the \$3 billion don't want, the argument is, it is because they don't like the way the amendment came to the floor. Explain to the people at home, you have an opportunity to save this country \$3 billion and you know it is the right policy, but you are not going to vote for it because you don't like the way the amendment came to the floor. I would remind my colleagues that of the \$3 billion we are going to save, 1.2 billion of it we are going to borrow from China, if we go on and spend it, and we are going to charge that 1.2 billion to our kids and grandkids. The interesting point is, we have grown, over 20-some years, to rely on ethanol for 7 percent of our fuel, and it has been a very expensive process. It is expensive directly because when you go to buy gasoline today, it is not the price you pay at the pump that you are actually paying. Take all the subsidies and all the tax credits and all the low-interest loans and all the nonrepayment of all the grants and all the moneys that have been put into this program, and when you buy that tank of gas, every gallon that you put into your car after you pay for it, you already paid \$1.72 through your taxes to have that gallon there.

So we are not getting rid of the mandate on ethanol. It is 7½ percent. It has helped us in some ways. It is a very inefficient fuel that causes us to consume more fuel, produce more CO₂. But the fact is, we have an amendment in the Chamber that is designed to take away a subsidy, and the only reason we are taking away the subsidy is because in law we are saying you have to do it anyway.

I would introduce, for the record, a letter from the refiners that states—this is the National Petroleum Refiners Association, representing 97 percent of the people who get this tax credit—97 percent of the \$3 billion. They say they don't want the \$3 billion. The vote is going to come down to something very clear. We are going to give \$3 billion to some of the most profitable companies in America or we are not. The interesting fact is, they are saying: Please don't give it to us. Please don't give us this money.

Think of the time when we are borrowing the money to give to them and they are saying don't give it to us. We are going to have a vote in the Chamber and very likely not win because of a procedure or because of parochial interests. The fact is, every gallon of ethanol that is blended to gasoline, whoever does the blending, gets 45 cents a gallon, and they don't need it because

they are going to blend it anyway. So the real question is, Will we continue to be ignorant in Washington of the common sense the American people want us to have? The common sense is, if you are paying somebody to do something and by law they have to do it anyway and then they write you a letter and say: Please don't pay me anymore to do this, I am going to do it anyway, why would we continue to send them the money? Why would we continue to do that, especially when 40 percent of it we have to borrow from the Chinese to be able to pay it to the American oil company? It makes no sense. There is no logic you can come up with. The calculations out of Iowa State University on this \$3 billion is that the amount of jobs that have come out of this in the past cost \$14 million a year per job—14 million a year per job created out of this subsidy.

No wonder we are broke. No wonder we are failing financially. No wonder we are failing our children and our grandchildren, because we continue to do things that don't have any correlation with logic or common sense. I know the arguments. I know the argument is that, well, we passed this last year as part of the extension. Well, as a Republican, I was one of the few Republicans who did not vote for that extension. Because not only did we pass additional tax cuts and additional unpaid programs, we cut no spending to be able to pay for it. So what we did was borrow a whole bunch more money and not solve any of the critical issues that lie in front of our country.

Forty percent of last year's corn crop went to ethanol. As a matter of fact, there is so much ethanol production, last year we shipped 400 million gallons overseas. That is great, except when you take the time to think about that with that 400 million gallons, we sent \$500 million worth of subsidy. So now we are subsidizing the ethanol that goes to Europe with your tax dollars so they can have cheaper gasoline than we have, because they are taking \$1.72 per gallon and getting the benefit of our tax dollars to have cheaper ethanol in Europe than they can get from other places.

So there is nothing about this that makes sense, other than if you are a wonk and study the politics and the procedures and the parochialism that goes on inside the political body. That is what has gotten us into trouble. We are more interested in power and position and party. I am sick of both parties. We better start focusing on the real problems in front of our country. We are going to have a \$1.7 trillion deficit this year, and the way you get rid of that is 1 billion or 2 billion or 3 billion at a time.

Here is something that makes absolutely no sense. Here is something that has no true demand for it. Here is

something that is \$3 billion that the people we are paying it to say they don't want, and we are not going to take them up on it? What part of stupid are we? This is like a Ferrell movie. It doesn't make sense. It is comedic. We have had a lot of debate. Let me just talk for a minute about what is going on in the agricultural community throughout this country if you are a poultry, milk or livestock producer.

You can't bring your cattle to feedlots right now because corn is too expensive—\$7.65 a bushel yesterday. You can't afford to fatten your cattle, so they are not bringing them in from the range. We are slaughtering dairy cows all across this country because 70 percent of the cost of dairy cattle is the corn you feed them. We are going to get all sorts of untoward interruptions and price increases in our food if we continue this policy. Seventy percent of the cost for chickens is feed. We are having chicken processors close and go into bankruptcy. We are having chicken raisers, the actual chicken farms—a lot in Oklahoma, a lot in Arkansas, a lot throughout the South, even over in Delaware and in Virginia—can't afford to feed the chickens. So what is going to happen because we have this false subsidy? The fact is, right now, 15 percent of the food increases in this country that you have seen in the last year are directly associated with this policy—directly associated with this policy. That doesn't have any effect on the fact that what could we do by sending \$7 corn out of this country to our balance of payments, which would help our trade imbalance? Instead, we are burning it, and it is a highly inefficient fuel. It is a highly inefficient fuel. Everybody knows that when they fill up with 15 percent or 10 percent ethanol, they get much poorer gas mileage. Everybody knows that. In Oklahoma, we have all these stations where it says "ethanol free." Why do people pay 10 or 15 cents more a gallon? Because they win on mileage. They actually get better performance when they don't have ethanol in their fuel. We all know that. It is just in some States you don't have that option. We are fortunate. We can still buy real gas.

I understand we have about 3 minutes remaining. I will close with the following statement. This is going to be a historic vote, not about ethanol, not about subsidies. It is going to be a historic vote that sends a signal to the American people. Either the people in Washington get it and are going to stop wasting money on programs they don't need to waste money on and they are going to start acting in the best long-term interests of the country, they are either going to do that or they are not. So when we see the results of this vote, you are going to have a hard time explaining: I voted against that because I didn't like the way the amendment

came up. The fact is, here is \$3 billion we don't have to spend over the next 6 months. If we don't spend it, that is \$3 billion we are not going to have to borrow from our children and that they are not going to be paying interest on for the next 30 years.

This comes down to the point in time, does this Senate recognize the amount of trouble we are in, and are Senators willing to give up parochial interests, procedural interests, are they willing to do what is necessary to put this country back on course? My hope and prayer is they are.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

ENERGY

Mr. HOEVEN. Madam President, I rise this morning to talk about America's energy future. The reality is we need a diversified energy future. What I mean by that is we need to develop all of our energy resources. In my home State of North Dakota, we are doing just that. We have coal, and we are developing clean coal technologies. We have oil and gas. We have hydro. We have biofuels—ethanol and biodiesel. We have solar. We have wind. We have biomass. We are working aggressively to develop all of them, both traditional sources of energy and our renewable sources of energy.

Ten years ago, in 2000 when I started as Governor of North Dakota, we set a course to develop a comprehensive energy plan to develop all of our energy resources, both traditional and renewable, and to do it in tandem, by encouraging private investment that would spur the development of new technologies—new technologies to develop traditional sources of energy and renewable sources of energy, and create new and exciting synergistic partnerships that would both diversify our energy mix, help us produce more energy most cost effectively, create good-quality jobs and improve environmental stewardship.

That is exactly what is happening. That is exactly what is happening in our State. That is exactly what we need to do as a nation. Let me give you some examples from our State. Oil and gas. Oil and gas development has taken off in North Dakota. We are now the fourth largest oil-producing State in the Union. We recently passed States such as Oklahoma and Louisiana, producing more oil, and we are producing it from new formations such as the Bakken Shale and the Three Forks, and we are doing it with new technologies: directional and horizontal drilling. We figured out how to use those technologies such as directional drilling and hydraulic fracturing in new ways that produce more energy but do it with good environmental stewardship. For example, in the case

of hydraulic fracturing, we recycle the water. We go down 2 miles underground, we drill directionally underground for miles. So it is a small footprint. One well now produces what maybe 10 or 12 wells used to produce. The water we use to force the oil to the surface we send back down; we recycle it—we use it again—and ultimately we put it back down the hole where we drew it from in the first place when it came up with much of the oil that is produced.

In the case of coal, we take lignite coal and we produce synthetic natural gas. We put it in pipelines and we send it to other parts of the country, just like the gas you pull out of the ground. At the same time, in one of our plants, we are capturing CO₂, the carbon dioxide. We are capturing it, we are compressing it, we are putting it in pipelines, and we are sending it off to the oilfields for second or tertiary oil recovery.

Those are some of the new developments we are undertaking in traditional sources of energy. But as we do that with things such as oil and gas and coal, we are also developing the renewables. For example, wind. Our State is now the ninth largest wind energy State of all 50. We are continuing to move up the ranks, and that includes investing billions of dollars to make it happen. Again, that is more energy for our country, from more diversified sources, creating good jobs in the process.

Think how important that is. Think how important it is to create good jobs at a time when we have more than 9 percent unemployment, 15-plus million people out of work, an economy that we need to get going and growing. Energy development represents an incredible opportunity to make that happen. But when we talk about energy development, we need all of the different sources of energy. Each has strengths and each has weaknesses. That is why we need the mix.

In our State we also produce biofuels: ethanol and biodiesel. Clearly the discussion today is how do we best create that environment to continue the development, the production, and the growth of ethanol in a way that is cost effective, that serves the taxpayers of the country, but continues to develop that vital industry for our country at a time when we need to reduce our dependence on foreign oil, when we need more domestically produced energy, when we need quality jobs, when we need a growing economy.

We can do it. We can do it with the right kind of energy policy—with the right kind of energy policy—and that is what we are talking about today. Think about ethanol. It helps reduce our dependence on foreign oil. For every gallon of ethanol we use as part of the fuel mix, that is 1 less gallon of gasoline we are bringing in from the

Middle East, and by increasing supply we help reduce the cost of gasoline at the pump for our consumers.

In addition to that, we are creating good-paying American jobs. In 2010, the ethanol industry employed 400,000 workers in good jobs throughout the United States—400,000 jobs. It provided an important market for American farmers throughout our country. It displaced the need for 445 million barrels of foreign oil. Let me repeat that. It displaced the need for 445 million barrels of foreign oil. It reduced the price of gasoline at the pump by 80 cents a gallon for the American consumer.

In addition to all of that, the ethanol industry paid \$11 billion in Federal taxes in 2010. I want to emphasize that point. In 2010, the ethanol industry paid \$11 billion in Federal tax. So it is an important industry to our country and we need it to continue.

The point of the discussion today, though, is how best to do that. So for this discussion today, how do we create the right environment to stimulate private investment so we have that growing economy, we have more jobs, we have more energy, but we also generate more tax revenues with less government spending so we both grow our way out of this debt and deficit, we get this economy going, we create a better energy future for these young people and young people all over our great country.

That is why I have sponsored legislation, along with Senator THUNE and Senator KLOBUCHAR, that will reform the ethanol tax credit. It will provide deficit reduction and set us on the right path for alternative fuel development in our country for the long run. The legislation is called the Ethanol Tax Reform and Deficit Reduction Plan.

It is the right way to transition from the current VEETC, the volumetric ethanol excise tax credit, rather than the amendment today to simply do away with VEETC. This is the right transition for us to make from the VEETC to creating the right environment to stimulate investment and energy growth in biofuels for the future. The ethanol tax reform and deficit reduction plan provides \$1 billion in deficit reduction right away—provides \$1 billion in deficit reduction. But it also provides the right transition for ethanol by providing the right kind of energy policy. Specifically, we provide incentives for things such as blender pumps that offer consumers choice. We provide the right kind of incentives for research, development, and deployment of second-generation ethanol, specifically cellulosic ethanol, so that instead of making ethanol from food products, we make it from stover and wheat straw and other sources.

By combining blender pumps, flex fuel vehicles, and commonsense regulation on the part of the EPA that en-

courages higher fuel blends, we create the business environment that will foster growth in the ethanol industry.

What does that mean? That means, No. 1, we avoid the ongoing cost of subsidies such as the VEETC. Second, we set the ethanol industry up for long-term growth. Third, we gain jobs. We gain jobs at a time when we badly need them. We produce more energy, which reduces our dependence on foreign oil, and we gain tax revenues. We gain tax revenues to help reduce our deficit.

So we not only spend less directly, helping to reduce the deficit, we grow our economy, and that growing economy builds on the \$11 billion that the industry is already paying in Federal taxes, and we grow that base while we are growing our jobs. That is the right way to move forward, to move out of our deficit situation in this economy, to get our economy going and also to produce more energy.

This is a market-based approach that will give customers more choice and also reduce their fuel costs. For example, you go into the station, there is a blender pump there. You have a flex fuel vehicle. You can dial up whatever blend you choose, anywhere from 0 percent biofuels all the way up to 85 percent, whatever works best for you, whatever works best for your pocketbook, whatever works best for your vehicle.

We have blender pumps in my State. We have an incentive for blender pumps in my State. As a result, we have more blender pumps than any other State in the country. The reality is today, if you buy fuel in North Dakota, almost all of the fuel you buy will have ethanol in it and you do not even realize it. Why? Because at a 90–10 percent blend, every vehicle can use it, and it is the lowest price gasoline at the pump, so dealers want to sell it. Consumers buy it. They simply buy it because they pick the lowest priced fuel at the pump. It is a 90–10 blend.

That is where we are going with this, a market-based approach. That is how it can work for the benefit of our economy, for the benefit of our energy future, for the benefit of reducing spending, and for the benefit of growing our tax revenues. That is the choice we have today. That is the right way to approach job creation and energy development in our country. We are reducing spending. We are improving and creating an environment for private sector investment that will help us build a probusiness climate for energy and economic growth in our country.

I urge my fellow Senators to make that progrowth choice.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. TESTER). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF CLAIRE C. CECCHI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

NOMINATION OF ESTHER SALAS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The assistant legislative clerk read the nominations of Claire C. Cecchi, of New Jersey, to be United States District Judge for the District of New Jersey, and Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour for debate equally divided and controlled between the two leaders or their designees.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, today is a distinct honor for me to have the opportunity to fulfill the constitutional commitment that each of us has to assure the public at large that justice is being administered as it should be. We fulfill this commitment by making sure vacancies on the Federal bench are filled with individuals who have the proper experience and will provide the kind of fairness and balance in decisionmaking that confirms America's basic tenets.

Mr. President, during a 2-year hiatus that I took from the Senate, I was honored with the naming of a Federal courthouse in Newark after me, and I was so pleased to have that association with the justice administered in our society. Before the building was dedicated, I asked that an inscription that I authored be placed on the wall. It reads exactly as I labored to write it. It says:

The true measure of a democracy is the dispensation of justice.

As a matter of fact, when I shared that moment with my dear departed colleague, Senator Ted Kennedy, who questioned whether I wrote it because he knew I wasn't a lawyer, we joked about it, and I confirmed it. That is the way I saw things.

The sentiment behind that quote underscores how seriously I take my role in recommending New Jersey District Court nominees to President Obama. That is why I am so proud to come to the floor today and urge my colleagues to confirm President Obama's nomination of Judge Claire Cecchi and Judge Esther Salas to the U.S. District Court for New Jersey. Both are well qualified for the court, having devoted their careers to upholding the rule of law.

Throughout her career, Judge Cecchi has demonstrated her ability to navigate complicated legal matters and manage complex cases. During the confirmation process, she showed her temperament and diligence, she let us know something of her candor, and displayed the kind of character that she brings to the bench.

For the past 5 years, Judge Cecchi has served as a U.S. magistrate judge in the District of New Jersey, where she has presided over hundreds of civil and criminal cases.

Before joining the bench, Judge Cecchi spent 14 years in private practice, focusing on complex civil litigation. One of her passions is to encourage young people to pursue a career in the law. She has hosted Bring Your Child to Work Day programs in the district court, as well as a mock trial for a local sixth grade class, to let young people have some understanding of what goes into making sure justice is fairly served in the Federal courts.

Judge Cecchi's community spirit is pronounced in her activities. She has volunteered for the Junior League, Orphans with AIDS, the Human Needs Food Pantry, and the Salvation Army, to name just a few.

She graduated from Fordham University Law School, and cum laude from Barnard College at Columbia University. Before being appointed to the bench, she was a partner at two New Jersey law firms, and she was an assistant corporation counsel for the City of New York.

Like Judge Cecchi, Judge Salas has earned the respect and admiration of New Jersey's legal community—first as an accomplished litigator and, for the past 5 years, as a U.S. magistrate judge. She was the first Latina in New Jersey to serve as a magistrate judge.

In a newspaper profile a few years ago, Judge Salas recalled how, when she was 10 years old, her family lost everything in a fire in the apartment building where they lived. The judge's mother said to her:

Things are going to be fine. We've gotten this far, and we are going to make it.

What determination that showed. I like to tell this story because I believe it demonstrates how Judge Salas's experiences have shaped her life and her career. She has known hardship, but she has also known great success as a member of New Jersey's legal community.

Before Judge Salas became a magistrate judge, she served 9 years as an assistant Federal public defender in Newark, representing indigent clients in a variety of cases. In addition, Judge Salas has worked in private practice, handling appellate work for a New Jersey law firm. She is a graduate of the Rutgers University School of Law, and she clerked for New Jersey Superior Court Judge Eugene Codey.

Additionally, Judge Salas has served as the president of the Hispanic Bar

Association of New Jersey, an organization to which she has devoted countless volunteer hours throughout her career.

As I shared with the Judiciary Committee when I introduced Judge Cecchi and Judge Salas in March, I am not a lawyer, but I have a deep and abiding respect for the law. I was pleased to recommend Judge Claire Cecchi and Judge Esther Salas because both are unquestionably qualified to serve on the district court, and they will bring honor to the people of New Jersey and our country.

I am confident that my colleagues in the Senate will agree and vote overwhelmingly to confirm their nominations.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the time during the quorum call be equally divided, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I rise to urge my colleagues to vote for the confirmation of two of New Jersey's most outstanding judicial professionals to fill two vacancies for United States District Court judges for the District of New Jersey. I understand that vote will be taking place around noon. Both of these very qualified women are now U.S. magistrate judges.

Judge Claire Cecchi and Judge Esther Salas are among the most respected leaders in New Jersey's judicial community. Both have demonstrated skill and professionalism on the bench and an impressive ability to manage the heavy and complex dockets before them.

Judge Cecchi has a broad range of litigation experience, having worked in the private sector for over 14 years. After serving in the Office of Corporation Counsel for the City of New York, she practiced with Robinson, St. John & Wayne, and later with Robinson, Lapidus, and Livelli, both large and well-respected New Jersey firms.

She has been no stranger to complex litigation for both defendants and plaintiffs. In the course of her distin-

guished career, she has focused on a range of challenging issues—from security litigation and complex tort matters to employment law, criminal cases, construction cases, and contracts. In handling a case involving a suit by the Securities and Exchange Commission—a prominent case against two companies in Federal Court in the Southern District of New York—Judge Cecchi demonstrated outstanding legal skills. She was singled out by many in the legal profession in New Jersey for her depth and range of knowledge on the subject and for her conduct of the case.

Judge Cecchi later went to the firm of Carpenter, Bennet & Morrissey, the second oldest law firm in New Jersey, where she worked for almost a decade developing a range of experience in environmental and toxic tort cases, class actions, patent cases, and employment law.

She is a graduate of Fordham University and Barnard College at Columbia University, and began her career clerking for the Honorable Kevin Thomas Duffy of the Southern District of New York.

As a U.S. magistrate judge, she has shown a unique set of judicial skills that makes her an exceptional choice for the position of United States District Court Judge for the District of New Jersey, and I urge my colleagues to vote to confirm her nomination.

Magistrate Judge Esther Salas has been an exceptional public servant. In 2006, she became the first Hispanic to serve as a U.S. magistrate judge for the District of New Jersey. In her handling of a docket of well over 400 cases, she has earned the respect of many in the legal community who have said she is the finest judge they have worked with in many years of practice.

In a 10-year environmental dispute involving 350 attorneys, she managed the resulting avalanche of motions and countermotions involving Federal and State claims for more than \$300 million in cleanup costs and damages. Her handling of the case prompted several lawyers not only to credit her with being the principal moving force in bringing the parties to agreement but recommending her to the Judiciary Committee with their unqualified support.

Prior to serving as a U.S. magistrate judge, Judge Salas worked for almost 10 years in the Federal Public Defenders Office, where she zealously provided her clients with her best legal advice and a skilled defense in what were often difficult and complex cases.

Judge Salas clerked with distinction for Superior Court Judge Eugene Codey, and—a proud New Jersey—she earned her degrees from Rutgers University and Rutgers University Law School.

She is a respected member of the New Jersey State Bar, a past president of the Hispanic bar of New Jersey, and an extraordinary jurist.

These two extraordinary nominees—two of New Jersey's most respected legal professionals—both deserve confirmation by the full Senate as U.S. District Court Judges for the District of New Jersey. I urge my colleagues to confirm their nominations and give New Jersey two respected and distinguished District Court judges who have earned the confidence of the legal community in my State, the recommendation of the Judiciary Committee and, in my view, deserve a unanimous vote in the full Senate.

Mr. President, with that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, the Senate last confirmed a judicial nominee on May 17, almost 1 month ago. This is despite the fact that almost a score of qualified nominees have been awaiting final consideration since that date. Last month, the Senate recessed for Memorial Day with 19 judicial nominees pending on the Senate's Executive Calendar. Of those, 16 are by anyone's definition consensus nominees. All 16 were unanimously approved by every Republican and every Democratic Senator on the Judiciary Committee after thorough review. They are all supported by their home State Senators, Republicans and Democrats. These are the kind of nominees who in past years would be confirmed within days of being reported to the Senate and without the extended delays that now burden every nomination.

With judicial vacancies continuing at crisis levels, affecting the ability of courts to provide justice to Americans around the country, I have been urging the Senate to vote on the judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. My efforts have not yielded much success or sense of urgency. Nor have the statements by the Chief Justice of the United States, the Attorney General of the United States, the White House counsel, the Federal Bar Association and a number of Federal judges across the country.

Those who delay or prevent the filling of these vacancies must understand that they are delaying and preventing the administration of justice. We can pass all the bills we want to protect American taxpayers from fraud and other crimes, but you cannot lock up criminals or recover ill-gotten gains if you do not have judges. The mounting backlogs of civil and criminal cases are growing larger.

We should have regular votes on President Obama's highly qualified nominees, instead of more delays. With vacancies still totaling more than 90 on Federal courts throughout the country, and with nearly two dozen future vacancies on the horizon, there is no time to delay consideration of these nominations. Had we taken positive action on the consensus nominees, vacancies would have been reduced to below 80 for the first time since the beginning of President Obama's administration.

All of the nominations reported by the Judiciary Committee and pending on the Senate's Executive Calendar have been through the committee's fair and thorough process. We review extensive background material on each nominee. All Senators on the committee, Democratic and Republican, have the opportunity to ask the nominees questions at a live hearing. Senators also have the opportunity to ask questions in writing following the hearing and to meet with the nominees. All of these nominees which the committee reported to the Senate have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. All have the support of their home state Senators, both Republican and Democratic. They should not be delayed for weeks and months needlessly after being so thoroughly and fairly considered by the Judiciary Committee.

Today, the Senate is being allowed to vote on two more of President Obama's outstanding judicial nominees, Esther Salas and Claire Cecchi—both currently Federal magistrate judges for the U.S. District Court for the District of New Jersey, the court to which they are nominated. Judge Salas previously served as a Federal public defender and in private practice. She is a graduate of Rutgers University and Rutgers University School of Law. Judge Cecchi previously worked in private practice and for the city of New York. She graduated from Barnard College of Columbia University and Fordham University School of Law. Judge Salas and Judge Cecchi both have the strong support of their home state Senators, Senator LAUTENBERG and Senator MENENDEZ.

After today's votes on the two New Jersey nominees, there will remain more than a dozen other judicial nominations that were reported unanimously and that are being stalled for no good reason and without justification. They include several nominees to fill judicial emergency vacancies, including Paul Engelmayer and William Kuntz of New York, Richard Brooke Jackson of Colorado, Kathleen Williams of Florida, and Nelva Gonzales Ramos of Texas, as well as Henry Floyd of South Carolina to the Fourth Circuit.

Other nominations reported unanimously and without any opposition are Paul Oetken of New York, Romana

Manglona of the Mariana Islands, Sara Lynn Darrow of Illinois, John Andrew Ross of Missouri, Timothy M. Cain of South Carolina, Nanette Jolivet Brown of Louisiana and Nancy Torreson of Maine. Some have been needlessly stalled before the Senate for months. Those with home state Republican Senators in support include Bernice Donald of Tennessee to the Sixth Circuit, Henry Floyd of South Carolina to the Fourth Circuit, Sara Lynn Darrow of Illinois, Kathleen Williams of Florida, Nelva Gonzales Ramos of Texas, John Andrew Ross of Missouri, Timothy Cain of South Carolina, Nanette Jolivet Brown of Louisiana, and Nancy Torreson of Maine. In spite of all this, we continue to be unable to secure consent from the Republican leadership for the Senate to consider and vote on these nominations. They will all be confirmed if allowed to be considered.

We could have made significant progress helping Americans seeking justice in our Federal courts before the Memorial Day recess. I hope Senators across the aisle can join together with us and work with the President to provide needed judicial resources before our Fourth of July recess.

I congratulate both of the outstanding nominees we will confirm today, and their families on what I expect will be their unanimous confirmations today.

Mr. GRASSLEY. Mr. President, today, the Senate will confirm two more of President Obama's judicial nominees. Both nominees are for seats in the District of New Jersey. With these confirmations today, the District of New Jersey will be fully staffed, with no vacancies.

I have been working throughout this Congress to confirm consensus nominees. Yet we continue to hear complaints in the blogs and elsewhere on the lack of confirmations or on the slow pace of confirmations. I think the record demonstrates otherwise. We have taken positive action on more than 60 percent of President Obama's nominees in this Congress. We have reported out of committee more than half the nominees. Twenty-six nominees will have been confirmed after today. Even with this pace, I remind my colleagues that we continue to carefully review the qualifications of all nominees. This is not a pro forma process. We expect quality nominations from the President, not just quantity.

Today, the Senate will consider two nominations, both to be U.S. district judge for the District of New Jersey. Since 2006, both have been serving as a U.S. magistrate judge for the District of New Jersey. I congratulate these nominees.

The first nominee is Claire Cecchi. Judge Cecchi received her bachelor's degree from Barnard College, Columbia

University in 1986, and her juris doctorate from Fordham University School of Law in 1989.

Upon graduation, Judge Cecchi worked for the Office of Corporation Counsel for the city of New York. In 1992 she became an associate with the firm of Robinson, St. John & Wayne and its successor firm, Robinson, Lapidus & Livelli. There she focused her work in general practice with an emphasis on securities litigation. In 1997 Judge Cecchi joined the firm of Carpenter, Bennett & Morrissey, where she handled general litigation, including products liability, employment, antitrust, and patent law cases. She became a partner in that firm in 2001. In 2004 she joined the firm McElroy, Deutsch, Mulvaney & Carpetner, as of counsel. She was a partner in that firm in 2005 to 2006. Judge Cecchi also served as a State-certified mediator for the New Jersey State courts system while in private practice. She was appointed a magistrate judge in 2006, where she presides over pretrial motions, mediations, and settlements.

The American Bar Association has rated Judge Cecchi "majority qualified, minority well qualified."

The second nominee, Esther Salas, received both her bachelor's and juris doctorate from Rutgers University in 1991 and 1994, respectively.

Judge Salas began her legal career as a law clerk for Judge Eugene Cody of the Superior Court of New Jersey. After her clerkship, Judge Salas worked at the firm of Garces & Grabler, where she handled criminal work and appellate matters. In 1997, she joined the Office of the Federal Public Defender as an assistant public defender, working for indigent criminals in Federal criminal matters. She was appointed as a U.S. magistrate judge for the District of New Jersey in 2006.

The American Bar Association has rated Judge Salas unanimously "well qualified."

I support these two nominees and congratulate them for their achievement and public service.

Mr. WHITEHOUSE. I now yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Claire C. Cecchi, of New Jersey, to be United States District Judge for the District of New Jersey?

Mr. WHITEHOUSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—98

Akaka	Gillibrand	Moran
Alexander	Graham	Murkowski
Ayotte	Grassley	Murray
Barrasso	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hatch	Paul
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Isakson	Risch
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Johnson (WI)	Rubio
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Chambliss	Kyl	Shelby
Coats	Landrieu	Snowe
Coburn	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Lee	Thune
Conrad	Levin	Toomey
Coons	Lieberman	Udall (CO)
Corker	Lugar	Udall (NM)
Cornyn	Manchin	Vitter
Crapo	McCain	Warner
DeMint	McCaskill	Webb
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	

NOT VOTING—2

Casey Inouye

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the clerk will report the next nomination.

The legislative clerk read the nomination of Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the nomination of Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey?

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDER OF PROCEDURE

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, notwithstanding the previous order, I ask unanimous consent that there be 5 minutes of debate equally divided and controlled between the proponents and opponents of the Coburn amendment No. 436, as modified, prior to a cloture vote on the Coburn amendment. That would be for debate only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, that debate would come after the recess.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 782, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Beacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the Volumetric Ethanol Excise Tax Credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn modified amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

The PRESIDING OFFICER. Under the previous order, there will be 5 minutes for debate only equally divided on amendment No. 436, as modified, offered by the Senator from Oklahoma, Mr. COBURN.

Who yields time? No one has yielded time. Time will be charged equally to both sides.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am speaking on this amendment. I oppose the amendment. I urge my colleagues to do the same. There is going to be a change with biofuels in this country. We are going to see a phasing out of the support for biofuels in terms of Federal policy. But the time to do it is not in the middle of the year after 7 years of Federal support with 5 days' notice.

Senator THUNE and I have an alternative bill that actually takes the rest of the year, the last 6 months of this year, the funding, and puts \$1 billion into deficit reduction, and then allows the industry to keep its footing so it can actually compete with oil.

I would remind my colleagues that this is now 10 percent of our fuel supply. There have been studies done that show the price of gasoline would escalate up to \$1 more a gallon if the rug were suddenly pulled out from under this industry. It is the only competition with oil. So while this industry, unlike the oil industry, has acknowledged that there is change ahead and that they are willing to be part of this change and actually put money on the table, the time to do it is not now on an unrelated bill with no discussion of a comprehensive energy plan for this country.

I know Senator THUNE would like to talk about his opposition to this amendment.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I urge my colleagues to vote no on this motion. As the Senator from Minnesota has pointed out, there is a better way to do this. I think we can all work together in a constructive way and accomplish what the proponents of this amendment want to do, but do it in a way that does not disrupt this industry.

In December, 81 Senators—81 Senators—voted for tax policy. Here we are 6 months later and we are going to say we are going to pull the rug out. We are going to tell you guys just to go pound sand—after giving them a commitment back in December that we

would have this tax policy in place until the end of the year.

That is not the way to do business. This can be done in the right way. I urge my colleagues to defeat this motion, and then we can work together to try to get to where we have a solution in place that is good for jobs, good for the energy industry in this country, and good for the taxpayers of America.

Mr. HATCH. Mr. President, one negative aspect of Senator COBURN's amendment No. 436, as modified, to the Economic Development Revitalization Act of 2011 is that it is a tax increase that is not offset by a tax cut of an equal or greater amount.

It takes away a tax incentive and therefore increases taxes but fails to cut taxes in another area, such as by lowering tax rates. I do not favor taking away tax incentives without cutting taxes in other areas to reach a revenue-neutral result.

Revenue-neutrality should be judged using a current-policy baseline and not the unrealistic current-law baseline that builds in trillions of dollars of tax increases.

However, in this case, the policy considerations regarding ending the tax incentive for corn-based ethanol outweigh this general principle. I will note that this is not the case for the larger-dollar, and more significant, tax incentives such as the home mortgage interest deduction.

With respect to these tax incentives, any changes that increase revenue must be offset with a tax cut in another area, such as by lowering tax rates. My vote in favor of the Coburn amendment should not be viewed as a precedent for increasing taxes.

Taxes are already headed higher than they historically have been according to the nonpartisan Congressional Budget Office. Americans are not undertaxed, Washington overspends, and we need to get that spending under control.

In terms of energy policy for our Nation, I think the case is more clear in favor of this amendment. I do not believe it makes sense to provide a tax incentive for a product that is also mandated by the Federal Government, which is what we have with ethanol. Moreover, energy tax incentives should be a temporary boost, not a long-term strategy to support an energy source that cannot compete on its own. I believe the time has come for corn ethanol to stand on its own as a transportation fuel.

Mr. BLUMENTHAL. Mr. President, I will vote today against cloture on amendment No. 436, dealing with subsidies for the ethanol industry, because its author used inappropriate procedural tactics to attach it to an unrelated bill devoted to economic development.

I support eliminating unnecessary tax subsidies to the ethanol industry,

but today's vote is a political maneuver orchestrated by members of the minority party. I am pleased that the Senate will have an opportunity to vote on the merits of this issue, without extraneous debates over Senate procedure and process, in the coming days.

I will then support this measure to eliminate subsidies to the ethanol industry, which is necessary to save taxpayer dollars, reduce the deficit, and rein in our national debt.

Mr. WHITEHOUSE. Mr. President, I rise to discuss my vote on the motion to invoke cloture on Senator COBURN's amendment to the Economic Development Revitalization Act of 2011 to repeal the volumetric ethanol excise tax credit and the tariff on ethanol imports. I will vote against cloture on this amendment because of assurances that there would be another vote on ethanol subsidies in the near future without the extraordinary procedural problems occasioned by this amendment as it was brought to the floor.

My position on corn ethanol subsidies is clear. I am a cosponsor of Senator COBURN's Volumetric Ethanol Excise Tax Credit Repeal Act. I also signed a letter last fall along with several of my colleagues opposing the current extension of the volumetric ethanol excise tax credit and the tariff on ethanol imports.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, we have introduced into the RECORD the industry that gets this tax credit—they represent 97 percent of all of the ethanol that is blended—does not want the \$3 billion. They say it is not a disruption to them, and, in fact, it is \$3 billion that we cannot afford to pay.

It is something that already has accomplished its purpose through a government mandate. I would yield the remainder of my time to the Senator from California, Mrs. FEINSTEIN.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I thank the Senator from Oklahoma. I think everybody in this body now knows that I am strongly for this measure. Unfortunately, I think it has created a lot of feelings that really do not work to the benefit of this body.

It is my understanding there is an offer from the leader that we will have a vote by Friday next, which means a week from this Friday. I tend to just say what I think. On our side, I think there are real concerns about the process used to bring this amendment to the floor. I think that has created some, unfortunately, very bad feelings which even are enough to affect people's votes.

My view has been a little different. I have watched this ethanol amendment go from \$1.5 billion in the early part of

the 2000s to where it costs \$5.7 billion now. It is a triple crown. It is a subsidy, it is a mandate, it is a protective tariff. It should go. I have no question about that.

I also want to see this body have an ability to work together. It also gives us a little bit of time to see if we can negotiate some agreement between the Senator from Minnesota and the Senator from South Dakota. That would be the best of all worlds. Whether we can do this, I do not know, but I am certainly willing to try.

What I hate to see is this vote get so caught up—which it is now caught up in process—that we have no chance of sorting it out. I have asked the Senator from Oklahoma would he consider withdrawing this amendment so we can try and see if we could—

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. FEINSTEIN. I would ask unanimous consent for a couple of seconds more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN.—so that we could try and see if we can work something out with Senators KLOBUCHAR and THUNE. I would implore him once again, I think for the best interests of our body as a whole, both sides, we ought to take the time to try to work it out. I think we lose votes right now on the basis of the process alone that we would not lose on just a straight vote.

I believe if it were not for the process, we would have 60 votes. That is my belief. So I want the Senator from Oklahoma to know that right up front. I would implore him to let us withdraw the amendment, try to negotiate a solution, and then take this up, as the leader has pledged, by Friday next.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I ask unanimous consent for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, the reason this amendment ended up the way it is, is because we don't have an open amendment process in the Senate anymore. Rule XXII gives every Senator the right to offer an amendment. We have no Senate unless we have the right to offer an amendment.

There is no usurpation of the power of the majority leader. He gets to set what bills are on the floor. Every Senator has the right to file cloture on their amendments—every Senator. They also have every right to offer amendments.

We would not be in this position if we did not have a closed amendment process instead of an open amendment process. I would like to solve this problem. I recognize that this is going to be blue-slipped anyway. I thank the majority leader for his offer. I do not

think it accomplishes what we want. I think we end up losing what we can get and what we should get.

I think the American people deserve to have us take this \$3 billion out of the hands of the large oil companies now, not to the benefit of any American except to their detriment and their children.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the pending amendment No. 436, as modified, to S. 782.

Tom Coburn, Jim DeMint, John McCain, Richard Burr, David Vitter, Kelly Ayotte, Scott P. Brown (MA), James E. Risch, James M. Inhofe, Bob Corker, Michael B. Enzi, Johnny Isakson, John Barrasso, Lamar Alexander, John Cornyn, Jeff Sessions.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that the debate on amendment No. 436, as modified, offered by the Senator from Oklahoma, Mr. COBURN, to S. 782, the Economic Development Revitalization Act of 2011, should be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 40, nays 59, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—40

Alexander	Enzi	Murkowski
Ayotte	Graham	Paul
Barrasso	Hatch	Pryor
Boozman	Heller	Risch
Brown (MA)	Hutchison	Rubio
Burr	Inhofe	Sessions
Cantwell	Isakson	Shelby
Chambliss	Johnson (WI)	Snowe
Coburn	Kyl	Tester
Collins	Lee	Toomey
Corker	Lieberman	Vitter
Cornyn	Manchin	Webb
Crapo	McCain	
DeMint	McConnell	

NAYS—59

Akaka	Conrad	Kerry
Baucus	Coons	Kirk
Begich	Durbin	Klobuchar
Bennet	Feinstein	Kohl
Bingaman	Franken	Landrieu
Blumenthal	Gillibrand	Lautenberg
Blunt	Grassley	Leahy
Boxer	Hagan	Levin
Brown (OH)	Harkin	Lugar
Cardin	Hoeven	McCaskill
Carper	Inouye	Menendez
Coats	Johanns	Merkley
Cochran	Johnson (SD)	Mikulski

Moran	Roberts	Udall (CO)
Murray	Rockefeller	Udall (NM)
Nelson (NE)	Sanders	Warner
Nelson (FL)	Schumer	Whitehouse
Portman	Shaheen	Wicker
Reed	Stabenow	Wyden
Reid	Thune	

NOT VOTING—1

Casey

The PRESIDING OFFICER. On this vote, the yeas are 40, the nays are 59. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Florida.

THE AMERICAN CENTURY

Mr. RUBIO. Mr. President, I have the honor of representing the people of the great State of Florida here in the Senate, and today I speak for the first time on this floor on their behalf.

The Senate is a long ways away from where I come from, both literally and figuratively. I come from a hard-working and humble family, one that was neither wealthy nor connected. Yet I have always considered myself to be a child of privilege because growing up I was blessed with two very important things: I was raised by a strong and stable family, and I was blessed to be born here in the United States of America.

America began from a very powerful truth—that our rights as individuals do not come from our government, they come from our God. Government's job is to protect those rights. And here, this Republic, has done that better than any government in the history of the world.

Now, America is not perfect. It took a bloody civil war to free over 4 million African Americans who lived in slavery. It took another 100 years before they achieved full equality under the law. But since its earliest days, America has inspired people from all over the world, inspired them with the hope that one day their own countries would be one like this one.

Many others decided they could not wait, and so they came here from everywhere to pursue their dreams and to work to leave their children better off than themselves. The result was the American miracle—a miracle where a 16-year-old boy from Sweden, with no English in his vocabulary and \$5 in his pocket, saved enough money to open a shoestore. Today, that store, Nordstrom's, is a multibillion-dollar global retail giant; a miracle that led to a young couple with no money and no business experience opening a toy company out of the garage of their home. Today, that company, Mattel, is one of the world's largest toy manufacturers; a miracle where the French-born son of Iranian parents created a Web site called AuctionWeb in the living room of his home. Today, that company, known as eBay, stands as a testament to the familiar phrase “only in America.”

These are just three examples of Americans whose extraordinary success began with nothing more than an idea. But it is important to remember that the American dream was never just about how much money you made; it is also about something that typifies my home State of Florida: the desire of every parent to leave their children with a better life. It is a dream lived by countless people whose stories will never be told, people—Americans—who never made \$1 million. They never owned a yacht or a plane or a second home. Yet they too live the American dream because through their hard work and sacrifice, they were able to open doors for their children that had been closed for them.

It is the story of the people who clean our offices here in this building, who work hard so that one day their children can go to college. It is the story of the men and women who serve our meals in this building, who work hard so that one day their children can accomplish their own dreams.

It is the story of a bartender and a maid in Florida. Today, their son serves here in the Senate and stands as a proud witness of the greatness of this land.

Becoming a world power was never America's plan, but that is exactly what the American economic miracle made her. Most great powers have used their strength to conquer, but America is different. For us, our power always has come with a sense that those to whom much is given, much is expected; a sense that with the blessings God bestowed upon this land came the responsibility to make the world a better place. And in the 20th century, that is precisely and exactly what America did. America led in two world wars so that others could be free. America led in the Cold War to stop the spread of and ultimately defeat communism. While our military and foreign policy contributions helped save the world, it was our economic and cultural innovations that helped transform it.

The fruits of the American miracle can be found in the daily lives of people everywhere. Anywhere in the world, someone uses a mobile phone, e-mail, the Internet, or GPS; they are enjoying the benefits of the American miracle. Anywhere in the world where a bone marrow, lung, or heart transplant saves a life, they are touched by the value of the American miracle. On one night in July of 1969, the world witnessed the American miracle firsthand, for on that night an American walked on the surface of the Moon, and it was clear to the world that these Americans could do anything.

Now, clearly America's rise was not free of adversity. We faced a civil rights struggle that saw Governors defy Presidents; that saw police dogs attack innocent, peaceful protestors; that saw little children murdered in

churches by bombs. We faced two oil crises. America faced Watergate. America faced American hostages in Iran.

I grew up in the 1980s, a time when it was morning in America. Yet even then we faced the war on drugs. We lost soldiers in Beirut and astronauts on the *Challenger*. We faced a devastating oil-spill in Alaska and a terrifying new disease called AIDS. Through challenges and triumphs, the 20th century was the American century—a century where America's political, economic, and cultural exceptionalism made the world a more prosperous and peaceful place.

But now we find ourselves in a new century, and there is this growing sense that for America, things will never be the same, that maybe this century will belong to someone else. Indeed, we do now stand at a turning point in our history, one where there are only two ways forward for us: We will either bring on another American century or we are doomed to witness America's decline.

Another American century is fully within our reach because there is nothing wrong with our people. The American people haven't forgotten how to start a business. The American people haven't run out of good ideas. We Americans are as great as we have ever been. But our government is broken, and it is keeping us from doing what we have done better than any people in the history of the world—create jobs and prosperity.

If we here in Washington could just find agreement on a plan to get control of our debt, if we could just make our Tax Code simpler and more predictable, if we could just get the government to ease up on some of these onerous regulations, the American people will take care of the rest.

If this government will do its part, this generation of Americans will do theirs. They will give us a prosperous, upwardly mobile economy, one where our children will invent, build, and sell things to a world where more people than ever can afford to buy them. If we give America a government that can live within its means, the American economy will give us a government of considerable means, a government that can afford to pay for things government should be doing because it does not waste money on the things government should not be doing.

If we can deliver on a few simple but important things, we have the chance to do something that is difficult to imagine is even possible—an America whose future will be greater than her past. Sadly, that is not where we are headed. We have made no progress on the issues of our time because, frankly, we have too many people in both parties who have decided that the next election is more important than the next generation. And our lack of

progress on these issues has led to something even more troubling—a growing fear that maybe these problems are too big for us to solve, too big for even America.

Well, there is no reason to be afraid. Our story, the story of America, is not the story of a nation that never faced problems. It is the story of a nation that faced its challenges and solved them. Our story, the story of the American people, is not the story of a people who always got it right; it is the story of a people who in the end got it right.

We should never forget who we Americans are. Every single one of us is the descendant of a go-getter, of dreamers and of believers, of men and women who took risks and made sacrifices because they wanted their children to live better off than themselves. So whether they came here on the *Mayflower*, on a slave ship, or on an airplane from Havana, we are all descendants of the men and women who built the Nation that saved the world.

We are still the great American people, and the only thing standing in the way of our solving our problems is our willingness to do so. And whether we do so is of great consequence not just to us but to the whole world. I know some now say that because times are very tough at home, we can no longer afford to worry about what happens abroad, that maybe America needs to mind its own business. Well, whether we like it or not, there is virtually no aspect of our daily lives that is not directly impacted by what happens in the world around us. We can choose to ignore global problems, but global problems will not ignore us.

One of my favorite speeches is one that talks about our role in the world. It was the speech President Kennedy was set to give had he lived just 1 more day, and it closes with these words:

We in this country, in this generation, are—by destiny rather than by choice—the watchmen on the walls of world freedom. We ask, therefore, that we may be worthy of our power and responsibility, that we may exercise our strength with wisdom and restraint, and that we may achieve in our time and for all time the ancient vision of “peace on Earth, good will toward men.” That must always be our goal, and the righteousness of our cause must always underlie our strength. For as was written long ago, “except the Lord keep the city, the watchman waketh but in vain.”

Almost a half century later, America is still the only watchman on the wall of world freedom, and there is still no one to take our place.

What will the world look like if America declines? Well, today people all over the world are forced to accept a familiar lie, that the price of security is their liberty. If America declines, who will serve as living proof that liberty, security, and prosperity can all exist together?

Today, radical Islam abuses and oppresses women, has no tolerance for

other faiths, and it seeks to impose its will on the whole world. If America declines, who will stand up to them and defeat them?

Today, children are used as soldiers and trafficked as slaves. Dissidents are routinely imprisoned without trial, and they are subjected to torture and forced into confessions and labor. If America declines, what nation on Earth will take these causes as their own?

What will the world look like if America declines? Who is going to create the innovations of the 21st century? Who will stretch the limits of human potential and explore the new frontiers? And if America declines, who will do all these things and ask for nothing in return, motivated solely by the desire to make the world a better place?

The answer is, no one will. There is still no nation or institution on this planet that is willing or able to do what America has done.

Ronald Reagan famously described America as a shining city on a hill. Now, some say that we can no longer afford the price we must pay to keep America's light shining. Others like to say there are new shining cities that will soon replace us. I say they are both wrong.

Yes, the price we are going to pay to keep America's light shining is high. But the price we will pay if America's light stops shining is even higher.

Yes, there are new nations emerging with prosperity and influence. That is what we always wanted. America never wanted to be the only shining city on the hill. We wanted our example to inspire the people of the Earth to build one of their own. You see, these nations, these new emerging nations, these new shining cities, we hope they will join us. But they can never replace us because their light is but a reflection of our own.

It is the light of an American century that now spreads throughout the Earth, a world that still needs America, a world that still needs our light, a world that needs a new American century. I pray that, with God's help, that will be our legacy to our children and to the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican Leader.

Mr. McCONNELL. Mr. President, on behalf of all of our colleagues, I commend our new Senator from Florida for his remarkable speech. No one is a better example of the American dream than he is, and no one expresses American exceptionalism better than Senator RUBIO. I congratulate him on behalf of all of our colleagues.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I join with my Republican counterpart in congratulating my friend from Florida for

his fine speech. But I wish, in his remarks, he would have once in a while mentioned where he spent a lot of his youth: Las Vegas and North Las Vegas, NV.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. NELSON of Florida. Mr. President, I congratulate my colleague from Florida, and I want him to know that it is a great pleasure for me to serve with him. It has been a tradition in Florida that the two Senators get along. This has been a great tradition that goes back to when Bob Graham and Connie Mack were the two Senators. It continued with Mel Martinez and me, and now I have the privilege of continuing that kind of relationship with Senator RUBIO.

The maiden speech is a big deal for a Senator, and it is always a memory that is forever etched in my mind.

I was in one of those desks over there as a very junior member, and I will never forget in the course of my speech—and it was mostly an empty Chamber—that I mentioned that it was my maiden speech. In a few minutes, all of a sudden those side doors flung open and in strode Senator Robert Byrd. So here I am giving my maiden speech and Senator Byrd is sitting in his seat. As I finished, he said: Would the Senator yield?

I said: Of course, I yield to the Senior Senator from West Virginia.

Senator Byrd, off the top of his head, gave an oration about the history of maiden speeches in the Senate. Now, of course, that is indelibly etched in my memory. Surely, the Senator's maiden speech today will be indelibly etched in his, and I congratulate him.

I thank him for his personal friendship. I thank him also for the privilege of the professional relationship that we have.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, very briefly, I have come to know Senator RUBIO. We have early morning seminars, and we have come to know one another a little better. I hope that continues. But at this point, I especially thank him for that speech because it was clearly a speech with a lot of personal reflection on one's own life and on the life of America. What he said will endure. There are things in there that we all should remember about this Nation and about our responsibility as Senators.

I thank the Senator for that fine speech, and I am glad that I was here to be a witness to it.

Mr. REID. Mr. President, I would note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak for up to 10 minutes each, and that at 5 p.m. the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Alabama.

THE BUDGET

Mr. SESSIONS. Mr. President, I thank the Senator for his courtesy in allowing us to proceed and discuss issues at this point in time and wanted to recall for my colleagues that we are now at 776 days since the Senate has agreed to a budget. We have not passed a budget in 776 days. This is not responsible at a time in which we are having the largest deficits this country has ever seen.

This year it is projected our deficit, as of September 30, when the fiscal year ends, will have been \$1.5 trillion. I think this is a big issue.

Last year the Budget Committee moved a budget out to the floor of the Senate, and Senator REID chose not to bring it up, the majority leader. This year he declared that it would be foolish to bring up a budget to the floor even though he has a majority in the Senate. We can pass a budget with a simple majority. It is a priority item. He has apparently asked, and the Budget Committee has not even had a markup.

The Budget Act requires a markup to begin by April 1 and a budget to be passed by April 15 so we can go about the business of funding next year's government. We need a budget. States have budgets, cities have budgets, counties have budgets. No city, county, or state that I am aware of is anything close to borrowing 40 cents of every dollar we spend as this Congress is doing. We are spending \$3.7 trillion. We are taking in \$2.2 trillion. That is a stunning number.

One reason we are so out of control is we do not have a budget. I have been harping away at that, and I have been talking about its impact on jobs. The Rogoff and Reinhart study makes it clear from nations around the world they have studied that when the debt reaches 90 percent of the economy, the entire economy of the country equal to that much debt, median growth drops 1 percent. Really the average is above that, I believe, but at any rate, 1 percent.

We had 1.8 percent growth the first quarter. Could we have had 2.8 percent? We are talking about more than 30 percent reduction in our growth and 1 percent in growth in our economy equals

the creation of 1 million jobs. So that is the kind of thing I have been talking about and going into some detail about and have been unhappy and disappointed that my majority leader would have the gall to attack the House Members.

I have a chart. We do not want to forget this number. It is a pretty big number. It is 776. That is how long it has been since we had a budget. So I complained about that. My friend, Senator REID, has the toughest job in Washington, being the majority leader in the Senate. I do not know how he does it, but he has to lead.

As my wife says to me: Don't blame me. You asked for the job. Well, he asked for the job to be the leader, and he announced it was foolish for us to have a budget just a few weeks ago. When will we ever have one presumably?

Just today, earlier this morning, I guess he got a little tired of my harping, and he said: I heard our friend, the ranking member on the Budget Committee—that is me—come here and talk for hours, and he keeps talking about things that really have no bearing on what I think is important to the country today, and that is we know that the Republicans have put forward a budget that destroys Medicare.

Republicans did not destroy Medicare. Give me a break—and that is not the only problem we have facing the country. Medicare is going broke and we need to do something to save it, that is true. There are big issues. One of them is the surging debt that Erskine Bowles, appointed by President Obama to head the fiscal commission, testified about before the Budget Committee just a few weeks ago. He said we are facing the most predictable economic crisis in our Nation's history. This has the potential to put us into another doubledip recession. The economy is not doing well.

The things I have been talking about do have bearing on the future of our country, and I am disappointed my good friend, the Democratic leader, does not agree.

Housing prices continue to drop. They are expected to go down another 5 percent or 6 percent this year. We thought we had hit the bottom on housing. Gasoline is still close to \$4 a gallon. Unemployment just went up. We had a meager increase in 54,000 jobs last month. We need to have about 200,000 to actually reduce unemployment. As a result, unemployment went up. It is the lowest and worst job numbers we have had in some time.

The debt, the economy, gasoline prices, jobs—those are matters that have no bearing on what is important to our country? I think they have a bearing on what is important. What does the majority leader believe? What does he think we should be doing?

This bill we have been fiddling with for weeks has no monumental or sig-

nificant ability to alter the debt trajectory which is taking us on the most predictable course to fiscal disaster, that is what we need to be addressing. It is the most important issue facing our country. Of that I have no doubt. I do not think anybody has any doubt.

Listen to the news programs. Listen to the business channels. Read your newspaper. The debt we are facing is critical to our country.

The instability of our entitlement programs, such as Medicare, is an issue we have to talk about. We cannot deny that. We have opposition here to doing things that make sense, such as producing more oil and gas. We have a permitorium, a blocking of permits on drilling for oil and gas off our shore presumably so we can buy more oil and gas produced offshore in Brazil or Nigeria or Venezuela but not off our shores, transferring our wealth abroad that could be creating jobs and tax revenue for the United States Government.

What about this Medicare problem? Let me talk about it because it is a part of the problem. It is one of the difficulties we have to deal with, although certainly not the only one. The biggest problem we have now is discretionary spending that is out of control, not Medicare right now, not Social Security right now. In the last 2 years, under President Obama, nondefense—not defense—nondefense discretionary spending—not Social Security, not Medicare—went up 24 percent at a time when the deficits have been \$1.2 trillion, \$1.3 trillion, and this year \$1.5 trillion, perhaps. We have never had deficits that large. The problem is, it is systemic. We have never had this kind of challenge.

I know there was a big fight in the mid-1990s, and the government was shut down, and Newt Gingrich and his team fought and said they wanted to balance the budget, and they balanced the budget. The country didn't sink into the ocean as that little shutdown occurred, but they balanced the budget. Now we are in a much deeper hole, I am telling my colleagues. I have looked at the numbers. I am the ranking member of the Budget Committee. It is not easy for us to get out of this fix, not easy at all. It is going to take some real effort and leadership.

The President submitted a budget that came before the Congress and was voted down 97 to nothing in the Senate. Not a single Member voted for his budget, which would have doubled the debt over the next 10 years. He made it worse than the baseline we were already on, which was utterly unsustainable.

So is Medicare something that absolutely cannot be discussed even though it is going into default? Let me tell my colleagues what some of our Democratic leaders have said about Medicare.

STENY HOYER, the House whip, one of the top Democratic leaders in the House, said this:

Do I believe that there are other things we can do related to Medicare? The answer is I do. I am not going to get into articulating each one, but my expectation is they will be under discussion by the Biden group.

They have a little secret group down there meeting with the White House—some Republicans and Democrats—and we are supposed to all relax now because they are going to solve our problems and put it on a silver platter for us, and we are just going to vote for it, and it will be good for the country. Well, I am a little dubious about it, but I am anxious to hear about what they are going to produce. The longer they wait, the more critical our situation is.

What about the House minority leader, the former Speaker, NANCY PELOSI? She was on Larry Kudlow, CNBC business channel. Mr. Kudlow is a very articulate moderator, and he asked this question of former Speaker PELOSI: Is Medicare on the table or entitlements on the table?

Answer: Yes. I think Medicare is on the table.

What about President Obama and his health care summit on February 25 of last year?

Almost all of the long-term deficit and debt that we face relates to the exploding costs of Medicare and Medicaid.

That is his direct quote, the President of the United States.

He goes on:

Almost all of it. That is the single biggest driver of our Federal debt, and if we don't get control over that, we can't get control of our Federal budget.

Our former President, Bill Clinton, I guess maybe the spiritual head of the Democratic Party, one of the most respected Democrats, said:

I am afraid that the Democrats will draw the conclusion . . . that we shouldn't do anything. I completely disagree with that. The Democrats may have to give up some short-term political gain by whipping up fear, if it's a reasonable Social Security program, if it's a reasonable Medicare proposal. You cannot have health care devour the economy.

Well, that is the truth. Of course we have to talk about it because it is on an unsustainable path.

Let me talk a little bit more about that because Congressman RYAN and I wrote a letter to the President today asking him to do his duty with regard to Medicare on a matter that just came up.

On May 13, the Medicare trustees issued their annual report on the financial status of the Medicare Program. Medicare has a trust fund. They have trustees who are committed to preserving the program, trying to make sure they can pay the recipients what they have been promised in the years to come and make sure the money is well handled. They do annual reports on this massive program. The Medicare Hospital Insurance trust fund—that is

the HI trust fund—ran an annual cash-flow deficit of \$32.3 billion last year, in 2010, and will continue to run deficits throughout the decade. That is what the trustees say about Medicare.

They went on to say this: The Medicare trust fund will become insolvent in 2024—5 years earlier than last year's date of exhaustion. Can we imagine that? They redid the numbers and have concluded it is going to be in default, become insolvent, 5 years sooner than they were predicting just last year.

They went on to say: If current law remains unchanged, Medicare's unfunded obligation is \$24.4 trillion over the next 75 years. In other words, to put this on a sound basis, investing today, you need \$24.4 trillion.

Like last year, the nonpartisan Chief Actuary of the Centers for Medicare and Medicaid Services, Richard Foster, used his statement of actuarial opinion at the end of the report to warn that:

The financial projections shown in this report for Medicare do not represent a reasonable expectation for actual program operations in either the short range (as a result of the unsustainable reductions in physician payment rates) or in the long range (because of the strong likelihood that statutory reductions in price updates for most categories of Medicare provider services will not be viable).

On May 20, a week after the trustees' report was released, the Chief Actuary, Mr. Foster, produced his "illustrative alternative" projections based on "more sustainable assumptions." Those estimates indicate that under a more likely scenario for future spending, Medicare's unfunded obligations are \$36.8 trillion over the next 75 years—a figure that is far larger than the official trustees' estimate of \$24.4 trillion.

Mr. Foster has been there a long time. He is a very serious person. He understands his responsibility to tell us the truth. He understands the responsibility to Medicare recipients. He is telling us we need to do something about Medicare.

It goes on: The trustees projected that total Medicare spending will draw more than 45 percent of its funding out of the Treasury's general fund in 2011.

A lot of people think Medicare is funded by the Medicare tax deduction we see on our paycheck, the withholding tax we pay, and that is a significant amount of money, no doubt about it. But the Medicare trustees just reported to us that of the total money Medicare spends, 45 percent is funded directly out of the general fund—general tax revenues—not the payroll withholding. As a consequence, for the sixth year in a row, they say—2006 through 2011—the trustees made an "excess general revenue Medicare funding" determination. Two consecutive "excess general revenue Medicare funding" determinations trigger a "Medicare funding warning." This Medicare warning requires that the President

submit a legislative proposal to address this crisis within 15 days of his next budget. So for 5 years in a row there has been a Medicare funding warning issued. President Bush submitted a proposal when he was President to deal with the shortfall in Medicare, but the Democratic majority in both Houses at the time failed to act on it, or do anything about the crisis. But now we have gone further and deeper into debt and the trustees issued a Medicare funding warning for the fifth consecutive time in their report this year, 2007 through 2011. But President Obama is not responding.

So who cares about Medicare? I think all of us do. But does anyone dispute that the trustees, the people who are statutorily required by law to superintend this fund, don't care about it, aren't worried about the recipients? They have a lawful obligation to try to ensure that the program is on a sound basis.

Under the Medicare prescription drug bill that was passed here, Public Law 108-173, Congress established the Medicare "trigger" to call attention to the program's growing fiscal imbalance. If, in their report, the Medicare trustees project that Medicare will draw more than 45 percent of its funding out of the Treasury's general fund within a 7-year period, the trustees must make an excess general revenue Medicare funding determination. By law, two consecutive excess general revenue Medicare funding determinations produce a Medicare funding warning, triggering action by the President. Under the public law, U.S. Code, the President is required to submit legislation—submit legislation to whom? To the Congress, us—in response to a funding warning within 15 days of the next budget, and the proposal would then receive expedited consideration in Congress.

So when we have this 45-percent level breached, the President is supposed to submit to us a plan, and we are supposed to give it expedited attention. Why? Because Medicare is important. That is why. And when it is not on a sound financial basis, Congress has a responsibility to do something about it—not do nothing, not criticize somebody such as Congressman RYAN who proposed a sound, well-thought-out, long-term approach to Medicare. It may not be the one I would agree with or other Members would agree with, but no one can doubt, in my opinion, that it was a serious, thoughtful effort that would have put Medicare on a sound footing. But if it is not the plan we want, let's have another.

What is the President's plan? That is the one that is required by law. The President is required to submit a plan. While a Medicare funding warning has been issued each year since he has taken office, President Obama has failed to submit a single proposal to Congress in response to these warnings.

So today I joined with Congressman PAUL RYAN, the young chairman of the House Budget Committee to write a letter to the President. Nobody has worked harder. Nobody is smarter. Nobody loves this country more. Nobody is prepared to stand before the American people and explain what he thinks is best for the country and be prepared to defend it with facts, with integrity, and with responsibility. What a refreshing face he is. I have come to have the greatest admiration for him.

So what happened to Congressman RYAN? He helped write a budget, and in part of the budget, after 10 years, he proposed some changes to Medicare that would put it on a sound footing over the long term. When it came over to the Senate it was attacked by Democrats—but where is the Senate budget? The House has produced a budget. It reduces spending in the short run. It had a responsible approach to dealing with some of the long-term entitlement issues that threaten us in the long term.

It was a sound program the Congressman had, and I thought—but we could disagree. So we are looking forward to what would happen over here. Well, the majority leader said: We think it is foolish to have a budget. We are not having a budget. Do not let the Budget Committee commence its hearings. We have not even begun a markup in Budget Committee. We do not have a budget. So instead we are having secret talks. In a committee, you have to stand up before the world, offer amendments, debate the issues, express your views. You cannot hide. It is on the record; they take down your words. But secret meetings with the White House are off the record, and talk occurs behind closed doors. So I do not know what is going to happen out of this. I am nervous about it, frankly. I would rather do it by the regular order. Maybe something good will come out of it. I am not going to prejudge it. If it is good, I am going to celebrate. If it is not good, I am going to oppose it.

We wrote to the President today, and we called on him to show some leadership. We noted that the trustees have projected general revenues would account for more than 45 percent of Medicare spending for the sixth consecutive year. The Trustees have issued another funding warning that requires the President to submit a legislative proposal to Congress. He knew this was coming. The numbers have been there for several years. They knew it was coming. He is supposed to submit a legislative proposal to get Medicare on the right track. Does he plan to raise taxes? Cut benefits? Ration care? Or is he going to create a more competitive system that does the job with a little less money. What are you going to do? What is your answer? We wrote: As chairman and ranking member of the House and the Senate committees, respectively, we are deeply disappointed

that the administration continues to ignore this legal obligation. In 2008, the previous administration submitted a proposal to Congress that took steps to address Medicare's fiscal imbalance. By contrast, your administration has not provided a response to the annual Medicare trigger, ignoring the law in each of the past 3 years. This year, your budget did not even acknowledge the existence of the Medicare funding warning.

I have the Medicare trustees report right here. Far from saying no changes are necessary in Medicare, the trustees have pleaded with us in their reports. The trustees' chief actuary has noted that in his official reports to us. He says: Do something.

This cannot continue. So here we are. We are going down the road with debt the likes of which this Nation has never seen before. At the end of last fiscal year, the gross debt of our country was 93 percent of GDP. By the end of this fiscal year it will be over 100 percent of GDP. I mentioned when you get to that level of debt, your growth goes down, and lower growth means a loss of jobs, and that you are not creating the jobs you should have.

How serious is our debt situation? Well, look at the chart for those around the world. Greece in this critical crisis is above 100 percent. They are at 142 percent. Their debt equals 142 percent of their economy, and they are in a state of virtual collapse. Expert after expert says they will default on their debt. They are not going to be able to work their way out of it. I hope that is not true, but that is what they are saying.

What about Ireland? You have heard Ireland. The "PIGS" as they call them, these countries and others in debt, what is theirs? It is now 96 percent, 2 or 3 percent higher than ours—only. They are second in the European Union. We are next at 93. Portugal is next. You have heard about Portugal being in financial trouble. Their debt to GDP is 83 percent. Spain, you have heard them talked about as being in trouble financially. Their debt to GDP—gross debt is 60 percent. So we are well above that. I am worried about the country. What is critical is we need a budget that contains spending now. We need to demonstrate a commitment to reform the unsustainable path of entitlement spending, and we need to do it in a way that focuses on creating economic growth and jobs in this country.

Growth and jobs, that is what our future should be focused on. I am confident this country has not seen its best days, but we are on a path of decline now. I truly believe it. I hate to say it. But our policies, if they are not changed, will lead inevitably to economic decline as witness after witness has told us in testimony.

How do we get out of it? We send a message through ourselves and the

world: We have got the message. We are reducing spending. We are putting ourselves on a path to a balanced budget. We also know that it is not just the short term, it is long term. Many of these unsustainable programs need to be changed and strengthened, and the way to do that is to make the changes now, and you will have massive impacts in the years to come. Modest changes now will be good.

Those are the things that I think are important. Those are the things I think should be talked about. Those are the things I think my good friend Mr. REID apparently thinks are not important. Because he said—he has come down here and talked for hours, and he keeps talking about things that have no bearing on what I think is important for our country today.

I submit to my colleagues and to the American people, are the things I am talking about important, or are they not? He wanted to talk about how the Republicans have put forth a plan that he says will destroy Medicare. That is what the majority leader wants to talk about. He wants to change the subject. Well, I wish it were not so. I wish Medicare were healthy. I wish it had the money to continue to honor the commitments we have made in the years to come. But it does not. It is just does not. We do not have the money to continue at this rate. It is not impossible, though, to fix it and it is even more possible to fix Social Security. Medicare is a little harder than Social Security. But both of these can be fixed and made permanent and sound. We need to talk to the Medicare trustees. We need to be honest with one another and see how we can make those plans solvent.

But that is just one part of the problem. In the immediate time, we have got to reduce discretionary spending, across the board. I think we have to. I wish that were not so, but it is. Countries around the world are doing it. Cities are doing it. Governors are doing it. This Congress has done nothing of the sort. Indeed, as I mentioned, last year—the last 2 years—discretionary spending—nondefense—has gone up 24 percent. Defense went up. We hear a lot of complaints about defense. It was up 2 or 3 percent a year for the last 2 years. Other nondefense went up 24 percent.

I cannot tell you how deeply I believe our Nation is on a perilous course that needs to change. I want to say again, I have great affection for my friend Senator REID. He has got a tough job. But he asked for it. He asked for it. And when the country is in financial crisis, we expect the majority leader of the Senate to effectively lead, and not to attack people who are trying to do the right thing, and to bring this country onto a sound path.

To say it is foolish to have a budget, what he meant was, it is foolish politically, of course. He was saying it is

foolish politically to have a budget. It is not foolish for America to have a budget. It is foolish for America not to have one. Certainly it is not foolish to attempt to have a budget.

I feel that we, in this Congress, have not quite assimilated the severity of the situation in which we find ourselves. We remain in denial about how seriously we are being impacted and what substantial changes are going to be necessary. We are going to have to do like the Brits who are turning their country around. We might have to do as they did in Estonia. Talk to the Estonian people. The cabinet members took a 40-percent pay cut. I wonder what would happen around here if we talked about taking a 40-percent pay cut? But their debt to GDP is 7 percent, not 93. They intend to keep it that way. And their growth is coming back already. They are showing about 6-percent growth. Our growth is 1.8 percent in the first quarter. Coming out of a recession, it should be higher.

If we do the right thing, we get this country on the right path, we reduce our spending, we watch every dollar we spend, and we make our country more productive, we eliminate unnecessary regulation, we focus on creating jobs and growth, the natural capabilities, work ethic, integrity, the legal system of America will allow us to continue to be the most prosperous Nation in the world.

I ask unanimous consent to have printed in the RECORD the letter I referred to earlier to the President.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 14, 2011.

Hon. BARACK OBAMA,
President, 1600 Pennsylvania Avenue, Washington, DC.

DEAR MR. PRESIDENT: Our country faces extraordinary economic challenges: a soaring budget deficit, a jobs deficit, and a leadership deficit in Washington that has resulted in our failure to confront a looming debt crisis. These fiscal problems are driven in large part by the unsustainable growth in health care entitlement programs and an inability to credibly face our budget challenges that severely undermines confidence in our economy. The failure of politicians to put forward real solutions that will save and strengthen these critical programs is threatening the economic security of American families and the health security of America's seniors. Just last month, we learned that Medicare's Hospital Insurance Trust Fund will become insolvent by 2024, only 13 years from now.

On May 13, 2011, the Medicare Trustees not only warned us that Medicare's insolvency date had advanced five years since last year's report but also confirmed that the program is now running a \$32 billion cash-flow deficit. To pay current benefits, the program is redeeming tens of billions of dollars in treasury debt instruments and dramatically contributing to our nation's surging publicly held debt. More troubling is that, in total, Medicare faces \$36.8 trillion dollars in unfunded obligations over the next 75 years, according to Medicare's non-partisan Chief Actuary.

For the sixth consecutive year, the Trustees have projected that general revenues will account for more than 45 percent of all of Medicare's outlays. When Medicare breaches this limit, section 802 of P.L. 108-173, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA), requires the President to submit a legislative proposal to Congress to respond to the warning within 15 days of the next budget. Yet again, the Medicare Trustees have issued a funding warning that requires action by your administration. In fact, the Trustees have urged action "sooner rather than later" in order to "minimize adverse impacts on vulnerable populations."

As Chairman and Ranking Member of the House and Senate Budget Committees, respectively, we are deeply disappointed that your administration continues to ignore this legal obligation. In 2008, the previous administration submitted a proposal to Congress that took steps to address Medicare's fiscal imbalance. By contrast, your administration has not provided a response to the annual Medicare trigger, ignoring the law in each of the past three years. This year your budget did not even acknowledge the existence of the Medicare funding warning.

The country deserves honest leadership on this critical issue. The Fiscal Year (FY) 2012 budget that you submitted to Congress this year showed a lack of seriousness about the major fiscal challenges before the nation. And, although you abandoned this budget in a subsequent speech, your administration still has not formally submitted a revised FY2012 budget to Congress. Meanwhile, Senate Democrats have not passed a budget in 776 days, disregarding legal statute and further eroding the integrity of the federal budget process. Now more than ever is the time to fulfill our obligations under the law rather than skirt them, and we would respectfully suggest that this mandate extends to the Medicare warnings issued each year that you have been in office.

Under the budget you submitted to Congress, Medicare as we know it will soon be unable to meet its promises to current beneficiaries. Rather than impose cuts on current beneficiaries and leave Medicare bankrupt for future generations, the House-passed FY2012 budget resolution outlines reforms to preserve and protect Medicare for those in or near retirement while saving and strengthening the program for future generations. Given the severity of this problem and your legal obligations, the nation needs leadership on this issue. Therefore, we reasonably expect your administration to submit a detailed legislative proposal to Congress addressing the Medicare funding warning as required by law.

We look forward to receiving a proposal from you that responds to the Medicare warning and to working with you to strengthen the health and economic security of those we have the honor to serve.

Sincerely,

PAUL RYAN,
Member of Congress,
Chairman, House
Budget Committee.

JEFF SESSIONS,
U.S. Senator, Ranking
Member, Senate
Budget Committee.

Mr. SESSIONS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WYDEN. Madam President, I ask unanimous consent that Senator COATS, who is on the floor, and I be allowed up to 15 minutes to pursue a discussion about tax reform as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TAX REFORM

Mr. WYDEN. Madam President, Senator COATS and I have introduced bipartisan tax reform legislation. It is the first comprehensive overhaul of tax reform law in 25 years, since 1986, when then-President Reagan and Democrats got together and worked on a bipartisan reform that cleaned out scores of special interest tax breaks in order to hold down rates for all Americans and keep progressivity.

Senator COATS and I have worked also with Senator Gregg. I had that good fortune for a number of years, and have picked up on some of what was done in 1986 by President Reagan and a large group of Democrats. He and I intend, in the days ahead, to come to the floor of the Senate and talk about some of the most offensive aspects of our totally dysfunctional tax system.

Today, we thought we would begin by discussing the alternative minimum tax. It seems to be pretty much the poster child for what is broken about the American tax system. It was enacted in 1969, after the Congress learned that 3 years earlier 155 wealthy taxpayers had paid no tax at all. The alternative minimum tax was designed to hit what amounted to a small group of tax evaders and not the millions of middle-class taxpayers who get shellacked by the AMT every single springtime. The problem has been that Congress has never indexed the AMT brackets for inflation.

While the regular tax bracket standard deductions and exemptions do get adjusted for inflation, the brackets and exemptions of the alternative minimum tax do not. As a result, millions of middle-class taxpayers, whose only fault is their incomes grew with the economy, now slip into this nefarious alternative minimum tax zone each year.

I would be interested, for purposes of starting this colloquy, to get the reaction of my friend and partner on it. We are going to bring up a number of these aspects of the tax system that cry out for overall reform. But I wonder what my friend's sense is about starting today with the alternative minimum tax, and how important it is that reform is done there for middle-class

folks in Indiana and around the country.

Mr. COATS. Madam President, I want to thank my colleague from Oregon, Senator WYDEN, for working with me, and particularly working with Senator Gregg who is now retired from this Chamber. They spent an extraordinary amount of time, very productive but very time consuming, trying to put together a comprehensive tax reform, which, as Senator WYDEN has said, has been 25 years since we have tackled the Tax Code to try to simplify it and try to take out egregious provisions that were put in it over the years that may benefit a special few but don't begin to address the average middle-income taxpayer who is bearing a very substantial burden of taxes paid in this country.

Probably the most egregious provision and, as Senator WYDEN said, the poster child for the current dysfunction of the Tax Code and our tax system is the alternative minimum tax.

Senator WYDEN and Senator Gregg's program that they put together—and Senator Gregg urged me as I was coming into the Senate and he was leaving to work with Senator WYDEN in terms of working to keep this bipartisan effort going forward, and I have had the pleasure of doing so. We do have a comprehensive bill that we wish to debate and share with our colleagues. But we also want to point out the reason why tax reform is so necessary.

A Tax Code that now comprises more than 70,000 pages with more than 10,000 special exemptions and preferences is certainly something that is way beyond our Founders' intention or any intention of taxation of the American people. This complexity is literally driving everybody nuts, including the tax accountants and CPAs and those who have to deal with it every year but, more importantly, the tax filers, American citizens, who each year start getting the sweats along about mid-March in terms of how they are going to get their tax return done. If they try to do it themselves, they ought to be able to; and, if passed, Wyden-Coats would give them the simplicity of reduced rates, easy filing for information, and the ability to do their taxes at home.

We spend an extraordinary amount of money—I think it is Americans spend nearly 6 billion hours a year—to have tax preparers do their tax returns. The alternative minimum tax is particularly egregious, as Senator WYDEN has said. It is grossly unfair. It hammers working Americans.

The temporary fix Congress has added in subsequent years from its initiation now protects individuals with incomes up to \$48,000-plus and couples up to \$74,000-plus. But taxpayers who earn more than that get whacked by the AMT, the alternative minimum tax, and the problem just gets worse.

As Senator WYDEN has said, it started with a few taxpayers in the high income brackets trying to evade paying any tax. That is how that came into play. But in 1997, several years later from the initiation, the AMT has hit 1 percent of all taxpayers. Next year, after this current fix expires, it will hurt more than 20 percent of taxpayers. To be exact, that is 34 million hard-working Americans. It is a poor fix that is currently in place on a temporary basis.

In my State of Indiana, 42,700 taxpayers had to pay AMT taxes in 2008, and without another extension of the patch or the fix, that will rise to 372,000 in 2012.

If you are a family with a number of children and you live in a high tax State or a local tax State, you are thrown into the alternative minimum tax computation. That means a double process by which you or your preparer has to file your taxes, and it means higher taxes never intended to hit the working class.

So in continuing this, I wish to reaffirm my thanks to the Senator from Oregon for allowing me to be part of this effort, and we look forward to many opportunities to discuss some of the more egregious portions of the Tax Code and reasons why we need to continue to work for comprehensive reform.

I would ask my colleague if he would delve a little more deeply into this in this colloquy we currently are entertaining.

Mr. WYDEN. Madam President, I hope that folks paying attention to this tax reform debate pick up on what Senator COATS has just described. When the alternative minimum tax was first debated, the country was talking about 155 people. These were the so-called wealthy folks. They were paying no taxes at all. What Senator COATS has just described is, next year, what started as a program to try to make sure that 155 people didn't end up getting a sweetheart deal, now we are going to see 34 million people crushed by this inequitable kind of tax, a kind of bureaucratic water torture.

We have about the same numbers in Oregon that Senator COATS has in Indiana. In 2008, 44,000 Oregon taxpayers had to pay the alternative minimum tax. Without some kind of extension or, as Senator COATS and I essentially want to do, abolishment of the alternative minimum tax, that is going to rise to close to 400,000 next year. The people who are getting hammered by this alternative minimum tax certainly don't fit that small class of the so-called freeloading wealthy folks who are figuring out ways to pay nothing.

For example, a woman earns \$65,000 in 2010, say she manages a health club, she has three kids, she has to file her taxes independent of her husband because they are in the middle of a di-

vorce. As someone who is married, filing separately, she would have been hit by the AMT in 2010, according to the American Institute of Certified Public Accountants. Think about that, a woman who manages a health club making \$65,000, with three kids, filling out her taxes and going through the unbelievable headaches, being singled out under the alternative minimum tax.

I ask my friend from Indiana—and I am sure he has very similar people in Indiana—is that the kind of person the alternative minimum tax was designed to scoop up back in 1969?

Mr. COATS. Absolutely not, I would say to the Senator from Oregon. Clearly, if you go back to the origin of the alternative minimum tax, it was designed to go after those handful, in comparison to the total number of taxpayers in this country, who have found creative ways of not paying any taxes whatsoever. Wealthy taxpayers have simply been able to manipulate the Tax Code legally but in a way that allowed them to avoid paying taxes altogether. That is how all of this started.

What has happened is that we are now in a situation where it is grossly unfair to the majority of taxpayers in this country simply because they fall into categories that throw them into having the AMT calculated in their tax returns. It is costing them a lot of money. It was never intended to address the middle-class taxpayer, and it has grown exponentially since it started.

Mr. WYDEN. Would the Senator agree that the difficulty of projecting the AMT tax liability makes it tough for taxpayers to compute their estimated tax payments and creates a situation in which, just because of its complexity, they can get hit with penalties?

I think the reason Oregonians are concerned about this—we have heard about it in the Senate Finance Committee—is that the AMT is essentially a separate tax system with its own tax rates and deduction rules which are less generous than regular rates and regular rules. This contributes to the tax-filing nightmare. The only way you can tell if you owe the alternative minimum tax is by filling out the forms or by being audited by the Internal Revenue Service. If it turns out you should have paid the alternative minimum tax and didn't, you owe back taxes plus any penalties or interests the IRS wants to dole out.

My question is, I ask my good friend, how in the world is a typical taxpayer going to be able to make sense out of something like that which lots of accountants tell me they cannot even sort through?

Mr. COATS. The Senator from Oregon is exactly right. I took three tax courses in law school. I cannot do my taxes with any assurance that I am

doing it right because this code has become so incredibly complicated. The alternative minimum tax adds an additional set of calculations that make it even more complicated.

Today, 80 percent of the tax filers have to get help to file their taxes, 20 percent of those buy software and hook it into their computer and try to work through it that way, and 60 percent take it to a professional. If you are not working as a professional in a career as a CPA or a tax return specialist, you cannot keep up with the 70,000 pages and 10,000-plus exemptions and the complexity of filing a return. It should not in any sense of the matter be a tax collection system that requires 80 percent of our taxpayers to have to seek professional help at a significant cost. As I think I indicated earlier, \$6 billion a year is spent on transferring money from the person paying the taxes to someone just to prepare their returns.

Small businesses face a similar problem. Small businesses do not have the big back room with the hired accountants and others to handle all the paperwork. Small business men and women have to be out front selling the product and have to be talking to the customer. Yet they now also are caught up in this web of complexity in terms of how to file their taxes, and they are having to expend time and money on getting their tax returns filed and making sure they are filed right.

Over time, as the deficit and debt problem has increased significantly, Members have been all the more reluctant to eliminate this on a single stand-alone basis because of the impact it would have on our ballooning deficit. But on comprehensive tax reform, if we can put this together with a package of comprehensive reforms, we can do it in a revenue-neutral basis so it does not have an adverse impact on the economy.

Again, I commend Senator WYDEN and Senator Gregg for putting together a package that does just that, and I ask my colleague if he wants to elaborate on that a little bit. I thank him for the opportunity to come down to discuss for the first if not the last time some of the egregious aspects of the Tax Code in this country that I think will dictate how we should move forward and why we should move forward in enacting comprehensive tax reform.

I thank the Senator.

Mr. WYDEN. The distinguished majority leader is here. I think we are about to wrap up. I am certainly happy to yield to him if he needs a few minutes to do the business of the Senate, and then Senator COATS and I will wrap up.

Mr. REID. Madam President, it is my understanding that the hour of 5 o'clock has arrived.

The ACTING PRESIDENT pro tempore. The majority leader is recognized. The Senator is correct.

EXTENSION OF MORNING
BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business from now until 6:30 this evening, with Senators permitted to speak for up to 10 minutes each; that at 6:30 p.m. the majority leader be recognized, and that this work we are going to do during the next hour and a half be for debate only.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oregon.

PATCHING THE AMT

Mr. WYDEN. Madam President, just to wrap up, Senator COATS and I are going to come to the floor in the weeks ahead to outline some of the most outlandish examples of how broken our tax system is. We thought it was appropriate to start with the alternative minimum tax because it really is the poster child for how out of whack the American tax system has become. I think we have highlighted a number of our big concerns, but I want Senators to pick up on the last point Senator COATS made, and that is that the country cannot afford the status quo.

The idea that you would just go out and pass what is called a patch, a kind of bandaid to try to make sure some of the pain is minimized for middle-class folks—the most recent patch for just 2 years cost \$135 billion. The 10-year cost to make the current patch permanent is \$683 billion, according to the Congressional Budget Office. A patch does not protect everybody; it just limits the damage.

What we want to say as we start this debate about how to go forward with tax reform is that the Congress cannot continue to handle the AMT with a patch. The country cannot afford it. Patching the AMT costs way too much, especially given the discussions we are having here, bipartisan discussions about how to deal with the Federal debt.

The only affordable way to fix the alternative minimum tax, as Senator COATS has outlined this afternoon, is to fix it once and for all and do it within the context of comprehensive tax reform; to pick it up, as was done in the 1980s when a Republican President got together with Democratic Members of Congress and cleaned out special interest loopholes to hold down rates for everybody and give all Americans the opportunity to get ahead while still having a progressive tax system.

We would repeal the alternative minimum tax once and for all and do it in a way that does not add to the Federal deficit. This is not Senator COATS and I plucking a figure out of the sky. The Joint Committee on Taxation has analyzed our bill, and under their analysis, Senator COATS and I eliminate the al-

ternative minimum tax without adding to the Federal deficit. In my view, that is a pretty good way to start tax reform, start it in a bipartisan way and particularly by focusing on something that is so inequitable to hard-working middle-class people.

I thank my good friend from Indiana. I am prepared to yield the floor if my colleague has anything else he wants to say. I want to express my appreciation for the chance to work with him. We cannot deal with these big economic issues, the big economic challenges our country faces without going forward in a bipartisan way. I am very fortunate to have such an able partner. I thank him.

Mr. COATS. I thank the Senator.

Mr. WYDEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECRETARY OF COMMERCE

Mr. BARRASSO. Mr. President, I come today to visit on the floor of the Senate because since last November the President has been trying to convince the American people that he has a plan to restart our economy. He was in North Carolina yesterday with his council to talk about issues. To me, the President's approach has left a lot to be desired. If the White House created as many jobs as it creates speeches, things would be a lot better. The President's empty words are not filling the pockets of American citizens.

The President has been given a new chance to show his commitment to economic growth, and that is the chance he has recently had to nominate a Secretary of Commerce for the United States.

When I think about the Commerce Department, it is a department with a job, in terms of American businesses, to make those businesses more innovative at home and more competitive overseas. Well, the mission of the Commerce Department states that it "promotes job creation, economic growth, sustainable development and improved standards of living for all Americans." So at a time of economic crisis such as the one we have now, a nominee who can fulfill that mission, that very mission—of promoting job creation, economic growth, sustainable development, and improved standards of living for all Americans, that very mission—is needed more than ever.

Despite the administration's promise that their so-called stimulus bill would keep unemployment rates below 8 percent, we know unemployment went to

10 percent. It is still over 9 percent, and our job growth last month was the slowest it has been in almost a year. Over 13 million Americans are still out of work, and nearly half of them have been unemployed for 6 months or more. This is the highest rate of chronic unemployment we have had since the Great Depression.

These problems aren't just happening at home. America's position on the international stage is slipping as well. America's ability to pay its debts has already been called into question by Standard & Poor's credit ratings. Moody's is asking the same questions. Recently, Fitch credit ratings also warned us that the United States was playing with fire. Gas prices are very high. I hear it every weekend at home in Wyoming. Families are spending \$800 on average more for gasoline this year than last year. We spend \$48 million more on goods from other countries than we do on our own goods, and our economic situation is already bad.

The headlines sound worse every day. Let me give a couple of examples. From Gallup: "U.S. Investor Optimism Declines."

From Reuters: "Wall Street ends down as jobs data disappoints."

From Bloomberg: "Economic Recovery Is Languishing as Americans Await Signal of Better Times."

Even the Chairman of the Federal Reserve said the job market was "far from normal."

The facts are clear. Americans deserve the best leadership in the Commerce Department—the Department that is responsible for trade, job creation, and economic growth.

Last week, the President nominated John Bryson to be his new Commerce Secretary. Many may ask, who is this man? Is he a job promoter, someone who can bring economic growth and improve the standard of living for all Americans? Well, John Bryson's record clearly shows he is not such a nominee. In fact, his resume is exhibit No. 1 in proving that this administration is not serious about job growth. At best, it is unclear why John Bryson is the President's nominee for this position. At worst, his nomination is proof the President wants environmental activists running our economic development strategy.

When announcing Mr. Bryson's nomination, the President praised Mr. Bryson's background. According to the President, Mr. Bryson would be a good Commerce Secretary because "he's been a fierce proponent of alternative energy." Well, if Mr. Bryson was being nominated to be Energy Secretary or the Administrator of the Environmental Protection Agency or even Interior Secretary, that fact might be relevant. But Mr. Bryson is being nominated to be Secretary of Commerce.

Mr. Bryson does have a background in the private sector. The problem is,

his private sector success has more to do with government help than with his own ability to create jobs or grow the economy.

Don't take my word for it. The Wall Street Journal already has written that Mr. Bryson believes "wholeheartedly in a strategy of politicized investment." They also wrote that the companies he has been associated with have generated revenue through handouts from the Federal Government rather than by being profitable.

We need a Commerce Secretary who knows how businesses turn a profit and how to create private sector jobs. We need a Commerce Secretary who will make it easier and cheaper for the private sector to create jobs, not someone who will make it harder and more expensive for the private sector to create jobs. We need a Commerce Secretary who can understand all sectors of the economy rather than someone who picks winners and losers.

Already, to me, Mr. Bryson fails the test. His support for politicizing U.S. investments is the least problematic element of his resume. Along with his private sector experience, he is also the founder of a group called the Natural Resources Defense Council, or the NRDC. This organization is so radically antibusiness that even Massachusetts Democrat Congressmen BARNEY FRANK and JOHN TIERNEY think it is troubling that Mr. Bryson is associated with it.

These Members of Congress have described the NRDC as "one of those environmental organizations that has reflexively attacked the fishing industry inaccurately and without any real environmental basis."

It is not just the fishing industry the NRDC reflexively attacks. Members of the NRDC staff are on record saying: "There is no such thing as clean coal."

But while gas prices soar and energy jobs are needed, a spokesman for the NRDC has said:

NRDC has been very active and proud to be active in fighting new coal plant proposals in the United States.

They have also stood in the way of lifesaving sonar technology that would enhance America's national security. Why? Well, out of fear that it might harm the whales.

They have also filed thousands of lawsuits to stop the production of American energy, and American energy is critical and a part of our American national security. This anti-energy agenda is so reflexive that the NRDC has even filed lawsuits to further delay future energy exploration in the Gulf of Mexico. Well, the delay has already stretched on so long that even former President Bill Clinton has called it "ridiculous."

John Bryson's career has consistently shown that he agrees with this overzealous approach to environmental policy. When Mr. Bryson first started

at Edison Electric, the Los Angeles Times said he had founded "one of the Nation's most aggressive environmental organizations."

When it comes to being antibusiness, an unpopular policy such as cap and trade is one area where he is focused. He is one of its most aggressive supporters, and the record shows it. More importantly, his own words show it. Most Americans recognize cap and trade as a job-killing energy tax. That is why the Waxman-Markey cap-and-trade bill couldn't pass the Senate. However, when referring to this very bill, John Bryson called it "moderate but acceptable." He called it a moderate but acceptable piece of legislation. He even said the legislation was good precisely because it was a good way to hide a carbon tax—to hide a tax.

Mr. Bryson has repeatedly called for a national cap-and-trade system, and he has even put his money where his mouth is. But when someone says "a good way to hide a tax," is that what the role of the Secretary of Commerce is, to hide a tax on American businesses to make them less competitive, to make it more expensive to do business? I think not.

According to the Daily Caller, Mr. Bryson's own company spent over \$1 million lobbying for cap and trade.

So John Bryson believes in politicizing American investment. He has founded a radical environmental organization and has spent significant amounts of money lobbying for a policy that he openly acknowledges is a cover for a job-killing energy tax.

We need a Commerce Secretary. We need a Commerce Secretary who will work at making American businesses more innovative at home and more competitive abroad. We do not need a Commerce Secretary who is more interested in taking our hard-earned dollars than in creating jobs at home. The American people deserve a Commerce Secretary who is more interested in free trade than in cap and trade.

The President may believe John Bryson is the right man at the right time. I believe John Bryson is the wrong man at the worst possible time.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

JOBS IN AMERICA

Mr. HARKIN. Mr. President, rarely has Washington been so completely out of touch with the priorities and anxieties of ordinary working Americans. Here on Capitol Hill, policymakers are obsessed—obsessed—with the budget deficit. But the rest of America is most concerned with a far more urgent deficit—the jobs deficit.

Our Nation remains deeply mired in the most protracted period of jobless-

ness since the Great Depression. Officially, some 14 million Americans are out of work. But real unemployment—the real unemployment, including those who are working part time but want to be working full time; those who are marginally attached; those who have never worked in the first place because they never got a job—if we add that all up, we have closer to 25 million Americans unemployed, and millions of Americans who are employed are increasingly anxious about holding on to their jobs or, at their present income, making ends meet.

But many of our political leaders in Washington are treating the jobs crisis as yesterday's news. They are putting this deficit reduction above all else. They are demanding extraordinary funding cuts—trillions of dollars in cuts, and the sooner the better, with little concern as to its adverse impact on jobs. But this is exactly the wrong approach. It is the economic equivalent of applying leaches and draining blood from a sick patient, which we used to do, by the way. That is what they did to George Washington as he lay dying. They applied leaches to him. What does that do? It just makes us weaker, and in the case of President Washington proved fatal.

In the same way, trillions in budget cuts would massively drain demand from a still weak economy. It could destroy millions of jobs. This is not just the wrong medicine for our economy; it will slow or stop economic growth, and it will make deficits worse in the future.

As Federal Reserve Chairman Bernanke warned last week:

A sharp fiscal consolidation focused on the very near term could be self-defeating if it were to undercut the still fragile economy.

I strongly disagree with the slash-and-burn approach to deficit reduction favored by some of our colleagues. We need to recognize one of the very big reasons for the budget deficit is the jobs deficit. The best way to bring the budget under control is to help these 25 million Americans who are unemployed get good-paying middle-class jobs. It is hard-working Americans who would be delighted to be taxpayers once again.

Now, obviously, we are counting on the private sector to help drive job creation and make the economic recovery self-sustaining. It should be the case if we put more money into infrastructure. If we were to do our job in rebuilding our roads and our bridges, our highways, our sewer and water systems, our rail systems—the government doesn't do that; it goes to private contractors, private companies. Some of this is already happening but certainly not at the pace we need.

Since March of 2010, the private sector has created about 2 million jobs. However, businesses remain reluctant to invest and hire for the simple reason

there is not sufficient demand for their goods and services. All of those people who are unemployed and underemployed are spending the bare minimum just trying to get from week to week. Meanwhile, the middle class is tapped out with stagnant incomes—stagnant incomes. For over 30 years, the middle class has had stagnant real incomes. They have insecure jobs, high levels of mortgage, insufficient pension funds, and other consumer debt.

That is why the Federal Government has had to play an aggressive role in helping us to recover from this great recession. Over the last 2 years, we have repeatedly cut taxes. We have extended financial aid to the States. That helped prevent massive layoffs of teachers and first responders and other essential employees.

We have made major investments in research, education, and infrastructure. All of these have either preserved jobs or created new jobs. Listen to this. We have gone from when President Obama took office—we were losing 700,000 jobs a month—700,000 jobs a month. That is just a couple of years ago. Now we are adding new jobs for the first time—and we have had 16 new consecutive months of adding jobs. Not enough. Not enough. But we are at least moving in the right direction.

The Economic Policy Institute estimates that as of the fourth quarter of 2010, the Recovery Act had created or saved up to 4 million jobs and as many as 5 million full-time equivalent jobs. The nonpartisan Congressional Budget Office estimates that through the end of 2010, the Recovery Act had raised the real inflation-adjusted gross domestic product by as much as 3.5 percent.

So to those who said the Recovery Act did not do anything, that is nonsense. That is absolute nonsense. It did a lot. But here is the problem: The shot in the arm provided by the Recovery Act is now winding down. In the absence of further Federal assistance, many States are making deep budget cuts and layoffs of public employees.

Listen to this. In Texas, Governor Perry has proposed to cut education funding by a staggering \$10 billion. New York City Mayor Bloomberg has proposed laying off 6,000 teachers. Total State and local government layoffs since August of 2008 have been nearly 500,000. If the Federal Government follows suit with massive short-term spending cuts, the prospect of a double-dip recession will be all too real.

Last week the Federal Reserve Bank of New York published an article about what it called the “Mistake of 1937,” referring to premature fiscal and monetary pullbacks that cut short the fragile recovery and ended up prolonging the Great Depression.

Princeton economist Paul Krugman says that in important ways, we have

already repeated the mistake of 1937. We have taken our eyes off what should be our No. 1 priority, creating jobs. We have pivoted since 6 months ago, since the last election, to an obsession with deep short-term budget cuts, which by their very nature will destroy jobs and weaken the economy.

Everyone agrees we must take aggressive action to reduce the deficit. But we have to do it right. We need to reduce long-term deficits but in a way that absolutely minimizes immediate job losses. We need to reduce the deficit in a balanced way.

Unfortunately, the extreme budget offered by Congressman PAUL RYAN, supported by almost every Republican in the House, and I would say also in the Senate, would make our fiscal and jobs problems far worse. That Republican budget lavishes yet more tax cuts on corporations and the wealthy, as it slashes investments that undergird the middle class in this country, everything from education funding to Medicare and Medicaid.

Let me state what I think is obvious. If working people and the middle class are going to take a hit in tough times, it should not be to pay for tax breaks for the wealthy. If the middle class is going to take a hit, let's use those taxes to put money into rebuilding the infrastructure of this country, put it into better education, better schools, better teachers.

I have often said the key to renewing America and restoring our economy is to revitalize the middle class. That means investing in education, innovation, infrastructure, boosting American competitiveness in a highly competitive global marketplace. It means restoring a level playing field with fair taxation—fair taxation.

It also means an empowered workforce, a strong ladder of opportunity to give every American access to the middle class. I believe that corporations and the wealthy can return to the levels of taxation they had in the 1990s when the economy boomed and incomes also skyrocketed.

It is absurd to take the position that any dollar in tax increases that results from having the wealthy pay their fair share or ending tax loopholes is bad and unacceptable. I think it is absurd to take that position, while at the same time you take the position that it is okay to slash funding for education, for infrastructure, for research.

In both the 1980s, under Ronald Reagan, and in the 1990s under Clinton, we achieved a sensible balance of revenue increases plus domestic and Pentagon spending cuts in order to dramatically reduce deficits while we protected the middle class and we maintained safety net programs.

I agree with the economists who believe that given the fragile economic recovery, we should not reduce fiscal support for job creation at this time.

Deficit reduction efforts can start, but we should sequence the lion's share of spending cuts so that they take place in the midterm and the long term when the economy is recovered. But now we have to keep our priorities straight.

Deficit reduction, yes, is important, but it is not our most important economic challenge right now. Our most urgent economic challenge is the fragile economy and the jobs crisis and the fact that the middle class in America is under siege. The middle class, in fact, is being dismantled as fast as big corporations can ship our manufacturing jobs overseas. People are losing their savings, their health care, their pensions, in many cases even their homes.

With good reason, people feel that they are losing the American dream for themselves and their kids. That is why we cannot look at the deficit reduction challenge in isolation. We cannot just take a Draconian slash-and-burn approach to the budget. Smart countries in tough economic times do not turn a chainsaw on themselves.

The extreme Republican budget is far more focused on shrinking the size and role of government than it is on cutting the deficit. Instead of that budget, the Republican budget, which is being sold through fear and fatalism, we need a budget that reflects the hopes and the aspirations of the American people. We need a budget that allows us to continue investments, that boosts competitiveness, creates jobs, and strengthens the middle class. There can be no real economic recovery, there can be no return to fiscal balance, without the recovery of the middle class in America. That is why our immediate No. 1 priority must be helping to create jobs, putting people back to work. That is how we will start to restore more demand for goods and services, the key to healthy economic growth. Economic growth, in turn, will help generate the revenues that will help bring deficits back into balance, into rough balance. So this is our most important job in front of us.

Yet all we hear is the constant drumbeat: Cut the size of government; cut spending; slash and burn and cut everything that supports the middle class in America; ship our jobs overseas; more tax breaks for the wealthy and big corporations.

We need to be focused on rebuilding the infrastructure of America, because that is most necessary now. That is one of the fastest ways we can put people back to work and start stimulating the economy. We need to put more money into education: rebuilding our schools across America, hiring better teachers. We need a longer school day, and we need a longer school year. I know some of the young people probably do not want to hear that.

Most young people in Europe, Asia, Japan, do not go to school 9 months out of the year, they go to school 11

months out of the year. They do not go to school for 5½ or 6 hours a day, they go for 8 hours a day. We wonder why they are getting ahead of us. But that costs money. If you are going to have a longer school year, that costs money. If you are going to have longer school-days, if you are going to have better technology in our schools, schools that have the latest in technology so our young people can learn on the latest innovations, so they can be competitive in that global marketplace, that does cost money.

Yet to hear it around here, we cannot do anything. No, of course, now there is one place we can spend money. We can continue our operations in Iraq for God knows how many more centuries. We have already spent over \$1 trillion in Iraq. We have already spent close to \$100 billion in Afghanistan. But we can continue to do that with no end in sight. We can continue to buy more weapons that do not do anything to protect us in the new global fight against terrorism. They might have been good back in the Vietnam war, maybe in the Cold War. But that is over with. But, no, we have got to keep pouring money into weapons systems that do nothing to protect the country.

Two decades ago, President Clinton's team defined our Nation's central challenge with a slogan—I remember it well—they said: "It's the economy, stupid."

Well, today America's central challenge can be defined with more precision. "It's the middle class, stupid." It is what we do to encourage, promote, protect, invigorate the middle class in America, to make sure the middle class has good jobs, good pensions, good health care systems, the ability to make sure their kids are well educated, and that they do not go to college and get out with a mountain of debt on their heads so that they too can have a good start in life. This is all part of the middle-class structure of America, as to what made America the greatest country in the history of the world.

I will close. It seems that the Republican budget they have proffered, and so much that I hear of those who keep saying, we have got to cut, cut, cut, we have got to cut spending, we have got to cut education, we have got to cut infrastructure, we have got to cut all of that stuff, it almost seems as though it is premised on the belief that we are poor—our country is poor and our country is broke and we cannot afford to do all of those things. That is really what it is. They say we are broke. We cannot afford to do all of that stuff, so we have got to cut our spending. Yet we are the richest Nation in the history of mankind. We are the richest country in the world. We have the highest per capita income of any major country. I guess you have to ask the question: If we are so rich, why are we so broke? If we are the richest country

in the history of the world—we are the richest country in the world today, we have the highest per capita income of any major economy—why are we so broke?

Well, my response is, we are not broke and we are not poor. We are wealthy beyond all imagination as a nation. We are not broke. But the system is broken. That is what is broken. The system is broken, the system of who we tax and how we tax, how we raise revenues, the system of allowing corporations to tax benefits and ship jobs overseas, the system that allows companies to almost willy-nilly break up what has been one of the strengths of the middle class, that is, our labor unions. They are breaking up labor unions because they know the middle class working together in organized labor has been able to bargain more effectively for better jobs and better wages, better conditions of employment. You break them up and you can reduce their incomes, and more of it can go to profits and to higher CEO salaries. That is the system that is broken.

You can cut all the spending you want. You can cut the Federal Government to the bare bones. It will lead to another great recession, maybe even a depression. If you want to do that, that is a dead-end road.

We need more stimulus now. Does that mean we have to borrow more money and go further into debt? Not necessarily. Why don't we fix this unfair tax system we have and generate more revenues to come into the Federal Government? Why don't we say to those who made so much money in the last decade or so, maybe you ought to pay a little bit more, and for big corporations, pay a little bit more, and for the Federal Government to put that money to use rebuilding the infrastructure and educating our youth and having a health care system that is affordable and comprehensive. That is what we ought to be doing. That will support the middle class. In supporting the middle class, you will then support economic recovery.

I will close. There will be no economic recovery in America of any substance or lasting any length of time without a recovery of the middle class, which is the backbone of our country. It is time our political leaders showed some backbone in supporting the middle class.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

EDA FUNDING

Mr. BROWN of Ohio. Mr. President, for over a week the Senate has been debating the Economic Development and Revitalization Act of 2011, which would reauthorize funding for existing programs of the Commerce Department's U.S. Economic Development Administration through 2015. EDA has traditionally been noncontroversial, traditionally been a bipartisan job-creation bill supported by Presidents of both parties, often supported in this body without dissent. It helps broker deals between the public and private sectors, which is critical to our economic recovery and growth. It is particularly important to economically distressed communities, particularly in tough economic times.

Every \$1 in EDA grant funding leverages nearly \$7 worth of private investment. Every \$10,000 in EDA investment in business incubators—or accelerators, as some call them—helps entrepreneurs start up companies in which nearly 70 jobs are created.

In Ohio—and I don't think it is much different in the Presiding Officer's State of Colorado—we have seen since 2006 that some 40 EDA grants worth \$36 million have leveraged a total of more than \$87 million since private resources were matched. Colleges and universities, from Bowling Green in northwest Ohio, to Ohio University in southeast Ohio, to Miami University in southwest Ohio, have received EDA funds. So, too, have port authorities in Toledo in the west and Ashtabula in the far northeast and entrepreneurs in Cleveland and Appalachia.

If we are to strengthen our competitiveness, we will need to equip businesses with the tools they need to thrive. That is what EDA is designed to do. It is the front door for communities facing sudden and severe economic distress. When economic disaster hits, communities turn to the government, and it is EDA that does the job at low cost, leveraging all kinds of private dollars.

EDA has helped redevelop the former GM plant in Moraine, OH, near Dayton, and the DHL plant in Wilmington. Ashtabula's Plant C received EDA investments to make vital repairs.

The bill the Senate is considering would strengthen a proven job-creating program. It would reduce regulatory burdens to increase flexibility for grantees. It would encourage public-private partnerships that we have already seen make a difference in my State. And the bill would better streamline EDA cooperation with other Federal, State, and local agencies to better assist communities with local economic development.

I plan to offer two amendments to further strengthen EDA. One would assist communities when a plant closure or downsizing causes economic distress, such as Wilmington or Moraine.

The amendment gives special preference to auto communities. The other amendment would make more Ohio communities eligible to receive funds for business incubators. Ohio is home to the National Business Incubator Association in Athens, OH, and several model business incubators, from Toledo, to Shaker Heights, to Youngstown. This amendment would allow more companies in Ohio and more communities in Ohio to support homegrown entrepreneurship.

Two weeks ago, I visited—as I have in several places around the State—an incubator in Shaker Heights called the Launch House. It was an old car dealership that had been closed down several years ago. It was renovated with relatively little money. It is now home to about 40 entrepreneurs, one- and two-person startup operations, with the average age of these young entrepreneurs being under 30. The great majority of these 35 or 40 entrepreneurs are themselves under 30. Some of these startups won't exist in 2 years. Some will have grown in 2 years. Many will be hiring lots of people in the years ahead. Some will fail, some will succeed.

As I pointed out earlier, only \$10,000 of EDA investment in a business incubator, on average, creates somewhere in the vicinity of 50, 60, or 70 jobs. If we want to promote an economy fueled by innovation, we must better equip our entrepreneurs with the resources they need to turn an idea in the lab to a product in the market.

Earlier this year, I held an innovation roundtable at Battelle with leading Ohio entrepreneurs and business leaders where we discussed the need to strengthen workforce development, promote business entrepreneurship, and support city planning. EDA assistance, they told me—as do other business leaders around the State and as entrepreneurs do tell—is critical to these goals.

This is legislation on which we should move forward. I am sorry my friends on the other side of the aisle who have been so supportive of EDA in the past—as it has always been bipartisan—seem to be standing in the way of this. It is important to move forward, so I ask for the Senate's support.

JOB CREATION

Ms. COLLINS. Mr. President, I rise today to discuss an amendment to the Economic Development Revitalization Act of 2011. In February of this year I introduced a 7-Point Jobs Plan aimed at creating jobs, investing in education and training, assisting small businesses, reinvigorating American manufacturing, and eliminating bureaucratic redtape. Among other things, my bill aims to provide EDA assistance for areas hit hard by job losses, and specifically those communities harmed as a direct consequence of the Base Re-

alignment and Closure, or BRAC, process. The amendment that I am offering today would build on this plan by making it easier for communities affected by the BRAC process to access Federal funding to further their economic development goals and to recover from the loss of jobs.

Currently, most Economic Development Administration, EDA, projects are subject to a 50-percent match; however, the EDA is allowed to increase the Federal share—up to 80 percent—based on the relative need of the area in which the project will be located. The bill being debated would expand the list of circumstances under which the Federal share may be increased. My amendment would simply clarify that communities affected by “military base closures, realignments, or mission growth” are among those eligible for a reduced local cost share.

Maine has lost more than 5,000 military and civilian jobs as a result of the unfortunate decision to close Brunswick Naval Air Station. Several other States face similar or even greater losses. The BRAC recommendations, released by the Pentagon in May of 2005, caused Maine and many other States to face a daunting task. All of us across the State and region—political leaders, business leaders, and individual citizens from cities and small towns—worked together to build strong arguments for our bases. While we did have some great success, Maine has suffered a terrible blow with the closing of the Brunswick Naval Air Station. Nevertheless, the State and region's leaders have worked together to ensure that the closure of Brunswick Naval Air Station was accompanied by a commitment to the economic redevelopment of the base in order to lessen the impact of its closure on the entire midcoast region.

The large numbers of workers in Maine, and around the Nation, who have been or will be displaced as a result of a base closure deserve to have access to necessary resources, including job training and job placement services. The EDA, with its mission to promote economic development and stability, should be leveraging taxpayer dollars to assist these struggling communities as we work to lead America to a recovery from the worst economic recession since the Great Depression.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we be in a period of morning business, with Senators allowed to speak for up to 10 minutes each, for debate only, until 7:30 today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DREAM ACT

Mr. DURBIN. Mr. President, it is my honor to come to the Senate floor this evening to speak on the issue of the DREAM Act and to have among those in attendance on the floor of the Senate a group of Senators from Mexico who are part of the Mexican-American interparliamentary union. They are here on the floor with the majority leader, HARRY REID, as well as Senator TOM UDALL, who is coordinating their visit to the United States over the next several days. We are honored that they are here and that they are allowed to come on the floor and to witness our Senate, at least in this proceeding where I will make a brief statement.

The issue I am going to raise in the course of this evening is one that is of importance to many people around the world—certainly in the United States and certainly in the nation of Mexico.

Ten years ago, I introduced a bill known as the DREAM Act. The DREAM Act was an effort to put into the law an opportunity for young people who were brought to the United States and are undocumented to have a chance to become legal in the United States.

The first person brought to my attention was a young woman in Chicago, IL, who was Korean. She came to the United States at the age of 2. She was an accomplished musician. She had been accepted at the very best music schools in America, including Juilliard School of Music and the Manhattan School of Music.

As she filled out her application form, she asked her mother about her nationality and citizenship. Her mother told her: I am sorry, I don't know the answer because we never filed any papers. We brought you here as a baby and you have lived here all your life, but we don't know what your status is.

She said: What should we do?

Her mom said: We should call Durbin's office.

So they called my office, and we checked on the laws in America, and unfortunately the laws did not allow her to be treated as a legal person in the United States. In fact, the American law said she had to return to the country she came from, which coincidentally was Brazil, not Korea. She had no way of knowing that. Her family had gone from Korea to Brazil to the United States. There she was at the age of 18 with a great opportunity ahead of her and no country. She had lived for 16 years in the United States. She believed she was an American. She knew no other country. She got up every day in school and said the Pledge of Allegiance and sang the national anthem. Yet she was a person without a country.

Well, it was because of her that I introduced the DREAM Act 10 years ago. What it basically says is that many young people who are brought to the United States as children should not be punished because their parents didn't file the necessary papers. The DREAM Act would give these students a chance to become legal in America. They would have to first prove they came here as a child, they are long-term U.S. residents, they have good moral character, graduate from high school, and be prepared to do one of two things: either serve in the U.S. military or complete at least 2 years of college.

So I introduced this bill 10 years ago thinking it was a simple matter of justice that these young people would have their chance. I had no idea how many young people were affected or would be affected. As I went around the city of Chicago and the State of Illinois and spoke at gatherings about the DREAM Act, it wasn't unusual for young people to be waiting for me outside afterward, and they would say very quietly: I am one of those DREAM Act kids. I was brought here, and I am undocumented, and I don't know what I am going to do with my life. They would be very quiet about it. I would say: Well, I will do my best to pass this law.

As time passed and we tried to bring this to the floor many times, things changed some. We picked up support from a lot of different people.

The Defense Secretary, Robert Gates, supports the DREAM Act. He called me one day and said: As the former president of Texas A&M, I know what it means to have college students who cannot attend an away game for any sports because they are undocumented, and if they were stopped and asked to produce identification, they could be deported. As Secretary of Defense, I know what it would mean if we could bring these young people into the American military. There would be more diversity. We would be a stronger nation, so I support it.

GEN Colin L. Powell also has endorsed the DREAM Act. He believes, as I do, that this is a fair thing to do, a just thing to do, and would be good for our military.

Over the years, these young people started coming forward more and more and speaking about their lives, and, perhaps with more bravado than they should have, they were prepared to risk deportation to tell their stories. Over the years, these Dreamers have become an important part of this effort to pass the DREAM Act. We have the support of so many groups across America, including religious groups and many others who believe this is the right and fair thing to do. We invite young people across America, if they want to voluntarily do so, to tell us their stories.

I come to the floor of the Senate tonight to tell two stories about two young DREAM Act people and their lives.

The first one is Juan Rios. This is a photograph of Juan Rios, who was brought to the United States when he was 10 years old. He grew up in the State of Arizona. In high school, Juan discovered his calling: military service. He became a leader in the Air Force Junior ROTC, as we can see from his uniform. He became group commander and arm drill team captain and rose to the rank of cadet lieutenant colonel. Juan dreamed of one day attending the Air Force Academy, but he was unable to do so because he is undocumented. Instead, Juan enrolled in Arizona State University.

This is a more recent photograph of Juan on his commencement day at Arizona State University. Juan graduated from Arizona State University with a degree in aeronautical engineering. Since graduation, Juan has been waiting for his chance to either serve in our military or to use his degree. He can't enlist, obviously, because he is undocumented, and he can't work in his field—the aeronautics industry—because of the same legal obstacle.

He just sent me a letter, and this is what it said:

The United States of America is the country I want to live my life in, where I want to flourish as a productive citizen, where I want to grow old among my lifelong friends, where I want to one day fall in love and raise a family.

What we heard from Juan we could hear from young people all across America. It is his American dream—a dream that won't come true unless we pass the DREAM Act.

This next young lady I wish to introduce my colleagues to is someone I met just a few weeks ago. This is Tolu Olubummi. She was brought to the United States from Nigeria when she was a child. She graduated from high school here in the United States at the top of her class. She won a full scholarship to a prestigious university in Virginia and in 2002 graduated with a degree in chemical engineering.

It has been 10 years since I first introduced the DREAM Act in 2001 and almost 10 years since she graduated from college. The DREAM Act has yet to become law, and she has yet to work 1 day as a chemical engineer because she is undocumented. Instead, Tolu has dedicated her life to passing the DREAM Act for her benefit and the benefit of others. For years, she has worked as a full-time volunteer. Recently, she wrote me a letter, and this is what she said:

I don't have a powerful organization behind me or a fancy job title or even a paycheck, but I am committed to stand and fight for you for as long as you ask me to.

Tolu is not standing alone. Her commitment and the commitment of many other Dreamers is what inspires me to continue this effort for the DREAM Act.

There are so many others like Tolu who are living a life of uncertainty. They have amazing accomplishments in their lives, and yet they can't use the degrees they have earned to make this a better nation and to have a whole life of their own. So last month I reintroduced the DREAM Act. Tolu joined me on that occasion, with Senator HARRY REID, who has been a strong supporter; BOB MENENDEZ, our Hispanic colleague here in the Senate; and RICHARD BLUMENTHAL from the State of Connecticut.

Here is what Tolu said:

Passing the DREAM Act is critically important to me and so many others. I don't believe I am entitled to anything more than what this great Nation has taught me—that we all have a right to life, liberty and the pursuit of happiness.

She is right. Thousands of immigrant students in the United States were brought here as children. It wasn't their decision to come, but they grew up here, they made it their home, and they are prepared to make this a better Nation.

Some of my colleagues have come to the floor of the Senate criticizing the DREAM Act because people under the age of 35 are eligible. They say the DREAM Act should really only benefit children. They ignore the obvious: In order to qualify for the DREAM Act, an individual must have come to the United States as a child, just like Tolu. Now she is 30 years old. She has been waiting patiently for 10 years. To say she is now ineligible because we have not acted I think would be fundamentally unfair.

Today we had an interesting speech which I listened to on the floor. It was the first speech—so-called maiden speech—of our colleague, Senator MARCO RUBIO from Florida. It was an excellent speech, and I complimented him afterward. Among the things he talked about was the contribution of immigrants to the United States.

I am a first-generation American. My mother was an immigrant to this country. One hundred years ago, in 1911, her

mother brought her at the age of 2 into this country. My mother didn't become a citizen until her mid-twenties, after she was married and had already had two children. She was a very proud and hard-working woman, raised a good family, I think—I am a little bit partial—and now her son is a U.S. Senator from Illinois.

This is not just my story. It is not just my family's story. This is the American story. This is who we are, immigrants who came to this country and risked everything to be a part of America and only asked for a chance—a chance to make this a better Nation and to create a better life for them and their families. The DREAM Act will give thousands of young people across America that chance to become a part of America's future. It is the just and fair thing to do to make us a stronger Nation and to keep our promise that we are going to be fair in the way we administer the laws.

I urge my colleagues to take a look at the version of the DREAM Act that has been introduced. I urge them as well to join me as cosponsors. We will work carefully with other countries and other nations to make sure we demonstrate to them the sense of fairness that is part of America.

Mr. President, I yield the floor.

EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM

Mr. INOUE. Mr. President, I rise today to speak about the importance of the Emergency Medical Service for Children, or EMSC, Program. Recently, we celebrated National EMSC Day, an annual event raising awareness about the need to improve and expand specialized care for children in the prehospital and acute care settings.

The EMSC Program holds great personal importance to me. More than 30 years ago, Senator HATCH and I, on a bipartisan basis, took note of the systematic problems and deficiencies surrounding emergency care for children. With these deficiencies in mind, we authored legislation to address the gaps in emergency care for children. Through the support of the American Academy of Pediatrics and the Surgeon General the bill became law in 1984 authorizing Federal funding for EMSC.

For over 25 years now, EMSC, which is administered by the Health Resources and Services Administration's, HRSA, Maternal and Child Health Bureau, has been doing truly amazing work. With just over \$20 million a year, EMSC works with all 50 States, the District of Columbia, and the U.S. territories to educate emergency medical personnel. In addition to educating and training health care professionals, EMSC supports research at leading governmental and academic institutions so that our children are treated with cutting-edge technology and services.

The EMSC Program addresses the entire continuum of pediatric emergency services, from injury prevention and EMS access through out-of-hospital and emergency department care, intensive care, rehabilitation, and reintegration into the community, while ensuring the ongoing involvement of the child's primary care physician. It serves the unique needs of children in a way no other program can. Over the years, we have also funded various projects for emergency care. I thank my colleagues for supporting the inclusion of a 5-year reauthorization of the EMSC Program in the Patient Protection and Affordable Care Act.

In recognition of all that EMSC has done and will continue to do for this Nation's children, several experts gathered on Capitol Hill last month to hold an educational briefing in conjunction with EMSC Day. Sponsored by the American Academy of Pediatrics, staff heard from Dr. Elizabeth Edgerton, the new branch chief for EMSC and injury prevention at the Maternal and Child Health Bureau at HRSA, who described the EMSC Program and what it has accomplished. Katherine Dixon Hert, EMSC program manager, Office of EMS and Trauma at the Alabama Department of Public Health, recounted the devastation of the recent tornadoes that swept through the State of Alabama; the challenges in caring for children often separated from their parents; and the pediatric deaths that occurred. Lastly, Joseph Wright, M.D., M.P.H., F.A.A.P., principal investigator and medical director of the EMSC National Resource Center, shared his experience of "growing up" with the EMSC Program as part of the original cohort of board-certified pediatric emergency physicians in the United States.

I do not know a parent or grandparent who would advocate for anything but the best care of our children during an emergency. The EMSC Program has filled a void that existed within the EMS system prior to its inception. Many experts have identified the need for a lead agency for EMS in the U.S. While such a lead agency could improve optimal emergency care and response, any reorganization of Federal EMS Programs must maintain the EMSC Program as a freestanding program. Without the EMSC Program, children's medical and treatment needs will not be met. I would like to honor and thank the many hard-working Americans that work daily to serve and save our children.

TRIBUTE TO J. DAVID HOOD

Mr. DURBIN. Mr. President, I rise today to honor a faithful public servant on the occasion of his retirement. J. David Hood, the regional commissioner of the Public Buildings Service for General Services Administration's

Great Lakes Region, is retiring on July 1, 2011, after 40 years of dedicated service to the Federal Government. David heads an organization that is responsible for more than 35 million square feet of Federal offices and workplaces in nearly 1,000 buildings owned or leased by GSA. He also manages over \$1.2 billion in construction and renovation projects throughout the region.

David joined GSA's Great Lakes Regional Office in 1971 as an intern before becoming a real estate appraiser, a project manager, director of planning, and eventually serving as deputy assistant regional administrator, Public Buildings Service. In 1993, David moved to the agency's former Federal Supply Service, FSS, where he served as assistant regional administrator for 9 years before taking the same position, now regional commissioner, with Public Buildings Service. He is a member of the Federal Government's Senior Executive Service and is a recipient of GSA's Meritorious Service Award. David also served as acting regional administrator for GSA's Great Lakes Region from January 2009 until January 2011.

In a sense, David is the landlord for my State offices in Chicago and Carbondale. In that capacity, I saw firsthand David's commitment to the Federal Government and wise use of taxpayer money. Last year, my Chicago office in the Kluczynski Federal Building was in need of repair and reconfiguration. David and his team completed what would normally be a year-long project in just 4 months, and stayed within budget. In addition to meeting the operational needs of my Chicago staff so that they can best serve the people of Illinois, the renovation also produced considerable cost- and energy-savings.

As David's storied career in public service comes to a close, I rise to thank him for his hard work on behalf of the American people, and in particular the people of Illinois. David is an exemplary civil servant, and while his retirement is well-deserved, his service to the Federal Government will be missed.

HONORING OUR ARMED FORCES

LANCE CORPORAL SEAN MICHAEL NICHOLAS
O'CONNOR

Mr. BARRASSO. Mr. President, I rise today to honor and express our Nation's deepest thanks to a brave young man and his family. On Monday, I received word that LCpl Sean M.N. O'Connor of Douglas, WY, had fallen on June 12, 2011, in the line of duty in support of Operation Enduring Freedom. Lance Corporal O'Connor was killed while supporting combat operations in Helmand Province in southern Afghanistan.

Lance Corporal O'Connor was assigned to the 1st Battalion, 5th Marine

Regiment, Regimental Combat Team 8, II Marine Expeditionary Force FWD, 1st Marine Division, out of Camp Pendleton, CA. Sean's roots in the Marine Corps run deep. He was born at Marine Corps Base Camp Pendleton. Like his father, Lance Corporal O'Connor joined the U.S. Marine Corps in 2007 soon after graduating from Douglas High School. Sean was an avid reader, swimmer and shooter. He will be remembered as a fun loving son and friend who could always be counted on to lend a hand to those in need.

It is because of individuals like Sean O'Connor that all Americans are able to live our daily lives as free people. They put their very lives on the line every day, and because of their bravery and their families, our Nation remains free and strong. Freedom is not free. It carries a very high price. And that price has been paid over and over by many generations of men and women who answered the call to arms and willingly bear the burdens of defending our Nation. They deserve our deepest respect and gratitude.

The motto of the U.S. Marine Corps is "Semper Fidelis." It means "Always Faithful." LCpl Sean O'Connor lived up to these words with great honor. He made the ultimate sacrifice in the name of freedom for you and I to enjoy. He gave his life, that last full measure of devotion, for you, me, and every single American. Today we thank Lance Corporal O'Connor for serving and defending our country. He was always faithful to our country and its citizens, and to his fellow marines.

Lance Corporal O'Connor is survived by his parents Daniel and Dee O'Connor and his Aunt Sarah O'Connor. He is also survived by his brothers and sisters in arms of the U.S. Marine Corps. We say goodbye to a son, friend, neighbor, and a marine. The United States of America pays its deepest respect to LCpl Sean O'Connor for his sacrifice, so that we may remain free. Sean was the embodiment of honor, courage and commitment. All of Wyoming, and indeed the entire Nation, is proud of him. May God bless him and his family. Lance Corporal O'Connor, Semper Fi.

AMERICA INVENTS ACT

Mr. LEAHY. Mr. President, I was pleased that the Chamber of Commerce today wrote to Members of the House of Representatives in support of the America Invents Act. The Senate-passed companion legislation was approved in March in a 95-5 vote. This bill will create jobs and grow the economy without adding a penny to the deficit. Today's announcement by the Chamber of Commerce is a strong indication of a growing consensus that this legislation is what America needs to win the future through innovation. I applaud the work that Chairman SMITH, Mr. WATT, and others have done

to move the legislation forward in the House, and I encourage the full House to act swiftly.

I ask unanimous consent to have printed in the RECORD a full copy of the Chamber's letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE,
UNITED STATES OF AMERICA,
Washington, DC, June 14, 2011.

To the Members of the U.S. House of Representatives:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, supports H.R. 1249, the "America Invents Act," which would encourage innovation and bolster the U.S. economy. The Chamber believes this legislation is crucial for American economic growth, jobs, and the future of U.S. competitiveness.

A key component of H.R. 1249 is section 22, which would ensure that fees collected by the U.S. Patent and Trademark Office (PTO) fund the office and its administration of the patent system. PTO faces significant challenges, including a massive backlog of pending applications, and this backlog is stifling domestic innovators. The fees that PTO collects to review and approve patent applications are supposed to be dedicated to PTO operation. However, fee diversion by Congress has hampered PTO's efforts to hire and retain a sufficient number of qualified examiners and implement technological improvements necessary to ensure expeditious issuance of high quality patents. Providing PTO with full access to the user fees it collects is an important first step toward reducing the current backlog of 1.2 million applications waiting for a final determination and pendency time of 3 years, as well as to improve patent quality.

In addition, the legislation would help ensure that the U.S. remains at the forefront of innovation by enhancing the PTO process and ensuring that all inventors secure the exclusive right to their inventions and discoveries. The bill shifts the U.S. to a first-inventor-to-file system that we believe is both constitutional and wise, ending expensive interference proceedings. H.R. 1249 also contains important legal reforms that would help reduce unnecessary litigation against American businesses and innovators. Among the bill's provisions, Section 16 would put an end to frivolous false patent marking cases, while still preserving the right of those who suffered actual harm to bring actions. Section 5 would create a prior user right for those who first commercially use inventions, protecting the rights of early inventors and giving manufacturers a powerful incentive to build new factories in the United States, while at the same time fully protecting universities. Section 19 also restricts joinder of defendants who have tenuous connections to the underlying disputes in patent infringement suits. Section 18 of H.R. 1249 provides for a tailored pilot program which would allow patent office experts to help the court review the validity of certain business method patents using the best available prior art as an alternative to costly litigation.

The Chamber strongly opposes any amendments to H.R. 1249 that would strike or weaken any of the important legal reform measures in this legislation, including those found in Sections 16, 5, 19 and 18. The Cham-

ber supports H.R. 1249 and urges the House to expeditiously approve this necessary legislation.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President, Government Affairs.

REMEMBERING PRIVATE FIRST CLASS JOHN T. MARR

Mr. BROWN of Massachusetts. Mr. President, on this day in 1777, the Second Continental Congress adopted the flag of the United States. At that time, American colonists were just 2 years into their long and bloody struggle for independence and only a year earlier had declared independence from the British throne. Since that time, our flag has been carried into countless battles and has been proudly worn on the uniforms of millions of American servicemen and women.

I rise today to tell the story of one such American, US Army PFC John T. Marr of Dorchester, MA. Private Marr was mortally wounded in combat on a hill on the other side of the globe. The hill happened to be in Korea in 1953. It could have been so many other places where Americans fought and died: Bunker Hill in Boston, Cemetery Ridge at Gettysburg, the cliffs of Normandy, Kakazu Ridge on Okinawa, Hamburger Hill in Vietnam or the Tora Bora region of Afghanistan.

Private First Class Marr could have been so many other people's husband, son or brother throughout our nation's history.

John Marr, "Jack" to his family and friends, was among thousands of Massachusetts residents to serve our Nation in Korea and among the hundreds to die there. Korea has been referred to as the "forgotten war." By the early 1950s, our Nation had grown war weary, having so recently endured a global war in which more than 400,000 American servicemen died and far more than a half million were wounded. Yet while the Greatest Generation returned from Europe, Africa, and the South Pacific to build modern America, hundreds of thousands of their younger brothers were fighting and dying on the Korean Peninsula. The Korean war was never forgotten by people like the Marr family of Dorchester who on a hot summer day in 1953 received word that their middle child had died in the service of his Nation.

By all accounts, Jack Marr was a young man with a promising life ahead of him. He was an outstanding athlete, well-liked by all, newly married, and worked for his family's successful South Boston contracting business. Yet like millions before and after, Jack answered his Nation's call to serve.

In Korea, Jack was communications chief of Company D, 179th Infantry Regiment of the 45th Infantry Division. On July 19, 1953, his unit came under heavy mortar attack, wounding several members who were caught in the open.

With no thought for his own safety, Jack Marr left the cover of his bunker to pull wounded comrades to safety and was mortally wounded by an exploding mortar round. Private First Class Marr was among the last Americans to die in the Korean war, and succumbed to his injuries just 2 days before the Armistice went into effect. Jack left behind his wife Mary, loving parents, brothers Daniel, Jr. and Robert, and a sister Judith Marie.

The Marr family will honor Jack this Flag Day by dedicating a flagpole on the grounds of their family business on D Street in South Boston. I join the Marr family in honoring the service and sacrifice of PFC John T. Marr and will close with words engraved on the plaque they will unveil today. "This flagpole is dedicated to the courageous military service of John T. Marr. Jack answered the call to defend the people of South Korea. His sacrifice will forever be an example of hope, conviction and the unconquerable American spirit in the pursuit of freedom."

TRIBUTE TO MAJOR GENERAL JAMES C. McCONVILLE

Mr. BROWN of Massachusetts. Mr. President, today I wish to recognize MG James C. McConville for his professional dedication and service as the Army's Chief of Legislative Liaison, from January 6, 2010, to July 5, 2011. In this capacity, Major General McConville was responsible for advising the Secretary of the Army, the Chief of Staff of the Army and other Army senior leadership on all legislative and congressional matters. During this period of extraordinary change and challenge for the Army, he masterfully led the Army's outreach to Congress.

It is an honor and a pleasure to recognize my good friend Jim McConville who is a native of Quincy, MA. He received his nomination to the U.S. Military Academy from the late senior Senator from Massachusetts, Senator Edward M. Kennedy. Upon graduation from West Point, he was commissioned as an infantry officer. He was also a 2002 national security fellow at Harvard University. He has had an exemplary military career culminating in his recent selection as the commanding general of the 101st Airborne Division, Air Assault, at Fort Campbell, KY.

Major General McConville clearly understood the importance of fostering a strong relationship with the Congress. He worked tirelessly on behalf of the Army to earn the trust and confidence of Members of Congress and their staffs and his candor and availability ensured continuous support for the Army.

Major General McConville handled some of the most complex and sensitive issues our Army has ever faced through two legislative cycles with unparalleled results. His service assisted the Army in its efforts to restore bal-

ance to a force stretched and stressed by the demands of the longest war our Nation has fought. His efforts greatly contributed to the Army's transformation by building versatile, modular units and improving the capabilities of individual soldiers.

Major General McConville's career includes key command and staff assignments. He was deployed as the Commander of 4th Brigade, 1st Cavalry Division during Operation Iraqi Freedom. Based on the heroism of his aviators and courageous efforts of his soldiers, his brigade was selected as the 2004 Aviation Unit of the Year. Major General McConville also served as Deputy Commanding General for the 101st Airborne Division, Air Assault, in Afghanistan during Operation Enduring Freedom. His key staff assignments include executive officer to the Vice Chief of Staff of the Army and deputy chief of the Office of Congressional Liaison.

I thank Jim for his tremendous service to our Nation. I know that his wife Maria, their children Michael, Jessica, and Ryan, and the people of Massachusetts are extremely proud of his service. I wish him the utmost success as he continues to serve our great Nation at the 101st Airborne Division, Air Assault.

WOLF KAHN AND EMILY MASON GALLERY

Mr. LEAHY. Mr. President, it is a delight to call the attention of the Senate to the generosity and vision of Wolf Kahn and Emily Mason, whose longstanding commitment to the communities of southern Vermont is being commemorated with the dedication of the Wolf Kahn and Emily Mason Gallery at the Brattleboro Museum and Art Center. While nationally and internationally recognized as accomplished artists, it is Wolf's and Emily's selfless contributions to their neighbors and their community that makes me the most proud to call them Vermonters.

The works of local painters, sculptors, musicians, photographers, and authors enrich Vermont's culture throughout the beautiful Green Mountain State. Displaying their creations in community venues, from libraries to coffee shops, artists working in all mediums enrich our lives, deepen our pride in our communities and strengthen our bond with Vermont, its landscape, its beauty and its cultural heritage. Anyone who has contemplated a painting in a museum or examined an original manuscript or composition, and has gained a greater understanding of both the artist and the subject as a result, knows the power and importance of these works in our lives.

Since 1968, Wolf and Emily have spent the summers and autumns in West Brattleboro, VT, where the landscape provides them inspiration for

countless paintings and drawings. Wolf and Emily's love of Vermont, however, does not end with the environment our State offers to create their work. They carry their passion into the community, to create equally rich experiences for other artists and the general public. Forty years ago, Wolf and Emily were instrumental in the formation of the Brattleboro Museum and Art Center. Over the ensuing decades, they have offered invaluable guidance and advice, and helped the Museum and Art Center establish important connections with the broader art world. They have also played a crucial role and offered the same unwavering support in the creation of the Vermont Studio Center—a working studio space where artists and writers from across the country and the world descend upon Johnson, VT, to immerse themselves in their work. Today these two organizations are not only flourishing, but they are also firmly embedded in Vermont's rich participation in the arts. The success of these programs is a true credit to Wolf and Emily's continued support throughout the years. They truly are energy givers, infusing all around them with their enthusiasm and sense of possibility.

Wolf and Emily have lived in Vermont, but they also have enriched the quality of life for all Vermonters by generously lending their hands and their talent to a number of institutions in Vermont—from cultural experiences, to supporting the basic needs of our most vulnerable community members. Their positive impact will be felt in Vermont for generations to come.

ADDITIONAL STATEMENTS

TRIBUTE TO NORA THOMBS

• Ms. COLLINS. Mr. President, in the 1930s, the forces of tyranny and oppression seemed to be taking over the world. The American Legion and the American Legion Auxiliary were especially concerned that tyrannical regimes were indoctrinating their young people in hateful ideology, and so they countered with an initiative to better educate young Americans in democracy and leadership. Since then, some 2 million high school students have been delegates to Boys and Girls State programs throughout our Nation. Forty-one years ago, I served as a Dirigo Girls State delegate in my State of Maine, and I will never forget that inspiring week.

Today I wish to recognize Nora Thombs of New Sharon, ME, for her remarkable commitment to this program. When Dirigo Girls State convenes on June 19, Nora will mark her 50th year of involvement. The first year was as a delegate during her high school years. The other 49 have been helping to bring this great experience

to other young Maine women. From her early service as a staff volunteer to her current position as director, she has helped forge new generations of involved citizens.

Nora exemplifies the principles that Boys and Girls State instills. Although she never sought elective office, her appreciation of the importance of every person's vote and her knowledge about the process of government made her an effective and respected town meeting moderator, one of the most challenging roles in local government throughout New England. The leadership skills she learned helped her become an outstanding teacher and principal.

But the best evidence of those principles is Nora's dedication to spreading them. As soon as one year's Girls State week concludes, she is hard at work planning the next—working with high schools, recruiting delegates, and arranging for speakers, presentations, and experiences that will inform and inspire.

It is an honor to congratulate Nora Thombs for her 50 years of contributions to Dirigo Girls State. She is proof that the delegates of yesterday are the leaders of today. Thanks to her, the delegates of today will be the leaders of tomorrow.●

REMEMBERING RICHARD W. CARR

● Mr. LIEBERMAN. Mr. President, I wish to pay tribute to the remarkable life and legacy of Richard W. Carr. One year after Dick Carr's passing, I feel deprived of the ongoing, often surprising revelations of his depth and diversity. But also, of course, I feel deeply grateful to have been his friend.

Dick Carr was like a great book in which you find new meanings, insights, and strengths every time you return to it.

When I first met Dick, he seemed like another good guy with a kind and vivacious wife and wonderful daughters who lived a block away from my family in Hillandale. He was surely all that but over time, as I came to know him better, it was clear that Dick Carr was much, much more.

He was a man of property but also a man of poetry. He was a man who knew history, but also understood what it meant to be holy. He learned a lot and taught a lot. He laughed a lot and loved a lot.

Little things sometimes tell us big things about people. For instance, in Hillandale, Dick was one of the few residents who took care of his own yard, with Marie's help of course. Not, I presume, because he couldn't afford gardening help, but because he just enjoyed doing it himself and wanted his grounds to be as perfect as he and Marie would make them. And it tells you a lot about Dick that he didn't stop with his own yard. He took care of the yards of neighbors who were away

or whose husbands were ailing or gone. That was Dick Carr.

Dick had many loves in his life none of course greater than Marie, Kate, Annie, Beth, his parents, and his siblings. But he also had a special love for this city—its history and its people—and he helped, along with his family, to rebuild, enrich, and beautify Washington in many lasting ways. Dick's work to restore the Willard Hotel to its previous grandeur was a great gift to our country and its Capital City. His charitable work changed the lives of many who had much less than he did. And he did it all in a quiet way that showed he had the self-confidence not to need the public credit.

In the last 3 years since he was diagnosed with aplastic anemia, I learned some other new things from Dick Carr. In the face of repeated bleak diagnoses and painful treatments, Dick taught me and all of us new meaning of words like strength, courage, and grace under pressure. He didn't just fight the good fight; he fought a great fight until he had given to life all that he could and God was ready to take his soul from this Earth. And Marie, his love and life's partner, fought tirelessly for him and alongside him every step of the way in the most sustained, selfless, and devoted acts of caring I have ever seen. Marie Carr is simply saintly.

Thank you, Marie, for what you showed and taught all of us about love and faith over the years. I pray that you will be strengthened now and in the years ahead by your faith and comforted by wonderful memories of Dick.

I pray also, with total confidence, that Dick's soul has soared to heaven where he is living in eternal peace, which in his case will probably mean reading, writing, gardening, dreaming, and building. In fact, I would not be surprised if right now Dick was devising plans to restore some heavenly structure to its previous grandeur.

Today, in Sister's Garden of the Dahlgren Chapel of the Sacred Heart here in Washington, DC, Dick's great life and legacy will be honored and memorialized forever in that lush, green, and holy space.

May God bless you and keep you, Dick, as you blessed and inspired each of us who knew you.●

TURTON, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Turton, SD. The town of Turton will celebrate the 125th anniversary of its founding this year. Located in Spink County, Turton came into existence during a time known as the "Great Dakota Boom," when the railroads were expanded throughout the State.

Since its beginning 125 years ago, the Turton community has continued to serve as an outstanding example of South Dakota traditions and values. I

would like to offer my congratulations to the citizens of Turton on this milestone date and wish them continued prosperity for years to come.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS—PM 10

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus are to continue in effect beyond June 16, 2011.

The flawed December 2010 Presidential election in Belarus and its aftermath—the harsh violence against peaceful demonstrators; the continuing detention, prosecution, and imprisonment of opposition Presidential candidates and others; and the continuing repression of independent media and civil society activists—all show that the Government of Belarus has taken steps backward in the development of democratic governance and respect for human rights. The actions and policies of the Government of Belarus and other persons to undermine Belarus democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared to deal with this threat and the related measures blocking the property of certain persons.

BARACK OBAMA.
THE WHITE HOUSE, June 14, 2011.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2102. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Tolerances; Technical Amendments" (FRL No. 8875-4) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2103. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Difenoconazole; Pesticide Tolerances" (FRL No. 8876-4) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2104. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Loan Policies and Operations; Loan Purchases from FDIC" (RIN3052-AC62) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2105. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cooperative Inspection Programs: Interstate Shipment of Meat and Poultry Products" (RIN0583-AD37) received in the Office of the President of the Senate on June 8, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2106. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-2107. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Beneficial Ownership Reporting Requirements and Security-Based Swaps" (RIN3235-AK98) received in the Office of the President of the Senate on June 13, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2108. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report relative to the Uranium Marketing Annual Report; to the Committee on Energy and Natural Resources.

EC-2109. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Decommissioning Planning" (RIN3150-AI55) received in the Office of the President of the Senate on June 13, 2011; to the Committee on Environment and Public Works.

EC-2110. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of California; Interstate Transport of Pollution; Significant Contribution to Nonattainment and Interference with Maintenance Requirements" (FRL No. 9318-1) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to

the Committee on Environment and Public Works.

EC-2111. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of California; Regional Haze State Implementation Plan and Interstate Transport Plan; Interference with Visibility Requirement" (FRL No. 9317-9) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Environment and Public Works.

EC-2112. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Land Disposal Restrictions: Revision of the Treatment Standards for Carbamate Wastes" (FRL No. 9318-4) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Environment and Public Works.

EC-2113. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a legislative proposal relative to the collection of fees under the Resource Conservation and Recovery Act to support an electronic hazardous waste manifest system; to the Committee on Environment and Public Works.

EC-2114. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a semiannual report relative to the status of the Commission's licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-2115. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Practice Before the Internal Revenue Service" (RIN1545-BH01) received in the Office of the President of the Senate on June 8, 2011; to the Committee on Finance.

EC-2116. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Foreign Acquisition Amendments" ((RIN0750-AH16)(DFARS Case 2011-D017)) received in the Office of the President of the Senate on June 8, 2011; to the Committee on Foreign Relations.

EC-2117. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2010 Medical Device User Fee and Modernization Act (MDUFMA) Financial Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-2118. A communication from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting, pursuant to law, the Fiscal Year 2011 Performance Accountability Report and Financial Statements; to the Committee on Health, Education, Labor, and Pensions.

EC-2119. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department of Defense's Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2120. A communication from the Executive Director, United States Access Board,

transmitting, pursuant to law, the Board's fiscal year 2010 annual report relative to the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-2121. A communication from the Secretary of Veterans Affairs, transmitting legislative proposals relative to health care benefits, personnel-related matters and benefits for homeless Veterans; to the Committee on Veterans' Affairs.

EC-2122. A communication from the Secretary of Veterans Affairs, transmitting a legislative proposal entitled "Veterans Benefit Programs Improvement Act of 2011"; to the Committee on Veterans' Affairs.

EC-2123. A communication from the Director of Exporter Services, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Wassenaar Arrangement 2010 Plenary Agreements Implementation: Commerce Control List, Definitions, Reports; Correction" (RIN0694-AF11) received in the Office of the President of the Senate on June 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2124. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Export Control Reform Initiative: Strategic Trade Authorization License Exception" (RIN0694-AF03) received in the Office of the President of the Senate on June 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2125. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program, Order Suspending Effective Date" ((CG Docket No. 10-51)(FCC 11-86)) received in the Office of the President of the Senate on June 13, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2126. A communication from the Legal Advisor and Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Regarding Maritime Automatic Identification Systems" (FCC 11-80) received in the Office of the President of the Senate on June 13, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2127. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the Department of Commerce's Strategic Plan for fiscal years 2011-2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-33. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing Congress to enact laws to establish, implement, and ensure that universal communication is at all times and at all places available to warn the American people of imminent and impending dangers; to the Committee on Commerce, Science, and Transportation.

SENATE CONCURRENT RESOLUTION NO. 3

Whereas, the Congress of the United States should enact laws to establish and implement an effective, reliable, integrated, flexible, and comprehensive system that will alert and warn the American people in situations of war, terrorist attack, natural disaster, or other hazards to public health, safety and well-being, taking appropriate account of the functions, capabilities, needs of all people, the private sector and of all governments, so as to ensure that, under all conditions, universal communication is at all times and at all places available to warn the American people of imminent and impending dangers; and

Whereas, Congress should investigate and conduct hearings to inventory, evaluate, and assess capabilities and integration with the public alert and warning system of federal, state, territorial, tribal, and local public alert and warning resources; and

Whereas, Congress should establish or adopt common alerting and warning protocols, standards, technology, and operating procedures that are effective without the necessity of maintaining a database of contact information (while protecting privacy of all Americans) and for the public alert and warning system to enable interoperability and the secure delivery of coordinated messages to the American people through as many communication pathways as practicable, utilizing today's technology so as to guarantee the delivery of warnings and alerts in a timely manner to the entire population when surface infrastructure does not exist, has been compromised, or otherwise rendered ineffective; and

Whereas, Congress should ensure the capability to adapt the distribution and content of communications on the basis of clearly defined geographic locations, risks, or personal user preferences, as appropriate; and

Whereas, Congress should provide that any public alert and warning system is capable of alerting and warning all Americans, including those with disabilities and those who lack an understanding of the English language, in the most remote geographic areas of America and its territories; and

Whereas, Congress should, through cooperation with the owners and operators of communication facilities, maintain, protect, and, if necessary, restore communications facilities and capabilities necessary for the public alert and warning system; and

Whereas, Congress should establish training, annual tests, and exercises for the public alert and warning system, and provide for direct access thereto by appropriate federal, state, local, tribal, and territorial emergency personnel; and

Whereas, Congress should ensure the conduct of public education efforts so that federal, state, territorial, tribal, local governments, the private sector, and the American people understand the functions of the public alert and warning system and how to access, use, and respond to information issued through all public alert and warning systems and devices; and

Whereas, Congress should require all governments, federal, state, local, territorial, and media communication organizations to consult, coordinate, and cooperate with the private sector, including emergency response providers and users, as appropriate for the full implementation of a state of the art early warning and alert system; and

Whereas, Congress should, in performing the functions set forth above, coordinate with all appropriate departments and agencies of all governments referenced in this Resolution. Therefore, be it

Resolved, That the Legislature of Louisiana, in session duly assembled, memorializes the Congress of the United States of America, and the Louisiana delegation to the United States Congress in particular, to expedite a solution that will provide public alert and warning in situations of war, terrorist attack, natural disaster, or other hazards to public safety and well-being to all people of the United States of America. Be it further

Resolved, That a copy of this Resolution be sent to the Speaker and the Minority Leader of the United States House of Representatives, the Majority Leader and the Minority Leader of the United States Senate, and to all sitting members of Louisiana's delegation to the Congress of the United States of America.

POM-34. A resolution adopted by the House of Representatives of the Legislature of the State of Iowa relative to recognizing the positive impact of the Community Services Block Grant program; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 44

Whereas, in state fiscal year 2010, 365,752 Iowans in 140,333 households were helped in their fight against poverty through services funded by the federal Community Services Block Grant (CSBG) program; and

Whereas, more than 96 percent of the families receiving services were at or below 175 percent of the federal level or \$35,427 annual family income; and

Whereas, more than 76 percent of the individuals served by the 18 community action agencies were working or received social security as their source of income; and

Whereas, those 18 community action agencies have 127 service centers throughout all 99 Iowa counties; and

Whereas, each community action agency is governed by a community-based volunteer board of directors consisting of elected officials, private sector representatives, and low-income Iowans; and

Whereas, Iowa's 18 community action agencies employ 3,350 Iowans; and

Whereas, CSBG funding for the 18 community action agencies brought in \$2.3 million in local funding, \$13.6 million in private funding, \$13.9 million in state funding, and \$222.9 million in federal funding to Iowa's local communities; and

Whereas, CSBG funding for Iowa's 18 community action agencies helped generate \$17.7 million in in-kind goods and services and donated items; and

Whereas, the 18 community action agencies received \$7,154,281 in CSBG funding enabling the community action agencies to operate their service centers and to administer state and federally funded programs; and

Whereas, President Obama has proposed a 50 percent reduction in CSBG funding and making the allocation of the remaining funds competitive instead of continuing the current allocation formula that brings stability to Iowa's community and economic development initiatives; and

Whereas, the Iowa House of Representatives supports efforts of the United States Congress to effectively reduce the federal deficit while promoting the current and future economic security of all Iowans; Now therefore, be it

Resolved by the House of Representatives, That the House of Representatives supports the positive impact of the CSBG program in Iowa and opposes federal action to reduce CSBG funding disproportionately compared to the rest of the federal domestic discretionary budget; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of the Iowa congressional delegation.

POM-35. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing Congress to enact legislation to provide additional funding for research in order to find a treatment and a cure for amyotrophic lateral sclerosis; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 26

Whereas, amyotrophic lateral sclerosis or ALS is better known as Lou Gehrig's disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord; and

Whereas, the initial symptom of ALS is weakness of the skeletal muscles, especially those of the extremities; and

Whereas, as ALS progresses the patient experiences difficulty in swallowing, talking, and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, ALS does not affect a patient's mental capacity, so that the patient remains alert and aware of his or her loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

Whereas, ALS has no known cause, means of prevention, or cure; and

Whereas, research indicates that military veterans are at a 60% or greater risk of developing ALS than those who have not served in the military; and

Whereas, the Department of Veterans Affairs implemented regulations to establish a presumption of service connection for ALS thereby presuming that the development of ALS was incurred or aggravated by a veteran's service in the military; and

Whereas, a national ALS patient registry, administered by the Centers for Disease Control, is currently identifying cases of ALS in the United States and may become the single largest ALS research project ever created; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month increases the public's awareness of ALS patients' circumstances and acknowledges the terrible impact this disease has not only on the patient but on his or her family and the community and recognizes the research being done to eradicate this horrible disease. Therefore, be it

Resolved, That the Legislature of Louisiana hereby recognizes May 2011 as Amyotrophic Lateral Sclerosis Awareness Month. Be it further

Resolved, That the Congress of the United States is hereby memorialized to enact legislation to provide additional funding for research in order to find a treatment and a cure for amyotrophic lateral sclerosis. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-36. A petition transmitted by a private citizen relative to the examination of

the record and conduct of a judicial nomination; to the Committee on the Judiciary.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Leon E. Panetta, of California, to be Secretary of Defense.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN of Ohio:

S. 1188. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mr. HATCH, Mr. RISCH, and Mr. TOOMEY):

S. 1189. A bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself, Mr. BLUNT, Mr. WYDEN, Mr. SESSIONS, Mr. CHAMBLISS, and Mr. INOUE):

S. 1190. A bill to reduce disparities and improve access to effective and cost efficient diagnosis and treatment of prostate cancer through advances in testing, research, and education, including through telehealth, comparative effectiveness research, and identification of best practices in patient education and outreach particularly with respect to underserved racial, ethnic and rural populations and men with a family history of prostate cancer, to establish a directive on what constitutes clinically appropriate prostate cancer imaging, and to create a prostate cancer scientific advisory board for the Office of the Chief Scientist at the Food and Drug Administration to accelerate real-time sharing of the latest research and accelerate movement of new medicines to patients; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1191. A bill to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BEGICH:

S. 1192. A bill to supplement State jurisdiction in Alaska Native villages with Federal and tribal resources to improve the quality of life in rural Alaska while reducing domestic violence against Native women and chil-

dren and to reduce alcohol and drug abuse and for other purposes; to the Committee on Indian Affairs.

By Mr. CARDIN:

S. 1193. A bill to amend title 23, United States Code, to preserve and renew Federal-aid highways to reduce long-term costs, improve safety, and improve the condition of Federal-aid highways; to the Committee on Environment and Public Works.

By Mr. LEAHY:

S. 1194. A bill to facilitate compliance with Article 36 of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 1195. A bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. SESSIONS, Mr. RUBIO, Mr. WICKER, Mr. BOOZMAN, Mr. LEE, Mr. HATCH, Mr. VITTER, Mr. COBURN, and Mr. CORKER):

S. 1196. A bill to expand the use of E-Verify, to hold employers accountable, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BAUCUS, Mr. BARRASSO, Mr. INHOFE, Mr. VITTER, Mr. LUGAR, and Mr. GRASSLEY):

S.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 48

At the request of Mr. INOUE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 80

At the request of Mrs. HUTCHISON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 80, a bill to provide a permanent deduction for State and local general sales taxes.

S. 89

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 201

At the request of Mr. MCCAIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 227

At the request of Mr. CONRAD, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 394

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 394, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 395

At the request of Mr. ENZI, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 395, a bill to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency.

S. 504

At the request of Mr. DEMINT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 510

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 510, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 652

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 652, a bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes.

S. 665

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 665, a bill to promote industry

growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 687

At the request of Mr. CONRAD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 726

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 906

At the request of Mr. WICKER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 933

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 933, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 958

At the request of Mr. CASEY, the name of the Senator from Minnesota

(Mr. FRANKEN) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 964

At the request of Mr. ALEXANDER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 964, a bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect.

S. 972

At the request of Mr. CARPER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 972, a bill to amend titles 23 and 49, United States Code, to establish procedures to advance the use of cleaner construction equipment on Federal-aid highway and public transportation construction projects, to make the acquisition and installation of emission control technology an eligible expense in carrying out such projects, and for other purposes.

S. 975

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 975, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 982

At the request of Ms. AYOTTE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 982, a bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1023

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1023, a bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1056

At the request of Mr. HARKIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1056, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 1105

At the request of Mrs. MURRAY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1105, a bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes.

S. 1106

At the request of Mr. KOHL, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1106, a bill to authorize Department of Defense support for programs on pro bono legal assistance for members of the Armed Forces.

S. 1125

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1125, a bill to improve national security letters, the authorities under the Foreign Intelligence Surveillance Act of 1978, and for other purposes.

S. 1181

At the request of Mr. GRASSLEY, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1181, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1185

At the request of Mr. THUNE, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Pennsylvania (Mr. CASEY) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1185, a bill to amend the Internal Revenue Code of 1986 to provide for a variable VEETC rate based on the price of crude oil, and for other purposes.

S. RES. 80

At the request of Mr. KIRK, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 80, a resolution

condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 185

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Res. 185, *supra*.

At the request of Mr. CARDIN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 185, *supra*.

S. RES. 199

At the request of Mr. REID, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 199, a resolution supporting the goals and ideals of "Crohn's and Colitis Awareness Week".

S. RES. 202

At the request of Mr. CONRAD, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Kansas (Mr. ROBERTS), the Senator from Georgia (Mr. ISAKSON) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. Res. 202, a resolution designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day".

AMENDMENT NO. 389

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 389 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 405

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 405 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 423

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 423 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 436

At the request of Mr. COBURN, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of amendment No. 436 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 460

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 460 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BROWN of Ohio:

S. 1188. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

Mr. BROWN of Ohio. Mr. President, I rise today to introduce the All-American Made Flag Act, on this 234th celebration of Flag Day in our Nation. On June 14, 1777, the Second Continental Congress first adopted a flag for our new country, bestowing a meaning to the stars and stripes of our founding commitment to freedom and democracy.

Our flag inspires servicemembers in times of war; it looks over state capitals and schools, stadiums and veterans halls as a reminder of the price of our peace and security. It stood through the smoke in Pearl Harbor on December 7, 1941, and the rubble in New York City and Washington D.C. on September 11, 2001. The flag instills hope of a better life for generations of immigrants, embodying an aspiration of free people around the world. Americans pledge allegiance to the flag, remind-

ing us about our Nation's history, and the system of checks and balances and separation of powers that tenders the balance of our laws and freedoms.

The flag that inspired our national anthem rests in the Smithsonian's National Museum of American History. Smaller, hand-held flags are waived during Fourth of July Parades and on Memorial Day are placed alongside headstones. But whether in museums or in parades or upon memorials, the American flag reaffirms the power and meaning first ascribed to it by our founders.

And what better way to celebrate its meaning, our Nation's history and virtue, than to ensure it is stamped with the Made-in-America label. On this day, I introduce the All-American Made Flag Act, which would require that American flags purchased by the Federal Government are entirely made in America.

Across the nation, and especially in Ohio, manufacturers and businesses have been making and selling American flags for generations. In Coschocton, Ohio, the nation's oldest and largest producer of American flags has been doing so since 1851. From the first World's Fair in New York City, through the Civil War and World War II, and into the universe and onto the moon these flags, made in Coschocton, have played a role in our nation's history. Today, on Flag Day, it joins other businesses that sell All-American made American flags, from Cincinnati to Dayton to Columbus to Cleveland.

Few things can give better meaning to the Made-in-America label than our own flag. The All-American Made Flag Act would provide that meaning, and in doing so, would invest in America's workers and manufacturers who embody the ingenuity and patriotism embodied in the very flag itself.

By Mr. BEGICH:

S. 1192. A bill to supplement State jurisdiction in Alaska Native villages with Federal and tribal resources to improve the quality of life in rural Alaska while reducing domestic violence against Native women and children and to reduce alcohol and drug abuse and for other purposes; to the Committee on Indian Affairs.

Mr. BEGICH. Mr. President, today I introduce legislation to address issues of great concern to me and to all who care about public safety in Alaska Native villages.

Last year President Obama signed the Tribal Law and Order bill into law. That legislation passed because Congress recognized the great need to provide more support for the criminal justice system and communities in Indian Country. While this law has some important provisions that will benefit Alaska Native communities, I believe the remoteness and other unique conditions in many Native villages in my

State compel us to do more. That is why I am introducing the Alaska Safe Families and Villages Act of 2011.

My bill will establish a demonstration project allowing Alaska Native tribes to set up tribal courts, establish tribal ordinances, and impose sanctions on those people who violate the ordinances. It would enhance current tribal authority, while maintaining the State's primary role and responsibility in criminal matters. Additionally, those communities selected to be part of the demonstration project would be eligible for an Alaska Village Peace Officer grant, enabling a Peace Officer to serve participating communities in a holistic manner.

Due to the vastness of Alaska, too many of our small remote villages lack any law enforcement. Too often, minor cases involving alcohol and domestic abuse go unreported because the nearest State Trooper resides in a distant hub community, located a long and expensive airplane ride away. Frequently, harsh weather prevents the Troopers from flying into a community even when the most heinous acts have occurred. Approximately 71 villages have a sole, unarmed Village Patrol Safety Officer, VPSO, who must be on duty 24 hours a day and 7 days a week. Compounding the challenges of a small number of local law enforcement, these few hard-working VPSOs are often underpaid. While communities try to provide some housing and heating assistance, in places where fuel oil can cost as much as \$10 a gallon, it can be difficult to retain qualified VPSOs and also sustain the funding for these public servants.

As one who believes wholeheartedly in community involvement, I strongly believe tribes in Alaska should benefit from true self-determination and have a role in their law enforcement needs. This local control not only provides security for communities, but also encourages local acceptance of the established or existing judicial system as a whole. With the changes in place that my bill would require, residents of Alaska Native villages will see a culturally-relevant system replacing a crisis-management system that is set in place after a tragedy has occurred.

Unfortunately, Alaska Native communities have grown all too familiar with alarming suicide rates. In the Yukon-Kuskokwim Delta, over a two-month period during the summer of 2010, there were at least nine self-inflicted deaths in several of the region's villages. Nick Tucker, an elder in the village of Emmonak, wrote a letter to the State of Alaska's rural affairs advisor to try to bring attention to the issue. Part of Mr. Tucker's letter begged for the Governor to call the Legislature into session to address the issue. He also said it is no longer acceptable for village residents to wait for State Troopers because "in the villages, they take forever."

Part of the disturbing cycle of suicide in rural Alaska can be attributed to the presence of drugs and alcohol. Despite the knowledge that an individual can speak with an elder and learn who is bootlegging alcohol or selling drugs, predators do not fear law enforcement intervention because there is no consistent police or State Trooper presence.

Further, despite many Alaska Native communities' wealth of cultural heritage and tradition, many suffer from economic, cultural, and educational depression. Villages often experience high unemployment rates, above 20 percent, due to their remoteness and lack of economic opportunity. Most economic development in Alaska is centered in either the metropolitan areas, or in very remote areas where local residents are able to develop local resources. This economic depression, coupled with the 10,000-year practice of subsistence, means Alaska Natives' physical and spiritual survival remains highly dependent on the land. They subsist on game, berries, and fish. However, as hunting and fishing stocks dwindle, many of these Alaskans are feeling disconnected from their heritage and, at times, have turned to drugs and alcohol. Though educational attainment in the last 40 years has increased dramatically, the dropout rate in Alaska still hovers at 40 percent. Too many of our young men and women have lost hope and are losing a sense of community.

We must give our Nation's communities the tools necessary to protect themselves. Too often, we pour resources into urban areas, but decry lack of resources when we try to work toward innovative solutions for our most remote communities. We should no longer allow the answer from anyone to be "we don't have the resources." Alaska Native villages are vibrant, strong communities and we should do everything in our power to answer their calls for help. I am hoping the Alaska Safe Families and Villages Act of 2011 will be just one piece of the puzzle.

I encourage my colleagues to join me on this legislation, and ask for the full Senate to consider and pass it—providing much-needed help and resources to some of our country's neediest places.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alaska Safe Families and Villages Act of 2011".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) while the State of Alaska and numerous Alaska organizations have struggled for years to address crime and substance abuse problems in Alaska, Native Villages continue to suffer from disproportionately high rates of illicit drug use, alcohol abuse, suicide, and domestic violence;

(2) the suicide rate in Alaska Native villages is 6 times the national average, and the alcohol-related mortality rate is 3.5 times that of the general national population;

(3) Alaska Native women suffer the highest rate of forcible sexual assault in the United States, and an Alaska Native woman is sexually assaulted every 18 hours;

(4) according to the 2006 Initial Report and Recommendations of the Alaska Rural Justice and Law Enforcement Commission more than 95 percent of all crimes committed in rural Alaska can be attributed to alcohol;

(5) the cost of drug and alcohol abuse in Alaska is estimated at \$525,000,000 per year;

(6) the State of Alaska's public safety system does not effectively serve vast areas of the State in which many remote Alaska Native villages are located, except in response to serious crimes involving severe injury or death, which are handled by Alaska State Troopers who are located in only a small number of hub communities around the State;

(7) extreme weather conditions often prevent or delay travel into remote Alaska Native villages, forcing residents to wait for several days for an Alaska State Trooper to arrive and respond to these crimes, compared to a law enforcement response time normally within minutes for residents of urban communities;

(8) in many rural Alaska Native villages, there is no local law enforcement presence whatsoever;

(9) to the extent there are resident law enforcement officers in rural villages, they consist of Village Public Safety Officers (VPSOs) through the State VPSO Program, and a very limited number of other peace officers such as Village Police Officers (VPOs), Tribal Police Officers (TPOs) and Community Peace Officers (CPOs) who tend to have only minimal training and experience;

(10) the VPSO Program is not able to adequately serve all remote Alaska Native villages because there is insufficient funding or officers to address the urgent need for additional law enforcement in these communities;

(11) the number of VPSOs currently serving in Alaska is approximately 71, yet there are about 200 remote villages in Alaska, all of which could benefit from a law enforcement presence;

(12) studies have concluded that the lack of effective law enforcement in Alaska Native villages contributes significantly to increased crime, alcohol abuse, drug abuse, domestic violence, and rates of suicide, poor educational achievement, and a lack of economic development in those communities;

(13) law enforcement that is created and administered by Indian tribes in Alaska will be more responsive to the need for greater local control, local responsibility, and local accountability in the administration of justice; and

(14) it is necessary to invoke the plenary authority of Congress over Indian affairs under section 8 of clause 3 of Article I of the Constitution, in order to improve law enforcement conditions in Alaska Native villages.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish a demonstration project under which a limited number of Indian

tribes in Alaska Native villages will exercise local law enforcement responsibilities to combat alcohol and drug abuse and to enhance existing tribal authority over domestic violence and child abuse and neglect;

(2) to enhance coordination and communication among Federal, State, tribal, and local law enforcement agencies; and

(3) to increase funding for, and therefore availability of, local law enforcement.

SEC. 3. DEFINITIONS.

In this Act:

(1) **INDIAN TRIBE.**—The term “Indian tribe” means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)).

(2) **PROJECT.**—The term “Project” means the Alaska Safe Families and Villages Demonstration Project established by section 4(a).

(3) **PROJECT AREA.**—The term “Project Area” means the geographical area within which an Indian tribe proposes to enforce the laws of the Indian tribe developed under the Project, as determined by the tribal government of the applicable Indian tribe and as approved by the Office of Justice Programs upon a showing that the extension of jurisdiction to such area is in the interest of justice.

(4) **TRIBAL COURT.**—The term “tribal court” means any court, council, or other mechanism sanctioned by an Indian tribe for the adjudication of disputes, including the violation of tribal laws, ordinances, or regulations.

(5) **TRIBAL ORGANIZATION.**—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 4. ALASKA SAFE FAMILIES AND VILLAGES DEMONSTRATION PROJECT.

(a) **ESTABLISHMENT OF PROJECT.**—The Office of Justice Programs of the Department of Justice shall carry out the Alaska Safe Families and Villages Demonstration Project as provided by this section.

(b) **NUMBER OF TRIBES.**—The Office of Justice Programs shall select not more than 9 Indian tribes in Alaska to participate in the Project in Alaska over a 3-year period, with not more than 3 Indian tribes selected during each of fiscal years 2012, 2013, and 2014.

(c) **DURATION OF PROJECT.**—Each Indian tribe selected to participate in the Project shall remain in the Project for a period of 5 years.

(d) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—On or before May 1 of each year, the Attorney General shall provide to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a brief annual report detailing activities undertaken under the Project and setting forth an assessment of the Project, together with any recommendations of the Attorney General for further action by Congress.

(2) **REQUIREMENTS.**—Each report submitted under this subsection shall be prepared—

(A) in consultation with the governments of Indian tribes in Alaska; and

(B) after those governments and the State of Alaska have an opportunity to comment on each report prior to the finalization of the report.

(e) **APPLICATIONS.**—

(1) **CRITERIA.**—To qualify to participate in the Project, an Indian tribe in Alaska shall—

(A) request participation by resolution or other official action by the governing body of the Indian tribe;

(B) have for the preceding 3 fiscal years no uncorrected significant and material audit exceptions regarding any Federal contracts or grants;

(C) demonstrate to the Attorney General sufficient governance capacity to conduct the Project, as evidenced by the history of the Indian tribe in operating government services, including public utilities, children's courts, law enforcement, social service programs, or other activities;

(D) demonstrate the ability to sustain the goals and purposes of the Project after funding for the Project has expired; and

(E) meet such other criteria as the Attorney General may promulgate, after providing for public notice.

(2) **COPY TO THE ALASKA AG.**—Each Indian tribe shall send a copy of its application submitted under this section to the Attorney General of Alaska.

(f) **TRIBAL REPORTING.**—The Attorney General may by regulation promulgate such minimum reporting requirements as the Attorney General determines are reasonably necessary to carry out this Act.

(g) **PUBLIC COMMENT.**—All applications submitted pursuant to subsection (e) shall be subject to public comment for a period of not less than 30 days following publication of notice in a newspaper or other publication of general circulation in the vicinity of the Alaska Native village of the Indian tribe requesting participation in the Project.

(h) **PLANNING PHASE.**—Each Indian tribe selected for participation in the Project shall complete a planning phase that includes—

(1) internal governmental and organizational planning;

(2) the development of written tribal law or ordinances detailing the structure and procedures of the tribal court;

(3) enforcement mechanisms; and

(4) those aspects of drug or alcohol related matters that the Indian tribe proposes to regulate.

(i) **CERTIFICATION.**—

(1) **IN GENERAL.**—Upon completion of the planning phase under subsection (h), an Indian tribe shall provide to the Office of Tribal Justice—

(A) the constitution of the Indian tribe (or equivalent organic documents showing the structure of the tribal government and the placement and authority of the tribal court within that structure);

(B) the written tribal laws or ordinances of the Indian tribe governing court procedures and the regulation and enforcement of drugs, alcohol, and related matters;

(C) a map depicting the Project Area of the Indian tribe; and

(D) such other information or materials as the Attorney General may by public notice require.

(2) **CERTIFICATION.**—The Office of Tribal Justice shall certify the completion of the planning phase under this section.

(3) **TIMING.**—Certification under paragraph (2) may occur at the time at which an Indian tribe applies for participation in the Project if the Indian tribe demonstrates that the Indian tribe has already met the requirements of the planning phase.

(j) **EFFECT OF CERTIFICATION.**—

(1) **IN GENERAL.**—Commencing 30 days after the certification described in subsection (i) and except as provided in paragraph (2), an Indian tribe participating in the Project shall exercise jurisdiction, concurrent with the civil jurisdiction of the State of Alaska under State law, over—

(A) the drug, alcohol, or related matters described in subsection (i) within the Project Area of the Indian tribe; and

(B) persons of Indian or Alaska Native descent or other persons with consensual relationships with the Indian tribe or a member of the Indian tribe.

(2) **SANCTIONS.**—An Indian tribe participating in the Project shall impose such sanctions as shall be determined by the tribal court to be appropriate, consistent with the Indian Civil Rights Act and tribal law, including such measures as—

(A) restorative justice;

(B) community service;

(C) fines;

(D) forfeitures;

(E) commitments for treatment;

(F) restraining orders; and

(G) emergency detentions.

(3) **AGREEMENT REQUIRED.**—A person may not be incarcerated by an Indian tribe participating in the Project except pursuant to an agreement entered into under section 7.

(4) **TREATMENT OF PROTECTIVE ORDERS.**—For purposes of this subsection, the protective order of an Indian tribe participating in the Project excluding any member or non-member from a community shall be considered a civil remedy.

(5) **EMERGENCY CIRCUMSTANCES.**—Nothing in this subsection shall prevent an Indian tribe participating in the Project from acting in the following emergency circumstances:

(A) A tribe may assume protective custody of a tribal member or otherwise take action to prevent imminent harm to self or others.

(B) A tribe may take immediate, temporary protective measures to address situations involving an imminent threat of harm to self or others by a non-member.

(k) **EFFECT OF ACT.**—Nothing in this Act—

(1) limits, alters, or diminishes the civil or criminal jurisdiction of the State of Alaska, or any subdivision of that State, the United States, or any Indian tribe in Alaska, including existing inherent and statutory authority of the tribes over child protection, child custody, and domestic violence;

(2) confirms or denies that any area of Alaska does or does not constitute Indian country;

(3) diminishes the trust responsibility of the United States to Indian tribes in Alaska, or abridges or diminishes the sovereign immunity of any Indian tribe in Alaska;

(4) alters the jurisdiction of the Metlakatla Indian Community within the Annette Islands Reservation;

(5) limits in any manner the eligibility of the State of Alaska, any political subdivision of the State, or any Indian tribe in Alaska, for any other Federal assistance under any other law; or

(6) shall be construed to alter the tribes' existing jurisdictional authority over domestic violence under the Violence Against Women Act.

(l) **LIABILITY OF STATE OF ALASKA.**—The State of Alaska and any political subdivision of the State shall not be liable for any act or omission of an Indian tribe participating in the Project, including acts or omissions undertaken pursuant to an intergovernmental agreement entered into under section 7.

(m) **CONTRACTS.**—

(1) **IN GENERAL.**—Each Indian tribe participating in the Project shall be eligible for a contract from the Office of Justice Programs, in an amount not to exceed \$250,000 per year, for use in defraying costs associated with the Project, including costs relating to—

(A) tribal court operations and personnel;
 (B) utility and maintenance;
 (C) overhead;
 (D) equipment; and
 (E) continuing education (including travel).

(2) REQUIREMENTS.—The contracts made available under this subsection shall be—

(A) in addition to such grants as may be available under this Act or other provisions of law; and

(B) awarded as contracts in a form authorized by the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(3) TRIBAL ORGANIZATIONS.—A tribal organization may enter into contracts on behalf of an Indian tribe participating in the Project upon express written delegation of authority of the Indian tribe to the tribal organization.

(n) REGULATIONS.—The Attorney General may promulgate such regulations as the Attorney General determines to be necessary to carry out this section.

(o) FULL FAITH AND CREDIT.—

(1) IN GENERAL.—Each State shall give full faith and credit to all official acts and decrees of the tribal court of an Indian tribe participating in the Project to the same extent and in the same manner as such State accords full faith and credit to the official acts and decrees of other States.

(2) OTHER LAW.—Nothing in this subsection impairs the duty of a State to give full faith and credit under any other law.

(p) FEDERAL JURISDICTION.—

(1) IN GENERAL.—Subject to paragraph (2), Project Areas and Indian tribes participating in the Project shall be eligible for the same law enforcement programs of the Bureau of Indian Affairs and the Office of Justice Programs, as are applicable to those areas under section 401 of Public Law 90-284 (25 U.S.C. 1321).

(2) APPLICABILITY IN ALASKA.—Nothing in this Act limits the application in Alaska of any provision of title II of Public Law 111-211.

(q) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (m) \$2,500,000 for each of fiscal years 2012 through 2018.

SEC. 5. ALASKA VILLAGE PEACE OFFICERS.

(a) ESTABLISHMENT OF ALASKA VILLAGE PEACE OFFICER GRANTS PROGRAM.—The Office of Justice Services of the Department of the Interior shall carry out a contract program for the employment by Indian tribes of Village Peace Officers in Alaska Native villages as provided in this section.

(b) APPLICATION CRITERIA.—

(1) IN GENERAL.—To qualify for a contract under this section, an applicant shall—

(A) be an Indian tribe in Alaska that participated in a Project;

(B) demonstrate the lack of other resident law enforcement in the applicable Alaska Native village; and

(C) satisfy such other criteria as may be established by notice by the Office of Justice Services.

(2) LIMITATION.—Each contract awarded under this section shall be in an amount not to exceed \$100,000 for the salary and related costs of employing and equipping 1 Village Peace Officer, except that the Office of Justice Services shall be authorized to waive the 1-officer limitation upon a showing of compelling circumstances.

(c) CONTRACTS.—At the request of an applicant Indian tribe, the Office of Justice Services shall disburse funds awarded under this section through modifications to existing

self-determination contracts or self-government compacts authorized under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), or by contract to a political subdivision of the State of Alaska pursuant to an agreement, if any, under section 7.

(d) ELIGIBILITY FOR BIA TRAINING.—Village peace officers hired pursuant to this section shall be eligible to attend the Bureau of Indian Affairs Police Officer Training Program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2012 through 2018.

SEC. 6. TECHNICAL ASSISTANCE.

(a) IN GENERAL.—The Attorney General may enter into 18-month contracts with tribal organizations in Alaska to provide training and technical assistance on tribal court development to any Indian tribes in Alaska.

(b) COOPERATION.—Tribal organizations may cooperate with other entities for the provision of services under contracts described in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000.

SEC. 7. INTERGOVERNMENTAL AGREEMENTS.

(a) IN GENERAL.—The State of Alaska, political subdivisions of that State, Indian tribes in Alaska, and the United States are each authorized and encouraged to enter into intergovernmental agreements, including agreements concerning—

(1) the employment of law enforcement officers, probation, and parole officers;

(2) cross-appointment and cross-deputization of tribal, State, municipal, or Federal officials;

(3) the detention or incarceration of offenders; and

(4) jurisdictional or financial matters.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as restricting the right of the judicial system of Alaska to enter into agreements with the tribal courts.

By Mr. CARDIN:

S. 1193. A bill to amend title 23, United States Code, to preserve and renew Federal-aid highways to reduce long-term costs, improve safety, and improve the condition of Federal-aid highways; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am introducing legislation to help improve and extend the value of our Nation's highways and bridges. This bill will help ensure that the Federal Government makes better investments of the taxpayer dollars spent on transportation infrastructure. Helping build the roads and bridges of this Nation has been one of the best Federal investments our government has made and it is an investment that is worth taking care of to ensure the lasting value, efficiency and safety of our Nation's highways and bridges.

It was during the Thomas Jefferson Administration that the Federal Government developed the concept of a "Federal-Aid" Highway. In 1806, Congress authorized federal funding to build the "National Road." Much like the National Highway System of today, the purpose of the National Road was

to facilitate interstate commerce between the large commercial centers of the Eastern United States to points west. Construction on the National Road began in 1811 in Cumberland, MD, 200 years, and trillions of dollars, later the United States has one of the world's most expansive highway networks.

The age and expanse of this system underscores the importance of ensuring adequate and consistent investments in our existing transportation infrastructure. The need for performance measures and national state-of-good repair standards are long overdue. Implementing such policies are essential ensuring the quality of the road condition, the economic value of our Nation's transportation infrastructure, and the wise investment of taxpayer dollars on transportation infrastructure.

The American Society of Civil Engineers, ASCE, gave our Nation's highways and bridges a grade of "D—" in its 2009 "Report Card for America's Infrastructure." These poor road conditions are costing motorists time, money, and in the worst and most unfortunate situations, costing motorists their lives.

A 2011 transportation infrastructure study produced by TRIP, a non-partisan non-profit transportation research organization sponsored by various transportation stakeholder industries, found that 32 percent of America's major roads are in poor or mediocre condition. Poor road conditions take a major toll on the repair and operating costs of motorist's vehicles to the tune of \$67 billion a year, or approximately \$333 per driver. Poor road conditions contribute to 42 percent of America's urban highways being congested. Traffic congestion costs American motorists more than \$78 billion in wasted fuel and lost productivity, and more than 4 billion hours of wasted time that drivers could have otherwise spent with family, earning income or engaged in personal activities. Poor road conditions are a "significant factor" in approximately one-third of fatal traffic accidents.

It is Congress's responsibility to ensure that Federal transportation dollars are spent wisely to improve the safety and efficiency of our roads. Making repair and maintenance of our existing infrastructure a priority, during these times of fiscal restraint, is a wise approach to Federal transportation infrastructure. Ignoring maintenance and repair needs on Federal-Aid highways, while advancing capacity expansion projects at the expense of neglected existing infrastructure, exacerbates the decline in the state-of-good repair of our country's roads and bridges and exemplifies irresponsible spending of Federal taxpayer dollars.

ASCE put the cost of the maintenance and repair backlog for roads and

bridges at \$930 billion. Therefore it is important to understand that this is an infrastructure issue will not be achieved of the course of one surface transportation authorization cycle. However, we can change our Federal policies in such a way that improves how Federal dollars are spent on highway and bridge maintenance so that the taxpayer gets a better return on their transportation taxes.

Breaking the cycle of neglected road and bridge maintenance that stems from allowing a highway facility to decline to into poor or very poor condition in the first place is critical to improving the quality of investment of Federal transportation dollars.

Highway investment figures from the American Association of State Highway and Transportation Officials: "Rough Roads Ahead: Fix It Now or Pay for It Later" demonstrate that neglecting maintenance and instead waiting for the road surface to reach a condition rating of "very poor", on average 16 years, before repairing the road cost nearly twice as much, on average, as compared with making biannual investments to maintain a "very good" road condition over that same 16-year period. Not to mention the costs in damage to vehicles that is caused by the years that a road spends in fair, poor, or very poor condition.

My Preservation and Renewal of Federal-Aid Highways Act aims to create a culture of sound transportation investment while providing the States improved resources and flexibility to keep their highway facilities in a state of good repair.

The Preservation and Renewal of Federal-Aid Highways Act will establish policies that require the Secretary of Transportation to establish "state of good repair standards" for the various classes of Federal-Aid highways to serve as benchmarks of achievement for States to reach.

The act will require States to use an "Asset Management Process" to develop "State System Preservation and Renewal Plans" and "State System Preservation and Renewal Performance Targets" to ensure that their Federal-Aid roads are being kept in a state of good repair.

The act will consolidate the Interstate Maintenance program, Highway Bridge program and half of the National Highway System Federal-Aid highway programs funds together to create a flexible System Preservation and Renewal Program Fund for the States to use as they see fit to meet the goals of their System Preservation and Renewal Plans and Performance Targets.

Both the Federal Government and the States are facing enormous challenges to deliver essential services, like well-maintained, safe and efficient roads, for the country. As with any proposal that calls for a change in the

way business is done there needs to be adequate time for transition. My bill, while establishing new standards for maintaining the quality of highways and bridges, also takes special care to grant leeway during emergency circumstances, when essential defense infrastructure investments are needed, and gives consideration to States that have planned to use these newly consolidated funds prior to how these funds would be repurposed under this legislation.

The backlog of maintenance and repair on our existing transportation infrastructure can no longer be ignored. In recent years, our country has experienced a number of tragic incidents that resulted in the loss of life as a direct result of the poor condition of transportation infrastructure. These are preventable incidents that are costly in so many ways. We must make transportation system preservation and renewal a priority because it makes good fiscal sense, good safety sense, and good business sense for our country. My bill does this in a collaborative way between the States and the U.S. Department of Transportation.

I urge my colleagues to support my effort to make improved investments in our existing transportation infrastructure so as to ensure its continued excellence for years to come by cosponsoring the Preservation and Renewal of Federal-Aid Highways Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal-Aid Highway Preservation and Renewal Program Act of 2011".

SEC. 2. SYSTEM PRESERVATION AND RENEWAL PROGRAM.

(a) IN GENERAL.—Section 119 of title 23, United States Code, is amended to read as follows:

"§ 119. System preservation and renewal program

"(a) DEFINITIONS.—In this section:

"(1) ASSET MANAGEMENT.—The term 'asset management' means a strategic process for the management of transportation infrastructure that takes into consideration economic and engineering factors to make cost-effective investment decisions to improve the overall state of good repair of facilities.

"(2) ELIGIBLE COST.—The term 'eligible cost' means, with respect to costs incurred for a project, costs of—

"(A) development and implementation of asset management systems in support of system preservation and renewal plans;

"(B) inspection activities for highway bridges and tunnels in the State;

"(C) reducing or eliminating an identified highway or bridge safety problem;

"(D) training of personnel responsible for inspection of highway tunnels and inspection

and load rating of highway bridges in the State;

"(E) data collection to monitor the condition of highways and highway bridges in the State;

"(F) environmental restoration and pollution abatement to offset or mitigate the impacts of a project eligible under subparagraph (A);

"(G) control of terrestrial and aquatic noxious weeds and establishment of non-native plant species within the limits of a project eligible under subparagraph (A); and

"(H) implementation of the policy established pursuant to subsection (1)(1).

"(3) ELIGIBLE HIGHWAY FACILITY.—The term 'eligible highway facility' means—

"(A) a highway located on a Federal-aid highway;

"(B) a bridge located on a Federal-aid highway;

"(C) a bridge not located on a Federal-aid highway; and

"(D) a bicycle or pedestrian lane, path, walkway, or similar travel surface located within the right-of-way of a Federal-aid highway.

"(4) ELIGIBLE PROJECT.—The term 'eligible project' means a project that is—

"(A)(i) a project for resurfacing, restoration, rehabilitation, replacement, or reconstruction of an eligible highway facility;

"(ii) a project for preservation, protection, or other preventive repair of an eligible highway facility; or

"(iii) a project to reduce or eliminate an identified highway safety problem, if the project—

"(I) is eligible under section 148; and

"(II) has a cost of less than \$10,000,000; and

"(B) consistent with the investment strategy of the State in which the project is to be carried out.

"(5) INVESTMENT STRATEGY.—The term 'investment strategy' means a State investment strategy established under subsection (h)(2)(B).

"(6) OVERALL STATE OF GOOD REPAIR STANDARDS.—The term 'overall state of good repair standards' means the performance standards established under subsection (f)(1)(B).

"(7) PRESERVATION.—

"(A) IN GENERAL.—The term 'preservation' means any cost-effective activity to prevent, delay, or reduce deterioration on an eligible highway facility, including preventive and corrective actions.

"(B) EXCLUSION.—The term 'preservation' does not include structural or operational improvement beyond the originally designed traffic capacity of an existing highway facility except to the extent the improvement occurs as an incidental result of the preservation activity or improves safety.

"(8) PROGRAM.—The term 'program' means the system preservation and renewal program established under subsection (b).

"(9) PROTECTION.—The term 'protection', with respect to a highway, means the conduct of an activity or action associated with the design and construction of measures to protect highways from hazards such as earthquakes, floods, scour, icing, vessel collision, vehicular impact, and security threats.

"(10) STATE OF GOOD REPAIR PERFORMANCE TARGET.—The term 'state of good repair performance target' means a performance target established under subsection (f)(2).

"(11) SYSTEM PRESERVATION AND RENEWAL FUNDS.—The term 'system preservation and renewal funds' means funds apportioned under sections 104(b)(4), 104(m), and 144(e) for the program.

“(12) SYSTEM PRESERVATION AND RENEWAL PLAN.—The term ‘system preservation and renewal plan’ means a system preservation and renewal plan established by a State under subsection (h).

“(b) ESTABLISHMENT.—The Secretary shall establish and implement a surface transportation infrastructure preservation and renewal program designed to maintain and preserve the quality, efficiency, safety, and value of Federal-aid highways and Federal-aid and non-Federal-aid bridges in accordance with this section.

“(c) PURPOSES.—The purposes of the program shall be—

“(1) to establish national priorities and goals for bringing Federal-aid highways and Federal-aid and non-Federal-aid bridges into a state of good repair and preserving that state of good repair;

“(2) to focus Federal investment on preserving and improving the condition of roadways and bridges; and

“(3) to strengthen the connection between the use by a State of Federal surface transportation funding and the accomplishment of performance outcomes.

“(d) USE OF APPORTIONED FUNDS.—

“(1) IN GENERAL.—A State may obligate funds apportioned to the State under the program for—

“(A) eligible projects; and

“(B) eligible costs.

“(2) PRIORITY FOR NATIONAL HIGHWAY SYSTEM PROJECTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a State shall give priority to eligible projects that help meet the overall state of good repair standards for the National Highway System under subsection (f)(1)(B).

“(B) EXCEPTION.—This paragraph shall not apply to any State that is meeting the overall state of good repair standards for the National Highway System established under subsection (f)(1)(B), as determined by the Secretary.

“(3) LIMITATION.—

“(A) IN GENERAL.—A project cost attributable to expansion of the capacity of a highway located on a Federal-aid highway shall not be eligible for funding under this section if the new capacity consists of 1 or more new travel lanes that are not auxiliary lanes.

“(B) NON-FEDERAL-AID BRIDGES.—

“(i) IN GENERAL.—Not less than 15 percent of the amount apportioned to each State under section 144(e) for each of fiscal years 2012 through 2017 shall be expended for projects to preserve, rehabilitate, protect, or replace highway bridges, other than those bridges on Federal-aid highways.

“(ii) REDUCTION IN EXPENDITURES.—The Secretary, after consultation with State and local officials, may reduce the amount required to be expended under clause (i) for bridges in the State that are not located on a Federal-aid highway if the Secretary determines that the State has inadequate needs to justify the expenditure.

“(4) EXCEPTION.—

“(A) DEBT FINANCING INSTRUMENTS.—Prior to the apportionment of funds made available for a program, a State may deduct amounts sufficient for the payment of any debt-financing instruments committed, guaranteed, or obligated to a third party before the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011 for eligible projects under this title (including this section) and title 49.

“(B) DEFENSE BASE CLOSURE AND REALIGNMENT IMPACTS.—Before October 1, 2013, a State may use up to 25 percent of the funds

of the State for system preservation and renewal for projects to address transportation impacts relating to decisions of the Defense Base Closure and Realignment Commission.

“(e) OTHER ELIGIBLE COSTS.—In addition to the funds obligated for eligible projects, a State may obligate, in the aggregate, not to exceed 5 percent of the funds apportioned to the State under the program for a fiscal year to pay other eligible costs.

“(f) SYSTEM PRESERVATION AND RENEWAL PERFORMANCE STANDARDS AND TARGETS.—

“(1) SECRETARY RESPONSIBILITIES.—Not later than 1 year after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011, the Secretary shall, by regulation and in consultation with States, establish—

“(A) criteria for determining the state of good repair of eligible highway facilities, based on highway pavement condition or bridge structural adequacy, as applicable; and

“(B) overall state of good repair standards for each class of infrastructure described in paragraph (3), based on the criteria established under subparagraph (A).

“(2) STATE RESPONSIBILITIES.—Not later than 2 years after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011, and every 2 years thereafter, each State, in conjunction with the development of the system preservation and renewal plan of the State, shall establish or revise, for each class of infrastructure described in paragraph (3), quantifiable State of good repair performance targets that, at a minimum, estimate the projected percentage change over a 2-year period of infrastructure that is rated as being not in state of good repair based on the criteria established under paragraph (1)(B).

“(3) CLASSES OF INFRASTRUCTURE.—The classes of infrastructure referred to in paragraph (1) are—

“(A) the total deck area of highway bridges in a State that are located on the National Highway System;

“(B) the total deck area of highway bridges in a State that are located on Federal-aid highways;

“(C) the total lane miles in a State that are located on the National Highway System; and

“(D) the total lane miles in a State that are located on Federal-aid highways.

“(4) COMPLIANCE.—If a State meets an overall state of good repair standard established under paragraph (1)(B) for a class of infrastructure described in paragraph (3), that class of infrastructure in the State shall be considered to be in a state of good repair.

“(5) APPLICABILITY.—No State shall be required to establish state of good repair performance targets under paragraph (2) for any class of infrastructure that a State certifies as meeting the overall state of good repair standard under paragraph (1)(B).

“(g) STATE ASSET MANAGEMENT PROCESS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011, a State shall develop an asset management process to support the development and implementation of system preservation and renewal plans under subsection (h).

“(2) REQUIREMENTS.—The process developed under paragraph (1) shall be based on analytical mechanisms to identify cost-effective investments to preserve, rehabilitate, restore, resurface, reconstruct, protect, or replace Federal-aid highways and highway bridges on Federal-aid highways to improve the

overall state of good repair of those highways and bridges.

“(h) STATE SYSTEM PRESERVATION AND RENEWAL PLANS.—

“(1) SUBMISSION OF PLANS.—Not later than 2 years after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011 and biennially thereafter, a State shall develop or update, as applicable, and submit to the Secretary for approval, a system preservation and renewal plan.

“(2) PLAN REQUIREMENTS.—A system preservation plan of a State and any update of such a plan shall—

“(A) include documentation on the state of good repair based on the criteria under paragraph (f)(1) and each class of infrastructure described in subsection (f)(3);

“(B) include an investment strategy that—

“(i) covers a period of 6 years; and

“(ii) describes the manner in which the State will allocate funds apportioned to the State to carry out this section among, at a minimum—

“(I) facilities in good condition, fair condition, and poor condition;

“(II) projects located on each class of infrastructure described in subsection (f)(2);

“(III) projects that vary with respect to geographical location, as determined by the State; and

“(IV) other eligible costs;

“(iii) is based on an asset management process under subsection (g);

“(iv) describes any Federal, State, local, or private funds that the State plans to use, in addition to system preservation and renewal funds, on projects that would help to meet the state of good repair performance targets established under this section;

“(v) indicates the number of lane miles of highways and quantity of deck area on highway bridges that the State would address through the allocations described in clause (ii); and

“(vi) subject to subsection (d)(2), provides for investment in projects that, once completed, would allow the State to meet the applicable state of good repair performance targets;

“(C) include a description of the extent to which the use by the State of system preservation and renewal funds apportioned to the State during the 2 most recent fiscal years was consistent with the investment strategy of the State, including—

“(i) an identification of the number of lane miles of highways and quantity of deck area on highway bridges on which the State has used those funds during those 2 fiscal years;

“(ii) an identification of the distribution of highway and bridge facilities, by level of ownership (Federal, State, tribal, and local) and by functional classification, on which the State has obligated those funds during those 2 fiscal years;

“(iii) an assessment of the progress that the State has made toward meeting each of the state of good repair performance targets of the State based on the projects that the State has carried out under this section and the contribution that those projects have made or would make, once complete, to the State meeting those performance targets; and

“(iv) a description of the expenditure of funds on a geographical basis, as determined by the State; and

“(D) describe the manner in which the investment strategy of the State would enable the State—

“(i) to meet the state of good repair performance targets of the State; and

“(ii) improve the condition of the classes of infrastructure described in subsection (f)(3) in the State.

“(3) PUBLIC AVAILABILITY OF PLAN.—A State shall make the system preservation and renewal plan of the State, and each update of the plan, available to the public.

“(i) FAILURE TO MEET STATE OF GOOD REPAIR PERFORMANCE TARGETS.—

“(1) IN GENERAL.—If a State does not meet the biennial system preservation and renewal performance targets under this section, the State shall coordinate with the Secretary to direct portions of Federal funds available under this title to the State toward projects eligible under this section in order to meet the state of good repair performance targets under this section.

“(2) WAIVER.—The Secretary may temporarily waive the application of this subsection if—

“(A) unforeseen events significantly impact the ability of a State to meet the biennial state of good repair performance targets; or

“(B) eligible facilities under this section in the State have suffered serious damage due to an event that results in the declaration of—

“(i) an emergency by the Governor of the State; or

“(ii) a major disaster by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(j) OVERSIGHT.—Beginning for the third fiscal year after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011, and at least biennially thereafter or at such other times or intervals as are determined to be necessary by the Secretary, the Secretary, in conjunction with the submission of the State system preservation and renewal plan under subsection (g), shall conduct oversight activities to assess whether the use by each State of funds under this section is consistent with the investment strategy of the State under this section.

“(k) BIENNIAL REPORT TO CONGRESS.—Not later than September 30, 2013, and biennially thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing—

“(1) an evaluation of the performance of each State with respect to—

“(A) the investment strategy of the State under this section; and

“(B) the system preservation and renewal performance targets established for the State under this section; and

“(2) such recommendations as the Secretary may provide for improvements of the program.

“(l) ADDITIONAL REQUIREMENTS.—

“(1) SAFE STREETS POLICY.—Not later than 2 years after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011, each State shall develop a policy applicable to any project funded, in whole or in part, under the program that—

“(A) ensures the adequate accommodation, in all phases of project planning and development, of all users of the transportation system, including—

“(i) pedestrians;

“(ii) bicyclists;

“(iii) public transit users;

“(iv) older individuals;

“(v) motorists;

“(vi) individuals with disabilities; and

“(vii) users of motor vehicles with a taxable gross weight (as defined in section 4481 of the Internal Revenue Code of 1986) in excess of 55,000 pounds;

“(B) ensures the consideration of the safety and convenience of all users in all phases of project planning and development; and

“(C) delineates a clear procedure that gives due consideration to the geographical location, road classification, population density, and other demographic factors by which projects funded, in whole or in part, under this program may be exempted from complying with the policy.

“(2) CATEGORICAL EXCLUSIONS.—To the extent appropriate, the Secretary shall develop categorical exclusions from the requirement that an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) be prepared for transportation activities located within an existing right-of-way funded under the program.

“(3) MAINTENANCE OF EFFORT PROVISION.—

“(A) IN GENERAL.—For any fiscal year for which a State receives funds pursuant to this section, the State shall certify to the Secretary that the State will expend funds for the maintenance and operations of facilities in an amount that is at least equal to the average annual amount of funds expended over the preceding 3 fiscal years.

“(B) FORM AND DEADLINE.—A certification described in subparagraph (A) shall be submitted in such form and not later than such date as shall be determined by the Secretary.

“(C) PENALTY FOR NONCOMPLIANCE.—If a State fails to provide a certification to the Secretary in accordance with subparagraph (A), the Secretary shall withhold from the State, for each fiscal year until such time as the State submits the certification in accordance with subparagraph (A), an amount equal to 10 percent of the amounts the State would have received under this section for the fiscal year.

“(D) WAIVER.—The Secretary may temporarily waive the application of this paragraph if unforeseen events significantly impact the ability of a State to meet the biennial state of good repair performance targets.

“(m) APPLICABILITY OF PLANNING REQUIREMENTS.—Nothing in this section limits the applicability of sections 134 and 135 to projects carried out under this section.

“(n) CONTINUATION OF CURRENT REVIEW PRACTICE.—Because each individual project that is carried out under the investment strategy described in the system preservation and renewal plan of a State is subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), a decision by the Secretary concerning a system preservation and renewal plan or an update of the plan in connection with this section shall not be considered to be a Federal action subject to review under that Act.

“(o) TRANSFER OF NHS, BRIDGE PROGRAM, AND INTERSTATE MAINTENANCE APPORTIONMENTS.—On application by a State and approval by the Secretary, the Secretary may transfer to the apportionment of the State under section 104(b)(1) the amount of funds apportioned to the State for a fiscal year ending before October 1, 2010, under paragraphs (1) and (4) of section 104(b), and section 144(e) (as those sections were in effect on the day before the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011), that remains available for expenditure by the State.

“(p) REGULATIONS ON PERFORMANCE MEASURES OF STRUCTURAL ADEQUACY.—Not later than 1 year after the date of enactment of the Federal-Aid Highway Preservation and Renewal Program Act of 2011, the Secretary shall promulgate such regulations as are necessary to carry out this section.”.

(b) APPLICATION TO SYSTEM PRESERVATION AND RENEWAL FUNDS.—Section 126 of title 23, United States Code, is amended—

(1) in subsection (a), by striking “subsections (b) and (c)” and inserting “subsections (b), (c) and (d)”;

(2) by adding at the end the following:

“(d) APPLICATION TO SYSTEM PRESERVATION AND RENEWAL FUNDS.—

“(1) IN GENERAL.—A State may transfer funds apportioned to the State under section 104(m) for the system preservation and renewal program if the State meets the overall state of good repair standards established under section 119(f)(1)(B) for classes of infrastructure under subparagraphs (A) and (C) of sections 119(f)(3).

“(2) GOOD REPAIR STANDARDS.—A State may transfer funds apportioned to the State under sections 104(b)(4) and 144(e) for the system preservation and renewal program if the State meets each of the overall state of good repair standards established under section 119(f)(1)(B).”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 119 and inserting the following:

“Sec. 119. System preservation and renewal program.”.

(d) CONFORMING AMENDMENTS.—

(1) Section 104 of title 23, United States Code, is amended by adding at the end the following:

“(m) SYSTEM PRESERVATION AND RENEWAL.—Notwithstanding any other provision of this section, ½ of the funds apportioned to a State under subsection (b)(1) shall be used for system preservation and renewal under section 119 of title 23, United States Code.”.

(2) Section 105 of title 23, United States Code, is amended in each of subsections (a)(2) and (b)(2) by striking “the Interstate maintenance program” each place it appears and inserting “the system preservation and renewal program”.

(3) Section 118 of title 23, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

By Mr. LEAHY:

S. 1194. A bill to facilitate compliance with Article 36 of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am introducing the Consular Notification Compliance Act. This legislation will help bring the United States into compliance with its obligations under the Vienna Convention on Consular Relations, VCCR, and is critical to ensuring the protection of Americans traveling overseas.

Each year, thousands of Americans are arrested and imprisoned when they are in foreign countries studying, working, serving the military, or traveling. From the moment they are detained, their safety and well-being depends, often entirely, on the ability of

United States consular officials to meet with them, monitor their treatment, help them obtain legal assistance, and connect them to family back home. That access is protected by the consular notification provisions of the VCCR, but it only functions effectively if every country meets its obligations under the treaty—including the United States.

Unfortunately, in some instances, the United States has not been meeting those obligations. There are currently more than 100 foreign nationals on death row in the United States, most of whom were never told of their right to contact their consulate and their consulate was never notified of their arrest, trial, conviction, or sentence. There are many other foreigners in U.S. prisons awaiting trial for non-capital crimes, some facing life sentences, who were similarly denied consular access. This failure to comply with our treaty obligations undercuts our ability to protect Americans abroad and deeply damages our image as a country that abides by its promises and the rule of law. It would also be completely unacceptable to us if our citizens were treated in this manner.

The Consular Notification Compliance Act seeks to bring the United States one step closer to compliance with the convention. It is not perfect. It focuses only on the most serious cases—those involving the death penalty—but it is a significant step in the right direction and we need to work together to pass it quickly. Texas is poised to execute the next foreign national affected by this failure to comply with the treaty on July 7, 2011. He was not notified of his right to consular assistance, and the Government of Mexico has expressed grave concerns about the case. We do not want this execution to be interpreted as a sign that the United States does not take its treaty obligations seriously. That message puts American lives at risk. The Government of Great Britain has expressed similar concerns about a case involving a British citizen facing the death penalty here, who was denied consular access.

The bill I am introducing would allow foreign nationals who have been convicted and sentenced to death to ask a court to review their cases and determine if the failure to provide consular notification led to an unfair conviction or sentence.

The bill also recognizes that law enforcement and the courts must do a better job in the future to promptly notify individuals of their right to consular assistance so the United States does not find itself in this precarious position again. To that end, the bill reaffirms that the obligations under the treaty are Federal law and apply to all foreign nationals arrested or detained in the United States. For individuals arrested on charges that carry a pos-

sible punishment of death, the bill ensures adequate opportunity for consular assistance before a trial begins.

This bill offers very limited remedies to a very limited number of people. I am troubled that it has to be so narrow, as we demand far broader protection for American citizens abroad every day. However, carrying out a death sentence is an irreversible action, and I believe that we must act quickly. I understand that a limited bill has the best chance of achieving the bipartisan support needed to move forward on such an important issue at this time.

Compliance with our consular notification obligations is not a question of partisan interest. There should be unanimous support for this bill. The VCCR was negotiated under President Kennedy, ratified during the Nixon administration, and it has been fully supported by every President since. President George W. Bush understood the critical need to honor our obligations under this treaty. Although he was ultimately unsuccessful, he vigorously worked to bring the United States into compliance, and he supported action along the lines of what I propose today. He understood the implications of non-compliance for our citizens, our businesses, and our military. I have no doubt President Obama shares the same commitment to resolving this issue.

I saw the need to resolve this issue first-hand this spring when a young, innocent Vermont college student was detained by Syrian police simply for taking photos of a demonstration. I worked hard with the U.S. consulate in Syria to obtain access to him. His safety depended on the ability of our consular officers to see him, provide assistance, and monitor his condition.

Similarly, the United States invoked the VCCR to seek access to the three American hikers detained in Iran after accidentally crossing an unmarked border in 2009. In 2001, when a U.S. Navy surveillance plane made an emergency landing in Chinese territory, the State Department cited the VCCR in demanding immediate access to the plane's crew.

I doubt there are many Members of Congress who have not sought similar help from our consulates when their constituents have been arrested overseas. We know how critically important this access is, and we expect other governments to provide it. Those governments expect no less of us.

This bill has the support of the Obama administration, including the Department of Justice, the Department of Defense, the Department of Homeland Security, and the Department of State. I have heard from retired members of the military urging passage of the bill to protect service men and women and their families overseas, and from former diplomats of both political

parties who know that compliance with our treaty obligations is critical for America's national security and commercial interests.

Given the long history of bipartisan support for the VCCR, there should be unanimous support for this legislation to uphold our treaty obligations. A failure to act places Americans at risk.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consular Notification Compliance Act of 2011".

SEC. 2. PURPOSE AND STATEMENT OF AUTHORITY.

(a) **PURPOSE.**—The purpose of this Act is to facilitate compliance with Article 36 of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963 and any comparable provision of a bilateral international agreement addressing consular notification and access.

(b) **STATEMENT OF AUTHORITY.**—This Act is enacted pursuant to authority contained in articles I and VI of the Constitution of the United States.

SEC. 3. CONSULAR NOTIFICATION AND ACCESS.

(a) **IN GENERAL.**—As required under, and consistent with, Article 36 of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963 and any comparable provision of a bilateral international agreement addressing consular notification and access, if an individual who is not a national of the United States is detained or arrested by an officer or employee of the Federal Government or a State or local government, the arresting or detaining officer or employee, or other appropriate officer or employee of the Federal Government or a State or local government, shall notify that individual without delay that the individual may request that the consulate of the foreign state of which the individual is a national be notified of the detention or arrest.

(b) NOTICE.—

(1) **IN GENERAL.**—The consulate of the foreign state of which an individual detained or arrested is a national shall be notified without delay if the individual requests consular notification under subsection (a), and an appropriate officer or employee of the Federal Government or a State or local government shall provide any other consular notification required by an international agreement.

(2) **FIRST APPEARANCE.**—If an appropriate officer or employee of the Federal Government or a State or local government has not notified the consulate described in paragraph (1) regarding an individual who is detained pending criminal charges and the individual requests notification or notification is mandatory under a bilateral international agreement, notification shall occur not later than the first appearance of the individual before the court with jurisdiction over the charge.

(c) **COMMUNICATION AND ACCESS.**—An officer or employee of the Federal Government or a State or local government (including an officer or employee in charge of a facility where an individual who is not a national of the

JUNE 14, 2011.

United States is held following detention or arrest) shall reasonably ensure that the individual detained or arrested is able to communicate freely with, and be visited by, officials of the consulate of the foreign state of which the individual detained or arrested is a national, consistent with the obligations described in section 2(a).

(d) **NO CAUSE OF ACTION.**—Nothing in this section is intended to create any judicially or administratively enforceable right or benefit, substantive or procedural, by any party against the United States, its departments, agencies, or other entities, its officers or employees, or any other person or entity, including, an officer, employee, or agency of a State or local government.

SEC. 4. PETITION FOR REVIEW.

(a) **IN GENERAL.**—

(1) **JURISDICTION.**—Notwithstanding any other provision of law, a Federal court shall have jurisdiction to review the merits of a petition claiming a violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or a comparable provision of a bilateral international agreement addressing consular notification and access, filed by an individual convicted and sentenced to death by any Federal or State court before the date of enactment of this Act.

(2) **DATE FOR EXECUTION.**—If a date for the execution of an individual described in paragraph (1) has been set, the court shall grant a stay of execution if necessary to allow the court to review a petition filed under paragraph (1).

(3) **STANDARD.**—To obtain relief, an individual described in paragraph (1) shall make a showing of actual prejudice to the criminal conviction or sentence as a result of the violation. The court may conduct an evidentiary hearing if necessary to supplement the record and, upon a finding of actual prejudice, shall order a new trial or sentencing proceeding.

(4) **LIMITATIONS.**—

(A) **IN GENERAL.**—A petition for review under this section shall be filed within 1 year of the later of—

(i) the date of enactment of this Act;

(ii) the date on which the Federal or State court judgment against the individual described in paragraph (1) became final by the conclusion of direct review or the expiration of the time for seeking such review; or

(iii) the date on which the impediment to filing a petition created by Federal or State action in violation of the Constitution or laws of the United States is removed, if the individual described in paragraph (1) was prevented from filing by such Federal or State action.

(B) **TOLLING.**—The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward the 1-year period of limitation.

(5) **HABEAS PETITION.**—A petition for review under this section shall be part of the first Federal habeas corpus application or motion for Federal collateral relief under chapter 153 of title 28, United States Code, filed by an individual, except that if an individual filed a Federal habeas corpus application or motion for Federal collateral relief before the date of enactment of this Act or if such application is required to be filed before the date that is 1 year after the date of enactment of this Act, such petition for review under this section shall be filed not later than 1 year after the enactment date or within the period prescribed by paragraph

(4)(A)(iii), whichever is later. No petition filed in conformity with the requirements of the preceding sentence shall be considered a second or successive habeas corpus application or subjected to any bars to relief based on pre-enactment proceedings other than as specified in paragraph (3).

(6) **APPEAL.**—

(A) **IN GENERAL.**—A final order on a petition for review under paragraph (1) shall be subject to review on appeal by the court of appeals for the circuit in which the proceeding is held.

(B) **APPEAL BY PETITIONER.**—An individual described in paragraph (1) may appeal a final order on a petition for review under paragraph (1) only if a district or circuit judge issues a certificate of appealability. A district judge or circuit judge may issue a certificate of appealability under this subparagraph if the individual has made a substantial showing of actual prejudice to the criminal conviction or sentence of the individual as a result of a violation of Article 36(1) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or a comparable provision of a bilateral international agreement addressing consular notification and access.

(b) **VIOLATION.**—

(1) **IN GENERAL.**—An individual not covered by subsection (a) who is arrested, detained, or held for trial on a charge that would expose the individual to a capital sentence if convicted may raise a claim of a violation of Article 36(1)(b) or (c) of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or of a comparable provision of a bilateral international agreement addressing consular notification and access, at a reasonable time after the individual becomes aware of the violation, before the court with jurisdiction over the charge. Upon a finding of such a violation—

(A) the consulate of the foreign state of which the individual is a national shall be notified immediately by the detaining authority, and consular access to the individual shall be afforded in accordance with the provisions of the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, or the comparable provisions of a bilateral international agreement addressing consular notification and access; and

(B) the court—

(i) shall postpone any proceedings to the extent the court determines necessary to allow for adequate opportunity for consular access and assistance; and

(ii) may enter necessary orders to facilitate consular access and assistance.

(2) **EVIDENTIARY HEARINGS.**—The court may conduct evidentiary hearings if necessary to resolve factual issues.

(3) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to create any additional remedy.

SEC. 5. DEFINITIONS.

In this Act—

(1) the term “national of the United States” has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(2) the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

Re The Consular Notification Compliance Act.

Hon. PATRICK J. LEAHY,
Chairman, U.S. Senate Committee on the Judiciary, Washington, DC.

Hon. CHARLES E. GRASSLEY,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: We write to urge you to support prompt passage of the Consular Notification Compliance Act, legislation that would give domestic legal effect to U.S. obligations under the Vienna Convention on Consular Relations (Vienna Convention) to provide consular access to foreign nationals in U.S. law enforcement custody by providing for judicial review of certain claims that this obligation has not been satisfied. International consular notification and access obligations are essential to ensuring humane, non-discriminatory treatment for both non-citizens in U.S. custody and U.S. citizens in the custody of foreign governments. As retired military leaders, we understand that the preservation of consular access protections is especially important for U.S. military personnel, who when serving our country overseas are at greater risk of being arrested by a foreign government.

U.S. military personnel are at risk for being taken into foreign custody after accidental incursions into foreign territories, while on leave or furlough, or while stationed abroad pursuant to, or in absence of a Status of Forces Agreement (SOFA). When American military personnel or their family members find themselves in foreign custody, consular access is indispensable in allowing the U.S. government to fulfill its duty to ensure fair and humane treatment for such individuals.

For example, in 2001 when a U.S. Navy surveillance plane made an emergency landing in Chinese territory after colliding with a Chinese jet, the State Department cited the Vienna Convention and other consular treaties in demanding immediate access to the plane's crew. Chinese authorities responded by granting consular visits to the crew members, who were detained in China for 11 days. Moreover, military regulations implementing SOFA requirements anticipate that consular officers will assist the designated commanding officer in key areas such as protesting inhumane treatment and ensuring that the individual has access to an adequate defense.

The strength of consular access protections for U.S. military personnel abroad is dependent on the United States' reciprocal commitment to fulfill its obligations at home. But given the Supreme Court's 2008 decision in *Medellin v. Texas*, the executive branch is unable, without further action by Congress, to enforce certain consular protections under the Vienna Convention with regards to U.S. state law enforcement personnel. In light of the *Medellin* decision, additional legislation is needed to ensure the integrity of the consular notification and access rights upon which U.S. service members rely.

Legislation to ensure review and appropriate relief if needed when a foreign national faces or is sentenced to death, while relatively limited in scope, would improve foreign governments' confidence in the United States' ability to uphold its consular access obligations, making it more likely that such governments will grant this access to Americans in their custody.

Improving U.S. enforcement of its consular notification and access legal obligations will

help protect American citizens detained abroad, including U.S. military personnel and their families stationed overseas. We urge you to support those who are serving our country overseas by ensuring swift passage of the Consular Notification Compliance Act to meet our international responsibilities.

Sincerely,

Rear Admiral Don Guter, USN (Ret.).
Rear Admiral John D. Hutson, USN (Ret.).
Brigadier General James P. Cullen, USA (Ret.).
Brigadier General David R. Irvine, USA (Ret.).
Brigadier General Murray G. Sagsveen, USA (Ret.).
Colonel Lawrence B. Wilkerson, USA (Ret.).

JUNE 14, 2011.

Re The Consular Notification Compliance Act.

Hon. PATRICK J. LEAHY,
Chairman, U.S. Senate Committee on the Judiciary, Washington, DC.

Hon. CHARLES E. GRASSLEY,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: As former U.S. diplomats and State Department officials, we write to urge your support for the Consular Notification Compliance Act, legislation that we believe is vitally important to meeting the United States' foreign policy objectives and to protecting the interests of its citizens abroad. We urge you to act promptly to enact this legislation that would secure compliance with the United States' binding treaty obligations by providing a review mechanism for the cases of foreign nationals who—without the benefit of timely consular notification and access—were convicted and received death sentences.

Each year, thousands of Americans are detained abroad. Prompt knowledge of and access to our fellow-citizens held in foreign jails ensures that U.S. consular officers can help them obtain legal assistance, monitor their treatment, and connect them to family and friends back home. This crucial lifeline of consular support can only function effectively if the detaining authorities comply with their obligations under Article 36 of the Vienna Convention on Consular Relations, which grants all foreigners in custody the right to consular notification, communication and access “without delay.” Insisting on compliance with and protesting violations of Article 36 provisions has thus long been an integral element of the U.S. policy of providing protective consular services to detained Americans overseas.

For instance, when three Americans were detained after accidentally crossing an unmarked border into Iran in 2009, a State Department spokesperson insisted that “Iran has obligations under the Vienna Convention, and we demand consular access at the first opportunity.” The Secretary of State later called on the Iranian government “to live up to its obligations under the Vienna Convention by granting consular access and releasing these three young Americans without further delay.” Once consular access was finally granted, the State Department “welcome[d] the fact that Iran is meeting up to its obligations under the Vienna Convention.”

Unfortunately, the United States has sometimes violated Article 36 requirements even as we call on foreign governments to comply with its terms. In 2004, the Inter-

national Court of Justice (ICJ) determined that some fifty Mexican nationals were entitled to judicial hearings to determine if Article 36 breaches, which were proven to have occurred, affected the fairness of their capital murder convictions and/or sentences. The United States is required by the U.N. Charter to comply with decisions of the ICJ. President George W. Bush attempted to enforce this decision at the state court level, but the U.S. Supreme Court later ruled in *Medellin v. Texas* that only Congress could ensure compliance by adopting legislation providing for the compulsory review and reconsideration mandated by the ICJ. The Supreme Court also observed that the ICJ decision undeniably bound the United States under international law and that “plainly compelling” reasons existed for its domestic implementation. “In this case,” the *Medellin* Court noted, “the President seeks to vindicate United States interests in ensuring the reciprocal observance of the Vienna Convention, protecting relations with foreign governments, and demonstrating commitment to the role of international law.”

Clearly, the safety and well-being of Americans abroad is endangered by the United States maintaining the double standard of protesting denials of consular notification and access to its own citizens while simultaneously failing to comply with its obligation to remedy identical violations. We cannot realistically expect other nations to continue to comply with consular treaty commitments that we refuse to uphold. For that reason alone, it is essential that Congress act swiftly to provide the limited procedural remedy that both our Executive and Judicial Branches have so clearly indicated is in the national interest.

As the Supreme Court pointed out, however, the United States' interest in implementing these international obligations goes beyond protecting the reciprocal rights and safety of its overseas citizens. Our national security, effective commercial and trade relations relating to our prosperity and almost every matter of national interest, large and small, is covered by reciprocal treaty obligations. We risk jeopardizing these interests if we practice an indifference to these obligations in this or other arenas. We believe that continued non-compliance will surely alienate this nation from its allies. We also believe that any further failure to provide the modest remedy of “review and reconsideration” required in these cases will undermine America's credibility as a global champion of the rule of law, thereby seriously hindering our foreign policy objectives. It is worth noting the United States agreed to be bound by the ICJ's decision both before and after the case was heard and has consistently advised multiple international and domestic courts that it is doing everything within its power to comply with this decision. Passing legislation to ensure our nation's compliance needs to be accomplished in order to make good on this representation.

The ability of the United States to secure future international agreements vital to our commercial interests and national security depends largely on whether this nation is perceived as honoring its international obligations. It is vitally important for Congress to mandate judicial enforcement of America's treaty obligations. Anything less jeopardizes our global reputation as a dependable treaty partner. We therefore urge you to support the rapid passage of the Consular Notification Compliance Act to accomplish this

end, and thank you for your attention to this important matter.

Sincerely,

Harry Barnes, Jr., U.S. Ambassador to Chile, 1985–1988; U.S. Ambassador to India, 1981–1985; Director General of the Foreign Service 1977–1981; U.S. Ambassador to Romania, 1974–1977.

John B. Bellinger, III, Partner, Arnold & Porter LLP; Legal Advisor to the Department of State, 2005–2009; Legal Advisor to the National Security Council, 2001–2005.

David E. Birenbaum, of Counsel, Fried, Frank, Harris, Shriver & Jacobson LLP; Senior Scholar, Woodrow Wilson International Center for Scholars; U.S. Ambassador to the UN for UN Management and Reform, 1994–96.

James R. Jones, U.S. Ambassador to Mexico, 1993–1997; Member of U.S. Congress (D-OK), 1973–1987.

David Charles Miller, Jr., Special Assistant to the President, National Security Council, 1989–1990; U.S. Ambassador to Zimbabwe, 1984–1986; U.S. Ambassador to Tanzania, 1981–1984.

Thomas R. Pickering, Undersecretary of State for Political Affairs, 1997–2000; U.S. Ambassador and Representative to the United Nations, 1989–1992.

William H. Taft, IV, Legal Advisor, U.S. Department of State, 2001–2005; U.S. Ambassador to NATO, 1989–1992.

JUNE 7, 2011.

Governor RICK PERRY,
Office of the Governor, Austin, Texas.
TEXAS BOARD OF PARDONS AND PAROLES,
Austin, Texas.

DEAR GOVERNOR PERRY AND MEMBERS OF THE TEXAS BOARD OF PARDONS AND PAROLES: As former prosecutors and judges, we are strong supporters of a robust and accurate criminal justice system. We are well aware that international consular notification and access, as required under the Vienna Convention on Consular Relations (Vienna Convention), is essential to such a system, and to ensuring non-discriminatory treatment for both non-citizens in U.S. custody and U.S. citizens in the custody of foreign governments; and is also critical to the efficient, effective, and fair operations of criminal justice systems throughout the United States. In light of these important considerations and out of concern for the domestic and international implications of an execution without proper compliance with U.S. international obligations, we are writing to urge you to grant a reprieve in the case of Humberto Leal Garcia. We take no position on the merits of his petition, but believe that a reprieve should take place pending congressional enactment of legislation that would allow foreign nationals who were denied consular access while in law enforcement custody and face the death penalty to receive appropriate review of that failure.

It is appropriate to ensure that our country complies with the laws to which it has obligated itself, and to ensure that those laws apply to our own citizens as well. At all stages of the proceedings, foreign nationals—whether our own citizens in other countries or those from other countries in the United States—face unique disadvantages and challenges when confronted with prosecution and imprisonment under the legal system of another nation. Prompt consular access ensures that they have the means necessary to be advised of their rights and to prepare an adequate defense.

Ensuring prompt consular access to foreigners arrested in the United States also enhances the truth-seeking function that lies

at the heart of American justice. Much in the same way as the right to counsel under the Sixth Amendment, consular notification is essential to enabling fair access for those who are unfamiliar with our legal system. As Chief Judge Juan Torruella of the United States Court of Appeals for the First Circuit observed, "Without [consular access], I think that we presume too much to think that an alien can present his defense with even a minimum of effectiveness. The result is injury not only to the individual alien, but also to the equity and efficacy of our criminal justice system." *U.S. v. Li*, 206 F.3d 56, 78 (1st Cir. 2000) (Torruella, C.J., concurring in part and dissenting in part).

Consular assistance provides a unique and indispensable protection for foreign nationals who are unfamiliar with the U.S. criminal justice system. This is true with regard to our own citizens abroad as well. As many domestic courts have recognized, consulates can provide essential resources that are simply not available through other means, particularly in identifying and explaining the ways in which the U.S. criminal justice system differs from their native systems. Early consular access can prevent misunderstandings and missteps by a foreign national that might otherwise prejudice their ability to obtain a fair trial. Consulates can assist defense counsel in locating crucial documents, witnesses, and exonerating evidence available only in their native country and can assist in translations that in too many cases have been demonstrated to be erroneous, thus jeopardizing the accuracy of the proceedings. This can mean the difference between conviction and acquittal, or between life and death.

We want to emphasize that demonstrating our nation's commitment to complying with Vienna Convention obligations is also critical to ensuring the safety of Americans traveling, living and working abroad. The United States expects countries to grant consular notification and access to Americans in law enforcement custody. In return, we pledge to accord the same right to foreign nationals within our borders. In addition, particularly in states bordering Mexico and Canada, cooperation between law enforcement agencies is critical to ensuring the safety of citizens on all sides of the border. These accords are threatened when the United States erects procedural hurdles that prevent foreign nationals from obtaining meaningful judicial review when denied consular notification and access and may well mean that our own citizens' rights will be jeopardized in countries whose citizens' rights have not been respected by the United States.

Providing meaningful enforcement of the Vienna Convention's consular notification and access requirements will increase the efficient, effective, and fair operations of our criminal justice system and protect U.S. citizens abroad. Delaying the execution of Humberto Leal Garcia to ensure full opportunity for congressional action and appropriate review of the case will demonstrate to foreign governments the United States' good faith in upholding its consular access obligations, increasing the likelihood that foreign governments will grant access to Americans in their custody. For these reasons, we strongly urge you to support a reprieve in this case pending congressional action on these matters.

Sincerely,

Hon. Charles F. Baird, Former Judge, Texas Court of Criminal Appeals; Former Judge, 299th District Court of Travis County, Texas.

Hon. William G. Bassler, Former Judge, United States District Court for the District of New Jersey (1991–2006); Former Judge, Superior Court of New Jersey (1988–1991).

A. Bates Butler III, United States Attorney, District of Arizona (1980–81); First Assistant United States Attorney, District of Arizona (1977–80).

Robert J. Del Tufo, Attorney General, State of New Jersey (1990–1993); United States Attorney, District of New Jersey (1977–1980); Former First Assistant State Attorney General and Director of New Jersey's Division of Criminal Justice.

W. Thomas Dillard, United States Attorney, Northern District of Florida (1983–1986); United States Attorney, Eastern District of Tennessee (1981).

Hon. Bruce J. Einhorn, Former United States Immigration Judge (1990–2007); Special Prosecutor and Chief of Litigation, United States Department of Justice Office of Special Investigations (1979–1990).

Hon. Shirley M. Hufstедler, United States Secretary of Education (1979–1981); Former Judge, United States Court of Appeals for the Ninth Circuit (1968–1979); Former Associate Justice, California Court of Appeal (1966–1968); Former Judge, Los Angeles County Superior Court (1961–1966).

Hon. John J. Gibbons, Former Judge, United States Court of Appeals for the Third Circuit (1970–1990) (Chief Judge (1987–1990)).

Hon. Nathaniel R. Jones, Former Judge, United States Court of Appeals for the Sixth Circuit, (1979–2002); Assistant United States Attorney, Northern District of Ohio (1962–1967).

Hon. Gerald Kogan, Former Chief Justice, Supreme Court of the State of Florida; Former Chief Prosecutor, Homicide and Capital Crimes Division, Dade County, Florida.

Kenneth J. Mighell, United States Attorney, Northern District of Texas (1977–1981); Assistant United States Attorney, Northern District of Texas (1961–1977).

Hon. Stephen M. Orlowsky, Former Judge, United States District Court for the District of New Jersey (1995–2003); Magistrate Judge, United States District Court for the District of New Jersey (1976–1980).

Professor Mark Osler, Professor of Law, University of St. Thomas, Minnesota; Former Professor of Law, Baylor University, Texas; Former Assistant United States Attorney, Eastern District of Michigan.

H. James Pickerstein, United States Attorney, District of Connecticut (1974); Chief Assistant United States Attorney, District of Connecticut (1974–1986).

James H. Reynolds, United States Attorney, Northern District of Iowa (1976–1982).

Hon. William S. Sessions, Director of the FBI (1987–1993); Former Judge, United States District Court for the Western District of Texas (1974–1987) (Chief Judge (1980–1987)); United States Attorney, Western District of Texas (1971–1974).

John Van de Kamp, Attorney General of California (1983–1991); District Attorney of Los Angeles County (1975–1983).

Mark White, Governor of Texas (1983–1987); Attorney General, State of Texas (1979–1983); Secretary of State of Texas (1973–1977); Assistant Attorney General, State of Texas (1965–1969).

Hon. Michael Zimmerman, Former Justice, Supreme Court of Utah (1984–2000) (Chief Justice (1994–1998)).

By Mr. GRASSLEY (for himself, Mr. SESSIONS, Mr. RUBIO, Mr. WICKER, Mr. BOOZMAN, Mr. LEE, Mr. HATCH, Mr. VITTER, Mr. COBURN, and Mr. CORKER):

S. 1196. A bill to expand the use of E-Verify, to hold employers accountable, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today, I am introducing legislation to expand the E-Verify program and enhance our ability to hold employers accountable for their hiring practices. I am pleased that several of my colleagues have joined me in cosponsoring this commonsense bill titled Accountability Through Electronic Verification Act.

Known as the Basic Pilot Program, E-Verify currently provides employers with a simple, web-based tool to verify the work eligibility of new hires. In 1986, Congress made it unlawful for employers to knowingly hire or employ aliens not eligible to work in the United States. Under current law, if the documents provided by an employee reasonably appear on their face to be genuine, the employer has met its obligation to review the worker's documents.

Unfortunately, since then, identity theft has soared and counterfeit documents have become a thriving industry. Because of this, Congress created the Basic Pilot Program in 1996. Employers in this program can electronically verify a new hires employment authorization with more than 455 million Social Security Administration records, more than 122 million Department of State passport records, and more than 80 million Department of Homeland Security immigration records.

This program is voluntary and free for all employers to use. In fact, it is currently used by 269,913 employers representing 903,358 hiring sites. More than 11.3 million queries have been made this year. During fiscal year 2010, more than 98.3 percent of those were verified almost instantly.

Less than 1.7 percent of employees receive a tentative non-confirmation, and must sort out their records with the Social Security Administration. Many times, it is a simple misunderstanding relating from a typo to neglecting to update records after a name change.

With the program set to expire in a little over a year, I see the need to continue its use, without an expiration date. E-Verify is a proven tool in combatting illegal immigration. With the unemployment rate hovering around 9.1 percent, can we afford not to use every instrument available to ensure Americans and legal workers are the ones obtaining employment?

My legislation would make E-Verify a staple in the workplace so that American workers are on a level playing field with cheaper labor. Should an employer refuse to participate, my bill increases the penalties currently used under the Immigration and Nationality Act. Employers would be required to

check the status of current employees within 3 years, and would allow employers to run a check prior to offering a job, saving that employer valuable time and resources. Employers will also be required to re-check those workers whose authorization is about to expire, such as those who come to the United States on visas. These visas have expiration dates, and it is imperative we do not allow employers to aide in the overstaying of any alien.

A commonsense fix that is also included would require the Social Security Administration to develop algorithm technology that would flag social security numbers that are being used more than once. You would think the Social Security Administration would already have this in place, but sadly they do not. This provision alone will save many from falling victim to identity theft.

For those who do find themselves victim of identity theft, this bill would amend the criminal code to clarify identity fraud is punishable regardless if the defendant did not have knowledge of the victim. This provision stems from the 2009 Supreme Court decision holding that identity theft requires proof that an individual knew the number being used belonged to an actual person. This is a commonsense and long overdue provision. Anyone who has had their identity stolen by an illegal alien would agree. We need to strengthen our laws to deter the robust black market for fraudulent documents.

Another provision in the bill, which I know will benefit many rural areas such as small towns in Iowa, would help those businesses without internet capabilities to participate in E-Verify. Requiring the U.S. Citizenship and Immigration Services to establish a demonstration project in these rural areas will greatly measure the needs of our rural employers and involve the small business community.

Some may want to criticize the database used to check employees, but with continued enhancements, we are making great strides. For instance, just this past March, the Department of Homeland Security initiated the "Self Check" program to allow workers in five States and the District of Columbia to self-check employment eligibility. One of my staffers used Self Check and received confirmation of work authorization almost instantly. The entire process took her less than 90 seconds.

Another development is the recent launch to include U.S. passport photo matching capabilities. This further enhances the integrity of the program by enabling E-Verify to automatically check the validity and authenticity of all U.S. passports and passport cards presented for employment verification checks. E-Verify is supported by many. Most notably by DHS Secretary Janet

Napolitano who has said, "E-Verify is a smart, simple, and effective tool that allows us to work with employers to help them maintain a legal workforce." According to DHS, the "E-Verify program infrastructure is capable of handling the volume of queries that would be necessary for a nationwide mandatory employment verification system." DHS has been preparing for such an occasion, and I'm pleased to put forward my proposal today.

For those who were here during the 2007 immigration debate, you may remember that I, Senator BAUCUS and then-Senator Obama worked very closely on the issue of employment verification. I have kept many of the principles agreed upon in 2007 and included them in this bill. With that said, I look forward to hearing from my colleagues with any ideas they may have to strengthen this system.

While everyone may not agree with every aspect of this bill, it serves as a starting point for a much-needed conversation about illegal immigration and our struggling job market. People back home want employers to be held accountable. They want to see our government do more to make sure we are reducing the magnet for people to cross our borders illegally. I hope more colleagues will join me in my effort to achieve accountability through electronic verification.

By Mr. HATCH (for himself, Mr. BAUCUS, Mr. BARRASSO, Mr. INHOFE, Mr. VITTER, Mr. LUGAR, and Mr. GRASSLEY):

S.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today is Flag Day and it is the perfect day to re-introduce a constitutional amendment that would allow Congress to protect the American flag from physical desecration. I am joined in doing so today by my friend, the distinguished Senator from Montana, Senator BAUCUS. He was an original cosponsor of this amendment on 6 previous occasions when I have introduced it, including in the 109th Congress when this body came within one vote of approving it.

The American flag is a unique symbol of our country, of its history, and of our shared values. There is, in fact, no more powerful unifying general symbol. At the same time, the flag no doubt means different specific things to different individuals; Congress cannot, and should not attempt to, dictate what Americans believe, think, or say about the flag and whatever it represents to individuals.

That said, Congress should have authority to protect this unique symbol from at least physical desecration. The

Supreme Court stripped even that authority from Congress in 1990 when it held that physical desecration is "speech" protected by the First Amendment. I believe the Court was wrong in that conclusion, but because the Court claimed to speak for the Constitution, the only way for Congress once again to have authority to protect the flag is by amending the Constitution.

In his farewell address in 1796, President George Washington said that the very basis of our political system is the right of the people to make and to alter the Constitution. The Constitution belongs to the people, not to the Supreme Court. As a result, the American people must have the opportunity to decide whether their Constitution should allow Congress to protect the flag.

The amendment we introduce today is as simple as it can be. It states: "The Congress shall have power to prohibit the physical desecration of the flag of the United States." Unfortunately, simplicity does not prevent distortion, either by negligence or intention. Critics and some in the media have led many to believe that this amendment by itself bans flag desecration. It does not. In fact, should Congress propose and the states ratify this amendment, it might not result in any change in the law at all. That would be up to Congress and the people we represent to decide.

The issue is that today Congress is today prohibited by the Supreme Court from passing laws that protect the flag even if 100 percent of the American people wanted those laws and the Congress was ready to enact them.

The American people should be given the opportunity to decide whether they want their Constitution to allow their Congress to pass laws protecting the American flag. That is the way a representative democracy like ours should function. The Supreme Court distorted that process and this amendment will correct the Court's error. I urge my colleagues on both sides of the aisle, as many of you have done in the past, to support this amendment and to give this decision back to the American people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 466. Ms. COLLINS (for herself, Mr. LAUTENBERG, Mr. MENENDEZ, and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 467. Ms. AYOTTE (for herself, Ms. SNOWE, and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 468. Mrs. HUTCHISON submitted an amendment intended to be proposed by her

to the bill S. 782, *supra*; which was ordered to lie on the table.

SA 469. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 782, *supra*; which was ordered to lie on the table.

SA 470. Mr. BROWN of Ohio (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 782, *supra*; which was ordered to lie on the table.

SA 471. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 782, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 466. Ms. COLLINS (for herself, Mr. LAUTENBERG, Mr. MENENDEZ, and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 19, before “and” insert “military base closures or realignments.”.

SA 467. Ms. AYOTTE (for herself, Ms. SNOWE, and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, insert the following:

SEC. 22. FIDUCIARY EXCLUSION.

Section 3(21)(A) of the Employee Retirement Income and Security Act of 1974 (29 U.S.C. 1002(21)(A)) is amended by inserting “and except to the extent a person is providing an appraisal or fairness opinion with respect to qualifying employer securities (as defined in section 407(d)(5)) included in an employee stock ownership plan (as defined in section 407(d)(6)),” after “subparagraph (B).”.

SA 468. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . REPEAL OF CERTAIN LIMITATIONS ON HEALTH CARE BENEFITS.

(a) REPEAL OF DISTRIBUTIONS FOR MEDICINE QUALIFIED ONLY IF FOR PRESCRIBED DRUG OR INSULIN.—Section 9003 of the Patient Protection and Affordable Care Act (Public Law 111-148) and the amendments made by such section are repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

(b) REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.—Sections 9005 and 10902 of the Patient Protection and Affordable Care Act (Public Law 111-148) and section 1403 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) and the amendments made by such sections are repealed.

SA 469. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, strike lines 9 through 13 and insert the following:

“(i) reduce the dependence of the United States on foreign oil;

“(iii) encourage efficient coordination and leveraging of public and private investments; and

“(iv) encourage development of manufacturing capability within the region.”; and

SA 470. Mr. BROWN of Ohio (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, between lines 11 and 12, insert the following:

SEC. 10. BUSINESS INCUBATORS.

(a) IN GENERAL.—Title II of the Public Works and Economic Development Act of 1965 is amended by inserting after section 207 (42 U.S.C. 3147) the following:

“SEC. 208. BUSINESS INCUBATORS.

“(a) DEFINITION OF BUSINESS INCUBATOR.—

“(1) IN GENERAL.—In this section, the term ‘business incubator’ means an organization or entity established to foster the start-up of businesses or accelerate the growth of fledgling companies by providing entrepreneurs with resources and services to produce viable businesses that can help create jobs and restore vitality to distressed areas.

“(2) EXCLUSION.—The term ‘business incubator’ does not include an organization or entity that is organized primarily as a for-profit venture.

“(b) DEVELOPMENT OF PLANS FOR CREATION OR EXPANSION OF BUSINESS INCUBATORS.—On receipt of an application from an eligible recipient (as determined by the Secretary in accordance with subsection (d)), the Secretary may provide grants to an eligible recipient for—

“(1) the development of feasibility studies and plans for the creation of new, or expansion of existing, business incubators;

“(2) the implementation of those studies and plans by supporting the creation of new, or expansion of existing, business incubators and related programmatic and technical assistance, which may include—

“(A) making investments in an early-stage business;

“(B) providing training, counseling, and other assistance to an early-stage business to support the development of the business;

“(C) carrying out due diligence activities to analyze and assess the desirability, value, and potential of an opportunity to provide assistance; or

“(D) meeting operational expenses of the business incubator; and

“(3) the temporary support of operations of business incubators, to the extent that the Secretary determines that the support is essential to assist a business incubator in becoming self-sustainable.

“(c) LIMITATION ON AMOUNT OF GRANTS.—The amount of a grant provided to an eligible recipient under this section may not exceed—

“(1) \$750,000, if the grant is to be used for feasibility studies and plans; or

“(2) \$3,000,000, if the grant is to be used for implementation of those studies and plans.

“(d) PROCEDURE FOR PROVIDING GRANTS.—

“(1) COMPETITIVE PROCESS REQUIRED.—The Secretary shall provide each grant under this section to an eligible recipient selected pursuant to a competitive process.

“(2) SELECTION CRITERIA.—The Secretary shall publish the criteria to be used in any competition under this paragraph for the selection of eligible recipients of grants under this section, including requirements relating to—

“(A) the projected number of jobs required to be created at a new or expanded business incubator for each of the first 6 years after the date of receipt of the grant;

“(B) the funding to be required to create or expand a business incubator during the first 5 years after the date of receipt of the grant;

“(C) the types of businesses and research entities expected in the business incubator and surrounding community;

“(D) letters of intent or support by businesses and research entities to establish a location in the business incubator;

“(E) the capability to attract a well-trained workforce to the business incubator;

“(F) the management of the business incubator; and

“(G) such other factors as the Secretary determines to be appropriate.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section such sums as are necessary for fiscal year 2012 and each fiscal year thereafter.

“(2) AVAILABILITY.—Amounts made available pursuant to paragraph (1) shall remain available until expended.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by adding after section 207 the following:

“Sec. 208. Business incubators.”.

SA 471. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, after line 24, insert the following:

SEC. ____ . GRANTS FOR PUBLIC WORKS, ECONOMIC DEVELOPMENT, AND ECONOMIC ADJUSTMENT.

Section 201(b)(1)(B) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(b)(1)(B)) is amended by inserting “high-technology” before “employment”.

On page 13, strike lines 7 through 13 and insert the following:

(3) in paragraph (4), by striking “or” after the semicolon at the end; and

(4) by striking paragraph (5) and inserting the following:

“(5) the loss of information technology, aerospace, manufacturing, natural resource-based, agricultural, or service sector jobs, for reinvesting in and diversifying the economies of the communities; or

“(6) termination of a major civilian Federal program with commercial and industrial applications, for help in reinvesting and diversifying the economies of the communities and retaining the workforce necessary for technology-focused jobs.”.

On page 19, after the matter following line 2 and before line 3, insert the following:

SEC. ____ . ELIGIBILITY OF AREAS.

Section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)) is amended by adding at the end the following:

“(4) CAPITAL INFRASTRUCTURE AND SKILLED WORKFORCE; CAPACITY TO USE ASSISTANCE.—The area has—

“(A) a well-developed capital infrastructure and a skilled workforce; and

“(B) the capacity to effectively use Federal assistance to increase employment in a technology-focused or manufacturing sector.”.

On page 20, between lines 2 and 3, insert the following:

SEC. ____ . ECONOMIC DEVELOPMENT STRATEGIES OF ECONOMIC DEVELOPMENT DISTRICTS.

Section 401(a)(3) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3171(a)) is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(2) by inserting before subparagraph (B) (as redesignated by paragraph (1)) the following:

“(A) contains a specific plan to increase employment in manufacturing or a field with commercial, industrial, and military applications;”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 14, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 14, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 14,

2011, at 10 a.m. in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 14, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on June 14, 2011, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on June 14, 2011, at 5 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on June 14, 2011, at 3:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWERS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on June 14, 2011, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on June 14, 2011, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Kelsey Beltramea, Nikhil Sahai, and Cathryn Curoe of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JUNE 15, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, June 15; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:58 p.m., adjourned until Wednesday, June 15, 2011, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 14, 2011:

THE JUDICIARY

CLAIRE C. CECCHI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

ESTHER SALAS, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

HOUSE OF REPRESENTATIVES—Tuesday, June 14, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 14, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

WORKING WITH AMERICAN AGRICULTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Today we are starting the most important debate of 2012 in Congress, the reauthorization of the farm bill.

Now, it is true that we are just talking about the ag appropriations bill, and much of the reform agenda will be difficult or ruled out of order due to the restrictive approach of the rules, although in the past some of my Republican leadership friends have had no compunction about legislating on appropriations bills. But here we will be protecting large agribusiness instead of American farmers, ranchers, consumers, and the environment.

This debate matters. Each point that is made on the floor or in the media, each vote that is accumulated against the status quo and towards change and fairness is another step towards reforming the one area that almost every independent analyst agrees is right for reform.

From the far right to the far left, people agree it is time. American agri-

cultural policy is frozen in time through the past collection of farm bills. It misallocates scarce dollars, it spends too much on the richest farming interests who really don't need it, and doesn't provide enough support for the majority of farmers and ranchers who do. It does not place a priority on the nutrition of our children, and it unleashes an assault on the environment.

There must be a better way. There is a better way. Cutting back on unnecessary expenditures for the wealthy and the undeserving would make it possible to give a little more to the farmers and ranchers, the majority of whom don't get anything under the current farm bill.

Now, most farmers and ranchers don't just want money. They would much rather have assistance to make them more competitive. There is far more that can be done by providing for important research to strengthen the production of food. More can be done to market American agricultural products at home and abroad, to establish farmer's markets. More can be done to protect farmers and their crops from disease and pests. And we can do so in a way that is consistent with our environmental values and our budgetary constraints.

Farmers and ranchers as a group are some of the most outstanding stewards of the land and the environment we have in America. But we are looking now at a farm bill that is going to dramatically cut back the money to help them with environmental compliance, even requiring breaking some existing contracts.

But complying with environmental regulations and changing policies is going to take some effort and in some cases is going to cost money. Why aren't we protecting the environmental programs and providing technical assistance to help these agricultural interests do what they want to do, which will not only improve water quality, wildlife habitat and air quality, but will put money in their pockets, supporting small and medium-sized operations?

Then there is the issue of nutrition. By skewing the production to artificially prop up and make profitable sugar, massive subsidies for corn, putting big money behind it, instead of improving the nutrition for our schools, for example, we are literally subsidizing a diet through our tax dollars that is making our kids sick. Instead, we should be helping them both

be well-fed and healthy, not just well-fed with empty calories, but with fruits and vegetables that will strengthen their bodies and the prospect for long-term health. But the people who grow food, like fruits and vegetables, are discriminated against under existing American farm policies.

Help farmers and ranchers grow food, protect the environment, and strengthen the economy. It is a simple formula. It is hard to imagine a more pro-American agenda and one that Americans from all across the political spectrum agree with. It is time to listen to them, to work for them, and make it happen.

CAREER AND TECHNICAL EDUCATION ENSURES A COMPETITIVE AND SUCCESSFUL WORKFORCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I serve as cochairman of the Congressional Career and Technical Education Caucus with my friend and colleague JIM LANGEVIN of Rhode Island. The Career and Technical Education Caucus is a group of Members seeking to broaden awareness here on Capitol Hill of the importance of career and technical education.

I take the floor today to offer yet another example of the critical role that career and technical education plays in helping individuals remain competitive in a constantly changing workforce environment.

On June 7, 2011, history was made at the Central Pennsylvania Institute of Science and Technology. Two young ladies, Anna Krishak and Tricia Reich, graduated from their automotive technology program at the highest level possible offered by CPI. These non-traditional students in the automotive technology program earned their diploma along with State, national, and world certifications in their field of study.

The most amazing part about their accomplishments was their path to success. Anna had only one year in the automotive technology program. She quickly earned the respect of her instructor, met the qualifications of CPI's school-to-work cooperative education program, and became employed at a local car dealership just shortly after the school year began. Despite absences due to a medical condition, Tricia completed all of her assignments and exceeded almost all other

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

classmates. Tricia became eligible for CPI's cooperative education program and also later was employed at a local car dealership.

In the process, both young ladies received college credit that can be transferred to many colleges and universities in the United States. In addition, both Anna and Tricia completed evening certification courses geared towards enhancing their education, which ensured a successful career path. Despite tough economic times, Tricia and Anna have found a way to make ends meet. They have broadened their horizons and found their own competitive advantage in the marketplace, despite an ever-changing economy.

This story serves as a reminder for my fellow Members, a reminder that career and technical education programs exist in every congressional district. This also reminds us of how career and technical education can be utilized to assure a competitive and successful workforce.

On behalf of the Career and Technical Education Caucus, I want to congratulate these outstanding young ladies for their achievements.

DRAWING DOWN AMERICAN TROOPS FROM AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, it is now mid-June and we are just weeks away from the July date the President promised for a drawdown of American troops from Afghanistan. But so far, so far, there appears to be little movement towards the kind of redeployment that the moment actually calls for and that the American people are insisting on.

□ 1010

In fact, Mr. Speaker, Defense Secretary Gates, on his way out the door, endorsed a "modest" drawdown, even though the President has promised something significant. This is not a moment that calls for modesty. This is a moment for boldness and true leadership. This is a moment to break out of the war default posture—the posture that we've been in for going on 10 years now.

The longer this war goes on, the bloodier it becomes. We were told last year that fatalities would be unusually high in 2010 as the surge troops begin penetrating the Taliban strongholds. But it turns out there's no sign that casualties are tapering off, and we're on pace for an equally deadly 2011. We lost more troops in March, April, and May of this year than we did during the same months of 2010.

And let's not forget—because I don't think it's talked about nearly enough—that it's not just uniformed members

of the U.S. military being put in harm's way by this conflict. The United Nations said over the weekend that there were more civilian casualties in May than in any single other month of this war. Needless to say, killing innocent people is certainly not the way to win the hearts and minds of another country.

The American people's patience is wearing thin, Mr. Speaker; and there are many Members of this body—a fair number in the Republican majority—who cannot support this Afghanistan policy either. I for one am tired of being told that the strategy is working and it just needs more time to succeed. How many military families will lose a father or a mother or a son or a daughter in the time it takes for this strategy to go nowhere? How many troops will be physically and psychologically damaged beyond repair?

Mr. Speaker, I think nearly a decade—longer than any war in American history—is more than enough time to admit that the strategy does not work. We don't need simply a token drawdown. We need a fundamental change in policy and a complete reorientation of our thinking about national security. We need to finally end this war and bring our troops home.

WATAUGA HIGH SCHOOL PROSTART PROGRAM IS EXAMPLE OF INNOVATION DONE RIGHT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Today, I want to highlight a remarkable group of North Carolina students from Watauga High School in my district. These students recently competed and won third place in the National ProStart Invitational in Overland Park, Kansas, after winning first place in the Carolinas' ProStart competition earlier this year. They are to be congratulated for this fantastic achievement, and I commend everyone from the parents and students to the teachers and mentors involved in this innovative educational program.

ProStart is a nationwide, 2-year program for high school students that seeks to develop the next generation of restaurant and foodservice industry leaders. Students participating in the program learn everything from culinary techniques to management skills via a hands-on curriculum and real-world educational opportunities. By building practical professional skills, these students are investing in their future careers even while enrolled in high school.

What's particularly impressive about this program is how it combines traditional high school programs with instruction from seasoned professionals

in the foodservice and hospitality fields. This program is a wonderful model for how private sector companies can work with schools and students to offer tailor-made educational solutions that set students on the road to successful careers. In fact, in North Carolina alone, the ProStart program has educated more than 700 students in 15 schools, with another 13 North Carolina schools set to join in the next year. Again, congratulations to everyone involved in Watauga High School's ProStart program for excelling in this national program and making your community proud.

Mr. Speaker, one of the joys of serving in Congress is the opportunity to be at celebrations such as the one I attended last week during our district work period. The enthusiasm in the room at their celebration was infectious. A special congratulations goes to the four winning students: Emily Haas, Michael Haynes, Justin Byrum, and Eli Bradford. Of course, these accomplishments were facilitated by the support and hard work of Watauga High School ProStart teacher Lee Ann Williams and ProStart mentors Troy and Sandy Byrum of Troy's Restaurant in Boone, as well as David Gronewoller, a Golden Corral executive and owner, who sponsored the ProStart team. Paul M. Stone, Alyssa Barkley, and Susan Seay, who run the Statewide ProStart program, also deserve congratulations for supporting this successful program that is already producing talented and enthusiastic North Carolina students.

WALL STREET SPECULATORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFazio) for 5 minutes.

Mr. DEFazio. Today, every American who fills up their gas tank is going to pay an extra 70 cents per gallon as a tribute to speculators on Wall Street. That's right. Seventy cents a gallon is due to hedge fund speculation, derivatives and commodity speculation on Wall Street.

It didn't used to be this way. Before Enron, we prohibited this sort of speculation on Wall Street. There was a special law passed for Enron. "Ken Boy." Remember that? George Bush's favorite guy. Enron, bankrupt. Ken "Boy" Lay, who knows where he is now. But the law still lives on.

It was changed in Dodd-Frank to give new opportunities for the Commodities Future Trading Commission to begin to regulate speculation on Wall Street. But the Republicans are fighting tooth and nail against the regulation of speculation on Wall Street. Today, we'll consider a bill that would deprive the Commodities Future Trading Commission, the watchdogs, of new computers. Republicans say, We can't afford \$60 million for computers at the Commodities Future Trading Commission to

track a \$400 trillion market; to track speculators that spent \$25 billion on supercomputers last year so they could drive up the price of gasoline and manipulate markets without detection. No, we can't afford that. They've got your back, speculators. The Republicans are with you all the way.

Every American who buys an airplane ticket today, who can still afford it—some—to take their family on vacation, you'll will see a little surtax on fuel. That's another tribute to the speculators on Wall Street who have unnecessarily driven up the price of oil and gas. There is at this point a surplus of oil and gas in the world—more than we've seen for years. Production is up. Demand is down. Stockpiles are up. And the price is up. Guess what? The profits at the oil companies are up phenomenally and the profits on Wall Street are obscene.

Do the Republicans want to do anything about that? No. They would like to distract you. They don't want you to look at who's profiting from your pain and from destroying our economy—their generous friends on Wall Street. They are oh-so generous at election time to the Republican side of the aisle. The Republicans' friends in Big Oil, who are oh-so generous to the Republicans at election time. It's not them. Price is driven by supply and demand. If we drill more, drill here, drill now, that will solve the problem. It won't solve the problem because the speculators are controlling the markets. If we could double U.S. oil supply tomorrow, they'd still be charging us 70 cents or more a gallon through unbridled speculation.

We have an opportunity to rein that in. If we reject the Republicans' proposal today to take away computers and staff from the regulators, to prevent the reform from going into place to finally begin to close the Enron loophole created by Republicans for Republicans and for Wall Street, we could almost immediately drive down the price of gasoline 70 a gallon. Nothing they're proposing will do that. What we're proposing will benefit Americans family today, the economy, put people back to work. And yes, unfortunately, it will rein in some of the obscene profits at ExxonMobil and some of the obscene profits at Goldman Sachs and that other speculators on Wall Street are making today. They might have to go out and make honest loans and earn an honest living instead of gambling.

So it's a pretty clear choice. Who are you with? Are you with the speculators or are you with the American people?

North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, national syndicated columnist Eugene Robinson recently wrote a piece titled, "Afghan Strategy: Let's Go." It appeared in the June 11 Raleigh News and Observer. I would like to share some of Mr. Robinson's thoughts with the House.

He began his column with this: "Slender threads of hope are nice but do not constitute a plan. Nor do they justify continuing to pour American lives and resources into the bottomless pit of Afghanistan."

And he closed this column with these words: "We wanted to kill or capture Osama bin Laden, and we did. Even so, say the hawks, we have to stay in Afghanistan because of the dangerous instability across the border in nuclear-armed Pakistan. But does anyone believe the war in Afghanistan has made Pakistan more stable?"

Mr. Speaker, these are not my words, again. These are the words of Eugene Robinson who's nationally known and respected, and he is a liberal. He's not a conservative. But the point he's making is exactly right. How many more young men and women have to give their life for a corrupt leader?

I would like to ask my colleagues on both sides to join JIM MCGOVERN of Massachusetts—I am a cosponsor of this bill. It's H.R. 1735, the Afghan Exit and Accountability Act. It gives a parameter to the President as to how we need to start bringing our troops out of Afghanistan before 2014 or 2015.

I look at this young man's face, Mr. Speaker. His name is Tyler Jordan. His father was killed in Iraq. I look at him and he represents all the children in America who are crying because their moms and dads are coming back dead. Many are coming back without arms and legs. So Tyler represents children in America who have their family, loved ones over in Afghanistan. It's time to bring them home, Mr. Speaker.

And then the other poster has the flag-draped coffin—they call it a transfer case—coming into Dover Air Force Base. How many more families in this country have to look at the flag-draped coffin of their loved one?

Mr. Speaker, that's why I hope both sides will join Mr. MCGOVERN and myself in H.R. 1735 because Mr. Gates has already said we will be in Afghanistan until 2014 and 2015. That's what Eugene Robinson is saying: How many more have to die in the next 3 or 4 years for a corrupt leader named Karzai that we're paying \$8 billion a month to and we're cutting programs in America for children and senior citizens?

Mr. Speaker, again, I want to make reference to Tyler Jordan and his pain. I want to remember the flag-draped coffin and think how many moms and dads are having to be at the funeral home receiving the flag-draped coffin and, in many cases, cannot even look

at their loved ones because they were killed in a horrendous way.

So, Mr. Speaker, I hope the American people will get behind H.R. 1735 and call their Members of Congress and ask them to join us in bringing our troops home before 2014.

Mr. Speaker, before I close, as I do all the time in my district and on the floor of the House, I will ask God to please bless our men and women in uniform. I will ask God to please bless the families of our men and women in uniform. I will ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq. And I will ask God to please bless the House and Senate that we will do what is right in the eyes of God for God's people here in America. And I will ask God to bless Mr. Obama, the President, that he will have the wisdom, the strength, and the courage to do what is right for the American people.

And I will close by asking three times: God please, God please, God please continue to bless America.

[From the News and Observer, Jun. 11, 2011]

AFGHAN STRATEGY: LET'S GO

(By Eugene Robinson)

WASHINGTON, DC.—Slender threads of hope are nice but do not constitute a plan. Nor do they justify continuing to pour American lives and resources into the bottomless pit of Afghanistan.

Ryan Crocker, the veteran diplomat nominated by President Barack Obama to be the next U.S. ambassador in Kabul, gave a realistic assessment of the war in testimony Wednesday before the Senate Foreign Relations Committee. Here I am using "realistic" as a synonym for "bleak."

Making progress is hard, Crocker said; but not hopeless.

Not hopeless. What on Earth are we doing? We have more than 100,000 troops in Afghanistan risking life and limb at a cost of \$10 billion a month, to pursue ill-defined goals whose achievement can be imagined, but just barley?

The hawks tell us that now, more than ever, we must stay the course—that finally, after Obama nearly tripled U.S. troop levels, we are winning. I want to be fair to this argument, so let me quote Crocker's explanation at length:

"What we've seen with the additional forces and the effort to carry the fight into enemy strongholds is, I think, tangible progress in security on the ground in the South and the West. This has to transition—and again, we're seeing a transition of seven provinces an districts to Afghan control—to sustainable Afghan control. So I think you can already see what we're trying to do—in province by province, district by district, establish the conditions where the Afghan government can take over and hold ground."

Sen. Jim Webb, D-Va., a Vietnam veteran and former secretary of the Navy, pointed out the obvious flaw in this province-by-province strategy. "International terrorism—and guerrilla warfare in general—is intrinsically mobile," he said. "So securing one particular area . . . doesn't necessarily guarantee that you have reduced the capability of those kinds of forces. They are mobile; they move."

It would require far more than 100,000 U.S. troops to securely occupy the entire country.

As Webb pointed out, this means we can end up “playing whack-a-mole” as the enemy pops back up in areas that have already been pacified.

If our intention, as Crocker said, is to leave behind “governance that is good enough to ensure that the country doesn’t degenerate back into a safe haven for al-Qaida,” then there are two possibilities: Either we’ll never cross the goal line, or we already have.

According to Obama’s timetable, all U.S. troops are supposed to be out of Afghanistan by 2014. Will the deeply corrupt, frustratingly erratic Afghan government be “good enough” three years from now? Will Afghan society have banished the poverty, illiteracy and distrust of central authority that inevitably sap legitimacy from any regime in Kabul? Will the Afghan military, whatever its capabilities, blindly pursue U.S. objectives? Or will the country’s civilian and military leaders determine their self-interest and act accordingly?

The fact is that in 2014 there will be no guarantees. Perhaps we will believe it incrementally less likely that the Taliban could regain power and invite al-Qaida back. But that small increment of security does not justify the blood and treasure that we will expend now and then.

I take a different view. We should declare victory and leave.

We wanted to depose the Taliban regime, and we did. We wanted to install a new government that answers to its constituents at the polls, and we did. We wanted to smash al-Qaida’s infrastructure of training camps and safe havens, and we did. We wanted to kill or capture Osama bin Laden, and we did.

Even so, say the hawks, we have to stay in Afghanistan because of the dangerous instability across the border in nuclear-armed Pakistan. But does anyone believe the war in Afghanistan has made Pakistan more stable? Perhaps it is useful to have a U.S. military presence in the region. This could be accomplished, however, with a lot fewer than 100,000 troops—and they wouldn’t be scattered across the Afghan countryside, engaged in a dubious attempt at nation-building.

The threat from Afghanistan is gone. Bring the troops home.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

DEBT LIMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

Mr. STEARNS. Mr. Speaker, in March of 2006, then-Senator Obama was on the Senate floor and this is what he said: “The fact that we are here today to debate raising America’s debt limit is a sign of leadership failure. Increasing America’s debt weakens us domestically and internationally. Leadership means that ‘the buck stops here.’ Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.”

But now, Mr. Speaker, a few short years later, President Obama now takes the opposite approach, calling for an increase in the debt limit and threatening doom otherwise. President Obama has failed to send to Congress a budget that would realistically solve our Nation’s financial problems. He calls for plans that spend too much and borrow too much and tax too much. When Congress reasonably rejected his plan and proposed a budget with responsible cuts, he turned to political rhetoric rather than meaningful discussions. So, at a time when our Nation must address a fiscal crisis, our President has offered no real solution and has politicized the issue. What we have today more than ever before is a sign of leadership failure, back to his original speech when he was a Senator. America deserves better.

So today, with the debt ceiling already \$5.3 trillion higher, higher, than the level President Obama objected to raising 5 years ago, he now asks us to raise it again for the 81st time since 1940. We all know this famous quote that defines insanity as doing the same thing over and over again expecting different results. If we actually want to solve today’s problems, we must depart from the insane 70-year tradition of just continuing to spend. If we do not delve into the real spending problems today, we will have this same debate a year later, 3, 5, 10 years later from now, and will again be urged to raise the debt limit or face a financial catastrophe.

The United States Government already owes more than \$14 trillion. Less talked about is the Federal Government faces another \$114 trillion in unfunded liabilities for Social Security and for Medicare. An estimate by the Congressional Budget Office reveals that by the year 2025, the government will spend 100 percent of every dollar in revenue on entitlements. And Federal debt aside, State and local governments face a combined \$3 trillion coupled with their own unfunded liabilities in the form of pensions.

Forcing the government to live within its means is the only solution. Just as a family household does it when it reaches its spending limits, we must begin to closely scrutinize our bills and decide where there is unnecessary waste. When families seek to decrease their utility bills, they remember to turn off lights when they leave a room. We must begin doing this as well. Wasteful, fraudulent programs must be turned off and long-term programs such as Medicare and Social Security must be addressed seriously today. Debt must be paid down instead of piled on.

Although the President, the Senate leader, the U.S. Secretary of the Treasury believe the worst thing that could happen to all of us is that we default on August 2, I believe that the worst

thing that could happen for Congress to do is to fail to couple the increased debt limit with meaningful spending cuts. Once again, the private sector has affirmed this. On June 11, 2011, 150 economists called for immediate spending cuts to help support job growth in a letter to Speaker JOHN BOEHNER, which I would like to have placed in the RECORD.

A DEBT LIMIT INCREASE WITHOUT SIGNIFICANT SPENDING CUTS AND BUDGET REFORMS WILL DESTROY AMERICAN JOBS

An increase in the national debt limit that is not accompanied by significant spending cuts and budget reforms to address our government’s spending addiction will harm private-sector job creation in America. It is critical that any debt limit legislation enacted by Congress include spending cuts and reforms that are greater than the accompanying increase in debt authority being granted to the president. We will not succeed in balancing the federal budget and overcoming the challenges of our debt until we succeed in committing ourselves to government policies that allow our economy to grow. An increase in the national debt limit that is not accompanied by significant spending cuts and budget reforms would harm private-sector job growth and represent a tremendous setback in the effort to deal with our national debt.

Ryan C. Amacher, University of Texas at Arlington; Michael Applegate, Oklahoma State University; King Banaian, St. Cloud State University; Stacie Beck, University of Delaware; John Bethune, Barton College; Scott Bradford, Brigham Young University; Phillip J. Bryson, University of Wisconsin-Madison; Oral Capps, Jr., Texas A&M University; James E. Carter, Emerson Electric Co.; Robert E. Chatfield, University of Nevada, Las Vegas; Kenneth W. Clarkson, University of Miami; John P. Cochran, Metropolitan State College of Denver; Charles W. Baird, California State University, East Bay; Bruce Bender, University of Wisconsin-Milwaukee; Donald R. Booth, Chapman University; Michael Boskin, Stanford University; David A. Brat, Randolph-Macon College; David P. Brown, University of Wisconsin-Madison; Todd G. Buchholz, Two Oceans Management; Samantha Carrington, California State University.

Don Chance, Louisiana State University; Candice Clark, Economic Consultant; R. Morris Coats, Nicholls State University; John F. Cogan, Hoover Institution; Robert Collinge, University of Texas at San Antonio; Kathleen B. Cooper, Southern Methodist University; Nicole Crain, Lafayette University; Robert Crouch, University of California, Santa Barbara; Coldwell Daniel III, The University of Memphis; J. Ronnie Davis, University of New Orleans; Ted Day, University of Texas at Dallas; Arthur T. Denzau, Claremont Graduate University; Nasser Duella, California State University, Fullerton; Joseph W. Duncan, Private Consultant on Information Policy; Frank Egan, Trinity College; Dorla A. Evans, University of Alabama—Huntsville; Frank Falero, California State University; Layton W. Franko, Queens College; Diana Furchtgott-Roth, Hudson Institute; Dave Garthoff, The University of Akron—Akron, Ohio.

Gerald Gay, Georgia State University; Cathleen J. Coolidge, California State University, Chico; Mike Cosgrove, University of Dallas; Clyde Wayne Crews, Jr., Competitive Enterprise Institute; Robert Dammon, Carnegie Mellon University; Antony Davies,

Duquesne University; Stephen J. Dempsey, University of Vermont; Phoebeus J. Dhrymes, Columbia University; Floyd H. Duncan, Virginia Military Institute; John Eckalbar, California State University; John B. Egger, Towson University; Dino Falaschetti, Florida State Law; Michelle Michot Foss, University of Texas; Michele Fratianni, Indiana University; Delworth B. Gardner, Brigham Young University; James R. Garven, Baylor University; Robert Genetski, classicalprinciples.com; Micha Gisser, University of New Mexico; Joseph A. Giacalone, St. John's University, NY; David Gillette, Truman State University.

Marvin Goodfriend, Carnegie Mellon University; Richard L. Gordon, The Pennsylvania State University; Richard J. Grant, Lipscomb University; Earl L. Grinols, Baylor University; Eric A. Hanushek, Hoover Institution; Joseph H. Haslag, University of Missouri; Joel Hay, University of Southern California; David R. Henderson, Hoover Institution; Douglas Holtz-Eakin, American Action Forum; Chris Inama, Golden State University; Stephen Jackstadt, University of Alaska, Anchorage; Gerald R. Jensen, Northern Illinois University; Jerry L. Jordan, Pacific Academy for Advanced Studies; Alexander Katkov, Johnson & Wales University; Richard LaNear, Missouri Southern State University; Lawrence Goodman, Center for Financial Stability, Inc.; Ed Graham, University of North Carolina at Wilmington; Paul Gregory, University of Houston; Dennis Halcoussis, California State University, Northridge; Stephen Happel, Arizona State University.

Kevin Hassett, American Enterprise Institute; Bob Heidt, Indiana University—Bloomington; John P. Hoehn, Michigan State University; C. Thomas Howard, University of Denver; F. Owen Irvine, Michigan State University; Joseph M. Jadow, Oklahoma State University; Ryan S. Johnson, BYU-Idaho; June O'Neill, Baruch College, CUNY; Marek Kolar, Trine University; Corinne Krupp, Duke University; Norman Lefton, Southern Illinois University, Edwardsville; Larry Lindsey, The Lindsey Group; Jane Lillydahl, University of Colorado at Boulder; R. Ashley Lyman, University of Idaho; David Malpass, Encima Global; Henry Manne, George Mason University; Timothy Mathews, Kennesaw State University; Roger Meiners, University of Texas-Arlington; James C. Miller III, Hoover Institution; Ed Miseta, Penn State Erie, The Behrend College.

Andrew P. Morriss, University of Alabama, Tuscaloosa; John E. Murray, University of Toledo; George R. Neumann, University of Iowa; Seth W. Norton, Wheaton College; James B. O'Neill, University of Delaware; Svetozar Pejovich, Texas A&M University; Ivan Pongracic, Jr., Hillsdale College; John A. Powers, University of Cincinnati; Richard W. Rahn, Cato Institute; Glenn MacDonald, Washington University in St. Louis; Yuri N. Maltsev, Carthage College; Michael L. Marlow, California Polytechnic State University; Martin C. McGuire, University of California-Irvine; Allan Meltzer, Carnegie Mellon University; Thomas P. Miller, American Enterprise Institute; James Moncur, University of Hawaii at Manoa; Robert Mundell, Nobel Laureate in Economics, 1999; Richard F. Muth, Emory University; Robert D. Niehaus, Robert D. Niehaus, Inc.; Lee E. Ohanian, University of California, Los Angeles; Stephen T. Parente, University of Minnesota; G. Michael Phillips, California State University, Northridge.

William Poole, University of Delaware; Ronald L. Promboin, University of Maryland

University College; James B. Ramsey, New York University; Thomas A. Rhee, California State University, Long Beach; R. David Ranson, H. C. Wainwright & Co. Economics Inc.; Christine P. Ries, Georgia Institute of Technology; Thomas Carl Rustici, George Mason University; Thomas R. Saving, Texas A&M University; Judy Shelton, Atlas Economic Research Foundation; George P. Shultz, Hoover Institution; James F. Smith, EconForecaster, LLC; Houston H. Stokes, University of Illinois at Chicago; Avanihar Subrahmanyam (Subra), University of California, Los Angeles; Robert Tamura, Clemson University; Clifford F. Thies, Shendoan University; Leo Troy, Rutgers University-Newark; George Viksnins, Georgetown University; James P. Weston, Rice University; Michael E. Williams, University of Denver; Michael Wohlgenant, North Carolina State University.

Gene C. Wunder, Washburn University; Paul H. Rubin, Emory University; Gary J. Santoni, Ball State University; Robert Haney Scott, California State University, Chico; William F. Shughart II, The University of Mississippi; Timothy F. Slaper, Indiana University; Vernon Smith, Chapman University School of Law; Lawrence Southwick, University at Buffalo; Brian Strow, Western Kentucky University; Richard J. Sweeney, Georgetown University; John B. Taylor, Hoover Institution; Stephen A. Tolbert, Jr., Montgomery County Community College (PA); David G. Tuerk, Suffolk University; Richard Vedder, Ohio University; Sherri L. Wall, University of Alaska Fairbanks; J. Gregg Whittaker, William and Jewell College; D. Mark Wilson, Applied Economic Strategies; Gary Wolfram, Hillsdale College; Benjamin Zycher, Pacific Research Institute; Joseph Zoric, Franciscan University of Steubenville.

The letter specifically says: "An increase in the national debt limit that is not accompanied by significant spending cuts and budget reforms to address our government's spending addiction will harm private-sector job creation in America. It is critical that any debt limit legislation enacted by Congress include spending cuts and reforms that are greater than the accompanying increase in debt authority being granted to the President."

If there has ever been a failure of leadership, it is today. We're broke, and the solution lies in reform rather than rhetoric, spending cuts rather than spending increases. Leadership has called for compromise in the next couple of weeks. A compromise does not involve a vote on raising the debt ceiling without these spending cuts. We demonstrated that on May 31 when, 97–318, the House rejected this measure. No Republican supported the vote then, and no Republican should support such a vote in August. Only after we curb the trillions of dollars of debt that we continue to pile up can we consider raising the debt limit.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess until noon.

PRINTING OF PROCEEDINGS OF FORMER MEMBERS PROGRAM

Ms. FOXX. Mr. Speaker, I ask unanimous consent that the proceedings during the former Members program be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the proceedings have the privilege of revising and extending their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The following proceedings were held before the House convened for morning-hour debate:

UNITED STATES ASSOCIATION OF FORMER MEMBERS OF CONGRESS 2011 ANNUAL REPORT TO CONGRESS

The meeting was called to order by the Hon. Connie Morella, Vice President of Former Members of Congress Association, at 8:16 a.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Lord God of history and our salvation, when former Members return to Congress it must be similar to any American opening the Bible or their holy book at random. By doing so, people of the Book read between the lines, see the story of America, and rejoice.

Congress, too, holds old and familiar stories, strong exhortations, repeated corrections, and consoling confirmation of hopes that speak anew of love, patriotism, and light. Looking at Congress once again, these former Members, still Your stewards, hear the praise of the Psalms, the lament of Job, and are strengthened by the sentiments of Gideon as well as Paul, the commands of Moses, and the prayers of Jesus.

As the Good Book binds people into community, You tie together the years of Congress and make them a prophetic voice that reverences the past, speaks to the present, and holds promise for the future.

May all former Members be rewarded for their contributions to this Constitutional Republic and continue to work and pray that the goodness and justice of this beloved country be proclaimed to all the nations.

Quicken life, promise and fortitude in all here gathered that we may bring joy to the present age and long for eternal happiness, calling upon Your Holy Name now and forever.

Amen.

PLEDGE OF ALLEGIANCE

The Hon. Connie Morella led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Ms. MORELLA. It is now my pleasure and my honor to recognize the President of the Association of Former Members of Congress, the Hon. Dennis Hertel.

Mr. HERTEL. I want to thank the gentlewoman from Maryland, Vice President of the Association. I want to thank her for all her hard work and her dedication. It's made such a great difference in having you be the Vice President this last year for the Association.

And I want to welcome all the membership of our association to the House Chamber today. We're so glad that you are all here. I am going to ask the Clerk to take the roll, please.

The Clerk called the roll of the former Members of Congress, and the following former Members answered to their names:

Mr. Alexander of Arkansas
Mr. Buechner of Missouri
Mr. Bustamante of Texas
Ms. Byron of Maryland
Mr. Clement of Tennessee
Mr. Glickman of Kansas
Mr. Hertel of Michigan
Mr. Hutto of Florida
Mr. Kanjorski of Pennsylvania
Ms. Kilpatrick of Michigan
Mr. Konnyu of California
Mr. LaFalce of New York
Mr. Lancaster of North Carolina
Mr. LaRocco of Idaho
Mr. Michel of Illinois
Ms. Morella of Maryland
Mr. Ruppel of Michigan
Mr. Slatery of Kansas
Mr. Symington of Missouri
Mr. Symms of Idaho
Mr. Tucker of Arkansas
Mr. Walsh of New York
Mr. Warner of Virginia

Mrs. MORELLA. The Chair announces that 23 former Members of Congress have responded to their names.

The Chair now recognizes the President of the Association.

Mr. HERTEL. I thank the Chair.

It is always a distinct pleasure to be back in this revered Chamber, and we appreciate the opportunity to be present today and to give you the annual report of the U.S. Association of Former Members of Congress. I will be joined by some of our colleagues in reporting on the activities and projects of our organization.

Before we get to this report, however, it is my distinct honor and pleasure to present our 2011 Distinguished Service Award to Senator John William Warner of the great State of Virginia. Bestowing our association's highest award on John Warner was an easy decision. In all his endeavors and public service, be it in our Nation's military at times of war, be it while serving in the administration, or be it in the United States Senate, John Warner has led by example and commendable distinction.

We have asked another of our colleagues, who has lived a life of public service guided by the same values and principles as Senator Warner, to introduce our 2011 honoree.

I might just add a personal note. When I came to this Chamber 30 years ago, there was a titanic battle going on much as we have today regarding our economy and the deficit; and the minority leader, Bob Michel, was arguing against and solidifying his forces against my Speaker, Tip O'Neill. Here I was a freshman, 31 years old, and watching all of this and feeling all of this. Even in the emotions of the time and the high importance of the debate and the outcome, even being new here, I had the greatest respect for Bob Michel as the opposition leader.

There is something about seeing somebody in the opposition and having that trust and that respect of that person that's an underlying factor that adds to the strength of our democracy and something that's a necessary lesson, I think, of history for people to know today that you can differ with somebody so completely on the issues and not see them as an enemy, but a worthy adversary who themselves love your country just as much. That's what Bob Michel, I think, stood for and does today to all of us, to the Congress and to the people of the United States.

It is my great honor to introduce Bob Michel, Leader Bob Michel, to go forward with the introduction.

Mr. MICHEL. Madam Speaker, and my fellow colleagues of yesteryear and today, I am delighted to have been asked to introduce John Warner this morning. I have known John for many years when we both served in the Congress and now we are currently working together down at Hogan Lovells.

Most of you know him as the recent Republican Senator of Virginia and the sixth husband of the late Elizabeth Taylor.

Well, that's all well and good, you know; but for my introduction for this occasion, I would also like to fill in some of the gaps to prove what a great choice the former Members of Congress organization made in singling him out to receive this year's Distinguished Service Award.

John enlisted in the U.S. Navy during World War II in January of 1945 shortly before his 18th birthday. He served until the following year, leaving as a petty officer 3rd class. He then went on to college, Washington and Lee University.

He joined the Marine Corps in October of 1950 after the outbreak of the Korean War and served in Korea as a ground officer with a 1st Marine Aircraft Wing. He continued in the Marine Corps Reserves after the war, eventually reaching the rank of captain. He then went on to law school at George Washington University here in Washington, D.C.

In 1969, John was appointed Under Secretary of the Navy during the Nixon administration. In 1972, he succeeded John Chafee as Secretary of the Navy, and then President Ford subsequently appointed him director of the Bicentennial Administration.

John actively entered the political arena in 1978 when he was chosen to replace the Republican candidate for the Senate who died in a plane crash 2 months before the election. Some of us older Members remember that tragic day very well. He was narrowly elected, but then reelected five times to become the longest-serving Republican Senator from Virginia.

During Senator Warner's 30-year tenure in the Senate, he served on any number of committees, as you all well know; but I think he will always be remembered for the lengthy service as chairman of the Senate Armed Services Committee, where he was viewed as one of the most influential Senators on military and foreign policy issues.

Senator Warner was always elected and reelected as a Republican, but he was no ideologue. In fact, he had a very checkered voting record over the years, but he was always willing to openly debate the issues, priding himself in working hard to reach agreement on the great controversial issues of the day.

In 2008, the Office of the Director of National Intelligence awarded John the first-ever National Intelligence Distinguished Public Service Medal.

In 2009, the Secretary of the Navy announced it would name the next Virginia Class submarine after John Warner.

And, finally, in 2009, the British Embassy in Washington, D.C., announced that Queen Elizabeth II would name John Warner an honorary Knight Commander for his work strengthening the American-British military alliance.

I have just really skimmed the surface of all the awards, citations and plaudits that Senator Warner has received during his long and most distinguished public record of public service. Suffice it to say, John Warner, the individual, is a very humble man and cringes at the thought of receiving another honor and award.

But we fellow members of the Association of Former Members of Congress wanted him to know how revered he is among us and hope one more burst of applause in his honor will extend his life and talents for many years to come.

Ladies and gentlemen, distinguished former Senator Warner.

Mr. HERTEL. Well, it's so wonderful. I want to thank the Leader. I didn't mention, by the way, the Leader won that titanic battle back then 30 years ago as he did many others.

On behalf of the Association of Former Members of Congress, it is my great pleasure and honor for me to

present our 2011 Distinguished Service Award to Senator John Warner of Virginia. The plaque is inscribed as follows:

The 2011 Distinguished Service Award is presented by the U.S. Association of Former Members of Congress to Senator John William Warner for his lifetime of exceptional public service. While representing the State of Virginia for thirty years, Senator Warner was the Chairman of the Senate Armed Services Committee, Vice Chairman of the Select Committee on Intelligence, and Chairman of the Rules Committee. Outside of Congress, Chairman Warner was a sailor in World War II; a Marine Lieutenant during the Korean War; and served as Under Secretary and Secretary of the U.S. Navy during the Vietnam War. In every endeavor, he has fulfilled his duties with honor, distinction, and true patriotism. His service to our country is exemplary. Senator John Warner is an inspiration to us all and his former colleagues from both sides of the aisle salute him.

Washington, DC, June 14, 2011.

Senator Warner.

Mr. WARNER. Madam Speaker, colleagues, friends and others, I remember one time attending a graduation as a speaker; and as we walked down the aisle, "Pomp and Circumstance" was playing, and the heart was infused with enthusiasm. I had a sheaf of papers under my arm; and a young student jumped up, one of the graduates, and pressed into my hand a little piece of paper and said, "Please read this."

So in the course of the invocation I read it, and it was some of the most prosaic and valuable bits of wisdom I ever received. It simply said, "Blessed are ye that are brief, for ye shall be re-invited."

Whether I am invited or not, to have this moment to stand on this floor and, mind you, I believe, I am almost positive in the 30-plus years that I was here I never did it before. It seems to add to me and my family and all others a very significant chapter in my humble opportunity to serve this Nation in many ways.

Madam Speaker, if I may be personal in addressing the presiding officer, it would not have happened without your tenacity and drive and skill in ramming this nomination through. I thank you.

I should recount the many things that the presiding officer and I did. For my colleague, Steve Symms, we represent the Senate, the two of us, we were together many years in that institution.

But dear friends, at moments like these you are struck with humility, but you reflect back on all those who served with you, and you also reflect upon those serving today and tomorrow; and I hope that the individual and collective accomplishments of each of us shall always serve as a guide for those to follow.

Because this country, in my 84 years of life, has never faced a more complex situation, be it with regard to our own internal and external security, as well

as our domestic economy, and we need the finest of minds to sit in this Chamber and the other body to try and reach solutions for this Nation because we are becoming more and more the object of derision and less envy than the years in which we were so proud to serve in this institution and America was all powerful.

But we also must be mindful that each of us got here by a certain amount of initiative and drive, but we got here because a lot of others helped us along the way.

Fellow colleagues in Congress and those when I was in the Department of Defense, I learned, I listened and learned and followed their guidance to perform the duties that I was undertaking in those chapters of public service. My years in the Pentagon were during some of the most stressful years in Vietnam; and how well I remember, as Secretary, the evenings when I returned home to sit down and write the notes to the families that had lost a loved one in those battles.

So here we are today, having plucked from the many, another, to stand in that long line of distinguished individuals who so proudly and so humbly have accepted this award. So, once again, let us hope that our contribution has laid a foundation for those who now occupy these seats and those that will follow to guide this great Nation.

I thank you again. I thank you very much. I thank the dear Lord for the guidance that he has given me through these many years.

As I said, blessed are ye that are brief, for ye shall return.

Ms. MORELLA. You are most deserving, Senator Warner. You honor us.

The President resumes.

Mr. HERTEL. I am certainly so happy to hear Senator Warner's remarks, and we also included a scrapbook there of his colleagues' congratulatory statements, and I want to thank again Leader Michel for his wonderful introduction and the honor he does all of us by helping us and giving us advice.

I see that some Members have joined us since our proceedings started, so I welcome you. At the conclusion of our report, you will have the opportunity to give your name to the House Clerk for the roll call.

As President of the organization, it is now my duty to report to the Congress about the activities of the U.S. Association of Former Members of Congress since our last annual meeting in June of 2010.

Our association is bipartisan. It was chartered by Congress in 1983. The purpose of the U.S. Association of Former Members of Congress is to promote public service and strengthen democracy abroad and in the United States. About 600 former Members, Senators and Representatives, belong to the association.

Republicans, Democrats and independents are united in this organization in their desire to teach about Congress and the importance of representative democracy. We receive no funding from the Congress. All the activities which we are about to describe are financed via membership dues, program-specific grants and sponsors, or via our fund-raising dinner. Our finances are sound, our projects fully funded, and our 2010 audit by an outside accountant came back with a clean bill of financial health.

We again have had a very successful and rewarding year. We have continued our work serving as a liaison between the current Congress and legislatures overseas. We have created partnerships with highly respected institutions in the area of democracy-building and election-monitoring. We have developed new projects and are expanding others, and we again sent dozens of bipartisan teams of former Members of Congress to teach about public service and representative democracy at universities and high schools both in the United States and abroad.

Our Congress to Campus program, our Civics Connection, our People to People programs are the things that we are going to be talking about now when this organization was created over 40 years ago. The former Members who founded our association envisioned this organization to take the lead in teaching about Congress and encouraging public service. They were hoping that former Members could inspire the next generation of America's leaders.

Over the years we have created a number of programs, most importantly the Congress to Campus program, to do just that. The Congress to Campus program was established 35 years ago as a way to reach college students. It has since grown into a civic education effort that also brings former Members into the high school civic education classroom, as well as connects former Members with students as young as middle school age.

When I was in college quite a long time ago, we had Senator Ribicoff come to Eastern Michigan University. The Senator spent an entire evening with us, and he answered all our questions and talked about public service. After, I asked him, I said, Senator, why are you here? What are you running for? Are you running for President? Why are you here?

He said, I'm here to get you people involved in public service. He said, Don't you remember what John Kennedy said?

It just struck me. It struck me that that is the kind of program and the kind of moments that we have with students all across this country all of these 30 years that we have had this program in effect. We continue to work with our great partner, the Stennis Center for Public Service; and we

thank them for their invaluable assistance in administering this program.

I now yield to the former President of our association, Jack Buechner of Missouri, along with Matt McHugh of New York, the co-chairs of this great program.

Mrs. MORELLA. The Chair recognizes the gentleman from Missouri.

Mr. BUECHNER. Thank you, Madam Speaker, and I thank the gentleman from Michigan.

When this organization was created, I am sure that the idea was that there is all these old codgers out there that had some free time, they ought to throw it in and improve the overall attitude of the country through the young people towards Congress.

The truth of the matter is that the program is as enlightening for the Members who go to the campuses, one Republican, one Democrat. We usually spend 2½ days. At that time, you meet with political science classes, student governments. You meet with the campus television or various media sources there. You meet with some faculty members, YRs, YDs. Occasionally a town-and-gown meeting where you will go and help conduct political science fora for faculty, students, and the general public. They are just great opportunities.

The Stennis Center is our partner. It is down at Mississippi State. It has helped coordinate, helped raise money. We have to pay our base administrative costs, and we ask the various colleges and universities to pay a small amount of money, a very nominal speaker's fee. It does not go to you. If you show up, you don't get anything, but the Association does. And then the school provides lodging. It will range from a Tom Bodett, keeping the light on, to staying sometimes in a pretty nice alumni center. They don't change the sheets for you, though, so you just have to spend 2 days and get out.

The participating students, what do they get out of it? They get a chance to meet real people who have been there. As was discussed before, the idea about public service, Senator Warner talked about it, Dennis Hertel talked about it, the idea of talking to these young people about the idea and the practice of being involved, involved to the point where it is attractive to them so when they go and sit around and have a beer and some pretzels and a pizza—they want to talk about the people who are in elected office—they don't start off with: Well, those bastards. They start off with something like: You know, I met this woman who served in Congress. She told me how she got involved in politics.

I always tell people that I was president of the Young Republicans when I was in college. Of course, I was at a Catholic men's college during the Kennedy campaign. I might as well have been the head of the young Satanists.

But you know what, it was a learning experience.

The students who come to these meetings are not just those majoring in political science. When I was at Northeastern University, one of the interesting things was their drama department wanted to talk about aid to the arts. We had all of these people, and I have to tell you, it was an enlightening experience to listen to people who thought there ought to be some sort of a salary paid to artists and actors and everything. I said: Well, you know, if I can tell you anything, don't expect it from the government; but there should be a cooperation between the government and the arts, and your job will be to be advocates for that.

I don't know whether they believed me or not.

But the hard work that is put in by the Members over that 2½ days is pretty substantial.

I have to give some special note because this program would not work without Bryan Corder. Bryan, stand up and let everyone see you.

He is obviously young and energetic, and his job is to coordinate with Brother Rogers at the Stennis Center to help coordinate these visits.

In fact, one of the shortages we have is getting Members to sign up. And, I mean, it is a commitment. You don't get paid. It is 2½ days. And some of the sites that we go to are not—it is not New York City and it is not Annapolis and it is not Miami. Sometimes it is out where you can honestly say the profit-loss is slipper, and it is not always easy to get in. It is not always easy to get out. But I will say this, it is always an intriguing and educational experience for the Members to go there.

We had 20 different programs last year. In 2011 to 2012, this academic year, the project has continued to reach out, not just to colleges and universities, but community colleges and high schools. They can play an important supplemental role in teaching about representative democracy through the high school level. We have continued our working relationship with the People to People Ambassador program that brings young people to our Nation's capital for a week of events centered on the concepts of character and leadership.

This year we expect the lineup of new schools to be, hopefully, at a record high. I want to be an advocate that after this presentation today, that you might meet with Bryan and sign up, sign up to be a volunteer. You don't have to pick a particular date right away. And very importantly is the fact that if you are an alum and you want your school to be visited, give us the name. Give us a contact person. Perhaps you have been an administrator yourself or are currently a lecturer at

a university or college, or you've got one in your old congressional district. We need the contacts so we can contact these schools and take care of it.

The involvement in this program allows our Members living in the Washington area to speak to younger students through the People to People program because they are bringing them in, but then we want Members who live outside to be able to go perhaps 100, 200—although it is not first class travel, I want to advise you, but we will get you there and you will be better for the visit.

Finally, I want to say that there are some people who have been extraordinary in working with us. I just want to name Tom Davis and Martin Frost. They have been participants in this program truly year after year, especially even with the high school students.

So this has been a success for its 35 years. It is getting bigger, and I think it is getting better. I would just want to exhort you all to sign up. And also, we need a word of thanks for Matt McHugh, my co-chair on this, because he has been tireless in his efforts to recruit.

Mr. HERTEL. I thank the gentleman from Missouri for his report and all of his hard work with Matt McHugh, and I want to talk for a moment about a new program that Dan Glickman and I have been developing with the Bipartisan Policy Center, and we will have Jim Walsh of New York give a report on Common Ground.

Mr. WALSH. Thank you, Mr. President. Madam Speaker, colleagues, good morning. It's great to be with you.

As you may recall from our last report to Congress, the Association has put some energy and focus into the question of bipartisanship. Everything we do at the Former Members Association is done in a bipartisan manner. Our leadership is comprised equally of Republicans and Democrats. Our delegations are led by bipartisan teams of former Members of Congress, and our projects involve both Republicans and Democrats equally. We truly are a bipartisan organization where Members from across the political aisle come together for common purpose.

We have found that, for a number of reasons, this type of bipartisan interaction has become more and more difficult for current Members. This development has many causes, many of which are beyond the control of today's Members.

Our association, therefore, has created a new undertaking, the Common Ground Project, with the purpose of finding ways in which Democrats and Republicans can work together for the good of this country. The origin of the Common Ground Project can be found in our Conference on Bipartisanship which we hosted last year at the National Archives in partnership with the

Bipartisan Policy Center. Three panels examined our current political discourse, how bipartisanship—or the lack thereof—has influenced our political decisionmaking process, and the way the media influences this Nation's political climate. The concluding panel looked at concrete steps we might take to foster a more civil relationship across the aisle.

Following the conference, we invited our membership to cosign a letter to all candidates for congressional office in the 2010 midterm elections. In the letter, we asked for a focus on issue rather than divisive demagoguery, and I am happy to report that over 150 former Members immediately signed the document.

Next, we decided to put some thought and effort into a structured program that could serve to foster a more civil and productive political discourse in this country.

Our idea is to create an outreach modeled on our very successful Congress to Campus program. Via a Congress to the Community Project, we hope to reconnect America's voters with their political process and encourage a respectful and productive debate on the many issues that we face.

For example, a bipartisan team of former Members will have town-hall-like discussions focused on the budgetary process and deficit reduction. We will go into the community and bring different political points of view to the electorate, invite the voters to participate in this debate, and find some common ground. We will also find ways of bringing current Members into the conversation, and we will create opportunities for current Members to get to know their colleagues from across the aisle a little bit better. It is my hope that when we return to the House Chamber for our report next year, we will be able to describe the first successes of this new undertaking.

Madam Speaker, I yield back the balance of my time.

Mrs. MORELLA. The Chair thanks the gentleman from New York.

At this time it is a great honor to recognize the distinguished Speaker of the House of Representatives, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me say good morning to all of you and welcome back. I see a lot of familiar faces here.

Let me also congratulate John Warner on receiving the Distinguished Service Award. John and I obviously worked together over the years, about 16 of them or so, and he is truly deserving of this honor.

You have probably recognized over the course of this first 6 months in the new Congress that we are trying to run the House a little differently—a novel concept of allowing the House to work its will, more open debate, more amendments, and respecting the work of the committees. And I have to tell

you, so far it has gone very well. I think Members on both sides of the aisle are appreciative of how the process is working. As someone who came up through the committee ranks, who was a committee chair, I feel pretty strongly that the House works best when the House is allowed to work its will. I know a lot of people don't really believe that, but I'm going to tell you, just continue to watch because I just think everybody ought to have a chance to participate. Every one of us represents 650,000–700,000 constituents, and I think every Member should have the ability to play a part in this process. So, so far so good. We have a ways to go, but I am proud of the start that we have made.

In addition to that, I think all of you know that our economy is not doing well. The American people are continuing to ask the question: Where are the jobs?

At least in my opinion, we don't have many options available to us. We all know that we have big mandatory spending programs that aren't sustainable in their current form. Something has to be done. We all know what the problems are. Why don't we just go fix them?

I have had this same conversation with the President over the course of the last 5 months, and I really do think that this is the moment, this is the time for us to deal with these problems like adults: look at the problem and go solve it. You know, the problem around here, as you are all aware, is that the next election always kind of gets in the way of having the courage to do the right thing. So I have encouraged the President: forget about the next election. We know what the problems are; let's just go address them.

So it is going to be something, I think, a little different than anybody has ever seen when this agreement comes together. It is hard to tell you at this point what it is going to look like; but I am going to tell you this, this is the moment. This is the opportunity to address these big, looming problems; and I don't want to allow this opportunity to pass by.

So let me say, welcome back. I would hope that you would also work on getting more of our former colleagues back here. This is a big day for all of you, and I am proud of you, proud of the service you gave this institution, and I am proud of the opportunity I had to work with many of you over the years. Welcome.

Mrs. MORELLA. Thank you, Mr. Speaker.

The Chair recognizes the gentleman from Michigan.

Mr. HERTEL. I want to thank the Speaker for taking the time for being our keynote speaker at our dinner this last year and for always helping us with our golf tournament. We know he couldn't make it yesterday. Some of

the people are sunburned here today because of that tournament. And, of course, the Democrats won. I think if the Speaker were there, it would have strengthened the Republican side far more.

Mr. BOEHNER. There is always tomorrow.

Mr. HERTEL. We want to wish the Speaker well in his match with President Obama coming up this weekend. Thank you, Mr. Speaker.

The Speaker has been great in taking time out of his busy schedule to come here, but also to be so very supportive of our association, and we appreciate that very, very much.

Let me talk about that charitable golf tournament yesterday. A great example of how powerful and productive bipartisanship can be is our Annual Congressional Golf Tournament. Four years ago, we took a 35-year tradition of the annual golf tournament between Members and former Members which pits Republicans against Democrats for a trophy, and we turned it into a greater mission. We converted it into a charitable golf tournament to aid severely wounded vets returning from the battlefields of Iraq and Afghanistan.

Our beneficiary, the Wounded Warrior Project of Disabled Sports USA, is as impressive and remarkable an organization as you are likely to find anywhere in this country. They use sports to help our wounded veterans readjust to life after a severe injury. They involve the entire family in the sport, and they take care of providing all of the equipment and training.

We held the fourth golf tournament yesterday; and between the four tournaments, we have raised almost a quarter of a million dollars for this outstanding organization. At yesterday's tournament, we had almost 50 current and former Members from both sides of the aisle come together to support this great charity. We met with over a dozen of the wounded warriors. In addition, we were greatly honored by a visit from three members of the famous Easy Company, the World War II outfit made famous by Steve Ambrose's book "Band of Brothers" on which the highly successful HBO miniseries was based.

Yesterday was a very rewarding and memorable day, to say the least. To have these guys there, they are 88 years old from the Band of Brothers. And right now this morning, they are over at the World War II Memorial for the first time in their lives. But to see them there with us yesterday and to be able to thank them for what they have done for our country was a great experience for all of us.

And to be able to play golf with the wounded warriors yesterday and see how much better they are than any of us, to have that kind of fellowship with them and to see what this program can do was really satisfying.

We want to thank Zach Wamp and Chet Edwards for their help in chairing this before when they were Members. They have joined us now as formers, and we gave an award to them yesterday. We are so happy to have our new chairmen, JOE BACA and ANDER CRENSHAW, do such a great job of recruiting more active Members to that tournament yesterday.

I want to thank all four of these fine men, as well as my former co-chair of this undertaking, Ken Kramer from Colorado, who has done such a fantastic job. It has really made a difference. I think all of us have much more satisfaction now in the tournament that we used to enjoy for fellowship, now for having a cause, the Wounded Warriors Sports Program, and it is really an honor to help our Nation's heroes in this small manner.

Now I want to call on Bob Clement from Tennessee. A year ago, we had this first trip to China. We led eight Members over there; and since then, we have had a delegation of former Senators go over. And now Bob Clement is just back from the latest mission of House Members that have been over to China on behalf of the Association of Former Members of Congress.

Mrs. MORELLA. The Chair recognizes the gentleman from Tennessee.

Mr. CLEMENT. Thank you, Mr. President, Madam Speaker.

It was a great honor and privilege for me to be with six former Members of the House of Representatives on the Democrat and Republican sides to go to China. The last time I was in China was 1995. I might say much has changed, and I sure miss those bicycles. I think they've listened too much to the Western World. The bicycles are gone, particularly in the coastal areas, and the automobiles/motor scooters have truly taken over. China, as you all know, has still got a major challenge in being a developing nation. The coastal areas are most prosperous, but in the rural areas, where 700 million people live—half the population—they still live in abject poverty.

I will say, with the Chinese—and I can speak for the entire delegation who were part of this experience sponsored by the Former Members of Congress Association—I was most impressed with their openness. We had the chance to meet with some of the top officials in government, business leaders, even including one billionaire China businessman, as well as the academic community—Chung Hua University, which is looked upon as the number one university in China. All of those experiences were very open.

What I've noticed and observed is the fact that the Chinese Communists still control and dominate in China, but even kids in kindergarten are learning English, all the way from kindergarten up. The Communist Party is still in control, but China is not as isolated as

it once was. Also, the Chinese know English, and every place we went, the vendors and the young people knew how to speak English because they realize English is the universal language.

No doubt China is going to be a superpower even though it's a developing nation. We had the opportunity to travel on trains 225 miles an hour, and their airports and rail terminals are phenomenal. I couldn't believe that train. I mean, you could hardly feel any motion at all since it was such a smooth ride. Now they've got a new train that's getting ready to go into operation between Shanghai and Beijing, and that will be launched very soon now.

So what I'm saying to you is that being involved with the Association and what we experienced was an eye-opener. I went on a lot of CODELS just like the rest of you did, but even as a former Member participating through the Association, all of us can make a major difference, and I encourage you to be involved and engaged as much as you possibly can.

Another example of the unique role our association can play in international affairs is the Middle East Fellows Project, which we administer in partnership with Legacy International, a Virginia foundation. We hosted last year almost 20 young professionals from the Middle East here in D.C. Their stay in D.C. was made possible by way of a grant from the U.S. Department of State. The group, which spent about 1 month in Washington, included lawyers, journalists and government employees from Kuwait and Oman. In addition to the time spent with the former Members, our guests spent several weeks on Capitol Hill as visiting fellows in a number of congressional offices, and there were several return trips which enabled former Members to travel to Kuwait and Oman for factfinding visits. Our bipartisan co-chairs for this program were Larry LaRocco and Scott Klug.

I now yield the floor to the gentleman from Idaho so he can give us more detail and more subject matter on this undertaking. Thank you.

Mr. LAROCCO. Thank you, Bob, Madam Speaker.

It was an amazing experience to be involved in this project that Bob just described to you all. We had a great team of young women and men from Oman and Kuwait. They were truly outstanding individuals in this group who were clearly destined to be leaders in their respective countries in the future. I am pleased and proud that our association could establish a dialogue and a learning experience of this type. I use the word "dialogue" on purpose because we learned as much from our guests as they did from us. Countries obviously need to build bridges connecting people and decisionmakers. Countries need to find ways to commu-

nicate and dispel some myths that may exist, and countries need to lay the foundation so the next generation of leaders has the appreciation for the world beyond their borders. I strongly believe that our great association, via the Middle East Fellows Program, did exactly that. Our former Members have such a unique insight and appreciation of what it means to represent a constituency and how to make the legislative process work. It is therefore altogether fitting that we play this type of role and have this type of outreach.

I want to focus for a minute on the role that the former Members played as mentors to these young men and women who came to our country. It was truly a great effort by our association. Let me focus for just a minute on the outbound part of the program, specifically the delegation I had the pleasure of leading to Kuwait and Oman with Scott Klug.

In both countries, we met with our U.S. ambassadors, who were 100 percent committed to this specific public diplomacy initiative. We had ample time to visit with them and their staffs about regional and global issues. Our busy schedules were designed to put us in touch with many public and private sector entities in order to get a balanced view of the relationships on many levels with the U.S. We were struck by the progress, for example, for women's rights in both Kuwait and Oman. It is clear that they've made a commitment in this area.

Clearly, both countries are building capacity to take their democratic institutions to the next level based on strong commitments to education and transparency. While both countries have economies based on oil, there is also an attempt to diversify their economic bases. These two countries, Oman and Kuwait, remain strong allies of the U.S. in the Gulf, and since our visit, we have not seen the upheaval in these countries as in other countries in the region.

I was very impressed with the dialogue that we had with the students in both countries. Of particular interest was meeting the young professionals we had seen in the U.S. in their native countries and hearing from them the value of their time that they spent with us in our program here in the United States and at the Nation's capital.

In addition to this delegation, another former Member delegation visited the region. My colleagues Martin Lancaster, David Minge and Jack Buechner all had the same experience I had: that the people of Kuwait and Oman are extremely hospitable, eager to meet Americans, and very appreciative of anyone interested in learning more about their great cultures and countries. There are many misconceptions when it comes to the Middle East and America's role vis-a-vis the Middle

East specifically. It therefore was incredibly educational for all of us to participate in this experience, and I urge my colleagues to become involved in the Middle East Fellows Program when the State Department contract gets renewed, hopefully, in the very near future.

I also want to extend a special thanks to the wonderful staff of Legacy International, without whom none of the trips or the great D.C. program would have been possible. I hope we will have a long and productive partnership with this fine organization.

Thank you very much for allowing me to give this report to the Association today.

Mrs. MORELLA. The Chair thanks the gentleman from Idaho.

The President continues to have control of the time.

Mr. HERTEL. Thank you, Madam Speaker.

Thank you, Larry, very, very much for your report, and Bob Clement.

There are a number of other international projects involving our Former Members of Congress Association. Several years ago, we created the International Election Monitors Institute under the leadership of then-President Jack Buechner. It is a joint project of the U.S. Association of Former Members of Congress with the Former Members of the European Parliament and the Canadian Association of Former Parliamentarians, a couple of whom are here today whom we'll get to later.

In addition to conducting multiple workshops for former legislators to train them for election monitoring missions, IEMI has sent delegations to monitor elections in places such as Morocco, Ukraine, and—our most ambitious undertaking—Iraq. All IEMI activities have been made possible via a grant from CIDA, the Canadian International Development Agency. We thank them for their support. The original intent of the International Election Monitors Institute was to train former legislators and prepare them for the task of observing an election. We have since had some very productive discussions with our partners in Canada and Europe, and have arrived at the conclusion that this original vision, while still valid, needs to be broadened and expanded. Former legislators from all political walks of life can be a tremendous asset to those organizations that seek to strengthen democracy across the globe. We can help newly elected legislators as they find their footing in the responsibilities that come with representing a constituency at the federal, state or local level. We can help an emerging democracy as it seeks to implement an election result and facilitate a peaceful transition of power. We can help a legislative branch as it tries to assert its oversight power over the executive branch. All our delegations are comprised of legislators from the United States, Canada, and Europe. We are a truly international undertaking, and we do not play any role in implementing the foreign policy of either the United States, Canada or the EU. We simply wish to help those countries that yearn for a transparent and ac-

countable form of government. In addition to changing this focus of the International Election Monitors Institute, we are in talks with our colleagues from Australia and New Zealand to see whether a more global outreach and partnership might be possible. I hope to be able to report to you next year that a truly worldwide effort has been created.

In addition to the great work of the IEMI, our Members play a role in the efforts of the House Democracy Partnership and the U.S. Department of State. The HDP is a current-Member undertaking that brings democracy building and legislative strengthening projects to a select number of countries across the globe. It is chaired by DAVID DREIER of California and DAVID PRICE of North Carolina, and we thank them both for giving us the opportunity to participate. We provide expert opinion to Members and staff of parliaments in emerging democracies, and we conduct workshops and presentations at the direction of HDP staff. Just last month, one of our Members, Earl Pomeroy of North Dakota, traveled to Kosovo to provide some training and advice. Previous missions, all funded by the U.S. Agency for International Development, have taken our delegations to Kenya, Georgia, Poland, and Haiti. The missions are issue-specific, have an intense and active program, and give former Members the opportunity to share some of their experiences with current legislators in parliaments overseas. The House Democracy Partnership is an extension of the great work begun by Martin Frost and Gerry Solomon as part of the Frost-Solomon Task Force. Clearly, former Members can play an important and productive role in this type of program, and we are thrilled to be included in the crucial and impressive work of HDP.

As I mentioned earlier, we also have begun working with the U.S. Department of State. This partnership comes in several variations. We have connected bipartisan teams of former Members of Congress with U.S. embassies overseas via webcasts. Our former Members sit in a studio in Foggy Bottom while the U.S. embassy abroad assembles an audience either at the embassy or at a university for a dialogue with our Members. Most recently, we communicated with audiences in Austria and Belgium, first giving an overview of current U.S. politics and then engaging in a lengthy Q&A. Another State Department-sponsored program brings former Members directly to the embassies and consulates overseas. Sometimes former Members travel specifically as part of the State Department's program. Sometimes the State Department will piggyback on a former Member who is visiting a country for business or pleasure. We think this is a great way to communicate with foreign audiences about the United States, about our foreign policy, and about our political process.

In addition to the international work which I just highlighted, our association also focuses on creating a dialogue involving current Members of Congress and their colleagues in legislatures overseas. Mainly, we achieve this objective via the Congressional Study Groups on Germany, Turkey, and Japan.

At this time, I would like to call on the Honorable Jim Slattery from Kan-

sas, the former President of our association, for his report on international programs in Germany, Turkey, and Japan.

Mrs. MORELLA. The Chair recognizes the gentleman from Kansas.

Mr. SLATTERY. It is a pleasure to report on the work of the Congressional Study Groups on Germany, Turkey and Japan. These bipartisan programs for current Members of Congress serve as invaluable tools for dialogue between lawmakers, and act as educational forums to create understanding between the United States and three of its most strategic partners.

The Congressional Study Group on Germany is the Association's flagship international program, and is one of the largest and most active parliamentary exchange programs between the U.S. Congress and the legislative branch of another country. Celebrating almost 30 years of active programming, the study group offers German and American lawmakers the unique opportunity to candidly discuss issues pertinent to both nations, including pressing international challenges.

Following the Association bipartisan mandate, the Study Group on Germany is also overseen by a bipartisan team of current Members of Congress. The 2011 Chairman and Vice Chairman of the Congressional Study Group on Germany in the House of Representatives are Representative RUSS CARNAHAN, a Democrat from Missouri, and Representative PHIL GINGREY, a Republican from Georgia. In the Senate, Senator JEFF SESSIONS, a Republican from Alabama, serves as co-chair, and the study group is in the process of finding a new Democratic co-chair since Senator Evan Bayh has retired.

The study group's programming consists of periodic roundtable discussions on Capitol Hill for Members of Congress, featuring visiting dignitaries from Germany or U.S. Government officials, annual seminars abroad or at home, and study tours and events geared toward senior congressional staff. Current Members of Congress chair the CSGC in a bipartisan manner. A few highlights for the Study Group on Germany's events on Capitol Hill during this year's programming included: a luncheon discussion with Dr. Norbert Lammert, President of the German Bundestag; a panel featuring Under Secretary Robert Hormats; and a roundtable with the German Bundestag's Defense Committee members.

The Congressional Study Group on Germany's main pillar of programming is the Annual Congress-Bundestag Seminar that takes place in the U.S. every election year and in Germany every nonelection year. These 5-day-long conferences present Members of Congress and their counterparts at the German Bundestag the opportunity to

come together for a series of in-depth discussions focusing on issues affecting transatlantic relations. The seminars also give lawmakers the chance to observe the domestic atmosphere of both nations as they evaluate the effects of their foreign policy decisions.

The 27th Annual Congress-Bundestag Seminar took place the second week of May last year in Washington, D.C., and in St. Louis, Missouri. This year, the annual seminar is scheduled to take place in Berlin, Potsdam, and Wittenberg, Germany, at the end of June. Topics for discussion during the 28th Annual Congress-Bundestag Seminar will include: sustaining economic growth, relations between the European Union and the United States, and energy security. During this programming year, the study group also took a delegation of eight chiefs of staff to Berlin and Frankfurt, Germany, on a Senior Congressional Staff Study Tour.

Since its establishment, the Congressional Study Group on Germany has been receiving generous support from the German Marshall Fund of the United States, and the Association would like to thank Craig Kennedy, the President of GMF, for his trust in our programming. To assist with administrative expenses, the Association also receives additional funding from a group of organizations making up the study group's Business Advisory Council, headed by former Member Tom Coleman of Missouri.

Using the Study Group on Germany as a model in 2005, a Congressional Study Group on Turkey was established. In only 6 years, the Study Group on Turkey has become another major program of the Association and one of the most active parliamentary exchange programs between the U.S. Congress and the legislative branch of Turkey. Given Turkey's strategic role in its region and position as a gateway between East and West, the Study Group on Turkey is essential in forging communication networks between current Members of Congress and Turkish Government officials to discuss issues such as the Middle East peace process, energy security, and avenues of cooperation in the region.

The Study Group on Turkey is active only in the House of Representatives, and is again led by a bipartisan group of current Members of Congress. Representative VIRGINIA FOXX, a Republican from North Carolina, and Representative STEVE COHEN, a Democrat from Tennessee, are the co-chairs of this group. Representative ED WHITFIELD, a Republican from Kentucky, remains active as the study group's immediate past co-chair.

Similar to the Congressional Study Group on Germany, the Study Group on Turkey hosts events for Members of Congress on Capitol Hill which are dedicated to U.S.-Turkey relations, an annual seminar at home or abroad, and

events and study groups geared toward senior congressional staff. The study group held its second Senior Congressional Staff Study Tour to Turkey during the Easter recess this year, bringing together eight chiefs of staff to learn about Turkish domestic politics on the eve of national elections and U.S.-Turkey bilateral relations.

The Congressional Study Group on Turkey regularly features members of the Turkish Grand National Assembly and ministers of the Turkish Government as well as U.S. Government officials in its events geared toward current Members of Congress. During the 2010/2011 programming year, the study group has hosted high-level guests such as the Honorable Egemen Bagis, Turkish Minister for EU Affairs and Chief Negotiator of Turkey in accession talks with the European Union; and Ambassador Dan Benjamin, Coordinator for Counterterrorism at the U.S. State Department.

The Annual U.S.-Turkey Seminar is a significant aspect of study group programming for each year. The seminar brings U.S. and Turkey legislators together with policymakers and business representatives to examine important bilateral topics and transnational issues such as terrorism and energy security. The seminar aims to inform Members of Congress about the concerns of one of the United States' most important allies. Moreover, the seminar is an invaluable tool for creating and reinforcing personal relationships between Members of Congress and members of the Turkish Grand National Assembly.

The sixth Annual U.S.-Turkey Seminar took place in Washington, D.C., in September 2010, and this year, the study group will take a delegation of current Members of Congress to Ankara and Istanbul, Turkey, for its seventh annual seminar. Topics of discussion for this year's seminar will focus on Middle East stability, prospects for the global economy, and growing U.S.-Turkey relations.

The Association also organizes and administers the Congressional Study Group on Japan. Founded in 1993 in cooperation with East-West Center in Hawaii, the Congressional Study Group on Japan brings together Members of the U.S. Congress and Members of the Japanese Diet for a series of discussions covering issues of mutual concern. A group of current Members of Congress chair the Study Group in a bipartisan manner. In the House of Representatives,

Congressman JIM MCDERMOTT of Washington and Congresswoman SHELLEY MOORE CAPITO of West Virginia serve as co-chairs. In the Senate, Senators JIM WEBB of Virginia and LISA MURKOWSKI of Alaska take an active role in Study Group programming. The Congressional Study Group on Japan has been funded since its inception by the Japan-U.S. Friendship

Commission, and the Association would like to give a special thanks to Dr. Eric Gangloff for his continued commitment to the success of the Study Group as Executive Director of the Commission and wish him well in retirement.

The Association is proud of the work that we do in administering and encouraging these study groups, and we are, of course, looking forward to many more years of activity in this area.

It's good to see you all today.

Mrs. MORELLA. Thank you, Mr. Slattery.

Now the Chair has the distinct privilege of recognizing the very important and distinguished minority leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Good morning, everyone. Thank you, Madam Chair, Madam Ambassador, Congresswoman, many titles, great leader.

Thank you all very much for being at the Capitol today and thank you for your ongoing work on behalf of our country. I am honored to be here as the minority leader in the presence of a great minority leader, Bob Michel. He knows this job with a President of your party and without a President of your party. Again he is, as you know, an icon in this House, and anytime he visits it's a cause for celebration for us. And to be able to do so, to honor Senator John Warner, welcome to the House side, Senator Warner. The respect that we have had for you over the years is only heightened by your ongoing leadership now that you are a former Senator, but the fact is your imprint on this Congress has been a great one, not only substantively but officially in a bipartisan way. You're a great leader. It's an honor to welcome you and to join our Speaker in welcoming you to the House side. Good morning, Senator. Please give my love to Jeanne.

And to Dennis Hertel and Connie Morella, thank you for your leadership. Listening to Congressman Slattery talk about the working groups and the rest, I am so impressed, because that you continue to do this work is very, very important. I just had the Ambassador from Japan in my office, and I could just substitute that name for almost any country, but Japan in particular right now at a time of duress for that country, the appeal was to heighten our interparliamentary relationships, whether with former Members, with staff, or with current Members as well.

JIM, thank you for the work that you're all doing with those working groups to encourage them. Former Members are a fount of so much wisdom for us, Senator and Mr. Leader, Madam Chair, Dennis, you understand the institution, you have time to reflect, I hope—I hope you have time to reflect—on some of the issues while

you served here and as you see our service here.

We consider ourselves all colleagues to each other. Abraham Lincoln is our colleague. Anyone who ever served in this House, I believe, is our colleague. Daniel Webster, Abraham Lincoln, we're part of a very proud tradition in the people's House.

I just want to tell you this anecdotally. All of the Speakers, former and present, have been invited to participate in the 200th anniversary, the bicentennial of the election of Henry Clay as Speaker of the House. This will take place in Lexington, Kentucky, pretty soon. So, of course, we're all reading up on Henry Clay to enhance our knowledge of what was going on at the time. It was pretty raucous at the time. He was elected the Speaker the first day he arrived, 34 years old, the youngest Speaker ever, but he was part of an insurgent group of many, many freshmen who decided that they were going to take over the House, and his imprint here was a great one.

In studying and in looking at his service over the years back and forth, Senator Warner, he started in the Senate and he decided that not much was getting done over there, so he decided to run for the House. And then eventually he went back to the Senate. It's very interesting to see, because as people, shall we say, comment on our combativeness or our enthusiasm for ideas as we compete in this great marketplace of ideas called the House of Representatives what the heritage and what the background is of that expression of difference of opinion. The gentlemen that we have here, Leader Michel and Senator Warner, are examples of the civility we hope will be the hallmark that guides again our enthusiasm for the ideas that we bring to the Congress.

Thank you for your ongoing leadership. Thank you for being an intellectual resource to the Congress in a bipartisan way. I think I served with almost all of you, maybe not every single one but almost all of you, so I have a great appreciation for the contributions that you have made. Again, the imprint, the legacy that you have left. I know you're very proud. I want you to know that we are as well.

You have come at a very interesting time. The issues of budget and budget priorities and the values debate that goes with that is something that is not new to all of you. The challenges that we face in the world, our national security is everything. We take that oath to protect and defend our national security. I know I don't have to say that to Bev Byron, her great leadership on the Armed Services Committee. But also at a time where you have real-time communication, it's so different. When Henry Clay was the Speaker of the House, a message could only travel as fast as a horse could gallop or a ship

could sail. Imagine. And today in real time. In fact it's even before real time. Before you even get out of the room, it's been BlackBerry'd outside of the room, so the message is always ahead of you. Imagine the difference that that makes, in the participation of the public, in their reaction to events without any explanation or context in which they have taken place but the fact that they are taking place.

Again, you've seen this all happen. Some of it happened when many of you were here. Every day a new technology enhances our communication. We see that as a plus. We see how it promoted democracy in the Middle East. We hope for the best coming out of all of that, hopefully that it will be democracy, but the change that sprang from it.

So in terms of how we represent, I say to the Members, you're all independent. Your job description and your title are one and the same: Representative. Representative. Sometimes it requires leadership to give a national perspective to some of the decisions that you have to make that might be not clear at home at the time, and again especially with real-time communication, you have to be ahead of all of that. That's called leadership.

Thank you for your leadership. Thank you for continuing your work together in a bipartisan way. Thank you again for being an intellectual resource. Thank you for the work that you do internationally because, of course, again, back to national security, our first responsibility, to keep the American people safe and have our children grow up in a world where they can all reach their potential and their fulfillment because the world is at peace.

I bring greetings from the Democrats in the House, but I hope I could say that we all join together, Democrats and Republicans, in saying thank you to all of you.

Mrs. MORELLA. We thank you, Madam Minority Leader.

Mr. HERTEL. I want to thank the leader so much for taking time today, but also for always being so supportive of our association. The woman that has achieved the highest office in the history of our country, to honor us today to talk about the history of Henry Clay and other former Speakers and leaders of their political party is such a great honor.

I want to report to Leader PELOSI that the Democrats won that golf tournament yesterday, and it will have that trophy.

I want to now call on Beverly Byron.

In addition to the international and domestic programs we have created to either teach about Congress or strengthen democracy abroad, we are tasked with highlighting the achievements of former Members and providing former Members with opportunities to stay connected with their

former colleagues. One of the premier events we have is our annual statesmanship award dinner. In March of this year we hosted our 14th dinner, and like the preceding 13 years, we had it chaired by Lou Frey, who's done such an outstanding job. He couldn't be with us today, but he has asked our colleague, Beverly Byron, to report on this last year's dinner. Bev, for all 14 dinners, has been one of our most active dinner committee members. I would like to take this time and opportunity to introduce her and to thank Beverly Byron for all of her tireless work all these years for our association.

Mrs. MORELLA. The Chair recognizes the gentlelady from Maryland.

Ms. BYRON. Thank you, Dennis. Let me also thank Lou for the terrific work that he has done over the years to make this statesmanship dinner such a success. It is greatly appreciated by the organization because it is our major fundraiser.

The dinner this year was on March 15. The Association was proud to host it. As in years past, the event was held at the Ritz-Carlton Hotel on 22nd Street in Washington. We had nearly 400 guests in attendance. The evening was dedicated to celebrate the achievements of the 2011 statesmanship honorees: former Minority Leaders and former Speakers of the House who demonstrated exemplary service during their time in leadership. Speaker Tom Foley, Leader Dick Gephardt, Speaker Dennis Hastert, and Leader Bob Michel accepted the award in person, and although Speakers Jim Wright and Newt Gingrich were unable to attend, they sent their best wishes.

The evening began with remarks by former Member Lou Frey who recognized the many honored guests in the room, including Speaker JOHN BOEHNER of Ohio and the Ambassadors of France, Germany, Taiwan, and the European Union. After thanking the guests for their attendance, we had a moment of silence in recognizing the passing of our good friend and former President Jay Rhodes of Arizona. Lou then introduced former Member Larry LaRocco for what has become a yearly tradition: a live auction of congressional memorabilia to support the Association's civics programs. After dinner, Speaker JOHN BOEHNER gave the keynote address remarking on the importance of Congress as an institution. We then recognized each honoree individually and, at the conclusion of the evening, gathered them along with the Speaker on the stage to accept their awards. It was truly an historic night and the first time these past congressional leaders were assembled on a stage in one group. Their acceptance speeches were remarkable, giving the insight about Congress, what it meant to serve, and the challenges of their leadership. We are especially proud

that we were able to bring together Congress's past leaders with Congress's present leaders. It really was a very moving and memorable evening.

The annual dinner assembles former and current Members of Congress, prominent business and community leaders, representatives from the diplomatic corps, and many foundations and NGOs with which the Association has partnered over the years. Past honorees include our former Speaker, NANCY PELOSI, who just addressed us; Dick Cheney; the Greatest Generation; Secretary Lynn Martin; and others. The evening is our sole fundraiser and it makes possible some of the many programs my colleagues have already reported to you today on.

Let me add to the long list another example of what former Members can contribute to today's political education. One of the lessons that we have learned from interacting with the American high school and college students is that there is a void of real life experience and advice when it comes to civic education textbooks. To fill that void, our association, in conjunction with Lou Frey Institute at the University of Central Florida, has collected the words of wisdom our membership has to offer and edited two books which have since become published. The first, "Inside the House—Former Members Reveal How Congress Really Works," was published several years ago and is being used by political science professors across the country. This past summer, we published a follow-up volume entitled "Political Rules of the Road." This book focuses on some of the rules of the road that we have learned during our political careers, and I thank the many former Members who took the time and submitted contributions to this collection. The book has been featured several times on C-SPAN and also was the subject of a 2-hour panel presentation at the National Archives last fall. You can find information about both books on our Web site, and I hope you all will take time to look at our Web site. I recommend them to you and anyone interested in Congress.

With that, I yield back to our Association's President, Dennis Hertel.

Mrs. MORELLA. The Chair recognizes the gentleman from Michigan.

Mr. HERTEL. I want to thank Congresswoman Byron for all of her great help for our association.

Let me highlight quickly one more event that is a great way for our Members to stay connected and also educate themselves about a place they may not be completely familiar with. Every year we host a Fall Study Tour and invite our Members to participate at their own expense. We do the organizing and planning, and our membership can join us, time and interest permitting. We have visited some wonderful and interesting places over the years, both in the United States and abroad. Last fall we put together an exceptional Study Tour which brought us to Puerto Rico. Former

Member of Congress Carlos Romero Barcelo hosted our group and his wonderful wife Kate was instrumental in creating a program for us which was second to none. Our sincere thanks to both of them. What makes our Study Tours so interesting is that we can combine your usual tourist experience with a unique substantive program tailored to our membership. In Puerto Rico we had meetings with the Puerto Rican Senate, with the Speaker of the Puerto Rican House, with the mayor of San Juan, and with the governor of Puerto Rico, the Honorable Luis Fortuno, who, incidentally, is also a former Member of Congress. This trip was a great learning experience. The people of Puerto Rico are rightfully proud of their island and of their many accomplishments. Puerto Ricans have fought for our country during all of our wars and there are many Puerto Ricans who right now are serving in Iraq and Afghanistan. The people of Puerto Rico are hard-working and industrious. But what struck us most is the great warmth and hospitality that you will find wherever you go on this wonderful island. As I said, the annual Study Tour is like no other trip you can participate in, and it is the best way I have found to discover a country, its people, its culture, and its politics. I highly recommend to my colleagues that they consider participating in one of these trips. The next Study Tour will visit the Baltic Sea in mid-September with highlights that include Helsinki and St. Petersburg. And as I said before, all participants pay their own way, no Association funds are expended on this type of program.

Let me at this point take a second to welcome our dear friends from abroad. We are extremely honored to have with us several representatives of former legislative associations in other countries. From the Australian Former Members of Parliament Association, we are pleased to have and to welcome Barry Cunningham and his wife. Thank you very much for being here. We look forward to working with you continuing into the future. From the Canadian Association of Former Parliamentarians, it is our honor to be joined by Leo Duguay, Francis LeBlanc, and Don Boudria. Leo and Francis have been subjected to playing golf with me at our annual tournament, so they can attest to how bad I am at golf. We really appreciate them coming for our annual meeting and for our fundraiser yesterday for the golf tournament charity for the wounded warriors. Also from the Former Members of the Ontario Parliament, we thank David Warner for accepting our invitation. Our relationship with like-minded organizations across the globe is tremendously important to us, and we are very appreciative that all of you have come here today to be with us and to spend all this time in support of our efforts.

All the programs we have described, of course, require both leadership and staff to implement. Our association is blessed to have top people in both categories. I want to take this opportunity to thank our board of directors,

30 former Members divided equally between our two parties, for their advice and counsel. We really appreciate it. Also, I would be remiss if I did not thank the other members of our association's Executive Committee: our Vice President, Connie Morella; our Treasurer, Barbara Kennelly; our Secretary, Jim Kolbe; and serving on the Exec as Past President, Jim Slattery. You have all made this association a stronger and better organization than it has ever been, and I thank you all for your time and energy. Your counsel has been most invaluable to me.

To administer all these programs takes a staff of dedicated, enthusiastic professionals. I'm so sorry we're under the deadline here, because I couldn't talk enough about our staff.

First of all, we have Elizabeth Ardagna, our Member Services Officer, and how much work she has done on all fronts. Member Services doesn't cover all the different variety of things that she does. The golf tournament, she's in charge of that. Without her, it wouldn't have happened, and it wouldn't have been so successful. This is a day-in and day-out thing. The pressures of trying to work with Members of Congress and everybody's schedules and fundraising and all the other endeavors that she's done, we just want to thank her so much.

Esra Alemdar, our International Programs Officer, we've never had such success of having such valued speakers but also having such great attendance of active and former Senators and Members that have come forward to it.

Bryan Corder, Legislative Programs Manager, who's again a utility player. He does everything that we need. Regarding this China delegation that Bob was just talking about, all the work that that took, all the work that it takes to keep all of our different study groups in operation; all the things that our members need along the way to help with our fundraising dinner and all the rest. Bryan just does such an excellent job.

I come to Pete Weichlein, who we know is the epitome of our organization. It wouldn't exist without Pete, I guess is the simplest way to say it. He came up first working with our German study program, and then when he took over as Executive Director, we've seen all of the difference of an organization that has the breadth to do international scale operations, to reach with partners in our own country in a way we never had before, with the National Archives, the Bipartisan Policy Center, expanding Congress to Campus, so many different programs on the horizon. Without Pete's leadership and dedication, it would be impossible.

As some of the people said yesterday at the golf tournament, how do you get so much done with such a small staff? That is because of the superiority of our staff compared to any other, I think, in Washington DC.

And then we talk about Sudha David-Wilp, our International Programs Director, who is leaving us to go to the German Marshall Fund in Berlin, Germany. There couldn't be a better association that is benefiting our organization and the German Marshall Fund, that's to be said for sure. She and her husband and her two daughters mean so much to all of us because of the difference she has made in all of these programs and partnerships internationally. We could have never developed that kind of confidence and in-depth discussions and progress without all that Sudha has done. We hope to continue that relationship with her forever. For all of us, it's to our great benefit to have somebody of her superior intellectual ability, but personality, and to combine those two things means that it's been to the benefit of our organization and the people of the United States and the Congress of the United States because of all her hard work and accomplishments. Sudha, we thank you so much.

Finally, in addition to our wonderful staff we benefit greatly from our volunteers who lend us their talents and expertise pro bono. None deserve more appreciation than Dava Guerin, who has taken on the role of our Communications Director. Finally, you might notice we're getting some press coverage, and it's favorable, because of the great and wonderful work that Dava has done. She is just such a tremendous professional. We're just getting started this last month, but looking forward very, very much to going forward with her expertise.

Now I would just take this moment to thank all of you at the Association for all of the effort that you've put forth and all the dedication that you have. After these many years of public service, we have the epitome of Senator Warner and Bob Michel today showing that what can be done when we work together for Members of both parties.

Cokie Roberts, our only honorary member, has said two things about former Members: one, they dress much better than they did when they were Members; and, two, they haven't lost their partisanship, they keep that edge, they keep all those beliefs, but suddenly it's all now for a bipartisan effort in public service, and what a difference that makes. Cokie is exactly right. That's why I thank all of you and our association.

Now we come to our final bit of business before we must leave the Chamber today, in about 4 minutes, and that is the election of new board members and officers. Every year at our annual meeting we ask the membership to elect new officers and board members. In the past we have done so in a separate business meeting of the membership, but it occurred to us that there is no better place for holding a vote than

the Chamber of the House of Representatives, and that's what we're going to do today. I therefore now will read to you the names of the candidates for officers and board members. They're all running unopposed and I therefore ask for a simple "yes" or "no" as I present to you the list of candidates as a slate. So you couldn't have an easier election, and if we're going to do it on the floor of the House, we want to make sure that it's a sure thing, right?

For the Association's eight seats on the 2011 class of the Board of Directors, the candidates are:

Jack Buechner of Missouri
Martin Frost of Texas
Lee Hamilton of Indiana
Jim Kolbe of Arizona
Bob Livingston of Louisiana
Norm Mineta of California
Jim Walsh of New York

All in favor of electing these eight former Members to a 3-year term as our board of directors, please say "aye." All opposed, say "nay." Hearing no opposition, the slate has been elected by the membership.

Next, we will elect our Executive Committee. Connie Morella and I are finishing up the first year of our 2-year term. Therefore, the candidates for another 1-year term as our Executive Committee are:

Barbara Kennelly of Connecticut for Treasurer

Jim Kolbe of Arizona for Secretary
Jim Slattery of Kansas for Past President Exec Member

All in favor of electing these three former Members to another 1-year term on our Executive Committee, please "aye." All opposed, "nay." Hearing no opposition, the slate has been elected by the membership. I thank you all very much.

Now as we come to the conclusion of our program, it is my sad duty to inform the Congress of those former and current Members who have passed away since our last report. This list contains the names of our colleagues and friends, all of whom will be greatly missed. Let me just highlight one name, my close personal friend and our former President, Jay Rhodes. Just a year ago, Jay stood at this very lectern delivering this report to Congress in his capacity as our association's President. That I am reading his name today and the list of these Members who have passed is so very sad for all of us who have been active with our organization and have known Jay so well. Jay was a great leader and dear friend, and we miss his guidance, intelligence, and his humor very, very much. He was someone who cared about all of us and that we all felt close to. It is a lesson for all of us to appreciate life and to appreciate the friendships that we have and our family and to hold them dear and close to us.

I ask all of you to rise as I read the names as we pay respect to the mem-

ory of the people that I am about to list with a moment of silence.

John Adler of New Jersey
Robert Byrd of West Virginia
Emilio Daddario of Connecticut
Robert Duncan of Oregon
Marvin Esch of Michigan
Frank Evans of Colorado
Robert Ellsworth of Kansas
Geraldine Ferraro of New York
Peter H.B. Frelinghuysen, Jr. of New Jersey

Wayne Grisham of California
Robert P. Hanrahan of Illinois
William Harsha of Ohio
Fred Heineman of North Carolina
Arthur Link of North Dakota
Steve Horn of California
James Mann of South Carolina
Karen McCarthy of Missouri
James McClure of Idaho
Owen Pickett of Virginia
Howard Pollock of Alaska
William Ratchford of Connecticut
John J. Rhodes, III of Arizona
Dan Rostenkowski of Illinois
William Bart Saxbe of Ohio
Stephen Solarz of New York
Ted Stevens of Alaska
Tom Vandergriff of Texas
Harold Volkmer of Missouri
Stuyvesant Wainwright, II of New York

William Walsh of New York
Thank you.

That concludes the 41st Report to Congress by the U.S. Association of Former Members of Congress. We thank the Congress, the Speaker and the Minority Leader for giving us the opportunity to return to this revered Chamber and to report on our Association's activities. We look forward to another active and productive year. We thank all of you, members of the Association

Mrs. MORELLA. The Chair again wishes to thank the former Members of the House for their presence here today.

Before terminating, the Chair would like to invite those former Members whose names were not recorded as being present to give their names to the Reading Clerk.

The meeting is now adjourned.

The meeting adjourned at 9:47 a.m.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Mark Smith, Ohio Christian University, Circleville, Ohio, offered the following prayer:

Dear Heavenly Father, it is with praise and thanksgiving that we celebrate this day. As Psalm 118:24 says: This is the day that the Lord has made; let us rejoice and be glad in it.

As we prepare for this session of the people's House, may the wisdom of the Almighty flow to the hearts and minds of all those entrusted with the preservation of our great democracy. May the Spirit of God cause our leaders to detest evil practices and embrace truth and righteousness. May each government official be blessed with Your protection and grace. And may the warmth and smile of the loving God find its place in each person's heart here today.

We also ask for the protection of the great men and women serving around the world who defend our freedom.

We pray these things in the sacred name of our holy God. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

CONGRATULATING ARMY NATIONAL GUARD SPECIALIST TERRANCE MCKINNEY

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, I stand honored to represent Indiana's Third Congressional District, which is home to one of the United States Armed Forces' finest members, Army National Guard Specialist Terrance McKinney.

After a 2-day competition between 14,000 soldiers at Camp Atterbury Joint Maneuver Training Center, Indiana, from April 18-19, National Guard Specialist Terrance McKinney earned the title of Indiana's Army National Guard Soldier of the Year.

McKinney, at age 25, is now joined with 54 others as the best National Guard soldiers in the country.

McKinney was also recognized for his exceptional achievement Friday, May 20, 2011, at Victory Field in Indianap-

olis and moves on to compete at the regional level.

McKinney is from Fort Wayne, Indiana, and a member of Detachment 18 Recruiting and Retention Command out of Muncie, Indiana.

I congratulate Army National Guard Specialist Terrance McKinney for his achievements and am proud of Indiana's 14,700 members of the Indiana Army and Air National Guard.

We owe endless gratitude to these men and women in uniform who have devoted their lives to our security, brought justice to the leader of al Qaeda, and continue to bring justice to those who seek to destroy us.

THE BENEFITS OF LOCAL AND REGIONAL FOOD SYSTEMS

(Ms. PINGREE of Maine asked and was given permission to address the House for 1 minute.)

Ms. PINGREE of Maine. Mr. Speaker, all over this country, small, independent farmers are making a living by farming in a way our parents or grandparents would recognize—raising high quality food and selling it close to home.

The USDA recognizes the importance of this growing economy and has developed programs like "Know Your Farmer, Know Your Food" and research focused on local food systems. These programs are critically important.

Later today, we will take up a bill that is accompanied by a report that will cripple these efforts with unnecessary bureaucratic requirements and by prohibiting research on local and regional food systems. That's right, the committee report actually urges USDA to stop doing research on the benefits of local and regional food systems.

Mr. Speaker, more and more American families want to know where their food is coming from and want to buy it locally. Now is not the time to make it harder for small farmers to give consumers what they want.

CONGRATULATING THE NBA CHAMPION DALLAS MAVERICKS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise to celebrate the newly crowned NBA champions, the Dallas Mavericks. They came together, persevered, and played exceptionally well as a team.

The MVP of the series, Dirk Nowitzki, will go down in history as a tireless worker and humble team player who shined both on and off the court.

I'm proud of the Mavs' first-ever NBA championship title and hope there are many more to come. It is Flag Day, and I think it's noteworthy that this

team is emblematic of the American spirit—as individuals they are good, but when they come together, they are great.

God bless Texas. God bless the Mavs. I salute you.

BEST WISHES TO BRAD ADAMONIS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to honor the United States Challenge Cup Junior Golf Foundation headquartered in East Providence, Rhode Island, which provides competitive opportunities for young golfers throughout New England.

Recognizing the need to expand access to competition for young golfers, the Challenge Cup was founded thanks to the vision, passion, and dedication of Dave Adamonis, Senior, in 1980, and continues today under the strong leadership of his older son, Dave, Junior.

The Challenge Cup has enabled thousands of young men and women to grow through the game of golf, resulting in hundreds of alumni advancing to compete at the collegiate level, developing the careers of many golf professionals, and fostering the personal growth of all participants.

As the 2011 United States Open begins this week, multiple Challenge Cup alumni are part of the field, including one of the tour's first participants, Dave Adamonis, Senior's younger son, Brad.

I thank the Adamonis family for their immense contributions to Rhode Island and the national golf community, and I wish Brad Adamonis the best of luck as he battles Congressional Country Club this week in hopes of capturing our national golf title.

DERIVATIVES

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, I rise this morning to talk about something that most Americans don't know much about: derivatives.

Derivatives are basically big bets on the future of the housing market, the future of oil prices that, amongst other things, AIG used to destroy itself, requiring the Bush administration to put together a bailout package that was so controversial that we got to pay for.

Derivatives are also used by speculators to take position in energy markets. Don't take it from me. Goldman Sachs says that \$20 to \$30 of the price of a barrel of oil today is associated with speculation in the energy markets.

Now, you'd think given all this that we might regulate derivatives, which we haven't done before, and you'd be

right, except for the fact that the bill that we're talking about today, the Agriculture bill, would gut money for the CFTC, which will be the regulator of the derivatives markets.

Now, the majority can't say we shouldn't regulate them. So, instead, in their zeal to deregulate everything, they're saying let's gut the regulators' ability to look after these contractors.

Sounds crazy? It is.

WE NEED TO KEEP OUR PROMISES TO OUR SENIORS

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, during these difficult times, we define ourselves as a society and a country by how we treat those who are less fortunate and those who are dependent. We also define ourselves by how we keep our promises, and this is why it is so important that we keep our promises to our seniors.

I'm speaking, Mr. Speaker, about Medicare and the Republican plan to do away with Medicare as we know of it today. You hear many things, but we owe it to our seniors to be honest and up front with them as to exactly what this plan is going to do.

You will hear that Medicare will not affect those seniors who are on Medicare now. That is not true. Seniors who are on Medicare now will see that doughnut hole reappear. In other words, they're going to pay for prescription drugs again. You will see figures like 3.9 million of them paying \$2.2 billion next year, alone, for that doughnut hole.

We will also see that it will cost them a total of about \$11 million next year because they will now have to copay for their wellness visit.

This is not the way we keep our promises to the elderly.

□ 1210

SAVE MEDICARE AND MEDICAID

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Speaker, we must save Medicare and Medicaid. With more and more people growing older and the costs of medical technology skyrocketing, the proposal to end Medicare would result in many seniors on a fixed income going bankrupt. The proposal to gut Medicaid would end up throwing our loved ones out of nursing homes and into the streets. I will tell you how Congress can best balance the budget. Just do these three things: Help create more jobs, help stop foreclosures, and help keep people healthy by providing health care to everyone.

THE DEMOCRATS' JOBS AGENDA

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, the agenda of this House should be jobs, jobs, jobs. And yet here we are in June, and the Republican leadership has not put forth one single jobs bill, not one single jobs bill, and the American people want that. The Democrats have proposed the Make It in America program, a Make It in America agenda that will close tax loopholes that encourage U.S. jobs to go overseas. It will provide hometown tax credits to small businesses to hire new employees and help sell their products and innovations overseas; to boost incentives to create clean energy jobs so we don't have to spend so much money with our military and lives protecting oil imports from the Middle East; set requirements for the government and its contractors to buy American products and services; and demand that China and other countries honor fair trade principles. Jobs is the agenda. The Democrats are offering a jobs agenda. I support it and ask the other side to come forth and try to help us create jobs.

FUND THE COMMODITY FUTURES TRADING COMMISSION

Ms. JACKSON LEE of Texas. Mr. Speaker, if I mentioned the Commodity Futures Trading Commission, there would be a lot of glazed-over eyes. But if I mentioned high gasoline prices and food prices that are going through the roof, the American public would understand that. So let me tell you that our Republican friends, who want a sea of deregulation so that consumers won't be protected, are attacking the body that regulates speculation on gasoline prices and food. What does that mean? It means that every time you go to the grocery store as a working, middle class family, all you can see is the price of food going up, up, up. Yes, we have had storms, and we have had droughts. But the reason is, the speculators are gambling on food prices. They are gambling on gasoline prices. So the hardworking Americans that are working are getting the short end of the stick.

Can you imagine, here we go with Republicans again, defeating the consumer. Democrats are ready to fight for jobs. We're ready to get rid of those speculators and fund the Commodity Futures Trading Commission that deals with protecting consumers. Is there no shame? Is there no shame? Protect the consumers and fund the CFTC.

WHITE CASTLE'S 90TH BIRTHDAY

(Mrs. SCHMIDT asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. SCHMIDT. Mr. Speaker, I rise today to call attention to the 90th birthday of a restaurant. While it was started in Wichita, Kansas, in 1921, this restaurant then came to Ohio, came to Cincinnati, and it's that little square hamburger, White Castle. And when you look at the Ingram family and what they've done across the Nation with their idea of an entrepreneurship of just a little square hamburger—they now have 400 stores in 11 States. This is a family company, and it employs thousands of people.

The craze that Mr. Ingram created in 1921 has grown in large part due to marketing, innovation, and adaptations of service. It has been reported that White Castle was the first fast-food restaurant to advertise in newspapers. It developed cardboard cartons for hamburgers, French fries, drinks, and even invented its own small type of semipermanent restaurant building. Mr. Speaker, "White Castle" was certainly a fitting name for this Ohio institution. Please join me not only in congratulating the Ingram family on the 90th birthday of White Castle but to remind ourselves of the importance of jobs and entrepreneurship in the United States.

THE REPUBLICAN MEDICARE-ENDING PLAN

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, I rise today to discuss the Republican ending-Medicare plan. Now some on the other side have complained about the unfairness of characterizing the Republican plan as an end to Medicare. But, Mr. Speaker, I just call it like it is. So here are the facts about the Republican Medicare-ending plan: Seniors will pay approximately \$6,000 more in out-of-pocket expenses, double their expenses today. They'll lose benefits. They'll be forced to negotiate—our seniors will be forced to negotiate with the big insurance companies under the Republican Medicare-ending plan. Under the Republican plan, seniors will immediately reopen the prescription-drug doughnut hole that we close. And so, Mr. Speaker, this is not a mischaracterization. It's just speaking the truth to the power of the Republican Medicare-ending plan for our seniors and for those who are approaching the age of 65. So I rise today, Mr. Speaker, to say that the Democrats are going to stand on the side of jobs, of working people, and of those who want to protect Medicare for future generations.

RECOGNIZING KATHRYN TUCKER WINDHAM

(Ms. SEWELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SEWELL. Mr. Speaker, I rise today to recognize the passing of a great American. Kathryn Tucker Windham was a steward of the community and one of Alabama's most beloved authors and storytellers. Mrs. Tucker was a master storyteller, author of 24 books, a playwright, an accomplished photographer, popular public television and radio personality, and a female reporter in a time when there were so few. Her spellbinding stories of life in Alabama and of the true Southern culture have captivated people all across this world.

On a personal note, growing up in Selma, Alabama, where she lived and did most of her writing, I heard Kathryn Tucker Windham tell her ghost stories, which captivated my imagination and encouraged me to read and write. Her stories were an integral part of my childhood, and for that I will be forever grateful. Over the years, Kathryn Tucker Windham built a well-deserved reputation as a respected writer and reporter. She was a true treasure, and her stories were a gift to all of the people of the Seventh Congressional District and the State of Alabama. Her writings will serve as an outstanding legacy for not only her incredible talent but also for her boundless passion for the life of Alabamians. Therefore, I, TERRI SEWELL, the Representative of the Seventh Congressional District, do hereby recognize Mrs. Tucker for her numerous contributions to the life of those in the Seventh Congressional District and the State of Alabama and our Nation. And I ask those present to join me in honoring her and commending her for her many achievements across this Nation.

REPUBLICAN PLAN TO END MEDICARE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, first, again, I want to congratulate those Dallas Mavericks for winning the NBA championship, and also to rise in opposition to the Republican plan to end Medicare. The Republican budget replaces Medicare with an underfunded voucher system that eliminates the guaranteed Medicare benefit for everyone under the age of 55.

In the Dallas and north Texas region, the Republican plan would increase the out-of-pocket costs of health care coverage by over \$6,000 per year for 630,000 individuals under 55. The Republican plan would immediately cut benefits and would require seniors in my con-

gressional district to pay an extra \$47 million for prescription drugs over the next decade. I urge my colleagues to protect our seniors and defend them against these reckless attacks on their health care and economic security, and also their peace of mind.

□ 1220

COMMODITY FUTURES TRADING COMMISSION FUNDING CUTS

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, the American middle class wants Washington to create jobs and put unemployed people out of work back to work.

But here we go again. The Republicans show that they aren't listening and that they don't really care about protecting the middle class. Today, Republicans are going to spend their time in Washington helping speculators, speculators inflate gas prices and food prices, making sure that oil companies keep getting unnecessary tax breaks.

The Agriculture appropriations bill to be considered today by the House is just another part of the Republican agenda to reward millionaires while leaving everybody else behind.

Tucked away in the end of the appropriations bill we'll consider today is a provision that would cut money for the Commodity Futures Trading Commission. Now what is the Commodity Futures Trading Commission? It's a cop on the beat. It's a cop on the beat whose job it is to make sure that the speculators don't drive up the price of commodities like gasoline, like food, like wheat, things like that.

And at a time when the middle class is being squeezed by high gas prices, this is the wrong time to side with the millionaires and billionaires and against the American people.

TRICKLE-DOWN ECONOMICS DOES NOT WORK

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, the 90th anniversary of White Castle, the 25-cent hamburger I used to remember, it came in that little cardboard box. You could buy four of them for a dollar. The price has gone up now, but I've got a feeling if this Congress continues to do business like it has, we will be eating about two of those little, small hamburgers, for dinner every single day.

What they want to do, ladies and gentlemen, on the Republican side is to cut Medicare and gut Medicaid and do everything they can to take care of their wealthy patrons with another

round of tax cuts. It's like a drunken binge that they have been on with these tax cuts.

Trickle-down economics, ladies and gentlemen, does not work. It has not trickled down. And, in fact, it has closed off to where all of the money stays up top. It never trickles down to the bottom. We have got to change that.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 14, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 14, 2011 at 10:38 a.m.:

Appointments:
Mexico-United States Interparliamentary Group.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO BELARUS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-35)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus are to continue in effect beyond June 16, 2011.

The flawed December 2010 Presidential election in Belarus and its aftermath—the harsh violence against peaceful demonstrators; the continuing detention, prosecution, and imprisonment of opposition Presidential candidates and others; and the continuing

repression of independent media and civil society activists—all show that the Government of Belarus has taken steps backward in the development of democratic governance and respect for human rights. The actions and policies of the Government of Belarus and other persons to undermine Belarus democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared to deal with this threat and the related measures blocking the property of certain persons.

BARACK OBAMA,
THE WHITE HOUSE, June 14, 2011.

APPOINTMENT OF MEMBERS TO MEXICO-UNITED STATES INTER- PARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276h, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Mexico-United States Inter-parliamentary Group:

Mr. MACK, Florida
Mr. NUNES, California
Mr. BILBRAY, California
Mr. CANSECO, Texas

AMENDMENT PROCESS FOR CON- SIDERATION OF H.R. 2021, JOBS AND ENERGY PERMITTING ACT OF 2011

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the Committee on Rules may meet the week of June 20 to grant a rule that could limit the amendment process for floor consideration of H.R. 2021, the Jobs and Energy Permitting Act of 2011.

Any Member wishing to offer an amendment must submit an electronic copy of the amendment and description via the committee's Web site. Members must also submit 30 hard copies of the amendment, one copy of a brief explanation of the amendment, and an amendment log-in form to the Rules Committee in room H-312 of the Capitol by 5 p.m. on Monday, June 20, 2011. Both electronic and hard copies must be received by the date and time specified.

Members should draft their amendments to the text of the bill as ordered reported by the Committee on Energy and Commerce which is available on the Rules Committee Web site.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members

should also check with the Office of the Parliamentarian, the Committee on the Budget, and the Congressional Budget Office to be certain their amendments comply with the rules of the House and the Congressional Budget Act. If anyone has questions, they are asked to please contact the Committee on Rules.

PROVIDING FOR CONSIDERATION OF H.R. 2112, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 300 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 300

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for sections 740, 741, 743, and 744. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

□ 1230

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 300 provides for an open rule providing for consideration of H.R. 2112, a bill which makes appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

Mr. Speaker, Republicans have offered yet another open rule on this legislation, something we did not see when Democrats were in the majority for 4 years. House Republicans are keeping their promise to the American people by submitting a bill that contains no earmarks. House Republicans are keeping their promise to reduce spending and rein in the Federal deficit which threatens our very existence as a free country. This bill addresses many of the glaring inefficiencies of Washington by reducing wasteful and redundant programs.

Mr. Speaker, this is a bill that, under the control of the liberal Democrats, kept growing and growing. In fiscal year 2008, this same bill had a price tag of \$90.8 billion. One year later, fiscal year 2009, the liberal Democrats increased spending by 14 percent to \$103.3 billion. And for fiscal year 2010, yet another liberal hike in the cost of appropriations to the taxpayer to the tune of \$125 billion, representing a whopping 21 percent increase in spending.

The liberals claim that any cuts in spending for any program covered by this bill drives more people into hunger. Strange that they did not say that last year when these very same liberal Democrats cut \$562 million from WIC so that they could spend it in unrelated matters. That is only one example of the lack of leadership, courtesy of our friends across the aisle.

Lest we forget, it was their failed policies that ruined the economy when they were in charge of the power of the purse. Their habitual and unending spending increases have not helped the economy as they had promised but, rather, have saddled our children and grandchildren with outrageous debt to pay off.

With better fiscal stewardship, our economy would be stronger and our country's job creators would be able to provide the jobs that our Nation's workforce is hungry for. According to the Bureau of Labor Statistics, in January 2007—the month that the Democrats took over Congress—unemployment was at 4.6 percent. Mr. Speaker, let me repeat that. According to the Bureau of Labor Statistics, in January 2007, the month the Democrats took over Congress, with a Republican President, unemployment was at 4.6

percent. That number has nearly doubled under the eyes of the liberal Democrats and the Obama administration. Last year, the Democrats failed to pass a budget or any appropriations bill. There has been a complete lack of leadership on their side of the aisle and at the White House.

While it got very little publicity from the lame stream media, the Senate this year overwhelmingly rejected President Obama's budget proposal on a unanimous vote of 97-0; unanimous opposition to the President's budget and nothing said about it in the press. The Republican House budget that we sent to the Senate fared much better than the President's budget. Again, Mr. Speaker, we've seen nothing but a lack of leadership from the administration and the liberal Democrats in Congress.

The bottom line is that if we do not make sound and responsible fiscal decisions that focus on reducing spending and making the government leaner and more efficient, we risk forfeiting control of our own purse to debtor nations. The simple truth is that we are currently borrowing 43 cents for every dollar spent at the Federal level. To have foreign nations provide funds for so much of what our country spends is simply negligent and irresponsible. Even the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, has stated that the national debt is the single biggest threat to our national security.

Taxpayers will be paying around \$600 billion in interest on the national debt by 2012. To put that figure in perspective, Mr. Speaker, the fiscal year 2011 defense budget is \$685 billion. In order to grow the economy and provide an environment in which Americans can prosper, we need to end expensive and ineffective government programs and remove the barriers of uncertainty that prevent employers from hiring.

Many liberal elites are calling for higher taxes—higher taxes, Mr. Speaker—on hardworking Americans in order to pay for their irresponsible spending and fiscal decisions. The Democrat plan is to continue to borrow, spend, and tax, taking money out of the pockets of hardworking Americans.

A clear difference between liberal Democrats and Republicans is that Republicans do not claim ownership of the salaries of hardworking Americans and businesses that create jobs. Elite Democrats believe that they are entitled to take money from Americans and small businesses in order to carry out their liberal agenda, and job creators are left with whatever the liberal elites deem is necessary for them. You cannot help the job seeker by punishing the job creator with higher taxes and more government red tape.

Mr. Speaker, American businesses need a clear perspective of what the future holds in order to create American jobs and strengthen our economy. The

uncertainty and mixed messages that the Obama administration provide are completely counterproductive to achieving any kind of economic prosperity.

President Obama's economic policies have consisted of bullying businesses to help union allies, such as the case in South Carolina where the NLRB is telling a private company where to do business for the benefit of Big Labor bosses at the expense of 1,000 jobs in South Carolina.

When Americans needed a jobs agenda, President Obama and the elite Democrat-controlled Congress gave them a spending agenda. From the President's first day in office in January 2009 through April 30, 2011, the economy has lost 2.5 million jobs, an average of 3,044 jobs lost every day. According to the Bureau of Labor Statistics, 150,000 new jobs are needed to be created each month just to keep up with population growth. The economy is not growing fast enough or strong enough to employ the 13.7 million Americans looking for work.

But the liberal elites seem content on sitting back and watching agencies expand the bureaucracy by coming out with an unending stream of job-killing regulations. This in no way helps create confidence in American business, jobs, or economic prosperity. The Democrat elites, indeed, have made history. The result of their liberal agenda has been trillion-dollar deficits, historic debt, and historic unemployment.

Mr. Speaker, we must empower America's job creators, small businesses, families, and entrepreneurs to lead us to real job growth. More wasteful Washington spending isn't the solution. That's why Republicans propose saving Americans over \$800 billion worth of tax increases by repealing ObamaCare and by adopting the appropriations bills that we are proposing now.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. I thank the gentlewoman from North Carolina for yielding the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, before I get into my statement, I just, for the record, would like to point out to the gentlelady that, in response to her very political and partisan remarks, I want to remind her that George Bush came into office in 2000. Republicans were in charge of both the House and the Senate until 2006. And so if you want to point fingers at why this economy is in a ditch, I would suggest that my Republican friends look in the mirror.

Mr. Speaker, budgets are moral documents. Budgets lay out our priorities and document what we think is important for our country to succeed and our citizens to thrive. A few months ago, this Republican-controlled House made

a statement by passing the Ryan budget. With that vote, most Republicans showed that they want to end Medicare as we know it. But their budget did more than just undermine Medicare; it set the stage for the appropriations process.

□ 1240

So here we are today to begin the consideration of the FY 2012 Agriculture appropriations bill. This bill, while not as high-profile as some others, is one, I believe, to be of critical importance to our Nation and to the world. It funds many of the programs that keep our Nation and many parts of the world from going hungry. It deals with the most helpless people, the most vulnerable people, in our country and in the world. It protects the food supply so that our children and families don't have to worry about contaminated food, and it provides important funds for rural America, including critical funds for broadband Internet access and other rural development programs.

Mr. Speaker, this bill is important in many, many ways; but like the Ryan budget, the FY 2012 Agriculture appropriations bill, as written by the Republicans, is just plain wrong. This allocation is unworkable. So, quite frankly, I don't care if you have an open rule or a super-duper open rule or a quadruple bypass rule. It doesn't make any difference because this bill, as written, is unfixable. The only way to help programs that they cut that feed hungry people is to cut from other programs that feed hungry people, so there is no way to make this bill better. The bill, as written, in my opinion, is morally indefensible. Instead of making investments in our Nation's agriculture and anti-hunger programs, this bill slashes funds for WIC, CSFP, TEFAP, P.L. 480, and the Food Safety Programs.

And those aren't just meaningless acronyms.

WIC is the Women, Infants and Children Program. Funds for WIC provide food and nutrition education to pregnant women, newborn children and kids up to 5 years of age. CSFP is the Commodity Supplemental Food Program, and it helps put food on the tables of America's senior citizens. TEFAP is The Emergency Food Assistance Program, and it provides assistance to food banks that are struggling with decreased donations and increased demand during these difficult times. P.L. 480 is a program that helps provide American-grown food to hungry and impoverished people in developing nations around the world. It's known as Food for Peace. The Food Safety Programs protect our citizens from foodborne bacteria like E.coli and salmonella.

Taken together, cuts in domestic anti-hunger programs total more than \$500 million. Add in the cuts to P.L. 480

and the McGovern-Dole School Feeding Program, and the cuts add up to well over \$1 billion to programs, again, that provide food to hungry people here at home and around the world.

As written, this is a pro-hunger bill. There is no other way to say it. No matter what anyone says, this bill will increase hunger here at home and around the world. A vote for this bill is a vote to willfully allow people in America and around the world to go without food. A vote for this bill is to take food from children and seniors, to allow food banks to open with half full and empty shelves. These aren't just freezes in current spending. A freeze in current spending would be bad enough with the continued rising demand and rising food prices that people are facing here at home and around the world. That would be bad enough. No. These are real cuts that do real damage to real people. The only thing crueler than ignoring a hungry person is giving a hungry person food and then taking it away.

No one would condone that, Mr. Speaker. Yet that's what this bill does. We're not just talking about that tired, old stereotype of the welfare queen gaming the system. No, Mr. Speaker.

The bill we're talking about are people who play by the rules but who are struggling to make ends meet because of the difficult economy. We are seeing middle-income families who are now turning to food banks and food pantries. In times of need, we are supposed to help our brothers and sisters in need. That's what a community is about. That's what our country is supposed to be about. Yet this bill does not do that. Instead, it cruelly targets those who are hurting at no fault of their own.

Yes, we are facing tough, difficult economic times. Yes, we need to address the budget deficit. But what kind of Nation are we if we choose to balance our deficit on the backs of the poor and the hungry? What kind of Congress are we if we choose to cut the programs that protect our seniors and our children in favor of protecting gas, oil and farm subsidies? I want my colleagues to understand that those subsidies, those examples of corporate welfare, are all protected and have been protected by this new majority since they took office. What kind of people are we if we stand idly by and allow our children to go hungry? Nations go to war over food riots. We all watched with great interest what unfolded in Egypt with the protests and the demand of democracy and freedom, but they were also demanding food. They were also rioting over the lack of food that people had in Egypt.

This is especially tragic because it kind of demonstrates where the new majority's priorities are. One of the first things they insisted on was that we protect the Bush tax cuts for the

wealthiest people in this country. Donald Trump got his tax cut protected, and we didn't have to offset that even though it's costing a great deal to our deficit and our debt. They didn't offset it. They just wanted to protect it and have all the corporate welfare protected. So now they bring a bill to the floor, and they say, Well, we have to make tough choices. We have to make tough decisions.

The tough decisions and tough choices they make are to cut the WIC Program. 300,000 people will be thrown off of WIC. That's not tough on anybody here in the United States House of Representatives—we're all fine—but it's tough on a lot of low-income pregnant mothers and their children all around this country. We can do better than that. Congress needs to do better than that, and this Nation should do better than that.

This bill follows in the grand tradition of the Ryan budget. Like the Ryan budget, it does great damage to the American people. Like the Ryan budget, it breaks our Nation's great promise to protect our Nation's citizens. Like the Ryan budget, in my opinion, this is morally indefensible.

I urge my colleagues to join me in opposing this bill. I urge my Republican colleagues: Don't do this. Don't do this. Don't try to balance the budget on the backs of the most helpless people in our country and around the world.

I reserve the balance of my time.

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, I am always having to help balance out the comments that my good colleague from Massachusetts is making. He criticizes Republicans for keeping tax cuts. Well, I have to explain to him his President, a Democrat, supported that. Most Democrats here supported that last year. We didn't keep tax cuts. We stopped tax increases. Even the President and his people have a little sense about economics in that, if you raise taxes in the middle of a terrible economic situation, you create problems.

I would also like to point out to my friend from Massachusetts that they were in charge for 4 years. It was during those 4 years that we got into the mess that we got into. They controlled both Houses of Congress, and they controlled the Presidency for 2 years of that. Yet they didn't stop any of these things that they had talked about.

Mr. MCGOVERN. Will the gentlelady yield?

Ms. FOXX. I will when I have completed my comments. I appreciate that.

He refers to this legislation as the "pro-hunger bill." This tired claim by our liberal friends that Republicans are intent on starving children really goes beyond clichés now.

Putting that aside, my friend from Massachusetts needs to understand, if

he really cares about the funding for Federal food programs, he should vote for the underlying bill. Why? Because it provides \$6 billion for the WIC Program. Let me point out again that, last year, my colleague from across the aisle voted to cut the WIC Program, for a totally unrelated program, of over \$500 million, \$68.2 billion for food stamps, \$180 million for the McGovern-Dole food program, and \$18.8 billion for the Child Nutrition Program.

□ 1250

Perhaps these aren't the funding levels he would like to see, but I think my colleague knows that legislating is the art of compromise, and there are plenty of Members who would like to see deeper cuts to further enhance efficiencies in this program.

The bottom line is that by voting against this bill, using his logic, Mr. MCGOVERN is actually voting to starve the children and to create more hunger by denying over \$93 billion in overall Federal food assistance to the hungry people that he claims to support. In contrast, by voting for the underlying bill, he is voting to provide the funding he argues these programs so desperately need.

Let me do a recap of what is in this bill, Mr. Speaker. Seventy-seven percent of the bill is SNAP, that is food stamps, child nutrition and WIC. Child nutrition programs will receive \$18.8 billion in mandatory funding this year. That is funding that is on autopilot. This covers 68 percent of all school lunches and 85.5 percent of all school breakfasts, either free or at a reduced rate.

The SNAP, or food stamp program, \$68.2 billion, provides support to 45 million people. Mr. Speaker, it is unconscionable that we have 45 million people in this country getting food stamps. That is a result of the policies of our Democratic friends across the aisle. Again, WIC, \$6 billion; CAP, \$136 million; the McGovern-Dole International Food for Education, Child Nutrition grants, \$180 million. There is a lot that the liberals can be grateful for in this program.

I would yield to a question from Mr. MCGOVERN, if he has a question to ask me.

Mr. MCGOVERN. I would just simply say to the gentlelady that, again, I would reiterate my view that this bill is morally indefensible the way it is written.

The gentlelady talks about WIC. Under the cuts in this bill, and I say conservatively, between 200,000 and 350,000 low income women and children will be thrown off of WIC. You mention the McGovern-Dole school feeding program. The monies you cut in that program would mean that we would serve 5 million less children.

Ms. FOXX. Mr. Speaker, reclaiming my time, the gentleman will have plenty of time under his time to make the

comments that he wants to make. I was more than willing to answer a question, but he will have time to make those comments when it is his turn.

I would now like to yield 3 minutes to my colleague from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentlewoman for yielding.

I find it very interesting in listening to the discussion here today about whose responsibility it is to feed those who are hungry. I don't think anybody on this floor would say that we don't want to help someone who is in need of food or basic essential services. I think what this is is a discussion about the difference in philosophy in Washington about the role of government in Washington.

There is plenty of blame to go around for all of the spending that has come out of Washington over the last decade—the last 30 years, actually. What we are doing is we are sinking our Nation and our children, the children that we are talking about and whom we want to help and feed. We are actually giving them over \$40,000 of debt. Each child that is born in this country is saddled with \$40,000 of debt because of government spending that continues to grow more and more every year.

I can tell you as an American farmer in Indiana that myself and many other American farmers and individuals are much better suited to help those who are in most need, in helping in the community, donating food, being a part of a food pantry. We are a generous Nation, and what has become of our ability to help is that we have a Federal Government that continues to saddle us with more and more debt, more and more taxes and regulation, making it much more difficult to make the profits with which we can then turn around and help our communities with food, with the basic services that our churches, our charities and many other organizations in our local communities provide.

Instead of us always looking to the government for that assistance, let's back off of the American people and let them help themselves, when they are capable and when they are willing to do it, rather than continuing to put them further and further into debt.

The Democrat Party talks about, Where are the jobs? Well, government doesn't provide jobs. Indeed, the private sector, people in our communities, entrepreneurs, people that want to expand their businesses to provide a job for that family that needs to provide for their children, they need the job, and there is not going to be enough government jobs to give them that opportunity. Instead, every time we take dollars away from the private sector, that individual who is out working hard, working 50 to 60 hours a week just trying to make ends meet, we are

putting them in a very difficult position where they are not able to pay the bills because we continue to make it much more difficult for businesses to be successful here.

Small businesses are the backbone of this country, and until Washington, DC, backs off, the American economy is going to continue to struggle and families are going to continue to struggle.

I believe that this is a responsible bill that will instead help the American economy to grow and help Americans.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me assure the gentleman from Indiana that churches and faith-based organizations all across this country are doing their share. They are doing more than their share. Many of them, representing every faith denomination in this country, are up on the Hill today saying, We need you, those of you in Congress, to do your part, because this is not just a problem for charities to deal with. We all have to be involved in dealing with this issue of poverty and dealing with the issue of hunger in America and around the world.

Let me say to my colleague from North Carolina, I will match my antihunger credentials against hers 7 days a week. But in this bill that has been brought before us, the cuts in WIC would end food assistance for 200,000 to 350,000 low-income women and children. That is a conservative estimate.

She mentioned Food for Peace, how grateful we should be that they are throwing some scraps at the problem of international hunger. In this bill, there is a 39 percent decrease in Food for Peace title II funding, and it will put millions of lives at risk and undermine the ability of USAID to prevent famine. Food aid provided by USAID is a lifesaving measure for millions of vulnerable people overseas. According to USAID, these brutal cuts will mean up to 16 million people, mainly women and children, will not receive the lifesaving food aid.

The gentlelady mentions the McGovern-Dole program, which is near and dear to my heart. The McGovern-Dole program serves about 5 million people, 5 million children, children, in 28 countries. The \$20 million cut to McGovern-Dole will end school meals for over 400,000 children in the world's poorest countries. We are literally, literally, taking food out of the mouths of these children. Imagine how that would make you feel if it were your child.

So I say to the gentlelady and to the gentleman who just spoke, this is not a jobs bill that we are bringing to the floor here today. Unfortunately, my colleagues on the other side of the aisle don't want to bring a jobs bill to the floor. They are too busy trying to undermine or underfund funding for Na-

tional Public Radio instead of dealing with more important issues.

But this bill deals with the reality, and I don't care who you want to blame for it, that there are tens of millions of our own citizens who are hungry in the United States of America, the richest country on the face of this Earth, and we have a choice to either try to help them out during this difficult time or to turn our backs. And the way this bill is funded, we turn our backs on millions of our fellow citizens.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I am always very reluctant to talk about personal experiences on the floor, but I want to tell my colleague across the aisle that I grew up probably poorer than anybody in this body.

□ 1300

And I know something about what it means to struggle to get food. I know what that's all about. And let me tell you, there's nobody here who feels more strongly that more Federal Government involvement in this is not the right way to go. What we need is to be able to develop policies that allow people to get a job so they can provide for themselves instead of being dependent on the Federal Government to provide for them.

Let me talk about my colleague says budgets are moral documents. Again, my colleague and I don't agree on a lot of issues when it comes to policies, but we certainly agree on that: budgets are moral documents. And what the Republicans have done with the budget that we passed here in this body this year is to say to the American people, We understand that budgets are moral documents. We passed a budget. The Democrats didn't even pass a budget last year. So they didn't want to face up to it.

I don't know what that says about their morality, but I know what it says about Republicans' morality. We have a strong sense of morality. We passed a budget. We're being honest with the American people. We're telling them, You cannot continue to spend above your means. The average person understands that. And we are going to continue to be honest with the American people. We're going to cut inefficient government programs wherever we can.

Let me say, Mr. Speaker, that right now, if you are a 3-year-old child in this country, there are 12 Federal feeding programs to serve you. If you're a 10-year-old, there are nine Federal feeding programs. If you're 65 years old, there are five Federal feeding programs. We do not lack for programs to help take care of the hungry people in this country, Mr. Speaker.

What we lack is efficiency in our programs. And Republicans are going to do all that we can to make sure that we bring efficiency and effectiveness to whatever programs are funded here.

I now yield 3 minutes to my colleague from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Speaker, I just want to take the opportunity to address this because there is one issue facing this Nation right now that is far greater than what we're even discussing at this point and that is jobs and the lack of jobs in this Nation as a result of 2 failed years of an experiment that just didn't work.

Now, we can talk about spending all we want. We're going to talk about that, I know, for the next day or two and over the next couple of weeks. The American people just expect us to deal with cutting spending here in the Federal Government. They just sent us here and they said, Just take care of your job. Get it done. Spend within your means. Don't spend more than you get. And take care of your job. At the same time, understand what's happening back home on Main Street.

I can tell you, Mr. Speaker, as I go home each and every week and I see the devastation that's occurring all across all the communities in my district, it is amazing to see the "For Sale" signs and "For Rent" signs that just pop up each and every week that are anew because of a failed experiment that has occurred here.

So we heard the gentleman a minute ago say the Republicans have no plan. Let's talk about their plan and how effective it has been with, what, we've had 2 years now of at or above 9 percent unemployment, 15 million Americans looking for a job, deficit spending now going on \$1 trillion for 3 consecutive years. And yet we are on the eve of the week here in which we're going to celebrate President Barack Obama's claim of the "summer of recovery," the 1-year anniversary of that claim.

I want to tell you, Mr. Speaker, there has been no recovery as a result of the policies passed by this administration. We must take a different direction. It starts here by cutting spending. It starts by reducing the size of government. And the reason is very simple. Because the less the government has in its pocket, the less it's spending, there is more left for the American people. And when the American people have more money in their pockets, they have the ability to expand their businesses, they have the ability to dream an idea, have a great idea, go out and invest in that idea. They have the ability to hire new employees. They have the ability to invest in new capital.

But, instead, this Congress over the last couple of years has hoarded that wealth, kept it here in Washington, divvied it out to the winners that they choose just through their own pickings here. Who's going to get the money of the American people? They dole it out left and right. Yet today, when we're looking at giving it back to the American people, the other side stands against it once again.

Mr. Speaker, it's time to get Americans back to work. We don't do that through the expansion of the public sector. We do it through the expansion of the private sector. Let's empower the American people and take some power away from the Federal Government.

Mr. MCGOVERN. Mr. Speaker, I yield myself 10 seconds.

I just want to correct the record. The gentlelady suggests that people should go get a job, and that's the answer to the hunger crisis. A lot of the people, by the way, who qualify for these programs are working families. They're the working poor. So we all need to get serious about the economy. I would encourage you to work with us on a jobs bill rather than on your right-wing radical social agenda that keeps on coming to the floor.

At this point I would like to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Thank you very much, Mr. MCGOVERN, for your leadership on this very important issue. To my colleague, the distinguished Congresswoman who is managing for my friends on the other side of the aisle, there are probably many of us who have lived the American story and began life on the rocky side of the mountain.

I rise because I happen to come from a district where my predecessor died on the side of an Ethiopian mountain. It's a far, far place away from Houston. My predecessor was Congressman Mickey Leland. He was so driven by the vastness of hunger, he was so much a soldier of Robert Kennedy's message that he didn't allow danger to thwart him from trying to help people who were literally dying. And so he was carrying grain. And he had colleagues who were not on that flight, Tony Hall and Congressman Emerson. And I would say to you that it really gets me in my heart, what we're doing today, because my predecessor, a Member of Congress, and we're described by many terms, but he felt that hunger was so severe that he helped found the Select Committee on Hunger. We have the Mickey Leland Hunger Center because hunger was prevailing in America and around the world.

So you can understand why I stand here today and tell you that it's not good enough to feed 85 percent of the hungry children so that 15 percent of them don't get breakfasts and don't get lunches. That's not something to give you a halo for or to give you an accolade. Because so many of us understand how stretching that peanut butter or stretching that soup or stretching minimal food, so many of us have either heard those stories or experienced it.

And in this bill, \$2 billion is cut from food stamps. Do you realize that our soldiers and their families, young re-

cruits, are on food stamps? Does anyone know the population that is on food stamps? Now, we've tried to make it better for them, but many of them are on food stamps. To cut the WIC program, you're impacting children who are innocent. And then, of course, Food for Peace is not a throwaway. It is to simply stop the folks who are simply dying in deserts around the world.

And \$35 million has been cut from trying to increase the number of grocery stores in urban centers and rural areas, to a certain extent, where there are no grocery stores where people can actually get fresh food. Try coming to my district and shopping for groceries in the local, down-the-street 2 by 4 store, where food dates, which I have actually seen for myself, are years old and sitting on the counter where people who only have foot transportation have to go and buy beans that are dated a year before or tuna that is dated a year before.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE of Texas. I tried to buy tuna as a test case, and I had to put it back on the shelf of a little 2 by 4 in neighborhoods where people walk.

Be reminded that Calvin Coolidge, a Republican President, followed in the 1920s the same pattern, which is: give to the rich and let the poor die on the vine. He didn't run again because he knew there was a collapse coming. His fellow Republican elected said, Give to the rich. And we had the 1928 collapse. We're talking about where consumers and businesses are not buying or having business, we the government must invest. And I believe, in the name of Mickey Leland, we've got to do a better job of feeding the hungry.

□ 1310

Ms. FOXX. Mr. Speaker, I appreciate my colleague from Massachusetts talking about right-wing radicals because I associate myself with George Washington, James Madison, and Thomas Jefferson, who were right-wing radicals, along with the other Founders.

I would now like to yield 3 minutes to my distinguished colleague from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Speaker, I would like to focus on what this bill does and what it does not do.

First of all, it increases spending because mandatory programs are growing. The mandatory programs, like SNAP and Child Nutrition, are growing so rapidly that they exceed the cuts in the discretionary programs in this bill. So while my colleagues on the other side of the aisle are talking about the dreadful calamity associated with the cuts in this bill, the fact of the matter is food programs get more money under this bill, and that's because they are mandatory programs. The committee

has no control over them. The only thing we have control over are the discretionary programs.

SNAP is projected to grow almost \$6 billion, and Child Nutrition is projected to cost an additional \$1.45 billion. Now, those and other mandatory spending add up to an additional \$282 million over the costs of fiscal year 2012. So to call this a cut is not acknowledging the additional spending that is mandatory and that is in the SNAP program and the Child Nutrition Program.

Now, we, as Members of Congress, who are facing 1.2, 1.3 trillion more dollars in spending every year than we take in and are racking up 14, soon to be more, trillion dollars in debt, this year we have now exceeded, in our national debt, the entire GDP of this country for 1 year.

We cannot go on like this. We're destroying the country with spending. That's the moral imperative that we're discussing today.

Consequently, let's keep our eye on the ball. We're not destroying spending for people in need. We're actually increasing it, \$6 billion for SNAP and almost \$1.5 billion for Child Nutrition. We've saved it in other areas. The Agriculture Committee's budget includes a variety of priorities, including traditional agriculture spending like research, animal and plant health and conservation, nutrition, food aid and safety, rural development, the Food and Drug Administration, and the Commodity Futures Trading Commission.

Spreading funding across this spectrum is a balancing act, and I would like to thank Chairman KINGSTON for his leadership on this bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Listening to the gentlelady from Wyoming, one would get the impression that there are no other choices but to cut programs that help the poorest of the poor.

There are lots of places we could find savings. We could begin by paying for the Bush tax cuts for the Donald Trumps of the world. We could maybe pay for these wars, or, better yet, how about ending these wars? We borrow billions and billions of dollars every week for the wars, and no one around here seems to want to pay for it. We could maybe take back some of the taxpayer subsidies to the Big Oil companies. I don't know why we're subsidizing oil companies. Or, better yet, maybe some of the generous agricultural subsidies that go to a lot of places in Wyoming, I haven't heard the gentlelady suggest that maybe we cut those subsidies.

Instead, all the focus is on the most helpless people in our country. And it is just wrong. It is wrong. Don't do this. We can do this better.

At this point, Mr. Speaker, I would like to yield 3 minutes to the gentle-

woman from Connecticut (Ms. DELAURO), a great leader on this issue.

Ms. DELAURO. I rise in opposition to this misguided rule.

It unravels the bipartisan work of our Appropriations Committee. It calls for even more drastic cuts to the Women, Infants, and Children food program than has already been suggested by the majority. In so doing, the rule puts the interests of Brazilian cotton farmers above the very real needs of American women and children.

Everyone knows the WIC program provides nutrition assistance grants to States for low-income pregnant, breast-feeding, and postpartum women, infants, and children up to the age of 5. It serves 9 million mothers and young children nationwide, including 58,000 in my State of Connecticut. Nearly half of the babies born in the United States every year participate in the program. It is a short-term intervention that can help provide a lifetime of good nutrition and health behaviors.

Even notwithstanding this rule, this appropriation bill already threatens to slash WIC funding by \$650 million. WIC is being slashed by \$650 million. That means as many as up to 300,000 women and children will be turned away and forced to go hungry. In fact, Secretary Vilsack, the Secretary of the Agriculture Department, has warned our subcommittee that this number could be as high as 750,000 people, and I have his letter and his quote to confirm that.

Now, understand that during the committee consideration of this, I had an amendment to restore \$147 million to the WIC program. I paid for it by taking \$147 million which we currently provide to Brazilian cotton farmers. That amendment passed with a bipartisan vote.

This majority has no problem spending money for Brazilian cotton farmers, but they are loathe to do something for women and children in the United States. What this rule by this Republican majority has done is they took away this \$147 million, they gave it back to the cotton farmers in Brazil, and then they have said find \$147 million, cut it from the WIC program or cut it from somewhere else in this bill.

What are we doing here? Whom are they trying to fool? We're going to give the money back to Brazilian cotton farmers. The majority decided that that was more important. That's a fact.

There are many egregious cuts in this appropriation bill, not just to WIC, to the Commodity Supplemental Food Program, which goes to low-income seniors.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 30 seconds.

Ms. DELAURO. Thank you.

The Emergency Food Assistance Program, which goes to food banks, food pantries.

One out of five people in the United States today is going hungry, and we can't find it within our purview here to provide the funding to do that.

Again, Democrats and Republicans on the committee voted to take \$147 million, provide it to the WIC funding, take it away from the Brazilian farmers. This Rules Committee, Republican directed, took the money and gave it back to the Brazilian cotton farmers.

I urge my colleagues on both sides of the aisle, take charge of what we did on our committee. Stand up for American women and children. Reject this rule. This is not what we voted for. This is not what the American people want.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the distinguished and eloquent chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

□ 1320

Mr. DREIER. It's a tall order that my friend from Grandfather Community has just imposed on me, Mr. Speaker, but I will say it's great to be standing here as we proceed with consideration of the appropriations process. Last year, we for all intents and purposes had no appropriations process. When it was done, we all know it was shut down. We are here today considering the third appropriations bill under an open amendment process.

Now, my friend from Connecticut has just characterized this as a misguided rule. Since 1837, Mr. Speaker, 1837—it's been a few years—we have had within the rules of the House a structure whereby the authorizers have a responsibility and the appropriators have a responsibility. She said that we somehow are unraveling this very, very great and delicate compromise that was put together in the Appropriations Committee.

Ms. DELAURO. Will the gentleman yield?

Mr. DREIER. I'm happy to yield to my friend from Connecticut.

Ms. DELAURO. There was a vote in the Appropriations Committee. It was an amendment and the fact of the matter is it was unprotected.

Mr. DREIER. If I could reclaim my time, my next line, Mr. Speaker, was going to be to my friend from Connecticut, there happen to be 435 Members of the United States House of Representatives, and we have a process known as appropriations. We also have an authorization process as well.

Since 1837, the rule that my friends say is misguided, it has been the rule of the House. Mr. Speaker, to call it misguided to comply with the rules of the House, something that our friends in the last two Congresses chose to ignore repeatedly, is outrageous.

Now, as we listen to these reports of hunger that exist in the United States of America, I was just talking to the

distinguished chairman of the subcommittee, Mr. KINGSTON, who made it very clear that there may be a stupidity factor, but the fact of the matter is there are so many programs that exist today, as Mr. KINGSTON reported up in the Rules Committee, that people do have an opportunity to benefit from those programs.

We also are dealing with tremendous constraints that have been imposed upon us because of the fact that we saw an 82 percent increase in nondiscretionary spending over the past 4 years, and what it means is, with a \$14 trillion national debt, we have to make some tough choices. We want to make sure—Mr. KINGSTON is working on this, as are the authorizers—we want to make sure that those programs that exist actually do provide an opportunity for three, not four or five, but three meals a day for people who are truly in need.

And my friend from Grandfather Community, Mr. Speaker, pointed to the fact that we need to put into place a program that will encourage job creation and economic growth. For literally years, we've had languishing agreements that would open up new markets around the world in Colombia, Panama, and South Korea. We have not taken action on that. I hope very much that before August we do. That will help create jobs and get people who may have to look to government programs today in a position where they can, in fact, feed themselves.

That's our goal. We want to make sure that everyone has an opportunity, and we want to continue this process allowing Democrats and Republicans alike to be heard.

Mr. MCGOVERN. Mr. Speaker, a vote for this rule is a vote to cut WIC even further and give it to Brazilian cotton farmers.

At this point, I would like to yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Our Republican colleagues have chattered endlessly about making hard choices, but most of the hard choices they make today are hard only on the hungry, hard on hungry children, hard on hungry seniors. They've got tremendous cuts to the Women, Infant, and Children nutritional assistance. It means as many as 350,000 women and infants will be denied assistance, including tens of thousands in my home State of Texas.

They made a hard choice. Instead of putting food on the table for those women and infants, they chose to send \$147 million to Brazilian cotton farmers. I think that's not just a hard choice; it's a very bad choice. Those young children will never achieve their full God-given potential if they arrive at kindergarten malnourished.

Our food banks, are doing a tremendous job. In Texas, they get the support of grocers, of retailers, of private con-

tributors, but they need this emergency food assistance. I've been to those food banks. I've seen some of those rural food banks in times of economic distress that are bare. The cupboard is bare, and the lines are long to get that assistance. Republicans made a hard choice, hard on the hungry.

The Republicans have finally found that the only bank they don't want to bail out is the food bank. And the food bank needs that assistance. I say that we should reject this bill that takes the most from those who have the least.

The SPEAKER pro tempore. The gentleman from Massachusetts has 8¾ minutes remaining. The gentlewoman from North Carolina has 3 minutes remaining.

Ms. FOXX. Thank you, Mr. Speaker.

I would like to yield 2½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentlewoman for the time.

I want to say to my friends from Texas and Connecticut that, number one, the DeLauro amendment which you alluded to that increases WIC \$147 million is intact, and that increase has gone on. We do have to offset it from another portion of the bill, and the reason is because that Brazilian cotton agreement was a WTO agreement that President Obama agreed to. The money is restored. So if that helps clarify things, and if not, let me know.

I want to just remind everyone, if you want to help hungry people you've got to have the money to do it. Now, both parties have overspent. For every dollar we spend, 40 cents is borrowed. Both parties. Under President Bush, in an 8-year period of time, the debt went up \$3.5 trillion. Now, under President Obama, in a 3-year period of time it's gone up \$5 trillion, a 56 percent increase. And President Obama now owns the wars in Iraq and Libya and Afghanistan in terms of this is his watch. He has had opportunity to change the direction. He has not done so. So let's quit hiding behind, We're at war, and therefore, it's the Republicans' fault.

I also want to remind my friends that the only budget that has passed either House is the Ryan budget, which is what we're operating under. The President of the United States' budget failed on the Senate floor 97-0. He did not even get HARRY REID's vote. So we're operating under the budget constraints that we have.

Let me say this—very important about the WIC program. From February 2010 to February 2011, the number of participants has dropped 300,000. The level now is 8.7 million. We will make sure no one falls through the cracks. There are three contingency funds which can be drawn on if that happens. And I want to point out for all the screaming and hollering and the self-righteousness, last year the Demo-

crats cut WIC by \$562 million and put the money into an unrelated account that had nothing to do with hunger. It was a political settlement. Where was the screaming and hollering then?

And I want to say this in terms of the World Food Program, if we want to help these countries—and I am committed to it—we have to have our own financial house in order. Otherwise, all we're doing, Mr. Speaker, is borrowing from our children to feed children overseas. That does not make sense.

I appreciate it, and I urge everyone to support the rule.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California, the ranking member on the Appropriations Committee on this subcommittee, Mr. FARR.

Mr. FARR. Thank you, Mr. McGovern, for yielding and I rise with concerns with this rule.

The rule in one part is good because it's an open rule, allows unlimited amendments, but the rule on the second part, which protects the work of the committee, fails to do so. This committee is about food. It's about food production, about food packaging, about food delivery, and about feeding people. It is the largest poverty program in the United States. We have a lot of poor people in this country of all ages, and instead of taking care of those people, this rule eliminates that protection. It protects those that have but not those that have not.

I stand in opposition to the rule.

□ 1330

Ms. FOXX. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this point, I would like to yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), a leader on these issues.

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, I rise in strong opposition to the rule and the Agriculture appropriations bill. Instead of helping Americans hit hardest by the recent recession today, we are debating a Republican spending bill that guts critical nutrition programs which literally put food on the table so that millions of low-income women, children, and seniors don't go hungry. This bill hurts low-income seniors through cuts to the Commodity Supplemental Food Program. It cuts The Emergency Food Assistance Program, which could cause our local food banks to close their doors. And it slashes the budget of the Women, Infants, and Children, WIC, program, the effects of which will leave hundreds of thousands of women and children without adequate nutrition.

WIC not only keeps our low-income families from hunger, but by emphasizing adequate nutrition, the program reduces the incidence of low birth-weight babies, combats the childhood obesity epidemic, and promotes school

readiness by giving children the nutritional building blocks their brains need to develop at a critical stage. Moreover, as it links these families to the local health infrastructure, it also increases child immunization rates. These benefits are not just to the child and the family. In fact, the program reduces overall health care costs. For every \$1 invested in WIC, we save about \$2 to \$3 in health care costs just in the first 2 months of life. This is an incredible feat. It's one that should be expanded. Instead, the bill before us slashes these programs, plain and simple, with only one result: more Americans going hungry.

When I asked my local food safety net providers what the Republican cuts would do to our community, the answer was clear: Without this assistance, which choice will it be: rent or food? My constituents have been loud and clear on this issue, Stop trying to cut the budget on the backs of the poor, the elderly, and our children.

I urge my colleagues to start listening to their communities. Vote "no" on the rule, and vote "no" on this devastating bill.

Mr. MCGOVERN. Mr. Speaker, at this time, I would like to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. Speaker, I have some sympathy for my good friend from Georgia, Congressman KINGSTON. He got dealt a tough hand by a really unpleasant, mean-spirited, unnecessary Republican Budget bill. There are real consequences for moving forward with the Ryan budget. But in a sense, this is the first debate of the 2012 farm bill.

We have a farm policy that spends too much on the wrong people to do the wrong things. There are opportunities for us to rebalance the equities. Now you are hearing some debate about whether or not we should honor a WTO commitment to Brazilian farmers for \$147 million a year. The only reason we're doing this is because Congress, in its wisdom, would not cut back on the cotton subsidies that go to American farmers, that are inappropriate and unnecessary. But instead of changing the system, we're paying Brazilian farmers for our cheating. That's goofy. And I think, at a minimum, we ought to remedy that. Put it into nutrition for poor women and children.

Now I will tell you that all you have to do is ask the hunger advocates in your community. Every Member of Congress has people who are dealing with the problem of hunger and food insecurity in their districts. I commend my friend Mr. MCGOVERN for his leadership in dealing with the issue of hunger at home and abroad. We ought to be dealing with it here and now. This bill that's coming forward ought

to rebalance the equities with the cotton subsidies for Brazilian farmers. There are other remedies. But we ought to look at every single amendment that comes to the floor to change the farm bill allocation under appropriations as a first important step towards rebalancing and having a healthy agricultural policy—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. To having an agricultural policy that serves our interests, those of our children, our families; that gives more to farmers and ranchers and less to international farmers and huge agribusiness interests; that doesn't slash environmental support for American farmers but helps us here at home.

There is a better way. There is actually bipartisan support, if we can ever see our way clear to getting it to the floor. This debate this week is an important first step, and I urge my colleagues to vote accordingly. This is a battle we can win on a bipartisan basis.

Mr. MCGOVERN. I would inform my colleague from North Carolina that I have no further requests for time, and I am ready to close.

Ms. FOXX. Then I will continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I urge my colleagues on both sides of the aisle to vote "no" on this rule, first and foremost. And there are two reasons to vote "no" on this rule. One is, the allocation that has been given to the Agriculture appropriations bill is so low that it's not fixable. I mean, the concerns that you have heard raised on the floor today about underfunding WIC and underfunding these other programs that feed the hungry and provide nutrition to feed our people, the only way to kind of restore those cuts is by cutting another program that does good things. So this is not even fixable.

The second reason to vote against this rule—and I say this to my Republican colleagues in particular—is because if you vote for this rule, you will allow the Republicans to eliminate an additional \$147 million from the WIC program because they have not protected the provision that was passed in the Appropriations Committee that took the money from Brazilian cotton farmers and gave it to WIC. Because it will not be protected, they will insist on a point of order, which means that that money will go from WIC back to the Brazilian cotton farmers at a time when Brazil's economy is booming. That does not make any sense. As it stands right now, the WIC cuts alone would force 200,000 to 350,000 low-income women and children off their rolls. If you vote for this rule, an additional 200,000 will be thrown off on top of the 200,000 to 350,000. That is just not right.

As I mentioned at the outset, Mr. Speaker, this bill cuts not only WIC but it cuts CSFP, TEFAP moneys, PL-480, and the food safety programs that are so important to the well-being of all of our citizens. Food safety is not just an issue with regard to low-income people. Those people who are earning lots of money are concerned about the safety of their food, and this bill cuts that program quite substantially.

Mr. Speaker, this bill is about helping the most vulnerable in our country and around the world. It doesn't usually receive a lot of attention. There are not a lot of lobbyists down here for poor people. There are not a lot of PACs out there that support issues that benefit poor people. But in many respects, this is one of the most important appropriations bills that we consider. And I do think it reflects on our values and what kind of country that we want to be. I believe that, given the fact that we're the richest country on this planet, we ought to make sure that nobody in the United States of America goes hungry. I don't know why that's such a radical idea.

And yes, we need to rely, in large part, on the faith-based communities out there that are doing incredible work. They're working overtime, trying to deal with the people who have fallen into poverty as a result of this economic crisis that we're in. They're doing all that they can, so to brush it off onto their backs more is just wrong, and it doesn't represent the reality out there. We need to step up to the plate during these difficult times and help people get through this economic crisis. And if you don't respond, and if you want to ignore those who are struggling, they just don't go away. It results in other problems and other costs to our government and to our people. Hunger is not cheap. There is a price to pay for hunger.

Globally, Mr. Speaker, let me just say that no war in history has killed so many humans and spread so much disease and suffering in any year as world hunger does annually. We have an opportunity to do something about it. We ought to do it. Vote "no" on this rule. Please, I say to my Republican colleagues, don't do this. Don't go down this road. We could do so much better.

BASIC FACTS ON CUTS TO INTERNATIONAL FOOD AID PROGRAMS IN THE FY 2012 AGRICULTURE APPROPRIATIONS ACT

Emergency food aid, programs to address chronic hunger, and school feeding programs all receive their funding in this bill—not the foreign aid bill. They are central pillars of U.S. strategy to address global hunger and food security—and making sure they are fully funded is in our national security interest. As Defense Secretary Robert Gates said last year, "Development is a lot cheaper than sending soldiers."

Food for Peace Title II Funding Cut

A 39 percent decrease in Food for Peace Title II funding—and will put millions of lives at risk and undermine the ability of USAID to prevent famine.

Food aid provided by USAID is a life-saving measure for millions of vulnerable people overseas. According to USAID, these brutal cuts will mean up to 16 million people, mainly women and children, will not receive life-saving food aid.

The cuts to Food for Peace will mean drastic cuts to our largest emergency food aid programs, including Darfur and southern Sudan, Afghanistan, Pakistan, Haiti and Ethiopia.

U.S. food aid not only helps people survive, it supports U.S. national security interests. It promotes stability and goodwill, especially in Libya, Afghanistan and Pakistan.

Our emergency and humanitarian food aid sends the clear message to desperate people in need: The American people care. This bill sends the opposite message—the American people don't care at all. Go ahead and starve.

U.S. food aid also supports domestic priorities, helping American farmers and the jobs of American millers, truck and rail transportation freight systems, and shipping the commodities abroad on U.S.-flagged ships.

My friends on the other side of the aisle might not have noticed, but the costs of commodities—the cost of purchasing food—have sharply escalated over the past year. This has already reduced USAID's purchasing power and the amount of food aid USAID can ship overseas. And now you're adding draconian cuts on top of the global food crisis.

McGovern-Dole Funding Cut

McGovern-Dole was funded at \$200 million in FY 2010, serving about 5 million children in 28 countries.

The \$20 million cut to McGovern-Dole will end school meals for over 400,000 children in the world's poorest countries. We are literally taking food out of the mouths of these children. Imagine how that would make you feel if it were your child?

□ 1340

I yield back the balance of my time. Ms. FOXX. Mr. Speaker, I want to point out again what my colleague from Georgia said. It was President Obama's agreement with the WTO that is forcing the funding for the Brazilian farmers. This is not something that Republicans did.

Mr. Speaker, we cannot continue to ignore the facts. With skyrocketing debt and unacceptable unemployment rates, the Federal Government must learn to live within its means and be accountable for how it spends taxpayer money.

House Republicans are continuing to fulfill our pledge to America and keep the promises we made to the American people before the election last November. I urge my colleagues to vote in favor of this rule.

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 301 of H. Con. Res. 34, the House-passed budget resolution for fiscal year 2012, I hereby submit revisions to the budget allocations set forth pursuant to the budget for fiscal year 2012. The revision is for new budget authority and outlays reported by the Committee on Appropriations, Subcommittee on Defense, which are designated for the Global War on Terrorism. A corresponding table is attached.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congress-

sional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised allocations are to be considered as allocations included in the budget resolution, pursuant to section 301 of H. Con. Res. 34.

ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

[In millions of dollars]

		2012
Discretionary Action	BA	1,019,660
	OT	1,224,325
Adjustment for Global War on Terrorism Reported by Subcommittee on Defense	BA	118,684
	OT	59,733
Total Discretionary Action	BA	1,138,344
	OT	1,284,058
Current Law Mandatory	BA	745,700
	OT	734,871

Ms. FOXX. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, consideration of the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. OWENS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OWENS. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Owens moves to recommit the bill H.R. 2055 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 30, line 17, insert before the period at the end the following: "Provided further, That, in addition to the funds made available by Public Law 112-10 for 'Department of Veterans Affairs, Medical Services' for fiscal

year 2012, an additional \$20,000,000 is appropriated for such account for advertising of assistance and services for the prevention of suicide among veterans (as authorized by section 532 of title 38, United States Code) for such fiscal year".

Page 35, line 4, after the dollar amount, insert "(reduced by \$25,000,000)".

Mr. CULBERSON. Mr. Speaker, I reserve a point of order against the gentleman's motion.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from New York is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, I rise to offer this final amendment for the benefit of those men and women returning from Iraq and Afghanistan, as well as for veterans of all wars in need of care.

There's been much debate in the House today about hard choices. Our veterans made hard choices, made difficult decisions, and many of them suffer because of that.

This amendment is fiscally responsible as it is fully paid for and, most importantly, it takes care of veterans. We are asking that approximately \$20 million be appropriated for such account to assist in the prevention of suicide among veterans.

I know as a young man—actually, as a young boy—I had uncles from World War I, friends of my father's from World War II who suffered from PTSD. It wasn't known by that term then, but clearly they did.

When you go to Walter Reed, when you go to Fort Drum and you look into the eyes of the young men and women returning from Afghanistan and Iraq, you can see the pain. This is what we are called to deal with today.

America's troops have served with honor and distinction, accomplishing tremendous progress in Iraq and Afghanistan. While we have gone to great lengths ensuring that they have what they need to accomplish the mission, it is the will and determination of the average servicemember that is winning the fight for our country.

The current wars have demanded much of soldiers, sailors, airmen, and marines overseas who carry out their mission under constant threat from enemy fire, IEDs, and other dangers, all the while away from their family and friends back home. In short, the men and women of the Armed Forces are winning this fight through their incredible personal sacrifice.

As we all know, this sacrifice often includes great cost to the physical well-being of returning veterans, as well as mental health concerns from PTSD and traumatic brain injury. It is our duty, out of respect for their sacrifice, to ensure that every benefit they have earned is available to all returning servicemembers. We can and must do more to care for them. This includes increased services to address PTSD and TBI, as well as adequate mental health services to prevent the tragedy of suicide among returning combat veterans.

As the Representative for Fort Drum, the most deployed unit in the United States Army, I am especially committed to seeing that members of the Armed Forces are afforded everything they need when they return home to their families and our communities. This amendment provides an additional \$20 million for veteran medical services to give the Veterans Administration the resources it needs to provide these essential services.

My amendment is fully offset and fulfills America's commitment to the heroes that have sacrificed so much to defend America. I urge a "yes" vote on this final amendment.

I yield back the balance of my time.

Mr. CULBERSON. I rise in opposition to the motion.

The SPEAKER pro tempore. Does the gentleman from Texas continue to reserve his point of order?

Mr. CULBERSON. Yes, I do.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes in opposition to the motion.

Mr. CULBERSON. Mr. Speaker, I would point out that the Subcommittee on Military Construction and Veterans Affairs has worked in an arm-in-arm, bipartisan way in support of our troops, in support of our veterans. And we have provided funding for every need that was presented to the committee to help our men and women in uniform do the job that they do every day defending this Nation, to help our veterans as they move out of active duty into retired status, to help the Veterans Administration treat not only the veterans who have suffered or been injured in combat in defense of this Nation, but also those veterans who have suffered in some way psychological trauma that would put them at risk of suicide, a growing problem, and one that the committee is deeply concerned about, and, in fact, the committee has fully funded at the President's request of \$69.9 million. The committee has provided essentially \$70 million at the President's request, at the request of the Veterans Administration. We have fully funded in every way the request of the professionals in this area, what they believe is necessary to meet the need that they have determined is out there among the veterans of this Nation.

One of the great joys I know that all of us have as Members of Congress is to provide the support that is necessary for our men and women in uniform to do the extraordinarily difficult job that they confront every day and to ensure that their families have the peace of mind that their son, their daughter, their father, their husband, their loved one has been given every piece of equipment, every possible support logistically with the love and comfort and prayers that we all send them with their families.

□ 1350

We as Members of Congress also have a sacred obligation to ensure that those men and women who are out there defending us don't ever need to look over their shoulder, that they don't ever need to worry that they are lacking in any way the equipment, the support. Everything that they might possibly need in the course of their day defending this Nation we have made sure, on the Appropriations Committee, that the men and women in uniform have. We've made sure that the Veterans Administration hospitals across the Nation have everything they need to take care of our men and women in uniform who have retired and gone on to the private sector to work in some other capacity.

As a general rule, I've heard the number, the average time, that a man or woman serving the Nation may serve in uniform is—I think the numbers I've heard are about 36 months, but they will spend the rest of their life in the care of the Veterans Administration. And it's an extraordinarily important trust that our subcommittee takes very personally, as a truly sacred obligation on our part to make sure that these wonderful men and women, these extraordinarily courageous men and women who have sacrificed so much have everything they need when they move into the VA system, that the VA Hospital is providing them with the very best possible medical care, physically, mentally—and suicide prevention, in fact, is one of those areas that we on the subcommittee have fully funded and worked again in a bipartisan way.

In fact, our committee as a whole has always worked together in a very bipartisan way, and particularly the subcommittees that deal with the men and women in uniform. Whether it be the Military Construction, the Veterans' Affairs Subcommittee, or the Defense Subcommittee, the members of the Appropriations Committee don't pay attention to party labels. We're focused on what's best for the men and women of the United States military. We're focused on what's best for their families and for the Veterans Administration, the health care that our men and women in uniform are given physically—again, mentally. And without regard to party, without regard to any other distinction other than what's good for these men and women who serve our Nation, we have worked together without really any real serious disagreements.

We, of course, have a problem today in the Nation of unprecedented debt, unprecedented deficits, record unfunded liabilities. And the new conservative majority that controls the House today is determined to do everything we can to reduce the unconscionable burden that's being passed on to our children and grandchildren. So we have

found savings in this bill in money that was unspent, in accounts where money has been set aside for years and unspent, where savings have been produced from reduced cost of concrete and steel, reduced bid savings, for example, that we then returned that money to the taxpayers. We found areas that we could save money, but not at the expense of our men and women in uniform.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. CULBERSON. Mr. Speaker, I wish to withdraw my reservation.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of H.R. 2055 and adoption of House Resolution 300.

The vote was taken by electronic device, and there were—yeas 184, nays 234, not voting 14, as follows:

[Roll No. 417]

YEAS—184

Ackerman	Crowley	Hoyer
Altmire	Cuellar	Inslee
Baca	Cummings	Israel
Baldwin	Davis (CA)	Jackson Lee
Barrow	Davis (IL)	(TX)
Bass (CA)	DeFazio	Johnson (GA)
Becerra	DeGette	Johnson, E. B.
Berkley	DeLauro	Jones
Berman	Deutch	Kaptur
Bishop (GA)	Dicks	Keating
Bishop (NY)	Dingell	Kildee
Blumenauer	Doggett	Kind
Boren	Donnelly (IN)	Kissell
Boswell	Doyle	Kucinich
Brady (PA)	Edwards	Langevin
Braley (IA)	Ellison	Larsen (WA)
Brown (FL)	Engel	Larson (CT)
Butterfield	Farr	Levin
Capps	Fattah	Lewis (GA)
Capuano	Filner	Lipinski
Cardoza	Frank (MA)	Loeb sack
Carnahan	Fudge	Loftgren, Zoe
Carney	Garamendi	Lowey
Carson (IN)	Gohmert	Lujan
Castor (FL)	Gonzalez	Lynch
Chandler	Green, Al	Maloney
Chu	Green, Gene	Markley
Cicilline	Grijalva	Matheson
Clarke (MI)	Gutierrez	Matsui
Clarke (NY)	Hanabusa	McCarthy (NY)
Clay	Hastings (FL)	McCollum
Cleaver	Heinrich	McDermott
Clyburn	Higgins	McGovern
Cohen	Himes	McIntyre
Connolly (VA)	Hinchey	McNerney
Conyers	Hinojosa	Meeks
Cooper	Hirono	Michaud
Costa	Hochul	Miller (NC)
Costello	Holden	Miller, George
Courtney	Holt	Moore
Critz	Honda	Moran

Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond

Ross (AR)
Rothman (NJ)
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradner
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Stark
Sutton

Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg

Andrews
Broun (GA)
Eshoo
Giffords
Jackson (IL)

Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

Lee (CA)
Rangel
Rokita
Roybal-Allard
Rush

Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Slaughter
Speier
Stivers
Weiner

Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslie
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack

Maloney
Manzullo
Marchant
Marino
Markoe
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Ros-Lehtinen
Rohrabacher
Rooney
Ros-Lehtinen

Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradner
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—234

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)

Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter

McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan

NOT VOTING—14

Lee (CA)
Rangel
Rokita
Roybal-Allard
Rush

□ 1419

Messrs. CASSIDY and SCOTT of South Carolina and Mrs. MYRICK changed their vote from “yea” to “nay.”

Messrs. CARSON of Indiana, BUTTERFIELD, OLVER and ELLISON changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 5, not voting 16, as follows:

[Roll No. 418]

YEAS—411

Ackerman
Adams
Aderholt
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert

Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert

DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack

NAYS—5

Amash
Campbell
Duncan (TN)
Flake

Paul

NOT VOTING—16

Andrews	Herger	Slaughter
Broun (GA)	Jackson (IL)	Speier
Cole	Lee (CA)	Stivers
Davis (IL)	Rangel	Weiner
Eshoo	Rokita	
Giffords	Roybal-Allard	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1426

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2112, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 300) providing for consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 180, not voting 17, as follows:

[Roll No. 419]

YEAS—235

Adams	Carter	Frelinghuysen
Aderholt	Cassidy	Gallegly
Akin	Chabot	Gardner
Alexander	Chaffetz	Garrett
Amash	Coble	Gerlach
Austria	Coffman (CO)	Gibbs
Bachmann	Cole	Gibson
Bachus	Conaway	Gingrey (GA)
Barletta	Cravaack	Gohmert
Bartlett	Crawford	Goodlatte
Barton (TX)	Crenshaw	Gosar
Bass (NH)	Culberson	Gowdy
Benishek	Davis (KY)	Granger
Biggert	Denham	Graves (GA)
Bilbray	Dent	Graves (MO)
Bilirakis	DesJarlais	Griffin (AR)
Bishop (UT)	Diaz-Balart	Griffith (VA)
Black	Dold	Grimm
Blackburn	Dreier	Guinta
Bonner	Duffy	Guthrie
Bono Mack	Duncan (SC)	Hall
Boustany	Duncan (TN)	Hanna
Brady (TX)	Ellmers	Harper
Brooks	Emerson	Harris
Buchanan	Farenthold	Hartzler
Bucshon	Fincher	Hastings (WA)
Buerkle	Fitzpatrick	Hayworth
Burgess	Flake	Heck
Burton (IN)	Fleischmann	Hensarling
Calvert	Fleming	Herger
Camp	Flores	Herrera Beutler
Campbell	Forbes	Huelskamp
Canseco	Fortenberry	Huizenga (MI)
Capito	Foxo	Hultgren
Carney	Franks (AZ)	Hunter

Hurt	Mica	Runyan
Jenkins	Miller (FL)	Ryan (WI)
Johnson (IL)	Miller (MI)	Scalise
Johnson (OH)	Miller, Gary	Schilling
Johnson, Sam	Mulvaney	Schmitt
Jones	Murphy (PA)	Schock
Jordan	Myrick	Scott (SC)
Kelly	Neugebauer	Scott, Austin
Kind	Noem	Sensenbrenner
King (IA)	Nugent	Sessions
King (NY)	Nunes	Shimkus
Kingston	Nunnelee	Shuler
Kinzinger (IL)	Olson	Shuster
Kline	Palazzo	Simpson
Labrador	Paul	Smith (NE)
Lamborn	Paulsen	Smith (NJ)
Lance	Pearce	Smith (TX)
Landry	Pence	Southerland
Lankford	Petri	Stearns
Latham	Pitts	Stutzman
LaTourette	Platts	Sullivan
Latta	Poe (TX)	Terry
Lewis (CA)	Pompeo	Thompson (PA)
LoBiondo	Posey	Thornberry
Long	Price (GA)	Tiberi
Luetkemeyer	Quayle	Tipton
Lummis	Reed	Turner
Lungren, Daniel E.	Rehberg	Upton
Mack	Reichert	Walberg
Manzullo	Renacci	Walden
Marchant	Ribble	Walsh (IL)
Marino	Rigell	Webster
Matheson	Rivera	West
McCarthy (CA)	Roby	Westmoreland
McCaul	Roe (TN)	Whitfield
McClintock	Rogers (AL)	Wilson (SC)
McCotter	Rogers (KY)	Wittman
McHenry	Rogers (MI)	Wolf
McKeon	Rohrabacher	Womack
McKinley	Rooney	Woodall
McMorris	Ros-Lehtinen	Yoder
Rodgers	Roskam	Young (AK)
Meehan	Ross (FL)	Young (FL)
	Royce	Young (IN)

NAYS—180

Ackerman	Dicks	Loebsack
Altmire	Dingell	Lofgren, Zoe
Baca	Doggett	Lowey
Baldwin	Donnelly (IN)	Lujan
Barrow	Doyle	Lynch
Bass (CA)	Edwards	Maloney
Becerra	Ellison	Markey
Berkley	Engel	Matsui
Berman	Farr	McCarthy (NY)
Bishop (GA)	Fattah	McCollum
Bishop (NY)	Filner	McDermott
Blumenauer	Frank (MA)	McGovern
Boren	Fudge	McIntyre
Boswell	Garamendi	McNerney
Brady (PA)	Gonzalez	Meeks
Braley (IA)	Green, Al	Michaud
Brown (FL)	Green, Gene	Miller (NC)
Butterfield	Grijalva	Miller, George
Capps	Gutierrez	Moore
Capuano	Hanabusa	Moran
Cardoza	Hastings (FL)	Murphy (CT)
Carnahan	Heinrich	Nadler
Carson (IN)	Higgins	Napolitano
Castor (FL)	Himes	Neal
Chandler	Hinchev	Olver
Chu	Hinojosa	Owens
Cielline	Hirono	Pallone
Clarke (MI)	Hochul	Pascarell
Clarke (NY)	Holden	Pastor (AZ)
Clay	Holt	Payne
Cleaver	Honda	Pelosi
Clyburn	Hoyer	Perlmutter
Cohen	Inslee	Peters
Connolly (VA)	Israel	Peterson
Conyers	Jackson Lee	Pingree (ME)
Cooper	(TX)	Polis
Costa	Johnson (GA)	Price (NC)
Costello	Johnson, E. B.	Quigley
Courtney	Kaptur	Rahall
Critz	Keating	Reyes
Crowley	Kildee	Richardson
Cuellar	Kissell	Richmond
Cummings	Kucinich	Ross (AR)
Davis (CA)	Langevin	Rothman (NJ)
Davis (IL)	Larsen (WA)	Roybal-Allard
DeFazio	Larson (CT)	Ruppersberger
DeGette	Levin	Rush
DeLauro	Lewis (GA)	Ryan (OH)
Deutch	Lipinski	

Sánchez, Linda T.	Sires	Walz (MN)
Sanchez, Loretta	Smith (WA)	Wasserman
Sarbanes	Stark	Schultz
Schakowsky	Sutton	Waters
Schiff	Thompson (CA)	Watt
Schrader	Thompson (MS)	Waxman
Schwartz	Tierney	Welch
Scott (VA)	Tonko	Wilson (FL)
Scott, David	Towns	Woolsey
Serrano	Tsongas	Wu
Sewell	Van Hollen	Yarmuth
Sherman	Velázquez	
	Visclosky	

NOT VOTING—17

Andrews	Issa	Schweikert
Berg	Jackson (IL)	Slaughter
Broun (GA)	Lee (CA)	Speier
Cantor	Lucas	Stivers
Eshoo	Rangel	Stutzman
Giffords	Rokita	Weiner

□ 1433

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained on official business and missed rollcall vote Nos. 417, 418 and 419. Had I been present, I would have voted "aye" on rollcall vote No. 417, "aye" on rollcall vote No. 418 and "nay" on rollcall vote No. 419.

Ms. LEE. Madam Speaker, I was unable to cast my votes earlier today. Had I been present to cast my votes, I would have voted "yes" on the Motion to Recommit with Instructions on H.R. 2055, I would have voted "yes" on final passage of H.R. 2055, and I would have voted "no" on House Resolution 300.

Mr. JACKSON of Illinois. Madam Speaker, I was unavoidably detained for personal reasons, resulting in my absence from recorded votes for H.R. 2055, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012, and H. Res. 300.

If present, I would have recorded my votes as the following: on rollcall vote 417 "aye," on rollcall vote 418 "aye," and on rollcall vote 419 "nay."

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. WALDEN. Madam Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 303

Resolved, That the following named Members be, and are hereby, elected to the following standing committees:

COMMITTEE ON AGRICULTURE—Mrs. Noem.
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE—Mr. Fleischmann.

COMMITTEE ON WAYS AND MEANS—Mr. Reed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1380

Mr. KLINE. Madam Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

RESIGNATION AS MEMBER OF
COMMITTEE ON RULES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Rules:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 14, 2011.

Speaker JOHN BOEHNER,
U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: I write to inform you that effective immediately I am resigning from the House Rules Committee to join the House Ways and Means Committee. If you have any questions please contact me directly or your staff can contact Steve Pfirang, my Legislative Director, at 202-226-1919.

Sincerely,

TOM REED,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1380

Mr. KELLY. Madam Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. KINGSTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2112 and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT,
FOOD AND DRUG ADMINISTRATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2012

The SPEAKER pro tempore (Mr. CHAFFETZ). Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2112.

□ 1435

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Georgia (Mr. KINGSTON) and the gentleman from California (Mr. FARR) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. KINGSTON. Madam Chair, I yield myself 5 minutes.

I recommend to the Committee H.R. 2112, the House Agriculture, FDA, and CFTC funding bill for fiscal year 2012, and I want to make a few remarks about it.

Number one and foremost, because a lot of people are very concerned about the allocation for this bill and the funding level, I want to remind everybody of a couple of things: Number one, our national debt is now 95 percent of the GDP. It's \$14 trillion. For every dollar we spend, 40 cents is borrowed.

Now, both parties have fingerprints all over this. We have all overspent. For example, for 8 years under President Bush the national debt increased \$3½ trillion. Way too much. And yet, in contrast, in just 3 years President Obama has added to the national debt \$5 trillion, an increase of 56 percent. And so much of this is due and owed to foreign countries, and much of it to China. Can you imagine what kind of deal Communist China, a major competitor of ours, would impose upon us if they forced us to restructure our debt? We have to do it ourselves.

Now, the House has passed the Ryan budget, which many people oppose, and I understand that. But I want to point out the President of the United States' budget failed in the Senate 97-0. HARRY REID voted against the President's budget. And in the House, the Congressional Black Caucus offered a budget that failed. The Congressional Progressive Caucus offered a budget and it failed. The Republican Study Committee offered a budget and it failed. The Democrat Caucus offered a budget and it failed. In the Senate, budget plans were offered by Mr. TOOMEY of Pennsylvania and Mr. PAUL of Kentucky; both failed. The only budget that has passed either body is the Ryan budget, and that's what we are looking at today, those numbers.

Now, I understand there's a lot of reluctance to make some of these tough decisions. Today in America 61 million

people receive monthly government checks. That's anything from welfare to Medicare to farm payments to veteran retirement to Social Security—lots of people receiving lots of money. These programs are enormously popular, and they're deeply integrated into our economic system and culture. Therefore, reforming these programs is very, very difficult. And to further complicate things, 47 percent of American households do not pay income taxes. For them the status quo is working just fine.

So addressing these things is very difficult. And if you look at the spending pattern in the last several years, it's frightening: March, 2008, \$29 billion to bail out Bear Stearns; May of 2008, a \$168 billion stimulus package from the Bush administration; in July of 2008, \$200 billion to bail out Fannie Mae and Freddie Mac; then in November of 2008, \$700 billion for TARP, or the Wall Street bailout; and then in January of 2009, \$878 billion for the Obama stimulus program, which, by the way, Madam Chair, was to keep us from getting to 8 percent unemployment.

□ 1440

Now, we're hovering between 9 and 10 percent, and I don't need to remind you but this is the 1-year anniversary of the "summer of recovery." There has not been any recovery. We're still looking for those jobs. Spending our way into prosperity does not work. If it did work, we would be having prosperous times right now.

So the Ryan budget for this bill is \$17.25 billion, our reduction of \$2.7 billion, approximately a 13½ percent decrease in spending, and yet, despite this, because of the mandatory spending portion of this bill, the bill actually has a net increase, mostly driven by food stamps and the school lunch program, which have gone up about \$7 billion between the two of them. We still have a net increase in this bill.

Now, there's going to be a lot of discussion on lots of different accounts, and one of them is the WIC account, the Women, Infants, and Children account, something that I'm very concerned about, something that all of our committee has always supported on a bipartisan basis. But last year, there was some money taken out of it, \$562 million, to settle a lawsuit which had nothing to do with school nutrition. A lot of the critics are going to be saying WIC has never been cut. Last year, the Obama administration cut WIC \$562 million.

The CHAIR. The time of the gentleman has expired.

Mr. KINGSTON. Madam Chair, I yield myself 2 additional minutes.

USDA numbers show that WIC participation has dropped 300,000 from February 2010 to February 2011, yet we are still funding it at 8.7 million people. We do not intend for anybody to

fall through the cracks. If there is a shortage, there are three discretionary accounts that we can draw upon: a contingency fund of \$125 million; a carry-over fund, which is in excess of \$350 million; and the Secretary's interchange authority, which is \$210 million.

There are a lot of things in WIC we can do to improve to make sure that children don't fall through the cracks. Right now, for example, 49 percent of the kids in America participate in WIC. Do we really believe 49 percent are impoverished? Perhaps it's oversubscribed. Maybe we can work with the WIC folks on that.

We had a very healthy debate about WIC overhead, and the USDA has given us conflicting numbers on that. We're planning to meet with the USDA and find out what the real story is. I understand there may be amendments to say let's all agree what an overhead limit should be for WIC and then not spend money on overhead for that.

We are concerned about these things, but I want to close with this. Today, in America, a child under 5 years old is eligible for 12 Federal programs. After that age, he or she is eligible for 9 Federal feeding programs. At 65, you're eligible for 5 different Federal feeding programs. We want to make sure no one falls through the cracks and no one goes hungry, yet at the same time, is it possible that some folks are eligible for not just three meals a day but maybe four and five?

And can we enter into that discussion without a lot of finger-pointing and a lot of emotion? Can we also talk about the fraud and the misuse and the administrative costs without a lot of screaming and hollering? I think we can. I look forward to that debate, and I recommend passage of this bill.

1. 14 percent down.

Reflects the House Rep/Ryan budget which reflects our attempt to deal with the national debt.

A. I don't need to lecture anyone on the national debt but I need to remind all of us on a few facts:

1. At \$14T the national debt is 95 percent GDP.

2. For every dollar we spend \$.40 is borrowed.

3. While both parties have been responsible for this the spending by this administration has been tremendous. For example, the national debt under President Bush increased \$3.5 trillion in 8 years. Way too much! In contrast, however President Obama has increased it by \$5T in 3 years. That's 56 percent.

4. Much of this almost half is due to foreign countries, China being a high leader.

If we don't address our debtor crisis eventually our creditors will. With a communist country as a major competitor can you imagine what China could impose on us? It's nothing I want my children and future generations to deal with. We have to do it ourselves.

B. Let me continue with the Ryan budget we hear non stop changes from its critics that it's too harsh but where is their alternative?

1. The Potus has been all but absent. In fact his own budget was rejected by the Harry Reid Democrat led Senate 97-0.

2. Other proposals have been furlled as well:

a. In the House:

Congressional Black Caucus.

H. Amdt. 256 to H. Con. Res. 34.

Failed by recorded vote: 103-303.

Congressional Progressive Caucus.

H. Amdt. 257 to H. Con. Res. 34.

Failed by recorded vote: 77-347.

Republican Study Committee.

H. Amdt. 258 to H. Con. Res. 34.

Failed by recorded vote: 119-136.

Democratic Caucus:

H. Amdt. 259 to H. Con. Res. 34.

Failed by recorded vote: 166-259.

b. In the Senate:

Toomey's plan to balance the budget in 9 years:

Failed 42-55.

Rand Paul's plan:

Failed 7-90.

3. Having failed to pass a budget in either the House or Senate, it seems the POTUS and Harry Reid have given up. That's correct there no ongoing negotiations, conferences or hearings. They have totally abandoned their duty and obligations.

C. One can understand cowardice when we look at political realities.

1. Today in America 61 million people receive monthly government checks. That's anything from welfare to Medicare, to farm payments, veteran retirement and social security. Lots of people receive lots of money.

2. These programs are enormously popular and deeply integrated into our economic system and culture. Reforming these programs is at best politically difficult even if both parties dealt in good faith and earnestness.

3. To further complicate the situation 47 percent of American households did not pay income taxes. For them the status quo is just fine.

i. According to the tax policy center.

D. Continuing our spending path has not created prosperity. Think about the big ticket items in the last few years. March '08 \$29 billion for bailour Bear Sterns, May '08 \$168 billion for the Bush Stimulus Package, July '08 \$200 billion for the Fannie May/Freddie Mac bailout, Nov '08 \$700 Billion TARP/Wall Street Bailout. Jan. '09 \$878 billion for the Obama Stimulus bill which by the way was to keep unemployment below 8 percent but it has bounced between 9-10 percent ever since.

Real growth comes from less government, less job killing regulations, a tax structure that is simpler, clean and fair.

E. One last word on the Ryan budget. Despite the spending reduction in discretionary accounts be of entitlements, food stamps and school lunch there is a net increase in spending! That's right at \$17.25 billion, a reduction of \$2.7 billion below FY2011 or 14 percent discretionary, the mandatory spending has still increased from \$105 billion to \$108.3 billion, resulting in an overall increase of 283 million! Food stamps have increased \$5.6 and school lunch \$1.5. Thus one more time underscoring the need for long term entitlement reform.

II. Our bill attempts to move us in this direction. Mr. FARR and I have had 11 hearings. These were long with several rounds of ques-

tions. We don't agree on all issues but we found much common ground and where we disagree no one was shut out of the process.

III. I will now go through some specific accounts.

A. Research is funded at \$2.2 billion. Almost half goes to Agriculture Research Service at \$993 million. This allows ARS to focus on high priority items such as food defense and food safety.

1. It also includes vital pest and disease research such problems with the:

Brown Marmorated Stink Bug.

Commerants.

Cotton Pests.

Sudden Oak Death.

Equine Disease.

2. Finally, I would like to point out that the bill assumes ARS will close 10 facilities, as proposed in the budget, and provides USDA with the authority to transfer those facilities to a land-grant or other agricultural college or university that agrees to continue agricultural related research at the facility for a minimum of 25 years.

One billion dollars on this account goes to the National Institute of Food and Agriculture (NIFA) and gives level funding for land-grant university research.

B. Farm Programs are funded at \$1.7 billion discretionary and \$18.3 in mandatory or traditional as Ag programs specified in the five year authorized farm bill.

1. These programs are the target of much of the criticism and at least one awkward int'l into agreement w/ the Brazilian government over cotton. Mr. Fluke offered an amendment to affect this and committee act was passed; however if it is out of order and will be struck. Nonetheless our AS committees are planning to address it.

2. Also in this section of the Bill is Farm Service Agency funding at a level of \$1.46. Modernization of FSA technology systems remains a committee priority.

The MIDAS, Modernize and Innovate the Delivery of Agricultural Systems, request was \$96 million on top of \$49.5 million from last year but USDA had reprogrammed \$23 million for salaries. The heart of the MIDAS initiative is to improve the delivery of FSA farm program benefits and services through the re-engineering of farm programs business processes and the adoption of enhanced and modernized information technology.

3. Many members requested funding for the FSA Grassroots Source Water Protection program and the bill includes \$3.6 million for this program.

Agricultural Credit loan levels are at \$4.7 billion which is \$95.8 million below the fiscal year 2011 level and the same as the fiscal year 2012 request.

C. The majority of the \$910 million in funds for the Marketing and Regulatory Programs is slated in the Animal and Plant Health Inspection Service-Salaries and Expense account at \$790 million, which is \$73.3 million below the fiscal year 2011 level. These funds will allow the agency to continue to control and eradicate plant and animal pests and diseases. The bill includes language that allows APHIS to access emergency funding to address pest and disease outbreaks.

In addition to other related programs at USDA's Animal and Plant Health Inspection

Serves, this Bill provides \$147 million for Specialty Crop Pests to control or eradicate invasive pests and diseases, especially for those pests and disease in California, and the west. Although this funding level is below the President's Request, this Program is funded at \$4.4 million above the level spent in the fiscal year 2010. Within the program, we have also supported language from members regarding Sudden Oak Death.

D. Conservation Programs are funded at \$787 million of which \$770 million is for NRCS's Conservation Operations, which is \$99 million below the fiscal year 2011 level. This allows NRCS to maintain its core conservation mission and will drive efficiencies to create more farmer-friendly programs.

The Watershed Rehabilitation Program is funded at \$15 million, which is \$3 million below the fiscal year 2011 level.

In addition to discretionary appropriations, USDA will provide \$5.8 billion to farmers and ranchers through its mandatory conservation programs in fiscal year 2012.

(In the farm bill, the Agriculture Committee will review these especially the Conservation Reserve Program which pays farmers not to plant.)

E. More than \$2 billion is provided in the bill for Rural Development Programs including section 502 low income housing loan level of \$24.845 billion. The President's budget proposed a loan level for direct loans for \$211 million and the bill provides for \$845 million for this program that serves very low-income rural Americans.

Rural Water and Waste—\$730 million is provided for loans, which is \$242 million below the fiscal year 2011 level. \$430 million is provided for grants, which is \$28 million below the fiscal year 2011 level. We received many requests from Members for funding for the Circuit Rider program, and the bill provides \$14 million for this purpose.

Electric and Telecommunications Program level is at \$7.3 billion in the bill, which is on par with historical levels. The bill denies the budget request to limit the use of electric loans to renewable energy and retrofitting, and requests a report on baseload generation needs.

F. Food Safety and Inspection—\$973 million—a funding level that will allow FSIS to maintain meat, poultry, and egg products inspection, as well as to expand poultry inspection system that results in a safe and more efficient poultry inspection regime that will result in a safer food supply.

III. Our committee had 2 good debates on the funding of Women, Infants, and Children (WIC) Nutrition programs.

Our mark attempts to address the aggressive marketing growth of WIC w/a funding level of \$5.9 billion. Or 1.2 below FY 2011, which was 7,128,424,000.

A. We will hear from many that this hurts the nations most vulnerable but lets look at some fact.

1. Many critics act like WIC has never been cut but last year in order to pay for a completely unreduced program—a legal settlement on a farm loan dispute call Pigford the Democrats cut WIC by \$562 m.

2. The latest data from the USDA shows a drop of 300,000 participants between fiscal

year 2010 and fiscal year 2011. However; our level still funds at the higher number of 8.7 m people which is the projection for FY 2012.

Now if that changes and there is in unexpected jump in participation then we have 3 reserve accounts in which we can draw.

Contingency fund: \$125 million.

Carryover Funds: \$350 million+.

Secretary's Interchange Authority: \$210 million.

3. So the issue is act one of kids at risk but one of politics.

a. A couple of notes: 49 percent of children in America participate in WIC. Clearly a number that suggests it goes well beyond the poorest of our society.

b. WIC is notorious for a high over head.

As noted at the Full Committee hearing, administrative—as defined by all overhead and program delivery costs—equals 45 cents per benefits dollar spent in FY 2010.

8.9 million participants for March. From the beginning of FY2009 to March 2011 (most up-to-date data), average monthly participation has dropped by 440,000.

c. WIC has had its share of fraud, yet WIC officials seem dedicated to only keeping their funding stream rather than addressing these issues.

4. Finally going beyond the politics let's put some force on it. Take a 3 year old child named Bob. Today Bob is eligible for 12 federal programs:

Bob's Food Assistant Programs:

At age 3, Bob is eligible for 12 programs:

1. Child and Adult Care Food Program (CACFP).

2. Commodity Supplemental Food Program (CSFP).

3. Fresh Fruit & Vegetable Program (FFVP).

4. School Lunch Program (SBP).

5. National School Lunch Program (NSLP).

6. Special Milk Program (SMP) [Can receive if not on any other program].

7. Summer Food Service Program (SFSP).

8. Supplemental Nutrition Assistance Program (SNAP).

9. Temporary Assistance for Needy Families (TANF).

10. The Emergency Food Assistance Program (TEFAP).

11. Women, Infant & Children (WIC).

12. WIC's Farmers Market Nutritional Program (FMNP).

At age 10, Bob is eligible for 9 programs:

1. Child and Adult Care Food Program (CACFP).

2. Fresh Fruit & Vegetable Program (FFVP).

3. School Lunch Program (SBP).

4. National School Lunch Program (NSLP).

5. Special Milk Program (SMP).

6. Summer Food Service Program (SFSP).

7. Supplemental Nutrition Assistance Program (SNAP).

8. Temporary Assistance for Needy Families (TANF).

9. The Emergency Food Assistance Program (TEFAP).

At age 35, Bob is eligible for 7 programs:

1. Child and Adult Care Food Programs.

2. Commodity Supplemental Food Program (CSFP).

3. Supplemental Nutrition Assistance Program (SNAP).

4. Temporary Assistance for Needy Families (TANF).

5. The Emergency Food Assistance Program (TEFAP).

6. Women, Infant & Children (WIC).

7. WIC's Farmers Market Nutritional Program (FMNP).

At age 65, Bob is eligible for 6 programs:

1. Child and Adult Care Food Program (CACFP).

2. Commodity Supplemental Food Program (CSFP).

3. Sr. Farmers Market Nutrition Program (SFMNP).

4. Supplemental Nutrition Assistance Program (SNAP).

5. Temporary Assistance for Needy Families (TANF).

6. The Emergency Food Assistance Program (TEFAP).

At all ages, Bob can receive:

1. Food Distribution Program on Indian Reservation (FDPIR) if living on Indian Reservation & Not receiving SNAP.

2. Disaster Assistance Program (D-SNAP) if family experiences natural disaster.

3. Nutrition Assistance Block Grant (NABG) if family lives in U.S. Territory.

This doesn't sound like a nation that turning its back on the poor. Indeed the First Lady has made a campaign against over eating not hunger, and I will challenge our critics to take the discussion records from our learning. Google the world's hunger and obesity and see which one we talked about the most.

B. As I stated earlier overall this bill is a net increase and that increase comes from these safety net food programs. Child nutrition programs are funded at \$18.8 billion which is \$1.56 above last year. This provides 68.8 percent of all school lunches and 85.5 percent of all school breakfasts at a free or reduced price.

1. As respects to SNAP, the Supplemental Nutrition Assistance program, or food stamps there is a \$5.66 increase approx 45 million people participate in this program.

2. Again, the administrators tend to ignore these problems. Overpayments of \$141 receipt in Michigan for steak, lobster, and sodas were reported. The man was later arrested for selling goods.

3. Michigan man won 2 million in lottery and still uses food stamps WIC—ex-WIC worker in Atlanta stated that no ID, no address and no income information was needed to apply for WIC. There was also an undercover film about the WIC clinic.

C. We have hope to allow some flexibility between emergency and developmental accounts in order for groups like the World Food Program to meet unexpected challenges around the globe. I have met with Josette Sheeran and our food ambassador to the UN Ertharin Cousins, and commend their position and their commitment. Food aid combines our humanitarian values and national security so our committee supports it. However; keep in mind we are borrowing from our own future generations to finance this, so we must be good stewards.

Worldwide the U.S. provides 57% of food aid followed by EU 27 percent, and Japan 6 percent.

Food Aid and National Security/International Harmony'

We have heard several comments today about why we absolutely cannot reduce our

food aid programs this year. In spite of the fact that we are out of money, we have driven ourselves to a crippling level of debt and—from a more immediate perspective—we don't have the allocation for this bill to provide more to any program, we are told it is impossible to cut international food aid, even as we cut almost every other single line item in this budget out of necessity.

Among other arguments, we hear it is a national security imperative. There are legitimate national security aspects to this issue. Food aid does provide a market to drive our domestic food production, which in turn helps ensure a perpetual safe and abundant domestic food supply as we provide surplus overseas.

It also supports our merchant marine fleet, which provides an important cargo capacity for the armed forces in the event of a major deployment. This surge capacity might not be available, at least at a similar cost, without the support of the food aid programs.

However, I don't think the argument that this assistance builds international goodwill to the U.S.—an enduring friendship that is reciprocated when we need it—pans out. For example, I have here the voting practices in the United Nations for 2010 as compiled by the U.S. Department of State. This list includes the nations by region who have received as-

sistance through any of our international food aid programs along with the percentage they supported the U.S. position on votes the State Department deemed most important. Unfortunately, we see numbers like 16 percent, 0 percent, 30 percent, 36 percent, 27.3 percent, right down the line.

It would be nice to see some of the oil rich countries to step forward and help out.

IV. FDA.

The Food and Drug Administration is funded at \$2.2 billion which is \$284 million below the fiscal year 2011 level of \$2.457 billion. While the overall discretionary allocation to the subcommittee was a reduction of 13.4 percent, the overall FDA reduction is 11.5 percent.

Total funding for FDA, including user fees, is \$3.684 billion versus \$3.681 that was provided in fiscal year 2011. We passed in fall committee an amendment that urged FDA to use sound science in making decisions.

V. CFTC. The Commodity Futures Trading Commission is funded at \$171 million, which is \$32 million below the fiscal year 2011 funding level. A number of concerns have been raised by the Inspector General at the Commission that proposed rules are not undergoing a thorough cost-benefit analysis.

VI. This bill takes spending to below pre-stimulus, pre-bailout levels while ensuring USDA, FDA, CFTC, and other agencies are

provided the necessary resources to fulfill their duties. Our members have worked to root out waste and duplication and, where they have strayed from their core mission, we rein in agencies so they may better focus on responsibilities for which they are intended. In doing so, we balance the urgent need for fiscal restraint with the necessity to provide and abundant food supply, robust trade, prudent conservation measures, and strong rural communities.

VII. Madam Chair, this legislation would not be passable without the great working relation I enjoy with our ranking member Mr. FARR. Again, we don't always agree but we do try to communicate and put together a sound product. I also thank all the staffers who have averaged about 50–60 hours a week since Dec. to make this happen. Matt Smith and Martha Foley with the Minority, and Rochelle Dornatt and Troy Phillips with Ranking Member FARR's office, our majority staff clerk of many years Martin Delgado and his team Tom O'Brien, Betsy Bina, and Andrew Cooper. From my personal office, Allie Thigpen, Michael Donnal, Adam Sullivan, Chris Crawford, Caroline Black, and Mary Carpenter. You might not see them on the House floor, but their fingerprints are all over the bill.

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary.....	5,051	5,883	4,293	-758	-1,590
Office of Tribal Relations.....	498	1,015	423	-75	-592
Healthy Food Financing Initiative.....	---	35,000	---	---	-35,000
Executive Operations:					
Office of Chief Economist.....	12,008	15,196	10,707	-1,301	-4,489
National Appeals Division.....	14,225	15,254	12,091	-2,134	-3,163
Office of Budget and Program Analysis.....	9,417	9,436	8,004	-1,413	-1,432
Office of Homeland Security.....	1,496	4,272	1,272	-224	-3,000
Office of Advocacy and Outreach.....	1,422	7,000	1,209	-213	-5,791
Office of the Chief Information Officer.....	39,920	63,579	35,000	-4,920	-28,579
Office of the Chief Financial Officer.....	6,247	6,566	5,310	-937	-1,256
Subtotal, Executive Operations.....	84,735	121,303	73,593	-11,142	-47,710
Office of the Assistant Secretary for Civil Rights....	893	895	760	-133	-135
Office of Civil Rights.....	22,692	24,922	19,288	-3,404	-5,634
Office of the Assistant Secretary for Administration..	804	820	683	-121	-137
Agriculture buildings and facilities and rental					
payments.....	(246,476)	(255,191)	(209,505)	(-36,971)	(-45,686)
Payments to GSA.....	178,113	164,470	151,396	-26,717	-13,074
Department of Homeland Security.....	13,473	13,800	11,452	-2,021	-2,348
Building operations and maintenance.....	54,890	76,921	46,657	-8,233	-30,264
Hazardous materials management.....	3,992	5,125	3,393	-599	-1,732
Departmental Administration.....	29,647	35,787	23,900	-5,747	-11,887
Office of the Assistant Secretary for Congressional					
Relations.....	3,869	4,041	3,289	-580	-752
Office of Communications.....	9,480	9,722	8,058	-1,422	-1,664
Office of Inspector General.....	88,548	90,755	80,000	-8,548	-10,755
Office of the General Counsel.....	41,416	46,058	35,204	-6,212	-10,854
Total, Departmental Administration.....	538,101	636,517	462,389	-75,712	-174,128
Office of the Under Secretary for Research, Education,					
and Economics.....	893	911	760	-133	-151
Economic Research Service.....	81,814	85,971	70,000	-11,814	-15,971
National Agricultural Statistics Service.....	156,447	165,421	149,500	-6,947	-15,921
Census of Agriculture.....	(33,139)	(41,639)	(40,000)	(+6,861)	(-1,639)
Agricultural Research Service:					
Salaries and expenses.....	1,133,230	1,137,690	993,345	-139,885	-144,345
National Institute of Food and Agriculture:					
Research and education activities.....	698,740	708,107	600,800	-97,940	-107,307
Native American Institutions Endowment Fund.....	(11,880)	(11,880)	(11,880)	---	---
Extension activities.....	479,132	466,788	411,200	-67,932	-55,588
Integrated activities.....	36,926	29,874	8,000	-28,926	-21,874
Hispanic-Serving Agricultural Colleges and					
Universities Endowment Fund.....	---	(10,000)	---	---	(-10,000)
Total, National Institute of Food					
and Agriculture.....	1,214,798	1,204,769	1,020,000	-194,798	-184,769
Office of the Under Secretary for Marketing and					
Regulatory Programs.....	893	911	760	-133	-151
Animal and Plant Health Inspection Service:					
Salaries and expenses.....	863,270	832,706	790,000	-73,270	-42,706
Assistance, goods, or services (user fees) NA	---	(141,000)	---	---	(-141,000)
Buildings and facilities.....	3,529	4,712	3,200	-329	-1,512
Total, Animal and Plant Health Inspection					
Service.....	866,799	837,418	793,200	-73,599	-44,218

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agricultural Marketing Service:					
Marketing Services.....	86,538	94,755	77,500	-9,038	-17,255
Standardization activities (user fees) NA.....	(65,000)	(66,000)	(66,000)	(+1,000)	---
(Limitation on administrative expenses, from fees collected).....	(60,947)	(62,101)	(61,000)	(+53)	(-1,101)
Funds for strengthening markets, income, and supply (Section 32):					
Permanent, Section 32.....	1,065,000	1,080,000	1,080,000	+15,000	---
Marketing agreements and orders (transfer from section 32).....	(20,056)	(20,056)	(20,056)	---	---
Payments to States and Possessions.....	1,331	2,634	1,331	---	-1,303
Total, Agricultural Marketing Service program...	1,213,816	1,239,490	1,219,831	+6,015	-19,659
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses.....	40,261	44,192	37,000	-3,261	-7,192
Limitation on inspection and weighing services....	(47,500)	(50,000)	(47,500)	---	(-2,500)
Office of the Under Secretary for Food Safety.....	811	828	689	-122	-139
Food Safety and Inspection Service.....	1,006,503	1,011,393	972,028	-34,475	-39,365
Lab accreditation fees.....	(1,000)	(1,000)	(1,000)	---	---
Total, Production, Processing, and Marketing....	6,193,419	6,303,410	5,658,502	-534,917	-644,908
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services.....	893	911	760	-133	-151
Farm Service Agency:					
Salaries and expenses.....	1,208,290	1,357,065	1,176,500	-31,790	-180,565
Equal Credit Opportunity claims (leg. proposal)....	---	40,000	---	---	-40,000
(Transfer from Food for Peace (P.L. 480)).....	(2,806)	(2,812)	(2,385)	(-421)	(-427)
(Transfer from export loans).....	(354)	(355)	(355)	(+1)	---
(Transfer from ACIF).....	(304,977)	(313,173)	(260,730)	(-44,247)	(-52,443)
Subtotal, transfers from program accounts.....	(308,137)	(316,340)	(263,470)	(-44,667)	(-52,870)
Total, Salaries and expenses.....	(1,516,427)	(1,713,405)	(1,439,970)	(-76,457)	(-273,435)
State mediation grants.....	4,177	4,369	3,550	-627	-819
Grassroot source water protection program.....	4,241	---	3,605	-636	+3,605
Dairy indemnity program.....	876	100	100	-776	---
Subtotal, Farm Service Agency.....	1,217,584	1,401,534	1,183,755	-33,829	-217,779
Agricultural Credit Insurance Fund (ACIF) Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct.....	(475,000)	(475,000)	(475,000)	---	---
Guaranteed.....	(1,500,000)	(1,500,000)	(1,500,000)	---	---
Subtotal.....	(1,975,000)	(1,975,000)	(1,975,000)	---	---
Farm operating loans:					
Direct.....	(950,000)	(1,050,090)	(1,050,090)	(+100,090)	---
Unsubsidized guaranteed.....	(1,500,000)	(1,500,000)	(1,500,000)	---	---
Subsidized guaranteed.....	(122,343)	---	---	(-122,343)	---
Subtotal.....	(2,572,343)	(2,550,090)	(2,550,090)	(-22,253)	---
Indian tribe land acquisition loans.....	(3,940)	(2,000)	(2,000)	(-1,940)	---
Conservation loans:					
Guaranteed.....	---	(150,000)	(150,000)	(+150,000)	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Indian Highly Fractionated Land Loans.....	---	(10,000)	(10,000)	(+10,000)	---
Boll weevil eradication loans.....	(100,000)	(60,000)	(100,000)	---	(+40,000)
Total, Loan authorizations.....	(4,651,283)	(4,747,090)	(4,787,090)	(+135,807)	(+40,000)
Loan subsidies:					
Farm ownership loans:					
Direct.....	32,804	22,800	22,800	-10,004	---
Guaranteed.....	5,689	---	---	-5,689	---
Subtotal.....	38,493	22,800	22,800	-15,693	---
Farm operating loans:					
Direct.....	57,425	59,120	59,120	+1,695	---
Unsubsidized guaranteed.....	34,880	26,100	26,100	-8,780	---
Subsidized guaranteed.....	16,886	---	---	-16,886	---
Subtotal.....	109,191	85,220	85,220	-23,971	---
Indian Highly Fractionated Land Loans.....	---	193	193	+193	---
Individual Development Accounts.....	---	2,500	---	---	-2,500
Total, Loan subsidies.....	147,684	110,713	108,213	-39,471	-2,500
ACIF administrative expenses:					
Salaries and expense (transfer to FSA)....	304,977	313,173	260,730	-44,247	-52,443
Administrative expenses.....	7,904	7,920	7,904	---	-16
Total, ACIF expenses.....	312,881	321,093	268,634	-44,247	-52,459
Total, Agricultural Credit Insurance Fund... (Loan authorization).....	460,565 (4,651,283)	431,806 (4,747,090)	376,847 (4,787,090)	-83,718 (+135,807)	-54,959 (+40,000)
Total, Farm Service Agency.....	1,678,149	1,833,340	1,560,602	-117,547	-272,738
Risk Management Agency, Administrative and operating expenses.....	78,842	82,325	68,016	-10,826	-14,309
Total, Farm Assistance Programs.....	1,757,884	1,916,576	1,629,378	-128,506	-287,198
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund.....	7,613,232	3,142,375	3,142,375	-4,470,857	---
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses.....	13,925,575	14,071,000	14,071,000	+145,425	---
Hazardous waste management (limitation on expenses).....	(5,000)	(5,000)	(5,000)	---	---
Total, Corporations.....	21,538,807	17,213,375	17,213,375	-4,325,432	---
Total, Title I, Agricultural Programs.....	29,490,110	25,433,361	24,501,255	-4,988,855	-932,106
(By transfer).....	(328,193)	(336,396)	(283,526)	(-44,667)	(-52,870)
(Loan authorization).....	(4,651,283)	(4,747,090)	(4,787,090)	(+135,807)	(+40,000)
(Limitation on administrative expenses).....	(113,447)	(117,101)	(113,500)	(+53)	(-3,601)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment.....	893	911	760	-133	-151
Natural Resources Conservation Service:					
Conservation operations.....	870,503	898,647	770,956	-99,547	-127,691
Watershed rehabilitation program.....	17,964	---	15,000	-2,964	+15,000
Total, Natural Resources Conservation Service...	888,467	898,647	785,956	-102,511	-112,691
=====	=====	=====	=====	=====	=====
Total, Title II, Conservation Programs.....	889,360	899,558	786,716	-102,644	-112,842
=====	=====	=====	=====	=====	=====
TITLE III - RURAL DEVELOPMENT					
Office of the Under Secretary for Rural Development...	893	911	760	-133	-151
Rural Development:					
Rural development expenses:					
Salaries and expenses.....	191,603	234,301	161,011	-30,592	-73,290
(Transfer from RHIF).....	(453,474)	(411,779)	(400,000)	(-53,474)	(-11,779)
(Transfer from RDLFP).....	(4,931)	(4,941)	(3,500)	(-1,431)	(-1,441)
(Transfer from RETLP).....	(38,297)	(39,959)	(30,000)	(-8,297)	(-9,959)
Subtotal, Transfers from program accounts.	(496,702)	(456,679)	(433,500)	(-63,202)	(-23,179)
Total, Rural development expenses.....	(688,305)	(690,980)	(594,511)	(-93,794)	(-96,469)
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (Sec. 502).....	(1,121,406)	(211,416)	(845,666)	(-275,740)	(+634,250)
Unsubsidized guaranteed.....	(24,000,000)	(24,000,000)	(24,000,000)	---	---
Subtotal, Single family.....	(25,121,406)	(24,211,416)	(24,845,666)	(-275,740)	(+634,250)
Housing repair (Sec. 504).....	(23,360)	---	---	(-23,360)	---
Rental housing (Sec. 515).....	(69,512)	(95,236)	(58,617)	(-10,895)	(-36,619)
Site loans (Sec. 524).....	(5,052)	---	---	(-5,052)	---
Multi-family housing guarantees (Sec. 538)	(30,960)	---	---	(-30,960)	---
Multi-family housing credit sales.....	(1,448)	---	---	(-1,448)	---
Single family housing credit sales.....	(10,000)	---	---	(-10,000)	---
Self-help housing land develop. (Sec. 523)	(4,966)	---	---	(-4,966)	---
Farm Labor Housing (Sec.514).....	(25,724)	(27,288)	(18,302)	(-7,422)	(-8,986)
Total, Loan authorizations.....	(25,292,428)	(24,333,940)	(24,922,585)	(-369,843)	(+588,645)
Loan subsidies:					
Single family direct (Sec. 502).....	70,060	10,000	40,000	-30,060	+30,000
Housing repair (Sec. 504).....	4,413	---	---	-4,413	---
Rental housing (Sec. 515).....	23,399	32,495	20,000	-3,399	-12,495
Multi-family housing guarantees (Sec. 538)	2,994	---	---	-2,994	---
Site development loans (Sec. 524).....	293	---	---	-293	---
Multi-family housing credit sales.....	555	---	---	-555	---
Farm labor housing (Sec.514).....	9,853	9,319	6,250	-3,603	-3,069
Self-help land dev. housing loans (Sec523)	288	---	---	-288	---
Total, Loan subsidies.....	111,855	51,814	66,250	-45,605	+14,436
Farm labor housing grants.....	9,854	9,873	6,250	-3,604	-3,623
RHIF administrative expenses (transfer to RD).	453,474	411,779	400,000	-53,474	-11,779
Total, Rural Housing Insurance Fund program.	575,183	473,466	472,500	-102,683	-966
(Loan authorization).....	(25,292,428)	(24,333,940)	(24,922,585)	(-369,843)	(+588,645)
=====	=====	=====	=====	=====	=====

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rental assistance program:					
Rental assistance (Sec. 521).....	948,704	900,653	886,000	-62,704	-14,653
New construction (Sec. 515).....	2,026	3,000	1,500	-526	-1,500
New construction (Farm Labor Housing).....	2,994	3,000	2,500	-494	-500
Total, Rental assistance program.....	953,724	906,653	890,000	-63,724	-16,653
Rural housing voucher program.....	13,972	16,000	11,000	-2,972	-5,000
Multi-family housing revitalization program.....	14,970	---	---	-14,970	---
Multifamily housing preservation revolving loans..	998	---	---	-998	---
Total, Multi-family housing revitalization..	29,940	16,000	11,000	-18,940	-5,000
Mutual and self-help housing grants.....	36,926	---	22,000	-14,926	+22,000
Rural housing assistance grants.....	40,319	11,520	32,000	-8,319	+20,480
Rural community facilities program account:					
Loan authorizations:					
Community facility:					
Direct.....	(290,526)	(1,000,000)	(1,000,000)	(+709,474)	---
Guaranteed.....	(167,747)	---	(105,708)	(-62,039)	(+105,708)
Total, Loan authorizations.....	(458,273)	(1,000,000)	(1,105,708)	(+647,435)	(+105,708)
Loan subsidies and grants:					
Community facility:					
Direct.....	3,856	---	---	-3,856	---
Guaranteed.....	6,613	---	5,000	-1,613	+5,000
Grants.....	14,970	30,000	10,000	-4,970	-20,000
Rural community development initiative....	4,990	8,400	3,000	-1,990	-5,400
Economic impact initiative grants.....	6,986	---	---	-6,986	---
Tribal college grants.....	3,964	---	---	-3,964	---
Total, RCFP Loan subsidies and grants...	41,379	38,400	18,000	-23,379	-20,400
Subtotal, grants and payments.....	118,624	49,920	72,000	-46,624	+22,080
Total, Rural Housing Service.....	1,677,471	1,446,039	1,445,500	-231,971	-539
(Loan authorization).....	(25,750,701)	(25,333,940)	(26,028,293)	(+277,592)	(+694,353)
Rural Business-Cooperative Service:					
Rural Business Program Account:					
(Guaranteed business and industry loans).....	(889,111)	(822,900)	(626,959)	(-262,152)	(-195,941)
Loan subsidies and grants:					
Guaranteed business and industry subsidy..	44,899	52,500	40,000	-4,899	-12,500
Grants:					
Rural business enterprise.....	34,930	29,874	20,000	-14,930	-9,874
Rural business opportunity.....	2,478	7,483	2,250	-228	-5,233
Delta regional authority.....	2,973	---	2,250	-723	+2,250
Total, RBP loan subsidies and grants.....	85,280	89,857	64,500	-20,780	-25,357
Rural Development Loan Fund Program Account:					
(Loan authorization).....	(19,181)	(36,376)	(14,758)	(-4,423)	(-21,618)
Loan subsidy.....	7,385	12,324	5,000	-2,385	-7,324
Administrative expenses (transfer to RD).....	4,931	4,941	3,500	-1,431	-1,441
Total, Rural Development Loan Fund.....	12,316	17,265	8,500	-3,816	-8,765
Rural Economic Development Loans Program Account:					
(Loan authorization).....	(33,077)	(33,077)	(33,077)	---	---
Limit cushion of credit interest spending....	(207,000)	(241,794)	(155,000)	(-52,000)	(-86,794)
(Rescission).....	-207,000	-241,794	-155,000	+52,000	+86,794

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural cooperative development grants:					
Cooperative development.....	7,908	8,924	5,000	-2,908	-3,924
Appropriate technology transfer for rural areas	---	2,800	2,000	+2,000	-800
Cooperative research agreement.....	---	300	---	---	-300
Value-added agricultural product market development.....	18,829	20,367	12,500	-6,329	-7,867
Grants to assist minority producers.....	3,456	3,463	3,000	-456	-463
Total, Rural Cooperative development grants.....	30,193	35,854	22,500	-7,693	-13,354
Rural Microenterprise Investment Program Account:					
(Loan authorization).....	---	(8,700)	---	---	(-8,700)
Loan subsidy.....	---	2,850	---	---	-2,850
Grants.....	---	2,850	---	---	-2,850
Total, Rural Microenterprise Investment.....	---	5,700	---	---	-5,700
Rural Energy for America Program					
(Loan authorization).....	(10,785)	(10,645)	(2,482)	(-8,303)	(-8,163)
Loan subsidy.....	2,495	2,788	650	-1,845	-2,138
Grants.....	2,495	34,000	650	-1,845	-33,350
Total, Renewable energy program.....	4,990	36,788	1,300	-3,690	-35,488
Total, Rural Business-Cooperative Service.....	-74,221	-56,330	-58,200	+16,021	-1,870
(Loan authorization).....	(952,154)	(911,698)	(677,276)	(-274,878)	(-234,422)
Rural Utilities Service:					
Rural water and waste disposal program account:					
Loan authorizations:					
Direct.....	(898,263)	(770,000)	(730,689)	(-167,574)	(-39,311)
Guaranteed.....	(75,000)	(12,000)	---	(-75,000)	(-12,000)
Total, Loan authorization.....	973,263	782,000	730,689	-242,574	-51,311
Loan subsidies and grants:					
Direct subsidy.....	76,917	73,788	70,000	-6,917	-3,788
Guaranteed subsidy.....	---	190	---	---	-190
Water and waste revolving fund.....	497	497	497	---	---
Water well system grants.....	993	993	993	---	---
Colonias and AK/HI grants.....	68,600	65,000	65,000	-3,600	---
Water and waste technical assistance.....	19,110	19,000	19,000	-110	---
Circuit rider program.....	14,700	14,000	14,000	-700	---
Solid waste management grants.....	3,434	4,000	3,400	-34	-600
High energy cost grants.....	11,976	---	---	-11,976	---
Water and waste disposal grants.....	331,717	311,510	327,110	-4,607	+15,600
Total, Loan subsidies and grants.....	527,944	488,978	500,000	-27,944	+11,022
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5%.....	(100,000)	(100,000)	(100,000)	---	---
Direct, FFB.....	(6,500,000)	(6,000,000)	(6,500,000)	---	(+500,000)
Guaranteed underwriting.....	(500,000)	---	---	(-500,000)	---
Subtotal, Electric.....	(7,100,000)	(6,100,000)	(6,600,000)	(-500,000)	(+500,000)
Telecommunications:					
Direct, 5%.....	(145,000)	(145,000)	(145,000)	---	---
Direct, Treasury rate.....	(250,000)	(250,000)	(250,000)	---	---
Direct, FFB.....	(295,000)	(295,000)	(295,000)	---	---
Subtotal, Telecommunications.....	(690,000)	(690,000)	(690,000)	---	---
Total, Loan authorizations.....	(7,790,000)	(6,790,000)	(7,290,000)	(-500,000)	(+500,000)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Loan subsidies:					
Electric:					
Guaranteed underwriting.....	699	---	---	-699	---
RETLP administrative expenses (transfer to RD)	38,297	39,959	30,000	-8,297	-9,959
Total, Rural Electrification and Telecommunications Loans Program Account..	38,996	39,959	30,000	-8,996	-9,959
(Loan authorization).....	(7,790,000)	(6,790,000)	(7,290,000)	(-500,000)	(+500,000)
Distance learning, telemedicine, and broadband program:					
Loan authorizations:					
Broadband telecommunications.....	(400,000)	---	---	(-400,000)	---
Total, Loan authorizations.....	(400,000)	---	---	(-400,000)	---
Loan subsidies and grants:					
Distance learning and telemedicine:					
Grants.....	32,435	30,000	15,000	-17,435	-15,000
Broadband telecommunications:					
Direct.....	22,276	---	---	-22,276	---
Grants.....	13,379	17,976	---	-13,379	-17,976
Total, Loan subsidies and grants.....	68,090	47,976	15,000	-53,090	-32,976
Total, Rural Utilities Service.....	635,030	576,913	545,000	-90,030	-31,913
(Loan authorization).....	(9,163,263)	(7,572,000)	(8,020,689)	(-1,142,574)	(+448,689)
Total, Title III, Rural Development Programs....	2,430,776	2,201,834	2,094,071	-336,705	-107,763
(By transfer).....	(496,702)	(456,679)	(433,500)	(-63,202)	(-23,179)
(Loan authorization).....	(35,866,118)	(33,817,638)	(34,726,258)	(-1,139,860)	(+908,620)
=====					
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services.....	811	828	689	-122	-139
Food and Nutrition Service:					
Child nutrition programs.....	12,042,407	18,770,571	18,770,571	+6,728,164	---
Competitive grants.....	---	5,000	---	---	-5,000
School breakfast program grants.....	---	10,000	---	---	-10,000
Childhood Hunger challenge grants.....	---	25,000	---	---	-25,000
Transfer from section 32.....	5,277,574	---	---	-5,277,574	---
.2 Percent (rescission) (discretionary).....	-48	---	---	+48	---
Total, Child nutrition programs.....	17,319,933	18,810,571	18,770,571	+1,450,638	-40,000
Special supplemental nutrition program for women, infants, and children (WIC).....	6,734,027	7,390,100	6,048,250	-685,777	-1,341,850
Supplemental nutrition assistance program:					
(Food stamp program).....	65,206,790	68,173,308	68,173,308	+2,966,518	---
Reserve.....	---	5,000,000	3,000,000	+3,000,000	-2,000,000
Center for Nutrition Policy and Promotion....	---	1,500	---	---	-1,500
Grants to States and technical assistance.....	---	9,000	---	---	-9,000
.2 Percent (rescission) (discretionary).....	-97	---	---	+97	---
Total, Food stamp program.....	65,206,693	73,183,808	71,173,308	+5,966,615	-2,010,500

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Commodity assistance program:					
Commodity supplemental food program.....	175,697	176,788	138,500	-37,197	-38,288
Farmers market nutrition program.....	19,960	20,000	15,000	-4,960	-5,000
Emergency food assistance program.....	49,401	50,000	38,000	-11,401	-12,000
Pacific island and disaster assistance.....	1,068	1,081	1,000	-68	-81
IT modernization and support.....	---	1,750	---	---	-1,750
Total, Commodity assistance program.....	246,126	249,619	192,500	-53,626	-57,119
Nutrition programs administration.....	147,505	170,471	125,000	-22,505	-45,471
Total, Food and Nutrition Service.....	89,654,284	99,804,569	96,309,629	+6,655,345	-3,494,940
Total, Title IV, Domestic Food Programs.....	89,655,095	99,805,397	96,310,318	+6,655,223	-3,495,079
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service					
Salaries and expenses.....	185,628	229,730	175,000	-10,628	-54,730
(Transfer from export loans).....	(6,452)	(6,465)	(6,465)	(+13)	---
Total, Salaries and expenses.....	192,080	236,195	181,465	-10,615	-54,730
Food for Peace Title I Direct Credit and Food for Progress Program Account, Administrative Expenses Farm Service Agency, Salaries and expenses (transfer to FSA).....	2,806	2,812	2,385	-421	-427
Food for Peace Title II Grants: Expenses.....	1,497,000	1,690,000	1,040,198	-456,802	-649,802
Commodity Credit Corporation Export Loans Program Account (administrative expenses): Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS).....	6,452	6,465	6,465	+13	---
Farm Service Agency S&E (transfer to FSA).....	354	355	355	+1	---
Total, CCC Export Loans Program Account.....	6,806	6,820	6,820	+14	---
McGovern-Dole international food for education and child nutrition program grants.....	199,101	200,500	180,000	-19,101	-20,500
Total, Title V, Foreign Assistance and Related Programs.....	1,891,341	2,129,862	1,404,403	-486,938	-725,459
(By transfer).....	(6,452)	(6,465)	(6,465)	(+13)	---
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation.....	2,447,021	2,730,910	2,163,451	-283,570	-567,459
Prescription drug user fees.....	(667,057)	(856,041)	(856,041)	(+188,984)	---
Medical device user fees.....	(61,860)	(67,118)	(67,118)	(+5,258)	---
Animal drug user fees.....	(19,448)	(21,768)	(21,768)	(+2,320)	---
Generic animal drug user fees.....	(5,397)	(5,706)	(5,706)	(+309)	---
Tobacco product user fees.....	(450,000)	(477,000)	(477,000)	(+27,000)	---
Food and Feed Export Certification user fees.....	---	(12,364)	(12,364)	(+12,364)	---
Food Reinspection fees.....	---	(14,700)	(14,700)	(+14,700)	---
Voluntary qualified importer program fees.....	---	(36,000)	(36,000)	(+36,000)	---
Subtotal (including user fees).....	(3,650,783)	(4,221,607)	(3,654,148)	(+3,365)	(-567,459)
Mammography user fees.....	(19,318)	(19,318)	(19,318)	---	---
Export certification user fees.....	(10,400)	(10,400)	(10,400)	---	---
Subtotal, FDA (with user fees).....	(3,680,501)	(4,251,325)	(3,683,866)	(+3,365)	(-567,459)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
FDA New User Fees (Leg. proposals):					
Generic drug review user fees	---	(40,122)	---	---	(-40,122)
Reinspection fees.....	---	(14,108)	---	---	(-14,108)
International express courier import fees.....	---	(5,338)	---	---	(-5,338)
Subtotal, FDA new user fees (Leg Proposals)	---	(59,568)	---	---	(-59,568)
<hr/>					
Buildings and facilities.....	9,980	13,055	8,788	-1,192	-4,267
Total, FDA (w/user fees, including proposals)...	(3,690,481)	(4,323,948)	(3,692,654)	(+2,173)	(-631,294)
Total, FDA (w/enacted user fees only).....	(3,690,481)	(4,264,380)	(3,692,654)	(+2,173)	(-571,726)
Total, FDA (excluding user fees).....	2,457,001	2,743,965	2,172,239	-284,762	-571,726
<hr/>					
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission 1/.....	202,270	308,000	171,930	-30,340	-136,070
Financial regulation user fees (leg proposal).....	---	(117,000)	---	---	(-117,000)
Farm Credit Administration (limitation on administrative expenses).....	³ (59,400)	(62,000)	(62,000)	(+2,600)	---
Total, Title VI, Related Agencies and Food and Drug Administration.....	2,659,271	3,051,965	2,344,169	-315,102	-707,796
<hr/>					
TITLE VII - GENERAL PROVISIONS					
Limit fruit and vegetable program (Sec.718).....	-117,000	-114,478	-133,000	-16,000	-18,522
Section 32 (rescission) (Sec.718).....	---	---	-150,000	-150,000	-150,000
Forestry Incentives program (Sec.722) (rescission)....	---	---	-5,500	-5,500	-5,500
Great Plains Conservation (Sec.722) (rescission).....	---	---	-500	-500	-500
Supplemental Nutrition Assistance Program					
Employment and Training (rescission) (Sec.723).....	-15,000	---	-11,000	+4,000	-11,000
Limit Conservation stewardship (Sec.728(1)).....	-39,000	-2,000	-210,000	-171,000	-208,000
Limit Dam Rehab (Sec.728(2)).....	-165,000	-165,000	-165,000	---	---
Limit Environmental Quality Incentives program (Sec.728(3)).....	-350,000	-342,000	-350,000	---	-8,000
Limit Farmland Protection program (Sec.728(4)).....	---	---	-50,000	-50,000	-50,000
Limit Grasslands reserve (Sec.728(5)).....	---	-50,000	-30,000	-30,000	+20,000
Limit Wetlands reserve (Sec.728(6)).....	-119,000	-9,000	-200,000	-81,000	-191,000
Limit Wildlife habitat incentives (Sec.728(7)).....	---	-12,000	-35,000	-35,000	-23,000
Limit Voluntary Public Access program (Sec.728(8))....	---	---	-17,000	-17,000	-17,000
Limit Biomass Crop Assistance program (Sec.728(9))....	-134,000	---	-45,000	+89,000	-45,000
Limit Bioenergy Program for Advanced Biofuels (Sec.728(10)).....	---	---	-50,000	-50,000	-50,000
Limit Renewable Energy for America (Sec.728(11)).....	---	---	-70,000	-70,000	-70,000
Limit Microenterprise investment program (Sec.728(12))	---	---	-3,000	-3,000	-3,000
Limit Crop Insurance Good Performance (Sec.728(13))...	-25,000	---	-25,000	---	-25,000
Limit Agriculture management assistance (section 1524) (Sec.728(14)).....	---	-5,000	-5,000	-5,000	---
Hardwood Trees (Reforestation Pilot Program).....	639	---	---	-639	---
Geographic Disadvantaged farmers	1,996	---	---	-1,996	---
Agricultural Research Service, Buildings and and facilities (rescission).....	-229,582	-223,749	---	+229,582	+223,749
Broadband loan balances (rescission).....	-39,000	---	---	+39,000	---
NIFA, Buildings and Facilities (rescission).....	-1,037	-1,037	---	+1,037	+1,037
Wildlife Habitat Incentives unobligated (rescission)...	---	-10,188	---	---	+10,188
Water Bank Act unobligated (rescission).....	---	-745	---	---	+745
NRCS expired accounts (rescission).....	-13,937	---	---	+13,937	---
Outreach for socially disadvantaged farmers (rescission).....	-2,137	---	---	+2,137	---
Rural community advancement program (rescission).....	-993	---	---	+993	---
Agriculture Marketing Services (rescission).....	-717	---	---	+717	---
Common Computing Environment (rescission).....	-3,111	---	---	+3,111	---
Animal and Plant Health Inspection Service (APHIS) Buildings and Facilities (rescission).....	-629	---	---	+629	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2112)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agriculture Buildings and Facilities (rescission).....	-45,000	---	---	+45,000	---
Animal and Plant Health Inspection Service (APHIS) (rescission).....	-10,887	---	---	+10,887	---
Broadband grants (rescission).....	-25,000	---	---	+25,000	---
Export credit (rescission).....	-331,000	---	---	+331,000	---
Trade Adjustment Assistance for Farmers (Sec.729) (rescission).....	---	---	-90,000	-90,000	-90,000
Limit Emergency Food Assistance program (Sec.730).....	---	---	-51,000	-51,000	-51,000
US Department of Agriculture Unobligated balances (Sec.733) (rescission).....	---	---	-63,000	-63,000	-63,000
Limit payments to Brazil Cotton Institute.....	---	---	-147,000	-147,000	-147,000
Total, Title VII, General provisions.....	-1,664,395	-935,197	-1,906,000	-241,605	-970,803
Grand total 1/.....	125,351,558	132,586,780	125,534,932	+183,374	-7,051,848
Appropriations.....	(126,276,588)	(133,064,293)	(126,009,932)	(-266,656)	(-7,054,361)
Rescissions.....	(-925,030)	(-477,513)	(-475,000)	(+450,030)	(+2,513)
(By transfer).....	(831,347)	(799,540)	(723,491)	(-107,856)	(-76,049)
(Loan authorization).....	(40,517,401)	(38,564,728)	(39,513,348)	(-1,004,053)	(+948,620)
(Limitation on administrative expenses).....	(172,847)	(179,101)	(175,500)	(+2,653)	(-3,601)

1/ Includes CFTC FY11 funding (\$202.675M) (\$202.270M after ATB) provided in Financial Services and General Government Appropriations Act

RECAPITULATION

Title I - Agricultural programs.....	29,490,110	25,433,361	24,501,255	-4,988,855	-932,106
Mandatory.....	(22,604,683)	(18,293,475)	(18,293,475)	(-4,311,208)	---
Discretionary.....	(6,885,427)	(7,139,886)	(6,207,780)	(-677,647)	(-932,106)
Title II - Conservation programs (discretionary).....	889,360	899,558	786,716	-102,644	-112,842
Title III - Rural development (discretionary).....	2,430,776	2,201,834	2,094,071	-336,705	-107,763
Title IV - Domestic food programs	89,655,095	99,805,397	96,310,318	+6,655,223	-3,495,079
Mandatory.....	(82,526,771)	(91,943,879)	(89,943,879)	(+7,417,108)	(-2,000,000)
Discretionary.....	(7,128,324)	(7,861,518)	(6,366,439)	(-761,885)	(-1,495,079)
Title V - Foreign assistance and related programs (discretionary).....	1,891,341	2,129,862	1,404,403	-486,938	-725,459
Title VI - Related agencies and Food and Drug Administration (discretionary).....	2,659,271	3,051,965	2,344,169	-315,102	-707,796
Title VII - General provisions (discretionary).....	-1,664,395	-935,197	-1,906,000	-241,605	-970,803
Total 1/.....	125,351,558	132,586,780	125,534,932	+183,374	-7,051,848

1/ Includes CFTC FY11 funding (\$202.675M) (\$202.270M after ATB) provided in Financial Services and General Government Appropriations Act

I reserve the balance of my time.

Mr. FARR. I yield myself as much time as I may consume.

I rise today as the ranking member on the Agriculture appropriations subcommittee to draw concern to this bill. I know that we're in tough budget times, but even in tough budget times, people have to eat. It's my opinion that this bill makes it very hard for people to eat, particularly people who don't have any money.

The allocation for the FY 2012 Agriculture appropriations bill, as approved in the full committee, is \$17.250 billion. This is \$5 billion, or 23 percent, below what President Obama asked for. It's 14 percent below what Congress enacted last year. It's 26 percent below what the Congress enacted the year before. It's even below what we enacted in 2008. So it has taken the wind out of the hopes and food lockers of people who are most poor.

With the allocation that Chairman KINGSTON was given, I don't envy his position. He was forced to make these drastic cuts that will affect every heart of farm country, and I do appreciate the effort that he has made to invest our very limited resources wisely and cost effectively. In tough budget times, everyone has to tighten their belts; we all know that. I want to point out, though, that it doesn't matter if you're a specialty crop producer in California or a cotton or peanut producer in Georgia; if the resources are not available to deliver the program, then the effects felt by both producers and consumers in urban and rural areas are the same.

I know my friend Mr. KINGSTON did the best he could but agriculture is about feeding people. This isn't just about looking at the cost of everything. It's also examining the value. It's about making sure that America has the production capabilities and enough food to go around domestically and internationally. The bill almost makes that difficult, if not impossible, especially where nursing mothers and infant babies are concerned, because the WIC program gets whacked.

The bill also calls into question the United States' commitment to our international neighbors who have hungry and malnourished people that depend on our assistance to stave off mass starvation because the Food for Peace program is chopped.

I think there comes a point in budget exercise when you starve the program so much that it just can't function. I fear that this is where this bill is going, with several of the funding levels in this bill, such as implementing the Food Safety Modernization Act and the Dodd-Frank and Commodity Futures Trading Commission.

The United States is the greatest agriculture producer in the world. We produce more and we produce it more efficiently than any other country, but this bill will undermine the very re-

sources that support our agricultural supremacy. I feel it is important to use this bill to strengthen our rural economy by investing our precious Federal resources, investing in expanding markets for agricultural products and supporting international economic development; by investing in developing alternative markets for agriculture products; by providing financing needed to help expand job opportunities and improve housing, utilities, and infrastructure in rural America, which the U.S. Department of Agriculture is responsible for; and most specifically, enhancing food safety and improving nutrition and health by providing food assistance and nutrition education and promotion. These are the things that America does best.

Madam Chairman, as we move through this bill, through the process again, I want to make sure that you understand that there are dire consequences to adopting this bill.

I reserve the balance of my time.

Mr. KINGSTON. I yield 4 minutes to the distinguished chairman of the committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time and congratulate him and Mr. FARR on producing, I think, a good bill.

The bill answers the call from Americans to reduce government spending while still providing for critical programs that keep American agriculture competitive in a global economy. The \$125.5 billion in both discretionary and mandatory funding in this bill will help our rural communities to thrive, provide daily nutrition to children and families, and keep our food and drug supply safe.

However, we can't spend at the rate we used to. We've hit the debt ceiling. We're borrowing more than 42 cents on every dollar we spend. We're mortgaging our children's futures. We have to rein in spending, even if it may not be the most popular thing to do.

Accordingly, Chairman KINGSTON and his subcommittee did not provide the agencies and programs funded by this bill with carte blanche. This bill trims lower priority services, eliminates duplicative and wasteful programs, and limits funding and increases oversight for agencies that have been less than transparent with taxpayer money. All in all, this bill cuts nearly \$5 billion in discretionary spending from the President's request.

□ 1450

With this legislation, we are helping to put the Department of Agriculture, the FDA, and the other agencies funded by this bill back on a sustainable budget path that is accountable to the taxpayers of this country. In addition, more than taking the first steps to help balance our budgets, we're taking the necessary steps to increase transparency.

Not only does this legislation encourage, but it requires, each and every agency to submit spending plans for every program funded by this bill. This commonsense oversight will go a long way in demonstrating to the American public our commitment to fiscal responsibility.

I am confident not only that Chairman KINGSTON and his subcommittee have made the smart, but necessary, cuts in this bill to help balance our budgets but also that this bill adequately funds important government programs, including ag research, rural health and economic development, and safety net food and nutrition services.

I want to commend the chairman, the ranking member, the subcommittee members, and the staff all for their dedicated and thoughtful work on this bill, and I urge support in its final passage.

Mr. FARR. Madam Chair, I yield 3 minutes to the gentleman from Washington (Mr. DICKS), the distinguished ranking member of the full committee and an outstanding player in the Rose Bowl from the University of Washington.

Mr. DICKS. I appreciate the gentleman from California yielding.

With an allocation that cuts \$2.9 billion below the current level and \$5 billion below the amount requested by the Obama administration for the next fiscal year, the subcommittee has drafted an Agriculture appropriations bill that drastically reduces funding for food programs that serve women, children, and the elderly, and for the Food and Drug Administration, among other drastic cuts.

The economy is still struggling, Madam Chairman. Unemployment is still far too high, and people around the country are still hurting. American families need help just to make ends meet. The bill slashes funding for WIC, the Women, Infants, and Children Supplemental Nutrition Assistance Program, and the Commodity Supplemental Food Program, leaving more people to fend for themselves during the worst recession since the Great Depression.

While I am pleased that we were able to provide a slight increase for the WIC program in full committee markup with the acceptance of the DeLauro amendment, this bill still drastically underfunds this critical program. This bill reduces funding from \$6.73 billion this year, 2011, to \$6.5 billion, a cut of more than \$650 million below current levels. The Center on Budget and Policy Priorities estimates that the drastic reduction would require us to turn away anywhere from 200,000 to 350,000 eligible low-income women and young children next year. That's a tragedy. Unemployment is still hovering around 9 percent, and the economic recovery has faltered since the new Republican majority took the reins with their illogical "cut and grow" strategy.

Again, this is no time to be pulling the rug out from underneath the people who can least afford it, Madam Chairman.

The cut to the budget of the Food and Drug Administration represents another perfect example of the Republican majority's commitment to shortsighted budgeting. In the aftermath of several nationwide recalls, Democrats in Congress passed a food safety bill that added new and important capability to the FDA, but this bill actually moves us backward in protecting our food supply and medical products. It is 12 percent below the current level and 21 percent below the amount requested by the administration. These cuts will increase the risk of recurring outbreaks of food-borne illness. The FDA would inspect fewer firms that manufacture food and conduct fewer inspections of imported food.

This bill also takes a shortsighted approach with respect to our international food aid programs, cutting Food for Peace by \$457 million below current levels and the McGovern-Dole Food for Education Program by \$19 million, 10 percent below 2011. By slashing funding for these critical overseas programs, we risk exacerbating food insecurity and strife in some of the most vulnerable parts of the world and are essentially undermining our own national security interests.

Beyond food programs, there are numerous other programs that take egregious cuts. Notably among those is the Commodity Futures Trading Commission. The CFTC takes a cut of \$30 million below current levels and is funded at \$136 million below the President's request.

The CHAIR. The time of the gentleman has expired.

Mr. FARR. I yield the gentleman 30 seconds.

Mr. DICKS. The requested increase for FY 2012 is needed in order to implement the measures put forward in the Dodd-Frank Wall Street reform bill and provide oversight and regulation of the options and futures markets that wrought such havoc on our economy just a few years ago.

One can't help but notice the efforts in this bill to drastically cut food assistance to the poor while actively undermining any efforts of oversight and regulation of the wealthy on Wall Street. So I urge all Democrats to vote "no" on this bill.

Mr. KINGSTON. Madam Chair, I yield 3 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. I thank the gentleman from Georgia for the time.

Madam Chair, farmers are good Americans. They understand our tight budgetary times and the need to tighten the belt, and they are willing to do their part. But before we vote on this bill, which does some very heavy lifting in this regard, let's consider the

profound benefits American agriculture brings to people across the country. It's about food security. Today Americans pay only 10 to 12 percent of their income on food, compared to those in other nations who pay up to 50 percent or more. Ag policy now is also about economic security, energy security, and even national security and global stability.

Agriculture, Madam Chair, is one of the few bright spots in the American economy. Agriculture is consistently one of the few trade areas where the U.S. still holds a positive trade balance. And exports are growing as the world demands more and more American-grown food. Last year, ag exports neared \$108 billion, and projections indicate an even stronger total this year.

Agriculture is also helping strengthen our energy independence. From rural wind and solar farms to biofuels and biogas production from livestock waste, we are beginning to see the vast potential of renewable sources found on America's farms and ranches.

Not only does food security bolster our own national security, but it also aids in global stability. Our farmers help feed the world and keep the peace in understated but very important ways. In my home State of Nebraska, for instance, our farmers are rebuilding war-torn fields in Afghanistan, countering the illicit poppy trade and helping to create a new sustainable and lawful agricultural production. I just came from a ceremony where we sent off 57 members of the agricultural unit of the Nebraska Air and Army National Guard, who will be using their farming skills to help the Afghan people with new irrigation techniques and new models for wheat and grassland production.

Our farmers participating in global agricultural training projects achieve key humanitarian goals as well. We have made significant gains in empowering women producers, which gives rise to greater equality and social mobilization and engagement in their local communities. For instance, they are helping to rebuild Haiti's decimated agricultural sector in the aftermath of the terrible earthquake. And through various U.S. agricultural food aid programs, they are combating global hunger.

Again, Madam Chairman, American farmers are ready to do their part and help fix our Nation's fiscal mess. But in cleaning up this mess, it's very important not to forget about the hard work our farm families put in day in and day out to help feed and fuel and protect all of America.

Mr. FARR. How much time do we have remaining?

The CHAIR. The gentleman from California has 22½ minutes remaining, and the gentleman from Georgia has 19 minutes remaining.

Mr. FARR. I yield 3 minutes to the distinguished Member from Ohio,

MARCY KAPTUR, the former ranking member of this committee.

Ms. KAPTUR. I want to thank the ranking member from California (Mr. FARR) for his hard work and Mr. KINGSTON, the chairman from Georgia, for bringing this bill before us today. And I am really sorry I can't support it. At a time of such instability in the American economy, this committee bill simply further destabilizes one of the most productive sectors of the American economy, agriculture, further, it hurts all Americans who depend on the Department of Agriculture for nutritional support during these hard times that we are experiencing.

This legislation has some of the most destructive sections in it that eliminate, for all practical purposes, the Rural Energy for America Program, that was supposed to take America into a new energy future. It takes the cops off the beat at the Commodity Futures Trading Commission to hold Wall Street accountable and clamp down on speculation. We all know that hasn't been happening.

□ 1500

The drastic decrease in the nutrition and commodity supplemental food programs hurt people across this country and with decreases in the WIC program, children will be harmed. They can't speak for themselves here. As well, there is a dangerous directive included in the bill that would further erode the minimal competition in the meat industry in which real competition hardly exists at all. We must defend our farmers and ranchers to be treated on an equal par with the big packers and processors through the grain inspection, packer, and stockyards agency. Later in the consideration of the bill, I'll be dealing with that in a different way.

But let me just say a word about the Commodity Futures Trading Commission. The level of funding provided in this bill is inadequate. We all know it's inadequate because of the mess we face in the derivatives market today. The small agency called the Commodity Futures Trading Commission provides a critical bulwark against the gouging of the American people in the type of manipulation, speculation, and outright fraud that led our country into the worst economic recession since the Great Depression.

With gas prices now rising above \$4 a gallon and food prices just skyrocketing, who's really the watchdog in charge of implementing market reforms to protect the consumer by regulating the market to prevent excessive speculation in all fields? I'd hate to think that this bill is being purposefully underfunded to prevent robust regulation of speculation and allow these massive interests on Wall Street—and in the Chicago futures market—to continue doing what they

have been doing, and that is gouging the pocketbooks of the American people, whether it's gas prices or food prices or mortgage speculation.

Just to give you an idea, this proposal would not fund the agency to implement reforms contained in the Dodd-Frank bill in a futures market that's grown from \$13 trillion back in the mid 1990s to over \$600 trillion notional value today. The bill's funding level basically takes the cops off the beat. It takes the watchdogs away. And one might say, the bill gives a green light for Wall Street to harm America again.

The CHAIR. The time of the gentleman has expired.

Mr. FARR. I yield the gentleman another 30 seconds.

Ms. KAPTUR. In sum, this bill falls far short of what America needs. I mentioned the nutrition programs, and their serious underfunding affecting seniors, children and women across our Nation. I want to thank the chairman for accepting an amendment to restore just \$1.3 million to the Rural Energy for America Program, as America struggles to regain our energy independence. But we are a very long way from restoring our liberty. Rural America simply has to be a full partner in this effort. This bill does not do that. GIPSA needs to be strengthened not weakened and the CFTC must be allowed to severely regulate the future markets and clamp down on speculation to prevent another meltdown.

And though we disagree on this bill and its funding levels, I congratulate both the new chair and ranking members on their hard work over the last several months to prepare this bill, though imperfect, and bring it to the floor.

Mr. KINGSTON. Madam Chair, I yield 3 minutes to the distinguished vice chair of the Republican Conference, Mrs. McMORRIS RODGERS of Washington.

Mrs. McMORRIS RODGERS. I appreciate the gentleman yielding, and I appreciate his commitment to the future of America's agriculture.

I rise in support of this legislation because I believe that it sets the important priorities that must be made in order to rein in the runaway spending of previous Congresses while still providing funding, important funding, for agriculture's safety net, vital research, oversight, and increased opportunity.

I grew up in eastern Washington, working on my family's orchard, where the number one industry is agriculture, and I know what it's like to pick and eat what you pick and have your family's livelihood depend on the success of your annual crop.

For the last 16 years, I have actively engaged the agriculture community in eastern Washington to identify solutions to ensure farmers remain productive and competitive. The success of

the farmers in eastern Washington and all across our Nation hinge on two important issues: The ability to adapt and apply cutting edge research, and the ability to access markets.

H.R. 2112, for the first time, directs ARS to prioritize its research and make the vital investments to see those top priorities implemented. We must all remember that it's the American farmer who has fed the world for the last hundred years, kept our Nation's food prices low as a percentage of our income, and has done more to combat poverty around the world than any other antipoverty program; and it's, in large part, due to scientific breakthroughs in agriculture research.

We need to be focusing on research that has the potential to affect the global population. Two such initiatives have national and international importance, and those are crop protection and production research housed within the ARS. These initiatives are on the front line of the fight against stem rust, Ug99, stripe rust, which all have the potential to eliminate our Nation's and, in turn, the world's wheat supply.

I applaud the gentleman from Georgia and his subcommittee for recognizing and including this specific language in the report to study and prevent the spread of these harmful diseases.

Mr. FARR. Madam Chair, I yield 2 minutes to the Member from Memphis, Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the Member from Carmel yielding time to the gentleman from Memphis.

This is unfortunate. Mr. KINGSTON, in presenting his side of the budget, was almost apologetic about WIC, and I can understand that, why he would be apologetic.

This is a sacred portion of the budget to people on my side of the aisle, and it should be sacred to all people in America—newborn mothers, babies, and children under 5 who are identified as nutritionally at risk, and yet we are cutting that budget 13 percent. There's good reason you'd be almost ashamed to introduce it. And the way he introduced it showed concern. He thought it was difficult, and it is.

The fact is some people talk about, in difficult economic times, everybody has to tighten their belt and everybody ought to tighten their belts equally. Well, what about the obesely wealthy? They're not being asked to tighten their belt at all. In fact, there's not a belt big enough to go around their obesely successful selves. They are doing great.

And it seems like in this budget there are only about two things that seem to be sacred. One is tax cuts for the rich. The Bush tax cuts that were created when there was a surplus created by a Democratic Congress and a Democratic President, Bill Clinton. Those tax cuts were passed because we

had a surplus. Now we've got a great deficit and they are being extended, and even to people making over \$1 million a year. There is rejection of having them pay more so that mothers, babies, and children under 5 identified as nutritionally at risk can get the WIC payments. There's something wrong here.

Economists estimate that for every \$1 invested in WIC, there are savings between \$1.50 and \$3 in health care costs just in the first 60 days after an infant's birth. Talk about a return on investment.

However, my colleagues on the other side of the aisle obviously think this return isn't good enough and so we should gut the program, just like what they want to do with Medicare, until it can no longer function adequately to serve so many of the Americans who need it the most.

This measure funds the WIC program at \$686 million less than the current level, which is the equivalent of kicking off 475,000 eligible mothers, infants, and children.

The CHAIR. The time of the gentleman has expired.

Mr. FARR. I yield the gentleman an additional minute.

Mr. COHEN. It's equivalent to kicking 475,000 eligible mothers, infants, and children off one of the most cost-effective programs in our country. It will cost Tennessee over \$1 million. If we get rid of tax breaks for millionaires and billionaires for 1 week, we could pay for the entire WIC program for a year.

I cannot see this. It seems to me it's distorted values, and I would ask that they reconsider and put the WIC program back to its basic level.

Mr. KINGSTON. I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Madam Chair, along with my Republican colleagues, I share a commitment to fiscal discipline in the fiscal year 2012 budget. And while it's important to find savings and carefully consider every item in the budget, it's also important to maintain commitments that have already been authorized.

The 2008 farm bill authorized the Biomass Crop Assistance Program, or BCAP for short. So I stand here today to support at least partial funding for the BCAP program. In my district, hundreds of farmers have worked hard in preparation for planting a variety of switchgrass called *Miscanthus giganteus*, which has proven to be a viable cellulosic biofuel feedstock. In fact, 1 acre is capable of producing 20 tons of biomass, as opposed to corn, which produces less than 8, on average.

This program will help our country produce renewable energy and accelerate economic growth. I hope my colleagues in the House will keep an open mind about the program and will find a

way to give it the priority it deserves as this bill moves through the legislative process.

Mr. FARR. Madam Chair, I yield 3 minutes to the distinguished Member from California (Mr. GARAMENDI), former Lieutenant Governor of the State of California.

□ 1510

Mr. GARAMENDI. Thank you, Mr. FARR.

Each piece of legislation that passes the House is really a reflection of our values. It speaks to our heart; it speaks to what we care about and what's important to us. This particular bill does that in a way that more than ever highlights values. Is it about children, about infants? Or is it about tax breaks for the very, very wealthy? Is it about safe food? Or tax breaks for oil companies and subsidies for oil companies? Is it about those people around the world that are hungry and the Food for Peace program that provides them with enough food to be able to survive and to live? Or is it about a continuation of very fat, unnecessary farm crop subsidies?

It's about our values. It's about what we care about and what we think is important. And if there's anything that's important in life, it's food. It's the ability for our youngest children—I was on this floor not more than 2 hours ago with my granddaughter, 11 months old. Out there in America there are hundreds of thousands of young children that will not have the food that they need to be able to be healthy, will not be able to have the care they need. This is about our values.

What does this bill say of our values? It says that those children are of little value. Is that what this is about? Is it about those people around the world that are starving that will not have the Food for Peace program? Is that the value of this Congress, that we cannot find the money, in this wealthiest of all nations, to provide the health care for our young children and the food for those around the world?

What is it that we care about then? The very wealthy? About Wall Street? About the Commodity Futures Trading Commission not having the money that they need to regulate the programs that brought this country to its knees? What is it that we value? Big question.

In this bill, obviously there's a great difference in what we value on our side and what this bill, brought to us by the Republican majority, values.

Mr. KINGSTON. Madam Chair, may I inquire as to the time remaining?

The CHAIR. The gentleman from Georgia has 16 minutes remaining, and the gentleman from California has 14 minutes remaining.

Mr. KINGSTON. I yield 2 minutes to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Madam Chairwoman, we have important things to discuss, and it truly does deal with our values.

As the previous speaker was talking about his grandchild that was on the House floor previously, I wondered if he had told the grandchild that from the moment they were born they owed \$47,000 in Federal debt. That is their responsibility because of the spending that's gone on and because of the fact that when we are going to start with feeding programs and distribute food to other countries, we're going to borrow money from other countries and have our grandchildren and great-grandchildren pay for that so we can do that.

So this discussion truly is about values and getting back to our priorities and getting back to what's important in this country, and it's fiscal responsibility. There are tough decisions to make, but we talk about what we need to do. And the fact that we're increasing food and nutrition programs and spending shows that we dedicate ourselves to those values and taking care of our children into the future while remembering that we're not going to saddle them with a debt that they certainly cannot pay.

Madam Chairwoman, I rise in support and to speak a little bit about the Biomass Crop Assistance Program, the BCAP, which is addressed in this bill as well. I just want to talk about some of the projects that have offered some alternatives in South Dakota.

This program, authorized in the 2008 farm bill, is part of our all-of-the-above energy program. BCAP promotes second-generation biofuels refined from renewable biomass and can reduce our dependence on foreign sources of energy.

I have been a firm supporter of an all-of-the-above American energy plan, and this can certainly continue to play a role in that. It reduces barriers that farmers face to diversify their farms. BCAP, if funded and used as the program was intended as cellulosic biofuels, can spur economic growth in rural areas such as those in South Dakota.

Mr. FARR. Madam Chair, I yield 4 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Chair, I rise to point out that once again we find ourselves in a familiar situation. Once again, under the guise of fiscal responsibility, austerity, and a blind allegiance to supply-side voodoo economics gimmicks, Republicans have brought forth another effort to cut away the social safety net, this time kicking low-income mothers and their young children into the depths of hunger and food insecurity.

It's like *deja vu*. Just months ago, Democrats defended the American people from the Ryan Republican plan to turn Medicare into a voucher program. Unfortunately, the plan to get rid of Medicare was passed with the unanimous support of every single Republican in the House. Now, here we stand

once again trying to prevent Republicans from delivering a swift kick to the stomachs of low-income mothers, many of whom are already struggling to get by during this economic downturn.

Reducing WIC funding by more than half a billion dollars in the name of deficit reduction while unanimously refusing to eliminate or even decrease tax cuts for big businesses, oil companies and wealthy individuals, Republicans have forgotten one of mankind's most basic human values: upholding our moral responsibilities to our fellow man.

Recently, I received a gift from the House Members Bible study group, and I do appreciate it. My heart compelled me to open it today. When I turned the pages separated by the book divider, I was at Mark 6:33, and nothing could have been more appropriate for the day. It was the passage on Jesus feeding his followers.

Just as Jesus walked with his disciples, preaching the Gospel and healing the sick, he also fed 5,000 of his followers who would have gone hungry without those five loaves of bread and two fish.

If Jesus can feed 5,000 people with five loaves of bread and two fish, then surely America, the wealthiest Nation in the world, and surely this Congress, the greatest deliberative body in the world, should continue to provide for Americans in their time of need.

Just as Jesus provided for his followers, He also broke with tradition and compassionately watched as His followers ate bread with impure hands—as they were called—unclean hands. This upset some of those righteous observers, and they asked Jesus, “Why do your disciples not wash according to the tradition of the elders, but eat their bread with impure hands?” Jesus called them hypocrites and then He said, “Neglecting the commandment of God, you hold to the tradition of men.” Is that what we're doing here today? Does the man-made rule of reducing our country's debt trump our moral responsibility to provide for Americans in their time of need?

We as Members of Congress must also feed the hungry among us. Isn't this our moral and civic duty? According to the USDA, 750,000 of our fellow citizens, women and children, could be turned away from WIC. This is unconscionable. And the result is crystal clear—more Americans will be left to fend for themselves in their time of need.

The CHAIR. The time of the gentleman has expired.

Mr. FARR. Madam Chair, I yield the gentleman an additional 30 seconds.

Mr. JOHNSON of Georgia. Meanwhile, the \$800 million that we give away on one week of tax breaks for millionaires and billionaires, we could

ensure, with that \$800 million, that over 9 million WIC participants receive nutrition, education, food and services for an entire year.

America is better than this. Don't hurt the women and the children who need help. I stand opposed to this bill.

□ 1520

Mr. KINGSTON. I reserve the balance of my time.

Mr. FARR. Madam Chair, I yield 5 minutes to the distinguished gentleman from Boston, Massachusetts, Mr. STEVE LYNCH.

Mr. LYNCH. I thank the gentleman for yielding.

Madam Chair, I speak in favor of a measure that will be coming up shortly, offered by my friend Ms. DeLauro, which goes to a major weakness in the underlying bill.

The core mission of the Commodity Futures Trading Commission is to ensure the integrity and transparency of derivatives markets. Yet, despite the recent spike in gasoline prices and despite the great difficulty we had in this recent financial crisis with respect to commodities-based swaps, we have to come to the floor today to fight for funding for the one agency that would police that activity. It is, indeed, unbelievable that this House would consider a proposal that would eviscerate the agency with the central responsibility for regulating the commodities markets.

But here we are.

The price of everyday items, from milk to gasoline, depends on the fair and open operation of commodities markets policed by the CFTC, the Commodity Futures Trading Commission. The recent spike in gasoline prices is not due to a shortage of supply, as we have seen, or increased demand. Clearly, this is a problem of unchecked speculative interests making money off the commodities markets as there are some who believe that as much as \$27 of a barrel of oil today is the result of sheer speculation.

It is our hope that through the Dodd-Frank regulatory reform bill the CFTC's responsibilities will be expanded to include oversight of the nearly \$300 trillion in previously unregulated domestic swaps on the market today. This is a key step to bringing the shadow markets, which helped crash the economy, under sensible regulation. This is where the CDOs, CDSs and other complex derivatives deals were made. This is how AIG helped bring down the economy. We have to regulate this financial market and these financial products. However, the notional size of the market that the CFTC now must supervise has increased seven-fold, and the CFTC needs more resources. But in this bill, we will see its budget slashed. Instead of giving the agency the tools it needs to prevent another financial collapse, we are

planting the seeds for the next financial crisis.

The result of this Republican legislation to delay reform and the underlying bill to starve this agency would allow large, interconnected financial companies to engage unsupervised in activities and transactions similar to the activities that got us into this crisis in the first place. This would perpetuate an era of no oversight, no regulation and no transparency—in a similar fashion that nearly destroyed our economy. CFTC Chairman Gary Gensler has warned that denying funding to this agency and delaying the implementation of Dodd-Frank will greatly “increase risk to the American people and leave significant uncertainty in the marketplace.”

The CFTC is vital to the proper functioning of our financial markets and the American economy. Underfunding the commission is deeply irresponsible, so I urge my colleagues to support the DeLauro amendment to properly fund the CFTC.

Mr. KINGSTON. I yield myself such time as I may consume.

Madam Chair, I wanted to respond to the discussion of the CFTC. It's very interesting to me that there are those Members of Congress who believe that bureaucrats control the price of oil. While bureaucrats certainly do have influence on the price of oil, if you're really concerned about the price of oil, you need to drill for it. It's pretty simple—*increase the supply*.

Folks forget that Alaska is twice the size of Texas. The Arctic Wildlife Reserve area is the size of South Carolina. The proposed exploration area is 2,000 acres. It's about the size of National Airport here. We're talking about a business card on a basketball court. Yet you hear over and over again from people—who, incidentally, do drive fossil fueled cars—that we in America are inept and unable to drill for oil responsibly. If you want to decrease the price, you've got to increase the supply, and there is no better way than to drill your own oil.

Think about the absurdity of President Obama going down to Brazil and telling them, We want you to drill offshore. Apparently, the Brazilians are technologically more advanced than we are, and the President has much more of a comfort level with the people of Brazil than he apparently has with the people from Louisiana or from Texas or from Florida. He goes down to Brazil and says, Go ahead and drill offshore. We're going to lend you money, and by the way, we want to be your best customer.

Now, he never mentioned anything about the CFTC.

Let me tell you what Democrat Commissioner Michael Dunn said. This was, by the way, on January 1, 2011: “To date, CFTC staff has been unable to find any reliable economic analysis to

support the contention that excessive speculation is affecting the markets we regulate or that position limits will prevent excessive speculation.”

What I suggest to you, Madam Chair, is that the discussion of the CFTC and oil speculators is a red herring. The real issue that the Democrats have failed to address is that of drilling for oil in order to increase supply.

I reserve the balance of my time.

Mr. FARR. Madam Chair, how much time do both sides have remaining?

The CHAIR. The gentleman from California has 6 minutes remaining, and the gentleman from Georgia has 12 minutes remaining.

Mr. FARR. I reserve the balance of my time.

Mr. KINGSTON. I yield myself such time as I may consume.

I want to go back over this food situation. I and the gentleman from California, the ranking member, have had 11 hearings on this. We've had 11 hearings on the Agriculture bill, not on feeding programs specifically.

I want to again remind the Chair that this bill represents a net increase in funding, which is largely driven by the increase of \$5.6 billion in food stamps and in the School Lunch Program of \$1.5 billion. I also want to remind Members of the many Federal feeding programs that we have. For a 3-year-old child, there are 12 different feeding programs. For a 10-year-old child, there are nine different programs. For a 35-year-old, there are seven programs, and for a 65-year-old, there are five programs that people can apply for.

It is not the intention of this committee to let anyone fall through the cracks. The numbers that we have funded, for example, in WIC, contemplate what we believe is going to be the participation. Should that participation fluctuate, there are three contingency accounts that the USDA can access. It would certainly be our intention to have those accounts accessed before anyone fell through the cracks.

Now, I share in the frustration of the stimulus program that was supposed to create last year's summer of recovery. I'm sorry it did not work, because I would like to be out celebrating with the President. Yet the stimulus program, which was supposed to keep unemployment below 8 percent, actually increased unemployment to the level of 10 percent. Now it's hovering a little bit above 9 percent.

The best thing in the world would be to have prosperity, and I believe that we can get there. One way we should get there is by drilling our own oil because, if you want to keep food prices down, you've got to keep the cost of distribution down, which would be something, I'd hope, that we could work together on.

I also think we need fundamental tax reform because I know one of the

things that some on the committee have talked about are some of the tax loopholes taken advantage of by certain companies. I agree with them. That's why I support the Fair Tax, which is a consumption tax. It would actually give a tax credit to the poor so that it does not disproportionately hurt them, but it would close all the loopholes. That would be something else that we could do that would create jobs in America.

Finally, the excessive bureaucratic regulations that our farmers and small businesses have to put up with is killing job creation. If we want to do something to help people get off dependency and get to independency, we need to decrease the size of government. This bill moves us in that direction.

I reserve the balance of my time.

□ 1530

Mr. FARR. I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO), the former ranking member of this committee.

Ms. DELAURO. I thank the gentleman.

I want to comment on my colleagues on the other side of the aisle, who continue to make reference to wanting to reduce the deficit and that they are the only ones interested in reducing the deficit and that is what this debate is all about. The fact of the matter is that Democrats and Republicans are very interested in reducing the deficit. The biggest difference occurs in where one starts to effectuate a change in debt reduction, and I will tell you that that is what the basic divide is here.

Now, there are a number of ways in which we can reduce the deficit. One is that we can look at the \$41 billion in the oil subsidies that we grant every year. The oil industry is flush with money, when one CEO can make \$21.5 million a year, make profits that are overwhelming, and gasoline in the State of Connecticut is \$4.39 a gallon for regular gas. So let's start with the \$41 billion and we can reduce the deficit.

How about the \$8 billion that we provide to multinational corporations to take their jobs overseas? Now, that is another place where we could shut down the loopholes, gain some money and reduce the deficit.

There is also a third area. What about agriculture subsidies; not to small farmers, not to dairy farmers, but to big agribusiness. It might be of interest, in a political article that appeared this week, to indicate that there are some Members on the other side of the aisle whose States and whose families are rich in the subsidies they are getting from the Federal Government. We could start there.

Why are we starting with women, infants, and children and nutrition programs? That is an absolute dividing line of where one's values are. Demo-

crats want to reduce the deficit. The place is: Where do you start? That is where your values are. We don't start with women, infants, and children and nutrition programs. Let's start with tax subsidies for the richest people in this country and with the special interests of this Nation.

Mr. KINGSTON. Madam Chair, I yield 3 minutes to the distinguished gentlewoman from Wyoming (Mrs. LUMMIS), a great member of the committee.

Mrs. LUMMIS. I thank the gentleman.

Madam Chair, this is my third year in this Congress. During my first 2 years, the Democrats controlled the House, the Senate, and the Presidency, and during that time the subsidies or tax loopholes for the rich, for the oil companies, for these bailouts of Wall Street were going on just like they allege they are now. And did they do anything about it when they controlled the entire government? No. Nope. They didn't do anything.

Instead, they created massive new entitlement programs. Instead, they did TARP part two without accounting for part one. They did massive bailouts of the auto industry. They created huge new health programs. They gave massive blank checks to bureaucrats. They increased spending at the EPA, one agency, by 39 percent in 1 year. It is incredible. They taxed, they spent, yet they didn't go after the very people that today they allege are the source of the problem.

Now, when the Republicans were elected in the House to do what the American people felt needed to be done, which is to grapple with spending first, spending being the problem in our country, amassing a huge amount of debt, deficits, borrowing money from foreign countries, risking our own credit rating, risking our own ability to borrow money, risking the value of our currency, now they are alleging we are addressing the wrong targets.

Madam Chair, this very budget we are debating today increases spending for food programs. It increases funding for both food stamps and school lunch. It increases it more than we are cutting spending for WIC and other programs. It increases spending for the human needs that are legitimate for the people in this country by over one-quarter of a billion dollars.

Madam Chair, I allege that this is a responsible budget, that we are beginning to get off that unsustainable path of spending that even the President acknowledges and get back on a path where we can live more reasonably, where we can protect our currency, where we can protect our job market, where we can protect our tax structure and improve it in a way that makes America strong for our grandchildren.

Mr. FARR. Madam Chair, how much time does each side have remaining?

The CHAIR. The gentleman from California has 4 minutes, and the gentleman from Georgia has 6 minutes.

Mr. FARR. I yield such myself such time as I may consume.

I would like to, first of all, compliment Mr. KINGSTON, who is chair of this committee. He has come on as the chair, and I have come on as ranking member. We have both been on the committee for a long time and served under very distinguished chairs, two of whom are ranking members you heard here today.

It is really tough, because he has been given the allocation to fit all the programs within the Department of Agriculture and Food and Drug Administration within the allocation given him, and one can argue that that is it. I mean, we have to hide behind the allocation that was given. You have to do it.

Mr. KINGSTON. Will my friend yield a minute?

Mr. FARR. I yield to the gentleman from Georgia.

Mr. KINGSTON. I just wanted to say that we actually have had one more speaker show up. It sounds like you are closing. You might want to reserve some time.

Mr. FARR. Let me say in this moment, in this allocation of time, that it is about values, and I think the big debate here is not just about how you cut, squeeze, and trim spending.

We have Members of Congress who have spoken today whose families receive millions of dollars in taxpayer money in commodity payments, in crop payments. We ought to be discussing that. What is the value of funding very wealthy people at the expense of taking food away from poor and starving children?

I reserve the balance of my time.

Mr. KINGSTON. I yield 3 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Madam Chair, more than 2 years ago, Democrats claimed that their trillion dollar stimulus package would keep unemployment below 8 percent, and we know now it is above 9 percent.

Recently, the CBO released their annual budget and economic outlook report which projects the 2011 deficit will reach \$1.48 trillion and our national debt, as everybody knows, is over \$14 trillion. We are borrowing nearly 42 cents of every dollar we spend, much of it from the Chinese, and sending the bill to our children and grandchildren. Every child born today owes \$45,500 to the debt.

For the past few years, the American people have been told that government spending is the answer. They had their chance to prove this economic model, but it failed. It is time we changed our approach, because our country has a spending problem and not a revenue

problem. Debt by the public is estimated to increase to 94 percent over the next 10 years. Over 10 years, the annual government spending will consume an average of 23.5 percent of GDP, which is significantly higher than the post-World War II average of 20 percent.

In a 2010 article for the Cato Policy Report, economists Jason Taylor and Richard Vedder outlined the lessons of the largest public sector drawdown in our country's history—the cuts to government spending after World War II. Taylor and Vedder point out that the Federal spending fell from \$84 billion in 1945 to \$30 billion in 1946, a reduction of more than 60 percent.

□ 1540

The point is that despite these warnings from economists that this withdrawal of Keynesian stimulus would sure lead to a second Great Depression, civilian employment grew by over 4 million between 1945 and 1947, with unemployment remaining under 4½ percent in the first three postwar years. The postwar era provides a classic illustration of how government spending “crowds out” private sector spending and how the economy can thrive when government's shadow is dramatically reduced. The lesson from the 1945–1947 era is that a sharp reduction in government spending frees up assets for productive use and leads to renewed growth.

When spending is slated to reach an all-time high of \$3.7 trillion this year and we're living through the weakest jobs recovery since the Great Depression, it's time to get our fiscal house in order. Vigorous and sustained economic growth, fueled by investment and entrepreneurship, is needed for the private sector to create more jobs and increase incomes of the poor. In turn, this will generate the revenues that governments need to expand access to health, education, and infrastructure services and help improve productivity. Spending cuts work; tax increases don't. Despite the evidence, many liberals continue to call for more spending, more taxing, and red tape.

The CHAIR. The time of the gentleman has expired.

Mr. KINGSTON. I yield the gentleman an additional 30 seconds.

Mr. BURTON of Indiana. These ideas won't solve the problem; they are the problem. Washington needs to stop creating uncertainty and get out of the way.

I commend the Appropriations Committee, Chairman ROGERS, and Chairman KINGSTON for crafting a bill that's \$5.041 billion, or 22.6 percent less than the President's fiscal year 2012 budget request, and \$2.672 billion, or 13.4 percent less than the fiscal year 2011 enacted level. However, I believe the financial catastrophe facing our Nation requires us to do even more, and so I

hope my colleagues will realize this and do what is necessary to get our fiscal house in order.

Mr. FARR. I yield myself the balance of my time.

Madam Chair, we've heard a lot today. We've heard a lot about spending, because that's what this bill is. It is an appropriations bill. But the talk about spending is wrong because it's not putting into the priorities what is really important in our service to the people of this country. We don't need to be here to protect the rich and to protect multinational corporations. We need to be here to protect the rights of people who don't have the wherewithal to have enough food on their table to take care of their kids.

What you've seen in the debate today is tax spending for the rich is okay; tax spending for the poor is not. Tax breaks for oil companies are okay; food for the poor is not. Cutting our Commodity Futures Trading Commission is okay, but paying for police to police for speculation and misuse of public moneys is not a worthwhile expenditure. Our priorities are not straight, and that's why there's so much criticism for this bill.

I applaud the chairman for working hard to try to get the committee to bring together a bill that could meet the allocation. But I think the allocation was all wrong and our priorities are wrong, and I ask my colleagues to oppose the bill.

Mr. REYES. Madam Chair, I rise in strong opposition to the underlying bill for its drastic and extreme cuts to various critical food programs funded through the Department of Agriculture. While we face a great challenge in reducing the deficit and creating jobs, the greater challenge is to do this in a way that is consistent with our values. Slashing funds for programs that help put food on the table for the neediest of Americans, young children, pregnant mothers, the elderly, and those struggling to make ends meet, is not good policy.

The Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (WIC), the Commodity Supplemental Food Program (CSFP) which serves predominantly low-income seniors, and The Emergency Food Assistance Program (TEFAP) which works with states to assist food banks are just some of the programs that were targeted for extreme cuts.

The cuts to WIC concern me the most. WIC provides food to new mothers, babies, and children under five who have been identified as nutritionally at risk. Nearly 50% of the babies born in our country each year rely on WIC. On top of that, it is incredibly cost-effective, serving nearly 10 million people each year, and costing less than \$100 per person.

In my district, nearly 54,000 children and women suffer from food hardship, and depend on WIC to make ends meet.

This is yet another chapter in the Republican attack on working families to give handouts to special interests.

First they came after seniors who rely on Medicare, and now they're coming after chil-

dren and mothers who rely on food assistance.

We cannot let Republicans destroy programs on which our most vulnerable population depend to pay for \$45 billion in tax breaks for millionaires.

According to the Center for American Progress, if we got rid of tax breaks for millionaires and billionaires for one week, we would pay for the entire WIC program for a year.

I urge my colleagues to protect working Americans, not millionaires and billionaires.

Thank you.

Mr. STARK. Madam Chair, I rise in opposition to the FY 2012 Agriculture Appropriations Act. This bill makes devastating cuts to nutrition programs. It also undermines the ability of the Food and Drug Administration to protect our food supply and the Commodities Futures Trading Commission to rein in the reckless speculation that is driving up gas prices.

The cuts to nutrition programs in this bill would put hundreds of thousands of our most vulnerable citizens at risk. Working families, the millions who remain out of work, and senior citizens trying to survive on fixed incomes are the Americans who continue to feel the effects of the recession most painfully. This bill adds insult to injury by literally taking food off of their tables.

In my district, there are more than 90,000 people facing hunger each day. That is unacceptable. Fortunately, they have some support, including through the Women, Infants and Children (WIC) program, which offers nutrition education to pregnant women and mothers and provides food to meet the nutritional needs of young children. The \$686 million dollars that this bill cuts from WIC means 200,000 to 350,000 people will lose access to this program.

This bill would also slash the Commodity Supplemental Food Program (CSFP), which primarily serves senior citizens living on less than \$14,000 a year. The proposed \$38 million in cuts to this program would force 150,000 seniors to lose the regularly delivered box of food that they depend on to survive.

Perhaps those turned away from WIC or CSFP could go to a local food bank for assistance? No longer. This bill cuts \$50 million from the Emergency Food Assistance Program (TEFAP) that supplies food banks, so the shelves will be empty when people come for help.

Doing away with just one week's worth of the Bush tax cuts is more than enough to prevent the cuts to WIC, CSFP, and TEFAP proposed in this bill. Yet that's not what we're debating today.

While Republican leaders defend their tax breaks for millionaires and billionaires, people are going hungry. Something is seriously wrong in this country if we are willing to pay for a week of tax cuts for the wealthy but cannot afford to feed all of our people.

We cannot balance the budget or erase the deficit by taking more away from those who already have the least. I urge my colleagues to stand with me and oppose the FY 2012 Agriculture Appropriations Act.

Mr. LEVIN. Madam Chair, I rise in strong objection to the Fiscal Year 2012 Agriculture Appropriations bill. The bill before us is simply

inadequate. While there is little disagreement that we must reach agreement on a balanced framework to reduce our deficit, we cannot do so by quite literally taking food from the mouths of children. This hinders our long term prosperity, and it is simply wrong.

In expressing serious concerns about this bill, the Administration's statement on this bill says: "The Administration strongly objects to the level of funding provided for nutrition programs that are critical to the health of nutritionally at-risk women, infants, children, and elderly adults. The proposed funding levels would lead to hundreds of thousands of participants being cut from the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Commodity Supplemental Food Program (CSFP), and reduce Federal support for food banks. These cuts would undermine efforts to prevent hunger and support sound nutrition for some of the most vulnerable members of our society."

The human impact of the bill would be devastating. Hundreds of thousands of low-income children, mothers and seniors would lose WIC assistance. The National Commodity Supplemental Food program estimates that more than one hundred thousand low-income seniors would lose access to nutritious food assistance. Feeding America estimates that approximately 32 million pounds of nutritious food would not be available at food banks and food pantries for working Americans struggling to feed their families.

I want to say a word in particular about CSFP. This program is a vital component of our nutrition efforts because it reaches many seniors who qualify for no other program while providing delivery for those that are homebound. CSFP provides 600,000 food packages each month in 39 states and the District of Columbia, including seven new states as a direct result of increased funding in Fiscal Year 2010. This year 97 percent of the participants are elderly individuals with an income at or below \$14,157. Food packages are designed to supplement needed sources of nutrients typically lacking in participants' diets, and are delivered through local providers in a very cost efficient manner: the typical food package has a retail value up to \$50 but costs the Federal governments less than \$20 per participant package.

Earlier this year, a number of us wrote to the Appropriations Committee requesting that funding for CSFP simply be held at the 2011 level of \$176.8 million. Not an increase, though there is certainly greater need, just level funding. Instead, the Committee cut CSFP by more than 20 percent. As a result, if these cuts become law, more than 100,000 low-income seniors will be at greater risk of hunger.

Madam Chair, this bill represents the wrong priorities. Under the guise of deficit reduction, of which it does very little, it imposes harmful cuts on the most vulnerable among us. I urge all of my colleagues to reject it.

Mr. BACA. Madam Chair, I rise today in strong opposition to the underlying bill—H.R. 2112—the FY 2012 Agriculture Appropriations Act.

With continued unemployment and high home foreclosure rates—these are tough economic times for Americans everywhere.

We all understand that our debt and deficit are significant issues—that we must begin to address with intelligent spending cuts.

But it is essential that we reduce the deficit in a way that is consistent with our American values—and not on the backs of impoverished women, children, and seniors.

The Agriculture Appropriations bill we are considering today undermines the food security of the American people.

In my district—in California's Inland Empire—my constituents face a 16 percent unemployment rate; and a food insecurity rate of almost 22 percent.

Food banks throughout California are reporting a 30 to 40 percent increase in the number of people needing food assistance.

This is the wrong time to cut nutrition benefits for struggling American families.

Unfortunately—the bill the House is set to consider—takes food off the table for low-income women, children, and seniors.

This bill:

Cuts \$650 million from WIC—causing hundreds of thousands of women and children to lose benefits;

Cuts \$50 million from TEFAP—forcing struggling families to face empty shelves at the food bank;

Cuts \$38 million from the Commodity Supplemental Foods Program—leaving thousands of seniors without help; and

Cuts \$2 billion from the SNAP reserve fund—at a time when a record 44 million plus Americans need this assistance.

Sadly, this bill is just the next chapter in the Republican Congress's assault on middle class families.

Already this year—Republicans have voted to end Medicare as we know it.

And they've voted to cut thousands of jobs in order to give tax breaks to the ultra-rich, the big oil industries, and companies that ship jobs overseas.

But with this bill—we may have sunk to a new low.

It is wrong to dismantle the programs that our most vulnerable Americans rely on—in order to pay for \$45 billion in tax breaks for millionaires.

If we got rid of tax breaks for millionaires and billionaires for one week—we would save enough to pay for the entire WIC program for a year.

During the last Farm Bill—in 2008—I served as Chair of the Agriculture Subcommittee on Nutrition.

I am proud of the work we did to improve SNAP and other federal nutrition programs.

These improvements helped feed 38 million hungry Americans.

We must not turn back the clock.

Let's focus on the real priorities of the American people—and stop these misguided funding cuts.

I urge my colleagues to protect the health of working families—and vote "no" on the underlying bill.

Mr. HANNA. Madam Chair, as Co-Chair of the Congressional Organic Caucus, I rise today in support of adequate resourcing for the Organic Data Initiative, ODI, in Fiscal Year 2012.

Organic agriculture in my district in upstate New York and across this country is a thriving

industry that is creating jobs and exporting American products across the world. Last week I visited an organic farm in Herkimer County that produces milk, beef, chicken, eggs, garlic and other vegetables, and field crops.

The Organic Data Initiative collects and distributes organic agriculture price data. This data helps maintain stable markets for organic products, is crucial for the development of risk management tools, and is necessary to negotiate organic standards equivalency agreements with foreign governments. It is important that the organic agriculture has the same access to data that other agriculture sectors currently enjoy. The Organic Data Initiative is cost-effective and is vital to ensure a continued upward trajectory for the organic industry in the United States.

Ms. WATERS. Madam Chair, I rise in opposition to the underlying bill, H.R. 2112, the Republican Appropriations bill for Agriculture, Food Safety and Nutrition Programs for the coming fiscal year. This bill drastically underfunds critical nutrition programs for hungry people throughout the United States.

This bill is yet another chapter in the Republican attack on working families.

First, the Republicans tried to cut benefits for seniors who rely on Medicare.

Then, they went after low-income families who rely on Medicaid.

They tried to dismantle health care reform and leave people with pre-existing conditions at the mercy of profit-hungry insurance companies.

Now, they're coming after hungry people who rely on food assistance.

The bill cuts funding for the Women, Infants, and Children, WIC, nutrition program by more than \$650 million below the fiscal year 2011 level. The WIC program provides nutritious foods, counseling on healthy eating habits, and health care referrals to about 9 million low-income pregnant and postpartum women, infants, and children under five. WIC is an effective program with a long history of bipartisan support. For the past 15 years, Congresses and Administrations of both parties have always provided enough funds for WIC to serve all women, infants and children who qualify—until now. The Center on Budget and Policy Priorities estimates that the funding cut in this bill would force WIC to turn away between 200,000 and 350,000 eligible low-income women and young children next year, including 32,000 to 56,000 women and children in my home state of California.

This bill also cuts funding for the Commodity Supplemental Food program, CSFP, by 22 percent below this year's funding level. CSFP is an agricultural commodity program that provides nutritious food packages to about 604,000 low-income people each month, 96 percent of whom are senior citizens who earn less than 130 percent of the federal poverty level. The Republicans' proposed funding cuts would result in loss of food for at least 130,000 low-income seniors.

The bill cuts funding to The Emergency Food Assistance Program, TEFAP, by \$51 million and cuts TEFAP administrative funding for food storage and distribution by 23 percent. TEFAP provides nutritious food commodities to low-income Americans in need of

short-term hunger relief. TEFAP commodities are distributed by organizations like soup kitchens, food banks, homeless shelters, and faith-based food pantries at churches, mosques and synagogues. These cuts would force many local organizations to turn away hungry people.

Finally, the bill underfunds the Supplemental Nutrition Assistance Program, SNAP. SNAP provides monthly benefits to 44 million low-income Americans using a grocery debit card. The Administration requested a \$5 billion reserve fund for SNAP to assure that there would be adequate resources to help needy people in the event of continuing high unemployment or unexpected increases in demand from events like natural disasters. The Republicans cut the reserve fund by \$2 billion.

Meanwhile, the Republican budget extends the Bush-era tax cuts beyond their expiration in 2012 and cuts the top individual tax rate down to 25 percent from 35 percent. According to the Center for Tax Justice, the Republican budget cuts taxes for the richest 1 percent of Americans by 15 percent while raising taxes for the lowest income 20 percent of Americans by 12 percent.

Madam Chair, if we got rid of the tax breaks for millionaires and billionaires for one week, we could pay for the entire WIC program for a year.

I urge my colleagues to stand up for working families—not millionaires and billionaires! Vote “no” on this bill.

Mr. POLIS. Madam Chair, I rise today in opposition to this legislation. Let’s take a step back and talk about what this bill does; Instead of ending wasteful subsidies that go to multi-million dollar agri-business, the Republicans have decided to pay for a Brazil Cotton trade problem by cutting nutrition assistance to poor women and children, cutting conservation funding, and by raising gas prices for Americans by cutting those policing wall street oil speculators.

These subsidies aren’t supporting family farms; they are supporting multi-billion dollar companies, changing the food we eat and the health of our country’s citizens. I commend the progress that Congressman FLAKE has made in the Committee to lessen these wasteful subsidies, and ask my colleagues to support other floor amendments, like the Blumenauer amendment, which will ensure that subsidies are capped ensuring that any needed help is distributed to those who need it, not simply concentrated amongst a few mega-corporations.

Madam Chair, I also strongly support the Woolsey Amendment, which would allow the U.S. Department of Agriculture to continue developing scientific-based nutritional standards for school meals. This amendment supports the USDA rule that carries out the intent of the Child Nutrition Act passed last year. The standards in this rule are central to students’ nutrition, resulting in better child health, better student behavior, and better academic outcomes.

It’s been 17 years since the last update of the national school meal standards. The USDA recently proposed much-needed updates to those standards based on consensus recommendations from the Dietary Guidelines for Americans. The proposed updates will en-

sure that school lunch and breakfasts provide recommended amounts of fruits, vegetables and whole grains; fat-free and low-fat milk; less salt; fewer unhealthy saturated and trans fats; and moderate calories. Instead, too many schools are currently serving too much sodium, sugar, unhealthy saturated and trans fats, and starchy vegetables, such as French fries. To make this change, USDA received over 130,000 comments from advocates, parents and concerned citizens in support of the rule.

Yet, while school meal quality has been modestly improving in some schools, much more needs to be done. The proposed standards maximize the national investment in the school meal programs, helping to reduce both child hunger and obesity, and providing balanced meals to 31 million children each day. Our current national investment in school lunch and breakfast is about \$12 billion per year—we need to make sure that these meals are healthy.

Delaying the rule—as this legislation would do—goes against what Congress passed and the president signed last year. It would damage the opportunities of our current and future generations by denying them healthy school meals, which limits their ability to live healthy lives. That’s why this amendment is so important.

We have heard specious arguments that the law saddles school districts with unfunded costs and mandates. Besides a 6 cent increase in school lunch reimbursements, the law’s nutritional improvements in both school meals and school snacks will help increase student participation in school meals by 900,000 students according to USDA, raising school district revenues by an estimated \$7.5 billion over the next five years on top of the \$3.2 billion from the 6 cent increase. So there is funding for better nutritional food for children. Too many school districts are behind the times on ensuring that students have healthy foods.

That is why we changed the law and why we need to move forward with timely implementation of the proposed rule. We need to get the most out of the national investment in the National School Lunch and Breakfast Programs. Our children’s health and educational outcomes depend on it.

Madam Chair, this bill is simply bad policy. I urge a “no” vote.

Mr. LANGEVIN. Madam Chair, I rise today in strong opposition to the FY12 Agriculture Appropriations Bill. This measure includes a \$650 million cut to the WIC Program, which would cut up to 1,000 eligible recipients in Rhode Island.

This program provides nutritious food, counseling on healthy eating, and health care referrals for low-income women and children under age five. In Rhode Island, the WIC program collaborates with local culinary programs and farmers markets on cooking demonstrations, healthy eating habits and children’s activities.

While all our constituents are feeling the effects of the economic downturn, our most vulnerable citizens are disproportionately affected by job cuts, higher food prices, turmoil in the housing market and other burdens, and the impact can be devastating. Programs like WIC support these families and help put food on the table.

It is our responsibility to ensure that children born into poverty have the same opportunity to achieve the American Dream as any other child in our country and that cannot happen if children grow up malnourished and hungry. I urge my colleagues to vote against this bill and to reject these harmful cuts.

Mr. SİRES. Madam Chair, I rise today to express my deep concern regarding the drastic cuts being made to the Supplemental Nutrition Program for Women, Infants, and Children (WIC) in the Agriculture Appropriations bill for Fiscal Year 2012. While I understand the need to balance the budget, I cannot support cuts made to WIC, which has proven to be an effective tool in improving the health of our Nation’s children.

Over nine million low and moderate income women, infants, and children rely on WIC to provide them with quality nutrition education services and access to maternal, prenatal, and pediatric health-care services. WIC is a premier public health nutrition program and makes sure that our Nation’s children begin their life as healthy as possible. During early childhood, infants with poor nutrition are susceptible to increased chances of anemia and negatively impact a child’s ability to learn. WIC plays a vital role in ensuring that WIC infants are in better health than eligible infants not participating in WIC.

With approximately one out of every two babies born in our country enrolled in WIC, it is a vital service that not only ensures infants’ healthy well-being, but also saves health care costs. Up to \$3.13 for every WIC dollar spent within the first 60 days of birth results in health care cost savings. Additionally, lower Medicaid costs are tied to prenatal participation in the WIC program. Preterm births cost our country over twenty-six billion dollars every year with the average first year medical costs for premature births costing over forty-nine thousand dollars and first year medical costs for babies without complications cost just over four thousand dollars. It has been proven that for every dollar spent on prenatal WIC participation for low-income Medicaid women, the results included fewer premature births, longer pregnancies, and fewer infant deaths.

In my home state of New Jersey, the number of women, infants, and children that participate in the program is 171,060. Sixty-one percent of WIC participants are families with income below the poverty level—these are our constituents that are most in need. If the bill is passed, and depending upon the rate of food inflation, New Jersey may lose 3,700 to 6,500 WIC participants, and nationwide there may be a loss of 200,000 to 350,000 WIC participants. During the past fifteen years, Congress has been committed to provide enough funding to all eligible women and children who apply for WIC, and this legislation will break this promise. Indeed, if funding for WIC is insufficient, thousands of women and children will be put on a waiting list to receive the services they deserve.

I urge my colleagues to oppose these devastating cuts, which so many of our constituents rely upon.

Mr. LANGEVIN. Madam Chair, I rise today in strong opposition to the FY12 Agriculture Appropriations Bill. This measure does not reflect the needs of our constituents, nor the values of our esteemed body.

In Rhode Island, we have the third highest unemployment rate in the nation, and during the past several years our families have dealt with job losses, higher food prices, and turmoil in the housing market.

I have made many visits to the Rhode Island Community Food Bank and have seen the great work they and many other wonderful organizations in our state do to help our families. I have spoken with the working families who are not proud to accept this assistance, but have no better option and need to use all resources available to feed their children.

That is why I am disappointed that this measure includes \$2 billion less than the President's request for the Supplemental Nutrition Assistance Program, or SNAP. This measure also cuts the Emergency Food Assistance Program, or TEFAP, by \$12 million.

While my colleagues in the majority have touted cuts in this bill that are fiscally responsible, I would like to highlight what would happen if we cut and not maintain these programs.

Four years ago, the Rhode Island Community Food Bank served 80,000 SNAP beneficiaries. This month, they are serving 162,000 Rhode Islanders.

Four years ago, they served 30,000 Rhode Islanders through TEFAP. Now they serve 60,000.

If these funding levels are signed into law, the impact to the Rhode Island families most affected by the economic downturn will be devastating.

I urge my colleagues to vote against this measure, and support legislation that reflects the needs of our constituents and communities who are continuing to feel the effects of the recession.

Ms. KAPTUR. Madam Chair, in the Appropriations Committee, the majority accepted an amendment I offered to restore \$1.3 million for the Rural Energy for America program. This amendment would place another \$1 million back into the program and put the full House of Representatives on record in support of alternative energy in agriculture.

While we continue to incentivize the agriculture of yesterday, we are blindly ignoring the cries of rural America as it attempts to transform itself to meet the growing energy needs of a new century. For the first time, the 2008 farm bill took a different tack. By investing over \$1 billion in alternative energy, this House recognized that alternative energy is inextricably linked with the success of American agriculture.

While two critical amendments were accepted during full committee consideration of the Agriculture Appropriations bill, limits on payments for rich farmers and cotton payouts for Brazil, the Rules Committee chose not to protect these provisions on the floor but instead to protect unprecedented cuts to the energy title of the farm bill that by the same logic should be subject to a point of order.

Why has the House protected the Appropriations Committee's raid on the mandatory funds for the Rural Energy for America Program but derailed amendments accepted in the full committee? The answer is simple, defending a transformation in agriculture is less important than protecting the status quo.

At a time when USDA has made important reforms to REAP and has finally begun to im-

plement requirements of the 2008 farm bill, now is not the time to back down. 100 years from now, we will look back and realize that it was the energy title of the farm bill that inspired innovation in agricultural America, not subsidy programs that reward practices of yesterday. The Rural Energy for America Program recognizes the plea from American's rural small businesses and agricultural community and rewards innovation by investing in a future based on innovation.

I commend Representatives FORTENBERRY and WALZ for offering an amendment to restore funds for the REAP program and look forward to working with my colleagues as we continue to fight on for this program as the bill moves toward conference.

Mr. BOSWELL. Madam Chair, I rise in opposition to language in the agricultural appropriations bill for Fiscal Year 2012.

H.R. 2112 contains a rider that withholds funding to implement the proposed Grain Inspection, Packers and Stockyards Administration (GIPSA) rule that the authorizing committee directed the USDA to craft in the 2008 Farm Bill.

Today, the USDA is in the process of conducting economic analyses as well as a comprehensive review of the comments submitted on the proposed rule.

H.R. 2112 would stop the USDA in its tracks and prevent it from completing its year of work on GIPSA.

Two of our Nation's largest member organizations who work to support farmers, ranchers and producers are opposed to the provision which would cut off funding for the GIPSA rule—the National Farmers Union and the Farm Bureau.

Like me, these Iowa members and the national organizations believe that this is an issue under the jurisdiction of the authorizing committee, not the appropriating committee, and that regardless of which side of the regulation you may fall, that the comment review and economic analyses deserve completion.

NFU President Roger Johnson said in a recent statement: "I urge that funds for the enforcement of the GIPSA rule be reinstated in future versions of the agriculture appropriations bill."

The American Farm Bureau Federation sent a letter to my colleague, Congresswoman KAPTUR, on May 31, 2011, the day of the full committee markup, that stated: "We oppose language to preclude USDA from reviewing the comments and completing their economic analysis and are strongly opposed to any action that would stop work on that [GIPSA] rule."

However, appropriators ignored this call to action, and instead chose to move forward on behalf of large processors.

The rulemaking process on the GIPSA rule was started with the issuance of the draft rule on June 22, 2010—nearly one year ago and more than 60,000 comments were submitted on the GIPSA rule docket. To end the process now would equate to an unfortunate waste of government resources.

Thirty years ago there were 1.3 million beef cattle operations. Today there are 740,000. In 1980, there were 660,000 hog farms. Today there are 67,000. Last year alone, approximately 2,300 additional hog producers went out of business.

On behalf of producers and competition in our marketplace, I urge my colleagues to oppose defunding the GIPSA rule, and allow the USDA to complete their work and review on this issue.

Mr. HOLT. Madam Chair, I rise in strong opposition to H.R. 2112, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for Fiscal Year 2012. This bill ignores the plight of hundreds of thousands of women and children who struggle to obtain nutritious food in neighborhoods across America. The measure originally put forward by the Republican majority proposed \$833 million in cuts to the Special Supplemental Nutrition Program for Women, Infants, and Children, commonly known as WIC. This program provides assistance to new mothers, babies, and children under five who have been identified as nutritionally at risk. In any decent society, this is the most basic obligation we have to our fellow citizens. Yet the funding level proposed by the majority would have left 400,000 to 550,000 women and children without this aid.

I am pleased that the Appropriations Committee adopted an amendment by my colleague, Representative DELAUNO, to reinstate \$147 million in WIC funding. Even with this restoration, however, between 200,000 and 350,000 low-income women and children around the country would be dropped from the program next year. In New Jersey, as many as 6,500 citizens could lose this assistance.

I would remind those who claim that we cannot afford the cost of this program that just one week of lost revenue from the Bush tax breaks for millionaires, which were extended over my objection, would more than fill the gap in funding for this program to ensure that every mother and child has access to healthy meals. On average, nationwide, we are talking about just 57 dollars per month for nearly 10 million mothers and infants who cannot afford nutritious foods. Almost one-half of the children born in our country rely on WIC. Many of these enter the Medicaid program, and experience has shown that the nutritional benefit to pregnant women results in up to \$4.20 in Medicaid savings for each dollar spent through WIC. Restoring full funding for this program is the smart thing to do for our budget, just as it is the right thing to do for our citizens.

Women and infants are not the only vulnerable population put at greater risk of food insecurity by this bill. The 22 percent cut to the Commodity Supplemental Food Program will prevent at least 130,000 low-income seniors from receiving desperately needed food packages. The 23 percent reduction to the Emergency Food Assistance Program will leave empty shelves at our local food banks, pantries, faith-based organizations, soup kitchens, and shelters. With food prices continuing to rise sharply and Americans continuing to struggle to get ahead in a tough economy, now is not the time to remove the critical safety net provided by these food assistance programs. In addition, food aid for 1.1 million people around the world will be unavailable as a result of the \$476 million cut to the Food for Peace international humanitarian program and the McGovern-Dole program, which provides for the donation of U.S. agriculture goods to school feeding initiatives around the world.

Furthermore, the drastic reduction to the Commodity Futures Trading Commission budget will leave the U.S. economy and consumers in peril. The Commission will not have the resources necessary to prevent the big banks from making the kinds of speculative bets that led to the recent financial crisis. And as gas prices continue to strain household and small business budgets, this bill will do nothing to help the Commission go after excessive speculation in oil markets—even though recent data suggest that nearly 90 percent of those trading in the oil markets are speculators, not legitimate users of oil. These speculators are driving up the price of petroleum and gasoline, and without an effective CFTC with adequate funding, consumers and taxpayers are the losers.

This bill also includes severe funding cuts for the USDA's Food Safety and Inspection Service and the Food and Drug Administration, FDA, which will undermine food safety in America and weaken efforts to ensure that medical products and new drugs are safe and accessible. It underfunds research programs to improve food production, safety, and quality as well as initiatives designed to advance organic farming and related markets. And it eliminates almost one billion dollars in conservation programs to protect soil and farmland, maintain healthy agriculture in rural America, preserve key resources, and restore wildlife habitat that supports associated recreational and economic opportunities.

Madam Chair, the Agriculture Appropriations bill before us today is one more step in the wrong direction for the Nation's budget, our economy, and our people. It leaves vulnerable low-income women, infants, children, and seniors to fend for themselves even though we know that good nutrition improves health and saves money in the long run. It allows Wall Street speculation to continue unchecked, threatening our economy and driving up gas prices. It says that we should ignore the needs of our faith- and community-based food service organizations as well as those of hungry children and impoverished people around the world. And it leaves us all at greater risk of encountering food-borne illnesses, sets back research programs, and ignores our conservation needs. The American people expect more of their government, and I urge my colleagues to oppose this deeply flawed bill.

Mr. INSLEE. Madam Chair, I am concerned about the underlying legislation's attempt to zero out funding for the USDA Biomass Crop Assistance Program (BCAP), in the Agriculture Appropriations bill for FY2012. BCAP is an important economic development program uniquely focused on advanced, next generation biofuels that can be grown, produced, and refined in Washington state. This biomass can be used for heat, power, bio-based products, and biofuels. In fact, it is the only program that helps farmers transition from growing traditional crops to growing energy crops.

BCAP is vitally important for the development of the clean domestic biomass energy industry. Authorized in Title IX of the 2008 Farm Bill, BCAP received \$552 million in FY 2010, but the final Continuing Resolution that passed into law for FY 2011 reduced BCAP funding to \$112 million. Today, the House Agriculture Appropriations bill goes further, pro-

posing to eliminate funding for this program in its entirety. I believe that eliminating this program is the wrong direction, and will hinder job creation in the emerging biomass and biofuels industries.

It is widely agreed that developing a robust sustainable biomass and biofuels industry will produce significant jobs and generate revenues in rural areas. One national study has found that producing 475 million gallons of biofuel in 2009 resulted in 23,000 jobs across the economy, \$4.1 billion in added GDP growth, \$445 million in Federal tax revenues, and \$383 million for State and local governments. Feedstock production would likely represent half the direct jobs, boosting employment in rural areas and small communities.

For example, in the Pacific Northwest, a coalition of aviation and airline industries, universities, ports and international airports, recently released a report outlining how to commercialize aviation biofuels. Many of the coalition partners are working to bring these aviation biofuels to market and will rely on BCAP, as do countless other biofuel and biomass organizations around the Nation. Because of the prospects for widespread job creation and superb opportunities for positive rural development, I believe that rather than zero out this program, Congress should preserve funding at the Administration's proposed budget of \$201 million.

Mr. KIND. Madam Chair, I rise today in strong opposition to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012. This bill cuts the Woman, Infant, and Children (WIC) Program by more than \$650 million. With the country in the midst of a fragile recovery, my Republican colleagues have decided to prevent up to 350,000 women and children from receiving benefits from this highly successful program. In Wisconsin alone, up to 4,800 women and children would not be able to enroll. For years, WIC has provided mothers and children with healthy foods, counseling on breast feeding, nutrition guidance, and health care referrals. At a time of economic uncertainty, particularly for lower and middle income individuals, these cuts don't make sense. These cuts are especially alarming because they break a 15 year commitment by members of both parties to allow anyone that qualifies to receive WIC benefits.

Not only would the majority cut funding for WIC, they would also seek to underfund programs tailored to provide American children with nutrition education and more nutritious school lunches. Currently, one in three American children is considered overweight or obese. The number of children who are considered severely obese has more than tripled over a 25 year period. Providing America's children with healthy alternatives like fruits, vegetables, whole grains, and school lunches is a small price to pay to help alleviate this epidemic. In fact, it will provide more long term deficit reduction and put us on a better fiscal path than anything the majority has proposed. The long term medical, financial, and societal costs posed by childhood obesity are a far greater threat to our fiscal stability than healthy foods in schools.

Instead of putting deficit reduction on the backs of the country's most vulnerable citi-

zens, I believe we should target true waste and fraud. For this appropriations bill, the country's outdated agriculture subsidy program is a good place to start.

Mr. VAN HOLLEN. Madam Chair, I rise today in strong opposition to the misguided Fiscal Year 2012 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act. This bill puts the economic recovery at risk by cutting funding to the Commodities Futures Trading Commission, which will prevent the CFTC from implementing important reforms in the Dodd-Frank Wall Street Reform Act. The bill also slashes critical food security programs aimed at protecting our most vulnerable citizens, children and seniors. The bill also cuts important food safety programs at the Food and Drug Administration.

The Dodd-Frank Wall Street Reform Act took the important step of bringing the vast majority of over-the-counter derivatives out of the shadows and onto regulated exchanges and clearinghouses, where the risk will be borne by the counterparties and the markets they trade on—not the taxpayer. Astonishingly, rather than providing the Commodities Future Trading Commission with the resources necessary to implement this critical reform, the new majority is proposing to slash CFTC funding by 44 percent below President Obama's request—and \$30 million below current levels. This is like telling a cop he's got seven times more territory to patrol but less money to do it with. Unable to repeal the Dodd-Frank Wall Street Reform law, the Republicans are now clearly trying to starve it to death—which is a prescription for continued pain at the pump as speculators run amok in our futures markets and gouge hard-working consumers. This is a step in the wrong direction and ignores the mistakes of the past.

The cuts to food safety net programs in this legislation are devastating at a time when millions of Americans are unable to purchase food. The cuts also target the most vulnerable in our society. The Special Supplemental Nutrition Program for Women, Infants and Children is cut by \$650 million in this bill. The Center on Budget and Policy Priorities estimates that the cuts in this bill would force WIC to turn away 200,000 to 350,000 eligible low-income women and young children next year. The bill would force WIC to turn away 3,200 to 5,600 eligible low-income women and young children in Maryland. The USDA says WIC has saved more than 200,000 babies from dying at birth. Economists estimate that every \$1 invested in WIC saves between \$1.77 and \$3.13 in health care costs in the first 60 days after an infant's birth by reducing the instance of low-birthweight babies and improving child immunization rates. The bill also cuts food aid for low-income seniors through cuts to the Commodity Supplemental Food Program and assistance to food banks through the Emergency Food Assistance Program. According to the USDA's Economic Research Service, 50.2 million Americans lived in food-insecure households in 2009, including 17.2 million children.

The bill slashes the Food and Drug Administration by \$572 million. These cuts are 21 percent below the President's request and \$285 million or 12 percent below current funding levels. These cuts will prevent FDA from

improving food safety efforts and increase the risk of food-borne illnesses. The CDC estimates that 48 million Americans get sick from contaminated food, 325,000 people are hospitalized, and 5,000 of these people die every year. E. coli outbreaks in Europe recently killed 31 people and made more than 3,000 people sick. Outbreaks like this remind us of the importance of strong food safety regulations.

I will monitor the progress of this bill in the Senate and conference. I am hopeful that future changes and improvements will give me a chance to vote on a more acceptable alternative.

Ms. RICHARDSON. Madam Chair, I am compelled to rise in strong opposition to H.R. 2112, the Fiscal Year 2012 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act for three reasons.

First, the bill makes drastic and dangerous cuts to food safety programs and nutrition assistance for women, children, and seniors.

Second, by underfunding President Obama's request by 23 percent, this bill also makes draconian cuts to necessary conservation programs that protect our country's water supplies and manage critical natural resources.

Third, this substantially reduces funding for the Commodity Futures Trading Corporation, the watchdog agency designated by Congress to protect consumers from Wall Street greed and predatory conduct.

Madam Chair, the funding reductions in this bill will adversely affect every American. For example, the \$285 million slashed from the Food and Drug Administration will be a devastating blow to the agency tasked with ensuring food safety standards. The FDA is our country's first and most important line of defense against diseases such as E. coli and Salmonella, and with outbreaks of these illnesses on the rise, this cut endangers everyone in America.

In my home state of California, agriculture is a \$36.6 billion industry that generates at least \$100 billion in related economic activity. Any threat to the quality of our produce jeopardizes the economy of our state and the health of all who enjoy our products.

Madam Chair, this bill recklessly cuts funding for the Commodities Futures Trading Commission by 44% below the President's budget request. The CFTC was established to implement Wall Street reforms and is charged with policing price speculation in commodities, futures, and derivatives markets. The reduction in funding obviously is intended to deprive the CFTC of the resources needed to detect, deter, and prevent the abusive practices that culminated in the economic collapse of 2008. Crippling the CFTC will leave Wall Street speculators free to drive up the price of oil and other commodities while making it more difficult to protect the pension plans of hard working Americans from the effects of another economic downturn.

Madam Chair, this bill also hurts our environment by cutting \$1 billion from conservation programs. The Conservation Stewardship Program (CSP) would be cut \$171 million relative to its FY 2012 farm bill-mandated level, and if this bill becomes law the government would

be unable to honor contracts it has already signed with farmers across the country employing environmentally sustainable agricultural methods.

The bill also cuts the Environmental Quality Incentives Program (EQIP) by \$350 million. The bill cuts the Wetlands Reserve Program (WRP) by 64,200 acres and the Grasslands Reserve Program (GRP) by 96,000 acres. In addition, the Farm and Ranch Lands Protection Program (FRPP) and the Wildlife Habitat Incentives Program (WHIP) would be cut \$50 million and \$35 million, respectively. The bill would also cut the Natural Resources Conservation Service's (NRCS) conservation operations budget by nearly \$128 million.

Another troubling aspect of this bill is the reduction made to domestic and international nutrition programs, which hurt the most vulnerable among us.

The proposed cuts to the Women, Infants, and Children nutrition program (WIC), the Commodity Supplemental Food Program (CSFP), and the Emergency Food Assistance Program (TEFAP) would see hundreds of thousands of low-income women, infants, children and seniors losing their food aid.

Last year, WIC provided nutritious food, counseling on healthy eating and health care referrals for over 9 million women and children under age five and saved more than 200,000 babies from dying at birth. Proper nutrition combats low birth weights and improves a baby's immune system, saving on healthcare costs. The Republican-proposed \$650 million cut to the WIC program would deny these services for up to 350,000 low-income women and young children for the next year. In California, 31,800 to 55,700 women and children would be turned away.

Cuts to the CSFP and TEFAP would hurt low-income senior citizens who have extremely limited options when it comes to proper nutrition. There are 52,000 seniors living in the 37th Congressional District of California, which I represent, and nearly 15 percent of them depend on these programs to stay healthy and avoid hospital visits due to poor dietary health. For this reason, I offered an Amendment to H.R. 2112, redirecting \$10 million to CSFP so senior citizens will not have to choose between paying for medication and paying for food.

Finally, H.R. 2112 makes drastic cuts to international food aid and poverty alleviation programs. These programs constitute a critical component of US foreign policy, expressing humanitarian goodwill to our allies around the world and promoting a positive image of America abroad. Given all the President and Secretary of State have done to improve our international standing, it makes no sense for Congress to undo this good work by lessening its commitment to combat world hunger.

It disturbs me that in their short-sighted rush to cut spending, my Republican colleagues would take food from the weakest and the poorest among us while preserving the Bush-era tax cuts for the super-rich. The American people do not accept this trade-off. My constituents in the 37th Congressional District reject this trade-off. I urge my colleagues to join them and me in voting against this unfair and ill-considered legislation.

Ms. MCCOLLUM. Madam Chair, I rise in strong opposition to H.R. 2112, the Fiscal

Year 2012 Agriculture-FDA Appropriations bill. This legislation continues the Republican majority's destructive pattern of underfunding community needs and undermining the country's fragile economic recovery.

Total funding in H.R. 2112 is \$3 billion less than last year's funding level for Agriculture appropriations. As a result, there are far fewer resources to meet the growing needs of the American people. This legislation cuts critical nutrition programs for vulnerable women, children and elderly. It puts every family at greater risk of food-borne illness by slashing funding for food safety. And it gives Wall Street speculators more freedom to inflate gas prices by cutting funding to police oil speculation.

The House Republican majority is forcing these dangerous cuts on our communities and arguing that sacrifice is needed to reduce federal deficits. Unfortunately, these are disingenuous arguments that hide the Republican's true budget priorities. While making drastic cuts to successful community programs in this and other appropriations bills, the Republican majority is protecting hundreds of billions of dollars in tax breaks for the wealthiest Americans in their 2012 budget, including nearly \$4 billion in special tax subsidies for the largest oil companies. Republicans have failed to justify their choice to spend precious federal resources on tax giveaways for Americans who have the most while handing deep cuts to those who have the least.

The following provisions of H.R. 2112 are the most troubling:

Women, Infants and Children, WIC: Though House Democrats were able to restore \$147 million in funding, the WIC program will still be slashed by over \$500 million from last year's level. Over 9 million women and young children benefit from this vital program that offers nutrition and health care assistance to some of our most vulnerable populations. H.R. 2112 will deny over 350,000 low-income women and infants access to the program.

Commodity Supplemental Food Program, Emergency Food Assistance Program, and Supplemental Nutrition Assistance Program: House Republicans chose to cut by over \$100 million these vital safety net programs that keep millions of Americans from going hungry at night. H.R. 2112 also cuts \$2 billion from the President's budget requests for the Supplemental Nutrition Assistance Program (SNAP, formerly known as the food stamp program) reserve fund. This funding is set aside in the event that participation is greater than expected.

Food banks, emergency shelters, Americans who rely on food stamps, and seniors living at or below the poverty level will suffer from these cuts. With American families struggling to find jobs in this slow economic recovery, Congress should be strengthening the nutrition safety net, not weakening it. Minnesota has seen a 19 percent increase in food stamp usage over the past year while our food banks are under enormous strain to deal with the surging demand for their services.

Food and Drug Administration, FDA: Recent deadly E. coli outbreaks across Europe are only the latest evidence of why it is reckless for House Republicans to underfund the President's request for the FDA by 21 percent. Congress passed landmark food safety reforms last year to protect public health. Yet,

without adequate resources to implement these new protections, Americans will be exposed to unnecessary risks every time they visit the grocery store.

Commodity Futures Trading Commission, CFTC: Wall Street speculators are contributing to skyrocketing gas prices by inflating the price of oil. As families in Minnesota and across the country struggle to pay these costs, House Republicans are choosing to cut the federal entity charged with policing speculation. In H.R. 2112, the CFTC receives 44 percent less funding than requested by President Obama.

International Food Aid: The United States has a critical national security interest in helping to alleviate hunger in around the world, particularly in places such as Afghanistan and Pakistan. House Republicans cut the budget for the P.L. 480 Title II program that provides emergency food aid assistance by 38 percent. The successful McGovern-Dole International Food for Education program is also cut by 10 percent.

Stopping Clean Water Act Enforcement: House Republicans inserted a legislative provision in H.R. 2112 to stop the Army Corps of Engineers from meeting its legal responsibilities under the Clean Water Act to protect our Nation's wetlands and tributaries.

Conservation Programs: Rural conservation programs received an unprecedented \$1 billion cut from mandatory spending levels in H.R. 2112. This decision is deeply unfortunate, considering conservation programs such as the Conservation Stewardship Program and the Wetlands Reserve Program have benefited farmers while improving water quality and wildlife habitat.

H.R. 2112 does reflect a bipartisan agreement to continue the ban on horse slaughter inspection. The bill also stops funding for USDA's Livestock Protection Program that has been found to use lethal methods to address wildlife conflict. Taxpayer money can be better spent on predator control methods that do not involve the use of toxic poisons, steel-jawed traps and aerial gunning.

Overall, H.R. 2112 is a deeply flawed bill. If enacted into law, it will inflict great and unnecessary pain on America's urban and rural communities with no significant or lasting reduction in the federal deficit.

I urge my colleagues to join me in voting against this bill.

Ms. TSONGAS. Madam Chair, I missed votes on the day of June 16, 2011, because I traveled back to my district to attend the funeral service for a Marine killed in combat, Corporal William Witowicz. Had I been present, I would have voted for amendments to the FY 2012 Agriculture, Rural Development, and Food and Drug Administration Appropriations Act that encourage local and regional food systems and fund programs that support the work of minority and socially disadvantaged farmers. I also would have supported amendments that protect taxpayer funds by implementing modest restrictions on excessive farm subsidy payments.

I would have voted against amendments that seek to delay the Commodity Futures Trading Commission's efforts to enforce commonsense rules on risky derivative swaps and other financial transactions, prevent the De-

partment of Agriculture from implementing their climate change adaption policy, or propose deeper cuts to the FDA that would hinder the agency's ability to protect our nation's food supply from food-borne illnesses.

Finally, I would have opposed passage of the overall FY 2012 Agriculture, Rural Development, and Food and Drug Administration Appropriations Act because of the bill's drastic and indefensible cuts to the Women, Infants, and Children, WIC, program, which provides vital aid for our nation's most vulnerable pregnant women, infants and children. In the last year, WIC provided nutritious food, counseling on healthy eating, and health care referrals to thousands of women and children in my state. Additionally, the underlying bill undermines commonsense financial rules, choosing to protect Wall Street speculators that are driving up gas prices over the American taxpayer. Likewise, I cannot support the deep cuts in FDA funding included in the bill that will severely undermine food safety efforts and increase the risk of food-borne illnesses.

Ms. MCCOLLUM. Madam Chair, I rise to strongly object to the Republican majority's mean-spirited \$650 million cut to vulnerable women, infants and children. The Republican's Fiscal Year 2012 Agriculture Appropriations legislation, H.R. 2112, chooses to make this drastic reduction to the Women, Infants and Children, WIC, program at a time of economic crisis for millions of American families. WIC is a proven strategy to guarantee that lower-income expectant and breastfeeding mothers and their children up to 5 years of age receive nutritious food. In Minnesota alone, 137,000 children rely on WIC benefits to keep them healthy and help them grow strong.

The federal budget is in crisis and Congress must take serious and immediate steps to tackle rising federal deficits. Members of Congress have a choice about how to reduce the deficit and a choice about who in our society will be asked to make the sacrifices. In Fiscal Year 2012, the Republicans are proposing uneven sacrifices. The Republican majority is choosing to cut \$650 million from the women, infants and children in our communities who most need assistance while choosing to protect nearly \$4 billion in taxpayer subsidies for Exxon and other large oil companies at a time of record-high gas prices. Up to 350,000 eligible women and children across the country will be denied access to basic nutrition under H.R. 2112.

I urge my colleagues to reject the cuts to WIC in H.R. 2112.

Mr. FARR. I yield back the balance of my time.

Mr. KINGSTON. I have no further requests for time, I move passage of the bill, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2112

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, \$4,293,000: *Provided*, That not to exceed \$11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

Ms. DELAURO. I move to strike the last word.

The CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Madam Chair, I rise in opposition to the underlying bill and to the drastic and ill-conceived cuts to the nutrition programs that are proposed in this appropriation.

Under the majority's bill, our government cannot meet even its most basic responsibilities to the American people. For example, the Women, Infants, and Children program provides nutrition assistance grants to States for low-income pregnant, breast-feeding, and postpartum women, and infants and children up to the age of 5. It serves 9 million mothers and young children nationwide, and that includes 58,000 in Connecticut, my State. In fact, nearly half of the babies born in the United States every year participate in this program. It is a short-term intervention that can help provide a lifetime of good nutrition and health behavior. Over the first 60 days of a child's life alone, every \$1 invested in WIC saves between \$1.77 and \$3.13 in health care costs.

But the budget before us today would leave WIC with a \$650 million shortfall. According to the Center for Budget Policy and Priorities, that means as many as 350,000 eligible women and children will be cut from the rolls. In fact, Secretary of Agriculture Vilsack has warned our subcommittee that this number could be as high as 750,000. And if you read his letter carefully, there is no carryover, there is no contingency fund, and there will be substantial reductions in the number of people who will participate in the WIC program. It is unacceptable at a time of such great economic difficulty. With the unemployment rate over 9 percent, more and more families are having to rely on these dollars.

In the past, support for WIC has never been a partisan issue. For 15 years, Republicans and Democrats have

always worked together in Congress to see that every woman and child eligible for WIC can participate in this life-saving program. In fact, Republicans and Democrats on our committee voted together to pass an amendment that I offered to provide \$147 million more in funding for WIC before the Rules Committee today arbitrarily overturned that vote.

We cannot be taking food out of hungry people's mouths here at home in order to subsidize cotton production and to subsidize Brazilian cotton farmers. It makes no sense. As my colleague, Mr. FLAKE, on the other side of the aisle noted at the committee markup, it is quite ironic that we would subsidize Brazilian agriculture so that we can continue to excessively subsidize agriculture here. This bill flies in the face of our longstanding bipartisan commitment. It will leave women and children hungry.

WIC is not alone on the chopping block. The Commodity Supplemental Food Program provides nutritious food to low-income seniors and those making less than \$14,000 a year. According to a study by Feeding America, 30 percent of these households in need have had to choose between food and medical care, and 35 percent between food and paying for heat or utilities. But even in the middle of a very tough economy, this proposal slashes funding for the CSFP. That means an estimated 150,000 seniors all across the country will lose access to this aid. They, once again, will have to go hungry.

Take the Emergency Food Assistance Program, which works with States to supplement food banks, emergency shelters, pantries, soup kitchens. Right now, the hard work these organizations do in helping ensure access to food is more important than ever. In fact, the demand for emergency food assistance has shot up 46 percent over the past 5 years. This budget cuts funding for the Emergency Food Assistance Program by \$38 million—nearly a quarter below last year's funding.

Yet, while placing this tremendous burden on our most vulnerable citizens, the majority budget finds money to give subsidies to oil companies and tax breaks to the wealthy. In fact, the cost of the Bush tax breaks for millionaires for 1 week is more than the cost of the proposed cut to the WIC program for the entire year. One day's tax breaks for the millionaires would pay for the Commodity Supplemental Food Program and for the Emergency Food Assistance Program.

This is what the majority has done. It's tax cuts for millionaires versus nutrition assistance. These are not the right choices for America. The American people know it. Gutting nutrition programs to pay for tax breaks for the rich is more than just a terrible investment in the future; it's a failure of our responsibility to the American people.

Oppose these reckless cuts.

Mr. MCGOVERN. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. I want to again rise in strong opposition to the underlying bill and express my deep outrage over the deep cuts in food and nutrition programs that benefit some of the most needy and vulnerable people in our country.

□ 1550

I am particularly outraged at the cuts in WIC. As we heard from our colleague from Connecticut (Ms. DELAURO), WIC is one of the most effective programs that exist. There has been a strong bipartisan tradition of fully funding the Special Supplemental Nutrition Program for Women, Infants and Children—WIC—to ensure that every eligible family that applies receives benefits. WIC is not an entitlement, but we have made a bipartisan, concerted effort in the past to make sure that everybody who qualifies and who needs it can actually get it. This is the first time since that commitment was established that the appropriations bill is providing less funding than what is needed to serve all eligible young children and pregnant or postpartum women.

Now, Republicans argue that somehow they're not cutting anything, that everything will be okay. That's not at all the case. That's, in fact, a complete distortion. We are told by organizations that monitor this that as many as 350,000 women and children would be thrown off the program as a result of these cuts. That's a conservative estimate. And since we've passed the rule, which does not protect the amendment that Ms. DELAURO got into the appropriations bill, which basically said that we're going to increase WIC funding by cutting subsidies to Brazilian cotton farmers—that is not protected, so somebody on the other side of the aisle, I'm sure, will raise a point of order against that language, and just like that, \$147 million will immediately be cut from the WIC program, throwing, again, 100,000 to 200,000 additional women and children off the program. This doesn't make any sense, Madam Chair.

We're told by my friends on the other side of the aisle, well, don't worry, all the faith-based groups will take care of everything; that's what they're all there for. Well, talk to any leader in any faith-based community in this country, and they will tell you that they are working overtime right now to try to provide for the struggling families in their communities. In every part of this country, from urban to suburban to rural, faith-based communities are stepping up, but they cannot do it alone. They need us to be a part-

ner. I don't know a single faith-based leader who would say to anybody in this Congress don't adequately fund WIC or don't adequately fund the TEFAP program or these other programs that provide food and nutrition to needy people.

The fact of the matter is that is not an answer. To put the burden on the faith-based community is basically an excuse for us to do nothing, and that is just unacceptable.

We've heard on the other side of the aisle, well, there are just so many programs out there, we're just eliminating all the duplication and triplication. Again, this is just another justification to try to rationalize the cuts that are being made here, but there's no basis of fact. That distortion ignores the fact that programs don't overlap; they complement each other. There is a difference between programs like SNAP and WIC and school lunch programs and summer feeding programs. They're not all the same. They're designed to complement each other. And in reality they do not provide enough benefits to eliminate hunger and food insecurity in this country.

The problem is not that we're giving too much to low-income families. The problem is not that we're giving them too much food. That is not the problem. We have a hunger problem in the United States of America. Tens of millions of our fellow citizens don't have enough to eat. And we're the richest, most powerful country on the planet. We should be ashamed of that fact. We should be working overtime in this body to try to remedy that fact, to make sure that the neediest among us get what they need.

By ignoring the plight of the poor, by ignoring the plight of those who are hungry in this country, they don't just all of a sudden go away. What we do is we end up creating other problems which turn out to be more costly. Hungry children can't learn in school. Hungry workers are less productive in the workplace. People who don't have enough to eat tend to have their immune systems compromised so that a common cold results in their staying in a hospital for a prolonged period of time. It costs this country a great deal that there is food insecurity in America. Hunger is not cheap. It costs a great deal, and we are paying billions and billions of dollars for that.

I urge my colleagues to defeat this bill.

Mr. BURTON of Indiana. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. Madam Chair, I don't know how old my colleague is who just spoke, but Lyndon Johnson worked very hard to pass what was called the Great Society. And when he passed the Great Society, he said we're going to do away with hunger, we're going to do away with poor

people, we're going to do away with all the problems facing mankind in the United States. And what happened? Things are worse now than they've ever been with all these social programs.

I just spoke a couple of minutes ago about what happened after World War II. In 1945 the spending was \$84 billion. In 1946 it dropped 60 percent to \$30 billion. So a 60 percent reduction in spending, but it freed up money for the private sector, and as a result, in the next 2 years there were 4½ million new jobs.

All these giveaway programs and all these programs that you guys talk about indicating that we don't care about seniors, we don't care about kids, we don't care about anybody, we're heartless, the fact of the matter is the thing that's heartless is 9.1 percent unemployment. The President, when he took office, said he was going to keep it under 8 percent. It's 9.1 and it's going up, not down. The economic figures we see today are terrible. Yet you want to continue to just keep spending money and spending money and spending money.

What we need to do is we need to cut spending. We need to cut taxes so people will have more disposable income. We need to cut business taxes so that business has more money to invest so they'll create jobs and create plants and equipment. But, no, you want to just keep spending on these programs and don't want to make any cuts.

Spending is out of control. The shortfall this year is going to be over \$1.46 trillion. We don't have the money. The national debt is over \$14 trillion right now, and it's going to get worse over the next 10 years by about a trillion dollars a year.

And yet every time we come down here and want to cut spending, you start saying we don't care about the poor, we don't care about the kids, we don't care about seniors. And then you see ads on TV with the little old lady's foot dragging as we throw her over the cliff.

What kind of nonsense is that? If we don't get our fiscal house in order, we're all going over a cliff. This country is in terrible fiscal shape right now, and we have to get control of spending. And it really bothers me every time I come down here and I hear you guys talking about we don't care about the children, we don't care about the seniors, we don't care about anybody.

What we care about is jobs and creating an economy that's growing so that we can once again become the great economic power of the world. But everything that's going on with this administration and everything that you guys keep advocating is putting us more and more in the tank.

And let me tell you something: The American people get it. And if you don't think they get it, look at what

happened in the last election. People are tired of the spending, tired of the runaway, giveaway programs. They want jobs that will create a growing economy. And we're not going to get it with more and more spending.

Keynesian economics, socialistic approaches to government do not work. Free enterprise does. And once again I want you to listen to these statistics:

After 1945 we increased jobs by 4½ million. At the same time we cut spending by 60 percent because we freed up the free enterprise system. That's what we ought to be doing right now if we're going to lower unemployment and get this economy back on track.

I yield back the balance of my time.

Ms. MOORE. Madam Chair, I move to strike the last word.

The CHAIR. The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Madam Chair, I rise in strident opposition to the underlying bill.

We've all heard Michael Masser and Linda Creed's lyrics, "I believe the children are our future. Teach them well and let them lead the way." The song is sung by every megastar and quoted at every whistlestop by every politician.

□ 1600

Well, if we believe this, then our most basic and most fundamental obligation of a civilized society is not only to teach them well but to feed them.

The WIC program is the USDA's largest discretionary program that provides assistance to children up to 5 years of age, to pregnant women, postpartum women, breast-feeding women who are nutritionally at risk because of inadequate nutrition and income.

We've heard a great deal from the other side—just recently the previous speaker—talk about the importance of letting the free market system work, that we need jobs. Infants cannot work. They are helpless. And according to the most recent census, almost 20 percent of the Nation's children are living in poverty. A recent report estimates that the annual estimated cost of domestic hunger is \$90.4 billion, the cost of hunger, the consequences of hunger.

According to the American Community Survey, almost half of the children living in single, female-headed households in my district live in poverty and about 39 percent in Wisconsin are poor.

This program represents in any decent society the basic obligation we have to our fellow citizens. Half of the babies born in our country each year rely on WIC. This bill cuts a devastating \$650 million from the WIC program; and in my State, this represents about 4,800 people who would lose the WIC program.

The Ryan budget cuts an astounding \$833 million from the WIC program; and if you compare this to the Bush cuts,

which gave the average millionaire a \$139,199 tax break in 2011, or \$2,700 a week, that comes up to a total of \$866 million to the wealthiest people in 1 week. One week of the Bush-era tax cuts would pay that WIC for a year for the 20 percent of our kids in this country who are hungry. So that really, in my mind, demonstrates what the priorities of this body are. One week of the Bush-era tax cuts could feed and fund this program.

Now, if you truly believe that children are our future, note that numerous studies have shown that pregnant women who participate in the WIC program have longer pregnancies, lead to fewer premature births, fewer low and very low birth weight babies, experience fewer fetal and infant deaths, seek prenatal care earlier in pregnancy, and consume more of such key nutrients as iron, protein, calcium, vitamins A and C.

Now, if you're not moved by the whole children are our future bit, at least be persuaded that not investing in WIC is a costly proposition, and I know the other side is very concerned about costs because several Members have pointed out that we have all these multiple feeding programs. They're concerned with fraud, and God forbid some of these kids might be getting three, four, five meals a day based on funding of all these programs.

But pre-term births cost the U.S. over \$26 billion a year, with the average first-year medical costs of the premature, low birth weight baby roughly costing \$49,000 compared to \$4,500 for a baby born without complications. WIC prenatal care benefits reduce the rate of low birth weight babies by 25 percent.

Now, for those of you who support these gargantuan ag subsidies, moneys for the various wealthy, I commend to you the words of Theodore Parker, a minister and abolitionist in the early 19th century who's been quoted by both Abraham Lincoln, our 16th President, and by Dr. Martin Luther King, in their epic speeches. Theodore Parker said, "The miser, starving his brother's body, starves also his own soul, and at death shall creep out of his great estate of injustice, poor and naked and miserable."

I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. First of all, I think it would be real interesting, my friend from Massachusetts, and I mentioned this to you yesterday. I think we would both enjoy to see what the results would be if we googled our hearing and put in the word "hunger" and put in the word "obesity," which one showed up the most; and I believe you are going to find we talked far more about obesity than we did about hunger.

The question that I have is, on the hunger, there are so many food programs out there and this bill does have a \$5.6 billion increase in food stamps and \$1.5 billion increase in school lunch, that maybe you and I together could focus on where this hunger is because it could be that there's maybe an ignorance issue more than a hunger issue, ignorance in that people do not know how to get these programs that are out there.

Let me yield to my friend from Massachusetts.

Mr. MCGOVERN. Let me just say that I don't think poor people are ignorant.

Mr. KINGSTON. Then let me reclaim the time, because I'm trying to have an adult conversation, and I clarified what "ignorant" means, and if you don't know about a program, then you're ignorant about its existence.

Mr. MCGOVERN. If the gentleman will yield, I would also say, the gentleman raised the issue of obesity. There is a relationship between food insecurity and obesity and poverty and obesity. And so what we're talking about here is the importance of good nutrition, and the fact of the matter is that a lot of the people that we are trying to target some of these programs to don't have access to good nutrition. They live in food deserts where they can't buy good food, where they can't afford fresh fruits and vegetables.

Mr. KINGSTON. Let me reclaim the time, because I wanted to continue the discussion. One of the things that perhaps we could do a better job at is not only explaining to people where these programs are but also coordinating the actual program.

Now, the previous speaker said that some children—and I can't quote her exactly—might be getting four or five meals a day. I think it would be good in a time of fiscal restraint that we talk about, well, can we coordinate better.

Let me yield to my friend.

Mr. MCGOVERN. I think we're all for efficiency and good coordination, but I just want to read one line from a letter that Secretary Vilsack sent up here, where he says that he is confident the proposed funding level in your bill would lead to a substantial reduction in the program, meaning the WIC program, likely by hundreds of thousands of participants per month. That is substantial. That is something we can't afford.

Mr. KINGSTON. And that is substantial. But let me say this, the numbers that we're operating on, 2010, there were 9.2 million participants. This year, it's 8.9. Next year, the projection is less than that because 450,000 people less are on it. The base number on the bill would be about 8.3 million; but with the contingency funds, it could go over 9 million people. And as I have said to my friend from Massachusetts

before, we want to make sure no one falls through the cracks.

But I'm looking at these numbers, too, and I know that the group that has been cited many times, the numbers that they're using are a different base than what we're using. So I think some of this is actually about, well, what is that level, and I'm thinking it is the 8 to 9 million.

I yield to my friend.

Mr. MCGOVERN. I would also just point out to the gentleman that there's another phenomenon going on here, and that is the rising cost of food. So the numbers that group that you're referring to has mentioned are pretty conservative. Food costs have been going up and up and up, and I think every American family can feel that. As a result, we're going to need to step up and not undermine these programs that, quite frankly, provide people basic nutrition of food.

Mr. KINGSTON. I agree that there is an unknown factor on the rising cost of food that we're not sure about.

Will the gentleman also agree with me, though—and we've had a very spirited debate, which I know my friend—

Mr. MCGOVERN. But it's not an unknown factor. Food prices are rising.

Mr. KINGSTON. We don't know the percentage food prices are rising, but we do know that this budget would allow with contingencies 9 million to participate, which is above the current level.

Now, I'm hoping that the economy does turn around, but I think it's very important, though, for us to be talking about some of these things that are in the mix like solid numbers, coordination of benefits, and also sources that people can go to, because the gentleman said, Folks don't know about this program, and we want to help them out.

□ 1610

Ms. DELAURO. I want to offer some solid numbers.

Mr. KINGSTON. Let me yield to my friend from Connecticut with the hopes that when my time runs out, my friend will yield to me as well.

The Acting CHAIR (Mr. BISHOP of Utah). The time of the gentleman has expired.

Ms. CHU. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. CHU. Mr. Chair, I rise in strong opposition to the underlying bill where the House GOP guts critical food assistance programs that help America's low-income and less fortunate families at a time when they need it the most. This is yet another chapter in the Republican attack on working families to give handouts to special interests. First they came after seniors who rely

on Medicare, and now they're coming after our young children and their mothers.

Millions of Americans are now struggling to get through the worst economy since the Great Depression, and America's food assistance programs are proving to be an essential safety net for the jobless and low-income families of America. At a time when the need is greater than it's been in generations, Congress should be reaffirming our commitment to helping these needy families, not pulling the rug out from under them. But alarmingly, that's just what the Republican Agriculture appropriations bill does.

This bill slashes funding for the nutrition program for Women, Infants, and Children by \$686 million. WIC is a program that provides low-income pregnant women, new mothers, infants, and children with nutritious foods and improved access to health care. This funding is critical to ensuring America's new mothers, babies, and young children are fed right and grow up to be healthy, happy kids. But these slash-and-burn cuts completely end food assistance for up to 350,000 low-income women and children nationwide. Republicans, take the target off these kids.

Now let's distinguish between wasteful spending and investments that help the less fortunate get back on their feet. How can anyone say that WIC is wasteful when it serves nearly 10 million people each year for less than \$100 per person? To some, these dollars may not sound like much, but they mean all the difference for mothers like Amanda.

Amanda was blessed with three children after she was told she couldn't even have one. But working in the food industry simply wasn't enough to support a family and certainly not one with as many needs as Amanda's. She has one son with disabilities, another that was born prematurely, and a third that requires special formula. All these demands quickly stretched her finances and her time. She couldn't afford the basics for her baby, like cereal, peanut butter, milk, and juice, much less the special formula that kept her son healthy. She was struggling to get by. But with WIC's help, she was able to make ends meet and even found time to get her bachelor's and master's through online classes while raising her kids. Now she is a registered nurse working on her Ph.D. And it was taking that first step to join WIC that helped keep her children healthy and helped her make a better life for her family. We should be investing in Amanda and her children, the future of our country, not leaving them to fend for themselves.

But instead of helping build a stronger American workforce for our future, the Republicans are providing more breaks so Big Oil can line their pockets. This same bill blocks efforts to

rein in oil speculators that are manipulating the energy markets at the expense of American families at the pump. And, in fact, in April, Goldman Sachs found that this type of unregulated speculation adds over 20 percent to the price of oil, and that's why our gasoline prices are going sky high.

So what was the Republican reaction to this? They slashed \$30 million in funding from the Commodity Futures Trading Commission which would stop this illegal speculation in the oil markets. So, as they gut funding from struggling mothers and tiny babies like this, Republicans are keeping gas prices high and pouring more profit into Big Oil's coffers.

We cannot balance the Nation's budget on the backs of everyday Americans just so that Big Oil can make big profits. Stop these cruel cuts to women, children, and infants.

Ms. FUDGE. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. FUDGE. Mr. Chair, I rise in opposition to the underlying bill.

A mother's greatest fear is not being able to provide food and security for her children, not being able to provide nourishment for her kids to grow up and to learn. She worries about where she will find their next meal. Each morning, she is greeted by growling stomachs and an all-too familiar sense of anxiety. This mother is desperate to provide food for her hungry children and depends on our local food banks. But when she arrives at the food bank, she finds that the shelves are empty. That is the time at which her anxiety turns to fear and desperation.

Some of you might think that I am exaggerating, but if you come to my district and visit the city of Cleveland and other parts of my district, you can meet people who, for them, this is their reality, just as it is the reality for people throughout this Nation who rely on essential nutrition programs like TEFAP, WIC, and SNAP.

The Emergency Food Assistance Program, better known as TEFAP, provides food to low-income Americans in need of short-term hunger relief through food banks. This bill caps TEFAP funding at \$200 million, which is a \$51 million cut; and, in addition to that, another \$12 million in grants for TEFAP for storage and distribution equipment is also being cut. These cuts affect the storage of food that requires refrigeration, forcing many food banks to only provide unhealthy, nonperishable foods.

And to my friend Mr. KINGSTON, there is, indeed, a correlation between hunger and obesity. Twenty-five percent of the food distributed at Cleveland food banks is from TEFAP, and it is some of the most nutritious food they have available. Even without the cuts that are proposed in this bill, food

banks are facing a shortage of food, impairing their ability to provide for their communities. Parents turn to food banks especially in the summer when school is out, when their children no longer have a guaranteed breakfast and/or lunch 5 days a week.

And it didn't stop at TEFAP. Also on the chopping block is funding for WIC and SNAP. Nearly 50 percent of the babies born in this country each year rely on WIC. The proposed cuts to SNAP and WIC would result in hundreds of thousands of low-income women, infants, and children losing needed nutrition assistance. These massive cuts to WIC would force vulnerable families to go hungry, to be completely dependent on food banks which, unfortunately, are losing vital funding through this legislation.

WIC provides food to almost 9 million low-income pregnant and nursing women and young children. This bill cuts WIC by over \$800 million; and it's estimated that, because of these cuts, between 350,000 and 475,000 mothers and young children will be eliminated from the program. If we can just get rid of the tax breaks for millionaires and billionaires for 1 week, as my colleague has said, we can pay for the entire WIC program for an entire year. These cuts will cripple families and could have a detrimental effect on the futures of these children.

A quarter of the people in my district have difficulty accessing affordable food. But the chairman, Mr. ROGERS, indicated, "this legislation reflects hard decisions to cut lower priority programs so that our Nation continues on the path to fiscal recovery."

To a hungry child, SNAP and WIC are not low-priority programs. These cuts will not set our Nation on a path to recovery but, rather, make it significantly more difficult for mothers to ensure the safety and health of their children.

So what we are doing is punishing children for being poor. That is what we are doing. We're not talking about, necessarily, adults. Children have done nothing to us. I don't know how we sleep at night. The Bible tells us—and I know my friends like to talk about faith, and I am a person of strong faith. The Bible tells us that the poor will always be among us. So we need to make a provision to take care of the poor.

First, Republicans came after seniors who rely on Medicare, and now they're coming after children and mothers who rely on food assistance. Who's next, Mr. Chair?

I urge my colleagues to oppose this legislation and protect our children and pregnant women.

□ 1620

Mr. DAVIS of Illinois. I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong opposition to the underlying bill, H.R. 2112, because of the deep cuts to the Women, Infants and Children's program.

I've always been told that you can measure the greatness of a society by how well it treats its young, how well it treats its old, and how well it treats those who have difficulty caring for themselves. All of us know that there is no way that children, infants, can adequately care for themselves.

The WIC program serves pregnant women through pregnancy up to 6 weeks after birth, or after pregnancy ends; breast-feeding women up to the infant's first birthday; and non-breast-feeding women up to 6 months after the birth of an infant or after the pregnancy ends, as well as infants up to their first birthday and children up to age 5.

Poverty and an identified medical or nutritional risk are two eligibility requirements. Nutritious foods, nutrition education, and referrals to maternal and child health services are among the program's benefits. WIC serves 45 percent of all infants born in the United States.

Now, there is no way that anyone can suggest that any of these individuals, especially the children, had anything at all to do with their level of poverty or the fact that there is not nutritious food available to them. And even if there were not food deserts, they wouldn't have the money to purchase what was available.

How one can reconcile taking milk out of the mouth of babes, or how one can suggest that some way or another we are spending money when, as the gentlelady from Wisconsin pointed out, the additional health care cost resulting as a result of the individual's not having basic food and care far outweighs any money that you could possibly spend.

And so it's not a matter of spending. It's a matter of investing. How do you invest in America? You invest by providing for those who have the greatest amount of need.

I know that we debate whether or not we are spending more than we're taking in. Well, there's a way to rectify that. We just take in more. We just charge people more who can afford to pay.

I don't believe in overspending. I don't believe in having huge deficits. But I don't believe in seeing people suffer and die because the society in which they live will not provide for them the basic necessities of life.

I urge we vote against this legislation.

I yield back the balance of my time. Mr. NUGENT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. NUGENT. I yield to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentleman for yielding.

I do want to continue the discussion which we've had with our friends on the other side by pointing out something I think is very important. I have the vote from the CLAIMS Act, November 30, 2010, on which I voted "no." This vote cut WIC \$562 million. So far every speaker who's been on the floor voted "yes" to this bill. So in terms of following the rhetoric, it's very difficult.

I also want to point out we had a vote earlier this year, no, late last year, on extending the Bush tax cuts. I voted "no." Did others on that side vote "no"?

I'm glad my friend from Connecticut did.

I also want to point out we had a vote last week on the Kucinich amendment to get us out of Libya. I voted "no" on that. I'm not sure how you guys voted. I know my friend, Mr. MCGOVERN, has been an absolute, very consistent critic of the money that we are spending and engagement we are having in the Middle East. And I respect his philosophy on that.

But the reason I want to point this out is because it appears that when one side tries to cut the budget, they're pushing children out the door. But when another side cuts the budget, it's okay.

Ms. DELAURO. Will the gentleman yield?

Mr. KINGSTON. The gentleman from Florida controls the time, and I recommend that he does yield to you.

Mr. NUGENT. I yield to the gentleman from Connecticut.

Ms. DELAURO. I thank the gentleman from Florida and the gentleman from Georgia. Let me first comment on the \$562 million. There have been several references to this in the course of the afternoon. This is the truth of this effort: \$562 million in unspent WIC funds were cut last year. But the cut did not affect any participants. The reason it didn't affect participants is that WIC foods cost less. There were fewer participants in fiscal year 2010, so the funds were not needed. That shows you that because there was extra money in WIC last year, the funds—

Mr. NUGENT. Reclaiming my time, I yield to the gentleman from Georgia.

Mr. KINGSTON. I want to comment on that. But that's exactly what we're doing.

Ms. DELAURO. But the—

Mr. KINGSTON. My friend from Connecticut, you know that's what we're doing.

Ms. DELAURO. Can I finish?

The Acting CHAIR. Members will suspend. The gentleman from Florida controls the time. To whom does he yield?

Mr. NUGENT. I yield to the gentleman from Georgia.

The Acting CHAIR. The gentleman from Georgia has the time.

Mr. KINGSTON. The participation in WIC in 2010 was \$9.2 million. Today it's about \$8.8 million. This bill, because the level has dropped and is dropping, is at a level of \$8.3 million, but can go over \$9 million with the contingency. So I believe that when you cut WIC last year, you did it in good faith. I would only ask that you give us that good faith too.

Ms. DELAURO. If the gentleman from Florida would continue to yield, the cut in this bill is different because it does result in the loss of benefits to participants. That's not my word, but the Secretary of Agriculture has said hundreds of thousands.

And from our last conversation, which we didn't finish, you asked about rising food prices. And this is from the Center for Budget and Policy Priorities. I'm not making up the numbers. If the cost of WIC foods increases by 2 percent between fiscal years 2000 and 2012, the smallest increase likely, the proposed funding cut would force WIC to serve roughly 200,000 fewer people in 2012 and 2011. If it goes to 5 percent, the food cost, you'd have to cut roughly 350,000 people. These are actual numbers.

Mr. NUGENT. Reclaiming my time, I yield to the gentleman from Georgia.

Mr. KINGSTON. Let me say my friend from Connecticut will agree, though, that if you, on your side, had not cut WIC \$562 million, that money would still be there right now.

Ms. DELAURO. The fact of the matter is what we are not asking about is not utilizing funds if we don't need them.

The Acting CHAIR. The gentleman from Florida is yielding to the gentleman from Georgia.

Mr. KINGSTON. The point that I'm making, Mr. Chair, is that WIC is \$562 million, not because of any Republican action, but because of the Democrat action. And you know what? I don't question anyone's motives on this side, and I admire their passion. And my friend from Connecticut is one of the most passionate persons in this body when it comes to WIC. And I respect that.

But we also have to look at some of these numbers because if they're just air-dropped into this bill, then I can certainly understand their outrage. But if we look at the long term, where WIC was 2 or 3 years ago, where it's going, and the fact that there are three contingency funds to pick up the slack on this, not to mention a number of other good programs.

The Acting CHAIR. The time of the gentleman has expired.

□ 1630

Mr. COHEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. The gentleman from Illinois (Mr. DAVIS) brought up a quote about how you look at government. And it was Hubert Humphrey who said that governments are judged on how they treat those in the dawn of life—the young; in the twilight of life—the old; and the shadows of life—the disabled, people with handicaps. And that is the way you should judge it. I sometimes think with this budget and what we're seeing here from the other side is they think the way you judge a government is by the way it treats the millionaires, the billionaires, the way it treats the oil and gas industry, or the way it treats the Wall Street folks who do the hedge funds. And I think if that's the way you're being judged, it's going to be a harsh, harsh condemnation.

My friend from Indiana (Mr. BURTON) came down and he spoke and he said something about, look at what happened in the last election. Well, I'll tell you what happened in the last election—it was in New York State and the people spoke loudly. In a district that in 2010 was strongly Republican, they said we don't want Medicare destroyed, we want to keep Medicare, and they elected a Democrat. And the people are seeing what these budget cuts are doing.

One of the reasons we've got all these problems and the reasons why we have more and more people falling into needs for the SNAP program and the WIC program and others is because the middle class is disappearing in this country because jobs are being shipped overseas. We're giving millionaires and billionaires tax breaks, and we're saying everybody should share, but the sharing isn't going to the rich; it's only going to the poor people, and they're getting cut and cut and cut.

This WIC program, Women, Infants and Children, should be the last place anybody would consider cutting, it should be the absolute totally last place; and yet the cuts are there, 13 percent. The fact is those people are in the place in life where if we don't give moneys to the food for pregnant mothers we're going to have more infant mortality. In my district, we've got an infant mortality rate similar to Third World countries. We've tried to have programs passed up here to deal with infant mortality and to study it and to try to save the lives of babies, and we're not going to be doing that.

I've heard a lot from the other side about being pro-life. We have a difference on that. I'm pro-choice, but I'm pro-life after birth. And pro-life shouldn't just be during a period of gestation; it should include a time after birth. And we're not hearing pro-life-type statements and pro-life-type budget provisions; it is all about saving

money on the backs of the poor. This is something that is not appropriate, and it's something that I think should shame the other side.

Mr. KINGSTON is a fine man. I heard him say he voted against the Bush tax cuts, which I did. I got confused on what you did on Libya, but I don't know what that had to do with it. You voted with KUCINICH? Well, I didn't. I don't know what it has to do with women, infants, and children. There's a whole lot going on in Africa. That's another issue.

The bottom line is he's a good man, but he has a bad provision here, and he could see to it that we change that. The women and the infants and the children are dependent on the man from Georgia to try to come up with a provision to help them.

The lady from Connecticut wanted some more time a few minutes ago, and I would like to yield to her on this issue.

Ms. DELAURO. I thank the gentleman for yielding.

The point was is that we are looking at the potential and the fact of increased food prices. And again, the numbers are not mine, they belong to an organization that has very good credentials on both sides of the aisle in this town, the Center on Budget and Policy Priorities. They are very clear that if that 2 percent increase in food price—and that's viewed as the smallest increase likely—happens, we will see roughly 200,000 fewer people. If it's a 5 percent increase in food prices, that there would be a cut of 350,000.

The Secretary of Agriculture said that the proposed amount of money would lead to hundreds of thousands of people being eliminated from the program. He also is very clear, as others have been, that there is no carryover money, there is no contingency fund. And the Center on Budget and Policy Priorities reiterates the same effort.

With regard to the \$562 million, my only point on that was, I am willing, others are willing to say if the funds are not needed at that juncture and they are extra, yes, they can be used for something else. No one is saying that the numbers have to be static all of the time. But the fact of the matter is we are in a different period in 2011 going into 2012, where there is much more serious economic difficulty—rising food prices, rising rates of people who need these programs—and we're just saying let's have the money that we need in order to move forward.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MATSUI. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. MATSUI. I rise today in opposition to the underlying bill. This legislation makes dangerous cuts to essen-

tial antihunger and nutrition programs.

In addition to their plan to privatize Medicare, House Republicans are now proposing to cut the Women, Infants and Children program, otherwise known as WIC. This is a much-needed, Federally funded health and nutrition program which provides support, resources, and education to low-income women.

This preventative public health nutrition program connects mothers with prenatal care, increases healthy birth outcomes, and educates new mothers about caring for their children and providing healthy food options for their families.

In my home State of California, there are 82 WIC agencies serving over 1.4 million women, infants, and children, but the bill before us today cuts \$650 million from the program, and these cuts we cannot afford to make.

There are two WIC programs at work in my district, and I recently saw firsthand the critical demand and needs for their services. I witnessed a long line of women trying to provide for their families and trying to receive the support they need to have a healthy pregnancy. This WIC office alone has a case load of over 32,000 individuals a month but can only serve 30,000 because of a lack of resources.

In this economic downturn, people who never before knew about WIC now find themselves relying on its services to feed their families. These include State workers who were furloughed, nurses and teachers who have lost their jobs. Unfortunately, demand for these programs is increasing, not decreasing. With Sacramento's unemployment rate at 12 percent, these resources are not only needed and appreciated but are vital.

One recipient is a mother who once thought WIC was only about giving free food or formula to low-income families, but her perspective about the program changed dramatically when she enrolled in the program herself. As she was expecting her first and only child, she entered the program to help her family make ends meet. Throughout her pregnancy, she received nutrition information and referrals. Unfortunately, she was diagnosed with gestational diabetes, but because she was on WIC at the time she was seen by a dietitian every month. With WIC's support, her baby was born healthy and she had the support she needed to provide for her family.

But the cuts in this legislation do not end at WIC. The Commodity Supplemental Food Program, which helps supplement meals for low-income individuals, and The Emergency Food Assistance Program, otherwise known as TEFAP, which provides food banks with food they distribute, are both on the chopping block.

A month ago, I visited the Stanford Settlement Senior Center, which par-

ticipates in the California Emergency Foodlink Senior Brown Bag Lunch run by volunteers, many of whom are recipients themselves. The California Emergency Foodlink distributes over 80,000 pounds of food per month to approximately 8,000 low-income seniors in need in Sacramento County. For many of these seniors this is the only nutritious food they will have for a week. TEFAP also provides funding for approximately 18 percent of food that comes into the Sacramento food bank. This food bank provides a 5-day supply of emergency groceries to those who are struggling to get by, and over 18,000 individuals receive fresh groceries from this site every month.

In addition to all of the cuts I've mentioned, the legislation also includes report language to stop the process of updating the school nutrition standards. It is essential for our students to have the nutrition they need to be productive and successful at school. In the Sacramento City Unified School District, approximately 67 percent of students are eligible for free and reduced lunches. Without an investment in proper nutrition, these students will not only fall behind in their studies, they can also face serious health issues.

□ 1640

Unfortunately, the legislation before us proposes some of the hardest cuts to endure. I urge my colleagues to oppose this legislation.

I yield back the balance of my time.

Mrs. LUMMIS. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, the speakers have chosen to cut \$562 million out of WIC, which would have carried forward into this year, and this year would have carried forward into next year. That's because the WIC Program has a 2-year carryover. So, when the previous speakers voted to cut WIC by \$562 million, they truly were cutting money that could have been available now.

The reason they chose to cut that is they found a higher priority expenditure than WIC, and when they made that choice, they took that money out of the program, money which could have been available now. They did that based on real numbers of WIC participation, not on estimates. They did it on real numbers, and the real numbers showed that WIC participation was in decline.

We are now looking at about 8.3 million per month in WIC participation with about 9 million per month fundable via contingency. We are looking at funding WIC at 87 percent of what it has been. We're not looking at decimating it. We're not looking, like some people have said on the other

side, at levels that will cause children to go hungry or to starve, as one of the people said on the other side of the aisle. We're funding it at 87 percent of the level it has been. In addition, there are State food programs. There are county food programs. There are city food programs. There are religious organization food programs. There is the Salvation Army—501(c)(3)-type programs—neighborhood programs, Meals on Wheels programs, food banks; and there are goodhearted, wonderful Americans who help their neighbors in need.

This is an adequate budget in tough economic times. In addition, as I said earlier, we are funding a net increase in food programs because we are increasing the amount of money that will go to food stamps and school lunches.

Mr. MCGOVERN. Will the gentlelady yield?

Mrs. LUMMIS. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I thank the gentlelady for yielding.

I guess my question to the gentlelady is: Does she believe we do not have a hunger or a food and security problem in this country and that everything is being taken care of?

My other question is: Why are Brazilian cotton farmers more important than poor pregnant women and their children?—because that's another choice we're making here.

Mrs. LUMMIS. In reclaiming my time, I do not believe that cotton farmers in either the United States or Brazil are more important than WIC Program participants.

Mr. MCGOVERN. Do you believe we have a hunger problem?

Mrs. LUMMIS. Mr. Chairman, our committee is only able to look at discretionary spending. We cannot look at mandatory spending, and we cannot look at programs that are subject to the 5-year farm bill, such as subsidies for farmers. I think subsidies for farmers can go by the wayside, and I hope that when the Ag Committee meets to restructure the 5-year farm bill that they will do away with farmer subsidies.

I think it is ridiculous that we are paying cotton growers subsidies in this country that violate the World Trade Organization to an extent that we then have to subsidize Brazilian cotton growers in order to rectify our violation of the WTO. That's one of the most ridiculous things I've ever heard. I wish we could have addressed that in this bill.

I wish we could have addressed the categorical eligibility that is available. Once you qualify for one type of Federal program, you're eligible for all of them whether you need them or not. I wish we could address how much money people get on earned income tax credits. I wish we could make sure that

100 percent of the people in this country paid a little bit of tax and that the rich people paid a lot more.

None of that is true, and none of that is within the purview of the Appropriations Committee with regard to discretionary spending.

Mr. Chairman, I yield back the balance of my time.

Ms. WOOLSEY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. I rise in opposition to the underlying bill. Mr. Chairman, it is often said that a society can be judged by how it treats its young, its elderly and the less fortunate. Today is a perfect example of that.

Instead of feeding the women, infants and children, it appears that the Republicans in Congress are slashing the Ag budget to make room for more tax breaks for the wealthy. Let's have a look at how these priorities balance out. If we got rid of tax breaks for millionaires and billionaires for one measly week, we would pay for the entire WIC Program for a year—a full year. So let's get this straight.

During these times when there is a job shortage, when a person has a job but wages are lower than they should be, when the cost of food is very high and when we have low taxes on the rich, pregnant women will go hungry and their babies will be born underweight so that someone can afford another beach vacation. Kids will go without breakfast so that someone can buy a second home.

First, the Republicans in Congress passed the Ryan budget act to dismantle Medicare for our seniors and for our disabled. Now they want to take food from the mouths of needy children and women. Honestly, Mr. Chairman, I don't know how they sleep at night.

This shouldn't be a partisan issue. There are WIC recipients in every single congressional district in this country—red States, blue States. Hunger doesn't see political affiliation. This is not some abstract political theory. There are real women and children in every single congressional district who will have to forgo meals. How many of us have ever given up a meal so that a child could eat or have explained to a 3-year-old why there won't be lunch today or have soothed a crying baby who won't get formula?

We should end this shameful spending of \$10 billion a month in Afghanistan. We should bring our troops home. We should stop the war tax. We should tax millionaires and billionaires. We should create jobs. We should vote against this bill. Let's show America's working families that we stand with them and that we will be there for them during times of need.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I know this is a very, very tough state of affairs and time frame that we are in. I also know this is a time when America calls upon all of us to stand not for our individual selfish interests but to look at the country as a united team that believes in lifting the boats of all people.

I want to thank my friends who have struggled on this committee to deal with the bare necessities of life, of food. That is why I come today, unfortunately, to oppose this legislation, because it does not take into account that without sustenance and nutrition that people die.

□ 1650

It is plain and simple. We are not talking about knickknacks or trains, buses, highways, bridges, all very important and job creators, and in fact efforts that the Democrats have made very clear that they are the job creating caucus for the press and push that we have made or are making in America. We have asked our colleagues to join us. But today we talk about feeding people.

I rose earlier today to say that it is in the DNA of the 18th Congressional District, because one of my predecessors, Mickey Leland, actually died delivering food to starving people around the world. He thought so much of hunger in America that he organized the Select Committee on Hunger, joined by Tony Hall and Congressman Emerson; and his legacy was that we cannot do without substance.

So it makes no sense to cut \$3 billion from WIC; a WIC program that indicates that WIC moms are more likely to have initiated breast feeding than low-income non-WIC moms. Middle- to high-income moms are more likely to have initiated breast feeding than both WIC and low-income non-WIC. One in five children do not drink water easily. WIC children were more likely to drink juice daily than children not on WIC. Ninety-three percent of children drink milk daily. About one-quarter of all children had drunk seven or more sugar-sweetened beverages in the previous week. These are without the ability to have nutritious meals. This is in my own State of Texas, which indicates that food does not matter in terms of how wealthy a State may be.

So I can't imagine why, as my colleagues have said, we can't find \$3 billion from the \$10 billion a month that is being spent in Afghanistan and the moneys that have been stolen in Iraq, where we don't even know where it is. It is all about priorities.

So I rise today to express great consternation over the cut in WIC and to indicate that WIC is about growing, it is about providing nutrition so that children can think, so that they can be

able to be strong leaders. It is to grow children healthy, it is to stop disease, it is to provide the kind of immune system that thwarts disease.

In a State like Texas, the 18th Congressional District which I represent has a strong work ethic. I am so proud of them. But they also have a rate of poverty that is frightening. Food insecurity in my district ranks number 32 in the Nation. That means that there are only 31 districts ahead that have that degree of food insecurity. And yet I am going to have to go home and tell them that the priorities of this Congress were something other than feeding children and providing mothers, prenatal and prenatal condition and after birth, the kind of resources to provide for a healthy child.

That means my pre-K little babies will be going to school hungry. That means they will come home to a non-dinner. And that means that we as a country have failed in our natural value that we all are created equal with certain inalienable rights of life and liberty and the pursuit of happiness.

It is shocking to be able to stand here today and know they are cutting Medicare and Medicaid, and now they add insult to injury that they are cutting food stamps and the WIC program. So I guess our soldiers, who themselves, young soldiers, young families on food stamps, will suffer as well.

But the WIC program, that has gotten blamed for everything but what is right, and that is the Women, Infants and Children program provides nutrition for healthy children, and to stand here today to have to look Americans in the face and those in the 18th Congressional District who are 32nd in food insecurity and say that we do not have the money.

Mr. Chairman, I am asking my colleagues to go back to the drawing board. Don't put this bill on the floor. Take it off, because you are now handing to the children of this Nation a ticket that says no food at the end, no food at this table, no food.

Mr. CICILLINE. I move to strike the last word.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. I rise in opposition to the underlying bill.

Mr. Chair, I rise today in defense of 76,000 residents of the First Congressional District of Rhode Island, which I have the privilege of representing who, according to the advocacy group Feeding America, are at risk of losing their ability to feed themselves and their families. That is because this week the majority party in the House is ready to vote on a measure that will undermine the safety net in this country designed for our Nation's women, infants and children.

Mr. Chairman, we all know that one of the greatest challenges before us is

reducing our deficit, but we have to do it in a way that is consistent with our values, consistent with the values of our great country. And this week we will be voting on a measure that fails those values miserably.

If the majority party has their way and denies necessary funding to a critical safety net for some of our Nation's most vulnerable citizens, nearly 1,000 women, infants and children in Rhode Island's First District will be denied the assistance they need to survive.

WIC represents the most basic obligation we have to our fellow citizens most in need—food and nutrition. On top of that, it is an incredibly cost-effective program, serving nearly 10 million Americans each year and costing less than \$100 per person. In my district, more than 18 percent of the residents suffer from food insecurity and depend on WIC to make ends meet.

At a time when the middle class in our country is being crushed with high unemployment and still reeling from a housing crisis that has left countless families in foreclosure, we are seeing more and more people in need of assistance just to get by. And it is not just affecting people without jobs. It is folks who have a job as well, but they have had their wages cut or they have had their wages diminished or their hours cut.

This is not the time to allow people to lose the lifelines they need to survive. We have helped the auto industry. We have helped big banks. It is time to sustain support for families that are most in need and have been most devastated by this difficult economy.

Yet we see again this week another attack by the Republican majority in the House on working families while they continue to fight to protect subsidies for Big Oil and to protect tax breaks for the outsourcing of jobs overseas. First they come after seniors by trying to end Medicare, and now they are coming after women, children, and infants who rely on food assistance.

We should not be destroying programs upon which citizens rely for their most basic needs in order to fund tax breaks for millionaires and billionaires or big subsidies for the big oil companies. If we got rid of tax breaks for millionaires and billionaires for one week, we could pay for the entire WIC program for an entire year.

I urge my colleagues to reject this proposal, to ensure instead that families most in need who have been hardest hit by this recession have access to food and nourishment. We have the ability to provide nourishment to families, and that is a cornerstone of a free and decent society. We cannot abandon this great responsibility.

I yield to the gentlelady from Wisconsin.

Ms. MOORE. Thank you so much for yielding.

I just wanted a few seconds to clarify something I have heard over and over

again. We continue to say that first they have come after the seniors with Medicare and Medicaid and now they are coming after the children. No. We ended the entitlement to AFDC back in the nineties, and WIC is not an entitlement like the SNAP program, the food stamp program. It is not an entitlement like school lunch programs.

So what this bill does is it double-downs on not providing food to infants and children. No, we have already cut the entitlement and snatched the safety net from underneath kids. This double-downs on that. We have torn the safety net for children, and now we are pulling it through the shredder for the second time.

As a person who has personally had sugar sandwiches, mayonnaise sandwiches and mustard sandwiches, I can tell you that funding this program at only 87 percent of its value will mean we will see a lot more malnourishment in our communities.

Mr. CICILLINE. I yield back the balance of my time.

Mr. BARTLETT. I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. BARTLETT. Mr. Chairman, I wanted to spend just a few moments putting our discussions in context. This year, the deficit will be perhaps as much as \$1.6 trillion.

□ 1700

Now, our total discretionary spending—that's the money that we vote here to spend, and spend nearly a year doing it—is a little over a trillion dollars. A bit more than half of that is the Defense budget. What that means is if we didn't have any government that we vote to spend money for here, if we had no Defense, we had no Homeland Security, if we had no EPA, if we had no NIH, if we had no WIC program, if we had none of the myriad Departments of government that serve us every day, we'd still have a half-trillion-dollar deficit. I'm not sure that the reality of this has gotten through to our Congress or the American people.

Another way of looking at this is that we have revenues of about \$2.2 trillion a year, but our mandatory spending—that's interest on the debt and our means-tested welfare programs and Medicaid and Medicare and Social Security—are several hundred billion dollars more than that. What that means is that one second after midnight on January 1, we're already in debt that year several hundred billion dollars, and we haven't even started to pay for the defense of our country, for Homeland Security, for NIH, for the WIC program, or for any of these many, many programs that our government supports.

There is no way with the meager cuts that we're making in these budgets

that we're voting on that we're ever going to get to anything near a balance.

Mr. CONYERS. Will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Michigan.

Mr. CONYERS. Thank you very much, sir. We're good friends.

What you're telling me, I presume, is that you approve a \$650 million cut from the Women, Infant, and Children's fund. Is that correct?

Mr. BARTLETT. I was just trying to put in context our discussion here and what it means.

Reclaiming my time, we have a \$1.6 trillion deficit. We're coming close to that this year. The Ryan budget was kind of an expression of his roadmap. And in the last Congress only eight of us had the courage to sign on to his roadmap, because it was pretty tough. This year, when he filed that roadmap again, I think 13 of us signed on. And then we had the Ryan budget, which is even tougher, I think, than his roadmap, but what else was there to vote for, and almost nobody read it, so we voted for it anyhow.

The Ryan budget doesn't balance for 25 years. It doesn't balance for 25 years. That means with that budget, with all of its austerity, for 25 years we still are accumulating more and more and more debt. Every six hours we have another billion-dollar deficit, which means another billion-dollar debt. About every 12 hours we have another billion-dollar trade deficit.

Mr. Chairman, I just wanted to put our discussions in context. I have 10 kids and 17 grandkids and two great-grandkids. I sure would like to leave them a country better than the country as I find it. And it's going to be really tough to do that. What I want for us to do as Republicans and Democrats, conservatives and liberals, is to sit down and talk through this. How are we going to solve this problem? Grandstanding and making these political points is not going to get us there.

Mr. Chairman, we have got to do something serious. I don't see the Congress doing that.

I yield back the balance of my time.

Mr. HOYER. I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HOYER. I thank you, Mr. Chairman.

I thank Mr. BARTLETT from Maryland for making the case. I tell my friends that when they say women and children first, it means to save them, not to throw them overboard. Women and children first means that they are the most vulnerable and need to be lifted up, need to be protected, need to be given the hand up, not the handout.

Ladies and gentlemen of this House, I rise in opposition to this bill. I thank

my friend from Maryland, for whom I have great respect. I think in fact he did put this in context. We will not balance the budget on the backs of children. We will not balance this budget on the backs of women who need nutrition and health care. That's not how we're going to balance the budget. And the gentleman from Maryland made that point I think very effectively.

If we cut out all defense and discretionary spending, we wouldn't balance our budget. That's the magnitude of the problem that faces us. But a great country, America, should not ask our children who need nutritional programs, who need health programs, to pay the price—to pay the price of our responsibility because we have failed to pay for what we buy.

But let us not repair to our little children and their mothers to pay the bill that we refuse to pay while at the same time we pass a rule the first day in this House that provides for \$5 trillion in tax cuts for the wealthiest in America, including me. I don't want a tax cut if it means that a child goes hungry in America, the richest Nation on the face of the Earth. That is not my priority. That is not my morality. That is not my faith. Lift up the little children.

Surely, America is not a country that wants to see its children go hungry or its pregnant women go without services they need for healthy babies. Surely, America is a generous enough country to feed those who need food. My faith tells me to feed the hungry, house the homeless, clothe those who have no clothes.

I rise in opposition to this bill and I rise in strong opposition to attempts to dramatically cut the food programs that serve some of our most vulnerable constituents. Erskine Bowles, a Democrat, and Alan Simpson, a Republican and former member of the United States Senate, just issued a report. In that report it lays forth a number of premises on which that report is based. And one of its first premises is: do not hurt the vulnerable in America. Because, as my friend from Maryland points out, that won't get you to where we need to get. And we need to get there. I'm going to work with my friend from Maryland, a Republican, and all Republicans who know that we need to get to balanced budgets to reduce debt, and my friends on my side of the aisle.

This appropriations bill would sharply reduce funding for the vital nutrition programs for women, infants, and children. Surely, Americans did not send us a message to go to Washington and undermine women, infants, and children. At a time when we are still recovering from the worst economic crisis in a generation, where unemployment is unacceptably high, where people have lost their homes, where too many people are in great distress, surely

ly this is not a time to say, We turn our back on you.

This bill is pushing to cut \$37 million in support for hungry, low-income seniors, not just women, infants, and children. This bill cuts seniors as well. Surely, our people did not send us to this Congress to cut seniors. Also, \$11 million in support for our community food banks. By the way, if you visited your food bank, you know that there is more demand on our food banks than there has ever been.

Ladies and gentlemen, reject this bill. Stand up for the values of America and of our people.

I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. I would like to follow on to our great whip's very moving statement and ask our good friend ROSCOE BARTLETT, a distinguished Member from Maryland, whether or not he would pass a bill that would cut funding in the amount of \$650 million for women, infant, and children out of the Department of Agriculture's program.

□ 1710

So in the four decades that I have served and have been honored to serve in this Congress, I believe that we will have reached an all-time low today if we pass a bill that will cut funding for the Department of Agriculture's Women, Infants, and Children program.

Ladies and gentlemen, my brothers and sisters, how can anybody in Congress with a conscience seriously consider passing a bill, or even proposing one, that would result in more hunger for hundreds of thousands of the poorest and neediest low-income children across this Nation who are already suffering from hunger and malnutrition?

I fail to understand the logic of any elected official who serves in Congress who would actually support a \$650 million cut from the Women, Infants, and Children program during one of the worst economic downturns since the Great Depression without feeling some kind of moral or ethical guilt for doing so.

The Women, Infants, and Children program serves nearly 10 million people each year and costs less than \$100 per person. What could be more important than supporting a Federal program that provides nutritious food to new mothers, babies, and children under 5 who have been identified as nutritionally at risk?

Cutting the Women, Infants, and Children program for poor children and mothers is clearly an abandonment of our family values. Promoting policies that we know will result in scores of children feeling the painful sting of hunger, not being able to focus in school or not being able to do their

homework, is far from what I would consider having good family values. It is simply un-American, immoral, heartless, and unconscionable to take food away from the mouths of hungry children in the name of deficit reduction. Ladies and gentlemen, have we no shame?

The majority of Americans do not support slashing vital food and nutrition programs for our Nation's poorest children. Let's get rid of the tax breaks for billionaires so all children in this country can live the American dream and not go to bed hungry at night.

Mr. Chairman, I yield back the balance of my time.

Ms. SCHAKOWSKY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. I rise today in strong opposition to H.R. 2112, the Agriculture appropriations bill. And like so many before me, I'm particularly opposed to cuts in funding to provide food and nutrition to American families, to pregnant women and infants and children and seniors and families struggling in this country to put food on the table at a time of rising unemployment and poverty.

I have to tell you I am at a loss to understand why my Republican colleagues are so insistent in providing even more tax breaks to millionaires and billionaires that they are willing to take food from children. In the Republican world view, apparently, tax cuts to the very wealthy and subsidies to big oil companies and companies that send jobs overseas are a bigger priority than Medicare and Medicaid and education. And, again, in this bill they even take food out of the mouths of hungry children to give those tax breaks.

Understand what this bill does. The Commodity Supplemental Food Program, which provides low-income seniors with emergency food and nutrition education, is cut by more than 20 percent, or \$40 million. In this bill the Republicans will take food out of the mouths of hungry, poor, old people.

The SNAP reserve fund will get \$2 billion less. SNAP, formerly called food stamps, provides critical nutrition support to low-income families, and the reserve helps meet the demands created by unexpected participation in higher-than-projected food costs, food costs everybody knows are going way up. And with high unemployment and food prices rising, the reserve fund is more likely to be tapped than ever before, and depleting reserve funds will increase the likelihood of a food crisis in the United States of America.

Let me tell you what these cuts mean to people in Illinois. Lorraine Dzieginski is 82 years old and started receiving Social Security benefits at age 65. Her monthly benefit is \$695 a

month. But this amount doesn't even cover her property taxes, her home insurance, her supplemental health insurance and utilities. That amounts to well over \$700. She relies partially on the SNAP, or food stamp program, to feed herself. Her monthly benefit is \$16, the minimum SNAP allotment. Republican cuts likely mean that other seniors like Ms. Dzieginski will be turned away from SNAP if they find themselves in that circumstance next year. Our seniors deserve better.

Mr. KINGSTON. Will the gentlewoman yield?

Ms. SCHAKOWSKY. I yield to the gentleman from Georgia.

Mr. KINGSTON. I want to remind you SNAP actually goes up \$5.6 billion on this, and you're not talking about it, but school lunch also goes up \$1½ million. So I did want to say that the SNAP portion of this bill does go up \$5.6 billion.

I thank the gentlewoman for yielding.

Ms. SCHAKOWSKY. Thank you very much. It's still \$2 billion lower than the President's request.

We want to make sure the money is there at a time of high unemployment, of disappearing 401(k)s and savings. And the Emergency Food Assistance Program is cut by more than 20 percent, or \$60 million. And TEFAP provides commodities to food banks to assist in relief efforts. And with unemployment still high, and I know this in my district, many people who used to contribute to food banks are now waiting in line to get the food to keep food on their tables. And with diminished Federal support, they may show up only to find empty shelves.

And then we get to the WIC program. I'm a mother and a grandmother, and for the first time in American history, we will turn away eligible mothers and children from the program, an effective program. With it, infants and children can get a healthy start in life, and without it they can suffer from lifelong health problems. For every dollar spent, WIC provides health care savings of as much as \$3—\$3 for every \$1 spent.

So we talk a lot about children, we've talked a lot about seniors in this House, but let's be clear. The choice before us is not whether we have to deny children food in order to reduce the deficit. The choice is whether we will make millionaires and billionaires pay their fair share so that low-income mothers, infants, and children will be fed.

The choice is clear. Vote "no" on this legislation.

□ 1720

Ms. CLARKE of New York. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. CLARKE of New York. I rise today in opposition to the underlying

bill, H.R. 2112, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2012, and the cuts to the WIC program.

We want to talk about right to life. WIC is a right to life. It's an essential program that offers nutrition, education, breast feeding support, referrals, and a variety of nutritious foods to low-income pregnant, breast feeding and postpartum women, infants, and children up to the age of 5. The program is administered through county health departments, hospitals, mobile clinics, community centers, schools, public housing sites, migrant health centers and camps, and Indian health service facilities.

In New York State, the WIC program provides services to nearly one-half million low-income women, infants, and children through 103 local WIC agencies statewide. Local agencies such as Brooklyn's Healthy Start have provided WIC services to low-income women in my district for more than 20 years. It is the work of the Brooklyn Healthy Start and other WIC programs who are on the front lines that are fighting against this country's already shamefully high infant mortality rate. Decreasing funding to WIC programs will undoubtedly increase my district's infant mortality rate and infant mortality rates across this Nation.

Given the spike in demand for WIC and other nutrition programs like SNAP and food stamps, school meals, summer, after-school, and child care food programs, it is unconscionable that the Republican-led Congress is seeking to cut these critical programs that help seniors, children, and low-income people who aspire to be part of our Nation's middle class.

First, Republicans went after our Nation's seniors who rely on Medicare, and now they're going after the children and mothers who rely on our social compact for food assistance. If we got rid of tax breaks for multimillionaires and billionaires for just 1 week, we would pay for the entire WIC program for a year.

It is my belief that cuts to the WIC program are based on an ideological political rationale that defies human understanding and not an honest desire to cut deficits. This Agriculture appropriations bill continues to protect tax cuts for multimillionaires while having poor women and children stuck to pay the dear price.

WIC has been shown to improve the health of pregnant women, new mothers, and infants and children. The food provided through WIC is a good source of essential nutrients that are often missing from the diets of women and young children. WIC participants have longer, healthier pregnancies and fewer premature births.

We all understand the need to reduce the deficit, but we must do so in a way

that is consistent with our shared values. It is a moral imperative that we look after those who are forgotten, marginalized in our society. In the words of a prolific, poetic philosopher, Kanye West, "How could you be so heartless?" Republicans shouldn't destroy programs upon which citizens depend on the most in exchange to pay for \$45 billion in tax breaks for multimillionaires. Shame.

I urge my colleagues to vote against this bill and protect low-income women, infants, and children.

I yield back the balance of my time.

Mr. ELLISON. I move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Mr. Chairman, we're told that we're broke, we're broke, and because we're broke, we can't possibly pay for things like women, infants, and children. We can't have a jobs bill. We can't build our Nation's infrastructure. We can't, we can't, we can't. We have to cut because, according to some, we're broke.

But when we think about how the bounty of this Nation is spread, we're not so broke that we can't give subsidies to oil companies. We're not so broke that we can't ask the richest Americans to do a little more. We're not so broke that we don't call upon people whom America has benefited and allowed them to become millionaires and say, You know what? Now your Nation needs you. We're told, No, those people don't have to sacrifice, but we're broke.

So women and infants and children and seniors, they have to sacrifice. They have to go without. They have to tighten their belts. It's a shame.

We're not asked to be one America, to bear the burden together. If there's a burden to be borne, surely oil companies can bear it with the American people. If there's a burden to be borne, surely the wealthiest among us can pitch in and help out. But not according to the Republican majority. According to them, we're broke, and the poor must suffer. The aged must do without. Those in need have to figure out how to make it one more day because we're broke, and we have to take food out of the mouths of infants and pregnant mothers. And because we're broke, we need to increase the risk of food-borne illness. And because we're broke, we cannot afford to pay cops on the beat who are going to regulate the speculators on Wall Street who drive up the price of gasoline and food. We can't pay for these important public servants because they say we're broke. But we're not too broke to ask our oil companies to help. We're not too broke to ask the top 2 percent to pitch in.

The day must come, Mr. Chair, when the poor are not thought to have too much and the rich are not thought to

have too little. The day must come when we have to be one America and come together to deal with the burdens of this Nation and not leave the wealthiest and the most privileged scott free while the other people have to bear the burden of "we're broke."

I yield back the balance of my time.

Mr. KUCINICH. I move to strike the last word.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH. Mr. Chairman, my colleagues, what we really have here is a discussion not so much as to which party has moral superiority here, but it's really a deeper question about what's the purpose of our Nation and whether we are aligned with the Founding Fathers' spiritual principles, because while the Founders separated church and State, they did not intend our Nation to be separated from spiritual principles.

And I think that at this moment, if we really want to sincerely appreciate the dilemma that we have created with these cuts, we need to reflect on some of our own spiritual training for those of us who are Christian, when, in John 21:15, Jesus was dining with his apostles. And so when they dined, Jesus said to Simon Peter, Simon, son of Jonas, lovest thou me more than these?

He said unto him, Yea, Lord, thou knowest that I love thee.

And the Lord said to him, Feed my lambs.

He said to him again, the second time, Simon, son of Jonas, lovest thou me?

He said unto him, Yea, Lord, thou knowest that I love thee.

And the Lord answered, Feed my sheep.

He said unto him the third time, Simon, son of Jonas, lovest thou me?

Peter was grieved because he said unto him the third time, Lovest thou me? And he said unto him, Lord, thou knowest all things. Thou knowest that I love thee.

Jesus said unto him, Feed my sheep.

There are spiritual principles at stake here. We know what the right thing is to do. We know that feeding the hungry is a corporal work of mercy. We know that we have a responsibility to do this. We know that when the Bible says, Whatever you do for the least of my brothers and sisters, you do for me, in Matthew 25, that we're actually referring to how spiritual is the act of feeding the poor.

□ 1730

This decision that we make with respect to whether or not we are going to fully fund the Women, Infants, and Children program does have profound spiritual consequences. We cannot escape them. "For when I was hungry, you gave me food," remember that. When I was hungry, you gave me food.

You didn't give me war. You didn't give me a tax break. You didn't give me an oil depletion allowance. When I was hungry, you gave me food. Who among you, the Bible asks, if his son asks for bread, would give him a stone? These are spiritual principles we're talking about here. This really goes to the core of who we are as a Nation, whether we recognize people who are out there are suffering. People may not have a roof over their head. Mothers may be living in a car, having to tend to their children.

America today is not the country it was at its founding, but it can be a Nation that aspires to great things again. But it cannot do it if we forget the poor, if we forget the children, if we forget their mothers, if we tell them that, No, you cannot have the resources you need to be able to provide proper nutrition to your child so that he or she can grow up in this United States of America to be a full participant in the affairs of this Nation.

This is a defining moment for who we are as a Nation. This isn't about whether we're Democrats or Republicans. This is about whether we are prepared to realign ourselves with the deeper truths of the spiritual mission of the United States of America. Feed the hungry. Feed my sheep. When I was hungry, you gave me food. Restore these cuts.

Mr. YOUNG of Indiana. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Indiana. I yield to my honorable colleague from Georgia.

Mr. KINGSTON. I thank the gentleman from Indiana for yielding. I want to make a couple of points.

Number one, this bill increases food stamps by \$5.6 billion. Now, somebody has said, But that's not as much as the President requested. Well, it is an increase of \$5.6 billion. And I'm sorry, the President's crystal ball isn't always the best one. I don't need to remind you about last summer's celebration of recovery or whatever it was called. School nutrition goes up \$1.5 billion under this bill.

We did what has been done in the past with WIC. We fund the participation level that is anticipated. Last year, the Democrats voted to cut WIC funding by \$562 million. I have got the votes right here for any Democrat who is not sure how he or she voted. I want to give you the vote. I will put it in the RECORD so everybody can have a chance to look at it because after a while, I have to wonder. I also have the vote record for extending the Bush tax cuts, which was signed by President Obama. I have the vote record for that. I want to say to some of my friends over there, I voted "no" on that. Very important.

This bill funds WIC at 8.3 million participants. Now, if it goes up to over 9

million, the contingency fund is there to cover that. The contingency fund for WIC alone is \$350 million. It would have been higher, Mr. Chairman, but the Democrats voted to cut it \$562 million last year for an unrelated account. Now, to quote one of the well-known Democrats, That's an inconvenient truth to some of the speakers here tonight. But it is very important.

It is not the intention of this bill to let anybody go hungry. And any time the Bible is quoted on the floor of the House, I think it's a good thing. But I think there are some lessons in there that if there is a target on children's backs, perhaps it's the fact that our Nation is over \$14 trillion in debt; and for every dollar we spend, 40 cents is borrowed, much of that from China. And who do you think is going to pay that back? It's not going to be the generations who are making the decisions. It's going to be the children.

So what our challenge is, Mr. Chairman, is to balance the fiscal need with the heart, and I believe that this budget very carefully does that. It increases food stamps \$5.6 billion. It increases school lunches \$1.5 billion. It funds WIC at a level of 8.3 million and has a contingency that will cover over 9 million participants. So for all the drama that we're hearing—and it is some very good rhetoric and some very good drama, but it's not accurate.

Now we could be talking about the WIC overhead, the WIC administrative costs. We could be talking about the fraud in WIC. We could be talking about the coordination of feeding benefits. If a child is 3 years old in America, he or she is eligible for 12 different programs. At 10 years old, they're eligible for nine programs. At 65, they're eligible for five different feeding programs. Those are Federal programs. It does not mention any of the State or the local participation in programs that are out there. It doesn't mention any of the charitable organizations that are out there.

So, again, we're hearing lots of great rhetoric, lots of drama; but it's not accurate. These numbers are important for reasonable debate for people who are trying to balance the runaway spending in this country—a 56 percent increase in the national debt under President Obama—and the need to take care of the poor.

I want to say to my friend from Ohio (Mr. KUCINICH), because I know he has been very consistent—and I do certainly agree that everybody here has passion and conviction and idealism, which I think we all need more of—I voted with you, Mr. KUCINICH, last week. I think we are spending a lot of money in Libya. And those are things that are very important for us to be debating on the floor of the House before the President of the United States—of either party—goes and obligates billions of dollars in a new overseas con-

tingency operation. We need to be discussing that. So I would say, put that on the table.

Mr. McDERMOTT. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. McDERMOTT. I rise in opposition to this bill in part because the truth of the matter is that the \$562 million that was cut in WIC funds last year did not affect participants. The reason it didn't affect participants was that the WIC foods cost less and there were fewer participants in fiscal year 2010. So the funds were not needed.

Now, today it's Flag Day, and we're celebrating Flag Day, and I want to celebrate that great liberal of the United States of America, Richard M. Nixon. Richard M. Nixon put this program in. Now, we all know he was a bleeding heart liberal. Right? He just couldn't wait to give money to poor folks. And he also, by the way, put out here a universal health care plan.

So there is some question you might ask yourself about why we have WIC. Well, the social safety net is like a spider web, and there are a whole lot of places that you have to help people. We have Social Security, and we have unemployment insurance, and we've got foster kid money, and we've got things for women and children.

Now, the Republicans in this session have deliberately set out to go after women and children. The first place was Planned Parenthood. We don't want to give any young women any information about anything having to do with getting pregnant. Now more kids get pregnant. They're 16 years old. They have a kid, and they don't have any counseling, and nobody talks to them about nutrition and gives them the things that they need.

What is the result of that? The result of that is more low birth weight babies, more babies born with poor development because they didn't have the nutrition during the cycle of development. Do you know how much is the average amount spent on a woman in the WIC program? It's \$100 to deal with the problems of infants and children, on average.

□ 1740

Now, I happen to know, being a physician, that if you get a premature baby who comes in at 2.5 pounds, and everybody's so excited that we can save these kids, but let me tell you, it costs money. If you can deal with a premature baby at the hospital for under a quarter of a million dollars, you have a real miracle, and you could have prevented it for 100 bucks. You could have saved—if you're really about deficit reduction, I know you don't care about human beings particularly, but you do care about saving money. If you're going to save money, then you're going

to put it into the children at the beginning.

Now, there's other reasons for that. If they don't get good nutrition at the beginning and they don't get good brain development and they don't do well in school, they drop out; right? And then we don't have a workforce in this country to do what needs to be done in this country. So we get immigrants to come in and do things. People don't want immigrants, then feed the children that you insisted that women have in this country.

You don't want anybody to have any planning on birth, and then the kid comes and you won't feed him, you won't take care of him, and you're going to pay the price.

I remember, there used to be a television commercial when I was a kid. It was called the FRAM commercial. It was an air filter on your automobile. And the commercial was, Pay me now or pay me later. Change the filter or you're going to pay having the engine redone.

That's why we have all these kids dropping out of school, because we don't take—that's why it's fascinating.

The children's feeding program in schools was from Harry Truman. Why did he do that? Well, they looked at the records of the Second World War and they rejected so many draftees because they didn't have good bones. They were malnourished. They were maldeveloped and they weren't fit to be soldiers. They put that school lunch program in so that they could make strong kids so we could have a strong army.

This business about saving 100 bucks on a woman who has a child and doesn't know—she's 16 years old, she's 17 years old, she's 18 years old.

This is the most shortsighted bill I've ever seen. Vote "no."

Mr. SCOTT of Virginia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the underlying bill and in strong support of the Women, Infants, and Children program that provides food to new mothers, babies, and children under 5 who have been identified as nutritionally at risk.

WIC ensures that infants and children grow in a healthy manner. The program reduces levels of anemia, increases immunization rates, improves access to regular health care and Social Services, and it improves diets.

Nearly 50 percent of babies born in this country each year benefit from the WIC program, and the success of the program is clear. Numerous studies have shown that pregnant women who participate in WIC have fewer premature births, fewer low and very low birth weight babies, experience fewer fetal and infant deaths, seek prenatal care earlier in their pregnancy, and consume more key nutrients during

their pregnancy. Simply put, WIC infants are in better health than eligible infants not participating in WIC.

But the benefits of WIC participation extend beyond the short term. A baby's physical, cognitive, and emotional growth and development depend largely on how much and what types of foods are eaten during pregnancy and the first years after birth, especially the first year after birth. This period is critical because more than half of a child's brain growth is completed by the child's first birthday, and malnutrition during this period can cause irreversible diminution in brain development. And so 4- and 5-year-olds whose mothers participated in WIC during pregnancy have better vocabulary scores than children whose mothers did not receive WIC benefits. This leads to better academic achievement, lower dropout rates, and other factors that we're trying to work on.

Furthermore, Mr. Chairman, if we want our Nation's children to be the strongest and smartest they can be, we need to make sure that our children are receiving the nutritional support they need during these formative years.

Finally, WIC is cost effective. Serving nearly 10 million people each year, it costs less than \$100 a person. And that cost is so low that if we suspended the Bush tax cuts for millionaires and billionaires for only 1 week, we could pay for the entire WIC program for a full year. And we save a substantial amount of that little cost by reducing health care costs.

Medical costs for a premature baby are much greater than those for a healthy newborn. For a baby born without complications, the average cost for first year medical costs is about \$4,500, compared to a premature or low birth weight baby which will cost about \$50,000 in short-term medical costs and significantly more in long-term costs resulting from high incidence of mental retardation and learning disabilities.

And so, Mr. Chairman, for those interested only in the budget impact of WIC, the Department of Agriculture estimates that the health care cost savings within 60 days of a child's birth are between \$1.77 and \$3.13 for every dollar invested in the WIC program. Let me say that again. The Department of Agriculture estimates that the health care cost savings within 60 days of a child's birth are between \$1.77 and \$3.13 for every dollar invested in the program.

So, Mr. Chairman, the benefits of the WIC program are not speculative; they are clear. And I commend my colleagues that are here fighting to maintain funding for this important program, and I urge others to do the same.

I yield back the balance of my time.

Mr. TONKO. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Mr. Chair, I rise in opposition to the underlying bill.

It seems the Republicans aren't stopping at Medicare alone. Now they're cutting crucial assistance to women and to young children.

In addressing our Nation's fiscal future, we simply cannot afford to lose our values. When the going gets tough, are we a Nation that abandons our most vulnerable while giving tax breaks to millionaires and billionaires? Or are we a Nation that holds close the most basic obligations we have to our fellow citizens, food for young children, Medicare and Social Security for our seniors, and an education for our students?

We have many tough choices to make during these difficult economic times. Cutting a program that provides food assistance for families that would otherwise go without should absolutely not be one of them.

The WIC program is one of our Nation's most cost-effective and successful programs. Nearly 50 percent of babies born in the United States rely on WIC. Ten million Americans benefit from this most basic food assistance at a cost of less than \$100 per person. The drastic Republican cuts included in this legislation will leave as many as 350,000 women, infants, and children without access to necessary food assistance.

The Capital Region of upstate New York, my own community, ranks among the 100 most in need of food assistance. My constituents see the plans to cut Medicare and the plans to cut food assistance programs, and they are wondering why their health is being put on the line while some of our Nation's wealthiest individuals and corporations are let off the hook with \$45 billion worth of tax breaks.

The Republican budget simply doesn't add up, Mr. Chair. Every \$1 we invest in WIC saves up to \$3.13 in health costs per child just in the first 60 days after an infant's birth alone. Cutting this program doesn't cut spending, and it doesn't even help reduce our long-term deficit. This program brings down long-term health care costs and, most importantly, most importantly, it saves lives.

In just 1 week, millionaire tax breaks cost our country \$866 million and reach only 321,000 individuals. The WIC program, on the other hand, costs \$33 million less for an entire year of serving 9.2 million women, infants, and children in need.

It is clear from these numbers, Mr. Chair, where Republican priorities lie. We're all concerned about the Federal deficit. But the majority continues to insist upon cutting programs that work and work well for America's middle class and her families.

WIC saves the taxpayers money in future health care costs and ensures some of our most vulnerable citizens that they will have the most basic food and nutrition assistance. Recent polls show that 64 percent of Americans are concerned that this budget plan will take away needed protections for the poor and underserved.

□ 1750

We have good reason to be concerned given the plan to end Medicare and this most recent attack on the WIC program.

In these tough times, we must stand together in solidarity. This is not the time to abandon our friends and neighbors in need of a helping hand to make ends meet. From Medicare, to WIC, to education and housing assistance, we simply cannot turn our backs on our fellow Americans while we reward the wealthiest amongst us. That is not the compassionate thing to do, it is not the American thing to do, nor is it the answer to solving our debt problem. We can and we must do better.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, how many times will Republicans attempt to rob innocent Americans of their health and their wellness? First, they morally bankrupted themselves when they took a hatchet, or I should say a scythe—that's that thing that the Grim Reaper walks with—they took a scythe to Medicare in the Ryan budget, attempting to increase the health care cost to seniors, and passed it unanimously, unanimous Republican support for the Ryan "Grim Reaper" budget plan that cut Medicare. It really destroyed Medicare as we know it and replaced it with a voucher system. That's what they have passed in this House.

And now the Grim Reaper is coming again, not to cut tax cuts to the rich, not to cut tax subsidies to big oil companies. The Grim Reaper is not here to cut from wealthy individuals all of the tax breaks that they have been getting. No, the Grim Reaper is here to cut something that is fundamental to life, and that is money for food for human beings. The Grim Reaper, moving slowly, not bouncing at all, just creeping through the night with his scythe, ready to cut the WIC program.

I'm opposed to any effort to remove funding for nutrition assistance for women and children, leaving them to go hungry in the streets. During these difficult times, soup kitchens, pantry shelters, churches, nonprofits, including many in my district, they have reached their limits in terms of the assistance that they can give to those who need it.

Mr. Chairman, the budget brought to the floor today will lead to a drastic

multimillion-dollar shortfall for the WIC program, not only resulting in more individuals going hungry, but placing additional strain on many aid agencies who have already reached the end of their rope.

This week, I have spoken to pastors, rabbis, and faith-based leaders of all stripes and haven't heard a single one of them express support for reducing nutrition assistance. In fact, many of them today right now are roaming the halls of Congress speaking to anyone who cares to listen to express their opposition to this bill. They are desperate, desperate to talk about the effects of these drastic cuts.

I came down to the well of the House earlier today to speak about Republican efforts to take food out of the mouths of mothers and children across the country. Today, with the help of this bill, this Congress will accomplish something that has not been done in 14 years. Today, it looks like this Congress, as the Grim Reaper, will pass a bill that doesn't provide enough money to serve all WIC participants. Instead, we will pass a bill that forces vulnerable families to depend completely on the same food banks that have run out of food while we continue to subsidize tax breaks for millionaires, billionaires, and Big Oil. The Grim Reaper is not coming for them, doesn't want to bother them.

I can't, in good conscience, support this effort of the Grim Reapers to rob low-income Americans of basic necessities like food while giving millions to those who no longer need our assistance. In a Nation as great as the United States, we should not be promoting corporate welfare while taking food out of the mouths of hungry children.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PASCRELL. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PASCRELL. Mr. Chairman, I believe we are broke, but we're morally broke, that's how we're broke. Let's be straight here.

What's our vision for America? That's got to be the barometer. What do we want this country to be in the future? We can say we certainly don't want it to be fiscally broke, but no one comes to this well with clean hands. This is something we should be sitting down and talking about together, how can we solve America's problems.

So what's our vision? It may be a balanced budget, our vision; I could support that. It may be cutting waste and fraud; well, that sounds good, we should all be supporting that. It may be to get Americans back to work. Over 14 million are still unemployed. And the underemployed. It may be to halt the loss of our homes like we did

on the Western frontier 150 years ago when people worked together to end those foreclosures. My vision does not include hurting our most vulnerable children and seniors just to make a point. You heard the gentleman from Maryland talk earlier about how little this means in bringing down the deficit for 1 year or 10 years. We've got our priorities screwed up.

So yes, we want a balanced budget. Isn't it interesting that the last President who balanced the budget was a Democratic President? Yes, we want business investment. And isn't it interesting that in the past four decades the only President that reached over a 10 percent increase in business investment was a Democratic President? Bill Clinton; almost three times more than Ronald Reagan. Check your facts. We need a fact check here, a fact check.

The last 4 years, the number of children affected has grown from 12.4 million to 17 million. Have we no responsibility for that? In my district, 109,000 constituents suffer from food insecurity, only half of whom are eligible for Federal food aid programs. What do the other half do? Yet, here we are discussing cuts.

And I understand neither party is privy to virtue on these issues, but you cannot tell me we can't rise above if we have a vision of America that encompasses everyone, not just some and not just the few. The long-term effects of a child struggling with hunger does not add up to any real savings. If a child is hungry, he cannot learn. A child who can't learn will not succeed in school. A child without an education will have difficulty finding a job.

We know the records of those who are unemployed. And the records of how many years they are in school are greatly and essentially connected to how many years they have in school, and that tells you how many people are unemployed.

□ 1800

The children affected by these cuts that you're talking about in the Agriculture bill are our future. If they go hungry today, they will not be ready for tomorrow.

I simply disagree, with all due respect, with the other side's logic behind these cuts. It's shortsighted, and we cannot simply cut the safety net while people are still in that net—seniors, children, the working poor. It doesn't make sense. What have we become as a Nation?

We're not asking for handouts or giveaways. We are talking about people who are working, and many of them are poor. There are many of those, and it took a Republican President to recognize it. The Earned Income Tax Credit was something that your side created. So who would yet take away the incentive for people to keep working?

The cuts that you have proposed to the Food and Drug Administration in

this bill are \$572 million below the President's request. This means fewer inspectors and fewer inspections, plain and simple. Oh, I forgot. That's the idea in this age of anti-regulation. So what we do want to do is go back to 2008. Let's go back to where we were. I say no. I say we are better than that—we are better than 2008—and if we work together, we can get over that hump.

Mr. Chairman, I yield back the balance of my time.

Ms. PELOSI. I move to strike the last word.

The Acting CHAIR (Mr. THORNBERRY). The gentlewoman from California is recognized for 5 minutes.

Ms. PELOSI. Mr. Chairman, it is 6 o'clock across America, or at least in the eastern time zone. Families across America are getting ready to sit down for dinner at their kitchen tables in many homes in our country.

Moms are saying to their children, "Eat your vegetables. Eat your dinner."

But in some homes in America, there isn't adequate food on the table, and there isn't adequate nutrition for our children. It's hard to imagine that one in five kids in America may go to sleep hungry tonight with pains in their stomachs because they just didn't have enough food to eat.

In its wisdom, the United States of America established the WIC Program awhile back for women, infants and children to make sure our Nation was strong. It was to make sure we fed our children. Our country made a decision that feeding our children was a priority. It sounds so obvious. Families make decisions within their budgets that they are going to feed their children. They wouldn't think of saving money by not feeding their children. Yet, for some in low-income areas and for others now, as this is into the middle class, it is very hard to make ends meet.

So you wonder, in thinking of these people who are sitting down to dinner, how the Congress of the United States in trying to reduce the deficit, which we are all committed to do—that's important to our children as well—would decide to balance that budget on the little, tiny backs of our children, many of whom don't have enough to eat.

I want to commend Congresswoman DELAURO for her leadership as a member of the Ag Subcommittee of Appropriations and as the former chair of that subcommittee. She successfully passed an amendment in committee which had bipartisan support—it would have to have bipartisan support to pass—to restore \$147 million to the WIC Program to feed the children. I congratulate her for that. It is part of the bill that was supposed to come to the floor. The Republican leadership has decided not to protect that bipartisanly passed amendment. What we are seeing is that the cutting of

support for Women, Infants and Children is in the context of something bigger.

At the same time as we are making these cuts, we are giving tax subsidies to Big Oil. The price at the pump is also an imposition on the budgets of these families, and that is something that we can do something about by ending harmful speculation. To do that, we have to fund the Commodity Futures Trading Commission, which is in this bill as well. The Republicans are saying they want to delay, delay, delay, and defeat the enforcement of laws which would end speculation, which would reduce the price at the pump, Goldman Sachs said, by at least 20 percent. At the same time, this same Republican majority has passed a bill, not once but twice, to abolish Medicare.

Food, price at the pump, Medicare, these are assaults on the middle class that are hard to withstand. In fact, they are hard to understand. It's hard to understand why we'd say to seniors, "You're going to pay more for Medicare, and for fewer benefits as we abolish Medicare, while we give subsidies to Big Oil." We are going to say to seniors in nursing homes, "You're going to go home and live with your families, who can probably ill-afford for you to do so, so we can give tax breaks to corporations to send jobs overseas." We are going to say to children whom we are not feeding that we are cutting education funding as well as making college more expensive for nearly 10 million students in our country and, for some, making it unaffordable to go to college while we give tax breaks to the wealthiest people in our country.

So they are cutting support for Women, Infants and Children while handing a blank check to speculators. They are ending Medicare while they give subsidies to Big Oil. These choices do not reflect America's values and priorities. These are tough choices. They will not bring the growth we need to expand our economy and put people back to work as we create jobs. They will not make America strong. As moms across America are saying to children right now at 6 o'clock in the East, "eat your vegetables; they will make you strong," we are acting on this floor to do just the opposite—to cut the funding for the initiative that will help feed the children of America.

It is unthinkable that a family would say, "We can't afford to feed the children." It is unthinkable that a Nation committed to the future would say, "We can't afford to feed the children." These families need our help. It's a large amount of money, \$147 million, but very small compared to the subsidies to Big Oil and a small price to pay for the health and well-being of our children and for the strength of our country as we go into the future.

So I commend Congresswoman DELAURO for her tremendous leader-

ship—for fighting for this, for not taking "no" for an answer in the committee. I would hope that we could prevail on the floor, but the Republican majority has left little option for that to happen.

I also want to commend Congressman FARR, now the ranking member on the Ag Subcommittee. Probably nobody in the Congress knows more about this. There may be some who are his equal—I don't know—but probably no one knows more about this issue in his representing an agricultural region as he does and also being committed to the health and well-being and to the good nutrition of our children so that they can be strong, so that they can learn in school and so that they can be a part of our great country in the best possible way for them.

So I thank you, Ranking Member FARR, for your leadership as well.

With that, I yield back the balance of my time.

Mr. WOMACK. I move to strike the last word.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. WOMACK. I appreciate the leadership of our subcommittee chair, whom I will recognize and yield some time to in just a moment.

Obviously, we are spending more than we make. I don't know how many times we have to articulate the financial condition of our country: that we are borrowing over 40 cents on the dollar for everything we spend. The country is in a financial crisis, and you've got Members on this side of the aisle who are doing everything they can to bring fiscal sanity back to the table and to put America on a different path.

□ 1810

I am amused at how many times we continue to be portrayed as being insensitive to women, infants and children, to older folks, and how so many half-truths are being spoken about the things that this conference is trying to do in order to right America's financial ship.

Suffice it to say that we have much work to do, and it is our intent to do it in a way that is rational and feasible and brings this country back to fiscal order and can take away that cloud of uncertainty that continues to hover over the job creators in this country, the threat of higher taxes, the tremendous deficit and debt, the overregulation that is keeping those entrepreneurs parked on the sideline for fear of higher costs to job expansion and higher energy prices. On and on and on, the challenges facing this country are many and we have much work to do.

At this time, I would like to yield to the distinguished chairman of the subcommittee, the gentleman from Georgia.

Mr. KINGSTON. I thank the gentleman from Arkansas for yielding. I

wanted to make a couple of points that I think are very important, Mr. Chairman.

Number one, the only budget that has passed is the Ryan budget. The Democrats, for all their crying, have not passed their budget. The Democrats are the majority party in the Senate. The majority party in the Senate, the Democrat Party, rejected President Obama, another Democrat, they rejected his budget by a vote of 97-0. Now, what did HARRY REID and President Obama do after that? Nothing. That is it. It went to the House. No problem. Where is the leadership? I guess it is the same place as the jobs are. We are still looking for it.

If the Democrats were concerned about balancing fiscal responsibility and some of these vital programs which we are all trying to work through, then why aren't they working on a budget? That is point number one.

Point number two, this bill increases food stamps \$5.6 billion and the school lunch program \$1.5 billion. It also increases from the committee mark WIC \$147 million in the DeLauro amendment. It will not be offset by the Obama WTO cotton agreement, but it will be offset. That amendment is intact as respects WIC.

Number three, Big Oil. Well, when the Democrats were in charge of the House and the Senate and the White House, if they were concerned about tax cuts for Big Oil, why didn't they go after them? What they did do is extend the Bush tax cuts, which I voted against. If they were concerned about the Bush tax cuts for the wealthy, why did President Obama and the Democrat House and the Democrat Senate extend them? I would ask you that, Mr. Chairman.

What this bill does as respects WIC, it funds it at a level of 8.2 million in participation. Should it go up to 9 million in participation, which is higher than the current level, there are three contingency funds that will pick up the difference.

We have reduced WIC, as did the Democrats. The Democrats cut WIC funding \$562 million. I have the vote right here. For those Democrats who are forgetting how they voted on it, they might want to look. But they voted to cut WIC funding. Therefore, the contingency fund is not as high as it could be.

So if we want to talk about all these things, there is lots to talk about. But one thing that is very important for Members to realize is that no one is going to fall through the crack.

I keep hearing about how this is going to starve people. WIC is \$42 a month. That is why WIC isn't the only program for these people. That is very important for everyone to remember. I don't even think most Members, if you gave them a pop quiz, could say what WIC is, because it sounds like it is

thousands of dollars a month. But I don't believe \$42 is anything more than a supplement. Yet that supplement will still be there, because, again, Mr. Chairman, we have funded this with an anticipated level of 8.3 million; but should it go up to 9 million—it has been trending down—but should it go back up, the contingency funds will be there that will pick up the difference.

I thank the gentleman for his time.

Mr. WOMACK. I encourage my colleagues to support the underlying bill, and I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise because I want to respond to my chair, who I respect deeply, but I think there is sort of a misstatement of fact here.

The only budget that has ever been balanced in the last 20 years has been the budget that the Democrats did. We did an unholy thing that the other party can't accept that is going to be necessary to balance any budget, and that is we had to increase revenues. And what did we do? We closed the tax loopholes on the richest families in this country and corporations. We closed loopholes. And we made a lot of cuts, because we also dedicated revenue from those loophole closures to pay off the deficit. And, guess what? We paid it off. We paid it off ahead of schedule.

When the Clinton administration left town and the Bush administration came on, we had an \$800 billion surplus—a surplus. And what immediately did they do? They repealed the mechanism that was balancing the budget and said, no, we will give back those tax loopholes to the richest people in the country. And then we go to war. Whenever in history we have gone to war, people have paid for it. Not these wars. We just put it on the credit card.

So, Mr. KINGSTON, you know, let's be factual about the Democrats being in charge. We were able to balance the budget, something that your party hasn't done.

And just on this whole WIC thing, we all know that the administration administers the program and has to estimate how many people are going to be in need. That is the way we put together these big budgets, whether they be Medicare or WIC or other kinds of things. And last year what we found out is that the estimates were not needed, so in fact there was a surplus. But it was based on fact after the fact, not ahead of time.

This year the economy is down. We have heard many, many speakers talk about the impacts in their districts, of the number of people that are unem-

ployed and are seeking benefits like this. I think the chairman himself has indicated that almost 15 percent of the children in this country are using one or more of these programs.

So this idea that this cut can be sustained, when it is based on a guesstimate, and a guesstimate that didn't take in, one, the rising food costs, and, two, the number of people that are still unemployed, and, frankly, people that are underemployed, including members of the military and their families who depend on this WIC funding.

So I just want to put it in some kind of perspective here, that the budget has been balanced by this party and paid for and left in a surplus, and the fact that the guesstimates on these WIC cuts are going to do more to do harm than to do good.

I now yield to my colleague from Connecticut, ROSA DELAURO.

Ms. DELAURO. I would reinforce what my colleague from California has said, but there is a repetition on the other side of the aisle that somehow there are contingency funds and carryover funds which can be used if there is a shortfall. You may continue to say it. It continues to be wrong. This is, again, the Center for Budget and Policy Priorities. The estimates reflect the use of all contingency funds, as well as the use of the carryover funds from fiscal year 2011 to close funding shortfalls, and the funding level would still result in the large participation cutbacks that have been outlined.

There are no contingency funds and no carryover funds; and no matter how many times you say it, that money will not materialize.

I thank the gentleman.

Mr. FARR. I yield back the balance of my time.

Mr. MURPHY of Connecticut. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KINGSTON. Will the gentleman yield?

Mr. MURPHY of Connecticut. I yield to the gentleman from Georgia.

Mr. KINGSTON. I just wanted to make sure that my friends, the ranking member and former ranking member, know that the contingency fund data that we get did come from the USDA.

Mr. MURPHY of Connecticut. Mr. Chairman, I want to tell you about a young woman, a young woman named Sarah. She actually lives in a shoreline community in Connecticut in Representative DELAURO's district. She has got four kids. She was playing by the rules, did everything that we asked. She had a good job in purchasing, and last year she got laid off.

□ 1820

She got laid off, like thousands of other Connecticut residents. She has four kids ages 7 to 15. Since that day, she has been confronted every day with

a decision. She's got about enough money to put one meal on the table for her kids. They'll get one meal while they're at school. And so she makes the decision: Does she put breakfast on the table to make sure that they have food in their bellies when they show up to school or does she put dinner on the table when they come back. That's her daily challenge every single day. Now, she gets a little bit of help from a food bank, from a soup kitchen around the corner from her—a soup kitchen that likely gets money from The Emergency Food Assistance Program, one of the programs that is cut 25 percent under the President's proposed budget. That's her daily reality.

Let me tell you a story about another American. His name is Tony. He lost his job last year as well. He was the CEO of a big oil company. On his way out he got about a \$1.6 million salary payout and a \$17 million pension payout. He might be spending part of his summer on his yacht that he's nicknamed "Bob." He might be sailing in the J.P. Morgan Asset Management Round the Isle Race, like he was a summer ago as one of his oil rigs collapsed in the Gulf. His struggle is that he's only been able to raise about \$1.6 billion for his new oil exploration venture around the world.

Franklin Roosevelt said, The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide for those who have little.

I have listened to my friends on the Republican side try to create a choice here today; that because our children later on are going to have to pay back the debts that this country owes, that we have to sacrifice the lives of kids who are living today. That's a false choice. The two are not mutually exclusive. The fact is we are making choices in the budget right now. We are making choices to give more and more money to the defense budget, which is already over-bloated, and cutting 25 percent from The Emergency Food Assistance Program. We are handing another \$40 billion subsidy to the oil industry. And we're cutting back funding for the Commodity Supplemental Food Program. As the Republican budget calls for, we are further cutting taxes for the richest 1 or 2 percent of Americans while we underfund the WIC program that gets badly needed nutrition to kids like Sarah's kids.

In my district, the story is the same. We've got 17 percent of households in my district who have reported going hungry. At the Friendly Hands Food Bank in Torrington they've had a 40 percent increase this year. New Britain's municipal food pantry has seen a hundred new families come through the doors this year. And they are watching with horror as we try to create some false choice between feeding kids today and protecting this country's fiscal situation down the line.

When I meet Republicans and Democrats in my district, regardless of their political persuasion, they want this body to start working together to solve the biggest problems in this country. But I have news for my Republican friends. They want us to solve Sarah's problem, not Tony's problem.

This budget, this bill, is a travesty, and I urge a "no" vote.

I yield back the balance of my time. Mr. TOWNS. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TOWNS. Let me thank Congresswoman DELAURO and, of course, Congressman FARR, for the work that they're doing.

Here we go again. I rise in strong opposition to the underlying bill. This bill reduces the amount of funds awarded to public nutrition programs such as SNAP, WIC, and many other programs that lend assistance to families in economically disadvantaged communities.

This session of Congress has really been tough on those that are in need. First, our Nation's seniors are threatened with potential cuts to Medicare proposed by the Ryan budget. Now, hunger programs for women and children are being targeted. It is a tough year indeed. But let me tell you, I was not sent to Congress to sit back and watch these crucial programs be cut. I came here to fight for their existence. And I don't plan to stop now. I will not sit idly by as we destroy programs upon which citizens depend on the most to pay for \$45 billion in tax breaks for millionaires and billionaires. It is a shame and it is a disgrace. For people to try and stand here and justify as to why we're doing it just does not make any sense at all. If we get rid of tax breaks for millionaires and billionaires for 1 week—just 1 week—I'm talking about 7 days—we would pay for the entire WIC program for 365 days.

Mr. Chair, I'm greatly disturbed by the negative impact this bill will have on those individuals who depend on public assistance to feed their families. It is projected that the expected funding cuts will result in 350,000 people losing their WIC benefits. Nearly 50 percent of the babies born in this country each year rely on WIC. On top of that, it is cost-effective, serving nearly 10 million people each year and costing less than \$100 per person.

I don't understand why we want to stand around here and try to hustle backwards. That's what they say in my neighborhood. We need to make certain that we do what is right and is going to benefit the children. Let's not forget that we're here to serve and meet the needs of our Nation. Supporting this bill would be a great disservice to those who elected us to Congress. Supporting this bill will significantly cut the fund-

ing to programs that feed thousands of families. Supporting this bill will lead to the devastation of many hunger programs. There are many families who depend on government funding to put food on the table every day and every night. Voting in support of this bill will only make their lives more than difficult. I urge all of my colleagues to vote "no." This bill does not help those that are in need. It protects the millionaires and billionaires with their greed.

I yield back the balance of my time. Ms. BROWN of Florida. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. BROWN of Florida. When you're born, you get a birth certificate. When you die, you get a death certificate. That dash on your tombstone in the middle is what you've done to make this place a better place.

I rise in strong opposition against this bill. I can't believe that the Republicans are attacking the disabled, the seniors, and now the children. I really do believe the Scripture, To whom God has given much, much is expected. They really do expect more out of this Congress, the people's House.

I may be the only person in the House with any institutional memory because it seems as if no one remembers that we didn't get in this mess 18 months ago. No. When President Bill Clinton left us, he left us with a surplus. And then we had 8 years of what I have called reverse Robin Hood. You know what I mean. You've got to be a certain age to know who Robin Hood was. But robbing from the poor and working people to give tax breaks to the rich.

My colleagues talk about the fact that the President insisted on passing that \$780 billion—not just for the rich and the millionaires, but the billionaires—in December.

□ 1830

And everybody was slapping themselves on the back, what a great job because we didn't raise the taxes on the average American. And I would have voted not to raise it on the average Americans, but I knew that in April we were talking about cutting funds, pension funds, and now cutting funds for the children, the babies. It is inconceivable that we would cut funds to WIC, providing food for new mothers, babies, and children under 5 years old. Nearly 50 percent of the babies born in our country are on the WIC program. In my State of Florida, as many as 19,000 people would be affected by this cut.

Lawton Chiles, former Governor of Florida, former Senator, used to have a slogan: "This dog don't hunt." Folks, this dog don't hunt. The American people will wake up and wake up to what you're doing and wake up to the fact

that when you have your head in the lion's mouth, the deficit, you've got to ease it out. You don't destroy programs affecting children and babies and senior citizens while giving tax breaks to billionaires and millionaires. And the sad fact is, if we put it on the board tomorrow, the Republicans would vote again to give the tax breaks to the billionaires and millionaires and yet leave the children and elderly people holding the bag. The American people need to wake up to what's going on. There is money in the House of Representatives, but you're choosing to give it to millionaires and billionaires.

As I close, I really do believe what the Bible says: To whom God has given much, much is expected. And He's expecting more out of the people of the House of Representatives.

I yield back the balance of my time.

Mr. PAYNE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PAYNE. Mr. Chairman, I ask my colleagues to vote against any language in the Agriculture appropriations bill that would seek to cut funding for the WIC program.

As you know, the Special Supplemental Nutrition Program for Women, Infants and Children, WIC, makes it possible for vulnerable children to have a healthy start. The Republican cuts will deny many children a chance to receive nutritious food by cutting WIC funding from \$6.73 billion this year to \$6.05 billion in 2012. This cut is a cut of more than \$650 million below the fiscal level of 2011. And this is much less than the continuing cost of the high-end Bush tax cuts, oil company tax breaks, and various other write-offs for well-to-do taxpayers or powerful corporations.

If we allow these cuts to take place, approximately 200,000 to 300,000 women and children nationwide will lose WIC benefits next year. In fact, in the State of New Jersey, approximately 4,000 to 6,000 low-income families will be turned away by WIC. This is very alarming to me because these cuts will negatively impact a substantial number of low-income women and children in my district.

As a former public school teacher in the inner city of Newark, New Jersey, I witnessed firsthand the effects of hunger and malnutrition on children trying to learn. When they came to school to take tests, they couldn't concentrate. They were unable to really focus on what they had before them. The reality is this: If a child is hungry, he simply cannot learn. If a child is hungry, he is unable to focus in class. What are his chances of thriving academically? If we are serious about closing the achievement gap and ensuring that students are career and college ready, cutting WIC will be in direct contradiction.

In light of rising food prices and current unemployment rates, it would be catastrophic to strip funding from this vital program. I strongly believe that by cutting WIC funding, we risk neglecting and preventing children from getting a head start in recognizing the excellence of their human potential.

We, as a nation, are still a great nation. We are the wealthiest nation in the world. We have the greatest ideals and opportunities for people. But I think that we are being shortsighted. We have a problem and we will deal with it, as we have done for all other problems. In World War II, we had no navy. We had no army that was significant. However, we built ships that floated. We trained people in 20 and 30 days to rivet and to make our powerful defense mechanism work, and we won the war for the world.

We can win this war of the deficit in this country. I think that even the constituents of my good friends on the other side of the aisle, my tea party friends, my Republican friends—go back home and ask people, Do you want to pull the food out of the mouths of babes? Because from the mouths of babes oftentimes come gems. And if our Nation is going to be a great nation in the world, as we are today, we're not going to do it by starving the children and harming the women. It's unconscionable, it's disgraceful, and it's a mark on the House of Representatives. It's really something that shouldn't be.

Therefore, I urge my colleagues to vote against any provisions cutting funding for the WIC program.

I yield back the balance of my time.

Mr. GARAMENDI. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Chairman, I strongly object to this bill.

In his second inaugural address, Franklin Delano Roosevelt laid out, I think, a very good test for us. It was a test for this Nation at one of its most desperate periods. We, too, find ourselves in a difficult situation. We do have a big deficit, and we need to make some tough choices. And today as we debate this piece of legislation, we are indeed making choices and we are being tested. We're being tested about our values. We're being tested about what we think is important. Franklin Delano Roosevelt suggested this be the test:

"The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

Ponder those words and apply those words to what we are debating and what we will soon vote for or against on this floor. The test of our progress, whether we add more to the abundance of those who have much. We've dis-

cussed many times here in the last couple of hours the options that are given to us on tax policy, continuing to provide subsidies to the wealthiest industry in the world, the oil industry, not to the tune of a couple of billion but, when you add it all up, some \$40 billion a year. Whether we continue to provide a tax break to the wealthiest in this Nation, those whose annual incomes are in the millions and, indeed, some who are even in the billions. We're making choices and we're being tested. That's one option that our Republican colleagues seem to want to present to us.

The other option is what we on the Democratic side have been debating and asking for, and that is the second part of what Franklin Delano Roosevelt said, and that is whether we provide enough for those who have too little.

I was on this floor not more than 3 hours ago with my granddaughter, 11 months old. And in the arms of mothers and grandfathers and grandmothers and parents across this Nation are children of that age who depend upon the Women, Infants, and Children program, which this Republican appropriation brought to this floor reduces by 10 percent. 350,000 children will not be able to have the food that they need, the care that they need to be able to be healthy, to be able to grow, and indeed in the future, to be able to pay, as we will today, one way or another, for the deficit that we have.

□ 1840

A 10 percent reduction from last year, and is there anybody in this House that's prepared to argue somehow things are better out there and that a 10 percent reduction in the face of an increased number of women and children who need help, that that is a worthy choice for us to make? I think not.

I think that this bill miserably fails the test that Franklin Delano Roosevelt laid out during the Great Depression. This does not provide for those who have too little.

And it's not just in the Women, Infants, and Children program. Across the board, thousands, indeed, 48 million Americans become ill each year because of food-borne illnesses, and yet, in this budget, another 12 percent reduction from last year's funding for food safety programs at a time when we have a new food safety program to implement. 350,000 Americans wind up in the hospital as a result of food-borne illnesses, and the Republicans want to cut the money to provide the protection for Americans.

It's about choices. It's about values. What do you value in this system? Yes, we have a deficit. Yes, we must deal with it. And yes, according to our Republican friends, we must take that food out of the children's mouths; we

must make sure that people will not be able to be healthy. I don't understand.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. LUMMIS. Mr. Chairman, I ask unanimous consent to strike the last word.

The Acting CHAIR. Without objection, the gentlewoman from Wyoming is recognized for 5 minutes.

There was no objection.

Mrs. LUMMIS. Thank you, Mr. Chairman.

My colleagues on the other side of the aisle did not produce a budget. My colleagues on the other side of the aisle did not raise taxes on the mineral industry as they now assert we should. My colleagues ran this House for 6 years. My colleagues ran this House with a Democratic President and a Democratic U.S. Senate. The things of which they argue are the fixes are things you did not do when you were in control of all three: the House, the Senate, and the Presidency.

Without a budget, with the Keynesian philosophy that you attempted to implement, and it was worth a try but it failed, the massive increases in spending, in social programs, in entitlement programs, the massive increase in spending that amounts to ObamaCare, the massive stimulus bill, the massive efforts that you made, all the time asserting that you had something called Pay-As-You-Go, PAYGO, when, in fact, there were more exceptions to PAYGO than the rule ever provided. You took half a trillion dollars out of Medicare. You destroyed Medicare. You destroyed it.

Mr. GARAMENDI. Will the gentlelady yield?

Mrs. LUMMIS. I yield to the gentleman from California.

Mr. GARAMENDI. Thank you.

If the gentlelady from Wyoming would recall the years past, she would recall what is known as the Senate filibuster. The graveyard of legislation that the Democrats put forth many, many times died in the Senate as a result of their filibuster.

With regard to the issues of entitlements and this particular bill, we're talking here about the issue of how we care for those who have little. I'd be happy to debate with you on this floor or any other place the import of the stimulus program, and, in fact, most every economist argues that without the stimulus program we would have fallen into a great depression, not just a very serious recession. I'm sure the gentlewoman recalls those words.

Mrs. LUMMIS. Reclaiming my time from the gentleman, the crisis is worse than the people realize, and, in fact, in some respects, the people are way ahead of us on this, which is why the people of this country chose to elect fiscal conservatives to run this House during the current Congress, and we presented to the American people what

we intended to do, which is cut spending.

We told the American people we have a spending problem, not a revenue problem. The American people chose to give my party the opportunity to lead and to exhibit the fiscal restraint that the American people voted for in the last election. We are now exercising that fiscal restraint in a way that preserves 87 percent of the funding level of the WIC program that is currently being alleged that we are destroying.

Now, there are millions and millions of Americans who are functioning in this recession on 87 percent of what they used to make. In fact, we know that small businesses all over this country who are the drivers of our economy, the creators of jobs, are functioning on far less than 87 percent of what they used to make.

It is time for this House to exercise this fiscal restraint in a way that is sensitive to the needs of the people in this country, that we told the American people in November we would do.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair again reminds all Members that all remarks should be addressed to the Chair and not to others in the second person.

Mr. NADLER. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, there seems to be a little amnesia in this Chamber today. In January of 2009, we were losing 775,000 jobs a month. Then the Obama administration and the Democratic Congress enacted remedial legislation and we stopped losing 775,000 jobs a month. We started gaining. We have gained a million and a half jobs in the private sector in the last year and a half, not enough with a million and a half jobs, but unfortunately State and local government had to lay off 1.2 million people because we didn't give them enough to prevent that. But we did reverse the results of the Bush policy of 8 years, which was 775,000 jobs a month being lost.

Don't forget, in 2000, in the Presidential election, the great debate was what should we do about the \$5.6 trillion surplus over the next 10 years. Bush got elected. They enacted the Bush tax cuts, which they said would stimulate the economy and pay for themselves. What happened? We had the slowest economic recovery of any economic recovery after any recession in the history of the United States, the only 8-year period in which we did not gain one net new job even before the 2008 recession from which we are now recovering, albeit too slowly.

The American people did not vote to kill remedial programs last year. They voted for jobs. They were told, Vote for the Republicans; we'll get you jobs.

You don't see any jobs. So let's forget this revisionist history.

I rise in strong opposition to the Republican effort to cut funding for the special supplemental nutritional program for Women, Infants, and Children, known as WIC. This program provides food for low- and moderate-income mothers, babies, and children under 5. WIC provides the food pregnant women need to help their babies grow. After the baby is born, WIC provides the breast feeding support or infant formula to make sure the babies continue to develop and to grow. And for young children, WIC provides staples like milk, eggs, bread, fresh fruits and vegetables. Nearly 50 percent of the babies born in the United States each year rely on WIC to get a healthy start to life.

□ 1850

But in this time of rampant unemployment, the Republicans oppose—they oppose extended unemployment benefits and now want to ensure that the wives and children of the unemployed who don't get unemployment benefits can't get food and baby formula. This bill says, Let them starve.

This bill will mean that 200,000 to 350,000 pregnant women and children will be denied food. Knocking these families out of the WIC program is an about-face on a 15-year bipartisan commitment to ensure WIC funds cover all eligible women, infants, and children who apply.

Shockingly, at the same time that the Republicans are demanding that pregnant women and children starve, they continue to promote tax holidays for millionaires and billionaires. If we suspended the Bush tax breaks to the wealthiest 1 percent of Americans for just 1 week, we could cover the cost of the Republicans' latest cut of \$833 million to the WIC program.

The debate over WIC funding, specifically, and the Federal budget, generally, is about priorities. By supporting the Republican proposal to slash WIC funding, forcing thousands of women and children from the rolls, the Republicans are saying that America prioritizes tax holidays for those who need it the least over providing food to pregnant women, infants, and small children.

Mr. Chair, make no mistake about it. This is about literally taking food out of the mouths of babies. This Republican bill is immoral. Food for women and children is more important than tax cuts for millionaires, billionaires, and oil companies.

Reject this bill. Reject this bill, and maybe, just maybe, the Republicans, given enough time, will find their consciences.

I yield back the balance of my time. Mr. TIPTON. I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Mr. Chair, you know, it's remarkable, the theater that we see. Looking throughout America, throughout my Third Congressional District—at least in Colorado—I see people who care about their families, who care about our children. What are they asking for? Jobs. They want to be able to go back to work. And we're seeing far too often, from the opposition, people that are willing not to be a steppingstone to American success but to become a stumbling block, to have us rely on another government program.

The proposed cuts, these are minor. These are minor in the sense of the real life that real Americans are living today. Come with me. Come with me and walk through my district. I have communities that are not in a recession; they are in a depression. They need to be able to get back to work. What do I hear as I walk through those communities? City councils, county commissioners, small businesspeople are saying that they are being inhibited from being able to get people back to work so that they can take care of their children, Mr. Chair, so that they can take care of their children by oppressive government regulations, by people who are not willing to allow us that opportunity to live that American Dream.

I see, Mr. Chair, an America that can rise again and become the economic power that we all know that it can be; but this will not happen as long as we try to build reliance on government rather than the rugged individualism that has made this country great.

Ms. DELAURO. Will the gentleman yield?

Mr. TIPTON. In just a moment, ma'am.

Ms. DELAURO. Thank you.

Mr. TIPTON. We have an opportunity. We have a challenge. The question is, Will we rise to meet that challenge?

We have a \$14.4 trillion debt in this country. Let's put that in a little bit of context. Sunday night, we saw the NBA finals. You had LeBron James, maybe one of the best basketball players the world has ever seen. He signed for \$40 million a year to play basketball. Well, if he wants to earn just \$1 trillion, he's going to have to play basketball for 25,000 years.

This is the burden that we have put on the backs of our children and our grandchildren that they can no longer afford. The recipe is not the Keynesian economics that my colleague has brought up. The answer is going to be found in the very solutions that made us the richest, the freest, and the most powerful Nation on the face of the Earth. That is going to be the free enterprise system. Let's encourage it. Let's get our people back to work. Let's create those opportunities once again.

Ms. DELAURO. Will the gentleman yield?

Mr. TIPTON. I yield to the gentle lady from Connecticut.

Ms. DELAURO. I thank the gentleman.

I would just talk about rugged individualism. And I will just quote to you from the Citizens for Tax Justice: 12 corporations, largest corporations in the Nation, pay an effective tax rate of negative 1.5 percent on \$171 billion in profits.

Mr. TIPTON. I reclaim my time, and I thank the lady for bringing up that very point, Mr. Chair. This is the real challenge that we face, and she points to it directly. We have an oppressive, convoluted Tax Code that is stripping American business of that opportunity to be able to create wealth in this country. Let's simplify that Tax Code. Let's not punish success in this Nation, but let us reward success in this Nation to be able to get our people back to work.

Ms. DELAURO. Let's get them to pay their fair share of taxes.

The Acting CHAIR. The gentleman from Colorado controls the time.

Mr. TIPTON. Mr. Chair, these are the challenges, and we have very distinct choices to be able to make. Will we continue to follow the pathway to poverty of government programs, government taxation, government solutions? Or will we follow that expressway to real enrichment in this country by getting the American people back to work?

Mr. Chair, I yield back the balance of my time.

Mr. LEWIS of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Chairman, I really want to thank Ms. DELAURO and Mr. FARR for their wonderful, unbelievable work.

Mr. Chairman, I rise in opposition to the underlying bill. Mr. Chairman, nutrition programs did not run our economy into the ditch. Nutrition programs did not drive us into debt or stop the banks from extending credit. But my colleagues want to cut programs to feed millions of women, infants, and children. Who is next? I ask you, Who is next? The Republicans went after the seniors' Medicare. Now they are going after the babies. Who is next?

Mr. Chairman, the WIC program is a necessity. It is a lifeline. It is our obligation. This is not the way America treats our seniors. This is not the way America treats our mothers. This is not the way America treats our children. This is not the America we want to live in.

If we repeal the tax breaks for the wealthy for just 1 week, we could pay for this entire program. Make no mistake, this bill will reduce the number of people served by nutrition programs. Right now, over 50 percent of the chil-

dren born in our country rely on this program every single day, every week. They serve almost 10 million people each year. My beloved brothers and sisters across the aisle know that, but they should also know that this bill will mean empty shelves at food banks and smaller portions at dinnertime—and not a dent in the deficit.

Make no mistake, make no mistake, this bill will hurt people. It will reduce the number of people who receive assistance. The poor, the sick, the mothers, these little babies. They didn't overspend our credit card. They didn't do it. They didn't overspend our credit card. Why are we doing this? Why are we punishing? Why are we cutting the WIC program? It is a lifeline. No one in this country should have to go hungry. It is not right. It is not fair. It is not the just thing to do. It's not the good thing to do.

The Atlanta Community Food Bank in my own district, in the heart of downtown Atlanta, is distributing 35 percent more food than last year. Their funding would be cut as well. Countless people are already on the waiting list. One such man in my own district, Johnny Battle, this man worked all of his life, and he worked very hard. Mr. Battle is 71, and his wife is 76. He can't look for work because his wife has fallen ill. He is her caregiver.

□ 1900

I say we should be their caregiver. We should look after those who are suffering through no fault of their own.

They receive emergency food assistance from Antioch Baptist Church when they can and receive only \$16 a month in food stamps. Assistance from the food bank would make a huge difference in their lives.

Sixty thousand people depend on Atlanta Community Food Bank to make it through the month. We cannot allow more people to be pushed onto the waiting list like Mr. Battle and his wife.

Mr. Chairman, and my colleagues, our country is hurting. Our people are hungry. They need our help. This is not how America treats her children. This is not how America treats her seniors. This is not how America treats her little babies, the mothers.

I urge all of my colleagues to vote "no."

I yield back the balance of my time. Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Rugged individualism. Oh, am I glad the gentleman brought that up. Rugged individualism produces a heartless bill like this.

Now, if you look back to why we're in the dumpster economically, go back to the 1990s. Read Alan Greenspan, a great advocate of rugged individualism, and Ayn Rand; right? Just drive them into

the ground. Make all of his friends rich. JPMorgan Chase, Wells Fargo, Goldman Sachs, Morgan Stanley—it's an interesting group of characters up there that took America to the cleaners. They took and outsourced our jobs. Now they took our home equity.

And now, it's getting so bad we even have a bill that's going to take food away from about 350,000 women and children. Now, whose fault is that?

Here's a little note from somebody in my district. She says—she signed up this plate at the food bank, the local food bank. She said: Without help from the food bank, I would be on the streets. I struggle every day to make ends meet so my kids have a place to lay their heads at night. I have a job, but with two kids, it's still very hard. I have a lot of trouble paying rent and bills. I just wish there were more help to parents like myself.

That's from the rural part of my district.

From the urban part of my district, a plate is signed at the food bank: My income is spent on bills, which leaves very little money for me to purchase food for myself and my two daughters.

Now, you know, the majority of people in this House are Christian. And I'm not pushing that, though I am one of them. But the first Beatitude says, "Feed the hungry." It doesn't say "rugged individualism."

I'm as individualistic as anybody else in this Chamber, but I'll tell you what. There's a heartlessness that goes with people who take everything for themselves and turn their back on the rest of the American people. So when Big Oil makes record profits and pays no taxes, there's something really wrong. There's something really wrong with the country, and the American people know it.

They didn't clean house here last November because they thought you were better; they just wanted a change. And they'll vote for it again if their lives don't get better. And their lives won't get better unless we fix what Alan Greenspan and Goldman Sachs and Bank of America and the whole rest of those buzzards up there did to this country. And they're taking bonuses. In fact, they're making so much money they take Members of Congress out. You know the average amount of a meal? \$193, \$193 a plate. These folks, a couple of bucks in a day they spend on food.

So I stand with the American people, not those wealthy interests who took the Nation to the cleaners. You know, those hedge funds? They pay at a 15 percent tax rate.

Mrs. LUMMIS talked about businesses in her district. They pay at a 35 percent rate. Why don't we hold those accountable up on Wall Street for what they did? Let them pay their fair share of taxes. We couldn't even take one penny of their bonuses, not a penny. This was the most gutless institution.

And I'll tell you what. The real straw that broke the camel's back was 1998 when Glass-Steagall was thrown out, an act that had separated banking and commerce. And you know the name on that bill? There wasn't a single Democratic name. It was Gramm-Leach-Bliley, all Republicans, and they shoved it through this House. I didn't vote for it.

And then Wall Street, oh, my gosh. You talk about rugged individualism. They hurt the Republic. They hurt our country, and they have not been held accountable. George Bush's Chief of Staff, Mr. Bolton, he came from Goldman Sachs. He was there. He was there in the fall of 2008 when the Treasury was just opened up to them. Isn't that an interesting coincidence? Very interesting when you look back and see what really happened.

I refuse to have the people of my district or any district pay for what they did. I've got people who are lined up in our food banks because of unemployment, and I know who caused it. And I don't have enough power to hold them accountable, but I hope God does, because what they've done is unforgivable. Their rugged individualism is unpatriotic. It is un-Christian, and it hurt this country.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. KAPTUR. I move to strike the last word.

The Acting CHAIR. Is there objection to the gentlewoman's striking the last word a second time?

Mr. KINGSTON. Mr. Chair, reserving the right to object, I want to say to my friend, the ranking member, that I understand the passion on that side and a number of people who want to start speaking, or who have been speaking. But if we are going to start speaking twice, then I hope you will give me the courtesy of speaking twice. I just want to mention that.

I've just been informed Mrs. LUMMIS spoke twice while I was going to the restroom, so, once again, I will sit down.

If I could continue on my reservation, I want to explain to my friend from Ohio that I was concerned about Members speaking twice. But I understand that you've done that now with Mrs. LUMMIS, so I certainly will not object.

I withdraw my reservation.

The Acting CHAIR. Without objection, the gentlewoman from Ohio is recognized for an additional 5 minutes.

There was no objection.

Ms. KAPTUR. I thank the gentleman. I thank you for yielding. We may not agree on everything, but I think if we agree on some of the history that brought us to this point, maybe we can do something right for the Republic, and certainly for those people who are lined up across this country as victims of the abuse that came from that rugged individualism for which there has

been no justice. There has been no justice to this date. What a sad thing for us to say institutionally.

If we look at this bill, nearly half of the babies born in our country rely on WIC, the Women, Infants and Children food program. They are in every district in this country. And I can guarantee you, for all the big shots that cleaned up at the expense of the American people, they've never even been to a WIC site. They've never seen sat with moms. They've never sat with families trying to figure out how they're going to make it from the beginning of the month to the end of the month on the few pennies that they have to live on.

So I think that the sad fact of this bill is that, rather than Big Oil paying their fair share of taxes, rather than us taking those bonuses from those who truly don't deserve them because of what they did to the Republic, for all the tax breaks that are going to companies that are locating jobs overseas and taking our livelihoods away from us, the answer isn't to take food away from those people that are paying the price.

So I want to thank my colleagues, and particularly Mr. KINGSTON for not objecting, to Mr. FARR for the great job you've done in trying to bring some justice to this bill, and to say, in closing, that there are many people who talk about life. Without decent nutrition, the children who will be affected, the hundreds of thousands of children who will be affected in this bill, their brains won't grow as fast. They won't have the kind of nutrients that produce strong bodies and strong minds for the future.

This is the time to stand up in defense for those who are defenseless. And particularly with this economy, the last place to cut is food. Every Christian in here knows that's true. We need to do better as this bill moves forward.

I urge my colleagues to vote "no" on the bill on final vote, and I thank my colleagues for yielding me additional time.

I yield back the balance of my time.

□ 1910

Ms. HIRONO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. I rise in opposition to the underlying bill.

Ours is a compassionate country. We have leaders who can put themselves in the shoes of Americans who are struggling, doing their best. We have compassionate leaders on both sides of the aisle. This is why it is so inexplicable that the underlying bill, as well as bill after bill brought by the Republican majority to this floor, makes cuts after huge cuts to people's programs—not corporate programs, not programs that

hit Wall Street, but people's programs. And again today, in this agriculture spending bill, we are targeting cuts that hit women, infants, children and seniors in Hawaii and nationwide.

In my district in Hawaii, 19.5 percent of our residents experienced food hardship in the last year. Let me repeat: nearly one in five people in my district did not have enough money to buy food that they and their family needed in 2010. Today's bill would cut crucial nutrition programs for thousands of Hawaii's most vulnerable and hundreds of thousands all across the country. And while the richest in our country continue to get billions in tax breaks and the oil companies continue to get their billions in tax breaks, why are we balancing the budget on the backs of women, infants, children and seniors?

First, today's bill makes a \$650 million cut to the women, infants and children, WIC, nutrition program for fiscal year 2012. This would cut as many as 350,000 eligible low-income women and young children from the program. WIC provides nutritious food, counseling on healthy eating, and health referrals to pregnant, postpartum and breast-feeding women and their children under age five. This program has had well-documented success in improving the nutrition and health of families in poverty. WIC has reduced low-weight births, anemia and hunger. Let's put ourselves in the shoes of 350,000 women and their children who depend on this program.

Second, the Emergency Food Assistance Program supports food banks on all of our islands and across the Nation to support the hungry. I have visited many of the food banks in my State, in my district; and we know that there is a growing need. There are many, many more families now relying on food banks; and yet this bill cuts \$12 million from food banks at a time of great, great need. Let's put ourselves in the shoes of the hundreds of thousands of families all across our country who are relying on food stamps.

Third, today's bill cuts 20 percent from the Commodities Supplemental Food Program, which provides food packages to over 600,000 people nationwide, and 96 percent of these recipients are low-income seniors. You've heard others say ending tax cuts for millionaires and billionaires for just 1 week alone would save \$866 million. That is enough to support poor women, infants and children for the entire year. And when we say this bill brought to us by the Republicans literally takes food from babies to give tax breaks to millionaires and billionaires, we are not engaging in hyperbole. This is what is happening in this bill.

Let's get our priorities in order. Balancing the budget on the backs of our most vulnerable is totally indefensible when we are giving tax breaks to those

people, the richest people in our country, corporations that are making billions of dollars. It's indefensible. And where do we live? Do we live on Wall Street? People who want this bill, I think they live on Wall Street. Well, those of us who are opposing this bill, we live on Main Street. That's where the majority of our people live; they live on Main Street. They expect us to support those people—working people, families, women and children all living on Main Street.

I urge my colleagues to oppose these anti-people, wrong-headed, downright cruel cuts to low-income women, infants, children and seniors all across our country.

I yield back the balance of my time.

Ms. EDWARDS. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Maryland is recognized for 5 minutes.

Ms. EDWARDS. I've been listening all afternoon and I've heard economic philosophy described as Keynesian and I've heard talk of fiscal conservatism and regulation and rugged individualism. We even heard talk of LeBron James. But one thing is really true, we haven't heard anyone on the other side of the aisle talk about hunger, and even LeBron James is not hungry.

So I want to talk about a really simple economic theory and it's called hunger. It means when you wake up in the morning and you're a young child in this country and your parents can't afford to feed you, you're hungry. The demand of hunger when you're going to school and you can't think through the school day because you're hungry. It's about going home on a weekend after receiving a school lunch on a Friday but not eating through the entire weekend because you're hungry. And really, Mr. Chair, that's the only economic theory we need to discuss this afternoon.

So just before I came to the floor, earlier in the day I had a physical. I had to go 10 hours without eating. I described myself as starving. But clearly, neither I nor any Member of this House of Representatives knows what it's like to be really hungry today. And so before I came to the floor, I had my piece of chicken. And you know what? That was more than the Republicans are prepared to give America's women, infants, and children.

And so I rise today in opposition to these extreme cuts to the Women, Infant and Children program and the underlying bill. We know the program is essential to providing nutrition to our Nation's most vulnerable children.

Now, I don't need a study to know what it means to be hungry; but studies show that women, infant and children programs reap tremendous benefits to the participants. They lead to fewer premature births, fewer fetal and infant deaths, and result in better cog-

native and physical health for children. That's the difference between eating a nutritious meal and being hungry.

I also rise today in support of my colleague, LYNN WOOLSEY's, amendment to block the GOP's attempts to roll back our USDA nutrition standards for our children because not only are some of our children hungry, but we need to make sure that they are eating to a standard that allows them to learn in our classrooms.

The WIC program is essential to ensuring our youngest Americans receive the nutrition they need, and the underlying amendments will ensure that children continue to receive nutritious foods throughout their school day.

Now, when I first came to Congress, I worked with our then-chairwoman and our friend, ROSA DELAULO, to secure the Afterschool Supper Program in my home State of Maryland for hungry children. We have fed millions of meals through this program. And so I know that in my State and all across the country the Women, Infant, and Children program served 140,000 women, infants and children every month in the last year.

The program serves 9.2 million low-income families across the country. And as our Nation continues to recover from a recession, the benefits provided to these families are an essential safety net for our vulnerable populations. And according to Feeding America, there's a 50 percent increase in need amongst families, seniors, and children right now. This is a time when ensuring the economic security of the American people is critical, and we can't stand by the Republican pledge to cut essential safety net programs.

It's no surprise to the American people that the Republican Conference selected yet another vulnerable group to slash while continuing to support big oil companies, farm subsidies and huge tax breaks for millionaires and billionaires instead of supporting women, infants, and children.

In this 112th Congress, this new and bold Republican majority began with an attack on women. They proceeded to attack our seniors with a plan to eradicate Medicare, and now they are committed to an attack on our neediest and the health of our neediest infants and children.

□ 1920

It's actually really shameful. It's even hard to talk about because it's hard to believe, in America, that even those who sit on the other side of the aisle are willing to take away nutrition programs for needy women, infants and children rather than take away the tax breaks for billionaires and take away the subsidies for oil companies while our gas prices rise. I think that those on the other side of the aisle should be absolutely ashamed of themselves. I know that some of my colleagues have

quoted Bible passages. I don't know. Maybe quote the Statue of Liberty. What is happening in this House is not American at all. It doesn't hold to the values that we hold to take care of our neediest, to take care of our poor.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. EDWARDS. I'll be gavelled down, but we need to support Women, Infants and Children and to stop the slash and burn on the Nation's neediest children.

Mr. HINCHEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HINCHEY. I rise in opposition to the underlying bill.

People across this country have agreed that we have to reduce our deficit, but they also understand that we shouldn't do it on the backs of working and middle class people who are already struggling to make ends meet. The Republican-sponsored Agriculture appropriations bill, on the other hand, cuts all the wrong things at exactly the wrong time. Here are five reasons that I plan on voting against it.

First, this bill will raise gas prices by cutting anti-speculation efforts: With speculation at an all-time high, American families are paying now more than 60 cents more per gallon at the pump than they should be; but instead of ramping up anti-speculation efforts, this bill cuts almost half the funding for the Commodity Futures Trading Commission—the very agency charged with policing oil speculation.

Second, this bill takes food out of the mouths of low-income mothers, babies and kids, cutting WIC for about 15,000 people just in New York State alone: The bill cuts food assistance for pregnant women, infants and children by \$650 million, or 10 percent, denying food and health counseling for up to 475,000 low-income women, infants and young children throughout America over the course of the next year if this bill passes. The bill also would cut food aid for low-income seniors and would cut help for food banks.

Third, this bill increases the risk to our food supply by cutting safety inspections: As many as 48 million Americans are sickened every year by contaminated food. That's why, with my support, last year we stepped up efforts to increase the inspections of food manufacturing plants and imported foods. With new strains of E.coli sickening hundreds throughout Europe, now is not the time to be gutting the funding for food safety inspections; but this legislation would do just that, making it impossible to implement the new safety standards and guaranteeing millions more Americans will get sick from bad food.

Fourth, this bill cuts anti-childhood obesity efforts: Childhood obesity has tripled in the past 30 years. It's an epidemic. Obesity costs our country \$147

billion a year in medical costs, and for the first time in American history, life expectancy for the next generation is going to be lower than for the current generation. But instead of boosting efforts to combat this problem, the Republican bill eliminates funding for the Healthy Food Financing Initiative, designed to combat childhood obesity by bringing healthy foods to underserved urban and rural communities.

Finally, this bill raises the cost of prescription drugs: By severely cutting funding for the Food and Drug Administration, American consumers will get food and medical products that are less safe due to the erosion of essential oversight and prescription drugs that are more expensive as a result of the agency's limited ability to approve less costly generics.

Just for those five reasons, obviously big reasons, this bill should not be passed. While I oppose these cuts, I do support responsible ways in which we can reduce our deficit, such as cutting wasteful subsidies and give-aways for the oil industry, ending special tax earmarks for Wall Street bankers, and allowing Medicare to negotiate for bulk rate discounts on prescription drugs for seniors in the context of Medicare. These reforms in and of themselves—just those few—would save hundreds of billions of dollars without harming working and middle class Americans who are already struggling to get by.

This Agriculture appropriations bill accomplishes the goal of deficit reduction in the wrong way. Let's move forward with a plan that does it in the right way.

I yield back the balance of my time.

Mr. PALLONE. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, I think it is easy for my colleagues on the other side of the aisle to forget that this bill deals with programs on which the most vulnerable in our society rely.

My Republican colleagues are proposing about \$650 million in cuts to the WIC Program. This action would essentially kick 200,000 to 350,000 women, infants and children off the rolls. Now, the Republicans claim that getting our fiscal house in order requires shared sacrifice. However, they are only requiring the sacrifice of those most in need. In fact, the cost of funding this program for 1 year is less than the revenue that would be generated by ending the Bush tax cuts to millionaires for just 1 week. Now you tell me, is that considered shared sacrifice?

If we want to talk about being fiscally responsible, then there is almost no better investment and choice we can make than the WIC Program. For every dollar invested in WIC, \$1.77 to \$3.13 in health care costs are avoided in

the first 60 days after an infant's birth. Doesn't this alone make fiscal sense?

The WIC Program is preventative. It's preventative in terms of public health nutrition. It is a mission-driven program that seeks to improve birth outcomes, improve the nutrition of women and children, and provide nutrition education and food packages tailored to meet the needs of low-income women and children. I can't think of anything that is more preventative in nature and that ultimately saves money.

WIC serves approximately 8.9 million low-income pregnant women, new moms, babies, and children under 5 who have been determined to be nutritionally at risk. Are these really the people that my Republican colleagues want to carry the burden and weight of shared sacrifice?

What do the Republicans expect? I mean, do you honestly expect your constituents to find relief if they're not willing to provide even the most basic of services? You don't even want to provide basic services for people in need. Where are they going to get relief in this economic downturn that we face right now?

If my Republican colleagues continue to pursue this kind of action, they're going to have hundreds of thousands of hungry and malnourished women and children on their consciences—and I really mean that, on your consciences—and that's not something that I am willing to accept.

I urge my colleagues to vote against this appropriations bill and to give the necessary support to our Nation's most vulnerable members.

I yield back the balance of my time.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 14, after the dollar amount, insert "(increased by \$136,070,000) (reduced by \$136,070,000)".

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. My amendment offered with my colleagues, Representatives KAPTUR, BOSWELL, FARR, COURTNEY, LARSON, and WELCH, would restore full funding for the President's request to the Commodity Futures Trading Commission.

The CFTC's mission is to protect the American public from fraud, manipulation, abusive practices, systemic risk related to derivatives, including speculation in the oil markets that drive up gas prices, and to foster open, competitive and financially sound markets. Funding the CFTC at the President's request will put 159 more cops on the beat, will provide the agency with the updated technology it needs to properly regulate the multi-trillion-dollar

derivatives market in order to protect American consumers, and will curb excessive speculation by Wall Street banks and oil companies.

The current version of the bill, by gouging the CFTC by as much as \$136 million, makes it clear that the majority is putting profiteering and special interests above the basic, common-sense priorities of the American people. Three years ago, we suffered an economic meltdown brought on by greed, corruption and a total lack of regulation in the Wall Street derivatives market.

□ 1930

We are still dealing with the economic ramifications of that collapse today. Millions of jobs disappeared, millions of homes foreclosed on, millions of families are struggling every day to get by.

If that were not burdensome enough, the same families are paying excessive prices at the pump right now because of dangerous oil speculation. Goldman Sachs has found that unregulated speculation adds over \$20 per barrel to the price of oil. Even Exxon's top executive recently conceded that the price of gas has been surging due to speculators, who now make up nearly 70 percent of the market.

Because of all the bad behavior by Wall Street, we passed the Dodd-Frank financial reform bill in the Congress last year which would reintroduce transparency and accountability in commodities markets and protect the public from future malfeasance. Among these reforms was the strengthening of the Commodity Futures Trading Commission, their ability to regulate derivatives and to prevent speculation in oil. Yet in this appropriations bill the majority is now trying to starve the CFTC of the resources that it needs to do the job.

The decision helps Wall Street firms and big oil companies. If it passes, Wall Street can continue the risky manipulation of derivatives that brought on the last collapse. Big oil can continue to enjoy inflated profits every year due to artificially swollen oil prices. The losers are Americans families forced to pay more at the pump with this decision, or worse. Eviscerating the CFTC here, the majority is setting up taxpayers to pay for yet another costly bailout of Wall Street.

The choices made in this legislation are reckless and disturbing, more to do with ideology than basic economics. Yet it is part of a pattern by this majority. Under their watch, gas prices reached an average of around \$4 a gallon across the country, up dramatically from the \$2.78 national average in 2010. And yet they still rush to protect billions in oil company subsidies, even as they cut the budget of the agency we know can do something about this speculation.

CFTC has already made a difference. Earlier this year they charged five oil speculators with manipulating the price of crude, netting them more \$50 million, even as oil prices climbed towards record highs of \$147 a barrel in the summer of 2008. We need this type of accountability in our oil markets to protect American families. What we do not need is a Congress that puts the profit margins of Wall Street and oil speculators over the needs of American families and the American economy.

We came here to represent the American people, not banks and oil companies, and that means giving the CFTC the resources that it needs to do its job properly. I urge my colleagues to put Main Street before Wall Street and to support this amendment.

I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. KINGSTON. Mr. Chair, I have a parliamentary inquiry.

The Acting CHAIR. The gentleman will state his inquiry.

Mr. KINGSTON. I accept the amendment and was wondering if we could go ahead and call the question and move on.

The Acting CHAIR. The Committee is proceeding under the 5-minute rule and debate will proceed on the amendment.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. It is interesting. I want to read this amendment, because I have heard some comments about this bill isn't serious or whatever. Well, look at this amendment. I don't think you could call it serious. It says on page 2, line 14, "after the dollar amount insert increased by \$136 million, reduced by \$136 million."

The effect of this amendment is nothing. It is a legitimate vehicle on a parliamentary rule to discuss something. But if there is a problem with the CFTC not doing its job or being unable to do the job because of this, there should be an amendment that addresses that. This is not an amendment. This is just a discussion. But I will enter into the discussion.

First of all, I want to quote Michael Dunn. He is a Democrat member of the commission. Here is what he had to say as far as oil speculation goes. "The CFTC staff has been unable to find any reliable economic analysis to support the contention that excessive speculation is affecting the markets we regulate."

That is from the Democrat member of the CFTC. If I quoted a Republican member and they said the same thing, then the Democrats would be crying, no, no, no. But that was the quote of the Democrat member of the commission.

Now, why are the Democrats so interested in blaming high energy costs on

the CFTC? It is because they have opposed our own development of energy domestically. We do not want to explore for oil in Alaska, but the President of the United States goes down to Brazil and apparently understands or in his view believes that they are maybe technologically superior to Americans, that they can drill for oil off the shore of Brazil, and they can do a better job than the good people in Louisiana or Texas or Florida can. So the President of the United States, a Democrat, goes down to Brazil and says, drill for oil here, and we will lend you the money, and we want to be your best customer.

Now, if we want to decrease the price of domestic energy, then we need to explore for our own energy, instead of this phony argument that somehow—and, by the way, I am not sure, but I think Goldman Sachs is a huge supporter of President Obama. In fact, I think they were his second-largest contributor. I am not 100 percent sure on that. I am sure somebody over here might be very quick to correct me if I am wrong.

But I know this: that I have heard over and over again that somehow Goldman Sachs is the problem with this bill. I wasn't listening to every single speech, but that was one of the things that we kept hearing. But if we want to decrease the cost of energy in the United States of America, you need to increase the supply and the production of domestic energy and get away from this, well, it is the CFTC is not getting enough money.

And I want to say this, which is very important about this budget number. The budget of the President of the United States, a Democrat, failed in the Senate, which is also run by the Democrats, by a vote of 97-0. Now, I keep hearing, not this bill, not here, not now. Well, where? The Ryan budget is the only budget that has passed either body. It has not passed the Senate. But the President's budget failed 97-0. So if the Democrats are concerned, then why aren't they working on a budget that is acceptable to them?

We had a number of budget votes here. None of them passed. There was one budget proposal, the RSC, Republican Study Committee budget that was Mr. GARRETT's and Mr. JORDAN's, and it failed because they felt the Ryan budget did not go far enough. But the Ryan budget did get a majority of votes. The President Obama budget did not. And what did the President and HARRY REID do when their budget failed? Nothing. They left. That was it. If they are concerned about funding for the CFTC and the USDA and the FDA, why aren't they working on a budget that is more acceptable? Isn't that what leadership is all about?

So what we are having here now is, because we won't explore for our own energy and we won't develop it, we are

going to blame it on the CFTC's funding level. I think that this amendment, although it does nothing, I think we should move on to more serious discussions.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, having heard the subcommittee chairman's discussion of this amendment, I now understand why he didn't want to have a discussion of this amendment. He wanted simply to accept it so he would not have had to say nothing. Since it was not accepted, he did say nothing, he just took 5 minutes to say it.

I take it back, he did say one very important thing, and it defines this issue. He apparently believes that speculation in oil is no part of the reason that oil prices go high, and he quoted a Democrat. He found a Democrat, one of the three Democratic members of the commission. The other two, of course, vehemently disagree.

By the way, we did not say that this is something Goldman Sachs doesn't like. Goldman Sachs is on the gentleman's side. Goldman Sachs opposes regulation of derivatives. Goldman Sachs merely mentioned in an analyst report that they believe that \$20 a barrel of the cost of oil comes from the speculation that they engage in. Maybe they were bragging. They certainly weren't objecting.

Here is what speculation means. By the way, in our legislation that the Republicans are trying to undo and in what the CFTC is trying to do, people who use oil are not regulated. An airline trying to hedge against volatility in prices, they are left alone.

Here is what we want to say. If you do not use oil, if you never go near a barrel of oil, in fact, if you are one of those people who never goes near the gas pump because you have got somebody to pump it for you, if you never touch a barrel of oil and never use it, please do not buy it up, through derivatives, so that you put up only a little bit, large amounts so that you can keep it off the market and the price goes up. That is what we want to do.

□ 1940

The CFTC, we think, should be able to say to people who don't use the commodity, Please don't buy it up and hold it off the market so you can then sell it when the price goes up and make a profit. The gentleman from Georgia says speculation is not an issue. He says it's drilling. Mr. Chairman, I do not know a thoughtful person who thinks that complex issues like the price of a commodity have a single explanation, except the gentleman from

Georgia. I wouldn't want to violate the rules by suggesting that I would exclude him from the ranks of the rational, but every other rational person says that things like the price are set by a number of factors.

No, I do not think speculation is the major cause. Neither does Goldman Sachs. Neither does Wilbur Ross, the great investor. They say it's perhaps 20 percent. So we're not saying we're going to cut the price in half. We are saying you can reduce it by 20 percent. And, by the way, it's not just oil. We just had a debate about food. Well, frankly, the WIC program that they are cutting wouldn't cost so much if we would also limit speculation in food prices.

And here's what we are talking about. Well, maybe the gentleman from Georgia speaks for his party. I've heard no dissent. The apparently official Republican position is: Speculation is fine. Let's not interfere with speculation. It's people who do not use the commodity, who don't use oil, who don't use the foodstuffs, if they want to buy it up and keep it off the market so they can then sell it when the price goes up—why else would they buy it? They're not collectors. This is not stamps. This is not a hobby. It's a way to make money. And how do they make money? By driving up the price of the commodity by buying it and withholding it and then selling it when they can make a profit. What we want is for the CFTC to tell people who don't use it. No, there are limits on what you can buy. And we believe that contributes to the price of oil, unlike the gentleman from Georgia, who said, No, price only has to do with exploration and drilling. No one I think really thinks that—maybe not even the gentleman from Georgia. What they do is to say, No, the CFTC won't have that money. They in fact in their budget will give the CFTC less money in the next fiscal year than they have this year.

We have given the CFTC new powers under the financial reform legislation, which they don't like, to cover swaps. By the way, it's not simply speculation that's at risk here. AIG helped plunge this country into an economic disaster by an absolutely irresponsible use of derivatives. And that's something, again, we would like the CFTC to be able to regulate. They were allowed to get in way over their heads.

So what we have here is part of a one-two punch from the Republicans. They want to do it legislatively—and that will come up later—but here they're telling the CFTC, You should get less money as we give you this complicated issue of derivatives than you had before. And by the way, they also have added a Catch-22. If you read the current Republican arguments, they are very critical of the CFTC for not moving quickly enough. They aren't using the authority they've got.

So, first, you complain that they aren't doing enough. Then you reduce the money that they need. And by the way, these are complicated things. They need to be able to hire very smart people. They need to be able to hire important information technology. You cannot have dumb people regulating. And I will give credit to those people out there manipulating derivatives and speculating—they're very smart. They have state-of-the-art equipment. And you want to put the CFTC in shackles. It is an effort to make speculation free of any regulation, with a consequent increase in food prices and energy prices. And I hope the bill is defeated.

I yield back the balance of my time. Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in support of this amendment. We are slowly rebounding from a financial crisis that crippled our economy and left millions of Americans out of work. Clearly, consumer protection is important now more than ever. The Commodity Futures Trading Commission, known as the CFTC, is an independent agency that protects market users and the public from abusive practices related to derivatives. This includes helping regulate oil speculation and food price speculation.

Now, more than ever, we need a well-resourced CFTC. As Mr. FRANK pointed out, this is new legislation. The agency is growing by hiring people who are going to be regulators, and expects by September 30 of this year to have in place what we have given the money for last year, which is 720 full-time equivalent positions. They will help ensure that the public is protected from fraud, manipulation, and systematic risk, and they will make sure that Americans aren't paying exorbitant prices at the pump and grocery stores. And the CFTC can do just that.

In the past 3 years, the CFTC has obtained over \$1.3 billion in judgments for Americans who have been victimized by thousands of profit-hungry investors around the country. And yet now, in fiscal year 2012, this bill, the Agriculture appropriations bill, slashes the budget of the CFTC by 44 percent. So the first time that we begin to regulate an industry, we are going to cut it back by 160 jobs they will have to let go.

Now, remember, they're regulating an industry that is seven times larger than all regulated industry and regulated markets today. Seven times bigger than all regulated markets. This job cut will dangerously undermine the CFTC's regulation of commodities and contribute to rising oil and food prices, as Mr. FRANK pointed out. This is blatant fiscal irresponsibility because here's what these cuts mean. The CFTC

can't put enough cops on the beat to prevent the big banks from making risky bets that could lead to another financial crisis. So the American taxpayer will foot the bill to bail out Wall Street all over again. This puts the needs of Wall Street over the needs of Main Street. But you know what else it means? It means Americans will be exposed to manipulation of oil and food prices at the very time when folks are scraping together pennies to pay for rent and cover groceries.

Our job here in Congress is to be the best possible stewards of taxpayers' dollars. And this shortsighted cut will yield absolutely no return on investment. In fact, we could be lining ourselves up to lose big all over again. I urge my colleagues to support the DeLauro-Kaptur-Farr-Larson-Courtney-Welch-Boswell amendment to restore funding to the CFTC and avoid this misguided attack on the American taxpayer.

I yield back the balance of my time.

Mr. BOSWELL. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. BOSWELL. I rise to support the fair and necessary funding for the Commodity Futures Trading Commission. The CFTC acts as a Wall Street watchdog, overseeing American markets that directly impact our Nation's workers, businesses, and families. Refusing to responsibly fund this Commission puts our constituents in danger of higher gas prices, higher food prices, and a greater likelihood that Wall Street will once again take advantage of them. While the derivatives market has grown by 400 percent over the last 10 years, the U.S. Government has failed to match that growth in regulators. Now the majority wants to take even more cops off Wall Street, and as someone has said, it's like putting the Little League champions up against the New York Yankees. With speculators making up 70 percent of market players and an industry that invests \$25 billion in technology each year, the Commission that regulates behavior on Wall Street cannot afford to be left behind. Our taxpayers cannot afford to pick up the bill again.

To monitor and regulate this market, and to protect American taxpayers, last Congress we passed the Dodd-Frank Wall Street Reform Act. And I might add that that was not a knee-jerk operation. We took months and months, many, many hearings, as you well know, working across the aisle together to try to do something that would prevent a re-happening of what we were going through and still have the aftereffect of.

As ranking member of the subcommittee that oversees the CFTC, I have heard from countless witnesses, including Chairman Gensler himself, that we must properly fund the CFTC

to protect American consumers and market end-users. They need and must have the tools and the resources to do their job. Adequately funding the CFTC would allow the Commission to increase staff to do the job that Congress directed them to do, which is to prevent another 2008 financial crisis. It would allow the Commission to keep pace with the growth of the market they are charged to regulate and invest \$66 million in technology to improve oversight of electronic trading.

Still, the majority is dead set on delaying and defunding the CFTC. This legislation returns the CFTC to their 2008 level funding—the same level of funding that led to the taxpayer bailout of Wall Street and only allows half of what they need now to do the job correctly. Defunding and delaying this implementation is the majority's hand-out to Wall Street millionaires and billionaires, who have already been caught red-handed gambling with the pension plans of middle class Americans and speculating the cost of oil \$20 a barrel beyond actual cost.

□ 1950

This is why I support and have cosponsored the amendment to increase CFTC funding to the fair level of \$308 million. To fund the CFTC at 2008 levels is an insult to the American taxpayers who were asked to foot the bill in 2008 as a result of Wall Street's reckless behavior.

Our Nation has seen the effects of the 2008 funding level and what happens when our market lacks proper oversight. We must protect our constituents from the vulnerable situation that led to a financial collapse, and we must fairly fund the CFTC.

I yield back the balance of my time.
Mr. FORTENBERRY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. FORTENBERRY. I yield to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentleman from Nebraska.

I just want to say I find it incredible that I'm hearing people say that the fault of the Wall Street meltdown was because of the CFTC's not doing its job. I cannot believe that the meltdown and the financial situation is now being attributed to the CFTC and, to avoid it, we have to put in more money for the CFTC.

I voted against the Wall Street bailout. The President of the United States voted for it as a Senator, and again as President he wanted part two of it. So I'm not buying that the Wall Street bailout—AIG was mentioned earlier. That was done by the Fed. The Bear Stearns bailout, that was done by the Fed. The bailout of Fannie Mae and Freddie Mac, that was done by the House Democrats.

So I don't need to be sitting here listening to people preach to me about bailouts and that the solution to lower gas prices is to fund a bureaucracy. It's a group that has been averaging about four regulations a year and between now and late summer 34 regulations.

I understand that those in the Big Government circles of Washington love more regulations, more government growth; but to say to the taxpayers that funding CFTC at a higher, unprecedented level is going to avoid the need for bailouts is ridiculous. And, again, Mr. Chairman, I'm somebody who has consistently voted against these bailouts and these stimulus programs.

I don't believe that government is the answer. I think the market still has the answer. I did not support the Dodd-Frank bill. What this is—a lot of it is just an overreach, more government telling people how to conduct their business.

Do I think there's a role for CFTC? Certainly I do. And can CFTC be effective? Yes. But their own Democrat member says, and I will quote again: "The CFTC staff"—not his personal opinion but the CFTC staff, which is over 700—"has been unable to find any reliable economic analysis to support the contention that excessive speculation is affecting the markets we regulate." Now, that's not my opinion; that's what the Democrat commission member says the CFTC staff has reported.

Should we be concerned about speculation? Yes, we should. But I don't think it is fair for any Member of Congress to go back home to the taxpayers and say, I'm going to bring down the price at the pump because I have put millions of dollars into a Washington bureaucracy and they're really going to get tough on that Wall Street crowd now.

If we want to bring down the price of energy in America, we have to increase our supply. And I don't know of any other way to do it. Supply goes up and the cost goes down. If we want to help the consumers at the pump, we have got to explore and develop our own domestic energy resources. And discussion about CFTC funding comes second, third, fourth, fifth tier to that. So if the objective is to bring down the price of gas at the pump, let's don't pretend that increasing spending for the CFTC is going to achieve that.

Mr. FORTENBERRY. Reclaiming my time, Mr. Chairman, let me add as well it's a little difficult for me to sit here quietly and listen to the pontificating about Wall Street bailouts. I didn't support the Wall Street bailout either.

There are now five banks who control over 50 percent of the assets, deposited assets, in the country. Those banks that were deemed "too big to fail" in reality are too big to succeed. It's the Main Street bank that's under constant competitive pressure from these

large institutions that have been empowered by further consolidations by the actions of this very body. So it's very difficult to sit here and take that.

With that, I yield back the balance of my time.

Mr. COURTNEY. I move to strike the last word.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. COURTNEY. Mr. Chair, I rise in support of this amendment, as someone who also voted against the Wall Street bailout.

I, however, would certainly disagree with the conclusion that speculation is not a factor in the price of oil and certainly the huge swing that we have seen just in the last 6 months in this country. And I would cite ExxonMobil as my validator in terms of that point.

On May 14 in *Forbes Magazine*, hardly a Democratic left-wing publication, there was a story regarding an interview with Rex Tillerson, the CEO of ExxonMobil, who stated that the real price with traditional supply and demand for oil and gas should be roughly between \$60 and \$70 a barrel, not \$115 a barrel, which it was back in mid-May. And this is what the article said: that Mr. Tillerson stated that the reason it's above \$100 a barrel is due to the oil majors using futures contracts to lock in current high prices and speculation that is engineered by the high-frequency trading of quantitative hedge funds.

Again, traditional supply and demand, according to ExxonMobil, suggests that the price of oil and gas should be roughly \$60 to \$70. Well, how will the CFTC bring us back to a market that is actually connected to supply and demand forces as opposed to the market that we have today?

Under Dodd-Frank, what the CFTC was given was the authority to impose position limits on noncommercial interests that have swamped the commodities trading markets of this country since Congress foolishly deregulated the commodities markets back in 2000. Today, the number of noncommercial traders in the commodities markets is twice what it was in 2000 and using virtually no money down, because the margin limits are almost nonexistent. They have basically hijacked this market so that real end-users, the people who depend on futures trading to lock in positions, whether it's airlines or back home in Connecticut whether it's oil delivery guys who are trying to figure out whether they can offer lock-in contracts for next winter, they have been basically driven from this market. In Connecticut today you cannot get a lock-in contract for next winter because of the fact that these traders now have absolutely no confidence in whether or not this market will be in any rational place 6 months or 8 months from now.

So the need for the CFTC to reimpose some reasonable "appropriate limits," which is what the Dodd-Frank bill empowers them to do, is the reason why their staff needs to be put into place so that we can have a market that existed back in the 1990s, our parents' commodities trading market, which was a stable market which was basically for the use of end-users and not for people who were using high-frequency trading, which the CEO of ExxonMobil cited as the cause of the swing in prices that we're seeing.

And let's be clear here, folks. Supporting this budget from the majority is not about being a deficit hawk. Secretary Ray Mabus from the Navy testified before the House Armed Services Committee that every \$10-a-barrel increase of oil costs the Navy, in terms of annual fuel costs, \$300 million a year. If you look at what the CEO of ExxonMobil says, the Navy right now is overpaying easily on an annualized basis anywhere from \$300 million to \$500 million a year, and that's just one branch of the military. The Air Force uses a greater amount of fossil fuels of oil and gas than the Navy does.

So if you are truly a deficit hawk, if you really want to make sure that the Pentagon, which is going to be going through some gut-wrenching decisions about whether or not to provide for the Warfighter in this country and protect weapons platforms that we need to defend this country, then we need a high-functioning CFTC to make sure that the Pentagon as well as the rest of the government at the State and local level are not overpaying for gas and oil.

The taxpayer has a huge stake in making sure that this agency, the CFTC, has adequate funds to do its job because the savings to not just consumers and small businesses but the savings to the taxpayers will be in the billions and billions of dollars. It far exceeds any of the claimed savings that this budget seeks to obtain through the cuts, through the unbelievably short-sighted cuts to the CFTC in terms of being able to do its job.

We should oppose this budget. We should support this amendment which is on the floor of this House.

Mr. BROWN of Georgia. Will the gentleman yield?

Mr. COURTNEY. No, I will not yield.

Not only small businesses and consumers but the taxpayer needs us to act to make sure that we have a rational oil trading market that is tied to real traditional supply and demand, which the CEO of ExxonMobil has told us is overpriced today to at least \$20 to \$30 a barrel.

□ 2000

The Acting CHAIR. The time of the gentleman has expired.

Mr. BROWN of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROWN of Georgia. Mr. Chairman, I was listening to the previous speaker's arguments, and I'm glad to hear that he's concerned about the U.S. Navy's energy supplies, and I was going to ask him, if he had been kind enough to yield to me, whether he was in favor of us starting to develop our own energy resources here in the United States.

We've got a tremendous amount of energy that our Creator has given us here in this country off the northern coast of Alaska, in the Western United States, in the gulf coast, and certainly, I would like to see the oil prices drop. The best way to get those oil prices to come down to a reasonable level is for us to start developing our own energy resources here in this country. Certainly, our oil and natural gas resources need to be developed, clean coal energy, alternative sources of energy, nuclear energy, all these other things.

And I just hear all this pontification from my colleagues on the other side about the CFTC and the oil speculators. The best way to make the oil speculators lose money, which they would do when they increase the prices of oil by speculating on future prices, is by producing more oil here in this country. We've got a tremendous amount of uncertainty with all the things that are going on in the Middle East today, and that causes speculators to think the price of oil is going up.

Now, I'm not one who's here arguing for the speculators by any means. I believe in the marketplace. I believe that the marketplace, unencumbered by government regulations and taxes, is the best way to control quality, quantity, and cost of all goods and services, including oil. And the best way to do that is to lower the cost of oil here in this country, natural gas and all of our energy supplies for the U.S. Navy as well as for the Federal Government and for everybody, to lower the cost of gasoline at the pump. It's best to develop our own natural resources, our God-given resources that are plentiful in this country.

But I have seen in, now, three Congresses that I have been here my Democrat colleagues block every effort that we have made to develop our own resources. I never will forget in 2008, while we were coming during the August break and talking about the Republicans' all-of-the-above energy policy, that a Democratic staffer said that the Democrat Party's energy policy was drive a small car and wait for the wind. That's not an energy policy.

We need to develop the God-given resources that we have here in this country, to lower the cost of gas at the pumps, to lower the cost of heating oil, particularly for our elderly citizens

and poorest people across this Nation that this winter are going to be suffering, suffering tremendously economically because of the high cost of oil.

It's not the speculators and the CFTC that's going to do that. Drilling for oil and natural gas and developing our own natural resources here in this country is going to be the solution. And I just encourage my Democratic colleagues to join with me and others here on our side, let's develop these resources, not just talk about the CFTC, not just talk about more regulations on the marketplace, because the more regulation we put on the marketplace, the higher the cost goes. So let's get the regulatory burden off of the energy sector so that we can start developing our own God-given resources here in this country.

So, if the gentleman had been kind enough to yield, I would have asked him and congratulate him on being concerned about our U.S. Navy and how much extra they're paying for oil, for all the energy sources that our military has to spend. We've got to stop this outrageous spending that the Federal Government's been doing, and the way to do that is lower the cost of energy here and that will help everybody.

I yield back the balance of my time.

Ms. KAPTUR. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I rise to associate myself with the fine efforts of Congresswoman ROSA DELAURO and Ranking Member SAM FARR to point out the anemic funding that is contained in the base bill for the Commodity Futures Trading Commission. The Republican bill reduces below the President's request by 44 percent the necessary funding for staff for the Commodity Futures Trading Commission and provides significantly fewer resources for the agency to do the job America expects.

Now, why is this important? The CFTC is supposed to regulate betting, B-E-T-T-I-N-G, because really what's going on is all the American people know is a very sophisticated type of gambling that when the bettors lose, rather than absorbing their losses, they come to the American people, but they're very powerful and they create new mechanisms. They create mechanisms. They don't call it betting, but they have a term, "collateralized debt obligations." That gives it a kind of luster. And from that, they might drive a credit default swap.

But in the end, as the book by Joe Nocera, "All the Devils Are Here," recounts what we really have is a Wall Street and a Chicago futures market that has run amok, where market manipulation, speculation, and outright fraud led our country into the worst economic recession since the Great Depression.

Make no mistake about it: These folks are very powerful, and one of the most important trades involved in this very sophisticated gambling is oil. This particular chart shows the profits being made by the major oil companies and compares the profits in the first quarter of last year to this year. If you look at ExxonMobil, over \$10 billion more profits this year than last year. And the list goes on. Whether it's Conoco at \$2 billion, whether it's BP at \$7.2 billion, these folks are not hurting.

President Obama said, back in April, that part of the oil problem and the gas price problem is speculation. He's absolutely right. Even Goldman Sachs, one of the big beneficiaries of the betting, admits that a huge portion of the increase in the gas price is due to betting. And of all people, the chief executive officer of Exxon admitted in testimony in the other body recently that \$60 to \$70 per barrel of oil, whether it's \$60, \$70, \$80, \$90, \$100, is actually due to speculation. So even those involved in it are admitting they're crying for help. So let's give it to them. Let's give them the help they want and desperately need.

This Commodity Futures Trading Commission has been charged with shining a bright light into the dark recesses that Wall Street and the futures markets would love us to ignore. In fact, I think the currency markets actually got themselves exempted, so there's huge sections of trades that are going on in our world today that aren't even the subject, even if we were to have the staffing we need over at the CFTC, that would not be affected by it.

But I ask myself: Could it perhaps be the intent and consequence of this restrictive funding proposal at the CFTC to prevent robust regulation of this market? If we look at what happened with mortgage-backed securities and all the derivatives that flowed from that, we know absolutely for certain that the lack of regulation is the reason for our demise.

We must make sure that the CFTC is able to take on speculation in the markets, and there's no more nontransparent market than this one in oil. So when the American people go to the pump and they cuss, they have to think about this little agency called the Commodity Futures Trading Commission that back in 2000 tried to get the right to regulate derivatives, and they were denied that right by a vote right here in the Congress, and most Members had no idea what they were voting on because it was included in an omnibus appropriations bill.

□ 2010

Isn't that interesting? Legislating on an appropriation bill, and nobody found it. Well, they must have a lot of power in order to do that. So if we look at a few years ago when these derivative markets were worth about \$13 tril-

lion—now nobody I represent, including myself, can even imagine \$13 trillion. But that derivative market grew from the mid-nineties to the present where it was about \$40 trillion, and we had 475 employees over at the CFTC trying to figure out what was going on in all these markets. Well, today that market is over \$600 trillion in notional value and 15 times more than before, and there's not sufficient staff in order to regulate these markets. It's pretty obvious where we need support in order to rein in these abuses.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. WATT. I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. WATT. Mr. Chairman, I don't come to the floor very often anymore to debate. I have kind of changed my pattern. Eighteen years ago, 19 years ago, when I saw egregious things, I would be right here in the heart of the debate, ranting and raving, some people would say.

When my colleagues and sometimes my constituents now ask me, Have you lost your passion, I tell them that there are some reasons that I don't come to the floor anymore. One is that I find that most of the time, my colleagues on the opposite side are tone deaf. They are not really listening to what anybody is saying to them. They are off on some radical right undertaking, falling off the right edge of the Earth, and they are not listening to anything I say.

They don't share my values, and they don't really care about this debate that we had, 3 hours of talking about women, infants, and children going hungry. They really don't much care about that, I say to my constituents. And, third, they just make up stuff. You know, they have this—you know, if we repeat it enough, it's got to be true, and we will convince the American people of about anything if we just keep saying it over and over again. Or they . . . have convenient memories that forget that it was President Bush—

The Acting CHAIR. The gentleman will suspend.

For what purpose does the gentleman from Nebraska rise?

Mr. FORTENBERRY. The gentleman has accused our side of the aisle of lying. Is that a cause for having his words taken down?

The Acting CHAIR. The Chair construes that as a demand that words be taken down. All Members will suspend. The gentleman will take his seat.

The Clerk will report the words.

□ 2020

Mr. WATT. Mr. Chairman, in the interest of time, some people have said that I called somebody a liar and, obvi-

ously, that would be in violation of the rules. I am aware of that. So if I did, I ask unanimous consent that those words be removed from the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Acting CHAIR. The gentleman from North Carolina may proceed in order.

Mr. WATT. Can the Chair tell me how much time remains in my 5 minutes?

The Acting Chair. The gentleman from North Carolina has 3 minutes remaining of his 5 minutes.

Mr. WATT. All right. Well, let me try to pick up essentially where I was without offending anybody else.

There's some conveniently forgotten items that I think we need to be reminded of. Number 1, that it was President Bush who requested the government bailouts. That occurred on his watch. It was President Bush that was responsible for the tax cuts for the rich that got us out of surpluses as far as the eye could see and into this deficit spending. And it was rampant speculation and abuse of derivatives on Wall Street that resulted in a meltdown that made Dodd-Frank and the CFTC regulation that we're here debating necessary. Those are the three important things that I think we need to take note of.

It also resulted in a tremendous economic downturn that resulted in more people needing food stamps and the benefit of the WIC program. So these two things are really not disconnected from each other, the 3 hours of debate that we had previously and the debate on whether we are going to adequately fund the CFTC, which has been given authority under the Dodd-Frank legislation to rein in the speculation that is taking place that's driving up food prices, oil prices, and if we're not careful, will result in the same kind of economic meltdown that we experienced that got us into this in the first place.

So this whole process of being in denial about this and ignoring the facts is something that I think we should not countenance on this floor. We need the CFTC to regulate derivatives and speculation. And to the extent that we cut the staff and the funding of the CFTC, we could be replicating exactly what led President Bush to say we needed a bailout in the first place.

So, that's what this debate is all about. I think it's terrible that we are cutting funds under this bill for women, infants, and children, the most vulnerable in our society. But it's even more terrible that we are going to run the risk of allowing the same kind of rampant speculation, unregulated, to get us back into another meltdown that will result in our being back here trying to figure out how to dig ourselves out of this ditch. A year from

now, 18 months from now, 2 years from now we'll be right back here again.

Now, this is not rocket science. It's all just connected to each other. And my colleagues can deny it all they want. They can say that this is about drilling for oil in the United States. That's not what it's about. All of the science I've seen says there's more supply of oil now than there is demand, and if we were operating in a regular domestic market on regular economics, the price of gas would be going down.

We need to regulate the CFTC. We need to have them regulating derivatives and speculation.

Mr. Chairman, I yield back the balance of my time.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, I move to strike the last word.

The Acting Chair (Mr. REED). The gentleman is recognized for 5 minutes.

Mr. DAVID SCOTT of Georgia. It seems that if I'm the American people watching this on C-SPAN tonight, I think we have a very clear picture of the difference between what the Republicans want and what the Democrats want.

Now, as my good friend from North Carolina very eloquently laid out the scenario of how we got to where we are, the question becomes: How do we solve this problem? The Democrats are saying we got into this problem because we did not have the proper oversight to abusive practices, to manipulation, to the use of derivatives, and allowing them to use a leveraging position that brought great havoc to our economic system in a way that brought about a havoc to our economic system not seen since the 1930s and the Depression.

The American people, under the leadership of President George Bush and his Treasury Secretary Paulson, came to our Financial Services Committee with just one little piece of paper, but on that piece of paper it said, We need to be able to bring some oversight and regulation to this new area of derivatives and credit default swaps. It is tearing a hole in our economy. We moved. We moved and we passed the Dodd-Frank bill.

Now, what we have before us now is a continuation of a very misguided policy by the Republicans. Let me remind you, this same scenario was carried out to cut Medicare. It's all been cutting programs, cutting efforts to respond to the basic needs of the American people.

Now, my issue is this: If my Republican friends were very sincere about what they were doing—and let me qualify that because I don't want my words taken down. But "sincerity" is a very important word here. And my sincerity point is this:

If they were sincere, why would they advocate cutting the very programs that the American people need at the time and, at the same time, saying we're in such dire budget consequences

but yet we can give billionaires and millionaires \$2.5 trillion, but we cannot adequately fund the CFTC to go in and have the power to put forward the very controls needed so that we will never have the kind of meltdown that we had before?

That is the hypocrisy here, Mr. Chairman. That's what the American people are watching tonight on C-SPAN in this debate, and I hope they see a very clear message of who it is that's standing up for the American people at their time of need.

□ 2030

And there's no greater need than to rein in these speculators who have been a primary cause to the high rise in gasoline. That's what they want us to do, and that's what we're doing. But the Republicans want to cut the budget so that we will not be able to have the staffing, so that we could go into the dark corners and the crevices and be able to shine the light and pull out these speculators that are driving up these gasoline prices to \$5 a gallon.

So I hope that tonight, after this debate, the American people will clearly see who's on the side of the American people. Without any question, without any doubt, it is the Democrats who are standing in the way to make sure that we do all we can to make sure the CFTC, our primary regulator, will be able to put in place those entities, those regulations that will prevent this meltdown from happening before and will rein in these speculators and give the American people the day that they deserve, a better day in the sun.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FORTENBERRY. Mr. Chairman, I ask unanimous consent to strike the last word.

The Acting CHAIR. Without objection, the gentleman from Nebraska is recognized for 5 minutes.

There was no objection.

Mr. FORTENBERRY. Mr. Chairman, I think it's important to address this issue of who's on the side of the American people. We have a \$1.6 trillion deficit this year. Over 40 cents on every dollar that the government is spending is borrowed. We have \$14 trillion of debt. This is a very tough Agricultural appropriations budget. I don't like it.

The CFTC is a very important organization; it does very important work. I think as well there are structural flaws in the commodities markets. Futures markets that are designed to decrease volatility and mitigate risk are actually increasing volatility and causing risk. There's a structural problem there. But the issue comes down to what are we going to prioritize and where.

The CFTC has received—since the recklessness of Wall Street in 2008 and those bailouts that were voted on by a majority of this body—has received a

53 percent increase in its funding. I wish it didn't have to be reduced, but it's being asked to share in this overall budget of reducing the entire cost of the Agricultural appropriations bill by a margin that is actually less than other parts of the bill.

It's a tough budget. I don't like it either. But we've got to try to tighten our belt in a responsible manner. And given the increases that have occurred, I think it's important to have some historical perspective here.

I yield back the balance of my time.

Mr. CLARKE of Michigan. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Mr. Chairman, I represent metropolitan Detroit. And not too long ago I took some corporate officials for a tour of neighborhoods on the city's east side near where I grew up. I showed them blocks of big, beautiful brick homes, three and four bedroom homes. And when you got up close to those homes, you realized that none of them had windows, none of them. There were blocks and blocks and acres and miles of neighborhoods that have been devastated, devastated.

Now, I'm a member of the Homeland Security Committee. My duty is to protect metro Detroit from terrorist attack or tornado or some other natural disaster, but it wasn't a flood or a fire that destroyed those neighborhoods. They were devastated because of foreclosures, foreclosures that this body—that I accused when I was a member of the Michigan legislature of not effectively addressing the housing crisis. But also foreclosures that were caused in part by a lot of rich folks around here who are hoping, praying, gambling, wishing, betting that homeowners would lose everything that they have. What kind of country is this that we encourage people to make money—billions of dollars—off people losing everything? That's outrageous. That's not American. Come on, people. We want folks to get rich because families lose their homes and other neighbors stay in their homes but they lose their entire life savings that they invested in it? Of course not.

This is why I ask us to support the Rosa DeLauro amendment, because the Commodity Futures Trading Commission needs more staff, it needs more resources. And some of you are saying, well, we can't afford it. But look at the cost, the cost to our families, the cost to our local units of government that can no longer afford to hire police and fire, the cost to our taxpayers who are now living in fear of crime because they don't have the protection of their first responders. That's a cost that we cannot afford to bear.

I urge all of you to support the DeLauro amendment. It's something that we need, and it's right for this country. We want people to earn

money from offering value, not by destroying neighborhoods. I'm appealing to the best in you, support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. KINGSTON. Parliamentary inquiry, Mr. Chairman.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. KINGSTON. Isn't it true, for the record, that we do support the amendment?

The Acting CHAIR. The gentleman has not stated a parliamentary inquiry.

Ms. CASTOR of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Ms. CASTOR of Florida. I rise in strong opposition to the underlying bill and in support of the DeLauro amendment.

Mr. Chairman, hardworking families all across America have been whipped in recent years by Wall Street and special interests who have had free rein to place bets on mortgages and place bets on future oil prices. And you know what? We fought back. We fought back, and we passed a Wall Street reform law that outlaws risky financial practices by banks and lenders and that protects consumers.

Taxpayers should never, ever again be left on the hook for Wall Street's reckless actions, and yet my GOP colleagues propose to do just that with this bill, let Wall Street off the hook and put consumers and our economy at risk again. This bill significantly cuts the Commodity Futures Trading Commission. The CFTC is a major piece of the landmark Wall Street reform law because the law put cops back on the financial beat into areas where the financial industry was left largely unsupervised. And you know who suffered because of that? American families suffered the firsthand consequences of an unsupervised and unregulated Wall Street.

And now they're proposing a real double whammy to the American family, because my GOP colleagues are pairing their push to put consumers at risk and threaten their economic security with their GOP plan to end Medicare as we know it and undermine retirement security.

I would have hoped that we would have all learned a lesson and that you do not return to the policies of the past that led to the financial meltdown and the economic hardship for all Americans, but it appears that some have not learned that lesson.

And you have to ask why, why are we trying to go back to the same policies that led to the meltdown and led to such pain all across the country that started back in 2007?

□ 2040

I'll tell you why.

I have an article that was published during the debate of the Wall Street reform legislation. It is dated December 8, 2009. The headline reads: "House Republicans Huddle with Lobbyists to Kill Financial Reform Bill."

The article continues: "In a call to arms, House Republican leaders met with more than 100 lobbyists at the Capitol Visitor Center on Tuesday afternoon to try to fight back against financial regulatory overhaul legislation."

Now, in another article written during the consideration of H.R. 1, the headline reads: "Industry Looks to Derail Dodd-Frank Enforcement."

It continues: Republicans "make no bones about their goal: to defang Dodd-Frank," our landmark Wall Street reform law that was put in place to protect consumers and hardworking American families.

[From Roll Call, Dec. 8, 2009]

HOUSE REPUBLICANS HUDDLE WITH LOBBYISTS TO KILL FINANCIAL REFORM BILL

(By Anna Palmer)

In a call to arms, House Republican leaders met with more than 100 lobbyists at the Capitol Visitors Center on Tuesday afternoon to try to fight back against financial regulatory overhaul legislation.

House Minority Leader John Boehner (R-Ohio) kicked off the 4 p.m. meeting, along with Minority Whip Eric Cantor (R-Va.) and GOP Reps. Kevin McCarthy (Calif.), Scott Garrett (N.J.) and Jeb Hensarling (Texas).

"The message was [House Financial Services Chairman Barney] Frank and the Democratic majority are ruining America, ruining capitalism, and stand up for yourselves," said a lobbyist who attended the meeting. "They said, 'Look, you all oppose this bill, but only a few of you have come out publicly.'"

In addition to asking trade associations to get their members in Congressional districts to write letters opposing the legislation, Republicans asked for companies and trade associations to use their Democratic consultants to gather intelligence on where members of the Congressional Black Caucus and the Blue Dog Coalition are in supporting the legislation.

INDUSTRY LOOKS TO DERAIL DODD-FRANK ENFORCEMENT

(By Kelsey Snell)

Wall Street and the banking industry, unable to stop Congress from passing the huge Dodd-Frank financial reform law last year, might get better traction this year by squeezing regulators through the budget process.

For the second year in a row, President Obama is pushing for big budget increases at the Securities and Exchange Commission and the Commodity Futures Trading Commission. But Republican lawmakers are headed in exactly the opposite direction, and they make no bones about their goal: to defang Dodd-Frank.

Both the SEC and the CFTC received broad new powers to regulate the financial industry, especially the vast and largely unsupervised swaps market for financial derivatives. Both agencies need to hire hundreds of additional people to both make and enforce a sweeping array of new rules and to revive their depleted enforcement ranks.

But Congress has frozen their budgets at 2010 levels, and House Republicans now want to slash them even more.

In a multi-pronged assault, banks and other financial firms have been blanketing lawmakers with testimonials and industry-funded "studies" that warn about the lost jobs and lost economic growth that new financial regulation could cause.

But the real battleground is the budget.

Under Obama's budget, the CFTC would see its budget nearly double from about \$169 million in 2010 to \$308 million. The SEC, which has new responsibilities to oversee hedge funds, private equity funds, and complex new market tools, would see its budget jump from \$1.1 billion to \$1.4 billion.

House Republicans would move the other way. Under the House GOP's stop-gap spending bill to fund government operations for the remainder of this fiscal year, the CFTC's budget would be slashed to just \$112 million and the SEC's budget would be essentially frozen at \$1.07 billion.

At a hearing Tuesday of the House Financial Services Committee, Republican lawmakers made it clear they wanted to stop the agencies in their tracks.

"When you look at this freight train of rulemaking that is running down the track to a July deadline, I think not enough alarm has been raised about the potential devastating impact this rulemaking could have on the U.S.-based derivatives marketplace," said Financial Services Capital Markets Subcommittee Chairman Scott Garrett, R-N.J., in his opening statement.

Mr. Chairman, we need to ask ourselves: Who is being represented here in the Nation's capital? Do we come to this House to represent the people or do we come here to represent the special interests and the high-flying financiers of Wall Street who have already caused so much damage to this economy?

The financial meltdown caused many people to lose their life savings, their pensions, their homes. I have had six foreclosure prevention workshops since 2008 in Florida. These were largely middle class Americans, our neighbors, and we are here to fight for them and not for those who caused the damage to the economy.

But do you know what?

Since January, under this new majority, day after day, we have to come to the floor of the House to fight the misguided agenda of the majority that wants to roll back policies that are beneficial to the middle class—roll back Wall Street reform and end Medicare as we know it. Big Oil gets to keep its tax break, and companies still get breaks for exporting jobs overseas.

Meanwhile, the GOP majority has not brought one bill to create jobs across our great country, and instead thinks it is wise to undermine the economic and retirement security for American families, end Medicare as we know it, and roll back consumer protections under Wall Street reform—take the cops off the beat.

Mr. Chairman, I think it is time for Representatives to represent their neighbors back home, to get their priorities in order—to represent these

hardworking American families and put their interests before the special interests on Wall Street.

I yield back the balance of my time.

Mr. GARAMENDI. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. I strongly oppose the underlying bill, and I support the proposed amendment.

Earlier today, we had a long discussion about one portion of the bill that dealt with Women, Infants and Children and the way in which the legislation inadequately funds the necessities for pregnant women, infants and children to lead healthy lives. We are now on to another issue that is extraordinarily important.

In the '90s, the idea of deregulation took hold and was expanded throughout the 2000 to 2008 period, so much so that we had the financial meltdown. We had Wall Street bankers and hedge funds running wild, gambling on the future, and America was the great loser in that gamble.

Over the last several years, we have seen the derivative market increase from a \$30-\$40 trillion notional value to an over \$300 trillion notional value today. Every day across the Wall Street tickers—across the wires—and in the back rooms of the hedge funds and the big banks, \$300 trillion of risk is traded back and forth, risk that is not backed up by assets but by bets that are made. It is the great crap shoot in the alley of Wall Street—\$300 trillion.

Where is the money? Where is the enforcer to make sure that the bet against Greece and the bet against the price of oil is going to be backed up? It's not there. It is the shell game of all shell games. There are no assets. I was the insurance commissioner, and we understood a couple of things very clearly: If an insurance company were going to make a bet that something would go wrong, then they had to have the asset to pay if that bet ever came to pass.

That's not the case here. There is no regulation of this market.

Understanding the need for this back in the 1930s, the Commodity Futures Trading Commission was established to make sure that, if bets were made on the future price of grain, somebody would be able to pay if that bet had to be paid off. It worked okay until the great period of deregulation. Let's understand the definition of "insanity." It's when you repeat what you did before and expect a different answer.

This bill is asking us to, once again, repeat the deregulation of the derivative market by defunding, not providing adequate funding, for the Commodity Futures Trading Commission. We are betting that things are going to work out, that this \$300 trillion of no-

tional value out there in the derivative market is somehow going to work out okay. We learned in 2007 and 2008 that it doesn't work out okay—literally collapsing the entire financial market of the world.

Okay. Speculation? Let it rip. We did that once before. It is insanity to assume that this time it's going to work out okay.

This amendment puts back in the necessary money for the Commodity Futures Trading Commission to adequately regulate a huge market beyond the imagination of all of us. We need this money. We need the systems in place to make sure that this derivative market is adequately regulated so that we do not, once again, find this Nation bailing out or falling into a great recession and depression yet again.

Mr. KINGSTON. Will my friend yield for a minute?

Mr. GARAMENDI. No, I don't think so because, I suspect, I'm pretty much out of time.

Let us understand what is at stake here. It is the very nature of our economy to be able to survive in an era of rapid speculation that has driven up the price of oil. We know from Goldman Sachs and we know from the CEO of Exxon that some \$20 of the \$100-per-barrel oil price today is speculation. We can take a look at the other markets where speculation is also running rapid, and it is the Commodity Futures Trading Commission that is specifically under Dodd-Frank required to rein in the excesses of this market, to end the speculation, to ultimately make a rational market out there for the futures market.

I yield back the balance of my time.

Mr. NUGENT. I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. NUGENT. I yield to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentleman for yielding.

I want to point out to my friend from California of a number of the previous speakers who keep speaking about the DeLauro amendment. The DeLauro amendment does not do anything. We accept the DeLauro amendment, but I'm not sure that the folks over there who are speaking for the DeLauro amendment have read the DeLauro amendment because, if they had, they would know that it does nothing to restore the funding.

I will be glad to yield to my friend from California because I understand your speech was right, but that's not what the amendment did.

The Acting CHAIR. The gentleman from Florida controls the time.

Mr. NUGENT. I reclaim my time, and yield to the gentleman from California.

Mr. GARAMENDI. I thank the gentleman for yielding.

Let us understand that the underlying bill does not provide the necessary money for the Commodity Futures Trading Commission to conduct the necessary oversight and regulations to adequately control the derivative market.

Are we in agreement on that?

Mr. NUGENT. I reclaim my time, and yield to the gentleman from Georgia.

Mr. KINGSTON. We are not in agreement on that. No, I did not support the Dodd-Frank bill, and I can tell you some of the problems with it.

The gentleman sounds like somebody who has studied the CFTC; but as you know, of the many rules which they are planning to implement under Dodd-Frank, some of them actually were implied under Dodd-Frank and not specifically laid out. A number of them have no cost-benefit analysis, and a number of them will strap American companies and not the Asian or the European markets.

□ 2050

The reason why that is important is because you are a market. You know, it is not like a manufacturing plant where you are making automobiles or tanks or something like that. The commodity business is more computers. So if you change the rules in an international marketplace where American companies have to deal with things at one level and their Asian and European counterparts and competitors don't have to, then what is going to happen is these companies are going to go overseas.

We keep talking about jobs, and the gentleman knows that this is the one-year anniversary of the summer of recovery, when I guess we were—I am not sure what we were celebrating last year because the jobs were not created. But this runs off jobs, and that is what we are concerned about.

The CFTC has averaged four regulations a year, and this year they want to put in 36 regulations. I am concerned about the cost-benefit analysis. I am concerned that American companies will have a different set of rules than their competitors. I am concerned about the overreach. I am concerned about the way the rulemaking sequence is going.

The gentleman also knows there is a lot of terms that they haven't even defined, like who is a swap dealer, a mega-swap dealer, a swap participant. And, by the way, I am not trying to filibuster. I think that franchise does not go to the Republican Party tonight.

Mr. NUGENT. I reclaim my time, if you would allow me to speak just for a second.

States and counties and cities have figured out that they don't have the money to spend. America has got to figure out, the Federal Government has to figure out that we in fact have to cut spending. I hear this across the

aisle all the time, that we all agree that America has a debt of over \$14 trillion and a deficit of over \$1.4 trillion.

We hear the same arguments, but we never hear how are we going to do it, other than one gentleman that was up here earlier that said we just need to raise taxes. That is the answer to all of our problems. That is not the answer. The answer to our problems is really about using the dollars that we have, spending them efficiently and looking at ways to maybe work harder with less.

I will tell you, as a sheriff, we had to cut our budget and we worked harder with less. And, do you know what? The Federal Government doesn't believe in that. The Federal Government believes that how we solve a problem is to throw more people at it, to spend more money. And I think what the American people were telling us, what the American people told us back in November, was that we have got to get our house in order. We have got to get our spending under control. It is not about taxing us to death. It is not about over-regulating us. It is about bringing common sense back into the Federal Government that has been sorely lacking.

With that, I yield back the balance of my time.

Ms. HIRONO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Mr. Chair, I rise in opposition to the irresponsible cuts this bill makes to the Commodity Futures Trading Commission budget and in support of the DeLauro amendment which allows us to debate this issue.

These cuts to CFTC indicate that the majority believes that CFTC can carry out its duties with even less funding this year than they had last year, or that their duties aren't of great importance to the American people to begin with.

For those of us who may have forgotten, the financial crisis was the result of some very bad bets, bets made by Wall Street firms in the unregulated \$300 trillion derivatives market. The bankruptcy of Lehman Brothers, the collapse of the mortgage market, and the bailout of AIG and other firms are all a result of these bad bets. The 14 million unemployed, the still weak job market, and the tremendous loss of hard-earned home equity and retirement savings are also a result of these bad bets. That is why we worked so hard this last Congress to pass the Dodd-Frank Wall Street Reform and Consumer Protection Act. This act gives CFTC tremendous responsibility for making sure that the public never again has to bail out the Wall Street firms that rolled the dice with taxpayers ending up holding the bag.

CFTC's new responsibilities are important, and so is the job that CFTC al-

ready does. The current role of the CFTC is to regulate the commodity futures and options markets in the United States. What began as a market for buying and selling agricultural products has become a complex, wide-ranging market for financial contracts. These contracts are based on commodities like oil, wheat, livestock, metal, and cotton, the types of products that we all use every single day. We have to prevent unnecessary increases in the cost of these necessities, increases brought about by speculation.

Preventing speculative price increases for basic necessities is vital to consumers in Hawaii. As the only island State in the Nation, we must import 85 percent of our food and 90 percent of the oil we use for energy. We know what \$6 a gallon gasoline is like in some parts of my district, and we constantly face higher prices than the mainland for food.

So I am strongly opposed to underfunding CFTC, the cop on the beat that watches out for price manipulation. Without a strong CFTC, prices will increase for our basic necessities while speculators pocket millions of dollars. Make no mistake about that. We know this is true because the oil executives, themselves, have told us this is so. At a recent congressional hearing, the Exxon CEO testified that oil should "only" cost—"only," that should be in quotations—\$60 to \$70 a barrel. Instead, the price has hovered around \$100. Why? Because of speculation.

Clearly, to protect the public from fraud, manipulation, abusive practices, and systemic risks, we need to fully fund the President's request for CFTC. This bill not only cuts \$30 million from the current CFTC budget, it seeks to deny the agency the vital resources that it needs to meet its new responsibilities under Dodd-Frank. This bill is a de facto repeal of Dodd-Frank. What the Republican majority can't do up front, which is repealing Dodd-Frank, they are seeking to do by the back door by making sure CFTC can't do its job as the cop on the beat.

To keep things in perspective, the Republicans are taking a meat ax to people's programs to address the \$14 trillion debt, and yet they are perfectly happy to give Wall Street traders a \$300 trillion unregulated playground. Talk about going backwards. Cutting the funding for an agency with such important responsibilities is a roll of the dice, and, again, the people of America will be the ones who lose.

Once again I ask: Where do we live—on Wall Street, which is where cutting CFTC is, or on Main Street, where the rest of us live?

I urge my colleagues to vote against the underlying legislation and the defunding of CFTC.

I yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, I am listening to my colleagues on the other side of the aisle and I am really saying to myself, who are they kidding? They are saying that this effort to cut the CFTC is for deficit purposes because, of course, all agencies have to be cut in the name of cutting the deficit. But you have to look at everything, every cut and every agency in terms of what it actually does.

And we all know, we all know what the GOP is up to. The Republicans side with big banks and Wall Street and big insurance companies and Big Oil and against the middle class. So here we go again. They are siding with the Wall Street speculators and the profiteers by cutting the CFTC.

Well, what does the CFTC do? It is responsible for policing commodities trading and speculation, including oil and food products. Well, I have to tell you, last week we were at home, we weren't in session, and what did I hear from my constituents? All of them are very concerned about the price of oil going up and about the price of food going up. So you are basically taking money out of the middle class people's pockets.

□ 2100

The average American has got to pay more for oil because of speculation. And more for their food. And it hurts the economy because if people have to pay more money for that, then industry, for example, has to pay more if they want to function, because the oil costs more. And it has a downward effect on the economy. It not only impacts individual people and our constituents who can't afford to pay more for gasoline and for food, but it also has a downward impact on the economy itself because it means that businesses don't expand, they don't invest, and as a consequence we don't recover from the recession.

The Agriculture appropriations bill reduces CFTC funding by \$136 million. That's from the President's request. What it essentially does is cripple the agency's ability to do its job. And make no mistake about the Republican intentions. They're defunding. And that's the same as deregulation. And deregulation will allow the speculators and profiteers to engage in the same reckless actions that caused the financial meltdown on Wall Street. The end result with commodities is higher gas prices and higher food prices. The Wall Street speculators get rich while everyone else pays at the pump and the grocery store. The speculators treat the markets like a casino, but the risk of another market meltdown is harm to everyone else.

Some industry experts say that speculators have added \$15 to a barrel of

oil. Goldman Sachs put the figure higher at \$27 a barrel. The bottom line is that the Dodd-Frank bill brought more oversight to Wall Street and provided resources to empower the CFTC to police speculators. The Republicans are trying to cripple the CFTC by slashing its funding so much that it would force layoffs of one-third to one-half of its staff. They're not doing this because they're trying to save money, save the taxpayers' money, trying to reduce the deficit. They're doing it because they want to cripple this agency, force layoffs of one-third to one-half of its staff.

In case there are any doubts about the Republicans' motives, they're also pushing legislation that would delay all the reform measures in Dodd-Frank. Terms like derivatives, leveraged positions, future markets, buying long and buying short, these are foreign to many Americans, but it's a vocabulary of practices that can be abused as easily as they are used. Most Americans know that allowing Wall Street bankers to run wild contributed to financial chaos and the recession. What they need to know and what we're stressing more and more on the floor is that allowing commodity traders to run wild contributes to higher gas and food prices.

I am shocked, frankly—I shouldn't be, but I am—that my colleagues on the other side, when you go home, didn't you hear complaints about higher gas prices? Didn't you hear people complaining about higher food prices? That's what I heard when I went home. People want us to stand up for them. They want us to stand up for the little guy. They don't want us to stand up for the speculators. They don't want us to stand up for those people that caused the recession to begin with. And by doing this, all you're doing is prolonging the pain—the pain for the average American who's got to pay these higher prices and the downward impact on the economy. Because we know in the last couple weeks that the economy is struggling once again. We were starting to recover. But now signs are not good. So why in the world would you try to contribute to the same problem that caused this recession to begin with? A very simple answer: All you care about are the big banks, Wall Street, the big insurance companies, and Big Oil. The special interests. That's who you're for, and that's who you're always going to be for.

I yield back the balance of my time.

Mrs. DAVIS of California. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Mrs. DAVIS of California. Mr. Chairman, this underlying bill muzzles the Federal watchdog agency now responsible for regulating agriculture, energy, and financial markets while letting speculators run loose. By cutting

44 percent from the President's budget request for the CFTC, the Commodity Futures Trading Commission that we've been talking about, we're saying it's just okay to have fewer and less qualified regulators to protect us from market abuses, to protect our constituents from market abuses. Haven't we learned any lessons?

Speculation on Wall Street has caused massive harm on Main Street. Not sufficiently funding the CFTC will hamper our efforts to recover from the recession and hinder middle class prosperity. Commodity futures and options markets are complicated systems. We know that. They require a complicated skill set to understand. Some of the smartest people are engaged in doing this. But this bill ensures that the playing field is tilted toward those who are in favor of the same risky practices that led to the financial crisis.

Without full funding the CFTC will have 159 fewer full-time employees and an inability to procure the technology needed to properly regulate the derivatives market. If the last 5 years has taught us anything, we need more consumer protections, not more market speculation that will drive up gas prices, food prices, and play Russian roulette with our financial system.

What is disturbing, Mr. Chairman, is that this bill continues the House majority's assault on lower- and middle-income families who are struggling to put food on the table and gas in their cars. I cannot support, I will not support, a bill that refuses to protect American families. And so I urge my colleagues to please review this bill carefully and join me in opposition.

I yield back the balance of my time.

Mr. TONKO. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Thank you, Mr. Chair.

I rise today in support of my colleague from Connecticut to properly fund the Commodity Futures Trading Commission, otherwise known as the CFTC. All eyes are upon us. Well, at least we hope they are. Unfortunately, the regulatory eyes of the speculating process are slowly being closed. The CFTC represents the cops on the beat, the regulators in charge of overseeing Wall Street speculators, the eyes of the watchdog, specifically as it relates to the price of oil we're asked to pay.

Let me be clear. Without a proper cop on the beat, the roads are not safe and wrongdoers will get away with whatever mischief they can. In the same way, without a cop on the beat of Wall Street, oil speculators will run rampant and drive the cost of oil and gasoline even higher than it is today. Make no mistake. Fluctuating oil prices with extremely high peaks make many on Wall Street extremely rich. But their gain becomes our loss. Their

profit drains our pockets. Their greed causes our pain. Their joy drives our sticker shock at the pump, estimated to increase the cost per gallon by some 67½ cents due to speculation.

To his credit, President Obama has asked for increasing the investment in cop count on the beat of speculators. Not only does the Republican bill reduce the President's request, but it ends up providing less funds than we have available this year, all while the CFTC is supposed to prepare itself to take on the enhanced powers and responsibilities granted to it under the Dodd-Frank Wall Street Reform bill. This will mark the third time this year that House Republicans will vote to effectively cripple the CFTC by draining funds it needs to do its job.

Since 1990, the number of oil speculators has more than doubled—from 30 percent of the market to nearly 70 percent today. Even oil executives admit that oil prices are higher than they should be, with Exxon CEO Rex Tillerson recently testifying before Congress that a barrel of oil should cost some \$60 to \$70 based solely on supply and demand, not the \$100 like it is today. Yet the Republicans are once again choosing Wall Street over Main Street. This bill chooses more pain at the pump over reason and fairness.

The world's largest commodity trader, Goldman Sachs, recently admitted that speculation was to blame for higher oil prices, telling its clients that it believes speculators, like itself, had artificially driven the price of oil as much as \$27 higher than supply and demand would dictate. Nearly 90 percent of all traders betting on rising prices are speculators, while about 12 percent of those bets were held by producers, merchants, processors, and users of the commodity.

Our families and small businesses simply cannot afford the Wild, Wild West of Wall Street that runs roughshod over our wallets and family budgets. That is why I commend my colleague from Connecticut for her leadership on this issue and implore this body to increase the number of cops on the beat, not lessen them. And who wins in this scenario? The profit-rich oil industry, which is on pace to make over \$100 billion in profit this year alone.

□ 2110

And who loses? You got it—working families and middle class Americans that work hard and play by the rules and now are asked to pay for this free rein that keeps driving up prices.

We cannot keep mindlessly handing billions of tax breaks to big oil companies that don't need it while they're raking in record profits at our expense. Again, we simply can't afford it.

The best way we can control gas prices is by developing alternative technologies that will drive down our

demand and compete in the marketplace. We can better use the billions going to oil companies in the form of tax breaks on clean energy alternatives that have the potential to make a real impact on our energy costs and on our wallets and will create jobs in the process.

With that, Mr. Chair, I urge a “no” vote.

I yield back the balance of my time. Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I rise to support the gentlelady from Connecticut’s amendment and thank her for her vision.

I thank my good friend from Georgia who is the chairman of this committee, and I thank the manager who has represented our good friends very well tonight. I thank them for their courtesies. And I thank our ranking member, Mr. FARR, for his passion about ensuring that every person in America has an opportunity for good and healthy food. The Agriculture Department and the work that the Agriculture Department does is both domestic and international.

But today we rise because there is an inequity and an unfairness. It is complicated to discuss something called the Commodity Futures Trading Commission. What is that and how does that have an impact on making sure that Americans have a quality of life that they are deserving of, hard-working, everyday Americans that get up at the sign of dawn and carpool their children and go to work and return at the end and attempt to be able to provide for their families? The Commodity Futures Trading Commission is that arbiter. It’s the entity that will implement the consumer protection and armor that was given during the Dodd-Frank legislation.

And how in the world can you work on behalf of consumers and Americans if the legislation that is before us obliterates this commission, eliminates 600 positions that would allow these hard-working Americans to gain what they deserve? And what is that? A better quality of life.

I am glad my good friend from New York cited the energy industry as recognizing themselves that the price of oil has gone beyond reason, that the gasoline prices have gone beyond reason. But who is gaining? Speculators whom you cannot see. You couldn’t find a speculator if you tried. And that is the purpose of a commodity trading commission, which is to find the individuals that want to cripple the system and make sure that the American public suffers.

Look at this document that I’m holding in my hand. It lists the States and the districts that have the highest degree of poverty, States and districts

that, in essence, have individuals who do not eat, for example, who have to borrow from one payment or one bill to take care of another need. So maybe the electric bill goes or the home mortgage or the rent goes so they can actually feed their families. Or they put the car up and cannot get to work because they cannot afford the gasoline.

This is what the underfunding of the Commodity Futures Trading Commission will do. It will pile onto people who cannot afford any more pile-on; 600 workers taken away from implementing legislation and laws that protect the consumer from the daggers of high gasoline prices, the daggers from high food prices, and the daggers from a poor quality of life.

There are people in the United States that go hungry. And in talking to seniors while I was home, you cannot understand their life until you talk to them one on one. When they get their benefits that they worked so hard for and they have to parcel out dollars for their needs and they go to the grocery store and the food prices are soaring, that is speculation. That’s the speculators raising food prices. So seniors can’t eat. Families that are on a single income, disabled persons, single parents, they can’t have a nutritious meal; compounding them with the high costs of moving around, gasoline prices, the high cost of rent, and, of course, the difficulty sometimes in finding work.

Let me say this. This administration and Democrats have been working hard to shove jobs out on this economy. And if you listen to the economists, they believe that as bad as it is and how sympathetic we are and how we know that we can’t rest, that we’ve got to put a jobs bill out here, there is some suggestion that those businesses will be hiring because we’ve tried to make sure that we study the economy. Do you think they’ll be hiring with 600 jobs thrown out of the commodity commission that is supposed to regulate to ensure that consumers can get the best deal; that if you do get a job, you can pay for the gasoline; that if you’re in need of a healthy meal, you can go to a grocery store and actually pay for it because the speculators haven’t raised the prices of food?

This is what we are talking about when we are arguing against the underlying bill and the elimination of \$136 million to devastate this commission so that consumers cannot be protected.

Mr. Chairman, it’s time to recognize who’s boss. It is the American people. And I like them being a boss. I’m going to stand with my boss, the good boss, and fight for them to be protected. This bill does not do that.

I yield back the balance of my time.

Mr. WALZ of Minnesota. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WALZ of Minnesota. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. I thank the gentleman.

In 2002, Warren Buffett called derivatives “financial weapons of mass destruction.” As Wall Street firms used these derivatives to construct highly leveraged speculative positions in 2008, these positions generated losses so large across the financial system that the Federal Government bailed out Wall Street to prevent a financial and an economic collapse. The cost of the bailout was \$800 billion. By choosing not to sufficiently fund the CFTC, and we are talking about \$130 million, the Republicans are ensuring average American taxpayers will once again have to bail out their friends on Wall Street potentially to the tune of \$800 billion.

Tonight on this floor, we heard a colleague say that the savings to the Navy in taking speculative trading out of the market would result in billions of dollars saved with regard to the cost of fuel. We are talking about \$130 million to protect taxpayers.

The 2012 Defense bill is \$118 billion for two wars the American people did not support. The previous administration spent hundreds of billions of dollars without paying for it, and this majority is unwilling to pay \$136 million to prevent another financial collapse.

My colleagues on the other side of the aisle like to think that they’re talking seriously about deficit reduction, about a country going broke, and that what they’re here to do is to save money.

Well, in trying to save \$130 million, why don’t we, once again, take a look at the \$8 billion that we supply for agricultural subsidies, not to small farms like dairy farms in my community or specialty crop farms, but to big agribusiness? What about the \$8 billion to the multinational corporations to take their jobs overseas? Why aren’t we closing that loophole? What about the \$41 billion to the oil industry where they’re reaping profits hand over fist and speculating, driving up the costs so that American taxpayers cannot afford to go to work, can’t afford to get their kids to school?

That’s what this is about. If you’re really serious about it, do not permanently extend the tax cuts to the wealthiest 1 percent of the people in this country. That costs \$750 billion, none of which is paid for. It only adds to the deficit.

□ 2120

You do not want to spend \$130 million tonight. This is a false construct. The people of this country see right through what it is you’re doing, and it is about protecting banks. It’s about protecting the oil interests. It’s about protecting the oil companies—that’s

where you come down—and not protecting the American people and American families who are struggling, struggling day in and day out to be able to provide a decent economic future and security for their family.

Mr. DONNELLY of Indiana. Mr. Chair, I rise in support of the DeLauro amendment.

The underlying bill slashes Commodity Futures Trading Commission funding to levels well below what is needed to implement the Dodd-Frank Wall Street Reform and Consumer Protection Act. Dodd-Frank will ensure the CFTC receives information on swap trading and it also directs the CFTC to set position limits on swaps and futures. These provisions are crucial to monitoring and understanding the role of speculation in the energy commodity markets.

Oil rose above \$140 per barrel in the summer of 2008, only to fall below \$40 per barrel six months later. The prices of commodities rise and fall; however, it is difficult to explain a 70 percent price drop without wondering about the role of speculators. Just 10 years prior to that oil shock, in 1998, hedgers—producers or commercial users of commodities who use the markets to offset price risk—outnumbered speculators by a ratio of three to one. Now speculators outnumber hedgers by a ratio of four to one.

CFTC Commissioner Barton Chilton feels that the increased amount of speculation in the market is a reason to put limits on speculation. CFTC Chairman Gary Gensler has stated that it is necessary to “address excessive speculation through aggregated position limits.” Even Goldman Sachs reported that speculators could be driving up oil prices by up to \$27 per barrel, saying that there was an eight to 10 cent increase in the price of oil for every million barrels of oil held by speculators.

With all this in mind, I cannot understand why Congress would move to handcuff the CFTC. Earlier this year, oil topped \$110 per barrel and gas prices hit \$4 per gallon. Previous oil price spikes have come in the summer, and already in April working families had to make tough decisions as gas prices approach the all-time high. While speculators may not be the single driving force behind dramatically increasing oil and gas prices, I do believe their role is not insignificant and that we must ensure the CFTC has the resources it needs to keep speculators in check.

I believe it is unconscionable that while Americans face the prospect of a summer of record-high oil prices, this bill would deny funding to the CFTC for putting in place position limits that could help deter, detect, and measure any inappropriate speculation that might drive up the costs of oil.

Ms. WATERS. Mr. Chair, I rise in support of the amendment by Representative DELAURO to H.R. 2112, the FY 2012 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, which would fully fund the Commodity Futures Trading Commission (CFTC). By gutting funding for the CFTC, the underlying bill would fulfill the Republican agenda of dismantling the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.

As Ranking Member of the Subcommittee on Capital Markets and Government Spon-

sored Enterprises, I am very concerned that in the absence of this amendment, we will continue to see the same unregulated, unchecked, and unmitigated speculation in the derivatives market that led to the financial collapse, the impacts of which included:

Over \$10 trillion in household wealth destruction, with the average household losing 23 percent of its stored wealth;

Nearly 10 million lost jobs;

Wage losses of approximately \$3,250 per household;

12 million expected foreclosures; and

A 30 percent peak to trough decline in home prices.

Moreover, by underfunding the CFTC, this bill would contribute to the high gas prices that are already harming our economy and our constituents. The CFTC wants to set position limits on speculative trading, including speculation on gasoline. Without adequate funding, the CFTC will not be able to do this.

We know that consumers felt the pain of runaway speculation at the pump. According to a recent poll by the Associated Press, 71 percent of Americans said rising prices will cause some hardship for them and their families, including 41 percent who called it a serious hardship. While gasoline prices have recently declined—several weeks ago the average cost of a gallon of gasoline in Los Angeles was \$4.27—if speculation on gasoline rises to the levels it was several weeks ago, gasoline prices will shoot back up.

According to Goldman Sachs, speculation on gasoline alone added \$20 to the price of a barrel of oil. The CFTC has a proposed rule that would prevent this type of abuse. But by underfunding the CFTC, H.R. 2112 would stop that rule, an action that will ensure that our constituents continue to feel pain at the pump.

As you can see, Mr. Chair, it is our constituents who suffer the consequences of unregulated derivatives. Underfunding the CFTC is not only irresponsible, it is a slap in the face to the taxpaying Americans that bailed out the institutions that cost them their retirement funds, their jobs, and their homes.

This is why I support the amendment by the gentlewoman from Connecticut. If her amendment is not adopted, passage today of H.R. 2112 will come at the expense of these Americans, who will see higher oil prices as a direct result of this bill.

Mr. LARSON of Connecticut. Mr. Chair, I rise today in support of fully funding the CFTC.

According to Gene Guilford, Executive Director of the Independent Connecticut Petroleum Association, and former Reagan Energy Department Presidential appointee, gas prices should be \$2.50. He goes on to say that 15 to 20 percent of the price of a barrel of oil is due to pure speculation.

Even big oil executives agree, Exxon Mobil CEO and President Rex Tillerson recently testified that the price of a barrel of oil without speculation should be between \$60 and \$70. According to an April 2011 analysis by Goldman Sachs, unregulated speculation adds over \$20 per barrel to the price of oil.

In my home state of Connecticut, 4 million gallons of gas are sold a day. That means every day my constituents are spending an extra \$6 million for speculation. In this fragile

economic time, I can think of many other important things Connecticut families can spend \$6 million to buy instead of paying to support the greed of over speculations. With consistently some of the highest gas prices in the nation, Connecticut deserves better.

One of the ways to reduce the price of gas is to end excessive speculation. The CFTC has a job to protect American consumers and through the Wall Street Reform legislation passed last Congress, they were tasked with implementing rules the market has to follow including ending excessive speculation and setting position limits.

To carry these regulatory protections out, the CFTC needs funding. Republicans have not only written language to delay implementation of these protections, but now in the FY12 Appropriations bill they put forth legislation to cut the budget by 15 percent, 44 percent under the President's request. This is unconscionable, especially when CFTC is doing a good job.

Less than a month ago, the CFTC charged 5 oil speculators with manipulating the price of crude during the record high gas prices in the summer of 2008. The Republican funding cut to the CFTC sends a strong message to the industry to continue the status quo. Not only will the cut prevent the agency from hiring the technical experts needed to implement new regulations, but will also reduce the overall size from 670 employees to under 600 employees.

When President Bush left office, the CFTC oversaw a \$40 trillion market. Today, the CFTC is tasked with overseeing a \$300 trillion market. This is a 650 percent increase in the CFTC's responsibility, but at the same time their budget has only increased by 15 percent. It is irresponsible to take away funding leaving the agency stretched far too thin and inadequately prepared to deal with our ever more intricate market. Wall Street spent \$34 million last quarter lobbying Congress in order to prevent implementation of new regulations, and it looks like their efforts have paid off.

The health of our economy is no game. I am outraged by the actions of my colleagues. I support my amendment to fully fund the CFTC and reject this appropriations bill.

Mr. WALZ of Minnesota. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 14, after the aggregate dollar amount insert “(reduced by \$200,000)”.

Page 3, line 4, after the dollar amount insert “(reduced by \$300,000)”.

Page 3, line 10, after the dollar amount insert “(reduced by \$100,000)”.

Page 3, line 19, after the dollar amount insert “(reduced by \$300,000)”.

Page 7, line 17, after the dollar amount insert “(reduced by \$50,000)”.

Page 8, line 7, after the dollar amount insert “(reduced by \$50,000)”.

Page 51, line 18, after the aggregate dollar amount insert "(increased by \$1,000,000)".

Page 53, line 17, after the dollar amount insert "(increased by \$1,000,000)".

Ms. DELAURO (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. DELAURO. My amendment would transfer \$1 million to the Center for Food Safety and Applied Nutrition at the Food and Drug Administration. The funding would come from the U.S. Department of Administration from several of the administrative accounts: Office of the Secretary, the Chief Economist, Budget and Program Analysis, Chief Information Officer, Office of Communication, and General Counsel. The intent is that it will be used to protect the American public from *E. coli* sickness originating from FDA-regulated foods. This is something we have to do. Our primary responsibility as the people's representatives is to protect the health and safety of American families, and the current funding level for the FDA in this bill puts these at risk.

We know that food-borne illnesses are always a major public health threat. They account for roughly 48 million illnesses, 100,000 hospitalizations, and over 3,000 deaths in our country each year. Put another way, one in every six Americans becomes sick from the very foods they eat each year.

Specific to *E. coli*, well over 200,000 sicknesses every year are because of this one type of food-borne bacterial sickness, and the threat of a more serious outbreak is also very real. Right now in Europe we are witnessing just such a lethal outbreak. In Germany, thousands have been affected, hundreds have become sick, and 37 have died from an *E. coli* outbreak. Just this morning, a 2-year-old German boy perished from kidney failure as a result of *E. coli* poisoning, which authorities think began with raw bean sprouts in northern Germany.

This sort of fatal outbreak could all too easily happen here. In many ways, we have been extraordinarily lucky that it has not happened more often. In recent years, all types of food have become contaminated and forced into recall from Froot Loops to SpaghettiOs and salami to eggs. We have to be continually vigilant on the food safety front to keep families safe.

That is also why we passed the Food Safety Modernization Act last year, to give FDA the tools to better respond to food-borne illness outbreaks and to hold industrial food production facilities to higher standards. But for no budgetary purpose to speak of, this legis-

lation would undo all of these over- due and much-needed improvements.

In so doing, it effectively ties the hands of the FDA, ensures it will not have the funds to implement or enforce the Food Safety Modernization Act or to fulfill its mandate to guard against contaminated foods. Once again, we will be stuck with the status quo, and that status quo means that people will continue to become sick and people may die.

With so much food coming in from overseas, we should be improving our food safety system right now. For example, the GAO recently issued a report highlighting the shortcomings in our ability to ensure the safety of imported seafood.

I urge my colleagues to vote for this amendment to restore \$1 million in funding to food safety efforts at the FDA. We should be doing more, not less, to keep our fridges and our kitchen tables safe.

I yield back the balance of my time.

Mr. KINGSTON. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. And I wanted to say food safety is something that we all place a very high priority on and we're very concerned about, and we have been watching this situation in Europe daily as we're all concerned, and our prayers are with the people who have suffered and those who have died.

I do want to read a quote that Secretary of USDA Mr. Vilsack said yesterday, and I will just quote: Secretary John Vilsack said he is "reasonably confident" that U.S. consumers won't face the same sort of *E. coli* outbreak now plaguing Germany. And we're doing a lot and have done a lot in the last 15 years to make sure that we address potential *E. coli* infection. For example, the type of ground beef that has had a repeated problem with it has actually been cut in half.

Also, I want to say I do have concerns about the FDA implementation of food safety. We hear quite often that 48 million people have suffered from food-borne illnesses—a very high number, a number that we're all very concerned about—but only 20 percent of these are from known pathogens. If you look at it even further, 60 percent of the illnesses from known pathogens come from norovirus.

And how do we address this? Well, CDC said on March 4, to update the norovirus, that appropriate hand hygiene is the likely most single important method to prevent norovirus infection and control transmission. Reducing any norovirus present on hands is accomplished by thorough hand washing with running water and plain antiseptic soap.

Now, in the FDA 630-page budget request, there was not one single men-

tion of norovirus. I would ask anybody, isn't that odd to you? That's something we need to be concerned about. Why would they not mention that, if nearly 60 percent of the illnesses are from norovirus?

Second highest cause of illness is from salmonella. And under the authority that FDA had before the Food Safety Modernization Act and the authority that the FDA has right now, they finalized the salmonella egg rule in July of last year, almost a year ago. According to the FDA's own press release, FDA said that as many as 79,000 illnesses and 30 deaths due to consumption of eggs contaminated with salmonella may be avoided each year with new food safety requirements. They have that authority right now, and that was last year's budget. They can still do it this year with this budget.

The third highest cause of food-borne illness comes from crossbreeding, and crossbreeding is mentioned one time in FDA's 2012 budget request as it was related to food defense. And the reason why this is important is because the FDA always seems to be ready to take on new initiatives, and yet it doesn't seem to be tackling the food safety challenges that we have right now in an orderly fashion under its current budget.

Now, the CDC statistics, which we got through hearings, go back to that 48 million food-borne illnesses a year, 128,000 hospitalizations, and 3,000 deaths, very high numbers, numbers that we are all concerned about. But if you look at 311 million Americans eating three meals a day, that would be 933 million meals eaten daily or 340 billion eaten each year. If you do the math on this, the food safety rate is 99.9 percent safe.

Why is that relevant? Because something's working without the FDA and without the USDA and without the nanny state saying we're in charge of everything. And that's how the private sector—the private sector is a dirty word for many people in Washington, D.C. But food processing companies are very concerned about food safety and their customers' safety, because the way you keep your customers coming back to buy more is to keep them happy, and that means to keep them safe.

□ 2130

And it would be hard for me to believe that some of the leading companies in America, such as McDonald's or Burger King or Coca-Cola, have anything on their minds except for food safety.

So I appreciate the gentlewoman offering this amendment, but it's only \$1 million. And if it were a serious amendment, certainly it would be more than that. But based on what we've seen so far, I don't think this amendment is going to do anything.

[From USA TODAY]

VILSACK: U.S. LARGELY SAFE FROM
EUROPEAN E. COLI OUTBREAK
(By Dan Vergano)

Agriculture Secretary Tom Vilsack said he is "reasonably confident" that U.S. consumers won't face the same sort of E. coli outbreak now plaguing Germany.

But the European episode "reinforces that we need to remain vigilant here about food safety," Vilsack said Monday, speaking with the USA TODAY editorial board.

Public health experts, however, warned that another serious outbreak in the U.S. is just a matter of time and luck.

"Could it happen here? It already has," says infectious-disease expert Larry Lutwick of SUNY-Downstate College of Medicine in Brooklyn, citing past U.S. outbreaks that involved strains of E. coli other than the one that has struck Germany.

He points to last year's romaine lettuce-related outbreak of an E. coli strain that sickened 26 people, and the 2006 fresh spinach-related episode that hospitalized 199 people in 26 states.

In Germany, officials backtracked Monday for the second time in a week and said testing ruled out bean sprouts from an organic farm as the possible source for the outbreak that has killed 22 people and sickened more than 2,330 people across Europe. Testing earlier ruled out cucumbers from Spain as the culprit.

"This investigation has been a disaster," Michael Osterholm, director of the Center for Infectious Disease Research and Policy at the University of Minnesota, tells the Associated Press.

"This kind of wishy-washy response is incompetent," he says, accusing German authorities of casting suspicion on cucumbers and sprouts without firm data.

Some U.S. health experts say government assurances face constant trials.

"Food isn't just grown locally, it comes from all over the world, which poses a lot of challenges" for food safety, says epidemiologist Elaine Scallan of the University of Colorado-Denver. She notes the current system heavily relies on rapid responses to outbreaks but is not as well positioned to prevent them.

"We are relying on state and local health departments to pick up these outbreaks, just like their equivalents in Europe," she said.

In January, President Obama signed a food safety act ramping up Food and Drug Administration authority to police food imports.

But Caroline Smith DeWaal of the Center for Science in the Public Interest warns those inspections may be cut in the ongoing congressional budget battle.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE OF
TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 14, after the dollar figure, insert "(increased by \$25,000,000)".

Page 5, line 5, after the dollar figure, insert "(reduced by \$25,000,000)".

Mr. KINGSTON. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the distinguished chairman from Georgia, who I am hoping will be inclined to recognize the importance of this amendment and work with those of us who are interested in healthy food.

Mr. Chairman, my amendment would fund and seek to have the Secretary of Agriculture focus on the healthy food funding initiative. This initiative would increase the availability of affordable healthy foods in underserved urban and rural areas and, as well, particularly through the development or equipping of grocery stores and other healthy food retailers.

We call these "food deserts." And the reason why I am standing next to this tragic picture of the disasters that have hit the American public is to emphasize what Americans go through. In this instance, we see a disaster of unbelievable proportion, from Missouri to Alabama to the flooding that occurred up and down the Mississippi. I can assure you that these individuals are suffering from the lack of access to healthy food. We've got to get them back on their feet.

This idea of food deserts impacts rural and urban areas, but it also impacts the millions of Americans, thousands upon thousands of Americans who have recently been impacted by disaster. Everything is gone. And although they are now probably experiencing the distribution of food from food centers sponsored by FEMA and volunteers, they will come back to a food desert. Particularly in the African American and Hispanic communities, for example, food comes from fast foods and convenience stores. And as I indicated before, those fast foods come from, if you will, the places where the expiration dates are sometimes way over the time of expiration.

According to the Centers for Disease Control and Prevention, 80 percent of black women and 67 percent of black men are overweight. African American children from low-income families are at a much higher risk for obesity. Why? Because there is no access or limited access to good food. The CDC also estimates that African American and Mexican American adolescents ages 12 to 19 are more likely to be overweight at 21 percent and 23 percent, respectively.

This amount of money will allow us to focus on the importance of correcting food deserts.

The U.S. Department of Agriculture identified 92 food desert census tracts in Harris County alone, and that is in the 18th Congressional District. These areas are subdivisions of a county with between 1,000 to 8,000 low-income residents, with 33 percent of the people living more than a mile from a grocery store.

According to the Kaiser Family Foundation, 32 percent of all children in Texas are overweight or obese. These statistics underscore the staggering effect food deserts have.

I am asking that we look at the idea of ensuring healthy food. Targeting Federal financial assistance to food desert areas through the Healthy Food Finance Initiative will provide more healthy food to affected areas.

We can create jobs, we can help farmers, and we can bolster the development in distressed areas. It is an easy fix, and the fix is to find a way to cooperate, collaborate—not do a handout, not dole out—to make sure that we provide the incentives to come into our areas to ensure that we have a healthy child.

This is a healthy child, we hope, getting access to health care. But I can assure you that their health is based upon not only health care but the food that this little one will eat.

I can tell you, Mr. Chairman, that I represent communities that have the inability to access good food. This initiative will increase the availability of healthy food alternatives to the 23.5 million people living in food deserts nationwide.

We must be reducing the deficit, I agree, but cutting programs that provide healthy food—and create jobs, because it would certainly create jobs by adding access to healthy food and sites for healthy food, meaning grocery stores, farmer's markets. All of those will be part of this initiative. And it would assist the many, many census tracts in Houston, alone, that are now suffering from the lack of access to good food.

Just a picture of green vegetables inspires us to support this amendment. I would ask my colleagues to support this amendment.

I thank the Chairman for this opportunity to explain my amendment to H.R. 2122, which allocates an additional \$25 million to the budget of the Office of the Secretary, in order to fund President Obama's Healthy Food Funding Initiative (HFFI).

Funding HFFI will increase the availability of affordable, healthy foods in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

These "food deserts", communities in which residents do not have access to affordable and healthy food options, disproportionately affect African American and Hispanic communities. Fast food restaurants and convenience stores line the blocks of low income neighborhoods, offering few, if any, healthy options.

Many of my colleagues across the aisle have made arguments about the economic climate, and the need for budgetary cuts, and I agree that we must work to reduce the deficit. We cannot, however, continue to make irresponsible cuts to programs for the underserved, lower income families, and minorities.

Since the mid-1970s, the prevalence of overweight and obesity has increased sharply for both adults and children, and obesity is a grave health concern for all Americans. However, food deserts have taken a toll on low income and minority communities and exacerbated growing obesity rates and health problems.

According to the Centers for Disease Control and Prevention (CDC), 80 percent of black women and 67 percent of black men are overweight or obese. African American children from low income families have a much higher risk for obesity than those in higher income families.

The CDC also estimates African American and Mexican American adolescents ages 12–19 are more likely to be overweight, at 21 percent and 23 percent respectively, than non-Hispanic white adolescents who are 14 percent overweight. In children 6–11 years old, 22 percent of Mexican American children are overweight, compared to 20 percent of African American children and 14 percent of non-Hispanic white children.

Food deserts have greatly impacted my constituents in the 18th Congressional District, and citizens throughout the State of Texas. Texas has fewer grocery stores per capita than any other State. The U.S. Department of Agriculture (USDA) identified 92 food desert census tracts in Harris County alone. These areas are subdivisions of the county with between 1,000 to 8,000 low-income residents, with 33 percent of people living more than a mile from a grocery store.

According to the Kaiser Family Foundation, 32 percent of all children in Texas are overweight or obese. These statistics underscore the staggering effect food deserts have on the health of low-income and minority communities. In Houston and other cities across the country, local programs have proved that well targeted funding and assistance can create viable business outcomes and increase access to healthy food.

Targeting federal financial assistance to food desert areas through the Healthy Food Funding Initiative will provide more healthy food to affected neighborhoods, open new markets for farmers, create jobs, and bolster development in distressed communities.

The Healthy Food Funding Initiative is not a handout or a crutch. Funding through this program is intended to provide financial and technical assistance in support of market planning, promotion efforts, infrastructure and operational improvements, and increase availability of locally and regionally produced foods.

This initiative will increase the availability of healthy food alternatives to the 23.5 million people living in food deserts nationwide. Yes, we must work toward reducing the deficit, but cutting programs that provide healthy food to those who simply do not have access to nutritional options, is not the way.

With that, I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word, and I wanted to object to this and explain the point of order.

The Acting CHAIR. Does the gentleman continue to reserve his point of order?

Mr. KINGSTON. I continue to reserve.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

POINT OF ORDER

Mr. KINGSTON. The reason is that the amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of funding and outlays in the bill. And under the House rule, the amendment has to be budget neutral with budget authority and with outlays. This only does one of those.

I know the gentlewoman has worked very hard on this, and that was the intent. But because the budget authority and outlay both have to be considered, that is what the problem is under rule XXI. I know the gentlewoman is an expert in this, has put a lot of time and a lot of compassion in it, and it is something that the committee is not turning our backs on at all. But that's why we're objecting to it.

And I know that my friend from Houston is very passionate on this and will be back again doing other things to try to make sure that we address food deserts and so forth. I appreciate her conviction on that, and I wanted to explain that.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Ms. JACKSON LEE of Texas. I would, Mr. Chairman.

The Acting CHAIR. The gentlewoman from Texas is recognized.

Ms. JACKSON LEE of Texas. First of all, let me thank the ranking member, Mr. FARR, as well as his staff for recognizing the importance of food deserts. And let me thank Mr. KINGSTON. If I might, I would offer, out of your thoughtfulness, I would even ask for the point of order to be waived in the face of 23.5 million individuals who live in food deserts.

I will make the argument, in speaking to the point of order and, particularly, procedurally, of course, that, you know, it was a challenge to be able to frame language that would allow us to address this crisis. So I believe we made every effort to ensure that we were in compliance.

It is my understanding that the language or funding for this initiative was not in this legislation or pulled. We wanted to give the discretion to the Office of the Secretary to not leave places like this, that I just lifted up, disasters, suffering from not having access to food.

I would simply ask the gentleman in this moment when I'm asking for a

waiver of the point of order to have the ability to work with this great subcommittee to think of this as a valuable issue and to work on this point that has to do with helping those who live in food deserts.

I yield to the gentleman.

□ 2140

Mr. KINGSTON. I reluctantly have to insist on the point of order. It's actually scored by CBO at \$5 million, and that is beyond my authority to waive anything. And it's not a numerical thing. It's just a rule.

Ms. JACKSON LEE of Texas. Do you have an interest in working together?

Mr. KINGSTON. Let me say, we'll see what we can do. I'm not fully versed on it. But the gentlewoman knows that the door is always open to my office, and we'll continue to work with you. But I do have to insist on the point of order.

The Acting CHAIR. Members may not yield or engage in colloquy on a point of order. The Chair is prepared to rule on the matter.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentlewoman from Texas proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read. The point of order is therefore sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

OFFICE OF TRIBAL RELATIONS

For necessary expenses of the Office of Tribal Relations, \$423,000 to support communication and consultation activities with Federally Recognized Tribes, as well as other requirements established by law.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$10,707,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$12,091,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$8,004,000.

OFFICE OF HOMELAND SECURITY

For necessary expenses of the Office of Homeland Security, \$1,272,000.

OFFICE OF ADVOCACY AND OUTREACH

For necessary expenses of the Office of Advocacy and Outreach, \$1,209,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$35,000,000.

AMENDMENT OFFERED BY MR. FORTENBERRY

Mr. FORTENBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 19, insert after the dollar amount the following: “(reduced by \$1,000,000)”.

Page 39, line 10, insert after the dollar amount the following: “(increased by \$1,000,000)”.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. FORTENBERRY. Mr. Chairman, before I begin the discussion on the amendment, I'd like to correct the RECORD in regard to something I said earlier. The CFTC budget is actually decreased by a slightly higher amount than the overall Ag budget, rather than a slightly lower amount.

In addition to that, I do wish to address a number of charges laid before the chairman of the Ag Appropriation Committee. We've heard for hours that this bill is about supporting Wall Street, Big Oil and tax breaks at the expense of food security. I think it's very important to note that food security is an important American value. It's important to me. It's important to many of us. So much so that in a time of very tight budgets, this bill actually raises food and nutrition spending by nearly \$7 billion, approximately 7 percent more than current levels, because there are many vulnerable Americans out there who now qualify during these very tight economic times.

Secondly, I also wish to reiterate, I did not support the Wall Street bailouts. Many of us didn't, both Democrat and Republicans. Five banks now control more than 50 percent of the deposited assets in this country. Main Street banks, many of whom had no role in the reckless behavior on Wall Street, are now under the constant competitive pressure from those banks that were deemed too big to fail, but in actuality are too big to succeed.

Mr. Chairman, I'd also like to point out that I did not vote for the tax deal passed at the end of last year, an 11th-hour deal that was cobbled together because of the mismanagement of this institutional process. We could have done much better for the American people, both Democrats and Republicans.

So the reality is this is a very difficult process we're in now to right-size our budget and make government more efficient and effective. In that regard, Mr. Chairman, I appreciate the opportunity to offer an amendment that invests in renewable energy in rural America.

Clearly, America needs a bold new energy vision, and this amendment, I believe, can help. A sustainable energy future must include the integration of conservation and new technologies, powered by clean renewable sources such as wind and solar, geothermal, biofuels, and biomass. Increasing our energy portfolio and the diverse range of opportunities available to produce energy domestically is all the more im-

portant in light of skyrocketing fuel prices. Rural America should continue to play an important role in this regard.

Specifically, Mr. Chairman, my amendment would transfer \$1 million from the United States Department of Agriculture Office of the Chief Information Officer to the Rural Energy For America Program, also known as REAP. While I recognize the importance of funding for the Office of the Chief Information Officer, and its role in providing enhanced technology for the USDA, I believe it is appropriate to transfer a small amount by Federal standards, \$1 million, to our Nation's renewable energy efforts.

The REAP program funds a wide range of renewable energy projects that stimulate rural economies, help create jobs, and address environmental concerns. This funding promotes energy efficiency and renewable energy production, and is directed to farming communities and rural small businesses.

Mr. Chairman, renewable energy is changing today's agriculture and rural communities. It is clearly in our national interest to help rural communities integrate a wide variety of renewable energy sources and technology as we move toward energy independence and environmental security.

New development and signs of interest in renewable energy production are booming, Mr. Chairman. This amendment strengthens Congress' resolve to creatively develop new energy options throughout America, and I urge its adoption.

I want to also thank my colleague from Minnesota (Mr. WALZ) for his support of this amendment, a native son of Nebraska.

I yield back the balance of my time. Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. We do accept the amendment with reservations. I want to say to my friend from Nebraska, he's been working very hard on this amendment, particularly in the last 5 hours. But we had a debate about this in the full committee. Ms. KAPTUR offered an amendment that restored funding for the REAP account. It was my intention to zero it out because I do want to reduce the number of Federal programs that are out there. The full committee did restore it. I'm not sure what \$2 million in that account will do.

I do support renewable energy, but I will say that there are dozens of programs and dozens of research channels available to people for renewable energy, particularly in the rural area.

So I want to say to my friend from Nebraska and from Minnesota that we'll accept the amendment, but you

need to keep your eye on us because it's not a program I particularly like. And I'm very serious about eliminating as many programs as possible. So we need to continue talking about that.

I yield back the balance of my time.

Mr. WALZ of Minnesota. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WALZ of Minnesota. Mr. Chairman, I would like to thank the gentleman from Georgia, first of all, for his generosity to us. And we certainly understand the position you're coming from.

And I think yes, it's probably a small amount of money, but I think all of us recognize too the need to send a strong clear signal of the importance of these programs to the Senate and let them take a look at it over there.

So with that, I do rise in support of the gentleman's amendment. I want to thank my colleague from Nebraska for his hard work on behalf of all rural communities.

I certainly urge support of this amendment. It restores \$1 million to the REAP program. And the gentleman's right. It is a small amount, but these are important programs.

And I'd like to also thank Ms. KAPTUR from Ohio for putting that back in this program. REAP's vitally important for rural communities. Farmers and rural small businesses in my district use REAP grants and loan guarantees to cut their energy bills and improve energy efficiency. REAP allows farmers and small businesses to help move our country to cleaner energy future by building wind, solar, biomass, anaerobic digester, geothermal, and cutting edge technologies that were funded by this.

I think all of us recognize it's far better for us, Mr. Chairman, to get our energy needs and control our energy future from here at home instead of putting our national security, our energy security in the hands of countries that don't like us. We spend \$400 billion a year on imported oil from countries that hate us. They'll hate us for free. We can keep the money at home through programs like this, investing in diversity to keep the jobs at home.

And I want to say that I've seen this through the energy manufacturing supply chain in my district, that the spin-off from these jobs in the private sector is incredibly valuable.

□ 2150

Unfortunately, while I think the REAP amendment is a good one, the underlying bill I don't believe reflects the priorities of rural America.

Our farmers and ranchers clearly understand that we've got to tighten our belts, cut our budgets, and become more efficient. I simply think this piece of legislation puts a disproportionate burden on those that are doing

so much for this country. A 25 percent cut over the FY10 bill is irresponsible. In fact, I would argue that if it doesn't ensure that a safety net is there, that abundant, safe and affordable food supply that we keep talking about will be put in jeopardy.

This bill decimates farm bill conservation programs, takes money away from proven nutrition programs, and strips, as you heard for the previous 3 hours, the CFTC of critical resources it needs to regulate irresponsible behavior. For that reason, I'm going to have a difficult time supporting the overall bill.

But I do believe the REAP program does give America a way to move towards energy independence. I have seen these programs that have worked in my district. I believe it lets us take control of our energy future, lets our farmers and ranchers be part of the solution, and lets us get back on the track to prosperity.

So I want to thank the gentleman from Nebraska for his work on this and other issues in rural America, and I truly do thank the gentleman from Georgia for indulging us and for hearing us and letting us put it forward.

Mr. BOSWELL. Mr. Chair, I rise today in support of this amendment and to stand up for rural America and our Nation's farmers.

The appropriations bill in front of us today eliminates a program that helps rural communities invest in energy-efficient and renewable energy projects to improve their quality of life and local economies.

The Rural Energy for America Program (REAP) has given Iowa farmers and businesses more than \$57 million in grants and \$74 million worth of loan guarantees since 1993 when it started, according to the USDA.

The majority of the projects have helped growers purchase higher-efficiency grain drying equipment which saves them thousands in propane costs. Additionally, helps farmers install geothermal heating and cooling systems and wind turbines. Just this year, Agriculture Secretary Tom Vilsack announced the Department would begin award grants to rural gas stations to install gas pumps for ethanol-blended fuel.

Iowa is the largest beneficiary of REAP funds, and I am committed to working with my colleagues in the House and Senate to reach a compromise on its funding. REAP has already been cut by 25 percent for this fiscal year and the majority's intention to reduce its funding from \$75 million to \$1.3 million is unacceptable.

When the House Appropriations Committee passed this legislation, Members chose to dismantle a program that helps rural communities thrive and their economies grow in order to maintain tax breaks for oil and gas companies and incentives for companies that outsource American jobs. This is not about reducing spending. It is an outright attack on Middle America to protect Corporate America.

I will not stand by as appropriators blindly cut spending in programs that truly grow the economy and support rural businesses and communities.

Every American needs an affordable and accessible food supply grown in the most efficient way possible. Effectively terminating the REAP program will reduce efficiency in food production, increasing prices in the grocery store, and, in the end, hurting every American family, not just rural America.

I urge my colleagues to support this amendment which will slowly rebuild the REAP program and send a message to the Senate that this program is important to every American.

Mr. WALZ of Minnesota. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$5,310,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A-76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, beginning line 22, strike the provision relating to FAIR Act or Circular A-76 activities.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, I know that the Federal Government employs some 2 million executive branch, non-postal full-time and permanent employees; 850,000 of these employees hold jobs that are commercial in nature. Of the 850,000 commercial jobs, only a handful have been characterized as government employees or private sector workers who can perform these activities more efficiently and more cost effectively.

My amendment strikes the current insourcing language found in this legislation which, as drafted, would prevent the funds spent by this bill from being used to conduct public-private competitions or to direct A-76 conversions for any program, project or activity within the United States Department of Agriculture without a contracting report to Congress by the Secretary.

Two weeks ago, the House voted in favor of striking similar problematic and anti-competitive A-76 language from H.R. 2017, the Department of Homeland Security appropriations bill. The same change and reversal of bad policy which I undertook at that time should also be implemented in this leg-

islation by striking this anti-competitive, free market language.

The A-76 process provides a valuable option for taxpayers and requires real competition. A former assistant director at USDA, Shawn Kingsbury, managed information technology programs at the Department. Mr. Kingsbury, in his tenure, implemented A-76 by transitioning to the first performance-based project management organization within the USDA, and it resulted in over \$100 million in savings.

Without the ability to add competitive insourcing, ballooning deficits and out-of-control spending will continue in our government. It is time that Congress explores and gives all solutions to save taxpayers and the managers of the business in the government their hard-earned money.

The Heritage Foundation has reported that subjecting Federal employee positions which are commercial in nature to a public-private cost comparison will generate on average a 30 percent cost savings regardless of who wins that competition. Rather than preventing market competition that would improve service and lower costs, we should be encouraging agencies to find the best way to deliver services to citizens of this great Nation. The role of government should be to govern, not to operate businesses inside the government.

Our Nation's unemployment rate stands at 9.1 percent. We must allow the private sector the ability to create jobs without an unfair disadvantage. We must get more results for our money.

I urge all of my colleagues to support this commonsense, taxpayer-first amendment and ensure cost-saving competition is available to the managers within this agency. Congress should be looking to use all the tools that it can find to help save taxpayer dollars.

Mr. Chairman, I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in opposition to this bill primarily because if it ain't broken, don't fix it.

This has been a law for a long time. It allows our committee and the public to know what the A-76 circular review did. The report is on the Department's contracting-out policies and its budget for contracting out, that information, which Congress has been getting year after year without any problems. The language has been in the bill for many years, and we have always received the report allowing the contracting-out activities to proceed. It hasn't stopped anything.

The language specifically requires a report to go to the authorizing committee reflecting the agreement

reached with the former Republican chairman of the Oversight Committee many years ago. It was his amendment that did this.

I have to say personally too that I've done the A-76 circular contracting out. We have a military base in my community, the Defense Language Institute, and the city of Monterey surrounds it. We ended up with an A-76 review, ended up where the city could provide the base operation services much cheaper than the Federal employees on the base, saving the Army about \$4 million a year and having much better services delivered.

So, again, delivering this report to Congress seems to me hasn't been a problem for anyone. And it ain't broke, so I don't think we ought to support fixing it with Mr. SESSIONS' amendment.

I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY FOR
CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$760,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$19,288,000.

OFFICE OF THE ASSISTANT SECRETARY FOR
ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, \$683,000.

AGRICULTURE BUILDINGS AND FACILITIES AND
RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, \$209,505,000, to remain available until expended; of which \$151,396,000 shall be available for payments to the General Services Administration for rent; of which \$11,452,000 shall be available for payment to the Department of Homeland Security for building se-

curity activities; and of which \$46,657,000 shall be available for buildings operations and maintenance expenses: *Provided*, That the Secretary may use unobligated balances from prior years to cover shortfalls incurred in prior year rental payments: *Provided further*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 5, after the dollar amount, insert "(reduced by \$342,000)".

Page 5, line 10, after the dollar amount, insert "(reduced by \$342,000)".

Page 17, line 25, after the dollar amount, insert "(increased by \$300,000)".

Mr. FARR (during the reading). Mr. Chairman, I ask unanimous consent to waive the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I am offering this amendment to move funding from the Agriculture Building and Facilities and Rental Payments account and investing that money in the Organic Data Initiative.

Organic agriculture is a very important and growing sector of our farm and ranch community. It has continued to grow at a double-digit rate since Congress passed the Organic Act in 1990.

The office collects and disseminates data regarding organic agriculture through the Agricultural Marketing Service, the Economic Research Service, and the National Agricultural Statistics Service. The organic sector should have the same access to data available to all agriculture—a building block to a successful U.S. agricultural economy.

As the industry surpasses \$29 billion, this information is vital to maintain stable markets, create proper risk management tools, and negotiate equivalency agreements with foreign governments. It is imperative that we continue to collect information gained by ODI.

The AMS collects organic prices and disseminates the data through Market News Reports.

□ 2200

NASS conducts surveys and collects data used for the Census of Agriculture. The ERS published the consumer survey "Marketing U.S. Organic Foods: Recent Trends from Farms to Consumers 2009," and continues to

produce reports which used the data collected by AMS and NASS in addition to surveying Americans about their organic consumption patterns.

This amendment is needed for the following reasons:

The AMS needs to continue to expand organic price reporting services to more commodities and price points and distribute the data through Market News, creating price stability.

The NASS will be collecting more information on organic production in the next agricultural census.

It is needed to understand the size of the organic industry and create risk management tools.

The ERS is continuing organic economic analysis and expanding to include organic trade data needed to expand export markets.

The President's fiscal year 2012 budget requests \$300,000 specifically for AMS to continue the collection of and distribution of data.

Mr. Chairman, I urge my colleagues to support this amendment to continue the Organic Data Initiative.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. BROUN OF
GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 5, after the first dollar amount, insert "(reduced by \$20,900,000)".

Page 5, line 6, after the first dollar amount, insert "(reduced by \$20,900,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$20,900,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. This amendment simply reduces by 10 percent the account for Agriculture Buildings and Facilities and Rental Payments.

My friend from Indiana (Mr. BURTON) and I have partnered to bring this commonsense amendment before the House, and I would like to thank him and his staff for all their hard work.

Mr. Chairman, we are in an economic and fiscal emergency. The Federal Government spends too much money. It is irresponsible and immoral to keep spending beyond our means. Not only do we need to reduce our deficit, but we need to begin to make an impact on eliminating the huge debt that has

been accumulating over the last few years.

I greatly appreciate the effort and the difficult decisions the Appropriations Committee must make. That said, we must continue to make meaningful cuts to show the American people and the President that we are serious about controlling spending and serious about the future of our Nation.

I urge my colleagues to support this commonsense amendment. Let's show the American people that we are serious about controlling spending and stopping the outrageous spending that has been going on here in Washington under Democrat as well as Republican leadership. I encourage a "yes" vote on this amendment.

I yield back the balance of my time.

Mr. FARR. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR (Ms. Foxx). The gentleman from California is recognized for 5 minutes.

Mr. FARR. I normally wouldn't oppose this because it cuts from the account that I just tried to cut from, but I only cut \$300,000 to pay for something. This amendment cuts \$20 million, and it pays for nothing. I just think that that's not a very good proposition.

We have an awful lot of facilities that are around this country. Agriculture is everywhere—in every single State and in almost every congressional district. I happen to represent the leading agricultural State in the United States—California—where we grow some 40, 50 crops that no other State grows in addition to hundreds and hundreds of other crops, so we need facilities out there.

I know this is an account that is easy to be offset, and as I said, I tackled the same account myself. Yet, since the gentleman opposed my amendment, I think it's only good quid pro quo that I oppose his.

Mr. BURTON of Indiana. Madam Chairman, I rise in support of the gentleman from Georgia's amendment to cut \$20.9 million from the Department of Agriculture's Buildings and Facilities and Rental Payments account and redirect those funds for deficit reduction.

I commend the Appropriations Committee, Chairman ROGERS and Chairman KINGSTON for crafting a bill that is \$5.041 billion or 22.6 percent less than the President's FY 2012 budget request, and \$2.672 billion or 13.4 percent less than the FY 2011 enacted level. However, I believe the financial catastrophe facing our Nation today requires us to do even more.

Recently, the CBO released their annual Budget and Economic Outlook report which projects that the FY 2011 deficit will reach an all time record high of \$1.48 trillion; the third year in a row our Nation's budget deficit has exceeded \$1 trillion. Our national debt is a staggering \$14.2 trillion, almost more than our entire economy.

We are borrowing nearly 42 cents of every dollar we spend, much of it from the Chinese,

and sending the bill to our children and grandchildren. Every child born today already owes \$45,500 in debt they didn't create.

Now, more than ever, it is clear that we must be bold and take the steps necessary to tackle the unprecedented deficits and debt facing our country and get our economy moving again. I urge my colleagues from both sides of the aisle to work together on this bill to cut spending where we can, get our fiscal house in order, and protect the American Dream for our future generations.

In light of the looming and ever growing Federal deficit, an amendment like this is simply common sense. It merely cuts \$20.9 million a modest cut of only 10 percent; a very measured step that reduces spending without threatening the mission of the Department of Agriculture.

Our country has a spending problem—not a revenue problem; support the Broun Amendment.

Mr. FARR. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

HAZARDOUS MATERIALS MANAGEMENT (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$3,393,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION (INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$23,900,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 11, insert after the dollar amount the following: "(reduced by \$5,000,000)".

Page 46, line 22, insert after the dollar amount the following: "(increased by \$5,000,000)".

Mr. CLARKE of Michigan (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. This amendment would restore \$5 million to the Women, Infants and Children Farmers Market Nutrition Program. This would allow low-income pregnant women and low-income women who have just given birth to purchase food directly from farmers to benefit their young infant children up to age 5.

This is very important in many areas around the country, especially in the area that I represent, the city of Detroit, where you don't really have that many markets around. Many times, families—even young mothers—have to go to gas stations and drug stores just to purchase groceries. That's not acceptable. That really encourages poor eating habits, poor nutrition, and it really increases our health care costs that all of us as taxpayers ultimately bear.

So I urge you to consider this amendment. It's a fair proposal, and it's very cost-effective. It provides low-income mothers and their children with good nutrition, which is the best medicine for health care—helping to get better nutrition to prevent people from getting sick.

The other thing, too, is that, throughout the entire debate on this budget, many of the speakers would say that those who benefit from these programs—low-income women, infants and children—really don't have a voice, so many of us here in Congress have to be their voice. I'd like to say, though, that the people who have benefited from these programs do have a voice.

My mother, Thelma Clarke, was a single parent, and she raised me. She was a child of the Great Depression. Ironically, during the Great Depression, she passed out in her school classroom because of malnutrition. It was during the 1930s, and times were very dire in the city of Detroit. She was experiencing tough economic times all the while I was growing up as a young kid and as a teenager. She vowed what happened to her would never happen to me, so she provided me with all the food I wanted—great meals with groceries that she purchased with food stamps. It worked for our family, so I want to say this, not just about this amendment but about the role of government.

□ 2210

I think the reason why this country is so great, and I thank God that my dad immigrated to this country, the United States, as opposed to another one, we are so great because we understand the value of pooling our tax dollars together to help each other. That makes this country stronger. It provides everyone, everyone, with an equal opportunity. That is what makes this country one of the most extraordinary in modern civilization. So I ask for \$5 million. Let's give every child that same chance.

I yield back the balance of my time. Mr. KINGSTON. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I was going to ask my friend if he is planning to offer his other amendment. Don't you have another related amendment?

Mr. CLARKE of Michigan. Well, it relates to a different issue. It deals with food safety, and that comes right after this. It does amend page 6 as well.

Mr. KINGSTON. You don't have anything else on this section of the bill?

Mr. CLARKE of Michigan. At least not dealing with this specific subject matter. I do have an amendment that amends this same page, page 6, and page 17, but that deals with reinstating funding on a food safety bill.

Mr. KINGSTON. You are taking from the same account twice?

Mr. CLARKE of Michigan. Let me consult with our staff here.

Mr. KINGSTON. I wanted to explain to my friend about it. I am uncertain about this current amendment, but that departmental account, as unglamorous as they are to all of us, has been cut about 15 percent, and then this cuts it, and then your food safety amendment will cut it as well. So that is what my dilemma is at the moment. I don't know if anybody over there has actually heard from the department. I am assuming they are going to be against it.

Also I want to point out to my friend that one of the things that I think our authorizing friends should do is combine this program with food stamps anyhow, because there is duplication and overlap.

I yield to the gentleman from California.

Mr. FARR. The concern here is that this amendment double dips from the same account. Maybe we can work something out here. Mr. BROWN took money out of this account. I took money out of this account.

Mr. KINGSTON. Reclaiming my time, we were talking earlier about some of the overlaps in these Federal food assistance programs. To me, this is a case where this is a program where there is a lot of overlap with food stamps, and we should look at that, re-

alizing that that is the authorizing committee's jurisdiction. There is not much more that I can do than comment on it.

I yield to the gentleman from Michigan.

Mr. CLARKE of Michigan. Thank you very much, and I will ask for a vote on this.

Mr. KINGSTON. With that, I withdraw my objection, and we accept the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CLARKE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF INDIANA

Mr. YOUNG of Indiana. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 11, insert after the dollar amount the following: "(reduced by \$2,390,000)".

Page 80, line 2, insert after the dollar amount the following: "(increased by \$2,390,000)".

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. YOUNG of Indiana. Madam Chair, this amendment is quite simple. The amendment would simply reduce by a modest 10 percent that part of the USDA's budget used for "general administration and miscellaneous supplies."

This category of spending is so broadly defined that Washington bureaucrats could use this money as a sort of gift card for these general administration and miscellaneous expenses. My amendment would put over \$2 million of the money back into the spending reserve account to reduce our Federal deficit. That, of course, will lead to lower future taxes, lower future interest rates and thus a lower future unemployment rate.

I was sent here by the great people of Indiana's Ninth Congressional District to focus like a laser on creating jobs and to get our Federal spending under control so that we can keep our tax burden low. That will serve to the benefit of businesses and all that work for them around our country. Since being sworn in on January 5, that has been my mission, and I know it has been the singular focus of many of my colleagues.

So this simple amendment advances this mission by trimming more bureaucratic fat from Washington, and it signals to all job creators and to our financial markets that we in Congress are serious, very serious, about cutting unnecessary spending wherever we can find it.

I yield back the balance of my time.

The Acting CHAIR. Does any Member wish to speak in opposition to the gentleman's amendment?

If not, the question is on the amendment offered by the gentleman from Indiana (Mr. YOUNG).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, \$3,289,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level; *Provided further*, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of congressional relations activities.

OFFICE OF COMMUNICATIONS

For necessary expenses of the Office of Communications, \$8,058,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, \$80,000,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$35,204,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, \$760,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$70,000,000.

AMENDMENT OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 15, after the first dollar amount, insert "(reduced by \$43,000,000)".

Page 8, line 18, after the first dollar amount, insert "(reduced by \$85,000,000)".

Page 9, line 5, after the first dollar amount, insert "(reduced by \$650,000,000)".

Page 49, line 23, after the first dollar amount, insert "(reduced by \$1,040,198,000)".

Page 80, line 2, after the first dollar amount, insert "(increased by \$1,818,198,000)".

Mr. CHAFFETZ (during the reading). I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Madam Chair, this amendment deals with three different services within the Department of Agriculture. The idea and the goal of the situation here is that perhaps they could take a reduction in funding, not totally zero them out, and really look at these duplicative programs as being something that can be ultimately unified over the course of time. My amendment simply drives down the cost of these, and the hope and desire is that they will somehow unify to do and accomplish what these duplicative services are. This relates to the Agricultural Research Service, the Economic Research Service, and the National Agriculture Statistics Service.

□ 2220

Now, the one other one that I would also point out that is funded is the National Institute of Food and Agriculture, where we are not suggesting a reduction in the amount. But the overall goal here is to reduce the amount of the expenditure here 50 percent from 2011 and 43 percent from the current bill. I think this is common sense.

We have to make difficult decisions. We recognize the value the Department of Agriculture brings. A lot of people rely on these types of statistics and information that is needed so that we can make sure that we have the very best Department of Agriculture that we can.

But in these tough and difficult economic times, it is imperative that we make difficult decisions. And sometimes that means we are looking at duplicative programs, maybe scaling those back a little bit, and refocusing the mission so that they can actually do what matters most and prioritize their own mission.

So we think it is the financially responsible thing to do. I would urge my colleagues to look closely at this. I urge my colleagues to vote in favor of this amendment.

I yield back the balance of my time.

Mr. FARR. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. This amendment cuts ERS by \$43 million, and that's the Economic Research Service for Agriculture. Then it goes on to cut another \$85 million out of the National Agriculture Statistical Service, which is essentially the census of Agriculture. And then it goes on and cuts \$650 million out of the Ag Research Service, which is two-thirds of the entire budget—and a budget that is absolutely to keep America competitive.

This is an agrarian world we live in. If we're going to stay ahead of the competition and not have all our food imported, we've got to stay ahead of the curve. That's the think tank, the creativity of America. It's also where we know whether we're getting all the bugs and infestation that's coming in. That's what agriculture research is all about.

It zeroes out the Food for Peace program. My God, in the world that we're living in now, we don't want to have any friends left? It puts all that savings into a spending reduction account, does nothing to help anybody except do a lot of damage for agriculture, for all the economics of agriculture, the research of agriculture, and the Food for Peace program. I think this is a very bad amendment, and I hope we strongly oppose it.

I yield back the balance of my time.

Mr. JORDAN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. I first want to thank the committee, and in particular the chairman of the subcommittee, for the good work he's done on the bill overall. But I support the gentleman from Utah's amendment. Any Member of Congress can do this in their district. You're at any group giving any speech and you say, Do you think maybe there's a little redundancy, maybe a little duplication, maybe a little overlap in the Federal Government? And the whole audience begins to laugh and everyone raises their hand because they get the joke.

In fact, we just had a hearing in the Subcommittee of Oversight dealing with regulation and overspending and the GAO was in there and they had done a study and we asked them, How many different means-tested social welfare programs are there? And they said, Well, we really can't give you a number because we can't tell; it's so ridiculous in government. But there are over a hundred.

They couldn't even tell us. But what they did tell us was there's a lot of redundancy, a lot of duplication, a lot of overlap. The gentleman from Utah's amendment just seeks to deal with that and says, Look, it recognizes a couple of facts. It recognizes that, yes, there is redundancy, but also we're broke. In fact, it's not we're going broke. We are broke. And we have to cut some spending, just like every single family, every single small business in this country has had to do over the last several years.

Remember some of the numbers because at some point something has to give. And we've got to be willing to cut spending. We've got a \$14 trillion national debt. We've run trillion-dollar deficits for the last 3 years in a row. The three largest deficits in American history have been in the last 3 years,

and \$200 billion we're paying each year in interest. Right now, interest rates are at lowest levels—historically low levels. They're going to go up.

Something has to give. And the gentleman from Utah has a basic amendment which says, Let's reduce the spending in five programs that the Federal Government doesn't need and, frankly, cannot afford. And it would save the taxpayers of this great country \$1.8 billion at a time when we're going broke. Some people would say we are broke.

So this is a commonsense amendment, something we should do. It builds on the good work that the gentleman from Georgia is getting ready to speak on, the gentleman from Georgia, who's the chairman of the committee, has already done. But it builds on their good work and respects the taxpayers.

I would urge a "yes" vote on the amendment.

With that, I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, frankly, I think that statement is a flat Earth statement because it doesn't even look before you leap. It just says, Let's whack because there's redundancy. There is redundancy in our own body. We've got two eyes, two ears, two arms, and two legs. Why don't we just whack one of them out because you've got the other one.

Look at the consequences. ARS is the Agricultural Research Service. Do you know what they do? They look at how we can make a plant structure more healthy, how we can combat the bugs that come in. I represent a county where we have glassy-winged sharpshooters that affect the wine industry. It's a multimillion-dollar eradication program. We wouldn't know how to eradicate it without the research. We have the brown apple moth that infects nurseries, multimillion dollars of attacks. This is a war, just like those disasters you have been seeing on television that are natural disasters. These are natural disasters, only they're small little bugs. Or E. coli that we've talked about. Why would you want to cut the very service that keeps American agriculture healthy and competitive? This amendment wipes out two-thirds of the entire budget.

I'm one of those that thinks there's a lot of redundancy in government, but what I do is try to get the agencies together in my district and figure out where they overlap and how we can consolidate them, how we can get them to do joint operations. I think if you want to really consolidate a lot of Federal Government, it's going to take a lot more than just whacking away with

an amendment making a list of zeroing out money for economic research for the census for agriculture. That's the last thing we want to do. It's a huge, huge market. You've got to have market information. As I said, you certainly don't want to whack ARS. That's the competitive arm. That's where America stays ahead of the rest of the world.

So redundancy is a problem, but it's not always smart just to knock off something because there's more of it, just like your arms, legs, and eyes. I ask for a "no" vote.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. I appreciate the gentleman from Utah bringing this forward. This is a time when we've got to be looking for every opportunity to be wise stewards of the taxpayers' dollars. And all we're asking here is \$1.8 billion out of trillions of dollars of spending here in the Federal Government, \$1.8 million more. I think the taxpayers understand that. They expect that.

I don't know that anyone here has criticized the use of these funds, where it is going. It's not that. It's just the fact that the money is not there. How can you continue spending money you do not have? I think back on the average American families at home. They have to make difficult decisions. There are a lot of things that the average family would like to do each and every week; but if they don't have the resources to do it, they wait until they can save up and do it at another appropriate time. They enjoy it at a later date when they have the ability to do that.

Madam Chair, right now we do not have that ability as a Federal Government. For far too long we've spent too much. It's not a partisan issue, necessarily. Both parties are responsible for the reckless spending that's gone on in Washington. But this is the day, this is the time that we can correct that course. We can correct the path. We don't have to continue down this same path that's been going on over and over and over again. The status quo is not acceptable.

In fact, the American people, they deserve better. We have an opportunity right now to send a strong message to the American people that \$1.8 billion is being sent back to the taxpayers. Just imagine that—taking money from the Federal Government that it's used to absorbing from the taxpayer and allowing the taxpayers to choose how they wish to spend it. What a great concept. How novel is that, to allow the taxpayers to choose how they invest their money, where they might spend it. Which leads to the number one issue facing this Nation—and it's jobs and the economy.

If we want to see the economy improve, if we want to see revenues here in Washington improve, it's not through tax increases. It's through the economy improving. It's through the GDP, the engine of this Nation moving once again. And how do we do that? We release the dollars we hold as a Federal Government and the additional dollars that we're borrowing from foreign countries and we allow the private sector to hold that, allow the private sector to make those investments, allow them to be the dreamers. Those that have the ideas, those that have the ideas, entrepreneurs, allow them to be the risk-takers, the job creators we know they are and they want to be.

□ 2230

Instead, we hear again opposition which says, no, we know better as the Federal Government. Let us keep that money. Let us take it from your wallet. Let us distribute it out as we know best. I think I heard a speaker earlier today say the Federal Government is better at making decisions than the American people. I mean we've heard that concept expressed here already, that we know better. Well, the fact is the American people know better how to spend their money.

So the gentleman from Utah brings up a great amendment that says \$1.8 billion in additional cuts, saving the taxpayers once again additional money. That only adds to the savings that the chairman of the subcommittee has already fought for, and I'm happy to serve with him on the committee. He's done a fabulous job of taking us back to 2006 spending levels, an amazing effort on behalf of the subcommittee, and this just takes it back just a little bit further. Surely we can do that for the American people tonight in this House.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I rise in opposition to this amendment.

I heard a very instructive quote. Even as important as this legislation is, in actuality it appears that my friends on the other side of the aisle simply want to zero out this whole appropriation for the important agricultural work that is done in this Nation, just zero it out. Mr. CHAFFETZ's amendment seeks to zero out a very important program, which includes zeroing out Food for Peace, and it apparently ignores the basic purpose and the crisis that we're facing dealing with food insecurity in the world.

The United Nations World Food Program acknowledges severe acute malnutrition affects an estimated 20 million children under the age of 5 worldwide and is responsible in whole or in

part for more than half of all the deaths of children. Malnutrition kills approximately 1 million children each year, or an average of one every 30 seconds.

This is not the direction we want for the world or the United States. There are priorities. And I ask my colleagues, what are their priorities?

Now, I have a deal for them. Let's make a deal. Let's take the \$10 billion that we're spending every month in Afghanistan and spread it out on deficit reduction. I will take up that challenge and accept that challenge. In fact, we will be able to put \$1 billion or \$2 billion every week for a 4-week timeframe in deficit reduction if we bring the troops home from Afghanistan. And while we do that, we'll have the opportunity to answer the question that I'm asking to my colleagues: Who will stand by while a child dies, one every 30 seconds around the world?

Food for Peace is a program that our farmers have bought into from the perspective of the service and the Good Samaritan that they do by providing the goods of the world's bread basket. The United States is the world's bread basket. We have been blessed with the bounty of topography and weather, in spite of the disasters we've now faced, to be able to feed the world. And Food for Peace is that program.

Just a few hours ago, I stood on the floor of the House and I mentioned my colleague, the Honorable Mickey Leland. Some of my new friends should read about this unselfish man. I know she didn't ask me to call out her husband's name, but those of us who knew Mickey knew that he loved Congressman Emerson and Congressman Hall. They had a passion for finding out how can we stop the devastation of hunger. So they circled around programs that dealt with it, programs like Food for Peace or the Select Committee on Hunger or a number of other programs around the Agriculture appropriations, not to waste money but to partner between the great agricultural agrarian society of the United States, and its ability to grow food, to also be able to provide for those who cannot.

Do I have to say it again? We buy the food from our farmers. Let me make it very clear. In the very places where, as I showed earlier today, the devastation of tornadoes and floods, these people are trying to come back. Some areas did not suffer. They're trying to get their goods to market. It cuts here in the very jobs that we are saying that we want to keep. We're cutting jobs. We're throwing people out of work, the work that farmers love. You try to get a farmer off his land or her land. They don't want to go because they love the soil. They love producing food. They love helping people. Yet my friend wants to come and cut this program that creates jobs, buys the food, and sends it to starving, dying children.

I don't understand. In the legacy of our friends, some of them you did not know, but if you read about them, you will understand their passion and their heart. Mickey Leland used to bring us to tears because he would leave the devastation of Fifth Ward, Houston, where there was poverty, and he'd get on an airplane to deliver food to the dying around the world. He lost his life in the course of delivering food.

My final word, Madam Chairman, is to ask my colleagues not to support this amendment and to support Food for Peace and support the underlying message of providing the jobs and a helping hand.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. KINGSTON. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Madam Chairman, I oppose this.

I want to say to my friends who have offered it, I did support this budget on the House floor and did support this 302(b) allocation in full committee. However, as I pointed out several times to my Democrat friends during the course of the debate today, the only budget that has passed is the Ryan budget. The President's budget failed in the Senate 97-0. The RSC budget fell on the House floor. The Congressional Black Caucus budget fell on the House floor. The Progressive Caucus budget fell on the House floor.

Our job is to try to move this under the circumstances that we have and the restraints that we have. The bill before us represents a cut in discretionary money of 13.4 percent, which is one of the largest cuts that we will be considering in the 12 appropriation bills.

I want to point out also that in terms of P.L. 480, that account alone has been cut 31 percent. And I met with the World Food Program three different times now and certainly expressed lots of concerns about America's role around the globe. We need to be engaged in the countries that we are engaged in. Sometimes this program is oversold as national security, which I believe it contributes to. It is not necessarily everything people want it to be in national security, but it is a program that keeps America engaged around the world and therefore promotes stability around the world. And when you have instability, there is a concern in terms of national security. It also actually does have an implication for the merchant marine because there's a cargo preference clause to it. It keeps the American merchant marine healthy, and those are the ships that take our military equipment overseas during engagements such as what we have going in Afghanistan and Iraq.

Ms. JACKSON LEE had raised some of the points about the war. I voted for

the Kucinich amendment the other day because I do not think we should be in Libya at this time. I'm very concerned that that's going to be one of those classic cases of mission creep, that right now we're saying no troops on the ground, but after we get through blowing up their buildings, who do you think is going to rebuild it? It's going to be America. So that mission is going to morph into troops on the ground in one form or another. That's why I thought the Kucinich amendment was appropriate.

I want to just conclude, though, that I think the spirit of the gentlemen—and they're very consistent in terms of their fiscal restraint, but, again, the only budget that has passed any body is the Ryan budget.

□ 2240

One of the balancing acts of this, if you go too far, you lose votes; if you don't go far enough, you lose votes. The Ryan budget got over the finish line and did not get all the Republicans voting for it, so I'm going to have to oppose this amendment, but I want to say to my friends, I appreciate the vigor in which you've offered it and your consistency on things.

I yield back the balance of my time.

Mrs. LUMMIS. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. I yield to the gentleman from Utah.

Mr. CHAFFETZ. Thank you. I will be brief, Madam Chair. I recognize the spirit in which you are doing this, and I appreciate the process and the back-and-forth.

I did want to say for the record, I would join with the gentlewoman from Texas, and I have advocated for a long time that we pull out of Afghanistan and that we put that towards deficit reduction. But I also think we have to bring back discretionary spending even further.

And I would like to mention to this body that really what happens with the so-called Ryan budget, the budget that this House passed, is that sets ceilings but it doesn't set floors, and I believe that one of the greatest threats in security to our future is the out-of-control debt and deficit that this country is encompassing.

Let's also remember that we spend in the neighborhood of \$40 billion on U.S. aid. We haven't been able to take care of our own pocketbooks in our own country, and so it's very difficult to justify not only a very healthy and robust USAID budget—by the way, having conducted oversight is not necessarily accountable. You can't go back and actually look at the accounting and see where all this money is flowing and what it's doing. But let's also remember that then we still have

tens of billions of dollars to help people across the world. We have 149 countries in this world that are getting USAID money. They're getting aid from the United States of America through various programs.

So, again, I would just want to briefly say I do think we can do better. I think we have to do better. The out-of-control spending in the past puts us in a perilous position where we spend \$600 million a day just in interest on our debt. And so when I look at \$1.8 billion in reduction and I look at the fact that our interest payment is \$600 million a day, the best thing we could probably do for the world and certainly for ourselves is to get that deficit under control. We could do a lot more good in this world if we were to take care of our own financial pocketbooks, and we have not yet done that.

I thank the gentlewoman for yielding to me. I appreciate the spirit of this body allowing me to add this extra comment.

Mrs. LUMMIS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. KINGSTON. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 15, after the dollar amount, insert "(reduced by \$7,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$7,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Madam Chairman, I rise to offer my amendment that would reduce the budget for the USDA's Economic Research Service by \$7 million. We don't know what's going to happen with the previous amendment, but whether it passes or fails, this would cut another \$7 million. It's just a modest 10 percent that would help end some of the duplicative research the USDA is currently conducting.

For example, the USDA has four separate services that conduct research, as Mr. CHAFFETZ has already spoken about here on the floor. All four of these entities have numerous overlapping issues, and it would be more fiscally responsible to simply consolidate them, and I wish we had done so.

The American people have demanded that we cut the outrageous spending that's going on here in Washington, and we must cut the spending in every corner of the budget possible. They deserve our very best efforts in being good stewards of their tax dollars. I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. You know, it's very easy to just go through and start cutting these services because they sound like they're sort of bureaucracy offices, but, in fact, we've been on the committee a long time and we get, you know, oversight of these budgets. We get the Economic Research Service to come before us. And I remember a couple of years ago when they were before us, and I think the committee really got engaged because this is the research service that does the study on the WIC program, what the economic effects are, does the study on the economic conditions of rural America, something that's totally ignored. We've been finding out from them that essentially rural America has been in a recession for the last 10 years, maybe even a depression.

So, if you're going to have strategies which are going to include the Federal Government as part of your strategy, it's also going to include local and State government, you've got to have the economic data on which to build those strategies. And I think to just go and take \$7 million out of there because you can and get no benefit out of it and hurt what they do, I mean, these services, whether they be the Economic Research, that information is also used in our marketing activity.

Now, it's a little bit different than the census stuff that we talked about earlier, but I think that this is really a cut that does a lot more harm than the gentleman who's introducing it intends to do, and I think if he really understood what the full scope of the Economic Research Service was he wouldn't ask that he take 10 percent out of that Department just merely to reduce the amount of money that we're spending.

So I oppose this amendment, and I think it does big harm to rural America.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROWN of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$149,500,000, of which up to \$40,000,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$993,345,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

AMENDMENT OFFERED BY MR. NUGENT

Mr. NUGENT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 5, insert after the dollar amount the following: "(increased by \$2,000,000)".

Page 48, line 11, insert after the dollar amount the following: "(reduced by \$2,500,000)".

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. NUGENT. Madam Chair, every night millions of families sit down to meals where ingredients are produced here in the United States. The Agricultural Research Service is a vital part of our Federal Government's continued efforts to help farmers, producers and, ultimately, consumers.

I firmly believe that the Federal Government has a terrible spending problem and that tough decisions must be made.

□ 2250

I have the utmost respect for Chairman KINGSTON and all of the members of the Agriculture Appropriations Subcommittee. They have done a great job of crafting this piece of legislation.

My amendment would reduce \$2.5 million from the Foreign Agricultural Service and transfer \$2 million of that money to the Agricultural Research Service. By adding these funds back to ARS's budget, we will be helping guarantee that our farmers remain competitive with farmers from other nations. We should be supporting increased food production here in America and maintain our domestic independence in this area of our economy and not increasing our usage and demand for foreign agricultural imports. There is still important work to be done by ARS, and that must be continued. There have been significant cuts made to the budget of ARS that jeopardize research already in progress.

During my 5 months in Congress, I have had the great pleasure to meet and interact with many farmers and ranchers in my district. These men and women are some of the hardest workers that I know. They are the first up and the last to go to bed. Research must continue to be funded in order to guarantee that America's agriculture community is independent, that it remains the most productive and the greatest agricultural producer in the world.

ARS's work has resulted in an oat-based cholesterol fighter, a replacement for blood plasma, a biofungicide to help prevent apple and pear rot—and I'm sure on grapes from California—and is a method to increase production of penicillin and other antibiotics.

As you can see, ARS's research successes are not just limited to the agricultural community, but they help all Americans. So my goal is to make sure that America remains strong as an agricultural producer, that we don't outsource agricultural production to other nations to provide our food, and maintain a safe food source for Americans.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I am very interested. One of your colleagues just cut the heck out of this Department, and you want to add money back in. I am kind of for that. But I am kind of curious because I understand—and the question is, do you intend in the general provisions of this bill later to add some language regarding cattle research?

Mr. NUGENT. We have withdrawn any other amendment. There is no other amendment.

Mr. FARR. So there is no other amendment? This hasn't to do with an earmark to try to stop closure of—

Mr. NUGENT. Sir, there is no other amendment. We withdraw that amendment.

Mr. FARR. I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to clarify some things on this that are important. Number one, I want to make sure that we all realize that ARS is currently, in this bill, funded at \$993 million and that the Foreign Ag Service is at \$175 million. And the Foreign Ag Service actually does have an invaluable role in representing U.S. agriculture overseas. And it's not all about importing their products as much as it is working and making sure that it's kind of a two-way street.

But I wanted to yield to the gentleman if he wanted some more time to explain it. My inclination is to take the amendment—although ARS, as I am saying, has a pretty big funding level already. And I just wanted to invite you to speak a little bit more and maybe warm us up a little, because I am like Mr. FARR. There's a lot of criticism of ARS. So somebody coming in to increase it, the amendment is paid for. I don't know that \$2 million is going to help significantly one way or the other.

Mr. NUGENT. Will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Florida.

Mr. NUGENT. Our goal with regards to strengthening ARS is to make sure that we strengthen the American ability to produce goods within this country. It is simple and focused. It's about keeping American agriculture strong. While we may be asking to reduce what we send overseas, I think it's more important that we have a strong agricultural base here.

I will tell you, just in my home State, that agriculture accounts for over a third of the income to the State of Florida. It is one of the three legs that support Florida. One is tourism, the other one is industry, but the third one that has been there for Florida in this downturn economy has been agriculture. So our goal is to make sure that Americans can depend upon American sources of food that are safe for Americans.

Mr. KINGSTON. I will accept the amendment. I want to say to my friend from Florida, we're going to be looking at all this as the process goes on, and we'll certainly work with you. We, Mr. FARR and I and the committee, do appreciate all the research that the ARS does and all of the good things. And I am glad to know that you are following

them because I do think it's a significant agency within the USDA.

Mr. NUGENT. I thank the gentleman.

Mr. KINGSTON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. NUGENT).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 5, after the dollar amount, insert "(reduced by \$681,750,000)".

Page 44, line 19, after the dollar amount, insert "(increased by \$681,750,000)".

Mr. KINGSTON. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. As the gentleman rises, I ask myself the question and I ask this body, Who will speak for the children? And that's why my amendment attempts to fully fund the Women, Infants, and Children program that provides food for the Nation's children. It provides Federal grants to States for supplemental foods, nutrition, education, and health care referrals to low-income pregnant and postpartum women, infants, and children up to 5 years old.

We must remember that children have always been the largest category of WIC participants. Of the 8.7 million people who received WIC benefits, each month in fiscal year 2008, about 4.33 million were children, and 2.2 million were infants. This bill cuts \$650 million out of WIC, and I am so glad my good friend from Georgia—and I appreciate his friendship—just got up and said the Agricultural Research Service is pretty darn well funded, \$900 million.

I am simply asking to address the question of the staggering devastation of malnutrition in our children. And I have indicated that when you look at worldwide numbers, malnutrition can kill. But here in the United States, there are children that go to bed hungry. There are women that do not eat properly. There are babies that do not get nourishment.

In Texas alone, between 23,000 and 40,000 people are expected to be dropped from the WIC program if the funding is not restored; and each and every State in the Union is going to receive that kind of devastating impact. Can you imagine 40,000 women, infants, and children not being able to eat because we won't restore full funding? Texas has three of the top 40 districts with the highest national food hardship rates; and in the 18th Congressional District, there are 159,000 food insecure

people. The food insecurity rate is 23 percent, and Texas stands 32 in the Nation out of 435 districts. We are 32 in food insecurity.

So, let me just say, alongside of obesity, eating wrong, we have to face the actual question of hunger. Children who are served by the WIC program in Texas are less likely to eat fast food in comparison to children who are not in this program.

□ 2300

Again, I want you to look at this picture. Healthy children need to eat healthy. And I ask my colleagues why, in fact, would we not want to fully fund the program of women and infant children?

I will say that the impact of not eating healthy is obesity and poor health. This healthy baby, healthy-looking baby has a future that is undetermined when you have an issue of lack of healthy food and access to such.

So \$650 million, when we're, in essence, funding research for \$900 million, I believe you can share a little, because the WIC program is beneficial in helping the most vulnerable in our country.

I ask the question: Who will speak for the children? It is important that the WIC program, 9.2 million through 10,000 clinics, among this group, 4.9 million children, 2.1 million infants, and 1 million women have the ability to be served around the Nation. It's a complementary program, having healthy mothers, healthy pregnant mothers to give birth to healthy babies, to raise healthy children, not obese, nourished and ready to be leaders in this Nation. Who are we if we are not going to speak for our children?

And I ask my colleagues to consider waiving procedural issues to ensure that children are served. I believe that is an important issue. And in my district, in the 18th Congressional District, with 1,000 census tracts of people who are food insecure, I am arguing vigorously for the full funding of the WIC program to help our women, our infants, and their children.

Who will speak for our children? What will their future be, and how will they lead this country if we do not invest with them today?

I ask my colleagues to support this amendment.

I rise today in support of my amendment to H.R. 2112 "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2112," as it restores full funding to the Women, Infant, and Children (WIC) program.

As the Founder of the Children's Caucus and a Member of the Women's Caucus, I have firmly stood in support of the nutritional needs of our Nation's families. As a country we must protect and safeguard the health and nutrition of our Nation's low-income families. Women, Infant, and Children (WIC) provides Federal grants to states for supplemental

foods, nutrition education, and health care referrals to low-income pregnant and postpartum women, infants, and children up to age 5 who are found to be at nutritional risk. During the final quarter of Fiscal Year 2009, the number of women, infants, and children receiving WIC benefits each month reached approximately 9.3 million. We must remember that children have always been the largest category of WIC participants. Of the 8.7 million people who received WIC benefits each month in Fiscal year 2008, about 4.33 million were children and 2.22 million were infants.

WIC is essential because it affords many women, especially women of color in lower income brackets, the opportunity to care for themselves and their newborns after birth. Without programs such as WIC, many mothers would not be able to maintain a healthy lifestyle during pregnancies and after childbirth.

Because of WIC, mothers can afford the nutritional foods they need to sustain their pregnancies and avoid miscarriages, stillbirths and defects caused by malnourishment during pregnancy.

Today, I am proud to support a full restoration of funding to WIC. This program, which is distinctly American, demonstrates that we place a high value on feeding our Nation's children and tending to the needs of our Nation's poor.

Thomas Jefferson wrote in the Declaration of Independence that we are endowed "with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. . . ." I believe that it is no coincidence that life is listed first—for without it, the Founders realized, no other rights can be realized. Over many years, the millions of Americans who could not access medical services were denied their right to life—a life with access to quality and affordable health care.

Let me set the record straight, WIC is good for the American people and will go a long way in ensuring access to quality and affordable care to those millions of Americans who will need access to proper nutrition. WIC helps to ensure that our country will not succumb to one of the most staggering causes of death in children around the world: Malnutrition. Malnutrition remains a significant problem worldwide, particularly among children. It should not be a problem within the United States; that is why we have programs like WIC. According to the United Nations World Food Programme, severe acute malnutrition affects an estimated 20 million children under the age of five worldwide and is responsible in whole or in part for more than half of all deaths of children. Malnutrition kills approximately one million children each year, or an average of one every thirty seconds. This is not the direction we want to take the United States.

Madam Chair, when I stand here today and reflect upon what we are about to embark upon, I cannot help but think of some of the last words that the Great Senator Ted Kennedy shared in his letter to President Obama. The Senator said, "And so because of your (Obama's) vision and resolve, I came to believe that soon, very soon, affordable health

coverage will be available to all, in an America where the state of a family's health will never again depend on the amount of a family's wealth. And while I will not see the victory, I was able to look forward and know that we will—yes we will—fulfill the promise of health care in America as a right and not a privilege." Well, Senator, your life's work shall today be proven to not be in vain. I continue to stand by protecting the health needs of low income families. And, yes, this program ensures the health of infants and children will never again depend on the amount of their family's income.

In the words of the great President John F. Kennedy, "the voters selected us, in short, because they had confidence in our judgment and our ability to exercise that judgment from a position where we could determine what were their own best interests, as a part of the nation's interest."

Madam Chair, while my colleagues on the other side of the aisle seem to believe that without a cut to WIC this will harm Americans, nothing could be further from the truth. This bill is indeed in their best interests:

There are 110 million school-aged children suffering from hunger every day, and they are counting on America's leadership and generosity to provide them with an opportunity to break the cycle of poverty. The WIC program provides that leadership and generosity and it is for this reason that I urge my colleagues to join me in voting for restoring full funding to WIC.

In the words of the great civil rights leader, Dr. Martin Luther King, Jr., "We have also come to this hallowed spot to remind America of the fierce urgency of now." We cannot wait. We will not wait to protect the lives of our children. We can not delay in providing the most vulnerable citizens of this great Nation access to proper nutrition.

FACTS ON WIC—THE 18TH CONGRESSIONAL DISTRICT

In Texas, between 23,000 and 40,000 people are expected to be dropped from the WIC program if the funding levels are not restored.

Texas has 3 of the top 40 districts with the highest national food hardship rates. In the 18th Congressional district there are 159,000 food insecure people. The food insecurity rate is 23% and ranks 32nd nationally.

WIC COMBATS OBESITY

Let us remember that 1 in 3 American adults is overweight or obese and more than 9 million children are struggling with obesity. WIC aims to improve the eating habits of Americans, particularly our children through programs that provide children with healthy food. At its core, H.R. 2112 decreases funding for nutrition programs for children.

Obesity is associated with 35 major diseases including chronic and life-threatening conditions such as cancer, diabetes and heart disease. It is important to keep our nation healthy by providing access to high consumption of vegetables and fruits to the future of our great country, our children. By supporting WIC we assure a healthy consumption of nutritional foods for children whose only crime is that their families are poor.

Children who are served by the WIC program in Texas are less likely to eat fast food in comparison to children who are not in the program. These children are also more likely

to eat home cooked meals. When children reduce their consumption of less fast food then they drastically lower their chances of developing heart problems, diabetes, and obesity which could again end up saving billions of dollars in the healthcare system. All the health issues that are currently contributing to health disparities among minorities in this country.

Certain minorities have a higher rates of diabetes-related complications and death, in some instances by as much as 50 percent more than the total population. It is truly an epidemic. Combating obesity in from childhood utilizing programs like WIC is vital to decreasing health disparities.

24% of Texans were obese in 2001, the 3rd highest rate in the nation. Nearly 31% of African American girls in the 4th grade were overweight and 52% were overweight or "at risk of overweight" in Texas in 2001. 13% of Houston high school students are overweight and 17% are at risk. Over 71% of African American Texans are overweight or obese.

Over 34% of African American women are obese, compared to 19% of white women.

44% of African American women are projected to be obese by 2020, and 47% by 2040.

OBESITY

Although the obesity rates among all Americans are alarming, as Chair of the Congressional Children's Caucus, I am especially concerned about the childhood obesity epidemic among African-Americans. More than 40 percent of African-American teenagers are overweight, and nearly 25 percent are obese.

When ethnicity and income are considered, African-American youngsters from low-income families have a higher risk for obesity than those from higher-income families. Since the mid-1970s, the prevalence of overweight and obesity has increased sharply for both adults and children. Eighty percent of black women and 67 percent of black men are overweight or obese. According to the Centers for Disease Control and Prevention (CDC), among African-American male adults aged 20–74 years the prevalence of obesity increased from 15.0% in 1980 survey to 32.9% in the 2004.

There were also increases in overweight among children and teens. For children aged 2–5 years, the prevalence of overweight increased from 5.0% to 13.9%; for those aged 6–11 years, prevalence increased from 6.5% to 18.8%; and for those aged 12–19 years, prevalence increased from 5.0% to 17.4%.

Government reports indicate that an estimated 17 percent of children and adolescents aged 2–19 are obese. According to the Centers for Disease Control and Prevention, African American and Mexican American adolescents ages 12–19 are more likely to be overweight, at 21 percent and 23 percent respectively, than non-Hispanic white adolescents who are 14 percent overweight. In children 6–11 years old, 22 percent of Mexican American children are overweight, compared to 20 percent of African American children and 14 percent of non-Hispanic white children.

IMPACT OF OBESITY ON HOUSTON, TEXAS

The obesity epidemic has also heavily impacted my district in the city of Houston. In 2005, Men's Fitness Magazine ranked Houston the Fattest City in the Nation. In 2006,

Houston ranked as number five and in 2007, it was ranked the sixth fattest city in the Nation.

These statistics underscore why we must continue to vigorously identify ways to address the childhood obesity crisis, by starting with programs such as WIC, that provides proper nutrition to low income families.

As the debate over how to address the rising childhood obesity epidemic continues, it is important to continue to target and aid children who are nutritionally at risk.

H.R. 2112 CUTS MORE THAN \$650 MILLION FROM THE WIC PROGRAM

Since this bill seeks to cut more than \$650 million from the WIC program, countless scores of women, children, and infants will also no longer have the same access to healthy food. According to the National WIC Association between 200,000–350,000 people will be cut from the program. That is hundreds of thousands of women, infants, and children who will not get the assistance they need. This is not simply about adding and subtracting numbers on a page this is a family tragedy. We cannot ignore the nutritional needs of our children; we should not starve low income families. As our economy awakens from this long, cold, slumber we must ensure that our nation's children are fed. This is a moral question.

As financial hardships continue to impact millions of families, now is not the time for us to turn our backs on them. This is the time to show our compassion. I urge the full funding of WIC, because it will impact hundreds of thousands of people nationally, but also because it will end up costing billions more in the long run if we will have a nation of unhealthy families. Consider the consequences of children who lack the necessary nutrition as they grow into adults who have high health costs.

THE WIC PROGRAM HELPS FAMILIES

The WIC program has been beneficial in helping some of the most vulnerable members of our country.

Among the WIC's goals is to improve health care access for low and moderate income women and children at risk of developing health problems which include obesity and type 2 diabetes.

WIC served 9.2 million through 10,000 clinics. Among this group were 4.9 million children, 2.1 million infants, and 1 million women.

WIC works with pregnant mothers to help reduce costs of prenatal care. Preterm births cost the U.S. over \$26 billion a year. As a result of pregnant women getting the services they need, the National WIC Association states that Medicaid costs are reduced on average between \$12,000 and \$15,000 for every low birth-weight incident prevented. It is also estimated that \$3.6 billion would be saved if current U.S. exclusive breastfeeding rates increased to at least 50% at 6 months.

FACTS ON WIC CUTS

If WIC funds are not fully restored the impact on low income families will be devastating. An estimated 200,000 to 350,000 will be cut from the WIC program. That's 200,000 to 350,000 low income Americans who will be denied access to nutrition.

The cuts in the WIC program touches every state in this country. In my State of Texas between 23,000 and 40,000 people will be left

out in the cold. We should be able to provide food to the young children of our country.

Of the top 40 districts with the highest national food hardship rates, Texas has 3 of them. In the 18th Congressional district there are 159,000 food insecure people. The food insecurity rate is 23% and ranks 32d nationally.

In 2005, in Harris County, there were 62 pregnant women who had prenatal care in the first trimester. In the State of Texas there were 64 women. Without the WIC program, many of these women might not have been able to get the services they needed.

WIC children in Texas are less likely to eat fast food over non-WIC children. WIC children are also more likely to eat home cooked meals compared to non-WIC children. Children who eat less fast food drastically lower their chances of developing heart problems, diabetes, and obesity which could end up saving billions of dollars in the health care system.

As financial hardships continue to impact millions of families, now is not the time for us to turn our backs on them. Now is the time to show them that we care. I urge opposition to this bill, not only because it will negatively impact hundreds of thousands of people nationally, but also because it will end up costing billions more in the long run. The American people are wondering when their bailout will come years after we saved Wall Street from the brink of destruction. This bill sends them a message that that day is not a priority of the Federal Government.

We must continue to fight for pregnant mothers and low-income families and so I urge for full funding to be restored to the WIC program.

I yield back the balance of my time.

POINT OF ORDER

Mr. KINGSTON. Madam Chair, I insist on my point of order.

The Acting CHAIR. The gentleman is recognized for that purpose.

Mr. KINGSTON. Madam Chair, the amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of funding and outlays in the bill, and outlays in budget authority have to be equal.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the gentleman's point of order?

Ms. JACKSON LEE of Texas. I would, Madam Chairman.

The Acting CHAIR. The gentlewoman from Texas is recognized.

Ms. JACKSON LEE of Texas. Well, outlays have to do with the evenhandedness of spending at the same time, which section you take the monies out and which section you put them in.

Again, the point that I want to make to this body is that my focus is on keeping our children in this country from being malnourished and pregnant mothers from not having the access to good healthy food that they need to give birth to a healthy child.

And I've asked the question before, in the instance of speaking for our chil-

dren and saving our children, a procedural waiver is in order. This is a procedural question. I have actually taken money from a legitimate account, and that is the Agriculture Research Service that my own friend and colleague had said is funded quite well. Now we've added another \$2 million to the research program. \$902 million.

And I'm simply asking for a measure of that amount to help provide care and nourishment for our children. I believe it is appropriate to eliminate a procedural, if you will, flaw that only speaks to the timing of spending to be able to provide for the children of America. That's what agriculture is all about: our farmers, our families who need to eat good food, our undernourished and impoverished communities which are aplenty.

As I spoke earlier today, those communities that are experiencing disasters and those mothers who are now pregnant and who need access to good food, we need to be able to not cut off in the State of Texas, in my district, 40,000 or so individuals that will not be able to be part of the WIC program because we're talking about a procedural flaw.

And so, Madam Chairperson, I am suggesting that this amendment is in order, and I'd ask my colleagues to consider a waiver. But I'm also asking the Chairwoman to rule in my favor so that the people of America most vulnerable will have access to quality food and a healthy life.

The Acting CHAIR. The Chair is prepared to rule on the gentleman from Georgia's point of order.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentlewoman from Texas proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained.

The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$600,800,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), \$208,000,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), \$30,000,000; for payments to eligible institutions (7 U.S.C. 3222), \$48,000,000, provided that each institution receives no less than \$1,000,000; for special grants (7 U.S.C. 450i(c)), \$1,250,000; for competitive grants for Integrated Pest Management and Biological Control (7 U.S.C. 450i(c)), \$14,000,000; for competitive grants (7 U.S.C.

450i(b)), \$229,500,000, to remain available until expended; for the support of animal health and disease programs (7 U.S.C. 3195), \$4,000,000; for a program pursuant to section 1415A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151a), \$4,200,000, to remain available until expended; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), \$1,000,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), \$7,800,000; for competitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3156 to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, \$2,700,000; for secondary education, 2-year post-secondary education, and agriculture in the K-12 classroom (7 U.S.C. 3152(j)), \$900,000; for aquaculture grants (7 U.S.C. 3322), \$3,300,000; for sustainable agriculture research and education (7 U.S.C. 5811), \$12,300,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, \$16,400,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382, \$2,800,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), \$900,000; for distance education grants for insular areas under section 1490 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362), \$750,000; for competitive grants for policy research (7 U.S.C. 3155), \$3,000,000; and for necessary expenses of Research and Education Activities, \$10,000,000, of which \$2,500,000 for the Research, Education, and Economics Information System and \$2,000,000 for the Electronic Grants Information System, are to remain available until expended.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$411,200,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents, \$259,200,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$3,600,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,000,000; payments for the pest management program under section 3(d) of the Act, \$8,400,000; payments for New Technologies for Agriculture Extension under section 3(d) of the Act, \$1,400,000; payments to upgrade research, extension, and teaching facilities at institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, \$16,700,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, \$7,100,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), \$3,400,000; payments for

the federally-recognized Tribes Extension Program under section 3(d) of the Smith-Lever Act, \$2,600,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$4,000,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92-419 (7 U.S.C. 2662(i)), \$1,500,000; payments for cooperative extension work by eligible institutions (7 U.S.C. 3221), \$36,000,000, provided that each institution receives no less than \$1,000,000; for grants to youth organizations pursuant to 7 U.S.C. 7630, \$1,500,000; for payments to carry out the food animal residue avoidance database program as authorized by 7 U.S.C. 7642, \$1,000,000; and for necessary expenses of Extension Activities, \$6,800,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants program authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), including necessary administrative expenses, \$8,000,000, as follows: for a competitive organic transition program, \$4,000,000; and for the regional pest management centers program \$4,000,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$760,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$790,000,000, of which \$2,000,000, to be available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which \$16,000,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which \$32,500,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$54,000,000, to remain available until expended, shall be used to support avian health; of which \$4,200,000, to remain available until expended, shall be for information technology infrastructure; of which \$147,000,000, to remain available until expended, shall be for specialty crop pests; of which, \$9,000,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$52,000,000, to remain available until expended, shall be for tree and wood pests; of which \$2,300,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$1,000,000, to remain available until expended, shall be for wildlife services methods development; of which \$1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety; and up to 25 percent of the screwworm program shall remain available until expended: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the

States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2012, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$3,200,000, to remain available until expended.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 17, line 20, insert after the dollar amount the following: "(reduced by \$1,000,000)".

Page 17, line 25, insert after the dollar amount the following: "(increased by \$1,000,000)".

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CLARKE of Michigan. Madam Chair, this amendment would restore \$1 million to the Microbiological Data Program. Now, this is a USDA program that collects and tests fruits and vegetables, domestic and imported fruits and vegetables for bacteria that could cause illness and even death. Recent tests have discovered salmonella and

strains of *E. coli* similar to that found in the German food supply that resulted in the deaths of 24 people and which infected over 2,400. So this amendment is important in order to protect the public from food-borne pathogens that could make the public sick or that could put innocent lives at risk.

I do urge your support.

I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word and oppose the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Madam Chair, I'm continuing to study this. And you know, fortunately, one of the great things about the open rule that we've had is we've had a lot of good debate tonight, had a lot of speakers. I think we broke the record tonight on the speech contest about WIC. I'm not sure who Mr. FARR will be awarding, giving that award to, but we had a lot of good contenders.

Mr. CLARKE, unfortunately, I just, within the last minute, have seen this, and I'm not sure that it will do what you're saying or what your intention is, and so I'm going to oppose the amendment.

I will promise to work with you. It's a million dollar transfer, and don't know that it accomplishes what you want. I don't know that it doesn't accomplish what you want. And I don't necessarily think it causes a big disruption in the bill either. But for right now, I'm going to have to oppose it. And let me continue to research it, and maybe as the process goes through we can see what we can do to work with you and Mr. FARR on it.

□ 2310

We are very concerned about food safety and the pathogens and the situation in Europe, and we want to make sure that we're studying this stuff very closely ourselves. So I reluctantly oppose it for the time being.

I yield back the balance of my time.

Mrs. LUMMIS. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Madam Chairman, I rise to oppose the amendment not because it is unworthy, but because I believe that there are funds elsewhere in the bill that could be used to cover the services and research that the gentleman requests. I refer the gentleman to page 10, the National Institute of Food and Agricultural Research and Education Activities. Those activities include: for ag experiment stations, \$600,800,000; for grants payable to eligible institutions, \$48 million, provided that each institution receives no less than \$1 million; for special grants, \$1.2 million; for competitive grants for in-

tegrated pest management and biological control, \$14 million; for competitive grants, \$229.5 million to remain available until expended.

This is sloshing with research dollars, sloshing. I think there's plenty in this bill to cover the worthy research that the gentleman has requested, so I urge my colleagues to defeat the amendment.

I yield back the balance of my time. Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the gentleman from Michigan.

Mr. CLARKE of Michigan. Madam Chair, the funding source that I'm using to offset the cost of this amendment I believe won't undercut the vital mission of this agency, unlike the other sources that have been mentioned. However, I am willing to work with the majority on negotiating a proper funding source. All I care, the bottom line, is that the public is safe and that we are diligent and do the best that we can to identify these bacteria sources that could make the public sick.

Mr. KINGSTON. Will the gentleman from California yield?

Mr. FARR. I yield to the gentleman from Georgia.

Mr. KINGSTON. I want to say that the concern that I have—again, not having the advantage of being able to research things thoroughly, but we're taking \$1 million out of a \$3 million account and putting it into a \$77 million account, and it just seems disproportional at this point.

I'm wondering if during the process there might be an opportunity to emphasize that we want the Ag Marketing Service to really be sure that they're following the *E. coli* situation. That would be helpful. I certainly would be interested in doing that and working with him, but I want to continue to oppose the amendment at this point.

Mr. FARR. I share your concerns, but I'd certainly like to see what we can do to accommodate my colleague.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CLARKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CLARKE of Michigan. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

AGRICULTURAL MARKETING SERVICE
MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$77,500,000: *Provided*, That

this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building. Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

AMENDMENT NO. 9 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 25, after the first dollar amount, insert "(reduced by \$7,750,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$7,750,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Madam Chair, I rise to offer my amendment, which is simply a 10 percent cut in the Agricultural Marketing Service at the USDA.

This year, the Agricultural Marketing Service will be allocated \$77.5 million for, as they state in their own Web site, "administering programs that facilitate the efficient, fair marketing of U.S. agricultural products, including food, fiber, and specialty crops."

Madam Chair, since I've been a Member of Congress, I have stated that the marketplace, unencumbered, is the best way to control quality, quantity, and cost of all goods and services. So we need to get the encumbrances of the Federal Government off the marketplace, and this will just take 10 percent. Our Nation's crops are no exception to this rule.

Madam Chair, I think the USDA is not giving American farmers enough credit. Our farmers are intelligent, resourceful men and women who know the best ways to market their products here and abroad. Madam Chair, when I was farming, I could market my products very well. I used to farm—I wish I could get back to it, actually. Allow these farmers to market their products without the government interference and use these funds to reduce spending.

It's absolutely critical, Madam Chair, that we reduce the outrageous spending that Congresses, both Republican and Democrat, have put in place. As Admiral Mullen, the Chairman of the Joint Chiefs of Staff, recently said, the greatest threat to our security is this huge debt. We absolutely have to cut spending, and this simple amendment would cut 10 percent out of this program and put it in the deficit reduction package that is part of this bill.

So I encourage my colleagues to support this simple amendment.

I yield back the balance of my time.

Mr. CLARKE of Michigan. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Madam Chair, this amendment would really undercut the whole purpose that I was offering an additional \$1 million: to help protect the American people from food-borne bacteria.

Over 2,400 people were infected in Germany by a strain of E. coli; 24 of them died. We don't want this to happen here in this country.

The gracious chairman, the gentleman from Georgia, and I agreed to work something out to better protect the public. I'm just asking if maybe you could withdraw this amendment to give us a chance to work out something here.

I yield back the balance of my time.

Mr. FARR. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, I oppose this amendment.

This is a big cut out of a very important program, just indicated by Congressman CLARKE from Michigan. For all the reasons he was trying to increase the program, this amendment goes just the opposite way. It knocks 10 percent of the money that's in the program out. There will be no way that he can increase it with this and work out a deal. And for all the reasons he indicated on food safety and issues like that that are very, very important, we ought not risk the ability to respond to those needs.

□ 2320

So I think this amendment does harm, and it does more harm than the good that it intends to do. That is the reason I oppose it, and would ask for a "no" vote.

I yield back the balance of my time.

Mr. KINGSTON. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I oppose the amendment.

I want to go back to the earlier theme I brought up when we were discussing both WIC and the Chaffetz amendment earlier tonight. With regard to what Dr. BROWN is doing, I think there is 10 percent with which you can make that argument there.

What we've been trying to do is to stack a card house on the Ryan budget. That is the only budget that has passed one House. I will point out again that the budget of the President of the United States failed in the Senate 97-0. Similarly, three other budgets failed in the Senate, and four other budgets failed in the House. There was a budget that was offered that was further cut by the Republican Study Committee, and then there were others that were

less cut, the Progressive Caucus', for example.

So one of the balancing acts that this committee is trying to accomplish with this bill tonight is to reduce spending but also to get 218 votes to pass the bill so that we can continue this with the U.S. Senate, which right now has not been able to pass one single appropriations bill. They have been very remiss in their duty, so I find myself having to balance some things that, if I were a free agent, I would probably be voting for and some things I would be voting against as I just told Mr. CLARKE from Detroit in rejecting a \$1 million transfer of account because I didn't know exactly what it did. I want to keep that balance there.

So, with this, I am going to oppose the 10 percent reduction offered by my friend and Georgia colleague, Dr. BROWN.

I yield back the balance of my time.

Mrs. LUMMIS. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. It appears from the text of this program, the Ag Marketing Service, that the \$77.5 million appropriated may be derived from fees that are collected for the cost of standardization activities as established by regulation, because, if you look on page 18, line 9, it reads: not to exceed \$61 million from fees collected shall be obligated during the current fiscal year for administrative expenses.

My question then is: Is this a fee-for-service program rather than a generally funded, taxpayer-funded program?

I yield back the balance of my time.

Mr. KINGSTON. Will the gentlewoman yield?

Mrs. LUMMIS. Madam Chair, I ask unanimous consent to reclaim my time.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Mrs. LUMMIS. I yield to the gentleman from Georgia.

Mr. KINGSTON. The Ag Marketing Service actually gets that \$77.5 million in appropriation, and in addition, has the ability to collect up to \$61 million in fees. If you think about it, that's not unusual in this account. The FDA actually does the same thing. I think they get over \$1 billion in fees. So some of these accounts do get an appropriation, and then they on their own can go out and get some fees, not just to supplement them, but in some cases to almost match them as the AMS has done.

Mrs. LUMMIS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROWN of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$61,000,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to State departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,331,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, \$37,000,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$47,500,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$689,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant

to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$972,028,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended; *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM
AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, \$760,000.

FARM SERVICE AGENCY
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,176,500,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended.

AMENDMENT OFFERED BY MS. RICHARDSON

Ms. RICHARDSON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 12, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 46, line 22, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. RICHARDSON. Madam Chairwoman, the Richardson amendment adds \$10 million to the Commodity Assistance Program by reducing by the same amount from the Salaries and Expenses section of the Farm Service Agency, which will provide additional funding for the Commodities Supplemental Food Program, which provides assistance to seniors who have incomes at or below \$14,157. Ninety-seven percent of all Commodities Supplemental Food Program recipients are seniors who often receive these as the only fresh food packages that might come to their homes. Many of these seniors have no means of transportation to obtain these products. These seniors also have very limited resources with which to purchase the food that they need.

Madam Chairwoman, I don't understand why those in the majority would believe that our seniors have caused our budget problems or, worse yet, are able to fix our budget problems.

The Ryan budget proposes to make seniors pay an additional \$6,000 out-of-

pocket for their health care needs. Second, they increase the prescription drug costs for our seniors by proposing to reopen the Medicare prescription drug doughnut hole, which Democrats closed in the last Congress. These are heartless legislative proposals that could force 136,000 seniors in the Los Angeles area to pay an additional \$1.3 billion for their prescription drugs over the next decade.

Now Food for Low-Income Seniors is under attack as well. Our seniors deserve our support. They've earned it. Many of our seniors have served our country overseas during World War II, Korea and Vietnam. Their bravery and their sacrifices have made America the great country that it is. Our seniors have worked hard all of their lives to provide for their families. It is now our responsibility to help assist them.

Madam Chairwoman, the Commodities Supplemental Food Program was cut by \$37 million over fiscal year 2011 levels. This cut means nearly 81,000 low-income seniors will lose their monthly food assistance. There are 6 million seniors who face the threat of hunger in this country, and with 12,000 baby boomers turning 60 every day by 2025, that number is expected to reach nearly the 10 million mark. There are 52,000 senior citizens in my district, the 37th Congressional District in California, and between 10 and 20 percent of them depend on these very programs.

The Richardson amendment restores \$10 million in funding to the Commodity Assistance Program, which will help to ensure that more of our seniors will continue to receive food. We are talking about something as basic as that—food—that our seniors would be able to eat.

□ 2330

I urge my colleagues to support the Richardson amendment and support our seniors.

I yield back the balance of my time.

Mr. KINGSTON. Madam Chair, I oppose the amendment and move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to point out that FSA, the Farm Service Agency, is already \$181 million below the President's request and \$32 million below 2011. It has been trimmed a great deal. But also I wanted to point out that we just accepted an amendment that increases the Commodity Supplemental Food Program by \$5 million. The gentlewoman may not be aware of that—I don't know if you were on the floor at the time. I know that doesn't mean that you wouldn't offer your amendment anyway, but I just wanted to point out that we did just increase it.

More importantly though, I have been in a mode of rejecting a lot of amendments in the last couple of hours

because this budget, this bill, our 302(b) allocation is a reflection of the Ryan budget, which is the only budget that has passed either body in its entirety. There were budgets offered in the House that would have cut more, at least one. There were other budgets that would have cut less or cut in different directions. Yet the Ryan budget in the House or the Senate is the only budget that has passed, and it is a card house. I know, as you know, if we add to it we lose votes, and if we take from it we lose votes. For that reason, I do oppose your amendment. But I understand your concern here.

I want to point out, and I am sure the gentlewoman knows this, but a senior who is 65 years or older is actually eligible for six different Federal food programs, and it would certainly not be our intention to have anybody fall through the cracks. I think there is a lot to be said and some savings in combining the Commodity Supplemental Food Program and the SNAP program, and maybe cut out some of the administrative costs in order to increase the amount available.

Ms. RICHARDSON. If the gentleman would yield, might I point out that, first of all, we would not be able to legislate on the floor having to deal with this appropriation bill before us.

Mr. KINGSTON. Reclaiming my time, don't we know full well on this committee, because we have been champing at the bit to do a little bit of authorizing, but the authorizing committees keep a pretty strong eye on us. I certainly agree with that point.

Ms. RICHARDSON. I just want you to know I am watching and paying attention carefully, sir. The other point I wanted to point out, as I stated in my comments, \$37 million has been cut over the fiscal year 2011, and given the \$5 million that you did earlier accept, and I am suggesting \$10 million, we would still be suggesting only restoring less than 50 percent from that level.

I would just urge you, sir, in these tough times, I understand in future times, but in these tough times, not all other mechanisms could help our seniors, again who are only making at or below \$14,000, and this would be a dire need, and I would strongly urge, please, your reconsideration.

Mr. KINGSTON. Reclaiming my time, I do want to point out, and I am sure the gentlewoman knows, that this bill actually does increase SNAP \$5.6 billion. Therefore, I think sometimes we do need to, even though that is an authorizing issue, I think as a practical issue that is something we need to explore and thrash about and make sure that we are not under-serving somebody because of two programs that could be so close that I don't know why we don't combine them. Again, I realize that would be farm bill authority to do that. But SNAP did go up \$5.6 billion because of the mandatory spending side of it.

I need to continue to oppose your amendment, but I would not slam the door on looking at it as the process continues in the months ahead. Hopefully, the Senate might start doing their job and passing appropriations bills, and then we can get to conference without it being part of an omnibus, because I think in a conference we are going to do a lot better if it is just limited to agriculture and these accounts.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. RICHARDSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. RICHARDSON. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), \$3,550,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out well-head or groundwater protection activities under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), \$3,605,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$1,500,000,000 for unsubsidized guaranteed farm ownership loans and \$475,000,000 for farm ownership direct loans; \$1,500,000,000 for unsubsidized guaranteed operating loans and \$1,050,090,000 for direct operating loans; Indian tribe land acquisition loans, \$2,000,000; guaranteed conservation loans, \$150,000,000; Indian highly fractionated land loans, \$10,000,000; and for boll weevil eradication program loans, \$100,000,000: *Provided*, That the Secretary shall deem the pink bollworm

to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, \$22,800,000 for direct loans; farm operating loans, \$26,100,000 for unsubsidized guaranteed operating loans, \$59,120,000 for direct operating loans; and Indian highly fractionated land loans, \$193,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$268,634,000, of which \$260,730,000 shall be paid to the appropriation for “Farm Service Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, \$68,016,000: *Provided*, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: *Provided further*, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive

Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$760,000.

Mr. KINGSTON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BROUN of Georgia) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

COMMUNICATION FROM THE HONORABLE BRAD SHERMAN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable BRAD SHERMAN, Member of Congress:

CONGRESS OF THE UNITED STATES,

Washington, DC, June 10, 2011.

Hon. JOHN A. BOEHNER,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Superior Court of California, for testimony and documents.

After consultation with the Office of General Counsel, I have determined under Rule VIII that the subpoena is not “a proper exercise of jurisdiction by the court.” The Superior Court itself has quashed the subpoena (see attached docket summary).

Sincerely,

BRAD SHERMAN,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ESHOO (at the request of Ms. PELOSI) for the week of June 13 on account of recovery from surgery.

Mr. STIVERS (at the request of Mr. CANTOR) for June 13 through June 24 on account of military service in the Ohio Army National Guard.

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 39 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Wednesday, June 15, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1903. A letter from the Chief, Planning and Regulatory Affairs, Department of Agriculture, transmitting the Department's final rule — Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs (RIN: 0584-AE03) received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1904. A letter from the Regulatory Contact, Department of Agriculture, transmitting the Department's final rule — Export Inspection and Weighing Waiver for High Quality Specialty Grains Transported in Containers [Docket #: GIPSA-2010-FGIS-0002] (RIN: 0580-AB18) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1905. A letter from the Deputy Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting a report of a violation of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1906. A letter from the Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program Fiscal Year (FY) 2011 Report to Congress, pursuant to 10 U.S.C. 1073 note Public Law 104-106; to the Committee on Armed Services.

1907. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2010. The report separately identifies the dollar value of items for which the Buy American Act was waived, pursuant to Public Law 104-201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

1908. A letter from the Assistant Secretary, Department of Defense, transmitting modernization priority assessments for the National Guard and Reserve equipment for Fiscal Year 2011; to the Committee on Armed Services.

1909. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Fire-Resistant Fiber for Production of Military Uniforms (DFARS Case 2011-D021) (RIN: 0750-AH22) received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1910. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stock Piling Act as amended (50 U.S.C. 98 et seq.) detailing NDS operations during FY 2010; to the Committee on Armed Services.

1911. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Eric T. Olson, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

1912. A letter from the Assistant to the Board, Board of Governors of the Federal Re-

serve System, transmitting the Board's final rule — Conformance Period for Entities Engaged in Prohibited Proprietary Trading or Private Equity Fund or Hedge Fund Activities [Regulation Y; Docket No. R-1397] (RIN: 7100-AD58) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1913. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1914. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Singapore pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1915. A letter from the Chairman and President, Export-Import Bank, transmitting proposed legislation to authorize the Export-Import Bank for the period of October 1, 2011 to September 30, 2015; to the Committee on Financial Services.

1916. A letter from the Chairman, Federal Reserve System, transmitting the System's 97th Annual Report covering operations for calendar year 2010; to the Committee on Financial Services.

1917. A letter from the Chief, Publications and Regulations, Joint Board for the Enrollment of Actuaries, transmitting the Board's final rule — Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1974 [TD 9517] (RIN: 1545-BC82) received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1918. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the state of Missouri since May 22, 2011, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

1919. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Procedures for Submitting to the Department of Energy Trade Secrets and Commercial or Financial Information That Is Privileged or Confidential (RIN: 1990-AA36) received May 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1920. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Reactive Blue 69 [Docket No.: FDA-2009-C-0543] received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1921. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants [EPA-HQ-OAR-2002-0051; EPA-HQ-OAR-2007-0887; FRL-9306-7] (RIN: 2060-AQ93) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1922. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, transmitting the Commission's final rule — An Approach for Plant-Specific, Risk-Informed Decisionmaking: Technical Specifications, Regulatory Guide 1.177, Revision 1 received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1923. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — An Approach for Using Probabilistic Risk Assessment In Risk-Informed Decisions On Plant-Specific Changes to the Licensing Basis, Regulatory Guide 1.174, Revision 2, received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1924. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Protection of Safeguards Information, Regulatory Guide 5.79, received April 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1925. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective May 8, 2011, the danger pay allowance for Libya has been established, pursuant to 5 U.S.C. 5928; to the Committee on Foreign Affairs.

1926. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000; to the Committee on Foreign Affairs.

1927. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

1928. A letter from the Secretary, Department of Energy, transmitting the Department's strategic plan; to the Committee on Oversight and Government Reform.

1929. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting the Department's Buy American Act Report for FY 2010; to the Committee on Oversight and Government Reform.

1930. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1931. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2011; to the Committee on Oversight and Government Reform.

1932. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's semi-annual report on the activities of the Inspector General for

October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1933. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Oversight and Government Reform.

1934. A letter from the Director, Office of Equal Employment Opportunity, National Labor Relations Board, transmitting the Board's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1935. A letter from the Sr. VP and Chief Financial Officer, Potomac Electric Power Company, transmitting the Balance Sheet of Potomac Electric Power Company as of December 31, 2010, pursuant to D.C. Code Ann. 34-1113 (2001); to the Committee on Oversight and Government Reform.

1936. A letter from the Secretary, Department of Commerce, transmitting the Chesapeake Bay Office Beinnial report for fiscal years 2009 and 2010; to the Committee on Natural Resources.

1937. A letter from the Regional Director, Department of the Interior, transmitting notification of the Fish and Wildlife Service's Midwest Region office move; to the Committee on Natural Resources.

1938. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — High Seas Driftnet Fishing Moratorium Protection Act; Identification and Certification Procedures To Address Illegal, Unreported, and Unregulated Fishing Activities and Bycatch of Protected Living Marine Resources [Docket No.: 070514119-0452-03] (RIN: 0648-AV51) received April 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1939. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the third quarter of fiscal year 2010, pursuant to Public Law 110-53, section 803 (121 Stat. 266, 360); to the Committee on the Judiciary.

1940. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V DAVY CROCKETT, Columbia River [Docket No.: USCG-2010-0939] (RIN: 1625-AA00) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1941. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Pensacola Bay; Pensacola, FL [Docket No.: USCG-2011-0212] (RIN: 1625-AA00) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1942. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Texas International Boat Show Power Boat Races; Corpus Christi Marina, Corpus Christi, TX [Docket No. USCG-2011-0140] (RIN: 1625-AA00) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1943. A letter from the Attorney, Department of Homeland Security, transmitting

the Department's final rule — Safety Zone; Naval Air Station Corpus Christi Air Show, Oso Bay, Corpus Christi, TX [Docket No.: USCG-2011-0139] (RIN: 1625-AA00) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1944. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Hours of Service Exemption for Railroad Signal Employees [Docket ID: FMCSA-2010-0032] (RIN: 2126-AB36) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1945. A letter from the Assistant Chief Counsel for Pipeline Safety, Department of Transportation, transmitting the Department's final rule — Applying Safety Regulations to All Rural Onshore Hazardous Liquid Low-Stress Lines [Docket: PHMSA-2008-0186; Amdt. 195-96] (RIN: 2137-AE36) received May 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1946. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Point Lookout, MO [Docket No.: FAA-2010-1172; Airspace Docket No. 10-ACE-14] received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1947. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kokomo, IN [Docket No.: FAA-2010-0605; Airspace Docket No. 10-AGL-10] received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1948. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Carizzo Springs, Glass Ranch Airport, TX [Docket No.: FAA-2010-0877; Airspace Docket No. 10-ASW-13] received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1949. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cable Union, WI [Docket No.: FAA-2010-1169; Airspace Docket No. 10-AGL-24] received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1950. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bedford, IN [Docket No.: FAA-2010-1026; Airspace Docket No. 10-AGL-14] received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1951. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — June 2011 (Rev. Rul. 3011-13) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1952. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Branded Prescription Drug Sales — Dispute Resolution Process for 2011 Preliminary Fee Calculation (Rev. Proc. 2011-24) received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1953. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's final rule — Modifications to Treatment of Aircraft and Vessel Leasing Income [TD 9525] (RIN: 1545-BG98) received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1954. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements Announcement 2011-22 received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1955. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — The 100-percent bonus depreciation under section 168(k)(5) of the Internal Revenue Code (Rev. Proc. 2011-26) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1956. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Extension of Withholding to Certain Payments Made by Government Entities [TD 9524] (RIN: 1545-BG45) received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1957. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Specified Tax Return Preparers Required to File Individual Income Tax Returns Using Magnetic Media [TD 9518] (RIN: 1545-BJ52) received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1958. A letter from the Under Secretary and Deputy Secretary, Department of Defense, Department of Veterans Affairs, transmitting Activities of Center of Excellence in Mitigation, Treatment and Rehabilitation of Traumatic Extremity Injuries and Amputations for Fiscal Year 2009; jointly to the Committees on Armed Services and Veterans' Affairs.

1959. A letter from the Under Secretary, Department of Defense, transmitting a joint report that describes activities related to the Proliferation Security Initiative (PSI) Budget Plan and Review for FY 2012-2014; jointly to the Committees on Foreign Affairs and Armed Services.

1960. A letter from the Secretary, Department of the Treasury, transmitting a letter regarding a "debt issuance suspension period"; jointly to the Committees on Oversight and Government Reform and Ways and Means.

1961. A letter from the Assistant Secretary, Department of Defense, transmitting additional Legislative proposals that the Department requests to be enacted during the first session of the 112th Congress; jointly to the Committees on Armed Services, Oversight and Government Reform, Foreign Affairs, and Science, Space, and Technology.

1962. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the annual reports that appear on pages 120-147 of the March 2011 "Treasury Bulletin", pursuant to 26 U.S.C. 9602(a); jointly to the Committees on Ways and Means, Transportation and Infrastructure, Natural Resources, Agriculture, Education and the Workforce, and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee on Appropriations. Report on the Revised Sub-allocation of Budget Allocations for Fiscal Year 2012 (Rept. 112-104). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIEL E. LUNGREN of California: Committee on House Administration. H.R. 1934. A bill to improve certain administrative operations of the Library of Congress, and for other purposes (Rept. 112-105). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 1891. A bill to repeal ineffective or unnecessary education programs in order to restore the focus of Federal programs on quality elementary and secondary education programs for disadvantaged students; with an amendment (Rept. 112-106). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TOWNS (for himself, Mr. BROWN of Georgia, Ms. FUDGE, Ms. RICHARDSON, Mr. GERLACH, Ms. MOORE, Mr. MCINTYRE, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WILSON of Florida, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. CARSON of Indiana, Ms. LEE of California, Mr. ISRAEL, and Mr. KING of New York):

H.R. 2159. A bill to reduce disparities and improve access to effective and cost efficient diagnosis and treatment of prostate cancer through advances in testing, research, and education, including through telehealth, comparative effectiveness research, and identification of best practices in patient education and outreach particularly with respect to underserved racial, ethnic and rural populations and men with a family history of prostate cancer, to establish a directive on what constitutes clinically appropriate prostate cancer imaging, and to create a prostate cancer scientific advisory board for the Office of the Chief Scientist at the Food and Drug Administration to accelerate real-time sharing of the latest research and accelerate movement of new medicines to patients; to the Committee on Energy and Commerce, and in addition to the Committees on Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON (for herself and Mr. FILNER):

H.R. 2160. A bill to amend title 23, United States Code, to reauthorize and modify the surface transportation project delivery pilot program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. ZOE LOFGREN of California (for herself, Mr. CAPUANO, Ms. CHU, Mr. CONYERS, Ms. ESHOO, Mr. GUTIERREZ, Mr. HEINRICH, Mr. HONDA, Mrs. MALONEY, Mr. GEORGE MILLER of California, Mr. POLIS, Ms. LINDA T. SANCHEZ of California, Mr. SCHIFF, and Mr. RUSH):

H.R. 2161. A bill to amend the Immigration and Nationality Act to promote innovation,

investment, and research in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOLD (for himself, Mr. QUIGLEY, Mr. LIPINSKI, Mr. SCHILLING, Mr. GARDNER, Mr. HULTGREN, Mr. COSTELLO, Mr. ROSKAM, Mr. WALSH of Illinois, Mr. KINZINGER of Illinois, Mr. SCHOCK, and Mr. SHIMKUS):

H.R. 2162. A bill to amend title 5, United States Code, to deny retirement benefits accrued by an individual as a Member of Congress if such individual is convicted of certain offenses; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI:

H.R. 2163. A bill to amend the Communications Act of 1934 to establish a Lifeline Assistance Program for universal broadband adoption, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. CALVERT, Mr. GALLEGLY, Mr. CHAFFETZ, Mr. BILBRAY, Mr. ROYCE, Mr. GARY G. MILLER of California, Mrs. MYRICK, Mr. SENSENBRENNER, Mr. FRANKS of Arizona, Mr. CARTER, Mr. KINGSTON, Mr. DANIEL E. LUNGREN of California, and Mr. GOODLATTE):

H.R. 2164. A bill to amend the Immigration and Nationality Act to make mandatory and permanent requirements relating to use of an electronic employment eligibility verification system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS of Florida:

H.R. 2165. A bill to repeal the trade adjustment assistance programs under the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 2166. A bill to increase transparency regarding debt instruments of the United States held by foreign governments, to assess the risks to the United States of such holdings, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHWEIKERT (for himself, Mr. HIMES, Mr. CANSECO, Mr. QUIGLEY, Mr. JONES, Mr. PERLMUTTER, Mrs. BIGGERT, and Mr. ISSA):

H.R. 2167. A bill to amend the Securities Exchange Act of 1934 to change the threshold number of shareholders for required registration under that Act; to the Committee on Financial Services.

By Mr. CHAFFETZ (for himself and Mr. GOODLATTE):

H.R. 2168. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHU (for herself and Mr. GEORGE MILLER of California):

H.R. 2169. A bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. BROWN of Georgia, Mr. DUNCAN of Tennessee, and Mr. WITTMAN):

H.R. 2170. A bill streamlining Federal review to facilitate renewable energy projects; to the Committee on Natural Resources.

By Mr. LABRADOR (for himself, Mr. HASTINGS of Washington, Mr. LAMBORN, Mr. BROWN of Georgia, Mr. DUNCAN of Tennessee, and Mr. WITTMAN):

H.R. 2171. A bill to promote timely exploration for geothermal resources under existing geothermal leases, and for other purposes; to the Committee on Natural Resources.

By Mrs. NOEM (for herself, Mr. HASTINGS of Washington, Mr. LAMBORN, Mr. BROWN of Georgia, Mr. DUNCAN of Tennessee, and Mr. WITTMAN):

H.R. 2172. A bill to facilitate the development of wind energy resources on Federal lands; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WITTMAN (for himself, Mr. HASTINGS of Washington, Mr. LAMBORN, Mr. BROWN of Georgia, and Mr. DUNCAN of Tennessee):

H.R. 2173. A bill to facilitate the development of offshore wind energy resources; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. MURPHY of Connecticut, Mr. LARSON of Connecticut, Mr. COURTNEY, and Mr. HIMES):

H.R. 2174. A bill to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, and for other purposes; to the Committee on Natural Resources.

By Mr. FINCHER:

H.R. 2175. A bill to require certain agencies to submit a cost-benefit analysis to the Congress before implementing proposed regulations; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEINRICH (for himself and Mr. MARKEY):

H.R. 2176. A bill to dedicate a portion of the rental fees from wind and solar energy projects on Federal land under the jurisdiction of the Bureau of Land Management for the administrative costs of processing applications for new wind and solar projects, and for other purposes; to the Committee on Natural Resources.

By Mr. HIGGINS (for himself and Ms. HOCHUL):

H.R. 2177. A bill to direct the payment of passport fees to the Department of State; to the Committee on Foreign Affairs.

By Mr. HIGGINS (for himself and Ms. HOCHUL):

H.R. 2178. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit against income tax for the cost of passports and other enhanced identification documents required to comply with the June 1, 2009, implementation of the Western Hemisphere Travel Initiative; to the Committee on Ways and Means.

By Mr. MILLER of Florida:

H.R. 2179. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organizations, Incorporated, and for other purposes; to the Committee on Homeland Security.

By Mr. MILLER of North Carolina (for himself, Mr. PRICE of North Carolina, Ms. MOORE, Mr. MCNERNEY, Mr. JACKSON of Illinois, Mr. ELLISON, Mr. BLUMENAUER, and Mr. HONDA):

H.R. 2180. A bill to authorize assistance for affordable housing and sustainable urban development in developing countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PAYNE (for himself and Mr. WOLF):

H.R. 2181. A bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution; to the Committee on Natural Resources.

By Mr. HENSARLING:

H. Res. 303. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. DOLD (for himself, Mr. SCHIFF, Mr. PALLONE, Mr. ROYCE, Mr. HOYER, Mr. DREIER, Mr. WOLF, Mr. LANGEVIN, Mrs. LOWEY, Mr. BACA, Ms. LEE of California, Mr. CAPUANO, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. ACKERMAN, Ms. BERKLEY, Mr. SHERMAN, Mr. CICILLINE, Ms. SPEIER, Mr. GRIMM, Mr. BERMAN, Ms. ESHOO, Mr. COSTELLO, Mr. COSTA, Mr. CROWLEY, Mr. PETERS, Mrs. MALONEY, Ms. CHU, Mrs. NAPOLITANO, Mr. ENGEL, Mr. DENHAM, Mr. COURTNEY, Mr. BRALEY of Iowa, Mr. LEVIN, Mr. WAXMAN, Mr. GARRETT, Ms. DELAURO, Mr. LARSON of Connecticut, Ms. RICHARDSON, Mr. NUNES, Mr. FRANK of Massachusetts, Mr. ROTHMAN of New Jersey, Mr. HIMES, Ms. SCHWARTZ, Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, Mr. LIPINSKI, Mr. MCCOTTER, Mr. VISLOSKY, Mr. DANIEL E. LUNGREN of California, Mr. WU, Mr. HOLT, Mr. STARK, Mr. CONYERS, Ms. ROYBAL-ALLARD, Mr. GALLEGLY, Mr. RANGEL, and Mr. MCGOVERN):

H. Res. 304. A resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes; to the Committee on Foreign Affairs.

By Ms. WATERS:

H. Res. 305. A resolution honoring Jeannie Washington for her 43 years of service in the Los Angeles Unified School District; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TOWNS:

H.R. 2159.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause." This provision grants Congress the broad power "to pay the Debts and provide for the common defense and general welfare of the United States."¹

¹Please note, pursuant to Article I, section 8, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. RICHARDSON:

H.R. 2160.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. ZOE LOFGREN of California:

H.R. 2161.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mr. DOLD:

H.R. 2162.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6, which states that, "Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

By Ms. MATSUI:

H.R. 2163.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3.

By Mr. SMITH of Texas:

H.R. 2164.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the United States Constitution

By Mr. ROSS of Florida:

H.R. 2165.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Mr. SAM JOHNSON of Texas:

H.R. 2166.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. SCHWEIKERT:

H.R. 2167.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight

By Mr. CHAFFETZ:

H.R. 2168.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to Article 1, Section 8, Clauses 1 and 3, and the 4th and 14th Amendments to the U.S. Constitution.

By Ms. CHU:

H.R. 2169.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization.

By Mr. HASTINGS of Washington:

H.R. 2170.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the Constitution.

By Mr. LABRADOR:

H.R. 2171.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the Constitution.

By Mrs. NOEM:

H.R. 2172.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the Constitution.

By Mr. WITTMAN:

H.R. 2173.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the Constitution.

By Ms. DELAURO:

H.R. 2174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. FINCHER:

H.R. 2175.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HEINRICH:

H.R. 2176.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the United States Constitution.

By Mr. HIGGINS:

H.R. 2177.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of this legislation lies in the power of congress to regulate commercial activity as described in Article 1, Section 8, Clause 3. With further support from Article 1, Section 8, Clause 4.

By Mr. HIGGINS:

H.R. 2178.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of this legislation lies in the power of congress to lay and collect taxes, duties, imposts and excises as described in Article 1, Section 8, Clause 1. With further support from the Sixteenth Amendment, which provides Congress the power to lay and collect taxes on incomes, from whatever sources derived.

By Mr. MILLER of Florida:

H.R. 2179.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. MILLER of North Carolina:

H.R. 2180.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of Constitution, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mr. PAYNE:

H.R. 2181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. HINCHEY.

H.R. 58: Mr. HURT, Mr. DENT, and Ms. BUERKLE.

H.R. 85: Mr. SIRES, Ms. CASTOR of Florida, Mr. SABLAN, and Mr. CARNAHAN.

H.R. 157: Mr. HARRIS.

H.R. 218: Mr. DOGETT.

H.R. 273: Mr. GRIJALVA.

H.R. 358: Mr. ROKITA.

H.R. 401: Mr. RICHMOND.

H.R. 412: Mr. DUFFY.

H.R. 421: Mr. MILLER of Florida.

H.R. 452: Mr. DENHAM, Mr. POMPEO, Mrs. BONO MACK, and Mr. DOLD.

H.R. 466: Mr. SMITH of New Jersey, Mrs. HARTZLER, Mr. CLEAVER, Mr. SCHIFF, Mr. ENGEL, Mr. ROYCE, Mr. RANGEL, Mr. PERLMUTTER, Ms. BASS of California, Mr. STEARNS, Mr. DICKS, and Mrs. LOWEY.

H.R. 530: Mr. BRADY of Pennsylvania and Mr. CAPUANO.

H.R. 539: Ms. KAPTUR.

H.R. 563: Mr. CARNEY, Mr. DENT, and Mr. DOYLE.

H.R. 607: Mr. KUCINICH.

H.R. 679: Mr. KUCINICH.

H.R. 733: Mr. BARROW, Mr. FRANK of Massachusetts, Mr. SESSIONS, Mr. SIRES, Mr. THOMPSON of California, Mr. PRICE of North Carolina, Mr. THOMPSON of Mississippi, Mr. MCHENRY, Mr. SMITH of Washington, Mr. CONNOLLY of Virginia, Mr. KISSELL, Mr. ROTHMAN of New Jersey, Mr. KU, Ms. RICHARDSON, Mr. SCOTT of Virginia, Mr. PLATTS, Mr. HARPER, Ms. KAPTUR, Mr. BISHOP of New York, Mr. CHANDLER, Mr. COURTNEY, Ms. FUDGE, Mr. FARR, Mr. MARINO, Mr. DAVIS of Illinois, Mr. DOYLE, Mr. BARLETTA, Ms. CASTOR of Florida, Ms. PINGREE of Maine, Mr. TERRY, and Mr. ALTMIRE.

H.R. 750: Mr. SESSIONS and Mr. POMPEO.

H.R. 777: Mr. MICHAUD.

H.R. 789: Mr. SMITH of New Jersey, Mr. ANDREWS, Mr. RUNYAN, and Mr. FRELINGHUYSEN.

H.R. 798: Mr. TIERNEY.

H.R. 816: Mrs. BLACKBURN, Mr. YOUNG of Florida, and Mr. DESJARLAIS.

H.R. 835: Mr. GARY G. MILLER of California and Ms. DEGETTE.

H.R. 838: Mr. CONAWAY.

H.R. 860: Mr. MURPHY of Connecticut, Mr. ROTHMAN of New Jersey, Mr. REED, and Mr. JACKSON of Illinois.

H.R. 865: Ms. HIRONO and Mr. LIPINSKI.

H.R. 881: Mr. DENHAM.

H.R. 891: Mr. COHEN and Mr. ROTHMAN of New Jersey.

H.R. 926: Mr. REICHERT.

H.R. 942: Mr. LEWIS of Georgia.

H.R. 959: Mr. ROTHMAN of New Jersey and Mr. DOLD.

H.R. 965: Mr. PRICE of North Carolina.

H.R. 973: Mr. FORTENBERRY and Mr. WOLF.

H.R. 1006: Mr. REHBERG, Mr. GOWDY, and Mr. MILLER of Florida.

H.R. 1025: Mr. HECK.

H.R. 1041: Mrs. LOWEY, Mr. SMITH of New Jersey, Mr. FRANK of Massachusetts, Mr. AUSTIN SCOTT of Georgia, Mr. SOUTHERLAND, Mr. ROSS of Arkansas, Mr. FRELINGHUYSEN, Mr. HIGGINS, and Mr. LANKFORD.

H.R. 1057: Mr. TONKO and Mr. SMITH of Washington.

H.R. 1058: Mr. BUCHANAN.

H.R. 1063: Mr. CLAY, Mr. QUIGLEY and Mr. HIGGINS.

H.R. 1112: Mr. MCKINLEY.

H.R. 1116: Mr. BECERRA and Mr. BISHOP of New York.

H.R. 1130: Mr. CONNOLLY of Virginia.

H.R. 1148: Mr. BLUMENAUER and Mr. KUCINICH.

H.R. 1171: Mr. HOLT, Mr. DEUTCH, Ms. HANABUSA, and Mr. REICHERT.

H.R. 1173: Mr. BUCSHON, Mr. CONAWAY, Mr. DESJARLAIS, and Mr. HARPER.

H.R. 1179: Mr. FRANKS of Arizona and Mr. SMITH of New Jersey.

H.R. 1181: Mr. REED.

H.R. 1182: Mr. HUELSKAMP.

H.R. 1187: Mr. CARNEY.

H.R. 1193: Ms. BERKLEY and Mr. REHBERG.

H.R. 1195: Mr. GRIJALVA.

H.R. 1204: Mr. ROTHMAN of New Jersey.

H.R. 1206: Mr. GUINTA and Mr. SCALISE.

H.R. 1240: Mr. KIND and Mr. MICHAUD.

H.R. 1242: Mr. FILNER and Ms. HIRONO.

H.R. 1259: Mr. CRAWFORD, Mr. GOHMERT, Mr. BUCSHON, Mr. SMITH of Texas, Mr. REHBERG, Mr. TERRY, Mr. RIVERA, and Mr. LUCAS.

H.R. 1269: Mr. RANGEL, Mr. BURTON of Indiana, Mr. TONKO, Mr. GUTIERREZ, Mr. CLAY, and Ms. ROS-LEHTINEN.

H.R. 1283: Mr. ROSS of Arkansas and Mr. REHBERG.

H.R. 1330: Mr. RANGEL.

H.R. 1331: Mr. COBLE.

H.R. 1334: Mr. FILNER.

H.R. 1335: Mr. VAN HOLLEN and Mr. GERLACH.

H.R. 1366: Mr. BACA, Mr. LUJÁN, Mr. GARAMENDI, Mr. JACKSON of Illinois, Mr. KIND, and Mr. SARBANES.

H.R. 1370: Mr. SCHOCK and Mr. RENACCI.

H.R. 1418: Mr. CICILLINE.

H.R. 1432: Mr. FARENTHOLD.

H.R. 1456: Mr. ROTHMAN of New Jersey.

H.R. 1479: Mr. SMITH of New Jersey.

H.R. 1505: Mr. HERGER, Mr. WOODALL, and Mr. LUETKEMEYER.

H.R. 1513: Mr. CRITZ.

H.R. 1519: Mr. MATHESON.

H.R. 1527: Mr. JOHNSON of Illinois.

H.R. 1537: Mr. HIGGINS and Mr. MARKEY.

H.R. 1543: Mr. GRIJALVA, Mr. HINCHEY, and Mr. WALZ of Minnesota.

H.R. 1547: Mr. JACKSON of Illinois.

H.R. 1551: Mr. LONG.

H.R. 1558: Mrs. ELLMERS, Mr. TERRY, and Mr. CONAWAY.

H.R. 1574: Mrs. BIGGERT, Mr. SIRES, Mr. GALLEGLY, and Mr. BRADY of Pennsylvania.

H.R. 1591: Mr. RIGELL.

H.R. 1606: Mr. THOMPSON of Mississippi.

H.R. 1609: Mr. DAVIS of Kentucky, Mr. SMITH of New Jersey, and Mr. LANKFORD.

H.R. 1612: Mr. RUNYAN.

H.R. 1656: Mr. ROTHMAN of New Jersey.

H.R. 1675: Mr. ALTMIRE and Mr. REED.

H.R. 1676: Mr. MORAN.

H.R. 1683: Mr. LATTI and Mr. PENCE.

H.R. 1686: Mr. JACKSON of Illinois.

H.R. 1687: Mr. BOSWELL.

H.R. 1700: Mr. HARRIS.

H.R. 1703: Mr. DONNELLY of Indiana and Mr. PETERS.

H.R. 1716: Mr. KUCINICH.

H.R. 1719: Mr. GOSAR.

H.R. 1723: Mr. SOUTHERLAND.

H.R. 1724: Mr. HOLT, Ms. SUTTON, Mr. HASTINGS of Florida, Ms. CHU, and Mr. OLVER.

H.R. 1744: Mr. BRADY of Texas, Mr. RYAN of Wisconsin, Mr. MARCHANT, Mr. KINZINGER of Illinois, Mr. HECK, Mr. SCALISE, and Mr. PETRI.

H.R. 1749: Mr. CLARKE of Michigan.

H.R. 1755: Mr. LOEBSACK and Mr. PITTS.

H.R. 1756: Mr. LANGEVIN, Mr. MURPHY of Connecticut, Mr. CAPUANO, and Mr. FRELINGHUYSEN.

H.R. 1764: Mr. GOSAR.

H.R. 1781: Ms. TSONGAS.

H.R. 1802: Mr. BLUMENAUER, Mr. CARSON of Indiana, Mrs. NAPOLITANO, Mr. COSTELLO, Mr. RAHALL, Mr. LARSON of Connecticut, Mr. LARSEN of Washington, and Mr. SIRES.

H.R. 1817: Mr. MORAN.

H.R. 1832: Mr. LUETKEMEYER and Mr. ROTHMAN of New Jersey.

H.R. 1834: Mrs. MYRICK.

H.R. 1842: Mr. ELLISON, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. BLUMENAUER, Ms. PINGREE of Maine, Mr. HONDA, Mr. GENE GREEN of Texas, Ms. HIRONO, Ms. SCHAKOWSKY, and Mr. ROTHMAN of New Jersey.

H.R. 1855: Mr. DEFazio.

H.R. 1864: Mr. BOREN and Mr. CRENSHAW.

H.R. 1865: Mr. ROGERS of Alabama, Mr. SCHILLING, Mr. COFFMAN of Colorado, Mr. KINGSTON, Mrs. CAPITO, Mr. YOUNG of Alaska, Mr. RAHALL, Mr. ROE of Tennessee, Mr. HULTGREN, and Mr. GRAVES of Missouri.

H.R. 1878: Ms. SUTTON.

H.R. 1891: Mr. POE of Texas and Mr. LABRADOR.

H.R. 1897: Mr. COBLE, Mr. PERLMUTTER, Mrs. HARTZLER, Mr. CARNEY, and Mr. HOLDEN.

H.R. 1905: Mr. BARTLETT, Ms. CHU, Mr. COLE, Mr. DONNELLY of Indiana, Mr. GIBSON, Mr. GRIMM, Ms. HERRERA BEUTLER, Mr. HIMES, Mr. LANKFORD, Mr. LEWIS of Georgia, Mr. MCKEON, Mr. MEEKS, Mr. MURPHY of Pennsylvania, Mr. RAHALL, Mr. RANGEL, Mr. ROSKAM, Mrs. SCHMIDT, Mr. SMITH of Texas, Mr. BISHOP of New York, Mr. BONNER, Mr. CICILLINE, Mr. FLEISCHMANN, Mr. GOSAR, Mr. MCNERNEY, and Mr. MEEHAN.

H.R. 1912: Mr. HINCHEY and Mr. PAYNE.

H.R. 1925: Mr. TONKO.

H.R. 1941: Mr. BOREN, Mr. LEVIN, Mr. KISSELL, and Mr. GENE GREEN of Texas.

H.R. 1946: Mrs. ELLMERS.

H.R. 1959: Mr. OLVER.

H.R. 1966: Mr. MEEKS.

H.R. 1974: Mr. ISRAEL.

H.R. 1976: Ms. FOXX, Mr. HUELSKAMP, Mr. ROKITA, Mr. CARTER, and Mr. BUCSHON.

H.R. 1978: Mr. CARDOZA, Mr. CARTER, Mr. SMITH of New Jersey, Mrs. MALONEY, Mr. DAVIS of Kentucky, Ms. CLARKE of New York, Mr. SCHOCK, and Mr. CARSON of Indiana.

H.R. 1980: Mr. KLINE and Mr. DENHAM.
H.R. 1987: Mrs. MCCARTHY of New York.
H.R. 1994: Ms. CHU.
H.R. 2000: Mr. DONNELLY of Indiana and Mr. LATHAM.
H.R. 2005: Mr. KING of New York, Mr. FRANK of Massachusetts, Mr. MURPHY of Connecticut, Mr. GERLACH, Mr. HOLT, Mr. LARSON of Connecticut, Mr. RIVERA, Mr. COURTNEY, Mr. BUTTERFIELD, Mr. TIBERI, and Ms. WATERS.
H.R. 2011: Mr. DUFFY, Mr. NUNES, and Mr. GARDNER.
H.R. 2016: Mr. EDDIE BERNICE JOHNSON of Texas.
H.R. 2019: Mr. CARSON of Indiana.
H.R. 2031: Mr. PALAZZO.
H.R. 2033: Mr. KISSELL.
H.R. 2054: Mr. GUTHRIE and Mr. LATTA.
H.R. 2061: Mr. MORAN, Mr. LONG, and Ms. WILSON of Florida.
H.R. 2067: Mr. MILLER of Florida and Mr. WEST.
H.R. 2068: Mr. DOYLE, Mr. LANDRY, and Mr. MURPHY of Connecticut.
H.R. 2074: Mr. FILNER, Mr. MICHAUD, Mr. RUNYAN, and Mr. BILIRAKIS.
H.R. 2085: Mr. MCNERNEY, Mr. JACKSON of Illinois, Mr. GEORGE MILLER of California, Mr. PETERS, and Ms. RICHARDSON.
H.R. 2092: Mr. LATTA.
H.R. 2094: Mr. GRIJALVA, Mr. COSTELLO, and Mrs. ELLMERS.
H.R. 2096: Mr. WU, Mr. HALL, Mr. SCHOCK, and Mr. LUJÁN.
H.R. 2104: Mr. OLVER and Mr. GERLACH.
H.R. 2108: Mr. KISSELL and Mr. BURGESS.
H.R. 2115: Mr. BERMAN.
H.R. 2117: Mr. HERGER, Mr. MCKEON, Mr. ROE of Tennessee, Mr. CARTER, Mr. GOWDY, Mr. ROKITA, Mr. AUSTRIA, Mr. PLATTS, Mrs. BIGGERT, Mr. LAMBORN, Mr. PAUL, Mr. DESJARLAIS, Mr. ROSS of Florida, Mr. HANNA, Mr. THOMPSON of Pennsylvania, Mr. WEST, Mr. BARLETTA, Mrs. ROBY, Mrs. ELLMERS, Mr. WALBERG, Mr. PETRI, Mr. MARCHANT, and Mr. COBLE.
H.R. 2143: Mr. BISHOP of Utah.
H.R. 2145: Mrs. MYRICK and Mr. ROKITA.
H.R. 2152: Mr. MARKEY, Mr. GARAMENDI, Mr. KILDEE, and Mr. SIREs.
H.R. 2158: Mr. FILNER, Ms. BASS of California, Mr. BECERRA, Mrs. CAPPS, Ms. CHU, Mr. GARAMENDI, and Ms. WATERS.
H.J. Res. 47: Mr. PETERSON and Ms. MOORE.
H. Res. 13: Mr. HOYER.
H. Res. 16: Mr. LAMBORN and Mr. CARTER.
H. Res. 25: Mr. CRAWFORD, Mr. MCGOVERN, Mr. HOLDEN, and Mr. SOUTHERLAND.
H. Res. 89: Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Mr. FILNER, and Ms. LINDA T. SÁNCHEZ of California.
H. Res. 95: Mr. STEARNS.
H. Res. 111: Mr. DONNELLY of Indiana and Mr. COHEN.
H. Res. 130: Mr. RANGEL.
H. Res. 137: Mr. JOHNSON of Georgia and Mr. FRELINGHUYSEN.
H. Res. 180: Mr. PRICE of North Carolina.
H. Res. 220: Mr. ROTHMAN of New Jersey, Mr. GRIJALVA, Mr. HINCHEY, and Mr. GUTIERREZ.
H. Res. 256: Mr. WU.
H. Res. 268: Mr. ALTMIRE, Mr. COOPER, Mr. CRAWFORD, Ms. DeLAURO, Mr. GUTHRIE, Mr. HARPER, Mr. KING of New York, Mr. LATTA, Mrs. LOWEY, Mr. McCAUL, Mrs. MILLER of Michigan, Mr. MURPHY of Connecticut, Mr. PASCRELL, Mr. QUAYLE, Mr. ROSS of Florida,

Mr. SARBANES, Mr. WALSH of Illinois, Mr. HENSARLING, Mr. LANDRY, and Mr. SMITH of Nebraska.

H. Res. 295: Mr. MORAN, Mr. GENE GREEN of Texas, Mr. MARINO, Mrs. NAPOLITANO, and Mr. TERRY.

H. Res. 296: Mr. WALBERG, Mr. KILDEE, and Mr. DOLD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. KELLY and Mr. KLINE.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2112

OFFERED BY: Mr. ROE OF TENNESSEE

AMENDMENT No. 21: Page 45, line 15, after each dollar amount, insert “(reduced by \$3,000,000,000)”.

Page 80, line 2, after the dollar amount, insert “(increased by \$3,000,000,000)”.

H.R. 2112

OFFERED BY: Mr. GARRETT

AMENDMENT No. 22: At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, until 12 months after the promulgation of final swap transaction reporting rules under section 21 of the Commodity Exchange Act.

H.R. 2112

OFFERED BY: Mr. GIBSON

AMENDMENT No. 23: Page 80, after line 2, insert the following:

SEC. _____. For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, to remain available until expended, there is hereby appropriated, and the amount otherwise provided by this Act for payments to the General Services Administration for rent under the heading “Agriculture Buildings and Facilities and Rental Payments” is hereby reduced by, \$6,000,000.

H.R. 2112

OFFERED BY: Mr. ROYCE

AMENDMENT No. 24: At the end of the bill (before the short title), insert the following:

SEC. 7XX. None of the funds made available by this Act may be used to provide assistance under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) to the Democratic People's Republic of Korea (North Korea).

H.R. 2112

OFFERED BY: Mr. KIND

AMENDMENT No. 25: At the end of the bill (before any short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to provide payments

(or to pay the salaries and expenses of personnel to provide payments) to the Brazil Cotton Institute.

H.R. 2112

OFFERED BY: Mr. FLORES

AMENDMENT No. 26: At the end of the bill (before the short title), add the following new section:

SEC. 4 _____. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

H.R. 2112

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT No. 27: Page 2, line 14, after the dollar figure, insert “(increased by \$25,000,000)”.

Page 5, line 5, after the dollar figure, insert “(reduced by \$25,000,000)”.

H.R. 2112

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT No. 28: Page 80, after line 2, insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)).

H.R. 2112

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT No. 29: Page 80, after line 2, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 747. None of the funds made available by this Act may be used in contravention of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

H.R. 2112

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT No. 30: Page 9, line 5, after the dollar amount, insert “(reduced by \$681,750,000)”.

Page 44, line 19, after the dollar amount, insert “(increased by \$681,750,000)”.

H.R. 2112

OFFERED BY: Mr. GOSAR

AMENDMENT No. 31: Page 32, line 5, after the dollar amount, insert “(increased by \$50,000,000)”.

Page 35, line 13, after the dollar amount, insert “(increased by \$50,000,000)”.

Page 48, line 11, after the dollar amount, insert “(reduced by \$100,000,000)”.

H.R. 2112

OFFERED BY: Mr. GOSAR

AMENDMENT No. 32: Page 48, line 11, after the dollar amount, insert “(reduced by \$75,000,000)”.

Page 80, line 2, after the dollar amount, insert “(increased by \$75,000,000)”.

H.R. 2112

OFFERED BY: Mr. NUGENT

AMENDMENT No. 33: Page 9, line 5, insert after the dollar amount the following: “(increased by \$2,000,000)”.

Page 48, line 11, insert after the dollar amount the following: “(reduced by \$2,500,000)”.

EXTENSIONS OF REMARKS

MARK SMITH GUEST CHAPLAIN

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2011

Mr. AUSTRIA. Mr. Speaker, I rise today to say a few words about today's guest chaplain and my dear friend and fellow Ohioan, Dr. Mark A. Smith. Dr. Smith is a leader in faith-based education throughout Ohio and also an important leader in Pickaway County.

Since coming to Ohio Christian University in 2005, he has expanded the University's enrollment from 380 to more than 1,750 students. He has helped fund and build over \$10.5 million of projects and led the development of many off campus sites.

Dr. Smith was also appointed by former U.S. Secretary of Education Rod Paige and served on the Fund for the Improvement of Post Secondary Education Board, which managed more than 400 million dollars of projects.

Dr. Smith has experience in nearly every level of education, and he has taught several undergraduate and graduate classes in education, business, leadership, and religion. Prior to coming to Ohio Christian University, he was Vice President for Adult and Graduate Studies at Indiana Wesleyan University for five years. Under his leadership, his division grew from an enrollment of 2,500 students to nearly 10,100 students.

Though he has been anxiously engaged in education his entire life, Dr. Smith has also made community service a priority. In fact, he currently serves on my Economic Advisory Team, and I rely on him for advice to improve our economy and higher education in Ohio. He has lead many community projects and assisted in building education programs for the African-American community. He also served as treasurer of the Pickaway County Community Foundation.

Though he has proved to be an astute businessman that has successfully grown his University, Dr. Smith remains first and foremost a man of great faith. Dr. Smith is married to his wife Debbie, and they are the parents of two sons, Douglas and Micah.

While serving as an administrator for Management Resources Incorporated at Hope-mont Hospital in Terra Alta, West Virginia, Dr. Smith served as senior pastor of the Terra Alta Wesleyan Church and was Assistant Superintendent for the West Virginia District. He has published scores of articles for professional and church organizations, and coauthored "Leading a Change in Your World" with Larry Lindsay.

Dr. Smith graduated with a Bachelor of the Arts degree from Hobe Sound Bible College in West Palm Beach, Florida. He attended Kansas University's Graduate School, and graduated with a Master of Science degree in college teaching from Northeastern State Univer-

sity. In 1995, he graduated from West Virginia University with a Doctor of Education degree, with a dissertation titled: "The Role of the College President." Later, he completed Harvard University's Institute of Educational Management for Executive Management.

I appreciate Dr. Smith for taking the time to be with us today, and thank him for his thoughtful prayer and the kind words he shared.

RECOGNIZING THE LIFE OF DR.
RALPH RUSH HENDRICKS**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is with great respect and honor that I rise today to recognize the life of Northwest Florida's beloved Ralph Hendricks.

Born in Jay, Florida on June 3, 1927, Ralph Hendricks lived a life deeply rooted in his strong faith in God and love for his family and community. Dr. Hendricks began preaching along the Gulf Coast after graduating from Asbury College and Candler School of Theology at Emory University. An ordained elder in the United Methodist Church, Dr. Hendricks served pastorates throughout the Alabama-West Florida Conference for 40 years, including those in Escambia, Santa Rosa and Okaloosa counties.

His service to the Northwest Florida community, however, spread beyond the doors of the church. A pivotal leader in the local community, Dr. Hendricks served six years as a District Superintendent of the Andalusia District. He also served 37 years in the United States Navy and became chaplain of the Alabama Army National Guard. During his role as chaplain, he obtained the rank of Colonel and was awarded the Meritorious Service Medal. After his retirement, he continued to dedicate his time to those in need as Hospice chaplain in Escambia County, Florida.

To some, Ralph Hendricks will be remembered as a community leader and to others as a dedicated pastor and chaplain. To his family, he will forever be remembered as a loving husband, father, grandfather, and great grandfather. Ralph is survived by his wife Betty of 57 years; his children, Randy, Steve, and Mary Kaye; 7 grandchildren and 1 great grandchild.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the life of Dr. Ralph Hendricks for his honorable leadership and service to Northwest Florida and to this great nation. My wife Vicki and I offer our prayers for his entire family. He will be truly missed.

RECOGNIZING MARITIME INTERNATIONAL FOR THE 2011 LOUISIANA ECONOMIC DEVELOPMENT LANTERN AWARD

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. BOUSTANY. Mr. Speaker, I want to congratulate Maritime International, a company from South Louisiana, for being named winner of the 2011 Lantern Award, District 4. The Lantern Award is presented by Louisiana Economic Development to salute manufacturers from across the state for their outstanding contributions to the Louisiana economy and to their communities.

Maritime International is owned by David Leblanc, John Deats and Donald Nassar and provides full service marine engineering and manufacturing. It serves many different clients including the U.S. Navy, oil companies, government agencies and port authorities. Maritime's goal is to offer clients effective and economical solutions for their mooring and berthing needs. Five engineering and sales offices are located in the U.S., China, the U.K., UAE and France.

Maritime makes an effort to purchase items from Louisiana vendors and is very involved in the local community. The company provides support to community events and charitable needs including Susan G. Komen Race for the Cure, St. Jude, UNICEF and many more. Maritime International has steadily grown and innovated since beginning in 1996 and is continuing to do so with new expansion jobs underway.

It goes without saying that Maritime International is very deserving of the honor of being given the 2011 Lantern Award. The staff at Maritime International is innovative and effective in what they do. I wholeheartedly thank Maritime International for their service to Louisiana, and I congratulate the company on this award.

PERSONAL EXPLANATION

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. QUIGLEY. Mr. Speaker, on May 11th, my vote on rollcall vote No. 309 was incorrectly recorded as "aye" when I intended to vote "no." I did not see the error until it was too late. I have strong opposition to H.R. 1229 and my intention was to vote "no" on this legislation.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

INTRODUCTION OF THE PROSTATE ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. TOWNS. Mr. Speaker, I rise today during Men's Health Week to urge my colleagues to support the fight against one of our Nation's leading causes of death among men—prostate cancer. There are significant racial and ethnic disparities that demand attention: African Americans have prostate cancer mortality rates that are more than double those in the white population. Underserved rural populations have higher rates of mortality compared to their urban counterparts. Additionally, certain veterans' populations may have nearly twice the incidence of prostate cancer than the general population of the United States.

There should be coordination across Federal agencies which are already receiving significant resources focused on prostate cancer programs. This coordination would serve to improve accountability and actively encourage the translation of research into practice. Additionally, this coordination would serve to identify and implement best practices, in order to foster an integrated and monolithic focus on effective prevention, diagnosis and treatment of this disease.

For these reasons, I, along with Rep. BROUN, now introduce this bipartisan piece of legislation. Our bill provides for a time-limited interagency taskforce to ensure that the Federal dollars invested in the fight against this disease are well spent.

In 2010, more than 217,730 new patients were diagnosed with, and more than 32,050 men died from this disease. Furthermore, about 1 man in 6 will be diagnosed with prostate cancer, and roughly 2 million Americans are living with a diagnosis of prostate cancer and its consequences. While prostate cancer generally affects older individuals, younger men are also at risk for the disease. When prostate cancer appears in early middle age it frequently takes on a more aggressive form. Prostate cancer continues to be a serious threat to our Nation's men.

I urge my colleagues to support this bill, and use this as an opportunity to show America's men that they have your support.

RECOGNIZING MAX BRAKE CONTROLLERS FOR THE 2011 LOUISIANA ECONOMIC DEVELOPMENT LANTERN AWARD

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. BOUSTANY. Mr. Speaker, I want to congratulate Max Brake Controllers, a company from Cameron Parish, Louisiana, for being named winner of the 2011 Lantern Award, District 3. The Lantern Award is presented by Louisiana Economic Development to salute manufacturers from across the state for their outstanding contributions to the Louisiana economy and to their communities.

Thomas McDaniel, his wife Debbie and company employees created Max Brake Controllers several years ago. McDaniel is also the owner of Mac's Classic Muscle Cars, a supplier of Max Brakes. Because of his experience in this field, McDaniel was able to play a key role in creating the Max Brake technology. Max Brake Company uses Louisiana parts as much as possible, with about half of the components bought locally including brass stock, electrical parts and hardware from local companies.

Max Brake Controllers uses a braking system for trucks and big rigs to carry large loads. An electrical display presents hydraulic vehicle brake pressure and helps to control electric trailer brakes. The brake pressure is monitored by a pressure sensor in the vehicle master cylinder.

McDaniel is a member of the Cameron Parish Police Jury. He is also an avid supporter of South Cameron High School and a member of the Volunteer Fire Department, Recreation Department and Water District.

It goes without saying that Max Brake Controllers is very deserving of the honor of being given the 2011 Lantern Award. McDaniel and the other staff at Max Brake Controllers are innovative and effective in what they do, and I am honored to serve as their member of Congress. I wholeheartedly thank Max Brake Controllers for their service to the Cameron Parish and the state of Louisiana, and I congratulate the company on this award.

CONGRATULATING THE JET PROPULSION LABORATORY ON THE COMPLETION OF THE SPIRIT ROVER MISSION

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. DREIER. Mr. Speaker, I rise to congratulate the La Canada Flintridge based Jet Propulsion Laboratory (JPL), its director, Dr. Charles Elachi and all of the JPL employees, on successfully completing the mission of Spirit, a Mars Exploration Rover. Spirit was designed, built and operated by JPL.

In the summer of 2003, NASA launched Spirit along with its twin, Opportunity, from Cape Canaveral Air Force Station. After traveling for six months and more than a quarter million miles, Spirit landed on Mars on January 3, 2004. The Mars Exploration Rover mission sought to expand our understanding of Mars' geological history and find evidence of water. One of the mission's greatest achievements was Spirit's discovery of minerals indicating that Mars was once a wet environment with hot springs and steam vents. These conditions may have been favorable for microbial life. In addition, Spirit provided us with thousands of breathtaking images of Mars' surface. While Spirit's mission was only planned for three months, it showed amazing resiliency and continued to operate for six years. After surviving three Martian winters, countless dust storms and a broken wheel, NASA lost contact with Spirit last March. Opportunity continues to explore the Martian surface.

Mr. Speaker, the success of Spirit's mission, and JPL's scientific accomplishments, demonstrate the need to continue strong support for Mars exploration missions. As you may know, the Mars Science Laboratory is scheduled to launch at the end of this year. It will expand upon the discoveries made by Spirit and provide new insight into Mars' past. Its primary purpose is to determine if Mars was ever capable of supporting microbial life. To accomplish this, the mission will carry the most advanced instruments ever sent to Mars and have the capability to travel farther than past rovers.

Mankind has always yearned to explore what is beyond the horizon. However, space exploration does more than inspire our imagination. It provides measurable benefits here at home. From new medical treatments to developing new energy solutions, NASA technology has made our world better. In addition, NASA's research centers, such as JPL, enhance communities, including my own district, by providing high-paying, highly-skilled jobs. Lastly, these projects provide inspiration to the next generation of engineers and scientists who will develop our future industries.

Mr. Speaker, I commend JPL and its employees whose tireless work has made Spirit's mission such a tremendous success. I wish JPL the best of luck as it embarks on future projects and continues to expand our knowledge of Mars.

RECOGNIZING THE VCU BASKETBALL TEAM'S ADVANCEMENT TO THE NCAA BASKETBALL TOURNAMENT'S FINAL FOUR

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CANTOR. Mr. Speaker, I rise today to recognize a historic accomplishment for the Richmond region. On March 27, 2011, the Virginia Commonwealth University's basketball team defeated the University of Kansas 71-61 and for the first time in history advanced to the NCAA Basketball Tournament's Final Four.

Led by Coach Shaka Smart, the Rams had a terrific season and finished sixth in the final ESPN/USA Today Coaches poll, which is the highest finish in school and CAA history. The Rams ended the season by tying their record of 28 wins.

The Rams set a number of new records for VCU and the CAA including total points scored with 2,864 and total three-pointers with 339, a mark which ranked second in the nation. The fourteen home games of the 2010-11 season set a new average attendance record with 6,645 fans per game. The average attendance for all forty games was 8,742, which is also a school record.

The team has brought the City of Richmond and the entire Commonwealth of Virginia much pride. Their strong teamwork and spirit were evident, and they brought an excitement to our community that has rarely been seen before. VCU pride was displayed in store fronts, restaurants, local businesses and in people's homes. We were all proud to share

the magic of VCU's Cinderella season with the country.

I offer sincere congratulations to VCU President Michael Rao for his vision and outstanding leadership, Coach Smart for his contagious enthusiasm and tenacity, the Ram basketball team for their exceptional play and inspiring team spirit, and all of the students and fans that supported the team throughout the season.

I commend the Rams on their successful season and ask you to join me in celebrating their historic run.

DIA DE PORTUGAL RECOGNITION

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CARDOZA. Mr. Speaker, I rise today along with my colleagues Mr. COSTA of California, Mr. MCGOVERN of Massachusetts, and Mr. CICILLINE of Rhode Island to recognize Dia de Portugal, and reiterate the strong bond between the United States and Portugal. Celebrated around the world on June 10th, Dia de Portugal recognizes the magnificent heritage of the Portuguese people and their descendants.

Contributing to the strong ties between the United States and Portugal are the sizable Portuguese communities in Massachusetts, Rhode Island, New Jersey, California, and Hawaii. The latest census estimates that 1.3 million individuals living in the United States are of Portuguese ancestry. There are also about 20,000 Americans living in Portugal.

A large percentage of Portuguese-Americans are descendants of immigrants who came from the Azores in the late 1950's after the islands experienced several volcanic eruptions and earthquakes, leaving many without homes. Thousands of victims were in need of aid, and the United States, in a gesture of international goodwill, allocated visas to the people of the Azores to find work and rebuild their lives in America. Since the Azores are known for their rich soil and temperate climate, many of the Portuguese refugees settled in regions of the United States that supported agriculture and dairy, such as the San Joaquin Valley in Central California. Many other Portuguese from the Azores settled in parts of the nation with burgeoning fishing industries, particularly in Massachusetts, Rhode Island, and New York where they continued to diversify and contribute to the nation's economy and common heritage.

Modern day Portugal has been an integral member of the European Union (EU) and is a strong proponent of European integration. While Portugal held the presidency of the EU Council for the third time during the latter half of 2007, Portugal oversaw the signing of a new EU reform treaty, staged EU summits with Russia, India, and China, and held a second EU-Africa summit. Furthermore, Portugal is a founding member of NATO and continues to be an active member of the alliance.

Lastly, the defense relationship between the United States and Portugal is excellent, centered on the 1995 Agreement on Cooperation

and Defense (ACD). For 50 years, Lajes Air Base in the Azores has played an important role in supporting U.S. military aircraft. Past missions have engaged in counter-terrorism and humanitarian efforts, including operations in Afghanistan and Iraq. Portugal often emphasizes its support for strong European ties with the United States, particularly on defense and security issues. Portugal sees its role as host of NATO's "Joint Command Lisbon," located near Lisbon, as an important sign of alliance interest in transatlantic security issues.

Mr. Speaker, we celebrate all the accomplishments of the Portuguese and Portuguese Americans on this occasion, and wish everyone celebrating worldwide a joyous Dia de Portugal.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. HIGGINS. Mr. Speaker, yesterday I missed a round of votes in order to attend the remembrance services of a friend who passed away in Buffalo over the weekend. Because the votes I missed dealt with important questions of labor policy, foreign policy and funding for our veterans, I would like to enter into the record how I would have voted had I been present.

On Rollcall 413, the LaTourette Amendment, I would have voted "aye."

On Rollcall 414, the Amash Amendment, I would have voted "no."

On Rollcall 415, the Sherman Amendment, I would have voted "no."

On Rollcall 416, retaining Title II (Department of Veterans Affairs), I would have voted "aye."

PASSING OF THE HONORABLE JUAN FRANCISCO LUIS, THIRD ELECTED GOVERNOR OF THE U.S. VIRGIN ISLANDS

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to commemorate the life of the Honorable Juan Francisco Luis, the third elected Governor of the U.S. Virgin Islands who passed away on June 4, 2011, at the age of 70. In office from 1979 through 1986, Governor Luis was the longest serving elected chief executive of our island territory.

Governor Luis served at a time of growth and change in the Virgin Islands. He was a popular governor known as a leader who was responsive to the needs of ordinary citizens, who was always willing to listen to their individual concerns. According to Profiles of Outstanding Virgin Islanders, he will be remembered for significant infrastructure development in the islands, in particular, the establishment of modern health care facilities on all three islands, the initial expansion and financ-

ing of the airports on St. Thomas and St. Croix, the construction of a new container port on St. Croix, acquisition of land on St. Croix for homeownership and agriculture and several capital construction projects.

Mr. Speaker, Governor Luis first ran for public office in 1972, when he was elected to the Tenth Legislature of the U.S. Virgin Islands and served as chairman of the Legislative Housing and Planning Committee, Vice Chairman of the Recreation Committee and member of the Committees on Finance, Public Safety, Health and Welfare, Labor and Veterans Affairs.

He was chosen by the late Governor Cyril King to be his running mate in the 1974 gubernatorial election. The two won, and when Governor King died unexpectedly in 1978, Luis became Governor of the Virgin Islands. Originally a member of the Independent Citizens Movement, and later as an independent, Luis was elected in his own right in 1978 and again in 1982.

Born on the neighboring island of Vieques, Puerto Rico, he moved with his family to St. Croix when he was two months old. He was the valedictorian of the then Christiansted High School in 1958 and went on to attend Inter-American University in Puerto Rico. He served in the U.S. Army and was honorably discharged in 1968 as a sergeant. He later taught at the then Christiansted Grammar School and worked for the Department of Housing and Urban Development.

I have two special recollections of personal interactions with him as Governor. He made time to meet with me when there was a controversy surrounding the naming of the park in Frederiksted. Several of us had decided to ask him to consider vetoing the bill as passed by the Legislature and he did. I don't exactly remember the details of his negotiations with the HESS refinery. But at the time it seemed to me that he was not getting the support he needed and so in an attempt to rise above party politics, I secured the signatures to call a special meeting to urge the Territorial Committee of the Democratic Party to support him during the negotiations. My efforts were not successful, but I know he appreciated the attempt.

I believe that history will be exceedingly kind to the memory of Governor Luis as we can see his contributions in the health care system, in education, in the economy and in other aspects that affect the daily lives of Virgin Islanders. His efforts were sincere and those of us in office today build on the foundations that were set during his tenure. With the passage of time people have the chance to assess the contributions of those who live their lives in service to the public. It can be said of Governor Juan Luis that he had a clear vision and that he worked diligently to accomplish his intended goals and that we the people, were better off for it.

Mr. Speaker, my family, staff and I extend our sincere condolences to his wife, Mrs. Luz Luis and his children Juan, Jr. and Carlota Amalia. May Governor Juan Francisco Luis rest in peace.

HONORING DYERSBURG
SUPERINTENDENT LLOYD RAMER

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. FINCHER. Mr. Speaker, it is a privilege to rise today to honor and thank Mr. Lloyd Ramer for an outstanding 42-year career of serving in public education as Superintendent of the Dyersburg City Schools. Mr. Ramer will retire from service as Superintendent on June 7, 2011. We celebrate his accomplishments and wish him well in his future endeavors.

As an exceptional leader and education advocate, Mr. Ramer began with the Dyersburg School System in 1969. He has functioned in numerous roles ranging from a contemporary studies teacher, acting director, basketball coach, curriculum coordinator, and assistant superintendent. In 1994, Mr. Ramer accepted the responsibility of Superintendent, demonstrating what a colleague calls his "driving commitment to excellence and his continued quest for quality educational opportunities for our students." His commitment has been proven by spending all 42 years of his career working for the Dyersburg City Schools. His years of working with the city schools prove his tremendous commitment to public education.

On behalf of the House of Representatives, I want to thank Mr. Ramer for encouraging thousands of young Americans to achieve their fullest potential.

Please join me in honoring Mr. Lloyd Ramer upon his retirement from public education.

HONORING MS. PATRICIA WOJCICK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. HIGGINS. Mr. Speaker, today I pause to remember the great life and work of Patricia Wojcik the longtime director of the Department of Senior Services in Cheektowaga, New York.

For nearly two and a half decades Pat dedicated her life to making the lives of seniors in Western New York healthier, happier and more fulfilled.

Upon first assuming her leadership role in town government in 1980, Pat made it her mission to give local seniors a place to gather, learn, have fun and build friendships.

Two short years later the Cheektowaga Senior Center opened its doors and over the years since, thousands of seniors were greeted at those doors by Pat's smiling face and kind words.

The many ways Pat touched the lives of others is far too great to mention here but her commitment is demonstrated in the respect she had for the commitment of those she served. Each year one of her trademark events was a ceremony which included a splendid celebration for Cheektowaga couples celebrating their 50th wedding anniversary.

Her devotion to her work didn't go unrecognized. She received citizen of the year awards

from the Am Pol Eagle and Zonta Club, was recognized by the St. Joseph Hospital Foundation and in 2005 I was honored to nominate her to represent our area for the White House Conference on the Aging.

That same year, 25 years after she first started, Pat turned over her duties at Cheektowaga's Senior Center and began a well-deserved retirement.

On June 10, 2011 I will join long-time Cheektowaga leader Assemblyman Dennis Gabryszak, Pat's friends, family and co-workers to plant a tree in Pat Wojcik's honor in front of the building where she spent so many years.

Her memory will live on with this tree as well as in the hearts of all of us who knew and loved her.

MARTIN VAN BUREN NATIONAL
HISTORIC SITE

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people of New York's 20th District to express our sincere appreciation for the Open Space Institute's continued preservation and protection of the Martin Van Buren National Historic Site in my hometown of Kinderhook, NY.

The Martin Van Buren National Historic Site was established by Congress in 1974 in order to commemorate the life and work of President Martin Van Buren through the preservation and interpretation of Lindenwald, his home and farm. When the site was established, Kinderhook was a rural farming community, like many towns in the Mid-Hudson River Valley. Over the years, new homes and the loss of agricultural land began to threaten the area surrounding the park. These changes compromised the historic integrity of the property.

The Open Space Institute (OSI) is a non-profit organization that has worked for over 30 years to conserve land in eastern New York, New England, and New Jersey. The primary geographic focus of OSI's program has been the Hudson River Valley. To date, OSI has protected nearly 90,000 acres for parks, farmland preservation, historic sites, and other conservation purposes. In partnership with the National Park Service (NPS), the Columbia Land Conservancy, the Town of Kinderhook, and others, OSI identified a "Kinderhook Creek Conservation Corridor." Within this area lie two significant historic sites: Martin Van Buren National Historic Site and the Columbia County Historical Society's Van Alen House. In addition, this land encompasses a largely unspoiled agricultural landscape and a creek that is popular with fishermen, swimmers, and boaters. Over the years, OSI has helped protect nearly 1,000 acres of open space and working farmland within this corridor.

Addressing the concerns of citizens and the National Park Service at a critical time, Open Space Institute purchased a large tract of Van Buren farmland, including the historic Lindenwald farm cottage. OSI worked with the

NPS to establish easements protecting Van Buren resources, and held those until such time as citizens and public organizations, including the Friends of Lindenwald, could request and achieve congressional approval for a boundary expansion in 2009.

In order to keep the farmland in agricultural use, Open Space sold a 101-acre parcel to Roxbury Farm, a community-supported cooperative organic farm. Roxbury Farm agreed to the easement stipulations suggested by the National Park Service protecting historic resources. This year, OSI donated 26 acres of land within the historic core of Lindenwald, including a Van Buren era farm cottage, to the National Park Service to benefit the people of the United States.

In addition to protecting Lindenwald in its historic agricultural setting, OSI has worked with the NPS to create a trail easement that will offer increased opportunities for public enjoyment of the park and surrounding land as part of an overall plan that was developed in concert with local landowners, citizens, and governments.

The unique partnership between OSI, Roxbury Farm, Friends of Lindenwald, and the NPS has created new opportunities to help visitors understand the importance of agriculture in President Van Buren's life, the role of the changing agricultural economy before the Civil War, and the value of agriculture to America's future.

HONORING MR. GEORGE MARTIN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. HIGGINS. Mr. Speaker, I rise today to commemorate the 90th birthday of a proud son of the city of Buffalo and an ardent believer in the Jesuit educational tradition—George Martin.

When I think of George Martin, I think of a man of deep faith, commitment to public service, and a man who most of all places tremendous value in quality education. George Martin is one of the proudest Buffalonians I have ever had the pleasure to know. His commitment to education is so vast, so complete, that these words hardly live up to the record he has compiled.

A proud alumnus of St. Joseph's Collegiate Institute, George's service to that institution is unparalleled. A longtime board chair, George was designated an Affiliate Christian Brother due to his faithful service to St. Joe's and to the wider LaSallian community.

George has demonstrated as deep a commitment to Canisius College, where he is accurately regarded as a living legend. George was the very first lay Executive Vice President of Canisius College, where he blazed a trail and set an example for literally thousands of impressionable students. Today, a dormitory and an academic award are named in his honor, and an endowed scholarship fund exists in his name, demonstrating all the more the deep and abiding commitment George has to the college itself and to education in general.

George has a great history in public service as well. A veteran of the Sedita administration in Buffalo City Government, George was also a friend and confidant to Governor Hugh Carey. George also served with honor and distinction for many years in leadership of the New York State Council of Parks, where he worked tirelessly to maintain the New York State Park system's preeminent position as among the very best state systems in the nation.

Hailing from the proud neighborhoods of South Buffalo, George served his country with honor and bravery in World War II, and is patriarch to many nieces and nephews—many themselves alumni of Canisius. Our community is fortunate that this proud family shared their uncle with us, to dedicate so very much to the growth and success of these important Jesuit institutions.

In closing, Mr. Speaker, I ask that you join with me and with the membership of the House to honor the dedicated service of Buffalo's George Martin, and to wish good health and Godspeed to him upon the occasion of his 90th birthday.

PAUL MADAY RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I congratulate Mr. Paul M. Maday on his retirement from his position as Business Manager/Secretary-Treasurer for the Boilermakers Local 374, as well as his position as Recording Secretary-Treasurer for the Northwestern Indiana Building and Construction Trades Council. Paul, a member of the Boilermakers Local 374 for many years, has dedicated his life to the interests of his fellow tradespeople and the entire community in Northwest Indiana. For his lifetime of service to the Boilermakers, Paul was honored at a retirement dinner that took place at Avalon Manor in Merrillville, Indiana, on Friday, June 10, 2011.

Paul Maday has been a member of the Boilermakers Local 374 for 34 years. During his tenure, he has held numerous positions. After four years as an apprentice, Paul became a journeyman, a general foreman, and a union steward. Paul's career continued to advance, and he was named Assistant Business Manager in 1995, a position he held for ten years. Because of his hard work and tremendous leadership skills, Paul went on to become Business Manager/Secretary-Treasurer in 2005 and was reelected to this position in 2008. Paul also has served as Recording Secretary-Treasurer for the Northwestern Indiana Building Trades Council since 2005. For his noteworthy level of skill and commitment, Paul was appointed to the Indiana State Pressure Vessel Board in 2002, 2005, and 2008. Additionally, he has served as chairman of the Boilermakers National Pension Trust and the National Annuity Trust and also served as chairman of the Tripartite Committee for U.S. Steel, ArcelorMittal Indiana Harbor and Burns Harbor, representing the Northwestern Indiana

Building Trades Council. Paul's passion, devotion, and continuous support to the Building Trades is truly remarkable, and for this he is worthy of the highest praise.

Northwest Indiana has a rich history of excellence in the craftsmanship and loyalty of tradespeople. For many years, Paul Maday has displayed unwavering dedication to the members of the Building Trades, and his various positions have allowed him the opportunity to touch the lives of countless individuals. Not only has Paul selflessly served his local members, but through his work with the Building Trades, he has been a remarkable example of just how much good a dedicated individual can do for a community. When it comes to serving those in need, Paul Maday has been a leader of his members and the Northwestern Indiana Building and Construction Trades Council to ensure that innumerable good works are done. Paul also selflessly gives of his time to many charitable organizations. He has been involved in the Alzheimer's Association walk-a-thon fundraiser and has served on the executive board for the American Heart Association of Northwest Indiana, as well as the Northwest Indiana Workforce Investment board. Although Paul has served the Building Trades and his community with complete dedication, it is his commitment to his family that is most impressive. Paul and his wonderful wife, Terry, have two beloved children and one grandchild.

Mr. Speaker, Paul Maday has given his time and efforts selflessly to the union members he has worked so tirelessly with and represented so well. He has given to the people of Northwest Indiana personally and through his work with the Building Trades Council. He has been a true role model to his peers and a true friend to Northwest Indiana. I respectfully ask that you and my other distinguished colleagues join me in commending Paul for his outstanding contributions and in wishing him well upon his retirement.

IN SUPPORT OF H.R. 2055

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. FARR. Mr. Speaker, today, with passage of the FY 2012 Military Construction/Veterans Affairs Appropriations bill, we renew our commitment to keep our promise to our nation's more than 2 million military personnel and their families, reservists, and 23 million veterans.

I have said it before, but I am proud to note again that this committee has a strong history of working in a bipartisan way to produce a bill that recognizes and supports the needs of our active duty service members and our veterans.

The legislation includes a total of \$127.8 billion in both discretionary and mandatory funding for the Department of Veterans Affairs—an increase of \$8.7 billion over last year's level. In this bill, discretionary funding alone equals \$58.3 billion, which is \$1.85 billion above the FY 2011 enacted level. This bill also provides full funding of \$69.5 billion for mandatory VA programs.

Since January 2007, Congress has increased funding for veterans' health care and other services by \$30 billion (over 70%). While I would like to give more resources to Veterans Affairs, even in these tough economic times, I am pleased that we are building on the progress made by the Democratic Majority in the last two Congresses. Importantly, this bill also includes provisions to increase spending oversight at the VA—making sure that the VA uses their increase in funding responsibly and appropriately is critically important for our nation's veterans and their families.

The bill protects the health and well being of our veterans by preserving the advance appropriations for medical care already provided for fiscal year 2012 and providing the mandatory funding for disability, rehabilitation, education, and housing benefits. This bill also includes sufficient resources to fully implement VA homeless assistance programs, including the Homeless Providers Grant and Per Diem, the Domiciliary Care for Homeless Veterans, and the Department of Housing and Urban Development—Department of Veterans Affairs Supported Housing programs.

I commend the Chairman and Ranking Member for their hard work in ensuring that this bill is another significant step in fulfilling the promise our country made to leave no veteran behind.

I urge my colleagues to support final passage of H.R. 2055.

IN RECOGNITION OF PARMA COMMUNITY GENERAL HOSPITAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Parma Community General Hospital. In June 2011, Parma Community General Hospital will be celebrating 50 years of service. Their mission has been to provide excellent, personalized care incorporating their core values of integrity, community partnership, commitment and stewardship, collaboration and teamwork and individual growth and development.

In August 1961 the hospital was founded. Within a few years it was fully accredited and joined the Cleveland Hospital Council. Parma Community General Hospital is a successful, not-for-profit, community hospital. It is a state-of-the-art facility in a close-to-home, friendly, community setting.

The hospital has grown extensively, adding floors and new Intensive Care and Coronary Care units in the 1970s and several medical office buildings in the 1980s and 1990s. In 1982 the hospital expanded health education programs by opening the Health Education Center. In the 1990s they added the ElderCenter Adult Day Care which was designed as an alternative to nursing homes and a Child Care Center for hospital employees and the public. It has an award-winning Home Health Care program, and an EMS Education Program that has endeavored to meet the region's safety needs for the past 25 years.

In the 1990s, Parma Hospital grew further, adding the Pain Center, expanding the inpatient Acute Rehabilitation Center, modernizing

the Small Wonders Maternity Center and adding the Behavioral Center for Older Adults, a geriatric psychiatric unit. Parma Hospital won its first of numerous awards for excellence in orthopedics the year before the 1999 opening of The Heart Center, a cardiovascular intensive care unit that would garner its own array of awards, including the 100 Top Hospitals for Cardiovascular Care more than once and the fastest heart attack care in the region throughout the Code STEMI program.

The past decade brought the addition of outpatient oncology care in a community setting and the opening of Residential Seasons of Life Hospice on Pleasant Valley Lake. Parma Hospital also enlarged its Emergency Department, adding an innovative Doc at the Door program for efficient triage, and built a new Intensive Care Unit. Outpatient radiology services were brought to both Ridge Park Square in Brooklyn and WellPointe Pavilion, offering outpatient services. Other specialized patient care areas include: physical, occupational, speech and respiratory therapies, laboratory and radiology, the Bariatric Center, inpatient and outpatient care and surgery, inpatient care floors including oncology, medical and surgical, inpatient rehabilitation unit, diabetic counseling and sports medicine.

In 2010 Parma Community General Hospital President and CEO Terrence G. Deis was named to the list of top Hospital and Healthcare Industry Leaders to Know. Mr. Deis is proud that the hospital, with nearly 2,000 employees, has flourished as a community partner and credits the hard work and integrity of the employees, management and medical staff with the success of Parma Community General Hospital.

Mr. Speaker and colleagues, please join me in recognition of Parma Community General Hospital's 50th anniversary and in honor of those past and present whose unwavering dedicated service will be the legacy of Parma Community General Hospital.

COMMENTS ON H.R. 3, NO TAXPAYER FUNDING ABORTION

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Ms. WATERS. Mr. Speaker, I rise today in strong opposition to H.R. 3, the No Taxpayer Funding Abortion bill. This bill prevents women who have private insurance plans from receiving comprehensive sexual health coverage even in cases when their health is in danger.

It is extremely clear that Republicans are waging a war against women's rights by pushing a radical agenda that will primarily hurt poor and low-income women. An agenda like this only further proves that the Republicans are not interested in jobs and repairing our economy but instead more interested in divisive social issues that will not move this economy forward.

Women and families need affordable and accessible health care more than ever before. This blatant assault on women's health needs to stop. As elected officials, it is our duty to ensure that all rights, including women's

rights, are not violated through policies that only further limit access. We have to stand up and fight for the preservation of the rights for all women by defeating this bill.

QUICK FACTS FROM ACLU

Who does H.R. 3 penalize? Bearing in mind the rationale underlying the tax code's treatment of medical expenses, as described above, a close examination of the Smith bill's tax provisions reveals that it serves to punish certain segments of the population.

Women: It should go without saying that the effects of the Smith bill will disproportionately fall on women, as women are the ones who are most likely to spend funds on abortion procedures. However, the Smith bill does not punish women exclusively. Many men purchase insurance policies that cover their spouses and dependents, and many use the funds considered in the Smith bill to pay expenses for abortion procedures for their spouses and dependents.

Low and middle-income people: The Smith bill would penalize low- and middle-income taxpayers. As described below, taxpayers who would be entitled to a subsidy for insurance purchased on an exchange would not be eligible for such a subsidy if the insurance plan offered on the exchange included coverage for abortion procedures. Thus, while wealthier taxpayers whose employers provide insurance premium subsidies would likely suffer no penalty to enroll in a plan that includes coverage for abortion procedures, taxpayers who must buy insurance on an exchange would lose a significant subsidy, and in all likelihood be effectively precluded from obtaining insurance with coverage for abortion procedures.

Small businesses: The Affordable Care Act provides for a tax credit for small businesses (businesses with 25 or fewer full-time employees) to encourage the provision of health insurance for their employees. The Smith bill's provisions would deny small businesses this tax credit if they were to offer insurance policies that covered abortion procedures. In all likelihood, this would have the effect of eliminating coverage for abortion for employees of small businesses.

Tax-Exempt Organizations: As described below, tax-exempt organizations are also eligible to receive the small business credit for the provision of health insurance (the credit is taken against employment tax payments). At a time when individuals are scaling back on charitable giving, small charities that would be eligible for the small business tax credit can use all the help they can get. The Smith bill would deny these organizations a crucial tax incentive, without which many of these charities would not likely be able to bear the cost of providing health insurance to their employees. Such a crucial incentive should not be dependent upon whether the organization provides insurance coverage that covers abortion procedures.

H.R. 3 rewrites long-standing tax laws and policies to impose a new penalty on millions of Americans (Section 303): H.R. 3 rewrites long-standing tax laws to penalize a single, legal, medical procedure: abortion. It would end certain preferential tax treatment for medical expenses and insurance premiums where abortion is involved.

Specifically, under the bill: Individuals eligible for the health coverage tax credit or who receive benefits from the Pension Benefit Guarantee Corporation would not receive a credit on the premiums paid for insurance that covered abortion; small business employers who make a qualified non-elective contribution to purchase a health

insurance plan that includes coverage for abortion would not receive a small business tax credit provided under the health care law; individuals could no longer claim the itemized deduction for unreimbursed medical expenses that exceed 7.5% of their adjusted gross income; individuals who make tax deductible contributions to a health savings account (HSA) would be required to include in income any amounts paid out of an HSA when those proceeds are used for expenses relating to an abortion; any individual who uses funds from a health Flexible Spending Arrangement (FSA) for an abortion would now be required to include those funds in their gross income for the taxable year; amounts distributed to an employee from a Health Reimbursement Arrangements (HRA) account for purposes of reimbursing the employee for funds spent for abortion would be included in the employee's taxable income;

IN HONOR OF MR. MICHAEL
CATANZARITE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Michael Catanzarite, a prominent businessman, community leader, and a proud father. Mr. Catanzarite is being honored as a 2011 Father of the Year nominee by the Father's Day Council of Northeastern Ohio and the American Diabetes Association.

Mike Catan is a successful businessman, born and raised in northeast Ohio. His father, Pat Catan, was an entrepreneur who began both the Darice craft products company and a chain of Pat Catan's craft stores. Mike has followed in his father's footsteps and serves as Co-Chief Executive Officer of Darice Inc.

Mr. Catan has also been an active community leader. In 2002, when he found out that Strongsville High School's athletic field had fallen into disrepair, he spearheaded efforts to raise money to build a brand new stadium. Pat Catan Stadium opened only 83 days after ground was broken, and the facility is a boon to the community. Mr. Catan has also been known for his volunteer work; in 2009, he led a team including family and friends in building a new home for a Strongsville family whose two young daughters had been diagnosed with a very rare genetic condition. Mike Catan, along with many other volunteers and donors, worked to create a home that would meet the life-long needs of the two young girls. These are only a few examples of Mr. Catan's commitment to improving the community.

Mr. Speaker and colleagues, please join me in recognizing Mr. Michael Catan, whose children nominated him 2011 Father of the Year. His dedication to improving the community for his children and all citizens of northeast Ohio is awe-inspiring. I wish Mike Catan the best in all of his future endeavors.

RECOGNIZING THE ACHIEVEMENTS
OF CITY OF LAS VEGAS COUN-
CILMAN GARY REESE

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the achievements of the mayor Pro Tem of the City of Las Vegas, Nevada, Gary Reese.

Gary Reese was first elected to the Las Vegas City Council representing Ward 3 on June 6, 1995, and is currently serving his fourth term. Councilman Reese was appointed Mayor Pro Tem on November 16, 2000.

Councilman Reese has accomplished many things for the City of Las Vegas. From 1995–2011, Councilman Reese facilitated 19 community and recreational centers, 10 transportation projects, eight fire stations, eight expansion and beautification projects, the Fremont Street Experience, Neon Sign Museum, a water reclamation center, and a police area command station.

As the owner of the Plaza Barber Shop and former chairman of the Las Vegas Planning Commission, Gary Reese is a well-known figure in the Las Vegas community. Prior to establishing the Plaza Barber Shop, which has been in operation since 1963, Councilman Reese worked at the Nevada Test Site.

Councilman Reese currently serves as a vice chairman on the Las Vegas Metropolitan Police Department's Committee on Fiscal Affairs. He is also a member of the Las Vegas Centennial Board of Directors and Executive Committee and was recently appointed to the board of the Las Vegas Convention and Visitors Authority. He has also served on the Southern Nevada Health District Board for more than 13 years.

In addition to his work on the Planning Commission, Councilman Reese has served on the City's Board of Zoning Adjustment, Southern Nevada Enterprise Consortium and the Real Estate and Recommending Committees. His concern for citizen interest is manifested through his past involvement with the City's Citizens Advisory Committee on Downtown Development and the Senior Citizens Advisory Board. Councilman Reese has also served as a member of the City's Liquor/Tavern License Committee and the Economic Opportunity Board of Clark County.

As the Representative for Nevada's First Congressional District, it gives me immense pride to recognize the accomplishments of Councilman Gary Reese.

IN HONOR AND REMEMBRANCE OF
JOHN MICHAEL KICK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Officer John Michael Kick, the first Cleveland police officer to lose his life in the line of duty.

Officer Kick was a lifelong Cleveland of German descent. He joined the Cleveland Police Department upon its formation in 1866. His colleagues described Officer Kick as a "quiet, faithful, brave and fearless officer."

On the night of May 13th, 1875, Officer Kick accompanied his fellow officers as they investigated a suspicious group who were thought to be behind several robberies that occurred in Cleveland. Officer Kick located the perpetrators and began to follow them, along with some fellow police officers and eventually tracked them down. The officers were outnumbered three to six, yet they continued on with their duties.

Officer Kick and his fellow colleagues confronted the suspects, inquiring about their names and occupations. After a loud shouting match, the group of criminals quickly drew their revolvers and began to open fire. The officers, including Officer Kick, drew their weapons and returned fire. During the crossfire, one round shot by the criminals struck Officer Kick in the chest and wounded him. Doctors attempted to save his life, to no avail. On May 15th, Officer Kick passed away. He left everything he owned to his mother, his wife and his three children.

Officer Kick will be remembered by the Cleveland community and the Nation. His name is inscribed on the National Law Enforcement Officers Memorial Wall in Washington, DC.

Mr. Speaker and colleagues, please join me in remembering the sacrifice that Officer John Kick made to ensure that Cleveland would remain a safe city.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. BRADY of Texas. Mr. Speaker, I want to state that had I been present on June 13, 2011, for the vote series, I would have voted against the LaTourette and Sherman amendments and voted for the Amash amendment as well as the Veterans' Affairs Title. I was unable to be in Washington for the votes as I was attending the visitation service of a close family friend.

IN RECOGNITION OF MR. STEVE
CHARLES POPOVICH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mr. Steve Popovich, a man of immense generosity, endless energy and a lifelong passion for music. This passion led him to play a vital role in launching the careers of The Jacksons, Michael Jackson, Santana, Bruce Springsteen, Mac Davis, Paul Simon, Engelbert Humperdinck, Tom Jones, Boston, Ted Nugent, Cheap Trick, Frankie Yankovic and Meat Loaf.

Mr. Popovich, who was born on July 6, 1942 in Nemacolin, Pennsylvania, moved to Cleveland, Ohio as a teenager. While he was considered a music-industry insider, he also continually reached beyond the mainstream to promote the music and musicians he knew had great promise, even when others chose to ignore them. He founded his own label, Cleveland International Records, which promoted one of the industry's biggest selling albums, Bat Out of Hell by Meat Loaf. The album was released in 1977 and remains the fifth best selling album worldwide.

Mr. Popovich has been described by his colleagues and those who knew him best as "a man with a big heart," "a kind and generous man who was a mentor to so many," "a man who would literally give you the shirt off his back," "a man with a rare enthusiasm that made things happen" and a man whose passing "marks the end of an era."

Mr. Speaker and colleagues, please join me in recognition of Mr. Steve Popovich, a man who spent a lifetime giving of himself, leaving behind a legacy of music that will be enjoyed for years to come and many, many friends who will miss his energy and creative enthusiasm.

RECOGNIZING THE 2010 FAIRFAX
COUNTY FEDERATION OF CITI-
ZENS' ASSOCIATION AWARD RE-
CIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the honorees of the Fairfax County Federation of Citizens' Association Awards Banquet.

The Fairfax County Federation of Citizens' Associations is a coalition of civic and homeowners associations from throughout Fairfax County. Through the Federation, individual communities can join with other associations to ensure that their voices are heard and that their communities stay strong. Each year, the Federation honors a select few individuals for extraordinary contributions to the community that have resulted in tangible improvements in our neighborhoods, schools, businesses and local government. This is the 61st Annual Awards Banquet, and this year's honorees have each dedicated years of service to the residents and communities of Fairfax County.

It is my pleasure to recognize the following individuals for their service to the community:

2010 Citizen of the Year: Mollie Morrison-Loeffler for her efforts in the revitalization of Parklawn and the surrounding communities in the Mason District.

2010 Citation of Merit: Dr. Charles Dane for his long history of public and community service, especially in the area of public education

2010 Special Gratitude Award: Anthony H. Griffin for his visionary leadership which has resulted in Fairfax County being named "one of the best managed jurisdictions in America"

2010 Special Gratitude Award: William D. Lecos for his innovative approach in the areas of public-private partnerships and promotion of economic competitiveness and sustainability

Mr. Speaker, I ask my colleagues to join me in thanking these individuals and in congratulating them on being honored by the Fairfax County Federation of Citizens' Associations. Civic engagement defines a community, and it is thanks to these individuals that Fairfax County residents enjoy such an excellent quality of life. The contributions and leadership of these honorees have been a great benefit to our community and truly merit our highest praise.

RECOGNIZING THE 30 YEAR ANNIVERSARY OF SHELTER HOUSE AND THE RECIPIENTS OF THE 2011 SHELTER HOUSE, INC. VOLUNTEER AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the 30th Anniversary of Shelter House, Inc., (Shelter House) and to congratulate the recipients of the 2011 volunteer awards.

Shelter House is a community-based, non-profit organization founded 1981 by several ecumenical groups, which came together to better serve low-income individuals and families. The mission of Shelter House is to break the cycle of homelessness for families and victims of domestic violence in Fairfax County by providing crisis intervention, temporary housing, and supportive services to promote self sufficiency.

Shelter House operates three shelters: The Katherine K. Hanley and the Patrick Henry family shelters, which provide temporary housing for families in our community who find themselves homeless, and Artemis House, which provides temporary housing for victims of domestic violence. Shelter House also offers transitional housing services and ongoing supportive services for those who have entered permanent housing.

Volunteers and community partners are the cornerstone of this organization. These relationships are critical assets to Shelter House and a leading cause for its successes. Each year, Shelter House honors those volunteers and partners who have demonstrated exceptional dedication and commitment to ending homelessness.

The following individuals are being recognized with 2011 Shelter House, Inc. Volunteer Awards:

Ending Homelessness Award: Nicole Larese of the Junior League of Northern Virginia,
Friend of Shelter House Kids Award: The Reading Connection,
Faith Community Award: Emmaus United Church of Christ,
Youth Volunteer Award: Jessica Woolson,
Unsung Hero Award: Erica Stewart,
Special Event Volunteer Award: Sarah Bock.

The following individuals and organizations are being recognized as 2011 Community Champions:

Annandale Christian Community for Action (ACCA); AKA Phi Nu Omega Chapter; Balfour

Beatty Construction; Capital One; Fairfax County Board of Supervisors; Donna Fleming; Freddie Mac Foundation; Great Falls Women's Club; The Honorable Kate Hanley; Verdia Haywood; HomeAid NoVA; Junior League of Northern Virginia; Old Dominion Cotillion; Sidley Austin LLP; and, Versivo.

The outstanding efforts of the above-mentioned individuals and organizations merit special recognition, but one must acknowledge the impact of all Shelter House volunteers who work to provide secure and structured environments for families in need. These volunteers and community partners make Shelter House one of the most effective organizations in the battle to end homelessness by empowering families to reach their full potential.

Mr. Speaker, I ask my colleagues to join me in thanking Shelter House, Inc. for thirty years of service in the battle to end homelessness and also in expressing our sincere appreciation to all of the volunteers and community partners for their selfless dedication to this worthy cause.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Ms. ESHOO. Mr. Speaker, I was not present during the rollcall vote No. 413-416, on June 13, 2011. On rollcall vote No. 413 I would have voted "yes"; on rollcall vote No. 414 I would have voted "no"; on rollcall vote No. 415 I would have voted "no"; on rollcall vote No. 416 I would have voted "yes."

PRINCE WILLIAM NAACP "SALUTE TO VETERANS"

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Prince William County Chapter of the National Association for the Advancement of Colored People (NAACP) and its 2011 "Salute to Veterans" Freedom Fund Banquet. U.S. Army Major General (Retired) Robert C. Gaskill and U.S. Marine Corps Master Gunnery Sergeant (Retired) John W. Jones Jr. will receive special recognition at the banquet for their service to our nation.

The NAACP was established in 1909 to eliminate racial prejudice and remove barriers of racial discrimination that prevent equal opportunity for all members of society. The Prince William County Chapter seeks to implement outreach initiatives, educational programs and victim services that address issues of discrimination in the local community. The local chapter hosts an annual Freedom Fund Banquet to raise funds to support the chapter's activities. This year, the program will honor veterans of the United States armed forces.

It is my honor to join the Prince William County Chapter of the NAACP in giving spe-

cial recognition to two veterans and residents of Prince William County, Major General Gaskill and Master Gunnery Sergeant Jones.

General Gaskill was born in Yonkers, N.Y., on April 12, 1931, to John and Armania Gaskill. The Gaskill family later moved to Arlington, Va. General Gaskill completed Reserve Officer Training as a Distinguished Military Graduate, and received a bachelor of science in business administration from Howard University in 1952. He was commissioned into one of the last all-black battalions in the United States Army. General Gaskill had a distinguished and decorated career in the Army before his retirement in 1981, to which he credits the support of his late wife Erotida Gaskill. General Gaskill is a Life Member of the NAACP, member of Unity in the Community, and an elder at his church.

Sergeant Jones was born in Memphis, Tenn., on September 3, 1930, to Mattie and John W. Jones, Sr. Sergeant Jones' mother passed away when he was nine, and he was raised by Laura Belle Jones, his father's second wife. In 1956, Sergeant Jones joined the United State Marine Corps. While in the Marine Corps, Sergeant Jones went to night school to complete his high school degree and enrolled in college courses. His service in the Corps included tours in the 1958 Lebanon Crisis and the Vietnam War. Sergeant Jones is married to the former Anne Tankins of Quantico. He is active in the NAACP and volunteers in his church, First Mount Zion Baptist Church, where he serves as Deacon Emeritus and sings in the choir.

Mr. Speaker, I ask that my colleagues join me in recognizing the Prince William County Chapter of the National Association for the Advancement of Colored People (NAACP) and its 2011 "Salute to Veterans" Freedom Fund Banquet. I extend my personal appreciation to Major General U.S.A. (Retired) Robert C. Gaskill and Master Gunnery Sergeant U.S.M.C. (Retired) John W. Jones, Jr. for their service and sacrifice on behalf of our country.

RECOGNIZING THE ACHIEVEMENTS OF THE SOUTHERN ILLINOIS UNIVERSITY FLYING TEAM

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. COSTELLO. Mr. Speaker, I rise today to acknowledge the exceptional accomplishments of the Flying Salukis, the flying team at Southern Illinois University in Carbondale, Illinois. Under the direction of Coach Nathan Lincoln, on May 21, 2011, the Flying Salukis won the 2011 National Intercollegiate Flying Association championship, concluding a weeklong competition at the Ohio State University Airport. The Flying Salukis edged out 26 teams from across the Nation to capture the championship title, which is the eighth in the history of Southern Illinois University's aviation program, and the first since 1985.

With 10 team members scoring a total of 414 points, the Flying Salukis won the title by nine points over the University of North Dakota, a two-time defending champion. The

team placed in all 11 events, demonstrating a very well-rounded lineup in both flight and ground events at the competition. Michael Carroll, from Normal, Ill., and one of three team captains, gave a truly exceptional performance, scoring 121 points to become the top-scoring pilot in the Nation and finishing second for the national top pilot award.

In addition, the team won three individual titles. Taylor Bream, from Lake Villa, Ill., won the short-field approach and landing; Ryan Veldman, from Lexington, Ky., won the power-off landing event; and co-captain Daniel Harrington, from Monee, Ill., won the SCAN title. Other team members who scored in events were Scott Blair, from Bloomington, Ill.; David Brown, from Chicago, Ill.; Ryan Buttney, from Lemont, Ill.; Daniel McMahon, from Edina, Mo.; Joshua Mech, from Sheboygan, Wis.; and Samuel Oas, from Villa Park, Ill.

Additional members of the Flying Salukis for the 2011 spring semester include: Courtney Copping, from St. Charles, Ill.; Kyle Hayes, from Bourbonnais, Ill.; Justin Lopez, also from Bourbonnais; Michael Szemplinski, from Geneva, Ill.; and George "Rusty" Wharton, Ill, from Goodfield.

I also want to recognize the Flying Salukis' assistant coaches: senior lecturer Bryan Harrison, assistant instructors Jeffrey Jaynes, Kevin Krongos and Sabrina Zwego, and also Kim Carter, a senior lecturer and academic adviser. In addition to teaching as faculty members in the aviation flight program, these individuals dedicate a great deal of time after classes to assist Coach Lincoln and the team members, and we appreciate their hard work.

Mr. Speaker, Southern Illinois University has a proud tradition in teaching, research and public service, and it is also very well known for its nationally competitive athletic and extracurricular teams. The Flying Salukis have once again demonstrated exactly why this university's aviation program continually ranks as one of the best in the nation. I urge my colleagues to join me in congratulating the Flying Salukis and their coaches, as well as the faculty and students at Southern Illinois University for their continuing commitment to excellence.

RECOGNIZING RECIPIENTS OF THE 2011 BEAT THE ODDS AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the recipients of the 2011 Beat the Odds Awards. These awards are sponsored by the Prince William County Bar Foundation and are presented to extraordinary youth who have exhibited exceptional determination to overcome adversity and lead full, productive lives.

The narrative of these awards is truly compelling; to qualify for a Beat the Odds award, a youth must have come into contact with the juvenile justice system. Despite this potential obstacle, Beat the Odds Award recipients have overcome abuse, neglect or juvenile delinquency with an earnest effort to realize a successful future.

It is my great honor to commend the following individuals who have risen above substantial negative influences and are now being recognized as community success stories:

Recipients of the 2010 Beat the Odds Phoenix Award: Victoria Rose, Jacob Whitfield, Martha Vasquez-Quintanilla, Benjamin Dinarte, Eduardo Silva Ostos, Shahnewaz Bhuiyan, Mark Johnson, Jr., and Curtis Moore, Jr.

Recipients of the 2010 Beat the Odds Scholarship Award: Mariam Sankoh, Vanessa Monserrat Rodriguez, Tanya Donangmaye, Anthony Harris, Taylor Katherine Peevy, Indiana Sommer Anderson, Kelly Renee Teboe, Jennifer Salas, Maria Sisson, and Caleb Daniel Foster.

Mr. Speaker, I ask my colleagues to join me in congratulating these young people for the positive example they set for their peers. Our community sends a powerful message to our youth when we encourage them to triumph over setbacks and to gain strength from hardship. Beat the Odds scholarships totaling more than \$100,000 from the Prince William Bar Foundation are a resounding endorsement of that message, and I thank the Foundation for its dedication and generosity to youth in our community.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. SULLIVAN. Mr. Speaker, I rise to state for the RECORD that I intended to vote "aye" on rollcall vote 414 to H.R. 2055 taken on June 13, 2011. The CONGRESSIONAL RECORD currently lists me as a "nay" vote on this measure. I firmly support the prohibition on Davis-Bacon prevailing wage requirements for construction projects funded by the Military Construction and Veterans Affairs Appropriations Act because this dated policy inflates the cost of construction and restricts competition that could save taxpayers billions.

COMMENDING THE HUNTERDON CENTRAL SOFTBALL TEAM ON THEIR CHAMPIONSHIP SEASON

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. LANCE. Mr. Speaker, I rise today to congratulate the Hunterdon Central Regional High School's Softball Team on its outstanding victory this past weekend in the New Jersey State Interscholastic Athletic Association's Blue Ribbon Awards Group 4 Championship. Hunterdon Central had previously been given the state ranking of fourth by the Newark Star Ledger and earned this title after compiling an astounding 31–2 record for the season. Hunterdon Central had previously won the Group 4 championship in 1999. Hunterdon Central prides itself on fundamentals and execution and the team's skills and experience demonstrate a mastery of the sport. The hard

work of the Lady Red Devils shows determination and teamwork.

I also congratulate Hunterdon Central coach Pete Fick who has now achieved a career record of 699–227–1.

I commend the entire team on its hard work and congratulate all of the players on their stellar season and well deserved championship.

I am also pleased to praise the team's accomplishments with my colleagues in the House of Representatives and with the American people.

RECOGNIZING THE PRINCE WILLIAM CLEAN COMMUNITY COUNCIL AND ITS 2010 VOLUNTEER OF THE YEAR

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the Prince William Clean Community Council (PWCCC) and its 2010 Volunteer of the Year, Walter Skaja. With the help of dedicated volunteers like Mr. Skaja, the Council works to eliminate litter and graffiti in our Prince William neighborhoods and commercial centers.

The idea of forming an organization in Prince William County aimed at addressing environmental issues was conceived in 1982 during a spring cleanup effort led by a group of concerned local citizens. These individuals, who later became the founding members of PWCCC, immediately recognized the importance of litter prevention education as a way to long-term environmental cleanliness. In 1986, the Prince William County Litter Control Council was born. The organization later came to be known as the Clean Community Council and became an affiliate of Keep America Beautiful, a nationwide non-profit that uses education and hands-on stewardship to advocate litter control, waste reduction, and community beautification.

The Council's litter prevention and graffiti abatement efforts have not gone unnoticed. The Council's accolades include a 1994 Governors Award for Volunteering Excellence. The Council was a 2000 Virginia Stewardship Award Winner in the Communication/Education Category and received the Prince William County 2001 Partners for the Potomac Environmental Patron Award, 2000 and 2002 Keep America Beautiful National Awards and a 2008 Keep America Beautiful President's Circle Recognition Award.

The Council's volunteers always have been essential to its success and the Volunteer of the Year Award is a way to recognize their invaluable support.

The 2010 recipient, Walter Skaja, has been a volunteer with PWCCC since 2009. He started working with PWCCC through its Adopt-A-Spot program, where volunteers adopt an area of Prince William County and agree to remove litter and debris throughout the year. Shortly after adopting two neighborhood parks, Walter also adopted Cedar Point Elementary School. In the past two years, Walter has not been

alone in his work for a clean environment. He has had help from Cub Scout Pack 1384. Walter routinely has 100 or more scouts to help him with his beautification efforts. They have transformed Cedar Point Elementary School with landscaping improvements that have included mulching and planting trees, shrubs and flowers. In addition to his volunteer work with the Adopt-A-Spot and Adopt-A-School programs, Walter spent time during the major snow storms in 2009 and 2010 removing snow from fire hydrants and clearing snow at Cedar Point Elementary School. His tireless efforts helped students, parents, and staff make it to school safely.

Mr. Speaker, we create safer, cleaner neighborhoods when residents take ownership for their communities. The Clean Community Council asks Prince William residents to take pride in their county. I ask my colleagues to join me in recognizing the successes of the Prince William Clean Community Council as well as in congratulating Walter Skaja on being named the recipient of the 2010 Prince William Clean Community Council Volunteer of the Year Award.

**RECOGNIZING THE SERVICE OF
DR. NANCY GRASMICK, SUPER-
INTENDENT OF MARYLAND PUB-
LIC SCHOOLS**

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. SARBANES. Mr. Speaker, I rise today to pay tribute to Dr. Nancy Grasmick for her years of outstanding service to the people of Maryland, including her twenty year leadership role as Superintendent of Maryland public schools, the longest serving appointed school chief in the United States. Dr. Grasmick began her career as a teacher of deaf children at William S. Baer School in Baltimore City. In her years as an educator in Maryland public schools, Dr. Grasmick has served as a resource teacher, principal, supervisor, assistant superintendent, and associate superintendent in Baltimore County. In 1989, Dr. Grasmick was appointed by Governor William Donald Schaefer to act as the Special Secretary for Children, Youth, and Families and in 1991, the Maryland State Board of Education appointed her to be the first female Maryland State Superintendent of Schools. All of these achievements are the culmination of many years of hard work, strong dedication, and commitment to the people of Maryland. This commitment has been recognized many times over through many awards, including her induction into the Maryland Women's Hall of Fame in 2004.

Dr. Nancy Grasmick has been known for her emphasis on student achievement, teacher quality, parental involvement, and early childhood education. Under her leadership, Maryland has been recognized for its achievements in education, having been named as "the most consistently high performing state" by Education Week. Dr. Grasmick has made an enormous impact on Maryland public schools and has changed the lives of countless families in the State of Maryland and beyond.

It was my special privilege to work with Dr. Grasmick for seven years as liaison to the Baltimore City Public Schools. I saw firsthand the amazing work of a leader motivated by compassion and a burning determination to give every child the chance to succeed. Dr. Grasmick's commitment to excellence is unrivaled. She is relentless in demanding the very best of those around her, while always offering the kind word and gesture. In that way and so many others, she is a natural born leader. I could not have had a better mentor or friend. My congratulations to Dr. Grasmick on a brilliant career. We look forward to her continued contributions to the State of Maryland and to our nation.

**RECOGNIZING THE ACHIEVEMENTS
OF CITY OF LAS VEGAS MAYOR
OSCAR GOODMAN**

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the achievements of the Mayor of the City of Las Vegas, Nevada, Oscar Goodman.

Mayor Goodman has worked tirelessly for the City of Las Vegas. From 1999 to 2011, the Mayor facilitated 19 community and recreational centers, eight transportation projects, eight fire stations, seven expansion and beautification projects, a water reclamation center, and a police area command station.

Mayor Goodman has been responsible for many great accomplishments in the heart of downtown. As Mayor, he was successful in acquiring a large piece of urban real estate in the City without resorting to eminent domain. Symphony Park will include the Lou Ruvo Brain Institute, Performing Arts Center, business, medical, and retail opportunities.

Mayor Goodman also managed to acquire a historic downtown post office from the General Services Administration. The building is being converted to a state-of-the-art museum capturing the excitement and notoriety of the history of Las Vegas. Also in the center of Las Vegas, an intellectual marketplace is being designed and will be home to the University of Nevada Las Vegas' (UNLV) School of Architecture, UNLV Modern Letters Program, and the Nevada School of the Arts.

Mayor Goodman serves as the Chairman of the Las Vegas Convention and Visitors Authority and works non-stop to raise support for cultural programs and charities of Las Vegas.

Oscar Goodman first ran for Mayor of Las Vegas in 1999. By his third reelection bid in April 2007, Mayor Goodman captured 84 percent of the vote.

As the Congresswoman for the people of Las Vegas, it gives me great pleasure to recognize the achievements of the self-proclaimed "Happiest Mayor in the Universe," Mayor Oscar Goodman.

**COMMENDING THE GRADUATES OF
ROBINSON SECONDARY SCHOOL
ON THEIR ENLISTMENT IN THE
UNITED STATES ARMED FORCES**

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize nine graduating seniors in my community for their record of academic and athletic accomplishment and their admirable decision to enlist in the United States Armed Forces.

With graduation season upon us, thousands of young people in my community, and millions across the nation, are preparing for the next chapter in their lives. Some will pursue higher education or vocational training, others will seek to enter the workforce immediately, and many will answer the call to serve their community and their country.

I join with their families and friends in congratulating and commending the following Robinson Secondary School graduates on their enlistment:

United States Marines: Philipp Zinser, Daniel Kellam, Sam Lausier, Ji Jong Lee, Won Gyu Lee and Junsuk Choi

United States Navy: David Maeng

United States Air Force: Jade Vitali and Kevin Haas

At a time of great uncertainty both at home and abroad, these young people have stepped forward to follow in a long line of distinguished Virginians who selflessly volunteered to defend our nation and its ideals. In fact, these graduates hail from a school named for Sgt. James W. Robinson Jr., who was the first Virginian to receive the Medal of Honor for conspicuous gallantry and heroism during the Vietnam War. Sgt. Robinson's accomplishments continue to serve as a model for character and leadership not only for the students at the school bearing his name, but also for all those who seek to follow in his footsteps.

The Northern Virginia Chapter of Our Community Salutes will host a ceremony Thursday, June 9, to recognize these young people and their families and to wish them safety and success as they pursue a career in the Armed Forces.

Mr. Speaker, I ask my colleagues to join me in applauding the courage and dedication of these graduates and in assuring them and their families that the full support and resources of the U.S. Congress and the American people will be behind them every step of their journey in defense of our nation's freedom.

**INTRODUCTION OF THE
REGULATORY BALANCE ACT**

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. FINCHER. Mr. Speaker, I rise today to discuss an issue of great importance to family farmers and agricultural businesses. The regulatory burdens placed on family farmers and

the agriculture business hinder job creation, job retention, and innovative breakthroughs in technology and crop production. Family farmers across the country lead the world in the production of a safe, secure food supply and provide a multi-billion dollar economic impact. In order for family farmers and the agriculture community to continue to prosper, the regulatory process must follow common sense and not be unduly burdensome.

That is why I am pleased to introduce the Regulatory Balance Act, which codifies into federal statute the cost benefit analysis required by Executive Order 12866. Simply put, any regulation with a significant economic impact of \$100 million or more proposed by the United States Department of Agriculture, USDA, the Environmental Protection Agency, EPA, and the Food and Drug Administration, FDA, must perform a cost-benefit analysis and report the same to Congress before the regulation takes effect. A cost-benefit analysis would determine whether a proposed regulation would have a negative economic impact on our Nation's economy.

As a farmer, I understand the costs associated with many of the regulations placed upon the agriculture community. By guaranteeing a more transparent, efficient regulatory process that works for family farmers instead of against them, the rural areas of my district and this country will thrive. Family farmers and the agriculture community will continue to be the best in the world as long as federal agriculture regulations are evenly balanced between cost and benefit.

Creating a stable regulatory environment, where balance between the cost to family farmers and the agriculture community is balanced with the benefit of the regulation, allows family farms and the agriculture community to invest and grow their business without added costs due to regulations that fly in the face of common sense.

Mr. Speaker, I urge my colleagues in the House (and Senate) to support me in passing the Regulatory Balance Act and bring stability and balance to the regulatory process.

THE STATE OF TEXAS HOUSE OF
REPRESENTATIVES H.R. NO. 1955

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CONAWAY. Mr. Speaker, I submit the following:

H.R. No. 1955

RESOLUTION

Whereas, The United States Fish and Wildlife Service has proposed granting endangered species status to the dunes sagebrush lizard, a measure that would have a significant negative impact on the Lone Star State; and

Whereas, The business climate in Texas has been consistently ranked as the nation's best, and the oil and gas sector is crucial to its continued vitality; Texas is the nation's leading producer of oil and natural gas, and it holds 30 percent of the nation's natural gas reserves and almost a quarter of its oil reserves; the oil and gas industry contributes

\$30 billion annually to the Texas economy and employs more than 315,000 Texans at some of the highest salaries in the state; and

Whereas, Despite its resilience, the Texas economy has not been immune to the global economic recession; there have been significant job losses over the past two years, and recently high gas prices have posed new challenges; the Fish and Wildlife Service failed to take these factors into account in its proposal to grant endangered species status to the dunes sagebrush lizard in southeastern New Mexico and adjacent oil-producing areas of West Texas; and

Whereas, In addition, the service has failed to consider that approximately 75,000 acres identified as habitat for the lizard are owned and managed by The University of Texas for the benefit of higher education; university officials have estimated that the listing could stop the drilling of approximately 1,000 oil and gas wells and eliminate the production of seven million barrels of oil equivalent annually; and

Whereas, The Texas Legislature and the Texas Parks and Wildlife Department have traditionally recognized the private landowner as the primary steward of our state's natural resources, but the Fish and Wildlife Service has not adequately consulted with the State of Texas, Texas landowners, or other stakeholders; moreover, the service has failed to fully consider issues unique to species protection and habitat conservation in Texas; and

Whereas, Listing the dunes sagebrush lizard as an endangered species would inflict severe economic damage, harm property owners, and undermine higher education in the Lone Star State; Now, therefore, be it

Resolved, That the house of representatives of the 82nd Texas Legislature hereby respectfully urge the United States Fish and Wildlife Service to withdraw its proposal to list the dunes sagebrush lizard under the Endangered Species Act of 1973; and, be it further

Resolved, That the house of representatives direct the agencies of the State of Texas to cooperate with the efforts of the Texas Endangered Species Task Force to investigate the scientific basis of the proposed listing and the potential burdens on private property rights and economic development in the state; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the president of the United States, the acting director of the U.S. Fish and Wildlife Service, the president of the Senate and the speaker of the House of Representatives of the United States Congress, and all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

JOE STRAUS,

Speaker of the House.

I certify that H.R. No. 1955 was adopted by the House on May 25, 2011, by a non-record vote.

ROBERT HANEY,

Chief Clerk of the House.

TRIBUTE TO WILLIAM T. NOONAN

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a public servant who has dedi-

cated most of his career to making my hometown a better place. William T. Noonan, known to his friends as Bill, has served for the last 21 years as the Administrator of Sumter County, South Carolina. That 21-year tenure has earned him the distinction of being the longest serving Administrator in Sumter County's history.

A native of Silver Spring, Maryland, Bill received his bachelor's degree from Furman University in Greenville, South Carolina in 1963 and a master's degree from Appalachian State University in Boone, North Carolina, in 1970.

Following a 15-year career in education, serving as a teacher, coach and administrator, Bill joined the management team at Campbell Soup Company, Sumter Plant, as its Human Resources Director in 1978. He held that position until 1985, when he was promoted to Regional Risk Manager, Southern Division (six plants in GA, SC, NC, and MD). Following a 12-year career and the restructuring of Campbell's Poultry Division, he accepted the position of Chief Administrative Officer for Sumter County rather than relocating his family to Campbell's headquarters in Camden, New Jersey.

Bill's involvement in community organizations has included the Greater Sumter Chamber of Commerce, the United Way of Sumter, Clarendon and Lee Counties (Board of Directors/Past President), the Governor's Initiative for Work Force Excellence, Leadership South Carolina, Leadership Sumter, and the South Carolina Executive Leadership Program. He served as a member of the Sumter School District Seventeen Board of Trustees from 1984 to 1990. Throughout his career, Bill has been selected by his peers to numerous positions of distinction and honor. Currently, he serves as Secretary for the Board of Directors for the South Carolina Association of Counties, and is a Trustee of the South Carolina Association of Counties Workers' Compensation and Liability Trust Funds. Bill is a past President of the South Carolina Association of Counties Managers, Administrators, and Supervisors Association.

Bill is married to the former Sandy Andrews of Sumter. Together they have four children and five grandchildren.

Mr. Speaker, I ask you and my colleagues to join me in applauding the wonderful work of Bill Noonan. He has been a leader in Sumter County for his entire career and is a vital part of this vibrant community. I wish him well in his future endeavors and thank him for his dedication to Sumter County.

CONGRATULATING ARIZONA
STATE UNIVERSITY'S WOMEN'S
SOFTBALL TEAM, WINNER OF
THE NCAA 2011 NATIONAL CHAM-
PIONSHIP

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. PASTOR of Arizona. Mr. Speaker, I ask my colleagues to join me in congratulating Arizona State University's (ASU) women's softball team in winning the NCAA 2011 championship title. The Sun Devils swept the University of Florida Gators on June 7, 2011 in a best-of-three series, winning the final game by a score of 7-2. This accomplishment marks the Sun Devil's second national championship in four seasons, placing them among an elite group of just four teams who have won multiple NCAA titles in softball, with ASU also winning the title in 2008.

The team's success is undoubtedly attributed to the extraordinary leadership of Head Coach Clint Myers, the hard work and dedication of the players, and the efforts of supporting staff and loyal fans alike. Especially impressive was the stellar performance of freshman Dallas Escobedo and senior Kaylyn Castillo. Their teamwork and close collaboration was integral in leading ASU to victory. Escobedo won her 19th consecutive decision while becoming the first freshman pitcher to be credited with a national championship since 1990. Castillo's strong defensive stance as catcher, her ability to guide and mentor Escobedo, and her impressive .429 average also greatly contributed to the team's championship win.

Additionally notable, in seven seasons of the best-of-three championship series format, no winning team has compiled a larger cumulative margin of victory than ASU's 15 runs, and in this past season alone, the Sun Devils won 23 of 24 games and recorded a perfect 10-game winning streak in the tournament.

I want to congratulate Head Coach Clint Myers, Assistant Coach Chuck D'Arcy, Associate Head Coach Robert Wagner, and all the players on the championship team: Nikole Afusia, Lucy Aubrecht, Hillary Bach, Katelyn Boyd, Kaylyn Castillo, Krista Donnenwirth, Jessica Donovan, Lindsey Edgerton, Dallas Escobedo, Lacy Goodman, Talor Haro, Alix Johnson, Breanna Kaye, Kayla Ketchum, Annie Lockwood, Dani Rae Loughheed, Michelle Nulliner, Sam Parlich, Mackenzie Popescue, Sarah Rice, Lesley Rogers, Mary Spiel, Mandy Urfer, Bailey Wigness, and Christina Zambrana.

In considering all of these achievements, I ask that you join me in recognizing Arizona State University's softball team in winning the NCAA 2011 championship title.

THE ANNIVERSARY OF FLAG DAY
AND THE FOUNDING OF HART-
FORD, CONNECTICUT

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. LARSON of Connecticut. Mr. Speaker, it is with a heartfelt sense of patriotism that I rise to celebrate the 150th anniversary of Flag Day, as well as the 375th anniversary of Hartford, Connecticut.

The concept of "Flag Day" actually originated in Hartford. Just before the outbreak of the Civil War in 1861, Hartford resident George Morris imagined Flag Day as an opportunity to promote the idea of a strong union in the face of a looming conflict. Later that year the Hartford Daily Courant newspaper endorsed Morris' idea, and in 1862 the General Assembly in Hartford made Connecticut the first State to recognize June 14th as Flag Day.

The great city of Hartford was founded 375 years ago by Reverend Thomas Hooker and has played an instrumental role in our Nation's history throughout the years. Whether it was laying the foundation for the United States Constitution or being the home to distinguished citizens such as Mark Twain, Harriet Beecher Stowe, and Sam Colt, Hartford's history has forever been interwoven with that of our great country.

Given that the City of Hartford has played such a historic role in shaping the United States, it is no surprise that the idea of Flag Day originated there.

OMARSKA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

Mr. SMITH of New Jersey. Mr. Speaker, some of us in this chamber today were here 20 years ago when the conflicts associated with Yugoslavia's demise began, and we heard the reports of horrible atrocities as they were taking place. I followed the situation closely as a member of the Helsinki Commission, which I chair today. The names of many of the villages, towns and even cities mentioned were new to our ears then, but they have since been etched into our minds and hearts by the savage acts that were committed in or near them.

One such place is Omarska, in northwestern Bosnia near Prijedor. We first heard of it in the summer of 1992. That is when Roy Gutman, a foreign correspondent working for Newsday, reported on the existence, at a mining complex, of a camp run by Bosnian Serb militants that held several thousand non-Serb prisoners, primarily Bosniaks but also Croats.

Based on the later reports of the detainees who survived their ordeal at Omarska, Gutman called it a "death camp" and reported on the appalling conditions and the rape, torture and execution of detainees there as well as at other camps in the vicinity. International reporting, especially by British journalists Ed Vulliamy, Penny Marshall and Ian Williams, exposed the horrors of Omarska and ultimately forced the camp to close.

Before Omarska, Mr. Speaker, many commentators on the Balkan conflicts which began in Slovenia and Croatia before moving to Bosnia tried to explain away an unpleasant but allegedly unavoidable and manageable reality.

After Omarska, it became clear to many people that, in Bosnia, we were dealing with evil on such a scale that can neither be explained away nor ignored. Eventually, the internationally community organized an international tribunal to prosecute war crimes, crimes against humanity and genocide in the former Yugoslavia. The tribunal convicted several of the camp guards, commandants and associated others for crimes committed at Omarska.

In late May, Omarska survivors and families of victims were able to gather at the site of the camp, both to remember and to remind. They were joined by senior Bosnian officials, representatives of the international community including the US Embassy, and supportive non-governmental organizations from Serbia. The survivors, however, want an appropriate memorial that would protect the site and to which there could be public access not just for one day, but regularly throughout the year. As those gathered in Omarska themselves declared, "we deem that the sufferings of civilians in Omarska concentration camp, as well as in other concentration camps formed during the wars in the Nineties, must be honorably commemorated so as to become part of public memory, on the path towards establishment of the co-habitation in the areas of the former Yugoslavia."

The horrors that took place at Omarska and their lasting impact on Bosnian society certainly warrant such a memorial. It would provide some closure to victims, and it would counter those who are still unwilling to acknowledge the horrific crimes that, in undeniable fact, were committed there in 1992. It would also serve as a lasting reminder to us all. If atrocities on the scale of those at the Omarska camp are not appropriately remembered, they are more likely to be repeated, in some other distant town or village presently unknown to us. That is why we have these memorials: in the hope we will never forget nor ever allow such crimes to be repeated.

As the Chairman of the Bosnian Caucus, I encourage the present owners of the mining complex to permit and support the establishment of a permanent memorial at Omarska. I bring this issue to the attention of my colleagues in the hope they can join me in this call.

SENATE—Wednesday, June 15, 2011

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD J. DURBIN, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, from whom all blessings flow, we lift our hearts to You in prayer, not because we are perfect but because we are flawed human beings in need of You. Help us to find Your judging truth, Your cleansing pardon, and Your comforting promise.

Today, as the Members of this body listen, study, ponder, and discuss, give them special wisdom to sit and sort and filter the voices so that out of debate and decision may come truth, justice, and righteousness. Lord, use our Senators so that Your will may be done on Earth as it is in heaven. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD J. DURBIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER (Mr. TESTER). The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 15, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be

in morning business until 2 p.m. today. The first hour is equally divided and controlled, with the Republicans controlling the first half and the majority controlling the second half.

We continue to work through amendments on S. 782.

MEDICARE

Mr. REID. Mr. President, Americans have been very clear about where they stand on the Republicans' budget proposal: They reject it soundly, and for many reasons. But the most glaring reason is the effort to change Medicare as we know it. No wonder. It ends a successful program that has saved seniors from illness and poverty for over four decades—millions of them.

Their so-called budget is nothing more than an ideological plan to shift the burden to seniors, who can least afford it, in an effort to put the insurance companies between senior patients and their doctors. With all due respect to the ranking member of the Budget Committee here in the Senate, pointing the finger at Democrats, as he has done, will not erase the fact they plan to end the Medicare Program as we know it and like it.

Democrats, Republicans, and Independents feel the same way, and no amount of political distortions or distractions will change that. Only when Republicans agree to take cuts to Medicare off the table can we have a serious discussion about how we can move forward in our battle to decrease the deficit.

Republicans claim only sacrifices from seniors will balance the budget. We disagree. Yet they protect tax breaks for millionaires and billionaires. They protect the billions of dollars in taxpayer-funded handouts to oil companies making record profits. The Republican plan will put insurance company bureaucrats between seniors and their doctors. It would force each senior, for example, to pay \$6,400 more each year for health care.

Breaking our promise to seniors, while wealthy oil companies and billionaires get a pass, is simply too high a price to pay. We need to strengthen Medicare for the millions of seniors who count on it every day, and preserve it for our children and grandchildren, not cut seniors' benefits.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE ECONOMY

Mr. MCCONNELL. Mr. President, over the past few weeks, Americans have gotten what seems like a daily dose of bad news about the state of the economy. Whether it is more joblessness, threats from ratings agencies, the price of gasoline, goods and housing, or a slowdown in manufacturing, people are finding very little reason for optimism, and they are getting little comfort from an administration that seems more interested in deflecting the bad news than facing up to it. Amidst the onslaught of bad news last week, President Obama's message was that we had hit some bumps in the road—we had hit some bumps in the road—and that people need to be patient in the face of what he called economic "headwinds." He even joked about the wildly mistaken predictions he and others at the White House had made a few years back about the job-creating potential of the stimulus.

Well, I don't think the 14 million Americans who are looking for jobs right now find any of this very funny. I don't think the 23 percent of Americans who now owe more on their mortgages than their homes are worth are laughing about their predicament. I don't think recent college graduates, who are burdened with tens of thousands of dollars in student loan debt and who can't find a job, are amused that the stimulus turned out to be a failure.

In fact, I think Americans are deeply troubled by the fact that an administration which claims to be concerned about creating jobs has spent the better part of the past 2½ years—the better part of the last 2½ years—pushing policies that seem as though they were designed to destroy jobs instead. Indeed, I think there is a growing consensus out there that, far from improving the economy, the President has made it worse.

The facts speak for themselves. The day the President took office, 12 million Americans were out of work. Today, nearly 14 million Americans are out of work. That is a 17-percent increase in the unemployment rate under

President Obama. So employment is clearly worse.

Gas prices have nearly doubled. When the President came into office, the average price of a gallon of gas in the country was \$1.85. Today, it is \$3.69. So gas prices have gotten worse.

The national debt has reached crisis levels. In the last 2 years, the debt has gone from \$10.6 trillion to \$14.3 trillion—a 35-percent increase from when the President was sworn into office. And his own budget projects it will only continue to grow. So the debt is far worse.

Health insurance premiums have gone up. For more than a year, the President devoted what seemed like every waking moment to a health care proposal that he said would lower health insurance premiums by as much as \$2,500. Instead, health premiums for working families continue to rise, and the nonpartisan Congressional Budget Office says they will continue to grow by as much as \$2,100 per year. So health insurance costs have gotten worse.

Home values continue to plummet too. In my State of Kentucky, home prices have fallen about 7 percent in the last year, while new home construction is down almost 15 percent. I have constituents with excellent credit telling me they can't get a mortgage because of new lending rules that have made it hard even for people who have worked for years and built a stellar credit rating to even get a loan. Nationally, home values have gone down 12 percent since Inauguration Day. So home values have gotten worse too, driving down the equity people have built over many years.

When it comes to policy, the President is fond of dividing the world into two camps. In his view, those who disagree with him are on the wrong side of history. Those who agree are on the right side. Well, at this point, I think most Americans agree if this is the right side of history, they are not interested; they would rather have their jobs back.

At this point, I think it is safe to say the patience of the American people has run out. Administration officials made a lot of promises of a brighter future. They have had their chance to deliver. Americans don't have infinite patience. They do not want to be told to wait a little longer when all the evidence shows that their circumstances and their prospects are only getting worse. They want a change in direction.

One of the liberal think tanks in town recently issued a press release that I think embodies the disconnect between Democrats in Washington and the experience of most people outside of Washington. In the face of all the bad economic news we have been getting, this particular think tank announced it had 10 charts which purported to show that, contrary to the

claims of some, the United States is actually a low-tax country.

Never mind the fact that we have the second highest corporate tax rate in the world; never mind the fact that nearly 14 million Americans are out of work; never mind the fact that the time it takes out-of-work Americans to find a new job is now longer than it was during the Great Depression—and that since the housing crisis began, average home values have fallen more dramatically than they did even during the Great Depression. Never mind all that. These guys have 10 charts they want to show you that prove government should take more money out of the hands of taxpayers so they can spend it themselves.

I think this is all you need to know about the Democratic approach to the economy. It never seems to change. Take almost any major economic indicator you want, Americans are worse off than they were in 2009. It is time Democrats wake up to this fact. It is time they do something to solve these problems and help the people right in front of them.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BUDGET REFORM

Mr. THUNE. Mr. President, these past few weeks I have been coming to the floor to talk about the size and scope of our Nation's fiscal problems. It has been said often that this is the most predictable crisis we have ever faced, and I believe that is true.

I have talked about how the tremendous growth of government has limited

the ability of small businesses to create jobs. I have noted the severe and dramatic cuts Medicare and Medicaid and Social Security will face if we do not act now to reform those programs. I have also pointed out how the Draconian cuts would need to be paired with painful, job-crushing tax hikes.

Simultaneously, the interest we pay on that debt will take up an ever-increasing share of our revenue. In fact, it has already been noted that in a few short years the interest on the debt alone would exceed the amount we spend on national security. In other words, we would spend more paying for the amount of money we borrow in the form of interest than we spend defending the country. At some point, bondholders are going to recognize that we don't have an ability to pay out these bonds, and they will demand increasingly higher interest rates. This in turn sends our interest rates even higher in a vicious spiral.

However, what I would like to focus on today is to talk about how none of this is necessary. So how do we prevent this from happening? I believe the solutions we need fall into three broad categories: We need reforms to our budget processes, and that includes, one, a balanced budget amendment to the Constitution; we need caps on overall and discretionary spending; and we need entitlement reform.

In the 1990s, the Senate was within just one vote of passing a balanced budget amendment to the Constitution. I can't help but think just how different our country's fiscal situation would be if that amendment had been approved.

We now have two different balanced budget amendment proposals put forward this year. I cosponsored both of them. I had the opportunity to lead a working group of my fellow Republican Senators to discuss these proposals and to help find the best parts of each. From those discussions and others, we were able to come together with the Hatch-Lee balanced budget amendment, of which every single member of the Republican conference is a cosponsor. This important amendment requires the budget to be balanced every year, except for when there is a declared war. A supermajority would be required to waive this provision. This amendment puts the emphasis on controlling spending, which is the real cause of our debt and deficits. It requires supermajorities to raise taxes, and it prevents spending from exceeding 18 percent of our GDP, 18 percent of our entire national output, which has been the historical level of taxation for our country.

Not only do we need to balance our budget but we need to ensure that every dollar is being spent in the most efficient way possible. We need to be honest about the cost of this spending

and to create processes that will prevent wasteful, unnecessary, and excessive spending. In order to do this, we need a number of budget reforms in addition to the balanced budget amendment.

I have introduced the Deficit Reduction and Budget Reform Act, which has a number of reforms to the budget process we use today.

The bill reforms the pay-go rules to prevent the double-counting gimmicks that get used around here all too frequently, and it makes the Federal budget a binding joint resolution signed into law by the President—something that doesn't happen today with our budget.

It moves us into a biennial budget timeline, which leaves more time for oversight. As everybody knows, we are supposed to do a budget at least every year. We haven't done one now for 777 days. So the notion that we do a budget every year may be somewhat an antiquated one, but we are supposed to do a budget every single year. Because of that, we spend an awful lot of time going through the budget process, doing all the appropriations bills, and it doesn't allow very much time for oversight, which is a function that I think we have a responsibility to do. So if we went to a biennial budget—in other words, if we did a budget every other year—if we did the spending, the budget, and the appropriations bills in the odd-numbered years, then in the even-numbered years when people have to go home to run for reelection, we could actually focus on oversight. We could look for ways not to spend money but to save money.

I have been a big advocate of biennial budgeting—doing a budget every other year, 2-year budgeting—for some time. A number of States do it that way. I think it is important we make that reform so we have the appropriate time to do the level of oversight that is required and is so desperately missing around here today, which is why we end up having so many government agencies with so much duplication, so much redundancy, and so much overlap that leads to wasteful spending on behalf of the American taxpayers.

My budget reform would also create a legislative line-item veto. My Governor in South Dakota has that, and I believe the President should too. In fact, I think most Governors across this country have some sort of mechanism that allows them to veto extraneous spending measures. I believe the President ought to have that power, and it needs to be done in a way, of course, that is consistent with the Constitution, and a legislative line-item veto would meet that test. It prevents the abuse of emergency spending designations which have been used to pass hundreds of billions of dollars in deficit spending since the last time we passed a budget resolution.

It creates a new CLASS Act trigger to make sure that program is solvent over the 75-year timeframe.

I think most of my colleagues know that the CLASS Act is a new long-term care entitlement program that was enacted as part of the health care reform bill last year. It, similar to so many other government programs, relies upon premiums that will be paid in the early years, which actually show revenues coming into the Treasury which are then counted and used to pay for other things—in this case, the health care bill. But at some point in the future, when the demands come for those benefits that people have subscribed for, it becomes a liability because the funds, the revenues that have come into that program in the early years have already been spent. Again, it leads to more and more borrowing. That is what the Congressional Budget Office has said would happen with the CLASS Act.

To make sure that program is going to stay on the books—and, by the way, I have a piece of legislation to repeal it because I think it is very bad policy and I think it is going to put our country into an even deeper fiscal hole. But that being said, if it is going to stay on the books, we ought to have a mechanism to ensure the program is solvent over the 75-year timeframe. My legislation would do that.

Likewise, it modifies the Medicare cost containment trigger to have honest accounting with respect to revenues and savings in the new health care bill, and it updates the Credit Reform Act to score the purchases of debt, stock, equity, and capital using a discount rate that incorporates market risk. Whenever the Government gets into the business of acquiring debt, stock equity, those sorts of things—and that hasn't happened, as you know, in the last few years—it needs to be accounted for honestly by using real discount rates that make market risk part of that calculation. Today, that is not necessarily the case when those calculations are made.

It also creates a new standing joint committee of Congress for budget deficit reduction. It might interest my colleagues to know—sometimes we forget about this around here—we have 26 committees and subcommittees in Congress that spend tax dollars. We do not have one that focuses on saving tax dollars. We need a committee that is exclusively committed to reducing the cost of spending, to saving tax dollars as opposed to spending them. With 26 committees and subcommittees around here that spend money, it is time we had one to save money.

The joint committee would be responsible to produce a bill to cut the deficit by at least 10 percent every budget cycle and to do it without raising taxes. It would be a standing committee that would continue to fight

government spending, would even issue recommendations to cut spending by at least 10 percent, even in years when the budget is balanced. It has been a long time since we have seen that around here. That probably is not going to happen in the foreseeable future. I certainly hope it does. But in any case, my legislation would require, even in years when the budget is balanced, that we be looking for ways to cut spending.

Importantly, these recommendations would be assured of an up-or-down vote in Congress. This committee would make its recommendation each year, and my legislation would require expedited consideration on the Senate floor; in other words, to ensure it gets an up-or-down vote and doesn't languish somewhere similar to so many reports that come out of various committees. This committee would actually have the authority to put a product out on the floor of the Senate and to ensure it gets a vote.

Finally, what my bill would do is freeze and cap spending, the third action we need to take in order to get spending under control. This bill would institute a 10-year spending freeze at 2008 levels adjusted for inflation. After all, between 2008 and 2010, nondefense discretionary spending increased by 24 percent while inflation in the overall economy was just over 2 percent. The Federal Government, in the last couple years, between 2008 and 2010, was spending literally over 10 times the rate of inflation. How can you go to the American taxpayer with a straight face and explain that? We need to go back to those 2008 levels and freeze it there, cap it there, and then allow for adjustments for inflation. But let's go back and negate this 24-percent increase we have seen just in the last couple years.

The recent continuing resolution that was passed by Congress started to put downward pressure on these accounts, but more needs to be done. My colleagues, Senators CORKER and MCCASKILL, have introduced what they call the CAP Act, which would put our spending on a downward glidepath so we do not spend more than our historical average of 20.6 percent of GDP. For the last 40 years, spending on the Federal Government has averaged 10.6 percent of our total economy. That represents all Federal spending. It doesn't represent State and local government spending, but Federal spending, percentagewise, on average, for the past 40 years has equaled 20.6 percent of our entire economic output.

This year we are in the 24- to 25-percent range. Now we have gone from spending one-fifth of our entire economy on the Federal Government to spending about one-quarter of our entire economy on the Government. That, to me, is something that needs to be reined in. There has been a huge ramp-up of spending in terms of our economy.

What that means is, the private economy, as a percentage of our entire economy, is getting smaller and the government component of that is getting larger. We need to get that back on a more historical and what should be a realistic course.

There are at least three different possible proposals to cap spending: the 18 percent included in the constitutional amendment, the CAP Act, which I just mentioned, and my own proposal to cap discretionary spending. These caps are necessary to signal to the markets we are serious about cutting spending.

Finally, we need entitlement reform. The CAP Act and the 18-percent cap would both force us to deal with entitlements. I am heartened by the budget working group that is being led by Vice President BIDEN, in that they are considering some entitlement reforms. I hope they can produce a product that actually will tackle entitlements. We need, at the end of the day, to have the President leading. As I said, I hope this group that has been put together will produce a result that will take us down a path toward tackling runaway entitlement programs.

At the end of the day, for any of this to be signed or get enacted, we have to have the President stepping in and providing leadership. So far we have not seen that. The President, in his budget he submitted to Congress and a subsequent budget speech he made, has done little, if anything, to deal with the issue of entitlement reform.

Frankly, you cannot deal with the fiscal problems this country faces, the challenges we face or the deep hole we are in when it comes to getting on a more sustainable course for the future without taking on entitlement reform. The President needs to be explaining to Americans the need for entitlement reform and showing us what his plan is to save Social Security, Medicare and Medicaid, not simply getting out and demagoguing Chairman RYAN's budget and kicking the can further down the road.

We know these entitlements already represent \$61.6 trillion in unfunded liabilities. There is no more road. We have kicked the can as far as possible. It is now time for us to face the reality that we have to deal with this and we cannot afford the luxury of waiting any longer.

It is clear that action needs to be taken. If the President were to step to the plate, I think we would have a real chance to enact substantial entitlement reforms that could preserve the important role these programs play.

Enacting these three different prongs or these three different approaches—one dealing with budget reforms that includes a balanced budget amendment being the first component, spending caps being the second component on both discretionary and overall spending, and entitlement reform—are not

going to be easy to do. We have been on autopilot around here for a long time. What that has gotten us is deeper and deeper into the fiscal hole, to the point today we are at \$14 trillion in debt—meaning we are going to have to raise the debt limit in the very near future—and growing by the day. The amount it grows by the day, interestingly, is \$4 billion. Between this time and 10:40 tomorrow, we will borrow another \$4 billion that we will add to the debt of our children. That represents more than we spend in my home State of South Dakota for an entire year; \$4 billion, the amount we borrow every single day at the Federal level exceeds the amount the State of South Dakota spends in an entire year. That is the dimension of the problem we were dealing with.

There are three very important numbers people need to focus on to remind ourselves how critical it is that we act. One is forty-two. That is the cents out of every \$1 we borrow. Forty-two cents out of every \$1 this government spends today is borrowed. That is a staggering statistic. The other number is 93. Ninety-three is the number now that represents the percentage of our entire economic output that is represented by our gross debt. In other words, our debt to GDP, our debt to total economic output ratio is 93 percent. That is the danger zone. Historical research has demonstrated, when you get a debt-to-GDP ratio that exceeds 90 percent, you are losing 1 percentage point of economic growth every single year. One percentage point of economic growth translates into 1 million lost jobs. So every year we continue on this path of sustaining this level of debt as a percentage of our entire economic output, we are bleeding 1 million jobs in our economy, costing us 1 percentage point of economic growth. That is a very real and immediate impact from the amount of spending and the amount of debt we have.

The final number I think is important for people to understand too, a number I mentioned earlier, is the 777 number. That is the number of days that have passed since Congress passed a budget. I know it is very hard around here, particularly in the present circumstances, to find consensus on a path forward to pass a budget. But we have a responsibility to the American taxpayers, when we are spending literally \$3.7 to \$3.8 trillion every single year, to at least let them know how we are going to spend their money. We have not done a budget in 777 days.

I serve on the Budget Committee. We have not had a markup. There is no indication we will have a markup. There is no indication we are going to do a budget. We have already blown past all the deadlines the law requires when it comes to doing a budget. We didn't do a budget in the last Congress. I think what that does is it makes it even more complicated to address these

issues. If you do not have an overall framework, if you do not have a construct or understanding of what it is going to take to get our books back in order, then it is going to be very difficult.

Sometimes around here we do not have enough teeth in the laws we pass when it comes to budgeting. We do not have enough enforcement mechanisms. I am proposing provisions in the budget reforms to add enforcement mechanisms to cure that. But even with that, you at least have to have a plan. You at least have to have a blueprint, a path for how you are going to spend \$3.7 trillion of the American taxpayers' money.

I urge my colleagues, the majority, to put forward a budget. At least let's debate it. Let's talk about priorities. Let's have a debate, debate amendments, but let's do a budget or reform the budget process along the lines I suggested so we get a process in place that enables us to make some headway, to make some progress toward dealing with this runaway debt and these runaway deficits that are going to not only crush our economy in the near term but put an unfair burden on future generations of Americans.

Right now, the things most Americans are worried about are spending, debt, jobs, the economy, and they are all connected. The level of spending and debt is something that needs to be gotten under control to get the economy growing and prospering again, so you don't have the Federal Government out there competing with the private economy when it comes to capital. Small businesses need capital to invest to create jobs. When the government is crowding that out, it makes it more difficult. There are so many adverse economic implications from the debt levels we are sustaining today that are going to make it increasingly difficult, the longer we stay deeper and deeper in the red, for this economy to recover and grow. That is fundamental to all this.

When it comes to jobs and the economy, we also have to have policies that encourage economic growth. I know the President talks a lot about jobs and the economy. He certainly is rhetorically, at least I believe, saying the right things out there. But you have to have actions that are consistent with the rhetoric. If you look at the President's record, we have not seen that. The reason we have not seen that is because the policies are all adverse to economic growth and job creation, whether it is regulations coming out of agencies, whether it is the new mandates imposed by the health care reform bill, whether it is the out-of-control spending and debt and no attempt to address the long-term challenges we face there, particularly entitlement reform, whether it is the new taxes that have been imposed through the legislation that has been enacted since this

President has come into office. But if you look at the economic record, if you look at unemployed Americans since this President took office, we have almost 2 million more unemployed Americans. The unemployment rate has gone up 17 percent. Fuel prices, which impact everybody's pocketbook in this country, since this President took office, have gone up by over 100 percent, over a 100-percent increase in the price per gallon of gasoline since this President took office. The debt has gone up 35 percent. The debt per person in this country has gone up \$11,000 per person. That is the amount the debt has increased since this President took office. Food stamp recipients are up 39 percent. Health insurance premiums—despite the promises of what health care reform would do to lower insurance premiums—health insurance premiums have gone up 19 percent since this President took office. The only thing that has gone down since he took office is home values. Home values are down 12 percent. That is the economic record. That is the composite record. Of course, we can all say things, but we have to be judged by what we do. We cannot judge people by what they say. We have to judge them by what they do.

I hope the President will decide it is time for him and for his administration and for his leadership to focus on policies that will be conducive to economic growth, that will enable that, rather than make it more expensive and more difficult to create jobs, which are the policies that are being employed by this administration. That applies to so many areas. It is developing domestic energy resources, so we can get more American supply of energy and start driving that price down. So many areas are off-limits. Even more have gone off-limits since this President took office. It means getting trade bills enacted. We have heard now for several years the President talk about how we need to pass the Colombia, Panama, and South Korea Free Trade Agreements. Yet they languish. They have not been submitted to us. We are ready to act. We have said repeatedly these are important to our economy.

I have used this example on the floor before, but just one brief data point for agriculture. I represent an agricultural State, so we are always looking for opportunities to export. In wheat, corn, and soybeans exports, we had an 81-percent share of the Colombia market in 2008. In 2010, that had dropped to 27 percent. We have literally been locked out of that market because this free-trade agreement has languished in Congress and, as a consequence, other countries have stepped in to fill the void. Now you have the Canadians, the Europeans, the Australians stepping in and picking up the slack and we continue to lose more and more market share, which means more and more lost jobs

in the American economy. So it is about trade policies, tax policies, energy policies, regulatory policies and spending and debt. Those are the things, in my view, that will get this economy back on track, start creating jobs, create a better and brighter and more prosperous future for future generations of Americans. Unfortunately, the policies being employed by this administration are making it worse, and at least according to this economic record, much worse. We can do better. We should do better by the American people, and I hope we will find the political will to do that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

MEDICARE REFORM

Mr. LIEBERMAN. Mr. President, I rise to speak about the fiscal crisis facing our country and specifically the dire financial situation of Medicare, which is a program that matters so much to tens of millions of senior Americans but also adds so much to our national debt. I wish to talk about some ideas I have about how we might effectively deal with this problem in Medicare, particularly, without doing away with the Medicare Program because I believe in it.

If I can start on a broader level, briefly. It is hard to find anybody in Congress in any party who does not acknowledge that our Federal Government is hurtling toward the edge of a financial cliff. We are now running deficits in this year of over \$1 trillion. That means we are spending \$1 trillion more than we are taking in so we have to borrow that money, and at some point we are going to reach a level of borrowing that is unsustainable. It will send our economy hurtling down, will bring us into another great recession, will compromise our ability to provide the security and services to the people of our country that it is our responsibility to provide. To avoid that horrific result, we have to show some responsibility and work across party lines to get some things done. None of this is easy.

Almost everybody will say we have a terrible financial problem in the Government, debt, deficit, but when you get to the solutions, there has been an outbreak of what I call Federal Government NIMBYism. Everybody talks about NIMBY at the State and local level—Not In My Back Yard; this is a great program, but I do not want it in my neighborhood. The Federal Government budget crisis we are in, NIMBYism seems to be not my program or not my favorite tax credit. You can cut other stuff but not what I am in favor of.

We have one group saying no tax increases whatsoever, even indirect through the elimination of tax credits,

which is spending money, and tax credits can be as wasteful an expenditure of the taxpayers' money as a wasteful spending program can be. On the other side, we have people saying: Not my program. You cannot touch it. You cannot even try to make it more efficient. It is just too good or it is too politically popular or whatever. If we keep going down that road, we are not going to get anything done.

The main hope of our result in the next couple months is the small bipartisan, bicameral leadership group that is being presided over by Vice President BIDEN. I think anytime any of us comes out and says: No, we cannot do this, we cannot have a tax increase of any kind, we cannot even eliminate wasteful tax credits, and on the other side people say, we cannot touch Medicare, for instance, it, one, shackles the hands of Vice President BIDEN as he tries to solve this problem, and it also means, more generally, that we are not fulfilling our responsibility. That is the case with Medicare. The fact is, those who say you cannot do anything with Medicare, just will not support it, are not doing a favor to the Medicare Program.

Congressman PAUL RYAN, in the House, put forth his own budget, including a Medicare reform program. I said when he did it, I want to look at it in more detail, but I gave him credit to put something so comprehensive out because it is going to take that kind of guts by all of us to save our great country from going over the edge of the cliff, from going into permanent decline, from making it impossible for our children and grandchildren and beyond to have the opportunities we have had.

When I looked at the Ryan plan, particularly on Medicare, I decided I was not for it. When it came to the Senate, I voted against it. That was the case, generally, when it came up in the Senate and the vote on the Ryan budget. But one cannot just stop there and say no, which is a popular vote on a Medicare reform proposal. I think any of us responsibly have to then come forward with our own ideas. That is why, last week, I indicated in a newspaper op-ed column that I would be putting some proposals forward that will save Medicare, that will protect Medicare as a Government program of health insurance for senior Americans but will change the program. Anybody who tells you PAUL RYAN is going to kill Medicare as we know it, there is another way to kill Medicare as we know it, which is to do nothing to try to save it.

We cannot save Medicare as it exists today. There are a couple of statistics. In 2010, the Medicare Program cost \$523 billion. The estimates I have seen are consensus, not extreme estimates, that within the next 10 years that number will double to over \$1 trillion for Medicare. Where are we going to get the

money to pay for that? That is going to add to the national deficit and the national debt. Part of what is happening is the baby boomers are coming of age and Medicare eligibility—15 million in the coming years coming into this program.

I will give you another general statistic. All the studies I have seen show—most people do not appreciate this, if I can say, the average Medicare participant over their lifetime will actually cost the system in benefits three times what we put in through premiums, withdrawals, et cetera. So this program is on an unsustainable course. I think if you want to save Medicare, you have to be willing to change it. You cannot say do not touch Medicare. I must say I am disappointed when I hear people say that.

Here are some of the ideas I am working on legislation to propose. The plan I outlined last week, and I am putting into legislation, I think will extend the solvency of the Medicare Part A, a big program for hospital care. It will lower the Federal Government's financial commitments to the Part B Program for doctor services and, most importantly, it will keep the Medicare Program alive and serving America's senior citizens for at least 20 years and when we get it estimated, probably by a lot more.

A lot of the proposals I made—and I have five key parts of it—are similar to ones that have been made earlier and the Congressional Budget Office has made estimates on. My guess, applying existing CBO estimates to the ideas I put forward, is they will save \$250 billion in the first 10 years and extend the life of the program by at least 20 years, which is 20 more years in which American seniors can depend on Medicare to help them pay their health care bills in their senior years.

Here is some of what I am proposing. It is controversial. They are all controversial. We cannot save Medicare without doing some things that make people unhappy. I am proposing to raise the eligibility age of Medicare from 65 to 67, beginning in 2014, by 2 months every year until it reaches 67 years in 2025. That would put it on the same course Social Security is on now, to go up to 67, which means if you turn 65 in 2014, you are going to have to wait an additional 60 days before you become eligible for Medicare. In my opinion, that is a small price to pay for the guarantee that you are going to have Medicare to take care of your health costs for the rest of your senior years.

The reason for this change being necessary is factual. When the Medicare Program began in the mid-1960s, the average lifespan of an American was a little less than 70 years. Today, the average lifespan is 78. Thank God. That means people are obviously living longer. Part of why they are living longer is they are getting better health

care, but that wonderful fact explains why the average recipient takes three times as much out of the Medicare system as they put in.

I will give you another number that says this in a different way. In 1965, there were about 4.6 active workers for every Medicare enrollee in the program as a senior. In 2005, that went down to 3.8 active workers. The Medicare actuaries tell us, by 2050, that will drop to 2.2 workers for everybody on Medicare at that time, and that means the burden on those 2.2 workers is going to be too high. The current math, therefore, is unsustainable, and it is why we have to change the eligibility age.

According to the Congressional Budget Office, doing so, 65 to 67, will save \$125 billion over 10 years. That is a substantial savings, which will contribute to keeping the program viable and paying bills for seniors.

The other thing to say is that for those who fear what will happen to those seniors between 65 and 67 as they wait—some will have their own health insurance—but we did pass health care reform, and that is going to be there to cover those people through the health care exchanges.

Second, I am proposing that we reform the complex Medicare benefit structure, which is wasteful, misunderstood, particularly by the beneficiaries and a lot of the providers, and prone to overutilization and fraud. That is, prescribing more health services because someone doesn't pay for it, Medicare does—but we all pay for it. The Medicare benefit structure is so confusing and so maligned with various deductibles, copays, cost sharing, caps, fees, forms, and limits that one would be hard-pressed to find a Medicare enrollee who really understands how their insurance coverage works. As a result, there is enormous waste and excess utilization, with services being paid for by the Medicare Program that are really not needed for the health of the individual. That, again, means more costs for the taxpayers.

I think we can fix these problems by implementing a single, combined Part A and B deductible requiring a copay on all Medicare services and, if we choose, we can also do something new, which is create a maximum, out-of-pocket benefit that will give seniors peace of mind. In other words, they would only be required to pay up to a certain amount out of their pockets every year. So it guarantees them that if they have a serious illness requiring long-term hospitalization, they are not going to be forced into poverty or bankruptcy. This proposal was part of the Bowles-Simpson report, and it is a good one.

Third, I think it is time to reform the premium structure. When Medicare was implemented, the premiums paid by the beneficiaries supported 50 percent of the cost of the program. In fact,

when President Johnson signed Medicare into law, he noted that this equal contribution—50 percent from government, 50 percent from the insured—was a critical part of the program. He said:

And under a separate plan, when you are 65 you may be covered for medical and surgical fees whether you are in or out of the hospital. You will pay \$3 per month after you are 65 and your government will contribute an equal amount.

Fifty-fifty.

Unfortunately, today, as a result of acts of Congress of various kinds—well-intentioned—Medicare enrollee premiums support only 25 percent of the cost of the program—half of what they were intended to when President Johnson signed this extraordinarily progressive and beneficial law into effect. We make up the difference from funds taken out of our Federal budget—general revenues. That is part of why Medicare contributes to the exploding national deficits and long-term debt.

So I am going to propose that we raise premiums for all new enrollees in Part B, which is the part that covers doctor expenses, starting in 2014, so they pay for 35 percent of the program costs instead of 25 percent. That will result in around a \$40 increase in premiums. The fact is there is some indexing based on income in the Part B and Part D Programs, and, therefore, under the current law, the increase from 25 percent to 35 percent will be paid by more people of higher income. I know asking anybody to pay more money for anything is not popular, but it is needed if we are to address the stranglehold Medicare puts on our annual budget and if we are to avoid something even more unpopular, which is the demise of the Medicare Program as we know it.

Fourth, I think we need to reform the way Medigap policies work. Medigap policies are insurance policies that cover the gaps in a senior's Medicare coverage. They are designed to pay an enrollee's copays and deductibles so he or she would not be liable for a big hospital bill if they ever get sick. But study after study has found that the Medicare enrollees who have a comprehensive Medigap plan that pays all of the deductible and all of the copays, so the individual doesn't pay anything, use as much as 25 percent more services than those with the traditional Medicare Program, and that is because they don't have any impact on themselves for the utilization of services. Again, who pays for that extra utilization of services? Not the individual Medicare enrollee, the taxpayer, and it is not fair.

Fifth, I think we have to increase revenues into the Medicare Program. We just can't save it by adjusting benefits and making changes in the premium structure. So I am going to propose that higher income Americans—in this case defining it as people making

over \$250,000 a year—contribute an additional 1 percent of every dollar of income over \$250,000 to save Medicare as we know it.

That is the outline of my plan. I wanted to come and describe it to my colleagues: We raise the eligibility age; charge a more financially sound premium; address overutilization and waste and fraud; and develop a more reliable funding stream so we can save Medicare, which is a great program, and which we would not save unless we make some tough decisions.

I said earlier I think this proposal will save at least \$250 billion in the first decade and keep the program alive for 20 years. I was encouraged that the very respected Committee for a Responsible Federal Budget said, after I disclosed this plan last week, that they believed it would save as much as \$325 billion over the next decade and reduce spending even more in the following decades.

I offer these ideas as a starting point in a discussion we have to have about how we can both extend the solvency and life of Medicare for the seniors who depend on it and reduce our national deficit and debt, which we will not do unless we reduce the drain on our National Treasury that the Medicare Program now represents. I am going to be drafting this as legislation, and I will circulate it to my colleagues. I hope it is of some assistance to Vice President BIDEN and the leadership group that is working with him as they prepare proposals to get America's ship of state back into fiscal balance.

I know all of these are full of political risk, but the refusal of different parties of Congress to either cut spending on the one hand or raise taxes on the other is exactly why we are in the fiscal mess we are in now, and the more we wait to deal with it the harder it is going to be. At some point, there is going to be such a disaster that we are going to have to both impose Draconian cuts in spending and tax increases, and none of us want to do that. The way to avoid that moment is to do it now in a methodical and sequenced, longer term way.

The fact is, unless we take risks together, the great losers—and those risks have to be across party lines. This has to be a moment when we say to each other across party lines: These are tough votes. I can demagogue this vote, I can go after you in the next election based on this vote, but I am pleading with you to cast this vote, and I will cast one that is risky, too, politically, so we can do something good for the country because, if we don't turn away from partisanship and turn toward shared responsibility, the big losers are going to be our great country and the wonderful people who elected us and sent us here to lead. I thank the Chair.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. SANDERS pertaining to the introduction of S. 1200 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SANDERS. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GERRY COUNIHAN

Mr. HARKIN. Mr. President, when Gerry Counihan leaves the Senate employment in the next couple of days, we will lose one of the most respected and beloved members of our Senate family. During his nearly two decades of service with the Senate, he has epitomized the professionalism, dedication, loyalty, and the incredible work ethic of the best staff members on Capitol Hill. So we are saying farewell not just to a wonderful Senate employee but also to a very good friend.

Mr. President, Gerry Counihan first came to Capitol Hill in 1991 as a member of JOHN MCCAIN's staff. He later left the Senate for a brief time, but returned in 1997 as a tour guide in the Capitol Building, where he truly excelled. In fact, Gerry made a bit of history himself. He gave the first public tour following the fatal shooting of two Capitol police officers in 1998. When the Capitol reopened to visitors following the attacks of September 11, 2001, Gerry again led the first tour of the Capitol.

Four years ago, sadly, Gerry was the victim of a violent crime and sustained very grave injuries. He spent over 4 weeks at the National Rehabilitation Hospital. It was a long and courageous struggle to learn to walk and speak again. But he persevered and succeeded.

Unfortunately, Gerry was not able to return to his job as a tour guide because of his injuries, but he was hired by the Sergeant at Arms to work as one of our elevator operators. That is where I and so many other Senators have had the pleasure of meeting him and enjoying his company in recent years.

I can't tell you how many times during late night sessions he has bright-

ened our lives with a kind word or bright smile. I can't tell you how many times he has shepherded us into the sanctuary of his elevator while fending off intrusive reporters or lobbyists. We have always been grateful to him for that.

No question about it, Gerry Counihan has been one of those very special people who make the Senate a great place to work.

Gerry is moving on to a new career with new responsibilities and new opportunities at the Department of Health and Human Services out in Rockville, MD. With his departure, we are saying goodbye to a standout Senate staffer, a great friend, and someone who always brightens our day. We will miss him very much.

There are not many things that Republicans and Democrats agree on in this body these days, but our love for Gerry Counihan is bipartisan and—indeed, I can say this without any fear of contradiction—unanimous. The Senate family joins together in wishing Gerry happiness and success in his new career.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRANKEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

The Senator from Minnesota.

Mr. FRANKEN. I thank the Chair.

Madam President, I rise today to discuss what I think is one of the clearest threats to Americans' digital privacy and to discuss legislation I think will go a long way toward addressing this problem.

Americans have valued and sought to protect their right to privacy for a long time, and so have the representatives they have elected to be a part of this Chamber. But in the past few decades, there has been a fundamental shift in the nature of our right to privacy and the privacy threats we face. Because when I was young, when people talked about their right to privacy, they talked about protecting themselves from the government—from government intrusion. They asked: Is the government keeping tabs on my political beliefs? Is it staying out of my family business?

Today, we still need to worry about protecting our privacy from the government, but we also need to protect our privacy from private entities—from corporations that are obtaining and aggregating increasingly large amounts of our personal information. Nowhere is that need clearer and more urgent than on the Internet. Within the Internet ecosystem, I would argue that

some of the most sensitive information out there comes from our phones.

Smartphones are the future of the Internet and can actually be more powerful than desktop computers from a decade ago. There will be more smartphones sold in 2012 than laptops and desktops combined. There is a reason for that. These are incredible devices. Using a smartphone, a mother or father can see his or her child, wish him or her goodnight, even if that child is half a world away. A smartphone can give a driver directions and can tell that driver where the nearest gas station is. Smartphones also enable emergency responders to find and respond to an accident in a matter of seconds.

But the same technology that allows these wonderful benefits also raises very clear privacy concerns. Our smartphones know where we are all the time. Unfortunately, the last 6 months has shown that our legal framework hasn't kept up with technology and isn't protecting our privacy when we use these devices.

Last December, an investigation by the Wall Street Journal revealed that of 101 top applications for Apple iPhones and Google Android devices, 47 disclosed information about a user's location to third parties, without asking consent from the user.

In April, security researchers discovered that for almost a year, Apple iPhone devices have been creating a detailed log of the different places a user had visited—and stored that log on both the phone and on every computer a user synched his or her device to in an unencrypted manner. That same month, Americans learned that both iPhones and Androids were automatically transmitting location information back to Apple and Google. In the case of the iPhones, the user had no clear way of knowing this was happening. In many cases, they actually had no way to stop it.

In February, I became chairman of the Judiciary Committee's new Subcommittee on Privacy, Technology, and the Law. I decided to use my new role to dig down and find out more about smartphone privacy. When I learned of the events in April, I wrote Apple about what was going on, and in May, I held our first subcommittee hearing on the issue. We took testimony from the Department of Justice, the Federal Trade Commission, privacy advocates, technologists, representatives from app developers, and we took testimony from Apple and from Google. I will tell you, the more I learned about this problem, the more I became worried for consumers.

I learned that an app on your phone can access an incredible amount of information on you. It can monitor your Web browsing habits. It can access and read your address book. And, of course, it can access your location. But in most cases, a user has no way of know-

ing that all of this information can be freely sent to third parties that the user has never heard of. A recent study of the top 340 free applications found that only 19 percent provide users with a link to a privacy policy. That is less than one in five apps.

I also learned that our Federal laws on this subject are a confusing hodgepodge full of gaps and loopholes, and that in many cases our current Federal laws explicitly allow wireless companies and companies such as Apple and Google to disclose our location information to whomever they want.

Let me give you an example. If I use my smartphone to make a phone call, my wireless company cannot go out and give my location to third parties without getting my express consent. But if I use that same smartphone to search the Internet, my wireless company can disclose my information to almost anyone they want.

Here is another example. If I use a mapping application on my smartphone to find out where I am or to find the nearest supermarket, Apple and Google would have to ask my consent before telling third parties where I am. But if my same phone automatically transmits my location to one of these companies without my knowing it, then, arguably, under current Federal law, again, these companies would likely be free to disclose my information to almost anyone they want.

You do not have to take my word for it. Over the past several months, I have asked privacy experts and officials from the Department of Justice and the Department of Commerce about these issues, and they have confirmed that this is, in fact, the case. This does not make sense. In fact, it is kind of a problem.

But the most alarming thing I heard is that there are real-life consequences when we do not do enough to protect location information on our smartphones. The very first group that contacted me after I wrote my letter to Apple in April was the Minnesota Battered Women's Coalition. They told me they have seen time and time again how smartphone location technology can be abused by batterers and stalkers.

I asked the Minnesota Battered Women's Coalition to submit testimony for my hearing. Two stories from their testimony jumped out at me. One was of a woman from St. Louis County, MN. The Presiding Officer knows St. Louis County very well. It extends from Duluth all the way up to the Canadian border. It is a huge county, actually.

Recently, this woman had gone to a domestic violence program located in a county building. Within 5 minutes of entering the building, her abuser sent her a text message and asked her: Why are you in the county building? Soon after that, an advocate helped her get

an order of protection against her abuser. To get that, she needed to go to the local courthouse. Soon after she filed the order of protection, the abuser texted her again. This time he asked: Why did you go the courthouse? Did you file for an order of protection against me? The advocates later concluded that this woman's abuser was tracking her via a location tracking service on her phone.

Another woman in Minnesota had a similar experience when she secretly entered a domestic violence shelter and her abuser started sending her text messages asking her: Why are you at a shelter? In fact, he started calling taxis to wait for her outside the shelter at all hours of the day. Again, in this case, advocates realized that this woman's abuser was tracking her through an app on her phone.

My goal with the Privacy Subcommittee is to try to find a balance between the wonderful benefits of modern technology and our need to protect our privacy. Right now, when it comes to smartphone location technology, we have an imbalance, because we are getting all the wonderful benefits, but we are not keeping our privacy. I think we can get both.

This problem is not going to fix itself. Let me tell you why I say that. After the hearing with Apple and Google, I asked representatives from each of those companies a simple question: Will you require that the apps you sell have privacy policies? In fact, I also asked them this: Even if you do not require that all the apps you sell have privacy policies, will you at least require privacy policies for just the apps that can get your location?

Well, by last week, both companies had answered my questions. Let me summarize their answers: No.

I think Congress needs to act. That is why today I am introducing the Location Privacy Protection Act of 2011. This piece of legislation is founded on a simple principle: that consumers have a right to know what information is being collected about them and how it is being used, and that they have a right to decide who will get that information, and with whom they can share it.

This bill will fill gaps and loopholes in current Federal law to give consumers four simple protections.

First, the bill says that anytime your wireless company or a company such as Google or Apple or an app developer wants to get your location from your smartphone, they need to get your permission first.

Second, if they want to give your information to a third party, they also need to get your permission. This does not mean that our smartphones are going to be clogged with permission screens. No. This can be done with one simple screen. My bill does not require a new permission screen from every

subsequent company that gets your location. That would be impractical. It would not be smart.

The third thing it does is require companies that collect and aggregate the location information from thousands of consumers to take reasonable measures to protect that information from foreseeable threats.

Finally, if a consumer writes one of these companies and asks: Hey, do you have my location information, that company has to answer that user yes or no. And if the user asks for his or her information to be deleted, the company has to honor that request.

When I wrote the bill, I looked at the way other current digital privacy laws were being enforced. Most of them have what is called a private right of action that allows a consumer to get their day in court if their rights are violated. I know that many entrepreneurs find these burdensome, so I wrote the private right of action clause such that it would only kick in if no Federal or State authority decides to act.

I also included exceptions in the bill to make it easier for parents to keep track of their children, for companies to protect against fraud and use location information that is anonymous, and for emergency responders to get to the scene of an accident without any redtape.

In fact, this bill does not cover law enforcement at all. It governs only what private companies do with our information, and what companies they share it with.

I am proud to have worked on this bill with my friend from Connecticut, Senator BLUMENTHAL. I am equally proud the bill has the support of the Center for Democracy and Technology, Consumers Union, Consumer Action, the National Association of Consumer Advocates, the National Consumers League, the National Women's Law Center, the National Center for Victims of Crime, the National Network to End Domestic Violence, and the Minnesota Public Interest Research Group.

This bill will bring us back to a better balance between the benefits of smartphone technology—and they are wonderful—and our right to privacy, which is basic. It was written with input from consumer advocates and industry alike. But even after today, I will continue to work with these groups to make sure our bill is getting that balance right. I look forward to those conversations.

Mr. FRANKEN. Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Ms. LANDRIEU. Madam President, I ask unanimous consent that the period of morning business be extended until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEMA

Ms. LANDRIEU. Madam President, I rise to bring to the Senate's and the Congress's attention a great challenge that we have before us relative to the budget of the Department of Homeland Security and, frankly, it is a challenge facing the entire budget of the United States. That challenge is to make sure we have enough funding in the disaster emergency account to cover the multitude of disasters that have taken place this year since January, as well as those we are still recovering from in the past.

I will put up a chart to show, in dramatic fashion, that this is an unprecedented situation we are facing. Since January of this year, 36 States have had disasters declared. This may be the largest number of States in the shortest period of time, at least in recent memory, and potentially in history. This is a challenge to the budget because, as you know, under our law the Federal Government is by law—it attempts to be every day—a reliable and trustworthy partner for cities, towns, and States that have been devastated by tornadoes, wildfires, hurricanes, et cetera.

Most recently, our minds, our eyes, and our hearts have been focused on Missouri, with the terrible devastation to several of their cities—most notably Joplin. But we remember a few weeks ago the tornadoes that ripped through the southern part of the United States—in Alabama particularly, in Georgia, and in some parts of Arkansas; and there was flooding in other parts of the country as well.

This is what Mother Nature has brought to us. We cannot control that. But what we can control is how we respond to it. That is what I want to speak to today. I want to begin with a quote from David Maxwell from the Arkansas Department of Emergency Management. He said this in the Washington Post on April 30:

Anything that we've asked for, they've gotten us.

He was referring to FEMA.

Gregg Flynn, a spokesman with the Mississippi Emergency Management Agency, said Fugate and FEMA "are unbelievably proactive towards the states. They don't wait for things to happen. By the time the storm is out of the way, they want to know what we need."

This is very good testimony, because many of us, including the occupant of the chair, have worked hard to make a better, stronger, more proactive FEMA. In large measure, we have accomplished that, although there are still challenges for that agency. The biggest challenge right now is that unless the Senate, the House, and the President do something differently, we are not going to have the money we need to take care of these disasters.

So for people on the ground, like David Maxwell in Arkansas, and Gregg Flynn in Mississippi, and whether it is Paul Rainwater, a CEO from my State who is still struggling in the aftermath of Katrina and Rita 6 years ago, we are going to literally run out of money in the disaster emergency relief fund in January of this year.

Let me put up a chart to show the challenge that is before us. The President requested \$1.8 billion, which is a reasonable request based on past averages of disasters, which we are prepared to budget in the base budget of Homeland Security. Unfortunately, the estimate of the low end of these disasters—again, there were 36 since January 1, and disasters happen in all 50 States—the estimate is that we need \$3.8 billion at the low end, and at the high end it is \$6.6 billion. So between \$3.5 billion and \$6.5 billion is required. But we have budgeted only \$1.8 billion in the base of Homeland Security.

As chair of this committee, I can tell you that our committee cannot absorb in its base the entire weight and cost of these disasters. The Homeland Security budget has never in its history absorbed 100 percent. We do a rough and good-faith estimate of what it might be, but these are exceeding even our expectations of what the disasters would be. Of course, no one is in a position to be able to foretell the future. Our Secretary of Homeland Security brought a great deal of skill and expertise as a former Governor, an excellent manager, and all the prerequisite academic credentials, but she didn't show up on this job with a magic wand and a fortune teller's globe. She doesn't have those tools available to her to be able to see into the future every disaster and what kinds of disasters are going to happen to the country. All we can come forward with is a good-faith estimate, which we did, at \$1.8 billion.

The reason I come here today is to say there is a gap that must be filled. I am strongly recommending that this Congress fund this off budget in an emergency line item, which is what we have done 95 percent of the time in the last 40 years. Since 1992, \$110 billion of the \$130 billion appropriated to the DRF has been emergency spending. These events are unpredictable. You cannot plan for it. We must respond by law. If we don't, then projects all over this country will shut down.

I remind everyone that they are projects that create jobs—not only do

they restore hope and rebuild communities, but the projects create jobs. To list a few of them, there are the repairs for two very important roads in Hawaii, which could potentially be stopped; sewer line repairs at a pump station replacement in Gary, IN; the townhall in the village of Gulfport, which hasn't been rebuilt since the storm, for 6 years, which is under construction—that could be halted. That is a dozen or more jobs in that small town of Gulfport. Those are not big numbers nationally, but that is important to that city. There is an elementary safe room being built in Kansas now. That is a few jobs there, but it is important to the couple of hundred schoolchildren who were terrorized by tornadoes sweeping through that area. I can go on and on. In Missouri, the Polk County bridge collapsed, which is very inconvenient for people having to cross that every day. I am not personally familiar with it, but I can imagine the difficulty families are going through who were used to having access to the river.

I can list hundreds of projects that literally stop in their tracks if we don't figure this out. My strong recommendation is that we do what we have always done, which is appropriate and fund real emergencies. It is not appropriate to do off budget things you should have budgeted for but failed to do it. That is not an emergency; that is bad planning.

I think I am a pretty good chairman of this committee. I know Secretary Napolitano is an excellent Administrator of Homeland Security. There is nothing we can give her to make it humanly possible to predict disasters and the magnitude of their destruction. That is impossible. Again, we have to figure out a way to budget for this that is responsible and, I say, put a good-faith effort, or average in your budget, and then anything that occurs, do it in addition to that off budget, in an emergency.

Another reasonable suggestion that has met with resistance—and I can understand why—would be to take a percentage decrease against all the budgets of the Federal Government and say we wanted to spend this money but we had these disasters and we absorb it governmentwide.

I can promise you that the last and worst thing—and one that can happen because I will oppose it vigorously, and so will many others—is taking the entire amount of the DRF, the disaster relief fund, out of the Homeland Security budget, because then you put the country in a position where you are underfunding planning for the future, lowering your defenses against real terrorist attacks that could potentially happen to the country, because you are funding for disaster levels that we were unable to plan for—for obvious reasons.

We cannot undermine the security of our Nation or weaken the entire Home-

land Security Department budget because of an unusual natural occurrence over which we have no control and no foreknowledge of. There may be other solutions that I haven't thought of.

Another would be very helpful if the President himself, knowing these numbers—they come from his own executive agencies, which are tabulating these numbers—were to send us an emergency supplemental. I have sent him several letters requesting that he send to the Congress an emergency supplemental to cover this gap. If he doesn't do that, Congress has the power to act, and I will be making a recommendation in the Appropriations Committee to fill this gap.

What is not acceptable is to try to absorb this entire gap in the Homeland Security budget, which will leave our country in a very weakened position in terms of preparing for future disasters and potential terrorist attacks.

Might I remind everyone that hurricane season just started on June 1. It is now June 15. We are 15 days into the hurricane season. We don't know what the season will bring.

There may be other alternatives to closing this gap, but it is very, very important. I am going to start work on this vigorously with my ranking member, Senator COATS, to see what we can recommend, potentially jointly, I would hope.

Again, I would like to put up this chart because this reflects just about every Senator's State, from Washington to Texas, to Nebraska, to North Carolina, to Florida, to Georgia, Arizona, Montana will be green shortly, and so will Vermont because there are disasters underway. So put your thinking caps on. We need to come up with a way to fund these disasters, and it is going to be a big challenge as we start our appropriations process.

I am going to submit more technical information for the RECORD, but, again, we don't have magic wands and crystal balls in the Department of Homeland Security. We have a lot of tools there to protect our country and to build after disasters, but magic wands and crystal balls are not available. So we have to come up with a way to close this gap that makes sense. I trust that over the next couple of weeks and months we will be able to do that.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

UNEMPLOYMENT

Mr. DURBIN. Mr. President, 2 weeks ago there was an economic disclosure

about the number of people gaining jobs in America. The good news is it was on the positive side of the ledger, more jobs being created. The bad news is it was not nearly enough and not fast enough. Even though these jobs are being created in the private sector, we still know too many Americans are out of work.

There are 13.9 million Americans unemployed. That is a little over 9 percent of all Americans actively seeking work. Worse, nearly 25 million Americans are underemployed. People working part time when they want to work full time are taking a job that pays a fraction of what they earned in previous employment. That is 15.8 percent of all Americans who would like to work full time but cannot do it. That is not a problem for these families, it is a crisis, and every minute we ignore it is a minute not spent well by this body.

A year ago it became increasingly clear there was little appetite in Washington moving toward job creation. When the President was elected, he was greeted on the day he was sworn in by news that that month—and the following month—we had lost some 700,000 jobs in America. What we had had 8 years before, a surplus and booming economy, had hit the skids and people were losing jobs, businesses were failing, and people felt it in their savings accounts and IRAs all across America. The President tackled that, and I joined him, with many others, to try to infuse in this economy the kind of spending that would build things, create jobs, and turn this economy around.

We believe it was successful but only partially successful. Then at the end of last year, the President joined on a bipartisan basis with Members of Congress to extend the tax cuts in an effort to try to infuse that money into the economy so people would have more to spend.

Now, many of us took exception with the menu of tax cuts because they included tax cuts for the wealthiest people in America at a time when we are facing record deficits. It is hard to understand, let alone justify, a tax cut for a wealthy person as necessary for economic growth. Most of the people who receive those tax cuts would not turn around and spend them on goods and services. They might invest or bank them—invest overseas, for that matter. But that was the recipe. We went through spending and economic stimulus. Then, last year, we went into tax cuts as a stimulus and, still, we are not moving forward as quickly or as wholesomely as we would like.

THE DEFICIT

I spent the past year focusing on one aspect of this; that is, our Nation's deficit. I was appointed to the President's commission—the Bowles-Simpson commission—which took a look at this deficit, and for 10 months we studied it. It

is a daunting challenge. It reflects patterns of spending and taxing which now have us in a terrible state, with a lot of red ink. Roughly 14 percent of our gross domestic product is generated each year at the Federal level in revenue—taxes. We spend 24 percent of the gross domestic product of our country in Federal spending. That difference—14 percent of revenue, 24 percent of spending, a 10-percent difference—represents the annual deficit we face in the United States of America.

The Commission sat down and said there is only one way to tackle this—and I agree with the premise. We need to do it together, Democrats and Republicans, which reflects the political reality of the Congress, but we need to do something that isn't altogether politically popular. We need to put everything on the table. So we did.

The Bowles-Simpson commission suggested every aspect of government spending be brought to the table. That is a much more balanced approach than the debate we went through a few months ago over the continuing resolution—that short-term spending bill. That debate focused on 12 percent of our budget. There is only so far we can take that conversation. We can't balance our budget with a tiny slice of it. We have to take a look at the entire budget. The Bowles-Simpson commission did that. It brought to the table all domestic discretionary spending on both the defense and nondefense side and, I might add, entitlement programs.

That is an area where a lot of people get nervous because we are talking about Social Security, Medicare, and Medicaid, to mention the major elements of entitlement programs. The reason why many Americans have concerns over this debate is that many of them are very vulnerable. They know they have worked hard, and if they still have a job, they realize that even working hard, they are falling behind; wages aren't keeping up with the cost of living. So even hard-working families look at their bank accounts and their future and say: No matter how hard we work, it doesn't seem as though we are able to keep up with the increased cost of living. They realize their vulnerabilities. We all do. When it comes to health insurance, if you don't have good health insurance, you could be one diagnosis or one accident away from having all your savings wiped out or being denied the quality care every one of us wants for ourselves and members of our family, particularly our seniors. Those who are retiring before Medicare and those even on Medicare want to make sure they have adequate health care coverage. So when politicians in Washington start talking about the future of Medicare, many people get nervous. They wonder if it is going to be there when they need it.

The House Republican budget proposed by Congressman PAUL RYAN a few weeks back tackled the Medicare issue. I respect PAUL RYAN, but I respectfully disagree with PAUL RYAN when it comes to his conclusion. At the end of the day, the House Republican budget would have doubled the out-of-pocket expenditures of senior citizens for Medicare. Currently, that is estimated to be in the range of \$500 a month. What the Ryan budget proposed was to double that: an additional \$6,000 in premiums individuals would have to pay once qualifying for Medicare. These are people, by and large, who are retired. To have an additional \$6,000 in out-of-pocket expenditures naturally raises an alarm. They are alarmed at the prospect that they would not have the money to pay for Medicare. He also took the program from where it has been for the last almost 50 years and turned it into a basic private insurance program. I think most people in America who are honest will tell us that putting our health fate in the hands of the tender mercies of health insurance companies doesn't give people a lot of confidence.

So the House Republican budget proposal met with an icy, if not angry, reception across America.

That is not to say we can ignore Medicare. Medicare, if not attended to, will not meet its obligations indefinitely. We have to look to ways to make it fiscally solvent. I think we can. I think we can do it without endangering the basic promise of Medicare, without increasing the costs beyond the reach of seniors. That is what we need to do.

The same thing holds true for Social Security. Many people are skeptical about Social Security, but here is the fact. Untouched, without Congress doing a thing, Social Security will make every payment that has been promised, with a cost of living adjustment every single year, for the next 25 years. We can't say that about many Federal programs. We can say it about Social Security. But the reality is, in the 26th year, it falls off the cliff. We would have to cut benefits by over 20 percent if we don't do something between now and then. I believe, and the Bowles-Simpson commission believed, the changes we make today, 25 years in front—small changes—can play out to buy longer solvency for Social Security.

Haven't we all been forewarned by what has happened over the last decade; that we shouldn't privatize Social Security, we shouldn't jeopardize Social Security? In the end, we don't know if that pension we worked our lives for in a corporation is going to be there or whether the corporation is going to be there. We don't know if our savings will be of the same value that they are today when we want to retire. Social Security is the one constant. It

is hardly enough to live on, but a good, solid bedrock for many people to build their retirement. So we owe it to Social Security to make sure it is solvent for years to come.

So here we stand in a situation where we are facing a crisis and the crisis is one with a deadline and the deadline is August 2. Here is what it is: Each year, as the deficit on our budget increases, we need to borrow more money as a nation. In other words, the mortgage of the United States goes up by the amount of the deficit. So each year we have to negotiate a new mortgage. We call it extending the debt ceiling of the United States. We need to do it this year. The Treasury Secretary said we have to do it by August 2. That is the deadline. Failing to do that, we will be in a default position. In other words, the full faith and credit of the United States, which has never been questioned, will be questioned. People will say, if the United States is not borrowing the money it needs to meet its current expenditures, then we can't trust them to make payments in the future.

So what is likely to occur? If the Congress fails to extend the debt ceiling before August 2—if we get into a political debate and that becomes the major element of debate and discussion—if we fail to extend it, what will happen instantly is that interest rates will start going up. Interest rates that affect families, individuals, and businesses across America will start to go up. In the midst of a recession, that is exactly the wrong thing. Interest rates going up at that moment in time will discourage people from buying cars and homes and businesses from borrowing so they can expand their payrolls and put more people to work. So it would be reckless for us not to extend the debt ceiling.

I know it is a political football. People like to say—and I probably have made these speeches in my own political career—this debt ceiling is a reflection that the United States doesn't have its act together. We are not dealing with the deficit honestly. There is truth to that. But at the end of the day, we have a responsibility to extend this debt ceiling. If we end up watching interest rates going up and this recession getting worse, let me tell my colleagues, there are no political winners in the House or Senate if that occurs.

What we need to do—clearly, what we need to do—is to extend the debt ceiling as well as have an honest, comprehensive approach to deal with our deficit. It will involve spending cuts, make no mistake. That has to be done. It will also involve taking a look at entitlement programs and making sure we have found all the health care savings we can so we don't have these programs going bankrupt, and it will include revenue. There are people who can afford to pay—people who are well

off in America, blessed to live in this country who have done quite well. Asking sacrifice from them at this moment in time is not unfair. I think it is the right thing to do. Bringing those together, we can come up with a bipartisan agreement and I hope we can do it and do it soon.

Let's not make the mistake of defaulting on America's debt. Let's not make the mistake of jeopardizing the full faith and credit of this country. Let's not run up interest rates at a time when we need to recover from this recession and put Americans back to work. Let's not create a new burden on small businesses when they try to borrow to continue expanding their operations and employment. Let's make sure we are doing the responsible thing here in Washington. I think we can.

I have been meeting with a group that was originally a group of six, and then it became a group of five. Then it kind of expanded to 10 and 15 and 20 and 25. It is kind of a moving card game. But I will tell my colleagues that I am encouraged by the people who come into the room, Democrats and Republicans on the Senate side, who listened to the basic outline of what we have been talking about. Although they may not agree with it and its particulars, they certainly agree with this premise: What we need to do must be bipartisan. What we need to do must include everything—meaning putting everything on the table—and what we must do is come up with a credible, honest plan that will reduce our deficit by more than \$4 trillion over the next 10 years. That amount doesn't solve our problem. We will still have a national debt, but it will finally turn the corner. It will finally bring that cost curve down, and it will show to the world, at a time when people are skeptical about the economies of Greece and Portugal and Ireland and other countries, that the United States can stand and work together in a responsible fashion to deal with the deficit. I think it is time to move forward in this bipartisan manner. I hope my colleagues in the Senate who are aware of this effort, who feel this is the right thing to do, will join in putting together something. It is going to be tough. It will not be easy, and there will be compromise needed on both sides. But if that compromise is forthcoming, we can meet our obligation. I don't know who will win politically if we do this. I don't think most people in America care who wins politically. They do care about having a job tomorrow, making enough money so they can have a nice home and a future for their children, and the belief that America's best days are still ahead. We can do that. It is going to be hard politically, but it is something that is absolutely essential.

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the period for morning business be extended until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. MERKLEY). Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

FISCAL DISCIPLINE

Mr. CORKER. Mr. President, I am actually glad to have come to the floor after my colleague from Illinois has just spoken. I was in Illinois this week talking with a number of people there in the business community as part of what I do on the Banking Committee. I wish to say that in talking to many of the great civic and business leaders who exist in Illinois, one of the biggest concerns they have is, in fact, this debt ceiling issue and the reduction of debt. I appreciate the work of the Senator from Illinois in trying to reach a compromise. As a matter of fact, I salute anybody who is trying to work to solve this problem.

I wish to say, from my standpoint, I know the debt ceiling is a major issue, and for me to be able to support it, we need to have dramatic changes in the way spending is taking place in this country. I think there are numbers of people on both sides of the aisle who feel that way. I have offered the only, to my knowledge, concrete proposal that has bipartisan support in both the Senate and in the House. I wish to mention there are a number of discussions about the Medicare proposal PAUL RYAN has put forth, and certainly it is not perfect.

I would love to see a proposal made from the other side since everyone knows Medicare is going to be insolvent in the year 2024. The worst thing we can do, of course, is not pay attention. I hope at some point in the near future we will actually hear a concrete proposal from the other side of the aisle regarding Medicare.

But let me go back to the State of Illinois and the state of our country and certainly the people in Tennessee. There is tremendous uncertainty out there in the business community. As a matter of fact, in talking to one of our leading economists last night, corporate balance sheets today are flush with cash, but companies are unwilling to invest that cash in long-term assets because they are concerned about what we are going to do here in Washington. They are concerned about whether we as a country are going to actually deal with our debt ceiling, deal with our indebtedness in a way that makes progress. So there is tremendous uncertainty.

That is, in my opinion, one of the leading causes of the economic issues we are dealing with, the high unemployment. It has been 777 days since this body even passed a budget. If you can imagine having a country such as ours with 535 people in the House and Senate spending money without a budget for that long, obviously it is a display of an incredible lack of discipline and certainly sends the wrong signal to the business community.

So I do think our country is suffering, suffering economically. Every person I talk to is concerned about the uncertainty of whether we as a country are going to be able to deal with our indebtedness, the tremendous amount of debt this country is piling up because we are spending money we do not have.

I do look at this August 2 deadline as a line in the sand for us as a country. There is plenty of time for us between now—June 15—and August 2 to actually come to an agreement on these big issues. One of the things I hope will be a part of anything we do is something like the fiscal straitjacket that the CAP Act outlines. I do not think there is anybody in this body who disagrees with the fact that we as a country are spending money we do not have and more money than we should. As a country, we have spent about 20.6 percent of our country's gross domestic product for the last 40 years. That is the post-entitlement period. Today as a country we are spending almost 25 percent of our country's economic output on the Federal Government, and that number is rising geometrically.

So we put forth a bill. It is called the CAP Act. Again, it has bipartisan support in the Senate, bipartisan support in the House, that would take us, over a 10-year period, down to the 40-year average and save our country about \$7.6 trillion over what is called the alternative fiscal scenario as printed by CBO.

There is no doubt in my mind—I do not think there is anybody in this body who would disagree with this—that the signals we are sending to the country and the world about our inability to come to a conclusion about our spending is affecting the economy. I cannot imagine there is anybody who would disagree with that. We have had people come in, economists telling us what will happen if we do not raise the debt ceiling, what will happen if we do and we do not do those things that are necessary to lower the amount of spending that is taking place here in Washington.

Again, I have offered something that is practical. People on both sides of the aisle have joined. I know there are discussions that are taking place. They are called the Blair House negotiations between the Vice President and Members of this body, and I am understanding that a fiscal straitjacket is part of that discussion; in other words,

making sure that over the next 10 years whatever costs we cut are actually locked in, and more cuts are gotten through the imposition, if you will, of a declining fiscal straitjacket, where we, in essence, get back to the norm as it relates to spending and our economy in this country.

I want to say I think one of the greatest things we can do to actually spur the economy—as much as people care about spending in this country today; and there are a lot of people who do—believe it or not, they care, as they should, even more right now about the economy and their own family's situation. I think these two are intertwined. I think if we as a body were to show fiscal discipline, show some certainty into the future, show the business community and the world community we have the ability to have discipline, to act responsibly, I believe it would unleash tremendous amounts of investment.

Again, a leading economist last night says he has never seen a situation where this much cash resides on corporate balance sheets, but corporations are unwilling to invest them in long-term assets. What that means, what that translates into is they are not building plants, they are not expanding because they are concerned about policies in Washington, one of which is: Can we control our spending?

So I do think that August 2 is a seminal moment in our country's history. There is nothing happening here in the Senate. Let's face it. We are voting on judges we do not even need to vote on. We could pass them out of here by unanimous consent. We have bills on the floor that mean nothing, that are never going to become law, just to fill up time. We know that. It has to be the most boring time in the world for a Presiding Officer. Nothing is happening. The oxygen is taken out of the room over this debt issue, and we are debating things that are never going to happen. It is almost a farce in many ways.

So there is plenty of time—it is June 15—for us to negotiate something that is meaningful as it relates to cuts, and certainly plenty of time to act, to put something in place such as the CAP Act as part of the overall need to reform our entitlements and make sure they are here for future generations.

Let me state one more time that I feel as if, in many ways, what we are reading in the media about these negotiations is almost a walking down of expectations. In other words, most of us want to see something big happen for this country. We see this as a true seminal moment for our country. But from what I read of the various snippets that are coming out of these discussions, it is almost intended each day to tamp down what our expectations are.

I want to say to everybody in this body, unless I see dramatic changes in

spending as a result of these negotiations, I absolutely will not vote for this debt ceiling increase. If we are going to have a calamity in this country—and there are economists who say we are going to have a calamity either way: in other words, if we do not act responsibly and pass a debt ceiling, we are going to send a signal to world markets that we do not have the ability to control spending; if we do not raise the debt ceiling, there are those who will say there is going to be a calamity.

Here is what I would say. I am 58 years old. I came to this body because I wanted to solve our country's problems or be a part of that working with others. I want to say—I want to go on the record—that I would rather us have a calamity this summer on my watch while I am here so I can deal with it than I would to pass a debt ceiling and not do something that dramatically alters our fiscal situation in this country and pass it along to someone else who may come behind me. I think there is a lot of sentiment in that regard. I hope there is a lot of sentiment in that regard: that all of us—all of us—would rather bear the brunt of irresponsibility while we are here than pass it on down the road.

So I am here to talk about a component of a solution which is the CAP Act. There may be some variation of this that makes more sense. Certainly, I have no monopoly on wisdom. But I hope something like this, if it is not exactly the CAP Act as written, is a component of the negotiations. I know during these negotiations this is actually being discussed: meaning, how we cap spending and actually put Congress in a fiscal straitjacket, for lack of a better word.

This is a seminal moment. I hope we will not water down expectations. I hope we will rise to the occasion and, as the Senator from Illinois mentioned, deal with this in a responsible way. I hope very soon we will actually have a debate on this floor about what it is that has actually been arrived at, what the deal is, so we can actually talk about it in a responsible way and do those things we all know are very important to our country, very important to our country's solvency, and certainly very important to all those Americans out there who are uncertain as to whether the heads of households, who provide such great opportunities for those people coming under them, have the opportunity for good-paying jobs.

With that, Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Wyoming.

JOBS

Mr. ENZI. Mr. President, I thank the Senator from Tennessee for his comments and for the way he delves into

any issue we work on and comes up with some unique ideas from his past business experience. I hope people will look at his resume, the information in his biography, to see the fantastic things he has done that show he has the capability to solve problems such as this.

I particularly appreciate the solution the Senator has come up with. Some people say it does not go far enough. You could make it go further than that, but it is timing that is important and actually getting a debate that is important, and I appreciate the way the Senator put it out in a reasonable way where we ought to be able to do it. We need to do it right now so we do not keep passing this debt down, so we get in a responsible position.

I am going to talk about something very similar today. We are in a jobs crisis in this country. I come to the floor this afternoon to talk about jobs. There is not any more important issue for American families today than jobs.

For 3 long years, we have been waiting for the economy to get back in gear and start creating the jobs necessary to keep America strong. I am afraid that Congress and this administration have not done their part to foster the healthy job-creating economy we need. We have heard plenty of talk about job creation, but the rhetoric simply does not match up with any action. So today I will speak about the headwinds we face, as well as some of the simple solutions to help spur job creation.

This week the President's Council on Jobs and Competitiveness presented President Obama with five steps to create job growth. I agree with most of the suggestions. Some of them are steps I have been urging for some time, such as streamlining job training programs and speeding up the government permitting processes. But, unfortunately, for the most part, these are just baby steps. The truth is, the most significant step the Federal Government could take to allow greater job growth is even easier than a baby step. Washington government just needs to get out of the way. Washington keeps putting up roadblocks.

Last month's dismal job numbers paint a very clear picture. Unemployment rose to 9.1 percent—far above the 8 percent level promised by the administration at the time of the passage of the stimulus bill. Nearly 14 million Americans remain unemployed and actively looking for work, and more than half of them are long-term unemployed. With only 54,000 jobs created last month, and 3 million job openings, the problem is clear.

These numbers also reveal some solutions that could go into effect if government would step out of the way. For example, 7,000 of the jobs created last month were in the mining industry. Those of us from mining States know that the mining and domestic energy

production industries offer good jobs with good pay and good benefits. Yet the administration has made it incredibly difficult for this industry to continue creating jobs. It has slowed the permitting process for existing mine plans, let alone new mining and drilling activities. Let me say that again. It has slowed the permitting process to a crawl and directed EPA to regulate greenhouse gases under the Clean Air Act.

Simply stated, the President's policies are making things worse. How bad is this permitting process? Fourteen different mines have asked for an extension so their mine plans could continue in a logical way. There was a big announcement 6 weeks ago: The administration is going to allow 758 million tons of coal to come up for bid. That is 4 of 14 applications: 758 million tons. In my county alone, there are a million tons of coal shipped a day—a million tons a day. The amount permitted for bid is a 2-year supply, and it is going to take 6 years to permit it. And we cannot get the other 10 of them to be put out for bid and to go through that same delayed process. That is affecting jobs and it is also causing resources to be left in the ground that could be effectively used in our economy, which raises the costs.

The broadest result of this misguided energy policy will be increased prices for Americans. That will only dig our economic hole deeper. American families are already coping with the terrible job market and a struggling housing market. Increasing reliance on foreign energy sources and ignoring the sources we could harvest here at home makes no sense.

In certain regions of the country, the result of this misguided energy policy is lost jobs and bankrupted American companies. On the gulf coast, many of the thousands of jobs that were supported by the offshore drilling industry are simply gone due to the moratorium, permit, and bureaucratic delays on offshore drilling in the gulf. Also, when skilled people are out of a job, they go somewhere else to get a job. They go to other countries to get a job and it reduces the number of people who can do the work here. It is another way of sending jobs overseas.

Some of the production has moved to Brazil and other countries that are not impeding their domestic energy production. And we are their customers. We are the ones buying it at extra-high prices.

Ironically, one of the largest discoveries of oil in the Gulf of Mexico was just announced last week. This discovery proves there are still massive amounts of domestic energy available to help alleviate the high prices if the government would simply get out of the way.

Unfortunately, the slowdown in exploratory drilling as a result of last

year's moratorium is expected to lead to a 20-percent production decline next year. And things don't happen overnight. Permitting takes up to 6 years as well.

I do not know if the public is aware, but there is a Middle East cartel that helps set the price of oil. Years ago, they used to be able to set prices much easier. They could cut back the supply and increase the cost or they could increase the supply and decrease the cost. Twice I watched them drop the price of a barrel of oil down to \$8 and put the American oil industry out of business. They put it out of business long enough so that the people who were qualified to do the work got jobs in other countries. When they brought the price back up, it took years for us to bring the production back up.

Now, they have said Saudi Arabia has run out of energy, that they are just about to use up their supplies. Well, last week they announced they are going to have this huge increase in production. How did that happen? Well, there are new techniques. There are new technologies that are being used for drilling. It is helping to bring up more oil.

We ought to be doing that right here in the United States. We ought to be increasing our supply of oil. There are fields where only 20 percent of the oil was producible at the time it was drilled. New technologies, one of which is to put carbon dioxide, or CO₂, down the hole and force the oil up—that is good for another 10 or 20 percent of the oil, and it captures the carbon. Why aren't we talking about capturing carbon? We ought to be encouraging that, not discouraging that.

We also have a company in my state that would like to convert low-sulfur coal to low-sulfur diesel fuel. Low-sulfur diesel is one of the things we really want. With these fluctuations in prices we have seen over the years, they said: We have the money to build this \$2 billion plant and get it operational. But what happens if Saudi Arabia and the Middle East cartels decide to drive the price down again? What if that price got down to a point where our production was unproductive, if they put us out of business, if they bankrupted us?

Well, several years ago, Congress said: We can take care of that. We are going to pass loan guarantees. We will provide loan guarantees for you. We are not going to give you the money, but if that price were to drop dramatically, then we would have some responsibility in the situation.

Of course, the chances of it ever dropping to that point are pretty negligible.

We allocated I think about \$8 billion for loan guarantees for these types of projects—that is no cost to the Federal Government—out there for this company to go ahead and make low-sulfur diesel and even jet fuel. Our military

needs jet fuel. But out of that \$8 billion, none of it has been allocated—none of it. At the same time, we did programs for solar and wind in the amount of \$20 billion. Which do you think can produce the most energy? But it is OK with me that we have the solar and the wind. I think it is a good idea, and we are developing a lot of that in Wyoming too. But how come we can't turn a loan guarantee loose so that we can change coal into diesel with carbon sequestration? It is because of this adverse opinion on coal that creates a lot of problems.

So it is not just a problem in that area, this slowing down of the process; this is also affecting things such as medical devices.

We are interested in the health care of the American people, and we have an agency that watches out for our safety and should watch out for our safety, and we help ensure that time after time. We did a food safety bill, which is a part of that FDA plan.

But in 2003 it was obvious to the companies that make the medical devices that the agency did not have enough people, enough resources to expedite, to get their evaluation done in a timely manner, and the industry agreed to put up money—not to have any benefit to their particular company but for the whole industry—to get things streamlined, with more people looking at it so they could get the approvals, so they could get these health devices out to people so that they could be used.

Well, since 2003 when they put in the first amount of money, the resources for the FDA have doubled, the fees have tripled, and the production has been cut in half. It is taking too long.

Now, how do I gauge what is too long? Well, Europe does the safety process too. Europe approves these medical devices 2 years before we do. Two years before people in the United States are able to use these things, they are using them in Europe. And you are not hearing about any calamities with the medical devices in Europe. They are doing an adequate job of checking the safety and making sure what they are putting out produces the desired result. But not in the United States. We are slowing that process down—putting more money in, but slowing the process down.

There are things out there that people could really use. Before I came to the Senate, I had a heart valve tear. At that time, they had to do open heart surgery and go in and stitch it up, put a special ring in there, which fortunately for me has held very well. It repaired my heart, and it is in as good or better shape than it was before that time.

But there is a medical device, and now they can come in just like they go in with a stent and put that into that part on the heart, pop this little umbrella open, and I would be fixed. I

wouldn't have to have that invasive heart surgery. That has already been available in Europe for 2 years. It still hasn't been approved in this country.

That is a process which is bogged down, which is costing jobs. So what do the companies do about it? They said: Well, let's see, why don't we build our stuff over in Europe? Now, if you build a plant, you are probably looking at 10, 20, 30 years of production before you are in a position to move that plant somewhere else, like back to the United States should we cure our problems. So we have to cure that problem now before we drive all of that overseas and all of those jobs overseas. The people who do the manufacturing on those rings get good pay, they have skilled jobs, but they do them in the country where the plant is, they don't do them in the United States. That is just one more example.

Well, I have another one. Right now, they are in the process of doing a rule and regulation about how long you can drive a truck, how long you can idle a truck, what kind of medical inspection the driver should have to have. One of the groups that brought that to my attention is the owner-operators of trucking companies, and they say the people who are drafting this rule have never driven a truck.

That is one of the problems with a lot of these rules and regulations: the people who are making the rules have never owned a business. And there is this tendency in government to be afraid that at some point something might go wrong, and it might come back. They have never had anybody come back on them for saying no or for slowing something down. Well, actually, they have never had anybody come back on them for saying yes. I wish they would realize that. The outfit with the liability in this is the company, not the one who approve the rule. They just need a good process they can move through and we can have a lot more jobs in this country.

Another way we can assist the jobs, as I have been saying, is by simply getting out of the way and by reducing the regulatory burden the Federal Government places on employers.

The first step here would be to repeal the health care law that is already driving up costs and paralyzing employers who are uncertain of their future obligations. Unfortunately, the President and his supporters in Congress are fighting this effort every step of the way. Although the President issued an Executive Order on January 18 of this year directing agencies to reevaluate the regulatory requirements they impose to be sure they are tailored to impose the least burden, less prescriptive, and justified cost-benefit analysis, we have yet to see any regulatory relief from any agency.

Speeches will not save America, action will. The President can say he

wants to get things done, and if nobody does them, we are in worse shape than we were before, not better shape.

I had hoped the entire administration would take this directive on looking at all of the regulations seriously, particularly because regulatory burden falls most heavily on small businesses whose hiring will pull us out of this ongoing recession. Small businesses represent 99.7 of all employer firms. They employ over half of all private sector employees. They pay 44 percent of the U.S. private payroll. They generated 64 percent of the net new jobs in this country over the past 15 years.

I owned and operated a small business. I can tell you that if I had thousands of pages of regulations from a health care law hanging over my head, I would hesitate before creating any new position that increased my exposure. The key is to stay under 50 employees. There is less regulation under 50. I know of some companies that already were at 52, 54, 56. They said: Do you know what we are going to do? We are going to reorganize so that we are under 50 employees.

Although reorganization is always good—we should take a little dose of that here in the Federal Government, but we don't. Everything is based on what we had before plus inflation—no reinventing, no doing things differently. I am seeing that in Wyoming as they are trying to close down some of the small post offices without any new ideas for them, without even covering the costs. But that is another story, and I will cover that later.

As the Senator from Tennessee said earlier, we are here and we are not getting anything done. I think that is part of the strategy. There was no budget—647 days with no budget and bills left undone. We get to this process here where, to keep us from doing amendments on this side, we just keep the floor open like this for days. Then we have a cloture vote, and because we have not had an opportunity to put any of our amendments in, we vote against cloture, and that keeps cloture from happening, and the leader then pulls the bill, and that ends the process. We go to another bill on which we are also going to do the same thing. Some of these are good ideas and ought to be passed, but we don't make it to that point. I am sure that is for the next election, saying: Those darn Republicans just held up everything. That is not how we ought to be operating.

Reducing the regulatory burden that is imposed by the Federal Government would be an important step, but we also need to make sure the administration's independent boards and agencies get the message. So far, it is clear they have not.

An extraordinary effort is underway at the National Labor Relations Board to deter Boeing from expanding into a right-to-work State, where it would

create work for over 1,000 employees. Those thousand employees have already rejected a union, but they have the right to do that. Now, this would be 1,000 more people employed in a billion-dollar-investment facility.

So what has happened in Washington State that might have the people there upset? Well, I am not sure. Boeing has also hired 2,000 additional employees out there, so it obviously has not hurt their employment. There will be seven of the planes built in Washington State and three of them built in South Carolina per month. But the case has drawn a great deal of attention not because Boeing is a big company but because the agency's fact-twisting and publicity-seeking reveals a strongly biased agenda. Our economy cannot recover when this administration's policies result in exporting jobs rather than airplanes.

The wisdom of the National Labor Relations Act is to defend the right of employees to collectively bargain when they choose to do so, not stepping in to limit employees' ability to exercise their right not to form or join a union.

At the National Mediation Board, we have seen rulemaking to change the way election results are counted in order to favor organized labor.

When that did not work and the majority of employees still voted against the union, the agency launched multiple investigations trying to smear the employer. These government-sponsored efforts to increase union density have done nothing to create jobs. In some cases, the Federal Government has been counterproductive to that goal and should get out of the way.

Pending before the Senate and being held hostage under political pressure are three free-trade agreements—South Korea, Colombia, and Panama. These pacts have been negotiated for years, and they will open markets to our producers. Yet this administration has failed to submit these agreements to Congress and is refusing to consider a reasonable compromise. That is wrong and it is hurting over \$1 billion worth of U.S. beef exports to Korea which would help ranchers all across the United States, including my home state of Wyoming. The Korea agreement not only helps grow U.S. agricultural exports but would also open the door for future trade with China which is an even larger market for U.S. farm products. And that is just one industry. The Korea agreement, as well as the Columbia and Panama deals would also help our service manufacturing and finance industries just to name a few.

In the committee on which I now serve as ranking member, the majority scheduled three hearings on the middle class and job growth. I am concerned about the middle class. The first hearing asked the question of whether the American dream is slipping out of reach. I made the point then that I am

repeating today. The American dream starts with a job. The focus on pay, benefits, and organizing does nothing to create a job. We are going to have another one of those hearings next week. I am not sure where it is going. We have not proposed any legislation yet to deal with these issues. We are just getting press. That doesn't get jobs. Stalling the growth of the domestic energy production industry or increasing the regulatory burden on American businesses doesn't increase jobs either and neither does blocking free-trade agreements with our partners around the globe. An unelected, unconfirmed general counsel at a small agency is getting in the way of business management decisions that create jobs.

The American dream is not out of reach, but it is suffering from needless hand-slapping threats. Those should be changed to hand-clapping progress. But this administration has to stop getting in the way of job creation so Americans can have jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

MEDICARE

Mr. CORNYN. Mr. President, last month, the Medicare trustees warned that Medicare will go bankrupt in 13 years, which is 5 years earlier than they had previously calculated. You heard me right. One of the most important programs that the government actually runs—the Medicare Program—designed to provide health care to seniors, is going to run out of money in 13 years, 5 years earlier than projected just last year.

The Medicare trustees noted that Medicare's unfunded liabilities—that is the number it is responsible for—are more than \$24 trillion, but that is also growing. Stated another way, this is a \$24 trillion gap between Medicare's future benefit costs and the future taxes of premiums that are expected to be collected to pay for it.

Today, I am, along with nearly all my Republican colleagues, sending a letter to the President of the United States, insisting he comply with the law. What law would that be? Well, the law that was passed in 2003 that, under these circumstances, requires the President to propose a plan to deal with this funding crisis for Medicare. President Obama has said he is willing to make some tough decisions. Yet he refuses to provide concrete, constructive, and meaningful proposals to deal with this impending insolvency of one of our most important government programs.

The Medicare trustees have issued a Medicare funding warning in their annual report every year since 2006. They are required to do so under the Medicare Prescription Drug, Improvement,

and Modernization Act of 2003. In response to this warning, as I said, the President is required by Federal law to submit to Congress proposed legislation that would address this funding crisis. President Bush, in 2008, in response to the 2007 Medicare trustees' warning, did exactly what the law requires. He submitted legislation to address this funding crisis. Both the House and the Senate, in compliance with the law, introduced legislation, but, unfortunately, it never went anywhere—kicking the can down the road once again.

The Medicare trustees have, in fact, issued a funding warning every year since 2006, as I mentioned, including all 3 years President Obama has been in office. However, for 3 years now, President Obama and his administration have failed to comply with the mandatory requirement of the law. Congress has never received a proposal from President Obama's administration to address this funding crisis. This failure I wish I could tell you was the result of an oversight but apparently not.

On Tuesday, in an e-mail to The Hill newspaper, on behalf of the administration, they said they believed this law was "advisory and not binding."

The law itself states—passed by both Houses of Congress, signed into law—that the President "shall" submit legislation to Congress, not that he "might," or "if it is convenient," or "if he finds time," or "if it advances his political posture leading up to the next election." It says he "shall" submit legislation.

Thank goodness we live in a country where no one is above the law. We are a nation of laws, where the law applies to the President of the United States and it applies to the most humble members of our society.

Medicare is going bankrupt. Unfortunately, the voices of reform—people are stepping forward to try to solve this problem and make meaningful suggestions so we can actually do what we are supposed to do in Congress, which is debate ideas and come up with solutions, where we can have a vote and we can send legislation to the President and he can sign it or not. That is the way the process is designed to work, but so far the voices missing from the reform debate are those of our friends on the other side of the aisle.

There is no House Democratic plan to save Medicare. There is no Senate Democratic plan to save Medicare. There is no plan for President Obama to save Medicare. Unfortunately, their plan appears to be not to step up and do what the law requires, to offer a proposal to save Medicare but, rather, to try to take a cynical political advantage leading up to the next election by attacking the very people who are making constructive proposals.

No one suggests that any single proposal is perfect. The Ryan plan is not

perfect. The Domenici-Rivlin plan offers a different approach. The President's own fiscal commission's report is entitled "Moment of Truth." They reported back in December 2010. It was a bipartisan commission appointed by the President himself. It makes constructive suggestions on how to solve our spending crisis and to address the unsustainability of our entitlement program. But it appears that rather than embrace any of these constructive ideas, rather than do his duty, as the law requires, the President seems content to scare seniors into opposing responsible reforms, while watching the program go bankrupt over the next few years.

By refusing to propose needed reforms to this important program, President Obama is not only abdicating his responsibility to lead as a President of the United States, he is violating Federal law.

Mr. President, I ask unanimous consent that a copy of the letter I referred to earlier be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, June 15, 2011.

President BARACK H. OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: We write to urge you to submit a legislative proposal to Congress in response to the Medicare funding warning issued in the 2010 Medicare Trustees' Report. Such a proposal would help prevent the bankruptcy of this vital program for America's seniors and keep the federal government from going further into debt. Furthermore, such a proposal would put your Administration back in compliance with federal law.

Your Administration is currently in violation of section 802 of P.L. 108-173, the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (MMA). The MMA required the Medicare Trustees to include in their annual report an estimate of whether general fund revenues will finance more than 45 percent of total Medicare expenditures in any of the following six years. If the Trustees estimate in two consecutive years that the 45-percent limit will be breached within a seven year timeframe, the Administration is then required to submit a legislative proposal that would address the funding crisis within 15 days of submitting its annual budget proposal to Congress.

The Medicare Trustees have complied with federal law and have issued funding warnings every year since 2007. In 2008, the Bush Administration, in compliance with Section 802 of the MMA, submitted a legislative proposal to Congress, which was never acted upon. Your Administration, however, has failed to submit such a proposal for the last three years.

This not only defies federal law but also abdicates your Administration's responsibility to lead. As you know, mandatory spending is currently projected to grow at an average of 5.4 percent per year over the next 10 years, growing from \$2 trillion in 2012 to \$3.3 trillion by 2021. The largest claim on the budget over the next 75 years is Medicare, estimated at \$35 trillion.

We ask you to comply with the law and submit to Congress the Administration's legislative proposal addressing the Medicare funding warning included in the 2010 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds.

Sincerely,

John Cornyn; Mark Kirk; John Thune; Lindsey Graham; John Barrasso; Roy Blunt; Lisa Murkowski; Mitch McConnell; Daniel Coats; Lamar Alexander; Kelly Ayotte; Michael B. Enzi; Richard Burr; James Inhofe; Pat Roberts; Jerry Moran; Rob Portman; Marco Rubio; Ron Johnson; Rand Paul; Saxby Chambliss.

Mike Crapo; Bob Corker; Tom Coburn; Chuck Grassley; Johnny Isakson; John Hoeven; Jeff Sessions; Michael E. Enzi; Patrick J. Toomey; James E. Risch; Kay Bailey Hutchison; Mike Johanns; Jim DeMint; John McCain; Orrin Hatch; Jon Kyl; Dean Heller; Richard C. Shelby; Thad Cochran; Richard G. Lugar; Roger F. Wicker.

The PRESIDING OFFICER. The Senator from Georgia.

THE ECONOMY

Mr. ISAKSON. Mr. President, last night, between 6 and 7 o'clock, I did a telephone townhall meeting in Georgia. We had a little over 3,000 people on the call, and I was able to handle 16 questions. As I listened to the answers I was giving to the questions, I was struck by what a real problem we have in Washington. Washington is making things worse. Georgians are frightened for their jobs, the value of their homes, and the education of their children. They are uncertain about everything. As you give answers about what is happening in Washington, you realize Washington is making it worse.

I wish to give a couple of examples based on my experience. First of all, let's talk about legislation for a second. We have high unemployment—9.1 percent. We have people without jobs or underemployed. We have a law called the Workforce Investment Act or WIA. I am on the subcommittee that oversees it and the Education Committee. We have basically had an agreement on expansion of the reauthorization for the Workforce Investment Act for months, but it still languishes in committee because there are arguments over labor provisions that some want to be added to it.

Here we are, a nation in trouble, and we cannot pass the Workforce Investment Act, which is intended to help the very problem we have.

Secondly, I am on the Health, Education, Labor, and Pension Committee, which does the reauthorization of the Elementary and Secondary Education Act—the fundamental foundation of training and improving our kids for the jobs of the 21st century. It has gone 4 years without reauthorization, and it languishes in committee because of a lack of willingness to bring it forward. Our children remain educated and

taught and motivated under a law now expired for 5 years. That is not right, when we should be educating our children and training workers.

We in Washington are doing nothing. On the Commerce Committee, on which I serve, we are over the FAA committee and reauthorization of the Federal Aviation Administration, which is critical to economic development. That conference committee continues to languish. What are the arguments? They are about changes in labor law.

We need to get the job done in Washington and go to work. We need to understand that the American people are in trouble and are hurting. Our job is to provide answers, not to make it worse.

I wish to talk about a second feature—about regulation for a second—or strangulation, if you will. I have told this story before on the Senator floor, and I will tell it again. On January 3 of this year, I was in a cafe for breakfast and to meet with some businessmen. I walked in the front door and Steve Hennessy of Hennessy Cadillac and Land Rover in Atlanta called to me and came running across the floor. I thought he was going to give me a bear hug, but he said: JOHNNY, yesterday, I fired a salesman and hired two compliance officers. This financial regulation in the Dodd-Frank bill is strangling my productivity and raising my cost of doing business.

We have to recognize that regulation has consequences. It is not our job to eliminate risk in the marketplace. It is our job to mitigate risk so people will take risks, in terms of seeking rewards, which is what the capitalistic system is based on.

I will talk about a few other regulations that are causing significant problems in our recovery. The qualified residential mortgage rule that is being promulgated now by the six regulators will, if it goes into effect on August 1—and they have put the effective date off now—probably constrict the real estate market, which is already suppressed by 70 percent, by another 40 percent. It is going to take capital and risk capital and credit away from the Americans who are, in fact, buying homes today. In fact, in order to mitigate risk and try to eliminate it, it requires lenders to hold a 5-percent risk retention until the loan matures. It says you cannot loan anybody less than 80 percent—more than 80 percent, and if you have anything more than that, you cannot even have a private mortgage insurance policy to guarantee the money. So you are going to flood every buyer left to where? Through FHA, which is exempt from the Dodd-Frank bill, or Fannie Mae and Freddie Mac, which are going out of business, which means you will shift more of the burden of mortgage financing on people who are already overstressed.

Regulatory intent should not do that. My dairy farmers in Georgia are looking at a rule where milk is being categorized where it is going to have to be contained in tanks and reservoirs that now meet the standards of petroleum. That is higher investment and no additional profit for the country. That is protracted. Water—the EPA wants to take “navigable” from in front of the word “water,” in terms of the Clean Water Act, so the government doesn't regulate just navigable waters but every water.

Credit. Credit is becoming non-existent for Main Street. I am a small business guy. I was in a small business in Georgia for 33 years. A lot of small businesspeople use their credit cards to manage their cash flow over time. Because of the credit bill passed a couple years ago, they don't have the flexibility to do that anymore. Bank credit is suspended primarily because banks are being run by the FDIC under cease and desist orders or, if they are extending credit alone, they are extending it to the extent that a borrower can put that much money in the bank. When you constrict credit, you suppress small business. When you suppress small business, you suppress 72 percent of the employment in the United States.

I commend Senator CORKER for his remarks about an hour ago on the floor of the Senate because he focused on the big problem we have; that is, debt and deficits. It is kind of disappointing to me we have spent more time on the SBA act, which has been pulled now—it was on the floor the beginning of last month—than we have spent on all the appropriations bills in the last 3 years of this Congress. We debated amendments, we protracted the debate but still nothing happened. We ought to be talking about debt reduction, about deficit reduction, and a long-term plan, over time, to amortize the debt of this country to a reasonable level.

We have a debt ceiling vote that is confronting us, and I have heard the political statements made by people in both parties that there is a game of chicken being played right now, with some saying we are going to push it right up to August 2 and force a vote. If we don't get it, we will run the risk of America's credit going up in cost and uncertainty happening. Others are saying we are not going to do anything on a debt ceiling increase period until we have to at the last minute.

That is not the way to run a business. That is not the way to expand credit. That is not the way to run a country. We ought to be sitting down at the kitchen table of Washington, DC, in the Senate reprioritizing the way we spend money to begin to rein in our expenditures, lower our deficit and lower our debt.

I bet in the last couple of years every family in America, as every family in

Georgia, has had to sit around their kitchen table and reprioritize their expenditures. Things have changed. Their nest egg may have shrunk. Their equity may be suppressed. Their job may be in trouble. We have all had to do it. I have had to do it. Almost everybody in America has had to do that. Why doesn't the government do it? At a crisis moment of \$14 trillion in debt, with no ceiling above it; with a deficit of \$1.5 trillion, \$300 billion more than discretionary spending, why aren't we sitting around that kitchen table?

The questions I heard last night during my tele-townhall meeting made it clear to me Washington is making things worse. The American people want to be confident that we will address the debt and the deficit problem; that we are working on it and not that we are putting it off to a drop-dead date and then play chicken politics in the Senate.

People don't mind regulation that is fair, but they do mind regulation that is suppressive and that suppresses jobs. They don't mind having legislation debated in Washington on the floor of the Senate, one way or another depending on your position, but to leave it languishing in committees and not even bringing it up is not right. So my challenge—for me and for every Member of the Senate, and for this administration and for the President—is for us to lead.

We have a clock winding down on a debt ceiling increase that will be important for this country. But without substantial reform of the way we do our business and a game plan for a downpayment on our debt and deficit, and without an indication we are going to work together and have shared sacrifice, there is nothing at all we can do in this government except cause things to be worse. I don't want to be a part of that.

My last comment is this: I was 39 years old in 1983. A report was put out by the board of the Social Security Administration saying it was going broke in 2004. President Reagan and Tip O'Neill got together and said: We can't let that happen.

President Reagan said: I don't want it to go broke, but I am not going to raise the tax.

Tip O'Neill said: I don't want it to go broke, but I am not going to cut the benefit.

They went to the actuaries and said: What do we do?

The actuaries said: Put out the eligibility.

So they changed the law and said if you are an American born after 1943 you can't get Social Security at 65; you have to wait until you are 66. I am 66. They put my Social Security off a year. I didn't miss it. They also made Social Security actuarially sound until 2050. Only in the last 2 years has that date come down, and it has come down because of unemployed Americans at

age 62 taking discounted early Social Security and putting more pressure on the system.

We could fix Social Security tomorrow just like they did in 1983 and not take a penny away from anybody. We could move the eligibility out to be more reflective of life expectancy. I know Medicare is the big political football and everyone wants to say the Republicans are trying to kill Medicare, and the Democrats love to say they are trying to protect it. Heck, I want to protect it. I have nine grandchildren. The rest of my life is about those grandchildren. I want to see to it they have a country that is as free, as productive, and safe, and that the benefits are there for them that have been there for me. It is important we save Medicare, but we can't save it by looking the other way or by taking it off the table. We can't demonize a Democrat or a Republican for making a constructive decision to save Medicare.

Instead of trying to make it the political issue of the 2012 election, we should make it the personal issue of each Senator. We should sit around that kitchen table, work together, and try to find a meaningful solution to a problem that saves Medicare for future generations, and also doesn't cause an escalation in our debt and deficit. We are capable of doing it, but we have not demonstrated a will to do it.

I challenge my colleagues to do the same thing, and I challenge my colleagues to do one other thing—to hold a tele-townhall in the next couple of weeks. Talk to 3,500 of the citizens in your State and listen to the questions they are asking. They are scared, they are worried, and they feel threatened, and Washington is making it worse.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATO

Mrs. HUTCHISON. Madam President, I rise today to voice concern about the current state of the North Atlantic Treaty Organization. In 1949, more than 60 years ago, the United States joined with 11 other nations to create the North Atlantic Treaty Organization, NATO, in order to ensure the mutual security of the member nations. From the beginning, the United States has served as NATO's backbone and provided a major share of the cost in manpower and resources. We have consistently answered the call of our NATO allies when they needed us, even when there was no clear United States interest involved.

For example, in 1993 the U.S. military answered the call to participate in the NATO air action to enforce a U.N. ban on all unauthorized military flights over Bosnia and Herzegovina. After the Dayton Peace Accords in 1995, the United States stationed over 10,000 personnel in support of peacekeeping missions in Bosnia. For the following 9 years we continued to retain a large number of forces there.

In 1999 the United States again stepped up and provided a major share of the military resources for operations in Kosovo. At that time I argued that we were assuming too many commitments in areas of the world where our own interests were vague. When President Clinton announced that he intended to send 4,000 U.S. troops for peacekeeping in Kosovo, I said:

If we think the United States has the responsibility to go into all these civil conflicts, we are going to dissipate our resources and we're going to place a heavy burden on our taxpayers.

Today, after years of involvement with NATO-led operations in the Balkans, our forces are still a major component of the NATO Kosovo force, and we are still contributing approximately 800 troops to that effort.

In fact, of the 22 nations now in NATO contributing troops in Kosovo, the United States military makes up approximately 13 percent of the total force. As far as cost is concerned, the U.S. taxpayer is still footing a very large bill for our presence in Kosovo. In fiscal year 2010, the President asked for \$252 million to pay for operations in Kosovo. In fiscal year 2011 it was \$312 million. Now as part of the fiscal year 2012 Overseas Contingency Operations Transfer Fund, the President is asking for \$254 million.

With this example in mind, I am now deeply concerned that we appear to be in the same position again, this time with NATO in Libya. On March 31, NATO assumed command and control of operation Unified Protector, and was thereafter responsible for enforcing the no-fly zone over Libya. With this transfer of authority and responsibility from the United States to NATO, there was also an implicit understanding that all of NATO member states would be expected to dedicate the necessary resources to adequately enforce U.N. Resolutions 1970 and 1973. However, almost immediately after taking command, NATO requested a 48-hour extension of support from American fighter aircraft. This request for continued support from American air assets seemed to be at odds with the President's statement that coalition forces would be able to keep up the pressure on Qadhafi's forces. So, once again, our Nation is called upon to provide a large share of the resources and funding for another NATO mission that is not in the vital security interests of the United States.

Indeed, Secretary of Defense Roberts Gates stated on April 21 at a DOD press conference that “while it is not a vital interest for us, our allies considered it is a vital interest. And just as they have helped us in Afghanistan, we thought it important, the President thought it was important, to help them in Libya.”

We are now on track to spend more than \$800 million of U.S. taxpayer money this fiscal year on operations involving Libya. I ask, with significant concern, how are these operations going to be paid for? Where is DOD planning to get the extra almost \$1 billion to spend on this operation? What programs will need to be cut to fund this third operation in which we are now involved: Iraq, Afghanistan, and Libya? Will the President be submitting a supplemental appropriations bill on Libya?

With the example of Libya in our minds, let us be clear as to exactly what our allies are contributing to the efforts in Afghanistan. As part of the International Security Assistance Force, which is the command in charge of operations in Afghanistan, the United States is contributing 70 percent of the total force, with 46 nations contributing the remaining 30 percent.

As we review the landscape of American military commitments overseas, let me emphasize that with U.S. forces deployed in Iraq and Afghanistan we should not also be participating in such a major way in an open-ended conflict in Libya, where we have no clear, vital national security interests. Moreover, I believe our NATO allies who do have a vital interest in Libya should be willing to play a lead role in terms of funding as well as military resources. The fact is, NATO and the Arab League should be shouldering the brunt of the military and financial burdens associated with Operation Unified Protector, just as we are doing in Afghanistan, and have been doing in Iraq.

If we had all members of NATO contributing proportionately to the mission in Libya and also had the Arab League providing comparable financial and military assistance, the overwhelming commitment of our own U.S. forces would be lessened to a manageable degree. I am frustrated that our NATO allies continue to contribute such a small amount of resources for operations that are in the vital interest of many NATO member states. In Libya, I believe if the U.S. military were to stop providing to our allies our unique military capabilities, NATO operations for both the no-fly zone as well as the civilian protection mission would be seriously degraded and could terminate.

How have we arrived at this unfortunate state of affairs? Why is it that NATO nations are unwilling and unable to effectively operate against a weak and isolated nation such as Libya with-

out significant military contributions from the United States? One reason we are in this position is because many NATO members are not contributing enough of their gross domestic product to defense. Instead, many NATO members simply look to the United States and the American taxpayer to pay for any gaps in defense capabilities. Because many NATO nations do not invest strategically in their military capabilities, they are heavily dependent on the United States to pay for advanced equipment such as intelligence, reconnaissance, and surveillance platforms to support their NATO operations.

I agree with Secretary Gates' recent assessment, that NATO is turning into a two-tiered alliance in which very few members except for the United States take on the hard power combat assignments. Instead, the majority of the NATO partners limit themselves to soft power work such as delivering humanitarian aid. Indeed, of the 28 NATO members, only 5—the United States, the United Kingdom, France, Greece, and Albania—exceed the agreed-upon ratio of 2 percent of gross domestic product to be spent on defense.

Two decades after the collapse of the Berlin Wall, the U.S. share of NATO defense spending has now risen astoundingly to more than 75 percent. Secretary Gates put all of our efforts under NATO alliance operations together at 75 percent. We are all aware that the United States is facing very hard and real serious fiscal constraints. Hence it is clear that we can no longer continue to pay for the vast majority of NATO operations that are not in the vital security interests of our Nation. It is time for the United States to ask our allies to step up and keep the agreement they made when they became part of NATO, or for the United States to consider reducing our spending level that we now provide to NATO and also move to redeploy a large portion of our military presence in Europe back to the United States.

I have spoken on the floor many times about my concerns for maintaining such a large military presence in Europe and I will continue to fight for spending cuts to a largely unnecessary and expensive U.S. military presence on the European continent. It was decided in the last administration to cut back to two brigade combat teams in Europe, in Germany. We have now had the two be expanded to four. The other two are now in limbo. So there are now four brigade combat teams in Europe. Two were supposed to move back to the United States and the military construction to house at least one of those has been done at a cost of over 400 million taxpayer dollars. So we have the capability to bring home troops, taxpayers have spent \$400 million in pursuit of that, the barracks sit empty, and we still have four brigade combat teams in Europe, in Germany.

Unfortunately, here is the message we are sending to our European allies by that military presence, and by our operations in support of NATO, that American taxpayers are willing and able to shoulder the burden for their defense, and that there are apparently no consequences if the Europeans fail to do their fair share.

We need to change that message. We need to make our Nation's current financial difficulties a priority. Our message should be that NATO has been a valuable alliance for 60 years, and it can be in the future, with a concerted effort by our allies to share the burden. That means truly sharing. The United States should lead when and where our capabilities are essential. We do have vast capabilities. When they are essential we have shown we will always be there. But others can lead where they have the capability to do so, and they need to do it with personnel and with the appropriate level of funding.

The complacency of our allies is increasingly a threat to our national security for we are shouldering more and more of the burden, even where our involvement is not in the vital interests of the United States. The American taxpayer can no longer afford to write endless checks for NATO operations. It is time for our allies to shoulder their responsibilities and reduce their dependence on U.S. military forces.

We want to maintain our military strength. We have the greatest military in the world. There is no doubt about that. But to keep our military strong, we cannot over-deploy our forces. I have talked to people who have been to Afghanistan six times on rotations—six times. Most of our people who have gone to Afghanistan have gone more than once, and that is following all of the time they have been to Iraq as well. We must keep our military strong by not overburdening them because our allies are not doing their share and supplying the troops they agreed to provide when they became members of NATO. For us to keep the strength we have, or to handle the big operations where we have the unique capabilities, we must be smarter about allocating and sharing the responsibilities. We can continue to lead and take the biggest share, but not 75 percent of the share and continue to remain strong, especially with the financial constraints we have today.

We are in the midst of negotiating how we can lower our deficit so we don't hit that \$14 trillion debt ceiling without a plan for bringing down the deficit so we will never have to lift that debt ceiling again. So it is in everyone's interests for our allies to step up to the plate. They made agreements. It used to be a 3-percent gross domestic product commitment that was required for NATO. Now we are talking 2 percent, and only five countries—only five countries—meet that

test. That is not a sustainable alliance. If we allow them to drag down their strongest member, it will not be in the interests of anyone if something big happens that requires an immediate and robust response.

So I appreciate that Secretary Gates, in his final days in office has talked very straight to our NATO allies. I hope they are listening, and I hope they are prepared to act. Yes, they have financial constraints too; we understand that. But it is time the burden be shared. It is time we have a real alliance in which we remain strong so we maintain the strength to respond to the big emergencies when we are called. Being dragged down by smaller contingencies that can be handled by others, whether it is Kosovo or Libya—and, certainly, we also are concerned about the situation in Syria and Yemen—we can let others be in the lead in those areas so that when the big things happen—such as Afghanistan which will continue to require our commitment—those major efforts can be led by the United States with our unique capabilities and our commitment.

Our military remains the best in the world. Our equipment is the best in the world. Our training is the best in the world. We need to maintain that strength with an alliance that accepts its responsibility for burden sharing. Where we are required to lead and are uniquely capable we will do so but we cannot allow ourselves to be continually placed in the position where these contingencies drag down our capabilities for the future.

So I applaud Secretary Gates for starting this dialogue in earnest. We have talked about it for a long time—for years, actually. We have talked to our NATO allies about stepping up to the plate. Even in good financial times that didn't happen but for a few. I will say that Great Britain has always been there, and we have had other strong alliances, including Australia—not in NATO but certainly a strong ally. Canada is also a strong ally, but it is time for us to reassess our contributions in NATO to preserve our strength so that we are there and prepared for major operations, which is in all of our interests.

Thank you, Madam President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mrs. HAGAN. Mr. President, I ask unanimous consent that the period for

morning business be extended until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. HAGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 782

Mr. INHOFE. Mr. President, I am going to wait until the Senator from Illinois arrives before making a motion, but I wish to explain what I am going to do. I am going to make a motion when he does arrive.

I have an amendment. First of all, being the ranking member of the Environment and Public Works Committee, I have more than just a passive interest in this EDA bill. But one of the things I have been trying to do is get people to understand we have all these amendments, and a lot of these amendments have nothing to do with the Economic Development Administration. They have to do with everything else that is out there. In fact, I am guilty of the same thing. I have, I think, five unrelated amendments. They are all good stuff, things I wish to get through, and that seems to be what this bill is all about.

But under all these amendments there is a bill and there is a reason for introducing it. It is a foregone conclusion—I think we all understand if we were to pass the EDA bill out of here in any form similar to the way it was introduced, it would never pass the House, and that would be a done deal.

What I am going to attempt to do is—I am going to attempt today and tomorrow and however long it takes—to get an amendment in there that is going to provide oversight authority by the GAO. Through the audits and assessments, the GAO can ensure that the EDA grants are distributed, and put some spending discipline in there, such as through a competitive award process—it is all drafted in the amendment; by the way, the amendment is No. 459—and in accordance with the EDA criteria and requirements.

Additionally, the GAO would submit a report every year to the Senate Environment and Public Works Committee and the House T&I Committee, Transportation and Infrastructure Committee, to have efficiency assured.

What we are doing here is, instead of having a jump ball and saying we are going to do any kind of an EDA pro-

gram that we can sell through the administration, we will actually have discipline in there so it will have to be, first of all, gone over with the Government Accountability Office. Then, after that, it is not over because it has to come back to both committees in the House and the Senate. And, of course, I am the ranking member, and by the time that gets started, I may end up being the chairman, if it is after the next election. But you never know those things. So we would be able to look at it again.

The purpose of the amendment is to make certain that grant recipients are determined based on competitive procedures and to create more accountability for the EDA. Overall, I think Washington bureaucrats should not be picking winners and losers but, instead, rely on a formula and strict rules to determine where agency dollars flow.

I know we are not on the bill now. We are still in morning business. I understand we are going to go back on the bill at 6 o'clock this evening. But I have to get a request in that my amendment be—at that time, I am going to ask that the pending amendment be set aside for consideration of amendment No. 459, which I have just described.

I think the chief complaint about some of the EDA process—by the way, I have to say about the EDA process, it has done so well in my State of Oklahoma. We had one project in Elgin, OK—a very small community adjacent to the live range at Fort Sill—for a \$2.25 million EDA grant. They ended up planning to construct a 150,000-square foot building that would employ—the numbers were almost the entire population of Elgin, OK. It is something that would revive that part of the State. The southern part of the State of Oklahoma and the south central part have historically been an area that is somewhat impoverished, and through these EDA grants we have done a good job.

The good thing about EDA grants is they require a lot of local participation. Generally, it is through the city funds, the State funds, and the county funds, and then an equal amount or a greater amount from the private sector.

In my State of Oklahoma, the grants are usually about one to nine in terms of public participation. So the program is good. I am the first one to admit, however, it may not work the same way in every State. I can only say what our experience has been in Oklahoma.

What I am going to suggest with this amendment is something we are doing anyway in Oklahoma. We are going through a competitive award process. That is a process that everyone understands. It is one that is all outlined in our rules. We know what they have to go through for competition. Then it is in accordance with the criteria.

The criteria is very important. One of these days we are going to get around to a transportation reauthorization bill that will come out of my same committee. The last one we had was in 2005. Since then, that has run out, and we are going kind of month to month. We have a dire need for infrastructure in America with the roads, highways, and bridges. It is something we have fallen behind on, and we are going to be getting to that.

The reason our 2005 bill was so successful in infrastructure for transportation in the reauthorization bill is because we had a formula. The formula took into consideration money to be spent on bridges and roads and highways, State by State, with such factors as to the fatalities in that State, the number of road lanes, miles, and all this criteria. When we got through establishing the criteria in 2005, it must have been good because nobody liked it. If it was something that upset everyone, then, obviously, it was one that was pretty good, and we passed it. That was a \$284.6 billion reauthorization bill. We should be able to do something comparable now.

You might say, everyone is goosey about spending money nowadays. And that is understandable with the deficits. President Obama's three budgets have suggested and have put into effect \$5 trillion of deficit—not debt but deficit.

This last budget was around a little over \$2.5 trillion. And I can remember back in 1995, back when President Clinton was in office, going down to the floor and complaining because he had a budget to run the entire country of \$1.5 trillion. Well, the deficit alone in the last budget we have had here, as prescribed by the President, has exceeded the amount it took to run the country during that period of time.

I see the Senator from Illinois is here. I would say to my good friend from Illinois, what I am doing here is I am going to attempt now—and it will be objected to, and I understand that because we are not on the bill yet—I am going to continue to attempt to have an accountability amendment that takes the EDA process and subjects it to a competitive award process, along with oversight by the GAO and by our committee and by the T&I Committee in the House of Representatives. I think it is something that would make—frankly, if we do not do it, in my opinion, there would be no way in the world that the House of Representatives would pass it. This offers discipline to it. I will go so far as to say that if we are not able to pass this amendment, to have accountability, I will probably end up voting against the bill if it comes up for a vote.

So with that in mind, I ask unanimous consent that it be in order to resume consideration of S. 782 so that I can call up my amendment No. 459 which is at the desk.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, what I am about to say is no reflection on the Senator from Oklahoma nor the merits of his amendment. We have almost 100 amendments filed and 17 pending, and the majority leader has asked that we at least reflect on those filed and set our schedule accordingly. I am not saying this will not be considered, but at the moment we are going to object to the offering of additional amendments. So I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRADE AGREEMENTS

Mr. BROWN of Ohio. Mr. President, while it is important to address the Federal budget deficit, too many Washington politicians have turned a blind eye to the U.S. trade deficit. Working families in Ohio and our Nation's manufacturers haven't forgotten about the devastating effects of our ballooning trade deficit.

How much bigger does our trade deficit need to get before Washington wakes up and realizes we need a very different direction in trade? Let's put American workers and American businesses first for a change. Let's focus on enforcing existing trade laws and helping workers retrain for new jobs. Let's not pursue more of the same style of trade agreements that have wreaked havoc on our economy. That is really what the debate over the Korea trade agreement and the Panama and the Colombia Free Trade Agreements is all about.

Two weeks ago, Senator CASEY and I wrote a letter to the President, which 43 other Senators signed—in fact, it was signed by the Presiding Officer, the Senator from Rhode Island—affirming his decision to pass trade adjustment assistance for workers before proceeding to the trade agreements with Colombia, Panama, and South Korea. Our position on TAA has been consistent since we asked unanimous consent to pass TAA in late 2010. We need a long-term reauthorization regardless of what we do on these free-trade agreements.

Senator CASEY and I stood on this floor time after time, starting in December and into January and February, asking all of our colleagues to reauthorize, to extend trade adjust-

ment assistance to those workers who lose their jobs through no fault of their own; they lose their jobs because of trade agreements this Congress passes and because of a trade policy this administration and Congress has followed. We are likely facing a situation in which TAA, unfortunately, is being linked with the free-trade agreements.

If and when a deal is reached, we will examine both its contents and the process in moving it forward. But when it comes to American workers, we want at least a 5-year reauthorization of TAA, one that includes the 2009 reforms and provides for an 80 percent health coverage tax credit.

Time and time again a Republican Member stood up and objected to our moving forward in helping American workers. I just don't understand, how people here want to pass these trade agreements knowing that workers will be dislocated, that plants will close down, people will lose jobs, and communities will be devastated because of the actions of this body in passing trade agreements. Yet they say, no, they don't want to do anything to help those workers.

That is why we believe TAA should be separate from the free-trade agreements. I ask my colleagues—especially those who call the free-trade agreements with Korea and Panama and Colombia, the same people who called NAFTA and CAFTA and PNTR with China job creators—if that is the case, what sort of message does it send about these trade agreements if they must be linked to assistance for displaced workers? They are saying the only way they want to do TAA is to connect it to Korea or connect it to Colombia or connect it to Panama. They are acknowledging, then, that when we pass these trade agreements, it is costing us jobs. Why would we do that?

Because of that, Senator CASEY and I want a clean vote on TAA and a trade enforcement package, and we want to work with our colleagues to shape this package.

For the Korea Free Trade Agreement, I have two concerns. The first is jobs—always jobs in these trade agreements. Ever since I have been in either the House or the Senate, every time there is a trade agreement—whether it is the North American Free Trade Agreement in 1993, PNTR with China—although not a trade agreement but allowing China into the World Trade Organization—or 2004 or 2005, if I remember right, when the Central American Free Trade Agreement passed the Congress, and now with Korea—the people behind these trade agreements have talked about all the jobs they will create. They tell us: Well, we are going to close our trade deficit because of these trade agreements. Never does that happen.

When we passed NAFTA, we had a trade surplus with Mexico. Today, as

Senator CASEY pointed out, we have a \$90 billion trade deficit with Mexico. When PNTR passed, my recollection from 12 years ago was that we had about a \$10 billion or \$12 billion trade deficit with China. Now our annual trade deficit with China is \$273 billion—last year. This year, in 1 month it was \$21 billion.

So, it is pretty clear the promises made with regard to these trade agreements and the reality that exists are different things. They do not create jobs, they do not close our trade deficit, yet the promises continue. So my first problem with the Korea Free Trade Agreement is jobs.

The ITC—the International Trade Commission—projects the Korea FTA will increase the trade deficit, especially in auto parts, transportation equipment, metal and iron, and textiles and apparel. The economy is still facing extreme challenges. Since President Obama took office—when we were losing 700,000 jobs a month in January and February of 2009—we have seen some job growth. In the last 14 months, we have seen manufacturing job growth for the first time since 1998. So things are starting to turn around. But the last thing we do when the economy is facing extreme challenges—the last thing we should do—is pass a trade agreement of this magnitude with its short-term and long-term effects on jobs.

Finally, we have an administration that is being a little more truthful when it comes to promises about these trade agreements. As I said, during the NAFTA timeframe, we had President George H.W. Bush, and then President Clinton, who said it would provide all these jobs—200,000 jobs, I think one of them said. But this time, at least, the administration is not saying they expect this is going to create jobs. They say: This agreement is expected to support—whatever that means—70,000 jobs.

But let's do the math. The Congressional Budget Office said the cost of this trade agreement—yes, this trade agreement costs money because we lose a lot of money in tariffs—is \$7 billion over 10 years. That means if we are going to support—not create but support—70,000 jobs, and spend \$7 billion to do it, the agreement costs about \$100,000 for every job supported—again, not created but every job supported.

This trade pact has unusually low rules of origin, allowing goods from Korea that are made with up to 65 percent of their parts from China or other countries. When the European Union negotiated their Korea Free Trade Agreement, they had domestic content rules of 55 percent, meaning that 55 percent of the components in a product had to come from South Korea.

The Obama administration improved this over the Bush agreement, but only marginally, by saying only 35 percent has to come from Korea. That means 65

percent or two-thirds of the added value of the components of these products shipped from Korea, with basically no tariffs coming to the United States, can come from China or can come from a low-wage country with low or weak environmental laws and low worker standards and all of that. So it allows a back door for countries such as China to gain even more access to the American market.

We all recognize that we live in a world with global supply chains. But this low domestic content threshold of 35 percent will clearly hurt American manufacturers over the long term. So let's be clear. This is not just a Korea Free Trade Agreement, it is effectively a global free-trade agreement.

Second, the Korea FTA causes me concern because it includes what is called the “investor-state” enforcement in which a corporation is empowered to directly challenge laws as violations of a trade pact. Before the North American Free Trade Agreement, there was no such thing as investor-state relations. That meant that a company could not sue another foreign government. For instance, if the Canadians were unhappy with some U.S. law, the Canadian Government could sue the U.S. Government, but a Canadian company couldn't sue the U.S. Government. So what these investor-state provisions do is to undermine sovereignty. It undermines what we have done in this body.

We fight in this body for strong clean air laws and strong environmental rules and strong pure food laws and strong consumer protections. Under the investor-state relations, a company in Korea could sue the U.S. Government for those kinds of strong environmental workforce safety or food safety laws. We don't want to give a company in another country the standing to undermine our sovereignty on laws that were democratically attained in this country.

This mechanism is not necessary for a pact between two countries with well-established rules of law. We didn't do that in the U.S.-Australia Free Trade Agreement. It did not include these investor-state provisions. Why would we do it now with Korea, which is also a country that operates under a rule of law?

One more reason this Korea Free Trade Agreement undermines our sovereignty, weakens our environmental laws, weakens our food safety laws, and dilutes what we stand for in the American values we hold so dear is about jobs, and it is about these investor-state provisions which undermine our sovereignty.

Before pursuing more of the same style of trade agreements that caused our trade deficit to balloon to more than \$600 billion, why not focus on enforcing existing trade laws? We know some things we ought to be doing be-

fore we look at passing new trade agreements. We need to better enforce trade laws. We have done that.

President Obama, to his credit—and again, I don't agree with him on these trade agreements. I think he is wrong. But to his credit, more than any President I think in at least 25 years, President Obama has begun to enforce some trade rules. He enforced on oil country tubular steel. His decision created hundreds of jobs in Youngstown and Lorain, OH. His decision on Chinese tires created hundreds of jobs in Findlay, OH, and other places around the State in tire-building. His and the Commerce Department's decision on the Chinese gaming the system on coated paper, an industry that still exists in this country—not what it used to be, but it meant jobs in southwest Ohio and all over my State and all over States where paper is still manufactured in this country.

Another thing we should do before a new trade agreement is we should consider reintroducing Super 301 so that we have the tools to fight back when countries such as China game the system.

I am working with the Republican Senator from Ohio, the Republican Senator from Missouri, the Democratic Senator from Missouri, and the Democratic Senator from Oregon, Chairman WYDEN of the Finance Committee's subcommittee, to begin to enforce customs duties and make sure companies in countries that evade these customs duties can no longer evade them. That will make a huge difference in job creation.

Those are the kinds of things we should be doing.

Paul Krugman, who has been a free-trader most of his life, a columnist for the New York Times, back in December said:

If you want a trade policy that helps employment, it has to be a policy that induces other countries to run bigger deficits or smaller surpluses. A countervailing duty of Chinese exporting would be job creating here; a deal with South Korea, not.

This comes from a Nobel Prize-winning economist, somebody who has in the past been supportive of these free-trade agreements, believing that they have created jobs. He realizes Korea won't create jobs. Beginning to enforce our trade laws is the way to go.

I will close with this. Some years ago, President Bush said that for every billion-dollar trade surplus or every billion-dollar trade deficit a country has, it translates into 13,000 jobs. In other words, if we have a trade deficit with China of \$1 billion, that would mean we are selling to them \$1 billion less than we are buying from them, and the manufacture of those products we buy versus the ones we manufacture and sell is a net loss to the United States of 13,000 jobs. So for every \$1 billion trade surplus or trade deficit, it

translates into 13,000 jobs for that country.

The trade deficit with China last year was \$273 billion. The trade deficit we have with the entire world, the so-called multilateral trade deficit, was \$634 billion.

Mr. President, travel my State. Travel this country. See the kinds of manufacturing job loss we have had. We have lost manufacturing jobs from 1998, the last 2 years of the Clinton administration, all 8 years of the Bush administration, and the first year and a half of the Obama administration. We were losing manufacturing jobs through that whole process. Now we are starting to gain manufacturing jobs, but we can't continue to gain manufacturing jobs when we pass free-trade agreements that clearly cause more companies to shut down in our country and more of those companies to move abroad.

The Korea Free Trade Agreement is a bad idea. It is imperative that we do what the President has said we should do and what so many of my colleagues have asked us to do; that is, pass trade adjustment assistance with a health coverage tax credit for those workers who have already lost jobs from trade agreements and from trade policy. It is the right thing to do. It is good for our country, it is good for our economy, and it is especially good for workers.

EXTENSION OF MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

FOOD SAFETY ACCOUNTABILITY ACT

Mr. LEAHY. Mr. President, in April, the Senate unanimously passed the Food Safety Accountability Act. If enacted, this important bill will hold criminals who poison our food supply accountable for their crimes. Now more than ever, it is critical that the House pass this noncontroversial legislation.

A recent E. coli outbreak in Germany—identified by scientists as a new, deadly strain of the bacteria—has killed at least 35 people and spread to 10 countries. Thankfully, this particular outbreak has not yet hit the United States, but this tragedy, on the heels of several major outbreaks in the United States in recent years, highlights the importance of ensuring that we take every step to protect our food supply. The Food Safety Accountability Act promotes more accountability for food suppliers by increasing the sentences that prosecutors can

seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury.

Current statutes do not provide sufficient criminal sanctions for those who knowingly violate our food safety laws. Knowingly distributing adulterated food is already illegal, but it is in most cases merely a misdemeanor right now, and the Sentencing Commission has found that it generally does not result in jail time. The fines and recalls that usually result from criminal violations under current law fall short in protecting the public from harmful products. Too often, those who are willing to endanger our American citizens in pursuit of profits view such fines or recalls as merely the cost of doing business.

Last summer, a salmonella outbreak caused hundreds of people to fall ill and triggered a national egg recall. Salmonella poisoning is all too common and sometimes results from inexcusable, knowing conduct like that carefully targeted by the Food Safety Accountability Act. The company responsible for the eggs at the root of the last summer's salmonella crisis had a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who knowingly poison the food supply will go to jail. This bill will significantly increase the chances that those who commit serious food safety crimes will face jail time, rather than merely a slap on the wrist.

Food safety received considerable attention last year, and I was pleased that Congress finally passed comprehensive food safety reforms, but our work is not done. A provision almost identical to the Food Safety Accountability Act was passed by the House with strong, bipartisan support but failed to make it into the final legislation that ultimately passed because of Republican objections in the Senate. Now that the Senate has unanimously passed this bill, it is again time for the House to act.

The American people should be confident that the food they buy for their families is safe. The uncertainty and fear caused by the current E. coli outbreak in Europe only reinforces the need to pass the common sense Food Safety Accountability Act to protect our own food supply. I urge the House to quickly pass the Senate bill and join us in taking this important step toward protecting our food supply.

WORLD DAY AGAINST CHILD LABOR

Mr. HARKIN. Mr. President, I have come to the floor today to acknowledge and celebrate the World Day Against Child Labor, which was commemorated earlier this week.

An estimated 215 million children across the world are still trapped in the worst forms of child labor. A report issued by the International Labor Organization, ILO, in May 2010 offered some good news in the fight against child labor. There is a decline in the number of girls trapped in child labor. There are fewer children doing hazardous work. We are closer than ever to universal ratification of ILO Convention 182, which prohibits the worst forms of child labor. Mr. President, 173 out of 192 participating nations have ratified this convention.

However, due to the economic crisis, there also have been setbacks. Child labor has been increasing among boys and in young people between the ages of 15 and 17. Progress in reducing child labor in Sub-Saharan Africa has stalled. While some people may point to the global economic crisis as a cause of these setbacks, we cannot use this as an excuse for complacency.

One can look at the country of Uzbekistan to see the dire need for more action. According to School of Oriental and African Studies at the University of London, over 2 million children are forcibly pulled from school by government officials to work in cotton fields. Uzbek cotton is listed as a good produced by forced labor and child labor by the Department of Labor. It is listed on the Tier 2 Watch List in the State Department's Trafficking in Persons Report. Yet despite this clear, compelling, and thoroughly documented evidence of Uzbekistan's abject failure to live up to its international commitments under ILO Convention 182, business goes on as usual. Uzbekistan has received no sanction and continues to receive trade benefits from the United States under the Generalized System of Preference.

The work performed by these children, stooped over to pick cotton under a hot Sun, also falls under the category of hazardous work. Hazardous work is by its very nature likely to harm the health and safety of children. Hazardous work exposes children to physical, emotional, or even sexual abuse. It includes children working underground in mines, underwater, at dangerous heights, or in confined spaces. Children work with dangerous machinery, equipment, and tools. They may work in in unhealthy environments, exposed to hazardous substances like nicotine in tobacco fields or to extreme temperatures, noise levels, or vibrations that can damage growing bodies. Some children are even forced to work such long hours that they are up for entire nights or are not allowed to return to their own home at the end of the day.

The ILO estimates that 115 million children perform hazardous work. Forty-one million of these are girls and 74 million are boys. Sixty-two million are between the ages of 15 and 17, and 53 million are 14 years old or younger.

It is vitally important to get children out of the worst forms of child labor, including hazardous work, so they may attend school, do well in their studies, and gain the knowledge and skills necessary to build a decent life. To this end, the U.S. Government needs to approach the scourge of child labor in a holistic manner. We need to address the underlying poverty that forces so many children to forgo schooling in order to meet even their most basic needs.

Fortunately, through the Department of Labor, the United States has undertaken projects to do just that. In Ghana, DOL is working with the ILO and the Government of Ghana to implement a new, holistic program to reduce child labor in the cocoa sector by 70 percent by 2020. This effort has gone hand-in-hand with a renewed effort by the international cocoa industry, which has pledged \$7 million in new funding to this fight. I have been personally involved in this effort with my good friend and colleague in the House of Representatives, Congressman ELIOT ENGEL of New York.

In fact, this unified effort of the U.S. Government, the Ghanaian Government, and the cocoa industry recently reviewed innovative programs proposed by the cocoa industry in support of its \$7 million pledge. It is my hope that this approach, governments working hand-in-hand with industry and implementing partners, can become a model to combat the worst forms of child labor worldwide.

This is just one example of many Department of Labor programs that are in progress all over the world. Another such program, in Guatemala, takes at-risk children and provides them after-school activities that reinforce their education, giving them an opportunity for recreation and personal growth in stark contrast to the stunted prospects that follow from being forced to work long hours. Another program, in Lahore, Pakistan, has redesigned the looms people use to weave carpets, eliminating hazards such as back injuries and bone deformities that have plagued children. These and other Department of Labor projects form the backbone of U.S. efforts to combat the worst forms of child labor.

It is not enough to do this just at the Department of Labor though. In Afghanistan, a 2006 UNICEF report estimated that one in four children between the ages of 7 and 14 is subject to the worst forms of child labor. As the Department of Defense and other departments are spending huge amounts of U.S. taxpayer dollars in Afghanistan, it is vitally important to require child labor protections in our various programs and contracts in that country.

Starting this year, a Department of Defense contract to provide market access to Afghan carpet makers will work

hand-in-hand with the proven GoodWeave certification system to assure that the carpets made under this taxpayer-funded program are not made with the worst forms of child labor.

So while there has been much progress made, and our efforts abroad are continuing to build success, we must remain vigilant, even here at home. Regrettably, there are some States here in the United States that are trying to undermine the fundamental protections we have afforded to children for generations. For example, the Republican-controlled legislature of Maine decided to pass a bill stripping State-level child labor protections. Maine's Republican Governor decided it would be better for his State to take a step backward because he personally went to work at age 11, and, as he put it, "It's not a big deal. Work doesn't hurt anybody."

Well, I would like to tell you how putting a job before children's education can set them back. At a time when it seems that most new jobs require high skill levels, great harm is done by denying these children a chance to acquire these skills. We need to be educating the next generation of doctors, engineers, and scientists. However, the OECD shows that the United States has slipped to the 23rd best country at science education and 31st at math.

We are not going to catch up to other countries if our children are spending too much time working at McDonald's or Burger King. I agree that having a part-time job after school or on weekends can be beneficial. However, studies have shown that teenagers working more than 20 hours a week have a greater tendency toward academic and behavioral problems, as well as higher dropout rates. The United States should aspire to being the country that outbuilds, outeducates and outinnovates. If we continue undermining our child labor laws and neglecting education, we will be the country that outgrills, outflips and outfries!

There are even some Members of the Senate who have questioned whether child labor laws are constitutional. Apparently the protection of our most vulnerable children from exploitation isn't part of protecting the general welfare. Apparently the Supreme Court was incorrect when it unanimously upheld the Fair Labor Standards Act 70 years ago.

It is for all of these reasons that I continue the fight against the worst forms of child labor. It is also why I have come to the floor today to salute the World Day Against Child Labor. But 1 day is not enough. We should be focused on the needs of these children not only on June 12 each year but 365 days a year.

SOUTHEASTERN DISASTER TAX RELIEF ACT

Mr. INHOFE. Mr. President, I rise today to express my support for Senator SHELBY's recently introduced bill, the Southeastern Disaster Tax Relief Act, of which I am an original cosponsor.

As an Oklahoma native, I have seen and experienced just how devastating severe weather can be. Since 1950, there have been approximately 3,300 tornadoes that have killed nearly 500 people in Oklahoma alone. Scores more have been injured. According to the National Oceanic and Atmospheric Administration, tornadoes cause \$1.1 billion of damage on average per year, and this does not account for the unquantifiable cost of the loss of a loved one, a home, or a business.

You may recall the F5 tornado that swept through Oklahoma on May 3, 1999. This storm alone caused \$1.9 billion in damages, killed 48 people, and destroyed the town of Moore, OK. Survivors of this storm described being trapped under the debris of their homes, the panicked rescue effort to find neighbors, and the overwhelming sadness accompanied by loss. When I visited Tushka, OK, on April 15 of this year, following its devastating storms, I witnessed firsthand the same type of devastation.

It is estimated that the damage caused by tornadoes in Oklahoma on May 24 of this year will cost between \$200 and \$300 million. In addition, the storms in Joplin, MO, may have caused an additional \$3 billion in losses. Clearly, these areas are in need of assistance, particularly since insurance payments will not remove out-of-pocket expenses families and businesses will have to pay as they rebuild their lives.

Under the current Tax Code, there is some relief available to families and businesses that experience damage in hard hit areas. In addition to being able to deduct most losses from the disaster on their taxes, individuals who receive disaster mitigation assistance, such as a FEMA grant, do not have to report the assistance as income. Additionally, Congress has, in the past, passed a number of temporary provisions to provide additional relief to victims of severe natural disasters, such as the Heartland Relief Act, the Katrina Emergency Tax Relief Act, and the Gulf Opportunity Zone Act.

Senator SHELBY's Southeastern Disaster Tax Relief Act does the same thing and provides targeted, temporary tax relief to folks who have been hit by strong storms in recent months. The provisions of his bill have been selected from a number of the previous emergency tax relief acts enacted in past years. This is beneficial and worth mentioning because the IRS has already drafted guidance documents for all of the relief provisions, making it easier for taxpayers to take advantage

of the relief. We also know the provisions in this bill will actually help people recover. The relief has worked in the past, and it will work again today.

Any individual or business located in a county that has been declared a major disaster area by the president is eligible for the relief provided by this bill if those counties are eligible for either "individual" or "individual and public" assistance through FEMA.

These assistance designations are allowed only to the hardest hit areas. In my State of Oklahoma, the qualifying counties include Canadian, Delaware, Grady, Kingfisher, Logan, McClain, and Atoka. These are the areas around Piedmont, Tushka, and Grove, Oklahoma. Public assistance funds are generally made available to States and localities to help pay for the removal of debris and to repair, replace, and restore disaster-damaged publicly owned facilities. Individual assistance, provided through FEMA and the SBA consists of grants and loans made directly to individuals. These grants are need-based, and can be issued to provide temporary housing or to help repair or replace a family's home if their insurance coverage falls short. In the most severe cases, additional assistance is provided.

While it is good FEMA provides this assistance, many individuals and businesses will not qualify despite being hit hard by the storms. And while permanent tax provisions do help individuals and businesses account for their losses and insurance payments, they do little beyond that to help folks get back on their feet. This underscores the need for the Southeastern Disaster Tax Relief Act.

Under the act, individuals would be allowed, among other things, to make early withdrawals from their tax-preferred retirement plans without having to pay tax penalties. Current tax law discourages early withdrawals by imposing a 10 percent tax penalty on most early withdrawals from accounts like Roth IRAs. This is fine under normal circumstances, but as individuals recover from disasters like this, they should be able to tap into their own resources without being penalized. This will likely help many families avoid going into debt or relying on government grants to repair their homes and property.

Individuals will also be able to deduct an unlimited amount of cash charitable contributions to nonprofit entities when the donations are allocated toward disaster relief efforts in the affected areas. Current policy limits the amount of income that can be deducted from charitable giving. This bill would temporarily suspend this provision.

Businesses will be allowed to immediately expense 50 percent of the cost of demolishing and/or cleaning up damaged property. This will allow them to recognize their losses more quickly

than current policy, which requires them to capitalize cleanup costs into the construction or repair of their property.

Small businesses will also be provided with a tax credit for 40 percent of wages up to \$23,400 paid to employees retained while a business is inoperable because of the storm. With unemployment hovering around 9 percent, this provision will help struggling employers retain and continue paying employees despite the fact that their business have been destroyed by the storm and remaining closed for business.

Public utility companies in Oklahoma and other states will be allowed to carry back the disaster losses to their property for 5 years. This will allow them to quickly realize their losses from a tax perspective, and the consequent savings will be available for them to more swiftly rebuild their infrastructure so that service can be returned to their customers.

Lastly, States will be allowed to float additional private activity bonds beyond the caps presently set by statute. The amount will be limited by the number of people whose primary residence is located in the areas affected by the disasters.

The provisions I mentioned are only a sample of what is provided in this bill. I must underscore, however, that this bill is highly targeted and temporary. It is also deficit neutral. Most of the provisions in the bill only last for the next year or so; others expire at the end of 2013 and 2014. In total, this bill is expected to provide over \$5 billion in tax relief.

This bill has been designated an emergency—as I believe it should be. It is targeted, temporary relief in response to an unpredictable disaster. Usually we do not require ourselves to find immediate savings to offset the cost of emergency provisions, but in our present age of trillion dollar deficits, we need to offset deficits wherever possible. Senator SHELBY has offset the cost of this bill by rescinding \$12 billion in unobligated appropriations that remain unexpired. This provision applies to all Departments except the Departments of Defense and Veterans Affairs.

In short, this bill is a necessary and commonsense tax proposal to help tornado victims. It is also fully paid for, making it fiscally responsible. I urge swift consideration and passage of this act.

TRIBUTE TO DOROTHY BOGER

Mr. CRAPO. Mr. President, I rise today to honor one of my longtime staff members, who has decided for the second time to leave my employ. Dorothy Boger's service as part of my staff started on the first day I became a Member of Congress; she was the veteran staffer, the only one with any Hill

experience, on my first day in office in 1993. While her job title was scheduler, she did so much more. She came to my office with several years of experience working for her home State Congressman, the Honorable Clyde C. Holloway of Louisiana, and the training that she received there served me very well over the next 18 years. On that first day, my office was one of the few that had staplers, copy paper, and wastepaper baskets—all because Dorothy already knew what to expect coming into a brand-new office. During my 6 years in the U.S. House of Representatives, Dorothy oversaw my office operation and my schedule; she kept us running, paid attention to the details and made sure that everyone from Idaho got a dose of Southern charm. We often say that she is from southern Idaho, way southern Idaho.

When I was elected to the Senate in 1998, Dorothy came with me to start up another office on the other side of the Hill. But, by that time, her family priorities had shifted and after a few months, she realized that she needed to be home with her young son and soon after she had another on the way. It was hard to say good-bye the first time, and it was terrific when an opportunity presented itself that was perfect to bring her back to the office. She has contributed in the second go-round in the communications field, and it is difficult to recognize that she means it this time when she says she is retiring.

Dorothy's priorities have always been very clear. She and her husband Bill have a young family, and she has been able to arrange her schedule to be with them as much as possible. But this year has been very trying for her as she has faced the loss of her beloved mother and eldest sister. She says that it has brought those priorities into even sharper focus, and I cannot argue with her desire to spend time at home, have the opportunity to visit family who live far away and enjoy more freedom to accomplish all that makes her most happy.

We will miss her deeply, and for far more reasons than the delicious double chocolate Ghirardelli brownies that she frequently brings to the office to share. Her positive spirit and support have left an indelible mark, and I wish her all the best.

ADDITIONAL STATEMENTS

USGS ALBUQUERQUE SEISMOLOGICAL LABORATORY

• Mr. BINGAMAN. Mr. President, I wish to honor the USGS Albuquerque Seismological Laboratory, ASL, on the occasion of its 50th anniversary. I would like to congratulate the ASL for 50 years of distinguished service to the State of New Mexico.

From its quiet location just outside of Albuquerque on the Isleta Pueblo,

ASL has become an indispensable hub for seismological research over the past 50 years. Today, it is at the center of several globe-spanning networks that facilitate the sharing and analysis of seismological data. ASL researchers help design and deploy the Global Seismograph Network, which now connects over 150 monitoring stations around the world. The authoritative research conducted there contributes immeasurably to the field of seismology.

The real importance of ASL's research cannot be overstated. ASL's role in the emerging fields of earthquake and tsunami monitoring is invaluable for developing tools to save lives when natural disasters occur. Additionally, ASL provides vital data used to help monitor and detect nuclear tests by the Comprehensive Test Ban Treaty Organization, CTBTO.

I thank the ASL for its important contributions to both the scientific community and the public good and wish it success in the next 50 years and more.●

TRIBUTE TO JESSIE RUTH WALTON AND FRANCIS JAMES WALTON

● Mrs. MURRAY. Mr. President, it is crucial that we never forget to honor our veterans for their service and dedication to this nation. As the chairman of the Senate Veterans' Affairs Committee, I would like to recognize and applaud the service of Mr. Francis James Walton and Mrs. Jessie Ruth Walton, both of whom served our Nation during World War II and turn 90 years old this year.

Mrs. Jessie Ruth Walton was born in Exeter, VA, on May 31, 1921. Heeding the call to service, she enlisted in the Navy WAVES in 1943 and went on to serve her country during World War II as a pharmacist, dispensing needed medicine for the troops in Washington, DC, and in Long Beach, CA.

Mr. James Walton, Jessie's husband, was born in Cadillac, MI, on July 14, 1921. He enlisted in the U.S. Marines in 1941. He served in Carlson's Raiders of the 2d Marine Battalion, an elite unit that was among the first U.S. special operations forces to see combat in World War II. Jim's time in the Marines included deployment to the South Pacific, where he fought in Bougainville and Guadalcanal Island, contributing to a strategic victory that turned the tide for the Allied forces in the Pacific. A valiant warrior, he spent 30 days fighting behind enemy lines, 30 days that must have felt a lifetime.

Following World War II, Jim returned to Michigan, where he obtained a college degree and married Jessie Ruth Meade. After his time in the service, Jim began teaching and ultimately found a rewarding career at General Motors, where he worked for 30 years before retiring. Together, Jim and Jes-

sie raised a family of four children—James, Susan, Julie, and Jane—who have picked up the mantle of their parents in service to their communities in a range of capacities. In particular, I am delighted to note that their son Jim serves as president of Centralia College in my home State of Washington. Mr. and Mrs. Walton are also fortunate to have 10 grandchildren and 6 great-grandchildren.

I am delighted to extend birthday wishes and gratitude to the Waltons on this joyous occasion. I wish them and their family all the best as they celebrate this wonderful milestone.●

TRIBUTE TO STEPHANIE WHEELER

● Mrs. SHAHEEN. Mr. President, today I wish to offer my sincere congratulations to an exceptional teacher from New Hampshire.

Stephanie Wheeler has been chosen to receive the Presidential Award for Excellence in Mathematics and Science Teaching. This award honors teachers who have made exceptional contributions to their students and to their profession. I congratulate Ms. Wheeler for her outstanding accomplishments and commitment to New Hampshire's students.

Our country's competitiveness in the global economy requires us to foster the development of our students in math and science. Educators like Stephanie are essential to this effort because they are able to engage students and help them develop a love for these important subjects. I am pleased to see Stephanie honored for her work.

Stephanie has been the title I mathematics supervisor and coach at Wilson Elementary School in Manchester for the last 4 years. In this position, Stephanie oversees all title I mathematics certified instructors and monitors the implementation of the mathematics curriculum for teachers in kindergarten through fifth grade. She also teaches mathematics daily to second, third, and fifth graders.

Prior to her time at Wilson Elementary School, Stephanie spent 5 years as the district title I math coach for the Manchester School District. She also served as a middle school math teacher for both the Bedford and Laconia school districts for 9 years.

In addition to her responsibilities as an educator and title I supervisor, Stephanie has presented workshops at local, state, and national mathematics conferences. She also serves as the elementary representative on the New Hampshire Teachers of Mathematics Board of Directors. Her dedication to improving mathematics education in New Hampshire and throughout the country by sharing her knowledge with other educators is truly commendable.

The Presidential Award for Excellence in Mathematics and Science Teaching is the most prestigious honor

awarded to mathematics and science teachers in the country. As a former teacher myself, I am especially proud of the role that Stephanie plays in educating the next generation of Americans. I am honored to recognize Stephanie Wheeler's exceptional dedication to her students and her subject and to congratulate her for her commitment to excellence in teaching.●

MESSAGE FROM THE HOUSE

At 11:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2055. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 276H, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Mr. MACK of Florida, Mr. NUNES of California, Mr. BILBRAY of California, and Mr. CANSECO of Texas.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2055. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2128. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-034, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2129. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Synchronized Predeployment and Operational Tracker (SPOT) ((RIN0750-AH26) (DFARS Case 2011-D030)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Armed Services.

EC-2130. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Global Hawk program; to the Committee on Armed Services.

EC-2131. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Assembled Chemical Weapons Alternatives (ACWA) program; to the Committee on Armed Services.

EC-2132. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "C9 Rich Aromatic Hydrocarbons, C10-11 Rich Aromatic Hydrocarbons, and C11-12 Rich Aromatic Hydrocarbons; Exemption from the Requirement of a Tolerance" (FRL No. 8876-2) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2133. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diethylene Glycol MonoEthyl Ether (DEGEE); Exemption from the Requirement of a Tolerance" (FRL No. 8877-1) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2134. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the realistic survivability testing of the Mobile Landing Platform; to the Committee on Armed Services.

EC-2135. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Foreign Assets Control Regulations; Transaction Control Regulations (Regulations Prohibiting Transactions Involving the Shipment of Certain Merchandise Between Foreign Countries)" (31 CFR Part 500 and 505) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2136. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standards of Performance for Stationary Compression Ignition and Spark Ignition Internal Combustion Engines" (FRL No. 9319-5) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Environment and Public Works.

EC-2137. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Plating and Polishing" (FRL No. 9320-6) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Environment and Public Works.

EC-2138. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Review of New Sources and Modifications in Indian Country" (FRL No. 9320-2) received in the Office

of the President of the Senate on June 15, 2011; to the Committee on Environment and Public Works.

EC-2139. A communication from the Chair of the Medicaid and CHIP Payment Access Commission, transmitting the commission's "Report to the Congress: The Evolution of Managed Care in Medicaid"; to the Committee on Finance.

EC-2140. A communication from the Assistant Secretary of the Department of the Treasury, transmitting, pursuant to law, a report relative to Executive Order 11269 and International Monetary and Financial Policies; to the Committee on Foreign Relations.

EC-2141. A communication from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities and Selection Criterion; National Institute on Disability and Rehabilitation Research (NIDRR)—Spinal Cord Injury Model Systems (SCIMS) Centers and SCIMS Multi-Site Collaborative Research Projects" (CFDA Nos. 84.133N-1 and 84.133A-15) received in the Office of the President of the Senate on June 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2142. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR)—Disability Rehabilitation Research Project (DRRP)—Disability in the Family" (CFDA No. 84.133A-09) received in the Office of the President of the Senate on June 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2143. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Department of Agriculture's Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COATS (for himself and Mr. LUGAR):

S. 1197. A bill to provide for a feasibility study before carrying out any Federal action relating to the Chicago Area Water System; to the Committee on Environment and Public Works.

By Mr. KERRY:

S. 1198. A bill to reauthorize the Essex National Heritage Area; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, and Mr. LEAHY):

S. 1199. A bill to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS (for himself, Mr. NELSON of Florida, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. FRANKEN, and Mr. WHITEHOUSE):

S. 1200. A bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive

oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LIEBERMAN (for himself, Mr. CRAPO, Mr. TESTER, Mr. BINGAMAN, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BEGICH, Mr. CARDIN, and Mr. UDALL of Colorado):

S. 1201. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself, Mr. LEVIN, Mr. AKAKA, and Mr. DURBIN):

S. 1202. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. ISAKSON, Ms. KLOBUCHAR, and Mr. INOUE):

S. 1203. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program; to the Committee on Finance.

By Mr. UDALL of Colorado:

S. 1204. A bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes; to the Committee on Armed Services.

By Mr. SHELBY (for himself, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mrs. HAGAN, Mr. INHOFE, Mr. ISAKSON, Mrs. MCCASKILL, Mr. PRYOR, and Mr. SESSIONS):

S. 1205. A bill to provide temporary tax relief for areas damaged by 2011 Southeastern severe storms, tornados, and flooding, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. BINGAMAN, Ms. STABENOW, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mrs. BOXER, Mr. FRANKEN, and Mr. MERKLEY):

S. 1206. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. ROCKEFELLER):

S. 1207. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Ms. CANTWELL):

S. 1208. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. LEE):

S. 1209. A bill to clarify authority granted under the Act entitled "An Act to define the

exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes"; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio (for himself and Mr. MERKLEY):

S. 1210. A bill to improve domestic procurement policies by providing rules and guidance, waiver notices, and departmental and agency actions applicable to the domestic content standards of Federal grants administered by the Department of Transportation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. REED, and Mrs. BOXER):

S. 1211. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 1212. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Mr. MCCAIN, Ms. MURKOWSKI, and Mr. WEBB):

S. Res. 208. A resolution expressing the sense of the Senate regarding Mongolian President Tsakhiagiin Elbegdorj's visit to Washington, D.C., and its support for the growing partnership between the United States and Mongolia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. INOUE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 50, a bill to strengthen Federal consumer product safety programs and activities with respect to commercially-marketed seafood by directing the Secretary of Commerce to coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities.

S. 89

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 229

At the request of Mr. BEGICH, the name of the Senator from Maryland

(Ms. MIKULSKI) was added as a cosponsor of S. 229, a bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically-engineered fish.

S. 230

At the request of Mr. BEGICH, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 230, a bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the approval of genetically-engineered fish.

S. 251

At the request of Mr. VITTER, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 251, a bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Hawaii (Mr. AKAKA) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 482

At the request of Mr. INHOFE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 482, a bill to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes.

S. 483

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 483, a bill to amend title XVIII of the Social Security Act to provide for the treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 570

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cata-

loguing the purchases of multiple rifles and shotguns.

S. 658

At the request of Ms. KLOBUCHAR, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 740

At the request of Mr. REED, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 755

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 797

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 855

At the request of Ms. STABENOW, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 855, a bill to make available such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs,

which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 958

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Indiana (Mr. COATS), the Senator from Arkansas (Mr. PRYOR), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1098

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 1098, a bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes.

S. 1145

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1145, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. 1169

At the request of Mr. NELSON of Nebraska, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1169, a bill to provide for benchmarks to evaluate progress being made toward the goal of transitioning security responsibilities in Afghanistan to the Government of Afghanistan.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1181

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1181, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1196

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1196, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mr. MCCONNELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S.J. Res. 17, *supra*.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from Texas (Mr. CORNYN), the Senator from Missouri (Mr. BLUNT), the Senator from Wyoming (Mr. ENZI) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 22

At the request of Mr. MCCAIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. Con. Res. 22, a concurrent resolution expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and heroic significance of Jack Johnson and unduly tarnished his reputation.

S. CON. RES. 23

At the request of Mr. HATCH, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of

S. Con. Res. 23, a concurrent resolution declaring that it is the policy of the United States to support and facilitate Israel in maintaining defensible borders and that it is contrary to United States policy and national security to have the borders of Israel return to the armistice lines that existed on June 4, 1967.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mr. SCHUMER), the Senator from Alabama (Mr. SHELBY), the Senator from North Carolina (Mrs. HAGAN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 202

At the request of Mr. CONRAD, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 202, a resolution designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day".

AMENDMENT NO. 405

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 405 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 433

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 433 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 460

At the request of Mr. DEMINT, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of amendment No. 460 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 467

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 467 intended to be proposed to S. 782, a bill to amend the

Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself,
Ms. SNOWE, and Mr. LEAHY):

S. 1199. A bill to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce, together with Senator SNOWE, legislation today to protect one of Americans' most valuable but vulnerable assets: Social Security numbers.

The Protecting the Privacy of Social Security Numbers Act would protect personal privacy and reduce identity theft by eliminating the unnecessary use and display of Social Security numbers.

Since the 106th Congress, I have worked to safeguard Social Security numbers. I believe that the widespread display and use of these numbers poses a significant, and entirely preventable, threat to Americans' personal privacy.

In 1935, Congress authorized the Social Security Administration to issue Social Security numbers as part of the Social Security program. Since that time, Social Security numbers have become the best known and easiest way to identify individuals in the United States.

Use of these numbers has expanded well beyond their original purpose. Social Security numbers are now used for everything from credit checks to rental agreements to employment verifications, among other purposes. They can be found in privately held databases and on public records, including marriage licenses, professional certifications, and countless other public documents, many of which are available on the Internet.

Once accessed, the numbers act like keys, allowing thieves to open credit card and bank accounts and even begin applying for government benefits.

According to the Federal Trade Commission, between 8 and 10 million Americans have their identities stolen by such thieves each year, at a combined cost of billions of dollars.

What's worse, victims often do not realize that a theft has occurred until much later, when they learn that their credit has been destroyed by unpaid debt on fraudulently opened accounts.

One thief stole a retired Army Captain's military identification card and used his Social Security number, listed on the card, to go on a 6-month, \$260,000 shopping spree. By the time the Army Captain realized what had happened, the thief had opened more than 60 fraudulent accounts.

A single mother of two went to file her taxes and learned that a fraudulent return had already been filed in her name by someone else, a thief who wanted her refund check.

A former pro-football player received a phone call notifying him that a \$1 million home mortgage loan had been approved in his name even though he had never applied for such a loan.

Identity theft is serious. Once an individual's identity is stolen, people are often subjected to countless hours and costs attempting to regain their good name and credit. In 2004, victims spent an average of 300 hours recovering from the crime. The crime disrupts lives and can destroy finances.

It also hurts American businesses. A 2006 online survey by the Business Software Alliance and Harris Interactive found that nearly 30 percent of adults decided to shop online less or not at all during the holiday season because of fears about identity theft.

When people's identities are stolen, they often do not know how the thieves obtained their personal information. Social security numbers and other key identifying data are displayed and used in such a widespread manner that individuals could not successfully restrict access themselves.

Limitations on the display of Social Security numbers are critically needed.

In the last Congress, Senator Judd Gregg of New Hampshire and I worked together to pass a bill to prevent Federal, State, and local entities from printing social security numbers on government checks and to prohibit government entities from employing prisoners in jobs like data entry that gave them access to people's social security numbers.

But comprehensive legislation is still needed.

The U.S. Government Accountability Office conducted studies of this problem in 2002 and 2007. Both times—in studies entitled *Social Security Numbers Are Widely Used by Government and Could Be Better Protected* and *Social Security numbers: Use Is Widespread and Could Be Improved*, the GAO concluded that current protections are insufficient and that serious vulnerabilities remain.

The Protecting the Privacy of Social Security Numbers Act would require government agencies and businesses to do more to protect Americans' Social Security numbers. The bill would stop the sale or display of a person's Social Security number without his or her express consent; prevent Federal, State, and local governments from displaying Social Security numbers on public records posted on the Internet; limit the circumstances in which businesses could ask a customer for his or her Social Security number; commission a study by the Attorney General regarding the current uses of Social Security

numbers and the impact on privacy and data security; and institute criminal and civil penalties for misuse of Social Security numbers.

I believe this legislation could play a critical role in halting the growing epidemic of identity theft that has been plaguing America and its citizens.

As President George W. Bush's Identity Theft Task Force reported to us now three years ago, "[i]dentity theft depends on access to . . . data. Reducing the opportunities for thieves to get the data is critical to fighting the crime."

Every agency to study this problem has agreed that the problem will continue to grow over time and that action is needed.

I urge my colleagues to support the Protecting the Privacy of Social Security Numbers Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Protecting the Privacy of Social Security Numbers Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Prohibition of the display, sale, or purchase of Social Security numbers.
- Sec. 4. Application of Prohibition of the display, sale, or purchase of Social Security numbers to public records.
- Sec. 5. Rulemaking authority of the Attorney General.
- Sec. 6. Limits on personal disclosure of a Social Security number for consumer transactions.
- Sec. 7. Extension of civil monetary penalties for misuse of a Social Security number.
- Sec. 8. Criminal penalties for the misuse of a Social Security number.
- Sec. 9. Civil actions and civil penalties.
- Sec. 10. Federal injunctive authority.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The inappropriate display, sale, or purchase of Social Security numbers has contributed to a growing range of illegal activities, including fraud, identity theft, and, in some cases, stalking and other violent crimes.

(2) While financial institutions, health care providers, and other entities have often used Social Security numbers to confirm the identity of an individual, the general display to the public, sale, or purchase of these numbers has been used to commit crimes, and also can result in serious invasions of individual privacy.

(3) The Federal Government requires virtually every individual in the United States to obtain and maintain a Social Security number in order to pay taxes, to qualify for Social Security benefits, or to seek employment. An unintended consequence of these

requirements is that Social Security numbers have become one of the tools that can be used to facilitate crime, fraud, and invasions of the privacy of the individuals to whom the numbers are assigned. Because the Federal Government created and maintains this system, and because the Federal Government does not permit individuals to exempt themselves from those requirements, it is appropriate for the Federal Government to take steps to stem the abuse of Social Security numbers.

(4) The display, sale, or purchase of Social Security numbers in no way facilitates uninhibited, robust, and wide-open public debate, and restrictions on such display, sale, or purchase would not affect public debate.

(5) No one should seek to profit from the display, sale, or purchase of Social Security numbers in circumstances that create a substantial risk of physical, emotional, or financial harm to the individuals to whom those numbers are assigned.

(6) Consequently, this Act provides each individual that has been assigned a Social Security number some degree of protection from the display, sale, and purchase of that number in any circumstance that might facilitate unlawful conduct.

SEC. 3. PROHIBITION OF THE DISPLAY, SALE, OR PURCHASE OF SOCIAL SECURITY NUMBERS.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1028A the following:

“§ 1028B. Prohibition of the display, sale, or purchase of Social Security numbers

“(a) DEFINITIONS.—In this section:

“(1) DISPLAY.—The term ‘display’ means to intentionally communicate or otherwise make available (on the Internet or in any other manner) to the general public an individual’s Social Security number.

“(2) PERSON.—The term ‘person’ means any individual, partnership, corporation, trust, estate, cooperative, association, or any other entity.

“(3) PURCHASE.—The term ‘purchase’ means providing directly or indirectly, anything of value in exchange for a Social Security number.

“(4) SALE.—The term ‘sale’ means obtaining, directly or indirectly, anything of value in exchange for a Social Security number.

“(5) STATE.—The term ‘State’ means any State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any territory or possession of the United States.

“(b) LIMITATION ON DISPLAY.—Except as provided in section 1028C, no person may display any individual’s Social Security number to the general public without the affirmatively expressed consent of the individual.

“(c) LIMITATION ON SALE OR PURCHASE.—Except as otherwise provided in this section, no person may sell or purchase any individual’s Social Security number without the affirmatively expressed consent of the individual.

“(d) PREREQUISITES FOR CONSENT.—In order for consent to exist under subsection (b) or (c), the person displaying or seeking to display, selling or attempting to sell, or purchasing or attempting to purchase, an individual’s Social Security number shall—

“(1) inform the individual of the general purpose for which the number will be used, the types of persons to whom the number may be available, and the scope of transactions permitted by the consent; and

“(2) obtain the affirmatively expressed consent (electronically or in writing) of the individual.

“(e) EXCEPTIONS.—Nothing in this section shall be construed to prohibit or limit the display, sale, or purchase of a Social Security number—

“(1) required, authorized, or excepted under any Federal law;

“(2) for a public health purpose, including the protection of the health or safety of an individual in an emergency situation;

“(3) for a national security purpose;

“(4) for a law enforcement purpose, including the investigation of fraud and the enforcement of a child support obligation;

“(5) if the display, sale, or purchase of the number is for a use occurring as a result of an interaction between businesses, governments, or business and government (regardless of which entity initiates the interaction), including, but not limited to—

“(A) the prevention of fraud (including fraud in protecting an employee’s right to employment benefits);

“(B) the facilitation of credit checks or the facilitation of background checks of employees, prospective employees, or volunteers;

“(C) the retrieval of other information from other businesses, commercial enterprises, government entities, or private nonprofit organizations; or

“(D) when the transmission of the number is incidental to, and in the course of, the sale, lease, franchising, or merger of all, or a portion of, a business;

“(6) if the transfer of such a number is part of a data matching program involving a Federal, State, or local agency; or

“(7) if such number is required to be submitted as part of the process for applying for any type of Federal, State, or local government benefit or program;

except that, nothing in this subsection shall be construed as permitting a professional or commercial user to display or sell a Social Security number to the general public.

“(f) LIMITATION.—Nothing in this section shall prohibit or limit the display, sale, or purchase of Social Security numbers as permitted under title V of the Gramm-Leach-Bliley Act, or for the purpose of affiliate sharing as permitted under the Fair Credit Reporting Act, except that no entity regulated under such Acts may make Social Security numbers available to the general public, as may be determined by the appropriate regulators under such Acts. For purposes of this subsection, the general public shall not include affiliates or unaffiliated third-party business entities as may be defined by the appropriate regulators.”.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1028 the following:

“1028B. Prohibition of the display, sale, or purchase of Social Security numbers.”.

(b) STUDY; REPORT.—

(1) IN GENERAL.—The Attorney General shall conduct a study and prepare a report on all of the uses of Social Security numbers permitted, required, authorized, or excepted under any Federal law. The report shall include a detailed description of the uses allowed as of the date of enactment of this Act, the impact of such uses on privacy and data security, and shall evaluate whether such uses should be continued or discontinued by appropriate legislative action.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Attor-

ney General shall report to Congress findings under this subsection. The report shall include such recommendations for legislation based on criteria the Attorney General determines to be appropriate.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 30 days after the date on which the final regulations promulgated under section 5 are published in the Federal Register.

SEC. 4. APPLICATION OF PROHIBITION OF THE DISPLAY, SALE, OR PURCHASE OF SOCIAL SECURITY NUMBERS TO PUBLIC RECORDS.

(a) PUBLIC RECORDS EXCEPTION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code (as amended by section 3(a)(1)), is amended by inserting after section 1028B the following:

“§ 1028C. Display, sale, or purchase of public records containing Social Security numbers

“(a) DEFINITION.—In this section, the term ‘public record’ means any governmental record that is made available to the general public.

“(b) IN GENERAL.—Except as provided in subsections (c), (d), and (e), section 1028B shall not apply to a public record.

“(c) PUBLIC RECORDS ON THE INTERNET OR IN AN ELECTRONIC MEDIUM.—

“(1) IN GENERAL.—Section 1028B shall apply to any public record first posted onto the Internet or provided in an electronic medium by, or on behalf of a government entity after the date of enactment of this section, except as limited by the Attorney General in accordance with paragraph (2).

“(2) EXCEPTION FOR GOVERNMENT ENTITIES ALREADY PLACING PUBLIC RECORDS ON THE INTERNET OR IN ELECTRONIC FORM.—Not later than 60 days after the date of enactment of this section, the Attorney General shall issue regulations regarding the applicability of section 1028B to any record of a category of public records first posted onto the Internet or provided in an electronic medium by, or on behalf of a government entity prior to the date of enactment of this section. The regulations will determine which individual records within categories of records of these government entities, if any, may continue to be posted on the Internet or in electronic form after the effective date of this section. In promulgating these regulations, the Attorney General may include in the regulations a set of procedures for implementing the regulations and shall consider the following:

“(A) The cost and availability of technology available to a governmental entity to redact Social Security numbers from public records first provided in electronic form after the effective date of this section.

“(B) The cost or burden to the general public, businesses, commercial enterprises, nonprofit organizations, and to Federal, State, and local governments of complying with section 1028B with respect to such records.

“(C) The benefit to the general public, businesses, commercial enterprises, nonprofit organizations, and to Federal, State, and local governments if the Attorney General were to determine that section 1028B should apply to such records.

Nothing in the regulation shall permit a public entity to post a category of public records on the Internet or in electronic form after the effective date of this section if such category had not been placed on the Internet or in electronic form prior to such effective date.

“(d) HARVESTED SOCIAL SECURITY NUMBERS.—Section 1028B shall apply to any public record of a government entity which contains Social Security numbers extracted from other public records for the purpose of displaying or selling such numbers to the general public.

“(e) ATTORNEY GENERAL RULEMAKING ON PAPER RECORDS.—

“(1) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Attorney General shall determine the feasibility and advisability of applying section 1028B to the records listed in paragraph (2) when they appear on paper or on another nonelectronic medium. If the Attorney General deems it appropriate, the Attorney General may issue regulations applying section 1028B to such records.

“(2) LIST OF PAPER AND OTHER NONELECTRONIC RECORDS.—The records listed in this paragraph are as follows:

- “(A) Professional or occupational licenses.
- “(B) Marriage licenses.
- “(C) Birth certificates.
- “(D) Death certificates.

“(E) Other short public documents that display a Social Security number in a routine and consistent manner on the face of the document.

“(3) CRITERIA FOR ATTORNEY GENERAL REVIEW.—In determining whether section 1028B should apply to the records listed in paragraph (2), the Attorney General shall consider the following:

“(A) The cost or burden to the general public, businesses, commercial enterprises, non-profit organizations, and to Federal, State, and local governments of complying with section 1028B.

“(B) The benefit to the general public, businesses, commercial enterprises, non-profit organizations, and to Federal, State, and local governments if the Attorney General were to determine that section 1028B should apply to such records.”.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 47 of title 18, United States Code (as amended by section 3(a)(2)), is amended by inserting after the item relating to section 1028B the following:

“1028C. Display, sale, or purchase of public records containing Social Security numbers.”.

(b) STUDY AND REPORT ON SOCIAL SECURITY NUMBERS IN PUBLIC RECORDS.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study and prepare a report on Social Security numbers in public records. In developing the report, the Comptroller General shall consult with the Administrative Office of the United States Courts, State and local governments that store, maintain, or disseminate public records, and other stakeholders, including members of the private sector who routinely use public records that contain Social Security numbers.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under paragraph (1). The report shall include a detailed description of the activities and results of the study and recommendations for such legislative action as the Comptroller General considers appropriate. The report, at a minimum, shall include—

(A) a review of the uses of Social Security numbers in non-federal public records;

(B) a review of the manner in which public records are stored (with separate reviews for both paper records and electronic records);

(C) a review of the advantages or utility of public records that contain Social Security numbers, including the utility for law enforcement, and for the promotion of homeland security;

(D) a review of the disadvantages or drawbacks of public records that contain Social Security numbers, including criminal activity, compromised personal privacy, or threats to homeland security;

(E) the costs and benefits for State and local governments of removing Social Security numbers from public records, including a review of current technologies and procedures for removing Social Security numbers from public records; and

(F) an assessment of the benefits and costs to businesses, their customers, and the general public of prohibiting the display of Social Security numbers on public records (with separate assessments for both paper records and electronic records).

(c) EFFECTIVE DATE.—The prohibition with respect to electronic versions of new classes of public records under section 1028C(b) of title 18, United States Code (as added by subsection (a)(1)) shall not take effect until the date that is 60 days after the date of enactment of this Act.

SEC. 5. RULEMAKING AUTHORITY OF THE ATTORNEY GENERAL.

(a) IN GENERAL.—Except as provided in subsection (b), the Attorney General may prescribe such rules and regulations as the Attorney General deems necessary to carry out the provisions of section 1028B(e)(5) of title 18, United States Code (as added by section 3(a)(1)).

(b) DISPLAY, SALE, OR PURCHASE RULEMAKING WITH RESPECT TO INTERACTIONS BETWEEN BUSINESSES, GOVERNMENTS, OR BUSINESS AND GOVERNMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General, in consultation with the Commissioner of Social Security, the Chairman of the Federal Trade Commission, and such other heads of Federal agencies as the Attorney General determines appropriate, shall conduct such rulemaking procedures in accordance with subchapter II of chapter 5 of title 5, United States Code, as are necessary to promulgate regulations to implement and clarify the uses occurring as a result of an interaction between businesses, governments, or business and government (regardless of which entity initiates the interaction) permitted under section 1028B(e)(5) of title 18, United States Code (as added by section 3(a)(1)).

(2) FACTORS TO BE CONSIDERED.—In promulgating the regulations required under paragraph (1), the Attorney General shall, at a minimum, consider the following:

(A) The benefit to a particular business, to customers of the business, and to the general public of the display, sale, or purchase of an individual's Social Security number.

(B) The costs that businesses, customers of businesses, and the general public may incur as a result of prohibitions on the display, sale, or purchase of Social Security numbers.

(C) The risk that a particular business practice will promote the use of a Social Security number to commit fraud, deception, or crime.

(D) The presence of adequate safeguards, procedures, and technologies to prevent—

(i) misuse of Social Security numbers by employees within a business; and

(ii) misappropriation of Social Security numbers by the general public, while permitting internal business uses of such numbers.

(E) The presence of procedures to prevent identity thieves, stalkers, and other individ-

uals with ill intent from posing as legitimate businesses to obtain Social Security numbers.

(F) The impact of such uses on privacy.

SEC. 6. LIMITS ON PERSONAL DISCLOSURE OF A SOCIAL SECURITY NUMBER FOR CONSUMER TRANSACTIONS.

(a) IN GENERAL.—Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following:

“SEC. 1150A. LIMITS ON PERSONAL DISCLOSURE OF A SOCIAL SECURITY NUMBER FOR CONSUMER TRANSACTIONS.

“(a) IN GENERAL.—A commercial entity may not require an individual to provide the individual's Social Security number when purchasing a commercial good or service or deny an individual the good or service for refusing to provide that number except—

“(1) for any purpose relating to—

“(A) obtaining a consumer report for any purpose permitted under the Fair Credit Reporting Act;

“(B) a background check of the individual conducted by a landlord, lessor, employer, voluntary service agency, or other entity as determined by the Attorney General;

“(C) law enforcement; or

“(D) a Federal, State, or local law requirement; or

“(2) if the Social Security number is necessary to verify the identity of the consumer to effect, administer, or enforce the specific transaction requested or authorized by the consumer, or to prevent fraud.

“(b) APPLICATION OF CIVIL MONEY PENALTIES.—A violation of this section shall be deemed to be a violation of section 1129(a)(3)(F).

“(c) APPLICATION OF CRIMINAL PENALTIES.—A violation of this section shall be deemed to be a violation of section 208(a)(8).

“(d) LIMITATION ON CLASS ACTIONS.—No class action alleging a violation of this section shall be maintained under this section by an individual or any private party in Federal or State court.

“(e) STATE ATTORNEY GENERAL ENFORCEMENT.—

“(1) IN GENERAL.—

“(A) CIVIL ACTIONS.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in a practice that is prohibited under this section, the State, as *parens patriae*, may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction to—

“(i) enjoin that practice;

“(ii) enforce compliance with such section;

“(iii) obtain damages, restitution, or other compensation on behalf of residents of the State; or

“(iv) obtain such other relief as the court may consider appropriate.

“(B) NOTICE.—

“(i) IN GENERAL.—Before filing an action under subparagraph (A), the attorney general of the State involved shall provide to the Attorney General—

“(I) written notice of the action; and

“(II) a copy of the complaint for the action.

“(ii) EXEMPTION.—

“(I) IN GENERAL.—Clause (i) shall not apply with respect to the filing of an action by an attorney general of a State under this subsection, if the State attorney general determines that it is not feasible to provide the notice described in such subparagraph before the filing of the action.

“(II) NOTIFICATION.—With respect to an action described in subclause (I), the attorney general of a State shall provide notice and a copy of the complaint to the Attorney General at the same time as the State attorney general files the action.

“(2) INTERVENTION.—

“(A) IN GENERAL.—On receiving notice under paragraph (1)(B), the Attorney General shall have the right to intervene in the action that is the subject of the notice.

“(B) EFFECT OF INTERVENTION.—If the Attorney General intervenes in the action under paragraph (1), the Attorney General shall have the right to be heard with respect to any matter that arises in that action.

“(3) CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this section shall be construed to prevent an attorney general of a State from exercising the powers conferred on such attorney general by the laws of that State to—

“(A) conduct investigations;

“(B) administer oaths or affirmations; or

“(C) compel the attendance of witnesses or the production of documentary and other evidence.

“(4) ACTIONS BY THE ATTORNEY GENERAL OF THE UNITED STATES.—In any case in which an action is instituted by or on behalf of the Attorney General for violation of a practice that is prohibited under this section, no State may, during the pendency of that action, institute an action under paragraph (1) against any defendant named in the complaint in that action for violation of that practice.

“(5) VENUE; SERVICE OF PROCESS.—

“(A) VENUE.—Any action brought under paragraph (1) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

“(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

“(i) is an inhabitant; or

“(ii) may be found.

“(f) SUNSET.—This section shall not apply on or after the date that is 6 years after the effective date of this section.”

(b) EVALUATION AND REPORT.—Not later than the date that is 6 years and 6 months after the date of enactment of this Act, the Attorney General, in consultation with the chairman of the Federal Trade Commission, shall issue a report evaluating the effectiveness and efficiency of section 1150A of the Social Security Act (as added by subsection (a)) and shall make recommendations to Congress as to any legislative action determined to be necessary or advisable with respect to such section, including a recommendation regarding whether to reauthorize such section.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to requests to provide a Social Security number occurring after the date that is 1 year after the date of enactment of this Act.

SEC. 7. EXTENSION OF CIVIL MONETARY PENALTIES FOR MISUSE OF A SOCIAL SECURITY NUMBER.

(a) TREATMENT OF WITHHOLDING OF MATERIAL FACTS.—

(1) CIVIL PENALTIES.—The first sentence of section 1129(a)(1) of the Social Security Act (42 U.S.C. 1320a-8(a)(1)) is amended—

(A) by striking “who” and inserting “who—”;

(B) by striking “makes” and all that follows through “shall be subject to” and inserting the following:

“(A) makes, or causes to be made, a statement or representation of a material fact, for use in determining any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI, that the person knows or should know is false or misleading;

“(B) makes such a statement or representation for such use with knowing disregard for the truth; or

“(C) omits from a statement or representation for such use, or otherwise withholds disclosure of, a fact which the individual knows or should know is material to the determination of any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI and the individual knows, or should know, that the statement or representation with such omission is false or misleading or that the withholding of such disclosure is misleading, shall be subject to”;

(C) by inserting “or each receipt of such benefits while withholding disclosure of such fact” after “each such statement or representation”;

(D) by inserting “or because of such withholding of disclosure of a material fact” after “because of such statement or representation”; and

(E) by inserting “or such a withholding of disclosure” after “such a statement or representation”.

(2) ADMINISTRATIVE PROCEDURE FOR IMPOSING PENALTIES.—The first sentence of section 1129A(a) of the Social Security Act (42 U.S.C. 1320a-8a(a)) is amended—

(A) by striking “who” and inserting “who—”;

(B) by striking “makes” and all that follows through “shall be subject to” and inserting the following:

“(1) makes, or causes to be made, a statement or representation of a material fact, for use in determining any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI, that the person knows or should know is false or misleading;

“(2) makes such a statement or representation for such use with knowing disregard for the truth; or

“(3) omits from a statement or representation for such use, or otherwise withholds disclosure of, a fact which the individual knows or should know is material to the determination of any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI and the individual knows, or should know, that the statement or representation with such omission is false or misleading or that the withholding of such disclosure is misleading, shall be subject to”.

(b) APPLICATION OF CIVIL MONEY PENALTIES TO ELEMENTS OF CRIMINAL VIOLATIONS.—Section 1129(a) of the Social Security Act (42 U.S.C. 1320a-8(a)), as amended by subsection (a)(1), is amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) by redesignating the last sentence of paragraph (1) as paragraph (2) and inserting such paragraph after paragraph (1); and

(3) by inserting after paragraph (2) (as so redesignated) the following:

“(3) Any person (including an organization, agency, or other entity) who—

“(A) uses a Social Security account number that such person knows or should know has been assigned by the Commissioner of Social Security (in an exercise of authority

under section 205(c)(2) to establish and maintain records) on the basis of false information furnished to the Commissioner by any person;

“(B) falsely represents a number to be the Social Security account number assigned by the Commissioner of Social Security to any individual, when such person knows or should know that such number is not the Social Security account number assigned by the Commissioner to such individual;

“(C) knowingly alters a Social Security card issued by the Commissioner of Social Security, or possesses such a card with intent to alter it;

“(D) knowingly displays, sells, or purchases a card that is, or purports to be, a card issued by the Commissioner of Social Security, or possesses such a card with intent to display, purchase, or sell it;

“(E) counterfeits a Social Security card, or possesses a counterfeit Social Security card with intent to display, sell, or purchase it;

“(F) discloses, uses, compels the disclosure of, or knowingly displays, sells, or purchases the Social Security account number of any person in violation of the laws of the United States;

“(G) with intent to deceive the Commissioner of Social Security as to such person's true identity (or the true identity of any other person) furnishes or causes to be furnished false information to the Commissioner with respect to any information required by the Commissioner in connection with the establishment and maintenance of the records provided for in section 205(c)(2);

“(H) offers, for a fee, to acquire for any individual, or to assist in acquiring for any individual, an additional Social Security account number or a number which purports to be a Social Security account number; or

“(I) being an officer or employee of a Federal, State, or local agency in possession of any individual's Social Security account number, willfully acts or fails to act so as to cause a violation by such agency of clause (vi)(II) or (x) of section 205(c)(2)(C), shall be subject to, in addition to any other penalties that may be prescribed by law, a civil money penalty of not more than \$5,000 for each violation. Such person shall also be subject to an assessment, in lieu of damages sustained by the United States resulting from such violation, of not more than twice the amount of any benefits or payments paid as a result of such violation.”

(c) CLARIFICATION OF TREATMENT OF RECOVERED AMOUNTS.—Section 1129(e)(2)(B) of the Social Security Act (42 U.S.C. 1320a-8(e)(2)(B)) is amended by striking “In the case of amounts recovered arising out of a determination relating to title VIII or XVI,” and inserting “In the case of any other amounts recovered under this section.”

(d) CONFORMING AMENDMENTS.—

(1) Section 1129(b)(3)(A) of the Social Security Act (42 U.S.C. 1320a-8(b)(3)(A)) is amended by striking “charging fraud or false statements”.

(2) Section 1129(c)(1) of the Social Security Act (42 U.S.C. 1320a-8(c)(1)) is amended by striking “and representations” and inserting “, representations, or actions”.

(3) Section 1129(e)(1)(A) of the Social Security Act (42 U.S.C. 1320a-8(e)(1)(A)) is amended by striking “statement or representation referred to in subsection (a) was made” and inserting “violation occurred”.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to violations of sections 1129 and 1129A of the Social Security Act (42 U.S.C. 1320-8 and 1320a-8a), as

amended by this section, committed after the date of enactment of this Act.

(2) VIOLATIONS BY GOVERNMENT AGENTS IN POSSESSION OF SOCIAL SECURITY NUMBERS.—Section 1129(a)(3)(I) of the Social Security Act (42 U.S.C. 1320a-8(a)(3)(I)), as added by subsection (b), shall apply with respect to violations of that section occurring on or after the effective date described in section 3(c).

(f) REPEAL.—Section 201 of the Social Security Protection Act of 2004 is repealed.

SEC. 8. CRIMINAL PENALTIES FOR THE MISUSE OF A SOCIAL SECURITY NUMBER.

(a) PROHIBITION OF WRONGFUL USE AS PERSONAL IDENTIFICATION NUMBER.—No person may obtain any individual's Social Security number for purposes of locating or identifying an individual with the intent to physically injure, harm, or use the identity of the individual for any illegal purpose.

(b) CRIMINAL SANCTIONS.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(1) in paragraph (8), by inserting “or” after the semicolon; and

(2) by inserting after paragraph (8) the following:

“(9) except as provided in subsections (e) and (f) of section 1028B of title 18, United States Code, knowingly and willfully displays, sells, or purchases (as those terms are defined in section 1028B(a) of title 18, United States Code) any individual's Social Security account number without having met the prerequisites for consent under section 1028B(d) of title 18, United States Code; or

“(10) obtains any individual's Social Security number for the purpose of locating or identifying the individual with the intent to injure or to harm that individual, or to use the identity of that individual for an illegal purpose;”.

SEC. 9. CIVIL ACTIONS AND CIVIL PENALTIES.

(a) CIVIL ACTION IN STATE COURTS.—

(1) IN GENERAL.—Any individual aggrieved by an act of any person in violation of this Act or any amendments made by this Act may, if otherwise permitted by the laws or rules of the court of a State, bring in an appropriate court of that State—

(A) an action to enjoin such violation;

(B) an action to recover for actual monetary loss from such a violation, or to receive up to \$500 in damages for each such violation, whichever is greater; or

(C) both such actions.

It shall be an affirmative defense in any action brought under this paragraph that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of the regulations prescribed under this Act. If the court finds that the defendant willfully or knowingly violated the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B).

(2) STATUTE OF LIMITATIONS.—An action may be commenced under this subsection not later than the earlier of—

(A) 5 years after the date on which the alleged violation occurred; or

(B) 3 years after the date on which the alleged violation was or should have been reasonably discovered by the aggrieved individual.

(3) NONEXCLUSIVE REMEDY.—The remedy provided under this subsection shall be in addition to any other remedies available to the individual.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Any person who the Attorney General determines has violated any section of this Act or of any amendments made by this Act shall be subject, in addition to any other penalties that may be prescribed by law—

(A) to a civil penalty of not more than \$5,000 for each such violation; and

(B) to a civil penalty of not more than \$50,000, if the violations have occurred with such frequency as to constitute a general business practice.

(2) DETERMINATION OF VIOLATIONS.—Any willful violation committed contemporaneously with respect to the Social Security numbers of 2 or more individuals by means of mail, telecommunication, or otherwise, shall be treated as a separate violation with respect to each such individual.

(3) ENFORCEMENT PROCEDURES.—The provisions of section 1128A of the Social Security Act (42 U.S.C. 1320a-7a), other than subsections (a), (b), (f), (h), (i), (j), (m), and (n) and the first sentence of subsection (c) of such section, and the provisions of subsections (d) and (e) of section 205 of such Act (42 U.S.C. 405) shall apply to a civil penalty action under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a) of such Act (42 U.S.C. 1320a-7a(a)), except that, for purposes of this paragraph, any reference in section 1128A of such Act (42 U.S.C. 1320a-7a) to the Secretary shall be deemed to be a reference to the Attorney General.

SEC. 10. FEDERAL INJUNCTIVE AUTHORITY.

In addition to any other enforcement authority conferred under this Act or the amendments made by this Act, the Federal Government shall have injunctive authority with respect to any violation by a public entity of any provision of this Act or of any amendments made by this Act.

By Mr. SANDERS (for himself,
Mr. NELSON of Florida, Mr.
BLUMENTHAL, Mr. MERKLEY, Mr.
FRANKEN, and Mr. WHITEHOUSE):

S. 1200. A bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANDERS. Mr. President, I think every American understands that the very high price of oil and gas is having a very negative impact on our fragile economic recovery. Also, in rural States, such as Vermont, Montana, and other rural States, it is wreaking real hardship on working people who in many cases drive long distances to work. In Vermont certainly, it is not uncommon for people to be driving 50 miles to their job and 50 miles back. When the price of gas

gets to be \$3.80 a gallon or \$4 a gallon, it really hurts. When wages are stagnant, when many people have seen a decline in their paychecks, high gas prices have just taken another chunk out of their limited income. It is something that as a Congress we have to address.

The price of oil today, while declining somewhat in recent weeks, is still over \$97 a barrel. In Vermont, it is over \$3.80 a gallon at the pump. The theory behind the setting of oil prices that we learned in high school is that oil prices are set by supply and demand. When there is limited supply and a lot of demand, oil prices go up. When there is a lot of supply and limited demand, oil prices should go down.

So let's be clear: The fact is today there is more supply than there was 2 years ago, today there is less demand than there was 2 years ago; therefore, oil prices should be substantially lower than was the case 2 years ago. The fact, however, is just the opposite. In Vermont today, gas prices are \$3.80 a gallon. Two years ago, they were approximately \$2.44 a gallon. So the explanation of supply and demand in terms of why oil prices have soared just does not carry any weight.

While we cannot ignore the fact that big oil companies have been gouging consumers at the pump for years and have made almost \$1 trillion in profits over the past decade, there is mounting evidence that the increased price of gasoline and oil has nothing to do with supply and demand and everything to do with Wall Street speculators who are dominating the oil futures market and driving prices up, up, and up. Ten years ago, speculators only controlled about 30 percent of that market. Today, Wall Street speculators control over 80 percent—over 80 percent—of the oil futures market, and many of them will never use one drop of that oil. So we are not talking about airlines that use gas and oil. We are not talking about trucking companies. We are not talking about home heating companies. We are talking about speculators whose only function in this entire process is to make as much money as they can by raising prices and then selling.

This is not just Senator BERNIE SANDERS making this point. Let me quote from a June 2 article from the Wall Street Journal:

Wall Street is tapping a real gusher in 2011, as heightened volatility and higher prices of oil and other raw materials boost banks' profits . . . by 55 percent in the first quarter.

Banks' profits are soaring as a result of oil speculation. That is the fact. It is not just the Wall Street Journal. The CEO of ExxonMobil, Rex Tillerson, in response to a question at a recent Senate hearing, estimated that speculation was driving up the price of a barrel of oil by as much as 40 percent. That is the CEO of ExxonMobil. He might know something about that issue.

The general counsel of Delta Airlines—a major consumer of fuel—Ben Hirst, and the experts at Goldman Sachs have all said that excessive speculation is causing oil prices to spike by 20 to 40 percent.

Even Saudi Arabia, the largest exporter of oil in the world, told the Bush administration back in 2008—when the Bush administration went to them and said: We need to drive prices down. Produce more oil. Sell more oil—they said that is not the problem. Saudi Arabia said: We have all the oil we need. The problem is speculation. And they estimated that speculation could result in about \$40 a barrel.

In other words, the same Wall Street speculators who caused the worst financial crisis since the 1930s through their greed, recklessness, and illegal behavior are back at it again, and this time they are ripping off the American people by gambling that the price of oil and gas will continue to go up and up and in that process are driving the price of gas and oil up and up.

Sadly—and this is the important point—this spike in oil and gasoline prices was entirely avoidable. This was avoidable. The Wall Street Reform Act that we passed last year, the Dodd-Frank legislation, required—underline “required”—the Commodity Futures Trading Commission to impose strict limits on the amount of oil Wall Street speculators could trade in the energy futures market by January 17 of this year.

We passed legislation that said to the Commodity Futures Trading Commission: You have to impose rules by January 17 with strict limits on excessive oil speculation.

Mr. President, 6 months have come and gone. They have not done what they were required to do.

Almost 5 months later, the CFTC has still not imposed those speculation requirements. In other words, the chief regulator on oil speculation is clearly breaking the law and is not doing what he is supposed to be doing.

Last month I held a meeting in my office with Mr. Gary Gensler, who is the Chairman of the CFTC, and six other Senators. I have to tell you that I was extremely disappointed in both the tone of that meeting and the complete lack of urgency at the CFTC with respect to cracking down on oil speculators as required by the law.

Therefore, today I have introduced legislation, along with Senators BLUMENTHAL, MERKLEY, FRANKEN, WHITEHOUSE, and BILL NELSON to end excessive speculation once and for all—once and for all. The American people cannot continue to be ripped off by Wall Street which is artificially driving up the price of oil and gas.

I am very pleased to also announce that Congressman MAURICE HINCHEY will be introducing this legislation in the House. This legislation mandates

that the Chairman of the CFTC take immediate action to eliminate excessive oil speculation within 2 weeks—2 weeks.

One. Our bill requires the Chairman to establish speculative oil position limits equal to the position accountability levels that have been in place at the New York Mercantile Exchange since 2001.

Two. This bill requires the Chairman of the CFTC to double the margin requirements on speculative oil trading so that Wall Street investment banks back their bets with real capital.

Three. Under this bill, Goldman Sachs, Morgan Stanley, and other Wall Street investment banks engaged in proprietary oil trading would be classified as speculators instead of bona fide hedgers.

Four. The Chairman of the CFTC would be required under this bill to take any other action necessary to eliminate excessive speculation and ensure that the price of oil accurately reflects the fundamentals of supply and demand.

I am pleased to announce that this legislation already has the support of a very diverse group of organizations representing small businesses, fuel dealers, consumers, workers, airlines, and farmers. Some of those organizations are: Americans for Financial Reform; the Consumer Federation of America; Delta Airlines; the Gasoline and Automotive Service Dealers of America; the International Brotherhood of Teamsters; the Main Street Alliance; the National Farmers Union; New England Fuel Institute; Public Citizen; and the Vermont Fuel Dealers Association. This is just a few.

I want to thank all of those organizations for their support. The American people are sick and tired of being ripped off at the gas pump. People in the northern States, whether it is Vermont or Minnesota, worry about what the price of home heating oil will be next winter. What we are seeing now in terms of excessively high oil and gas prices has nothing to do with supply and demand and everything to do with Wall Street speculation.

This Congress has told the CFTC to act. They have failed to act. Now is the time for us to tell them exactly what must happen.

By Mr. LIEBERMAN (for himself, Mr. CRAPO, Mr. TESTER, Mr. BINGAMAN, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BEGICH, Mr. CARDIN, and Mr. UDALL of Colorado:

S. 1201. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes; to the Committee on Environment and Public Works.

Mr. LIEBERMAN. Mr. President, I rise to speak about the National Fish Habitat Conservation Act, which I am introducing today along with my colleagues Senators CRAPO, TESTER, BINGAMAN, MURKOWSKI, WHITEHOUSE, BEGICH, CARDIN, and MARK UDALL. This legislation would establish the most comprehensive effort ever attempted to treat the causes of fish habitat decline.

Healthy waterways and robust fish populations are vital to the well-being of our society and are a staple in many cultures throughout the United States. This bill will help provide clean water and sustainable fisheries in this country and provide recreational value to those who fish wild waters or canoe tranquil streams. This means more recreational fishing opportunity, which translates into more jobs and economic output. Currently, recreational fishing supports approximately one million jobs and \$45 billion in direct expenditures. Today, nearly half, 40 percent, of our fish populations are in decline, over 700 species in total, and 50 percent of our Nation's waters are impaired. Unless we act in an informed and coordinated fashion, fish habitats will continue to be lost at a rapid pace. This bill is about better habitat, better recreational fishing opportunity as well as a better economy.

Currently, our Nation's efforts to address threats to fish species are often highly disjointed and not extensive enough to reverse this downward trend. Under the National Fish Habitat Conservation Act, Federal Government agencies, State and local governments, conservation groups, fishing industry groups and related businesses will work together collectively for the first time to conserve and protect aquatic habitats critical to our Nation. The National Fish Habitat Conservation Act will also provide people with clean and safe water supplies and improve ecosystems through habitat conservation projects that remediate problems on our waterways, including erosion, drainage issues and flooding.

This legislation leverages Federal, State, and private funds to build regional partnerships aimed at addressing the Nation's biggest aquatic habitat problems. By directing critical resources towards this cause through partnerships, we can foster fish habitat conservation efforts and improve the quality of life for all Americans. Using a bottom-up approach, the goal of this effort is to foster landscape scale, multi-state aquatic habitat improvements across the country that perpetuate not only fishery resources but the tradition of recreational fishing, which is enjoyed by many Americans, spanning many generations. Over 40 million anglers utilize our waterways on a yearly basis, generating \$45 billion dollars in retail sales for the industry nationwide. That figure does not even include Americans who utilize our waterways for other recreational purposes.

The National Fish Habitat Conservation Act authorizes grants to be directed toward fish habitat projects that are supported by regional Fish Habitat Partnerships. Based on the highly successful North American Wetlands Conservation Act model, this legislation establishes a multi-stakeholder National Fish Habitat Board charged with recommending projects to the Secretary of Interior for assistance. Regional Fish Habitat Partnerships are responsible for implementing approved on-the-ground projects that are designed to protect, restore and enhance fish habitats and fish populations.

The National Fish Habitat Conservation Act lays the foundation for a new paradigm of how to care for fish habitats, displaying why they should be restored and protected. This bill will bring together all of the different groups that have a stake in the health and productivity of our Nation's fish habitats and I look forward to working with my colleagues to pass this important legislation and reverse the decline of our ailing waterways and fisheries.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1201

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “National Fish Habitat Conservation Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; purpose.
- Sec. 3. Definitions.
- Sec. 4. National Fish Habitat Board.
- Sec. 5. Fish habitat partnerships.
- Sec. 6. Fish habitat conservation projects.
- Sec. 7. National Fish Habitat Conservation Partnership Office.
- Sec. 8. Technical and scientific assistance.
- Sec. 9. Conservation of aquatic habitat for fish and other aquatic organisms on Federal land.
- Sec. 10. Coordination with States and Indian tribes.
- Sec. 11. Accountability and reporting.
- Sec. 12. Regulations.
- Sec. 13. Effect of Act.
- Sec. 14. Nonapplicability of Federal Advisory Committee Act.
- Sec. 15. Funding.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) healthy populations of fish and other aquatic organisms depend on the conservation, protection, restoration, and enhancement of aquatic habitats in the United States;

(2) aquatic habitats (including wetlands, streams, rivers, lakes, estuaries, coastal and marine ecosystems, and associated riparian upland habitats that buffer those areas from external factors) perform numerous valuable environmental functions that sustain environmental, social, and cultural values, in-

cluding recycling nutrients, purifying water, attenuating floods, augmenting and maintaining stream flows, recharging ground water, acting as primary producers in the food chain, and providing essential and significant habitat for plants, fish, wildlife, and other dependent species;

(3) the extensive and diverse aquatic habitat resources of the United States are of enormous significance to the economy of the United States, providing—

(A) recreation for 44,000,000 anglers;

(B) more than 1,000,000 jobs and approximately \$125,000,000,000 in economic impact each year relating to recreational fishing; and

(C) approximately 500,000 jobs and an additional \$35,000,000,000 in economic impact each year relating to commercial fishing;

(4) at least 40 percent of all threatened species and endangered species in the United States are directly dependent on aquatic habitats;

(5) certain fish species are considered to be ecological indicators of aquatic habitat quality, such that the presence of those species in an aquatic ecosystem reflects high-quality habitat for other fish;

(6) loss and degradation of aquatic habitat, riparian habitat, water quality, and water volume caused by activities such as alteration of watercourses, stream blockages, water withdrawals and diversions, erosion, pollution, sedimentation, and destruction or modification of wetlands have—

(A) caused significant declines in fish populations throughout the United States, especially declines in native fish populations; and

(B) resulted in economic losses to the United States;

(7)(A) providing for the conservation and sustainability of fish and other aquatic organisms has not been fully realized, despite federally funded fish and wildlife restoration programs and other activities intended to conserve aquatic resources; and

(B) that conservation and sustainability may be significantly advanced through a renewed commitment and sustained, cooperative efforts that are complementary to existing fish and wildlife restoration programs and clean water programs;

(8) the National Fish Habitat Action Plan provides a framework for maintaining and restoring aquatic habitats to ensure perpetuation of populations of fish and other aquatic organisms;

(9) the United States can achieve significant progress toward providing aquatic habitats for the conservation and restoration of fish and other aquatic organisms through a voluntary, nonregulatory incentive program that is based on technical and financial assistance provided by the Federal Government;

(10) the creation of partnerships between local citizens, Indian tribes, Alaska Native organizations, corporations, nongovernmental organizations, and Federal, State, and tribal agencies is critical to the success of activities to restore aquatic habitats and ecosystems;

(11) the Federal Government has numerous regulatory and land and water management agencies that are critical to the implementation of the National Fish Habitat Action Plan, including—

(A) the United States Fish and Wildlife Service;

(B) the Bureau of Land Management;

(C) the National Park Service;

(D) the Bureau of Reclamation;

(E) the Bureau of Indian Affairs;

(F) the National Marine Fisheries Service;

(G) the Forest Service;

(H) the Natural Resources Conservation Service; and

(I) the Environmental Protection Agency;

(12) the United States Fish and Wildlife Service, the Forest Service, the Bureau of Land Management, and the National Marine Fisheries Service each play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and aquatic habitats in the United States; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation;

(13) the United States Geological Survey, the United States Fish and Wildlife Service, and the National Marine Fisheries Service each play a vital role in scientific evaluation, data collection, and mapping for fishery resources in the United States;

(14) the State and territorial fish and wildlife agencies play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and aquatic habitats in the respective States and territories; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation; and

(15) many of the programs for conservation on private farmland, ranchland, and forestland that are carried out by the Secretary of Agriculture, including the Natural Resources Conservation Service and the State and Private Forestry programs of the Forest Service, are able to significantly contribute to the implementation of the National Fish Habitat Action Plan through the engagement of private landowners.

(b) PURPOSE.—The purpose of this Act is to encourage partnerships among public agencies and other interested parties consistent with the mission and goals of the National Fish Habitat Action Plan—

(1) to protect and maintain intact and healthy aquatic habitats;

(2) to prevent further degradation of aquatic habitats that have been adversely affected;

(3) to reverse declines in the quality and quantity of aquatic habitats to improve the overall health of fish and other aquatic organisms;

(4) to increase the quality and quantity of aquatic habitats that support a broad natural diversity of fish and other aquatic species;

(5) to improve fisheries habitat in a manner that leads to improvement of the annual economic output from recreational, subsistence, and commercial fishing;

(6) to ensure coordination and facilitation of activities carried out by Federal departments and agencies under the leadership of—

(A) the Director of the United States Fish and Wildlife Service;

(B) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration; and

(C) the Director of the United States Geological Survey; and

(7) to achieve other purposes in accordance with the mission and goals of the National Fish Habitat Action Plan.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) AQUATIC HABITAT.—

(A) IN GENERAL.—The term “aquatic habitat” means any area on which an aquatic organism depends, directly or indirectly, to carry out the life processes of the organism, including an area used by the organism for spawning, incubation, nursery, rearing, growth to maturity, food supply, or migration.

(B) INCLUSIONS.—The term “aquatic habitat” includes an area adjacent to an aquatic environment, if the adjacent area—

(i) contributes an element, such as the input of detrital material or the promotion of a planktonic or insect population providing food, that makes fish life possible;

(ii) protects the quality and quantity of water sources;

(iii) provides public access for the use of fishery resources; or

(iv) serves as a buffer protecting the aquatic environment.

(3) ASSISTANT ADMINISTRATOR.—The term “Assistant Administrator” means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(4) BOARD.—The term “Board” means the National Fish Habitat Board established by section 4(a)(1).

(5) CONSERVATION; CONSERVE; MANAGE; MANAGEMENT.—The terms “conservation”, “conserve”, “manage”, and “management” mean to protect, sustain, and, where appropriate, restore and enhance, using methods and procedures associated with modern scientific resource programs (including protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and regulated taking)—

(A) a healthy population of fish, wildlife, or plant life;

(B) a habitat required to sustain fish, wildlife, or plant life; or

(C) a habitat required to sustain fish, wildlife, or plant life productivity.

(6) DIRECTOR.—The term “Director” means the Director of the United States Fish and Wildlife Service.

(7) FISH.—

(A) IN GENERAL.—The term “fish” means any freshwater, diadromous, estuarine, or marine finfish or shellfish.

(B) INCLUSIONS.—The term “fish” includes the egg, spawn, spat, larval, and other juvenile stages of an organism described in subparagraph (A).

(8) FISH HABITAT CONSERVATION PROJECT.—

(A) IN GENERAL.—The term “fish habitat conservation project” means a project that—

(i) is submitted to the Board by a Partnership and approved by the Secretary under section 6; and

(ii) provides for the conservation or management of an aquatic habitat.

(B) INCLUSIONS.—The term “fish habitat conservation project” includes—

(i) the provision of technical assistance to a State, Indian tribe, or local community by the National Fish Habitat Conservation Partnership Office or any other agency to facilitate the development of strategies and priorities for the conservation of aquatic habitats; or

(ii) the obtaining of a real property interest in land or water, including water rights, in accordance with terms and conditions that ensure that the real property will be administered for the long-term conservation of—

(I) the land or water; and

(II) the fish dependent on the land or water.

(9) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(10) NATIONAL FISH HABITAT ACTION PLAN.—The term “National Fish Habitat Action Plan” means the National Fish Habitat Action Plan dated April 24, 2006, and any subsequent revisions or amendments to that plan.

(11) PARTNERSHIP.—The term “Partnership” means an entity designated by the Board as a Fish Habitat Conservation Partnership pursuant to section 5(a).

(12) REAL PROPERTY INTEREST.—The term “real property interest” means an ownership interest in—

(A) land;

(B) water (including water rights); or

(C) a building or object that is permanently affixed to land.

(13) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(14) STATE AGENCY.—The term “State agency” means—

(A) the fish and wildlife agency of a State;

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources or the habitat for those fishery resources of the State pursuant to State law or the constitution of the State; or

(C) the fish and wildlife agency of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States.

SEC. 4. NATIONAL FISH HABITAT BOARD.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a board, to be known as the “National Fish Habitat Board”—

(A) to promote, oversee, and coordinate the implementation of this Act and the National Fish Habitat Action Plan;

(B) to establish national goals and priorities for aquatic habitat conservation;

(C) to designate Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) MEMBERSHIP.—The Board shall be composed of 27 members, of whom—

(A) 1 shall be the Director;

(B) 1 shall be the Assistant Administrator;

(C) 1 shall be the Chief of the Natural Resources Conservation Service;

(D) 1 shall be the Chief of the Forest Service;

(E) 1 shall be the Assistant Administrator for Water of the Environmental Protection Agency;

(F) 1 shall be the President of the Association of Fish and Wildlife Agencies;

(G) 1 shall be the Secretary of the Board of Directors of the National Fish and Wildlife Foundation appointed pursuant to section 3(g)(2)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(g)(2)(B));

(H) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(I) 1 shall be a representative of the American Fisheries Society;

(J) 2 shall be representatives of Indian tribes, of whom—

(i) 1 shall represent Indian tribes from the State of Alaska; and

(ii) 1 shall represent Indian tribes from the other States;

(K) 1 shall be a representative of the Regional Fishery Management Councils established under section 302 of the Magnuson-

Stevens Fishery Conservation and Management Act (16 U.S.C. 1852);

(L) 1 shall be a representative of the Marine Fisheries Commissions, which is composed of—

(i) the Atlantic States Marine Fisheries Commission;

(ii) the Gulf States Marine Fisheries Commission; and

(iii) the Pacific States Marine Fisheries Commission;

(M) 1 shall be a representative of the Sportfishing and Boating Partnership Council; and

(N) 10 shall be representatives selected from each of the following groups:

(i) The recreational sportfishing industry.

(ii) The commercial fishing industry.

(iii) Marine recreational anglers.

(iv) Freshwater recreational anglers.

(v) Terrestrial resource conservation organizations.

(vi) Aquatic resource conservation organizations.

(vii) The livestock and poultry production industry.

(viii) The land development industry.

(ix) The row crop industry.

(x) Natural resource commodity interests, such as petroleum or mineral extraction.

(3) COMPENSATION.—A member of the Board shall serve without compensation.

(4) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) APPOINTMENT AND TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a member of the Board described in any of subparagraphs (H) through (N) of subsection (a)(2) shall serve for a term of 3 years.

(2) INITIAL BOARD MEMBERSHIP.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the representatives of the board established by the National Fish Habitat Action Plan shall appoint the initial members of the Board described in subparagraphs (H) through (I) and (K) through (N) of subsection (a)(2).

(B) TRIBAL REPRESENTATIVES.—Not later than 180 days after the enactment of this Act, the Secretary shall provide to the board established by the National Fish Habitat Action Plan a recommendation of not less than 4 tribal representatives, from which that board shall appoint 2 representatives pursuant to subparagraph (J) of subsection (a)(2).

(3) TRANSITIONAL TERMS.—Of the members described in subsection (a)(2)(N) initially appointed to the Board—

(A) 4 shall be appointed for a term of 1 year;

(B) 4 shall be appointed for a term of 2 years; and

(C) 3 shall be appointed for a term of 3 years.

(4) VACANCIES.—

(A) IN GENERAL.—A vacancy of a member of the Board described in any of subparagraphs (H) through (I) or (K) through (N) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in subparagraph (J) of subsection (a)(2), the Secretary shall recommend to the Board not less than 4 tribal representatives, from

which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) **CONTINUATION OF SERVICE.**—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) **REMOVAL.**—If a member of the Board described in any of subparagraphs (H) through (N) of subsection (a)(2) misses 3 consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) **CHAIRPERSON.**—

(1) **IN GENERAL.**—The Board shall elect a member of the Board to serve as Chairperson of the Board.

(2) **TERM.**—The Chairperson of the Board shall serve for a term of 3 years.

(d) **MEETINGS.**—

(1) **IN GENERAL.**—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) **PUBLIC ACCESS.**—All meetings of the Board shall be open to the public.

(e) **PROCEDURES.**—

(1) **IN GENERAL.**—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of $\frac{2}{3}$ of all members present and voting;

(C) procedures for establishing national goals and priorities for aquatic habitat conservation for the purposes of this Act;

(D) procedures for designating Partnerships under section 5; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) **QUORUM.**—A majority of the members of the Board shall constitute a quorum.

SEC. 5. FISH HABITAT PARTNERSHIPS.

(a) **AUTHORITY TO DESIGNATE.**—The Board may designate Fish Habitat Partnerships in accordance with this section.

(b) **PURPOSES.**—The purposes of a Partnership shall be—

(1) to coordinate the implementation of the National Fish Habitat Action Plan at a regional level;

(2) to identify strategic priorities for fish habitat conservation;

(3) to recommend to the Board fish habitat conservation projects that address a strategic priority of the Board; and

(4) to develop and carry out fish habitat conservation projects.

(c) **APPLICATIONS.**—An entity seeking to be designated as a Partnership shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(d) **APPROVAL.**—The Board may approve an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) includes representatives of a diverse group of public and private partners, including Federal, State, or local governments, nonprofit entities, Indian tribes, and private individuals, that are focused on conservation of aquatic habitats to achieve results across jurisdictional boundaries on public and private land;

(2) is organized to promote the health of important aquatic habitats and distinct geo-

graphical areas, keystone fish species, or system types, including reservoirs, natural lakes, coastal and marine environments, and estuaries;

(3) identifies strategic fish and aquatic habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decisionmaking;

(4) is able to address issues and priorities on a nationally significant scale;

(5) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decisionmaking by the applicant;

(6) demonstrates completion of, or significant progress toward the development of, a strategic plan to address the causes of system decline in fish populations, rather than simply treating symptoms in accordance with the National Fish Habitat Action Plan; and

(7) ensures collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

SEC. 6. FISH HABITAT CONSERVATION PROJECTS.

(a) **SUBMISSION TO BOARD.**—Not later than March 31 of each calendar year, each Partnership shall submit to the Board a list of fish habitat conservation projects recommended by the Partnership for annual funding under this Act.

(b) **RECOMMENDATIONS BY BOARD.**—Not later than July 1 of each calendar year, the Board shall submit to the Secretary a description, including estimated costs, of each fish habitat conservation project that the Board recommends that the Secretary approve and fund under this Act, in order of priority, for the following fiscal year.

(c) **CONSIDERATIONS.**—The Board shall select each fish habitat conservation project to be recommended to the Secretary under subsection (b)—

(1) based on a recommendation of the Partnership that is, or will be, participating actively in carrying out the fish habitat conservation project; and

(2) after taking into consideration—

(A) the extent to which the fish habitat conservation project fulfills a purpose of this Act or a goal of the National Fish Habitat Action Plan;

(B) the extent to which the fish habitat conservation project addresses the national priorities established by the Board;

(C) the availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e);

(D) the extent to which the fish habitat conservation project—

(i) increases fishing opportunities for the public;

(ii) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian tribes, and private entities;

(iii) increases public access to land or water;

(iv) advances the conservation of fish and wildlife species that are listed, or are candidates to be listed, as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(v) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(vi) promotes resilience such that desired biological communities are able to persist

and adapt to environmental stressors such as climate change; and

(E) the substantiality of the character and design of the fish habitat conservation project.

(d) **LIMITATIONS.**—

(1) **REQUIREMENTS FOR EVALUATION.**—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless the fish habitat conservation project includes an evaluation plan designed—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met; and

(C) to require the submission to the Board of a report describing the findings of the assessment.

(2) **ACQUISITION OF REAL PROPERTY INTERESTS.**—

(A) **IN GENERAL.**—No fish habitat conservation project that will result in the acquisition by the State, local government, or other non-Federal entity, in whole or in part, of any real property interest may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless the project meets the requirements of subparagraph (B).

(B) **REQUIREMENTS.**—

(i) **IN GENERAL.**—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, public agency, or other non-Federal entity unless the State, agency, or other non-Federal entity is obligated to undertake the management of the property being acquired in accordance with the purposes of this Act.

(ii) **ADDITIONAL CONDITIONS.**—Any real property interest acquired by a State, local government, or other non-Federal entity pursuant to a fish habitat conservation project shall be subject to terms and conditions that ensure that the interest will be administered for the long-term conservation and management of the aquatic ecosystem and the fish and wildlife dependent on that ecosystem.

(e) **NON-FEDERAL CONTRIBUTIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) **PROJECTS ON FEDERAL LAND OR WATER.**—Notwithstanding paragraph (1), Federal funds may be used for payment of 100 percent of the costs of a fish habitat conservation project located on Federal land or water.

(3) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from a Federal grant program; but

(B) may include in-kind contributions and cash.

(4) **SPECIAL RULE FOR INDIAN TRIBES.**—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian tribe pursuant to this Act may be considered to be non-Federal funds for the purpose of paragraph (1).

(f) **APPROVAL.**—

(1) IN GENERAL.—Not later than 180 days after the date of receipt of the recommendations of the Board for fish habitat conservation projects under subsection (b), and based, to the maximum extent practicable, on the criteria described in subsection (c)—

(A) the Secretary shall approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is not within a marine or estuarine habitat; and

(B) the Secretary and the Secretary of Commerce shall jointly approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is within a marine or estuarine habitat.

(2) FUNDING.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, approves a fish habitat conservation project under paragraph (1), the Secretary, or the Secretary and the Secretary of Commerce jointly, shall use amounts made available to carry out this Act to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, rejects or reorders the priority of any fish habitat conservation project recommended by the Board under subsection (b), the Secretary, or the Secretary and the Secretary of Commerce jointly, shall provide to the Board and the appropriate Partnership a written statement of the reasons that the Secretary, or the Secretary and the Secretary of Commerce jointly, rejected or modified the priority of the fish habitat conservation project.

(4) LIMITATION.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, has not approved, rejected, or reordered the priority of the recommendations of the Board for fish habitat conservation projects by the date that is 180 days after the date of receipt of the recommendations, the recommendations shall be considered to be approved.

SEC. 7. NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP OFFICE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall establish an office, to be known as the “National Fish Habitat Conservation Partnership Office”, within the United States Fish and Wildlife Service.

(b) FUNCTIONS.—The National Fish Habitat Conservation Partnership Office shall—

(1) provide funding for the operational needs of the Partnerships, including funding for activities such as planning, project development and implementation, coordination, monitoring, evaluation, communication, and outreach;

(2) provide funding to support the detail of State and tribal fish and wildlife staff to the Office;

(3) facilitate the cooperative development and approval of Partnerships;

(4) assist the Secretary and the Board in carrying out this Act;

(5) assist the Secretary in carrying out the requirements of sections 8 and 10;

(6) facilitate communication, cohesiveness, and efficient operations for the benefit of Partnerships and the Board;

(7) facilitate, with assistance from the Director, the Assistant Administrator, and the President of the Association of Fish and Wildlife Agencies, the consideration of fish habitat conservation projects by the Board;

(8) provide support to the Director regarding the development and implementation of the interagency operational plan under subsection (c);

(9) coordinate technical and scientific reporting as required by section 11;

(10) facilitate the efficient use of resources and activities of Federal departments and agencies to carry out this Act in an efficient manner; and

(11) provide support to the Board for national communication and outreach efforts that promote public awareness of fish habitat conservation.

(c) INTERAGENCY OPERATIONAL PLAN.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the Assistant Administrator and the heads of other appropriate Federal departments and agencies, shall develop an interagency operational plan for the National Fish Habitat Conservation Partnership Office that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs of the Office; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

(d) STAFF AND SUPPORT.—

(1) DEPARTMENTS OF INTERIOR AND COMMERCE.—The Director and the Assistant Administrator shall each provide appropriate staff to support the National Fish Habitat Conservation Partnership Office, subject to the availability of funds under section 15.

(2) STATES AND INDIAN TRIBES.—Each State and Indian tribe is encouraged to provide staff to support the National Fish Habitat Conservation Partnership Office.

(3) DETAILEES AND CONTRACTORS.—The National Fish Habitat Conservation Partnership Office may accept staff or other administrative support from other entities—

(A) through interagency details; or

(B) as contractors.

(4) QUALIFICATIONS.—The staff of the National Fish Habitat Conservation Partnership Office shall include members with education and experience relating to the principles of fish, wildlife, and aquatic habitat conservation.

(5) WAIVER OF REQUIREMENT.—The Secretary may waive all or part of the non-Federal contribution requirement under section 6(e)(1) if the Secretary determines that—

(A) no reasonable means are available through which the affected applicant can meet the requirement; and

(B) the probable benefit of the relevant fish habitat conservation project outweighs the public interest in meeting the requirement.

(e) REPORTS.—Not less frequently than once each year, the Director shall provide to the Board a report describing the activities of the National Fish Habitat Conservation Partnership Office.

SEC. 8. TECHNICAL AND SCIENTIFIC ASSISTANCE.

(a) IN GENERAL.—The Director, the Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, shall provide scientific and technical assistance to the Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided pursuant to subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment; and

(6) ensuring the availability of experts to conduct scientifically based evaluation and reporting of the results of fish habitat conservation projects.

SEC. 9. CONSERVATION OF AQUATIC HABITAT FOR FISH AND OTHER AQUATIC ORGANISMS ON FEDERAL LAND.

To the extent consistent with the mission and authority of the applicable department or agency, the head of each Federal department and agency responsible for acquiring, managing, or disposing of Federal land or water shall cooperate with the Assistant Administrator and the Director to conserve the aquatic habitats for fish and other aquatic organisms within the land and water of the department or agency.

SEC. 10. COORDINATION WITH STATES AND INDIAN TRIBES.

The Secretary shall provide a notice to, and coordinate with, the appropriate State agency or tribal agency, as applicable, of each State and Indian tribe within the boundaries of which an activity is planned to be carried out pursuant to this Act by not later than 30 days before the date on which the activity is implemented.

SEC. 11. ACCOUNTABILITY AND REPORTING.

(a) IMPLEMENTATION REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the implementation of—

(A) this Act; and

(B) the National Fish Habitat Action Plan.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet (or other suitable measure) of aquatic habitat that was protected, restored, or enhanced under the National Fish Habitat Action Plan by Federal, State, or local governments, Indian tribes, or other entities in the United States during the 2-year period ending on the date of submission of the report;

(B) a description of the public access to aquatic habitats protected, restored, or established under the National Fish Habitat Action Plan during that 2-year period;

(C) a description of the opportunities for public fishing established under the National Fish Habitat Action Plan during that period; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this Act during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 6(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 6(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection or re-ordering of the priority of each fish habitat conservation project recommended by the Board under section 6(b) that was based on a factor other than the criteria described in section 6(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian tribes, or other entities to carry out fish habitat conservation projects.

(b) **STATUS AND TRENDS REPORT.**—Not later than December 31, 2012, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the status of aquatic habitats in the United States.

(c) **REVISIONS.**—Not later than December 31, 2013, and every 5 years thereafter, the Board shall revise the goals and other elements of the National Fish Habitat Action Plan, after consideration of each report required by subsection (b).

SEC. 12. REGULATIONS.

The Secretary may promulgate such regulations as the Secretary determines to be necessary to carry out this Act.

SEC. 13. EFFECT OF ACT.

(a) **WATER RIGHTS.**—Nothing in this Act—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(b) **STATE AUTHORITY.**—Nothing in this Act—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(c) **EFFECT ON INDIAN TRIBES.**—Nothing in this Act abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(d) **ADJUDICATION OF WATER RIGHTS.**—Nothing in this Act diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

(e) **EFFECT ON OTHER AUTHORITIES.**—

(1) **ACQUISITION OF LAND AND WATER.**—Nothing in this Act alters or otherwise affects the authorities, responsibilities, obligations, or powers of the Secretary to acquire land, water, or an interest in land or water under any other provision of law.

(2) **PRIVATE PROPERTY PROTECTION.**—Nothing in this Act permits the use of funds made available to carry out this Act to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest.

(3) **MITIGATION.**—Nothing in this Act permits the use of funds made available to carry out this Act for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

SEC. 14. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

SEC. 15. FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **FISH HABITAT CONSERVATION PROJECTS.**—There is authorized to be appropriated to the Secretary \$7,200,000 for each of fiscal years 2012 through 2016 to provide funds for fish habitat conservation projects approved under section 6(f), of which 5 percent shall be made available for each fiscal year for projects carried out by Indian tribes.

(2) **NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP OFFICE.**—

(A) **IN GENERAL.**—There is authorized to be appropriated to the Secretary for each of fiscal years 2012 through 2016 for the National Fish Habitat Conservation Partnership Office, and to carry out section 11, an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(B) **REQUIRED TRANSFERS.**—The Secretary shall annually transfer to other Federal departments and agencies such percentage of the amounts made available pursuant to subparagraph (A) as is required to support participation by those departments and agencies in the National Fish Habitat Conservation Partnership Office pursuant to the interagency operational plan under section 7(c).

(3) **TECHNICAL AND SCIENTIFIC ASSISTANCE.**—There are authorized to be appropriated for each of fiscal years 2012 through 2016 to carry out, and provide technical and scientific assistance under, section 8—

(A) \$500,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) \$500,000 to the Assistant Administrator for use by the National Oceanic and Atmospheric Administration; and

(C) \$500,000 to the Secretary for use by the United States Geological Survey.

(4) **PLANNING AND ADMINISTRATIVE EXPENSES.**—There is authorized to be appropriated to the Secretary for each of fiscal years 2012 through 2016 for use by the Board, the Director, and the Assistant Administrator for planning and administrative expenses an amount equal to 3 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(b) **AGREEMENTS AND GRANTS.**—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106-107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and use a grant from any individual or entity to carry out the purposes of this Act; and

(3) make funds available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this Act.

(c) **DONATIONS.**—

(1) **IN GENERAL.**—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this Act; and

(B) accept donations of funds, property, and services to carry out the purposes of this Act.

(2) **TREATMENT.**—A donation accepted under this section—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

By Mr. LEAHY (for himself, Mr. LEVIN, Mr. AKAKA, and Mr. DURBIN):

S. 1202. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am pleased to introduce the Refugee Protection Act. This bill, which is cosponsored by Senators LEVIN, AKAKA, and DURBIN, will reaffirm the commitments our Nation made in ratifying the 1951 Refugee Convention, and help to restore the United States as a global leader on human rights. This bill would repeal the most harsh and unnecessary elements of current law, and restore the United States to its rightful role as a safe and welcoming home for those suffering from persecution around the world.

During this challenging economic time, it can be tempting to look inward rather than to fulfill our global humanitarian commitments. However, this bill is necessary now more than ever. Millions of refugees remain displaced and warehoused in refugee camps in Eastern Africa, Southeast Asia, and other parts of the world. The "Arab Spring" is helping to move governments of the Middle East toward democracy, but some governments have responded to peaceful demonstrations with violence. We will continue to see genuine refugees who are in need of protection. I was pleased to be able to protect funding for refugee assistance and resettlement programs in the fiscal year 2011 appropriations continuing resolution, when many other programs were cut.

In my home state of Vermont, I have seen how the admission of refugees and asylum seekers has revitalized and enriched communities, resulting in the creation of new businesses, safer neighborhoods, and stronger schools. Since Senator Ted Kennedy authored the 1980 Refugee Act, more than 2.6 million refugees and asylum seekers have been granted protection in the United States. And since 1989, almost 5,600 refugees have been resettled in Vermont.

We are fortunate to have the Vermont Refugee Resettlement Program, with its decades of experience and award-winning volunteer program, leading this effort. Over the last five years, many of these new Vermonters have come from Bhutan, Burma, and the Congo. Their culture is enriching my historically Anglo Saxon and French Canadian state.

Once resettled, these refugees have become nursing assistants, soccer coaches, and small business owners. In Burlington's Old North End, there are two thriving halal markets, side by side. The Nadia International Halal Market is run by an Iraqi refugee. Next door is the Banadir Market, run by a Somali Bantu refugee. Vermonters enjoy these new additions to the culture, and these thriving small businesses create local jobs in a historically disadvantaged neighborhood.

Equally important are the family- and community-based values of these new Vermonters. The Burlington Chief of Police has commented that refugees have reduced crime in some historically troubled areas, creating more family oriented neighborhoods.

Vermonters have played a tremendous role in welcoming refugees and asylees to their communities. Many have hosted refugee families in their homes until suitable housing could be found. The Ohavi Zedek Synagogue has made an effort to help all refugee families, regardless of their faith. The synagogue offers free English language classes so that refugees can improve their English skills. In this year's Passover service, refugees were encouraged to share their own personal tales of exodus.

The synagogue also runs a thrift shop where refugees who have been in the country for less than a year are allowed to take whatever they need without charge. Yet, a refugee from Bhutan has offered to help make physical improvements to the building's foundation, a testament to his desire to give back to the communities that have helped refugees build new lives. Many other places of worship have also reached out to these new Vermonters.

The Association for Africans Living in Vermont, AALV, which now assists any refugee in Vermont regardless of the country of origin, helps refugees access social services, organizes community cultural events, and provides cross-cultural training to Vermont service providers. The organization offers workforce development programs to ensure refugees can find meaningful work that sustains their families. The AALV New Farms for New Americans program enables refugees, many of whom farmed in their home countries, to learn to grow crops well suited to the Vermont climate. This program can connect such refugees to their heritage, and invites them to become part of Vermont's longstanding and vibrant agricultural tradition.

In cooperation with Vermont Adult Learning, AALV offers the Personal Care Assistant Workforce Training Program, which trains refugees to serve as personal care assistants, the first level of service in the nursing profession. Graduates are able to pursue additional training as a licensed nursing assistant.

Vermont's resettlement program and the community support are not without their challenges. We experience many of the same hurdles faced by resettlement efforts and receiving communities across the Nation. The Refugee Protection Act of 2011 includes provisions that will help the nationwide resettlement effort operate more effectively. I want to acknowledge the leadership of Senator LUGAR who has investigated the resettlement program and called for a GAO study to obtain recommendations for improvement. I also appreciate the efforts of Representative GARY PETERS of Michigan, who introduced a resettlement bill in the House of Representatives to improve communication among all stakeholders.

In addition to support and improvement of the resettlement program, this bill addresses several areas of domestic asylum adjudication that are in need of significant reform. This bill would repeal the one-year filing deadline for asylum seekers, removing an unnecessary barrier to protection. The bill would allow arriving aliens and minors to seek asylum first before the Asylum Office rather than referring those cases immediately to immigration court. The Asylum Office is well trained to screen for fraud and able to handle a slight increase in its caseload. Meanwhile, as we learned in a May 18, 2011, hearing before the Judiciary Committee, the immigration courts are overburdened, under-resourced, and facing steady increases in their case-loads.

The Refugee Protection Act ensures that persons who were victims of terrorism or persecution by terrorist groups will not be doubly victimized with a denial of protection in the United States. Vermont Immigration and Asylum Advocates, a legal aid and torture treatment provider, continues to see cases where persons granted asylum are later blocked from bringing their families to the United States or applying for permanent residency by overly broad definitions in current law. This bill would help such persons prove their cases without taking any shortcuts on national security. The bill also gives the President the authority to designate certain groups of particularly vulnerable groups for expedited consideration. All refugees would still have to complete security and background checks prior to entry to the United States.

Finally, the bill addresses the need to treat genuine asylum seekers as per-

sons in need of protection, not as criminals. It calls for asylum seekers who can prove their identity and who pose no threat to the United States to be released from immigration detention. Vermont Immigration and Asylum Advocates, like other legal aid providers across the Nation, struggle to visit detention facilities located at a distance from urban centers, or to reach clients who have been transferred to far away locations. I appreciate efforts made by the Obama administration to parole eligible asylum seekers and to improve the conditions of detention overall, but more must be done. The Refugee Protection Act will improve access to counsel so that asylum seekers with genuine claims can gain legal assistance in presenting their claims. It will require the Government to codify detention standards so that reforms are meaningful and enforceable.

There is no question that the United States is a leader among nations in refugee protection, but we can do better. The refugees we welcome to our shores contribute to the fabric of our Nation, and enrich the communities where they settle. I urge all Senators to support the Refugee Protection Act of 2011.

Mr. President, I ask unanimous consent that a section by section analysis and a list of support organizations be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE LEAHY-LEVIN-AKAKA-DURBIN REFUGEE PROTECTION ACT OF 2011

SECTIONAL ANALYSIS

The Refugee Act of 1980 was a landmark piece of legislation that sought to fulfill the United States' obligations under the 1951 Refugee Convention. Unfortunately, in the intervening years, U.S. law has fallen short of those obligations. Last year, on the thirtieth anniversary of the Refugee Act of 1980, Senator Leahy, introduced the Refugee Protection Act of 2010 (S. 3113, 111th Congress), a comprehensive package of improvements to our law. On June 15, 2011, Senator Leahy, along with Senators Levin, Akaka, and Durbin, introduced a new version of the bill for the 112th Congress. The Refugee Protection Act of 2011 will ensure that refugees and asylum seekers with bona fide claims are protected by the United States, restoring the United States as a beacon of hope for those who suffer from persecution.

Sec. 1. Short Title.

The short title is the Refugee Protection Act of 2011.

Sec. 2. Definitions.

This section defines the terms "asylum seeker" and "Secretary of Homeland Security."

Sec. 3. Elimination of Time Limits on Asylum Applications.

This section eliminates the one-year time limit for filing an asylum claim. The stated intent of Congress in 1996 in enacting the one-year deadline was to prevent fraud, not to deprive bona fide applicants from securing protection under our laws. Yet, even in 1996,

problems related to fraud had been resolved through administrative reform implemented by the Immigration & Naturalization Service, which opposed the implementation of an application deadline. Since the one-year deadline was enacted, and despite exceptions available in the law for extraordinary or changed circumstances that may prevent the timely filing of an application, many asylum seekers with genuine claims have been denied protection. The exceptions to the one-year deadline are not uniformly applied to applicants, leading to unfair treatment of those who have legitimate reasons for applying after the one-year deadline. Moreover, a significant number of applicants have subsequently met the higher standard for withholding of removal, demonstrating that their claims were valid. This section allows such an asylum seeker to reopen his asylum claim if he is still in the United States, has not subsequently been awarded lawful permanent residence status, is not subject to a bar to asylum, and should not be denied asylum as a matter of discretion.

Sec. 4. Protecting Victims of Terrorism from Being Defined as Terrorists.

Under current law, any asylum seeker or refugee who is individually culpable of engaging in terrorist conduct, or direct support for it, is barred under prohibitions to entry for a threat to national security, serious non-political crime, persecution of others, or engaging in terrorist activity. Changes in the law since September 11, 2001, have resulted in innocent activity, or coerced actions, being labeled as "material support" for terrorism, a determination that can render genuine refugees ineligible for protection in the United States. This section would amend the law to ensure that asylum seekers and refugees are not barred from admission to the United States under an overly broad definition of "terrorist organization" in the Immigration and Nationality Act (INA).

This section would define the term "material support" to mean support that is significant and of a kind directly relevant to terrorist activity. This section also gives the Secretary of Homeland Security discretion to waive application of the terrorism bars for certain applicants.

This section clarifies that those who committed certain acts (such as military-type training, solicitation, or other non-violent actions) under duress may not be deemed inadmissible if they pose no threat to the United States. It gives the Secretary discretion to consider the age of the applicant at the time the acts were committed in determining whether those acts were committed under duress.

This section also creates an exception for those who were forced to recruit child soldiers under duress, or who engaged in such recruitment under the age of 18. Finally, this section would repeal an unduly harsh provision in current law that makes spouses and children inadmissible for the acts of a spouse or parent.

All applicants for asylum or refugee status must meet all of the other traditional background and security checks.

Sec. 5. Protecting Certain Vulnerable Groups of Asylum Seekers.

To be eligible for asylum under the Refugee Convention and domestic law, an applicant must show that he or she has experienced persecution or have a well-founded fear of future persecution on account of race, religion, nationality, political opinion, or membership in a particular social group. This section makes several modifications to

current law to ensure that particularly vulnerable groups of asylum seekers have a full and fair opportunity to seek protection in the United States.

Subsection (a) codifies the holding of the landmark Board of Immigration Appeals (BIA) decision in *Matter of Acosta*, 19 I. & N. Dec. 211 (BIA 1985). That holding defined the basis of persecution based on membership in a "particular social group" as one comprised of individuals who share a common characteristic they either cannot change, or should not be required to change because the characteristic is fundamental to their identity or conscience. The *Acosta* precedent has been clouded in recent years by BIA opinions that require asylum applicants to prove additional factors, some of which are unnecessary or contrary to the spirit of domestic law and the Refugee Convention. Most damaging is a requirement that the social group in question be "socially visible," a factor that could endanger certain categories of refugees, such as victims of gender persecution or LGBT asylum seekers. These are groups that, as Judge Posner of the Seventh Circuit Court of Appeals described, are at great pains to remain socially invisible. This subsection codifies the definition of social group in *Matter of Acosta* such that inappropriate, additional factors such as social visibility cannot be required by the BIA.

Subsection (b) makes additional changes to current law. Paragraph (1): United States law has long recognized that persecutors may have mixed motives for harming their victims. For example, a militia that operates outside government control may persecute a particular race of persons because of xenophobia and also because it seeks to deprive the persecuted race of valuable land and property. The fact that the persecutor is motivated by two intertwined goals should not prevent the victims from obtaining protection. Nonetheless, the REAL ID Act of 2005 raised the burden of proof that asylum seekers must meet in order to show that they fear persecution on account of one of the five grounds enumerated in the Refugee Convention and in U.S. law. (The five grounds are race, religion, nationality, membership in a particular social group, or political opinion.) The REAL ID Act requires that the asylum seeker demonstrate that harm on account of a protected ground is "at least one central reason" for the feared persecution. See INA §208(b)(1)(B)(i). The "one central reason" language is modified in this section, which does not fully repeal the notion of persecutor intent but applies it in a manner that is both realistic and fair. This paragraph strikes the language that requires the protected ground (e.g., race) to be one central reason for the persecution and requires instead that the protected ground "was or will be a factor in the applicant's persecution or fear of persecution."

Paragraph (2): The REAL ID Act of 2005 added requirements to the INA with regard to an asylum seeker's duty to provide corroborating evidence when it is requested by an immigration judge. The REAL ID Act stated that "such evidence must be provided unless the applicant does not have the evidence and cannot reasonably obtain the evidence." Corroborating evidence can be an important component of an asylum claim, but asylum seekers must have a fair opportunity to respond to requests for corroboration. In addition, as courts have noted, it is sometimes virtually impossible for asylum seekers to obtain certain types of corroborating evidence. Therefore, this paragraph requires that when the trier of fact seeks

corroborating evidence, the trier of fact must provide notice and allow the asylum applicant a reasonable opportunity to file such evidence unless the applicant does not have the evidence and cannot reasonably obtain the evidence.

Paragraph (3) rennumbers text in the statute.

Paragraph (4): As noted above, an asylum seeker must show that his or her well-founded fear of persecution is on account of one of the five grounds of asylum. This link is often called the nexus requirement. Some genuine asylum seekers have been denied asylum because of a lack of clear guidance on how the nexus requirement may be established when the persecutor is a non-state actor. The Department of Justice issued draft regulations in 2000 that made clear that an asylum seeker can demonstrate nexus through either "direct or circumstantial" evidence. This draft regulation was consistent with the U.S. Supreme Court's decision in *INS v. Elias-Zacarias*, 502 U.S. 478, 483 (1992). This paragraph would codify the draft regulation by making clear that either direct or circumstantial evidence may establish that persecution is on account of one of the five grounds.

Paragraph (5): The REAL ID Act also modified the INA with regard to factors that an immigration judge may consider in determining the asylum seeker's credibility. In short, the REAL ID gave heightened importance to inconsistencies in an asylum seeker's claim, even if those inconsistencies were minor or immaterial to the heart of the claim. In practice, an asylum seeker with limited English skills, with post-traumatic stress disorder, or with other conditions, may make simple, minor errors in the telling and retelling of their story. This paragraph modifies the INA to state that if the immigration judge determines that there are inconsistencies or omissions in the claim, the asylum seeker should be given an opportunity to explain and to provide support or evidence to clarify such inconsistencies or omissions. Subsection (c) makes identical corrections to the corroboration and credibility determinations for removal proceedings that are described in paragraphs (2) and (5) above.

Sec. 6. Effective Adjudication of Proceedings.

This section authorizes the Attorney General to appoint counsel to an alien in removal proceedings where fair resolution or effective adjudication of the case would be served by doing so. In certain cases, such as those involving highly complex asylum claims, unaccompanied minors, mentally impaired persons, or individuals who are incapable of pro se representation, delays in adjudication may result while an alien prepares a case or searches for pro bono representation. The immigration courts will operate more efficiently (with savings to taxpayers) if the Attorney General is provided explicit authority to exercise discretion to appoint counsel in certain instances, such as those described above.

Sec. 7. Scope and Standard for Review.

This section prevents the removal of an alien during the 30-day period an alien has to file a petition for review to a Federal Circuit Court of Appeals after the alien has been ordered removed. Staying the removal during this period will enable an applicant to carefully consider whether to file an appeal rather than rush to file in order to preserve his or her rights. In weak cases, the alien will likely decline to appeal, and deport voluntarily or via government removal. This section also restores judicial review to a fair

and reasonable standard consistent with principles of administrative law. The standard in this section is that the Court of Appeals shall sustain a final decision ordering the removal of an alien unless that decision is contrary to law, an abuse of discretion, or not supported by substantial evidence. The decision must be based on the administrative record on which the order of removal is based.

Sec. 8. Efficient Asylum Determination Process for Arriving Aliens.

Under current law, an alien who requests asylum as they attempt to enter the United States (an "arriving alien") is subject to detention for part or all of the time that they await an asylum hearing. Such asylum seekers are provided an initial interview with an asylum officer to determine whether they have a credible fear of persecution, but then must pursue their asylum case in immigration court, rather than in a non-adversarial proceeding. Generally speaking, the adversarial immigration hearing is considerably lengthier and costlier than a non-adversarial asylum hearing. Under this section, the DHS asylum office would be given jurisdiction over an asylum case after a positive credible fear determination. The alien would then undergo a non-adversarial asylum interview. If the asylum officer is unable to recommend a grant of asylum, the case will be referred to an immigration judge and the asylum seeker placed in removal proceedings. This structure mirrors the current process for asylum seekers who apply for asylum from within the United States.

Sec. 9. Secure Alternatives Program.

This section requires the Secretary of Homeland Security to establish a secure "alternatives to detention" program. The program will allow certain aliens in civil immigration custody to be released under enhanced supervision to prevent the alien from absconding and to ensure that the alien makes all required appearances associated with his or her immigration case. The program is to be designed as a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien with an individual or organizational sponsor, or in a supervised group home. The program shall restrict the use of ankle monitoring devices to cases in which there is a demonstrated need for enhanced monitoring, and the use of ankle monitors shall be reviewed periodically. The program shall be designed to include individualized case management and referrals to community based organizations. In designing the program, the Secretary is instructed to consider prior successful programs, such as the Vera Institute of Justice's Appearance Assistance Program.

The Secretary of Homeland Security currently has discretion to detain asylum seekers. This section maintains such discretion but clarifies that, consistent with a DHS policy announced in December 2009, it is the policy of the United States to release ("parole") asylum seekers who have established a credible fear of persecution. Under this section, asylum seekers who have established identity will be released within 7 days of a positive credible fear determination unless DHS can show that the asylum seeker poses a risk to public safety (which may include a risk to national security) or is a flight risk. If parole is denied, DHS must provide the asylum seeker with written notification for the reason for denial conveyed in a language the asylum seeker claims to understand.

Sec. 10. Conditions of Detention.

Regulations regarding conditions for detention shall be promulgated, and must ad-

dress several issues including access to legal service providers, group legal orientation presentations, translation services, recreational programs and activities, access to law libraries, prompt case notification requirements, access to working telephones, access to religious services, notice of transfers, and access to facilities by nongovernmental organization. This section also limits the use of solitary confinement, shackling, and strip searches. This section requires that, after the date of enactment, facilities first used by ICE to detain alien detainees must be located within 50 miles of a community in which there is a demonstrated capacity to provide free or low-cost legal representation.

Sec. 11. Timely Notice of Immigration Charges.

This section requires the Department of Homeland Security to file a charging document with the immigration court closest to the location at which an alien was apprehended within 48 hours of the alien being taken into custody by the Department. The Department is also required to serve a copy of the charging document on the alien within 48 hours of apprehension. This section will serve multiple purposes. It will prevent asylum seekers and other aliens from languishing in detention at taxpayer expense without being charged. It will encourage efficient handling of cases by both the Department of Homeland Security and the immigration courts, which are operated by the Department of Justice. Finally, it will ensure that if an asylum seeker or other alien is transferred from one detention facility to another, jurisdictional and due process protections will attach.

Sec. 12. Procedures for Ensuring Accuracy and Verifiability of Sworn Statements Taken Pursuant to Expedited Removal Authority.

This section modifies current policy to ensure that asylum seekers are not harmed by error in the production of sworn statements taken during the expedited removal process. It requires that the Secretary of Homeland Security establish a procedure whereby the interviews of asylum seekers are recorded. The recording may be a video, audio or other reliable form of recording. The recording must include a written statement, in its entirety, being read back to the alien in a language that the alien claims to understand, and include the alien affirming the accuracy of the statement or making any corrections thereto. If an interpreter is necessary, such interpreter must be competent in the language of the asylum seeker. Once a record is produced and signed by the asylum seeker under these conditions, it may be considered part of the record. The Secretary may exempt facilities from the requirements of this section under certain circumstances.

Sec. 13. Study on the Effect of Expedited Removal Provisions, Practices, and Procedures on Asylum Claims.

A 2005 study by the United States Commission on International Religious Freedom (USCIRF) documented widespread problems in the implementation of expedited removal policy by U.S. Customs and Border Protection immigration officers at ports of entry. A few months prior to release of the Study, the Secretary of Homeland Security expanded expedited removal authority from immigration inspectors at Ports of Entry—as applied to arriving aliens without proper documentation—to Border Patrol agents who apprehend an alien within 100 miles of the border within 14 days after an entry without inspection. The 2005 USCIRF Study did not analyze the implementation of expedited re-

moval by the Border Patrol, as USCIRF's data collection had been completed by that point in time. This section authorizes the Commission to conduct a new study to determine whether Border Patrol officers exercising expedited removal authority in the interior of the United States are improperly encouraging aliens to withdraw or retract claims for asylum. The Commission is also authorized to study whether immigration officers incorrectly fail to refer asylum seekers for credible fear interviews by asylum officers; incorrectly remove such aliens to a country where the alien may be persecuted; and/or detain such asylum seekers improperly or in inappropriate conditions.

Sec. 14. Refugee Opportunity Promotion.

The immigration statute requires a refugee who is resettled in the United States to remain on U.S. soil for a full year before adjusting to lawful permanent residence. For many, this requirement presents no obstacles, as resettled refugees immediately begin to work, learn English, and contribute to their local communities. Yet, the one-year physical presence requirement poses a significant barrier to resettled refugees who are eager and willing to serve the United States Government overseas. This section waives the continuous presence requirement for any refugee who, during their first year of residence in the United States, accepts employment overseas to aid the United States Government, such as by working as a translator or in another professional capacity.

Sec. 15. Protections for Minors Seeking Asylum.

The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) amended the immigration statute to exempt unaccompanied alien children from the safe third country and one-year filing deadline bars to asylum. This section will amend the statute to expand these TVPRA exemptions to all child applicants for asylum. This section also expands the exemption to the bar to asylum for applicants under 18 years of age who were previously denied asylum. The proposed language also clarifies that unaccompanied alien children who have previously been removed, or who departed voluntarily, should not have their removal orders reinstated, but should instead be placed in removal proceedings. Finally, this section states that all cases of children seeking asylum be adjudicated in the first instance by an asylum officer in a non-adversarial proceeding. These protections, which were provided to unaccompanied minors in the TVPRA, are expanded in the bill to all child asylum seekers.

Sec. 16. Legal Assistance for Refugees and Asylees.

The Immigration and Nationality Act authorizes the Secretary of Health and Human Services to make grants to non-profit organizations to assist resettled refugees with mental health counseling, social services, education (including English as a Second Language, or ESL), and other assistance to help refugees assimilate into American communities. This section would authorize the Secretary to make similar grants to assist lawfully resettled refugees with legal advice on applications for immigration benefits to which they may be eligible after residing in the United States for certain periods of time, e.g., family reunification, adjustment of status, or naturalization.

Sec. 17. Protection of Stateless Persons in the United States.

This section will enable individuals who are de jure stateless to obtain lawful status

in the United States. De jure stateless persons are individuals who are not considered to be citizens under the laws of any country. They do not have a nationality and therefore cannot be returned anywhere. (These individuals are not rendered stateless by any negative action of their own, such as the commission of crimes that leads the country of origin to deny return, but generally by forces beyond their control, such as the collapse of the country of origin (e.g. the Soviet Union) and the succession of a state or states that will not recognize certain former nationals.) De jure stateless persons are ineligible for lawfully recognized status in the United States based on the fact that they are stateless. This section would make such persons eligible to apply for conditional lawful status if they are not inadmissible under criminal or security grounds and if they pass all standard background checks. After five years in conditional status, de jure stateless persons would be eligible to apply for lawful permanent status.

Sec. 18. Authority to Designate Certain Groups of Refugees for Consideration.

This section authorizes the President to designate certain groups as eligible for expedited adjudication as refugees. The authority would address situations in which a group is targeted for persecution in their country of origin or country of first asylum. The designation by the President would be sufficient, if proved to the satisfaction of the Secretary of Homeland Security, to establish a well-founded fear of persecution for members of the designated group. However, each individual applicant would still have to be admissible to the United States and pass security and background checks before being admitted. Refugees admitted under this authority would not be exempt from the annual limit on refugee admissions. This section simply enables the President to call for expedited adjudication where necessary and appropriate. This section explicitly includes groups previously protected under the Lautenberg Amendment, which include, among others, Jews and Evangelical Christians from the former Soviet Union, and religious minorities from Iran.

Sec. 19. Multiple Forms of Relief.

This section simply allows individuals applying for refugee protection to simultaneously apply for other forms of admission to the United States, such as through a family-based petition. All applicants for admission must pass security and background checks. This modification to current law would not allow would-be refugees from gaming the system, but simply enable them to escape harm or persecution at the first opportunity a visa becomes available. This section also allows the very small number of asylum applicants who win the opportunity to apply for a green card through the diversity lottery the ability to apply for that diversity visa from within the United States. Typically, diversity visa applicants must apply from their home country, a requirement that would subject a genuine asylum seeker to risk of harm.

Sec. 20. Protection of Refugee Families.

This modification to current law would enable the spouse or child of a refugee (a "derivative") to bring their children to the United States when they accompany or follow to join the spouse or parent who was originally awarded refugee status (a "principal"). Current law does not allow a derivative's child to be admitted as a refugee, yet given the long waits and often unsafe conditions that many derivative applicants and

their children face in camps overseas, the United States should provide this group protection. This section also aids children who were orphaned or abandoned by their blood relatives and are living in the care of extended family, friends, or neighbors who are granted admission to the United States as refugees or asylees. Where it is in the best interest of such a child to join that refugee or asylee in the United States, this section creates a mechanism whereby they may be admitted. This section also repeals an unnecessary time limit in regulations on the filing of family petitions related to refugee and asylee family reunification. Finally, to facilitate the admission of eligible family members, this section requires that U.S. Citizenship and Immigration Services adjudicate family reunification petitions for those following to join refugees and asylees within 90 days of filing.

Sec. 21. Reform of Refugee Consultation Process.

Each year, the executive branch is charged with consulting with Congress over the annual allocation of refugees to be admitted to the United States. This section requires meaningful consultation to take place between Cabinet-level officers and the committees of jurisdiction of the Congress by May 1 of each year.

Sec. 22. Admission of Refugees in the Absence of the Annual Presidential Determination.

This section states that for a fiscal year in which the executive branch does not determine the allocation of refugees for that year, the admission of refugees is not delayed. Rather, until a determination is announced for the new fiscal year, in each quarter of the new fiscal year, the number of refugees equal to one-quarter for the prior fiscal year's allocation may be admitted.

Sec. 23. Update of Reception and Placement Grants.

When a refugee is resettled in the United States, the federal government assists him or her through Reception and Placement Grants to non-governmental organizations (NGOs) that help refugees find housing, place their children in school, enroll in ESL classes, and take other initial steps toward building a new life in the United States. Early in 2010, the administration increased the per capita grant level to \$1800 per refugee, up to \$1100 of which may be awarded directly to the refugee for immediate costs, and up to \$700 of which is used by the NGO to cover the cost of dedicated staff and expenses. Prior to 2010, the per capita level had not kept pace with inflation. For years it was set at a level so low that refugees were effectively consigned to poverty upon arrival in the United States, and NGOs were only able to offset the cost of basic support services to the refugees by raising additional funds. To ensure that the per capita amount does not fall behind the minimum level required for basic needs, this section requires the per capita amount to be adjusted on an annual basis for inflation and the cost of living. It also calls for better forecasting of financial needs with regard to the number of refugees expected to be resettled each year and allows for additional amounts to be paid out in the event that a higher than anticipated number of refugees is admitted in a fiscal year.

Sec. 24. Protection for Aliens Interdicted at Sea.

The U.S. government should apply one standard, consistent with the Refugee Convention, to all asylum seekers interdicted at sea, regardless of their nationality. Yet a patchwork of policies has evolved over the past two decades often in response to mass

migrations at sea. The result is disparate treatment of Cubans, Chinese and Haitians. This section will require the Secretary of Homeland Security to develop uniform policies to identify asylum seekers among those interdicted at sea and to treat those individuals fairly and in a non-discriminatory manner.

Sec. 25. Modification of Physical Presence Requirements for Aliens Serving as Translators.

Under current law, in order to be naturalized, most non-U.S. citizens must have continuous residence in the United States for five years and physical presence for periods totaling half that time (2½ years). This section would permit absence from the United States while serving as a translator for the U.S. government in Iraq or Afghanistan to count toward the 2½ years physical presence required for naturalization.

Sec. 26. Assessment of the Refugee Domestic Resettlement Program.

This section directs GAO to conduct a study on the effectiveness of the domestic refugee resettlement program operated by the Office of Refugee Resettlement (ORR) of the Department of Health and Human Services. The study will analyze issues pertaining to the definition of self sufficiency, the effectiveness of ORR in helping refugees to attain self-sufficiency, the unmet needs of the program, and the role of community-based organizations. The GAO study will issue statutory recommendations.

Sec. 27. Refugee Assistance.

This section revises the formula for social services funding allocated to states to include projections of future refugee arrivals, as well as refugee data from prior years. This section requires an annual report on secondary migration and its impact on states.

Sec. 28. Resettlement Data.

This section expands and improves data collection and reporting within ORR with regard to the mental health and housing needs of refugees. It will also collect long term employment and self-sufficiency data on resettled refugees.

Sec. 29. Protections for Refugees.

Current law makes refugees resettled in the United States eligible to apply for lawful permanent residence after one year. However, current law also suggests that a refugee who does not adjust status after one year may be taken into custody by DHS. (See Section 209 of the INA, 8 U.S.C. 1159). The agency recently issued guidance to clarify interpretation of the law, stating that detention of an unadjusted refugee who is found to be inadmissible or deportable should be determined under the statute relating to apprehension and detention of aliens. (See Section 236 of the INA, 8 U.S.C. 1226.) Accordingly, this section of the bill strikes language in current law that suggests that refugees may be taken into custody simply for remaining unadjusted. This section also allows a refugee to apply for lawful permanent residence up to three months prior to obtaining a year of presence in the United States.

Sec. 30. Extension of Eligibility Period for Social Security Benefits for Certain Refugees.

This section extends social security benefits to elderly and disabled refugees who have not yet naturalized. Typically, certain eligible refugees may receive social security for seven years. That period was extended for two years in 2008 by a bipartisan bill supported by President Bush. This section extends the social security funding for one additional year.

Sec. 31. Authorization of Appropriations.

This section authorizes such sums as are necessary to carry out the Act.

Sec. 32. Determination of Budgetary Effects.

This section contains standardized "PAYGO" language.

THE LEAHY-LEVIN-AKAKA-DURBIN REFUGEE PROTECTION ACT OF 2011

ENDORSEMENTS AS OF JUNE 15, 2011

American Bar Association; American Civil Liberties Union; American Humanist Association; American Immigration Lawyers Association; American Jewish Committee; Amnesty International USA; Association of Africans Living in Vermont; Asylum Access; Center for American Progress Action Fund; Center for Gender & Refugee Studies; Center for Victims of Torture; CenterLink; The Community of LGBT Centers; Church World Service, Immigration and Refugee Program; The Episcopal Church; Family Equality Council; Golden Door Coalition of Illinois; Hebrew Immigrant Aid Society; Hebrew Immigrant Aid Society Chicago; Heartland Alliance for Human Needs & Human Rights; Human Rights Campaign; Human Rights First; Human Rights Watch; Immigrant Child Advocacy Project at the University of Chicago; Immigration Equality Action Fund; International Rescue Committee; Jewish Child and Family Services (Metropolitan Chicago); Kids in Need of Defense (KIND); Lutheran Immigration and Refugee Service; National Center for Transgender Equality; National Immigrant Justice Center; National Immigration Forum; National Immigration Law Center; National Council of Jewish Women; National Latina Institute for Reproductive Health; Organization for Refugee, Asylum & Migration; PFLAG National (Parents, Families and Friends of Lesbians and Gays); RefugeeOne; Refugee Women's Network, Inc.; Refugees International; State Coordinators of Refugee Resettlement (SCORR); Tahiri Justice Center; United African Organization; U.S. Committee for Refugees and Immigrants; U.S. Conference of Catholic Bishops; Vermont Immigration and Asylum Advocates; Women's Refugee Commission.

The U.S. Commission on International Religious Freedom supports the Refugee Protection Act of 2011.

*Deborah Anker, Clinical Professor of Law and Director, Harvard Immigration and Refugee Clinical Program, Harvard Law School.

*Sabi Ardalán, Lecturer on Law, Harvard Immigration and Refugee Clinical Program.

*Regina Germain, Adjunct Professor of Asylum Law and the Asylum Practicum, University of Denver Sturm College of Law.

*Philip G. Schrag, Delaney Family Professor of Public Interest Law, Georgetown University.

*Shoba Sivaprasad Wadhia, Clinical Professor of Law & Director, Center for Immigrants' Rights, Penn State Dickinson School of Law.

*Title and affiliation listed for informational purposes only.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. ISAKSON, Ms. KLOBUCHAR, and Mr. INOUE):

S. 1203. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program; to the Committee on Finance.

Ms. SNOWE. Mr. President, today I join my colleague on the Senate Fi-

nance Committee, Senator JOHN KERRY of Massachusetts, to introduce the Medicare Home Infusion Coverage Act, which will help us improve care and reduce costs. We are joined by Senator ISAKSON, Senator KLOBUCHAR, and Senator INOUE, who also recognize the tremendous value offered by home infusion therapy.

Today many serious conditions, including some cancers and drug-resistant infections—requires the use of infusion therapy. Such treatment involves the administration of medication directly into the bloodstream via a needle or catheter. Specialized equipment, supplies, and professional services, such as sterile drug compounding, care coordination, and patient education and monitoring, are part of such therapy. The course of infusion treatment often lasts for several hours per day over a 6-to-8 week period.

The regrettable fact is that Medicare patients requiring infusion therapy must either bear that cost themselves, or endure hospitalization in order to receive coverage. Though Medicare pays for infusion drugs, it does not pay for the services, equipment, and supplies necessary to safely provide infusion therapy in the home. Not surprisingly, even though home infusion therapy may cost as little as \$100 a day, too few seniors can afford that cost.

The result is that patients are hospitalized needlessly, driving costs of treatment as much as 10–20 times higher than treatment in the home. These unnecessary hospitalizations are not only wasteful to Medicare, but they may even place the patient at risk of contracting a health care-acquired infection.

Private coverage for home infusion therapy is commonplace. Private plans also recognize that patients benefit from avoiding hospitalization. At home they have familiar, comfortable surroundings, and family conveniently at hand, no small concerns when fighting a serious illness. In fact, according to a June 2010 Government Accountability Office report, "Health insurers contend that the benefit has been cost-effective, that is, providing infusion therapy at home generally costs less than treatment in other settings. They also contend that the benefit is largely free from inappropriate utilization and problems in quality of care."

By extending coverage of infusion therapy to the home, we will correct this unintended and unnecessary gap in Medicare coverage. I hope my colleagues will join us in support of this legislation so we may further the goals of improving patient safety and reducing our escalating health care costs.

By Mr. UDALL of Colorado:

S. 1204. A bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes; to the Committee on Armed Services.

Mr. UDALL of Colorado. Mr. President, I rise to speak about the Department of Defense Energy Security Act of 2011 or DODESA, that I am introducing today.

This bill takes a number of important steps toward addressing some of our most critical national energy security challenges. It authorizes increased development of alternative fuels and increased usage of hybrid drive systems and electric vehicles. The bill streamlines communication between agencies responsible for energy programs across the DOD, and authorizes DOD to examine where the greatest potential exists for renewable energy programs. And it authorizes DOD to determine how best to incorporate smart grid technology and to work with local communities to develop contingency plans in the event of a power outage caused by cyber attacks or natural disasters.

Simply put, this bill addresses the military's single largest vulnerability: Its dependence on fossil fuel. When you talk about that dependency in theater—you're talking about putting service members' lives at risk. During the wars in Iraq and Afghanistan, thousands of service men and women have been injured and killed each year in attacks on fuel convoys. Osama bin Laden reportedly called those convoys our military's "umbilical cord." In the words of the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen: "Saving energy saves lives." He said: "Energy needs to be the first thing we think about before we deploy another soldier, before we build another ship or plane."

That dependence on oil also costs taxpayers a staggering amount of money. But our military's reliance on vulnerable energy resources is not just on the battlefield. At home, defense facilities rely on a fragile national grid, leaving critical assets vulnerable. The Defense Science Board found in its 2008 report, "More Fight—Less Fuel" that, "critical national security and homeland defense missions are at an unacceptably high risk of extended outage from failure of the grid."

All told, the military spends \$20 billion on energy each year, consuming a whopping 135 million barrels of oil and 30 million megawatt-hours of electricity. It consumes more fuel and electricity each year than most countries.

The Pentagon's energy consumption has serious national security implications, but it also presents opportunities. As the Logistics Management Institute wrote, "Aggressively developing and applying energy-saving technologies to military applications would potentially do more to solve the most pressing long-term challenges facing DOD and our national security than any other single investment area."

That is why we have introduced this legislation. I say "we" because this bill is the product of a joint effort with

Congresswoman GIFFORDS' office. GABBY is a great friend, and we introduced this bill together last Congress. This year, my staff has worked closely with hers on this updated version. This is an issue that is near and dear to GABBY's heart, and I know that she is eager to continue her work on it in the House.

I am very proud of this legislation for a number of reasons.

First and foremost, DODESA will help the Department of Defense cut fuel consumption and long-term costs.

Secondly, it provides authorization that will expand existing renewable energy studies and pilot programs through a Joint Contingency Base Resource Security Project. This project will help the service branches share lessons learned as they study the best ways to incorporate renewable energy sources and fuel reduction initiatives, such as the Marine Corps' outstanding Experimental Forward Operating Base, and the Army's Net Zero Installations.

Third, Colorado is leading the way in this commonsense area of energy security. In particular, I would like to highlight the leadership of Fort Carson, in my home state, which has been chosen as one of two bases to participate in the Army's "Triple Net Zero" pilot program. They are truly pioneers in this important work, and I appreciate all of their efforts.

In sum, our legislation will make America more secure, will save taxpayer dollars, and it will save lives. There is no single solution to our energy security challenges. DODESA is not a silver bullet that will solve all of our problems. However, it's part of a silver buckshot solution that will require multiple changes in the way that we do business.

We owe it to our service members and the American people to find ways to use energy smarter and more efficiently, and I believe this bill takes a number of important steps in the right direction.

Mr. President, I ask unanimous consent that the, text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1204

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Department of Defense Energy Security Act of 2011".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Congressional defense committees defined.
- Sec. 3. Sense of Congress on Department of Defense energy savings initiatives.
- Sec. 4. Waiver authority.

TITLE I—OPERATIONAL ENERGY SECURITY

- Sec. 101. Joint contingency base resource pilot project.
- Sec. 102. Research and development activities to incorporate hybrid-drive technology into current and future tactical fleet of military ground vehicles.
- Sec. 103. Conversion of Department of Defense fleet of non-tactical motor vehicles to electric and hybrid motor vehicles.
- Sec. 104. Ten-year extension of authorized initial term of contracts for storage, handling or distribution of liquid fuels and natural gas.
- Sec. 105. Establishment of Department of Defense Joint Task Force for Alternative Fuel Development.

TITLE II—INSTALLATION ENERGY SECURITY

- Sec. 201. Funding for Installation Energy Test Bed.
- Sec. 202. Funding for energy conservation projects.
- Sec. 203. Report on energy-efficiency standards.
- Sec. 204. Identification of energy-efficient products for use in construction, repair, or renovation of Department of Defense facilities.
- Sec. 205. Core curriculum and certification standards for Department of Defense energy managers.
- Sec. 206. Requirement for Department of Defense to capture and track data generated in metering department facilities.
- Sec. 207. Establishment of milestones for achieving Department of Defense 2025 renewable energy goal.
- Sec. 208. Development of renewable energy sources on military lands.
- Sec. 209. Development of renewable energy on military installations.
- Sec. 210. Report on cross-agency renewable energy development efforts.
- Sec. 211. Elimination of approval requirement for long-term contracts for energy or fuel for military installations.
- Sec. 212. Consideration of energy security in developing energy projects on military installations using renewable energy sources.
- Sec. 213. Study on installation energy security and societal impacts.

SEC. 2. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

In this Act, the term "congressional defense committees" means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

SEC. 3. SENSE OF CONGRESS ON DEPARTMENT OF DEFENSE ENERGY SAVINGS INITIATIVES.

It is the sense of Congress that—

- (1) the Department of Defense should develop, test, field, and maintain operationally-effective technologies that reduce the energy needs of forward-deployed forces;
- (2) the Secretary of Defense should ensure the energy security of Department of Defense facilities;
- (3) the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Deputy Under Secretary of Defense for Installations and Environment should act in concert to implement strategies and coordinate activities across the services to meet

Department-wide and service energy goals, including service initiatives such as the Navy's Great Green Fleet, the Air Force's alternative fuel certification program, the Army's Net Zero installation pilot program, and the Marine Corps experimental forward operating base project; and

(4) in general, the Department of Defense should aggressively pursue opportunities to save energy, reduce energy-related costs, decrease reliance on foreign oil, decrease the energy-related logistics burden for deployed forces, ensure the long-term sustainability of military installations, and strengthen United States energy security.

SEC. 4. WAIVER AUTHORITY.

(a) IN GENERAL.—The Secretary of Defense may waive the implementation or operation of a provision of this Act or an amendment made by this Act if the Secretary certifies to Congress that implementation or continued operation of such provision would adversely impact the national security of the United States.

(b) INTELLIGENCE ACTIVITY WAIVER.—The Director of National Intelligence may, in consultation with the Secretary of Defense, exempt an intelligence activity of the United States, and related personnel, resources, and facilities, from a provision of this Act or an amendment made by this Act to the extent the Director and Secretary determine necessary to protect intelligence sources and methods from unauthorized disclosure.

TITLE I—OPERATIONAL ENERGY SECURITY

SEC. 101. JOINT CONTINGENCY BASE RESOURCE PILOT PROJECT.

(a) PILOT PROJECT AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Energy, as appropriate, carry out a pilot project to assess the feasibility and advisability of various joint and multi-service mechanisms to decrease energy usage by deployed military units, including by minimizing at forward operating bases the production of waste water, consumption of drinking water, energy, and materials, and reducing impacts on habitat and perimeter security and by maximizing capacity and effectiveness at such bases while promoting operational independence from supply lines and minimizing the resource footprint. The Secretary of Defense shall designate a lead officer for the pilot project.

(2) MECHANISMS TO BE ASSESSED.—The mechanisms assessed under the pilot project shall include new energy and energy-efficiency technologies and such other systems, components, and technologies as the Secretary shall identify for purposes of the pilot project.

(3) UTILIZATION OF SMALL BUSINESS.—In carrying out the pilot project, the Secretary shall, to the extent practicable, seek to work with small businesses through small-scale procurement of systems, components, and technologies described in paragraph (2).

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2012 \$4,000,000 to carry out the pilot project authorized by subsection (a).

SEC. 102. RESEARCH AND DEVELOPMENT ACTIVITIES TO INCORPORATE HYBRID-DRIVE TECHNOLOGY INTO CURRENT AND FUTURE TACTICAL FLEET OF MILITARY GROUND VEHICLES.

(a) IDENTIFICATION OF USABLE HYBRID-DRIVE TECHNOLOGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments and the Secretary of Energy, as appropriate, shall submit to Congress a report

identifying hybrid-drive technologies suitable for incorporation into the next reset and recap of motor vehicles of the current tactical fleet of the military services. In identifying suitable hybrid-drive technologies, the Secretary shall consider the feasibility and costs and benefits of incorporating a hybrid-drive technology into each type and variant of vehicle, including fuel savings, and the design changes and amount of time required for incorporation.

(b) **HYBRID-DRIVE TECHNOLOGY DEFINED.**—In this section, the term “hybrid-drive technology” means a propulsion system, including the engine and drive train, that draws energy from onboard sources of stored energy that involve—

- (1) an internal combustion or heat engine using combustible fuel; and
- (2) a rechargeable energy storage system.

SEC. 103. CONVERSION OF DEPARTMENT OF DEFENSE FLEET OF NON-TACTICAL MOTOR VEHICLES TO ELECTRIC AND HYBRID MOTOR VEHICLES.

(a) **CONVERSION REQUIRED.**—

(1) **IN GENERAL.**—Subchapter II of chapter 173 of title 10, United States Code, is amended by inserting after section 2922c the following new section:

“§ 2922c-1. Conversion of Department of Defense non-tactical motor vehicle fleet to motor vehicles using electric or hybrid propulsion systems

“(a) **DEADLINE FOR CONVERSION.**—Beginning on October 1, 2017, the Secretary of Defense, the Secretary of a military department, or the head of a Defense Agency may not procure non-tactical motor vehicles or buses unless such vehicles use—

- “(1) electric propulsion; or
- “(2) hybrid propulsion; or
- “(3) an alternative propulsion system sufficient to make such non-tactical motor vehicles and buses meet or exceed applicable Corporate Average Fuel Economy standards.

“(b) **PREFERENCE.**—In procuring motor vehicles for use by a military department or defense agency after the date of the enactment of this section, the Secretary concerned or the head of the defense agency shall provide a preference for the procurement of non-tactical motor vehicles with a propulsion system described in paragraph (1), (2), or (3) of subsection (a), including plug-in hybrid systems, if the motor vehicles—

- “(1) will meet the requirement or the need for the procurement; and
- “(2) are commercially available at a cost reasonably comparable, on the basis of life-cycle cost, to motor vehicles containing only an internal combustion or heat engine using combustible fuel.

“(c) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the prohibitions under subsection (a) with respect to a class of non-tactical vehicles if the Secretary determines that there is a lack of commercial availability for the class of vehicles or if the acquisition of such vehicles is cost prohibitive.

“(d) **HYBRID DEFINED.**—In this section, the term ‘hybrid’, with respect to a motor vehicle, means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both—

- “(1) an internal combustion or heat engine using combustible fuel; and
- “(2) a rechargeable energy storage system.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2922c the following new item:

“2922c-1. Conversion of Department of Defense non-tactical motor vehicle fleet to motor vehicles using electric or hybrid propulsion systems.”.

(b) **APPLICABILITY.**—The prohibition under section 2922c-1(a) of title 10, United States Code, as added by subsection (a), does not apply to contracts for the procurement of non-tactical vehicles entered into before the date of the enactment of this Act.

SEC. 104. TEN-YEAR EXTENSION OF AUTHORIZED INITIAL TERM OF CONTRACTS FOR STORAGE, HANDLING OR DISTRIBUTION OF LIQUID FUELS AND NATURAL GAS.

Section 2922 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: “Contracts for the procurement of liquid fuels, or natural gas entered into pursuant to this section shall comply with the requirements of section 526 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142).”.

(2) in subsection (b), in the first sentence, by striking “5 years” and inserting “15 years”.

SEC. 105. ESTABLISHMENT OF DEPARTMENT OF DEFENSE JOINT TASK FORCE FOR ALTERNATIVE FUEL DEVELOPMENT.

(a) **ESTABLISHMENT OF TASK FORCE.**—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall chair a joint task force for alternative fuel development, consisting of the Secretaries of the military departments, or their designees, the Assistant Secretary for Research and Engineering, and other members determined appropriate. The task force shall—

- (1) lead the military departments in the development of alternative fuel;
- (2) streamline the current investments of each of the military departments and ensure that such investments account for the requirements of the military departments;
- (3) collaborate with and leverage investments made by the Department of Energy and other Federal agencies to advance alternative fuel development;
- (4) coordinate proposed alternative fuel investments in accordance with section 138c(e) of title 10, United States Code; and
- (5) focus its efforts on fuels that are compliant with the provisions of section 526 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142).

(b) **IMPLEMENTATION.**—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall prescribe policy for the task force established pursuant to subsection (a) and certify the budget associated with alternative fuel investments of the Department of Defense.

(c) **NOTIFICATION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the policy prescribed under subsection (b).

TITLE II—INSTALLATION ENERGY SECURITY

SEC. 201. FUNDING FOR INSTALLATION ENERGY TEST BED.

There is authorized to be appropriated \$47,000,000 for each of fiscal years 2012 through 2016 for research, development, test, and evaluation, Defense-wide, for the Installation Energy Test Bed (PE 0603XXXX8Z). As appropriate, all Department of Defense projects funded through this program shall be open and available to the Department of Energy and its commercialization team.

SEC. 202. FUNDING FOR ENERGY CONSERVATION PROJECTS.

(a) **AUTHORIZATION TO OBLIGATE FUNDS.**—The Secretary of Defense may obligate, from amounts appropriated for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) and available to carry out energy conservation projects, \$135,000,000 for fiscal year 2012 to carry out energy conservation projects under chapter 173 of title 10, United States Code, to accelerate implementation of the energy performance plan of the Department of Defense and achievement of the energy performance goals established under section 2911 of such title, as amended by this Act.

(b) **AUTHORIZATION OF APPROPRIATIONS TO COMPENSATE FOR DEFICIENCY.**—There is authorized to be appropriated to the Secretary of Defense for fiscal year 2012 an amount equal to the difference between—

(1) the amount that may be obligated by the Secretary of Defense under subsection (a); and

(2) the amount appropriated for such fiscal year for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) and available to carry out energy conservation projects.

SEC. 203. REPORT ON ENERGY-EFFICIENCY STANDARDS.

(a) **REPORT REQUIRED.**—Not later than January 30, 2013, the Secretary of Defense shall submit to the congressional defense committees a report on the energy-efficiency standards utilized by the Department of Defense for military construction.

(b) **CONTENTS OF REPORT.**—The report shall include the following:

(1) A cost-benefit analysis, on a life cycle basis, of adopting American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) building standard 189.1 versus 90.1 for sustainable design and development for the construction and renovation of non-temporary buildings and structures for the use of the Department of Defense.

(2) Department of Defense policy prescribing a comprehensive strategy for the development of design and building standards across the Department that include specific energy-efficiency standards and sustainable design attributes for military construction based on the cost-benefit analysis required by paragraph (1), and consistent with the requirement under subsection (c).

(c) **ENERGY EFFICIENCY STANDARDS.**—The Secretary of Defense shall prescribe Department-wide standards, to be effective no later than January 1, 2014, for the design, construction, and renovation of Department of Defense facilities that mandate energy efficiency standards equivalent, at a minimum, to ASHRAE building standard 189.1.

SEC. 204. IDENTIFICATION OF ENERGY-EFFICIENT PRODUCTS FOR USE IN CONSTRUCTION, REPAIR, OR RENOVATION OF DEPARTMENT OF DEFENSE FACILITIES.

(a) **RESPONSIBILITY OF SECRETARY OF DEFENSE.**—Section 2915(e) of title 10, United States Code, is amended by striking paragraph (2) and inserting the following new paragraph:

“(2)(A) Not later than December 31, 2012, the Secretary of Defense shall prescribe a definition of the term ‘energy-efficient product’ for purposes of this subsection and establish and maintain a list of products satisfying the definition. The definition and list shall be developed in consultation with the Secretary of Energy to ensure, to the maximum extent practicable, consistency with

definitions of the term used by other Federal agencies.

“(B) The Secretary shall modify the definition and list of energy-efficient products as necessary, but not less than annually, to account for emerging or changing technologies.

“(C) The list of energy-efficient products shall be included as part of the energy performance master plan developed pursuant to section 2911(b)(2) of this title. The Secretary of Defense shall report any research on topics related to technologies covered in this subsection being funded at national laboratories to the relevant program management offices of the Department of Energy to ensure research agendas are coordinated, where appropriate.”

(b) CONFORMING AMENDMENT TO ENERGY PERFORMANCE MASTER PLAN.—Section 2911(b)(2) of such title is amended by adding at the end the following new subparagraph:

“(F) The up-to date list of energy-efficient products maintained under section 2915(e)(2) of this title.”

SEC. 205. CORE CURRICULUM AND CERTIFICATION STANDARDS FOR DEPARTMENT OF DEFENSE ENERGY MANAGERS.

(a) TRAINING PROGRAM AND ISSUANCE OF GUIDANCE.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by inserting after section 2915 the following new section:

“§ 2915a. Facilities: department of defense energy managers

“(a) TRAINING PROGRAM REQUIRED.—The Secretary of Defense shall establish a training program for Department of Defense energy managers designated for military installations—

“(1) to improve the knowledge, skills, and abilities of energy managers; and

“(2) to improve consistency among energy managers throughout the Department in the performance of their responsibilities.

“(b) CURRICULUM AND CERTIFICATION.—(1) The Secretary of Defense shall identify core curriculum and certification standards required for energy managers. At a minimum, the curriculum shall include the following:

“(A) Details of the energy laws that the Department of Defense is obligated to comply with and the mandates that the Department of Defense is obligated to implement.

“(B) Details of energy contracting options for third-party financing of facility energy projects.

“(C) Details of the interaction of Federal laws with State and local renewable portfolio standards.

“(D) Details of current renewable energy technology options, and lessons learned from exemplary installations.

“(E) Details of strategies to improve individual installation acceptance of its responsibility for reducing energy consumption.

“(F) Details of how to conduct an energy audit and the responsibilities for commissioning, recommissioning, and continuous commissioning of facilities.

“(2) The curriculum and certification standards shall leverage the best practices of each of the military departments.

“(3) The certification standards shall identify professional qualifications required to be designated as an energy manager.

“(c) USE OF EXISTING ENERGY CERTIFICATION PROGRAMS.—The Deputy Under Secretary for Installations and Environment may determine that an existing Federal energy certification program is suitable to be used instead of the program described in subsection (b) to improve the knowledge, skills,

and abilities of energy managers designated for military installations.

“(d) INFORMATION SHARING.—The Secretary of Defense shall ensure that there are opportunities and forums, not less than annually, for energy managers to exchange ideas and lessons learned within each military department, as well as across the Department of Defense.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2915 the following new item:

“2915a. Facilities: Department of Defense energy managers.”

(b) ISSUANCE OF GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance for the implementation of the core curriculum and certification standards for energy managers required by section 2915a of title 10, United States Code, as added by subsection (a).

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, or designated representatives of the Secretary, shall brief the Committees on Armed Services of the Senate and House of Representatives regarding the details of the energy manager core curriculum and certification requirements.

SEC. 206. REQUIREMENT FOR DEPARTMENT OF DEFENSE TO CAPTURE AND TRACK DATA GENERATED IN METERING DEPARTMENT FACILITIES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the collection of data generated in the energy metering of Department of Defense facilities, including an assessment of what data is most relevant to energy efficiency determinations and an examination of methods to collect such data. The study shall include recommendations for transmitting metering data electronically in a way that ensures protection from cyberthreats.

(b) DATA CAPTURE REQUIREMENT.—The Secretary of Defense shall require that the information generated by the installation energy meters be captured and tracked to determine baseline energy consumption and facilitate efforts to reduce energy consumption. The data shall be made available to procurement officials to enable decisions regarding technology acquisitions to include consideration of relevant energy efficiency information.

SEC. 207. ESTABLISHMENT OF MILESTONES FOR ACHIEVING DEPARTMENT OF DEFENSE 2025 RENEWABLE ENERGY GOAL.

Section 2911(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) In achieving the goal specified in paragraph (1) regarding the use of renewable energy by the Department of Defense—

“(A) after September 30, 2015, the Department shall produce or procure from renewable energy sources not less than 12 percent of the total quantity of facility energy it consumes within its facilities;

“(B) after September 30, 2018, the Department shall produce or procure from renewable energy sources not less than 16 percent of the total quantity of facility energy it consumes within its facilities; and

“(C) after September 30, 2021, the Department shall produce or procure from renewable energy sources not less than 20 percent

of the total quantity of facility energy it consumes within its facilities.”

SEC. 208. DEVELOPMENT OF RENEWABLE ENERGY SOURCES ON MILITARY LANDS.

(a) EXPANSION OF CURRENT GEOTHERMAL AUTHORITY.—Section 2917 of title 10, United States Code, is amended—

(1) by striking “The Secretary” and inserting “(a) IN GENERAL.—The Secretary”;

(2) by striking “geothermal energy resource” and inserting “renewable energy source”; and

(3) by adding at the end the following new subsections:

“(b) CONSIDERATION OF ENERGY SECURITY.—The development of a renewable energy resource under subsection (a) shall include consideration of energy security in the design and development of the project to ensure that it does not have an adverse impact on mission needs.

“(c) DEFINITIONS.—In this section:

“(1) RENEWABLE ENERGY.—The term ‘renewable energy’ means electric energy generated from—

“(A) solar energy;

“(B) wind energy;

“(C) marine and hydrokinetic renewable energy;

“(D) geothermal energy;

“(E) qualified hydropower;

“(F) biomass; or

“(G) landfill gas.

“(2) BIOMASS.—The term ‘biomass’ has the meaning given the term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

“(3) QUALIFIED HYDROPOWER.—

“(A) IN GENERAL.—The term ‘qualified hydropower’ means—

“(i) incremental hydropower;

“(ii) additions of capacity made on or after January 1, 2001, or the effective commencement date of an existing applicable State renewable electricity standard program at an existing non-hydroelectric dam, if—

“(I) the hydroelectric project installed on the non-hydroelectric dam—

“(aa) is licensed by the Federal Energy Regulatory Commission, or is exempt from licensing, and is in compliance with the terms and conditions of the license or exemption; and

“(bb) meets all other applicable environmental, licensing, and regulatory requirements, including applicable fish passage requirements;

“(II) the non-hydroelectric dam—

“(aa) was placed in service before the date of enactment of this section;

“(bb) was operated for flood control, navigation, or water supply purposes; and

“(cc) did not produce hydroelectric power as of the date of enactment of this section; and

“(III) the hydroelectric project is operated so that the water surface elevation at any given location and time that would have occurred in the absence of the hydroelectric project is maintained, subject to any license requirements imposed under applicable law that change the water surface elevation for the purpose of improving the environmental quality of the affected waterway, as certified by the Federal Energy Regulatory Commission; and

“(iii) in the case of the State of Alaska—

“(I) energy generated by a small hydroelectric facility that produces less than 50 megawatts;

“(II) energy from pumped storage; and

“(III) energy from a lake tap.

“(B) STANDARDS.—Nothing in this paragraph or the application of this paragraph

shall affect the standards under which the Federal Energy Regulatory Commission issues licenses for and regulates hydropower projects under part I of the Federal Power Act (16 U.S.C. 791a et seq.).”

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 2917. Development of renewable energy sources on military lands”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 173 of such title is amended by striking the item relating to section 2917 and inserting the following new item:

“2917. Development of renewable energy sources on military lands.”.

SEC. 209. DEVELOPMENT OF RENEWABLE ENERGY ON MILITARY INSTALLATIONS.

(a) MILITARY INSTALLATIONS STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall complete a study identifying locations on military installations and ranges, including military installations and ranges composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service that—

(A) exhibit a high potential for solar, wind, geothermal, and other renewable energy production; and

(B) could be developed for renewable energy production in a manner consistent with—

(i) all present and reasonably foreseeable military training and operational mission needs and research, development, testing, and evaluation requirements; and

(ii) all applicable environmental requirements.

(2) NOTICE OF INTENT TO PREPARE ENVIRONMENTAL IMPACT ANALYSIS.—Not later than 1 year after the completion of the study required under paragraph (1), the Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall prepare and publish in the Federal Register a Notice of Intent initiating the process to prepare an environmental impact analysis document to support a program to develop renewable energy on any lands identified in the study as suitable for such production.

(3) USE OF EXISTING STUDIES AND ASSESSMENTS.—The study required by paragraph (1) shall, to the extent possible, draw from existing studies and assessments of the Department of Defense, other Federal agencies, and such other studies as may be determined by the Secretary of Defense to be relevant.

(b) ADDITIONAL MATTERS.—The Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall, not later than 2 years after the date of the enactment of this Act, prepare a report that—

(1) addresses the legal authorities governing authorization for the development of renewable energy facilities on military installations and ranges, including those composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service, and identifies Federal

and State statutory and regulatory constraints to the development of renewable energy facilities on installations and ranges designed to produce power in excess of the current or projected requirements of the military installation or range concerned;

(2) contains recommendations to facilitate and incentivize large-scale renewable development on military installations and ranges, including those composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service; and

(3) contains recommendations on—

(A) necessary changes in any law or regulation;

(B) whether the authorization for the use of such lands for development of renewable energy projects should be pursuant to lease, contract, right-of-way, permit, or other form of authorization;

(C) methods of improving coordination among the Federal, State, and local agencies, if any, involved in authorizing renewable energy projects; and

(D) the disposition of revenues resulting from the development of renewable energy projects on such lands.

(c) SUBMISSION OF STUDY AND REPORT.—The Secretary shall, upon their completion, submit the study required by paragraph (a) and the report required by paragraph (b) to the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate and the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Appropriations of the House of Representatives.

SEC. 210. REPORT ON CROSS-AGENCY RENEWABLE ENERGY DEVELOPMENT EFFORTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other Federal agencies, as appropriate, shall submit to Congress a report addressing cross-jurisdictional issues involved with the development of renewable energy on military installations and ranges, including military installations and ranges composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service. The report shall include a description of the authority to approve such development and options for disposition or use of funds generated from these renewable energy projects.

SEC. 211. ELIMINATION OF APPROVAL REQUIREMENT FOR LONG-TERM CONTRACTS FOR ENERGY OR FUEL FOR MILITARY INSTALLATIONS.

Section 2922a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “Subject to subsection (b), the Secretary of a military department” and inserting “The Secretary of a military department”;

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

SEC. 212. CONSIDERATION OF ENERGY SECURITY IN DEVELOPING ENERGY PROJECTS ON MILITARY INSTALLATIONS USING RENEWABLE ENERGY SOURCES.

(a) POLICY OF PURSUING ENERGY SECURITY.—

(1) POLICY REQUIRED.—The Secretary of Defense shall establish a policy under which favorable consideration is given for energy security in the design and development of renewable energy projects on military installations and ranges.

(2) NOTIFICATION.—The Secretary of Defense shall provide notification to Congress within 30 days after entering into any agreement for a facility energy project described in paragraph (1) that excludes pursuit of energy security on the grounds that inclusion of energy security is cost prohibitive. The Secretary shall also provide a cost-benefit analysis of the decision.

(3) ENERGY SECURITY DEFINED.—In this subsection, the term “energy security” has the meaning given that term in section 2924 of title 10, United States Code, as added by subsection (d).

(b) ADDITIONAL CONSIDERATION FOR DEVELOPING AND IMPLEMENTING ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN.—Section 2911(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(12) Opportunities for improving energy security for facility energy projects that will use renewable energy sources.”.

(c) REPORTING REQUIREMENT.—Section 2925(a)(3) of such title is amended by inserting “whether the project incorporates energy security into its design,” after “through the duration of each such mechanism.”.

(d) ENERGY SECURITY DEFINED.—

(1) IN GENERAL.—Subchapter III of chapter 173 of title 10, United States Code, is amended by inserting before section 2925 the following new section:

“§ 2924. Energy security defined

“(a) IN GENERAL.—In this chapter, the term ‘energy security’ means having assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs.

“(b) PURSUIT OF ENERGY SECURITY.—In selecting facility energy projects on a military installation that will use renewable energy sources, pursuit of energy security means the installation will give favorable consideration to projects that provide power directly into the installation electrical distribution network. In such cases, this power should be prioritized to provide the power necessary for critical assets on the installation in the event of a disruption in the commercial grid.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting before the item relating to section 2925 the following new section:

“2924. Energy security defined.”.

(e) STUDY ON USE OF RENEWABLE ENERGY TO IMPROVE ENERGY SECURITY.—

(1) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity to conduct a study on the use of renewable energy generation to improve energy security at military installations.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chief Information Officer and the relevant energy offices within the Department of Defense, shall submit to the congressional defense committees a report on the study conducted under paragraph (1), together with the Secretary’s recommendations for using renewable energy generation to improve energy security at military installations.

SEC. 213. STUDY ON INSTALLATION ENERGY SECURITY AND SOCIETAL IMPACTS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity to conduct

a study on energy security issues at military installations and related societal impacts.

(b) ELEMENTS.—The study required under subsection (a) shall include the following elements:

(1) A discussion of policy considerations, including engagement with utilities, transmission companies, and other entities involved in the incorporation of microgrids or other secure power generation infrastructure on military installations designed to assure continued mission-critical power in the event of a failure or extended interruption in the commercial power grid.

(2) An analysis of—

(A) whether, in the event a military installation has the continued use of a secure microgrid during a power disruption in an adjacent community lasting more than 36 hours, the military installation should have the capability and energy-generating capacity in excess of that required to assure continuation of mission-critical power in order to allow delivery of emergency power support to non-Department of Defense facilities and users providing emergency services and other critical functions in an adjacent community;

(B) the policy and other implications of not developing the capability and capacity described in subparagraph (A);

(C) the budgetary implication of developing the capability and capacity described in subparagraph (A); and

(D) the potential sources of funding from entities outside the Department of Defense required to develop the capability and capacity described in subparagraph (A).

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the study conducted under this section, together with a plan for implementing the recommendations of the study.

By Mr. ROCKEFELLER (for himself, Mr. BINGAMAN, Ms. STABENOW, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mrs. BOXER, Mr. FRANKEN, and Mr. MERKLEY):

S. 1206. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Medicare Drug Savings Act of 2011. I am proud to be joined by my colleagues Senator JEFF BINGAMAN of New Mexico, Senator DEBBIE STABENOW of Michigan, Senator RICHARD BLUMENTHAL of Connecticut, Senator SHEROD BROWN of Ohio and Senator BARBARA BOXER of California, in introducing this important piece of legislation.

The Republican budget would end Medicare as we know it, replacing it with a voucher program that would double seniors' out of pocket costs and leave them at the mercy of private insurance companies. It would also decimate the Medicaid program, leaving millions of vulnerable individuals including seniors, children, and people with disabilities with nowhere to turn for care. We need to responsibly reduce

our deficit, but taking away health care for seniors and other vulnerable people should be off the table. Rather than dismantling Medicare and Medicaid, we can save hundreds of billions of dollars by holding drug companies accountable and using the purchasing power of the federal government to negotiate lower drug prices.

That is why we are introducing the Medicare Drug Savings Act. The bill will eliminate a special deal from the 2003 Medicare prescription drug law that allows drug companies to charge Medicare higher prices for some seniors' prescription drugs. It would require prescription drug manufacturers to pay rebates to Medicare for dually eligible beneficiaries in Medicare and Medicaid. This proposal would reduce the deficit, saving taxpayers an estimated \$112 billion over the next ten years, according to the Congressional Budget Office. Similar proposals were also included in the recommendations from the President's Commission on Fiscal Responsibility and Reform, and the President's framework for deficit reduction.

Prior to the creation of the Medicare prescription drug program, brand-name drug manufacturers paid a drug rebate for dually eligible beneficiaries in Medicare and Medicaid. However, when the new Medicare drug program was established, drug companies no longer had to provide these rebates, resulting in windfall profits for prescription drug manufacturers, at taxpayers' expense.

The Medicare Drug Savings Act would require prescription drug manufacturers to provide a rebate for drugs provided to dually eligible beneficiaries as well as all other enrollees in the low-income-subsidy, LIS, plan in the Medicare Part D Prescription Drug Program. Manufacturers would be required to pay the difference between the lowest current rebates they are paying to private Part D drug plans, and, the percentage of Average Manufacturer Price, AMP, they currently pay under Medicaid, plus an additional rebate if their prices grow additional inflation. They would be required to participate in the rebate program in order for their drugs to be covered by Medicare Part D.

I urge my colleagues to support this bill. In doing so, we will protect Medicare for seniors, and end a giveaway to drug companies that is costing taxpayers hundreds of billions of dollars.

By Mr. PRYOR (for himself and Mr. ROCKEFELLER):

S. 1207. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to say a few words on the introduc-

tion of the Data Security and Breach Notification Act. Senator PRYOR and I introduced this bill in the 111th Congress, and given the recent high-profile data breaches that have endangered the well-being of millions of ordinary American consumers, today's reintroduction of this comprehensive bill is timely. I want to thank and commend Senator PRYOR for his leadership on this issue and for his terrific work as Chairman of the Consumer Protection Subcommittee on the Commerce Committee.

As the recent breaches at Citigroup, Sony, and Epsilon have taught us, companies that collect and store sensitive consumer information should have two important obligations: to maintain that information in a manner that is safe and secure; and to notify affected consumers as quickly as possible in the wake of a security breach in order to allow them to take necessary steps to protect themselves. Senator PRYOR's and my bill addresses both of these obligations. Currently, 47 States have data breach notification laws on the books, but very few address how companies should secure their data from the outset to prevent such breaches.

Our bill calls on the Federal Trade Commission to promulgate regulations that direct companies to establish and maintain reasonable protocols to secure consumer data from unauthorized access. In this regard, the bill also has specific provisions addressing data brokers, which are companies that collect and sell massive amounts of information on individuals, largely without their knowledge. The Data Security and Breach Notification Act would allow consumers to access and, if necessary, correct the personal information that these data brokers maintain and sell.

Furthermore, if a security breach occurs, our bill requires companies to notify affected consumers unless there is no reasonable risk of identity theft, fraud or unlawful conduct. This breach notification standard is very important and reflects the most consumer-protective standard in the country. The presumption is that companies should notify consumers of a breach. However, if the breached entity determines that there is no reasonable risk of harm, for instance, if the company has made the data unusable through advanced encryption technology, then they are spared this obligation. The FTC and state Attorneys General are tasked with enforcing the law.

The Commerce Committee has a long, well-established history of addressing data security issues, and the Committee has reported data security bills in past Congresses. As Chairman of the Commerce Committee, I intend to work with Senator PRYOR to enact this bill into law. Majority Leader REID has introduced a cyber-security bill that provides for the inclusion of a

data security section, and the Obama Administration has also released a cybersecurity proposal that contains a breach notification provision. The bill that Senator PRYOR and I have introduced is a carefully balanced bill that protects consumers, but also addresses the legitimate needs of business and does not impose needless regulations and obligations. This bill has wide support from both the consumer groups and many sectors in the business community, and I will work with Senator PRYOR to address further concerns in order to garner consensus.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Ms. CANTWELL):

S. 1208. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am reintroducing a bill to reform the Capital Construction Fund to address major changes in the Nation's fisheries and to allow the Nation's fishers to have access to needed funds to prevent overfishing and to help create jobs.

The Capital Construction Fund, CCF, program was originally developed at a time when American fishers were having a hard time competing with highly efficient foreign fishing vessels, modern boats that often harvested U.S. fishery resources within sight of our own shores. The initial idea behind the CCF Program was to enable U.S. fishers to accumulate the funds necessary to develop a modern fishing fleet by allowing them to deposit a portion of their fishing-related earnings into a CCF savings account on a tax-deferred basis. Under the CCF program, monies subsequently withdrawn from the CCF accounts would remain tax free as long as they were invested in new or rebuilt fishing vessels. At the same time, any unauthorized withdrawals from CCF accounts were subject to severe interest and other penalties.

The program was a success; the CCF program helped the U.S. industry build a modern state-of-the-art fishing fleet. Unfortunately, that fleet has now become overcapitalized, a problem that has been exacerbated as managers have become more and more concerned about potential overfishing and have begun to reduce the amount of fish that they allow fishers to catch each year. As a result, the U.S. commercial fishing fleet now has more harvesting capacity than the U.S. fishery resource can sustainably support. The problem now is that the monies that remain on deposit in CCF accounts represent a potential for further overcapitalization at a time when less capitalization is needed. Yet the CCF regulations currently penalize withdrawals made for anything other than a bigger or better boat.

The issue now is what to do about the money that remains "stranded" in ex-

isting CCF accounts. Ironically, just as the current generation of fishers is getting ready to retire, the program puts heavy penalties on them if they take money out of their CCF accounts without using it for anything other than to further capitalize an already overcapitalized fleet.

The resulting situation is problematic for the fishers, the industry and the resource. That's why I am reintroducing legislation today along with my colleague Senator MURKOWSKI—to address the problem of stranded capital still on deposit in various CCF accounts and to relieve the pressure to increase further capitalization of the fishing fleet. My legislation will enable CCF fundholders to make a one-time withdrawal from their CCF accounts without requiring them to reinvest it in the fishing industry. Instead, they will be required to pay the taxes due on the monies withdrawn, but without having to pay interest or other penalties on such withdrawals. Those funds would be freed up for other purposes, including starting a new business and finding other ways to support and create jobs. An income-averaging formula would be applied to the withdrawals so as to avoid an excessive tax rate on the one-time withdrawal. The fishers taking advantage of such an opportunity to take money out of their CCF accounts penalty free would then be required to close their CCF accounts and would be prohibited from further participation in the program. This is a win-win-win situation. The fisher gets to take the money out of his CCF without having to pay penalties and interest, but still pays the taxes when due; the government gets taxes on the withdrawals; and the resource and the fishers who remain in the fishery avoid further capitalization of an already overcapitalized industry.

I look forward to working with Senator MURKOWSKI, the fishing community, and the bill's other supporters to advance this legislation to the President's desk.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. REED, and Mrs. BOXER):

S. 1211. A bill amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Preservation of Antibiotics for Medical Treatment Act of 2011.

Introducing this bill today is bitter-sweet. As my colleagues know, we have been working to pass this bill for almost a decade now. But for all those years it was one of our dearest colleagues, Senator Ted Kennedy, who stood before this body to introduce the legislation.

We certainly miss Senator Kennedy's leadership, his passion, his dedication and his political skill.

But as I stand here today to introduce the Preservation of Antibiotics for Medical Treatment Act, I know that he would be proud to see the continued work and support for this bill.

Today, I am joined by Senator COLLINS, Senator REED of Rhode Island and Senator BOXER as original cosponsors of this legislation.

It is my hope that in this Congress we can make some positive changes in this important area.

Let me start by explaining what the Preservation of Antibiotics for Medical Treatment Act does.

The Preservation of Antibiotics for Medical Treatment Act directs the Food and Drug Administration to regulate the misuse of antibiotics in agriculture. It requires drug companies and producers to demonstrate that they are using antibiotics to treat clinically diagnosable diseases in farm animals. It requires that companies defend the process of adding gross amounts of antibiotics to the feed and water of livestock and it requires them to prove that this practice does not contribute to antibiotic-resistance among humans.

Unfortunately, it has become a common practice in industrial agriculture to use antibiotics for "growth promotion." This practice allows for animals kept in cramped quarters to grow artificially fast, and artificially fat.

The most concerning part is that the low doses of antibiotics fed to these animals breed antibiotic resistant pathogens. These pathogens make their way into our food, our water, and our communities.

Antibiotic resistance is one of the most significant public health challenges facing us today, and numerous peer-reviewed studies have concluded that the overuse of antibiotics in animal agriculture is making the problem worse.

A recent study published in the medical journal *Clinical Infectious Diseases* found that nearly 50 percent of grocery store meat was contaminated with antibiotic resistant pathogens. Even more concerning, 25 percent of all meat was contaminated with pathogens that were resistant to three or more types of antibiotics.

I have heard for years that antibiotics were the closest thing to a "silver bullet" in human medicine. But today, tens of thousands of people in the U.S. die each year from antibiotic resistant infections. So unfortunately we are learning the hard way that these precious, life saving drugs no longer work as well as they once did.

Antibiotic resistance is a real and growing problem, and its causes are man-made.

As our use of antimicrobial drugs has increased, so has the ability of bacteria

to withstand their effects. The only way to preserve the effectiveness of antibiotics is to use them responsibly.

In human medicine, this means that doctors must use better discretion when prescribing antibiotics. As patients, we must do our part and finish the prescriptions given to us.

But antibiotics are also used in animal medicine, so veterinarians and farmers must also ensure that antibiotics are used responsibly.

I was surprised to learn that the Union of Concerned Scientists estimates that 84 percent of all antibiotic usage in this country is in animals such as chickens, pigs, and cattle. Even more surprising is the vast majority of antibiotic consumption by livestock is by animals that show no clinical signs of illness.

This type of treatment, referred to by doctors and veterinarians as non-therapeutic, creates the perfect breeding ground for antibiotic resistant bacteria. Unlike therapeutic doses of medicine that are prescribed when we, or any other animal gets sick, non-therapeutic doses of antibiotics are routinely added to the food or water of livestock that are not ill.

These doses are not large enough, or powerful enough, to eliminate all the bacteria inside their bodies. Instead, the small dose of antibiotics only kills off the weakest bacteria; leaving the strongest, most resistant bacteria behind to reproduce.

Recognizing the impending health crisis, some have taken dramatic action. In 1998, Denmark became the first country to ban the routine use of antibiotics in the food and water of livestock. The entire European Union followed suit in 2006. Australia, New Zealand, Chile, Korea, Thailand, the Philippines, and Japan have also implemented full or partial bans on non-therapeutic uses of antibiotics.

But the majority of producers in the U.S. have not followed suit; and it is time for a wakeup call.

That is why I am reintroducing the Preservation of Antibiotics for Medical Treatment Act. This legislation implements a precautionary principle when it comes to using antibiotics and requires that producers and drug companies affirmatively demonstrate that the non-therapeutic antibiotics in livestock production do not contribute to the incidence of antibiotic resistant infections in humans.

Put simply, if growth promoting antibiotics can't be used safely, they shouldn't be used at all.

The real strength of this legislation is that it takes an incremental approach. The new regulations regarding antibiotic use under PAMTA would only apply to the limited number of antibiotics that are critical to human health and are used non-therapeutically.

This means that any drug not used in human medicine is left untouched by this legislation.

PAMTA also preserves the ability of farmers to use all available antibiotics to treat sick animals.

By focusing on only the most egregious misuses of medically important antibiotics, PAMTA tackles the problem of antibiotic resistance where we know we can make the most difference.

I understand that some question the need for this legislation; they say that there is no evidence that antibiotic use in agriculture leads to infections in humans.

Unfortunately they are wrong.

Rear Admiral Ali S. Khan, MD, MPH, Assistant Surgeon General and Director of the Office of Public Health Preparedness and Response at the Centers for Disease Control and Prevention recently testified in front of the House Energy Committee that "studies related to Salmonella as both a human and animal pathogen, including many studies in the United States, have demonstrated that use of antibiotic agents in food animals results in antibiotic resistant bacteria in food animals, resistant bacteria are present in the food supply and are transmitted to humans, and resistant bacterial infections result in adverse human health consequences, e.g., increased hospitalization."

Doctor Joshua Sharfstein, Principal Deputy Commissioner of the Food and Drug Administration also testified at the hearing and agreed with Rear Admiral Khan. The FDA, he said, "supports the conclusion that using medically important antimicrobial drugs for production purposes is not in the interest of protecting and promoting the public health."

Quantitative evidence from the EU and Canada also support these conclusions. In response to public health concerns about the rise of cephalosporin, an antibiotic, resistance in Salmonella and E. coli, chicken hatcheries in Québec voluntarily stopped using the drug in February 2005. Following the ban, the public health agency of Canada reported a dramatic 89 percent decrease in the incidence of resistant salmonella in chicken meat and 77 percent decrease in related human infections. Once the drug was partially reintroduced in 2007, antibiotic resistant infections in people jumped back up 50 percent.

Unfortunately we are fighting an uphill battle with antibiotic resistant infections. Our tools and resources are diminishing even while the number and severity of these infections are increasing.

One example is Methicillin-resistant Staphylococcus aureus, or MRSA. According to the Centers for Disease Control and Prevention, CDC, MRSA infections in 1974 accounted for only two percent of the total number of staph infections; in 1995 it was 22 percent; and by 2004 it was 63 percent.

CDC estimates that by 2005, there were 94,360 MRSA infections in the

United States. Tragically, about 19,000 of them, 20 percent, were fatal because MRSA is nearly immune to almost every antibiotic used in modern medicine.

By comparison, in 2005 there were 17,011 deaths due to AIDS; so the scope and consequence of this problem is stunning.

Of course not all MRSA is derived from the overuse of antibiotics on the farm. Many infections are acquired in the hospital, and it is believed that these bacteria became resistant to antibiotics due to the misuse of drugs in human medicine.

But MRSA is also infecting individuals who have not been in a hospital setting.

There is strong evidence that at least one strain of MRSA infecting people is coming directly from livestock. This strain, known as ST398, has been shown to disproportionately infect farmers and their families. Like all MRSA, ST398 is resistant to the antibiotics methicillin and oxacillin. But resistance to other antibiotics is also common among ST398 strains, which makes treatment especially challenging.

A recent study by the CDC in December 2009 showed that hospital acquired strains of MRSA and community acquired MRSA strains such as ST398 are trending in opposite directions.

The study found that community acquired MRSA, a type of MRSA that did not emerge in the hospital setting and is not contracted there, increased 700 percent between 1999 and 2006.

By contrast, hospital acquired MRSA cases declined roughly 10 percent over this same time period.

Over the past decade, it has become clear that MRSA is not just a problem for hospital administrators. More and more individuals are acquiring this devastating infection in their homes, at their gyms or in restaurants.

While it is exceedingly difficult to determine the exact extent that antibiotic use in agriculture influences individual MRSA cases, we know for certain that statistical evidence overwhelmingly suggests that a reduction of antibiotic use in agriculture will result in a reduction of highly resistant MRSA cases.

Since the Union of Concerned Scientists estimates that as much as 84 percent of all antibiotic usage in this country is in veterinary medicine, one can reasonably conclude that a reduction of antibiotic use in agriculture will result in a reduction of highly resistant MRSA cases.

The reason I am so committed to this legislation is that a reduction in highly resistant infections will save lives. One of my constituents shared a truly heartbreaking story.

The Don family, from Ramona, California, is a tight knit family. They are active in the community, and loved by

their neighbors. Until recently, like most happy, healthy families, antibiotic resistant infections just wasn't a subject that came up much.

So when Mr. and Mrs. Don sent their son Carlos off to sixth grade camp in 2007, they never expected that an antibiotic resistant infection would change their lives.

Carlos was the picture of health. He was a bright, vibrant, athletic 12-year old, who loved to play football.

When he returned home from camp, he had a 104 degree fever and could barely walk. It was the sickest his parents had ever seen him.

When Carlos didn't get better the next day, they took him to Urgent Care. He was given a dose of antibiotics that the doctors said would knock the bug out in a few days.

But the drugs didn't work.

The next day Carlos was in even worse shape and he had to be rushed to the hospital by an ambulance. His new doctors put him on every single antibiotic the hospital had to offer.

Even at the extremely high levels prescribed to Carlos, the drugs still didn't work.

It took doctors 48 hours to find and acquire an antibiotic that was strong enough to kill the infection.

By that time Carlos' lungs, kidneys, liver, intestines and heart had all failed.

The only thing left, doctors told his parents, was his brain. The doctors said that Carlos knew his body was failing and that he was in a fight for his life.

It pains me to say that this story does not have a happy ending. Carlos lost his life because the antibiotics that we have relied on for 80 years didn't work.

No parents should ever have to undergo the heartbreak and the tragedy that the Dons went through in 2007.

Their son was as healthy and happy as any 12-year-old could be, but he was cruelly taken away from them because of a disease that we could not fight.

I believe that with this bill we have an opportunity to prevent other families from suffering from this same tragic story.

There are some who believe this legislation may actually make our food supply less safe. Their argument is that antibiotics keep our animals healthy, and healthy animals make for healthy food.

But research shows us that these concerns are misguided. Over 375 public, consumer, and environmental health groups including the American Medical Association, the American Public Health Association, and the Infectious Diseases Society of America, support the legislation because they believe that reducing antibiotic use in agriculture will protect the health and safety of Americans.

It is not just health groups that support this approach. The fact is that

farmers and meat producers can keep their animals healthy without adding hundreds of pounds of antibiotics to the food and water of their animals.

In Denmark, one of the world's largest exporters of pork, producers have made modest changes to their husbandry practices and reduced overall antibiotic use by over 50 percent. Pork production has grown, and other animal health indicators such as litter size and average daily weight gain have improved.

In Iowa, hog farmers like Paul Willis and Jude Becker have shown that antibiotic-free production is possible in the heartland of America too.

In California, companies like Niman Ranch in Alameda have proved that Beef, Pork, Poultry and Lamb can be produced profitably in America on a large scale without the routine use of antibiotics. In fact, fast-food chain Chipotle Mexican Grill has grown a highly successful business based on meats raised without antibiotics, much of it supplied by Niman Ranch.

This bipartisan bill makes incremental changes to ensure that our actions on the farm do not negatively impact the health and well being of our farmers, their families, and every one of us who consumes the food they produce.

I look forward to working with my colleagues to pass these critical reforms.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preservation of Antibiotics for Medical Treatment Act of 2011".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In January 2001, a Federal interagency task force—

(A) released an action plan to address the continuing decline in effectiveness of antibiotics against common bacterial infections, referred to as antibiotic resistance;

(B) determined that antibiotic resistance is a growing menace to all people and poses a serious threat to public health; and

(C) cautioned that if current trends continue, treatments for common infections will become increasingly limited and expensive, and, in some cases, nonexistent.

(2) Antibiotic resistance, resulting in a reduced number of effective antibiotics, may significantly impair the ability of the United States to respond to terrorist attacks involving bacterial infections or a large influx of hospitalized patients.

(3)(A) Any overuse or misuse of antibiotics contributes to the spread of antibiotic resistance, whether in human medicine or in agriculture.

(B) Recognizing the public health threat caused by antibiotic resistance, Congress

took several steps to curb antibiotic overuse in human medicine through amendments to the Public Health Service Act (42 U.S.C. 201 et seq.) made by section 102 of the Public Health Threats and Emergencies Act (Public Law 106-505, title I; 114 Stat. 2315), but has not yet addressed antibiotic overuse in agriculture.

(4) In a March 2003 report, the National Academy of Sciences stated that—

(A) a decrease in antimicrobial use in human medicine alone will have little effect on the current situation; and

(B) substantial efforts must be made to decrease inappropriate overuse in animals and agriculture.

(5) In 2010, the FDA determined that—

(A) 1,300,000 kilograms of antibacterial drugs were sold for use on food animals in the United States in 2009;

(B) 3,300,000 kilograms of antibacterial drugs were used for human health in 2009; and

(C) therefore, 80 percent of antibacterial drugs disseminated in the United States in 2009 were sold for use on food animals, rather than being used for human health.

(6)(A) Large-scale, voluntary surveys by the Department of Agriculture's Animal and Plant Health Inspection Service in 1999, 2001, and 2006 revealed that—

(i) 84 percent of grower-finisher swine farms, 83 percent of cattle feedlots, and 84 percent of sheep farms administer antimicrobials in the feed or water for health or growth promotion reasons; and

(ii) many of the antimicrobials identified are identical or closely related to drugs used in human medicine, including tetracyclines, macrolides, Bacitracin, penicillins, and sulfonamides; and

(B) these drugs are used in people to treat serious diseases such as pneumonia, scarlet fever, rheumatic fever, venereal disease, skin infections, and even pandemics like malaria and plague, as well as bioterrorism agents like smallpox and anthrax.

(7) Many scientific studies confirm that the nontherapeutic use of antibiotics in agricultural animals contributes to the development of antibiotic-resistant bacterial infections in people.

(8) The periodical entitled "Clinical Infectious Diseases" published a report in June 2002, that—

(A) was based on a 2-year review by experts in human and veterinary medicine, public health, microbiology, biostatistics, and risk analysis, of more than 500 scientific studies on the human health impacts of antimicrobial use in agriculture; and

(B) recommended that antimicrobial agents should no longer be used in agriculture in the absence of disease, but should be limited to therapy for diseased individual animals and prophylaxis when disease is documented in a herd or flock.

(9) The United States Geological Survey reported in March 2002 that—

(A) antibiotics were present in 48 percent of the streams tested nationwide; and

(B) almost half of the tested streams were downstream from agricultural operations.

(10) An April 1999 study by the General Accounting Office concluded that resistant strains of 3 microorganisms that cause food-borne illness or disease in humans (*Salmonella*, *Campylobacter*, and *E. coli*) are linked to the use of antibiotics in animals.

(11) Epidemiological research has shown that resistant *Salmonella* and *Campylobacter* infections are associated with increased numbers of ill patients and bloodstream infections, and increased death.

(12) In 2010, the peer-reviewed journal *Molecular Cell* published a study demonstrating that low-dosage use of antibiotics causes a dramatic increase in genetic mutation, raising new concerns about the agricultural practice of using low-dosage antibiotics in order to stimulate growth promotion and routinely prevent disease in unhealthy conditions.

(13)(A) In January 2003, Consumer Reports published test results on poultry products bought in grocery stores nationwide showing disturbingly high levels of *Campylobacter* and *Salmonella* bacteria that were resistant to the antibiotics used to treat food-borne illnesses.

(B) The Food and Drug Administration's National Antimicrobial Resistance Monitoring System routinely finds that retail meat products are contaminated with bacteria (including the foodborne pathogens *Campylobacter* and *Salmonella*) that are resistant to antibiotics important in human medicine.

(C) In December 2007, the USDA issued a fact sheet on the recently recognized link between antimicrobial drug use in animals and Methicillin Resistant *Staphylococcus Aureus* (MRSA) infections in humans.

(14) In October 2001, the New England Journal of Medicine published an editorial urging a ban on nontherapeutic use of medically important antibiotics in animals.

(15)(A) In 1998, the National Academy of Sciences noted that antibiotic-resistant bacteria generate a minimum of \$4,000,000,000 to \$5,000,000,000 in costs to United States society and individuals yearly.

(B) In 2009, Cook County Hospital and the Alliance for Prudent Use of Antibiotics estimated that the total health care cost of antibiotic resistant infections in the United States was between \$16,600,000,000 and \$26,000,000,000 annually.

(16) The American Medical Association, the American Public Health Association, the National Association of County and City Health Officials, and the National Campaign for Sustainable Agriculture are among the more than 300 organizations representing health, consumer, agricultural, environmental, humane, and other interests that have supported enactment of legislation to phase out nontherapeutic use in farm animals of medically important antibiotics.

(17) In 2010, the Danish Veterinary and Food Administration testified that the Danish ban of the non-therapeutic use of antibiotics in food animal production resulted in a marked reduction in antimicrobial resistance in multiple bacterial species, including *Campylobacter* and *Enterococci*.

(18) In 2009, the Congressional Research Service concluded that restrictions overseas on the use of antimicrobial drugs in the production of livestock could impact U.S. export markets for livestock and poultry.

(19) The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.)—

(A) requires that all drugs be shown to be safe before the drugs are approved; and

(B) places the burden on manufacturers to account for health consequences and prove safety.

(20)(A) The Food and Drug Administration recently modified the drug approval process for antibiotics to recognize the development of resistant bacteria as an important aspect of safety, but most antibiotics currently used in animal production systems for nontherapeutic purposes were approved before the Food and Drug Administration began considering resistance during the drug-approval process.

(B) The Food and Drug Administration has not established a schedule for reviewing those existing approvals.

(21) Certain non-routine uses of antibiotics in animal agriculture are legitimate to prevent animal disease.

(22) An April 2004 study by the General Accounting Office—

(A) concluded that Federal agencies do not collect the critical data on antibiotic use in animals that they need to support research on human health risks; and

(B) recommends that the Department of Agriculture and the Department of Health and Human Services develop and implement a plan to collect data on antibiotic use in animals.

SEC. 3. PURPOSE.

The purpose of this Act is to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases by reviewing the safety of certain antibiotics for nontherapeutic purposes in food-producing animals.

SEC. 4. PROOF OF SAFETY OF CRITICAL ANTIMICROBIAL ANIMAL DRUGS.

(a) DEFINITIONS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

“(ss) CRITICAL ANTIMICROBIAL ANIMAL DRUG.—The term ‘critical antimicrobial animal drug’ means a drug that—

“(1) is intended for use in food-producing animals; and

“(2) is composed wholly or partly of—

“(A) any kind of penicillin, tetracycline, macrolide, lincosamide, streptogramin, aminoglycoside, or sulfonamide; or

“(B) any other drug or derivative of a drug that is used in humans or intended for use in humans to treat or prevent disease or infection caused by microorganisms.

“(tt) NONTHERAPEUTIC USE.—The term ‘nontherapeutic use’, with respect to a critical antimicrobial animal drug, means any use of the drug as a feed or water additive for an animal in the absence of any clinical sign of disease in the animal for growth promotion, feed efficiency, weight gain, routine disease prevention, or other routine purpose.”

(b) APPLICATIONS PENDING OR SUBMITTED AFTER ENACTMENT.—Section 512(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(d)(1)) is amended—

(1) in the first sentence—

(A) in subparagraph (H), by striking “or” at the end;

(B) in subparagraph (I), by inserting “or” at the end; and

(C) by inserting after subparagraph (I) the following:

“(J) with respect to a critical antimicrobial animal drug or a drug of the same chemical class as a critical antimicrobial animal drug, the applicant has failed to demonstrate that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable, in whole or in part, to the nontherapeutic use of the drug;”;

(2) in the second sentence, by striking “(A) through (I)” and inserting “(A) through (J)”.

(c) PHASED ELIMINATION OF NONTHERAPEUTIC USE IN ANIMALS OF CRITICAL ANTIMICROBIAL ANIMAL DRUGS IMPORTANT FOR HUMAN HEALTH.—Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) is amended by adding at the end the following:

“(q) PHASED ELIMINATION OF NONTHERAPEUTIC USE IN ANIMALS OF CRITICAL ANTIMICROBIAL ANIMAL DRUGS IMPORTANT FOR HUMAN HEALTH.—

“(1) APPLICABILITY.—This subsection applies to the nontherapeutic use in a food-producing animal of a drug—

“(A)(i) that is a critical antimicrobial animal drug; or

“(ii) that is of the same chemical class as a critical antimicrobial animal drug; and

“(B)(i) for which there is in effect an approval of an application or an exemption under subsection (b), (i), or (j) of section 505; or

“(ii) that is otherwise marketed for use.

“(2) WITHDRAWAL.—The Secretary shall withdraw the approval of a nontherapeutic use in food-producing animals described in paragraph (1) on the date that is 2 years after the date of enactment of this subsection unless—

“(A) before the date that is 2 years after the date of the enactment of this subsection, the Secretary makes a final written determination that the holder of the approved application has demonstrated that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use of the drug; or

“(B) before the date specified in subparagraph (A), the Secretary makes a final written determination, with respect to a risk analysis of the drug conducted by the Secretary and other relevant information, that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use of the drug.

“(3) EXEMPTIONS.—Except as provided in paragraph (5), if the Secretary grants an exemption under section 505(i) for a drug that is a critical antimicrobial animal drug, the Secretary shall rescind each approval of a nontherapeutic use in a food-producing animal of the critical antimicrobial animal drug, or of a drug in the same chemical class as the critical antimicrobial animal drug, as of the date that is 2 years after the date on which the Secretary grants the exemption.

“(4) APPROVALS.—Except as provided in paragraph (5), if an application for a drug that is a critical antimicrobial animal drug is submitted to the Secretary under section 505(b), the Secretary shall rescind each approval of a nontherapeutic use in a food-producing animal of the critical antimicrobial animal drug, or of a drug in the same chemical class as the critical antimicrobial animal drug, as of the date that is 2 years after the date on which the application is submitted to the Secretary.

“(5) EXCEPTION.—Paragraph (3) or (4), as the case may be, shall not apply if—

“(A) before the date on which approval would be rescinded under that paragraph, the Secretary makes a final written determination that the holder of the application for the approved nontherapeutic use has demonstrated that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use in the food-producing animal of the critical antimicrobial animal drug; or

“(B) before the date specified in subparagraph (A), the Secretary makes a final written determination, with respect to a risk analysis of the critical antimicrobial animal drug conducted by the Secretary and any other relevant information, that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in

whole or in part to the nontherapeutic use of the drug.”.

SEC. 5. COMMITTEE HEARINGS ON IMPLEMENTATION.

(a) IN GENERAL.—The Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate shall each hold a hearing on the implementation by the Commissioner of Food and Drugs of section 512(q) of the Federal Food, Drug, and Cosmetic Act, as added by section 4 of this Act.

(b) EXERCISE OF RULEMAKING AUTHORITY.—Subsection (a) is enacted—

(1) as an exercise of the rulemaking power of the House of Representatives and Senate, and, as such, they shall be considered as part of the rules of the House or Senate (as the case may be), and such rules shall supersede any other rule of the House or Senate only to the extent that rule is inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 208—EXPRESSING THE SENSE OF THE SENATE REGARDING MONGOLIAN PRESIDENT TSAKHIAGIIN ELBEGDORJ'S VISIT TO WASHINGTON, D.C., AND ITS SUPPORT FOR THE GROWING PARTNERSHIP BETWEEN THE UNITED STATES AND MONGOLIA

Mr. KERRY (for himself, Mr. MCCAIN, Ms. MURKOWSKI, and Mr. WEBB) submitted the following resolution; which was considered and agreed to:

S. RES. 208

Whereas the United States Government established diplomatic relations with the Government of Mongolia in January 1987, followed by the opening of a United States Embassy in Ulaanbaatar in June 1988;

Whereas in 1990, the Government of Mongolia declared an end to 1-party Communist rule and initiated lasting democratic and free market reforms;

Whereas the United States Government has a longstanding commitment, based on its interests and values, to encourage economic and political reforms in Mongolia, having made sizeable contributions to that end since 1991;

Whereas in 1991, the United States—

(1) signed a bilateral trade agreement that restored normal trade relations with Mongolia; and

(2) established a Peace Corps program in Mongolia that has had 869 total volunteers since 1991;

Whereas in 1999, the United States granted permanent normal trade relations status to Mongolia;

Whereas the Government of Mongolia has increasingly participated in the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development, among other international organizations;

Whereas in 2007, the House Democracy Partnership began a program to provide par-

liamentary assistance to the State Great Khural, the Parliament of Mongolia, to promote transparency, legislative independence, access to information and government oversight;

Whereas on May 24, 2009, the people of Mongolia completed the country's fourth free, fair, and peaceful democratic election, which resulted in the election of opposition Democratic Party candidate Tsakhiagiin Elbegdorj;

Whereas in July 2011, Mongolia will assume the 2-year chairmanship of the Community of Democracies;

Whereas in 2013, Mongolia will host the Seventh Ministerial Meeting of the Community of Democracies in Ulaanbaatar;

Whereas the Government of Mongolia continues to work with the United States Government to combat global terrorism;

Whereas Mongolia deployed about 990 soldiers to Iraq between 2003 to 2008 and currently has 190 troops in Afghanistan;

Whereas in 2010, the Government of Mongolia deployed a United Nations Level II hospital in Darfur, Sudan;

Whereas the Government of Mongolia has actively promoted international peacekeeping efforts by sending soldiers—

(1) to protect the Special Court of Sierra Leone;

(2) to support the North Atlantic Treaty Organization mission in Kosovo; and

(3) to support United Nations missions in several African countries;

Whereas the Government of Mongolia has built a successful partnership since 2003 with the Alaska National Guard that includes humanitarian and peacekeeping exercises and efforts;

Whereas the United States Government and the Government of Mongolia share a common interest in promoting peace and stability in Northeast Asia and Central Asia;

Whereas in 1991 and 1992, the Government of Mongolia signed denuclearization agreements committing Mongolia to remain a nuclear weapons-free state;

Whereas in 2010, Mongolia became the Chair of the Board of Governors of the International Atomic Energy Agency;

Whereas in 2010, the United States and Mongolia signed a Memorandum of Understanding to promote cooperation on the peaceful use of civil nuclear energy;

Whereas the National Nuclear Security Administration and the Nuclear Energy Agency of the Government of Mongolia successfully completed training on response mechanisms to potential terrorist attacks;

Whereas between 1991 and 2011, the United States Government granted assistance to Mongolia—

(1) to advance the legal and regulatory environment for business and financial markets, including the mining sector;

(2) to promote the reduction of greenhouse gas emissions; and

(3) to support good governance programming;

Whereas in 2007, the Millennium Challenge Corporation signed an agreement with Mongolia to promote sustainable economic growth and to reduce poverty by focusing on property rights, vocational education, health, transportation, energy, and the environment;

Whereas Mongolia's plan to enhance its rail infrastructure promises to diversify its trading and investment partners, to open up new markets for its mineral exports, and to position Mongolia as a bridge between Asia and Europe;

Whereas the United States has assisted Mongolia's efforts—

(1) to address the effects of the global economic crisis;

(2) to promote sound economic, trade, and energy policy, with particular attention to the banking and mining sectors;

(3) to facilitate commercial law development; and

(4) to further activities with Mongolia's peacekeeping forces and military;

Whereas in January 2010—

(1) the United States Government and the Government of Mongolia agreed to promote greater academic exchange opportunities;

(2) the Mongolian Ministry of Education, Culture and Science pledged to financially support the U.S.-Mongolia Fulbright Program; and

(3) the United States Department of State announced its intention to increase its base allocation for the U.S.-Mongolia Fulbright Program in fiscal year 2010;

Whereas in 2011, Mongolia is celebrating the 100 year anniversary of its independence;

Whereas on June 16, 2011, President Elbegdorj, during a working visit to the United States, is scheduled to meet with President Barack Obama, Congressional leaders, academics, and representatives of the business community;

Whereas in late 2011, Vice President Joseph Biden is scheduled to travel to Mongolia to highlight our shared interests and values;

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Mongolian President Tsakhiagiin Elbegdorj's historic visit to Washington, D.C. cements the growing friendship between the governments and peoples of the United States and Mongolia;

(2) the continued commitment of the Mongolian people and the Government of Mongolia to advancing democratic reforms, strengthening transparency and the rule of law, and protecting investment deserves acknowledgment and celebration;

(3) the United States Government should—

(A) continue to promote economic cooperation; and

(B) consider next steps in securing increased investment and trade to promote prosperity for both countries;

(4) the United States Government should continue to support the Government of Mongolia as it works with the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development to improve its economic system and accelerate development; and

(5) the United States Government should continue to expand upon existing academic, cultural, and other people-to-people exchanges with Mongolia.

AMENDMENTS SUBMITTED AND PROPOSED

SA 472. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 473. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 474. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 475. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him

to the bill S. 782, *supra*; which was ordered to lie on the table.

SA 476. Mr. REID (for Mrs. FEINSTEIN (for herself and Mr. COBURN)) proposed an amendment to the bill S. 782, *supra*.

TEXT OF AMENDMENTS

SA 472. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 22. PROHIBITION ON TRANSFER OR POSSESSION OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) **DEFINITION.**—Section 921(a) of title 18, United States Code, is amended by inserting after paragraph (29) the following:

“(30) The term ‘large capacity ammunition feeding device’—

“(A) means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; and

“(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.”.

(b) **PROHIBITIONS.**—Section 922 of title 18, United States Code, is amended by inserting after subsection (u) the following:

“(v)(1)(A)(i) Except as provided in clause (ii), it shall be unlawful for a person to transfer or possess a large capacity ammunition feeding device.

“(ii) Clause (i) shall not apply to the possession of a large capacity ammunition feeding device otherwise lawfully possessed within the United States on or before the date of the enactment of this subsection.

“(B) It shall be unlawful for any person to import or bring into the United States a large capacity ammunition feeding device.

“(2) Paragraph (1) shall not apply to—

“(A) a manufacture for, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a transfer to or possession by a law enforcement officer employed by such an entity for purposes of law enforcement (whether on or off duty);

“(B) a transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such a licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

“(C) the possession, by an individual who is retired from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device transferred to the individual by the agency upon that retirement; or

“(D) a manufacture, transfer, or possession of a large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.”.

(c) **PENALTIES.**—Section 924(a) of such title is amended by adding at the end the following:

“(8) Whoever knowingly violates section 922(v) shall be fined under this title, imprisoned not more than 10 years, or both.”.

(d) **IDENTIFICATION MARKINGS.**—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: “A large capacity ammunition feeding device manufactured after the date of the enactment of this sentence shall be identified by a serial number that clearly shows that the device was manufactured after the date of enactment of this sentence, and such other identification as the Attorney General may by regulation prescribe.”.

SA 473. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 22. GUN SHOW BACKGROUND CHECK.

(a) **FINDINGS.**—Congress finds that—

(1) approximately 5,200 traditional gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and nonlicensed firearms sellers;

(2) traditional gun shows, as well as flea markets and other organized events, at which a large number of firearms are offered for sale by Federal firearms licensees and nonlicensed firearms sellers, form a significant part of the national firearms market;

(3) firearms and ammunition that are exhibited or offered for sale or exchange at gun shows, flea markets, and other organized events move easily in and substantially affect interstate commerce;

(4) in fact, even before a firearm is exhibited or offered for sale or exchange at a gun show, flea market, or other organized event, the gun, its component parts, ammunition, and the raw materials from which it is manufactured have moved in interstate commerce;

(5) gun shows, flea markets, and other organized events at which firearms are exhibited or offered for sale or exchange, provide a convenient and centralized commercial location at which firearms may be bought and sold anonymously, often without background checks and without records that enable gun tracing;

(6) at gun shows, flea markets, and other organized events at which guns are exhibited or offered for sale or exchange, criminals and other prohibited persons obtain guns without background checks and frequently use guns that cannot be traced to later commit crimes;

(7) since the enactment of the Brady Handgun Violence Prevention Act (Public Law 103-59; 107 Stat. 1536) in 1993, over 100,000,000 background checks have been performed by Federal firearms licensees, denying guns to more than 1,600,000 illegal buyers;

(8) many persons who buy and sell firearms at gun shows, flea markets, and other organized events cross State lines to attend these events and engage in the interstate transportation of firearms obtained at these events;

(9) gun violence is a pervasive, national problem that is exacerbated by the availability of guns at gun shows, flea markets, and other organized events;

(10) firearms associated with gun shows have been transferred illegally to residents of another State by Federal firearms licensees and nonlicensed firearms sellers, and

have been involved in subsequent crimes including drug offenses, crimes of violence, property crimes, and illegal possession of firearms by felons and other prohibited persons; and

(11) Congress has the power, under the interstate commerce clause and other provisions of the Constitution of the United States, to ensure, by enactment of this Act, that criminals and other prohibited persons do not obtain firearms at gun shows, flea markets, and other organized events.

(b) **DEFINITIONS.**—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(36) **GUN SHOW.**—The term ‘gun show’ means any event—

“(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

“(B) at which—

“(i) not fewer than 20 percent of the exhibitors are firearm exhibitors;

“(ii) there are not fewer than 10 firearm exhibitors; or

“(iii) 50 or more firearms are offered for sale, transfer, or exchange.

“(37) **GUN SHOW PROMOTER.**—The term ‘gun show promoter’ means any person who organizes, plans, promotes, or operates a gun show.

“(38) **GUN SHOW VENDOR.**—The term ‘gun show vendor’ means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.”.

(c) **REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.**—

(1) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

“§932. Regulation of firearms transfers at gun shows

“(a) **REGISTRATION OF GUN SHOW PROMOTERS.**—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

“(1) registers with the Attorney General in accordance with regulations promulgated by the Attorney General; and

“(2) pays a registration fee, in an amount determined by the Attorney General.

“(b) **RESPONSIBILITIES OF GUN SHOW PROMOTERS.**—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

“(1) before commencement of the gun show, verifies the identity of each gun show vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(3)) of the vendor containing a photograph of the vendor;

“(2) before commencement of the gun show, requires each gun show vendor to sign—

“(A) a ledger with identifying information concerning the vendor; and

“(B) a notice advising the vendor of the obligations of the vendor under this chapter;

“(3) notifies each person who attends the gun show of the requirements of this chapter, in accordance with such regulations as the Attorney General shall prescribe; and

“(4) maintains a copy of the records described in paragraphs (1) and (2) at the permanent place of business of the gun show promoter for such period of time and in such form as the Attorney General shall require by regulation.

“(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

“(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

“(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

“(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

“(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

“(3) ABSENCE OF RECORDKEEPING REQUIREMENTS.—Nothing in this section shall permit or authorize the Attorney General to impose recordkeeping requirements on any nonlicensed vendor.

“(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

“(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

“(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

“(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

“(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

“(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

“(1) enter such information about the firearm as the Attorney General may require by regulation into a separate bound record;

“(2) record the transfer on a form specified by the Attorney General;

“(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

“(A) of such compliance; and

“(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

“(4) not later than 10 days after the date on which the transfer occurs, submit to the Attorney General a report of the transfer, which report—

“(A) shall be on a form specified by the Attorney General by regulation; and

“(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

“(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

“(A) prepared on a form specified by the Attorney General; and

“(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

“(i) the office specified on the form described in subparagraph (A); and

“(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

“(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

“(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall, not later than 10 days after the date on which the transfer occurs, submit to the Attorney General a report of the transfer, which report—

“(1) shall be in a form specified by the Attorney General by regulation;

“(2) shall not include the name of or other identifying information relating to the transferee; and

“(3) shall not duplicate information provided in any report required under subsection (e)(4).

“(g) FIREARM TRANSACTION DEFINED.—In this section, the term ‘firearm transaction’—

“(1) includes the offer for sale, sale, transfer, or exchange of a firearm; and

“(2) does not include the mere exhibition of a firearm.”

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

“(8)(A) Whoever knowingly violates section 932(a) shall be fined under this title, imprisoned not more than 5 years, or both.

“(B) Whoever knowingly violates subsection (b) or (c) of section 932, shall be—

“(i) fined under this title, imprisoned not more than 2 years, or both; and

“(ii) in the case of a second or subsequent conviction, fined under this title, imprisoned not more than 5 years, or both.

“(C) Whoever willfully violates section 932(d), shall be—

“(i) fined under this title, imprisoned not more than 2 years, or both; and

“(ii) in the case of a second or subsequent conviction, fined under this title, imprisoned not more than 5 years, or both.

“(D) Whoever knowingly violates subsection (e) or (f) of section 932 shall be fined under this title, imprisoned not more than 5 years, or both.

“(E) In addition to any other penalties imposed under this paragraph, the Attorney General may, with respect to any person who knowingly violates any provision of section 932—

“(i) if the person is registered pursuant to section 932(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 932(a); and

“(ii) impose a civil fine in an amount equal to not more than \$10,000.”

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the table of sections, by adding at the end the following:

“932. Regulation of firearms transfers at gun shows.”;

and

(B) in the first sentence of section 923(j), by striking “a gun show or event” and inserting “an event”.

(d) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

“(E) Notwithstanding subparagraph (B), the Attorney General may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 932 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.”

(e) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

“(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer, licensed manufacturer, or licensed collector who knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

“(B) If the violation described in subparagraph (A) is in relation to an offense—

“(i) under paragraph (1) or (3) of section 922(b), such person shall be fined under this title, imprisoned not more than 5 years, or both; or

“(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.”

(f) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924(a) of title 18, United States Code, is amended—

(A) in paragraph (5), by striking “subsection (s) or (t) of section 922” and inserting “section 922(s)”;

(B) by adding at the end the following:

“(9) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.”

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking “and, at the time” and all that follows through “State law”.

(g) EFFECTIVE DATE.—This Act and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SA 474. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 22. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

“§ 922A. Attorney General’s discretion to deny transfer of a firearm

“The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

“(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

“§ 922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)

“The Attorney General may determine that—

“(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”;

(2) in section 921(a), by adding at the end the following:

“(36) The term ‘terrorism’ includes international terrorism and domestic terrorism, as those terms are defined in section 2331 of this title.

“(37) The term ‘material support or resources’ has the same meaning as in section 2339A of this title.

“(38) The term ‘responsible person’ means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.”; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

“922A. Attorney General’s discretion to deny transfer of a firearm.

“922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).”.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting “or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking “and” at the end; and

(II) by adding at the end the following:

“(III) was issued after a check of the system established pursuant to paragraph (1);”;

(ii) in clause (ii), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title.”;

(4) in paragraph (4), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”; and

(5) in paragraph (5), by inserting “, or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.”.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) who has received actual notice of the Attorney General’s determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title.”.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “Any” and inserting “Except as provided in paragraph (3), any”; and

(2) by adding at the end the following:

“(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any

responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(e)”;;

(2) by striking “revoke any license” and inserting the following: “revoke—

“(A) any license”;

(3) by striking “. The Attorney General may, after notice and opportunity for hearing, revoke the license” and inserting the following: “;

“(B) the license”;

(4) by striking “. The Secretary’s action” and inserting the following: “; or

“(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

“(2) The Attorney General’s action”.

(g) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: “However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.”.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: “With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(h) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: “If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (3) the following:

“(4) constitutes an act of terrorism, or providing material support or resources for terrorism.”

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking “**Remedy for erroneous denial of firearm**” and inserting “**Remedies**”;

(B) by striking “Any person denied a firearm pursuant to subsection (s) or (t) of section 922” and inserting the following:

“(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B”; and

(C) by adding at the end the following:

“(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General’s determination under section 922A or 922B of this title. The court shall sustain the Attorney General’s determination upon a showing by the United States by a preponderance of evidence that the Attorney General’s determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court’s own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General’s determination satisfies the requirements of section 922A or 922B.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

“925A. Remedies.”.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting “or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,” after “is ineligible to receive a firearm”; and

(B) by inserting “except any information for which the Attorney General has determined that disclosure would likely compromise national security,” after “reasons to the individual,”; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting “or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,” after “or State law,”; and

(ii) by inserting “, except any information for which the Attorney General has determined that disclosure would likely compromise national security” before the period at the end; and

(B) by adding at the end the following: “Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.”.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting “; or”; and

(2) by adding at the end the following:

“(10) has received actual notice of the Attorney General’s determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.”.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting “; or” at the end; and

(2) by inserting after paragraph (7) the following:

“(8) who has received actual notice of the Attorney General’s determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.”.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “Upon” and inserting “Except as provided in subsection (j), upon”; and

(2) by adding at the end the following:

“(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(d)”;

(2) by striking “if in the opinion” and inserting the following: “if—

“(A) in the opinion”; and

(3) by striking “. The Secretary’s action” and inserting the following: “; or

“(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

“(2) The Attorney General’s action”.

(p) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: “However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the

Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.”; and

(2) in paragraph (2), by adding at the end the following: “In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting “or in subsection (j) of this section (on grounds of terrorism)” after “section 842(i),”; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting “or in subsection (j) of this section,” after “section 842(i),”; and

(B) in clause (ii), by inserting “, except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security” after “determination”.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking “or (5)” and inserting “(5), or (10)”.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlined in Homeland Security Presidential Directive 11 (dated August 27, 2004).

SA 475. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 12 through 20 and insert the following:

“(A) 125 TO 150-PERCENT HIGHER UNEMPLOYMENT RATE.—The Secretary may increase the Federal share above the percentage specified in subsection (a) up to 60 percent of the cost of a project in the case of a grant made in an area for which—

“(i) the per capita income is not more than 70 percent of the national average;

“(ii) the 24-month unemployment rate is at least 150 percent of the national average; or

“(iii) if the national average 24-month unemployment rate is in excess of 6.5 percent, the 24-month unemployment rate is at least 125 percent of the national average.

SA 476. Mr. REID (for Mrs. FEINSTEIN (for herself and Mr. COBURN)) proposed an amendment to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —ETHANOL SUBSIDIES AND TARIFF REPEAL

SEC. 01. SHORT TITLE.

This title may be cited as the “Ethanol Subsidy and Tariff Repeal Act”.

SEC. 02. REPEAL OF VEETC.

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(2) Section 6427(e)(6)(A) of such Code is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(b) ELIMINATION OF INCOME TAX CREDIT.—

(1) IN GENERAL.—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(A) by striking “2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”, and

(B) by adding at the end the following:

“After such date zero zero”.

(2) CONFORMING AMENDMENT.—Section 40(h)(1) of such Code is amended by striking “calendar years 2001 through 2011” and inserting “the period beginning January 1, 2001, and ending the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

SEC. 03. REMOVAL OF TARIFFS ON ETHANOL.

(a) DUTY-FREE TREATMENT.—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

SUBCHAPTER XXIII

Alternative Fuels

Heading/Sub-heading	Article Description	Rates of Duty		
		1		2
		General	Special	
9823.01.01	Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses	Free	Free	20%.

(b) CONFORMING AMENDMENTS.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking heading 9901.00.50; and

(2) by striking U.S. notes 2 and 3.

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the later of June 30, 2011, or the date of the enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power. The hearing will be held on Thursday, June 23, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing will be to hear testimony on seven items:

S. 500, the South Utah Valley Electric Conveyance Act;

S. 715, the Collinsville Renewable Energy Promotion Act;

S. 802, the Lake Thunderbird Efficient Use Act of 2011;

S. 997, the East Bench Irrigation District Water Contract Extension Act;

S. 1033, to amend the Reclamation Wastewater and Groundwater Study and Facilities act to authorize the Secretary of the Interior to participate in the city of Hermiston, Oregon, water

recycling and reuse project, and for other purposes;

S. 1047, the Leadville Mine Drainage Tunnel Act of 2011.

S. __, the Bureau of Reclamation Fish Recovery Programs Reauthorization Act of 2011.

S. __, the Fort Sumner Project Title Conveyance Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Meagan_Gins@energy.senate.gov.

For further information, please contact Tanya Trujillo at (202) 224-5479 or Meagan Gins at (202) 224-0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 15, 2011, at 9:30 a.m. in SR 328A.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on June 15, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 15, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, “The Clean Air Act and Public Health.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 15, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on June 15, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS
AND CONSUMER PROTECTION

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on June 15, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING
BUSINESS

Mr. REID. Mr. President, morning business is closed; is that right?

The PRESIDING OFFICER. The Senator is correct.

ECONOMIC DEVELOPMENT REVI-
TALIZATION ACT OF 2011—Re-
sumed

Mr. REID. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Bacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the Volumetric Ethanol Excise Tax Credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn modified amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 476

Mr. REID. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 476 on behalf of Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. FEINSTEIN, proposes an amendment numbered 476.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

“SUBCHAPTER XXIII

Alternative Fuels

Heading/Sub- heading	Article Description	Rates of Duty		
		1		2
		General	Special	
9823.01.01	Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses	Free	Free	20%”.

(b) CONFORMING AMENDMENTS.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—
(1) by striking heading 9901.00.50; and

(2) by striking U.S. notes 2 and 3.
(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consump-

The amendment is as follows:

(Purpose: To repeal the Volumetric Ethanol Excise Tax Credit)

At the end, add the following:

**TITLE —ETHANOL SUBSIDIES AND
TARIFF REPEAL**

SEC. 01. SHORT TITLE.

This title may be cited as the “Ethanol Subsidy and Tariff Repeal Act”.

SEC. 02. REPEAL OF VEETC.

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(2) Section 6427(e)(6)(A) of such Code is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(b) ELIMINATION OF INCOME TAX CREDIT.—

(1) IN GENERAL.—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(A) by striking “2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”, and

(B) by adding at the end the following:

“After such date zero zero”.

(2) CONFORMING AMENDMENT.—Section 40(h)(1) of such Code is amended by striking “calendar years 2001 through 2011” and inserting “the period beginning January 1, 2001, and ending the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

SEC. 03. REMOVAL OF TARIFFS ON ETHANOL.

(a) DUTY-FREE TREATMENT.—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

tion, on or after the later of June 30, 2011, or the date of the enactment of this Act.

Mr. REID. Mr. President, I ask unanimous consent that Senator COBURN be listed as the second sponsor of that amendment by Senator FEINSTEIN, No. 476.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of S. 782, on Thursday, June 16, the Feinstein amendment No. 476 and the McCain amendment No. 411 be debated concurrently; that there be up to 4 hours of debate equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to votes in relation to the amendments in the following order: Feinstein No. 476 and McCain No. 411; further, that neither of the amendments be divisible; that there be no amendments, points of order, or motions in order to either amendment prior to the votes other than budget points of order and the applicable motions to waive; that both amendments be subject to a 60-vote threshold; and the motions to reconsider be considered made and laid upon the table; finally, upon disposition of the McCain amendment, the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I want to thank the Senator from South Carolina for allowing us to go forward with this agreement. Senator DEMINT wanted to ensure that this agreement would in no way limit his ability to offer and get votes on an amendment that he cares about, No. 460, regarding the renewable fuel standards and the estate tax.

Senator DEMINT is correct and this agreement does not preclude the Senate from considering his amendment, and I thank the Senator for his cooperation.

I also very much appreciate the understanding of Senator FEINSTEIN, Senator KLOBUCHAR, Senator THUNE, Senator COBURN. We have worked really hard trying to get to this point. It has not been easy. Most everyone did not get what they wanted. But that is what agreements are all about; we have the opportunity to move forward on other things. We will have to decide what more we can do on this bill. But I appreciate very much their understanding. In many conversations I had with them during the day they were all very courteous and thoughtful and very good advocates of their position.

MONGOLIAN PRESIDENT TSAKHIAIGIN ELBEGDORJ'S VISIT TO WASHINGTON, DC

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 208.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 208) expressing the sense of the Senate regarding Mongolian President Tsakhiagiin Elbegdorj's visit to Washington, DC and its support for the growing partnership between the United States and Mongolia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 208) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 208

Whereas the United States Government established diplomatic relations with the Government of Mongolia in January 1987, followed by the opening of a United States Embassy in Ulaanbaatar in June 1988;

Whereas in 1990, the Government of Mongolia declared an end to 1-party Communist rule and initiated lasting democratic and free market reforms;

Whereas the United States Government has a longstanding commitment, based on its interests and values, to encourage economic and political reforms in Mongolia, having made sizeable contributions to that end since 1991;

Whereas in 1991, the United States—

(1) signed a bilateral trade agreement that restored normal trade relations with Mongolia; and

(2) established a Peace Corps program in Mongolia that has had 869 total volunteers since 1991;

Whereas in 1999, the United States granted permanent normal trade relations status to Mongolia;

Whereas the Government of Mongolia has increasingly participated in the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development, among other international organizations;

Whereas in 2007, the House Democracy Partnership began a program to provide parliamentary assistance to the State Great Khural, the Parliament of Mongolia, to promote transparency, legislative independence, access to information and government oversight;

Whereas on May 24, 2009, the people of Mongolia completed the country's fourth free, fair, and peaceful democratic election, which resulted in the election of opposition Democratic Party candidate Tsakhiagiin Elbegdorj;

Whereas in July 2011, Mongolia will assume the 2-year chairmanship of the Community of Democracies;

Whereas in 2013, Mongolia will host the Seventh Ministerial Meeting of the Community of Democracies in Ulaanbaatar;

Whereas the Government of Mongolia continues to work with the United States Government to combat global terrorism;

Whereas Mongolia deployed about 990 soldiers to Iraq between 2003 to 2008 and currently has 190 troops in Afghanistan;

Whereas in 2010, the Government of Mongolia deployed a United Nations Level II hospital in Darfur, Sudan;

Whereas the Government of Mongolia has actively promoted international peacekeeping efforts by sending soldiers—

(1) to protect the Special Court of Sierra Leone;

(2) to support the North Atlantic Treaty Organization mission in Kosovo; and

(3) to support United Nations missions in several African countries;

Whereas the Government of Mongolia has built a successful partnership since 2003 with the Alaska National Guard that includes humanitarian and peacekeeping exercises and efforts;

Whereas the United States Government and the Government of Mongolia share a common interest in promoting peace and stability in Northeast Asia and Central Asia;

Whereas in 1991 and 1992, the Government of Mongolia signed denuclearization agreements committing Mongolia to remain a nuclear weapons-free state;

Whereas in 2010, Mongolia became the Chair of the Board of Governors of the International Atomic Energy Agency;

Whereas in 2010, the United States and Mongolia signed a Memorandum of Understanding to promote cooperation on the peaceful use of civil nuclear energy;

Whereas the National Nuclear Security Administration and the Nuclear Energy Agency of the Government of Mongolia successfully completed training on response mechanisms to potential terrorist attacks;

Whereas between 1991 and 2011, the United States Government granted assistance to Mongolia—

(1) to advance the legal and regulatory environment for business and financial markets, including the mining sector;

(2) to promote the reduction of greenhouse gas emissions; and

(3) to support good governance programming;

Whereas in 2007, the Millennium Challenge Corporation signed an agreement with Mongolia to promote sustainable economic growth and to reduce poverty by focusing on property rights, vocational education, health, transportation, energy, and the environment;

Whereas Mongolia's plan to enhance its rail infrastructure promises to diversify its trading and investment partners, to open up new markets for its mineral exports, and to position Mongolia as a bridge between Asia and Europe;

Whereas the United States has assisted Mongolia's efforts—

(1) to address the effects of the global economic crisis;

(2) to promote sound economic, trade, and energy policy, with particular attention to the banking and mining sectors;

(3) to facilitate commercial law development; and

(4) to further activities with Mongolia's peacekeeping forces and military;

Whereas in January 2010—

(1) the United States Government and the Government of Mongolia agreed to promote greater academic exchange opportunities;

(2) the Mongolian Ministry of Education, Culture and Science pledged to financially support the U.S.-Mongolia Fulbright Program; and

(3) the United States Department of State announced its intention to increase its base allocation for the U.S.-Mongolia Fulbright Program in fiscal year 2010;

Whereas in 2011, Mongolia is celebrating the 100 year anniversary of its independence;

Whereas on June 16, 2011, President Elbegdorj, during a working visit to the United States, is scheduled to meet with President Barack Obama, Congressional leaders, academics, and representatives of the business community;

Whereas in late 2011, Vice President Joseph Biden is scheduled to travel to Mongolia to highlight our shared interests and values;

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Mongolian President Tsakhiagiin Elbegdorj's historic visit to Washington, D.C. cements the growing friendship between the governments and peoples of the United States and Mongolia;

(2) the continued commitment of the Mongolian people and the Government of Mongolia to advancing democratic reforms, strengthening transparency and the rule of law, and protecting investment deserves acknowledgment and celebration;

(3) the United States Government should—

(A) continue to promote economic cooperation; and

(B) consider next steps in securing increased investment and trade to promote prosperity for both countries;

(4) the United States Government should continue to support the Government of Mongolia as it works with the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development to improve its economic system and accelerate development; and

(5) the United States Government should continue to expand upon existing academic, cultural, and other people-to-people exchanges with Mongolia.

ORDERS FOR THURSDAY, JUNE 16, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, June 16; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consider-

ation of S. 782, the Economic Development Act, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be two rollcall votes tomorrow around 2 p.m. in relation to the Feinstein and McCain amendments regarding the subject matter of those amendments.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Thursday, June 16, 2011, at 10 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, June 15, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. NUGENT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 15, 2011.

I hereby appoint the Honorable RICH NUGENT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

IN MEMORY OF GRAHAM B. PURCELL, JR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. THORNBERRY) for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I rise today to inform the House that one of our former colleagues, the Honorable Graham P. Purcell, Jr., has passed away at the age of 92.

Graham Purcell was a larger-than-life figure who led a remarkable life of service. Whether it was as a soldier in World War II, a State judge, or a U.S. Congressman, he served with a strength of character and with a love of country that has provided an example and an inspiration for many people, including me. A man of deep faith, Graham possessed a generosity of spirit that extended to all aspects of his life. He was a member of the Greatest Generation that saved the world from totalitarianism and then came home to build the most prosperous nation the world has ever known. But Graham Purcell was also an individual who would stand out in any generation, rising from humble roots to help make history.

He was born in Archer County, Texas, on May 5, 1919. After high school, he

enrolled in Texas A&M, but the war came, and shortly after Pearl Harbor he entered the Army, serving in Tunisia and in Italy, and earning, among other awards, the Silver Star. Even after he was discharged, he continued to serve in the Army Reserves for a number of years. When he returned from the war, he finished his degree at Texas A&M and then Baylor Law School. After practicing law for a few years, he was appointed judge for the 89th district court in Texas, and served from 1955 until 1962, when he resigned in order to run for Congress in a special election.

Serving in the House from January 1962 until January 1973, Congressman Purcell focused primarily on his work on the Agriculture Committee, serving as chairman of the Livestock Subcommittee. He also played a key role in the Congressional Prayer Breakfast, and served the people of North Texas with integrity and distinction for 11 years. After Congress, Graham practiced law and helped found a large law firm and then served as a visiting district judge in Texas. But in whatever capacity—soldier, judge, Congressman, citizen—Graham was committed to serving others. He and his wife, Nancy, just recently received an award for helping children in crisis in the Wichita Falls community.

Graham Purcell led a rich, full, remarkable life. How many others can say that they shook hands with Winston Churchill while serving as a soldier in Italy; had Vice President Johnson come pick him and his family up at the airport just after he was elected in a special election to take them to the Johnson home so they could stay for a while until they had a chance to find a place of their own; or, on the last night of President Kennedy's life spent more than an hour with him on the plane from Houston to Fort Worth, swapping stories back and forth, and then was in the motorcade the next day when President Kennedy was assassinated; or, made numerous trips back and forth to Vietnam to thank our soldiers for what they were doing there, always stopping at a burn unit along the way to make sure that those severely wounded would know that their country appreciated what they were doing; or, at age 92, just a few weeks ago, offer important guidance and advice to one of his successors about the importance of putting the country first ahead of party, ahead of personal considerations.

Although Graham loved history—and he certainly loved to regale family and

friends with some of his amazing stories—he was also a person who was always looking forward. He was consumed by what kind of country would be left to his children and his grandchildren. And it was this focus on the common good that dominated his life story and really defined him as a man and as a public servant. He and his wife, Nancy, have 8 surviving children as well as 25 grandchildren and 5 great grandchildren, all of whom benefited from his loving care and will miss him greatly.

Although Graham had many titles and roles in his life, he knew that first and foremost he was a child of God. It was from this perspective that he lived—and it is in this assurance that he now rests.

THE WAR ON DRUGS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. This past Friday, the United States would have observed—“celebrated” would be entirely the wrong word—the 40th anniversary of the war on drugs. The war on drugs was initiated by President Richard Nixon. He said we can have a war on drugs 40 years ago.

The fact is, 40 years later, we've spent nearly a trillion dollars on the war on drugs. We have just as much drug use in this country as ever before. We've incarcerated millions and millions of people for victimless crimes. And when we get people who sell drugs, which we need to do, all that happens is like sharks teeth—they're replaced by the next in line; somebody else wanting to make money from a program that the public endorses and supports. So the war on drugs has been a terrible mistake.

Now, don't get the wrong impression. I'm not suggesting that drug abuse and drug addiction is not a great problem that we must deal with. But our approach in treating it as a law enforcement matter and not as a health matter, a health care issue, has led to prison populations increasing, racial disparities of the greatest source in this Nation in the arrest process, and a lost generation of people with no education and no job prospects because those arrests haunt them for the rest of their lives.

Think about how many law enforcement resources have been wasted on drug arrests—nonviolent drug arrests—when policemen could be spending

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

their time working against violent crime and crimes that are dangerous to people—robberies and murders and assaults and other offenses that are truly important to the American public. It has been estimated that the total criminal justice cost of marijuana arrests for State and local governments is as much as \$7.6 billion a year. That averages out to about \$10,000 per arrest. Think of all the serious criminals that could have been arrested instead.

I was shocked recently to read that the New York City Police Department arrested 50,000 people for low-level marijuana offenses last year. New York City, 50,000 arrests for low-level marijuana offenses. This was more than during a 19-year period between 1978 and 1996 combined. Marijuana use has not skyrocketed in the last year, but arrests have ramped up. They use arrests as a basis to get people, particularly people of color, where it's seven times more likely you'll be arrested if you're African American and four times more likely you'll be arrested if you're Latino, and more likely if you're African American or Latino that you'll spend the night in jail than if you're Caucasian, as a way to take people and arrest them and deprive them of what should be their basic civil rights to go around the city.

Our local budgets are straining like never before. And yet we see more arrests. It's time that we question this policy, this war, knowing that insanity is repeating the same thing over and over again and expecting a different result. This is insane. For 40 years we've had this war on drugs. We've had a war on our own citizens. We've wasted monies that can be used for better things. And we've treated what is a health problem and a societal problem as a law enforcement problem. It is a mistake. We need to change our approach.

Drug courts have been a successful way to deal with this problem. We have drug courts in my community that have been successful in getting people to see a different approach to life—not a jail, but a different approach. Racial disparities that I mentioned have been tremendous. It is seven times more likely if you're African American, four times more like if you're a Latino, to be arrested. These inequities run throughout our drug policy program and need to be directed. We corrected a discrepancy between powder cocaine and crack last year. It was 100-to-1 before we changed the law. It's now 18-to-1 in quantity. Still, it should be equal. And it results in racial disparities once again.

□ 1010

I have introduced legislation, the Justice Integrity Act, which would study those disparities and a Byrne Program Accountability Act which would require States to do studies on their racial disparities. The fact is law

enforcement makes arrests for these crimes sometimes to justify getting Byrne funds and getting funds from the Federal Government for the purpose of getting money into their programs and not providing justice.

We need to have expungement laws so that people who have had nonviolent drug offenses can have their records expunged and go on to get employment and have a successful life in America. I have introduced the Fresh Start Act that says if you have a nonviolent Federal offense and you've spent 7 years and had a clean life, you can get your record expunged. This needs to become the law and give people a second chance. Otherwise, they can't get jobs and they resort to crime.

Medical marijuana is an issue that's come up in this country and most States that have had the opportunity to deal with it have passed it, mostly by percentages of over 60 percent. I had a good friend named Oral James Mitchell. Oral James Mitchell was a Navy SEAL and one of the strongest, toughest, best friends I ever had. When O.J. was 54, he got pancreatic cancer. Pancreatic cancer destroys a person, just whittles them away. And a guy who was 210 pounds, who could do all those things the SEALs do, the hand-to-hand and the paratroops, he used medical marijuana, and his mother said, Thank God for the marijuana. It allowed Oral to have a sense of humor and to eat. It worked.

I yield back the balance of my time and urge us to solve the war on drugs by getting out of it. It is a war. It is a crime.

MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY) for 5 minutes.

Mr. BOUSTANY. Mr. Speaker, over 14 years in private practice in medicine, I had the great privilege to treat many, many Medicare patients, thousands of Medicare patients. I did open heart surgery, complex open heart surgery, lung cancer surgery, in times of great need, great difficulty for these seniors who had paid many years of their payroll taxes into the Medicare program with the hope and the recognition that this program would be there for them, for their health care needs in their later years.

And I'll tell you, in the nineties, when I was in the midst, at the peak of my practice, it was not unusual, and in fact quite often patients would come into the emergency room with a very difficult situation, without a primary care physician because they had not had previous health problems. And then what would happen is we would have to do emergency heart surgery on them, and once they got through all of this and got through the hospital stay,

we could not find a primary care physician to take them on, to treat their everyday problems with hypertension, high blood pressure, diabetes, gout and things of that nature.

I would get on the phone time and time again and I would call family doctors and internal medicine physicians and plead with them, Why can't you take this one more patient into your practice? And it's because the reimbursement situation for Medicare was so bad even back then in the nineties that if a physician took on too many Medicare patients, they couldn't meet their costs. That situation has gotten much worse today, in 2011.

I could tell you that I have grave concerns about the future of the Medicare program and what's going to happen. And I'm not speaking as a Member of Congress, I'm speaking as a physician, as somebody who cared for many, many patients, who valued that doctor-patient relationship. This situation whereby families who have a loved one on Medicare cannot find a primary care doctor, this is a very serious situation today and getting worse by the week.

The bottom line is Medicare is in trouble. I saw this as a doctor, and I see it now as a Member of Congress.

Just a couple of facts. Over 10,000 baby boomers are reaching retirement age every day, leaving fewer workers to support them. We have an aging population. This is putting tremendous cost pressure on this Medicare program. In fact, the Medicare program, according to the Medicare actuaries, the trust fund that provides the money for the hospital program, is going to be out of money by 2024, and now, in fact, starting last year, more money was being paid out than taken in to support this program. The Medicare actuary predicts that without changes to the current law, something that was basically not looked at when the health care law was passed, in fact, it was assumed that these certain cuts to physicians would occur in the law. In fact, what we know is that without any changes to the law, physician reimbursements will fall from 80 percent of private rates to 57 percent of private rates in 2012.

What does that mean? That means that the situation for physician practices will get even worse, whereby they can't even meet the costs of their practice. Therefore, they're going to continue to limit their exposure to taking on new Medicare patients. That means access problems. That means Medicare patients cannot get access to physicians.

We need real solutions to this. We need fact-based solutions. We need answers to the problem and not political rhetoric. So far, that's all we've seen, largely coming from the other side and from the White House on this. In fact, we're on a path to see the bankruptcy of this Medicare program if we don't act.

Now let's take a step back and look at what happened in the health care bill. This health care bill, which passed without Republican support, cut over \$500 billion from this Medicare program to expand coverage into a new entitlement, an extension of the Medicaid program. We're digging a deeper hole for ourselves without a way to pay for this. And now the plan calls for immediate 17 percent cuts in benefits for our current seniors. Current seniors, not people who are going to go on to Medicare in the future. Seniors who depend on this important program today.

Another thing that's in this bill, and it's not well-known, is a new bureaucratic entity that was created. There were many that were created in the health care bill, but there's one that really bothers me as a physician. It's called the Independent Payment Advisory Board. Okay. It sounds kind of innocuous, but what does it do? It's a 15-person board arbitrarily chosen that will make life-and-death decisions about what things will be paid for under the Medicare program.

Now, what is the recourse in all this? This is an arbitrary decision-making body, and you cannot dispute what this body is going to do. In fact, for Congress to override it, it would take three-fifths of the Senate to override it. This is going to damage the doctor-patient relationship. It's bad for Medicare patients.

I could tell you that Republicans have an idea about how we're going to fix this. I can't get into it now, and I'll do it in a subsequent speech.

DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont (Mr. WELCH) for 5 minutes.

Mr. WELCH. I thank you, Mr. Speaker.

Members of the House, the default clock is ticking. We face a default on August 2 if we do not raise the debt ceiling. Raising the debt ceiling is always a difficult vote. It is difficult because we have to do something that's necessary but not popular.

Now, the question of the debt ceiling is about paying obligations already incurred. It's not about giving this House of Representatives permission to spend more money. But what has happened with this debt ceiling debate is that it is being used as leverage by both sides to try to get its way on a long-term budget resolution, and the reality is that this country needs both. It needs, number one, to have a long-term resolution on its fiscal situation, but, number two—this is the immediate need—it has to pay its bills.

America is a great country. It has always paid its bills, and the debt ceiling is about that and nothing more. Incidentally, those bills are ones that have been incurred by Congresses that many

of us were never part of. And it's not a question of whether it's a bill that you would have supported incurring the expense for: the Iraq war, the Afghanistan war, the Medicare prescription part D, the two cuts in taxes during the Bush administration, all of which were on the credit card. I was against those, but those are obligations that we have and we must pay them.

The risk of default is enormous. Every increase in the interest rate of 1 percent will cost the American taxpayers \$160 billion. The default clock is ticking.

Now, 2 weeks ago the majority brought to the floor a clean debt ceiling bill for the purpose of defeating it, and immediately upon bringing this bill to the floor and defeating it, with unanimous Republican opposition and many Democrats voting no, Members went back to their offices and called Wall Street and said, Just kidding. We will raise the debt ceiling but we wanted to send a signal.

□ 1020

We are playing with fiscal fire here. You know, it's fine to negotiate, but negotiations cannot lead to default.

Mr. Speaker, if we in this Congress, with the Republican majority now leading the way, fail to honor the Nation's obligations by making good on our responsibility to pay our bills, the bond market will work its will and we will lose our AAA credit rating, and we will do enormous damage to this economy.

This is not about a Democrat or Republican speaking. Let me quote Chairman Bernanke and a few others who commented on the urgency of paying our bills. Chairman Bernanke just yesterday said that failure to raise the debt ceiling would create fundamental doubts about the creditworthiness of the United States and damage the special role that the dollar and the Treasury securities have in the global market. Now, I understand the desire to use the debt limit deadline to force some necessary and difficult fiscal policy adjustments, Mr. Bernanke said, but the debt limit is the wrong tool for that important job.

A few other people commenting on this:

JPMorgan CEO Jamie Dimon: A default would be a moral disaster. It will dwarf Lehman. Every single company with treasuries, every insurance fund, every requirement that—it will start snowballing, automatic, if you don't pay your debt. There will be default by rating agencies. All short-term financing will disappear. That's Jamie Dimon of JPMorgan.

The Chamber of Commerce: Failure to raise the debt ceiling would create uncertainty and fear and threaten the credit rating of the United States.

Moody's Rating Service on downgrading America's rating: Since the

risk of continuing stalemate has grown, if progress in negotiations is not evident by the middle of July, such a rating action is likely.

Fitch Rating Service: Failure to raise the debt ceiling in a timely manner would imply a crisis of governance that could imperil the U.S.'s AAA status.

So we have two problems. We have a long-term problem that requires resolution, a long-term fiscal plan, but we have an immediate problem, and that is to protect the integrity of America's reputation for paying its bills.

If we have a downgrade in our rating, it's going to affect the interest rates that we pay, and that's going to hurt folks in Republican districts. It's going to hurt folks in Democratic districts who have no power to do anything.

We must raise our debt. We must pay our bills.

WE NEED TO GET PEOPLE BACK TO WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Mr. Speaker, last September President Obama referred to America's small businesses as the "anchors of our Main Streets." Unfortunately, economic data released on Wednesday proved that the President's actions speak louder than words. The failed policies of the Obama administration have left small businesses struggling.

According to the National Federation of Independent Businesses, confidence in small business has dropped into recessionary levels. And the reason? Small businesses will tell you that their economic uncertainty is caused by low sales, high taxes, and burdensome government regulations.

Now, I hail from the State of Illinois. Let me tell you a little story about Illinois. Illinois just went and raised its personal income tax level and it raised its corporate tax level. So, as a result of this, just a few days ago, we saw The Wall Street Journal put out an editorial which basically said Illinois has raised \$300 million in revenue because of the corporate tax increase. Oh, but however, because of the businesses threatening to leave Illinois, they've already spent \$240 million in giveaways to corporations to keep them there.

This idea, this thing that we've been on over the last couple of years of tax, borrow, and spend our way to prosperity isn't working. I remember when the President's economic—well, you know what? In my own home district, unemployment exceeds 11 percent in many of the counties. People are asking me: What are you doing to create jobs? Well, I tell them this: Look, the Federal Government can do one thing. We can create an environment for job creation, but the Federal Government

doesn't create jobs, and that's been the problem, because in the last 2 years we've been counting an \$800 billion stimulus as a miraculous job recovery bill.

In fact, the President promised that by this time unemployment would be 6.7 percent. How's that working out? The President's team promised that if we passed an \$800 billion stimulus bill unemployment would never exceed 8 percent. We saw it approach 10 percent, and now it's back on the rise again.

Mr. Speaker, you don't solve our jobs problem by spending more money, because we spent money, and where are the jobs? Where are the jobs? What we need to do is to understand that jobs are not created by this body, but they're created by the private sector, by the folks who get up every day and they put their minds together. They come up with an idea. They risk their capital. They risk their financial well-being, and they hire somebody in hopes that this dream that they have succeeds. In many cases, it doesn't. A lot of folks with an idea to begin a small business are not successful, but then they get up and they try again.

But if you talk to any small business owner, you talk to any manufacturer in the United States, they will tell you that the biggest impediment to job creation is government regulation and taxation.

Is there really anybody that believes—now, I understand some people can argue we have to raise taxes to get more money to government, fundamental disagreement, but I understand people can argue that. But is there anybody that truly believes that raising taxes creates jobs? Is there anybody who really believes that? And what's the number one issue we have right now.

We want to take people, the almost 10 percent, the 9.1 percent of folks in this country that desperately want to have a job, we want to take them from a tax recipient to a taxpayer because they want to be a taxpayer, too.

The definition of insanity is doing the same thing over and over and over and over and over and expecting different results each time. But you're going to get the same result. When this body spends money, when we spend \$800 billion on a stimulus, we've got nothing but a future of debt, doubt, and despair. Well, I believe we have a future in this country that's prosperous, that never accepts second best.

There's a lot of youth watching here today, but you have a job when you graduate from college, a country that never accepts anything less than being a world leader, and I believe we never ever accept second best. So when we talk about what to do in the future, we need to talk about the most important thing. We do have to rein in spending, but we have to get people back to work, and more and more spending isn't going to do that.

MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, I rise today to talk about Medicare, Medicare in a fact-based universe where truth matters.

With Medicare, people's health is at stake and their financial life is at stake as well. Republicans and Democrats don't agree on much these days, but most people agree that the long-term deficits of this country are driven by ever-rising health care costs. If you solve the problem of skyrocketing health care costs, our deficit problem would largely go away. What to do is the problem.

Democrats feel we have an unbreakable compact with seniors. Democrats think basic health needs of the elderly should be guaranteed and the elderly should never be driven into bankruptcy. Republicans think there is no compact with the elderly and that bankruptcy is just natural economics.

So the Republicans have wanted to kill Medicare ever since it was passed in 1965. As recently as 1993, Speaker Gingrich said: We want it to wither on the vine. The craziest thing about the Republican plan to kill Medicare is that their plan does nothing to control costs. Despite all the Republican screaming about budgets and deficits, their plan does nothing to fix the single largest problem that threatens the whole of our economic situation in this country.

□ 1030

The Republican plan is to give seniors a coupon for about half their monthly premium and then walk away. If you can't pay the other half of the premium, too bad, no health care for you. If you can pay and it bankrupts you, too bad. Costs will continue to skyrocket.

We Democrats think that the Ryan wrecking ball is the wrong way to go. Democrats are responsible stewards of the Medicare system. Democrats want to lower costs, improve care, and keep the elderly from going bankrupt.

Now, it's important to keep the debate on Medicare reality based. The fact is that when we passed the health care law last year, the Republicans went around wildly screaming about death panels and scaring as many voters as possible. It was all politics, and it was not true.

The fact is that the health care reform had 165 measures in it to improve Medicare. Medicare is about paying for doctors, nurses, hospitals, drugs. The health care law improved Medicare by helping doctors focus more on taking care of patients, by keeping nurses from drowning in paperwork, by making hospitals more efficient, and by getting fairer prices for drugs.

The Democrats worked with hospitals to improve the payments and, so, saved the country \$157 billion in the hospital payments. The Republican plan did nothing to save Americans money. It just shifted the cost from the government onto Grandma and her kids. The Democratic health care law saved \$136 billion by reducing payments to insurance companies. The Republican plan gave a runaway train of money to insurance companies.

The annual Medicare trustee report came out last month, and it said that the new health care law was a sizable improvement to Medicare. \$500 billion of savings and better care for more people. Those are the facts. It's what any good company would do—increase quality and lower costs.

The Democrats have a plan for Medicare, and we passed it in the Affordable Care Act last year. That's why the Republicans want to repeal it.

You've got to understand what all this repeal talk is about. They want to get rid of the improvements that we made in health care. We cut money from one place that didn't make sense and improved care for prevention, for other places for seniors. We knew what we were doing.

But the Republicans' goal has always been to end Medicare as we know it. They have been very clear from 1964 right straight through Newt Gingrich and through the Ryan plan. They don't want to have a Medicare that guarantees seniors' security. They want to give them a little coupon and say: Now go find an insurance company that will take care of you, Grandma.

Think about that.

What seniors really want is certainty. When you get old, what you worry about is: How am I going to take care of myself? And how am I going to help my kids and leave a little something to them? Am I going to have to go to my kids and say: I can't go to the doctor because I can't pay for it?

That Medicare card is their security. The Republicans want to get rid of it. We have already passed a plan to save it.

BISHOP JOHN M. SMITH'S GOLDEN JUBILEE, 50 YEARS OF PRIESTHOOD AND EXTRAORDINARY SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, words are inadequate to convey my profound respect, admiration, and gratitude for Trenton Diocese Bishop Emeritus John Mortimer Smith, who celebrated his golden jubilee, an amazing 50 years as a Catholic priest, on May 22 at a mass attended by over 800 people at the St. Mary of the Assumption Cathedral in Trenton, New Jersey.

The mass, concelebrated by several bishops, including Bishop David M. O'Connell, now bishop of Trenton, and several priests, including Bishop Smith's brother Father Andrew Smith, was filled with joy and reflection, befitting acknowledgement of a great servant of God.

In his moving homily, Cardinal Theodore McCarrick noted that Bishop Smith is an "extraordinary brother and an extraordinary friend. A man filled with faith, filled with zeal—zeal for the church, zeal for the people he serves, and, in a special way as a bishop, zeal for his priests." The cardinal said we are called to "model Jesus Christ to our people and imitate Christ. Mort Smith," he continued, "has lived it well."

Cardinal McCarrick brought smiles and laughter throughout the cathedral when he said, "I'm not here to canonize Bishop Smith, although that may come," and then went on to call Bishop Smith "the world's greatest kibitzer" due to his legendary penchant for telling stories, usually long, no usually very long, and happily, usually very funny.

Once when I was about to give an address at the St. Thomas More dinner in Trenton, I turned to Bishop Smith, seated with my wife and me at a table, desperate for a joke. He gave me two, and I, courtesy of his jokes, had them rolling in the aisle. Bishop Smith's uncanny ability to infuse humor and hope-filled lightheartedness into almost all things is not only entertaining but makes presentation of the gospel to an often confused and stressed-out world more efficacious.

Bishop Smith connects amazingly well with the youth. I have witnessed it many times at schools and at the annual Catholic Men's Rally. Bishop Smith has an uncanny way of challenging everyone, especially our young people, to faithfully and courageously live the gospel. And you know, it never fails. Within a minute or two of being with Bishop Smith, you always find yourself smiling and your spirits lifted.

For the many years that I have known him, Bishop Smith not only radiates the love of Christ, but he works hard and smart. Often I don't know where he finds the time.

Ordained a priest on May 27, 1961, he has really done it all. Bishop Smith has earned several degrees and got his doctorate from Catholic University of America in the sixties and was deployed as a pastor in the Newark Archdiocese.

Over the years, he has chaired or been the director of numerous boards, including the Institute for Continuing Theological Education, the U.S. Bishops Consultation IV, and the Archdiocesan Vocational Board. He has also served in leadership positions on the Bishops' Committee on Migration and Refugee Services and served on the

board of directors for St. Vincent de Paul Seminary, Notre Dame Seminary, St. Joseph College Seminary, Catholic Relief Services, St. Francis Medical Center in Trenton, and Pontifical North American College in Rome. I would note, parenthetically, he made five humanitarian trips to Africa as part of Catholic Relief Services' mission there.

As bishop, his pastoral plan, *Led by the Spirit*, identified seven pastoral priorities, including dealing with charity and justice, pastoral leadership, ethnic diversity, youth and young adult ministry, faith formation, and Sunday worship. Today, all 111 parishes in the diocese of Trenton are developing action plans to implement *Led by the Spirit*.

Bishop Smith also created the Institute for Lay Ecclesial Ministry, which has formed and commissioned approximately 100 people to date. He also updated and expanded the strategic use of media to advance the gospel and the culture of life and created Realfaith TV, an award-winning teen talk show. And he has boosted the Trenton diocese's online outreach to the Hispanic community to protect the sanctity of human life and to reach an even wider audience with news and commentary published in the excellent diocesan newspaper, *The Monitor*.

Faced with declining enrollment in the diocesan schools, largely due to escalating costs, which include some 36 elementary schools and eight high schools, Bishop Smith's "Commitment to Excellence" initiative established benchmarks to make an already effective education program even better.

Mr. Speaker, my wife, Marie, and I were among those offering prayers of thanks at Bishop Smith's jubilee mass. We rejoiced with his family and friends for his accomplishments that are without number. We rejoiced over his bold, consistent, and compassionate commitment to defending unborn children, their mothers, and the sanctity of life. We rejoiced and were inspired anew by his life well lived.

And, Mr. Speaker, we gave thanks that, while his extraordinary ministry has changed in "retirement," he is far from done.

NOT AS OWNER OR TENANT: NO MILITARY BASES IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, a year and a half ago, we were promised a new way forward in Afghanistan, a way that would include a significant military drawdown. The date for the redeployment to begin was July 1, 2011, just 2 weeks away. Then last year, the goalposts were removed and it was decided

that, in fact, our troops would remain in Afghanistan through 2014.

□ 1040

But apparently that wasn't enough. Negotiations are now under way with the Karzai government—negotiations that are happening apparently in secret and without proper accountability and transparency—for the construction of military bases in Afghanistan. Officials are being very careful not to say that these bases would be permanent, but it's clear that our government could be hammering out the details of an agreement that would call for a U.S. military presence in Afghanistan for as far as the eye can see.

I can't understand the logic here, Mr. Speaker. Why can't we grasp the very idea that the longer we are perceived to be an occupying power, the more resentment we breed in Afghanistan? The longer we're there, the more we fuel the insurgency, the more we leave our troops vulnerable, the more we put our own national security in jeopardy. Erecting permanent bases would be the biggest favor we could do for the Taliban.

I salute my good friend and fellow Californian, Congresswoman BARBARA LEE, for her leadership on this issue, and I would urge my colleagues to consider my legislation that would require the President to negotiate a Status of Forces Agreement that would clearly prohibit the establishment of permanent bases.

Mr. Speaker, the outgoing Defense Secretary, Mr. Gates, says we're seeking joint bases where the United States acts as a tenant as opposed to an occupying force, but I don't believe for a minute that the Taliban appreciates the subtlety of that distinction.

As long as there are boots on the ground, and not just boots but large installations with American trappings and English language street signs and so forth, the more we embolden the very radical forces we're trying to defeat.

We're going exactly the wrong direction, Mr. Speaker. At a moment when the American people are crying out for this military occupation to end, our leaders look as if they are preparing to extend it into perpetuity. At a moment when casualties are on the rise, we're preparing for a long-term presence that will further endanger, not protect, Americans.

We can't afford permanent war. It's unsustainable. We can't afford the cost in blood, treasure, lost credibility or dwindling moral authority. It's time to bring our troops and our contractors home and leave no military footprint behind.

ELDER ABUSE AWARENESS DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. BUEKLE) for 5 minutes.

Ms. BUEKLE. Mr. Speaker, I rise today to call attention to the issue of elder abuse. Today is Elder Abuse Awareness Day. Hundreds of thousands of Americans each year are the victims of elder abuse. According to the National Center on Elder Abuse, this number could be as high as 1 to 2 million Americans.

Elder abuse, Mr. Speaker, is a broad term for the victimization of seniors 65 years and older. There is no one picture of what elder abuse looks like. It can be physical abuse, neglect, sexual abuse, emotional abuse or exploitation.

The perpetration of elder abuse also varies—spouses, partners, caregivers in nursing homes, even neighbors. Our older elder Americans are especially vulnerable to abuse, particularly those who suffer from dementia or other mental diseases.

I find it unconscionable that the very people who fought for us in World War II and Korea, who nurtured us, who taught us, who built this society around us, would be victimized in the twilight of their lives. Our elderly citizens have given us so much, and they deserve our appreciation, our respect, and most importantly, our protection, not just for what they've contributed, Mr. Speaker, but for the ways they still enrich our society and enrich us as a people.

This August my mother, Mr. Speaker, will turn 90 years old. Three years ago, when my father died, she was lost. She was particularly vulnerable. Fortunately for my mother, she has children, grandchildren and great-grandchildren to help her and to support her. But how many other Americans, elderly folks are out there who don't have that support system, Mr. Speaker?

This is not a Democratic or a Republican issue. This is an American issue. Our seniors, our elderly, deserve our help. They deserve our protection. Please, as Americans, today is Elder Abuse Awareness Day. Let us be particularly aware of our most vulnerable, our elderly citizens.

AGRICULTURE APPROPRIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL. Mr. Speaker, today I rise in support of farmers and producers all across these United States, and especially in the Seventh Congressional District of Alabama. As we debate and discuss issues surrounding the Agriculture appropriations bill, let us remain mindful of the enormous impact that the agriculture sector has had on the United States and our world economy.

Agriculture employs more than 21 million American workers and accounts for 15 percent of the total U.S. workforce. In fact, in my home State of Alabama, agriculture contributes near-

ly \$5 billion to the State's economic sector every year. Any Agriculture appropriations bill must take into account the potential economic impact and the strengthening of the agriculture sector that is needed for the 21st century.

I understand that we are making very difficult budgetary decisions; however, I am concerned that the types of cuts proposed in this year's Agriculture appropriations bill are ill-advised and disproportionate. This bill reduces the funding for agriculture research programs, including the Agriculture Research Service and the National Institute for Food and Agriculture, by over \$354 million from last year's level.

Now, I know that that's a substantial cut in very important research that must be done, both nationally and within our individual States. In fact, the National Institute for Food and Agriculture fulfills this mission by supporting research education and extension programs at land grant universities like those in Alabama like Auburn, Tuskegee, Alabama A&M University and others. We must preserve funding for each of these critical and important investments in the future of agriculture research and food safety.

Under this Republican appropriations bill, food and nutrition programs like SNAP and child nutrition are funded at nearly \$2 billion less than the President's budget. SNAP is an important and essential program in these challenging times for low-income individuals who cannot afford to purchase food for themselves and their families. Since the program was created, SNAP has literally saved millions of lives, and currently provides essential support to over 165,000 individuals in my district alone.

The proposed funding for the Women, Infants and Children Food Assistance program, WIC as it's known, is far below what is needed to serve all those individuals who are eligible for benefits. WIC provides essential nutrition to new mothers, babies and small children under 5 that are nutritionally at risk.

Nearly 50 percent of the babies born in our country each year rely on WIC. In Alabama, WIC provides assistance to over 140,000 individuals and over 25,000 just in my district alone.

Contrary to popular belief, this program is cost-efficient, and it serves nearly 10 million people each year, costing less than \$100 per person receiving benefit. The lack of proper funding in this appropriations bill is yet another example of Republican attacks on hardworking families and children that definitely need assistance for nutrition. I cannot stand idly by and let this occur.

We must ensure that any appropriations bill provides robust and adequate funding for these essential programs,

both now and in the future. The Republican Agriculture appropriations bill reduces funding for essential rural development programs by \$337 million below last year's levels. These reductions disproportionately impact loan authority for 502 direct housing programs.

□ 1050

Without these loans, low-income rural families could not find financing options that would help them purchase homes and simply be able to live.

This bill also seeks to reduce funding for agriculture business and rural business grants by \$20 million below last year's level. In a time of economic recovery, we must continue to make strategic investments in small and rural businesses, and not make reductions.

It is important that we who know better do better. Agriculture in our global society is of the utmost importance. As our global population increases, food security and adequate food production will be necessary for our national security, economic development, and our overall survival. It is my hope that all on both sides of the aisle will pass an agriculture appropriations bill that is both fiscally responsible, forward-thinking, and makes economic sense.

NATURAL RESOURCES AND AMERICAN JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DENHAM) for 5 minutes.

Mr. DENHAM. Mr. Speaker, I rise today to talk about natural resources and whether or not they can create American jobs. The answer is yes; with oil production alone, 1.2 million jobs between the three bills that Republicans passed out of committee and off of the House floor; a total of 2 million jobs if you add in the American Energy Independence and Price Reduction Act; 2 million American jobs. Not only could we be energy independent in our great Nation, but we can put Americans back to work with 2 million jobs alone in this area.

We need to have States' rights, allowing States to explore oil exploration or natural gas or utilize all of their natural resources, whether you're in Alaska and you want to drill in ANWR, or you're the Governor of California and you want to pass Tranquillon Ridge and clean up the old oil wells off of the coast. States should have those rights to be able to do that and to be able to put their own people back to work in those States.

The President's policies on our natural resources are just flawed. My friends across the aisle continue to talk about the bills that come off of this floor, whether they create jobs or not. This is indisputable, 2 million

jobs. You don't have to like these jobs, but nevertheless, they are American jobs and it gives us our energy independence.

The President has said we have 2 percent of the world's oil, but we utilize 25 percent of the world's oil with our vehicles. Now I agree, we use 25 percent; we've got a lot of cars on the roads, we have a lot of goods movement, but 2 percent? The number is flawed again. As we went through the Natural Resources Committee, we have over 65 percent of the world's natural resources between natural gas, oil, and oil shale, we just have to be willing to go get it. So rather than going to Brazil, rather than going to the Middle East and putting our troops at risk, we ought to be self-sufficient and utilize our own natural resources and put Americans back to work in the process.

Now in my district, we've got natural resource issues as well. We've seen timber issues across the Nation. In Arizona, we've seen catastrophic disasters with national forests. In my district we've got national or natural forests as well. These national forests we've got to manage better. We've got to be able to take the fuel off of the forest floor. We've got to be able to harvest some of the timber. We'll never catch up at this point because our timber harvesting plants are so far behind. But nevertheless, we've got to put Americans back to work, we've got to put Californians back to work dealing with our timber industry.

And in the Central Valley, where we have the largest abundance of ag production, all of the fresh fruits, the nuts, packaged salads, we have so many different things that California produces and yet we see some of the highest unemployment in the Nation. As our national unemployment continues to escalate, we're at 9.1 percent now, we're double that in the Central Valley, and it's a direct correlation to the water. One of our natural resources, when you shut off the water to the valley and only give it 10 percent of the contracted allocation, you have 36 percent unemployment. And in some cities it's even higher. When you go to the food lines and you see Americans—44 percent unemployment in some cities—it seems un-American to not utilize our natural resources.

So we have the ability in this great Nation. We have the bills that we're passing off of this floor. What we need to do is have the will to move them through both Houses and encourage the President to have American jobs—not Republican jobs, these aren't Republican jobs, not Democratic jobs, but American jobs; putting people back to work; avoiding the natural disasters that happen with forest fires and the natural disasters we have with flooding when we don't manage our water; creating clean energy in the process. But the most important issue, when you've

got 9.1 percent unemployment and escalating across the Nation, when you've got double that in the Central Valley and continuing to escalate but you have the natural resources and the ability to solve your own problems but ignore the fact and don't do so, we have an American problem with jobs.

As Republicans, we are willing to fix that problem. We will continue to pass these natural resources bills, but at some point we would ask our friends across the aisle to work with us. We will not solve California's energy problems or the Nation's job issue without addressing our natural resources.

REPUBLICAN AGENDA LACKS COMMON SENSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. I appreciate the fact that the gentleman who preceded me in the well talked about unemployment and creating jobs. I may not have agreed with his particular nostrums, but at least that's one Republican who's talking about creating jobs.

Unfortunately, the Republican majority, in the last 6 months of leadership in the House, has brought forward no bills to put Americans back to work except they say do more of the same. What? Yes, more of the same.

The last decade, George Bush dramatically cut taxes—twice—decreased regulations under the theory that that would create jobs. Unfortunately, the facts are in. We had the worst job creation post World War II in the last decade under George Bush and doubled the deficit and debt while doing it. It didn't create jobs. Trickle down economics doesn't work. It didn't work in the Reagan era. It didn't work then. Compare that to the Clinton era. We raised taxes, yes, particularly on rich people and big corporations. We actually balanced the budget, we paid down debt, we had 3.8 percent unemployment, and real incomes went up for the middle class. I'd love to go back to those "bad old days," but no, it's the Bush policies that will work, we've just got to do more of them. Reduce spending even more.

Government can't do anything to create jobs, they say. Well, what about investing in the Nation's infrastructure? Who built the national highway system? Who built the bridges? Who built the transit systems in this country? Who helped build the rail systems? Who has maintained our ports and waterways? The Federal Government—sometimes in partnership with States or local government or the private sector. But those investments pay off.

And what do the Republicans want to do? In the face of 150,000 bridges on the national highway system that are about to—or in the not-too-distant future—have the same fate as the bridge

in Minneapolis, Minnesota that is collapsed, they need either total replacement or repair 150,000 bridges; 40 percent of the pavement on the national highway system; \$60 billion backlog on our transit systems.

They want to cut Federal investment in transit. And they say if we give that money to rich people and to the corporations—who are sitting on \$2 trillion worth of cash—they'll take care of the problem. Oh, really? What are you going to do, toll 150,000 bridges across the country in order to induce the private sector to come in and rebuild them? Are you going to toll the existing interstate in order to bring it up to a decent system of good repair?

And transit systems, they all lose money. Now some on the Republican side say, well, we should just do away with transit systems, we don't need those things. Come on, let's have a little bit of common sense here. You want to talk about saving fuel? Invest in transit. You want to talk about creating jobs? Invest in infrastructure. We have the strongest Buy American requirements in transportation and infrastructure as any program of the Federal Government. We create more jobs per billion dollars than anything else. Way more than the Defense Department—where they want to shower all their funds—can be created in transportation. You can put Americans to work; not only construction workers who have horrible unemployment, not only steel workers for the bridges, not only people who maintain these systems, but engineers, software engineers, people who make tires, people who make rail cars, people who make streetcars.

□ 1100

We are making street cars in America for the first time in 70 years in Oregon due to one of those horrible earmarks they want to ban. We were buying them overseas. Now we are making them in America. Is that bad? They seem to think it is, and they want to decrease investment in these sorts of things that are proven job generators.

Now, I have to give the Obama administration a big fat D-minus on this same issue. The so-called stimulus, which they rightly criticize, which I voted against, \$800 million, 40 percent of it was Bush tax cuts, which didn't work for Bush and didn't work for Obama. Now all the Obama administration is talking about is more tax cuts. Extending the payroll tax holiday on Social Security, that will put America back to work.

Give me a break. These things haven't worked. We need real investment. If you borrow money to build a bridge that lasts 100 years, at least you can look your kids and grandkids straight in the eye when they say, what did you do with all that money, because I am still paying the bills 30

years from now. And you can say, we built that bridge you drove over to go to work. We rebuilt that transit system that you took to work today. We made America more competitive in the international economy with those investments.

You have got to start distinguishing between investments and wasteful spending. If you want to talk about cut-and-spend, then let's talk about it. Subsidies to people to not grow things, \$5 billion a year; another \$15 billion a year in agriculture subsidies to grow surplus crops? Don't want to touch that one. Tax loopholes, giveaways to the oil companies, let's cut that. No, we can't cut the tax subsidies to the oil companies.

You know, common guys, let's get real here. Let's invest in America, in the American people, and put people back to work. We need a real program, and you people have offered us nothing.

DEMOCRATS HAVE WRITTEN THE WRONG PRESCRIPTION FOR MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. GINGREY) for 5 minutes.

Mr. GINGREY of Georgia. Mr. Speaker, I stand here today not just as a Congressman, but as a physician with nearly 30 years of experience treating and interacting with patients. Wearing both of these hats has allowed me to understand our health care system at each end of the spectrum, and it allows me to say with absolute certitude that the Democrats and President Obama have written the wrong prescription for Medicare. With 47 million Americans relying on our Medicare system and millions more to enter soon, it is absolutely irresponsible not to inform the public accurately of the facts about its current path if left unchanged.

The truth is, Mr. Speaker, when the President's health care bill was signed into law, it ended Medicare as we know it. According to the nonpartisan Medicare Actuary, Medicare will run out of money in 2024. That is what, 13 years from now. The Congressional Budget Office says it will be as soon as 2020, 9 years from now.

House Republicans have chosen to face the facts and responsibly proposed a comprehensive plan for Medicare. The Republican budget saves Medicare by maintaining benefits as they are for those 55 years and older, while also strengthening it by bringing true choice and competition to maintain and save Medicare for our children and for our grandchildren.

Mr. Speaker, the Democrats' plan for Medicare reform is included in the 2,400 pages of, you guessed it, ObamaCare, which is bad for American seniors and bad for the country. Their plan empowers a panel of unelected bureaucrats to ration senior health care. This panel

will focus its cuts on the chronically ill and the disabled, these Medicare recipients who need care the most because they use the most health care services.

Health care rationing has never, Mr. Speaker, has never been the American way, but it certainly appears to be the Democrats' way. As a doctor, I know that the last thing patients need are bureaucrats who are unanswerable to the public, indeed, even to the Congress, making health choices for them.

The Democrats' plan also allows for a \$500 billion raid on Medicare to fund programs in ObamaCare, a fact that they have conveniently ignored while they are consistently criticizing Republicans for so-called "cutting" care. The plan put forth by President Obama and the Democrats is a plan that cuts Medicare for seniors today, and it leaves Medicare bankrupt for our future generations, our children and our grandchildren.

Mr. Speaker, my diagnosis is that American seniors should be worried only if we sit back and do nothing about Medicare or accept the Democrats' plan to gut it from sick and disabled seniors. We cannot allow it to continue on its current path to insolvency, as the Democrats and President Obama would have it. We need to support Medicare reform now so that we will have Medicare tomorrow, and that includes eliminating this rationing board as soon as possible.

OPPOSE THE SECURE COMMUNITIES PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. I rise today in strong opposition to the Secure Communities program. I am for the stated goals of the Secured Communities program. Anyone who is undocumented in this country and who has been convicted of a serious violent offense should be removed from this country, period. But I can't support the program because of the significant evidence that Secure Communities is failing to achieve its goal.

When you look at the numbers, nearly half of the undocumented individuals from my home county of Los Angeles who have been taken into custody through this program have not committed or been convicted of a serious violent offense, and that is a problem.

Take the story of Isaura Garcia, a 20-year-old who suffered three turbulent years of abuse and beatings at the hands of her boyfriend. In February, she finally found the courage to call 911 for help. Earlier that day, her boyfriend, Ricardo, had thrown Isaura and their 1-year-old daughter out of their apartment. When she came back to the house to get her things, Ricardo showed up and it began again. He started throwing things at her, and when she tried to protect herself and her

child she accidentally scratched his neck.

After the 911 call, the police showed up and put her boyfriend in cuffs, but after they saw the scratches, they took them off of him and put them on Isaura. Shocked at what was happening, she fainted. At the hospital, doctors found bruises covering her body from the weeks and years of abuse. Despite being identified by a doctor as a victim of domestic violence, she had been arrested as the abuser.

After the arrest, Isaura landed in the L.A. County jail, which was participating in the Secure Communities program. Because of this program, she was fingerprinted and found to be here in an undocumented way. It was too late. Before she knew it, she was sent to an immigration detention center in Santa Ana.

It is stories like Isaura's that are causing the DHS inspector general to investigate the Secure Communities program. Washington State, Pennsylvania, and Washington, D.C., refused to join Secure Communities. New York, Illinois, and Massachusetts are suspending their participation in this program, and California is discussing this as well.

But that is only a first step. The concerns about Secure Communities must be properly and permanently addressed. This is first and foremost about public safety. The people on the front lines of this program, our police officers, have expressed serious concerns about its implementation. LAPD Chief Beck has noted that the program is causing a breach of trust between the LAPD and our immigrant communities, hindering our officers' duties to protect and serve all of our residents. And the numerous reports of domestic violence victims being detained through this program are simply unacceptable. If a program is causing a victim of violence to fear reaching out for help, then that program is causing more harm than good.

Secure Communities has undermined our police departments' mission of protecting the public, it has weakened protections against racial profiling, and it will have a chilling effect on immigrants' willingness to report crimes or provide useful information to the police.

We must take a long, hard look at the negative effects of Secure Communities. We must allow States to opt out of the program. We must protect the safety and welfare of all our residents and truly ensure that we will have safer, more secure communities.

□ 1110

SAVING MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, yesterday afternoon, Bloomberg News released an analysis, district by district around America, of the highest concentration of 45- to 54-year-olds. The reason they did this analysis was to see and focus on where the impact of the Republican Medicare plan would land the hardest. In the top 10 districts which they identified, the headline of this article, which obviously is Bloomberg News, a nonpartisan news service, was: Medicare Cuts Would Hit Republican Lawmakers. Nine out of the top 10 districts in America with that highest 45 to 54 concentration are Republican districts. The 10th is the Second Congressional District, which I have the honor of representing in eastern Connecticut.

Now, some may ask why was Bloomberg looking at the population of 45- to 54-year-olds? Well, the Ryan Medicare plan radically alters the Medicare program, starting in 2022, for people who today are 54 years old or younger. Starting with that age group, Medicare will no longer be a guaranteed benefit, but instead will be a voucher plan where Americans will be given an \$8,000 payment and told, Good luck. Go out and buy insurance.

The Congressional Budget Office has already analyzed what that means to someone aged 54 today in terms of out-of-pocket costs. In fact, it would double the out-of-pocket costs for those 54 and below, in year one, who enroll in the Medicare program. Over time, we have an analysis which shows what the true out-of-pocket costs would be for 55-year-olds with a normal American life expectancy. It would raise their out-of-pocket costs—these are additional costs—by \$182,000.

So for anybody who is out there today who is in that age group, you'd better start saving up because you're going to need a lot more retirement assets just to keep level with what an American who turns 65 today gets under the Medicare program.

We have heard a lot from just, again, one of the speakers a few minutes before, who was just making comments about Medicare's going broke and that people 65 and up are going to be protected in terms of their Medicare. Wrong. The Ryan Republican plan would immediately cancel new benefits for seniors today, that they have started to enjoy, starting in January: annual checkups, cancer screenings, smoking cessation.

I had a town hall back in Norwich, Connecticut, just a couple of days ago where I had a young primary care doctor who was talking about the fact that the new annual check-up has allowed her that extra time to spend with patients, and she has detected three cancers because of the fact that she now has the tools to do her job smartly and efficiently.

The Ryan Republican plan would cancel that annual check-up coverage, which the Affordable Care Act kicked in in January, along with cancer screenings and along with smoking cessation—all smart, preventative, wellness-oriented care which will save the Medicare program money, again, for people 55 and younger. This chart shows how the out-of-pocket costs grow exponentially.

I see some young folks up in the audience there. If you're 15 years old, your out-of-pocket costs are going to be \$711,000 higher than a 65-year-old's today who is entering the Medicare program.

What this Ryan plan really amounts to is just simply a cost shift to patients and families. It does nothing to make a more efficient health care system, and that is not a solution to the problem.

We also heard that Medicare is going broke, that it is going to be bankrupt in 2024. If you read the trustees' report, you will see, in fact, that it is a totally misleading comment. What the trustees reported was that there are sufficient funds in the program to cover 90 percent of the costs of Medicare and, starting in 2024, for at least another decade and a half. Now, that shortfall is a problem. We should not have a 10 percent shortfall starting in 2024, but that is a manageable problem. We can make smart, intelligent changes to the Medicare program just like we have done going back to 1965 when it was first enacted.

Again, we have had, in fact, solvency reports and warnings from the trustees that were much more dire in the '70s, in the '80s, in the '90s than the report that we saw 3 weeks ago. There is no reason to scare people and panic people into butchering the Medicare's guaranteed benefit in the name of fiscal solvency for the Medicare program. We can make smart choices. We can make smart changes, but shifting the costs to people 55 and younger is not a solution to the Medicare program. It ends Medicare.

Now, within families with some who are over 55 and some who are under 55, this will create two-tiered coverage. I can report to you of the Courtney Family. I'm 58 years old, so purportedly, I would get the old-fashioned benefit under the Ryan plan, but my wife, Audrey, who is a nurse practitioner—she is 51—will get the loser benefit. She is going to have to start dishing out close to \$200,000 in additional costs for her retirement under this plan.

So you've got two-tiered coverage even within families under the proposal that we have with the Ryan plan. We can do better as a great Nation to guarantee coverage—with a reasonable package that is smart and efficient to solve the Medicare program. We don't need the Ryan plan, which will shift costs to patients and families in an unfair fashion.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members should not refer to occupants of the gallery.

STOP MILITARY RAPE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, I rise today to once again draw our attention to the epidemic of rape and sexual assault in the military.

But, first, I want to mention the disturbing Government Accountability Office report released last week which showed that patients and staff have been raped and sexually assaulted in the VA. There were 284 reports of sexual assault which occurred between January 2007 and July 2010. There were 67 classified as rape, 185 as inappropriate touching, 13 as forced oral sex, eight as forceful medical examinations, and 11 as "other."

While this is not as widespread as rape and sexual assault in the military, it is yet another example where government has lacked in protecting the men and women in uniform who serve our Nation. One assault is one too many. VA facilities should be a place for aid and comfort, not for abuse.

The House Veterans Affairs' Committee held a hearing on this issue just Monday. Congress must make it a priority to hold the VA accountable and ensure that this does not happen again. As I said during my last speech on this issue, I have set up an email account so survivors of rape and sexual assault in the military can tell their stories. The address is: stopmilitaryrape@mail.house.gov.

Today, I want to share the story of Private Jessica Kenyon. Mr. Speaker, I must warn my colleagues that some of the language is raw. Private Kenyon served in the Army from August 2005 until August 2006. Her allegation is as follows:

During training at Fort Eustis, Private Kenyon's teaching sergeant began to harass her. He constantly touched her, and made sexual jokes and comments to her. She did not believe it would be effective to report the teaching sergeant, because her unit commander was openly misogynistic. He was known to say, "This unit never had any problems until females came into it."

In December 2005, while Private Kenyon was home for the holidays, she was raped by a member of the Army National Guard. At that point, she reported both the sexual harassment by the drill instructor and the rape to an Army sexual assault response coordinator. The Army official advised her to put the rape "on the back burner" and focus on the sexual harassment. Private Kenyon then discussed the rape

with Command, who advised that it would be used against her in promotional reviews if she chose to pursue prosecution.

After she reported the harassment and rape, she was ostracized and retaliated against by her fellow soldiers. This retaliation followed her to her next assignment at Camp Humphreys in Korea. When she arrived, the sergeant advised that he had received calls warning him about her. He then made a unit-wide announcement, cautioning everyone that they "should be careful who you talk to because they might report you." The sergeant and others engaged in the ongoing sexual harassment of Private Kenyon.

In the spring of 2006, one soldier—a specialist and squad leader—sexually assaulted Private Kenyon. He put his hand under her shirt and on her breasts, and tried to make her touch his penis. She fought him off.

Private Kenyon reported the assault to Command. The assailant denied the sexual assault, and failed a lie detector test as a result. He then recanted his testimony and admitted to the harassment. He was charged with "lying on a sworn statement," and was given only a nonjudicial punishment. He was demoted two ranks, but remained on active duty. The assailant got to keep his job. Private Kenyon got Post-Traumatic Stress Disorder.

For 16 years, Congress has been talking about this issue, and there have been 18 hearings and reports. Yet the Department of Defense still testifies that there are 19,000 rapes that occur in the military every year, and we have done nothing about it.

I urge survivors to tell their stories by writing to stopmilitaryrape@mail.house.gov.

□ 1120

WORKING TOGETHER TO GROW OUR ECONOMY AND CREATE JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. The recent release of the May unemployment rate at 9.1 percent was a harsh reminder that a jobless recovery is not a recovery at all. I believe that in order for our economy to grow and small businesses to create jobs, the first step must be to restore fiscal order to the Federal Government. This year, our government is borrowing 42 cents of every dollar that it spends. In addition to burdening our children and grandchildren with an enormous debt, such reckless spending crowds out private investment and competes with small business for access to capital. While reducing our deficit spending is an important first step to economic recovery, we can and we must do more.

Since taking office, President Obama has dramatically increased the regulatory burden on small businesses. In 2010 alone, the administration has handed down 43 major new regulations—the highest single-year increase on record. The President has also used the regulatory process to block development of vast domestic energy sources. This has led to costly burdens that prevent small business growth as well as higher prices at the pump.

While regulations can help protect our environment, they should be based on common sense and not stifle growth. Recently, I helped a small manufacturer cut through months of costly Federal red tape that delayed expansion and hiring at his facility in Bucks County, Pennsylvania. We must work to make sure that unnecessary and duplicative regulations do not stand in the way of job creation in our region and across our great Nation.

Finally, we must proactively encourage private sector job creation. I have been working, Mr. Speaker, on two pieces of legislation in this area. The Hire Just One Act would provide a one-time tax credit to small businesses that hire a full-time permanent employee this year. I have also introduced the Fairness to Veterans Act, which would extend Federal contracting preferences to veteran-owned small businesses. This bill is designed to honor the service of our Nation's men and women in uniform as well as address the staggering 21 percent unemployment rate among veterans returning from Iraq and Afghanistan.

I'm committed to working to fix our economy and making sure that the Federal Government is a partner in job creation, not an obstacle to it. Together, we can grow our economy and create private sector jobs and opportunity.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 23 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Phil Hoskins, Higher Ground Baptist Church, Kingsport, Tennessee, offered the following prayer:

Heavenly Father, we thank You for the gifts of life and freedom. Thank

You for the blessing of citizenship in the United States of America.

Today, I pray for our President and Members of the House and Senate. Lord, grant wisdom to our governing officials as they lead us during these challenging times throughout the world. Many have forgotten You and many also have forsaken You, but today we turn to You and acknowledge that You and You alone are the source of our strength and security.

Have mercy upon us, I pray. Now I claim the promise in Your word, as written in the second book of Chronicles, chapter 7, verse 14: "If My people who are called by My name will humble themselves and pray and seek My face and turn from their wicked ways, then I will hear from heaven and will forgive their sin and will heal their land."

In Jesus' name, amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. PHIL HOSKINS

The SPEAKER. Without objection, the gentleman from Tennessee (Mr. ROE) is recognized for 1 minute.

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, today our guest chaplain is Dr. Phil Hoskins, a native east Tennessean.

Dr. Hoskins attended East Tennessee State University, Milligan College, and Andersonville Baptist Seminary, where he earned his Doctor of Theology degree. For 12 years, Dr. Hoskins served as a full-time Southern Baptist evangelist and has conducted over 400 revivals and crusades in 28 States and Canada.

Dr. Hoskins is now the pastor of Higher Ground Baptist Church in Kingsport, Tennessee. Since accepting the pastorate of Higher Ground in 1991, he has helped his congregation grow from under 200 to well over 3,000 members.

Dr. Hoskins is here today with his wife, Brenda, and his two beautiful daughters, McKenzie Paige and Madison Jade.

It is a great honor to introduce Dr. Hoskins, whose dedication and commitment to serving God and his fellow man is unwavering.

I would like to yield to my friend from North Carolina, HEATH SHULER.

Mr. SHULER. I thank the gentleman from Tennessee.

It is, indeed, an honor that you have asked one of my dear friends, Phil Hoskins, to be able to come and preside over the House this morning and lead us in prayer, a gentleman who baptized my wife, who administered the ceremony that married my brother and his wife.

So, Phil has meant absolutely everything to me and my family, and I love him unconditionally. He has been a man of great character, someone I can lean on, and I am jealous that you have him in your district.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

IRAQ WAR COSTS—WHO SHOULD PAY?

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, while in Iraq last week with Members of Congress, we not only met with our troops, but we met with Prime Minister Maliki. During our conversation, it was suggested to Mr. Maliki that Iraq eventually assume some of the costs for this war of liberation.

The war has cost billions of dollars and thousands of American lives. Since we are rebuilding Iraq and have given them a free democracy, it seems only right that Iraq at least consider paying for part of the cost with future oil revenues. I was surprised that Prime Minister Maliki reacted with an emphatic "no way" to sharing the cost. Even Kuwait helped reimburse the coalition nations when Saddam was driven from their lands. But not Iraq. They will not hear of it.

Later this same day, we learned that the Prime Minister had actually ordered the Members of Congress out of Iraq. Looks like our questions to him were a political IED.

But as the date for our military looms ever closer for departure, there are reports the Prime Minister wants our military to stay a little longer and Americans to pay for it. Iraq should help pay for the nation that Americans rebuilt and liberated.

And that's just the way it is.

PRESIDENTIAL SCHOLARS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize and honor Presidential Scholars Dylan Neel of Moses Brown High School and Sol Taubin of the Wheeler School for the academic excellence.

Dylan and Sol have shown themselves to be some of our Nation's most distinguished graduating high school seniors. They are two of only 141 students selected as U.S. Presidential Scholars from more than 3,000 applicants. The U.S. Presidential Scholars program recognizes graduating high school seniors for academic excellence, artistic accomplishments, and civic contributions. These young people represent the great hope of our Nation's youth and the promise of the American education system.

I also want to recognize Jennifer Stewart and Christine Barry, who were selected by Dylan and Sol, respectively, as their most inspiring and challenging teachers. I thank these teachers for their dedication to our young people and our schools.

I am pleased to join the White House Commission on Presidential Scholars and the United States Department of Education in recognizing Dylan Neel and Sol Taubin.

HAMAS FUNDING

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, a few days ago from this very Chamber, we heard the Israeli Prime Minister make clear that Israel seeks a permanent peace settlement with recognition of a Palestinian state. He reiterated that Israel seeks peace with its neighbors. Unfortunately, some of its neighbors do not feel the same way.

The charter of Hamas clearly states that peaceful solutions are contrary to their beliefs. As a party, they stand for the destruction of Israel, they glorify the murders of women and children, and even mourn the death of Osama bin Laden. Despite these positions, Hamas was recently welcomed back in to the Palestinian Government, and Egypt has opened the border to the Gaza Strip.

By no means should U.S. taxpayer money go to support these murderers. We cannot support a Palestinian Government that has no intention to live peacefully with its free and democratic neighbor. We must stop sending hundreds of millions of dollars in annual aid until all parties in the Palestinian Government recognize that Israel has a right to exist.

TERROR GAP

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, shockingly, individuals on the Federal terrorist watch list are not excluded from purchasing firearms in the United States. Quite simply, this means you can be on a terrorist watch list and be prohibited from boarding a plane because we think you are a terrorist, but you can buy a semiautomatic weapon.

Last week, American-born al Qaeda spokesman Adam Gadahn urged the terrorist group's followers to exploit this "terror gap" in our gun laws. Our enemies, intent on destroying Americans and our way of life, have made a calculated decision that Congress cares more about protecting the gun lobby than it does the safety of its citizens. They are convinced we lack the courage and fortitude to close our gaping loopholes and that their persistent campaign to strike again on our soil has new promise.

I would love to stand here today and say our enemy has grossly underestimated us. I am not certain I can. My colleagues in Congress are now faced with a critical opportunity to do the right thing and pass the most commonsense of commonsense policies by closing the terror gap. Al Qaeda will be watching our response.

□ 1210

INDIANA AIR NATIONAL GUARD AIRMAN OF THE YEAR: STAFF SERGEANT ANDRE CARBONEAU

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, I'd like to honor a native member of Indiana's Air National Guard today. Staff Sergeant Andre Carboneau was recently awarded Indiana Air National Guard Airman of the Year for 2010. The honorable award is designed to recognize members that are hardworking, are involved in the community, and have continued to advance themselves in education. After members compete on a quarterly basis, they compete at the State level to become the airman of the year.

Carboneau received his award Friday, May 20, at Victory Field in Indianapolis. He is from Warsaw, Indiana, and a phase aircraft mechanic for 122nd Fighter Wing in Fort Wayne, Indiana. He is also a full-time student at Indiana State University, where he is majoring in professional aviation.

I congratulate Staff Sergeant Andre Carboneau for his achievements and am proud of Indiana's 14,700 members of the Indiana Army and Air National Guard.

Our Nation owes endless gratitude to these men and women in uniform who

have devoted their lives to our security and the preservation of our liberty.

MEDICARE VOUCHER PROGRAM

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in strong opposition to the Republicans' misguided attack on Medicare and Medicaid. No matter what the other side says, their plans for Medicare and Medicaid will end them, leaving them as nothing but a shell.

This is a question of priorities. Which is the best choice? Either closing the doughnut hole so seniors, including 7,000 in my district, don't have to choose between their medications and paying the rent, or giving huge subsidies to oil companies?

Or this choice: telling people, including 100,000 in my congressional district who are in their 40s and 50s, to hurry up and save another \$200,000 each before they retire so they can pay for health care since Medicare's guarantee is gone?

Or continuing tax breaks for millionaires and billionaires?

The Republican budget is not a plan for our future. It's a recipe for disaster. It ends Medicare and Medicaid, puts our seniors at risk.

Stand up for our current and future seniors. Say "no" to the Republican attack on Medicare and Medicaid.

MR. PRESIDENT, WHERE ARE THE JOBS?

(Mr. HENSARLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENSARLING. Mr. Speaker, we found out last week that new business creation is at a 17-year low, and Americans are asking, Mr. President, where are the jobs?

Unemployment has now languished at the highest level since the Great Depression, and Americans are asking, Mr. President, where are the jobs?

One in seven families is now on food stamps, and Americans are asking, Mr. President, where are the jobs?

The Bureau of Labor Statistics released that the time it takes to get a new job is at an all-time high, and Americans are asking, Mr. President, where are the jobs?

House Republicans have a plan for America's job creators to put the Nation on a fiscally sustainable path to restore confidence, to make our Tax Code competitive, and to take the burden of regulation off our job creators so that American workers can get the paychecks they need and deserve.

REPUBLICAN PLAN TO END MEDICARE AND GUT MEDICAID

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, the more we learn about the true impact of the majority's plan to end Medicare and gut the Medicaid program, the more there is to dislike.

For starters, under their plan, seniors will pay \$6,000 more in annual out-of-pocket costs for health care services. Current seniors will see higher costs on prescription drugs as a result of reopening the donut hole, as well as a spike in the price of preventative care because free annual wellness visits will be eliminated.

Individuals who are 54 years of age and younger, including 540,000 people in my district, will be denied access to Medicare's guaranteed benefits.

Additionally, the majority's budget slashes Medicaid funding by \$800 billion over 10 years and converts the program into block grants. Nearly 60 million Americans that rely on Medicaid for their health coverage will be in jeopardy of losing their health care.

From my district in particular, their plan will impair the health care of 21,000 dual eligible seniors who rely on Medicaid to supplement their Medicare coverage, and 82,000 children who receive coverage under Medicaid.

Mr. Speaker, given the current economic climate, now is not the time to be cutting valuable services to our most vulnerable citizens.

MEDICARE HOME INFUSION BILL

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, there are massive inefficiencies in Medicare that are causing the program to go bankrupt. One example is infusion therapy, or the intravenous delivery of medication administered to patients suffering from cancer or serious infection for which they cannot just take a pill. But it requires specialized equipment and supervision and often lasts several hours a day over a period of several weeks. It's very expensive for patients to get this care in a hospital.

Although private plans have been covering home infusion therapy for decades, Medicare still forces people to go to a hospital, where they also have increased risk for infection by going there, and it costs thousands of dollars for delivery, as opposed to hundreds of dollars when they get it at home.

That's why today, Representative ELIOT ENGEL and I are reintroducing the Medicare Home Infusion Therapy Coverage Act, so patients can receive the same treatment in the comfort and convenience of their home at a lower cost. Our bill saves taxpayers money, about \$6 billion over 10 years.

Mr. Speaker, our proof is that this is one more way we can find significant savings in Medicare, or simply wait for the program to go bankrupt. And I urge all of my colleagues to support our bill to give patients better quality and better care at lower costs.

MEDICARE AND MEDICAID

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, America's seniors have given a lifetime of service to our Nation. It is our responsibility to demonstrate the same commitment to them by providing a safety net like Medicare and Medicaid.

Sadly, the Republican budget will have a devastating impact on our seniors, forcing many of them to sell their homes and rely on their children just to get by because they can't afford health coverage.

In my district alone, the Republican budget plan would throw out 3,200 Medicare beneficiaries into the prescribed donut hole, eliminate preventive care benefits for 56,000 seniors, deny 630,000 individuals aged 54 and younger guaranteed Medicare coverage, jeopardize nursing home care for 1,100 seniors whose expenses are paid by Medicare.

Yes, we must lower the deficit with intelligent spending cuts, but it is wrong to balance the budget by cutting vital service to American seniors.

Let's preserve Medicare and Medicaid. Let's work together, Republicans and Democrats, and find a solution.

THE IMMINENT MEDICARE CATASTROPHE

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, we are at a great turning point in history when it comes to the survival of Medicare. The CMS actuary just informed us that Medicare will become insolvent in just 12 years. That means that if you're on Medicare, or expect to be on Medicare in the next 12 years, you need to think about how you will finance your health care after that period.

And what is the President's plan or the Democrat congressional plan? Sorry, there is no plan.

When asked, Mr. President, why no plan when the law requires you to have one? He said, and I paraphrase, that he would rather Republicans take the lead so he can demagogue ours. Never mind that ObamaCare takes one-half trillion dollars from Medicare to subsidize its crazy schemes.

The Ryan budget plan that was passed here in this Chamber has the only credible plan to save Medicare. It ensures traditional Medicare coverage indefinitely if you're over 54 years of

age. It provides for a choice among many private plans with premium support based on financial need for those who are under. It is time congressional Democrats and the President step up on this vital issue.

□ 1220

THE TRUTH ABOUT MEDICARE

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, the more people know about the Republican plan for Medicare, the less they like it. So it's no wonder that the Republicans are trying to prevent House Members from telling our constituents about the plan to end Medicare by actually censoring our mailings to our own districts.

The Democrats aren't alone in saying the Republican plan ends Medicare. Tom Scully, former Bush administration head of Medicare, says the Republican plan "gets rid of the current Medicare program" and that it is "a fundamental structural change in the program." It's so fundamental that beginning in 2022 the out-of-pocket costs for enrollees would double, and they would be forced to pick a private insurance plan without guaranteed benefits.

Republicans can call their plan whatever they want—sorta-care, maybe-care, we don't care—but they can't call it Medicare. They can try all they want, but they can't keep seniors from learning the truth.

This program that they introduced ends Medicare.

MEDICARE IS GOING BROKE, MR. PRESIDENT

(Mr. BROUN of Georgia asked and was given permission to address the House for 1 minute.)

Mr. BROUN of Georgia. Mr. Speaker, this administration has failed to lead, they have failed to budget, and now they have failed to produce any viable solution for saving Medicare. In fact, their solution is to let it go broke.

In 13 short years, Medicare's Hospital Insurance Trust Fund will run completely out of money. Bankrupting this program will leave many of our Nation's seniors high and dry and our future generations without a health care program to depend upon.

And guess what? The Obama administration doesn't care. Instead of making Medicare reform a top priority, the administration has passed the task off to a panel of unqualified bureaucrats—like it was busy work that they couldn't be bothered with.

Mr. Speaker, Medicare is going broke. That's a reality this administration has to face. The program is already driving up the larger-than-life debt, and it will only get worse from

here. I urge the administration to at least present us with one option for fixing Medicare's present money problem. And if they can't, the House GOP doctors have plenty of suggestions of where to begin.

REPUBLICANS ARE HIDING THE TRUTH ABOUT MEDICARE FROM THE PUBLIC

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, before I came to Congress, I was a newspaper editor in Louisville, Kentucky. And as an editor, my job was to make sure that our stories revealed the truth and made things easier to understand for our readers. Right now, the Republican majority in Congress is editing to obscure the truth and to hide the facts from the American people.

Ever since a Republican candidate in New York lost a special election in a heavily Republican district because she supported the reckless GOP plan to end Medicare, the majority in this body has been petrified about what it might mean for their political careers if the American people actually found out the truth, and they are doing everything they can to hide the truth.

The Republican-controlled Franking Commission—which controls content of mailings from congressional offices—is now dictating that any reference to the end of Medicare be cut out from correspondence. Whenever the word "end" is used, they say we have to use the word "change." They won't let the truth be told. But the truth is, if you have eliminated something, you haven't changed it. You can't change something that has been killed. That's what the American people need to know. That's what the Republican majority is trying to hide, but they will not deceive the American people.

HAPPY 236TH BIRTHDAY TO THE U.S. ARMY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. Speaker, yesterday marked the birthday of the United States Army; 236 years ago, the United States Army was established to defend our families. The Army began June 14, 1775 as the Continental Army. The Continental Congress established the Army to coordinate military efforts among the 13 independent colonies.

With victory in the Cold War, more people and more countries today live in democracy, freedom and peace than in the history of the world due to the success of America's military. Promoting the values of loyalty, duty, respect, selfless service, honor, integrity and personal courage, today's soldiers represent the best of our Nation.

As the grateful son of an Army Air Corps Flying Tiger and as a 31-year veteran of the Army Reserves and Army National Guard, I know firsthand the competence and patriotism of servicemembers. Especially my wife, Roxanne, and I are grateful to have three sons currently serving in the Army National Guard. My youngest son, Second Lieutenant Hunter Taylor Wilson, was commissioned last month an engineer through the Clemson University ROTC.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

CENSORSHIP BY FRANKING COMMISSION

(Mr. CONNOLLY of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to object to the majority Franking Commission's exercise in blatant and transparent censorship on a Medicare mailing I and other colleagues of mine wish to send to our constituents.

I'm not allowed to call it the "Ryan budget" even though the Republicans called it the Ryan budget, because, of course, it has become unpopular. I'm not allowed to refer to changing Medicare to a voucher system even though Mr. RYAN himself referred to it as a voucher system. I must now call it a "premium support system."

These changes, among many others, are censorship at its worst. When we don't like something, when it's not going well for us on the majority side, we suppress it. This censorship would make former Soviet censors blush at the breathtaking nature and sweeping scope of the suppression of free expression, of free ideas here in the Nation's Capitol.

REPUBLICANS WORKING TO CREATE JOBS

(Mr. BUCSHON asked and was given permission to address the House for 1 minute.)

Mr. BUCSHON. Mr. Speaker, I rise today to talk about jobs.

Last week, during the district work period, I met with local business leaders, toured businesses throughout my district, and listened to their concerns. It should not come as a surprise to anyone the main topic of conversation was where are the jobs and what is the state of the economy.

Over and over, the small business leaders told me that government regulations and uncertainty are negatively affecting their ability to grow and create jobs. Businesses are afraid to invest in the future due to the uncertainty in our Tax Code, the increased costs and regulations stemming from the Affordable Care Act—which they can't afford—and the increased burdens of an

out-of-control regulatory process that has stifled job creation.

Just yesterday, the National Federation of Independent Business released their report showing a decline in optimism for small businesses for a third consecutive month. It has been 28 months since the ill-conceived stimulus passed and a year since June 2010 was declared "recovery summer" by the administration; yet 1.9 million fewer Americans have jobs. This is why we need to get our fiscal house in order, cut spending, repeal the Affordable Care Act, and end onerous regulations.

The Republican majority gets the message, and everything we're doing is to create a climate where we can expand and create jobs in America.

SETTING THE RECORD STRAIGHT

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, I listened with great interest last night on the debate pertaining to cutting funds for children and women with the Department of Agriculture. And I'm greatly disturbed by the assertion that we should do that and cut programs for senior citizens and the disabled because of the budgetary problems that we're having here in Washington.

Yes, we're having problems; but those problems did not start 18 months ago. Those problems have been going on for a very long time. And we're making decisions. And when we voted—not I—in December to give billionaires and millionaires \$780 billion and then in June and April you say you don't have money for pension checks and you don't have money for senior citizens and you don't have money for children and babies, it's a mispriority.

And for people to get on this floor and constantly talk about the recovery and the number of jobs, well, I want to submit just for the record the number of jobs that were saved in Florida and Georgia and other places because of the Recovery Act.

□ 1230

EMPOWERING BUSINESSES TO GET ECONOMY GOING

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, it is no coincidence that Illinois' corporate tax rate is the fourth-highest in the Nation and yet ranks 48th in economic performance. Businesses, big and small, can no longer afford to keep their doors open and hire more workers when they face a 45 percent tax increase.

If we are serious about creating jobs, then we must stop allowing the govern-

ment to pick winners and losers in today's economy. In order to create economic certainty, we must have a level playing field and clearly defined rules that don't change halfway through the game. We need to encourage businesses to invest and to expand here at home. One way that we can do that is through corporate tax reform, eliminating tax loopholes that currently exist in the system.

One thing is clear: Increases in taxes without spending reform cannot work. It is time that we start to empower businesses to get our economy moving again. Illinois has lost 750,000 manufacturing jobs over the last decade. Now is the time we have to focus on job creation.

A REAL, ACTIONABLE JOBS PLAN FOR AMERICA IS NEEDED

(Mr. QUAYLE asked and was given permission to address the House for 1 minute.)

Mr. QUAYLE. Mr. Speaker, earlier this week, President Obama made a joke about his so-called stimulus package. Remember those shovel-ready projects we heard so much about? They were one of the major selling points for the package. Well, the President now says they "were not as shovel-ready as we expected." I am sure some got a good chuckle out of that line, but there is nothing funny about a \$1 trillion failure.

The economic policies this administration has pursued have failed to create jobs, and they have made matters worse for our economy. In many of our home States, the economic situation is bleaker than the national picture. In my hometown of Phoenix, Arizona, our unemployment rate is higher than the national average, and we have lost thousands of manufacturing and retail jobs over the last 2 years. We also have a housing market that has collapsed.

Mr. Speaker, we will never get our economy growing again unless we see drastic improvements in unemployment and our housing sector. Our country is at our best when we unleash the ingenuity of the American people. The Republican Conference has a real and actionable jobs plan that will put America back to work, that will give our entrepreneurs and innovators freedom from the regulatory burdens and high taxes that are holding them back.

We must take action to get this economy going again, and that is what our plan does. President Obama's speeches, policies, and council meetings are not enough.

REPEAL AND REPLACE THE PRESIDENT'S HEALTH CARE PLAN

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, I rise today to recall a promise that we heard

many times from this President and his administration: that under his health care law, if you like your insurance, you can keep it. Unfortunately, it seems that that promise was an empty one, and it will affect millions of Americans.

A recent study from McKinsey & Company found that due to the law, at least 30 percent and perhaps as many as half of employers say that they will probably or definitely stop offering health care coverage to their employees after 2014. These are astounding statistics, and they reveal the fallacy we heard so frequently that if you like your plan, you can keep it.

With every passing day we find out more and more what is in the President's health care law, and we find out that it hurts middle class families and small business owners, holding back our economy and killing job creation. This study is just one more reason for the House to redouble its efforts to repeal this law and replace it with legislation that will control the cost of health care while preserving individual freedoms.

HONORING JIM SACKETT

(Mr. ROONEY asked and was given permission to address the House for 1 minute.)

Mr. ROONEY. Mr. Speaker, I rise today to honor Jim Sackett, who this week announced he is retiring after 33 years in remarkable service as the anchor of WPTV News Channel 5 in West Palm Beach.

I have enjoyed Jim's newscasts since my family moved to Palm Beach Gardens in 1984. In high school, I wanted to go into the news business and actually interned under Jim at Channel 5. I learned a lot that semester watching Jim, whose commitment to balanced news reporting set a high standard for other newscasters. His dedication to quality news coverage has earned him both a Telly and an Emmy.

Before he began his career in journalism, Jim served his country honorably for 5 years in the United States Army. He continues to serve our community, where he is active in several organizations, including Big Brothers and Big Sisters. Jim is widely recognized for his "Thursday's Child" feature, which for 30 years profiled children to help them find forever adoptive parents.

Jim, thank you for your service and your contributions to our community. You are truly a pillar of the Treasure Coast and Palm Beach County.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1 p.m. today.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess until approximately 1 p.m.

□ 1303

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROWN of Georgia) at 1 o'clock and 3 minutes p.m.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2112.

□ 1304

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mr. BASS of New Hampshire (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 14, 2011, a request for a recorded vote on the amendment offered by the gentlewoman from California (Ms. RICHARDSON) had been postponed and the bill had been read through page 26, line 17.

The Clerk will read.

The Clerk read as follows:

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$770,956,000, to remain available until September 30, 2013: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-

Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of Section 14 of the Watershed Protection and Flood Prevention Act, \$15,000,000 is provided.

AMENDMENT NO. 10 OFFERED BY MR. BROWN OF GEORGIA

Mr. BROWN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, line 23, after the first dollar amount, insert "(reduced by \$15,000,000)".

Page 80, line 2, after the first dollar amount, insert "(increased by \$15,000,000)".

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROWN of Georgia. Mr. Chairman, my amendment would eliminate one of the 20 different conservation programs USDA currently operates, the water rehabilitation program. The chairman of the subcommittee, my good friend from Georgia, has stated during debate on funding for agriculture programs that he hopes to see a reduction in the number of Federal programs included in this bill.

I understand that some of my colleagues have a vested interest in this program, but when we have a program that is funding projects in only a handful of States, we must take a long, hard look at our priorities.

Mr. Chairman, even the President did not request funding for this program. It cannot be understated that we are facing unprecedented fiscal challenges in our Nation. We just simply have to stop spending money that we don't have, and we have to start creating jobs out in the private sector. My amendment, by cutting this program, will help to stop the bleeding economically that we're having. The consequences of failing to reduce spending and the deficit jeopardize the current and future stability of our Nation.

I urge my colleagues to support my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. LUCAS. I move to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise today in opposition to this amendment, and I think it might be worthwhile to explain for just a moment what the small watershed program is and what the small watershed rehabilitation program is all about.

These were efforts begun in the 1940s and 1950s by this body in an effort to address flooding conditions. Under this program, 10,000 small earthen dams were built across the country, working in interlocking series to prevent downstream flooding by capturing flood waters at the source.

Now, like anything after 50 years, its life expectancy can be expected to come to a conclusion. In 2000, we created the rehabilitation program to extend the life of these structures by additional time, and it now appears, based on the modern techniques being used, engineering technologies, that these 50-year structures will wind up with a 150-year total life expectancy in many instances.

This is a program where the rehabilitation resources are allocated based on need as scored by USDA. It's not an earmark program. It's not a targeted program. The money is made available, and as the structures need work, they are prioritized. It's a wonderful way to address this issue.

Now, if you look at the amount of property and life and infrastructure that have been protected in the life of these programs, it's almost incalculable. In Oklahoma, in the range of \$81 million a year worth of property has been saved.

My colleague alluded to programs that only affect limited numbers of areas. I would note even in the great State of Georgia, there are 357 of these watershed structures. There are 69 that within the next 10 years will need the rehabilitation program. There are benefits in every State.

I would just simply say, if you care and you believe that infrastructure is a part of our responsibility, if you believe that protecting every life below that dam all the way to the ocean is important, and the property, then this is a wise, small use of resources. What my friend attempts to do here is to zero out the whole program. No money for rehab this year. No money for rehab this year.

□ 1310

That would be a travesty. That would be a tragic use of resources in the past. It's important, I think, that we continue this program.

Mr. KINGSTON. Will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Georgia.

Mr. KINGSTON. As the chairman of Agriculture knows and is fully aware, I wanted to underscore the point that you just made that the ordinary mandatory authorization for this program is \$165 million. That has been zeroed out, and the only thing we're doing this year is this \$15 million. And so even at the current \$15 million level, it's still 150 less than it ordinarily has been.

Mr. LUCAS. I would say, reclaiming my time, that the gentleman is right. This is a dramatic reduction over what had been expected during the farm bill. Yet this \$15 million will do tremendous work, and it is allocated on a 65-35 cost basis. Local and State government have to come up with more than a third of the money to be able to implement these rehabilitation programs.

For a few pennies, we do a great deal across the country based on need, not anyone's political priorities but based on need. This is an exceptional program. I would ask my colleagues to turn back this amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE III

RURAL DEVELOPMENT

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$760,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$161,011,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That not more than \$10,000 may be expended to provide modest non-monetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$24,845,666,000 for loans to section 502 borrowers, of which \$845,666,000 shall be for direct loans, and of which \$24,000,000,000 shall be for unsubsidized guaranteed loans; and \$58,617,000 for section 515 rental housing loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: \$40,000,000 for 502 direct loans; and \$20,000,000 for repair, rehabilitation, and new construction of section 515 rental housing: *Provided*, That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$12,500,000, to remain available until expended, for direct farm

labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$400,000,000 shall be paid to the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$890,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not less than \$1,500,000 is available for newly constructed units financed by section 515 of the Housing Act of 1949, and not less than \$2,500,000 is for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2012 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, \$11,000,000, to remain available until expended, which shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant-paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 5, after the dollar amount, insert "(increased by \$100,000,000)".

Page 35, line 13, after the dollar amount, insert "(increased by \$100,000,000)".

Page 49, line 23, after the dollar amount, insert "(reduced by \$200,000,000)".

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Mr. Chair, I am offering an amendment that reduces the funding for the billion dollar Food for Peace program. Regardless of its perceived merits, our country is deep in debt, and we have problems here in America, particularly rural America, that need to be addressed.

The Food for Peace program has been rightly criticized as a waste of money and ineffective in achieving its stated goals. But the reason for my amendments are more direct: the current budget funding for this program is over \$1 billion. We stand today with a \$14.3 trillion deficit, and at the same time, we have unmet needs in our own backyards.

My first amendment cuts \$200 million from this program and my second amendment sets aside \$100 million into the spending reduction account. Then, of the \$200 million cut in my first amendment, \$100 million each is directed into Rural Development, Title III, here in the United States.

The reason for these amendments is straightforward. Parts of rural America rival parts of some Third World countries where we send tens of millions of dollars. We need to focus on our own people and our own communities before we spend taxpayer money in foreign lands.

One example here in the United States is the area known as the former Bennett Freeze area, an area consisting of 1.5 million acres of Navajo Nation reservation land, where the housing units have been described as "little more than hovels" and "80 percent of the homes have no electricity" and there are few paved road or communication structures. How do we justify spending \$1 billion in foreign countries when we have so many unmet needs in the United States?

The Rural Development loan program would receive additional funding under this amendment, a program that gets high marks for its success; so, too, would the Multifamily Housing Revitalization Program. With millions of people losing homes, they are moving into multiunit housing. This program will help Americans.

It is easy to understand the emotional appeal programs like Food for Peace may have, a program that would be reduced by this amendment. But ultimately, we are using taxpayer money for charity. Improving literacy, reducing hunger, and educating girls in foreign countries are issues that are, in

fact, charitable and emotionally appealing, but we have our own literacy, hunger, and gender issues in our country. But at a time when we have a \$14.3 trillion public debt, massive unemployment, and rural rates of poverty, illiteracy, and school underperformance, we should focus our money here at home. We owe it to our constituents, the taxpayers, to help them. Certainly one can see that this program has laudable aspirations, but laudable aspirations will not help the U.S. economy or the U.S. taxpayer. The problems in rural America are staggering.

On June 9, 2011, President Obama issued an Executive order to create a commission to study problems in rural America. In the Executive order, the President stated:

“Sixteen percent of the American population lives in rural counties. Strong, sustainable rural communities are essential to winning the future and ensuring American competitiveness in the years ahead. These communities supply our food, fiber, and energy, safeguard our natural resources, and are essential in the development of science and innovation. Though rural communities face numerous challenges, they also present enormous economic potential. The Federal Government has an important role to play in order to expand access to capital necessary for economic growth, promote innovation, improve access to health care and education, and expand outdoor recreational activities on public lands.”

I agree. But instead of just forming a committee to study the problems, problems that are well-known and need no further study, my amendment would do something about it and direct money to the Multifamily Housing Revitalization Account Program for a rural housing voucher program and the Rural Business Program Account, which provides loan guarantees and grants for “rural businesses development programs,” including business grants to Indian tribes and rural economic partnership zones for farm and rural development.

Again, instead of just studying the problems of high unemployment, lagging schools, lagging infrastructure and opportunities, let's do something about it. The rural American poverty rate has exceeded the national rate since 2001 by 3 percentage points. The child poverty rate in rural America is 5 percentage points higher than urban-metro areas.

Why can't we invest millions in our rural communities instead? Why should we tolerate poverty, unemployment, and a lack of infrastructure in our rural communities while we send millions and billions of dollars to build up other countries?

In good faith, knowing how hard so many people in my district work and knowing how little they have to show for it at the end of the day, I can't

agree to send their money overseas to help others while they suffer in our backyards. Knowing that infrastructure is lacking, this amendment helps start the process of directing our money to the unmet needs here in the United States.

I ask my colleagues to closely consider these amendments.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I wanted to make a few notes on it. I appreciate my friend for offering it, and I think he's raised some very serious philosophical questions, particularly about Pub.L. 490, the foreign food program.

I wanted to point out we have reduced that by 31 percent in this account, but we've also reduced the Multifamily Housing Revitalization Account, as he's well aware, but his amendment would actually increase that 10 times. It's at \$11 million, and he would bring that up to \$111 million. The highest funding level for that was in FY 2010 at \$43 million, and so we have been ratcheting it down using a voucher program but feel that it was overfunded.

□ 1320

The Rural Business Program Account right now is about \$64 million, so this amendment almost doubles that. It doesn't quite double it. But there again, we have brought that account down from a high of \$97 million; and with his amendment, it would go up to \$164 million. These two accounts would go to higher levels than they historically had. And in contrast, the PL 480, the foreign food program, is at one of the lower levels that it has been at. So I have to say to my friend that I'm sorry to reluctantly oppose you, but we are going to oppose the amendment at this point.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I think the amendment is well intended. I think the author is well intended. Rural America is hurting. Rural America is really under a depression. We have not done a very good job of having a rural strategy for America.

I applaud Secretary Vilsack for trying to pull together programs to invest in rural America and make sure that the different agencies in the Federal Government are working in collaboration. And I think this amendment addresses some of those issues, not in a collaborative way but just in putting more money into rural America. But unfortunately, that good intent is off-

set by the evil done in taking it out of the foreign ag account. And I can't support the amendment for that.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$22,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Housing Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I rise to engage in a colloquy with my friend from California (Mr. FARR) about cuts in this legislation.

As I have been analyzing the legislation coming before us, Mr. FARR, it appears that the legislation, if approved in the form that is before us, would have a really devastating impact upon American farmers, families, and the environment. The legislation before us, as I understand it, cuts nearly \$1 billion from the five main conservation programs, conservation programs that put money directly in the pockets of family farmers.

Over the last 5 years, these programs have been so popular that the list of farmers who want to participate greatly outweighs the availability. Both the Conservation Stewardship Program and the Environmental Quality Incentives Program have twice as many applicants as they can serve. And the Wetlands Reserve Program and the Grasslands Reserve Program combined have over 1 million acres waiting to apply.

These are not programs that are underutilized or ineffective. They appear to be widely popular and provide a direct benefit to America's farmers and ranchers. These would appear to be exactly the type of programs we should be supporting. They provide support for family farms and producers who are doing exactly the right thing, ensuring that we use precious tax dollars not only to support farmers and ranchers

but to ensure clean water, clean air, and fertile productive soil.

They are a blueprint for a better path forward, a farm bill that helps farmers add value and truly supports small- and mid-sized operations. I was wondering if you would care to comment on my concerns.

Mr. FARR. I appreciate my good friend from Oregon's (Mr. BLUMENAUER) sentiments. And as ranking member of the House Ag Appropriations Subcommittee, I am a strong supporter of these conservation programs used both in Oregon and in my State of California. And I am distressed by the proposed cuts to these programs.

I would like to point out that the Farm Bureau also opposes large cuts to the important working lands program and the Environment Quality Incentives Program. I find it especially disappointing that these funding levels are low enough that the USDA will have to break current contracts. That is an unfair result for our farmers and ranchers who have counted on the support and technical assistance for the year ahead.

The funding levels for the 2008 farm bill were carefully negotiated, and it is frustrating to me and to many others to see the mandatory funding for conservation programs decrease so drastically because this bill was given such a low allocation.

Mr. BLUMENAUER. I appreciate the sentiments of my good friend from California, as I appreciate his leadership on issues that relate to both agriculture and protecting the environment.

Mr. Chairman, I am hopeful that Members will spend time looking at what this means to farmers and ranchers in their communities and hope that as the legislation works its way through Congress, we will be able to reverse these efforts.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RURAL HOUSING ASSISTANCE GRANTS
(INCLUDING TRANSFER OF FUNDS)

For grants and contracts for very low-income housing repair made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, \$32,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

AMENDMENT NO. 11 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 12, after the first dollar amount, insert "(reduced by \$20,480,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$20,480,000)".

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. I rise to offer my amendment, which would reduce the budget for the Rural Housing Assistance Grants Program by over \$20 million. My amendment would drop the allocation for this program from \$32 million to just around \$12 million. This is a modest request, particularly considering the President initially asked for a funding level of just \$12 million, and we would simply be dropping the levels back down to what the administration, itself, requested.

It is absolutely critical that this Congress cut spending wherever possible; and if the President could do without that extra \$20 million, so can we. I urge my colleagues to support this commonsense amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. It's very interesting that your colleague from Arizona (Mr. GOSAR) just a minute ago was trying to add money to this account because of the catastrophe in rural America. This Rural Housing Assistance Grants Program is primarily to repair very low-income rural housing. This account was increased from the request of the President by the committee. The effect of this amendment would be to knock it back, and the reason the committee increased it was because of the need out there.

We know what kind of a housing crisis we're having in America, particularly when people have no other place to go. This allows the lowest of income people in the poorest areas in the country, in rural America, to have some assistance to upgrade their houses so that the cost of high utility bills can be brought down with weatherization upgrades and things like that. I mean, this is not a smart cut. This will be hurting the people who can least afford it and at a time when they most need it, and I would oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RURAL COMMUNITY FACILITIES PROGRAM
ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans and grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and

Rural Development Act, \$18,000,000, to remain available until expended: *Provided*, That \$3,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, non-profit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, non-profit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That of the amount appropriated under this heading, the amount equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act, \$64,500,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That \$2,250,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That \$3,400,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That of the amount appropriated under this heading, the amount equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act

are not applicable to funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account for programs authorized by sections 306 and 310B and described in section 381E(d)(3) of such Act be transferred and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL DEVELOPMENT LOAN FUND PROGRAM
ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$14,758,000.

For the cost of direct loans, \$5,000,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which \$750,000 shall be available through June 30, 2012, for Federally Recognized Native American Tribes; and of which \$1,500,000 shall be available through June 30, 2012, for Mississippi Delta Regional counties (as determined in accordance with Public Law 100-460): *Provided*, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$3,500,000 shall be paid to the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS
PROGRAM ACCOUNT

(INCLUDING CANCELLATION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$155,000,000 shall not be obligated and \$155,000,000 are hereby permanently cancelled.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$22,500,000 of which, \$2,000,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That, not to exceed \$3,000,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers and whose governing board and/or membership is comprised of at least 75 percent socially disadvantaged members; and of which \$12,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees and grants, under the same terms and conditions as authorized by section 9007 of

the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$1,300,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM
(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$500,000,000, to remain available until expended, of which not to exceed \$497,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That \$65,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally-recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105-83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska and/or by a consortium formed pursuant to section 325 of Public Law 105-83 for training and technical assistance programs: *Provided further*, That not to exceed \$19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$3,400,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed \$14,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed \$3,400,000 shall be for solid waste management grants: *Provided further*, That of the amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm

and Rural Development Act: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of such Act be transferred to and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, \$100,000,000; loans made pursuant to section 306 of that Act, rural electric, \$6,500,000,000; 5 percent rural telecommunications loans, \$145,000,000; cost of money rural telecommunications loans, \$250,000,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, \$295,000,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$30,000,000, which shall be paid to the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND
BROADBAND PROGRAM

(INCLUDING CANCELLATION OF FUNDS)

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$15,000,000, to remain available until expended.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, \$689,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$18,770,571,000, to remain available through September 30, 2013, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, \$16,516,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 is amended by adding at the end before the period, "except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21".

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM
FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as

authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$6,048,250,000, to remain available through September 30, 2013: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), of the amounts made available under this heading, not less than \$14,000,000 shall be used for infrastructure, not less than \$50,000,000 shall be used for management information systems, not less than \$75,000,000 shall be used for breastfeeding peer counselors and other related activities, and not less than \$7,500,000 shall be used for breastfeeding performance awards: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

□ 1330

AMENDMENT OFFERED BY MR. BROUN OF
GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 19, after the first dollar amount, insert “(reduced by \$604,000,000)”.

Page 80, line 2, after the dollar amount, insert “(increased by \$604,000,000)”.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, this Nation has almost a \$14.5 trillion debt. Forty cents of every dollar the Federal Government spends, we're borrowing. We've just got to stop the outrageous spending that's going on here in Washington. And both parties have been guilty over the years.

This amendment would simply cut 10 percent out of a program—10 percent. Some people say, well, it's just a small amount of money. But as I was doing a town hall meeting back, during last week, in Georgia, in Hoschton, Georgia, one lady got up and said, \$1 million makes a lot of difference. It is a lot of money.

This does cut a great deal of money out of this program. But, Mr. Chairman, we just have to stop spending money that we don't have. It's just absolutely critical. The economy depends upon it. Creating jobs in the private sector depends upon it. The future of our Nation depends upon it.

We're in an economic emergency, Mr. Chairman, and if we don't stop spending money that we don't have, we're going to have an economic collapse of this Nation.

I'm a physician. I've worked in emergency rooms. I've seen a doctor open up a man's chest and do open-heart massage in the emergency room trying to keep a patient alive.

It's time for open-heart massage of our economy. We've got to stop spend-

ing money that we don't have. We've got to put this country back on the right financial course and start creating jobs out in the private sector. And my amendment will be just one small step towards that.

So, Mr. Chairman, I hope that my colleagues will support this amendment so that we can put this country back on the right course, so that we can create jobs in the private sector and can have a strong economy again.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I would be curious if, at your town hall meeting, you got up and asked people would you rather take \$604 million out of the program that feeds women, infants, and children or would you like to take \$604 million out of the Defense Department for a war that we're putting on a credit card, for an Afghan war that we're putting on a credit card, the Iraq war we're putting on a credit card, or the prescription drug program that wasn't paid for under the Republican program? How about asking the people's choices?

We just authorized a defense bill in committee where we talked about billions and billions of dollars, and those are all borrowed money. So why don't we get our priorities straight?

We spent 3 hours here last night discussing what the implications are of cutting the WIC program. I don't think this is a country that wants to balance its budget on the backs of the poorest people in the United States, on the people most vulnerable, on the people that need just basic services. And that's what this amendment does.

Mr. BROUN, I know you're interested in cutting, squeezing, and trimming, but there are places to do that, and this is not one of them. Certainly, if you were here on the floor listening to the passions of last night, of 3 hours of debate on what the implications were for cutting the WIC program—and it seems that none of that was listened to by you because this is an amendment that goes right back to reducing that account by \$604 million.

Take the money out of the people most vulnerable in the United States to write down the deficit and ignore the Defense Department, ignore the spending for weapons programs, ignore the wars in Iraq and Afghanistan, ignore everything that is with DOD, and expose everything that's with people in poverty.

This is a wrong amendment, and I hope it's soundly defeated.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FARR. I yield to the gentleman.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

In answer to your question, I want to do both. I think every dollar that the

Federal Government spends needs to be looked at, and we're spending money that we don't have, even in DOD. I think we would cut a lot of funding there, particularly with the wasteful spending that the Department of Defense does that we all recognize.

So I want to do it all. The thing is, if we continue down this road that we're on economically, everybody's going to be poor. Nobody's going to have money for any groceries. Nobody's going to be able to get any health care. We're just going to be in a financial quagmire as a nation. And so it's absolutely critical, in my opinion, that we do emergent procedures to try to get this country back on the right course economically.

So, to answer to your question that you asked me very graciously, I answer, yes, we need to do all of the above, and I am eager to do both.

Mr. KINGSTON. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I think Dr. BROUN has raised a lot of good points in terms of our financial future. In America today, for every dollar we spend, 40 cents is borrowed. The national debt right now is 95 percent of the GDP. Clearly, we have to make some very difficult choices ahead. And that's why, in this committee mark, we actually have reduced WIC funding already \$686 million.

Now, these numbers aren't random. WIC participation in 2010 was 9.2 million; in 2011, it's 8.9 million. Our committee mark for FY 2012 contemplates a participation level of 8.3 million. However, if the economy does not improve and the number goes back up, with contingency funds, we have enough money to fund a participation level of over 9 million.

But it's very difficult, Mr. Chairman, because, as we said many times during yesterday's debate, the only budget that has actually passed either House is the Ryan budget, and our 302(b) allocation funding level comes from that budget. The President's own budget failed in the Senate 97-0. The Democrat leadership in the Senate is unable to pass a budget. They're not trying to pass a budget.

So using the 302(b) allocation which we have, we have come up with these numbers, not done in random, not done with any recklessness at all. We're trying to be very careful to make sure no one falls through the crack.

But because this is a delicate card house, I rise in opposition to the gentleman's amendment.

I yield back the balance of my time.

□ 1340

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 1, after the dollar amount, insert “(reduced by \$75,000,000”).

Page 45, line 3, after the dollar amount, insert “(reduced by \$7,500,000”).

Page 80, line 2, after the dollar amount, insert “(increased by \$82,500,000”).

Mr. FARR. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from North Carolina is recognized for 5 minutes in support of her amendment.

Ms. FOXX. Mr. Chairman, my amendment today is an effort to save taxpayers’ hard-earned money by ending funding for an unnecessary program that spends money coming to the Federal Government from our hardworking taxpayers.

Mr. Chairman, I want to say that I very much believe in breast-feeding. We wouldn’t have a human race here today if it weren’t for the fact that breast-feeding has been in existence since the beginning of time; however, I am opposed to the Federal Government funding breast-feeding programs.

Under the special supplemental program for women, infants and children, or the WIC program, Congress directed the United States Department of Agriculture to create a national program for the promotion of breast-feeding. In fiscal 2010, the Federal Government spent \$85 million to educate women on how to breast-feed.

We are facing a national debt of over \$14 trillion. Spending taxpayer money to promote breast-feeding is simply not the proper role of the Federal Government and serves to illustrate just one reason—government mission creep—that we are so deeply in debt.

In the last 10 years, administrative costs for the WIC program have grown by 72 percent while enrollment has increased by only 26 percent. It is difficult to understand how this program’s bureaucracy has grown three times as fast as its enrollment. Again, it’s an accepted fact that breast-feeding is good for infants and mothers, and I support mothers who choose to breast-feed, but coaching women on breast-feeding is not the role of Washington.

This program came to my attention earlier this year because of the budget

crunches that all levels of government are feeling. I was contacted by counties in North Carolina about this program, and it was brought to my attention that most of the money is being used to pay salaries and benefits, some is being used for travel expenses, and some is being used for cell phone use so that the peer counselors are available 24 hours a day to the people that they are counseling.

My colleagues across the aisle will shout about this, and I may even be opposed by my colleagues on this side of the aisle, but last year my colleagues across the aisle cut more than \$550 million from the WIC program to fund unrelated activities at the USDA. These were totally unrelated. It was obviously not a high priority then.

If we want to promote the health and well-being of women, infants and children, then let’s get serious about it by creating a job-friendly environment that puts people back to work and allows American families to keep more of what they earn. Let’s stop spending money on every well-intentioned program and return the Federal Government to its constitutionally mandated purposes.

Mr. Chairman, the American people are tired of Washington taking their hard-earned dollars in taxes and wasting it on a bloated Federal bureaucracy. It’s time we stop the culture of spending in Washington. That’s why I urge adoption of my amendment, which will save taxpayers \$82.5 million in just 1 year. The money will go into the Spending Reduction Account. And I want to say my total concern here is the spending of hard-earned taxpayers’ dollars on a program that the Federal Government has no business running.

Mr. Chairman, it has come to my attention that I need to ask unanimous consent to withdraw the amendment and offer an amendment that was not printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

AMENDMENT OFFERED BY MS. FOXX

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 19, after the dollar amount, insert “(reduced by \$82,500,000”).

Page 45, line 1, after the dollar amount, insert “(reduced by \$75,000,000”).

Page 45, line 3, after the dollar amount, insert “(reduced by \$7,500,000”).

Page 80, line 2, after the dollar amount, insert “(increased by \$82,500,000”).

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, I will not take advantage of this mistake that I made. I appreciate the indulgence of the ranking member and the chair of the committee, and I will just say that I would appreciate very much having the support for my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, again, how many times do they have to keep attacking the WIC account, women, infant and children?

America has long decided that we ought to be taking care of the most vulnerable people in America. There are women who are pregnant, low-income, and what we’ve found is if you don’t invest in teaching them how to have proper nutrition during their pregnancy, you have a risk of having a low-weight baby. A low-weight baby, as Dr. MCDERMOTT told us yesterday on the floor, can cost up to a quarter of a million dollars in incubation and hospital costs, and this is preventable with good nutrition.

We go on to teach women, once that baby is born, how to breast-feed that child. We know that is good health practices. And then we keep the children with nutrition in the first 5 years. That’s why it’s called women, infant and children; it’s about pregnancy, birth and raising that child. And this amendment wants to take \$82 million out of that program which instructs women how to do proper breast-feeding and works with the States to do educational programs.

We spent 3 hours last night debating the consequences of these cuts. And it’s one of those penny-wise, super-pound foolish. It’s also one of those where you know the cost of everything and the value of nothing. There is a lot of value in keeping women well nourished during pregnancy and certainly keeping that newborn child well fed and nourished.

To strike money from this program is ill founded, and I strongly oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. Mr. Chairman, I would like to yield to the gentlelady from North Carolina (Ms. FOXX), who is an expert on this topic and whom I rely on. And I want to thank the gentlelady for her comments today.

Ms. FOXX. I thank the gentleman from Georgia for yielding to me.

I think it’s unfortunate that our colleagues on the other side of the aisle characterize our doing our best to bring fiscal sanity to this country by saying that we do not care for people who are poor or disadvantaged.

□ 1350

Mr. Chairman, I grew up as poor as anybody in this body, and I know what

it means to be poor and to be hungry. I have no malice toward any person in this country, none, no malice toward anyone in this body. However, we are on the verge of a fiscal disaster in this country. There are many things that could be done at the local level and the State level, that should be done at the local and State level, but absolutely should not be done at the Federal level.

Again, my colleagues across the aisle come here and say what a shame it is that you are picking on the WIC program. Well, they took over \$500 million out of the WIC program last year, put it in a totally unrelated program and said nothing about it. We didn't come to the floor and say, you are mistreating poor and disadvantaged women and children. No comments were made about that.

Again, I think it is very unfortunate that that is how we are characterized. I believe that we have an obligation, an obligation given to us by God, to help our fellow Americans who are less fortunate than we are. But it is not our responsibility as Members of Congress to tax hardworking Americans who are working all the time just to pay their bills and survive and use that money to help other people. That is not our job. Our job is to do everything we can to create a good environment in this country for everyone to succeed, and that is the direction that I want to go. By lowering our dependency on foreign governments, we will make our country a better place to be.

As my colleagues have said over and over and over again in the debate on this bill, we are borrowing 43 cents for every dollar that we spend. We have a \$14 trillion debt. There is a huge debate about our raising the debt ceiling that is going to be facing us. Do we really want to ignore the opportunity to save \$82.5 million in a program that has no business being run out of the Federal Government and help us deal with the big issue that is facing us? That is what Congress should be dealing with. We should be dealing with the big issues. We should let these other issues be dealt with at the local and State level.

Mr. GRAVES of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to thank my colleague from North Carolina for putting this discussion on the table, because I think that it is important for us to look at the WIC program and make sure we are doing everything as efficiently and effectively as possible and we are putting the money in the right direction.

We had a very thorough, about a 6-hour debate about WIC yesterday. It is

a delicate card house that we are trying to balance with our committee mark. But I think the more sunshine we have, not just on WIC, but on other Federal feeding programs, I think the better product we are going to come up with. So she and I have had some discussions on this. We are going to continue to have discussions on it. But I wanted to say I think it is a good debate to be having, although I am not supportive of the amendment.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I yield to my good friend, the gentlewoman from North Carolina, VIRGINIA FOXX.

Ms. FOXX. I thank my colleague from Georgia for yielding.

I just want to make a point in response to my other colleague from Georgia. I agree with him. We are bringing light to many of these programs, and I think it is very important that we do so.

I want to point out again, the WIC bureaucracy has grown three times as fast as its enrollment in the last 10 years. This is an increase of \$800 million in administrative costs. If we are not prepared at least to cut administrative costs and programs that have no business being offered at the Federal level, then we are never going to get control of our debt and our deficit. I want to encourage both my Republican and Democratic colleagues to think about this. We have got to have accountability and we have got to start cutting, especially in the area of administration.

Mr. BROUN of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. FOXX. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$71,173,308,000, of which \$3,000,000,000, to remain available through September 30, 2013, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That this appropriation shall

be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, \$1,000,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That funds made available under this heading may be available to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$192,500,000, to remain available through September 30, 2013: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2012 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2013: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$125,000,000: *Provided*, That of the funds provided herein, \$1,500,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$175,000,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income

country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

AMENDMENT NO. 12 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 48, line 11, after the first dollar amount, insert "(reduced by \$175,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$175,000,000)".

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise to offer my amendment which would cut \$175 million in FY 2012 by eliminating the Foreign Agricultural Service. This is a corporate welfare program that essentially gives handouts to private businesses that don't need taxpayer dollars in order to grow their profits. It is essential that we make significant cuts to our budget this year and focus on reducing our deficit and tackle our debt. This is an unnecessary program and a waste of money that we could use to reduce this fiscal burden.

I understand the position that my dear friend from Georgia is in. It is true that the Ryan budget is the only budget to pass either House. I supported the Ryan budget, and I supported the Republican Study Committee budget, which would have reduced even more money from this bill.

Regardless of how one voted on a particular budget, we all have an obligation to move the debate in a direction that calls for more serious spending cuts. It is critical for the economic future of our Nation. It is critical for our children and our grandchildren. It is critical in creating new jobs and having a stronger economy here in America.

So I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

FOOD FOR PEACE TITLE I DIRECT CREDIT AND
FOOD FOR PROGRESS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83-480) and the Food for Progress Act of 1985, \$2,385,000, which shall be paid to the appropriation for "Farm Service Agency, Salaries and Expenses": *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83-480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,040,198,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 49, line 23, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$100,000,000)".

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

□ 1400

Mr. GOSAR. Mr. Chairman, I rise in support of my amendment that would cut \$100 million from the billion-dollar Food for Peace program and redirect it to the rural American communities, specifically to the Rural Business Development Loan Program. This \$100 million will provide resources to rural business development loan programs. Small rural businesses and Indian tribes and community organizations can use these loans to jump-start businesses in our devastated rural communities.

I'll give you one example: the Bennett Freeze.

In the 111th Congress, we lifted the ban on this part of the Navajo Nation last year. This ban prohibited any type of improvement to homes, businesses and livelihoods. As a result of the Bennett Freeze, this area is worse than in many Third World nations.

What we are trying to do is address this need, and we are trying to provide some resources to this group of folks. We need to address the high unemployment by empowering our rural communities. Please vote in favor of this amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. This amendment reduces \$100 million for Food for Peace. I don't know if the gentleman from Arizona was here last night, but there was a lot of discussion about the American image abroad. Certainly, at a time when the world economy is hurting, this Food for Peace program is exactly that.

We buy American goodwill. We buy this food from American farmers. They produce it. We buy it. We ship it in American ships, and we distribute it in a food program that buys a lot of goodwill for America at a time when the conflicts of this globe are generated in cultures of poverty, where people don't have access to proper nutrition, diet.

I know from being a Peace Corps volunteer that the first thing people try to do is figure out where they're going to get enough food to eat. You can't go to school with kids because you're hustling to get firewood or you're hustling to get water or you're hustling to find anything that will produce food for the day. A woman can't do any of the other things, maybe raising livestock, if she is just trying to hustle for food all-day long.

I mean, it just seems to me that the most basic investment in preventing violence and war is the investment in nutrition and in trying to get fed particularly those people in the poorest sectors of the world. We've got Sub-Saharan Africa, and if people don't get fed there, you're going to have migrations of millions and millions of people, and there is going to be no place to put them. Nobody is going to want a big immigration of starving people from other parts of Africa. It's going to have an impact on us. Our intelligence agencies tell us it's a security threat.

An investment in food for people at the basic level is absolutely essential. This is food raised by American farmers, paid for by American dollars and sent where it is most needed in the world. It is a very good program, and it does, indeed, trade food for peace and stability, so I think it would be unwise to cut it by \$100 million.

I yield back the balance of my time.

Mr. BROUN of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I had an amendment following this one that would have totally eliminated funding for this program and, thus, would have presented a problem to the House. So I am going to withdraw my amendment since Dr. GOSAR has introduced his.

It is absolutely critical that we stop spending money we simply do not have. Frankly, I don't like transferring money from account to account, because I think the only transfer that we should do is the transfer into the debt reduction program so that we can reduce the Federal debt. It is absolutely

critical for the economic future of this Nation.

Since I am going to withdraw my amendment following this, I wanted to get up and speak about this particular amendment and just say that I really appreciate what my good friend from California (Mr. FARR) was saying about poor people. I am a medical doctor, and I deal with problems of nutrition for my patients. I appreciate what Dr. FOXX did with her amendment about eliminating this breastfeeding program.

But you see, we are constrained by the Constitution—or should be—and Congress has gotten way, way away from the original intent of the Constitution. We cannot try to feed everybody in the world. We cannot continue to try to be a nanny state for everybody, even in this country. In the private sector, if we mobilized them, there would be plenty of dollars to take care of the needs of American citizens as well as those of the people around the world by leaving dollars in the hands of the private sector—in people's hands, in churches, in synagogues, in mosques, and in different areas—with the Salvation Army, et cetera.

So I think we need to as a Congress start being fiscally responsible, but we have been fiscally irresponsible for many years during Democrat as well as Republican administrations, as well as under Democrat- and Republican-controlled Congresses. We just have to stop spending money.

Mr. FARR. Will the gentleman yield?

Mr. BROUN of Georgia. I appreciate Mr. FARR, and I yield to the gentleman from California.

Mr. FARR. I thank the gentleman for yielding.

I just want to point out that you used the term “nanny state.” Since we're government, I don't think anybody wants to be responsible for everybody, to be responsible to raise the whole society; but I do think that this help that you give people from the Federal Government and from local and State governments is absolutely essential.

When you don't have that infrastructure of social services and needs there, I'll tell you what happens—people still have those problems. Only they don't have a place to go get them. So do you know what they do? They knock on your door. In America, we don't have to open our door day after day, with somebody holding a baby, as I saw in the Peace Corps. There were people all the time with dead babies, infants. There were people who were begging for money to bury them properly or there were people asking you for extra food after you finished your meal. They know what time you eat, and ask, Can you give your leftovers to us?

We don't have that in America because we have an infrastructure that takes care of people. I think, if you to-

tally wipe that out and say, well, leave it to charity, charity is just voluntary. It doesn't always work. When the markets crash, the charity isn't there. Poverty is still there. The need is still there. You saw it as a doctor, and you know you've serviced people who couldn't pay their bills; but you do have Medicare reimbursements and other kinds of Medicare reimbursements so that you can, even if they can't pay their bills, get some form of payment. If it were all left up to voluntary, the doctors would have to serve people who just have no money. I don't think all the poor people in America would be taken care of.

So we do have to concern ourselves with how much care and spending we do, but at the same time, don't wipe out the programs that are essentially the life support systems of a society that is as rich as America. We can afford to take care of the people most vulnerable, whether they are aging or infants, and I think a lot of the discussion here has been about trying to delete the programs that help people at their most vulnerable stages of life.

Mr. BROUN of Georgia. Reclaiming my time, I appreciate your comments.

But, you see, when I was sworn into the Marine Corps and when I was sworn into Congress—now three times—I swore to uphold the Constitution. I believe in this document as our Founding Fathers meant it, which means very limited government. In fact, we are destroying the very thing that has made this country so great, so powerful, so rich as a Nation, which is constitutionally limited government, the free enterprise system, private property rights, personal responsibility, the rule of law, and morality.

It is absolutely critical, if we are going to have a bright, shining star of liberty over the heads of America, that we rebuild those foundational principles. That's what I'm fighting for and will continue to do.

I yield back the balance of my time.

Mr. MCGOVERN. I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, I want to rise in opposition to a previous amendment, to the Gosar amendment, which would eliminate the Food for Peace program and transfer it to rural development.

I also was going to rise in opposition to the gentleman from Georgia's amendment, which also goes after Food for Peace. I am glad he is withdrawing it, but I find it astonishing that there are so many on the other side who are attacking programs that I think are so vital to our national security.

Mr. GOSAR's amendment would tell farmers that we will take away from them \$1 billion in U.S. purchases of their crops so that we can borrow

money in the form of loans for other purposes. That's essentially what he is proposing. Does that make sense to anyone?

So we tell U.S. farmers who have been selling wheat, rice, soybeans, vegetable oil, beans, peas, lentils, and other commodities to the U.S. Government that this market is closed to them. So long. Goodbye. Go borrow money. Go into debt. Take out a loan to develop the rural economy.

Now, Mr. Chairman, I support the Rural Development program, and I obviously support the Food for Peace program. Both of them directly benefit American farmers. Mr. GOSAR himself said Food for Peace title II (P.L. 480) merits support.

□ 1410

Well, let's talk about why. It supports U.S. farmers, millers, freight rail, truck, and shipping. Food aid provided by USAID is a lifesaving measure for 11 million to 16 million vulnerable people overseas. Our largest emergency food aid programs include Darfur and southern Sudan, Afghanistan, Pakistan, Haiti, and Ethiopia. U.S. food aid not only helps people survive; it supports U.S. national security interests. It promotes stability and goodwill, especially in Libya, Afghanistan, and Pakistan. Our emergency and humanitarian food aid sends the clear message to desperate people in need that the American people care. The Gosar amendment sends the opposite message—that the American people don't care at all; go ahead and starve.

We need to support Food for Peace, and we need to oppose that amendment. But we also need to oppose amendments that gut essential food and nutrition programs for poor people not only here in the United States but around the world. This notion that somehow when we support programs like Food for Peace, that it's just helping a bunch of foreigners overseas, is just wrongheaded. It is American farmers that produce much of the food that goes to support the hungry around the world. It is American farmers that are so important in our battle against terrorism because, quite frankly, I think these programs, as Secretary Gates has said, do more to enhance our national security than anything else.

I urge my colleagues who are coming to the floor with amendments to gut these programs, to stop it. Enough. These are essential programs. They help people who are helpless overseas but also help support our economy here in the United States and help our U.S. farmers.

With that, I yield back the balance of my time.

Mr. KINGSTON. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Number one, we have actually reduced this account 31 percent. Again, as I have said many times, passing an appropriation bill that is building a card house, there's a delicate balance. I have got my friend, Mr. MCGOVERN, who believes that we've cut too much. I've got my friend, Dr. BROUN, who believes we haven't cut enough. And so we're trying to move this legislation.

I wanted to talk a little bit about PL-480 and say a couple of things. Number one, there is a national security interest in it. This is not about international charity alone. We do have an interest. America needs to be engaged around the world. When there is a natural disaster or manmade disaster, if we're not there, who will be there? And this is very important. My friend Mr. DICKS is here, former chairman of the HAC-D Committee, and knows that in terms of the national defense, we have soldiers right now as I speak in 60 different countries around the globe. Now, they are engaged for a reason. It's not a job-creation program. They're keeping an eye on national security interests.

If you travel in Africa or travel in South America right now, you'll see a new player that was not there 10 years ago, and that is the country of China. China is not necessarily an immediate threat to us, but it is a concern to us. China is rising as a military force and certainly as an economic source, and they are engaged all over the globe. Often our international programs, including food programs, keep us engaged and gives us an opportunity to have some doors open which we would not ordinarily have.

America provides 57 percent of the food aid in the world, followed by the EU at 27 percent and Japan at 6 percent. Right now, China is not a major player. The oil-rich Middle East countries certainly aren't major players. But it is about engagement. And it's interesting that we have a balance between developmental aid and emergency aid. Because if there is a Haitian disaster, we're the first on the ground trying to get food to the people. But we need to also be there with developmental aid to make sure that these countries are independent and that these countries do know how to grow their own food and have their own resources.

So I just want to emphasize again that this program has been trimmed already 31 percent, and it seems to me the balance that will get this bill over to the Senate so that we can negotiate further on it. We are in many, many different countries around the world.

With that, I yield to the gentleman from Arizona, Dr. GOSAR.

Mr. GOSAR. Thank you, my friend.

I would like to reiterate that there is an issue that we also have to take care of folks at home. For example, I

brought up the Navajo Nation in the Bennett Freeze area. This is a treaty responsibility of the United States in which we forbade different groups from even raising to take care of a window pane or create economic certainty. We have to take care of our own, or we'll not be able to help anybody across the world. And that's why I actually rise in support of my amendment.

Mr. KINGSTON. Mr. Chairman, I do want to point out some of the things that this program is doing in Pakistan, Haiti, the Sudan, and Afghanistan. And I will submit that for the RECORD.

P.L. 480 TITLE II

History

For more than 50 years, the United States Government has played a lead role in meeting emergency humanitarian food needs through P.L. 480 Title II (Title II). Some of the first U.S. food assistance resources assisted the war-devastated economies of Europe. As these economies regained their strength they began to pay for American farm commodities. President Eisenhower signed P.L. 480 Title II into law in 1954 and it was later renamed the "Food for Peace" Act.

Current Need and Impact of Cuts

Currently, overall U.S. funding to WFP feeds on average 35 million people. A cut of Title II to \$1,040,198, as marked-up by the House Agricultural Appropriations subcommittee, would mean that 15 million people—primarily women and children—suffering from hunger as a result of conflict and natural disasters would lose access to life saving food. These cuts would significantly reduce the United States' ability to address instability in volatile countries and decrease its capacity to respond quickly to the needs of hungry people affected by natural disaster or armed conflict.

Title II Assists People Affected by Natural Disasters

PAKISTAN

In July 2010, floods ravaged Pakistan, affecting millions. WFP was able to reach people quickly and began to distribute food just days after the record monsoon rains began. The first food to reach the affected population was funded by U.S. Food for Peace. The first helicopters that lifted food to remote valleys in Swat and the northern regions were also carrying U.S. food. Within the first month, WFP was able to reach approximately 3 million people and then scaled up very quickly to 7 million. Life-saving support was then followed by early recovery activities which included school feeding and nutrition support.

Story from the field: Razia Bibi and her family were badly hit in the floods that devastated Pakistan last summer. Razia lives in a little village called Chandia in central Pakistan. She and her family lived on an embankment for a month last summer as monsoon flooding flattened all the homes in her community. As floodwaters subsided in September, they started to pick up the pieces of their lives. Monthly food rations from WFP have kept them going while they have rebuilt their house and life has slowly returned to normality. Razia and her husband sold their three goats, their last major assets, to rebuild their house using high-quality bricks that would be more resistant in case of another flood. In December 2010, Razia picked up the family's last food ration. Now that her husband is back at work and they have a

house, she and her family are able to support themselves. Their six children are back at school and because of food assistance they were able to get back on their feet.

HAITI

In Haiti, in the immediate aftermath of the January 12th earthquake, WFP began providing assistance within 24 hours and swiftly organized general food distributions. Only six weeks after the quake, WFP assistance, through partners such as World Vision, was reaching more than 4 million people, 35 percent of which was from the U.S. government. In the following months, WFP also put in place safety net interventions—including school feeding and nutrition. Following the large general distribution, school feeding was the quickest safety net intervention to scale up, reaching over 500,000 school children. At the request of the Government, WFP then scaled up to assist 1 million children. In October, a take-home ration was also given to family members to get children back in school, especially those who had dropped out after the earthquake. WFP also launched a blanket supplementary feeding program to all children five years of age and under and pregnant/lactating women.

Story from the field: When the earthquake struck Haiti in January of 2010 Cassandre Chery and her family were just leaving their home. A piece of concrete fell and broke her foot but otherwise they were uninjured. Her home, however, was badly damaged. "It's difficult to find work now," said Cassandre who used to be a beautician. Her husband also has trouble finding work. Their two girls, who live with them in a tent in Port-au-Prince, were forced to go hungry some days. But now Cassandre is back to work and she is rebuilding her country with a food for work project with World Vision and WFP. She receives food and cash to work clearing rubble from roads and drainage channels. "This works means a lot to me," she said. "It has helped me pay school fees and feed my two daughters."

Story from the field: At Sister Mary Bernadette's primary school in Port-au-Prince, students began gathering after the earthquake, though classes had not yet resumed. Most had lost their homes, and a family member or friend. They came in search of support and in search of something familiar. As plans came together to begin makeshift lessons, WFP started distributing daily meals to Sister Mary Bernadette's students. "They'd simply be too weak to study if they weren't able to eat something at school," she says. "It's important for them to have a meal here. Most of them come from very poor families." Sister Mary Bernadette says that the food "helps [them] to study and stay focused in class. When they don't eat, they don't hear, they don't listen, they don't see." A year after the earthquake, things in her school are improving. During the summer break, crews tore down the damaged building and workers are now putting the final touches to temporary classrooms. The students seem to be recovering too, said the school principal. "Some of them are still struggling though. When you lose a member of your family, your mother or your father, you just can't forget. But we do our best to help them."

Title II Assists Those Affected by Conflict and Helps Restore and Maintain Stability in Volatile Regions

SUDAN

WFP assistance in Sudan, reaching 6.7 million people, has been a critical stabilizing factor since the Comprehensive Peace Agreement (CPA) was signed in 2005. In 2010, nearly half of assistance to WFP in Sudan was

generously provided by the U.S. government. This assistance has provided stability throughout the South Sudan referendum process. Readiness, contingency measures and pre-positioning, has allowed WFP to respond quickly to any situation, including the current population displacements in Abyei (an area between south Sudan and Sudan). WFP's strategic engagement for post-referendum South Sudan is vital for ensuring a smooth transition. WFP's engagement will support the restoration of sustainable assets for the communities, infrastructure (feeder roads), safety nets (school feeding, seed protection, nutrition), strategic food reserve, Government capacity in food security analysis, and support to smallholder farmers through purchase-for-progress.

Story from the field: Food assistance has played a critical role in southern Sudan over the last few years and has been key in supporting families returning home. Grace Lado, a 25 year old mother of 2, fled fighting in Juba in southern Sudan when she was only 7 years old. When her family decided to move back a WFP food ration made it possible. In spite of the deteriorating security situation, WFP is currently feeding some 530,000 people across southern Sudan. In addition to food assistance WFP is also helping to repair roads and assist farmers across the region so that those the country can get on a path to sustainable growth. Until then, however, these lifesaving food rations are helping people to build a stable and secure foundation in a country that is hopeful for a brighter future.

AFGHANISTAN

In 2010, the U.S. government supplied 36 percent of the assistance to WFP in Afghanistan, enabling WFP to assist 7 million people (or 25 percent of the population) and, through its strategic engagement, helps deploy an effective system of safety net interventions and build sustainable assets for the communities through food-for-education, food-for-work, and food-for-training.

Story from the field: When Taliban forces arrived in their village Jamila's husband lost both his legs during the fighting. Jamila's family was forced to sell their farmland to pay for his treatment and they suddenly found themselves unable to feed their four children. "I will never forget the day I realized we had nothing to eat," Jamila said. Her husband's family refused to provide assistance and told her to marry off her teenage daughters in order to get dowry money. Jamila's husband, frustrated, depressed and hungry, often took his anger out on her. All of that changed, however, when Jamila began a training program with WFP that provided her with a new set of skills while her family received food rations. Now Jamila is able to support her family by selling children's clothes to a local shop. "Now that I have a skill and am providing for my family, all the members of my family respect me," she says. By providing food aid while Jamila received training she was able to stave off hunger while she built a new life for her family.

Story from the field: For years the people of Dega Payan had to travel five hours on foot or by donkey to the nearest medical clinic. Travel by car was impossible as there were no roads leading to their remote village in one of Afghanistan's poorest provinces (Badakhshan) which has high level of under-nutrition and food insecurity. Now, as a result of a WFP program that employed local villagers to build a road while providing their families with much needed food assistance, a road has been completed connecting

Dega Payan to the larger town of Ziraki, where there is a clinic. This has made the village accessible by road and allows local farmers to get their crops to markets more easily and allows traders to bring supplies into the village that were not available before.

McGOVERN-DOLE INTERNATIONAL SCHOOL MEALS PROGRAM BACKGROUND

Approximately 2.7 million children receive McGovern/Dole school meals through WFP, which helps them fight short-term hunger, increase their concentration/performance in school, encourages parents to send them to school, and helps girls to get an education. A better educated girl will make more informed choices and will grow up to raise a more food secure family. Promoting girls education is crucial in countries where there are serious gender disparities. Every \$50 cut in the program would deny a child access to food for a whole school year. Without a daily meal, many poor children would not attend class with long-term ramifications for the child, the community and the country.

Story from the field: In Afghanistan WFP hands out take-home rations of vegetable oil to approximately 600,000 girls (in addition to the on-site meals) as an incentive for the parents to send their girls to school. In a school in Laghman Province, one of the teachers told WFP "There are more girls coming to school now because of the food. Before I had six classes, now I have twelve." In the same region, girls' enrolment increased by 40 percent by end of 2008 from the baseline data 2 years earlier, and attendance rate for girls improved by 30 percent from baseline. Families realize that girls are bringing income by going to school. A girl at the same school queuing for her oil ration said "We are so happy to get this oil. We are poor and our family is happy with us since we can bring something of value to our homes".

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it. Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 49, line 23, after the dollar amount, insert "(reduced by \$940,198,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$940,198,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

Again, as I spoke on the previous amendment, we just don't have the money. It's very altruistic of my friends on both sides to want to feed

people all over the world. I very much would like to be able to do so, but we can't feed our people here at home. We've got a high jobless rate. We just have to simply stop spending money that we don't have. And this would just zero out the balance of the funds if my friend from Arizona's amendment is indeed passed into this bill.

Mr. Chairman, as we look at where we're going as a Nation, we've got to be focusing on jobs and the economy. We have to leave dollars in the hands of businesses, particularly small businesses. Leave the dollars in the hands of individuals so that they can take care of their own needs and their own communities instead of building a bigger and bigger Federal program to try to take care of everybody's needs all over the world.

We just simply do not have the money. And it just has to stop. And it's time to stop right now. We're headed toward an economic cliff in this Nation. And it may be very soon where we're going to be off that cliff, where everybody in this country except for the extremely wealthy are going to be forced into just tremendous poverty.

We have a potential of having riots in the streets and bloodletting in this country because of the great debt and spending that's going on. We're destroying jobs. We're destroying our economy. And it just must stop. The sooner, the better. My amendment would simply zero out the rest of the funds in this program. I think it's critical for us just to stop spending money.

USDA	State Department		
Programmed food aid, 2010	Voting practices in the UN, 2010		
2010—received food aid	Votes only (%)	Overall (%)	Important (%)
Algeria	30.4	81.7	16.7
Angola	30.6	81.9	33.3
Burkina Faso	32.3	82.7	25.0
Burundi	25.0	79.3	77.8
Cameroon	44.7	88.9	60.0
Central African Rep. ...	37.7	84.1	66.7
Chad	0.0	66.7	0.0
Congo, Democratic Rep. of	46.2	87.2	75.0
Congo, Republic of	37.9	84.3	42.9
Djibouti	33.8	82.8	40.0
Ethiopia	32.8	83.2	44.4
Gambia	31.3	82.0	40.0
Guinea-Bissau	31.3	82.2	40.0
Kenya	31.7	83.0	57.1
Liberia	35.9	83.9	54.5
Madagascar	32.3	82.5	44.4
Malawi	35.3	83.2	50.0
Mali	30.8	82.4	30.0
Mauritania	32.4	82.4	30.0
Mozambique	27.9	81.1	33.3
Niger	32.8	83.1	33.3
Rwanda	50.0	86.9	57.1
Senegal	31.8	82.7	33.3
Sierra Leone	38.6	83.6	55.6
Somalia	28.8	80.7	27.3
Sudan	31.4	81.8	30.8
Tanzania	n/a	n/a	n/a
Uganda	8.6	76.3	60.0
Zambia	33.3	82.9	44.4
Zimbabwe	30.4	81.3	30.8
Afghanistan	34.3	82.4	46.2
Bangladesh	32.9	82.2	77.8
Cambodia	30.9	81.9	25.0
India	25.4	82.6	14.3
Laos	27.4	81.6	22.2
Nepal	35.8	83.5	33.3
Pakistan	21.3	81.2	22.2
Philippines	31.3	82.7	33.3
Sri Lanka	31.9	82.1	25.0
Tajikistan	30.0	82.1	30.0
Yemen	33.3	82.6	40.0
Colombia	36.1	84.7	50.0

USDA	State Department		
Programmed food aid, 2010	Voting practices in the UN, 2010		
2010—received food aid	Votes only (%)	Overall (%)	Important (%)
Dominican Republic	36.4	83.4	36.4
Ecuador	32.4	82.4	30.0
Guatemala	37.9	84.2	62.5
Haiti	31.8	82.6	30.0
Honduras	63.4	83.6	60.0
Nicaragua	30.4	81.7	15.2

I yield back the balance of my time.
Mr. FARR. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Again, I don't know how many times we have to reiterate that these cuts, squeezes, and trims hurt the most vulnerable people in America and abroad. My good friend talked about a fiscal disaster that we are having in America and then just goes amendment after amendment attacking the people that are most vulnerable. This one just wipes out the entire program.

I wish the Member had been here to watch what happened in the early part of this decade when a partnership with the rich was created in this Congress to help in every tax way possible, in every expenditure way possible, in building up the war machine to respond to Iraq and Afghanistan. The rich got richer. The corporations that built all the equipment for our men and women in uniform got a lot of profits. We did that by putting it all on the credit card of the American taxpayer. We just charged it up. Yes, we ran up an incredible deficit.

□ 1420

The gentleman fails to look at the other side of the coin. He talked about the fact he had been in the Marine Corps. The Marine Corps was also put on that tax credit card. The uniform, the free medical service he got, the food that he ate while he was a Marine, all those things, thank God, we paid for. But then to say, okay, we're going to now reduce this fiscal disaster by just attacking the most vulnerable people in the world and wiping out the Food for Peace program.

Where are we? Where is the image of America? Where is that heart and soul? Where is that feeling of people that love our country because of the hand-outs we do give at a time of need? We're there to respond to disasters. And we can't just be that responder that says, okay, we're going to respond with our war machine. We've got to respond with our heart and our soul and the character of American human beings, which is very giving and very compassionate. To wipe out the Food for Peace program is not a wise thing to do.

Mr. DICKS. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Washington.

Mr. DICKS. I would just say to the Chair and to the author of the amendment, who's a doctor, a medical doctor, remember the Hippocratic oath: Do no harm.

This amendment, if it is enacted, will deny millions of people getting food. Millions of children's lives have been saved because of this program and I hope the Broun amendment will be defeated.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FARR. How much time do I have left?

The Acting CHAIR (Mr. SCHOCK). The gentleman has 1½ minutes remaining.

Mr. FARR. I yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I appreciate the gentleman yielding.

Mr. DICKS, I resent the fact that you accuse me of wanting to do harm, because I do not—

Mr. DICKS. You don't think your amendment will do harm, sir?

Mr. BROUN of Georgia. No, sir. Actually, it will do good.

The thing is, we come to the crux of the problem here in that some people in this body believe that the Federal Government ought to take care of everybody in the world, and I would love to be able to do that. There's no end of good things that can be done all over this world. But for you to accuse me of wanting to do harm to people, I resent that.

Mr. DICKS. It's your amendment, sir. I didn't get up here and offer an amendment that would cut funding.

Mr. BROUN of Georgia. Sir, I have the time.

I do resent the fact that you accuse me of wanting to do harm. Mr. Chairman, I'm not sure if this comes to a point of order of taking down the gentleman's words, but I bring forth a point of order.

Mr. FARR. Reclaiming my time, Mr. Chairman, in finishing, I would just like to say, there is some inconsistency and insincerity here in stating what you did as a profession and then cutting these programs, because these go to the children that we think the medical profession so much appreciates trying to care for. I mean, if you can't feed children, if you can't feed women, and you can't feed infants, no matter where in the world they are, problems are going to occur. Big, serious problems. That is not fiscal conservative. That is just not very intelligent.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BROUN of Georgia. Mr. Chairman, I would like to bring a point of order about the gentleman's accusations that I want to do harm. I believe this meets the criteria of taking down his words, and I would like a ruling from the Chair regarding that.

The Acting CHAIR. All Members will suspend.

The Clerk will report the words.

Mr. BROUN of Georgia. Mr. Chairman, I withdraw my point of order.

The Acting CHAIR. The demand is withdrawn.

Mr. DICKS. I will revise my words and make sure that it will not be an insult to the gentleman.

I appreciate him withdrawing his point of order.

The Acting CHAIR. Without objection, the gentleman from Washington may revise his remarks.

There was no objection.

Mr. MCGOVERN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, I rise in very, very, very strong opposition to this amendment gutting the Food for Peace program. Food for peace.

I find it somewhat ironic that we have people who oppose food for peace but support weapons for war without giving it a second thought. The fact of the matter is that this amendment would do great harm to some of the most helpless people in the world. I believe very, very strongly on a bipartisan basis that this amendment should be defeated.

The Food for Peace program has saved the lives of millions and millions of people. It is a good program. It is something we should be proud of in this country, and on a bipartisan basis, I believe, we are proud of the Food for Peace program. I think we need a big bipartisan vote to defeat this amendment.

I appreciated the chairman's remarks earlier, and I thank him for his comments on this issue.

Mr. DICKS. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from Washington.

Mr. DICKS. We've already cut this program by 38 percent below the President's budget request and 31 percent below last year. That is a major cut in this program. To go any further, I think, would be a big mistake.

I thank the gentleman for yielding.

Mr. MCGOVERN. I thank the gentleman. I would just say that, yes, we need to get serious about the deficit and we need to find ways to bring this deficit down. But taking food out of the mouths of children is not the way to do this.

I can go through a litany of things that deserve to be cut, from some of the subsidies that we provide some of the big agricultural businesses to the subsidization of the oil companies to some of the tax breaks for the Donald Trumps of the world. I would rather start there. But to take, to denigrate this program, I think, is wrong. This is something we should be proud of, and, in a bipartisan way, we should be proud

of this. Presidents, both Republican and Democratic, have supported this program, and this is vital to the survival of so many people around the world.

Again, I would reiterate what Secretary Gates said. These programs, these developmental programs, are important to our national security. I'm going to tell you, they do more to help improve our image and protect our security around the world than a lot of these other programs that we have that export military hardware all around the world. This is important. This is real. This saves lives.

I would urge my colleagues on a bipartisan basis to soundly reject this amendment and let us support food for peace. Let us support food programs for the poor. That's who we are. That reflects well on this country. I urge my colleagues to defeat this amendment.

I yield back the balance of my time.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. I have been sitting back listening to all of the discussion here on a subject that is near and dear to my heart, and it has been near and dear to our family since the very first time my late husband came back from Ethiopia having sobbed, as he told me, a story about a child from Ethiopia who died in his arms.

□ 1430

Now, I will say that there's been an awful lot of rhetoric on this, and I think that the chairman, in spite of the fact that I don't like the number, I don't like the numbers that we've been given, the chairman, who also has traveled to Africa and has seen up close and personal how these programs really do make a difference for those of us who live here in the United States, how important these programs are for our national security, as Mr. MCGOVERN said and Mr. DICKS, and also how important it is that America, which is still the richest country in the world in spite of our financial difficulties, has respect and wants to help others because we ourselves have been so well blessed.

So I rise in opposition to this amendment, and I want to thank my colleagues from the other side and thank Mr. KINGSTON as well and hope that as we proceed through the process that we might be able to find some common ground, perhaps get a little bit more assistance for these vital programs, but let's try to keep our emotions down a little bit because everybody feels very strongly, but yet our common goal is to lift this country up, and by helping others, we do that.

I yield back the balance of time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

COMMODITY CREDIT CORPORATION EXPORT
(LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$6,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$6,465,000 shall be paid to the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which \$355,000 shall be paid to the appropriation for "Farm Service Agency, Salaries and Expenses".

MCGOVERN-DOLE INTERNATIONAL FOOD FOR
EDUCATION AND CHILD NUTRITION PROGRAM
GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1), \$180,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF
GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 50, line 18, after the first dollar amount, insert "(reduced by \$180,000,000)".

Page 80, line 2, after the dollar amount, insert "(increased by \$180,000,000)".

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise to offer my amendment which would zero out the McGovern-Dole program and save taxpayers \$180 million in the coming fiscal year. We simply cannot continue to dole out money that we simply don't have, particularly when we're experiencing such a huge economic crisis and economic emergency here at home.

It's important to make serious cuts wherever and whenever we can, and this funding is not tied to a specific national security interest. So we can afford to do without it. I think we should do without it, but I'm offering my amendment, and I hope it passes.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, this is simply a bad amendment. It eliminates funding for one of the U.S. signature programs to reduce child hunger in the world. I helped establish the George McGovern-Robert Dole International Food For Education Program, first as a pilot project in 2000, and then as a permanent program in the 2002 farm bill. It has always had strong bipartisan support, including from my colleague and my friend JO ANN EMERSON and then-Congressmen, now-Senators JOHN THUNE and JERRY MORAN.

McGovern-Dole has one basic goal: provide at least one nutritious meal to some of the world's most vulnerable children in a school setting. It has reduced the incidence of hunger among school-age children. It has increased school enrollment and attendance. It has increased the support of families and communities for education, especially for girls.

McGovern-Dole is a proven success. Instead of cutting its funding, let alone eliminating it, we should be scaling it up. The cuts to McGovern-Dole already in the bill would end school meals for more than 400,000 children. Eliminating the funding would literally take the food out of the mouths of over 5 million of the world's most vulnerable children.

Mr. Chairman, it's bad enough to ignore hungry children. It's even worse to give a hungry child a meal, to give their parents hope for a better future, and then take it away. These are not just numbers in a bill. These are real living, breathing human beings, real children who are in school, many for the very first time because the U.S. is working with local communities to advance education and nutrition.

Now, I've visited some of these programs around the world. I respectfully suggest to those who want to eliminate them to first go and see with their own eyes what they are doing on the ground, look these children, their parents, their teachers, their community leaders in the eye, and make sure you want to tell them you don't care if they go hungry or get a chance to go to school.

In Colombia, I visited a program in Soacha, on the outskirts of Bogota. On barren hillsides, surrounded by shanties housing thousands of internally displaced families, children were receiving a school breakfast and lunch. Mothers and grandmothers were training as cooks, preparing the meals. Clearly visible in the cafeteria were USAID bags of grains, beans, and lentils.

One mother came up to me and said, Please thank the American people when you go back home. I couldn't feed my children. I couldn't send them to school. I was afraid my son—who was 11 years old—was going to join the paramilitaries or the guerrillas just to get food. Now my son is getting fed,

and he's staying in school. Please tell the American people thank you.

In Nairobi, Kenya, in the largest slum in the world, I went to a McGovern-Dole breakfast and lunch program. I was amazed by the students' energy and achievements. The school principal showed me how they store and prepare the U.S. commodities that feed her students and how all the students know that this is a program from the people of the United States of America.

I ate a cereal mush made from yellow peas, grown by American farmers, in a room full of children. The kids dug into this food like it was manna from heaven. One little boy would take a bite and then scoop a small amount out of his bowl and put it into his pockets. He was taking food home to his younger siblings who don't get anything to eat at all.

Outside of Nairobi is Masai country and a school for girls where McGovern-Dole provides a hot lunch. I helped cook and serve the meal of U.S. bulgur wheat and locally grown vegetables. One student told me how grateful she was to go to school and eat every day.

She grew up in a village over a hundred miles away. When she was 12, her father told her that she had to marry a much older man. She refused. Her father ordered her to go to her uncle's house, get his machete, and bring it back to him. She knew that her father was going to kill her. She ran away, walking alone for days, because she had heard of this school. She was then 15, healthy, well-fed, and at the top of her class. I knew I was talking to someone who could be president someday. In the very best way, this young woman will never forget us.

And in the very worst way, when we take food away from children, families, and schools, those communities will never forget us either. They won't forget that we took away their children's future. I wouldn't forget it if it were my child. Would you?

Mr. Chairman, there are many ways to advance U.S. national security and economic interests abroad. Education and child nutrition are very much at the top of that list. It is important that we support the McGovern-Dole program. This has enjoyed incredible bipartisan support, and I'm going to tell you this does more to enhance our national security than sending weapons to countries all over the world.

The people who benefit from this program know it comes from the people of the United States of America. This is a good program. Support the McGovern-Dole program. Reject this amendment.

I yield back the balance of my time.

Mrs. EMERSON. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. I'm not going to take the entire 5 minutes. I do want to say a couple of things.

Number one, I totally associate myself with the remarks of my colleague from Massachusetts, and it is quite true that taking away the program funding would, in fact, literally take food out of the mouths of 5 million hungry, hungry children.

I also want to add, because I know that people probably don't understand this if you haven't been working with this program, is that countries actually graduate from this program. This is not an ongoing effort in every single country, whether Colombia might have graduated, Nicaragua, and other countries.

But, you know, with so many threats against our Nation, I just think it's important to share America's bounty with hungry children in other places and in critical places around the world so that we can help America feed their hungry bodies out of goodness.

□ 1440

And it really is something that the entire Defense Department—you ask any Army officer or any member of the armed services, when they are in areas where these children's lives are being changed by a bowl of mush, as Mr. MCGOVERN said, it makes a huge difference. It makes them able to go to school. It makes little girls have the only opportunity they will ever get for any kind of education, and it is absolutely ridiculous that people don't understand how important this is for the security of our country.

I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I just want to thank the gentlewoman for her comments and to thank her for her leadership not only on this issue but on some of the other issues to help hungry children around the world.

I just want to also commend her for making the point that in the McGovern-Dole program, there are provisions that require that countries graduate out of the program. So this is not a permanent U.S. handout, if you will. This is some support to help get established school feeding programs that will, one, get more kids in school; and two, give kids a nutritious meal.

Mrs. EMERSON. And if I could reclaim my time, the countries actually take this program over. This is a jump-start and one that, you know, for no other reason, little girls would never go to school. And to me, it's just shocking. We take these things for granted in this country. But it sets a very, very good example and gives these children and their families an opportunity to do more for themselves with just a wee bit of help from us.

Mr. MCGOVERN. Will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I also want to say that this program is named after

George McGovern and Robert Dole. So by the very naming of this program, it shows the bipartisanship that has been involved in forming this program from the very beginning. I think we all should be proud of that in this Congress.

Mrs. EMERSON. And we should be. Elizabeth Dole took over for Bob after he left the Senate. And this was a very important issue for her, but it has always been one that is bipartisan and one that helps lift other people up because we really do have so much here.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I rise in opposition to the amendment.

I just want to make one short comment. What happens in this program is that we contract with countries to create these incentives to get kids to go to school. And you have heard the incredible stories that the gentleman from Massachusetts, Congressman JIM MCGOVERN, just gave us on his experiences in visiting these countries.

It's not only that these contracts are made with countries so they have to put something into it, but they also have a way of working themselves out. So it's not one of those, going back to Congressman BROUN's comment earlier about Nannygate—this is a “work yourself out of a program.” You can get off the program by having it work. And then you can move the moneys to another country. So I think it's an outstanding program and worth keeping and certainly this cut would ruin it all.

I yield back the balance of my time.

Ms. DELAURO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I rise in opposition to this shortsighted and I believe dangerous amendment that will increase suffering and misery all around the world and put American men and women in danger. And my colleagues have addressed that issue as well.

The appropriations legislation before us is already remarkably stingy with regards to international food aid. It cuts the McGovern-Dole Food for Education Program by 10 percent below the President's request and Food for Peace by an astonishing \$650 million. It is a 38 percent reduction. Now Mr. BROUN proposes to zero out McGovern-Dole entirely. This is a program that, as you can tell by its name, has been a hallmark of bipartisan leadership for over a decade now. It is a linchpin in our diplomatic efforts in developing nations.

Make no mistake. Cutting McGovern-Dole endangers our national security.

Zeroing out this program, as this amendment calls for, would needlessly put the safety and the security of American families at risk.

For the first time in history, over 1 billion people—one in six—are undernourished worldwide. Every 6 seconds, a child dies because of hunger and related causes. And this hunger forces people into desperate acts and dangerous pacts. Famine and starvation create the conditions for militant extremism, the very extremism our troops fight in Afghanistan and around the world.

And so McGovern-Dole, and the international food aid it provides, is a crucial front in our efforts to combat global terror. We fight hunger and poverty, and we undercut the recruiting base of those who would threaten us. As former National Security Adviser Sandy Berger wrote in *The Los Angeles Times*, “Ensuring that no child goes to school hungry is the single greatest investment we can make in building prosperous, healthy, and stable societies.”

McGovern-Dole is that investment, and it works. Operating in 28 countries around the world, including Afghanistan and Pakistan, McGovern-Dole provides at least one nutritious meal each day to vulnerable children in schools. It has shown demonstrated success in both reducing hunger and increasing school enrollment and attendance, especially, as my colleagues pointed out, for girls. Otherwise, little girls in these countries don't get any education, and they don't get any food.

Last month, the GAO released a report on McGovern-Dole, and it called for strengthening monitoring by the USDA, accelerating the timeframe of reporting. It did not, however, call into question any of the objectives of the program. This program works. Since becoming a permanent program in the 2002 farm bill, it has reduced hunger and violence, increased education and nutrition, and has become a vital element in our international diplomacy. Zeroing out the program, as this amendment demands, would not only destroy all these many benefits for America and the developing world, it would mean 5 million kids will go hungry again, 5 million children. And yet, even as this amendment threatens to force millions into starvation, somehow the majority's budget still finds money for oil company subsidies and tax breaks for millionaires.

Cutting this funding is shortsighted in the extreme. McGovern-Dole works. It works for America. It works for developing nations around the world. It moves children from starvation to education. And it undercuts the recruiting ability of those who would do America harm.

I urge my colleagues, stand with our troops. Stand against hunger worldwide and oppose this disastrous amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$3,654,148,000: *Provided*, That of the amount provided under this heading, \$856,041,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2013 but collected in fiscal year 2012; \$67,118,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$21,768,000 shall be derived from animal drug user fees authorized by section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-12), and shall be credited to this account and remain available until expended; \$5,706,000 shall be derived from animal generic drug user fees authorized by section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-21), and shall be credited to this account and shall remain available until expended; and \$477,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s and shall be credited to this account and remain available until expended; \$12,364,000 shall be derived from food and feed recall fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75-717), as amended by the Food Safety Modernization Act (Public Law 111-353), and shall be credited to this account and remain available until expended; \$14,700,000 shall be derived from food inspection fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75-717), as amended by the Food Safety Modernization Act (Public Law 111-353), and shall be credited to this account and remain available until expended; and \$36,000,000 shall be derived from voluntary qualified importer program fees authorized by section 743 of the Federal Food, Drug, and

Cosmetic Act (Public Law 75-717), as amended by the Food Safety Modernization Act (Public Law 111-353), and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, animal generic drug, and tobacco product assessments for fiscal year 2012 received during fiscal year 2012, including any such fees assessed prior to fiscal year 2012 but credited for fiscal year 2012, shall be subject to the fiscal year 2012 limitations: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees that exceed the fiscal year 2012 limitation are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That of the total amount appropriated: (1) \$799,820,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$1,031,205,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$327,651,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$157,874,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$321,171,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$51,461,000 shall be for the National Center for Toxicological Research; (7) \$454,751,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$124,273,000 shall be for Rent and Related activities, of which \$37,073,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$177,130,000 shall be for payments to the General Services Administration for rent; and (10) \$208,812,000 shall be for other activities, including the Office of the Commissioner; the Office of Foods; the Office of the Chief Scientist; the Office of Policy, Planning and Budget; the Office of International Programs; the Office of Administration; and central services for these offices: *Provided further*, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 51, line 18, insert after the dollar amount the following: “(reduced by \$392,000,000)”.

Page 52, line 11, insert after the dollar amount the following: “(reduced by \$392,000,000)”.

Page 54, line 6, insert after the dollar amount the following: “(reduced by \$392,000,000)”.

Page 80, line 2, insert after the dollar amount the following: “(increased by \$392,000,000)”.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. STEARNS. Mr. Chairman, let me just briefly say, this is a very simple amendment. It takes the Center for Tobacco Products back to the 2009 level. Now all of you should realize, this agency never existed in 2006. There have been prodigious increases in this center. We are taking the funding for this Center for Tobacco Products back to the 2009 level.

Now under the President's plan, the budget for the FDA's Center for Tobacco Products has simply exploded. The administration's budget justification to Congress states, “FDA is experiencing an unprecedented and dramatic surge in staffing and facility needs that will cause FDA facility requirements to exceed the scope of the 2009 master plan.”

□ 1450

I understand that. The FDA is expanding, does good work. I'm not criticizing it.

But one area of the FDA's budget that is growing way too fast under this administration's budget is the brand-new Center for Tobacco Products. Again, this agency, this center did not exist in 2006.

In the FY 2012 Agriculture appropriations legislation reported by the committee, it continues the trend of major discretionary spending reduction sought by the Republican majority. This same fiscal restraint should be applied to the Center for Tobacco Products. We're talking about appropriation levels going back to 2006, 2009, 2010. So all I'm asking is let's move this back to 2009.

An FY 2012 budget that was requested by the FDA's Tobacco Act was \$454 million, an increase of \$238 million from fiscal year 2010 enacted levels of \$235 million. So think of that: in 1 year it practically doubled, 110 percent increase.

Now, this is when we have a deficit, \$1.5 trillion every year, and we have a debt that's approaching \$15 trillion.

If we look at FY 2009, an \$85 million funding, from the fiscal year 2009 there's been a 500 percent increase in this new Center for Tobacco Products.

Tobacco regulation, obviously, is a new program at the FDA. They have been just champing at the bit over there for the last 25 years to be involved with the regulation of cigarettes and everything like that. They want to regulate tobacco, and I think, frankly, you know, the House voted for it. I accept that.

But we don't need to increase from 2009 up to what we're looking at, these large increases. We've got to return some of these increases to the debt and

to the deficit. So a 500 percent increase in a budget is way too large. I suggest that funding should continue at the 2009 levels.

We are rolling back funding for many other programs, and it's proper to ensure that FDA also bears some of the burden during some of these most austere budgetary times.

Now, all of us know that smoking is bad. And the question is, what is the FDA doing through this Center for Tobacco Products? It's not clear to me, but do they have to increase over the years almost 500 percent?

Reducing their funding to fiscal year 2009 levels will be a restraint and will give the authorizing committee a chance to review the FDA regulations and review how the FDA plans to implement the law. I simply want to ensure that the FDA does not overreach with their authority, and ensure that it is using the best approach to ensure that tobacco harm is reduced. We all want to see it reduced.

But the question, we all have to take a sacrifice—doesn't the Center for Tobacco Products also have to contribute? There's no reason for it to have over these years a 500 percent increase.

And so, Mr. Chairman, I think this is a modest attempt to try and save money. It's quite a substantial amount of money for a good cause, which is reducing our deficit, our debt. In the long term, let the FDA and this new Center for Tobacco Products move forward, but not at these chomping, prodigious, gargantuan increases because they felt that it's catch-up time. I mean, every agency down here can come and say it's catch-up time. But obviously, under this economy and under this huge deficit, we cannot continue to look at agencies like this over this period of time getting a 500 percent increase in funding.

So I ask my colleagues to support my amendment.

I yield back the balance of my time. Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. First of all, I hope that we don't have more of these ambush amendments that we haven't had a chance to really look at. And this one really has serious implications. What it seems that this amendment does is, first of all, reduce the tobacco industry's fees that they have to pay the Federal Government. This is a big help to the tobacco industry. It cuts fees that the private sector has to pay the Federal Government. And what do those fees go into? Into campaigns to reduce tobacco consumption and to treat the issues related to tobacco. That's the way the amendment reads to us.

And I'd just like to remind the author that I represent California. Cali-

fornia has, time after time, put taxes on the ballot to increase tobacco taxes, and they've passed overwhelmingly. And we use those fees that would come from the industry from the sale of—not even the industry, they come from the user to run very effective anti-tobacco campaigns.

We reduced smoking in California almost to zero. I mean, it's incredible. Most cities in California don't allow any smoking in public places. The communities I represent on the coastline don't allow you to even smoke on the beaches. You certainly can't smoke in public buildings and in any other kind of public space, even in public places that are privately owned.

So to do this, to ambush the anti-tobacco campaign with this amendment is just—it's a giveaway to the tobacco companies and reduces the fees they have to pay and hurts the ability to eliminate the illness caused by tobacco; and anybody who's had cancer in their family, as I've had, is very, very aware of the illnesses caused by tobacco users.

I think this is a very dangerous amendment and, hopefully, the gentleman will withdraw it. If not, we ought to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I was going to introduce an amendment, but I just want to make a statement and I'll withhold the amendment.

The statement I want to make is about what this underlying bill does to FDA. It cuts FDA, Federal Drug Administration, by 21 percent, about \$580 million. On top of that, the FDA has to absorb another \$37 million in higher rent costs. So we're really talking about a reduction to FDA of about \$600 million. And yet we keep the law in place so they have to continue all the current requirements and activities that are mandated to them.

This kind of cut means that 2,000 fewer domestic and foreign inspections of firms that manufacture food and medical products can be made. This kind of cut means that more than 9,000 fewer FDA import inspections to verify that imported food and medical products meet safety standards. This kind

of cut means there will be 4,000 fewer food and medical product samplings to identify safety problems.

The amendment that I was going to introduce would have moved some funds from the Commissioner's Office to the Center for Devices and Radiological Health, or known as CDRH. The Center for Devices and Radiological Health is responsible for bringing new technologies to market, and to make the medical devices that are already on the market safer and more effective.

The FDA has implemented a more streamlined process by which medical devices can get to market called the Innovation Pathway. But with the cuts to the FDA budget in this bill, the Innovation Pathway will become Innovation Roadblock.

At a hearing at the Energy and Commerce Subcommittee on Health on February 17, 2011, the Director of CDRH, Dr. Jeffery Shuren, testified that these cuts: "The Innovation Pathway would be a non-option. And for the rest of what we do, this would result in increased delays in decisions. It would deny patients truly safe and effective innovative technologies. And it will result in jobs being lost."

□ 1500

So moving funds, even nominal funds, to CDRH makes a point that we would have to maintain a commitment to getting critical medical devices to market and to patients.

The other point I wanted to make is the Center for Devices and Radiological Health is also responsible in part for the FDA advances in medical countermeasures. This medical countermeasures program extends across several FDA offices. The program coordinates the appropriate responses to national medical catastrophes. For CDRH, that means putting in place the right medical responses to radiological threats, threats like a dirty bomb, a rogue nuclear device, or even a natural disaster like the one that occurred in Fukushima after the earthquake and tsunami.

This isn't just a health concern. It's a homeland security concern. Unless we are ready to handle these emergencies, many, many people could die or be permanently disabled. We have to prepare. The CDRH can do that for us, but not with a budget cut like the one the FDA is facing. The 21 percent cut in the FDA budget means the public health of Americans is put at risk, is put on hold. Medical safety devices are put on hold. Medical countermeasures are put on hold. Radiological treatment improvements, like new forms of x rays, PET scans and MRIs are put on hold.

I say it again, the 21 percent cut in the FDA budget is not good for America's health. I wish that we didn't have to adopt a budget with that kind of a cut.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$8,788,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, \$171,930,000, to remain available until September 30, 2013, including not to exceed \$3,000 for official reception and representation expenses, and not to exceed \$25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$62,000,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING CANCELLATIONS, RECISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 461 passenger motor vehicles, of which 456 shall be for replacement only, and for the hire of such vehicles.

AMENDMENT NO. 7 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, line 18, insert "231" in place of "461".

Page 56, line 19, insert "231" in place of "456".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise to offer my amendment, which would reduce the fleet of passenger vehicles that the USDA is able to purchase by half. Cutting the size of their fleet from 461 to 231 is a simple way to save our taxpayers some of their hard-earned money.

Mr. Chairman, I know many of my amendments cut programs that are near and dear to my colleagues' and their districts' hearts. We have heard

clearly from our friends on both sides regarding that. But together, my amendments cut over \$2 billion, and we accrue more than twice that amount of debt every single day.

It's time to make the hard choices for the greater good of our economy. We have to cut wherever we can, and cutting about 230 vehicles out of the USDA's fleet is another way to save taxpayers money.

I encourage people to vote for my amendment.

Mr. FARR. Will the gentleman yield?

Mr. BROUN of Georgia. I yield to the gentleman from California.

Mr. FARR. I'm just curious. I have a point of inquiry for Mr. BROUN.

Mr. BROUN, do you lease a car?

Mr. BROUN of Georgia. No, sir, I do not.

Mr. FARR. You just drive your own private car?

Mr. BROUN of Georgia. I do, indeed.

Mr. FARR. So you want to cut this account that is vehicles for the Department.

Mr. BROUN of Georgia. By 230 vehicles, yes, sir.

Mr. FARR. And how do you expect them to get around?

Mr. BROUN of Georgia. Well, maybe they could ride share. That would be a good way to save taxpayer dollars also.

Mr. FARR. Well, I don't think we can operate government on a maybe, and I oppose this amendment.

Mr. BROUN of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 702. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior notification to the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior notification to the Committees on Appropriations of both Houses of Congress: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center:

Provided further, That none of the amounts reserved shall be available for obligation unless the Secretary submits notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer unless prior notification has been transmitted to the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over \$25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 708. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrifica-

tion Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of the fiscal year from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2013, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 C.F.R. 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 715. In carrying out subsection (h) of section 502 of the Housing Act of 1949, the Secretary may use the authority described in subsections (h) and (j) of section 538 of such Act.

SEC. 716. Clause (ii) of section 524(b)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(B)) is amended—

(1) in the heading, by striking “fiscal years 2008 through 2012” and inserting “certain fiscal years”; and

(2) in the text, by striking “2012” and inserting “2014”.

SEC. 717. Appropriations to the Department of Agriculture made available in fiscal years 2005, 2006, and 2007 to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) for the cost of direct loans shall remain available until expended to disburse valid obligations made in fiscal years 2005, 2006, 2007 and 2008.

SEC. 718. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used to pay the salaries and expenses of personnel to carry out a pro-

gram under subsection (b)(2)(A)(iv) of section 14222 of Public Law 110–246 in excess of \$948,000,000, as follows: Child Nutrition Programs Entitlement Commodities – \$465,000,000; State Option Contract – \$5,000,000; Removal of Defective Commodities – \$2,500,000; Disaster Relief – \$5,000,000; Additional Fruits, Vegetables, and Nuts Purchases – \$206,000,000; Fresh Fruit and Vegetable Program – \$20,000,000; Estimated Future Needs – \$196,713,000; and, Administrative Funds – \$47,787,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 in excess of \$20,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2012: *Provided further*, That \$133,000,000 made available on October 1, 2012, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 shall be excluded from the limitation described in subsection (b)(2)(A)(v) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause (3) of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(iv) of section 14222 of Public Law 110–246, \$150,000,000 are hereby rescinded.

SEC. 719. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 720. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 721. None of the funds made available by this or any other Act may be used to write, prepare, develop, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, the proposed rule entitled “Implementation of Regulations Required Under Title XI of the Food, Conservation, and Energy Act of 2008; Conduct in Violation of the Act” (75 Fed. Reg. 35338 (June 22, 2010)).

SEC. 722. The unobligated balances available for the Natural Resources Conservation Service, Forestry Incentives Program, as identified by Treasury Appropriation Fund Symbol 12X3336, \$5,500,000 are rescinded, and the unobligated balances available for the Natural Resources Conservation Service,

Great Plains Conservation Program, as identified by Treasury Appropriation Fund Symbol 12X2268, \$500,000 are rescinded.

SEC. 723. Of the unobligated balances provided pursuant to section 16(h)(1)(A) of the Food and Nutrition Act of 2008, \$11,000,000 is hereby rescinded.

SEC. 724. Section 1238E(a) of the Food Security Act of 1985 (16 U.S.C. 3838e(a)) is amended by striking "2012" and inserting "2014".

SEC. 725. (a) Section 1240B(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa-2(a)) is amended by striking "2012" and inserting "2014".

(b) Section 1241(a)(6)(E) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(6)(E)) is amended by striking "fiscal year 2012" and inserting "each of fiscal years 2012 through 2014".

SEC. 726. Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "2012," and inserting "2012 (and fiscal year 2014 in the case of the programs specified in paragraphs (3)(B), (4), (6), and (7)),"; and

(2) in paragraph (4)(E), by striking "fiscal year 2012" and inserting "each of fiscal years 2012 through 2014".

SEC. 727. Section 1241(a)(7)(D) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(7)(D)) is amended by striking "2012" and inserting "2014".

SEC. 728. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Conservation Stewardship Program authorized by sections 1238D-1238G of the Food Security Act of 1985 (16 U.S.C. 3838d-3838g) in excess of \$634,000,000.

(2) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)).

(3) The Environmental Quality Incentives Program as authorized by sections 1241-1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa-3839aa-8) in excess of \$1,400,000,000.

(4) The Farmland Protection Program as authorized by section 1238I of the Food Security Act of 1985 (16 U.S.C. 3838i) in excess of \$150,000,000.

(5) The Grassland Reserve Program as authorized by sections 1238O-1238Q of the Food Security Act of 1985 (16 U.S.C. 3838o-3838q) in excess of 209,000 acres in fiscal year 2012.

(6) The Wetlands Reserve Program authorized by sections 1237-1237F of the Food Security Act of 1985 (16 U.S.C. 3837-3837f) to enroll in excess of 185,800 acres in fiscal year 2012.

(7) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1)) in excess of \$50,000,000.

(8) The Voluntary Public Access and Habitat Incentives Program authorized by section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb-5).

(9) The Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111).

(10) The Bioenergy Program for Advanced Biofuels authorized by section 9005 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105) in excess of \$55,000,000.

(11) The Rural Energy for America Program authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107).

(12) The Rural Microentrepreneur Assistance Program authorized by section 6022 of

the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2008s).

(13) Section 508(d)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(3)) to provide a performance-based premium discount in the crop insurance program.

(14) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of \$2,500,000 for the Natural Resources conservation Service.

SEC. 729. The funds made available in Public Law 111-344 through February 12, 2012 for trade adjustment for farmers are hereby rescinded.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food and Nutrition Stamp Act of 2008 (7 U.S.C. 2036(a)) if such program exceeds \$200,000,000.

SEC. 731. (a) CLOSURE AND CONVEYANCE OF AGRICULTURAL RESEARCH SERVICE FACILITIES.—The Secretary of Agriculture may close up to 10 facilities of the Agricultural Research Service, as proposed in the budget of the President for fiscal year 2012 submitted to Congress pursuant to section 1105 of title 31, United States Code.

(b) CONVEYANCE AUTHORITY.—With respect to an Agricultural Research Service facility to be closed pursuant to subsection (a), the Secretary of Agriculture may convey, with or without consideration, all right, title, and interest of the United States in and to any real property, including improvements and equipment thereon, of the facility to an eligible entity specified in subsection (c). If the Agricultural Research Service facility consists of more than one parcel of real property, the Secretary may convey each parcel separately and to different eligible entities.

(c) ENTITIES.—The following entities are eligible to receive real property under subsection (b):

(1) Land-grant colleges and universities (as defined in section 1404(13) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(13)).

(2) 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)).

(3) Hispanic-serving agricultural colleges and universities (as defined in section 1404(10) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(10)).

(d) CONDITIONS ON RECEIPT.—As a condition of the conveyance of real property under subsection (b), the recipient of the property must—

(1) be located in the same State or territory of the United States in which the property is located; and

(2) agree to accept and use the property for agricultural and natural resources research for a minimum of 25 years.

SEC. 732. Section 9 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758) is amended by adding at the end the following:

"(1) FOOD DONATION PROGRAM.—

"(1) IN GENERAL.—Each school and local educational agency participating in the school lunch program under this Act may donate any food not consumed under such program to eligible local food banks or charitable organizations.

"(2) GUIDANCE.—

"(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this sub-

section, the Secretary shall develop and publish guidance to schools and local educational agencies participating in the school lunch program under this Act to assist such schools and local educational agencies in donating food under this subsection.

"(B) UPDATES.—The Secretary shall update such guidance as necessary.

"(3) LIABILITY.—Any school or local educational agency making donations pursuant to this subsection shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

"(4) DEFINITION.—In this subsection, the term 'eligible local food banks or charitable organizations' means any food bank or charitable organization which is exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3))."

SEC. 733. Notwithstanding this Act or any other Act, of the unobligated balances available to the Department of Agriculture from prior appropriations, with the exception of Rural Development and Domestic Food Programs, \$63,000,000 in appropriated discretionary funds are hereby rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 734. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 735. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from

any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 736. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2013 appropriations Act.

SEC. 737. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 738. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 739. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to—

(1) inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

(3) implement or enforce section 352.19 of title 9, Code of Federal Regulations.

□ 1510

AMENDMENT OFFERED BY MRS. LUMMIS

Mrs. LUMMIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 77, line 12, strike the semicolon and insert “; or”.

Page 77, line 15, strike “; or” and insert a period.

Page 77, strike lines 16 through 17.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, this amendment would remove the restriction only on the fee-for-service horse meat inspection portion. Since fiscal year 2006, Congress has prohibited the use of Federal funds to inspect horses. However, the USDA allowed for a fee-for-service program for mandatory inspection of horses destined for food until 2008, when Congress prohibited the program through an appropriations rider.

Before these bans, horse processing was a \$65 million a year industry and owners could receive about \$400 to \$800 when selling a horse. I am offering this amendment because owners should have the option of selling their horse for processing under their personal property rights. It is not the Federal Government's role to ban this option. The decision to allow for processing should be made by the States.

The Senate Committee on Appropriations has directed GAO to examine the effects of this ban on the welfare of horses and on the agriculture industry. This report was expected by March 1 of 2010. Over a full year later, we still have yet to be delivered a final report from GAO, but expect one within weeks of this debate. It is important that this analysis be considered when determining whether to consider this ban.

In particular, the GAO was asked to examine how many horses are now being shipped to Mexico and Canada for slaughter, which outside analysis has confirmed is increasing. With the increased exporting of animals comes the concern of longer transportation times to slaughter and reduced inspections by USDA of travel conditions. USDA has no authority to ensure humane treatment once horses cross the border to Mexico or Canada, and there is no reason to believe horses are receiving better treatment by continuing this ban.

Additionally, there continue to be reports of increased animal abuse during the reduced options for unwanted horses. I can assure you this is true in my home State of Wyoming. Recently, 100 horses have been seized from a western Wyoming ranch where they were being starved and had to be trans-

ported to the eastern side of the State to the State's Cheyenne stockyards. While the state veterinarian is caring for the animals currently, the options for selling these horses are limited.

There is just no place to send unwanted horses, and neglect will continue to rise across the country without a viable alternative. In fact, the Wyoming legislature this year made it a crime to release a horse on to public lands. Now, the reason people do that is because there is no other way to get rid of an unwanted horse. There is no opportunity to sell them into this meat market, so people are turning them loose with the feral horses, the wild horses, further exacerbating the Federal wild horse problem.

Congress needs to examine these concerns, and the GAO report should provide us the information needed to make an educated decision on this matter.

Now, I plan to withdraw my amendment after discussing this issue, but would like to provide my colleagues with the opportunity to present their States' concerns with this ban and to ensure moving forward we examine the GAO report before finalizing any appropriations language for fiscal year 2012.

Mr. Chairman, I yield back the balance of my time.

Mr. PEARCE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Mr. Chairman, I appreciate the gentlelady from Wyoming bringing this amendment.

You know, many times people think that horse slaughter is just simply inhumane. Somehow they think that horse starvation is somehow more humane. The truth is that people are going to get rid of their horses in some way, so what they do in New Mexico and in the Western States is they simply take them out and turn them loose.

Right now we are struggling with an economy, an economy that is having difficulties from every area, and too often we say it is just a problem of the economy. We don't break it down to its individual components.

One of the components in New Mexico is that we have completely eliminated sheep from New Mexico. New Mexico used to be a large area of sheep production. That piece of the economy is simply gone because of regulations we in Washington and the States have put into place. New Mexico also used to have a vibrant apple economy. That is now gone because we have given favorable treatment to overseas products.

But then this is another element of the economy that has simply disappeared. New Mexico used to have a vibrant horse trade. Prices were high. Now prices on horses are low because people know they have no option at the end of a horse's life, so it is simply doing away with the horse market.

So we find that we in Congress are causing the economic decay of our entire Nation, and the gentlelady's amendment simply says let's study the facts. Let's understand what is going on that we ourselves are causing. Let's understand the economic duress that Washington and the States are putting on their own economies. It makes ultimate sense, and for us in the West it should be absolutely reinstated. We should reinstate the market there, because horses are being very inhumanely treated in the guise of some more humane treatment. So I thank the lady for her presentation.

Mr. Chairman, I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I rise in support of the Lummis amendment. I am disappointed that she is planning to withdraw it and that we will not be having a vote on it. We had a vote on it in full committee. It was actually Mr. MORAN's amendment that pulled it out. I did not support the gentleman from Virginia's amendment because I believe there is a lot of emotion that goes on when we are dealing with a horse. It still is a private property issue, a personal property issue, and while I do not own horses, I have family members who own horses. I know that you do have to have someplace to move the horse on to when it ages out on you.

It is very emotional in America. We look down at other nations that eat horses, but I have eaten horse before. In Kazakhstan I ate horse, and it wasn't bad. But we as Americans, we have an obesity problem, so we can pick and choose what we want to eat and what we don't want to eat, and people feel like, well, we are too good to be eating horses. I understand that, but the rest of the world does eat horses and I think, frankly, that is a different discussion, as my friend from Virginia knows. But I wish we were having a vote on it.

Mr. Chairman, I yield back the balance of my time.

□ 1520

Mr. MORAN. I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. I do rise in opposition to this amendment that would allow horse slaughtering to resume in the United States.

The language that the gentlelady's amendment would strike was put into the bill as a bipartisan amendment by two Republicans and a Democrat—Mr. Sweeney, Mr. WHITFIELD and Mr. Spratt. What it did is to restrict funding for Federal activities involved with

meat inspection. Thereby, it stopped horse slaughter for the purpose of human consumption in any facility in the United States, and it stopped new facilities from opening. It passed this body by an overwhelming vote: 269-158. Now, every year since, the language has been retained in the Agriculture appropriations bill. There are six very good reasons for doing this.

One, it's money badly spent. Only foreign corporations which deal in horse meat for consumption in foreign markets would benefit from the Federal inspection of U.S. horse slaughter plants. So we are using American taxpayer money to inspect meat so that foreign corporations can send it overseas so that people living in foreign countries can consume it. There is a \$37 million cut below last year's levels in the Food Safety and Inspection Service. So here you are cutting \$37 million in food safety inspection. Yet you would be adding this additional burden onto the Food Safety and Inspection Service, an additional responsibility to inspect horse meat. Remember, this is meat that will be exclusively consumed in foreign countries. Before the ban, most meat was exported to France, Belgium and Japan. We should be using our resources to focus on meat consumed by our constituents.

Secondly, the American public overwhelmingly does not support the slaughter of horses for human consumption. Three-quarters of our constituents across the country oppose the slaughter of horses for human consumption.

Thirdly, American horse meat invariably contains harmful chemicals because horses are not raised for human consumption. A recent FDA toxicity report found any number of substances that could cause adverse effects in humans. One example is phenylbutazone. It's known as "bute." It is the most common anti-inflammatory given to horses. It is difficult to know every substance given to every horse in the United States. Because they're not intended to be raised as food, they're given different chemicals. The only way to ensure that such harmful substances don't make it into the food supply is to prevent horse meat from entering the market.

Fourth, most horses sent to slaughter are, in fact, healthy. Sometimes it's framed, as my friend from Georgia suggested, as a way to dispose of unwanted horses. The facts don't support this claim. When horse slaughter was allowed in the U.S., 92 percent of horses sent to slaughter were healthy and could have continued to have been used as productive animals. They weren't old and infirm, because sick and old horses aren't used as a food source. People don't want to eat meat from sick, old horses. So we are talking about primarily healthy horses.

Fifth, other, more humane options are available. A licensed veterinarian can humanely euthanize a horse for \$225. That is not cost-prohibitive.

I want to underscore, too, that my very good friend was complaining that there was too much emotion in this argument. What's wrong with emotion? I mean, the horses inspire us. That's why most of the statues around the U.S. Capitol are of horses and of heroes riding on horses. Horses were critical to the expansion of the West. They aided in the development of agriculture. They provide entertainment and recreation similar to dogs and cats. They are treasured and loyal companion animals, and we revere them. That's why the American public rejects slaughtering them for human consumption.

So let's just summarize here.

A vote for this amendment is a vote to overturn established policy that was enacted under Republicans and supported by the American people to prevent horse slaughter to resume in this country. It would be diverting inspection funding, which is being cut substantially, to inspect meat that foreign corporations will be able to sell to foreign consumers. That's not something this body should support.

With that, I can argue against every claim that was made, but I don't think I will take up the time to do that.

I yield back the balance of my time.

Mr. SMITH of Nebraska. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Nebraska. Mr. Chairman, I do want to clarify for the record that this amendment is not about tax dollars. This amendment is about adjusting some policy that was put into an appropriations bill some time ago, long before the current makeup of Congress. We are talking about a fee-for-service scenario that would allow the private sector to ensure that there is safe, affordable horse meat to the general public, to a market overseas that is very robust.

Let me also say that a GAO study on the effects of horse slaughter plant closings on the welfare of horses and on the farm economy as a whole was requested by the Senate Ag Appropriations Committee more than a year and a half ago, and is overdue for a report.

The devastated horse industry continues to be attacked by misinformation, and we certainly have a problem here because I would allege that the economics of the ownership of horses are upside down. Unfortunately, Mr. Chairman, the result of this misguided campaign will eventually be a Nation where very few can even afford to own a horse. Without a secondary market, the value of horses at every level has plunged. Fewer horses mean fewer jobs, fewer horse trailers sold, fewer veterinary service dollars spent, fewer saddles sold—and the list continues.

Destroying the U.S. horse industry closed the U.S. to a very robust global market and gave other countries this economic opportunity. With the ability to ethically produce horse meat under regulated, humane conditions in the United States, we would almost immediately create jobs and minimize suffering.

I yield back the balance of my time. The Acting CHAIR. Does any other Member seek recognition?

Mrs. LUMMIS. Mr. Chairman, the gentleman from Virginia inadvertently misrepresented the terms of this amendment. They only applied to the fee-for-service component.

With that, Mr. Chairman—

Mr. DICKS. A point of order.

I think the gentlelady has already spoken on her amendment.

Mrs. LUMMIS. I am asking for unanimous consent to withdraw my amendment.

Mr. DICKS. We never heard that. I object. If you withdraw the amendment, I won't object.

Mrs. LUMMIS. Now I am not going to withdraw the amendment. I will ask for a vote.

Mr. BURTON of Indiana. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. Let me just say to the gentlelady that this is an emotional issue, and those of us who do not agree with you feel strongly about it.

Now, I believe, if you put that amendment in, it could very well jeopardize the ag bill. I don't think you want to do that, so I hope you will reconsider withdrawing this amendment. In committee, your amendment was defeated. There are a lot of people in this country who feel very strongly on both sides of this issue, but the American public, whether or not you agree with them, feels very strongly, as Mr. MORAN said, so I hope you will change your mind.

Regarding some of the things I've heard about these horses starving to death on the plains and everything—and I was not going to speak on this—there are a number of people in this country who are willing to put up millions and millions of dollars. In fact, I know some of them. They have bought ranches and want to take these wild horses and put them into an area where they will be safe, where they will be protected, where they will be cared for. We are talking about, in addition to the ranches, maybe another 600,000 or 700,000 acres that would be used for these horses and for them to be able to survive.

□ 1530

If you have ever looked at the way they transport these horses to slaughter, they cram 20 horses into a truck that's built for 10. They don't feed

them. They don't water them properly. And those horses are so mistreated, it's unbelievable, when they go to slaughter. And that's why they close these slaughterhouses. In addition, you ought to see what they do in these slaughterhouses for these horses. They hang them up by a hook while they're still alive and they're squealing, and they kill them in a very inhumane way.

I am not for changing our agricultural attitudes in this country. We have to have the slaughter of pigs and cows and chickens and that sort of thing. So a lot of times people say if we're against horse slaughter, we want to do something to hurt the agriculture community. That couldn't be further from the truth. We just want to make sure that these animals are treated in a humane way, number one, and, number two, that the American taxpayer is not paying for the French to get horse meat.

So let me just say to the lady one more time, I sincerely hope that she will reconsider. We have a disagreement. I hope you will reconsider and withdraw this amendment because I don't think something of this emotional status should impede or impair something as important as the ag bill.

With that, I yield back the balance of my time.

Mr. KINGSTON of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON of Georgia. I rise in strong support of the amendment and believe that while it may be an emotional issue—and as my friend from Virginia said and my friend from Indiana said, emotion is good. I think that there can be emotion on both sides. But there's also a lot of logic in the gentlewoman's position, and that's why I'm a strong supporter of it.

I yield to the gentlewoman from Wyoming.

Mrs. LUMMIS. Before I withdraw the amendment, I wish to correct that this amendment has never been considered in committee or on the floor. This amendment only applies to the two lines in this horse inspection issue which deal with an individual's right to pay their own money to have a horse inspected. There are no taxpayer dollars involved in this amendment. I'm only striking the two lines that now you're even not allowing people to pay their own money to have a horse inspected.

With that opportunity to correct the record, Mr. Chairman, I withdraw my amendment.

Mr. KINGSTON. I yield back the balance of my time.

Mr. BOSWELL. Mr. Chair, I rise in support of the amendment offered by Congresswoman LUMMIS.

As a farmer and senior member of the authorizing committee, I appreciate the oppor-

tunity to discuss this issue and speak in opposition to the language in section 737 of the agriculture appropriations bill for FY 2012 and its attempt to limit state rights and commerce with respect to horse meat, and the safe and healthy inspection of those deceased animals.

The amendment before us would simply allow horse slaughter facilities to use their own money for inspections.

While no one likes the idea of slaughtering horses we must deal with the problem of abandoned and neglected horses in the United States.

We hear frequently on this topic the issue of humane treatment. However, on average, adoption facilities used as a "last resource" can only house approximately 30 horses.

Often times these adoption facilities are so over-crowded that older horses end up starving to death because the real last resort is abandoning these horses, which happens all too frequently.

Each year there are almost 100,000 abandoned and neglected horses in the United States. Opponent of horse slaughter often claim that unwanted horses can be moved to adoption facilities.

I believe that current limits on horse slaughter set poor precedent for legitimate livestock slaughter for reasons other than for food safety or public health.

As a long time horse owner, I understand the emotional attachment one can feel for an animal, however, currently with the over capacity of animal adoption facilities I have concerns on what would happen to abandoned and neglected horses each year.

RESTORE THE HORSEMEAT INDUSTRY AND CREATE JOBS

Two weeks ago, the House Appropriations committee voted to reinsert language into the Agriculture Appropriations bill to prevent funds for inspections—inspections that are required by law—of horsemeat, continuing a logic-defying policy that harms the welfare of horses, infringes on the rights of horse owners, and cripples the horse industry. Most of all, it prevents the immediate creation of hundreds of good, American jobs. The unemployment rate just hit 9.1 percent and both parties are blaming the other for it. In this instance both are to blame for killing the highly regulated horsemeat industry.

Before 2005, the horsemeat industry was a \$65 million a year business. In 2003, the two Texas plants employed a total of 130 people to process 40,000 horses per year. One small business that shipped the meat noted in a 2002 letter that it employed twenty-one people, all of whom were heads of households. Their annual horsemeat airfreight exports generated \$4 million for the airlines they used. These jobs are all gone.

Instead, they are in Mexico and Canada. Now horses are shipped much greater distances and at higher costs to slaughter, and are slaughtered without USDA regulation. Last year, over 150,000 horses were sent across the borders to be processed. Horse processing serves to set a floor price for horses. The higher cost of shipping them to Canada and Mexico has lowered the price owners receive for any horse, and the effects ripple through the entire horse industry. Many U.S. zoos use horsemeat to feed their animals because it's high in protein and low in fat. Ironically, those zoos now have to buy horsemeat—derived from American horses—from Mexico or Canada.

Advocates in favor of this irresponsible policy, like my former colleague, Rep. Jim Moran (D-VA), say that horse processing is "not humane." He's wrong, and the American Veterinary Medical Association (AVMA) and the American Association of Equine Practitioners (AAEP) say he's wrong. The U.S. plants used "penetrating captive bolt" to euthanize horses before they closed, a technique common to the beef industry and considered humane for horses by AVMA and AAEP. As with processing plants for all animals, there are laws on the books for humane slaughter methods for horses, and FSIS inspectors present to ensure those laws are followed.

Concerns about the safeness of horsemeat are misplaced. Both USDA and the European Union regulate horsemeat stringently, and the U.S. processing plants kept horses for withdrawal periods depending on the drugs (if any) that had been administered to them. The plants also performed constant residue testing in their holding pens, and if a harmful substance was detected the entire lot would be condemned. To my knowledge, the EU has never had any issues with "contaminated" horsemeat imported from the U.S.

I believe the shuttering of the processing plants, combined with the recession has led to an increase in abandoned and neglected horses. Others disagree. GAO is planning to release a report on the impact of the closing of the processing plants on horses hopefully by the end of the month, yet the House is scheduled to vote on Tuesday to continue this policy without having the benefit of this report's conclusions, whatever they may be. I think that is bad governing.

Let's be clear: horses are livestock under the law—not companion animals such as dogs as Rep. Moran has said—and are allowed to be deducted as diminishing assets and their expenses written off accordingly. Horses are expensive to maintain, and can cost \$500 to \$2,000 to euthanize by lethal injection and bury—assuming you can find a place that is willing to dispose of a 1,500 pound animal filled with drugs. Horse owners deserve a humane end of life option for their horses that has monetary value. Right now, Republicans and Democrats are using emotional arguments to an ill-informed public to deny horse owners their rights. In the process, they are preventing the creation of American jobs and causing more inhumane treatment of horses.

Charles W. Stenholm served the 17th U.S. House District of Texas as a Democrat, 1979–2005. He is now a Senior Policy Advisor with Olsson Frank Weeda Terman Bode Matz PC.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

The amendment offered by Ms. DELAURO of Connecticut.

The amendment offered by Mr. SESSIONS of Texas.

The amendment offered by Mr. FARR of California.

Amendment No. 8 by Mr. BROWN of Georgia.

The amendment offered by Mr. CHAFFETZ of Utah.

Amendment No. 4 by Mr. BROWN of Georgia.

The amendment offered by Mr. CLARKE of Michigan.

Amendment No. 9 by Mr. BROWN of Georgia.

The amendment offered by Ms. RICHARDSON of California.

Amendment A by Mr. GOSAR of Arizona.

Amendment A by Mr. BROWN of Georgia.

The amendment offered by Ms. FOXFORD of North Carolina.

Amendment No. 12 by Mr. BROWN of Georgia.

Amendment B by Mr. GOSAR of Arizona.

Amendment B by Mr. BROWN of Georgia.

Amendment No. 6 by Mr. BROWN of Georgia.

The amendment offered by Mr. STEARNS of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. DELAURO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 226, not voting 13, as follows:

[Roll No. 420]

AYES—193

Ackerman	Courtney	Higgins
Altmire	Critz	Himes
Baca	Crowley	Hinche
Baldwin	Cuellar	Hinojosa
Barrow	Cummings	Hirono
Becerra	Davis (CA)	Hochul
Berkley	Davis (IL)	Holden
Berman	DeFazio	Holt
Bishop (GA)	DeGette	Hoyer
Bishop (NY)	DeLauro	Inslee
Blumenauer	Dent	Israel
Boren	Deutch	Jackson (IL)
Boswell	Dicks	Jackson Lee
Brady (PA)	Dingell	(TX)
Braley (IA)	Doggett	Johnson (GA)
Brown (FL)	Dold	Johnson, E. B.
Butterfield	Donnelly (IN)	Jones
Capps	Doyle	Kaptur
Capuano	Edwards	Keating
Carnahan	Ellison	Kildee
Carney	Engel	Kind
Carson (IN)	Farr	Kissell
Castor (FL)	Fattah	Kucinich
Chandler	Filner	Langevin
Cicilline	Fudge	Larsen (WA)
Clarke (MI)	Garamendi	Larson (CT)
Clarke (NY)	Gonzalez	Lee (CA)
Clay	Green, Al	Levin
Cleaver	Green, Gene	Lewis (GA)
Clyburn	Grijalva	Lipinski
Cohen	Gutierrez	LoBiondo
Connolly (VA)	Hanabusa	Loeback
Conyers	Hanna	Loftgren, Zoe
Cooper	Hastings (FL)	Lowey
Costello	Heinrich	Lujan

Lynch	Peterson	Sires
Maloney	Pingree (ME)	Smith (NJ)
Markey	Platts	Smith (WA)
Matheson	Polis	Speier
Matsui	Price (NC)	Stark
McCarthy (NY)	Quigley	Sutton
McCollum	Rahall	Thompson (CA)
McDermott	Reichert	Thompson (MS)
McGovern	Reyes	Tierney
McIntyre	Richardson	Tonko
McNerney	Richmond	Towns
Meeks	Ross (AR)	Tsongas
Michaud	Rothman (NJ)	Upton
Miller (NC)	Roybal-Allard	Van Hollen
Miller, George	Ruppersberger	Velázquez
Moore	Rush	Visclosky
Moran	Ryan (OH)	Walden
Murphy (CT)	Sánchez, Linda T.	Walz (MN)
Nadler	Sanchez, Loretta	Wasserman
Napolitano	Sarbanes	Schultz
Neal	Schakowsky	Waters
Olver	Schiff	Watt
Owens	Schrader	Waxman
Pallone	Schwartz	Welch
Pascarella	Scott (VA)	Wilson (FL)
Pastor (AZ)	Scott, David	Wolf
Paulsen	Serrano	Woolsey
Payne	Sewell	Wu
Pelosi	Sherman	Yarmuth
Perlmutter	Shuler	
Peters		

NOES—226

Adams	Fitzpatrick	LaTourette
Aderholt	Flake	Latta
Akin	Fleischmann	Lewis (CA)
Alexander	Fleming	Long
Amash	Flores	Lucas
Austria	Forbes	Luetkemeyer
Bachus	Fortenberry	Lummis
Barletta	Fox	Lungren, Daniel E.
Bartlett	Franks (AZ)	Mack
Barton (TX)	Frelinghuysen	Manzullo
Bass (NH)	Gallegly	Marchant
Benish	Gardner	Marino
Berg	Garrett	McCarthy (CA)
Biggert	Gerlach	McCaul
Bilbray	Gibbs	McClintock
Bilirakis	Gibson	McCotter
Bishop (UT)	Gingrey (GA)	McHenry
Black	Gohmert	McKeon
Blackburn	Goodlatte	McKinley
Bonner	Gosar	McMorris
Bono Mack	Gowdy	Rodgers
Boustany	Granger	Meehan
Brady (TX)	Graves (GA)	Mica
Brooks	Graves (MO)	Miller (FL)
Brown (GA)	Griffin (AR)	Miller (MI)
Buchanan	Griffith (VA)	Miller, Gary
Bucshon	Grimm	Mulvaney
Buerkle	Guinta	Murphy (PA)
Burgess	Guthrie	Myrick
Burton (IN)	Hall	Neugebauer
Calvert	Harper	Noem
Camp	Harris	Nugent
Campbell	Hartzler	Nunes
Canseco	Hastings (WA)	Nunnelee
Cantor	Hayworth	Olson
Capito	Heck	Palazzo
Cardoza	Hensarling	Paul
Carter	Herger	Pearce
Cassidy	Herrera Beutler	Pence
Chabot	Huelskamp	Petri
Chaffetz	Huizenga (MI)	Pitts
Coble	Hultgren	Poe (TX)
Coffman (CO)	Hunter	Pompeo
Cole	Hurt	Posey
Conaway	Issa	Price (GA)
Costa	Jenkins	Quayle
Cravaack	Johnson (IL)	Reed
Crawford	Johnson (OH)	Rehberg
Crenshaw	Johnson, Sam	Renacci
Culberson	Jordan	Ribble
Davis (KY)	Kelly	Rigell
Denham	King (IA)	Rivera
DesJarlais	King (NY)	Roby
Diaz-Balart	Kingston	Roe (TN)
Dreier	Kinzinger (IL)	Rogers (AL)
Duffy	Kline	Rogers (KY)
Duncan (SC)	Labrador	Rogers (MI)
Duncan (TN)	Lamborn	Rohrabacher
Ellmers	Lance	Rooney
Emerson	Landry	Ros-Lehtinen
Farenthold	Lankford	Roskam
Fincher	Latham	

Ross (FL)	Shuster	Walberg
Royce	Simpson	Walsh (IL)
Runyan	Smith (NE)	Webster
Ryan (WI)	Smith (TX)	West
Scalise	Southerland	Westmoreland
Schilling	Stearns	Whitfield
Schmidt	Stutzman	Wilson (SC)
Schock	Sullivan	Wittman
Schweikert	Terry	Womack
Scott (SC)	Thompson (PA)	Woodall
Scott, Austin	Thornberry	Yoder
Sensenbrenner	Tiberi	Young (AK)
Sessions	Tipton	Young (FL)
Shimkus	Turner	Young (IN)

NOT VOTING—13

Andrews	Frank (MA)	Slaughter
Bachmann	Giffords	Stivers
Bass (CA)	Honda	Weiner
Chu	Rangel	
Eshoo	Rokita	

□ 1602

Messrs. STUTZMAN, AUSTRIA, JOHNSON of Ohio and HALL changed their vote from “aye” to “no.”

Mr. WALDEN changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. CHU. Mr. Chair, on rollcall No. 420, the DeLauro amendment to increase funding for the Center for Food Safety and Applied Nutrition by \$1 million, had I been present I would have voted “aye.” This amendment would have improved food safety and protect the American people from E. coli bacterial outbreaks.

(By unanimous consent, Mr. LONG was allowed to speak out of order.)

HONORING MISSOURI TORNADO VICTIMS

Mr. LONG. Mr. Chairman, I ask that the House observe a moment of silence in honor of the victims of the tornado which hit Joplin, Missouri, on May 22. As the Congressman representing Missouri's Seventh District, which includes Joplin, I ask that we observe a moment of silence for those effected by the EF-5 tornado that struck this town of 50,000 people on the 22nd of May. This horrific event led to a loss of life of 153 individuals, from babies to folks in their nineties. Also, they lost 54 percent of their school capacity, 8,000 homes, and 500 businesses.

The Acting CHAIR. Will the Members please rise and observe a moment of silence.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 199, not voting 7, as follows:

[Roll No. 421]

AYES—226

Adams	Gibbs	Noem
Aderholt	Gibson	Nugent
Akin	Gohmert	Nunes
Alexander	Goodlatte	Nunnelee
Amash	Gosar	Olson
Austria	Gowdy	Palazzo
Bachmann	Granger	Paul
Bachus	Graves (GA)	Paulsen
Barietta	Graves (MO)	Pearce
Bartlett	Griffin (AR)	Pence
Barton (TX)	Griffith (VA)	Petri
Bass (NH)	Guinta	Pitts
Benishek	Guthrie	Poe (TX)
Berg	Hall	Pompeo
Biggart	Hanna	Posey
Bilbray	Harper	Price (GA)
Bilirakis	Harris	Quayle
Bishop (UT)	Hartzler	Reed
Black	Hastings (WA)	Rehberg
Blackburn	Hayworth	Reichert
Bonner	Heck	Renacci
Bono Mack	Hensarling	Ribble
Boustany	Herger	Rigell
Brady (TX)	Herrera Beutler	Rivera
Brooks	Huelskamp	Robby
Broun (GA)	Huizenga (MI)	Roe (TN)
Buchanan	Hultgren	Rogers (AL)
Bucshon	Hunter	Rogers (KY)
Buerkle	Hurt	Rogers (MI)
Burgess	Issa	Rohrabacher
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Campbell	Johnson, Sam	Ross (FL)
Canseco	Jones	Royce
Cantor	Jordan	Runyan
Capito	Kelly	Ryan (WI)
Carter	King (IA)	Scalise
Cassidy	King (NY)	Schilling
Chabot	Kingston	Schmidt
Chaffetz	Kinzinger (IL)	Schock
Coble	Kline	Schweikert
Coffman (CO)	Labrador	Scott (SC)
Cole	Lamborn	Scott, Austin
Conaway	Lance	Sensenbrenner
Connolly (VA)	Landry	Sessions
Cravaack	Lankford	Shimkus
Crawford	Latham	Shuster
Crenshaw	Latta	Simpson
Culberson	Lewis (CA)	Smith (NE)
Davis (KY)	Long	Smith (TX)
Denham	Lucas	Southerland
Dent	Luetkemeyer	Stearns
DesJarlais	Lummis	Stutzman
Diaz-Balart	Lungren, Daniel	Sullivan
Dold	E.	Terry
Dreier	Mack	Thompson (PA)
Duffy	Manzullo	Thornberry
Duncan (SC)	Marchant	Tiberi
Duncan (TN)	Marino	Tipton
Ellmers	McCarthy (CA)	Turner
Farenthold	McCaul	Upton
Fincher	McClintock	Walberg
Fitzpatrick	McCotter	Walden
Flake	McHenry	Walsh (IL)
Fleischmann	McKeon	Webster
Fleming	McKinley	West
Flores	McMorris	Westmoreland
Forbes	Rodgers	Whitfield
Fortenberry	Mica	Wilson (SC)
Fox	Miller (FL)	Wittman
Franks (AZ)	Miller (MI)	Womack
Frelinghuysen	Miller, Gary	Woodall
Gallegly	Mulvaney	Yoder
Gardner	Myrick	Young (FL)
Garrett	Neugebauer	Young (IN)

NOES—199

Ackerman	Bass (CA)	Blumenauer
Altmire	Becerra	Boren
Andrews	Berkley	Boswell
Baca	Berman	Brady (PA)
Baldwin	Bishop (GA)	Braley (IA)
Barrow	Bishop (NY)	Brown (FL)

Butterfield	Hirono	Perlmutter
Capps	Hochul	Peters
Capuano	Holden	Peterson
Cardoza	Holt	Pingree (ME)
Carnahan	Honda	Platts
Carney	Hoyer	Polis
Carson (IN)	Inslee	Price (NC)
Castor (FL)	Israel	Quigley
Chandler	Jackson (IL)	Rahall
Chu	Jackson Lee	Reyes
Cicilline	(TX)	Richardson
Clarke (MI)	Johnson (GA)	Richmond
Clarke (NY)	Johnson, E. B.	Ross (AR)
Clay	Kaptur	Rothman (NJ)
Cleaver	Keating	Roybal-Allard
Clyburn	Kildee	Ruppersberger
Cohen	Kind	Rush
Conyers	Kissell	Ryan (OH)
Cooper	Kucinich	Sánchez, Linda
Costa	Langevin	T.
Costello	Larsen (WA)	Sanchez, Loretta
Courtney	Larson (CT)	Sarbanes
Critz	LaTourette	Schakowsky
Crowley	Lee (CA)	Schiff
Cuellar	Levin	Schrader
Cummings	Lewis (GA)	Schwartz
Davis (CA)	Lipinski	Scott (VA)
Davis (IL)	LoBiondo	Scott, David
DeFazio	Loebisack	Serrano
DeGette	Lofgren, Zoe	Sewell
DeLauro	Lowe	Sherman
Deutch	Luján	Shuler
Dicks	Lynch	Sires
Dingell	Maloney	Smith (NJ)
Doggett	Markey	Smith (WA)
Donnelly (IN)	Matheson	Speier
Doyle	Matsui	Stark
Edwards	McCarthy (NY)	Sutton
Ellison	McCollum	Thompson (CA)
Emerson	McDermott	Thompson (MS)
Engel	McGovern	Tierney
Farr	McIntyre	Tonko
Fattah	McNerney	Towns
Filner	Meehan	Tsongas
Frank (MA)	Meeks	Van Hollen
Fudge	Michaud	Velázquez
Garamendi	Miller (NC)	Visclosky
Gerlach	Miller, George	Walz (MN)
Gingrey (GA)	Moore	Wasserman
Gonzalez	Moran	Schultz
Green, Al	Murphy (CT)	Waters
Green, Gene	Murphy (PA)	Watt
Grijalva	Nadler	Waxman
Grimm	Napolitano	Welch
Gutierrez	Neal	Wilson (FL)
Hanabusa	Oliver	Wolf
Hastings (FL)	Owens	Woolsey
Heinrich	Pallone	Wu
Higgins	Pascrell	Yarmuth
Himes	Pastor (AZ)	Young (AK)
Hinchey	Payne	
Hinojosa	Pelosi	

NOT VOTING—7

Eshoo	Rokita	Weiner
Giffords	Slaughter	
Rangel	Stivers	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is less than 1 minute remaining on this vote.

□ 1609

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FARR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FARR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 352, noes 70, not voting 10, as follows:

[Roll No. 422]

AYES—352

Ackerman	Dent	Johnson, Sam
Akin	DesJarlais	Jones
Alexander	Deutch	Jordan
Andrews	Diaz-Balart	Kaptur
Austria	Dicks	Keating
Baca	Dingell	Kelly
Bachmann	Doggett	Kildee
Bachus	Dold	Kind
Baldwin	Donnelly (IN)	King (NY)
Barletta	Doyle	Kingston
Barrow	Dreier	Kinzinger (IL)
Bartlett	Duffy	Kissell
Barton (TX)	Duncan (TN)	Kline
Bass (CA)	Edwards	Kucinich
Bass (NH)	Ellison	Lamborn
Becerra	Ellmers	Lance
Benishek	Engel	Landry
Berg	Farr	Langevin
Berkley	Fattah	Lankford
Berman	Filner	Larsen (WA)
Biggert	Fitzpatrick	Larson (CT)
Bilbray	Forbes	Latham
Bilirakis	Fortenberry	LaTourette
Bishop (GA)	Frank (MA)	Latta
Bishop (NY)	Frelinghuysen	Lee (CA)
Bishop (UT)	Fudge	Levin
Blumenauer	Gallely	Lewis (CA)
Bono Mack	Garamendi	Lewis (GA)
Boren	Gardner	Lipinski
Boswell	Gerlach	LoBiondo
Boustany	Gibbs	Loebuck
Brady (PA)	Gibson	Lofgren, Zoe
Braley (IA)	Gingrey (GA)	Lowe
Brooks	Gohmert	Luetkemeyer
Brown (FL)	Gonzalez	Lujan
Buchanan	Goodlatte	Lummis
Bucshon	Gosar	Lungren, Daniel
Burton (IN)	Green, Al	E.
Butterfield	Green, Gene	Lynch
Calvert	Griffin (AR)	Mack
Camp	Griffith (VA)	Maloney
Capito	Grijalva	Manzullo
Capps	Grimm	Marchant
Capuano	Guinta	Marino
Cardoza	Guthrie	Matsui
Carnahan	Gutierrez	McCarthy (CA)
Carney	Hall	McCarthy (NY)
Carson (IN)	Hanabusa	McCauley
Cassidy	Hanna	McCollum
Castor (FL)	Harper	McCotter
Chandler	Hartzler	McDermott
Chu	Hastings (FL)	McGovern
Cicilline	Hastings (WA)	McHenry
Clarke (MI)	Hayworth	McIntyre
Clarke (NY)	Heinrich	McKeon
Clay	Herrera Beutler	McKinley
Cleaver	Higgins	McMorris
Clyburn	Himes	Rodgers
Coble	Hinchee	McNerney
Coffman (CO)	Hinojosa	Meehan
Cohen	Hirono	Meeks
Cole	Hochul	Mica
Connolly (VA)	Holden	Michaud
Conyers	Holt	Miller (MI)
Cooper	Honda	Miller (NC)
Costa	Hoyer	Miller, George
Costello	Huizenga (MI)	Moore
Courtney	Hultgren	Moran
Cravaack	Hunter	Murphy (CT)
Crawford	Hurt	Murphy (PA)
Crenshaw	Inslee	Nadler
Critz	Israel	Napolitano
Crowley	Issa	Neal
Cummings	Jackson (IL)	Noem
Davis (CA)	Jackson Lee	Nugent
Davis (IL)	(TX)	Nunnelee
Davis (KY)	Jenkins	Olver
DeFazio	Johnson (GA)	Owens
DeGette	Johnson (IL)	Palazzo
DeLauro	Johnson (OH)	Pallone
Denham	Johnson, E. B.	Pascarella

Pastor (AZ)	Rush	Sullivan
Paulsen	Ryan (OH)	Sutton
Payne	Ryan (WI)	Terry
Pearce	Sanchez, Linda	Thompson (CA)
Pelosi	T.	Thompson (MS)
Pence	Sanchez, Loretta	Thompson (PA)
Perlmutter	Sarbanes	Tiberi
Peterson	Scalise	Tierney
Petri	Schakowsky	Tonko
Pingree (ME)	Schiff	Towns
Pitts	Schilling	Tsongas
Platts	Schmidt	Turner
Polis	Schock	Upton
Posey	Schrader	Van Hollen
Price (NC)	Schwartz	Velazquez
Quigley	Schweikert	Visclosky
Rahall	Scott (VA)	Walden
Reed	Scott, Austin	Walz (MN)
Rehberg	Scott, David	Wasserman
Reichert	Sensenbrenner	Schultz
Renacci	Serrano	Waters
Reyes	Sessions	Watt
Ribble	Sewell	Waxman
Richardson	Sherman	Webster
Richmond	Shimkus	Welch
Rigell	Shuler	West
Rivera	Shuster	Whitfield
Roe (TN)	Simpson	Wilson (FL)
Rogers (KY)	Sires	Wilson (SC)
Rogers (MI)	Smith (NE)	Wittman
Rohrabacher	Smith (NJ)	Wolf
Ros-Lehtinen	Smith (TX)	Womack
Roskam	Smith (WA)	Woolsey
Ross (AR)	Southerland	Wu
Ross (FL)	Speier	Yarmuth
Rothman (NJ)	Stark	Yoder
Roybal-Allard	Stearns	Young (FL)
Runyan	Stutzman	Young (IN)

NOES—70

Adams	Flake	Myrick
Aderholt	Fleischmann	Neugebauer
Altmire	Fleming	Nunes
Amash	Flores	Olson
Black	Foxx	Paul
Blackburn	Franks (AZ)	Peters
Bonner	Garrett	Poe (TX)
Brady (TX)	Gowdy	Pompeo
Broun (GA)	Granger	Price (GA)
Buerkle	Graves (GA)	Quayle
Burgess	Graves (MO)	Roby
Campbell	Harris	Rogers (AL)
Canseco	Heck	Rooney
Cantor	Hensarling	Royce
Carter	Huelskamp	Scott (SC)
Chabot	King (IA)	Thornberry
Chaffetz	Labrador	Tipton
Conaway	Long	Walberg
Cuellar	Lucas	Walsh (IL)
Culberson	Matheson	Westmoreland
Duncan (SC)	McClintock	Woodall
Emerson	Miller (FL)	Young (AK)
Fincher	Miller, Gary	
	Mulvaney	

NOT VOTING—10

Eshoo	Rangel	Stivers
Giffords	Rokita	Weiner
Hergert	Ruppersberger	
Markey	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1613

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 120, noes 304, not voting 8, as follows:

[Roll No. 423]

AYES—120

Adams	Gingrey (GA)	McKeon
Altmire	Goodlatte	Mica
Amash	Gosar	Miller (FL)
Bachmann	Gowdy	Miller, Gary
Bachus	Graves (GA)	Mulvaney
Bartlett	Green, Gene	Murphy (PA)
Barton (TX)	Griffith (VA)	Nugent
Benishek	Grimm	Nunes
Bishop (UT)	Harris	Paul
Black	Heinrich	Paulsen
Blackburn	Hensarling	Pence
Bono Mack	Herrera Beutler	Peters
Boustany	Himes	Petri
Brady (TX)	Huelskamp	Pitts
Brooks	Huizenga (MI)	Pompeo
Broun (GA)	Hultgren	Price (GA)
Burgess	Hunter	Quayle
Hurt	Inslee	Rohrabacher
Campbell	Issa	Royce
Cantor	Johnson (OH)	Ryan (WI)
Chabot	Johnson, Sam	Scalise
Chaffetz	Jones	Schilling
Chandler	Jordan	Schweikert
Coble	King (NY)	Scott (SC)
Coffman (CO)	Kline	Scott, Austin
Cooper	Labrador	Sensenbrenner
Cravaack	Lamborn	Sessions
Davis (KY)	Larsen (WA)	Stearns
Dent	Long	Stutzman
Doggett	Lummis	Terry
Duncan (SC)	Mack	Upton
Duncan (TN)	Maloney	Walberg
Flake	Manzullo	Walsh (IL)
Fleischmann	Marchant	West
Fleming	Matheson	Westmoreland
Foxx	McCarthy (CA)	Wilson (SC)
Franks (AZ)	McClintock	Woodall
Garrett	McCotter	Yoder
Gowdy	McHenry	Young (IN)

NOES—304

Ackerman	Capuano	DesJarlais
Aderholt	Cardoza	Deutch
Akin	Carnahan	Diaz-Balart
Alexander	Carney	Dicks
Andrews	Carson (IN)	Dingell
Austria	Carter	Dold
Baca	Cassidy	Donnelly (IN)
Baldwin	Castor (FL)	Doyle
Barletta	Chu	Dreier
Barrow	Cicilline	Duffy
Bass (CA)	Clarke (MI)	Edwards
Bass (NH)	Clarke (NY)	Ellison
Becerra	Clay	Ellmers
Berg	Cleaver	Emerson
Berkley	Clyburn	Engel
Berman	Cohen	Farenthold
Biggert	Cole	Farr
Bilirakis	Conaway	Fattah
Bishop (GA)	Connolly (VA)	Fincher
Bishop (NY)	Conyers	Fincher
Blumenauer	Costa	Fitzpatrick
Bonner	Costello	Flores
Boren	Courtney	Forbes
Boswell	Crawford	Fortenberry
Brady (PA)	Crenshaw	Frank (MA)
Braley (IA)	Critz	Frelinghuysen
Brown (FL)	Crowley	Fudge
Buchanan	Cuellar	Garamendi
Bucshon	Culberson	Gardner
Buerkle	Cummings	Gerlach
Butterfield	Davis (CA)	Gibbs
Calvert	Davis (IL)	Gohmert
Camp	DeFazio	Gonzalez
Canseco	DeGette	Granger
Capito	DeLauro	Graves (MO)
Capps	Denham	Green, Al

Griffin (AR) Matsui
Grijalva McCarthy (NY)
Guinta McCaul
Guthrie McCollum
Gutierrez McDermott
Hall McGovern
Hanabusa McIntyre
Hanna McKinley
Harper McMorris
Hartzler Rodgers
Hastings (FL) McNerney
Hastings (WA) Meehan
Hayworth Meeks
Heck Michaud
Henger Miller (MI)
Higgins Miller (NC)
Hinchey Miller, George
Hinojosa Moore
Hirono Moran
Hochul Murphy (CT)
Holden Myrick
Holt Nadler
Honda Napolitano
Hoyer Neal
Israel Neugebauer
Jackson (IL) Noem
Jackson Lee Nunnelee
(TX) Olson
Jenkins Oliver
Johnson (GA) Owens
Johnson (IL) Palazzo
Johnson, E. B. Pallone
Kaptur Pascarell
Keating Pastor (AZ)
Kelly Payne
Kildee Pearce
Kind Pelosi
King (IA) Perlmutter
Kingston Peterson
Kinzinger (IL) Pingree (ME)
Kissell Tipton
Kucinich Poe (TX)
Lance Polis
Landry Posey
Langevin Price (NC)
Lankford Quigley
Larson (CT) Rahall
Latham Reed
LaTourette Rehberg
Latta Reichert
Lee (CA) Renacci
Levin Reyes
Lewis (CA) Ribble
Lewis (GA) Richardson
Lipinski Richmond
LoBiondo Rivera
Loeback Roby
Lofgren, Zoe Roe (TN)
Lowey Rogers (AL)
Lucas Rogers (KY)
Luetkemeyer Rogers (MI)
Luján Rooney
Lungren, Daniel Ros-Lehtinen
E. Roskam
Lynch Ross (AR)
Marino Ross (FL)
Markey Rothman (NJ)

NOT VOTING—8

Bilbray Rangel Stivers
Eshoo Rokita Weiner
Giffords Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1618

Mr. TURNER changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHAFFETZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 83, noes 338, not voting 11, as follows:

[Roll No. 424]

AYES—83

Adams Garrett
Amash Gingrey (GA)
Bachmann Gohmert
Barton (TX) Goodlatte
Benishek Gowdy
Bilbray Graves (GA)
Bishop (UT) Griffith (VA)
Black Hensarling
Blackburn Herger
Bono Mack Huizenga (MI)
Brady (TX) Hultgren
Brooks Hurt
Broun (GA) Issa
Buerkle Johnson (OH)
Burgess Johnson, Sam
Burton (IN) Jordan
Campbell Labrador
Cantor Lamborn
Chabot Landry
Chaffetz Latta
Coble Long
Coffman (CO) Lummis
Duncan (SC) Mack
Flake Manzullo
Fleischmann McClintock
Fleming Mica
Fox Miller (FL)
Franks (AZ) Miller, Gary

NOES—338

Ackerman Cassidy
Aderholt Castor (FL)
Akin Chandler
Alexander Chu
Altmire Cicilline
Andrews Clarke (MI)
Austria Clarke (NY)
Baca Clay
Bachus Cleaver
Baldwin Clyburn
Barietta Cohen
Barrow Cole
Bartlett Conaway
Bass (CA) Connolly (VA)
Bass (NH) Conyers
Becerra Cooper
Berg Costa
Berkley Costello
Berman Courtney
Biggert Cravaack
Bilirakis Crawford
Bishop (GA) Crenshaw
Bishop (NY) Critz
Blumenauer Crowley
Bonner Cuellar
Boren Culberson
Boswell Cummings
Boustany Davis (CA)
Brady (PA) Davis (IL)
Braley (IA) Davis (KY)
Brown (FL) DeFazio
Buchanan DeGette
Bucshon DeLauro
Butterfield Denham
Calvert Dent
Camp DesJarlais
Canseco Deutch
Capito Diaz-Balart
Capps Dicks
Capuano Dingell
Cardoza Doggett
Carnahan Dold
Carney Donnelly (IN)
Carson (IN) Doyle
Carter Dreier

Heinrich Herrera Beutler
Higgins McKeon
Himes McKinley
Hinchey McMorris
Hinojosa Rodgers
Hirono McNerney
Hochul Meehan
Holden Meeks
Holt Michaud
Honda Miller (MI)
Hoyer Miller (NC)
Huelskamp Miller, George
Hunter Moore
Inslee Moran
Israel Murphy (CT)
Jackson (IL) Myrick
Jackson Lee Nadler
(TX) Napolitano
Jenkins Neal
Johnson (GA) Neugebauer
Johnson (IL) Noem
Johnson, E. B. Nugent
Jones Nunnelee
Kaptur Olson
Keating Oliver
Kelly Owens
Kildee Palazzo
Kind Pallone
King (IA) Pascarell
King (NY) Pastor (AZ)
Kingston Paulsen
Kinzinger (IL) Payne
Kissell Pearce
Kline Pelosi
Kucinich Perlmutter
Lance Peters
Langevin Peterson
Lankford Pingree (ME)
Larsen (WA) Platts
Larson (CT) Poe (TX)
Latham Polis
LaTourette Posey
Lee (CA) Price (NC)
Levin Quayle
Lewis (CA) Quigley
Lewis (GA) Rahall
Lipinski Reed
LoBiondo Rehberg
Loeback Reichert
Lofgren, Zoe Renacci
Lowey Reyes
Lucas Ribble
Luetkemeyer Richardson
Luján Richmond
Lungren, Daniel Rigell
E. Rivera
Lynch Roby
Maloney Roe (TN)
Marchant Rogers (AL)
Marino Rogers (KY)
Markey Rogers (MI)
Matheson Rooney
Matsui Ros-Lehtinen
McCarthy (CA) Ross (AR)
McCarthy (NY) Ross (FL)
McCaul Rothman (NJ)
McCollum Roybal-Allard
McCotter Runyan
McDermott Ruppersberger

NOT VOTING—11

Ellison McHenry Stivers
Eshoo Rangel Sullivan
Gardner Rokita Weiner
Giffords Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 1621

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 125, noes 298, not voting 9, as follows:

[Roll No. 425]

AYES—125

Adams	Graves (GA)	Murphy (PA)
Amash	Green, Gene	Nugent
Bachmann	Griffith (VA)	Nunes
Bartlett	Grimm	Paul
Barton (TX)	Harris	Paulsen
Benishek	Heinrich	Pence
Bilirakis	Hensarling	Peters
Bishop (UT)	Herger	Petri
Black	Herrera Beutler	Pitts
Blackburn	Hochul	Polis
Bono Mack	Huizenga (MI)	Pompeo
Brady (TX)	Hultgren	Price (GA)
Broun (GA)	Hunter	Quayle
Bucshon	Hurt	Ribble
Buerkle	Insee	Rigell
Burgess	Issa	Roe (TN)
Burton (IN)	Johnson (OH)	Rogers (MI)
Calvert	Johnson, Sam	Rohrabacher
Campbell	Jordan	Rooney
Cantor	King (NY)	Roskam
Chabot	Kline	Ross (FL)
Chaffetz	Labrador	Royce
Coble	Lamborn	Ryan (WI)
Coffman (CO)	Landry	Scalise
Cooper	Larsen (WA)	Schweikert
Dent	Lewis (CA)	Scott (SC)
Doggett	Long	Scott, Austin
Duncan (SC)	Lummis	Sensenbrenner
Duncan (TN)	Lungren, Daniel	Sessions
Fitzpatrick	E.	Smith (WA)
Flake	Mack	Stearns
Fleischmann	Manzullo	Stutzman
Fleming	Matheson	Terry
Foxx	McCarthy (CA)	Walberg
Franks (AZ)	McClintock	Walsh (IL)
Gallegly	McCotter	Westmoreland
Garrett	McHenry	Wilson (SC)
Gibson	McKeon	Woodall
Gingrey (GA)	Mica	Yoder
Goodlatte	Miller (FL)	Young (AK)
Gosar	Miller, Gary	Young (FL)
Gowdy	Mulvaney	Young (IN)

NOES—298

Ackerman	Brady (PA)	Cole
Aderholt	Braley (IA)	Conaway
Akin	Brooks	Connolly (VA)
Alexander	Brown (FL)	Conyers
Altmire	Buchanan	Costa
Andrews	Butterfield	Costello
Austria	Camp	Courtney
Baca	Canseco	Cravaack
Bachus	Capito	Crawford
Baldwin	Capps	Crenshaw
Barletta	Capuano	Critz
Barrow	Cardoza	Crowley
Bass (CA)	Carmahan	Cuellar
Bass (NH)	Carney	Culberson
Becerra	Carson (IN)	Cummings
Berg	Carter	Davis (CA)
Berkley	Cassidy	Davis (IL)
Berman	Castor (FL)	Davis (KY)
Biggert	Chandler	DeFazio
Bilbray	Chu	DeGette
Bishop (GA)	Cicilline	DeLauro
Bishop (NY)	Clarke (MI)	Denham
Blumenauer	Clarke (NY)	DesJarlais
Bonner	Clay	Deutch
Boren	Cleaver	Diaz-Balart
Boswell	Clyburn	Dicks
Boustany	Cohen	Dingell

Dold	Lankford	Rivera
Donnelly (IN)	Larson (CT)	Roby
Doyle	Latham	Rogers (AL)
Dreier	LaTourette	Ros-Lehtinen
Duffy	Latta	Ross (AR)
Edwards	Lee (CA)	Rothman (NJ)
Ellison	Levin	Roybal-Allard
Ellmers	Lewis (GA)	Runyan
Emerson	Lipinski	Ruppersberger
Engel	LoBiondo	Rush
Farenthold	Loeb sack	Ryan (OH)
Farr	Lofgren, Zoe	Sánchez, Linda
Fattah	Lowey	T.
Filner	Lucas	Sanchez, Loretta
Fincher	Luetkemeyer	Sarbanes
Flores	Lujan	Schakowsky
Forbes	Lynch	Schiff
Fortenberry	Maloney	Schilling
Frelinghuysen	Marchant	Schmidt
Fudge	Marino	Schock
Garamendi	Markey	Schrader
Gardner	Matsui	Schwartz
Gerlach	McCarthy (NY)	Scott (VA)
Gibbs	McCaul	Scott, David
Gohmert	McCollum	Serrano
Gonzalez	McDermott	Sewell
Granger	McGovern	Sherman
Graves (MO)	McIntyre	Shimkus
Green, Al	McKinley	Shuler
Griffin (AR)	McMorris	Shuster
Grijalva	Rodgers	Simpson
Guinea	McNerney	Sires
Guthrie	Meehan	Smith (NE)
Gutierrez	Meeks	Smith (NJ)
Hall	Michaud	Smith (TX)
Hanabusa	Miller (MI)	Southerland
Hanna	Miller (NC)	Speier
Harper	Miller, George	Stark
Hartzler	Moore	Sullivan
Hastings (FL)	Moran	Sutton
Hastings (WA)	Murphy (CT)	Thompson (CA)
Hayworth	Myrick	Thompson (MS)
Heck	Nadler	Thompson (PA)
Higgins	Napolitano	Thornberry
Himes	Neal	Tiberi
Hinchee	Neugebauer	Tierney
Hinojosa	Noem	Tipton
Hirono	Nunnelee	Tonko
Holden	Olson	Towns
Holt	Oliver	Tsongas
Honda	Owens	Turner
Hoyer	Palazzo	Upton
Huelskamp	Pallone	Van Hollen
Israel	Pascrell	Velázquez
Jackson (IL)	Pastor (AZ)	Walden
Jackson Lee	Payne	Walsh (MN)
(TX)	Pearce	Wasserman
Jenkins	Pelosi	Schultz
Johnson (GA)	Perlmutter	Pingree (ME)
Johnson (IL)	Peterson	Platts
Johnson, E. B.	Pingree (ME)	Poe (TX)
Jones	Poe (TX)	Posney
Kaptur	Price (NC)	Quigley
Keating	Rahall	Reed
Kelly	Reid	Rehberg
Kildee	Reich	Reichert
Kind	Renacci	Richardson
King (IA)	Reyes	Richmond
Kingston	Richardson	Rangel
Kinzinger (IL)	Richmond	Rogers (KY)
Kissell	Rangel	Rokita
Kucinich	Rogers (KY)	Slaughter
Lance	Rokita	Stivers
Langevin		Weiner

NOT VOTING—9

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1624

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CLARKE OF

MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Michigan (Mr. CLARKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 142, noes 282, not voting 8, as follows:

[Roll No. 426]

AYES—142

Ackerman	Grijalva	Murphy (CT)
Andrews	Gutierrez	Nadler
Baca	Hanabusa	Napolitano
Baldwin	Hanna	Neal
Bass (CA)	Harris	Oliver
Becerra	Heinrich	Pallone
Benishek	Higgins	Pascrell
Berkley	Himes	Payne
Berman	Hinchee	Pelosi
Bono Mack	Hirono	Pitts
Braley (IA)	Hochul	Posey
Brown (FL)	Holden	Quigley
Burton (IN)	Holt	Renacci
Butterfield	Honda	Reyes
Capito	Hoyer	Roybal-Allard
Capps	Inslee	Rush
Carnahan	Jackson Lee	Ryan (OH)
Castor (FL)	(TX)	Sánchez, Linda
Chandler	Johnson (GA)	T.
Chu	Johnson (IL)	Sarbanes
Cicilline	Johnson (OH)	Schiff
Clarke (MI)	Johnson, E. B.	Schmidt
Clarke (NY)	Jones	Schock
Clay	Kaptur	Schwartz
Cohen	Keating	Scott, David
Connolly (VA)	Kildee	Serrano
Conyers	Kinzing (IL)	Sewell
Cooper	Kissell	Sherman
Critz	Kucinich	Sires
Crowley	Langevin	Smith (WA)
Cummings	Larsen (WA)	Stark
Davis (IL)	Larson (CT)	Sutton
DeFazio	Lee (CA)	Thompson (CA)
DeGette	Lewis (GA)	Thompson (MS)
DeLauro	Lipinski	Tonko
Deutch	Loeb sack	Towns
Dicks	Lofgren, Zoe	Tsongas
Dingell	Lowey	Van Hollen
Ellison	Lujan	Velázquez
Engel	Mack	Walsh (MN)
Fattah	Markey	Wasserman
Filner	Matsui	Schultz
Frank (MA)	McDermott	Waters
Fudge	McGovern	Waxman
Garamendi	McNerney	Welch
Gibson	Meeks	Wilson (FL)
Gingrey (GA)	Michaud	Yarmuth
Gohmert	Miller (MI)	
Green, Al	Moore	

NOES—282

Adams	Bishop (GA)	Calvert
Aderholt	Bishop (NY)	Camp
Akin	Bishop (UT)	Campbell
Alexander	Black	Canseco
Altmire	Blackburn	Cantor
Amash	Blumenauer	Capuano
Austria	Bonner	Cardoza
Bachmann	Boren	Carney
Bachus	Boswell	Carson (IN)
Barletta	Boustany	Carter
Barrow	Brady (PA)	Cassidy
Bartlett	Brady (TX)	Chabot
Barton (TX)	Brooks	Chaffetz
Bass (NH)	Broun (GA)	Cleaver
Berg	Buchanan	Clyburn
Biggert	Bucshon	Coble
Bilbray	Buerkle	Coffman (CO)
Bilirakis	Burgess	Conaway

Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jenkins
Johnson, Sam

Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McColum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis
Pompeo
Price (GA)
Price (NC)
Quayle

Rahall
Reed
Rehberg
Reichert
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schakowsky
Schilling
Schradler
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Speier
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Visclosky
Walberg
Duncan (TN)
Farenthold
Flake
Fleischmann
Fleming
Foss
Franks (AZ)
Garrett
Gerlach
Gingrey (GA)

NOT VOTING—8

Cole
Eshoo
Giffords

Rangel
Rokita
Slaughter

Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 1628

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. BROUN OF
GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. BROUN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 107, noes 318,
not voting 7, as follows:

[Roll No. 427]

AYES—107

Adams
Amash
Bachmann
Bachus
Bartlett
Barton (TX)
Benishek
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Coffman (CO)
Cooper
Cummings
Doggett
Duncan (SC)
Duncan (TN)
Matheson
Farenthold
Flake
Fleischmann
Fleming
Foss
Franks (AZ)
Garrett
Gerlach
Gingrey (GA)

Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Hensarling
Himes
Huizenga (MI)
Hultgren
Hunter
Hurt
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kline
Labrador
Lamborn
Landry
Long
Lummis
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McClintock
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Mulaney
Murphy (PA)

Nugent
Nunes
Paul
Paulsen
Pence
Perlmutter
Peters
Petri
Polis
Price (GA)
Quayle
Rigell
Roe (TN)
Rohrabacher
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Smith (WA)
Stearns
Stutzman
Tiberi
Walberg
Walsh (IL)
West
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (IN)

NOES—318

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Baldwin
Barietta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell

Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay

Cleaver
Clyburn
Coble
Cohen
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent

DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Inslie
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston

Kinzing (IL)
Kissell
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Marino
Markay
Matsui
McCarthy (NY)
McCaul
McColum
McCotter
McDermott
McGovern
McIntyre
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Payne
Pearce
Pelosi
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes

Ribble
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Eshoo
Giffords
Rangel

Rokita
Slaughter
Stivers

Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (during the vote).
One minute remains in this vote.

□ 1631

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. RICHARDSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. RICHARDSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 224, not voting 8, as follows:

[Roll No. 428]

AYES—200

Ackerman	Fattah	Matsui
Altmire	Filner	McCarthy (NY)
Andrews	Fitzpatrick	McCollum
Baca	Fortenberry	McDermott
Baldwin	Frank (MA)	McGovern
Barrow	Fudge	McNerney
Bass (CA)	Garamendi	Meehan
Bass (NH)	Gerlach	Miller (NC)
Becerra	Greigrey (GA)	Moore
Benishek	Gonzalez	Moran
Berkley	Green, Al	Murphy (CT)
Berman	Green, Gene	Murphy (PA)
Bishop (GA)	Grijalva	Nadler
Bishop (NY)	Grimm	Napolitano
Blumenauer	Gutierrez	Neal
Boren	Hanabusa	Oliver
Brady (PA)	Hanna	Pallone
Braley (IA)	Hastings (FL)	Pascarell
Brown (FL)	Hayworth	Pastor (AZ)
Butterfield	Heck	Payne
Capito	Heinrich	Pelosi
Capps	Herger	Perlmutter
Capuano	Higgins	Peters
Carahan	Himes	Platts
Carney	Hinchey	Polis
Carson (IN)	Hinojosa	Price (NC)
Castor (FL)	Hirono	Quigley
Chandler	Hochul	Rahall
Chu	Holt	Reyes
Cicilline	Honda	Richardson
Clarke (MI)	Clarke (NY)	Richmond
Clarke (NY)	Inslee	Rivera
Clay	Jackson (IL)	Rohrabacher
Cleaver	Jackson Lee	Ros-Lehtinen
Coffman (CO)	(TX)	Ross (AR)
Cohen	Johnson (GA)	Rothman (NJ)
Connolly (VA)	Johnson, E. B.	Roybal-Allard
Conyers	Kaptur	Ruppersberger
Cooper	Keating	Rush
Costello	Kelly	Ryan (OH)
Courtney	Kildee	Sánchez, Linda
Critz	Kind	T.
Crowley	Kissell	Sanchez, Loretta
Cummings	Kucinich	Sarbanes
Davis (CA)	Langevin	Schakowsky
Davis (IL)	Larsen (WA)	Schiff
DeFazio	Larson (CT)	Schrader
DeGette	Lee (CA)	Schwartz
DeLauro	Levin	Scott (VA)
Dent	Lewis (GA)	Scott, David
Deutch	Lipinski	Serrano
Diaz-Balart	LoBiondo	Sewell
Dicks	Lofgren, Zoe	Sherman
Dingell	Lowey	Shuster
Doggett	Lujan	Sires
Dold	Lynch	Smith (WA)
Donnelly (IN)	Maloney	Speier
Doyle	Manzullo	Stark
Ellison	Marchant	Sutton
Emerson	Marino	Thompson (CA)
Engel	Markey	Thompson (MS)
Farr	Matheson	Tierney

Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Clyburn
Coble
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gossar

Wasserman
Schultz
Waters
Watt
Waxman
Welch

NOES—224

Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Loeb
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

West
Wilson (FL)
Wu
Yarmuth
Young (AK)

□ 1634

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment A offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 139, noes 285, not voting 8, as follows:

[Roll No. 429]

AYES—139

Adams	Goodlatte	Olson
Akin	Gosar	Owens
Amash	Gowdy	Paul
Bachmann	Graves (GA)	Paulsen
Barletta	Griffith (VA)	Pearce
Bartlett	Guinta	Pence
Barton (TX)	Harper	Petri
Benishek	Harris	Pitts
Bishop (UT)	Hartzler	Pompeo
Black	Heinrich	Posey
Blackburn	Hensarling	Quayle
Boren	Hinchey	Reed
Boswell	Hinojosa	Renacci
Brady (TX)	Hochul	Richardson
Brooks	Huizenga (MI)	Rogers (MI)
Broun (GA)	Hultgren	Rooney
Buchanan	Hunter	Roskam
Buerkle	Hurt	Ross (FL)
Burgess	Johnson (OH)	Royce
Burton (IN)	Johnson, Sam	Ryan (WI)
Calvert	Jones	Scalise
Campbell	Jordan	Schilling
Canseco	King (IA)	Schmidt
Chabot	Kline	Schock
Chaffetz	Lamborn	Schrader
Coble	Landry	Schweikert
Coffman (CO)	Lankford	Scott (SC)
Conaway	Latta	Scott, Austin
Cooper	Luetkemeyer	Sensenbrenner
Cravaack	Lujan	Sessions
Duffy	Lummis	Shimkus
Duncan (SC)	Mack	Shuster
Duncan (TN)	Manzullo	Simpson
Ellmers	Marchant	Southerland
Farenthold	Marino	Stearns
Flake	McClintock	Stutzman
Fleischmann	McHenry	Sullivan
Fleming	McIntyre	Terry
Flores	McKinley	Tipton
Foxy	Mica	Walberg
Franks (AZ)	Miller (FL)	Walsh (IL)
Gardner	Miller, Gary	Webster
Gibbs	Mulvaney	Westmoreland
Gibson	Murphy (PA)	Woodall
Greigrey (GA)	Neugebauer	Yoder
Gohmert	Nugent	
Gonzalez	Nunes	

NOES—285

Ackerman	Bass (CA)	Bishop (NY)
Aderholt	Bass (NH)	Blumenauer
Alexander	Becerra	Bonner
Altmire	Berg	Bono Mack
Andrews	Berkley	Boustany
Austria	Berman	Brady (PA)
Baca	Biggart	Braley (IA)
Bachus	Bilbray	Brown (FL)
Baldwin	Bilirakis	Bucshon
Barrow	Bishop (GA)	Butterfield

NOT VOTING—8

Brady (TX)	Rangel	Stivers
Eshoo	Rokita	Weiner
Giffords	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in this vote.

Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Finler
Fincher
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett
Gerlach
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Herrera Beutler

Higgins
Himes
Hirono
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Long
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McKeon
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunnelee
Oliver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter

Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rehberg
Reichert
Reyes
Ribble
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
One minute remains in this vote.

□ 1637

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF
GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on amendment A offered by the
gentleman from Georgia (Mr. BROUN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 64, noes 360,
not voting 8, as follows:

[Roll No. 430]

AYES—64

Amash
Bachmann
Bartlett
Black
Blackburn
Brady (TX)
Brooks
Broun (GA)
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Duncan (SC)
Duncan (TN)
Flake
Fleming
Foxy
Franks (AZ)
Garrett
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Hensarling
Herger
Huelskamp
Hunter
Hurt
Johnson, Sam
Jordan
King (IA)
Lamborn
Long
Mack
Manzullo
Marchant
McClintock
McHenry
Miller (FL)
Miller, Gary
Mulvaney
Paul
Pence
Petri
Poe (TX)
Pompeo
Price (GA)
Rohrabacher
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southernland
Stearns
Stutzman
Walsh (IL)
Wilson (SC)
Woodall

NOES—360

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishke
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)

Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Finler
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)

Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polls
Posey
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradner
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Nugent
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Eshoo
Giffords
Herger
Rangel
Rokita
Slaughter
Stivers
Weiner

NOT VOTING—8

Eshoo	Rangel	Stivers
Giffords	Rokita	Weiner
McDermott	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1641

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MS. FOXX

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 306, not voting 7, as follows:

[Roll No. 431]

AYES—119

Adams	Gowdy	Paul
Amash	Graves (GA)	Pearce
Bachmann	Graves (MO)	Pence
Bartlett	Griffith (VA)	Petri
Barton (TX)	Hall	Pitts
Benishek	Harris	Poe (TX)
Bishop (UT)	Hartzler	Pompeo
Black	Hensarling	Price (GA)
Blackburn	Herger	Quayle
Boustany	Huelskamp	Renacci
Brady (TX)	Huizenga (MI)	Ribble
Brooks	Hunter	Rohrabacher
Broun (GA)	Hurt	Rooney
Buerkle	Issa	Roskam
Burgess	Jenkins	Ross (FL)
Burton (IN)	Johnson, Sam	Royce
Campbell	Jordan	Ryan (WI)
Canseco	King (IA)	Scalise
Cantor	Kline	Schweikert
Carter	Labrador	Scott (SC)
Chabot	Lamborn	Scott, Austin
Chaffetz	Landry	Sensenbrenner
Coble	Lankford	Sessions
Cole	Latta	Shimkus
Conaway	Long	Smith (NE)
Culberson	Lummis	Southerland
Duncan (SC)	Lungren, Daniel	Stearns
Duncan (TN)	E.	Stutzman
Ellmers	Mack	Sullivan
Fincher	Manzullo	Terry
Flake	Marchant	Thornberry
Fleischmann	McCarthy (CA)	Walberg
Fleming	McClintock	Walsh (IL)
Flores	McHenry	Webster
Foxx	Mica	Westmoreland
Franks (AZ)	Miller (FL)	Wilson (SC)
Garrett	Miller, Gary	Woodall
Gibbs	Mulvaney	Yoder
Gingrey (GA)	Myrick	Young (AK)
Goodlatte	Neugebauer	Young (IN)

NOES—306

Ackerman	Baca	Becerra
Aderholt	Bachus	Berg
Akin	Baldwin	Berkley
Alexander	Barletta	Berman
Altmire	Barrow	Biggart
Andrews	Bass (CA)	Bilbray
Austria	Bass (NH)	Bilirakis

Bishop (GA)	Guthrie	Olson
Bishop (NY)	Gutierrez	Olver
Blumenauer	Hanabusa	Owens
Bonner	Hanna	Palazzo
Bono Mack	Harper	Pallone
Boren	Hastings (FL)	Pascarell
Boswell	Hastings (WA)	Pastor (AZ)
Brady (PA)	Hayworth	Paulsen
Braley (IA)	Heck	Payne
Brown (FL)	Heinrich	Pelosi
Buchanan	Herrera Beutler	Perlmutter
Bucshon	Higgins	Peters
Butterfield	Himes	Peterson
Calvert	Hinchey	Pingree (ME)
Camp	Hinojosa	Platts
Capito	Hirono	Polis
Capps	Hochul	Posey
Capuano	Holden	Price (NC)
Cardoza	Holt	Quigley
Carnahan	Honda	Rahall
Carney	Hoyer	Reed
Carson (IN)	Hultgren	Rehberg
Cassidy	Inslee	Reichert
Castor (FL)	Israel	Reyes
Chandler	Jackson (IL)	Richardson
Chu	Jackson Lee	Richmond
Cicilline	(TX)	Rigell
Clarke (MI)	Johnson (GA)	Rivera
Clarke (NY)	Johnson (IL)	Roby
Clay	Johnson (OH)	Roe (TN)
Cleaver	Johnson, E. B.	Rogers (AL)
Clyburn	Jones	Rogers (KY)
Coffman (CO)	Kaptur	Rogers (MI)
Cohen	Keating	Ros-Lehtinen
Connolly (VA)	Kelly	Ross (AR)
Conyers	Kildee	Rothman (NJ)
Cooper	Kind	Roybal-Allard
Costa	King (NY)	Runyan
Costello	Kingston	Ruppersberger
Courtney	Kinzinger (IL)	Rush
Cravaack	Kissell	Ryan (OH)
Crawford	Kucinich	Sánchez, Linda
Crenshaw	Lance	T.
Critz	Langevin	Sanchez, Loretta
Crowley	Larsen (WA)	Sarbanes
Cuellar	Larson (CT)	Schakowsky
Cummings	Latham	Schiff
Davis (CA)	LaTourette	Schilling
Davis (IL)	Lee (CA)	Schmidt
Davis (KY)	Levin	Schock
DeFazio	Lewis (CA)	Schrader
DeGette	Lewis (GA)	Schwartz
DeLauro	Lipinski	Scott (VA)
Denham	LoBiondo	Scott, David
Dent	Loebach	Serrano
DesJarlais	Lofgren, Zoe	Sewell
Deutch	Lowe	Sherman
Diaz-Balart	Lucas	Shuler
Dicks	Luetkemeyer	Shuster
Dingell	Luján	Simpson
Doggett	Lynch	Sires
Dold	Maloney	Smith (NJ)
Donnelly (IN)	Marino	Smith (TX)
Doyle	Markey	Smith (WA)
Dreier	Matheson	Speier
Duffy	Matsui	Sutton
Edwards	McCarthy (NY)	Thompson (CA)
Ellison	McCaul	Thompson (MS)
Emerson	McCollum	Thompson (PA)
Engel	McCotter	Tiberi
Farenthold	McDermott	Tierney
Farr	McGovern	Tipton
Fattah	McIntyre	Tonko
Filner	McKeon	Towns
Fitzpatrick	McKinley	Tsongas
Forbes	McMorris	Turner
Fortenberry	Rodgers	Upton
Frank (MA)	McNerney	Van Hollen
Frelinghuysen	Meehan	Velázquez
Fudge	Meeks	Visclosky
Galleghy	Michaud	Walden
Garamendi	Miller (MI)	Walz (MN)
Gardner	Miller (NC)	Wasserman
Gerlach	Miller, George	Schultz
Gibson	Moore	Waters
Gohmert	Moran	Watt
Gonzalez	Murphy (CT)	Waxman
Gosar	Murphy (PA)	Welch
Granger	Nadler	West
Green, Al	Napolitano	Whitfield
Green, Gene	Neal	Wilson (FL)
Griffin (AR)	Noem	Wittman
Grijalva	Nugent	
Grimm	Nunes	
Quinta	Nunnelee	

Wolf	Woolsey	Yarmuth
Womack	Wu	Young (FL)

NOT VOTING—7

Eshoo	Rokita	Weiner
Giffords	Slaughter	
Rangel	Stivers	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1644

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 324, not voting 9, as follows:

[Roll No. 432]

AYES—99

Amash	Garrett	Paul
Bachmann	Gingrey (GA)	Pearce
Bartlett	Gohmert	Pence
Barton (TX)	Goodlatte	Petri
Benishek	Gosar	Price (GA)
Bilbray	Gowdy	Quayle
Bishop (UT)	Graves (GA)	Ribble
Black	Green, Gene	Rigell
Blackburn	Griffith (VA)	Roe (TN)
Brady (TX)	Hall	Rohrabacher
Brooks	Harris	Rooney
Broun (GA)	Hensarling	Roskam
Buchanan	Hultgren	Ross (FL)
Buerkle	Hurt	Royce
Burgess	Johnson (OH)	Ryan (WI)
Burton (IN)	Johnson, Sam	Scalise
Campbell	Jordan	Schilling
Cantor	Lamborn	Schweikert
Chabot	Landry	Scott (SC)
Chaffetz	Latta	Sensenbrenner
Coble	Long	Sessions
Cole	Lummis	Stearns
Conaway	Lungren, Daniel	Stutzman
Culberson	E.	Terry
Duncan (SC)	Mack	Visclosky
Duncan (TN)	Manzullo	Walberg
Ellmers	Marchant	Walsh (IL)
Fincher	McClintock	Webster
Flake	McHenry	Woodall
Fleischmann	Miller (FL)	Young (AK)
Fleming	Miller, Gary	Young (FL)
Flores	Mulvaney	Young (IN)
Foxx	Murphy (PA)	
Franks (AZ)	Pastor (AZ)	

NOES—324

Ackerman	Baldwin	Bilirakis
Adams	Barletta	Bishop (GA)
Aderholt	Barrow	Bishop (NY)
Akin	Bass (CA)	Blumenauer
Alexander	Bass (NH)	Bonner
Altmire	Becerra	Bono Mack
Andrews	Berg	Boren
Austria	Berkley	Boswell
Baca	Berman	Boustany
Bachus	Biggart	Brady (PA)

Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth

Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeback
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lynch
Maloney
Marino
Markley
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee

Olson
Olver
Owens
Palazzo
Pallone
Pascarelli
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schock
Schradler
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Westmoreland

Whitfield
Wilson (FL)
Wilson (SC)
Wittman

Wolf
Womack
Woolsey
Wu

Yarmuth
Yoder

Walden
Walsh (IL)

Webster
Westmoreland

Woodall
Yoder

NOES—300

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connelly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth

NOT VOTING—9

Eshoo
Giffords
Herger
LaTourette
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1647

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Stated for:

Mr. HERGER. Mr. Chair, on rollcall No. 432,
I was unavoidably detained. Had I been
present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on amendment B offered by the
gentleman from Arizona (Mr. GOSAR)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 124, noes 300,
not voting 8, as follows:

[Roll No. 433]

AYES—124

Adams
Amash
Lujan
Lynch
Maloney
Marino
Markley
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee

Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffin (AR)
Griffith (VA)
Guinta
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jordan
King (IA)
Kline
Labrador
Lamborn
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock

McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Paulsen
Pearce
Pence
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Reed
Renacci
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Sullivan
Terry
Tipton
Upton
Walberg

Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel

Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth

McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rehberg
Reichert
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)

Thompson (PA) Walz (MN)
Thornberry Wasserman
Tiberi Schultz
Tierney Waters
Tonko Watt
Towns Waxman
Tsongas Welch
Turner West
Van Hollen Whitfield
Velázquez Wilson (FL)
Visclosky Wilson (SC)

NOT VOTING—8

Eshoo Rangel Stivers
Giffords Rokita Weiner
Paul Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1651

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF
GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on amendment B offered by the
gentleman from Georgia (Mr. BROUN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 108, noes 316,
not voting 8, as follows:

[Roll No. 434]

AYES—108

Amash Gohmert Mulvaney
Bachmann Goodlatte Murphy (PA)
Bartlett Gosar Neugebauer
Barton (TX) Gowdy Nugent
Benishek Graves (GA) Nunes
Bilbray Griffin (AR) Pearce
Bishop (UT) Griffith (VA) Pence
Black Guinta Petri
Blackburn Hall Poe (TX)
Bono Mack Harris Pompeo
Brady (TX) Hensarling Posey
Brooks Herger Price (GA)
Broun (GA) Huizenga (MI) Quayle
Buerkle Hultgren Rohrabacher
Burgess Hurt Rooney
Burton (IN) Issa Roskam
Campbell Johnson (OH) Ross (FL)
Canseco Johnson, Sam Royce
Cantor Jordan Ryan (WI)
Chabot Kline Scalise
Chaffetz Labrador Schmidt
Coffman (CO) Lamborn Schweikert
Conaway Landry Scott (SC)
Cravaack Lankford Scott, Austin
Culberson Latta Scott, Austin
Duncan (SC) Long Sensenbrenner
Farenthold Mack Sessions
Flake Manzullo Southerland
Fleischmann Marchant Stearns
Fleming McCarthy (CA) Stutzman
Flores McClintock Sullivan
Foxx McHenry Walberg
Franks (AZ) Miller (FL) Walsh (IL)
Garrett Miller, Gary
Gingrey (GA)

Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison

Webster
Westmoreland

Wilson (SC)
Woodall

NOES—316

Ellmers
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Hunter
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis

Yoder
Young (IN)

Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Eshoo Rangel Stivers
Giffords Rokita Weiner
Paul Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is less than 1 minute remaining
in this vote.

□ 1655

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF
GEORGIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. BROUN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 120, noes 303,
not voting 9, as follows:

[Roll No. 435]

AYES—120

Adams Duncan (SC) Hurt
Amash Duncan (TN) Issa
Bachmann Ellmers Johnson (OH)
Bartlett Farenthold Johnson, Sam
Bilbray Flake Jordan
Benishek Fleischmann Kline
Bilbray Fleming Labrador
Bishop (UT) Flores Lamborn
Black Foxx Landry
Blackburn Franks (AZ) Latta
Bono Mack Garrett Long
Boustany Gingrey (GA) Lummis
Brady (TX) Gohmert Mack
Brooks Goodlatte Manzullo
Broun (GA) Gosar Marchant
Buerkle Gowdy McCarthy (CA)
Burton (IN) Graves (GA) McClintock
Campbell Graves (MO) McHenry
Canseco Griffith (VA) Mica
Cantor Guinta Miller (FL)
Cassidy Hall Miller, Gary
Chabot Harper Mulvaney
Chaffetz Harris Murphy (PA)
Coffman (CO) Hastings (WA) Myrick
Conaway Hensarling Neugebauer
Cravaack Herger Nugent
Culberson Huizenga (MI) Nunes
Duffy Hunter Pence
Petri

Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Rohrabacher
Rooney
Roskam
Ross (FL)

Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns

Stutzman
Terry
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Young (FL)
Young (IN)

Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires

Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen

Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)

Jones
Jordan
Kelly
King (IA)
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
McCarthy (CA)
McClintock
McHenry
McKinley
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney

Murphy (PA)
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Pastor (AZ)
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Renacci
Ribble
Rigell
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce

Ryan (WI)
Scalise
Nugent
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Tipton
Upton
Walberg
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)

NOES—303

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggart
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Green, Gene
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)

Doyle
Dreier
Edwards
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Hartzer
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski

LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel
E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush

Ellison
Eshoo
Giffords

Paul
Rangel
Rokita

Slaughter
Stivers
Weiner

NOT VOTING—9

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1659

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STEARNS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 257, not voting 11, as follows:

[Roll No. 436]

AYES—164

Adams
Aderholt
Amash
Austria
Bachmann
Barletta
Bartlett
Barton (TX)
Benishak
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot

Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Flores
Forbes
Fox
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam

Ackerman
Akin
Alexander
Altmire
Andrews
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Cantor
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch

NOES—257

Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Fitzpatrick
Fleming
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Kildee
Kind
King (NY)
Kingston
Kissell
Kucinich
Lance
Langevin

Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Pallone
Pascarell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Reed
Rehberg
Reichert
Reyes

Richardson	Schwartz	Tonko
Richmond	Scott (VA)	Towns
Rivera	Scott, David	Tsongas
Roby	Serrano	Turner
Rogers (AL)	Sewell	Van Hollen
Ros-Lehtinen	Sherman	Velázquez
Ross (AR)	Shinkus	Visclosky
Rothman (NJ)	Shuler	Walden
Roybal-Allard	Shuster	Walz (MN)
Runyan	Simpson	Wasserman
Ruppersberger	Sires	Schultz
Rush	Smith (NJ)	Waters
Ryan (OH)	Smith (WA)	Watt
Sánchez, Linda	Speier	Waxman
T.	Stark	Welch
Sanchez, Loretta	Sutton	West
Sarbanes	Terry	Wilson (FL)
Schakowsky	Thompson (CA)	Wolf
Schiff	Thompson (MS)	Woolsey
Schilling	Thompson (PA)	Wu
Schock	Tiberi	Yarmuth
Schrader	Tierney	Young (FL)

NOT VOTING—11

Burton (IN)	Paul	Stivers
Eshoo	Rangel	Weiner
Giffords	Rokita	Young (IN)
Keating	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1702

Mr. JONES changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Chair, I was unavoidably detained and missed rollcall vote Nos. 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, and 436. Had I been present, I would have voted “aye” on rollcall vote Nos. 420, 422, 426, and 428. I would have voted “no” on rollcall vote Nos. 421, 423, 424, 425, 427, 429, 430, 431, 432, 433, 434, 435, and 436.

Mr. LANCE. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. MYRICK). The gentleman from New Jersey is recognized for 5 minutes.

Mr. LANCE. The language of section 740 is within the jurisdiction of the Energy and Commerce Committee, on which I serve, and our committee is the appropriate forum for considering such language. Having said that, the House should know—and the Food and Drug Administration should know—that we agree with the spirit of the language and the goal of the members of the Appropriations Committee, who supported its inclusion in the bill.

After speaking with the sponsors of the language, we know that together we share a concern about what is happening at the FDA. We believe that policy decisions at the FDA should be based on science and not on any irrelevant consideration.

As much as officials at the FDA claim that their decisions are based on sound science, their recent actions give us pause. For example, 2 months ago, Chairman UPTON, along with Chairman LUCAS and Chairman GRAVES, sent a letter to the FDA regarding the potential ban of antimicrobial animal drugs

and the lack of scientific support for that action. This potential ban has caused significant worry among our Nation's producers, veterinarians, and consumers. The chairmen finally received a response from the FDA last Friday, and the FDA refused to answer the questions about the scientific basis of their action, claiming that the matter is still, quote, under consideration. This response is unacceptable and makes us wonder why the FDA refuses to discuss the scientific basis for its conclusions.

We pledge that the Energy and Commerce Committee will explore whether there are steps that Congress should take to prevent the FDA from pursuing regulatory actions that are not based on sound scientific analysis and fact. Those at the FDA should know that many in Congress are watching and carefully studying whether the FDA's actions are justified.

With that, I yield back the balance of my time.

Mr. REHBERG. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Montana is recognized for 5 minutes.

Mr. REHBERG. I rise to speak briefly about the language that is about to be stricken from this bill, which has come to be called the “hard science amendment.” I offered this language in committee on behalf of ranchers in Montana. They sat across the table from me and shared the significant concerns they have over the lack of a scientific basis being used by the FDA in developing rules and regulations affecting their ranches and the livestock industry. For me, this isn't faceless regulation. The consequences of these regulations have faces. They wear cowboy boots.

Agriculture is the number one industry in Montana. The State raises 2.6 million cows and calves annually, 180,000 hogs and pigs, 230,000 sheep, and I know of at least 600 goats. The cattle industry alone is responsible for \$1.4 billion in sales every year.

Ranchers in Montana and across the United States have a strong incentive to preserve a healthy food supply for the American public, and that means making sure their animals are healthy. The use of antibiotics in livestock significantly improves the health of animals, which in turn lowers the risk of food borne illnesses which may show up later in the process.

FDA has refused to release risk assessments on the impacts antibiotics may have on humans who consume these meats. And while they have not released any credible evidence to support their efforts, FDA bureaucrats are still pushing ranchers to remove these valuable antibiotics from livestock production. This is of grave concern to Montana ranchers, and I will keep fighting alongside Montana producers

to get this problem addressed. In fact, I would like to submit letters from those organizations into the RECORD.

I hope to work with my colleagues on the Appropriations Committee as well as the Energy and Commerce Committee to work with FDA in order to ensure that they examine the facts before moving forward with regulations that will significantly impact Montana's number one industry.

NATIONAL CATTLEMEN'S
BEEF ASSOCIATION,

Washington, DC, June 14, 2011.

Hon. DENNY REHBERG,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR REPRESENTATIVE REHBERG: On behalf of the membership of the National Cattlemen's Beef Association (NCBA), I want to thank you for your amendment during the House Appropriations Committee markup of the Fiscal Year 2012 Agriculture Appropriations Bill which would require the Food and Drug Administration (FDA) to use hard science in its regulatory actions. For years now, the beef industry has seen many rules, regulations, and guidances that have been based on personal agendas and political science rather than hard facts and data. As such, NCBA supports your amendment and will work to keep it in the underlying bill.

The FDA has a huge impact on America's cattle producers. From drug approvals and regulation, to feed and some foods safety activities, our industry finds itself dealing more and more with FDA. We believe that FDA has a role to help our industry and to help keep our consumers safe, but we have seen repeated attempts to strip cattle producers of the use of fully tested and approved drugs and technologies. The attack on ranchers' use of antibiotics to prevent and treat disease in cattle is one of many instances.

It is time that Congress exercised its right to perform regulatory oversight of Federal agencies, and your amendment will go far in calling attention to the concerns we have with FDA. It is our hope that FDA will heed this message and return to using risk assessments, facts, and widely accepted peer reviewed data in its regulatory decisions, rather than allowing activist groups and some administration officials to drive their personal and skewed views of science, food production, and regulation.

Thank you for your efforts and we look forward to helping you work to maintain this language in the bill.

Sincerely,

BILL DONALD,
President.

MONTANA PORK,
PRODUCERS COUNCIL,
Jordan, MT, June 14, 2011.

Hon. DENNY REHBERG,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR REPRESENTATIVE REHBERG: Montana's pork industry, including over 48 Hutterite colonies engaged in a wide range of agricultural operations, strongly support of your amendment to the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, which urges the Commissioner of the Food and Drug Administration (FDA) to give the greatest weight to readily available hard science data in making critical policy decisions. The Montana Pork Producers Council needs to science to come first in a wide range of jurisdiction involving food supply, especially when such determinations

have the potential to affect Montana's agricultural communities.

Montana's growing isowean market is testament to the care provided to pigs here, in this case from birth to weaning, and their disease-free status. We currently have 3 large barns supplying pigs throughout the Midwest. The state's isolation plays a distinct role in this, but so does a responsible health program. Each year our producers have met with your staff to discuss issues affecting the care and well-being of their pigs, their communities and their consumers. We strongly feel your commitment to these concerns is expressed in your amendment to the FY12 Appropriations Bill.

Antibiotics have been used to treat, control, and prevent disease or promote growth in animals for more than 50 years. Existing FDA regulations ensure adequate safeguards against antibiotic resistance, and all of the animal drugs the pork industry can utilize today have undergone rigorous FDA review to ensure their safety for livestock, humans, and the environment. Any regulatory decisions or legislative action on antibiotic use in animals must be transparent and made based on sound science and scientific risk analysis. Recently, some in Congress and the FDA have attempted to dismantle long-standing and effective industry practices with regard to antibiotic use without a scientific and risk based approach, putting animal health and well-being and pork producers' livelihoods at risk without any proven benefit to human health.

As our Representative, we ask that you continue to fight for our industry and voice our concerns to FDA. We work daily to produce safe and wholesome pork products for the American consumer, and we do so using scientifically proven techniques and innovative technologies. Overly expansive regulation of antibiotics based on an unproven scientific theory promoted by certain advocacy groups not only will undo long-standing, effective production practices but will jeopardize the collaborative relationship the pork industry has with FDA.

MPPC appreciates your support of the U.S. pork industry and we thank you for championing this cause in the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. Please let us know if there is anything we can do to move this issue forward.

Sincerely,

ANNE L. MILLER,
Executive Director.

NATIONAL PORK
PRODUCERS COUNCIL,
Washington, DC, June 2, 2011.

Hon. DENNY REHBERG,
House of Representatives, Rayburn House Office Building, Washington, DC. 20515

DEAR REPRESENTATIVE REHBERG: On behalf of America's 67,000 pork producers, I write in support of your amendment to the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, which urges the Commissioner of the Food and Drug Administration (FDA) to give the greatest weight to readily available hard science data in making critical policy decisions. The National Pork Producers Council (NPPC) thanks you for your focus on the need to allow science to dictate this nation's policy decisions on antibiotic use in pork production.

As you know, America's pork producers are strongly committed to providing for the well-being of their animals and to raising

them in a humane and compassionate manner. We depend on safe and effective animal health products to maintain animal health, prevent animal suffering, and ensure that consumers have access to safe and wholesome pork products.

Antibiotics have been used to treat, control, and prevent disease or promote growth in animals for more than 50 years. Existing FDA regulations ensure adequate safeguards against antibiotic resistance, and all of the animal drugs the pork industry can utilize today have undergone rigorous FDA review to ensure their safety for livestock, humans, and the environment. Any regulatory decisions or legislative action on antibiotic use in animals must be transparent and made based on sound science and scientific risk analysis. Recently, some in Congress and the FDA have attempted to dismantle long-standing and effective industry practices with regard to antibiotic use without a scientific and risk based approach, putting animal health and well-being and pork producers' livelihoods at risk without any proven benefit to human health.

We urge you to take up this issue and communicate our concerns to FDA. Our industry works daily to produce safe and wholesome pork products for the American consumer, and we do so using scientifically proven techniques and innovative technologies. Overly expansive regulation of antibiotics based on an unproven scientific theory promoted by certain advocacy groups not only will undo long-standing, effective production practices but will jeopardize the collaborative relationship the pork industry has with FDA.

NPPC appreciates your support of the U.S. pork industry and we thank you for championing this cause in the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, and we look forward to working with you on this important issue.

Sincerely,

DOUG WOLF,
President.

I yield back the balance of my time.
Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Madam Chair, I would like to express my thanks to the chairman of the Energy and Commerce Committee and to the gentleman from New Jersey for his comments in behalf of the committee of their willingness to help find a solution to the issue that serves as the basis for this point of order, these regulations.

We have cotton, peanuts and pecans in my district, and we also have poultry. We have pork, and we have cattle operations. The decisions of the FDA have an enormous impact on the farmers in my district at many levels. Many of the producers in my district are worried about some of the conclusions that FDA seems to have reached regarding antibiotics. They're worried about what will come next. They conduct themselves every day with the best interests of their animals in mind. A healthy animal means healthy food for consumers.

If there is scientific evidence that shows that current practices are not in

the interest of public health, my farmers, of course, will change their practices, but there should and there must be clear evidence. Not unnecessary regulation. Certainly with the job situation today and the state of our economy, the FDA must be very careful, very precise, and very certain that any regulatory action they take is supported by scientific evidence. I very much welcome the involvement of the authorizing committee to help find a solution to this issue.

With that, I yield back the balance of my time.

□ 1710

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 740. None of the funds made available by this Act may be used by the Food and Drug Administration to write, prepare, develop or publish a proposed, interim, or final rule, regulation, or guidance that is intended to restrict the use of a substance or a compound unless the Secretary bases such rule, regulation or guidance on hard science (and not on such factors as cost and consumer behavior), and determines that the weight of toxicological evidence, epidemiological evidence, and risk assessments clearly justifies such action, including a demonstration that a product containing such substance or compound is more harmful to users than a product that does not contain such substance or compound, or in the case of pharmaceuticals, has been demonstrated by scientific study to have none of the purported benefits.

POINT OF ORDER

Mr. LANCE. Madam Chair, I raise a point of order. Section 740 constitutes legislating on an appropriations bill because it requires a new determination and, therefore, violates clause 2 of rule XXI of the rules of the House and should be struck from the bill.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this section includes language requiring a new determination. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

Mr. FINCHER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FINCHER. Madam Chairman, the American taxpayers are crying out for commonsense spending of Federal tax dollars and urging Congress to review those rules and regulations which may stifle innovation and job creation.

I introduced House Resolution 98, along with my colleagues from North Carolina and Tennessee, to send a bipartisan, commonsense message to the Food and Drug Administration to rely on scientific facts in its development of rules and regulations.

We are supporting this resolution now because we understand that the

FDA may be contemplating some regulations in the future that may ignore hard science when creating rules regulating food, drugs, medical devices, and cosmetics, among other products. These regulations may harm industry and hinder job creation in the future.

The FDA was set up to be a science-based agency; but American farmers, people I represent in Tennessee's Eighth Congressional District, are crying out for commonsense regulations and urging Congress to review those rules and regulations which may hamper innovation and American business.

I know that the FDA is well-intentioned in their efforts. However, today's FDA is not putting science first. Instead, they are picking and choosing which scientific studies they want to use to support their original theory.

The FDA has been slowly expanding their efforts to regulate, regardless if the science is there to back up their efforts. Therefore, I also would hope that this body would be willing to investigate all efforts, guidelines, and rules by the FDA, and review whether they followed the science to get to their decisions.

The FDA is a needed agency, but Congress also needs to do its proper due diligence of oversight to ensure American industries prosper and the American population is safe.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 741. The Secretary of Agriculture shall reduce the payment rate for upland cotton under section 1103(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713(b)) as necessary so that reductions in the amount of direct payments made to producers for upland cotton completely offset the costs incurred by the Commodity Credit Corporation to provide payments to the Brazil Cotton Institute.

POINT OF ORDER

Mr. LUCAS. Madam Chairman, I make a point of order against section 741 which begins on page 78, line 8, and ends on page 78, line 15, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this section includes language imparting direction. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 742. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any

corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months.

Ms. DELAURO. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I rise in opposition to this bill because it puts the interests of Brazilian farmers above the very real needs of American women and children. It leaves the very next section of this bill, section 743, subject to a point of order.

As everyone knows, the Women, Infants, and Children program provides nutrition assistance grants to States for low-income, pregnant, breast-feeding, and postpartum women, infants, and children up to the age of five. It serves 9 million mothers and young children nationwide, including 58,000 in my State of Connecticut.

Nearly half of the babies born in the United States every year participate in this program. It is a short-term intervention, but it can help to provide a lifetime of good nutrition and health behaviors.

While in our subcommittee, this appropriations bill slashed WIC funding by \$650 million. That means that as many as 300,000 women and children will be turned away and forced to go hungry; and, in fact, Secretary of Agriculture Vilsack has warned our subcommittee that this number could be as high as 750,000.

To alleviate this glaring shortfall, my amendment to restore \$147 million to the WIC program, paid for with \$147 million currently provided to the Brazilian Cotton Institute, passed with a bipartisan vote during full committee consideration. But the rule for this bill arbitrarily took away the pay-for and, instead, requires that \$147 million be cut out from WIC or other programs in this bill already woefully underfunded.

What are we doing here? We are giving the money back to Brazilian farmers. The majority has decided that is more important. Where is our sense of justice to women and children in the United States?

To be sure, there are many egregious cuts in this appropriations bill and not just to WIC. Other vital nutrition programs like the Commodities Supplemental Food Program and the Emergency Food Assistance Program, school lunches, food safety, the CFTC, international food aid—all of these basic, commonsense priorities of the American people take a huge hit in this legislation, mainly so the majority can preserve oil company subsidies and tax breaks for the rich.

To their credit, even the Republicans on our committee saw this \$147 million handout to Brazilian farmers as a bridge too far. So they and Democrats

alike overwhelmingly approved the transfer of these funds to WIC—until the Republican leadership stepped in and negated our vote.

We cannot be taking food out of hungry people's mouths here at home in order to subsidize overseas cotton production. It makes no sense. As my colleague Mr. FLAKE noted at the committee markup, it is quite ironic that we would subsidize Brazilian agriculture so that we can continue to excessively subsidize agriculture here.

I urge my colleagues on both sides of the aisle to abide by the overwhelming vote of our subcommittee, to stand up for American women and children, and to reject this bill. This is not what we voted for and not what the American people want.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 743. None of the funds made available by this Act or any other Act may be used to provide payments (or to pay the salaries and expenses of personnel to provide payments) to the Brazil Cotton Institute.

POINT OF ORDER

Mr. LUCAS. Madam Chair, I make a point of order against section 743 which begins on page 78, line 24, and ends on page 79, line 2, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

Mr. MCGOVERN. Madam Chair, I wish to be heard.

The Acting CHAIR. The gentleman from Massachusetts is recognized.

Mr. MCGOVERN. Thank you, Madam Chair. Let me clarify what insisting on this point of order means.

It means that the amendment that Ms. DELAURO offered in committee, which was approved in the Appropriations Committee, is nullified, which means that Brazilian cotton farmers get subsidies and poor pregnant women and children do not get the money for WIC.

□ 1720

I have nothing against Brazilian cotton farmers, but Brazil's economy is doing pretty good right now.

The Rules Committee could have protected the money for WIC. The Rules Committee waived points of order against a whole bunch of stuff in this bill except for three provisions. So it wouldn't have been unusual or extraordinary for the Rules Committee to protect this provision. Many of us pleaded with the committee to do just that, to respect the work of the Appropriations Committee when it came to protecting WIC, when it came to protecting poor pregnant women and children.

Madam Chair, my friends on the other side of the aisle say all the time

that they're with us in trying to cut excessive subsidies and putting the focus back on the people here in the United States who need help. This would have been an opportunity. If not now, when are we going to do this?

So, Madam Chair, I would hope that my colleagues on the other side of the aisle would reconsider and not insist on their point of order. I think poor pregnant women and children in this country who benefit from WIC are more important right now than subsidizing Brazilian cotton farmers.

Mr. KINGSTON. Madam Chair, I would like to speak to the point of order.

The Acting CHAIR. The gentleman from Georgia is recognized.

Mr. KINGSTON. The gentleman says, If not now, when? It is our intention to restore this at the proper place in the bill, the DeLauro amendment. I wanted to clarify that because we've discussed that, and we intend to follow through with that.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 744. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds \$250,000.

POINT OF ORDER

Mr. LUCAS. Madam Chairman, I make a point of order against section 744 which begins on page 79, line 3, and ends on page 79, line 10, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 745. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant

to an agreement with the authority responsible for collecting the tax liability.

SPENDING REDUCTION ACCOUNT

SEC. 746. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

Mr. KINGSTON. Madam Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mrs. MYRICK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 15, 2011.

Hon. JOHN A. BOEHNER,
Speaker of the House,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Due to my appointment to the House Committee on Transportation and Infrastructure, I hereby resign my position with the House Committee on Small Business.

It has been an honor to serve as a Member of the Committee on Small Business, and I have been proud to work hard with my colleagues to find solutions to the problems that small businesses face in America. I look forward to representing the people of the 3rd Congressional District of Tennessee as a Member of the House Committee on Transportation and Infrastructure.

I appreciate the opportunity to have served on the House Committee on Small Business, and I look forward to working with you in the future.

Sincerely,

CHUCK FLEISCHMANN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8 p.m. today.

Accordingly (at 5 o'clock and 25 minutes p.m.), the House stood in recess until approximately 8 p.m.

□ 2005

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 8 o'clock and 5 minutes p.m.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2112.

□ 2006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mr. REED (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 80, line 2.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. Each amount made available by titles I through VI (other than an amount required to be made available by a provision of law) is hereby reduced by 0.78 percent.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, this amendment reduces certain accounts in the bill specified in the amendment by 0.78 percent, and it fulfills a commitment which the minority and the majority had discussed earlier regarding WIC funding.

I yield back the balance of my time.

Mr. FARR. We accept the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. KINGSTON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act to the Food and Drug Administration may be used to approve any application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) for approval of genetically engineered salmon.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, my interest in here is because I am from Alaska, and we have the finest wild salmon in the world. And we have people that are trying to—and especially under NOAA and FDA—trying to approve the fact that they have genetically engineered a salmon. That's not natural.

□ 2010

And our goal is, we have a supply of natural wild salmon for the State of Alaska and for this Nation, because I think that's crucially important, especially in this day when we have all those that accuse us of having artificial things, you know, pesticides, et cetera.

This is a good amendment. It's an amendment supported by both sides of the aisle. It's not just Alaska. This is also for California, Oregon, and the rest of it. But mostly, I am the Congressman from Alaska. I think it's crucially important we understand that this should not be allowed, for the FDA to say, okay, a genetically raised salmon—I call it a Frankenstein fish—should never be allowed in our markets.

I have a group of individual Alaskans who not only make their living, but they are proud of their product. To have this occur and be promoted by the Federal Government is wrong.

So I'm trying to save money. But I'm also saying genetically we should never allow it to happen in the fishing industry.

I yield to the gentleman from California (Mr. FARR).

Mr. FARR. It's my pleasure to join you in this amendment. I actually have the best salmon caught in the lower 48 in Monterey Bay. A history of fishing in Monterey, used to be the sardine capital of the world. We're very sensitive to the fact that people are trying to mess around with the natural process and the Food and Drug Administration is set to approve genetically engineered salmon through a process the FDA uses to approve new drugs for animals. There's something wrong with the fact that in the approval process our food is now treated the same as animal drugs.

If approved, genetically engineered salmon would be the first genetically modified animal allowed onto the American dinner plate. Approval of genetically engineered salmon poses serious threats to human health, our fishing communities, and our wildlife stock fish.

They have no long-term studies on the safety of genetically engineered fish. There could be grave, unintended consequences on human health. Preliminary studies show that the compounds in genetically engineered salmon may be linked to cancer and severe drug allergies.

We've seen that the dominant method of raising salmon in other parts of the world is an open net, these pens in the ocean, and farmed fish escape these facilities every year. The impact of genetically engineered salmon escaping could be detrimental to wild stocks. The list goes on and on and on.

Our fishing communities are already facing challenges, and genetically engineered salmon would have an additional effect of lowering wild salmon prices, as already seen with normal farmed salmon. Lower prices, combined with declines in wild salmon stocks, would be economically detrimental to our fishermen, our fishing culture, and our coastal communities. It is unnecessary to genetically engineer salmon.

For these reasons, I support Mr. YOUNG's amendment that prohibits funds to the FDA to approve genetically engineered salmon.

Mr. YOUNG of Alaska. I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I do not have the expertise that my friend from Alaska has on it, but I wanted to say this. Earlier, or actually during the markup, Mr. REHBERG offered an amendment about the FDA using sound science. And I do believe, in this case, the FDA is using sound science in a process that was approved in January 2009, and they are going through a process right now to make sure that this product does not have a problem as respects human consumption. I think that, of course, should be the number one issue.

There are also some other considerations in terms of food supply, feeding more people, which is something that we all have debated on this bill. And also there is an issue with me about some jobs. So I'm concerned on this because it does seem like a pretty major change in my philosophy of sound science.

I yield to my friend from Alaska, who I think is out of time.

Mr. YOUNG of Alaska. I thank the chairman.

I believe whoever has given him that information is wrong. We have a product made in the United States naturally. Why would we want someone to create a Frankenstein fish to compete against a naturally created God-given gift, and have it promoted by supposedly science?

There's no science in this. In fact, they were trying to do and say we have

to feed the world with artificial means. And I'm saying, okay. Do it someplace. But don't you do it with my and our salmon.

Mr. FARR, listen to me very carefully. This is a very, very important thing because this is the greatest thing we have going, Alaskan natural wild salmon being sold in the market and the benefit, what they can do to have it replaced by a genetic Frankenstein fish. I'm saying this is wrong. All due respect to the chairman.

What science are they talking about? They have a bunch of people created by the government that's going to take and put in, I call it traps or nets, and create a fish that's fed quickly. They say it can grow quicker, we're home.

Well, what people are you talking about? Mr. DICKS, you better be listening because you catch most of my salmon. Don't you forget it. You had better stand on the floor and defend this because you're in deep trouble if you don't. I'll tell you that right now.

The Acting CHAIR. The gentleman will please direct his comments to the Chair.

Mr. KINGSTON. Reclaiming my time, I don't know all the ins and outs of this, but I do know that we're constantly getting on the FDA to use more sound science, less politics, and to have more transparency, and it appears that that's what they're doing here. And they may come out against genetically modified salmon, but they are just looking at it right now to determine.

And with respect to the food supply, if you could safely produce genetically modified fish, you could feed a great portion of the world with it. So I have some concerns on it, but I did want to oppose the amendment.

Ms. WOOLSEY. Mr. Chair, I rise in strong support of my colleague from Alaska, Mr. YOUNG's amendment to prohibit funding for the Food and Drug Administration to approve genetically engineered salmon.

The FDA is considering an application to sell patented genetically engineered salmon for human consumption. This fish would be given a gene from an eel-like Pout fish and a growth hormone from the Pacific Chinook salmon, which would allow it to grow twice as fast as traditional Atlantic salmon.

If the FDA approves the request, it would be the first genetically engineered animal approved for human consumption, and it would open the door for many more.

Unfortunately, the FDA evaluation process has lacked transparency, failing to provide the public adequate information or sufficient time to provide comment or express concern. And a recent poll found that 91 percent of Americans oppose FDA approval of genetically engineered animals for human consumption.

Mr. Chair, I'm also concerned about the potential commercial impact of G.E. salmon. Salmon fishermen in my district and many others along the Pacific coast have been devastated in recent years by fishery closures. Last year's salmon season was limited to just 8 days because of the continued steep decline in the salmon population.

Because G.E. salmon are more sexually aggressive and resistant to environmental toxins, their escape would pose a catastrophic threat to wild salmon populations.

If just 60 of these G.E. fish find their way into a population of sixty thousand wild salmon, the wild species would fade into extinction in a matter of decades.

While its producer claims that genetically engineered salmon would be sterile, FDA's own documents show that five percent of this G.E. salmon would, in fact, be able to reproduce.

Each year, millions of farmed salmon escape from open-water nets, threatening wild fish populations. Even if a small number of fertile G.E. salmon spilled into nature, our wild salmon and fisherman would be suffering the consequences for years to come—possibly for evermore.

I want to thank my good friend DON YOUNG for his hard work on this important issue and his leadership as co-chair of the Congressional Caucus on Wild Salmon . . . even though he considers my salmon "bait" for his fishers.

I look forward to continuing to work with him and other concerned colleagues to protect our natural fisheries and stop this "frankenfish."

I urge my colleagues to support this amendment. For consumer safety, for the purity of our waters, and for the continued viability of our fishing industry . . . we must block funding for the FDA to approve genetically engineered salmon.

Mr. KINGSTON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. PINGREE OF MAINE

Ms. PINGREE of Maine. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____ None of the funds made available by this Act may be used (1) to provide electronic notifications to the Committee on Agriculture of the House of Representatives on travel relating to any "know your farmer, know your food" initiatives or (2) in contravention of the Agriculture and Food Research Initiative priority research area specified in subsection (b)(2)(F) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chair, this amendment would combat the misguided report language written to attack local and regional food systems. By passing this amendment, we will send an important message to farmers, consumers, and community leaders around the country: Local and regional food systems are critically important. They provide economic opportunities for rural communities and healthy food for consumers.

Local food systems are the backbone of economies across the country. In

order to ensure local food systems work to their maximum potential, Congress must support research, thriving programs, and devote more, not less, funding to enhance this work.

You know, no matter what group I'm talking to, whether it's members of the credit unions or realtors or teachers, when I start talking about improving the quality of food we serve our kids, improving local food systems, and knowing where your food comes from, I look around the room and everybody is nodding. Across the board, these issues are important to people, and this is where there is real energy for growth in the economy.

The language included in the report was designed to criticize and hamstring efforts that are underway at the USDA to create jobs, to increase farm income, and to bolster the economy through the development of local and regional food systems. The language targets local and regional food system development in two ways:

First, it demands overly burdensome reporting requirements of the USDA's Know Your Farmer, Know Your Food initiative. USDA developed this initiative to streamline the implementation of existing programs authorized by Congress in the last farm bill.

□ 2020

"Know Your Farmer—Know Your Food" is not a standalone program and does not have its own budget. Creating additional burdensome reporting requirements would delay program implementation and distract the USDA from addressing the economic challenges of rural communities.

Second, the report language expresses concern with USDA research, education, and extension activities associated with local and regional food systems through the Agriculture and Food Research Initiative, AFRI.

While Congress sets broad research policies for USDA, Congress does not usually dictate what research USDA cannot do; nor does Congress usually substitute its opinion of what's good science for the professional judgments of competitive grant peer review panels. By singling out a small piece of the agricultural research agenda and by substituting the committee's judgment for that of researchers and educators, the Agriculture appropriations bill report sets up a roadblock to innovation and diversity in American agriculture and growth in the rural economy.

In response to this misguided report language, this amendment will prohibit the USDA from using funds to fulfill the additional and burdensome reporting requirements proposed for Know Your Farmer—Know Your Food. The amendment would also prohibit USDA from using funds to carry out activities contrary to the current research priorities that Congress established in the last farm bill.

I know my colleagues on the other side of the aisle are going to say it's time to cut budgets and reduce deficits. I also believe in fiscal responsibility. This is not about fiscal discipline; this is about priorities.

Last year, we spent a staggering \$548 billion to fund the Department of Defense and an equally unbelievable \$158 billion on continued operations in Iraq and Afghanistan. By comparison, the entire Agriculture Department is funded with 20 percent of what we spend on defense, and the research priorities we are talking about in this amendment are funded with one-half of 1 percent of the total agriculture budget.

I urge my colleagues to join me in supporting farmers, in supporting local food production, and consumers who want to know where their food comes from. It's good for our local communities, our local economies, and it's good for our country.

Mr. Chairman, I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I oppose this amendment, and I don't quite understand what the problem is with the bill language at all.

Here's what it does: the report language, which this amendment tries to strike, it simply tells the Secretary of USDA to notify the committee of any trips related to the Know Your Farmer initiative and include the agenda and the cost to the American taxpayers. It doesn't prevent them from doing this. It simply says let us know. It also says put this information on the Web page. So if Know Your Farmer is that important, why would USDA have any opposition to this at all? In fact, I don't know that USDA does.

I also want to say that, as somebody who represents rural southeast Georgia, there is this nostalgic idea that somehow the further food travels the more evil it becomes. But if you look at a plate of fresh vegetables that you may have eaten sometime today, that food traveled a long way. In fact, asparagus travels a long way. Lettuce—my friend, Mr. FARR, gave me an article earlier today. I think 59 percent of the lettuce in America comes from his one district.

Now, if we start confining that to Monterey County, it might be great for the folks in Monterey County, but I don't mind eating California lettuce because if the California farmers can do it for less money and I can get lettuce year round for less money, that's not a bad thing. So I think some of the assumption that food traveling is a bad idea, I think it's flawed in itself.

But I want to get back to this bill report language. It simply says to the USDA, let us know how much you're

going to spend. And why is that so important? I want my friend from California to know that if you look through the USDA budget request for FY12, there's not one mention of Know Your Farmer—Know Your Food. It's an initiative. There has not been a budget request for it. If there was a budget request for it for \$3 million or \$30 million, then we could have something we could be debating about.

But what it is, is an initiative; and all we're asking is, if you go forward with this—and we don't stop them from going forward with it—we're just saying we want to know how much it's going to cost. So I do not believe that it's bad report language at all, and I strongly oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I strongly support this amendment because the language in the bill—I'm going to read it to you. It's one paragraph, but it's the most draconian language because we've never done this before ever in an ag bill. It says: "The committee directs the Department to provide an electronic notification to the committee at least 72 hours prior to any travel in support of the Know Your Farmer—Know Your Food initiative, and such notification shall include the agenda of the entire trip along with the cost to U.S. taxpayers. Additionally, the committee directs the Department to post media advisories for all such trips on its Web site, and that such advisories include the same information."

My God, we don't do this to know your soldier, to know your veteran, to know your school teacher, to know anybody else that's in the public service, to know your law enforcement officer; and yet they're doing this for Know Your Farmer?

This program, as Mr. KINGSTON pointed out, we just had the ag report come out and I'm very proud that one county in my district does \$4 billion worth of agriculture, as pointed out in that report, that grows 59 percent of all the lettuce consumed in the United States in one county in California that I represent. Part of that is this program now that they're doing, which is Know Your Farmer—Know Your Food.

Consumers can go with their cell phones into a grocery store; and because of the barcode there, they can ZIP it and it immediately comes up the farmer who grew that food saying this is who I am and this is where I grew it and this is how many days it takes to get to you, and all the things you might want to—if we're going to educate people about nutrition, I can't think of a more exciting way to do it.

And to require that the Department has to essentially do this gestapo,

looking at every time you move you have to report to a higher authority on your initiative and on your entire trip and the agenda and cost, we don't do that for anybody else in the Federal Government, and I don't think we should do it for our farmers or for our members of the U.S. Department of Agriculture who are supporting our farmers.

So I support this amendment very strongly.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Ms. PINGREE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. PINGREE of Maine. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maine will be postponed.

AMENDMENT NO. 1 OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to support any Know Your Farmer, Know Your Food initiative of the Department of Agriculture.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, it's very interesting that I came into the Chamber at this time because my amendment also has to do with Know Your Farmer—Know Your Food.

I am very concerned about this program because it is not an authorized program by the Congress. I am very concerned that we have our executive branch off doing all kinds of things that it has no business doing, from fighting wars to running programs that they weren't authorized to run.

This program, in my opinion, conducts duplicative marketing methods by taking funds from programs that already exist within USDA through grants and program management activities.

□ 2030

All of these entities within the USDA already have marketing tools to reach out to applicants in the local community and work with them. Programs that issue grants from USDA would not be affected or lose a single cent of funding from my amendment. Let me repeat: Grants and program management activities from USDA do not lose a cent of funding under my amendment. Rather, it would strike the re-

dundant Know Your Farmer—Know Your Food effort by the USDA to advertise their programs and ensure that the money in the grants and in the program management activities would be spent on the activities that are authorized. My staff has been told by people at the USDA that grant issuing and farmer and consumer programs will continue to operate as normal without this duplicative effort.

Mr. Chairman, there has been a lot of erroneous information put out there in relation to my amendment, and I would like to take some time to clear it up.

It doesn't affect any USDA grant or program management funds already existing because Know Your Farmer—Know Your Food does not issue grants. Nor does it manage any programs. But it is a circumvention of the authority and defeats the intent of Congress when we are the ones who should be authorizing programs and budgets. So I think that this is a program that we do not need, and I believe that it should be abolished, because when the USDA wants a program, it should be coming to the Congress to get authorization for that program.

There is a specific violation against establishing a program in the authorization that would have set up slush funds in the Secretary's office, and I think this is similar to that. It allows the department to take money from existing programs, put it into this program, and spend them the way that they wish to, and I don't think that is an appropriate expenditure of funding that we have authorized.

Therefore, I urge passage of my amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in opposition because I cannot, for the life of me, understand why you are so afraid of Know Your Farmer—Know Your Food. They say, well, we need to have this program authorized. My God, we went to war without authorizing it. We spent all that money, and half the people don't even question it. And you want to question Know Your Farmer—Know Your Food?

I think this is a direct attack on the White House initiative, which is about nutrition, which is about trying to get people—I mean, we talked about this yesterday, about how you have places in this country that are food deserts. You have places where there are no grocery stores. There are 7-Elevens. They don't have fresh fruits and vegetables. People can't go down to a local store and find fresh fruits and vegetables.

So what do we do? This committee puts money into the USDA to help

farmers markets get established in these tough areas, to encourage farmers to come in, and at the same time teach people who have never shopped for fresh fruits and vegetables, never been to a farmers market.

We have actually tied in, in my district, the issuing of food stamps and WIC vouchers so that they will spend them right there, and 65 percent of the income that comes to the farmers at the farmers markets comes from them.

So this is all part of the initiatives to get people to know about agriculture. Milk doesn't come from a carton. Food doesn't come from a grocery store. It gets grown somewhere by a farmer, he and his wife. And we are trying to get kids to know something about agriculture. We are putting in school gardens. All of this is part of Know Your Farmer—Know Your Food, and you want to strike it.

What is this? Is this some kind of conspiracy that you are afraid of? People might learn a little bit about where food comes from in America, and there is organic food and that you have choices and you just don't have to eat everything that is packaged and processed and full of salts and sugars and additives and preservatives?

What are we afraid of? What are we afraid of? My God, to strike it, or tell the department that they can't do this, I think it is not in our best intentions, and it is not smart nutrition.

We are trying to get people, I know, because I am trying to lose weight and it is a very hard thing to change your character, to change your eating habits. Unless we do that, we are going to grow a lot of Americans who aren't going to be very healthy because they don't know their farmer and they don't know their food. And if you strike this ability for the department to go out and do that kind of outreach, we are going to have a less healthy America.

I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. You know, we in this Congress or Congresses of the past have ceded a lot of our authority to executive agencies. We have given them lots of power to regulate. They are taking over and doing an awful lot. Know Your Farmer—Know Your Food is another example of an agency going beyond what needs to be done and is something I feel they should come back to Congress for.

With that, I would like to yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I want to thank my colleague from Texas for yielding to me, and I want to respond to our colleague from California.

I am not afraid of a program. I am afraid, as my colleague from Texas has indicated, of the executive branch con-

tinuing to overstep its bounds and develop programs that have no authorization and do the things that it has no business doing without authorization from Congress.

I find it interesting that my colleague would bring up the fact that we went to war without authorization. I believe that was his President who did that, and I voted resoundingly not to do that.

I also want to sympathize with my colleague from California. I am certainly doing my best to lose weight, too. I think it is a struggle that most of us, particularly in this body, have. But I can tell you that I am not looking to the Department of Agriculture to give me my nutrition information. I know how to find that nutrition information, and I think most Americans know how to do that, and we don't need a special program in the Department of Agriculture to do that.

We have got to commit to bringing government spending under control, and we are going to do everything that we can. While no money will be cut from the appropriations by this amendment, it removes a program that is not authorized that gives part of the Department of Agriculture an argument for why they need money.

I think that in many cases what happens in these executive branch departments is that when their own entity begins to lose its need for being, they begin to look out there for, What is the latest trend? What can we do in this Department to justify our existence? I think that that is what happens in many, many cases, and you get the continuation. As Ronald Reagan said, the nearest thing to immortality is a Federal Government program, and I think that is what happens in many departments, not just the Department of Agriculture.

I have great respect for much of what the Department of Agriculture does, and I think it is providing vital services in many areas. But, again, this is not an area that we need the Federal Government to be involved in. We don't need this program.

Frankly, my colleague asked me what I am afraid of the program for. What I don't understand is why our colleague from Maine doesn't want reporting from this program. He didn't ask her that question. Why is she concerned that we ask for reporting mechanisms? Because we have asked the Department, How much money are you spending on this program? They cannot answer. What effect are you having? They cannot answer. There are no results. There is no cost-benefit analysis.

It is time that any program that says, We can't tell you how much we are spending; we can't tell you what we are doing; we can't tell you if we are having any effect, to be done away with. And any program that answers a Member of Congress that way should be immediately eliminated.

Mr. FARENTHOLD. Reclaiming my time for just a second, I too am trying to lose weight and would much prefer to work with my doctor and trainer than the USDA.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chairman, I just wanted to engage a little bit more in this conversation that we had, both about the previous amendment and about my good friend from North Carolina's concern about this particular program called Know Your Farmer—Know Your Food.

□ 2040

I have the great privilege of serving on the Agriculture Committee. I've heard the Secretary speak to us about his interest in increasing the number of farms in our country, in getting to know our farmers better, and in making sure people have more knowledge about where their food comes from.

I have to just stand back and say for a minute that it's after 8:30 on a busy night. We're still in the middle of debating this bill at a time when our economy is in peril, when we have huge challenges before us, when we are at war in two countries. I just personally have to say I am baffled about why we are even having this debate. I was baffled about why this report language would be there that slows down research on local farming, that tries to stop a program that's not even funded, and that coordinates a lot of good efforts going on in the Department of Agriculture.

I will say, I kind of think back to the way I look at our country. We were based on agriculture and farming. I had the good fortune to be born in Minnesota even though I represent Maine. Both sets of my grandparents were Scandinavian immigrants. They came because there was rich farmland, beautiful opportunities. My grandfather was a dairy farmer. My uncle was a dairy farmer. My cousin still runs a farm and works with livestock. I went to college to study agriculture, and I own my own farm today.

So I think about, isn't this what America is all about—knowing your farmer? knowing where your food came from? understanding what the basic principles are of growing and of using our land? What in the world are we talking about? It's as if black is white and white is black and as if everything is turned upside down.

I grew up in Minnesota and Maine. Both States have a rich farming heritage. We couldn't be more proud of the families and of the people who work hard on the land. We couldn't be more proud of having vigorous farmers' markets, of having people who are able to

go to a farm stand and say to the farmer, "How did you grow this? What's behind this? Tell me about what's growing in your field." I mean, this is America. This is how our country was built.

If there is one tragedy that's going on today, it's the reduction in the number of farms and in the families who can no longer hold onto their farms, whose mortgages are being foreclosed on, who don't have enough markets. If there is anything the Secretary is telling us it is that we want more people to know about their farms, that we want to have local access to farming, that we want to have people come to farmers' markets.

I spend a lot of time visiting school cafeterias, and many of the schools in my district are very engaged with buying food locally. They realize that, if they're going to deal with childhood obesity, one of the things they have to do is get kids to eat more vegetables. One thing that really works is to have those young people know the farmers, and many schools have little gardens out back.

I visited Longfellow Elementary School in Portland, Maine, just recently. Those kids have a little plot of carrots. It's not that every lunch has one of those carrots on the menu, but it's for those kids to say, "I grew a carrot, and now I want to eat more of them." I was at the Bonny Eagle Middle School. They have a little greenhouse. I sat down to eat with those kids, and they were eating kale, kale and garlic; and they were proudly showing it off to me about how they grow kale, about how they know where it comes from. Many of them have visited with farmers. They've seen the farmers come down the road.

I can't possibly imagine why anyone would want to put language in that says you have to strike a program like this that's not even funded, that's just a way of the Secretary saying this is a good American tradition. It's a tradition in North Carolina, I am sure, where people are proud of their farmers and, in Maine, where we are exceptionally proud of the fact that the average age of our farmer is going down. We have more young people who want to go into farming. We have more and more acreage going into farming, which is a reversal of the trend that has been going on in our country for a long time. This is good for our health, and it's good for our environment. Fundamentally, this is a jobs bill, and that's what we're supposed to be here talking about. Every young person who has an opportunity to go into farming today and every family that gets to hang onto a family farm increases the number of jobs that are going on in our country.

What do we want this to turn into, big corporate agriculture where everything has to be trucked around the

world?—where our carrots come from Brazil and our strawberries come from somewhere else in South America and where we buy our food from China? I mean this is America. This is a tradition of our country. How could we possibly think that anything is wrong with promoting or researching local foods and having a program that just coordinates it all?

Ms. FOXX. Will the gentlewoman yield?

Ms. PINGREE of Maine. Absolutely not. As much as I appreciate my colleague from North Carolina, I'm not giving up one second to talk about the fact that in my State, we are proud of our farmers. We are proud of our big farms that grow potatoes and blueberries and that grow apples. We are proud of our fishermen, and we are proud of the fact that more young people want to get into farming.

There are more markets for farming than there ever were before today. Part of it is because people like to buy their food locally because they are so excited about the opportunity of going to a farm stand where you actually see the farmer, where you see how it's grown, where you feel comfortable about what goes into your food, where you know how it was slaughtered, where you know so much more about it, where we're raising our kids to say, "You know what? Vegetables are good for you," and here they are right in front of you.

I can't possibly imagine why this report language was there in the first place, why my colleague would want to strike everything about Know Your Farmer—Know Your Food.

I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I want to make sure I answer this question, because I'm hearing from our colleague that she can't possibly imagine why we are against the program. We are against it because it's not authorized.

The President of the United States is now bombing in Libya. By the way, I voted with the Kucinich amendment because I feel very uncomfortable with an unauthorized bombing as the use of force in Libya. The Federal Government frequently obligates the taxpayers to new programs. Yet the United States Congress hasn't had an opportunity to vet these programs or to vote on them, so I, myself, don't understand why that is a problem that we can have this transparency.

Now, as I've listened to this, I've kind of felt, well, Know Your Farmer—Know Your Food is one of these harmless little Washington sort of "feel good about things" initiatives, but I'm beginning to think it's just one big

databank. I don't know why the USDA needs to know all of this information about the farmers. I'm wondering about that. If we want to help farmers—and I've had the opportunity of representing lots of farmers for a long time—I'm going to give you seven things that I thought about in just sitting here during the course of the last speech.

Number one: This administration has declared war on the community banks, which are the fiber and the heart of small communities. That's where farmers get their loans. Farmers need credit. We need stability and banking laws to help farmers.

Number two: We need consistent regulations and regulations that don't send the EPA out on the farm to play "I gotcha." You may know right now, Mr. Chairman, that for organic chickens—and I know my friend from California probably knows this—you have the FDA requiring that they be raised on a slab of concrete and the USDA saying, no, they can't be. So we have two Federal agencies with two different regulations for one product. Farmers need regulatory consistency.

Number three: We need an H-2A program. Absolutely, we've got to get labor out there and a good guest worker program that works.

Number four: We need free trade agreements. We have had sitting on the desk of the White House free trade agreements with South Korea, Colombia and Panama, and this administration won't move them. That will create lots of markets for farmers.

Number five: We need estate tax relief. If you want to keep the family farm in the family, then get rid of the death tax so that it can be passed on to the next generation.

Number six: You need to have a good crop insurance program. More than any other farm program, farmers want a good crop insurance program.

Number seven: We need to cut the red tape out so that you can get to your local market. If you're a local farmer, it is impossible to sell right now to your local high school because of many Federal regulations. The small farmers can't compete with the big folks on this.

I want to say this about apples because the gentlewoman had mentioned apples. The average apples travel right now 2,500 miles to get to the consumer. Now, I don't find that horrible. We are a country of origin labeling laws, which our committee has debated for over a decade, and I don't know that it has made the world a better place. I think that consumers are actually driven by food safety, food taste and food price, and whether it comes from New York or whether it comes from the farmer down the street, those still are going to be the driving factors in making the decision. Carrots come 2,000 miles.

I would challenge my friends to look at Google food mileage and look at how much common, everyday food travels to get to your plate. What has it done? It has made America healthier. It has given us an abundant food supply, and it has given us a less expensive food supply.

But if we are serious about growing mom and pop farms—and I want to say this to my friend from Maine—I am very interested in working with her on that. The seven things that I have listed, I can promise you, in any poll, farmers will choose before they choose to say what we really need to get farmers going in America is this program that is not authorized by the Congress, called Know Your Farmer.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

I just want to point out that this amendment doesn't save one penny.

□ 2050

The Acting CHAIR. Does the gentleman ask unanimous consent to strike the last word?

Mr. KINGSTON. Reserving my right to object, I just want to remind my friend about taking two bites of the 2,500-mile apple. I certainly do not object but—

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the ranking member, the gentleman from California.

Mr. FARR. This amendment doesn't save one penny. Ironically, we just returned from the White House summer congressional picnic, and people ate food there. At every table, it listed where the food came from. Indeed, I remember because I went to the ice cream place and there was a stack of honey that came from the White House, that has a White House label on it, and it's a gift that the First Lady gives to visiting dignitaries from around the world as a sample of American honey grown at the White House. We just experienced Know Your Farmer—Know Your Food not more than an hour ago.

This amendment does nothing but be mean.

Mr. DICKS. Reclaiming my time, I just want to point out, also at the White House picnic, if you walked far enough down, you could see the garden with fresh vegetables and everything that was being grown. It had a label about what was what.

Again, I just don't see what the harm is here if they're taking it out of existing funds. I always thought that the farmers of America were supported on a bipartisan basis in this Congress and that we like to know who our farmers are. So I agree with the gentleman, and

I hope we can defeat this ill-considered amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 20 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____ . None of the funds made available by this Act may be used to carry out the directive in the committee report instructing the Food and Nutrition Service to issue a new proposed rule on implementing new national nutrition standards for the school breakfast and school lunch programs in the report of the Committee on Appropriations of the House of Representatives to accompany H.R. 2112 of the 112th Congress (House Report 112-101).

Mr. KINGSTON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, for some families—too many, as a matter of fact—the meals served at school may be the only decent meal that their children get that day. Especially during this current economic downturn, with many Americans barely getting by, more people are relying on school meals to keep their children fed and ready to learn.

Why, then, is the Republican majority trying to turn back the clock on school nutrition? Why are they trying to undermine the quality of school meals by gumming up a regulatory process that is designed to ensure that our kids are eating healthy?

Mr. Chairman, I'm offering this amendment because it will stop the majority's attempt to block the implementation of scientific standards for school meals.

Here's the backstory. Since the Truman administration, Congress and the United States Department of Agriculture have set standards for school lunches and breakfasts. But for most of that history, those standards have not reflected the expertise of nutritionists and other health professionals.

Then, last year, Congress passed and the President signed a bill directing

the USDA to make school meal requirements, for the first time, consistent with sound science and dietary guidelines issued by the Institute of Medicine. The bottom line: That would mean healthier food for our kids. It would mean the cafeteria line would have more fruits and vegetables, more whole grains and low-fat milk, and less sodium and saturated fat. As instructed by the law that we passed, USDA wrote a regulation and received over 130,000 comments.

Now, just when the process is wrapping up, my colleagues on the other side of the aisle want to use report language in this appropriations bill to scrap the rule and compel USDA to write a completely new one. This is a stall tactic, plain and simple. Better school meals must not, can't be, from this act, a priority for the other side of the aisle. They apparently don't believe we need to do anything about the epidemic of childhood obesity that is rapidly becoming a major public health crisis, so they're looking for any way to put on the breaks.

The process has worked. We've had congressional direction and we've had mandates. We've had open comment period and rulemaking based on sound science. But the end result is not to the majority's liking, so they want a do-over. This is not only unnecessary, Mr. Chairman, but expensive, as there would be costs associated with starting the rulemaking over—going back to square one. In one fell swoop, the Republicans are showing themselves to be anti-science, anti-child, anti-public health, and anti-fiscal responsibility.

My amendment would stop their shortsighted and irresponsible scheme. It would prevent funds made available by this appropriations act from being used to require USDA to reissue a new rule.

Important advocates agree with me. My amendment has been endorsed by the National Education Association, the American Dietetic Association, Bread for the World, the Center for Science in the Public Interest, and many other groups, which I will include in the RECORD.

Mr. Chairman, our children need balanced, healthy, nutritious meals, not costly bureaucratic delays. They need this to help them succeed in school and in life.

H.R. 2112, AMENDMENT NO. 20, LIST OF SUPPORTERS

The American Academy of Pediatrics, American Dietetic Association, American Public Health Association, Association of State & Territorial Public Health Nutrition Directors, Bread for the World, California Association of Nutrition & Activity Programs, California Food Policy Advocates, Campaign to End Obesity Action Fund, Center for Science in the Public Interest, Community Food Security Coalition, Food Research & Action Center (FRAC), Jewish Council for Public Affairs, National Education Association, National Farm to School

Network, The National WIC Association, Public Health Institute, Trust for America's Health, The United Fresh Produce Association.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

AMENDMENT NO. 24 OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 7XX. None of the funds made available by this Act may be used to provide assistance under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) to the Democratic People's Republic of Korea (North Korea).

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Thank you, Mr. Chairman, very much.

A couple of quick points here. One, the administration is actively considering resuming food aid to North Korea. And I understand the humanitarian impulse here, but the unusual circumstances of North Korea make this a mistake—and make it a very bad mistake, frankly—which this amendment would correct.

I remember the words of one North Korean defector, Kim Duk-hong. I had a chance to talk with him. He said actually in testimony here before the committee, we must not give food aid to North Korea because it is, in his words, the same as providing funding for North Korea's nuclear program. Why is that so? Because what invariably happens is they redirect these resources into support for the regime.

This week we had reports that North Korea is making miniaturized versions of its nuclear weapons—ones that could fit atop ICBMs. That makes his statement all that more dire about the redirection of these resources into the regime's hands.

The situation in North Korea is heartbreaking. I've been up there. I've seen the depravation. But this is a disaster made by the dictatorship itself. And let me say unequivocally, the food we send does not reach the hungry.

So, who benefits from our good will? Well, the inner circle does and their military industrial complex does. We've had hearings in which the French NGO Doctors Without Borders—we're all aware of their good work around the world. They testified before the International Relations Committee that the vast majority of refugees they interview say they had never received any food aid. None of the children they had ever met had ever seen food aid during the years they worked up on the border.

And this testimony is backed up by a survey of 500 North Korean defectors in which 78.2 percent of them never saw foreign food aid. And the reason for this is because it goes, again, into the black market. It is sold for the hard currency that the regime needs for its nuclear program and other programs.

□ 2100

Some could argue that what we need is more oversight and maybe better monitoring on this food.

Let me tell you about the testimony we've heard on that, because the North Koreans, I don't think they've got a word for "transparency." No matter how airtight any monitoring protocol may be, they cheat. We had a Tom Lantos Human Rights Commission hearing where a North Korean dissident told us how the regime would mark all the houses that had received bags of food and would return to collect them after the monitors had left. So North Korea is always going to cheat.

Some assert that the North is holding food, holding food for the future, hoarding a million tons of rice. That's the charge we hear from South Korea, from members of their Parliament. But the fact is that it's an asset that is converted by the North.

So I urge my colleagues to support my amendment for the sake of the North Korean people. Providing this aid not only allows Kim Jong-Il's oppressive regime to divert scarce resources towards its military program, one that has grown increasingly threatening, but it also delays the day when real structural reform will come to North Korea.

There is a Korean saying that "pouring water into a cracked pot is worthless." Sending resources to Kim Jong-Il is even worse. It's enabling a regime with one of the world's worst human rights records but also with an atomic bomb.

North Korea has played us like a fiddle for years. Conditions for North Koreans have only worsened. It's time for a new North Korea policy. Let's start now.

I ask my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. We have had a very difficult time with the Food for Peace program already, and if this helps secure another supporter of the bill, we certainly would work with you on this amendment and support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The amendment was agreed to.

AMENDMENT NO. 25 OFFERED BY MR. KIND

Mr. KIND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before any short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to provide payments (or to pay the salaries and expenses of personnel to provide payments) to the Brazil Cotton Institute.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, my amendment is very straightforward, and in a second I'm going to explain it in more detail.

For many, many years now, I and a group of bipartisan Members of this Congress have formed a coalition in an attempt to move farm bill reform forward, to try to end these large taxpayer subsidies that are going to a few, but very large, agribusinesses, subsidies that are not in fact helping family farmers, leading to greater consolidation in production of agriculture, driving up land values, making it more difficult for new beginning farmers to enter agriculture, and subsidies that are not fiscally responsible.

In light of the budget deficits that we're wrestling with, what better time to continue to move in the area of reform under the farm bill with this Agriculture appropriation bill, rather than waiting for the promise or hope that in a year or two in the reauthorization of another farm bill that this institution might finally come around and start making the long overdue changes.

Just to show you how perverted these farm programs have gotten, recently Brazil challenged our own domestic cotton subsidy program and prevailed in the WTO court. Now you would expect our rational response would be to reform our cotton subsidy program, to come into compliance with that WTO decision, to end these subsidies that you really can't justify here to our cotton producers, and we would solve this problem.

But that's not the approach that was taken. In fact, the administration recently set up a new subsidy program that is now going to subsidize Brazil cotton producers.

Let me repeat that. We are spending \$147 million a year in order to bribe the Brazilian Government so that they don't enforce the sanctions that they're entitled to now because of our unwillingness to reform our own cotton subsidy program. That is wrong, and that is what my amendment would address. It would prohibit the use of funds through this Agriculture appropriation bill going to this new subsidy program to subsidize the Brazil cotton industry.

It just shows you what a pretzel our farm programs have turned this Congress into because of yet again the unwillingness for us to reform our own domestic title I subsidy programs. The answer to this is not to funnel out another \$147 million a year until maybe we address this in the next farm bill, which could end up costing the American taxpayer over a half a billion dollars, when we can make that correction now, reform the domestic program, get out from under the WTO decision, start saving money by not sending \$147 million a year to Brazil, and also start saving some money by reforming our own cotton domestic subsidy program.

That's the solution to this. That's something that we can fix tonight, rather than continuing this facade of maintaining these programs that many of us warned in the last farm bill would be challenged, and sure enough they did, and they're prevailing, and now they can apply economic sanctions against us.

So the time to act is now, not waiting for a year or two or whenever we're going to get around to reauthorizing another farm bill; and the time to start saving some real money is this night, by passing the amendment that we're offering. We can save \$147 million, we can reform the cotton subsidy program and save more taxpayer dollars, and we have that ability to be fiscally responsible and start making changes tonight.

I know what the argument on the other side will be: wait for the next farm bill; we'll take care of it then. Well, there is a lot that we are moving forward on this year on deficit reduction, and I for one think that the farm bill should also be open for scrutiny for potential savings to reduce our deficit.

But that's not what's being offered tonight in reforming the title I subsidy programs. Instead, most of the deep cuts are coming under the conservation title, the nutrition programs, certain key investments that we have to make to empower our farmers to be good stewards of the land, to reduce sediment and nutrient flows and the impact it has on the quality water supply that we need in this country, the protection of wildlife habitat. In fact, three out of every four farmers applying for conservation funding assistance today are turned away because of inadequacy of funds. That number will only explode because of the deep cuts coming in these other titles of the farm bill.

We have an opportunity to start making some changes under title I, the subsidy program, first by stopping the additional layer of subsidy that's been created where we're starting to subsidize other countries' farmers. Let's start making that change tonight.

I would encourage my colleagues to look closely at this amendment. This is the reasonable response that we should

be taking. Let's not defer this decision any further. We can do that. And instead of encouraging any type of trade war or sanctions with Brazil, we should move forward in reforming the cotton subsidy program starting tonight.

With that, I yield back the balance of my time and ask my colleagues to support this amendment.

Mr. CONAWAY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Thank you, Mr. Chairman.

My colleague is very passionate, but he is also very wrong. This money does not go to Brazilian farmers. That's illegal for us to do that. What it does do, it does go to an institute that promotes Brazilian agricultural production. It may be a fine line to distinguish there, but it's inflammatory to say it's going to Brazilian farmers, that we're doing that, and he knows it and it is wrong, but it is a payment. It's a payment negotiated by the Obama administration in reaction to a loss at the WTO in order to buy time so that a trade war with our 10th largest trading partner in the world doesn't erupt that has actually nothing to do with ag production.

The trade war that is being prevented, over \$800 million worth of exports to Brazil, protects a broad variety of nonagricultural industries in this agreement. This buys us time until the 2012 farm bill could get done. We cannot tonight nor should we tonight delve into a very complicated farm safety net program that has worked well for the American people.

It is unquestioned that the American people enjoy the safest, most abundant and cheapest food and fiber source in the world, in the developed countries; and we do that because of the hard work, sweat equity, and risk-taking of the American ag producer. They rely in turn on a safety net that is relatively complicated and interwoven across a bunch of things that make it help.

The budget that we did pass says that the farm bill will be written in 2012. I understand my colleague's disdain for the process of the Agriculture Committee. He doesn't like the Agriculture Committee, he doesn't like the work product that we come out with, but that's the group that knows the most about the process of the safety net.

□ 2110

Doing this, what the gentleman would like to do tonight, would disrupt that trade agreement and undercut the U.S. Trade Representative and his ability to negotiate around the world because he's negotiated with a group who won't stick by their word.

The 2008 farm bill put in place a 5-year contract, 5-year agreement with the American ag producers, it goes to the 2012 farm bill—2012 crop year, and

we ought to stand behind it and defeat this amendment.

So the money does not go to farmers. It does protect \$800 million a year in exports of nonagricultural exports that are imported to this country, including intellectual property rights that would be abrogated if we back out of this deal that we've made with Brazil. So with that I respectfully request my colleagues to oppose the Kind amendment as being wrong-headed tonight.

I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I listened to my good friend from Texas talk about deferring yet again to the Ag Committee, that somehow this payment goes to the Brazilian cotton industry and not to the cotton farmers, a distinction without a difference I would suggest.

I rise in support of my colleague from Wisconsin in this proposal. I've been in this Congress having watched three farm bill reauthorizations, and each time we find that there is expression on the floor of this Chamber for actual reform. We've asked for limitations. We are told well we just don't—the floor doesn't understand; it's too complicated. Well, it is complicated and twisted because this is an effort to try, through the complexity, to layer efforts here that cheat the American consumer, that hurt the environment, and pose serious problems for international trade.

And my friend from Wisconsin is correct. We were talking about this in the last farm bill, and we got our comeuppance, but instead of responding responsibly in reducing or eliminating the illegal cotton subsidies, we're shoving upwards of a half-billion dollars to the Brazilian cotton industry, and I'll be prepared to argue, it benefits cotton farmers. So we're subsidizing two countries because we fail to reach our responsibilities now.

I sincerely think this is wrong. I think \$147 million could go a long way towards helping the part of American agriculture that grows food that we categorize as specialty crops who are dramatically shortchanged.

I would like to yield the remainder of my time, if I could, to my good friend from Wisconsin, the sponsor of this amendment.

Mr. KIND. Well, I thank my good friend from Oregon for his support of the amendment and for his support throughout the years in trying to lead the effort for meaningful farm bill reform.

Mr. Chairman, there is another solution to this that's going to be offered by our good friend and colleague from Arizona in just a little bit, Mr. FLAKE. He goes to the heart of the WTO decision to find out what changes we

should be making in the cotton subsidy program to get out from under the thumb of Brazil, and I would support that amendment, and I hope my colleagues support his amendment as well because that is the ultimate solution to this: Instead of just cutting off the funding to Brazil right now, coming up with the cotton subsidy reform.

Now, let's remember the context in which we find ourselves this evening. Cotton payments are almost at a world record high price right now, yet these subsidies are still going out. There's just very little relationship right now with the subsidies under title I to the grain producers and cotton producers of our country and the price they receive in the marketplace. And in a time of tough budgets, when everyone else is being asked to take a haircut, whether you're a supporter of conservation programs or vital nutrition programs for our children and seniors, for us to not even look and consider the title I programs in the context of this agriculture appropriation, it's beyond the pale. There's just no justification to it.

These programs are outdated. They are impossible to justify with the American taxpayer, especially with the deficit reduction that all of us are interested in participating in this year. This is a small, but I think significant, step down the road of reform with the farm bill finding savings that can be applied to either other programs or for deficit reduction.

That's why I commend my colleague from Arizona for the amendment he's about to offer, but my friend from Oregon, too, will have some important amendments for us to consider, a payment limitation limiting the overall amount of subsidies that go to our producers. And folks, this is going to agribusiness, many of whom have mailing addresses in Manhattan, in Chicago, in San Francisco. These aren't even family farmers working the land, and they're some of the primary recipients of these agriculture subsidies.

Mr. BLUMENAUER's amendments address that, along with Mr. FLAKE's AGI cutoff at \$250,000 a year. That's 250 thousand dollars of profit, and if you're an entity making a profit of over a quarter-million dollars a year, should you really still be receiving taxpayer subsidies for the business that you're running? I think not, and we'll have another opportunity to consider that later tonight.

So I appreciate the gentleman yielding me this time and further explaining what this amendment is all about. And if we are serious about deficit reduction, if we are serious about reining in some of these programs that are tough to justify, then we should be serious about supporting this amendment tonight.

Mr. BLUMENAUER. And Mr. Chair, on that note I, too, commend what my

friend from Wisconsin is doing. I look forward to the comments from my friend from Arizona. If we're serious about reform and saving money, it's time to move in this area.

I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, I rise in support of the Kind amendment. I commend the gentleman from Wisconsin for offering this.

You know, we've heard here that we need this program to make us trade compliant. Many of us warned when we did the last farm bill that if we did this level of subsidies that it would run afoul of our trade agreements. Yet we plowed ahead and did it anyway. And then April of last year is when our farm programs, which on their best day are out of step with reality, moved into the realm of the absurd when we hatched a program to actually fund an institute in Brazil to fund the cotton industry there to start subsidizing the Brazilians so that we could continue to subsidize our own farmers. Is that not absurd? Why are we continuing to do this?

It was raised before that we've got to do this to make us trade compliant now where tariffs might be imposed. That is true, but I offered an amendment in the committee earlier on that would have taken money from the direct payments that we currently pay to cotton farmers and paid off the Brazilians with that money rather than raid the Treasury and raid the taxpayers once again. And guess what? That passed in committee but was stricken when it came to the floor.

So when you hear all this rhetoric about, hey, we want to be trade compliant, we could have done that. We could have simply allowed that amendment to stick in the bill, and then this would have been trade compliant. But the Brazilians would have been paid off not with new taxpayer money but with the money that is making us non-trade compliant in the first place.

So don't believe what you're hearing about, we just want to be trade compliant; that's what this is about. We offered an alternative to that, and it was rejected. And so here we are asking the taxpayers to once again this year, \$147 million to the Brazilians to make us trade compliant. We've got to stop this.

Nobody really believes that we're going to do a farm bill this year. Nobody really believes we're going to do one next year. And so we're going to be doing this year after year after year, so that means that we're going to continue to do this unless we stop it. I can tell you if we pass the Kind amendment tonight, we will be back and we'll reform our cotton subsidies in a way that

will make us trade compliant. We'll go back and accept the Flake amendment that passed in the Appropriations Committee that perhaps took the money from the cotton program.

We don't need to continue to ask the taxpayers to pay off the Brazilians so that we can continue out-of-step subsidies to our own farmers. That's what this amendment is about. I commend the gentleman for offering it.

And I would yield to the gentleman from Wisconsin.

Mr. KIND. I appreciate the gentleman yielding, and I appreciate his support of this amendment and the leadership that he's shown not only in committee but throughout the years when it comes to sensible farm bill reform.

The easiest way for us to come into trade compliance isn't by bribing the Brazilian government to get them to not enforce the sanctions that it can under WTO; it's fixing this domestic program, and doing it now rather than waiting years from now, as my colleague just pointed out, for the next farm bill. I know this isn't easy, and I know the committees wrestles with a lot of different constituent problems. I used to serve on the committee.

I'm not asking anyone here tonight to do anything differently than what I'm asking my producers to do in my district of Wisconsin and in my State, and that's taking a haircut. The reforms that I've been proposing through the years would require my district to take a haircut on these agriculture subsidies. It's not always easy standing up to groups that are getting something from the government and saying we can't afford it, nor can we justify it, with the market and with the deficit. But that is what it's going to take for this body to come together if we are going to be serious about deficit reduction and getting the spending under control.

□ 2120

I know that the Agriculture Committee has their hands full, and I know they would rather just defer this next decision until the next farm bill and put it off. But we don't know when that's going to be. But the thing we do know for certain is there is \$147 million going out the door every year right now that we can stop doing tonight with the passage of this amendment.

Mr. FLAKE. I just want to make a point that everybody needs to take a haircut here if we are going to get this debt and deficit under control. We shouldn't ask the taxpayers once again to pay off the Brazilians so we can continue out-of-step subsidies to our own farmers.

We have a cotton industry in Arizona. They may take a hit because of this, but everybody has to take a haircut. Everybody has to contribute here to getting this deficit and this debt

under control. And if we can't start with a program like this, I don't know where we'll start.

After this amendment, I plan to offer an amendment that will go after the programs that actually make us nontrade compliant. I will be glad to give up on that amendment, not offer it at all, if this amendment is allowed to pass. But if it is called for the "noes," then I plan to offer the amendment after this.

With that, I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, you know, this is kind of a surreal debate because I don't think we're talking about the real issue here. You know, the cotton program isn't perfect. A lot of the programs that we have in the Agriculture Committee aren't perfect. Freedom to Farm, it was passed in '96. It got us into some of these problems. I opposed. It saved a little bit of money, and then we ended up spending 10 times as much money bailing people out when it collapsed. So you have got to be careful what you are doing.

But the problem here is, we're arguing about something that no longer exists. This program that they sued us under no longer exists. We have fixed it two or three times. We tried to address this. It was never good enough for the Brazilians. But we made some changes, and we made some more changes, and then we made some more changes in the 2008 farm bill. It's still not good enough for them.

Cotton went through some very difficult times. I don't have any cotton in my district. This is not a parochial issue for me. But if they wouldn't have had that safety net, we would have been out of the cotton business. But what was going on at the same time? We had Brazil using government money to increase cotton production in Brazil. And this is something that isn't considered in the WTO because we are such geniuses that we agreed to this agreement that tied our hands and gave our competitors the ability to eat our lunch. And that's what's going on.

You know, JBS, which just took over a big part of the livestock industry in this country, is financed by the Brazilian Government. They own 30 percent of JBS. Nobody complains about that. The Brazilian Government created most of this competition that collapsed the cotton prices worldwide.

And then we agreed to let China into the WTO, and they promised that they weren't going to go into cotton production. We shipped our textile market to China and collapsed all of our textile industry. And what happened? They increased production like crazy. India in-

creased production like crazy. Our cotton prices went down below the cost of production because of these trade agreements that we got involved in. But the way they're structured, there's nothing we can do about it. But they're going to sue us over a little step two program that we now got rid of, trying to keep our people in business.

Now, if you want to ship the whole cotton industry to Brazil and China and India, you are on a good start to doing that. And if you keep on this road, you're going to ship the rest of agriculture to these so-called developing nations that are not developing nations. If you've been to Brazil, in agriculture, they are anything but a developing nation; but they're protected under the rules that we agreed to in this WTO deal.

So is this a perfect solution? No. But we couldn't get the Brazilians to honestly sit down and work this out because they don't want to. They're trying to use this for other reasons, for other advantages in these trade negotiations and so forth. And I don't think we can ever do anything to satisfy them.

So there's more to this than people are talking about here. This is not about saving money. This is about making sure that we can have a safety net in this country so we can maintain production of agriculture in the United States and not ship it all to other countries and not get dependent on foreign countries for our food, like we've become dependent on foreign countries for our energy. That would be the worst thing that could happen to us.

So I just hope people understand all of the different ramifications. This isn't a perfect deal; but for the time being, it's probably the best solution that we can come up with.

I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to this amendment.

I want to return for a moment, I think, to the focus of the discussion. I want to be absolutely clear. If this amendment passes, it will—it could incite a trade war. Brazil could immediately impose \$800 million in retaliatory tariffs on a variety of U.S. goods.

I promise you, they won't retaliate against U.S. agricultural products. They'll go after ag chemicals and biotechnology products. And they'll go after veterinarian medicines and software and books and music and films. They'll go at everybody outside of production agriculture with their \$800 billion in retaliatory tariffs.

Now, we can debate how we got here; and my colleague, the ranking member, gave a very good history of what led us to this point. But this amend-

ment right here, right now would expose the U.S. to job-killing sanctions on goods valued at \$800 million.

In 2010, the Obama administration finalized a framework agreement with Brazil that was a critical step in resolving this dispute about the U.S. Up-land Cotton Program and export credits. And, yes, under the agreement, Brazil agreed to delay trade sanctions, trade retaliation until the 2012 farm bill was developed and put together. This amendment would circumvent the legislative process in what could only be described as a haphazard way that should be a relic of the past.

This amendment is an attempt to circumvent regular order, the democratic policy process, by changing policy on an appropriation bill. Now, I can assure you, I plan and we will have a full and open process when we start the farm bill debate. We'll debate the relevant issues dealt with in this amendment.

And on that note, I would serve a notice for record that next week, we plan to start the process of conducting an audit of all farm programs. This audit is just the beginning of the comprehensive and transparent process we'll use to draft the 2012 farm bill. Policy changes will be considered carefully with the input from industry stakeholders and constituents and within the larger context of improving the competitiveness and long productivity of American agriculture.

Let's not incite a trade war. Let's return to regular order. And if nothing else, my friends, remember, this bill is 13 percent lower than the previous spending bill. This Ag approps bill takes us almost back to 2006. We are giving our share in this appropriations process. And everyone in this room knows that whether it's the regular farm bill next summer or if we have some grandiose understanding on the national debt ceiling and spending, the deficit, we could well have a farm bill dramatically quicker than next summer, and we'll have a farm bill that reflects a dramatic reduction in resources compared to past farm bills.

Let the Ag Committee in regular order craft the policy, and then when we bring it to the floor—all of our friends, expert ag economists, we all may be together—you will have your shot, as you've had before. But please don't incite a trade war. Please don't ignore the regular order of appropriation authorization. Please be rational in what you do. We've got tough decisions ahead of us. Collin and I and the rest of the committee, we know that. We're going to do what we have to do. But let us do it in regular order, not in this fashion.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Let me just say this: Georgia is the second-largest cotton-producing State. It accounts for approximately 10 percent of the U.S. cotton production. In 2011, Georgia farmers intend to plant almost 1.5 million acres of cotton.

□ 2130

The average farm-gate value is more than \$600 million. There are approximately 2,800 businesses directly involved in the production, processing, and distribution of cotton. Accounting for the broader economic effects, the Georgia cotton industry supports more than 46,000 jobs, and it generates economic activity of approximately \$11 billion.

Now, the proponents of these amendments target provisions in the cotton programs that are at the center of a WTO trade case which Brazil has against the United States. The U.S. and the Brazilian Governments have scheduled a series of consultations designed to identify the modifications in policy that will resolve the case. The intention is to reach agreement on carefully thought-out provisions that can be included in the 2012 farm bill.

These hastily drafted amendments are not guaranteed to resolve the dispute, 1, since the U.S.-Brazil consultations have not resulted in any specific agreement and, 2, since these approaches will certainly undermine the future discussions as the two countries attempt to reach a final resolution that's fair and that is reasonable.

The amendments target cotton farmers in an effort to reduce government spending. The 2008 farm bill, including the cotton provisions, was fully paid for, offset, and did not add one single dime to the deficit. They cite the years in which the government's support for cotton was historically high, but they ignore the years when the support actually is at historic lows. We need to maintain the safety net so that it's there when it's needed but not utilized, as it hasn't been recently, when it's not needed.

Farmers understand the current budget pressures. They understand that very well. But they expect to be a part of a debate involving all of the agricultural stakeholders, and not be singled out for ad hoc budget reductions with hasty policy decisions.

These proposed amendments would nullify the basic component of cotton policy. If these amendments are enacted, they would take effect October 1, and, as a result, USDA would have to change the cotton program rules in the middle of the marketing year and change them back effective October 1, 2012. This would undermine the confidence in commodity programs, especially among agricultural lenders.

This would compromise our agriculture policy, a policy that has been vetted very carefully by our author-

izing committees and relied upon by our growers and our lenders in making their business decisions going into 2012. The reauthorization of the farm bill in 2012 is the proper forum to debate the cotton agriculture policy, not here on this appropriations bill.

We have got to do what is right in regular order. This is not the time. It's not the place. And what we're doing tonight, if they go forward with this, is pulling the rug out from under our cotton farmers and our agriculture when they have made financial plans through 2012. It is unfair; it's not right, and we should not do it.

I urge my colleagues to reject these amendments. They are ill-advised.

I yield back the balance of my time.

Mr. FARENTHOLD. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. I would like to speak in opposition to this.

The ranking member gives a great history lesson on how this comes out. The previous farm bill—passed by primarily Congress controlled by your side of the aisle—created a situation with our cotton subsidies that has caused a problem with Brazil, and we are trying to work it out.

My colleagues on this side of the aisle and many of the colleagues on the other side of the aisle are also concerned that this government as a whole, through the regulatory process, picked the regulatory agencies, making it very difficult and unpredictable for businesses by changing the regulatory environment.

Our businesses are holding back, not investing, not creating jobs. But we're about to do the same thing ourselves right here with this amendment by yanking the rug out from under our cotton farmers, who have built their businesses, made their plans based on the promise of the last farm bill.

You know, I love to save money for this government. I'm none too happy to see this money going to Brazil. But we basically lost a lawsuit and we're having to pay the damages. And we're going to fix it in the regular order without yanking the rug out from under the farmers, who are the backbone of this country, by changing the rules in the middle of the game. Give us until next year to get that farm bill out, and we will address it.

Even though it didn't rise to the point of order, this really does rise, in my opinion, to the level of legislating within an appropriations bill.

I don't like spending the money. I don't like sending it offshore. But we cannot change the rules in the middle of the game. We cannot move the goalposts for our farmers, many of whom are small, private farmers who have built their future, taken out loans, decided to buy more land, decided to buy more equipment, based all their busi-

ness decisions on the promise that this government made to them in the last farm bill. And changing the rules at this point is absolutely wrong, and I encourage my friends and my colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. DEFAZIO. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. The gentleman that preceded me said we lost a lawsuit. We didn't lose a lawsuit. If he knows anything about the WTO dispute resolution process, no conflict of interest, no open litigation, no legal proceeding as we in the United States of America understand it. A closed group with no conflict-of-interest rules that makes rulings. And they have decided that we, under this failed trade policy, should pay tribute, tribute, more than we paid to the Barbary pirates—\$147,300,000 a year to the Government of Brazil so we can subsidize our cotton farmers.

Now, you go home and explain that to your constituents. We'll borrow \$147,300,000 from China and we'll send it to Brazil so we can subsidize our cotton farmers.

What is this all about? It is about a totally failed trade policy. And at some point, this Congress has to take a stand.

RON PAUL and I, a number of years ago, 3 years ago—we get to do it once every 5 years—offered an amendment to withdraw the United States of America from the WTO. That will come up soon. I hope you'll all support it. It is something that binds us and is destroying our industries, our farmers, and everything else that's great about this country. I voted against the WTO.

This isn't about so much as a failed farm policy or farm bill, as the gentleman outland. It's about totally failed trade policies.

Other countries want to protect their agricultural interests. They want to feed their own people. They don't want to import polluted food from China.

We've opened up our country to polluted foods and goods from China and Brazil and everywhere else in the world with the WTO and these trade agreements. They don't observe them. We go and we lose this dispute and say, oh, we've got no choice but to pay. We have a choice. Let's not pay. We're not going to pay the tribute. We're not going to borrow the money from China. We're not going to send it to Brazil. Let's see what they do next. And maybe we can blow up this thing called the WTO and get back to something that protects our national interests.

I yield to the gentleman from Wisconsin.

Mr. KIND. I thank the gentleman for his comments in support of this amendment. And just one final point to my

colleagues who have been supportive of trade agreements in the past.

Let's be honest with ourselves. If we're going to be a part of this WTO organization to establish rules of trade across borders, then let's not turn our back on an adverse decision that affects us. Let's, instead, comply and bring the cotton subsidy program into compliance. That is the answer to this. And let's end this nonsense of stacking subsidy program on top of subsidy program to just buy off and blackmail other governments who have a WTO decision in their hands.

And I cannot believe that this evening, when we're asking for huge, unprecedented cuts in conservation programs that will affect thousands of farmers throughout the country and unprecedented cuts with nutrition programs that will affect thousands of low-income families with their children, and seniors, saying, "Tough luck. We're operating under tough budget times. You're just going to have to do without," when it comes to a simple amendment like this to save \$147 million a year to bribe Brazil cotton producers and an unwillingness to go into the title I subsidy programs for cost savings, then what the heck are we doing around here?

□ 2140

It is just beyond the pale that we're willing to take the deep cuts—and the chairman of the Agriculture Committee claimed a 12 percent cut in the farm bill, but he didn't say where those cuts were coming from. I'll tell you where it's not coming from. It's not coming from these subsidy programs. It's not coming from the cotton subsidy program that has gotten us into this problem. A handful of powerful cotton families are holding this institution hostage in order to maintain these subsidy programs that have benefited them for too long. Talk about benefiting the few at the expense of the many; this is the classic example of this Agriculture appropriation bill before us this evening. We can do a heck of a lot better.

Mr. DEFAZIO. I will reclaim my time to say we may have some differences over the underlying trade agreement and the mandates and the process which got us to this point, but I agree, subsidies—or bribes—on top of subsidies is insane in these tough budget times.

And I would just note that we're going to be confronted very soon with another limitation amendment on another bill where we're going to have a choice: We're going to abandon the American trucking industry to Mexico—which is, again, exacting tribute from the U.S., \$4 billion a year worth of tariffs, to try and drive our companies south of the border to use Mexican drivers.

So time and time again these trade agreements are failing us. I think it's

bigger than the problem of the subsidies in the farm bill, and this Congress needs to pay attention. One way or another, we're either going to get real about our deficits and what's really essential to the American people—feeding our people, clothing our people, and putting American people to work—or we're going to abandon ourselves to this failed notion of the WTO and other trade agreements.

Mr. Chairman, I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Chairman, the world has changed. It's not enough to simply buy American anymore, we have to sell American. We have to sell our American agriculture products, our technology products and services all throughout the world. But oftentimes, when we compete, we find much of the world is tilted against us. Other countries cut agreements to make it tough for us to sell. That's why we are involved in the World Trade Organization, to insist that other countries play by the rules, but that means America has to play by the rules as well.

We lost this case in the WTO. So the question today isn't about cotton subsidies or even saving money; it's about the smart way to address this issue that protects American jobs.

Now I am very sympathetic to this amendment. Paying Brazil nearly \$12 million a month is not the right way to resolve this issue, and I agree with that. In fact, America should simply live up to its WTO obligation and insist that others do the same as well.

The settlement that's in place today is necessary to prevent Brazil from imposing almost \$1 billion of new tariffs, new taxes on American products when we try to sell them into Brazil. And it's not just agriculture products. As you heard Chairman FRANK LUCAS talk, he made the point that not only can Brazil penalize our ag products, they can tax and tariff a broad range of products, especially America's innovation economy. So in your State, if you have companies that produce pharmaceuticals, medical devices, business software, technology, anything in the innovation sector of America, your companies and your workers face the loss of jobs and the loss of product sales because of this issue.

So the smart way to handle this is to deal with this not only in the farm bill, but at the WTO today, insisting that as we end these cotton subsidies, other countries end their agricultural subsidies as well. That is the smart way to resolve this issue that doesn't hurt America and jobs, in fact protects our American intellectual property rights in Brazil and other countries.

This is an issue of doing it the smart way. I oppose this amendment. I urge

our colleagues to continue to work together to resolve this issue in a smart way for our economy and a smart way for our jobs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. KIND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

Mrs. SCHMIDT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Mrs. SCHMIDT. Mr. Chairman, a few moments ago my friend from California had an amendment that she did withdraw that really wanted to codify into law the USDA's rules regarding the school lunch program. And while I won't go into the lengthy reasons why it's the wrong way to go for nutrition—not just the cost that it bears to the schools, but also the fact that USDA was recommending reducing the consumption of potatoes, corn, peas and lima beans to just one serving a week—which believe me I was shocked. But it wasn't just myself that had this reaction; it was also the California Fruit Growers Association, it was the National School Boards Association, it was the Council of the Great City Schools that wrote a letter. And that's why I and 40 other colleagues wrote to Mr. Vilsack of the U.S. Department of Agriculture in reaction to the promulgation of these rules.

I will enter into the RECORD the testimony I was going to give until she withdrew the amendment, as well as these four letters.

Mr. Chair, I rise in opposition to this amendment. Breakfasts and lunches served in schools are important components of the diets of school age children. Improving the nutritional profile of meals served to school children is very important.

When the USDA proposed a rule that eliminated potatoes from the School Breakfast program and limited the School Lunch program to one cup a week of potatoes, I was very concerned.

On the Agriculture Committee, I have made it frequently known how important healthy living and nutritious eating habits are to me as a person, a mother, a grandmother and as a legislator. It is especially near and dear to my heart when we discuss policies that affect children's nutritional needs.

When I heard that the USDA recommended reducing the consumption of potatoes, corn, peas, and lima beans—I was shocked.

When my daughter was growing up, I took great care to ensure that she ate healthy, balanced meals. Of course, potatoes were a part of that equation. You all know that they are full

of potassium, vitamins C and B6, potassium, fiber, and antioxidants. I cannot understand why the USDA would want to reduce school children's consumption of potatoes.

I think that it is short sighted for the USDA to ignore the health benefits that the potato provides. When looking at how to incentivize healthier eating habits, we in Congress need to find a way to encourage and educate program recipients to eat balanced meals.

I think it is very important to make sure that children receive balanced meals, and that certainly includes potatoes.

I, along with forty-one of my colleagues sent a letter to the USDA asking a number of questions about this proposed rule. Mr. Speaker, without objections, I would like to submit a copy of this letter to the RECORD.

Mr. Chair, potatoes, lima beans, peas, and corn are all healthy vegetables that should certainly be in the School Breakfast and Lunch Programs.

Potatoes are an excellent source of potassium and good source of fiber. According to the USDA's own magazine, *Amber Waves*, potatoes deliver these nutrients at a very low cost.

FNS has estimated that the proposed rule would increase the cost of school meals by \$6.8 billion over the next five years. Per meal, the cost will increase by 14 cents per lunch and fifty cents per breakfast.

Mr. Chair, school districts and states across the country are already cash-strapped and cannot afford this increased cost.

This additional burden will be passed onto students paying full price for their meals.

While I agree with the intent of the USDA to encourage the consumption of more fruits and vegetables, whole grains, and lean proteins—restricting the consumption of nutritious vegetables like potatoes, lima beans, peas, and corn is short-sighted and not the most effective approach to achieve that goal.

I encourage my colleagues to vote no on this amendment and instruct the USDA to issue a new proposed rule on implementing the new national nutrition standards for the School Breakfast and School Lunch Programs.

CALIFORNIA LEAGUE OF
FOOD PROCESSORS,
Sacramento, CA, June 15, 2011.

Hon. LYNN WOOLSEY,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WOOLSEY: The California League of Food Processors (CLFP) respectfully opposes your amendment to the FY 2012 Agriculture Appropriations bill, H.R. 2112, prevent the Agriculture Department from reissuing more reasonable and cost effective proposed regulations on the school breakfast and lunch program.

CLFP has concerns about USDA recommending school breakfast programs eliminate "starchy vegetables" and proposing restrictions on the use of tomato paste and cheese. As I'm sure you remember CLFP members account for 95% of the fruits and vegetables canned, frozen and dehydrated/dried in California and this represents more than 35% of U.S. production. For a number of preserved food products, California produces 100% of U.S. output, for example tomato paste. These new USDA restrictions could potentially mean the loss of millions of dollars in sales of vegetables, fruit and cheese to the national school program. Its negative

effects would ripple throughout the industry, from farmers, dairymen, package manufacturers, etc. The cost impact of this rule on our schools and food producers should be considered by USDA. Affirmative changes to the meal plan relative to starchy vegetables limits and tomato serving calculations would go a long way to fixing the cost issues that are concerning to schools.

CLFP supports your efforts to help ensure school kids have access to healthy and nutritious meals. However, we urge you to allow USDA to ensure the new rule on school meals is cost neutral and resist efforts by USDA to proclaim vegetables and other healthy foods "good" or "bad".

Very Truly Yours,

ED YATES,
President and CEO,

NATIONAL SCHOOL
BOARDS ASSOCIATION,
Alexandria, VA, June 14, 2011.

Re: H.R. 2112—FY 2012 Agriculture Appropriations Bill.

MEMBER,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE: The National School Boards Association (NSBA), representing over 90,000 local school board members across the Nation, is deeply committed to fostering a healthy and positive learning environment for children to achieve their full potential. However, NSBA is gravely concerned about the financial impact of the recent child nutrition reauthorization (P.L. 111-296) on school districts at a time when many are in dire economic straits. Therefore, NSBA supports report language accompanying the FY 2012 Agriculture Appropriations bill that directs the U.S. Department of Agriculture (USDA) to propose new rules that do not create unfunded mandates for school districts.

For example, the USDA estimates a cost increase of 14 cents per school lunch under new proposed standards for school meal programs, even though the available reimbursement increase is just 6 cents. A district serving free and reduced price lunches to 5,000 students faces a potential shortfall of \$72,000 annually under this scenario. The Department recommends a number of cost-shifting measures to address the shortfall (such as increased student payments, increased state and local funding, and operational changes), that are unrealistic and unconscionable given the current economic realities for many states and communities.

School districts have already closed buildings, terminated programs and laid off teachers due to eroding local, state, and federal resources. Every dollar in unfunded mandates in the child nutrition reauthorization must come from somewhere else in the educational system and result in more layoffs, larger class sizes, narrowing of the curriculum, elimination of after-school programs, and cuts to other program areas, including school food services.

The new meal standards are just one of many provisions of P.L. 111-296 being implemented over the next two-to-three years and will impose additional costs on school districts. The reauthorization is a hollow promise to our children when it comes at the expense of the education that will help them to succeed.

Therefore, NSBA supports report language accompanying the FY 2012 Agriculture Appropriations bill that directs USDA to propose new rules that do not create unfunded mandates for school districts. Questions regarding our concerns may be directed to

Lucy Gettman, director of federal programs at 703-838-6763; or by e-mail at lgettman@nsba.org.

Sincerely,

MICHAEL A. RESNICK,
Associate Director.

COUNCIL OF THE
GREAT CITY SCHOOLS,
Washington, DC, June 14, 2011.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The Council of the Great City Schools, the coalition of the nation's largest central city school districts, writes to call your attention to the proposed federal School Meals regulations that will cost an additional \$6.8 billion, and the possible amendment to the FY 2012 Agriculture Appropriations bill, H.R. 2112, by Representative Woolsey that would prevent the Agriculture Department from reissuing more reasonable and cost effective proposed regulations pursuant to the Committee report. The Great City Schools strongly opposes the Woolsey amendment.

Many of the nation's largest urban school districts have been among the leaders in improving the nutritional content of school meals and snacks provided to our students. Yet, our school districts are extremely concerned that USDA is proposing new federal school meals requirements costing an additional \$6.8 billion, with over \$5 billion in unreimbursed costs shifting on to school district budgets. The newly proposed school breakfast program requirements alone would cost \$4 billion, with the federal government providing not one-cent of additional federal reimbursement for these additional meal costs. The Council is skeptical that our formal regulatory comments recommending over \$4.5 billion in cost-saving changes to the rule will be accepted by USDA.

Before the Education and Workforce Committee, the San Diego Unified School District explained that they were already meeting all of the proposed new school meal nutritional standards, with the exception of the future sodium requirement, but that the school district would have to scrap its Nutrient-based School Meals program (as would 30% of the nation's school districts) and institute the new meal system required under the proposed USDA regulations, at the additional cost of over \$4 million annually to the district. School nutritionists and food service directors point out in regulatory comments that many of the newly proposed school meals requirements are unnecessary, excessive, costly, or counterproductive in the case of the regulatory prohibition on well-tested nutrient-based school meal systems.

Congress unfortunately shortcut the legislative process in passing the Senate's version of the Child Nutrition reauthorization bill in the lame duck session of the 111th Congress. The House child nutrition bill was not considered by the full House, and in fact there was no floor debate on the Senate child nutrition bill, which was adopted by unanimous consent prior to the August 2010 congressional recess. Without a full legislative process, the extent of the unreimbursed costs reflected in the USDA regulations, already under development for multiple years, was not fully examined. The drumbeat of celebrities and food advocacy groups promoting healthier lifestyles, and anti-obesity programs drowned out the practical considerations of cost-effectiveness and local budgetary realities faced by each of your school districts in this economic downturn.

A NO vote on the Woolsey amendment provides an opportunity to underscore the Appropriations Committee report that the Agriculture Department should withdraw its overreaching new federal school meals rules, and reissue a more realistic and workable proposed regulation.

Sincerely,

MICHAEL CASSERLY,
Executive Director.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 5, 2011.

Hon. TOM VILSACK,
*Secretary, U.S. Department of Agriculture,
Whitten Building, Independence Avenue,
SW, Washington, DC.*

DEAR SECRETARY VILSACK: Breakfasts and lunches served in the school setting are important components of the diets of school age children. Improving the nutritional profile of meals served in schools and maintaining participation rates are important priorities. We share your commitment to continually improving the contribution of the school meal to the nutritional needs of school children and to encourage healthy lifestyles for children that are built on a foundation of sound nutrition and physical activity.

USDA recently published a proposed rule on school meal plans to reflect the Dietary Guidelines. That proposal was based in great part on a study by the Institute of Medicine (IOM) commissioned by USDA. The recently released 2010 Dietary Guidelines identified potassium, fiber, vitamin D and calcium as nutrients of concern for all Americans, including school age children. Changes to the school meal plans should take steps toward increasing the consumption of these key nutrients by increasing student access to fruits and vegetables that are either "excellent" or "good" sources.

Changes to the school meal plans must consider the constraints faced by school lunch providers. School lunch providers need to offer nutritious affordable options that children will eat and that will encourage continued high rates of participation in both breakfast and lunch programs. For many children, the school meals are their prime source of nutrition for the day. Changes that discourage participation will reduce the overall health and wellness of American children.

As we continue to follow the development of the next generation of school meal plans, we would appreciate your thoughts on the following questions:

In the proposed rule, USDA indicates that implementation of the proposal will result in \$6.8 billion in increased costs over five years and that small entities will incur 80 per cent of that increase. Do you have estimates on the impact of these cost increases on participation among reimbursed, partially reimbursed and paying participants?

Potatoes are rates as an "excellent" source of potassium and a "good" source of fiber. According to a recent article in the March 2011, USDA magazine, *Amber Waves*, potatoes deliver these nutrients at a very low cost. What is the rationale for eliminating potatoes from the breakfast meal and limiting them to one cup a week when they provide cost effective access to two key nutrients of concern identified by the IOM?

By limiting access to potatoes and other starchy vegetables, the proposed meal plans seem to advance the notion that this will increase the consumption of the orange, green and other types of vegetables otherwise offered. Is there science to support the theory

that consumption of orange, green and other types of vegetables will increase if offered more often? What science exists that measures this type of vegetable menu change on nutrient delivery?

The starchy vegetable category includes vegetables with a variety of nutritional characteristics. What are the key characteristics that USDA identified which link the vegetables placed in this category, and how are they distinct from other vegetables excluded from the starchy vegetable category?

According to the nutrition experts, bananas and potatoes are very similar in their nutritional makeup. This goes beyond both being rich in potassium. It includes similarities in carbohydrates, dietary fiber and other nutrients. Should both bananas and potatoes have serving limits in the proposed meal plans?

The meal plan acknowledges a preference for orange and dark green vegetables? Is there sufficient science to support such a preference for orange and dark green vegetables? Would Irish potatoes with yellow, purple or other flesh color be considered starchy vegetables?

According to the proposed rule, lima beans in the fresh, canned or frozen form are considered starchy vegetables. In dried form they are legumes. Are there nutritional changes between the forms that support such a distinction?

The proposed meal plans are based on consumption data available from 2002 that was reviewed by the IOM for their report. Did USDA evaluate the applicability of that consumption data on potatoes and other starchy vegetables, given changes in preparation methods for products currently offered in school?

Are the serving limits on starchy vegetables, and potatoes in particular, based primarily on the nutritional profile of the product or on the preparation methods for the product?

Thank you in advance for your feedback to our questions. We look forward to working with you toward our common goal of improving the well-being of our nation's school children.

Sincerely,

Jean Schmidt, Joe Baca, Rick Berg, Ken Calvert, K. Michael Conaway, Eric A. "Rick" Crawford, Renee L. Ellmers, Wally Herger, Bill Huizenga, Raúl R. Labrador, Dan Burton, Dennis A. Cardoza, Jim Costa, Sean P. Duffy, Stephen Lee Fincher, Jaime Herrera Beutler, Steve King, Doug Lamborn, Tom Latham, Tom McClintock, Michael H. Michaud.

Devin Nunes, Collin C. Peterson, Chellie Pingree, Gregorio Kilili Camacho Sablan, Michael K. Simpson, Robert E. Latta, Cathy McMorris Rodgers, Candice S. Miller, William L. Owens, Thomas E. Petri, Reid J. Ribble, Kurt Schrader, Adrian Smith, Marlin A. Stutzman, Scott R. Tipton, Greg Walden, Steve Womack, Lee Terry, Fred Upton, Timothy J. Walz, Todd C. Young.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. The amounts otherwise provided by this Act for "Departmental Administra-

tion", "Agriculture Buildings and Facilities and Rental Payments", administrative expenses under the third paragraph under "Agricultural Credit Insurance Fund Program Account", administrative expenses under the fourth paragraph under "Rural Housing Insurance Fund Program Account", and "Foreign Agricultural Service—salaries and expenses" are hereby reduced by, and the amount otherwise provided by this Act for "Food and Drug Administration—salaries and expenses" is hereby increased by, \$5,000,000, \$20,000,000, \$10,000,000, \$4,000,000, \$10,000,000, and \$49,000,000, respectively.

Mr. DINGELL (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the amendment be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. DINGELL. Mr. Chairman, this is a good amendment.

At a time when 30 people have been grossly sickened and died in Germany and 3,000 have been sickened, we are cutting Food and Drug's enforcement budget. The legislation would cut the food safety budget of FDA by \$87 million below fiscal year 11, and \$205 million below the President's fiscal year 12 request.

We are witnessing now one of the deadliest E. coli outbreaks ever overseas in Europe, and that infection is spreading across the society of the world. My amendment has the support of the Consumers Union, Pew Charitable Trusts, the Center for Science in the Public Interest, U.S. PIRG, and the National Women's Health Network.

It is time for us to understand that every year in the United States, 3,000 Americans are killed with bad food, 128,000 are hospitalized, 48 million are made sick. We have imported food that is causing all manner of difficulty: Bad peanuts with salmonella, bad mushrooms, E. coli in peppers, melamine in dairy products, salmonella in eggs, bad shellfish and fish from China.

The amendment sees to it that Food and Drug has the resources it needs to do the job to protect the American people from bad food being imported into the United States. We are able to inspect less than 1 percent of the food coming into the United States. This is a positive risk to the American consuming public.

The situation here is indefensible. The House last year passed major improvements in our food safety laws. And we saw to it—we had a funding mechanism which was removed by the Senate. But without the adequate funding that this amendment would afford to our people, we will find that they are at risk of serious health dangers from bad food and from sickness that comes with those things. We are here, by this amendment, giving Food and

Drug the resources that it needs, some \$49 million, to see to it that these imported foods and other foods are safe.

□ 2150

This is extremely important. And while you might say, well, I don't know whether it is going to affect me, somebody in this country is going to get sick because bad food came in and because it kills people when that happens.

I urge my colleagues to support the amendment until we can get ourselves in a situation where we have proper and adequate funding for Food and Drug to see to it that our people are safe from imports which are causing sickness, illness and death to the American people.

The legislation, unfortunately, does cut the food safety budget, and it cuts it in ways which are threatening a piece of legislation which has strengthened Food and Drug with the support of not just farmers and consumers, but also of the food processing industry, which rallied around and supported the legislation along with consumer groups and all of the other sources in industry, recognizing we desperately need something to be done to ensure that our people do not get sick and die from bad imported foods.

I urge my colleagues to support the amendment. I urge them to do so with vigor until such time as we can get a fee system in place which will adequately support Food and Drug and see to it that our people can sleep easily after they have a full meal knowing that the food they have consumed is safe.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I rise with great temerity in opposition to the amendment by the great gentleman from Michigan.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, I would note that over the last 2 days we have heard how ag credit and rural housing have had deep cuts in this bill, and yet now we have an amendment that would cut more from them and would impart those funds on a program that between fiscal year 2004 and the current fiscal year has experienced a net budget authority increase of \$2 billion, a 121 percent increase, and over the same time period, direct appropriations increases of over \$1 billion, or 75 percent. Implementation of the Food Safety Modernization Act of 2010 would require an additional \$1.4 billion in new budget authority. If the President's budget request were adopted, the result would be a 156 percent increase for FDA since 2004.

This level of spending is unsustainable. While the recommended funding level for FDA in this bill is an 11.5 percent decrease below the amount

provided in the fiscal year 2011 continuing resolution, the subcommittee's overall allocation was reduced by 13.4 percent. Hence, this program suffered a smaller reduction than other programs within the budget.

Once again, with these massive increases in budget authority and in actual spending through direct appropriations over the time period 2004 and the current fiscal year, Mr. Chairman, and given the fact that ag credit and rural housing have already taken the types of deep cuts that are referenced in the rest of the bill, I urge my colleagues to defeat the amendment.

I yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. I rise in support of the Dingell amendment to partially restore the Food and Drug Administration funding to the fiscal year 2012 agriculture appropriations bill.

I listened to what my colleagues said on the other side of the aisle. The fact of the matter is that today's bill slashes the FDA by \$572 million, or 21 percent, below the President's request, and by \$285 million, or 12 percent, below this year.

I beg to differ with the gentlewoman. This is not the time to be cutting the FDA's budget. We have had many scares. We have had many outbreaks. We have had people die. We have had people become seriously ill. That is why in the last Congress we passed the landmark Food Safety Act, because we wanted to have increased inspection of food manufacturing plants, increased scrutiny of imported foods, and development of the capability to more quickly respond to food-borne illnesses and minimize their impact.

I don't know about you, but when I go home, I hear a great deal of concern about the quality and the safety of our food supply and our groceries. When people buy food in the supermarket, when they go and buy it at a roadside stand, they are very concerned about the quality of the food and whether they are going to get sick. That is why we passed the landmark Food Safety Act. It is clear that we have just recently had the E. Coli breakout. The Nation's food supply is so extremely vulnerable, and the FDA must be equipped to keep it safe.

The FDA has important responsibilities to protect and promote the health of the American people. To succeed in that mission, FDA must ensure the safety of not just food, but drugs and medical devices that Americans rely on every day. They don't just need to oversee the safety of the products. They also need to be involved in facilitating scientific innovation that makes these products safe, effective, and more affordable.

Now, these efforts are especially critical today because I believe that American competitiveness depends on our ability to innovate. To do that, we must properly fund key agencies like the FDA that are essential to assisting in the development of new drugs and devices. FDA places a high importance on promoting innovation. In fact, they are currently developing a new Innovation Pathway, an initiative to help promising technologies get to market. But let me share something with my colleagues. One of the FDA's senior leadership staff testified before the Energy and Commerce Health Subcommittee recently and assured us that these cuts would prevent such efforts from moving forward.

What I am trying to emphasize is that whether you look at it from the point of view of the food supply, whether you look at it from the point of view of innovation, to make cuts in the FDA budget simply makes no sense.

It is crucial to job creation. It is crucial to people feeling safe about what they eat, and the government has to be responsible for facilitating an environment where Americans can continue to innovate. It is a key to creating new thriving industries that will produce millions of good jobs here at home and a better future for the next generation. If government abandons its role, we run the real risk of squandering too many opportunities that lead to innovative discoveries and great economic benefits.

Mr. Chairman, the bottom line is the funding level put forth in today's appropriations bill is inadequate. FDA is already an underfunded agency. If we don't continue to give the FDA the resources it needs to complete its mission, they cannot support initiatives that save lives and create jobs; and these are priorities that Congress should embrace.

I listened to what my colleagues say on the other side of the aisle. I understand we have to be concerned about funding and budgets and that we have a deficit. We also have to figure out what is important as a priority. The American people have told us that food safety is a priority. That is why we passed this landmark bill last year.

There has to be a significant increase in funds, even in this environment, if we are going to keep the food supply safe. If we don't do that, a lot of economic activity is also going to suffer, including innovation, including what we can do for the future to keep this country competitive. So I understand what she is saying, but I also think that it is very important to restore these funds.

I want to commend my colleague, Mr. DINGELL, for putting forth this amendment, and I would ask my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I stand in opposition to the amendment, but with great admiration for the author of the amendment—but still disagreement.

Now, the previous speaker actually said that FDA funding has been slashed. FDA is funded both with direct appropriations and with fees. Last year, their funding level was \$3.6 billion. This year, it is \$3.64 billion. It is a little bit more. I would say it is level funding. But FDA funding has not been slashed, and it is very important for us to realize that.

Number two, let me show you something about the FDA funding history, Mr. Chairman. If you can see this, this chart actually goes back to 2000 and goes up to 2011. It has been nothing but a 10-year climb uphill for the FDA. And while a lot of people are saying the FDA funding is slashed, there is not even a slight dip in any of this 10-year funding chart. It is very important for us to realize that.

□ 2200

Now, the second point is, in the FDA hearing, I was concerned about FDA's ability to do food safety and to take on this big mission. Here is why:

You hear the figure of about 48 million foodborne illnesses—a very high number which we are enormously concerned about—but 20 percent of those illnesses are from known, or specified, pathogens. Nearly 60 percent of the illnesses from known pathogens comes from the Norovirus. So how do we address this?

The CDC tells us on their March 4 memo that appropriate hand hygiene is likely the most important method to prevent the Norovirus infection and to control transmission. Reducing any Norovirus present on hands is best accomplished by thorough handwashing. Now, in the FDA's 630-page budget request, there is not one mention of Norovirus. I believe that that's relevant.

The second point: The second highest cause of illness is salmonella; but under its authority, the existing authority, before the Food Safety Modernization Act was passed by the House, the FDA updated its own food safety as respect to salmonella. They are saying—and this was according to their own press release in July of last year—that as many as 79,000 illnesses and 30 deaths due to the consumption of eggs contaminated with salmonella may be avoided. That was last year. That was before a new bureaucracy. This bureaucracy, by the way, over a 10-year period of time, will cost \$1.4 billion and will hire 17,000 new Federal employees.

The third highest cause of foodborne illnesses is clostridium. Again, in the FDA's 630-page budget request, it was only mentioned once.

I want to say something else that is very important. Do we believe that McDonald's and Kentucky Fried Chicken and Safeway and Kraft Foods—and any brand name that you can think of—are not concerned about food safety? The food supply in America is very safe as the private sector self-polices because they have the highest motivation. They don't want to be sued. They don't want to go broke. They want their customers to be healthy and happy and to come back and give them repeat business.

Now, in response to the 2006 E. coli outbreak that happened in California with spinach, where three people died and 200 consumers were sickened, the California Leafy Green Products Handler Marketing Agreement was made. This is a private sector agreement which has done already 2,000 farm audits on a voluntary basis. Nearly 200 billion servings of lettuce and spinach and other leafy greens produced under this program have been surveyed. It is a successful private sector initiative, and those types of things happen all the time in the private sector, but we're blind to it.

Here are some numbers from the CDC. It's very important because I think America loves to beat itself up over things all the time. The CDC numbers, Mr. Chairman: There are 48 million foodborne illnesses reported a year, 128,000 hospitalizations, 3,000 deaths. Those numbers are very high. I'm very concerned about it. That's why we spend a lot of money already on food safety.

I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I yield to my colleague from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

I just want to continue with this, Mr. Chairman.

You have 311 million Americans eating three meals a day. That's 933 million meals eaten each day. That's nearly 1 billion food consumption events in our country, which is over 360 billion meals consumed. If you do the math in going back to the 48 million foodborne illnesses, according to the USDA, our food safety rate is 99.99 percent.

I want to address the 48 million, but what I also suggest to you is that we can spend \$45 million more for FDA funding; we can spend \$100 million more or we can spend \$1 billion more, but I don't think you can increase this number of a 99.99 percent food safety rate according to the CDC. So, in these times of very tight budgets, it is very important to keep these facts in mind.

I am going to close with this statement by the Democrat Secretary of Agriculture, Tom Vilsack, and this was as of yesterday. He said he is "reasonably confident" that U.S. consumers won't be faced with the same sort of E. coli outbreak now plaguing Germany. He goes on and explains why—because of the current food safety laws in place and the current food safety funding.

Mr. CONAWAY. I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR (Mr. DOLD). The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the chairman, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I thank my good friend for yielding to me.

I want to thank my colleagues on both sides of the Appropriations Committee and their extraordinary staffs for their courtesy to me as we have gone on through this legislation and through the discussion of this amendment.

I've listened to my Republican colleagues tell us how great we're doing. My good friend, for whom I have enormous fondness, presents us with a bunch of pictures of food. It looks great. Maybe it's safe and maybe it's not. He has got a bunch of numbers that say that it's 99.99 percent safe. That sounds wonderful.

But what are the real facts? All right.

The real facts are that, at the time that this cut is going into place on Food and Drug's budget, 3,300 people have been sickened in Germany with a particularly dangerous form of E. coli, and 30 people are dead. It is spreading across the German borders into other countries.

Now, how are we doing over here?

First of all, Food and Drug has been starved of resources for years and has not been able to provide the necessary protection to the American people from imported food, which is coming in and is, frankly, sickening people.

What is the situation? Salmonella and peanuts, bad mushrooms from China, E. coli in peppers coming in from Mexico, melamine in dairy products. It kills kids. It kills babies. It causes all manner of health risks and dangers.

There are bad pharmaceuticals coming in. We haven't been able to get ahold of that problem yet, but I'm going to try and get a bill that will address that; and I'm going to try and see to it that we get a fee system that will enable us to not have to quarrel about these moneys on the House floor.

But in this country, let's look. If this is going so well and if the Secretary of Agriculture is so right and if my dear friend from Georgia is correct, then there is really nothing to worry about;

and I would like somebody around here to tell me what I'm then going to tell the 3,000 people who are killed in this country by bad food every single year. 128,000 of them are sick enough that they have to go to hospitals. On top of that, 48 million people get sick.

There is no way on God's green Earth, with the budget that Food and Drug has, that they can properly and adequately protect American food and protect the American people from the dangers of bad imported food. China is the Wild West. The stuff that they're exporting to the United States, quite frankly, I'm not sure I'd feed my hogs.

Having said these things, it is time for us to stand up to the problem and to say, Okay. We're going to spend the money that's necessary to keep people safe. We are talking about \$49 million here. A lot of money. But how much do you think it takes to bury 3,000 Americans? How much does it cost to take care of 128,000 people who are hospitalized every year because of this? or to take care of the 48 million people who get sick? and the mothers who lose babies because of bad milk and things of that kind that come in from China, where they put melamine in them to up the fictitious levels of nitrogen and protein?

So I beg you, let us do what is necessary to see to it that Food and Drug has the funds that they need to do the job to protect the American people.

Mr. Chair, this legislation before us would cut the food safety budget of the U.S. Food and Drug Administration (FDA) by \$87 million below FY 2011 and \$205 million below the president's FY 2012 budget request. At a time when we are witnessing one of the deadliest E. coli outbreaks ever overseas in Europe, the House stands ready to cut funding for our food safety systems. This is indefensible and why I am offering an amendment that will which takes \$49 million from several administrative accounts at the U.S. Department of Agriculture (USDA) and transfers them to FDA for the implementation of the Food Safety Modernization Act (FSMA), of which I am the author. Specifically, this amendment cuts \$5 million from the Departmental Administration account, \$20 million from the Agriculture Buildings and Facilities and Rental Payments account, \$10 million from administrative expenses under the Agricultural Credit Insurance Fund, \$4 million from administrative expenses under the Rural Housing Insurance Fund, and \$10 million from the Foreign Agricultural Service.

I want to make clear that the offsets I am offering are difficult, and not accounts which I would cut in normal circumstances. However, these are not normal circumstances, and the draconian cuts already made by this legislation to the food safety budget leave me with no other choice. The cuts to the USDA General Administration Account and to the Buildings and Administration Account are certainly damaging. I believe in the good work USDA is doing to promote agriculture in this nation, but these specific accounts did not receive as large a cut as others. The safety of our nation's food supply must take priority over these administrative accounts.

Furthermore, the cut to the Agricultural Credit Insurance Fund, which provides loans to farmers when they can not obtain them in the private sector, will be taken from an administrative account which will not affect the loan levels to farmers in need. The cut to the Rural Housing Insurance Fund, which guarantees some rural housing loans, will also be taken from an administrative account which will not impact the loan level. Finally, while I am supportive of the Foreign Agricultural Service and their work to promote agricultural exports overseas and their international development efforts, I believe the American people would agree that at a time when we recently had a recent scare with Salmonella in eggs and authorities have agreed that the E. coli outbreak which is impacting Europe could happen here, our priority must be on the safety of our own food supply.

I want to make it very clear that the money given to FDA by my amendment is intended for their food safety activities. Last Congress when this institution overwhelmingly passed the Food Safety Enhancement Act, it had bipartisan support, the support of consumer groups, food safety groups and industry, and a guaranteed source of funding for food safety activities. The food safety reform law gives FDA the tools it needs to prevent and detect food-borne illnesses—like the E. coli outbreak in Germany—from occurring.

Under this new law, the FDA has the authority to recall food products, to require food facilities to have safety plans to identify and mitigate risks, and to increase the frequency of FDA inspections of facilities here and abroad. Unfortunately, a dedicated fee to fund the changes to our food system was dropped by my friends in the Senate and now we are witnessing a perfect storm—because of the political whims of my colleagues we are limiting the funding available for food safety activities at the same time the FDA has the responsibility to begin implementation of the historic food safety law.

Year after year we witness devastating outbreaks that sicken or kill innocent people. We have seen E. coli in peppers, Salmonella in peanuts, melamine in milk—the list goes on. A fee system is not a radical concept. The drug industry pays a user fee dedicated to assisting the FDA with the review of new drug applications and the medical device industry pays a user fee dedicated to the review of marketing applications. Such a fee guarantees that the FDA has a source of funding dedicated to their review process free from political posturing.

We can all agree that we must reduce our budget deficit and that all options to cut spending must be on the table. However, at a time when we are witnessing the latest E. coli outbreak in Europe sicken nearly 3,200 people and kill 33, it is unconscionable that we would cut funding from the agency whose responsibility it is to prevent such food-borne illnesses here in the United States.

I urge my colleagues to vote in favor of my amendment restoring funding to the FDA for their food safety activities.

Mr. FARR. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. DINGELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

□ 2210

AMENDMENT NO. 13 OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide non-recourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008. (7 U.S.C. 8731).

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, this is a simple amendment to limit the subsidies for mohair.

Mohair is something that back in World War II we needed for our military uniforms. The problem is we haven't used mohair in our military uniforms since the Korean war, and yet the subsidies still continue. So this is a commonsense amendment to simply limit this. This is roughly \$1 million a year. This is something that Congresses previously had eliminated. It crept back in.

And this limitation amendment that I would offer, I would urge my colleagues to vote for. My understanding is there's no opposition on either side of the aisle.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to make (or to pay the salaries and expenses of personnel in the Department of Agriculture to make) payments for the storage of cotton under section 1204(g) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8734(g)) or for the storage of peanuts under section 1307(a) of such Act (7 U.S.C. 8757(a)).

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. I would hope this body would take this amendment with the same pace we did the mohair subsidies, but perhaps not.

This amendment seeks to eliminate the cotton and peanut storage payments that we have been making. I would point out to my colleagues that President Obama recommended terminating this program in his fiscal 2012 budget. No other agriculture commodities receive this type of assistance.

I would like to read a paragraph that's found on the WhiteHouse.gov Web site:

The credits allow producers to store their cotton and peanuts at the government's cost until prices rise. Therefore, storage credits have a negative impact on the amount of commodities on the market. Because storage is covered by the government, producers may store their commodities for longer than necessary. There is no reason the government should be paying for the storage of cotton or peanuts, particularly since it does not provide this assistance for any other commodities.

I happen to concur with the President on this. I hope my colleagues would find this to be a commonsense amendment to say we should not be specifying winners and losers. In this particular case, we're going to offer a storage credit for just cotton and just peanuts. It's something that I think should be eliminated. I would hope the body would concur. I would hope we would understand we're going to have to make some changes in the way we do things. This is one instance where I actually agree with the President. I'm proud to stand in support of that and would encourage my colleagues to support this amendment.

I yield back the balance of my time.
Mr. BARROW. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BARROW. Mr. Chairman, I rise in opposition to the gentleman's amendment to eliminate storage and handling payments for cotton and peanuts.

I represent a lot of producers of these commodities, and I guess it makes me a little bit more sensitive to why storage and handling is an important part of our agricultural policy and why this amendment could have potentially devastating impacts if allowed to become law.

I believe it's in the best interest of our country to support domestic agriculture. If you think our reliance on foreign oil is a nightmare, imagine what it would be like if we had to rely that much on foreign sources of food and fiber. For that reason, it has been the policy of the Congress for decades to provide a safety net to help protect domestic farmers where prices are low and world markets are unfavorable.

If you represent farm country or if you've ever worked on a farm bill, you have some idea of what a delicate balance it can be to use the different tools at our disposal to craft a law that meets the needs of farmers and consumers. Different commodities have different economies. Prices sometimes swing wildly. Sometimes, even biological differences need to be accounted for.

For example, if peanuts are not stored correctly, they can develop toxicity that renders them not only useless, but dangerous, to the consumer. Storage and handling assistance has been developed as an efficient policy for peanuts because it not only gives the farmer some latitude about how long he can store his crops, but it also improves food safety for the public.

Mr. Chairman, I was on the Ag Committee back in 2008 when we crafted the last farm bill. It's been the law of the land since then and will continue to be until next year. It's the basis on which every farmer has planned during that time. This amendment creates uncertainty for those farmers. It threatens their jobs, and it threatens the domestic production the rest of us depend on.

I believe this amendment is bad policy, and I urge my colleagues to reject it.

With that, I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. I also oppose the amendment.

This amendment does not save one nickel in fiscal 2012. It's a bit theater. And unlike mohair, peanuts and cotton have a little different circumstances. The storage that is talked about here is only paid if the prices for these two commodities drops below their loan rate. CBO does not estimate this to happen for the next decade in terms of these prices. The loan rates are substantially below where the current prices are. That means the producers pay for these storage costs as these products are moved to market.

So this amendment, while we debate it for some 15 to 20 minutes, will cost more to debate than it will save for the taxpayers. It is an integral part of the safety net that these producers rely upon.

You've heard this over and over tonight: The Ag Committee is best suited to develop a proper safety net and an ag policy for this country. This country has had an ag policy from its inception. We ought to stand by that ag policy once it's put in place. We put it in place in 2008. Many tradeoffs were made between conservation programs, commodity programs. Cotton and peanuts were in the mix.

We will have those exact same conversations this time next year. The

farm bill will come to the floor, and those who disagree with the farm policy that's developed in the Ag Committee will have ample opportunity to come to this floor and make these arguments once again. But to do this in an appropriations bill in basically a drive-by shooting manner, in my view, is wrongheaded. We ought to trust that the Ag Committee will get this work done and get it done properly.

The 2008 farm bill was put in place. Ag producers across this country, bankers across this country, implementation dealers across this country have looked at that as a deal. Most folks in the business world don't back up on a deal when they don't have to. And we don't have to in this particular instance because, as I said at the start of this, it does not cost the taxpayer any money as long as prices are high. CBO and most folks estimate that in the near term the prices will not drop below 18 cents a pound for peanuts or 52 cents a pound for cotton.

So I respectfully disagree with my colleague's attempt to alter the farm bill in this way, in an appropriations bill, and I would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I think this amendment is very, very ill advised.

Storage and handling fees are an integral part of the peanut program and the cotton program. Removal of these fees will strike against the growers, the farmers' bottom line. The current marketing loan rate is \$355 per ton. There has been no increase in the peanut loan rate, which is the safety net, since the 2002 farm bill. With the new farm bill expected to take place next year, it's unfair for the program to change dramatically in this final year of the 2008 farm bill.

Peanut growers changed their program from a supply-management program, in 2002, to a marketing loan program. We eliminated the old quota system. This included a price reduction from \$610 per ton to \$355 per ton marketing loan. The growers will lose even more if the program suffers another \$50 per ton reduction due to the elimination of the storage and handling fees.

Peanuts are a semipermanishable commodity. This is different from corn, from wheat and other commodities. It is economically unfeasible for producers to store their peanuts on the farm like other commodities such as corn and wheat. Peanuts need a secure and an atmospheric-controlled environment. Peanuts require intense and constant management in the warehouse storage, which a farmer does not have the skills to do.

□ 2220

Without proper management, a farmer's peanuts could go from what is

known as a Seg 1 loan price, which is the best, to a Seg 3 loan price, which is contamination due to aflatoxin.

Elimination of the storage and handling program could certainly impact food safety, the safety of the product.

Shellers basically control over 75 percent of the peanuts after the peanuts leave the farmer's control. Since peanuts are semi-perishable and due to the highly concentrated shelling industry, farmers are at the mercy of the shellers in terms of pricing. Shellers could possibly force the farmer to accept a lower price that would cover the storage and handling cost. Farmers then have no alternative in selling their peanuts. That eliminates the competitive edge.

This could effectively lower the loan rate to producers, as I said, by \$50 a ton. The storage and handling program has effectively been a no-net-cost program to the government. Thus, the elimination of it will not help to reduce the Federal deficit.

Again, we are here about to pull the rug out from under farmers who have relied upon what this Congress and what this government has done in setting farm policy starting from 2008 to 2012. Why would we come at this point and pull the rug out from under them and upset all of their plans? Many times they have made loans, they've had to purchase equipment, and particularly throughout the Southeast, the equipment that is required for southeastern peanut growers and southeastern farmers is varied. We've got a broad portfolio, unlike the Midwest. We grow multiple crops.

In the Southeast, from Virginia all the way to Texas, you will find that farmers will grow corn; they will grow grain, of course; they'll grow peanuts; they'll grow soybeans; and they'll grow cotton. Each of those commodities at least will require three different kinds of equipment, and the combines and the equipment for cotton costs anywhere from \$250,000 to \$350,000. Other equipment for peanuts, for grain, \$150,000, \$500,000.

This is going to undermine the bottom line, it's going to remove the competitive edge that American peanut growers have, and it's going to devastate our ability to maintain the highest quality, the safest, and the most economical peanuts anywhere in the world.

I think this is very, very ill-advised. I think it will undermine American agriculture. It will lessen our food security, and certainly that is the last thing that we need to do because we are already energy insecure.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was rejected.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 80, after line 2, insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Agriculture Buildings and Facilities and Rental Payments" by \$13,000,000, and increasing the amount made available for the "Office of the Secretary," by \$5,000,000.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the Chairman, and I thank the Agriculture appropriations subcommittee for their kindness and their deliberateness in this very long evening and as well the ranking member along with the chairman.

This is a simple amendment about food and about helping more Americans get healthy food. There is not one of us that does not understand how dry and difficult a desert is. This amendment is simply about food deserts in rural and urban areas.

This amendment provides a \$5 million increase to the Office of the Secretary to allow assistance to provide relief to those who are suffering from the lack of access to food quality.

This is a healthy child, we would hope. That healthy child needs to have good food. These funds will increase the availability of affordable healthy food in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

Fast-food restaurants and convenience stores line the blocks of low-income neighborhoods, offering few if any healthy options. In rural areas, there may be no access at all. This particularly impacts African American and Hispanic communities and, as I indicated, rural communities.

This climate in the difficult times that we have requires us to be able to allow families to have access to good food. We also have the issues of obesity and as well nutrition. Food deserts impact many districts, and I will say to you that Texas in particular has fewer grocery stores per capita than any other State.

According to the Kaiser Family Foundation, 32 percent of all children in Texas face a nutrition issue. Targeting assistance to food desert areas will provide healthy food to affected areas, open new markets for farmers, create jobs, and bolster development in distressed communities.

Farmers markets are a good idea, but farmers markets sometimes are difficult to find in our communities. Again, let me emphasize, this is about rural and urban areas. This initiative will provide for the availability of healthy food alternatives to some 23 million people living in food deserts.

Let me just suggest to you that these families that we care for, families, young families of the military, many of

you have heard stories where the military families are on food stamps. Many of them live in areas beyond their bases, and some of their families are back home in rural and urban areas. This amendment, which will provide an \$8 million gift back to the government, will give a mere \$5 million to provide the opportunity for those food desert loopholes, if you will—rural places in our Nation where there are big gaps with access to food, and as well urban areas—to have access to the opportunity for good and healthy food.

With that, I yield back the balance of my time and ask my colleagues to support the Jackson Lee amendment that addresses the question of helping those who need healthy food.

I thank the Chairman for this opportunity to explain my amendment to H.R. 2112, which will reach back into the bill to increase the funding for the Office of the Secretary by \$5 million dollars. This increase, provided for by reducing the funding for operations and maintenance of Buildings and Facilities in order to fund President Obama's Healthy Food Funding Initiative, HFFI. Supporting this amendment will not only fund an important pilot program, but save the government \$8 million.

Funding HFFI will increase the availability of affordable, healthy foods in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

These "food deserts", communities in which residents do not have access to affordable and healthy food options, disproportionately affect African American and Hispanic communities. Fast food restaurants and convenience stores line the blocks of low income neighborhoods, offering few, if any healthy options.

Many of my colleagues across the aisle have made arguments about the economic climate, and the need for budgetary cuts, and I agree that we must work to reduce the deficit. We cannot, however, continue to make irresponsible cuts to programs for the underserved, lower income families, and minorities.

Since the mid-1970s, the prevalence of overweight and obesity has increased sharply for both adults and children, and obesity is a grave health concern for all Americans. However, food deserts have taken a toll on low income and minority communities and exacerbated growing obesity rates and health problems.

According to the Center for Disease Control and Prevention, CDC, 80 percent of black women and 67 percent of black men are overweight or obese. African American children from low income families have a much higher risk for obesity than those in higher income families.

The CDC also estimates African American and Mexican American adolescents ages 12–19 are more likely to be overweight, at 21 percent and 23 percent respectively, than non-Hispanic white adolescents who are 14 percent overweight. In children 6–11 years old, 22 percent of Mexican American children are overweight, compared to 20 percent of African American children and 14 percent of non-Hispanic white children.

Food deserts have greatly impacted my constituents in the 18th Congressional District,

and citizens throughout the state of Texas. Texas has fewer grocery stores per capita than any other state. The U.S. Department of Agriculture, USDA, identified 92 food desert census tracts in Harris County alone. These areas are subdivisions of the county with between 1,000 to 8,000 low income residents, with 33 percent of people living more than a mile from a grocery store.

According to the Kaiser Family Foundation, 32 percent of all children in Texas are overweight or obese. These statistics underscore the staggering affect food deserts have on the health of low income and minority communities. In Houston and other cities across the country, local programs have proved that well targeted funding and assistance can create viable business outcomes and increase access to healthy food.

Targeting federal financial assistance to food desert areas through the Healthy Food Funding Initiative will provide more healthy food to affected neighborhoods, open new markets for farmers, create jobs, and bolster development in distressed communities.

The Healthy Food Funding Initiative is not a handout, or a crutch. Funding through this program is intended to provide financial and technical assistance in support of market planning, promotion efforts, infrastructure and operational improvements, and increase availability of locally and regionally produced foods.

This initiative will increase the availability of healthy food alternatives to the 23.5 million people living in food deserts nationwide. Yes, we must work toward reducing the deficit, but cutting programs that provide healthy food to those who simply do not have access to nutritional options, is not the way.

Mr. KINGSTON. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. My dear friend from Texas has worked diligently to find something to work out with this. As I had indicated to her last night, we're trying to work on some alternatives and see if there's a way to do it. Just in the last 30 minutes, I've gotten something from GAO that says that you could actually cut out \$45 million from this program and that it would not affect the potential of it.

Right now what I will do—and I know my friend from California is rising. Let me yield to him because I know he probably has a different view, but I want to kind of keep the debate going.

Mr. FARR. Go ahead. I'll just strike the last word.

Mr. KINGSTON. Well, you've got 4 minutes from me. You could still strike the last word. That gives you 9 minutes.

Mr. FARR. Mr. Chairman, thank you.

I have concerns about where the money comes from as all these bills are offsetting, but I think that the purpose here should be funded. We have this whole initiative—and some of it has been attacked tonight—about trying to get healthy foods grown by American farmers to people in areas that are

called food deserts, as the gentlelady from Texas pointed out. There are places that people just can't go. There isn't a grocery store. There aren't fresh fruits and vegetables.

□ 2230

I mean, think of the 7-Eleven. That's the kind of convenience stores that are around. Even the one we use up here a couple of blocks away is very limited in the amount of fresh fruits and vegetables it has.

So what this initiative is all about, and it's the President's initiative too, is trying to get food—it's an educational process. I think the hardest cultural—this is what I learned from living in other cultures in the Peace Corps. The hardest thing to do is to get people to change their eating habits. We all know that struggle when we go on a diet. So it takes a lot of education. It takes a lot of support, but it also takes the need to have access to it.

You need to have access to the fresh fruits and vegetables, and they can either come to you in a farmers market or you can go to them. But if you have neither a farmers market and there's nothing to go to, you have no option. And that's what this amendment is about, getting some money into the program that will be able to outreach and getting good, nutritious food to families who most need it who, without that, have a good chance of not growing up healthy, high incidence of obesity, high incidence of diabetes, high-risk issues that cost a lot of money for the taxpayers when they have to go on dialysis or have to be under treatment.

So we have spent many years here in the committee—and the chairman knows it very well—of looking at how do we prevent this from happening when the choices are there. These are preventable diseases and preventable ill health situations, but we've got to reach out and do it, and that's what this amendment does and I think it deserves support.

Mr. KINGSTON. If I could reclaim my time, I want to read this quote from GAO. It says: The committee may wish to consider reducing the request for this initiative for FY 12 by \$45 million until the effectiveness of these demonstration projects has been established.

And I want to say to my friend from Texas, we had some talks around this but not directly addressing it, not direct hearing; but I do remember and the gentleman from California might and I think Ms. Foley might remember that the Safeway in Washington, D.C., I believe has some sort of grant I believe to operate in an area that was considered a food desert, and I believe that that is one of the most profitable Safeways there is. Do either of you have a recollection of that? Thank you for pulling the rug out from underneath me this early.

Mr. FARR. I have a recollection of that.

Mr. KINGSTON. Do you remember that, Mr. FARR, that discussion?

Mr. FARR. Yes.

Mr. KINGSTON. Was that not about food deserts?

Mr. FARR. Yes, it was. But remember Ms. KAPTUR's amendment in our committee of trying to subsidize farmers markets to go into high-risk areas to get it started so that it does develop a market approach and can be sustainable, but we reach out and do those kinds of things.

Mr. KINGSTON. Let me reclaim my time. GAO reported that a variety of approaches, including improving access to targeted foods, have the potential to increase the consumption of targeted food that could contribute to a healthy diet, but little is known about the effectiveness of these approaches.

And so I think what I would like to do, Mr. Chairman, is continue to oppose this; but knowing my good friend from Texas and from California will keep this as a priority, we'll talk about this. You know, the hour's late. The gentlewoman's been working on this for a long time, but I need a little more focus on it before I could accept it.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. First of all, let me thank Mr. FARR and Mr. KINGSTON. I had hoped my friend from Georgia could see in his heart that this is a very small microcosm for a very large issue, and that is that food deserts do exist and the families that are impacted, number of families that include those who are members of the United States military from the very youngest child.

I have been fiscally responsible, if that is the case, to narrow this very well, and I have no quarrel with individual chains engaging in marketing outreach. But I'm talking about hard-to-serve areas that include urban and rural areas where there are no food chains to engage in any benevolent assistance.

I'm also suggesting to you that if you look at the landscape of districts across the Nation, just take for example my district is number 32 in regards to food insecurity, but there are 31 above me. The people have limited access to food.

I enjoy the point that Mr. FARR made about Ms. KAPTUR's farmers markets. This will infuse energy into the farmers markets. This will create jobs for a limited amount of pilot resources. This is the right thing to do. This is to take a great land like America and say we

want everybody to minimally have access to good, healthy, nutritious food.

So I would ask for the humanitarian consideration of my friends on the other side of the aisle. I thank the gentleman from California for his instructiveness and the work of the members of this Appropriations Committee, and I ask my colleagues to support this amendment, the Jackson Lee amendment. It fills the gaping hole of the lack of food by providing resources to cure the problem of food deserts.

Mr. FARR. I yield back the balance of my time, Mr. Chairman.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. GIBSON

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following:

SEC. _____. For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, to remain available until expended, there is hereby appropriated, and the amount otherwise provided by this Act for payments to the General Services Administration for rent under the heading "Agriculture Buildings and Facilities and Rental Payments" is hereby reduced by, \$6,000,000.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GIBSON. Mr. Chairman, over 50 congressional districts across our country have at least 10 percent of their population without access to high-speed broadband. My district is one of these over-50 districts. Now, this is a significant impediment to job creation. We have farmers without access to the high-speed broadband. We have many small businesses in our districts, including bed and breakfasts which impact our tourism without that access. This amendment helps address this situation.

Now, the underlying bill zeroes out the loan program for rural broadband. This is down from \$22.3 million that we just closed out a few months ago for FY 11, and with a healthy respect for the leadership of the Agricultural appropriations subcommittee, I think this is a mistake.

I know that there have been issues with this program in the past. I have read the IG report. I will also say that my understanding is the administra-

tion has made progress since the publishing of that report. One of the things that has been said about this program is it has not been able to address the significant volume of requests, and I think it's important to note that in March 2011 they cleared the backlog of all the applications for the program; and, in fact, there's now up to \$100 million in new loan applications, showing the interest in this program.

Another criticism has been that this program is duplicative and that, in fact, you can apply under telemedicine for rural areas. And I will tell you that we have tried that in our district with no success, and this program that I'm offering as an amendment today for \$6 million, a loan program, fully offset, is the only program exclusively dedicated to rural broadband. And this program, this amendment, \$6 million can give us access to and support over \$100 million in loan applications.

□ 2240

Mr. Chairman, this amendment will help create jobs, and it will help our farmers with profitability. Of course, I'm biased. But I believe we've got the smartest, the hardest working farmers in the world. Their issue is profitability, and this amendment will help.

The CBO assesses this amendment as neutral, and it says that it will reduce outlays by \$2 million in 2012. Let me say that again. CBO says this amendment will reduce outlays by \$2 million in 2012.

So how do we offset this? How do we provide access for farmers and small businesses to loan programs? We cut the Federal bureaucracy—\$6 million in office rental payments.

Now, the USDA is blessed with some of the most significant office space among all the Federal bureaucracy. And in addition to what they have here in the District, in Beltsville, Maryland, there is additional office space of which they possess. So on top of all of that, there is \$151 million in this appropriations bill for the rental of office space, including right here on M Street in Washington, D.C. This is a good payoff to give access to our farmers so that they can have access to rural broadband.

So to all my colleagues, I say this is a good amendment. The only amendment that provides exclusive rural broadband access. It's supported by the American Farm Bureau. It's supported by the New York State Farm Bureau and numerous chambers of commerce in my district. I urge my colleagues to support the amendment.

I would like to yield to my good friend and colleague from Arizona (Mr. GOSAR).

Mr. GOSAR. I thank the gentleman for yielding.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman will suspend.

The gentleman from New York must remain on his feet.

Mr. GOSAR. I rise in support of the amendment proposed by Mr. GIBSON and Mr. OWENS because I think it is exactly what the American people want us to do here in Washington. The people expect us to be responsible with their tax money. The people have made it clear, more than clear, that the Federal Government is too big. Our job is to look for waste, inefficiencies, and bloat. The Gibson-Owens amendment has found such bloat and seeks to remedy it.

There is no doubt that the USDA does good work and that the agency should have suitable workspace to conduct its work. Indeed, as Mr. GIBSON has pointed out, the USDA has 3 million square feet of prime office space on The National Mall in a beautiful building that contributes to the architectural beauty of the Nation's Capital. To learn that the USDA also has a campus in Maryland that occupies 45 acres of land is, itself, concerning.

With all that office space currently available to the USDA in the Washington area and an additional \$151 million to rent office space elsewhere, why does the USDA want to rent more office space in D.C.? The people of this country will not begrudge an architecturally distinguished office for the Nation's Capital, but a luxurious high-rent office in addition is too much.

The Acting CHAIR. The time of the gentleman has expired.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to say to the gentleman from Arizona, if I have time left over, I will yield you some. But you can also get your own 5 minutes if you want.

Mr. Chairman, I oppose this.

I want to start out by saying that the committee has taken a really close look at this over the years. And I wish you could see, from where you are sitting, better the saturation level of broadband access in the United States of America. That's in the blue. As you can see, the entire country is mostly blue according to this.

But I would not want your eyes to just strain from there, so I will give you some numbers here:

New Jersey, 100 percent penetration; Florida, 99.9 percent penetration; New York, 99.8 percent; Georgia, 99.4 percent; Arizona, 98.2 percent.

This program is not necessary. And in a time when we're talking about saving money, we do not need to increase this account. The process is burdensome. We get lots of complaints from people who have had applications pending for a long time and they can't get their questions answered, or they

get approved but they can't get their money. Their eligibility is too broad. And in many areas, it competes with private sector broadband service.

Now, the IG report had a number of things that they found. They found that this rural broadband program granted loans of \$103 million to 64 communities near large cities, including \$45 million loans to 19 suburban subdivisions within a few miles of Houston, Texas. That's hardly the intent of the program.

The IG report also found out that they were competing with preexisting broadband access in many places and found that 159 of the 240 communities associated with the loans—that's 66 percent—already had service. I will repeat that. Sixty-six percent of the communities who got grants already had service.

Now, there was a little criticism, and the program was supposed to be reformed. But the IG took another look at it and found that, in 2009, only eight out of the 14 recommendations had had action taken on them. Thirty-four of 37 applications for providers were in areas where there were already private operators offering service, 34 out of 37.

So when our committee took a look at this, we felt like the program needed changing. It did not need new money. So I must respectfully disagree with my good friends who are offering this and stand in opposition of the amendment.

With that, I yield to my friend from Arizona.

Mr. GOSAR. Well, I would like to disagree. And that is, as I serve a vast part of Arizona, 60 percent of Arizona, in which I serve a large number of Native American tribes which are fighting to try to get economic development and trying to get broadband service, this is exactly the kind of funding that we want to direct you to the appropriate place.

The Native Americans are exactly the place that this could go. This is the economic development that they need, and they're currently in the process of trying to get that. They're trying to build that infrastructure, and this is exactly where that fund can be.

Mr. KINGSTON. I now yield to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the chairman for yielding.

I just want to reiterate that there is significant need for expanding access to rural broadband in America. We've got over 50 districts that have at least 10 percent of their population that are not in the 21st century, that don't have access to the high-speed broadband.

I want to remind my colleagues, this loan program reduces outlays by \$2 million in 2012, according to the CBO. This program should not be zeroed out. It should not go from \$22 million to zero. We should accept this amendment.

I urge my colleagues to accept this amendment so that we can continue to make progress with rural broadband.

Mr. KINGSTON. I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Respectfully, my chairman and I disagree on this issue.

I raised this in our subcommittee of Appropriations, and his superior abilities to convince the subcommittee prevailed. But I weigh in on the side of Mr. GIBSON and Mr. GOSAR, and let me tell you why.

The information that the committee chairman has is correct insofar as it gives you numbers on broadband access that will allow you a speed of receiving service that is so slow that it is basically 20th century rather than 21st century communications. For example, under the speed at which the numbers that the gentleman from Georgia has derived cover, this 99, 98 percent coverage, it would take you 9 hours to download a movie. Now, who's going to do that?

But with this digital world we're in, the kinds of data that need to be unloaded in order to be a lone eagle, to have a business, to have the type of broadband access that my colleague from Arizona would like the Native Americans in his State to have, would require a much faster broadband service. And when you look at the speed of the broadband service that is consistent with having a robust community that has real broadband service, my State is at the rock bottom. Less than half of the people in my State have the kind of robust service that is typical of urban areas or suburban areas.

□ 2250

The same could be said for my colleague from Arizona and the areas of his State where Native Americans so desperately need the opportunity to market products over the Internet. So I encourage my colleagues to support the position of my colleagues, Mr. GIBSON and Mr. GOSAR. And I rise in support of their amendment.

I yield to the gentlelady from Ohio.

Ms. KAPTUR. I just wanted to ask the gentlelady if she would find the present time convenient to enter into the discussion regarding GIPSA, though we are on this amendment at this point.

Mrs. LUMMIS. With the Chairman's leave, I would consent.

The Acting CHAIR. The gentlewoman is recognized.

Mrs. LUMMIS. Would you consent to a departure as I use the remainder of my 5 minutes to discuss the issue of the stockyards and the GIPSA rule?

The Acting CHAIR. The gentlewoman is recognized for the remaining time.

Mrs. LUMMIS. I yield to my colleague from Ohio.

Ms. KAPTUR. I thank the gentlewoman. And while I will not offer an amendment to strip section 721, a legislative provision that prevents the U.S. Department of Agriculture from doing its job as instructed in the farm bill, relative to fair competition in meat products so consumers get fairly priced meats, I otherwise rise in strong opposition to the language that's in the bill.

And when the authorizing committee wrote the farm bill, USDA was directed to use the existing packers and stockyards act to restore fairness to livestock and poultry contract markets. But instead of allowing the agency to do its job, Congress, in an unevenhanded way, has allowed itself to become captured by the consolidated meat industry.

And while ranchers, farmers and producers are increasingly being squeezed out of the markets, and small, local slaughterhouses continue to close, large consolidated players manipulate the rules to favor their own business operations, and meat prices rise. Congress simply can't stand by silent.

So on behalf of the millions of farmers, ranchers and producers that struggle every day to survive as they face the gargantuan task of competing against monopolistic entities, I oppose the base language in 721.

And I would like to place two statements in the RECORD, a letter from the American Farm Bureau opposing section 721 and a letter from over 140 organizations supporting the pro-competition proposals made by the Department of Agriculture.

AMERICAN FARM
BUREAU FEDERATION,
Washington, DC, May 31, 2011.

Hon. MARCY KAPTUR,
House of Representatives, House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN KAPTUR: On behalf of the six million families represented by the American Farm Bureau Federation, we write to support your amendment to allow the Agriculture Department (USDA) the opportunity to complete reviewing the 60,000 comments received and the proposed rule entitled "Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act." It is also imperative that USDA continue its economic analysis of the rule.

Farm Bureau is in the unique position of representing every species impacted by this rule. We also have no affiliation with major packers, integrators or processors, and therefore our only interest is the impact of this rule on farmers and ranchers. Because of this unique position, there are several provisions in this rule that we strongly support, while others give us pause.

Generally speaking, Farm Bureau's philosophy supports a market environment where our farmers and ranchers can sell their product in a way that best fits with their individual operation and risk aversion level. Our

policy clearly states that “We support efforts to ensure open markets to all producers.” Over the years, our farmers and ranchers have recognized the need for a referee in the marketplace, and Farm Bureau policy supports the Grain Inspection, Packers and Stockyards Administration (GIPSA) in that role. Some of our policy supporting the authority of GIPSA includes:

“We . . . oppose any attempt to lessen the ability of [GIPSA] to adequately enforce the act and its regulations.”

“We support more vigorous enforcement of U.S. antitrust laws in keeping with original intent; to include . . . [the] Packers and Stockyards Act of 1921.”

“The Packers and Stockyards Act should be amended to . . . strengthen the ability of GIPSA to stop predatory practices in the meat packing industry.”

We support “establishing GIPSA as the overall authority and provider of oversight to ensure livestock contracts are clearly-written, confidentiality concerns are addressed, investments are protected . . .” as well as “enhanced price transparency, [and] price discovery,” and ensuring that “contractors honor the terms of contracts.”

These overarching policy principles guide Farm Bureau’s comments on this proposed rule.

It is also worth noting that Farm Bureau has consistently requested thorough economic analysis from agencies when promulgating new rules. Without such an analysis it is difficult for America’s farmers and ranchers to assess the true impact of rules and to understand all of the implications of proposed rules. This rule is no exception.

We oppose language to preclude USDA from reviewing the comments and completing their economic analysis and are strongly opposed to any action that would stop work on that rule.

Sincerely,

BOB STALLMAN,
President.

House of Representatives,
Washington, DC, April 21, 2011.

ATTN: Agriculture & Appropriations Legislative Aides

DEAR REPRESENTATIVE: As a result of rapid consolidation and vertical integration, the livestock and poultry markets of this nation have reached a point where anti-competitive practices dominate, to the detriment of producers and consumers. Numerous economic studies in recent years have demonstrated the economic harm of current market structures and practices, and have called for greater enforcement of existing federal laws in order to restore competition to livestock and poultry markets.

Until recently, Congress and the U.S. Department of Agriculture have largely ignored these trends. Fortunately, Congress included language in the 2008 Farm Bill to require the U.S. Department of Agriculture to write regulations, using its existing Packers and Stockyards Act authorities, to begin to restore fairness and competition in livestock and poultry markets.

On June 22, 2010, the Grain Inspection Packers and Stockyards Agency (GIPSA) issued proposed rules to implement the 2008 Farm Bill mandates, and to address related anticompetitive practices in the livestock and poultry industries. These reforms are long overdue and begin to respond to the criticisms by farm groups, consumer groups, the Government Accountability Office and USDA’s Inspector General about USDA’s past lack of enforcement of the Packers and

Stockyards Act. The proposed GIPSA rules define and clarify terms in the Act in order to make enforcement more effective, and to provide clarity to all players in livestock and poultry markets.

The Packers and Stockyards Act of 1921 makes it unlawful for packers, swine contractors, and live poultry dealers to engage in any “unfair, unjustly discriminatory, or deceptive practice or device,” or to “make or give any undue or unreasonable preference or advantage to any particular person or locality in any respect, or subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect.” The ambiguity of these terms has resulted in uncertainty in the marketplace and hindered enforcement of the Act.

Key provisions of the proposed GIPSA rules would:

Provide contract growers with common-sense protections when making expensive investments in facilities on their farms to meet the packer or poultry company requirements; provide growers, farmers, and ranchers with access to the information necessary to make wise business decisions regarding their operations; require transparency and eliminate deception in the way packers, swine contractor and poultry companies pay farmers; eliminate collusion between packers in auction markets; and provide clarity about the types of industry practices the agency will consider to be unfair, unjustly discriminatory, or when certain practices give unreasonable preference or advantage. These are all terms used in the existing statute, which have never been adequately defined.

Prohibit retaliation by packers, swine contractors or poultry companies against farmers for speaking about the problems within industry or joining with other farmers to voice their concerns and seek improvements. Currently, many farmers are often retaliated against economically for exercising these legal rights.

Allow premiums to be paid to livestock producers who produce a premium product, but requires the packer or swine contractors to keep records to detail why they provide certain pricing and contract terms to certain producers.

Reduce litigation in the industry by eliminating the ambiguity in interpretation of the terms of the Packers and Stockyards Act. Such ambiguity leads to litigation as farmers and packers seek court action to clarify the intent of the Act.

GIPSA has received approximately 60,000 comments on the proposed rule during the five-month public comment period that ended in November 22 of 2010. USDA is in the process of analyzing those comments, and providing the in-depth cost-benefit analysis necessary before issuing the final rule.

Because of the great importance of this rule to livestock and poultry producers and consumers, and the large volume of misinformation about the rule perpetuated by livestock and poultry trade associations and packer-producer groups, the undersigned organizations are writing to reiterate our strong support for the GIPSA rule and for its swift publication in final form.

We urge your support for the GIPSA rule-making process, and its efforts to restore fairness and competition in our nation’s livestock and poultry markets.

Sincerely,

Agriculture and Land Based Training Association (CA); Alabama Contract Poultry Growers Association; Alliance for a Sustainable Future (PA); Alter-

native Energy Resources Organization (AERO)—MT; Ambler Environmental Advisory Council; American Agriculture Movement; American Corn Growers Association; American Federation of Government Employees (AFL-CIO), Local 3354, USDA-St. Louis (representing Rural Development and Farm Loan employees in Missouri, Oklahoma, and Kansas); American Grassfed Association; American Raw Milk Producers Pricing Association; Ashtabula-Lake-Geauga County Farmers Union; BioRegional Strategies; Buckeye Quality Beef Association (Ohio); C.A.S.A. del Llano (TX) California Dairy Campaign; California Farmers Union; California Food & Justice Coalition; Campaign for Contract Agriculture Reform; Campaign for Family Farms and the Environment; Carolina Farm Stewardship Association; Cattle Producers of Louisiana; Cattle Producers of Washington; Center for Celebration of Creation; Center for Food Safety; Center for Rural Affairs; Chemung County Church Women United (NY); Chemung County Council of Churches (NY); Chemung County Council of Women (NY); Church Women United of Chemung County (NY); Church Women United of New York State; Citizens for Sanity.Com, Inc.; Citizens for Sludge-Free Land; Colorado Independent CattleGrowers Association; Community Alliance for Global Justice; Community Farm Alliance (Kentucky); Community Food Security Coalition; Contract Poultry Growers Association of the Virginias; Court St Joseph #139, Coming/Elmira, Catholic Daughters of the Americas, Corning, NY; Crawford Stewardship Project; Cumberland Counties for Peace & Justice; Dakota Resource Council; Dakota Rural Action; Davidson College Office of Sustainability; Ecological Farming Association; Endangered Habitats League; Family Farm Defenders; Farm Aid; Farm and Ranch Freedom Alliance; Farmworker Association of Florida; Fay-Penn Economic Development Council; Federation of Southern Cooperatives; Food & Water Watch; Food Chain Workers Alliance; Food Democracy Now!; Food for Maine’s Future; Gardenshare; Healthy Farms, Healthy Food, Everybody Eats;

Georgia Poultry Justice Alliance; Grassroots International; Heartland Center/Office of Peace and Justice for the Diocese of Gary, Indiana and the Integrity of Creation; Hispanic Organizations Leadership Alliance; Idaho Rural Council; Illinois Stewardship Alliance; Independent Beef Association of North Dakota (I-BAND); Independent Cattlemen of Nebraska; Independent Cattlemen of Wyoming; Institute for Agriculture and Trade Policy; Iowa Citizens for Community Improvement; Iowa Farmers Union; Island Grown Initiative Izaak Walton League; Kansas Cattlemen’s Association.

Kansas Farmers Union; Kansas Rural Center; Ladies of Charity of Chemung County (NY); Land Stewardship Project; Main Street Opportunity Lab; Maryknoll Office for Global Concerns; Michael Fields Agricultural Institute; Michigan Farmers Union; Michigan Land Trustees; Michigan Organic Food and Farm Alliance; Midwest Environmental Advocates; Midwest Organic

Dairy Producers Association; Minnesota Farmers Union; Missionary Society of St. Columban; Mississippi Livestock Markets Association; Missouri Farmers Union; Missouri Rural Crisis Center; National Catholic Rural Life Conference; National Family Farm Coalition; National Farmers Organization; National Farmers Union; National Latino Farmers & Ranchers Trade Association; National Sustainable Agriculture Coalition; Nebraska Farmers Union; Nebraska Sustainable Agriculture Society; Nebraska Wildlife Federation; Network for Environmental & Economic Responsibility; New England Small Farm Institute; Nonviolent Economics; North Carolina Contract Poultry Growers Association; Northeast Organic Dairy Producers Alliance; Northeast Organic Farming Association—NY; Northeast Organic Farming Association, Interstate Council; Northern Plains Resource Council; Northwest Atlantic Marine Alliance; Ohio Ecological Food and Farm Association; Ohio Environmental Stewardship Alliance; Ohio Farmers Union; Oregon Livestock Producers Association; Oregon Physicians for Social Responsibility; Oregon Rural Action; Organic Consumers Association; Organic Farming Research Foundation; Organic Seed Alliance; Organization for Competitive Markets; Partnership for Earth Spirituality; Past Regents Club, Catholic Daughters of the Americas, Diocese of Rochester, NY; PCC Natural Markets; Pennsylvania Farmers Union; Pennypack Farm and Education Center (PA); Pesticide Action Network North America; Pomona Grange #1, Chemung County NY; Powder River Basin Resource Council (WY); R-CALF United Stockgrowers of America; Rocky Mountain Farmers Union; Rural Advancement Foundation International—USA (RAFI-USA); Rural Coalition; Sisters of St. Francis of Philadelphia; Slow Food USA; South Dakota Livestock Auction Markets Association; South Dakota Stockgrowers Association; St John the Baptist Fraternity of the Secular Franciscan Order, Elmira, NY; Sustain LA; Taos County Economic Development Corporation; Texas Farmers Union; The Cornucopia Institute; Tilth Producers of Washington; Trappe Landing Farm & Native Sanctuary; Veteran Grange #1118, Chemung County, NY; Virginia Association for Biological Farming; Western Organization of Resource Councils (WORC); WhyHunger; Women, Food and Agriculture Network.

The meatpackers have a stranglehold on this House, scaring Members with millions of dollars in campaign contributions and real threats of political retribution. Instead of engaging in well-meaning public debate and attempting to win on the merits of the argument, the National Cattlemen's Beef Association, which has a right to speak out, but not a right to intimidate, sent out a national notice to its members to harass the American Farm Bureau. This is not the nature of well-meaning debate and, for many, has crossed the line of propriety.

I urge my colleagues to resist the misinformation and to stand strong for

independent producers and family farmers and ranchers.

Section 721 of the base bill goes further than many realize. It will stop USDA from conducting its economic analysis of this industry.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. KING of Iowa. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. I yield to the gentlelady from Ohio.

Ms. KAPTUR. I thank the gentleman so very much for that kind effort.

The current proposal will silence the nearly 60,000 comments on the rule because it will prevent USDA from reading the record. And, finally, it will undermine long overdue fairness in poultry and livestock contracts for millions of farmers, ranchers and producers.

By allowing section 721 to remain in the bill, the House is standing with the few big meatpackers and against the many thousands and thousands of producers.

To understand how illogical this committee's action is, I refer the House to the committee report where, on competition issues, the committee directed USDA to submit legal documents by June 10, 5 days ago, and before the House began consideration of this bill. On its face, the committee has directed the agency to comply with something before the House has even considered the bill. Is this proper?

Furthermore, I would note that, ironically, if section 721 were to be implemented, the agency would not be able to comply with its own report language. If there ever was a time that the Appropriations Committee has overstepped its bounds, this is it.

After the 2002 farm bill, this committee prevented USDA from implementing an important provision of law known as the Country of Origin labeling. It was the same consolidated meat packing industry crying from the rafters with claims of exaggerated economic costs which was behind the meat labeling COOL delay. We seem to have returned to the dark days, recycling the same talking points.

It took us almost 8 years and, finally, consumers now have the legal right to see where their meat comes from, which is what the vast majority of the American people wanted. So on behalf of the millions of farmers, ranchers and independent producers, I pledge to continue this fight and to prevent a similar 8 years of delay and confusion on USDA competition rules in the meat industry.

Let USDA do its job.

I thank the gentleman and the gentlewoman so much for their consideration.

Mr. KING of Iowa. Reclaiming my time, I thank the gentlelady for her at-

tention to this matter, both gentleladies for their attention to this matter and for standing up with and for the best interests of agriculture.

Mr. FARR. Mr. Chair, I submit the following:

STATEMENT OF ADMINISTRATION POLICY

H.R. 2112—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

(REP. ROGERS, R-KY)

The Administration has serious concerns about the content of H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes. The Administration is committed to ensuring the Nation lives within its means and reducing the deficit so that the Nation can compete in the global economy and win the future. That is why the President put forth a comprehensive fiscal framework that reduces the deficit by \$4 trillion, supports economic growth and long-term job creation, protects critical investments, and meets the commitments made to provide dignity and security to Americans no matter their circumstances.

While overall funding limits and subsequent allocations remain unclear pending the outcome of ongoing bipartisan, bicameral discussions between the Administration and congressional leadership on the Nation's long-term fiscal picture, the bill provides insufficient funding for a number of programs in a way that undermines core government functions and investments key to economic growth and job creation. Programs adversely affected by the bill include:

Food and Nutrition Service (FNS). The Administration strongly objects to the level of funding provided for nutrition programs that are critical to the health of nutritionally at-risk women, infants, children, and elderly adults. The proposed funding levels would lead to hundreds of thousands of participants being cut from the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Commodity Supplemental Food Program, and reduce Federal support for food banks. These cuts would undermine efforts to prevent hunger and support sound nutrition for some of the most vulnerable members of our society.

Food Safety. The Administration is concerned with the funding provided in the bill for the Department of Agriculture's (USDA's) Food Safety and Inspection Service (FSIS) which will significantly hamper USDA's ability to inspect food processing plants and prevent food borne illnesses and disease such as E. coli and Salmonella from contaminating America's food supply. The Committee's recommendation may require the agency to furlough employees including frontline inspectors which make up over 80 percent of FSIS staff. By reducing FSIS inspections, food processing plants may be forced to reduce line speeds, which could lead to decreasing product output and profits, as well as plant closures.

Healthy Food Financing Initiative (HFFI). The Administration is concerned that the bill does not support HFFI, which is a key initiative to combat childhood obesity. HFFI will expand USDA's activities to bring healthy foods to low-income Americans and increase the availability of affordable, healthy foods in underserved urban and rural communities by bringing grocery stores and other fresh food retailers to "food desert" communities where there is little or no access to healthy food.

Research. The bill provides insufficient funds for USDA research programs, which are needed to help solve food production, safety, quality, energy and environmental problems. By reducing funding for the Agricultural Research Service to its lowest level since 2004 as well as inadequately funding the Nation's competitive grant program, the bill will hinder the Department's ability to develop solutions to address current as well as impending critical national and international challenges.

Food and Drug Administration (FDA). The Administration is concerned that the funding level in the bill and resulting staff reductions will severely limit the FDA's ability to protect the public's health, assure the American consumer that food and medical products are safe, and improve Americans' access to safe and less costly generic drugs and biologics.

Commodity Futures Trading Commission (CFTC). The Administration strongly objects to the funding level for CFTC, as it would cause a cut in staffing levels and seriously undermine CFTC's ability to protect investors and consumers by effectively policing the futures and swaps marketplace through its current market oversight and enforcement functions. Moreover, the funding level would significantly curtail the timely, effective implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, including new CFTC responsibilities to regulate the \$300 trillion swaps derivatives market.

International Food Aid. The Administration opposes the level of funding provided for the Food for Peace Title II international food aid program as it would severely limit the United States' ability to provide food assistance in response to emergencies and disasters around the world. Given a statutory floor on non-emergency development food aid, a reduction would be borne entirely by the emergency component of the program, and would prevent distribution of emergency food aid to over 1.1 million beneficiaries.

In addition, the bill includes the following problematic policy and language issues:

Restrictions on Finalizing USDA Regulations. The Administration opposes the inclusion of section 721 of the bill, which effectively prevents USDA's Grain Inspection, Packers and Stockyards Administration from finalizing a rule on conduct that would violate the Packers and Stockyards Act of 1921. The final rule has not yet been published and any concerns about the rule are better addressed through the standard rule-making process than through an appropriations rider.

Restrictions on FDA Regulations and Guidance. The Administration strongly opposes section 740 of the bill, which would undermine or nullify FDA statutory standards that have been in place for decades and that are essential to protect the health of Americans. The provision would unduly limit the factors that FDA considers in determining the best ways to protect the public from unsafe foods; protect the safety of the blood supply from HIV, West Nile Virus, and other infections; ensure the safety of infant formula; protect patients from drugs and medical devices that have not been shown to be safe and effective; assure that food labeling and health claims on foods are accurate; and reduce youth use of tobacco products and otherwise reduce illness and death caused by tobacco use.

WTO Trade Dispute. The Administration is concerned by a provision in section 743 that would eliminate payments that are being

made as part of the mutually agreed settlement of a World Trade Organization (WTO) dispute regarding U.S. domestic cotton supports and the export credit guarantee program. The framework serves as a basis to avoid trade-related countermeasures by Brazil that are authorized by the WTO until the enactment of successor legislation to the current Farm Bill. Under the agreement, the United States is committed to fund technical assistance and capacity-building support for Brazil's cotton sector. The bill's provision preempts the resolution process and would open the door to retaliation negatively affecting U.S. exports and interests.

The Administration strongly opposes inclusion of ideological and political provisions that are beyond the scope of funding legislation.

The Administration looks forward to working with the Congress as the fiscal year 2012 appropriations process moves forward to ensure the Administration can support enactment of the legislation.

Mr. KING of Iowa. I yield back the balance of my time.

The Acting CHAIR. The question is the amendment offered by the gentleman from New York (Mr. GIBSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. KINGSTON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____ None of the funds made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide benefits described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity in excess of \$125,000.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Chairman, these are challenging budgets and difficult economic times. But unfortunately, there really are alternatives to slashing environmental payments and nutritional support in the farm bill. There is an alternative to reform and modernize.

The last farm bill pretended to start limitations in payments. But exempted from the modest limitations in some areas were market loan payments, loan deficiency payments, and commodity certificates not capped. This means that entities can virtually receive unlimited title I dollars under the current law.

Mr. Chairman, it's important for us, as we are dealing with trying to reduce

the strain on the Federal budget, to do so in a way that is strategic. The amendment I propose would establish a \$125,000 payment limitation in total. Now, this will save two-thirds of a billion dollars.

Bear in mind that we are now cutting existing environmental contracts if this bill came forward. The majority of farmers and ranchers in this country still receive nothing, 62 percent receive nothing. In my State of Oregon, it's 87 percent of the farmers and ranchers. It's time to start with modest restrictions on government subsidies.

There are a wide range of areas in this budget. As it's working its way through the House, we're going to see very dramatic reductions, almost a third in transportation. We sliced \$1 billion from sewer and water programs to State and local governments. At a time of record high farm commodity prices, this would be a time to place this modest limitation.

There's actually a question whether or not some of these payments even go to farmers at all. In 2009, some of the entities that received title I hand-outs—the Fidelity National Title Institute received over \$4.85 million. Almost \$3 million went to the Mercer County Abstract Company. The American Marketing Peanut Association received largesse from the Federal Government worth over \$3.98 million.

□ 2300

These aren't the small family farmers that I think all of us would like to support.

In this day and age, it's embarrassing to be giving away \$4 million of taxpayer money in 1 year to a private, for-profit company when I think what we should be doing is concentrating on the support for America's farmers and ranchers. We have the opportunity, with this amendment, to take a step in this direction.

I would strongly urge that my colleagues join with me in adopting this amendment establishing a \$125,000 overall limit, and be able to start saving two-thirds of \$1 billion and send a signal that we're serious about reforming spending.

Mr. Chairman, I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to this amendment. This amendment would have far-reaching and devastating effects for America's farmers. I'm not sure the gentleman is aware of the full extent of this amendment.

This amendment throws the Non-insured Crop Disaster Program into an arbitrary payment limit scheme. This program, in which farmers pay a fee to

obtain crop insurance coverage, protects them from catastrophic events like flooding and tornados. If this amendment passes, farmers who have been flooded out are quite literally up a creek without a paddle. They won't get the coverage they've signed up for even though they've paid in.

This amendment would also affect the permanent disaster program. Producers were required to purchase crop insurance to be eligible for that program. This amendment would be a bait and switch—they've fulfilled their end of the bargain, but we're pulling the rug out from under them now.

There's a time and a place to debate the appropriate level of support for farmers. I welcome that debate as a part of the 2012 farm bill process which will in effect begin next week. The Agriculture Committee will be auditing farm programs for effectiveness and efficiency, and then we will seek input from across the country on the best way to support our farmers and ranchers while making good use of taxpayer dollars.

Discussing farm programs in the context of a farm bill will represent honest, transparent policymaking. This amendment prevents that discussion from taking place by altering the terms of the contracts with farmers once they've already been signed. Protecting farmers during catastrophic weather events is the least we can do to maintain a stable food supply in our country.

My colleagues in the Midwest have seen firsthand the devastation that comes with flooding. My colleagues in the Southwest know how droughts can turn healthy farms into desolation. For that reason alone, I urge my colleagues to oppose this amendment. But I also urge you to oppose it because policy changes like this should be conducted within the broader context of all farm bill policy.

I urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, I oppose this amendment, and I want to associate myself with the remarks of Chairman LUCAS.

In the 2008 farm bill, we spent a lot of time working through this payment limitation issue. There were a lot of different ideas and a lot of different discussions, and it was not easy. We made significant reforms in this payment limitation area, and as the chairman indicated, we came to a resolution and people are relying on that. We've got a 5-year farm bill. People make decisions not from year to year; they make them in the long term, and it's just not fair to come in and change things in the middle of the stream.

One of the other things we did is we applied the payment limitations to all of the programs, and as I understand this amendment, it only applies to the commodity title. So we're once again going to create a different set of payment limitations for one part of the farm program compared to another.

I don't know exactly what the purpose of this is because the farm programs are not designed to be a welfare program or to pick winners and losers and decide how big a farm is going to be and all that sort of stuff. The purpose of these farm programs is to support production agriculture so we can feed this country and, frankly, feed the world. You read all these stories coming from all over the world that we're worried that we're not going to have enough food to feed all of the increase in population and all that stuff. If you go down this track, you're going to go down a policy that's going to make it very difficult for us to feed the world.

So this is ideology run amok. Some people have problems with the way we've designed this safety net. And I think we could do a better job, but this is just the wrong thing to do. This is too complicated an issue to settle here on the floor in a few minutes of debate. And it's just not fair to the people that have made long-term decisions, have invested a lot of money based on expecting that this farm bill was going to be in this form until September 30, 2012. So I encourage my colleagues to oppose this amendment.

I yield back the balance of my time. Mr. HIMES. I move to strike the last word.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. HIMES. Mr. Chairman, I rise in support of the amendment offered by my colleague from Oregon.

And with all due respect to the ranking member, I think the effort to limit these subsidies is both fiscally responsible, more in keeping with the kind of market economics that so many of us in this Chamber believe are the right way to go, and will help the health of the American people, something that will have a dramatic impact on the rising health care costs in this country.

Mr. Chairman, the amendment would limit the total title I payments to farm entities to less than \$125,000 a year. It doesn't eliminate them; it simply limits them. Under current law, market loan payments, loan deficiency payments, and commodity certificates are not capped, and entities can receive unlimited title I dollars.

Mr. Chairman, 4 hours ago in this Chamber, we debated amendments that would eliminate and gut the WIC program, WIC—women, infants and children. This is a program that seeks to provide basic food to poor children, to poor families.

There were amendments that would eliminate the Food for Peace program

whereby we send food—in those bags that we've all seen, "A gift from the people of the United States of America"—to people who are starving around this planet, a gift from the people of the United States of America at a moment when we can use friends. And we said we're going to gut them, we're going to reduce them. Why would you do that? You would only do that if you face the kind of budget constraints that we face today. A brutal necessity to find savings.

Here we have an opportunity to save nearly \$1 billion in subsidies to large producers. These are not small farmers, as my colleague from Oregon said. The top 10 percent of subsidy recipients receive almost three-quarters of these funds. This is not the small farmer; these are big conglomerates.

These subsidies are bailouts. We hear a lot about bailouts in this Chamber. And nobody thinks bailouts are a good thing. These are slow-motion, year-in-and-year-out bailouts of an industry.

Many of my colleagues support both the goals of fiscal responsibility and the idea that markets are efficient. Here, not only are we taking taxpayer dollars and sending them to a slow motion, perpetual bailout, but we're doing it in such a way that it creates cheap corn sugars and other things that go into the fast-food that exacerbate the obesity problem in this country. This is a bad idea. And I urge my colleagues to support this amendment for both fiscal health and sheer market grounds.

I yield to my colleague from Oregon.

Mr. BLUMENAUER. I thank the gentleman, and I appreciate his kind words and thoughtful analysis.

□ 2310

The approach that we are taking here is to put an overall limit of \$125,000 in addition to what we are talking about. This would have only affected about 6,500 entities in 2009. It is an appropriate step forward.

I hear some of my colleagues concerned about changing the rules for a few thousand people who are getting huge amounts of subsidy. You know, this bill will change the rules for tens of thousands of farmers and ranchers who would otherwise get environmental protections, payments for environmental programs. In fact, some of the existing contracts would be abrogated.

Now, there are going to be lots of changes going on. I hope that we start now beginning the process of agricultural reform and making clear that we want to start by putting some overall limitation during a time of record high farm prices. There is never a good time to do it. I think the time to do it is now.

I look forward to a spirited debate on farm bill reform. I hope at some point we are able to actually do some meaningful reform, as acknowledged by even

the proponents from the committee. We have got lots of problems with the existing bill. We could do a better job. It is complicated.

Well, this isn't complicated. This is straightforward and direct, and I urge an "aye" vote in support of the amendment.

Mr. HIMES. I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, once again we have come to a point where I need to defend the work of the Ag Committee, the authorizing committee, the committee that knows the most about this process.

The \$125,000 limit is picked out of whole cloth. It is made up. It is arbitrary. It is capricious. It has no clue what it might have as an impact on the farmers and ranchers in the district and parts that I represent. It is a drive-by shooting of farm policy that, frankly, makes no sense whatsoever if you are really going to seriously protect the production of agriculture in this country.

On the one hand, we hear our colleagues on the other side rant about imported foods, and they want to then turn around and make sure that the American farmer and producer does not have the safety net that we promised them in 2008. Now, I understand my colleagues don't like that safety net. They had ample opportunity when they were in the majority in 2008 to effect a farm bill when it came to this floor. If they didn't like the process, they needed to take that up with Speaker PELOSI and them.

The process going forward that I anticipate happening next year is that we will begin, as the chairman has said, to audit these farm bill programs over the next several months. We will then craft, with limited resources, a new farm bill that will be introduced in the committee, debated through subcommittees and at the full committee, and then we will bring it to the floor. It will be exposed to all of these arguments in an appropriate manner that should take place, not in the appropriations process.

I know my colleagues on the other side of the aisle did not vote for the budget we passed here in April. That budget clearly said the appropriations process in 2012 would not be used to effect a farm bill, that the farm bill would be written by the Agriculture Committee, the authorizing committee in 2012.

My colleagues' arguments are unpersuasive, and I do believe this is an ill-advised amendment to go at a safety net that, by every description, is complicated, is difficult to understand, but it has worked to protect production of agriculture from the risks that

they take year in and year out to provide the safest, most abundant and cheapest food and fiber source of any developed country in the world.

I urge my colleagues to vote against the Blumenauer amendment. It is the wrong policy at the wrong time and the wrong place.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Again, I think that this is an amendment that is ill-conceived. I think it will do great harm, and I think it is not timely. I agree with the gentleman that the authorizing committee has great expertise. We have taken a lot of time to vet this program, and I think for us to come tonight willy-nilly and do it is very, very ill advised.

Nineteen years ago when I came to this body I was on the authorizing committee, on the Agriculture Committee, and the chairman of the committee at that time was a gentleman by the name of Kika de la Garza. Mr. de la Garza was fond of telling us one of his life experiences, and that was his submarine story.

He said that all of his life, from the time he was a little boy, even though he grew up in the rural areas in Texas on the farm, that he wanted to ride on a submarine. He always was just enamored with submarines. Finally, after he came to Congress and after he became the chairman of a committee, he had an opportunity to go out on one of our nuclear submarines. Of course, as the guest, he was allowed to take the wheel and to submerge the submarine, to get it up, to play with the periscope, and he was just really, really amazed at how impressive that nuclear submarine was. So he turned to the captain and he asked the captain, he said, Captain, how long can this nuclear submarine stay underwater without coming up? It is so fine, we have spent so much money and it is an excellent machine. The captain looked at him and said, Mr. Chairman, how long would you guess? And Mr. de la Garza said he thought for a while, and he said, Well, maybe a year? And the captain chuckled and said, Mr. Chairman, we can stay underwater for as long as we have food for the crew.

We in this country will be able to defend ourselves and we will be able to have a strong country as long as we have food, and right now we are headed to getting imported food for the majority of our people. If we continue with the route that we are going, if we impose these limitations, if we limit the ability of our farmers to compete on a level playing field with our global competitors, all of our food will be coming from Mexico and South America and China.

We cannot afford for that to happen. America cannot stay strong. Our peo-

ple cannot be healthy. We cannot get safe food if we don't allow our farmers to have the capacity to earn a living and to produce the highest quality, the safest and most economical food and fiber anywhere in the industrialized world.

We have to defeat these amendments. We have to studiously and assiduously study the way to reform these programs and to get cost-effectiveness. But tonight in this bill is not the place to do it. The time to do it is when we take up the farm bill in 2012 with the authorizing committee and all others having the opportunity to take our time and to thoughtfully craft a new farm policy.

With that, I urge the defeat of this amendment.

I yield back the balance of my time.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, I do rise in support of my friend, my colleague from Oregon's amendment this evening.

I am not sure if a \$125,000 payment limitation is the right amount, but this isn't a new concept. There has been a lot of discussion about payment limitations under title I, and the gentleman is correct. The time to start doing this is now.

We can pretend that there aren't major policy changes being made under this agricultural appropriations bill, but there are. There are deep cuts in the conservation title. We just had a large consortium, a coalition of outdoor sporting groups, write a letter expressing their concern about the deep cuts in the voluntary and incentive-based land and water conservation programs and the impact that is going to have on quality water and habitat protection or the ability of our farmers to be good stewards of their land. There is a huge demand for these programs which will be dramatically affected with the deep spending reductions that are contained in this appropriation bill.

The same goes for the nutrition programs. The huge funding reductions will have an impact on tens of thousands of families throughout the Nation, low-income children that rely on these programs, the Women, Infants, and Children program in particular, seniors on these nutrition programs. They are going to feel the effects of the decisions that we are making in this Agriculture appropriation bill.

Now, for so many of my colleagues to stand up this evening and claim we can't mess with title I program funding, we should wait for the next farm bill, I think, is disingenuous at best.

I ask my colleagues tonight, mohair subsidies? Is that the best we are going to be able to do? And I would submit to

my colleagues that the reason why mo-hair was picked on is because they are not a particularly well-organized, sophisticated, politically-connected entity out there, so it was easy to go after them, as my colleague from Utah showed with his amendment.

But we have known for a long time now that these subsidy programs under title I do distort the marketplace. They do distort our trade policy, as my Brazil cotton subsidy amendment highlighted a little earlier this evening. And we are long past time to start making these revisions in light of the huge budget deficits that we are facing.

□ 2320

When 80 percent of the producers in our Nation get nothing under title I subsidies—not a dime—that leaves a very small group of entities that is receiving the bulk of these taxpayer subsidies, and we all know who they are. They're the big five grain-producing entities of this country—corn, soybeans, cotton, rice, and wheat. They're the ones who are receiving the bulk of these title I subsidy programs.

Under the farm bill, there are multiple programs which they can be eligible for: from the LDP Program, to Countercyclical, to the new ACRE Program under the last farm bill, to the Direct Payment Program. Many of us were arguing in the last farm bill whether it was necessary to go forward with direct payments that bear no relationship to current market prices—all based on past production history.

Today, we are facing world record commodity prices in these categories. Not only did we continue them, but we increased the direct payments, and we're allowing double entities on the same fund to qualify for the direct payments. Yet none of that is being discussed in the context of this Agriculture appropriations bill.

As to my original point, I'm not sure if 125 is the right level, but the concept isn't new, and it's definitely a step in the right direction. I think it's trying to bring more sanity to the title I subsidy programs, which we shouldn't be delaying until the next farm bill which may or may not happen next year. We know it's tough to get major pieces of legislation through during an election year, let alone a Presidential election year. It could be years from now before we have the next farm bill ready to go with any potential change.

So I commend my colleague for offering this amendment and for continuing the discussion, and I encourage my colleagues to seriously consider supporting it. I'm sure the Senate will have some ideas, too, on things that they recommend.

This, I think, is appropriate and it's not new; and to claim that we shouldn't touch title I, yet we're eviscerating virtually the rest of the farm bill in what we're doing with this ap-

propriations bill, I think is disingenuous.

I would be happy to yield to my friend from Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's words, and I appreciate his courtesy.

I listened with amusement to my friend from Georgia talk about his concern that we're going to be importing food from overseas if we have some reasonable limitation on these title I payments.

The food, which are the fruits and vegetables that the people in my State raise—and I met with a bunch of them this last week again—get zip. They get nada. We're cutting back on the research funding for them. We're cutting back on marketing. We're cutting back on helping them comply with the environmental requirements that they want to meet because they're good stewards of the land. We're making it harder for them to do the work of producing food for America. Yet we're having lavish subsidies for five commodities, which is where 90 percent of the money goes.

If you really cared about protecting the food supply, we'd redirect it. We'd save this \$650 million, and we'd put it where it would do more good.

Mr. KIND. I yield back the balance of my time.

Mrs. LUMMIS. I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. I yield to the gentleman from Minnesota.

Mr. PETERSON. I thank the gentle-lady for yielding.

I just wanted to clarify that it was discussed that what we were trying to do was to get the top 20 recipients off of the EWG Web site, and I just got a copy of it.

Four of the top 10 recipients actually are title or law firms that did work for WRP. The top one is Fidelity National Title at \$4.8 million. That is all work that was done on WRP contracts. It looks to me like six of the top 20 are actually abstract and title firms that did work on conservation WRP contracts that are not affected by this amendment, so that's a problem.

You're throwing all these statistics around and claiming that these big guys are getting all this money. But these aren't even farmers. These are law firms. Maybe we should have payment limitations on law firms. That might be a good thing. Maybe we should only let these guys do \$125,000 worth of WRP work so that we can spread it around a little bit and make it more fair. That's the other problem with this whole concept.

Mrs. LUMMIS. Mr. Chairman, I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I wasn't going to rise on this amendment—and I probably shouldn't—but this discussion just bugs me.

I represent more productive agriculture in my district than anyone in this room—\$4 billion in just one county—and I represent a bunch of counties. What we grow are specialty crops. We grow 85 crops in Monterey County. As we were talking about earlier, 58 percent of all the lettuce in the United States is grown in that county. We grow 35 different varieties of wine grapes, and we are the leading counties in strawberry production and in a bunch of berry productions. In fact, our motto there is that we're the "salad bowl capital of the world," which includes all of the ingredients in salad—celery, lettuce. All those things, we grow.

Do you know what? They don't get a dime of support from the Federal Government. If the market falls, they eat it. If a disaster comes in, they eat it.

So the reason these amendments are brought up by Mr. KIND and Mr. BLUMENAUER year after year is that, frankly—do you know what?—the farm bill doesn't address this issue. It really doesn't. It's too tough—it's too politically tough—and there are too many vested interests in this town. You have a whole bunch of agriculture out there, and some people would suggest that more than all of the money created in commodity supports is in what they call "specialty crops," and that's the stuff you eat all the time.

You can't have this bifurcated world out there where you have a bunch of people who are essentially on welfare and a bunch of people who are just assuming all the risk. What really surprises me is that, with the conservative side of the aisle over here that really is driven toward market approaches to solve problems, this is not a market approach. This is a subsidy. It's a taxpayer subsidy, and it's going to very wealthy people in some cases.

So I am rising to say this amendment, as in the past, gets defeated; but these gentlemen have an issue, and I just beg with the leaders. I've got great respect for the ranking member of the Ag Committee here on our side of the aisle. I know he can wrestle with these problems. He's a CPA. He knows these things.

I think the handwriting is on the wall. If the conservatives on your side of the aisle would take this on as an issue that Americans are really going to address, we may get some progress on the farm bill. If you don't, you're abandoning your marketing concepts, and you're abandoning what is needed in modern America.

Just remember, that apple, that pear, that banana in there, that celery, the

strawberries—the list goes on and on with all the fruits and vegetables—they don't get any of these payments. So let's not have a bifurcated agricultural production out there where half of it depends on taxpayer payments and the other half has to just live by market forces. Let's have everybody a lot more influenced by market forces.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to make payments (or to pay the salaries and expenses of personnel of the Department of Agriculture to make payments) under section 201 of the Claims Resolution Act of 2010 (Public Law 111-291; 124 Stat. 3070), relating to the final settlement of claims from *In re Black Farmers Discrimination Litigation*, or section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2209).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, this amendment emanates from claims that were filed subsequent to a press conference held by then-Secretary of Agriculture Dan Glickman in 1995, who said that the USDA was discriminating against black farmers. I believe that happened. Their estimate at the USDA at that time was that there were approximately 3,000 black farmers who would file claims under what resulted in a consent decree in the late nineties.

□ 2330

The 3,000 estimate became 22,551 claims of discrimination. But according to the census, there are 18,000 black farmers. According to the testimony of the president of the Black Farmers Association before the Judiciary Committee, there are 18,000 black farmers. Well, the 18,000 black farmers estimating 3,000 claims of discrimination became 22,551 claims. That was Pigford I. And \$1.05 billion was paid out then to settle all of the claims that were there. There was an argument made that others didn't get filed. But it always was a number greater than the actual number of black farmers. And you can't have more black farmers discriminated against than there actually are.

They tried to open up Pigford II. This Congress didn't act on it in an affirmative way between the House and the Senate until late last fall in a lame duck session. President Barack Obama introduced legislation as a junior Senator from Illinois in 1989 and 2007, and was instrumental in pushing this through in a lame duck session that appropriated \$1.15 billion to pay out claims.

Now we have not 3,000 claims. We still have 18,000 black farmers. Now we have 94,000 claims and report after reporting this as perpetuation of a fraud across this country. And my amendment shuts off the funding that would be used to administer or to fund the balance of these Pigford II claims, which this Congress must investigate the fraud that's here.

By the way, Shirley Sherrod, who was fired by the Secretary of Agriculture, was the largest recipient and the largest civil rights claim in the history of America, with \$13 million for her claim. Three days later, Tom Vilsack hired her to work for the USDA. Later, he fired her. Later, he hired her back. Then she sued Andrew Breitbart. All of these things are information that we need to find out. This Congress cannot be paying out another \$1.15 billion in good money going after bad claims. We have reports and videotape. One is a class counsel who had his own videotape and says that he has 3,000 clients who have filed discrimination claims, and least 10 percent of them are fraudulent claims. A class counsel, who was included in this second agreement, which by the way, the court has not finally approved.

So, Mr. Chairman, this amendment shuts off the funding that would be used to pay these claims, the funding that would be used to administer these claims, and it gives this Congress an opportunity to look into what has been done to the taxpayer here in America. And so I urge adoption of my amendment. I believe that I have explained what it amounts to, although it has been very intensively in the news over the last year or so.

I would urge its adoption.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. The opportunities for Members to have amendments is a privilege that should not be denied. And I respect my colleague from Iowa for his right to offer an amendment. But it is tragic and disappointing that my friend from Iowa, who served with me on the Judiciary Committee, would take this time to demean the tragic lives that black farmers, Native Americans farmers, and others impacted have experienced over several decades; to raise the name of

Shirley Sherrod, whose eloquent story and painful story of the loss of her father in the segregated South, who was murdered, and the family had to survive after his tragic murder because of his color—to my knowledge, a farmer, man of the Earth.

I sat on the Judiciary Committee for a number of years, and this legislation proceeded through the Judiciary Committee. I join the gentleman in wanting to ensure the adequacy of the implementation of this settlement. I want to stand alongside a transparent system. But this was a lawsuit that many of the litigants died before they even got to the settlement. This is the American way—a battle in the courts, a settlement—had it not been for the good will of Members of this body on both sides of the aisle, members of the Congressional Black Caucus who joined with members of the Democratic Caucus, Republicans, past Presidents, who were concerned and interested in the devastation tragedy of the segregated South and a segregated Department who treated black farmers in a disparate way from others. Individuals who went bankrupt, who lost farms because they could not get the same access to agricultural loans that others could. And in the wisdom of the court system and the wisdom of this body and the wisdom of a settlement, relief was brought not before many had died and their heirs, trembling, limited, scattered, few, were able to come together and receive the funding.

I'm sorry Mr. KING was not at the signing of that final settlement and to see those historic families, patriots, who expressed nothing but love for this country. What a tragedy to come and interfere with an existing settlement. I don't even know how he can put this amendment up on the floor. It's late. We're losing our voices here. But I would ask my colleagues on both sides of the aisle to recognize that there's nothing wrong with ensuring that the Agriculture Department and the surrounding entities that are dealing with the distribution of these funds be transparent and without fraud.

But it would be absurd for any Member to join and to vote to interfere with the legitimate settlement of legitimate claims that have evidenced the pain and devastation and disregard and disparate treatment and discrimination and unconstitutional treatment of farmers who we claim on this floor today to love. Farming is part of the American fabric. And if there's any body of people who understands farms, it is the ex-slaves who worked for 400 years without payment in the cotton fields of the South.

I ask my colleagues to consider opposing this amendment, and I rise respectfully to oppose it.

Mr. FARR. Mr. Chair, *Pigford v. Glickman* was a class action discrimination suit between the USDA and black farmers. The suit was

filed by an estimated 2,000 black farmers who said that USDA discriminated against them in loan programs. A settlement agreement was approved in 1999.

The suit claimed that USDA discriminated against black farmers on the basis of race and failed to investigate or properly respond to complaints from 1983 to 1997.

The deadline for submitting a claim was September 12, 2000. However, a large number of applicants filed late and reported deficiencies in representation by class counsel.

Consequently, the 2008 farm bill (PL 110–246) permitted any claimant who had submitted a late-filing request under Pigford and who hadn't previously obtained a determination on the merits of their claim should obtain a determination. A maximum of \$100 million in mandatory spending was made available for payments of these claims in the 2008 farm bill.

The multiple claims that were subsequently filed by over 25,000 black farmers were consolidated into a single case, *In re Black Farmers Discrimination Litigation* (commonly referred to as Pigford II).

On February 18, 2010, Attorney General Holder and Secretary Vilsack announced a \$1.25 billion settlement of these Pigford II claims.

The Pigford II settlement provides both a fast-track settlement process and high payments to potential claimants who go through a more rigorous review and documentation process.

Potential claimants can seek the fast-track payments of up to \$50,000 plus debt relief, or choose the longer process damages of up to \$250,000.

Finally, our Nation's black farmers who were discriminated against by their own government have received some modicum of justice.

Despite years of political gamesmanship that prevented us from finding a fair resolution, thousands of families who have waited for the settlements will now receive them.

We cannot deny them this basic justice.

Mr. GOODLATTE. Mr. Chair, I rise today in support of the gentleman's amendment to this legislation.

First, I want to be clear that I do believe that discrimination against many black farmers occurred. In 1997 a group of black farmers who had been discriminated against filed a case against USDA. By 1999 the courts agreed and approved a settlement for the farmers who had been discriminated against and provided a framework and time frames to settle the claims. Included in this settlement, the court provided a time frame for new claimants to have their cases heard. Anyone who had a claim was given the opportunity to come forward during this court approved window.

Despite this framework, we are still allowing additional payments to others, who had an earlier opportunity to file claims but did not. What is most disturbing is that approximately 94,000 total claims have been filed, yet census data shows that there were only 33,000 black farmers in the U.S. during the relevant time period. Furthermore, whistleblowers have come forward, including a black farmer, alleging widespread fraud in this process. These serious allegations of fraud should be investigated before we spend potentially \$1.2 billion on these claims, especially when the standard

of proof for these claims is reduced under this settlement compared to what it would have been in a court.

I believe that we must investigate any allegations of fraud that are occurring before this Congress allows any more funds to be used for the settlement. Just as it would be an injustice to not grant relief to black farmers who had been discriminated against, it would also be an injustice to grant an award to an individual who had not been discriminated against.

Ms. JACKSON LEE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or any other Federal Agency receiving funds under this Act to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. On May 24, President Obama issued a memorandum on Federal fleet performance, which requires that all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

□ 2340

My amendment simply echoes the Presidential memorandum by prohibiting funds in the Agriculture appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum.

Two weeks ago, I introduced a similar amendment to the Department of Homeland Security appropriations bill that was accepted by both parties and passed by voice vote unanimously.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation

fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with almost 38,000 belonging to the Department of Agriculture. Supporting a diverse array of vehicle technologies in our Federal fleet will encourage development of domestic energy resources, including biomass, natural gas, coal, agricultural waste, hydrogen, and renewable electricity.

Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world's oil markets. I ask that we all support my amendment.

The chairman, the gentleman from Georgia, and I cochair the Oil and National Security Caucus, and we do it because we believe that America cannot be totally free unless we're energy independent and while we still have to rely on hostile foreign nations to get our fuel and to get our fuel supplies.

On a similar note, I have worked with my colleagues, Mr. SHIMKUS, Mr. BARTLETT and Mr. ISRAEL, and for many years with Mr. KINGSTON to introduce the bipartisan open fuel standard, H.R. 1687. It's similar to what I'm doing now.

I just wanted to briefly mention that our bill, not this amendment but our bill, would require 50 percent of new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on non-petroleum fuels, in addition to or instead of petroleum-based fuels. It would cost \$100 or less per car to manufacture cars that would be flex fuel cars.

Compliance possibilities include the full array of existing technologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, fuel cell, and a catch-all for new technologies.

I encourage my colleagues to support the Engel amendment and the open fuel standard as we work toward breaking our dependence on foreign oil. I thank Chairman KINGSTON for his courtesies, and I urge bipartisan support of my amendment.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, the chairman of the subcommittee informs me that he will accept the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will re-pose the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for mifepristone, commonly known as RU-486, for any purpose.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Thank you, Mr. Chairman.

This is an amendment that comes and there's an Iowa focus on this that affects the whole country. We have had a practice that began experimentally in Iowa by Planned Parenthood of issuing telemed abortions by distributing RU-486, the abortion pill, what is also known as mifepristone, distributing it through a means of setting up a television monitor and it circumventing the requirement in Iowa that they be seen by a doctor. A doctor sits remotely on the other side of the Skype screen, so to speak, and interviews the potential mother, who if once she answers the questions that the doctor asks and they record it under film that they've protected themselves perhaps from liability, he clicks the mouse on the one end and it opens a drawer underneath the screen on the other end and out rolls the abortion pill, RU-486.

I am very concerned about the robo distribution of abortion pills in Iowa or anywhere else. Some of us signed a letter, 70 of us, to Kathleen Sebelius and asked if they had distributed grants for telemedicine to any of the abortion providers, including Planned Parenthood. Their response came back in the affirmative, that they had issued several grants to Planned Parenthood; and these funds, as near as we can determine, are being used to provide telemedicine for the robo abortions, robo Skype abortions as I've described.

This amendment provides that none of the funds made available in this \$15 million telemedicine line item that's in this appropriations bill shall be used for the purpose of purchasing, prescribing, dispensing, procuring, or otherwise administering mifepristone, commonly known as RU-486.

I would just urge the body to pay attention to what this means for the country and understand that no one in America paying taxes should be compelled to pay for abortions if they are doing that. Skype-robo abortions are abhorrent. They're irresponsible. We have 14 deaths of moms that have come from this; 2,207 adverse events; 339 blood transfusions; and 612 hospitalizations.

This is a dangerous drug, and to distribute it through robo-Skype abortions—I'm opposed to it philosophically for a lot of reasons, but practical minds who might disagree on the abortion issue should understand that this government should not be paying for

it. This amendment prohibits the use of these funds in the \$15 million line item from being used to provide telemedicine abortions.

Mr. FARR. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from California.

Mr. FARR. Could you tell me where in the bill this has anything to do with what you're talking about?

Mr. KING of Iowa. Reclaiming my time, I believe I did, but I would restate that there's a line item in the bill that provides \$15 million to go to grants for telemedicine.

Mr. FARR. That's not in the amendment that we have.

Mr. KING of Iowa. The amendment that I have put out here says: "None of the funds made available by this Act may be used for mifepristone, commonly known as RU-486, for any purpose."

And so I've specified why I'm concerned and why I address this language to the broader bill, but because there are grant funds available for telemedicine in the bill, that's why I'm concerned that this application that I've used could well go, and has gone according to Kathleen Sebelius, to those grants.

If the gentleman doesn't agree, I would think he neither would disagree with the amendment because, therefore, it wouldn't have an effect by the gentleman's interpretation.

Mr. Chairman, I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I know it's late, but I rise in opposition to this, because, first of all, using telemedicine by FDA I don't think is, one, illegal, or ill-wise. Secondly, I think what the gentleman is going to talk about is a legal drug in the United States. It's been a legitimate drug in the United States after it met all of the rigorous FDA process in 1996 and has been available since 2000 in this country.

I remember vigorous debates in this committee about the conditionality by which FDA would license this drug. It is legal and available in all 50 States in the United States, in Washington, DC, in Guam, and in Puerto Rico. It's a prescription drug which is not available to the public through pharmacies. Instead, its distribution is restricted to specifically qualified licensed physicians. To use it, a woman must go to a doctor's office.

Whatever controversy surrounded the introduction of RU-486 in the United States was settled years ago, and there's no reason for this amendment other than to stir up the controversy over the reproductive rights of women. I think by the gentleman's comments,

you can see that that's what he's trying to do.

I would urge us all to oppose this amendment. And frankly it doesn't have anything to do with USDA funds, because we don't do telemedicine abortions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

□ 2350

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will re-pose the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. Of the funds appropriated by division B of Public Law 111-117 under the heading "Economic Support Fund" for assistance for Afghanistan, \$7,700,000 shall be transferred to, and merged with, funds appropriated by this Act under the heading "Agricultural Marketing Services, Marketing Services".

Mr. CLARKE of Michigan (during the reading). I ask unanimous consent to dispense with the reading, Mr. Chairman.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

Mrs. LUMMIS. I object.

The Acting CHAIR. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

Mrs. LUMMIS. Mr. Chairman, I reserve a point of order on the gentleman's amendment. I don't have a copy of it.

The Acting CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CLARKE of Michigan. Thank you, Mr. Chair.

I would like to let this Congress know and the American people know that I've identified a funding source so that we can provide nutritious food and fresh fruits and vegetables to those Americans who live in areas around this country that the gentlelady from Texas (Ms. JACKSON LEE) so appropriately described as food deserts.

As a matter of fact, this government currently spends hundreds of millions of dollars to build agricultural businesses, to help support farmers, to help new farmers start new agricultural

businesses in order to address food desert issues. Unfortunately, that money is not spent here to help Americans eat better. It's spent in the Afghanistan desert. As a matter of fact, in this previous fiscal year, this government spent over \$700 million on agricultural aid in Afghanistan. What I propose is to redirect 1 percent of that money that's going to Afghanistan right now, send it back to the United States so people here can eat nutritional food and have access to fresh fruits and vegetables.

And I would like to say one thing. The argument on why we're spending that kind of money to support farmers in Afghanistan is because we don't want those farmers growing poppies to sell opium to fund safe havens for terrorists. We understand that there are people around the world that want to attack this country like they did many years ago, but because bin Laden is now dead, it's time for us to reassess our mission in Afghanistan. We don't need to spend \$100 billion a year in Afghanistan right now. We need to take a share of that money to help the American people. So, if we took 1 percent of the money that we spent last year, we would be able to fund the program proposed by the gentlewoman from Texas.

Look, I've got young folks in the city of Detroit right now that would likely not have to resort to selling drugs if they could make a living in urban agriculture. We need that money that's going to Afghanistan. We need it right here in the United States so we can help our farmers here, so we can support farmers' markets, so we can provide food and nutritional supplements to our pregnant mothers and to their infants and children. Our people in the United States need a share of their own money back here, and that's why I wanted to rise to raise this point.

Now, I understand that the rules of this House may not allow me tonight to redirect that money from Afghanistan back here to this budget. And you know what also, too? We could use a share of that money to help retire our deficit and debt at the same time. I'd like to work with you on that. But you know what we should do? We should change these darn rules of the House so we can reduce the overspending, help create jobs here, reduce health care costs—because people are going to be eating a lot better, and help the American people right now during this economic recession.

I'd like to work with you. I'd also like to work to change the rules of the House so that we can do this, and I understand at this late date this is not the time to act, but I'd like to pledge an agreement to work with the majority so that we can save the American people money, save us health care costs, provide better nutrition, address those food desert issues, fund the initiative proposed by the gentlewoman from

Texas (Ms. JACKSON LEE) and help end this economic recession and return us to prosperity.

With that, Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 22 OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, until 12 months after the promulgation of final swap transaction reporting rules under section 21 of the Commodity Exchange Act.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. This is a protect retiree pensions and jobs by ensuring a well-functioning swaps market amendment.

Mr. Chairman, I ask for your support today for my amendment which would do that—prevent unintended consequences from impacting literally millions of pension plan participants and the beneficiaries that follow. My amendment would simply require the CFTC to finalize important data-reporting rules before they implement new rules for certain swap transactions.

See, with this change, it would be able to collect the transaction data that it needs to determine the reasonable standards for block trade levels and real-time reporting requirements without first disrupting the marketplace. You see, finalizing any numerical determination of block trade sizes or setting real-time reporting requirement timeframes prior to having necessary data, really, if you think about it, would be arbitrary, would encourage litigation, and will likely have the unintended consequences on those very same pension funds I talked about—their ability to protect their investors, as well as on the economic growth of our country and job creation.

So, what this amendment would do is require swap data-reporting rules to be finalized and be in place before promulgating the final block trade rules or those real-time reporting criteria rules.

Now, I do this because numerous market participants of all shapes and sizes have sent to us public comment letters warning of the dangers of getting block trades and real-time rules

wrong. I will just give you this one. I had others. I will just give you one of those letters, and that comes from the American Benefits Council. Who are they? Well, they and their members provide benefit services to over 100 million Americans in the Committee on Investment of Employee Benefit Assets, whose members include more than 100 of the country's largest pension funds and manage more than \$1 trillion on behalf of 15 million member plan participants and the beneficiaries.

I will just give you one quote from this, not all the other ones: We have concerns about the sequencing of proposed real-time reporting rules in relation to the collection of swap market information. We believe that they should first obtain market information via reporting of trades of swap data repositories—which have to be set up, of course—and then propose rules based on this data such as real-time reporting, which necessarily would better serve the intended purposes.

So, in conclusion, by instituting a more commonsense approach to these rule-makings, we're giving them the ability to collect that data of the swap transaction information to determine those reasonable block trade levels that they have to set, the real-time reporting requirement as well, and to do so in a way that will not impair the well-functioning of the marketplace.

With that, I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I rise to oppose the amendment and move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman and Members, this is part of the continuing effort to delay the implementation of the Dodd-Frank Act as long as possible. We've seen some other examples of that. This section deals with public reporting swap data.

What people need to understand, the people that are most afraid of the public disclosure are not the people that are using this market. It's the banks. What this is really about and what this end-user debate that's been going on is about more than anything else is that the public disclosure of this information will lower the spreads of the Wall Street banks that do these swaps. That's what's the bottom line of this whole deal.

□ 0000

If the market participants know more, like what we do in the exchange trading and so forth, the margins are going to come down and the profits of these big banks are going to shrink. In fact, some people have said that they think that once this is implemented that it's probably going to reduce the profits of the Wall Street banks 40 percent. And they don't like it, and they want to delay it.

So some would argue that we need more data collection, and I guess that's what you are arguing before this public reporting. I think for some swaps, that is the case, and I will agree with that. But on other swaps, the institutions are already collecting this data. They can go forward with this public reporting. We have the information. There's no reason to delay it. In other cases where we don't have the information, it probably isn't appropriate to delay it.

But the CFTC has the discretion to do this, and it's right in the law. It's on page 328 of the conference report. And we've put in there the criteria to allow them to move ahead with the swaps where we have the data and to delay it where we don't have the data. But what you are trying to do is you are going to delay the whole thing, and all it's going to do is ensure that these profits and these big bonuses that they're paying on Wall Street can go on longer than they need to.

So I don't know any reason why we need to do this. If you read this, they have all the discretion. All of the problems that people brought up with the block trades and these other things that people were concerned about are in there.

And the last thing it says: They have to take into account whether the public disclosure will materially reduce market liquidity. And they are doing that, and they are doing that as we're going through this process. And I believe that at the end of the day, it's going to be fine.

Mr. GARRETT. Will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from New Jersey.

Mr. GARRETT. So the gentleman agrees that there is only partial information at this point in time out there.

Mr. PETERSON. On some things.

Mr. GARRETT. On some things.

On other things, the gentleman would agree that there is no information out there at all on certain—

Mr. PETERSON. Well, I wouldn't say there isn't any information. Some of these are so thinly traded that you are never going to be able to have real-time reporting. We understand that, and there is not going to be a requirement on those. But there's no reason to stop the real-time reporting where we have the information and where that information will make these prices better for the people that use it.

And this is the same issue with the end users. They're going to get a better deal if we allow this disclosure. Why they're fighting us is beyond me, unless they're in cahoots with the Wall Street banks. I'm not sure. Do people think that the folks on Wall Street aren't making enough money? Is that what this is about? I don't know.

Mr. GARRETT. I would appreciate if the gentleman would not make the al-

legation that we make these applications here because anyone is in cahoots with Wall Street banks, such as you've just made.

Mr. PETERSON. They are the people that are against this. They were against it when we did it. So I just don't buy that the pension funds are the ones that are concerned about this because the things that they're concerned about are covered in the law, and they're being taken into account by Chairman Gensler and the people at the CFTC as they develop these rules.

Mr. GARRETT. If the gentleman will yield, I know I read through it quickly because I was asked to move along things quickly at the end of the evening, but one of the documents that I read was one of the comment letters. It was not from the Wall Street bank but was from the American Benefits Council, those very same pension benefits companies speaking about this. They are the ones who are raising it. So it is those end users. Those are the participants. Those people are representing beneficiaries. They are the ones who are asking for this delay. It's not the Wall Street banks that I'm making reference to. It's the pension funds.

Mr. PETERSON. There are hundreds of thousands of comments. I haven't read them all. I don't know what they all say.

Mr. GARRETT. We can supply you with the ones.

Mr. PETERSON. Well, I have end users coming into my office arguing against their own interests. So I can't figure it out.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PETERSON. But all I'm saying is this is an unnecessary amendment. It's in the statute. These things are covered. It makes no sense to delay the entire situation. You have maybe a few things that are of concern, and they are going to be taken care of.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. What Ranking Member PETERSON is talking about is that this is an ag bill that is to help agriculture, producers of agriculture. What this amendment does is hurt them. It supports the banks by delaying transparency. So it's going to cost the end user more money. The end user is all the customers that this bill is all about.

If the gentleman really wants to help the banks, maybe his amendment ought to be in the Financial Services bill. But this is going to hurt our people that we, in this committee, work for all the time. And I don't think that's a very good amendment.

I ask for a "no" vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PETERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 29 OFFERED BY MS. JACKSON
LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 747. None of the funds made available by this Act may be used in contravention of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I hope my colleagues will join me in recognizing the value of emphasizing the importance of urban gardening. My amendment would prohibit any of the funds made available by the appropriations from being used in contravention of the Food and Nutrition Act of 2008.

Forty-seven million American families live in poverty that restricts their access to healthy food. The Food and Nutrition Act of 2008 supports numerous programs aimed at reducing hunger throughout the country. Seventeen million children struggle with hunger every day, affecting their ability to learn and develop in a country so full of resources. It is unconscionable that millions of children do not have enough to eat. We cannot consider proposals that would contradict existing legislation aimed at improving food security, such as the Food and Nutrition Act of 2008.

In my home State of Texas, where I represent the 18th Congressional District, 17.4 percent of all households struggle with food security. Community Food Projects Competitive Grants are a vital aspect of the Food and Nutrition Act and must be preserved. Community Food Projects Grants have helped thousands of people in low-income communities combat food insecurity by developing community food projects that encourage healthy habits and self-sufficiency. These grants increase the self-reliance of low-income communities that have historically encountered difficulties in providing foods. Programs funded by Community Food Projects Grants have been successful in cities and towns. And, in

fact, more than 550,000 Harris County residents relied on the Supplemental Nutrition Assistance Program to buy food.

But one of the important aspects of this is the urban garden. The People's Garden School Pilot Program will develop and run gardens in high-poverty schools. Teaching students about health and nutrition and increasing access to healthy foods are invaluable benefits of schools where more than 50 percent of the student body qualifies for free or reduced-cost lunches.

I rise to encourage support for this particular part of the bill so that we can continue to support urban gardening. And I want to salute Veggie Pals, a gardening program that does just that. It finds patches of land wherever it might be, and it makes sure that we provide healthy food.

This amendment would ensure that nothing in this legislation, nothing in this appropriation would prohibit the growth and continued expansion of this very important concept of urban gardening. The number of Americans who suffer from poverty and hunger is unacceptable.

□ 0010

Reducing or redirecting funding meant to increase food security and nutrition is simply not an option. Join me in recognizing the value of urban gardens. And thank you to the Veggie Pals gardening program that has educated how many thousands of children and emphasized the value of good and healthy food.

This program, Veggie Pals, urban gardening, educating people about nutrition, meal preparation, physical activities, cookbooks, Olympics and others, promotes healthy behavior.

I ask my colleagues to support this amendment.

Mr. Chair, I rise before you and my colleagues today to take the opportunity to explain my amendment to H.R. 2112, "Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes." My amendment would prohibit any of the funds made available by the appropriations from being used in contravention of the Food and Nutrition Act of 2008.

47 million American families live in poverty that restricts their access to healthy food. The Food and Nutrition Act of 2008 supports numerous programs aimed at reducing hunger throughout the country.

17 million children struggle with hunger every day, affecting their ability to learn and develop. In a country so full of resources, it is unconscionable that millions of children do not have enough to eat. We cannot consider proposals that would contradict existing legislation aimed at improving food security, such as the Food and Nutrition Act of 2008.

In my home state of Texas, where I represent the 18th Congressional District, 17.4 percent of all households struggle with food

security. Community Food Project Competitive Grants are a vital aspect of the Food and Nutrition Act that must be preserved.

Community Food Project grants have helped thousands of people in low-income communities combat food insecurity by developing community food projects that encourage healthy habits and self-sufficiency.

These grants increase the self reliance of low income communities that have historically encountered difficulties in providing for their own food needs. Programs funded by community food project grants have been successful in cities and towns across America, and would certainly make a difference in the 18th Congressional District. In December of 2010, more than 550,000 Harris County residents relied on the Supplemental Nutrition Access Program to buy food.

Hunger and food insecurity have grave impacts on children. Students do not have the opportunity to succeed if they are hungry. The People's Garden School Pilot program will develop and run gardens at high poverty schools. Teaching students about health and nutrition and increasing access to healthy foods are invaluable benefits at schools where more than 50 percent of the student body qualifies for free or reduced cost lunches.

Community food project grants and other initiatives such as the People's Garden Project represent practical and long term solutions to ending food insecurity in America. We must be committed to funding programs that encourage self-sufficient food sources, highlight the importance of nutrition, and reach children at an early age.

The number of Americans who suffer from poverty and hunger is unacceptable. Reducing or redirecting funding meant to increase food security and nutrition is simply not an option. We must continue to fund programs like the community food project grants and the People's Garden.

It is the responsibility of each and every Member in this chamber to work for the well-being of our constituents and to ensure that the basic needs of constituents are met. I urge my colleagues to think of those who are affected by hunger in their districts and support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Chairman, I have an amendment to the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement the

Departmental Regulation of the Department of Agriculture entitled "Policy Statement on Climate Change Adaptation" (Departmental Regulation 1070-001 (June 3, 2011)).

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Mr. Chairman, this amendment prevents any taxpayer funds from being used to implement the Department of Agriculture's new rule and regulation titled Policy Statement on Climate Change Adaptation.

Mr. Chairman, we've had this debate on cap-and-trade in the last Congress. In fact, there was a bipartisan coalition of Members that voted and ultimately defeated the cap-and-trade proposal by President Obama brought in the last Congress. And yet here we now have a new regulation that was just issued by the Department of Agriculture less than 2 weeks ago to implement, in essence, a back-door attempt to put a cap-and-trade program in place in the Department of Agriculture.

And if you'll look at some of the details laid out in this policy statement, this is a regulation that was just implemented by the Department of Agriculture. It gives new powers to the Department to go into areas where right now we, as a Congress, have said we don't want the administration to be going.

In fact, if you'll look at what agencies like the EPA are doing in trying to implement other forms of cap-and-trade, global warming, carbon emission-type programs, we've been rolling those agencies back. We've been having hearings that have showed how this is not only bad policy but this will kill jobs in America.

And so if you look at some of the provisions in this, the policy establishes a USDA-wide directive to integrate climate change adaptation planning into USDA programs, policies, and operations.

Mr. Chairman, it further goes on, it actually gives new powers to the agency. It says every single office shall identify for USDA's Office of the General Counsel areas where legal analysis is needed to carry out actions identified under this Department regulation.

Now, what does that mean? Well, if you just look at what these types of policies and regulations are being used to do at EPA, what it does is give the authority for USDA lawyers to go and issue findings that can then be used against our farmers, findings that will cost our farmers jobs, increase the price of food.

And don't just look at what this policy does. Look at what's happening in some of the other agencies where they're already trying to carry this out, and Congress has been trying to roll them back.

And so at a time when we're broke—42 cents of every dollar we spend is borrowed money—this new regulation creates and references all of these new offices, the Climate Change Program Office. It says they've got to develop a USDA climate change adaptation plan. It references the USDA's global change task force.

In fact, if you look, after they released this new regulation, they issued \$7.4 million to implement a bunch of new grants that are being used to do things like study carbon credits.

Well, again, that was all brought up in cap-and-trade and rejected by Congress. And yet here they come with a de facto, back-door attempt at another cap-and-trade-type of program.

We've got to stop this attack on our job creators. We've got to stop, in this case, the attack that's being proposed on our farmers. They actually are now spending millions of dollars, the USDA is, to study how farmers can grow crops in 2050, based on what they think the climate will be under these new regulations.

Look, our local weatherman can't tell us what the weather's going to be this Saturday, within a 50 percent margin of error. And yet the Department's spending millions of dollars to tell us what the climate's going to be in 39 years to determine how our farmers should be growing crops. This is ludicrous. We rejected it here in Congress. We shouldn't be allowing these kinds of regulations to be implemented. And hopefully this amendment will get adopted.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 28 OFFERED BY MS. JACKSON
LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following:
SEC. _____. None of the funds made available by this Act may be used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. As I discuss my amendment, I want to indicate to my friends on the other side of the

aisle, for the life of me, I can't understand why you would oppose an amendment that costs no funds and only emphasizes the importance of urban gardening. There lies the ludicrousness of the lack of collaboration and understanding when there are amendments that would help all of us. So I do express my great disappointment that you didn't understand the amendment and, rather than ask what the amendment meant, you voted loudly "no." That's unfortunate for the American people. We do that all the time.

But I rise today to emphasize the importance of making sure that we implement the judgment that has already previously been discussed that helps the unfortunate farmers that experienced proven discrimination at the Department of Agriculture and to credit Members on both sides of the aisle for recognizing it and recognizing the importance of not infringing upon a judicial decision, a settlement that could help a number of farmers in all categories that were acknowledged by many Members of this body.

I thank a number of my colleagues who worked on these issues for a number of years. They worked on it with great sincerity and, as well, they recognized that it is important for us to continue to produce food, but, as well, we need to ensure that all farmers, small farmers and certainly minority farmers, have the opportunity to engage in their trade.

My amendment would ensure that the agricultural appropriations are effectively and promptly made available as necessary through this process and, as well, to work with cooperatives supporting small socially disadvantaged producers.

The amendment would make the allocation of funds to cooperatives supporting the work of minority and socially disadvantaged farmers as provided in section 310(b)(e) of the Consolidated Farm and Rural Development Act a priority.

Again, this particular amendment requires no money. It just indicates that we should follow through on the provisions. However, this funding is vital to support the many farmers and their families that work tirelessly to make sure that other hardworking families have food to eat. It would be hard to deny the vital role that American farmers play in our society.

It is also important that this significant group of American farmers not be overlooked, not be marginalized. And I would, frankly, say that we support their continued existence. They have a long history, and I believe it is important to do so.

As a senior member of the House Judiciary Committee, I remember the long journey we took in order to ensure that African American, Latino and Native American farmers would not be shortchanged of grants, loans, and pro-

grams. This amendment simply seeks to reinforce that.

Finally, I would make the point that I hope that we would have the opportunity to find the necessary collaboration again to settle claims of discrimination from those farmers who had not yet come under the particular recent settlement. The President had requested some \$40 million to provide settlements for discrimination claims filed under the Equal Credit Opportunity Act.

□ 0020

It is unfortunate that those resources apparently were not able to be included.

The USDA anticipates that 600 claims will need to be settled under this action. The estimate of funding needed to settle these 600 cases is based on the average settlement cost for claimants under other civil rights class action law suits, most notably the already settled Pigford discrimination lawsuit.

This request was only of \$20 million. It is not in this bill. This amendment does not address the fact that it's not in this bill; it simply says we are fair when we understand the issue. I hope that we will have the opportunity to understand the issue. The more farmers we can have producing the good food that has made America great—the bread basket of America—is the better way to go.

So I hope my colleagues will support this amendment that simply reinforces the importance of creating equal access to resources so that we can produce the food necessary for the American people. I showed just a moment ago that of a healthy child and a military family. We need to make sure that all Americans have access to food, and we should extinguish the concept of food insecurity. We can do that by helping the many different farmers and small farmers that rely upon these very important programs to help them produce the food for America.

Mr. Chairman, I ask my colleagues to support this amendment.

I yield back the balance of my time.

Mr. Chair, I rise before you and my colleagues today to take the opportunity to explain my amendment to H.R. 2112, "Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes." My amendment would ensure that agricultural appropriations are effectively and promptly made available to minority farmers and cooperatives supporting small, socially disadvantaged producers.

This amendment would make the allocation of funds to cooperatives supporting the work of minority and socially disadvantaged farmers as provided in Section 310B(e) of the Consolidated Farm and Rural Development Act a priority. I believe by considering cooperative development grants for farmers for the fiscal

year 2012, we as a Congressional body have already taken a step in the right direction. This funding is vital to support the many farmers and their families that work tirelessly to make sure that other hardworking American families have food to eat. It would be hard to deny the vital role that American farmers play in our society. The benefits of their labors are immediately visible in our schools' cafeterias, our local grocery stores, and even on our dining room tables. American farmers and farming programs should be appreciated, supported, and funded.

However, in this significant group of American farmers, it is important that we not overlook the too often marginalized population of minority farmers. As many of you may know, the history of minority farmers and government programs is a long and tumultuous one. Minority farmers have faced years of institutionalized discrimination when applying for Federal Government funding. This is a fact that is discouraging for many minority farmers, and quite frankly embarrassing for many government institutions.

As a Senior Member of the House Judiciary Committee, I have been actively involved in the fight to ensure that minority farmers receive justice for the many discriminations that they have faced and a fair chance at achieving the American Dream. Too often African American, Latino, and Native American farmers have been shortchanged on agricultural grants, loans, and programs. This injustice has prevented minority farmers from being as successful as they could be. It has also prevented American society in general from reaping the benefits of their labor. It is with this very sadening fact in mind that I propose the immediate distribution of funding designated for cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers.

By accelerating the disbursement of this funding, minority farmers and cooperatives supporting minority farmers will have earlier access to the resources that they need and deserve. The results of this funding—technological advances and agricultural sector growth—will benefit not only farmers, but American society as a whole. The benefits will be evident on our local farms, in our neighborhood supermarkets, and in our national economy. If we want our agricultural sector to grow, thrive, and compete, we must consider this amendment to make the distribution of these funds urgent and effective.

The time has come for the United States to take a proactive role in upholding the standards of equality and fairness in the agricultural sector. I believe it is of the utmost importance that we make use of every available opportunity to acknowledge the work of all Americans whose labor contributes to the health and welfare of society. All agricultural workers, minority farmers in particular, should be provided the necessary assistance to ensure that the fruits of their labor can continue to fuel our daily work. This is not just because the government has historically done such a poor job providing equal and fair support to minority farmers, but because it is the right thing to do. With this in mind I urge the adaptation of my proposed amendment to H.R. 2112. Thank you for your time and consideration in this imperative matter.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT OFFERED BY MS. HIRONO

Ms. HIRONO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ For preventive measures authorized under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.) and the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.), including research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing structures, and changes in use of land, there is hereby appropriated, and the amount otherwise provided by this Act for "Agricultural Programs—Agriculture Buildings and Facilities and Rental Payments" is reduced by, \$3,000,000, to remain available until expended.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Mr. Chairman, I rise to speak in support of my amendment to restore \$3 million in funding for the Watershed and Flood Protection program. Funding for this program was eliminated in fiscal year 2011, and no funding is provided in this bill.

My amendment provides \$3 million for this program, just 10 percent of the \$30 million provided in fiscal year 2010. I am taking funding from the agriculture buildings and facilities and rental payments to offset the cost of my amendment. Under my amendment, the Natural Resources Conservation Service, NRCS, would make the determination on where to direct the funds.

The Watershed and Flood Control Program provides for cooperation between the Federal Government, States, and localities to prevent erosion, flood water, and sediment damage. This is also a vital program to further the development, utilization, and disposal of water. It also helps to further the conservation and utilization of land and authorized watersheds.

Watershed improvements under this program are cost-shared between the Federal Government and local governments. I think that's a good thing. The program is being zeroed out despite the fact that we have an unfunded Federal commitment of more than \$1 billion for 297 cost-shared projects in 39 States, American Samoa, and the Commonwealth of the Northern Mariana Is-

lands. These projects would help to reduce flood damage in 320 communities, improve agriculture water supply in 80 communities, and improve water quality in 132 streams.

Clearly, the national reach of this program is apparent from the numbers I just cited. In fact, I have a list of the 41 States and the Pacific islands that have been helped by this program, including Iowa, Kansas, Missouri, New Mexico, Oklahoma, Tennessee, Texas—the list goes on.

States and the local governments have worked together with NRCS, and they put up their own funds to construct flood control and water development projects. I don't think it is fair to leave these local governments holding the bag while the Federal Government just walks away from these commitments. Even shutting down projects of course costs money, and we can't leave them just halfway done on these projects. How can we just walk away from these projects before realizing the economic and environmental benefits they were designed to deliver?

I urge my colleagues to support funding for this important program. It affects 40 States plus Pacific islands.

I will submit for the RECORD a list of unfunded Federal commitments to authorized watershed projects in so many of our States.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. HIRONO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Hawaii will be postponed.

Mr. KINGSTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mr. DOLD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

—

HOURLY OF MEETING

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes a.m.), under its previous order, the House adjourned until today, Thursday, June 16, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1963. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Swine Hides and Skins, Bird Trophies, and Ruminant Hides and Skins; Technical Amendment [Docket No.: APHIS-2006-0113] (RIN: 0579-AC11) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1964. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Brucellosis in Swine; Add Texas to List of Validated Brucellosis-Free States [Docket No.: APHIS-2011-0005] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1965. A letter from the Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2010 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

1966. A letter from the Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2011, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

1967. A letter from the Secretary, Army, Department of Defense, transmitting a letter regarding a directed quantity reduction; to the Committee on Armed Services.

1968. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Donald C. Wurster, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1969. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John T. Sheridan, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1970. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement Lieutenant General William G. Webster, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1971. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 2010, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Financial Services.

1972. A letter from the Acting Director, SFHGLD, Department of Agriculture, transmitting the Department's final rule — Single Family Housing Guaranteed Loan Program (RIN: 0575-AC83) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1973. A letter from the Associate General Counsel for Legislation and Regulation Divisions, Department of Housing and Urban Development, transmitting the Department's final rule — HUD Multifamily Rental Projects: Regulatory Revisions [Docket No.: FR-5393-F-02] (RIN: 2502-A195) received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1974. A letter from the President and Chairman, Export-Import Bank, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1975. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Luxembourg pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1976. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Investments (RIN: 2590-AA32) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1977. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Corporate Credit Unions (RIN: 3133-AD74) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1978. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's final rule — General Working Conditions in Shipyard Employment [Docket No.: OSHA-S049-2006-0675 (formerly Docket No. S-049)] (RIN: 1218-AB50) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1979. A letter from the Secretary, Department of Health and Human Services, transmitting the 2010 report of Health, United States, compiled by the National Center for Health Statistics, and the Centers for Disease Control and Prevention, pursuant to 42 U.S.C. 242m(a)(1)(c); to the Committee on Energy and Commerce.

1980. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-22 pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1981. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 6-11 informing of an intent to sign a Memorandum of Understanding with the Czech Republic; to the Committee on Foreign Affairs.

1982. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to section 702 of the Foreign Relations Authorization Act for FY 2003 (Pub. L. 107-228), a report on the 2010 U.S.-Vietnam Human Rights Dialogue Meetings; to the Committee on Foreign Affairs.

1983. A letter from the Acting Assistant Legal Advisor for Treaty Affairs, Depart-

ment of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1984. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on November 6, 2010; to the Committee on Foreign Affairs.

1985. A letter from the Secretary, Department of the Treasury, transmitting as required by section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

1986. A letter from the Secretary, Department of the Interior, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1987. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 4th Quarter of Fiscal Year 2010", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

1988. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1989. A letter from the Secretary, Department of Labor, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1990. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2010, through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1991. A letter from the Commissioner, Election Assistance Commission, transmitting Semiannual Report of the Inspector General for the period October 31, 2010 through March 1, 2011; to the Committee on Oversight and Government Reform.

1992. A letter from the Administrator, General Services Administration, transmitting the Administration's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1993. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action

Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1994. A letter from the Chairman, Railroad Retirement Board, transmitting the semi-annual report on activities of the Office of Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Oversight and Government Reform.

1995. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alabama Regulatory Program [SATS No.: AL-076-FOR; Docket ID: OSM-2010-0020] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1996. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Montana Regulatory Program [STAS No.: MT-030-FOR; Docket ID No. OSM-2009-0007] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1997. A letter from the Assistant Secretary — Land and Materials Management, Department of the Interior, transmitting the Department's final rule — Renewable Energy Alternate Uses of Existing Facilities on the Outer Continental Shelf-Acquire a Lease Noncompetitively [Docket ID: BOEM-2010-0045] (RIN: 1010-AD71) received 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1998. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2011 Sector Operations Plans and Contracts, and Allocation of Northeast Multispecies Annual Catch Entitlements [Docket No.: 110201085-1212-02] (RIN: 0648-XY55) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1999. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Framework Adjustment 45 [Docket No.: 100923469-1211-02] (RIN: 0648-BA27) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2000. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA404) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2001. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2011 Atlantic Bluefish Specifications; Regulatory Amendment [Docket No.: 101228634-1149-02] (RIN: 0648-BA26) received

May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2002. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA364) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2003. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery of the South Atlantic; Reopening of the Commercial Sector for Vermilion Snapper in the South Atlantic [Docket No.: 040205043-4043-01] (RIN: 0648-XA360) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2004. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA371) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2005. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Reef Fish Fishery; 2011 Accountability Measures for Greater Amberjack and Closure of the 2011 Gulf of Mexico Commercial Sector for Greater Amberjack [Docket Nos.: 100610255-0257-01 and 040205043-4043-01] (RIN: 0648-XA353) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2006. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA405) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2007. A letter from the Management and Program Analyst, Department of Homeland Security, transmitting the Department's final rule — Requiring Residents Who Live Outside the United States To File Petitions According to Form Instructions [CIS No.: 2502-11, DHS Docket No. USCIS-2011-0002] (RIN: 1615-AB93) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2008. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to petition the Supreme court to review the decision of the U.S. Court of Appeals for the Sixth Circuit in the case *United States v. Warshak*, 631 F.3d 266 (6th Cir. 2010); to the Committee on the Judiciary.

2009. A letter from the Assistant Attorney General, Department of Justice, transmitting copy of the Office of Victims of Crime

(OVC) International Terrorism Victim Expense Reimbursement (ITVERP) Report to Congress 2009; to the Committee on the Judiciary.

2010. A letter from the Administrator, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2012-2016, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

2011. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Propellers Model 247F Propellers [Docket No.: FAA-2009-0113; Directorate Identifier 2008-NE-25-AD; Amendment 39-16602; AD 2011-04-02] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2012. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes [Docket No.: FAA-2010-1207; Directorate Identifier 2010-NM-140-AD; Amendment 39-16680; AD 2011-09-18] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2013. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A340-200, -300, -500, and -600 Series Airplanes [Docket No.: FAA-2011-0386; Directorate Identifier 2010-NM-115-AD; Amendment 39-16679; AD 2011-09-17] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2014. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Glaser-Dirks Model DG-808C Gliders [Docket No.: FAA-2010-0409; Directorate Identifier 2011-CE-011-AD; Amendment 39-16678; AD 2011-09-16] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2015. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-300, A340-200, and A340-300 Series Airplanes [Docket No.: FAA-2010-1309; Directorate Identifier 2010-NM-060-AD; Amendment 39-16662; AD 2011-08-12] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2016. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model DC-9-14, DC-9-15, and DC-9-15F, Airplanes; and DC-9-20, DC-9-30, and DC-9-50 Series Airplanes [Docket No.: FAA-2010-0958; Directorate Identifier 2010-NM-188-AD; Amendment 39-16641; AD 2011-07-04] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2017. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 400) Airplanes [Docket No.: FAA-2010-0436; Directorate Identifier 2009-NM-230-AD; Amendment 39-16643; AD 2011-07-06] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2018. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Reims Aviation S.A. Model F406 Airplanes [Docket No.: FAA-2011-0058; Directorate Identifier 2010-CE-071-AD; Amendment 39-16640; AD 2011-07-03] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2019. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sigma Aero Seat 9140, 9166, 9173, 9174, 9184, 9188, 9196, 91B7, 91B8, 91C0, 91C2, 91C4, 91C5, and 9301 Series Passenger Seat Assemblies; and Sigma Aero Seat 9501311-05, 9501301-06, 9501311-15, 9501301-16, 9501441-30, 9501441-33, 9501311-55, 9501301-56, 9501441-83, 9501441-95, 9501311-97, and 9501301-98 Passenger Seat Assemblies; Installed on Various Transport Category Airplanes [Docket No.: FAA-2010-0027; Directorate Identifier 2008-NM-204-AD; Amendment 39-16642; AD 2011-07-05] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2020. A letter from the Commissioner, Social Security Administration, transmitting the Administration's Fifteenth 2011 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

2021. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the first session of the 112th Congress; jointly to the Committees on Armed Services and Foreign Affairs.

2022. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products [Docket No.: DEA-3471] (RIN: 1117-AB30) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

2023. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the first session of the 112th Congress; jointly to the Committees on Foreign Affairs and Armed Services.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GINGREY of Georgia (for himself, Mr. GENE GREEN of Texas, Mr. WHITFIELD, Ms. DeGETTE, Mr. ROGERS of Michigan, Ms. ESHOO, and Mr. SHIMKUS):

H.R. 2182. A bill to provide incentives for the development of qualified infectious disease products; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself, Mr. RIVERA, Ms. BROWN of Florida, Mr. DIAZ-BALART, Ms. WILSON of Florida, and Ms. WASSERMAN SCHULTZ):

H.R. 2183. A bill to increase the portion of community development block grants that

may be used to provide public services, and for other purposes; to the Committee on Financial Services.

By Mr. COFFMAN of Colorado:

H.R. 2184. A bill to establish the Rare Earth Policy Task Force, to direct the Secretary of the Interior to develop a plan to ensure the long-term supply of rare earth materials, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ZOE LOFGREN of California (for herself and Mr. CONYERS):

H.R. 2185. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H.R. 2186. A bill to amend title 10, United States Code, to enhance the security of the United States and the readiness of the Armed Forces by increasing diversity within the leadership ranks of the Armed Forces; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. STARK, Mr. ELLISON, Ms. LEE of California, Ms. DELAURO, Ms. BALDWIN, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RYAN of Ohio, Mr. LYNCH, Ms. NORTON, and Mr. SHERMAN):

H.R. 2187. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself and Mr. BURGESS):

H.R. 2188. A bill to require government-wide application of continuous process improvement methods to reduce waste and improve the effectiveness of the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SCOTT of Virginia:

H.R. 2189. A bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. LEVIN, Mr. STARK, Mr. DINGELL, Mr. GEORGE MILLER of California, and Mr. ANDREWS):

H.R. 2190. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the

Medicare prescription drug benefit program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself, Mr. LYNCH, Mr. CONNOLLY of Virginia, Mr. DAVIS of Illinois, Mr. BRALEY of Iowa, Mr. CLARKE of Michigan, Ms. JACKSON LEE of Texas, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. CARSON of Indiana, Ms. BASS of California, Mr. PAYNE, Mr. FATTAH, Mr. RUSH, Mr. HASTINGS of Florida, Mr. CLEAVER, Mr. BUTTERFIELD, Ms. LEE of California, and Ms. WILSON of Florida):

H.R. 2191. A bill to require that any home inspection conducted in connection with a purchase of residential real property that involves a federally related mortgage loan be conducted by a State-licensed or State-certified home inspector to determine the existence of structural, mechanical, and electrical safety defects, and to require inclusion in the standard settlement statement of information regarding any home inspection conducted in connection with settlement; to the Committee on Financial Services.

By Mr. COHEN (for himself, Mr. FORBES, Mr. ROHRBACHER, Ms. SCHAKOWSKY, and Mr. NADLER):

H.R. 2192. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Ms. JACKSON LEE of Texas, Mr. RANGEL, Mr. TOWNS, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. CLAY, and Mr. RUSH):

H.R. 2193. A bill to amend title IV of the Social Security Act to ensure funding for grants to promote responsible fatherhood and strengthen low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mr. BURGESS, Mr. ACKERMAN, Mr. RANGEL, Mr. GONZALEZ, Ms. LEE of California, and Mr. KING of New York):

H.R. 2194. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Mr. MURPHY of Pennsylvania, and Ms. BALDWIN):

H.R. 2195. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 2196. A bill to direct President, utilizing the Western Area Power Administration, to acquire renewable energy in amounts sufficient to ensure that, of the total amount of electric energy the Federal Government consumes during any fiscal year, certain minimum amounts shall be renewable energy, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. LEE of California, Ms. NORTON, Ms. SCHAKOWSKY, Mr. STARK, and Mr. TOWNS):

H.R. 2197. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide incentives to States and units of local government under the Edward Byrne Memorial Justice Assistance Grant Program for providing certain services to victims of sexual assault or rape, and for other purposes; to the Committee on the Judiciary.

By Mr. PAULSEN (for himself, Mr. SCHOCK, and Mr. DONNELLY of Indiana):

H.R. 2198. A bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself, Mr. MARCHANT, Mr. WESTMORELAND, Mrs. ELLMERS, Mr. PITTS, Mr. FRANKS of Arizona, Mr. PENCE, Mr. FLORES, Mr. KING of Iowa, Mr. ROONEY, and Mr. GINGREY of Georgia):

H.R. 2199. A bill to prohibit the issuance of certain visas to nationals of a country that denies or unreasonably delays the repatriation of a national ordered removed from the United States to such country, and for other purposes; to the Committee on the Judiciary.

By Mr. ROHRBACHER:

H.R. 2200. A bill to limit assistance to Honduras unless the President certifies to Congress that the Government of Honduras has settled all outstanding expropriation claims brought by United States companies against the Government of Honduras; to the Committee on Foreign Affairs.

By Mr. SMITH of Washington (for himself, Mr. DICKS, Mr. LARSEN of Washington, and Mr. McDERMOTT):

H.R. 2201. A bill to amend title XVIII of the Social Security Act to improve the provision of items and services provided to Medicare beneficiaries residing in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY:

H.R. 2202. A bill to reauthorize the Essex National Heritage Area; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 2203. A bill to establish a pilot program under which veterans in the State of Alaska may receive health care benefits from the Department of Veterans Affairs at non-Department medical facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROYCE (for himself, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. SCHIFF,

Mr. COSTA, Ms. ESHOO, Mr. PALLONE, Mr. McGOVERN, Mr. FRANK of Massachusetts, Mr. BACA, Mr. CICILLINE, Mrs. NAPOLITANO, Mr. SARBANES, Mr. ACKERMAN, Mr. CROWLEY, Mr. NUNES, Ms. CHU, Mrs. MALONEY, Mr. ENGEL, Mr. SHERMAN, Mr. BRALEY of Iowa, Mr. WOLF, Mr. ROTHMAN of New Jersey, Mr. BILIRAKIS, Ms. SPEIER, Mr. McCOTTER, Mr. DANIEL E. LUNGREN of California, Mr. LANGEVIN, Mr. GALLEGLY, Mr. LAMBORN, Mr. DENHAM, Mr. CARDOZA, and Mr. DOLD):

H. Res. 306. A resolution urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties; to the Committee on Foreign Affairs.

By Mr. BASS of New Hampshire:

H. Res. 307. A resolution amending the Rules of the House of Representatives to establish a Committee on the Reduction of Nonessential Federal Expenditures; to the Committee on Rules.

By Mr. MEEKS (for himself and Mr. SESSIONS):

H. Res. 308. A resolution recognizing the achievements of America's high school valedictorians of the graduating class of 2011, promoting the importance of encouraging intellectual growth, and rewarding academic excellence of all American high school students; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GINGREY of Georgia:

H.R. 2182.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in article I, section 8, clause 18 granting Congress the power "to make all Laws which shall be necessary and proper for carrying into Execution foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. ROS-LEHTINEN:

H.R. 2183.

Congress has the power to enact this legislation pursuant to the following:

Article I—The Legislative Branch.

Section 1: The Legislature:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8:

Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Clause 18. The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. COFFMAN of Colorado:

H.R. 2184.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authorities on which this bill rests is:

The power of Congress to make law regarding the needful rules and regulations respecting the property of the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

By Ms. ZOE LOFGREN of California:

H.R. 2185.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mr. CUMMINGS:

H.R. 2186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12, 13, 14 and 18.

By Ms. SCHAKOWSKY:

H.R. 2187.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 1), which grants Congress the power to provide for the "general Welfare of the United States."

By Mr. LATHAM:

H.R. 2188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution, under which Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. SCOTT of Virginia:

H.R. 2189.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, U.S. Constitution.

By Mr. WAXMAN:

H.R. 2190.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the United States Constitution.

By Mr. CLAY:

H.R. 2191.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Art. I & 8, cl. 3) of the United States Constitution provide that the Congress shall have the power to regulate interstate and foreign commerce.

By Mr. COHEN:

H.R. 2192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 of the United States Constitution.

By Mr. DAVIS of Illinois:

H.R. 2193.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ENGEL:

H.R. 2194.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution
By Mr. ENGEL:

H.R. 2195.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution

By Mr. MARKEY:

H.R. 2196.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. NADLER:

H.R. 2197.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1 and 18.

By Mr. PAULSEN:

H.R. 2198.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 clause 1.

By Mr. POE of Texas:

H.R. 2199.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization and Clause I of Section 8 or Article I which states that Congress has the power to provide for the common Defense and general Welfare of the United States.

By Mr. ROHRABACHER:

H.R. 2200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. SMITH of Washington:

H.R. 2201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 14.

By Mr. TIERNEY:

H.R. 2202.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 2203.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mrs. NOEM.

H.R. 91: Mr. WOLF, Mr. STIVERS, Mr. ROKITA, Mr. MCKINLEY, and Mr. BENISHEK.

H.R. 136: Mr. FILNER.

H.R. 177: Mr. ROKITA and Mr. GALLEGLY.

H.R. 178: Mr. LUJÁN, Mr. GRIJALVA, and Mr. GENE GREEN of Texas.

H.R. 198: Mr. ALTMIRE.

H.R. 303: Mr. GENE GREEN of Texas.

H.R. 374: Mr. HULTGREN.

H.R. 440: Mr. CARTER.

H.R. 452: Mr. REHBERG.

H.R. 457: Mr. LANDRY.

H.R. 469: Mr. ELLISON, Mr. NEAL, Mr. CARSON of Indiana, and Mr. MORAN.

H.R. 494: Ms. CASTOR of Florida.

H.R. 498: Mr. GRIFFITH of Virginia.

H.R. 529: Mr. LYNCH.

H.R. 583: Mr. DOYLE, Mr. NADLER, Ms. BALDWIN, Mr. FILNER, Ms. MATSUI, Ms. ROYBAL-ALLARD, Mrs. MALONEY, Mr. HASTINGS of Florida, Mr. GRIJALVA, Ms. BORDALLO, Mr. TOWNS, Ms. LINDA T. SÁNCHEZ of California, Mr. DEUTCH, Mr. PIERLUISI, Mrs. MCCARTHY of New York, Mr. HINCHEY, Mrs. LOWEY, Mr. GENE GREEN of Texas, Mr. GEORGE MILLER of California, Mr. SIRES, Mr. PASCRELL, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. BOSWELL, Ms. LORETTA SANCHEZ of California, Mr. ROTHMAN of New Jersey, Mr. PAYNE, Ms. LEE of California, Mr. WEINER, and Mr. LANDEVIN.

H.R. 605: Mr. YOUNG of Florida, Mr. SMITH of New Jersey, Mr. HURT, Mr. TIPTON, Mr. GOSAR, and Mr. STUTZMAN.

H.R. 640: Mr. HONDA.

H.R. 674: Mr. LATTI, Ms. CASTOR of Florida, Mr. HASTINGS of Washington, Mr. BURGESS, Mrs. BLACKBURN, and Mr. FLORES.

H.R. 679: Mr. WOLF.

H.R. 708: Mr. BARLETTA.

H.R. 711: Mr. LEWIS of Georgia and Ms. VELÁZQUEZ.

H.R. 721: Mr. DENT, Mr. BARLETTA, Mr. LIPINSKI, Mr. KILDEE, and Ms. SEWELL.

H.R. 733: Mr. FILNER, Mr. STIVERS, Mr. ELLISON, Mr. GOODLATTE, Mr. CARTER, and Mr. RAHALL.

H.R. 735: Mrs. ROBY, Mr. HECK, Mr. HANNA, and Mr. FARENTHOLD.

H.R. 771: Ms. GRANGER, Mr. SESSIONS, Mr. BARTON of Texas, and Mr. POE of Texas.

H.R. 776: Mr. ELLISON.

H.R. 795: Mr. BISHOP of Utah.

H.R. 799: Mr. FILNER.

H.R. 816: Mr. BOUSTANY.

H.R. 822: Mr. McKEON and Ms. BUERKLE.

H.R. 854: Mr. KISSELL.

H.R. 870: Mr. RUSH.

H.R. 886: Mr. ROONEY, Mr. FLORES, Mr. PENCE, Mrs. SCHMIDT, and Mr. PAULSEN.

H.R. 931: Mr. BENISHEK.

H.R. 942: Mr. McDERMOTT.

H.R. 964: Mr. OLVER.

H.R. 972: Mr. HERGER and Mr. WEST.

H.R. 997: Mr. NUGENT, Mr. WOLF, Mr. MCINTYRE, and Mr. PALAZZO.

H.R. 999: Mr. HIGGINS.

H.R. 1006: Mr. CANSECO.

H.R. 1028: Mr. RYAN of Ohio.

H.R. 1047: Mr. BACHUS, Mrs. BLACKBURN, and Mr. GRIFFIN of Arkansas.

H.R. 1057: Mr. DOYLE.

H.R. 1063: Mr. TIERNEY.

H.R. 1075: Mr. GINGREY of Georgia, Mr. ROONEY, Mr. GOHMERT, Mr. PITTS, Mr. BARTLETT, and Mr. DUNCAN of South Carolina.

H.R. 1080: Mr. CAPUANO.

H.R. 1116: Mr. INSLEE and Mr. RYAN of Ohio.

H.R. 1166: Mr. HERGER, Mr. WESTMORELAND, and Mr. ROSS of Florida.

H.R. 1173: Mr. ALEXANDER and Mr. MANZULLO.

H.R. 1174: Mr. BERMAN.

H.R. 1188: Mr. GOODLATTE.

H.R. 1192: Mr. McKEON.

H.R. 1195: Mr. LUJÁN and Mr. TIBERI.

H.R. 1200: Mr. GRIJALVA, Mr. ELLISON, and Ms. CHU.

H.R. 1208: Mr. JACKSON of Illinois.

H.R. 1234: Ms. MOORE.

H.R. 1236: Mr. QUIGLEY, Mr. SMITH of New Jersey, Ms. BALDWIN, Ms. BROWN of Florida, Mr. HUIZENGA of Michigan, and Mr. ROGERS of Michigan.

H.R. 1242: Mr. TIERNEY.

H.R. 1259: Mr. AUSTIN SCOTT of Georgia and Mr. CAMPBELL.

H.R. 1265: Mr. YOUNG of Florida and Mr. MCKINLEY.

H.R. 1311: Mr. LEWIS of Georgia, Mr. SARBANES, and Mr. GUTIERREZ.

H.R. 1350: Mr. McDERMOTT.

H.R. 1354: Mr. MICHAUD.

H.R. 1386: Mr. KISSELL, Mr. ENGEL, Mr. HOLDEN, Mrs. LOWEY, and Ms. BERKLEY.

H.R. 1391: Mrs. BACHMANN, Mr. ROKITA, and Mr. LANDRY.

H.R. 1397: Mr. RYAN of Ohio.

H.R. 1416: Mr. LONG and Mr. COURTNEY.

H.R. 1418: Mr. CONYERS, Mrs. ELLMERS, Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. TOWNS.

H.R. 1449: Mr. WELCH.

H.R. 1456: Mr. TIERNEY.

H.R. 1477: Ms. SLAUGHTER and Mr. STARK.

H.R. 1489: Mr. KUCINICH and Mr. VISCLOSKEY.

H.R. 1509: Mr. BRADY of Texas.

H.R. 1515: Mr. COURTNEY and Ms. SEWELL.

H.R. 1545: Mr. BURGESS.

H.R. 1546: Ms. BROWN of Florida, Mr. RUNYAN, and Mr. BURGESS.

H.R. 1565: Mr. ROSS of Arkansas and Mr. WELCH.

H.R. 1571: Mr. ROONEY.

H.R. 1585: Mr. BOREN and Mr. SCHWEIKERT.

H.R. 1588: Mr. SCHILLING.

H.R. 1614: Mr. McDERMOTT.

H.R. 1623: Mr. RUSH and Mr. ROTHMAN of New Jersey.

H.R. 1635: Mr. CASSIDY.

H.R. 1681: Mr. RYAN of Ohio.

H.R. 1703: Mr. KUCINICH.

H.R. 1723: Mr. GOODLATTE, Mr. WEST, and Mr. COFFMAN of Colorado.

H.R. 1735: Mrs. MYRICK, Mrs. CAPPS, and Mr. RUSH.

H.R. 1744: Mr. PAULSEN, Mr. BROUN of Georgia, Mr. ROONEY, and Mr. LONG.

H.R. 1755: Mr. MARINO and Mr. COSTELLO.

H.R. 1756: Mr. LOBIONDO, Mr. HIMES, and Mr. SMITH of New Jersey.

H.R. 1789: Mr. SHERMAN.

H.R. 1798: Mr. REED.

H.R. 1815: Ms. SCHWARTZ, Mr. POSEY, and Mr. RYAN of Ohio.

H.R. 1821: Ms. NORTON and Ms. MOORE.

H.R. 1833: Mr. POLIS.

H.R. 1842: Mr. ENGEL, Mr. WU, and Mr. ISRAEL.

H.R. 1848: Mr. COBLE.

H.R. 1856: Mr. FRANKS of Arizona, Mr. SHULER, Ms. ESHOO, and Mr. HONDA.

H.R. 1861: Mr. ALTMIRE.

H.R. 1885: Mr. PITTS, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. FLORES, Mr. ROONEY, Mr. GINGREY of Georgia, and Mr. BISHOP of Utah.

H.R. 1901: Mr. DINGELL.

H.R. 1912: Mr. DINGELL.

H.R. 1913: Mr. STARK.

H.R. 1932: Mr. WOODALL.

H.R. 1940: Mr. GARY G. MILLER of California, Mr. MORAN, Mrs. DAVIS of California, and Mr. LOBIONDO.

H.R. 1948: Mr. LATHAM.

H.R. 1955: Mrs. LOWEY.

H.R. 1968: Ms. CHU.

H.R. 1981: Mr. RUPPERSBERGER.

H.R. 1996: Mr. ROSS of Florida, Mr. SAM JOHNSON of Texas, Mr. SMITH of Nebraska, Mr. LABRADOR, Mrs. HARTZLER, Ms. FOXX, Mr. ROHRABACHER, Mr. GOSAR, Mr. LATTI, Mr. LUTKEMEYER, and Mr. McKEON.

H.R. 2010: Mrs. BLACK, Mr. PETRI, and Mr. KLINE.

H.R. 2018: Mr. LONG and Mr. GRIFFITH of Virginia.

H.R. 2032: Mr. STARK, Mr. CARTER, Mrs. MALONEY, Mr. GUTHRIE, Mr. BOUSTANY, Mr. SCALISE, Mr. JACKSON of Illinois, Mr. KING of New York, and Mr. BURGESS.

H.R. 2054: Mr. MCKINLEY.

H.R. 2088: Ms. RICHARDSON, Ms. CASTOR of Florida, and Ms. BALDWIN.

H.R. 2099: Mr. MILLER of Florida.

H.R. 2102: Mr. MCNERNEY.
 H.R. 2104: Ms. BALDWIN, Mr. ROGERS of Kentucky, and Mr. BURTON of Indiana.
 H.R. 2107: Mr. FARR.
 H.R. 2108: Mr. MARCHANT.
 H.R. 2111: Mr. BERMAN, Mr. FARR, Ms. SPEIER, Ms. LEE of California, and Mr. MCNERNEY.

H.R. 2123: Mr. GERLACH.
 H.R. 2152: Mr. KEATING, Mr. MATHESON, Mr. TOWNS, Mr. RANGEL, and Mr. STARK.

H.R. 2167: Mr. CAMPBELL and Mr. MCHENRY.
 H.J. Res. 47: Mrs. MALONEY.
 H. Con. Res. 56: Mr. GOHMERT.

H. Res. 60: Mr. SMITH of New Jersey and Mr. BRADY of Pennsylvania.

H. Res. 91: Mr. LIPINSKI.
 H. Res. 137: Mr. SCHOCK.
 H. Res. 227: Mr. KILDEE.

H. Res. 234: Mr. CLEAVER, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. ELLISON, Mr. GENE GREEN of Texas, Mr. HEINRICH, Mr. ISRAEL, Mr. MICHAUD, Mr. ROTHMAN of New Jersey, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Ms. SUTTON, Mr. TIPTON, and Mr. WOLF.

H. Res. 268: Mr. BACA, Mr. ROYCE, Mr. FRANKS of Arizona, Mr. MARINO, Mr. AUSTIN SCOTT of Georgia, Mr. BURTON of Indiana, Mr. CHANDLER, Mr. ADERHOLT, Mr. CANSECO, Mr. CAMPBELL, Mr. MCCARTHY of California, Mr. ROHRABACHER, Mr. RYAN of Ohio, Mr. DUFFY, Mr. LEWIS of California, Mr. FILNER, and Mr. FLEISCHMANN.

H. Res. 277: Mrs. SCHMIDT, Mr. MCCOTTER, Ms. BERKLEY, and Mr. MANZULLO.

H. Res. 283: Ms. RICHARDSON.

H. Res. 289: Ms. BROWN of Florida, Mr. CLAY, Mr. FALEOMAVAEGA, Mr. PIERLUISI, and Ms. WATERS.

H. Res. 290: Ms. BORDALLO and Ms. DEGETTE.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2112

OFFERED BY: MR. ENGEL

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or any other Federal Agency receiving funds under this Act to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2112

OFFERED BY: MR. GOSAR

AMENDMENT NO. 35: Page 49, line 23, after the dollar amount, insert “(reduced by \$100,000,000)”.

Page 80, line 2, after the dollar amount, insert “(increased by \$100,000,000)”.

H.R. 2112

OFFERED BY: MR. GOSAR

AMENDMENT NO. 36: Page 32, line 5, after the dollar amount, insert “(increased by \$100,000,000)”.

Page 35, line 13, after the dollar amount, insert “(increased by \$100,000,000)”.

Page 49, line 23, after the dollar amount, insert “(reduced by \$200,000,000)”.

H.R. 2112

OFFERED BY: MR. LANDRY

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay the salary of an individual appointed during a recess of the Senate to fill a vacancy in an office required by law to be filled by and with the advice and consent of the Senate.

H.R. 2112

OFFERED BY: MR. HOLDEN

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following new section:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5.88 percent and may not be used to carry out the limitations contained in paragraphs (1) through (8) of section 728.

EXTENSIONS OF REMARKS

SALUTING SERVICE ACADEMY
STUDENTS—BRIANNA BURNSTAD

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Brianna Burnstad, a United States Military Academy Appointee. Brianna is a graduate of Plano Senior High School where she played volleyball, while simultaneously participating on a club volleyball team serving as the team captain. Brianna served as a member of student congress, the National Honor Society, and Third District Congressional Youth Advisory Committee. She was also active in her church as a confirmation teacher, youth choir representative, and took part in mission trips. Brianna wants to attend the United States Military Academy following in the footsteps of three generations of her family because she wants to pursue a career in the Army and wants to dedicate herself to something larger than herself. Brianna is not only impressed that West Point challenges its students academically, but also emphasizes the importance of physical and leadership training.

IN HONOR OF THE LIFE OF CLARA
MAE SHEPARD LUPER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. CONYERS. Mr. Speaker, today, we honor Clara Mae Shepard Luper and her lifelong work towards achieving equality for all in the state of Oklahoma. She has been the face of the Oklahoma Civil Rights movement since 1958 and to many she is a treasure to the United States and an icon for the struggle for equality.

In the face of segregation and wide-spread discrimination, Clara Luper decided that enough was enough. Mrs. Luper's courage, determination, and integrity cultivated her strong leadership to organize a sit-in protest at

the Katz Drug Store in downtown Oklahoma City, a business that refused to serve black customers. Mrs. Luper was fearless when she organized civil disobedience demonstrations and she unapologetically used these demonstrations to challenge the state of Oklahoma's allowance for discrimination against blacks.

I recall Mrs. Luper spoke about her mother witnessing a Black man who had been hung by a White mob in Texas. Regardless of her experience, however, her mother instilled in her a belief of "loving people, no matter what their color."

Mrs. Luper's mother believed that freedom and equality were guarantees of the Constitution and Mrs. Luper was bound to make sure the state of Oklahoma made good on that promise. Thus, she continued to influence others with the beliefs her parents taught her by including young people in the struggle for civil rights and immersing herself in demonstrations for equality across the country.

Mrs. Luper participated in the march in Selma against segregation in 1965. She was arrested then and many other times for protesting against social injustice. She was even beaten by demonstrators protesting against the movement in Selma. However, she courageously continued.

For over 40 years Mrs. Luper traveled with groups of young people from Oklahoma to conventions across the United States that rallied to end segregation in America. During these conventions, some students witnessed desegregated public bathrooms and restaurants for the first time in their lives. However, I most admire her journey with these young people to the March on Washington in 1963 and her leadership to hundreds of youth in the National Association for the Advancement of Colored People, NAACP, Youth Council in Oklahoma.

As an educator for over 40 years, Mrs. Luper taught American history to Oklahoma youth. Although she retired in 1991, many of her students still credit her for instilling in them a sense of worth and confidence that they could go out and change society for the better. Some of them considered her more than an educator, with many to this day still referring to her as "Mom."

She also had an interest in public service. In 1972, Mrs. Luper threw her hat into the political ring and ran for the U.S. Senate. She stated "as a teacher, I was interested in getting some practical experience in the political realm. And I sure did that." Although she did not win the nomination from the Democratic Party, many current politicians in Oklahoma and abroad have benefited from her courage and significant involvement in Oklahoma politics.

In the years following, Mrs. Luper founded the Miss Black Oklahoma Scholarship Pageant. Attending and affording college and a deep knowledge of American and civil rights

history are the foundations of the scholarship pageant program. Young black Oklahoma women have benefited Mrs. Luper's vision to provide educational opportunities and scholarships to rising young leaders in the state and I am grateful for her efforts and investment in America's youth.

53 years ago, civil rights leader and icon Clara Luper displayed the inspiring courage to better this country for all of its citizens. I know that this Congress and the people of this Nation can work to further the ideals of Mrs. Luper and the Civil Rights Movement.

[From the New York Times, Jun. 11, 2011]

CLARA LUPER, A LEADER OF CIVIL RIGHTS SIT-INS, DIES AT 88

(By Dennis Hevesi)

Her name does not resonate like that of Rosa Parks, and she did not garner the kind of national attention that a group of black students did when they took seats at a Woolworth's lunch counter in Greensboro, N.C., in February 1960. But Clara Luper was a seminal figure in the sit-ins of the civil rights movement.

Ms. Luper, who led one of the first sit-ins—at a drugstore in Oklahoma City 18 months before the Greensboro action—died Wednesday at her home in Oklahoma City, her daughter Marilyn Hildreth said. She was 88.

Ms. Luper was a history teacher at Dunjee High School in 1957 when she agreed to become adviser to the Oklahoma City N.A.A.C.P.'s youth council. The youngsters asked what they could do to help the movement.

On Aug. 19, 1958, Ms. Luper led three other adult chaperons and 14 members of the youth council into the Katz Drug Store in Oklahoma City, where they took seats at the counter and asked for Coca-Colas. Denied service, they refused to leave until closing time. They returned on Saturday mornings for several weeks.

The sit-ins received local press coverage. Eventually the Katz chain agreed to integrate lunch counters at its 38 stores in Oklahoma, Missouri, Kansas and Iowa. Over the next six years, the local N.A.A.C.P. chapter held sit-ins that led to the desegregation of almost every eating establishment in Oklahoma City.

"The actions that Ms. Luper and those youngsters took at the Katz Drug Store inspired the rank and file of the N.A.A.C.P. and activists on college campuses across the country," Roslyn M. Brock, the group's national chairwoman, said Friday.

Ms. Luper's activism extended beyond the sit-ins. A week after that first protest, 17 white churches in Oklahoma City let members of her youth group attend services. At another church, a pastor asked two youngsters to leave. The Associated Press reported at the time. "God did not intend Negroes and whites to worship together," he told them.

Ms. Luper was arrested 26 times at civil rights protests. Now a street is named after her in Oklahoma City, and flags flew Friday at half-staff in her honor.

Born Clara Mae Shepard on May 3, 1923, to Ezell and Isabel Shepard, Ms. Luper grew up near Hoffman, Okla. Her father was a brick

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

worker, and her mother was a maid. "When she was a child, her brother got sick and they wouldn't treat him at the hospital," Ms. Hildreth said. "That really triggered her."

Ms. Luper is also survived by another daughter, Chelle Wilson; a son, Calvin; a sister, Oneita Brown; five grandchildren; eight great-grandchildren; and one great-great-grandchild. Her husband, Bert Luper, died before her.

Ms. Luper graduated from Langston University in 1944. In 1951 she earned a master's degree in history from the University of Oklahoma, where she was the first black student admitted to a graduate history program. She taught at Oklahoma City high schools until she retired in 1991.

On the blog *Stories in America*, she said her father "had never been able to sit down and eat a meal in a decent restaurant."

"He used to tell us that someday he would take us to dinner and to parks and zoos," she said. "And when I asked him when was someday, he would always say, 'Someday will be real soon,' as tears ran down his cheeks."

[From NewsOK.com, Jun. 9, 2011]

CIVIL RIGHTS LEADER CLARA LUPER HAS DIED (By Robert Medley and Bryan Painter)

Clara Luper, a civil rights pioneer whose lunch counter sit-ins helped end discrimination in public restaurants, has died. She was 88.

Luper died Wednesday night in Oklahoma City after a long illness, family members confirmed.

Luper has been the face of the Oklahoma civil rights movement since 1958, when she led a sit-in protest inside Katz Drug Store in downtown Oklahoma City, where the owners had refused to serve black customers.

Roosevelt Milton, 66, president emeritus of the NAACP's Oklahoma City and Oklahoma chapters, said she was a primary groundbreaker in the movement.

"I think that Clara was the last great civil rights icon in Oklahoma," Milton said. "She was a very passionate and fearless person when it came to the NAACP mission."

Oklahoma House Speaker Kris Steele, R-Shawnee, called Luper a civil rights giant.

"Throughout her life, Ms. Luper adhered to the principle that actions speak louder than words," Steele said. "Through her actions, she helped lead Oklahoma and the nation forward by showing courage and courtesy simultaneously, often in the face of unpleasant opposition. A road near the Capitol is now deservedly named in her honor, but perhaps the most fitting tribute to give Ms. Luper is fulfilling her vision that all Oklahomans and Americans are equal, our histories and futures intrinsically linked. She will be greatly missed, but her legacy will never be forgotten."

HISTORIC SIT-IN

In 1958, she chaperoned a group of black students to New York City. The trip eastward was through the northern states; many of the students experienced, for the first time, treatment equal to whites in public places. On their return through Southern states, they re-entered familiar, segregated territory. That brief taste of equality would help change American history.

In August 1958, a youth council group met in Luper's home and decided to force the issue at downtown eating places that refused to serve blacks. They decided to sit down and sit there until they were served.

With 13 young people, ages 6 to 13, including her two oldest children, Calvin and

Marilyn, Luper directed a protest at Katz Drug on Main Street. She taught them courage and self-respect and the nonviolent philosophy of Martin Luther King Jr. She made certain that every day their clothes were clean and ironed, so they would look confident.

The youth endured curses and threats from other customers, were covered with ketchup, hot grease and spit and were kicked and punched. Luper was with them constantly. One black child was served a hamburger at the Katz lunch counter, and the breakthrough opened Oklahoma City restaurants to blacks. Luper and the children demonstrated for better treatment for blacks at John A. Brown's luncheonette, Anna Maude Cafeteria, the Skirvin Hotel and Wedgewood Amusement Park.

LEGACY

Luper helped establish the Youth Council of the Oklahoma City Chapter of the National Association of the Advancement of Colored People (NAACP) in the 1950s and served as its adviser for 50 years. She is credited with directing a new type of nonviolent protest, the sit-in, and for staging the first such publicized event in the nation.

Luper taught American history for 41 years, beginning at Dunjee High School and working at other Oklahoma City schools; she retired from John Marshall in 1989.

Clara Shepard Luper was born May 3, 1923, in Okmulgee County, the middle of five children of Ezell and Isabell Shepherd. She attended Langston University, then became the first black student to enroll in the history department at the University of Oklahoma, where she earned a master's degree.

She marched with Martin Luther King Jr., whom she knew personally. In Selma, Ala., she was injured by a hit to the knee with a club. Luper was arrested 26 times during sit-ins and other nonviolent protests.

Her book, "Behold the Walls," published in 1979, detailed her work in the civil rights movement, much of which drew national attention.

Luper made an unsuccessful run for the U.S. Senate, became the first black vice president for the Oklahoma County Teachers Association and served as a consultant and adviser on school desegregation in Oklahoma City.

In 2000, a 2.7-mile section of NE 23, where she had led young people in walks and marches many times, was renamed the Clara Luper Corridor. In 2002, Edward L. Gaylord, then president of The Oklahoma Publishing Co., initiated a scholarship fund in her name, honoring her life work of giving youngsters self-respect and hope, along with a start on their education.

In later years, Luper directed celebrations of the anniversaries of civil rights landmarks, and produced the Miss Black Oklahoma pageant, which she used as a medium to teach young women social skills. She opened the Freedom Center, the northeast Oklahoma City headquarters for NAACP youth programs and frequently served as a calming, practical influence for cooperation in race relations.

REMEMBERING LUPER

As a 16-year-old, Joyce Henderson, a soon-to-be senior at Dunjee High School, heard the Rev. Martin Luther King Jr. present his "I Have a Dream" speech Aug. 28, 1963. With a little cash in her purse and a change of clothes in a small suitcase, Henderson boarded one of two charter buses with fellow students active in the NAACP Youth Council. One of her teachers, Clara Luper, invited her to make the trip to Washington.

Last Friday and again Monday, Henderson went by to see Luper. On Friday, "I said, 'Mother Luper, this is Joyce.' She nodded her head; she knew who I was."

Henderson, though not in on the initial sit-in, became involved in the movement. She said Luper's students at Dunjee would call her "Ms. Luper."

"As we've grown older many of us began calling her Mother Luper," she said. "She was truly that. For whatever reason she made each of us feel special, like she was our mother."

Henderson always felt a sense of security knowing of Luper's presence in the world, she said. That made Thursday a sad day for Henderson, who retired in 2006 after 36 years as an educator and administrator.

"You've got to admit that Oklahoma and this world is a better place because of Mother Luper," she said.

Bruce Fisher, administrative program officer for the Oklahoma History Center, was emotionally shaken Thursday when he heard the news.

Fisher played a major role in designing an exhibit at the museum featuring a replica of the Katz Drug Store lunch counter. He said Luper's efforts are an important part of Oklahoma history and important to the national civil rights movement as well.

"I wanted to make sure that we never forget that, and what an important role she played in ensuring the rights and freedoms that so many of us now take for granted," Fisher said.

Valerie Thompson, president and chief executive officer of the Urban League of Greater Oklahoma City, said Oklahoma has lost an innovative educator and pioneer for change.

"Clara Luper served as a beacon for civil rights and equality," Thompson said. "Her pioneering spirit, tireless commitment to education and advocacy for equal opportunity will never be forgotten."

Oklahoma City Mayor Mick Cornett said Luper was a great Oklahoman and a great American.

"Her peaceful, resolute sit-in protest at the Katz Drug Store, where the owners at the time refused to serve African-Americans, paved the way for equal rights in Oklahoma City," Cornett said. "If that was the extent of her contribution to Oklahoma and the Nation, it would have been accomplishment enough, but that act came early on, and Clara dedicated the rest of her long and wonderful life to such basic human needs as dignity, honor and respect."

Cornett requested that flags on city property be flown at half-staff in honor of Luper through sunset Friday.

Gov. Mary Fallin described Luper as a tremendous civil rights activist and a devoted mother.

U.S. Rep. James Lankford, R-Oklahoma City, said, "The courage of Clara Luper and her children provided the turning point in Oklahoma's race relations, through their dignified and principled stand against discrimination in 1958. A lifetime later, our culture has made great strides, but we still have much work to do to remove barriers that keep Americans from achieving their fullest potential. Today's generation can thank Clara Luper for many of the freedoms they experience today."

[From paregion.net, Aug. 6, 2008]

CLARA LUPER: MOTHER OF THE CIVIL RIGHTS MOVEMENT IN OKLAHOMA (By Stan Paregion Sr.)

Most people would probably try to hide the fact that they had been arrested not just one

or twice but 26 times. But there is only one Clara Luper, and she wears those arrests like battle decorations. And so they were. Only the battle was not against an enemy nation but against the ignorance and intolerance that fostered racial problems right here in the good ol' USA.

Clara Shepard was born on May 3, 1923 in Okfuskee County, Oklahoma. Her parents were dirt-poor share croppers with a total of five children. She attended a segregated (all Black) elementary school in Hoffman, Oklahoma. She graduated from Grayson High School in 1942.

"One of my little brothers got very sick. So my parents took him to the only doctor in Henryetta, Oklahoma. But the doctor refused to examine him because he was Black. And he died shortly after that."

Clara married Bert Luper at Durant, Oklahoma. Clara and Bert had three children—Calvin, Marilyn, and Chelle. After his death, she married Mr. Wilkerson.

She graduated from a segregated Black college, Langston University (Langston, Oklahoma) with the B.A. degree in math and education.

A TEACHER FOR 41 YEARS

Her first job after graduation was teaching at a Black school for orphans, deaf and blind students. That was at Taft, Oklahoma. She also taught school in Pawnee, Oklahoma. But her longest tenure and greatest impact was at the segregated Dunjee High School in Oklahoma City and, later, at John Marshall High School. She taught history, Human Relations, math and social studies. And, just as important, she instilled in them a sense of worth and a confidence that they could go out and change society for the better. She retired in 1991, after 41 years as an educator and motivator of Black students.

Luper said, "My students had dreams about what they could become. I looked at them like you'd look at a caterpillar long before it changes to a butterfly. I knew they had skills and abilities down deep that they could not yet see. So I did my best to develop those gifts, to polish those diamonds in the rough. That is what teaching is really all about."

OKLAHOMA PRIOR TO 1950

By way of a short history lesson, many promoters convinced Blacks from both the South and the North that the new state of Oklahoma (admitted to the Union in 1907) was a Promised Land for them. And many hundreds of Blacks moved West and developed small, all-Black towns in Oklahoma.

Along with the Black towns came Black-owned newspapers. And in 1914 one Black newspaper man founded his own newspaper, *The Black Dispatch*, in the Black area of Oklahoma City. He was outspoken in his calls for Blacks to fight the forced segregation as practiced in most of the nation at the time. And he argued that Blacks should become involved in politics to make sure their voices were heard.

The tensions between the races rose even higher following the tragic race riot in Tulsa in 1921. It was triggered by an incident in which a Black man allegedly made unwelcome advances on a White woman. The end result was that most of the Black business district on the north side of Tulsa was burned to the ground and some 300 people killed.

Clara Luper's own parents had different approaches to dealing with racial segregation and other injustices. "My dear mother believed in loving people, no matter what their color. She was always a bit afraid of the

power of White people. She had actually seen a Black man hung by a White mob in Texas. So she was never eager to step out and challenge the status quo.

"My father, Ezell Shepard, served in the U.S. Army while it was still highly segregated and suffered many injustices. And there he saw new and better relations between the races, where people were judged more by what they could do than by the color of their skin. So he was more willing to challenge the system. He was just a man of great optimism who did not dwell on negative things but looked for the good things."

"One time we all got on a bus, headed somewhere or other. And I asked my parents, 'Why do we have to sit here in the back of the bus?' My mother whispered in my face, 'You just shut up, girl.' But my father laughed and said, 'Oh, that's alright. Don't you worry about it Clara. Times will get better some day.' That is how it was in our family. He was a 'some day' man."

On Dec. 5, 1955, a young Black girl named Rosa Parks in Montgomery, Alabama set off a furor when she refused to give up her seat on a bus to a White woman. Dr. Martin Luther King, Jr., followed up with a call for a boycott of the bus system until they agreed to end their racist seating rules. That boycott lasted until December of 1956, when the city finally agreed to eliminate their discriminatory rules.

"Oh, I got great strength of courage by seeing the new coverage of those Black people taking action to better their lives," Clara Luper said with a wave of her arm. "And it also filled me with anger that they had to walk to work and elsewhere just to fight for the same seating rights as White people."

THE FREEDOM CENTER

I interviewed her as we sat in her modest office at the Freedom Center she helped establish at 2609 N. Martin Luther King Avenue in Oklahoma City. That was on August 6, 2006. Her speech was strong and animated, her pronunciation so distinct and precise as to be almost theatrical. It was obvious that her talent in public speaking had been honed by years of teaching and motivating others. And I could imagine how, fifty years ago, many lesser educated Whites and Blacks could feel intimidated or even threatened by her self-confident poise.

"This building has been a blessing to our people," she said. "The National Association for the Advancement of Colored People, NAACP, started meeting in my house at 1818 NE Park Place in 1957. We soon needed a bigger place to meet and we bought and converted what had been an old Mobil gas service station to our Freedom Center. We were able to rally a large number of people, particularly young people, to participate in our motivational activities. And a lot of White folks didn't like that one bit."

"So one night someone threw a torch or a bomb into the building. All my personal correspondence with people like Martin Luther King and Medgar Evers was lost in the fire. But we turned right around and rebuilt the building. The kids at Northwest Classen High School, where I was teaching, helped raise some of the money. No one was ever arrested for the crime."

THE SIT-IN IN OKLAHOMA CITY

On August 18, 1958, Clara Luper led her students into a Katz Drug Store in downtown Oklahoma City. The drug store also had a lunch counter and soda fountain, but only served White people. So Luper and her young people walked in and placed their orders and, when promptly refused, they sat down and

refused to leave. This was a peaceful and orderly and non-violent demonstration to gain the right to eat there. But the police were summoned and escorted the group from the building. But Luper and the students returned time and time again until the store finally gave in and agreed to serve Blacks just as they did everyone else.

INFLUENCE OF RELIGION

She said that she came from a very religious family. "My Christian faith has always been extremely important to me, both in my personal and professional life and in my experiences in the Civil Rights Movement. It all goes back to my parents and grandparents who taught us to believe for the rain when it didn't fall, to believe for the sun when it didn't shine and to pray to the God we had never seen."

"And I was heavily influenced by the ministers in the Black community. They were largely uneducated or self-taught. But despite their lack of a formal education, they were often the best role models for our children. And most of them did all they could to help our young people."

"You see," she said with a big smile, "those ministers were not dependent on White employers for their incomes, unlike most Black folks. So they could be more vocal on social issues."

Clara Luper is a long-time member of the Fifth Street Baptist Church in Oklahoma City.

MARCH ON WASHINGTON

In 1963, Dr. Martin Luther King, Jr., called for a march on Washington, D.C., to demand passage of the Civil Rights Bill. About a hundred people, including Clara Luper, loaded onto two buses for the trip to Washington and were present on that historic day, August 28, 1963. Some 250,000 people crowded together to hear the speakers. And all of the U.S. TV networks, as well as many foreign networks, carried to millions of people around the world.

"We had a great time on those buses. We sang freedom songs and talked about what a great gathering it would be. And it was better than we could ever have imagined. There were rows and rows of buses as far as the eye could see, with hundreds of thousands of people gathered together. The highlight was when Dr. King gave his 'I Have a Dream' speech. That was so simple and yet so powerful. My son, Calvin, got to shake hands with Dr. King and with President John Kennedy."

"We had come to Washington. Then we got back on the bus and it was silent for a long time. Then someone broke out singing 'We Shall Overcome' and we all started singing. It was an enchanting, heavenly feeling that I shall never forget. Yes, yes."

"You know something?" she asked, rhetorically and then firmly stated, "It is hard to love your enemies, those who would walk up to you and spit in your face. But Dr. Martin Luther King said you've got to. And, of course, he got that from the Bible."

Unfortunately, President Kennedy was assassinated just three months later. But his successor, Lyndon B. Johnson, signed the Civil Rights Act into law on July 2, 1964. The bill gave the federal government absolute power to enforce school desegregation. It even prohibited segregation in public places. And, just as important for the long haul, the Civil Rights Act established a Commission on Equal Employment Opportunity.

"The Civil Rights Bill of 1964," Luper noted, "was also a big help to women. For the most part, and particularly in the Black community, women were taught to be subservient to men. Women had been indoctrinated to believe they were dumb and that

whatever men said was the end of the discussion. But that Bill said you cannot discriminate on the basis of race, creed, color or sex. So that was something to really be proud of."

Times were changing for the better, to be sure. Just like Clara's father had predicted.

MARCH ON SELMA

In 1965, Clara Luper and Eddie Stamps and others drove in vans to Selma, Alabama to march against segregation.

"In Selma it was just like a war. The Civil Rights protesters were on one end of the town and the police and their supporters ('posse men') were on the other end. Even the highway patrol pointed guns at us as we drove into town.

"When we started our march, one of the 'posse men' as they called themselves, hit me on the leg. My leg started bleeding and the girls, white girls, that were with me started crying and saying, 'Oh, mamma, mamma, you're hurt.' And those posse men or Klu Klux Klan came up and said to the white girls, 'Is she your mamma?' and the white girls said, 'Yes, that's our mamma.'

"So those men came back to me and asked me who the father of those girls were, since they were calling me mamma. So I told them God was their father. And those men began to cuss and say 'Screw them niggers'. So I knew they were ignorant and it didn't matter what I said to them," Luper said.

"About that time Dr. Martin Luther King came up and got us all to walk toward the bridge in an effort to get the local Blacks registered to vote. It was a long, hard day.

"That night we all fanned out to be in different homes to listen to President Lyndon Johnson speak on TV to the Nation. I wound up in a pretty run-down house. We all watched TV as President Johnson said that the very next day he was going up to speak to the Congress and to ask them to pass a voters rights bill. We all just went wild."

POLITICAL CANDIDATE

In 1972, Luper threw her hat into the political ring. She ran for the U.S. Senate against fellow Democrat Mike Turpen and Republican Dewey Bartlett.

"As a teacher, I was interested in getting some practical experience in the political realm. And I sure did that. I had debates with both Turpen and Bartlett, so it gave me a great platform to express my views. But, of course, Dewey Bartlett won the election. It was still a great educational experience for me and for my students. I really enjoyed that experience more than anything else I have ever done.

"I remember one incident down somewhere in southeast Oklahoma, down there in 'Little Dixie'. I was speaking at a political rally when a White man stood up and asked me what I thought about interracial marriage. I said, 'I'm so happy you asked me that. You see as an educator and a student of history, I have never seen an ant having intercourse with an elephant. What that basically means, sir, is that anything that God did not want to have mate with another of his creations He made it physically impossible. That man got mad and walked out,' she said with a hardy laugh."

When asked what her typical day is like today, Clara Luper said: "There really is no 'typical day,' because I am involved in so much and traveling a lot. But when I am home, I usually get up at 6 a.m. I shower, read the newspapers and listen to the news on either the TV or the radio. Then I go down to the little lake behind my house and, every other day, I feed the fish. And then I

usually phone my children and talk with my sister. And on Mondays, I try to spend several hours at my office at the Freedom Center."

She says she also relaxes by playing the word game Scrabble with anyone who is available. And she likes listening to spiritual music and to the blues.

HONORS TO WHOM HONORS ARE DUE

At the time of my interview with her, Clara Luper was 83 years old. Yet she still maintained a heavy speaking schedule all across the country. That is because she is known as a freedom fighter, a true Civil Rights hero, across the nation and not just in Oklahoma.

The Oklahoma House of Representatives passed HB 2715 honored her by naming a portion of NE 23rd Street in Oklahoma City as "Clara Luper Corridor". She has been inundated with over 500 other honors as well. And of them she says, "Every award has been a recognition of the people who worked with me. So all those awards are special. It just shows what people working together for a common cause can do."

Devon Energy Corporation joined hands with Oklahoma Gas & Electric Company to establish a "Clara Luper Scholarship" program at Oklahoma City University. It was set up to help minority students and to honor Luper for her contributions to education in Oklahoma and to the Civil Rights movement here and throughout the Nation. And on May 5, 2007, the first 22 Clara Luper scholars received their diplomas from OCU. They had completed, as a group, some 13,000 hours of community service during their four years at the University.

Clara Luper wrote a 346 page book, Behold the Walls, which is her account of development of the Civil Rights movement during her lifetime. It was published in 1979, and Oklahoma City University reprinted the book in January, 2007.

"Looking back after all these years," Luper said. "I see how the progress we made took the coordinated efforts of so many people. It was not just the work of Clara Luper. It was the work of every person who helped in any way to advance the movement. Some marched and some participated in sit-in's, while others were behind the scenes in prayer and providing food and money for those of us who were out front.

"I have seen in my lifetime the fulfillment of my father's dream that 'Someday it will be alright'. I have seen us get the right to eat in any restaurant or to use any restroom, to stay in any hotel in the country. I am grateful that we are now able to take our family to the zoo on any day, not just on one day a week that was formerly designated for coloreds. But we still have a long way to go."

SALUTING SERVICE ACADEMY STUDENT—EMILY BOYSON

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious U.S. service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Emily Boyson, a U.S. Merchant Marine Academy Appointee. Emily is a graduate of Bishop Lynch High School where she was on the varsity swim team and partook in the breast stroke and individual medley. Emily was also a part of the National Honor Society as the parliamentarian, Mu Alpha Theta as treasurer, and the New Conservatory Dallas as a violinist. Emily was part of a prestigious mathematics program in high school and won several awards in school science fairs. She received the Star Student Award given to her by Bishop Lynch faculty, the Renaissance Program Award and the Dean of Students Letter of Recognition of Perfect Conduct. Emily wants to attend an Academy in order to mold herself into a strong, effective military leader capable of protecting America while fulfilling the mission of the military.

SALUTING SERVICE ACADEMY STUDENTS—AMBER LOWMAN

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Amber Lowman, a United States Naval Academy Appointee. Amber is a graduate of McKinney High School where she played volleyball as a right side hitter and a middle blocker and ran track and field participating in the long jump and triple jump. Amber was an active participant in her school's DECA club as their president, a member of Youth Leadership Board at Stonebridge United Methodist Church, and also a member of the McKinney High School Theatre Department taking a lead role in a musical. While balancing academics and extracurricular activities, Amber has also given much of her time to those in need serving as a volunteer for Special Olympics and the elderly at an assisted living center, and served as a camp counselor for those with special needs. Amber believes her readiness for adventure, leadership skills, and competitiveness will allow her to excel at a military academy. Her father is a graduate of the U.S. Naval Academy, and she looks forward to carrying on the tradition in Annapolis.

IN HONOR OF DR. ROBBIE
LATIMORE

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a great educator and woman of tremendous class and grace, Dr. Robbie Latimore. Dr. Latimore will retire on June 30, 2011, after more than 30 years of service at South Georgia Technical College in Americus, Georgia. She has played a tremendous role in the development of South Georgia Tech into one of the best technical colleges in Georgia and our Nation.

Dr. Latimore was born in Dublin, Georgia, to the union of the late Mark Smith, Sr. and Katie Smith. She graduated from Northwest Laurens High School in Dublin, received her B.S. degree in Business Education from Fort Valley State College in Fort Valley, Georgia, and her Master's Degree in Business Education from Georgia Southwestern University in Americus, Georgia. And finally, she received her Doctorate of Education in Adult Education from the University of Georgia.

Since joining the faculty in 1981 as a Business Education professor, she has worked tirelessly to make South Georgia Technical College a dynamic institution of higher learning. Throughout her tenure, Dr. Latimore has held several leadership positions, including Vice President for Academic Affairs, Vice President for Student Services, Director of Instruction, Chair of the Business Education Department and Instructor.

The great author Zora Neale Hurston once said that, "There is nothing to make you like other human beings as much as doing things for them." Dr. Latimore has learned this lesson and dedicated her life to helping others to reach their full potential. She is involved with many organizations that aim to make the world a better place for all. Some of her community organizations include the Fort Valley State University National Alumni Association, Zeta Phi Beta Sorority, Inc., Phoebe Sumter Medical Center Board of Directors, the American Technical Education Association, and Education Committee Member for the Americus-Sumter County Chamber of Commerce, to name a few.

Dr. Latimore has also been married to her husband, Mr. Frank A. Latimore, for over 34 years. They have raised a daughter, Kourtney, and two sons, Brandon and Keiva, who are well on their way to making their own mark on society. And they have one grandchild, Bryce Alexander Latimore.

And lastly, Dr. Latimore is committed to her God. A dedicated member of the Bethesda Missionary Baptist Church in Americus, Georgia, Dr. Latimore believes that the Lord has ordered all of her steps and she gives Him all the glory for her successes in life and the ability to raise a productive family.

South Georgia Technical College should consider itself blessed for having a woman with the strength and character of Dr. Robbie Latimore, who gave her all to make the college a success. On behalf of the constituents of the Second Congressional District, I thank

her for her service and wish her a happy retirement.

**RARE EARTH POLICY TASK FORCE
AND MATERIALS ACT**

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today I am introducing legislation that would help reestablish a competitive rare earth domestic supply chain as part of my ongoing effort to avert a rare earth supply crisis in the United States.

There are 17 rare earth minerals that are used in many advanced technologies, from computers to precision guided munitions to components necessary for the production of renewable energies. They are dispersed widely around the earth's crust but rarely in concentrations that are commercially viable.

With 97 percent of the world's supply of rare earth metals, China has proven to be an unreliable trading partner. Not only has their government ordered a reduction in exports of rare earth metals, but they have used their near monopoly status as leverage on unrelated issues.

My bill, the Rare Earth Policy Task Force and Materials Act, requires the Department of the Interior to establish a government-wide task force to review and report back on all U.S. laws, regulations or policies that discourage the reestablishment of a domestic rare earth industry.

It also calls for a comprehensive plan for research, development, demonstration, and commercial application to ensure the long-term, secure, and sustainable supply of rare earth materials for the United States. In addition, the plan includes proposals on how to promote recycling possibilities and alternative materials that could act as substitutes. The measures were also part of the RESTART Act of 2011, which I introduced earlier this year.

There is simply no reason to be almost 100 percent reliant on China for rare earth metals when we have such abundant resources here at home. I urge my colleagues to quickly move this legislation.

**SALUTING SERVICE ACADEMY
STUDENTS—JAMES KENNINGTON**

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending

our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute James Kennington, a United States Naval Academy Appointee. James is a graduate of Plano West Senior High School where he participated in wrestling and earned varsity letters in 2010 and 2011. Extracurricular activities such as weight lifting and running also consumed James' time, including martial arts where he is a blue belt. James was also an active member of the Young Men's Service League as the vice president, and founded his own photography club which received several awards. Academic success has always been a part of James high school career. He received the College Board AP Scholar of Distinction, was a National Merit Commended Scholar, in the French Honor Society and National Honor Society, and scored a perfect score on two sections of the SAT. He stated in his application essay, "I feel deeply compelled to join the fight—to give all of myself for freedom, for brotherhood, and for country."

**CHANCELLOR STEVE KANG
RECOGNITION**

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. CARDOZA. Mr. Speaker, it is with great pleasure that I stand before you today to honor Mr. Sung-Mo "Steve" Kang for his many years of dedicated service as Chancellor of the University of California, Merced, California's first research institution built in the 21st century and located within the 18th Congressional District of California. Steve Kang was appointed as the second permanent Chancellor of UC Merced on January 17, 2007 and began serving at the beginning of March of the same year. During his four year tenure as chancellor, Steve's leadership made many immense and lasting contributions to the university and to the community. It is an honor to recognize the work of Chancellor Kang—a tireless advocate for education and research, a champion for the community, and a leader and friend to Merced.

Chancellor Kang's insightful vision for the campus, his commitment to cultivating and inspiring students and researchers, and his unyielding devotion to his role as chancellor truly paved the way for the development of an outstanding university. A sample of UC Merced's key accomplishments achieved under Chancellor Kang's leadership include: meeting all of the requirements for initial accreditation by the Western Association of Schools and Colleges, developing and publishing the school's Strategic Academic Vision statement in 2009, continuing its commitment to sustainable development by raising the minimum level of performance for all new buildings to a Gold LEED rating, and seeing the diversity of the campus recognized by the U.S. Department of Education as a Hispanic-Serving Institution. Also under his guidance, UC Merced's Stem Cell Instrumentation Foundry opened in 2011, enabling innovations in biotechnologies that will lead to new discoveries

about stem cells. A testament to his belief in providing quality and equal access education to all students, he secured commitments from the UC Office of the President to fund enrollment growth for the next three years. Of special note, Chancellor Kang has supported the vision for UC Merced's future as a medical teaching university and his actions are greatly instrumental in ensuring that it will one day serve as an independently accredited School of Medicine.

Steve's great love is teaching and he has inspired generations of successful students inside the classroom. Prior to taking his position at UC Merced, he served as a professor in electrical and computer engineering at the University of Illinois at Urbana-Champaign from 1985 to 2000, becoming a department head in 1995. He taught as a visiting professor at several international universities, including the Swiss Federal Institute of Technology, the University of Lausanne, and the Technical University of Munich. He also served as the Dean of the Baskin School of Engineering at the University of California, Santa Cruz, during which time he took a budding engineering program to significantly greater levels of achievement, ensuring its place among the nation's top engineering schools.

Steve Kang was raised in South Korea and moved to the United States after receiving a scholarship to the Fairleigh Dickinson University in Teaneck, New Jersey where he graduated summa cum laude with a degree in Electrical Engineering. He received his Masters of Science degree from the State University of New York at Buffalo and his doctorate from UC Berkeley. A master of his field, Kang has co-authored 11 books on the subjects of electrical and computer engineering, written over 350 technical papers, and has well over a dozen patents to his name. He has been recognized with numerous awards in education and research, including the Distinguished Korean-American Award in 2008, the IEEE Third Millennium Medal in 2000, and Outstanding Alumnus Award in Electrical Engineering from UC Berkeley in 2008.

Along with his passion for education, Steve Kang is also an advocate for the community. He is personally dedicated to the principle of providing educational opportunities to children from lower income families and expanding access to a UC-quality education. He serves on the UC Merced Foundation as President, the Great Valley Center as Chairman of the Board, and the Central Valley Higher Education Consortium as an executive board member. He, along with his wife Mia, have long carried the torch for the needs of the region, consistently looking out for the valley as a whole.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in commending Chancellor Sung-Mo "Steve" Kang for his dedication and service as a leader at the University of California, Merced. Without his efforts, the university would not be the outstanding academic institution that it is today. His selflessness and lifelong commitment to education is worthy of the highest praise and it is my great privilege to pay tribute to and offer my sincerest appreciation to him today. Steve will be leaving UC Merced

and returning to the classroom and although he will be greatly missed, I wholeheartedly wish him luck in every future endeavor. Steve Kang has made a lasting impression on the entirety of the Merced community, its faculty, and above all, its students. We will forever be indebted to his noble efforts in bringing excellence in education to the Central Valley.

SALUTING SERVICE ACADEMY STUDENTS—JEFFREY HERRERA

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Jeffrey Herrera, a United States Air Force Academy Appointee. Jeff is a graduate of Wylie High School where he ran junior varsity cross country as well as participated in junior varsity track and field. He served as the National Honor Society president and was a Hispanic National Merit Scholar. Jeff was also part of the Air Force Junior ROTC and served as the Deputy Group Commander. Jeff chose to apply to the Air Force Academy because he wanted to receive the exemplary service academy education and experience. Since the beginning of his involvement in his junior ROTC program, he had developed a deep and strong interest in serving his country and becoming an officer in the United States Military. Jeff stated in an essay, "Nothing would please me more than to give back to my country while leading the future servicemen, servicewomen and protectors of this country."

HONORING THE BUFFALO AND ERIE COUNTY LIBRARY SYSTEM'S 175TH YEAR OF SERVICE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. HIGGINS. Mr. Speaker, it is with pleasure I acknowledge the Buffalo and Erie County Library system's kick-off of their 175th anniversary celebration and their summer reading initiatives.

The first public library service in Western New York began with the creation of the Young Men's Association (YMA) in 1836. The association circulated 5,500 items to its members in its first year alone.

50 years later the institution was purchased for the City of Buffalo and was re-established

as a free circulating reference library open to all City residents. By 1897, there were 32,000 registered borrowers.

Today with over 3.5 million items in circulation and 37 locations, the Buffalo and Erie County libraries have served nearly 4 million patrons.

With a diversity of programs including adult computer training, resume tips and techniques seminars as well as preschool story hour—the libraries continue to serve as centers of information, culture and entertainment for the residents of Erie County.

It is with great pride that I stand today to commemorate the Buffalo and Erie County Library system's 175th year of service. I am grateful for the array of programs and services they offer to the Western New York community and am happy to acknowledge the kick-off to their summer reading initiatives.

PERSONAL EXPLANATION

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. GRIJALVA. Mr. Speaker, on rollcall No. 413, I was unavoidably detained and was unable to cast my vote. Had I been present, I would have voted "yes."

SALUTING SERVICE ACADEMY STUDENTS—JOSEPH HAYS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Joseph Hays, a United States Air Force Academy Appointee. Joseph is a graduate of Plano West Senior High School where he was a part of the varsity wrestling team. While excelling academically, Joseph gave of his time at the St. Elizabeth Ann Seaton's Parish Pastoral Council as a Board Member, and worked as a Lifeguard for the City of Plano and swim teacher. Joseph comes from a military oriented family, where his grandparents served in WWII and Korea. His stepfather served as a Black Hawk pilot and instructor. After life at the Academy, Joseph aspires to attend medical school to serve as a medical doctor in the United States Armed Forces. Joseph feels that his dedication toward his goal of attending a Service Academy reflects his values as both a devout Christian and as an American.

RECOGNIZING THE 68TH ANNIVERSARY COMMEMORATION OF THE BAKERS CREEK AIR CRASH IN AUSTRALIA DURING WORLD WAR II

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. PLATTS. Mr. Speaker, I rise to recognize the Bakers Creek Memorial ceremony being held today at the Selfridge Gate to Arlington National Cemetery at Fort Myer, Virginia.

Sixty-eight years ago today, a Boeing B-17C bomber flying with forty-one soldiers and airmen from Bakers Creek, Australia to New Guinea crashed upon takeoff, killing forty individuals. Due to the Army's subsequent classification of the event, the victims' families were not informed about the details of their loved ones' peril until recently. Thanks to the persistence of the Bakers Creek Memorial Association and the victims' families, the events of Bakers Creek are not only known today, but are honored by a monument in Arlington.

I am proud to have joined the effort to bring the Bakers Creek monument from the Australian Embassy to a permanent home on American soil. Pennsylvanians have a strong connection to this monument, as six of the forty victims of the tragic plane crash called Pennsylvania home. Many of my Congressional colleagues from Pennsylvania, and both Senators, actively supported the effort to move this monument to its rightful home in Arlington. The Pennsylvania State Legislature also passed a resolution designating June 14th as Bakers Creek Memorial Day.

The distinguished speaker at today's ceremony at Selfridge Gate, the Honorable L. Jerry Hansen, Principal Deputy Assistant Secretary of the Army for Installations and Environment, graciously accepted the monument two years ago on behalf of the Secretary of the Army. The Department of the Army pledged to protect and honor the monument at Fort Myer, as a permanent tribute to the brave soldiers and airmen who perished at Bakers Creek, as well as their families.

I am pleased to thank Army Secretary John McHugh and Fort Myer Garrison Commander, Col. Carl R. Coffman, for arranging this appropriate and dignified memorial ceremony—with high standards of military honor. I am confident that this ceremony will be repeated each year on the anniversary date of the tragic crash.

I extend my deepest sympathies to the family members of the heroic American warriors who made the ultimate sacrifice in defense of our nation during World War II. But for their selfless and courageous service, the freedoms we enjoy today would not be. I and all Americans are forever indebted to these true heroes.

RECOGNIZING THE HONORABLE MILITARY SERVICE OF CAPTAIN THOMAS H. FARRIS

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. ISSA. Mr. Speaker, I rise today to honor the distinguished career of Captain Thomas H. Farris on the occasion of his retirement from the United States Coast Guard (USCG). I offer Captain Farris my sincerest thanks for his 30 years of dedicated service in protecting our nation and safeguarding its future.

An accomplished aviator, Captain Farris possesses over 6700 hours of flight time in six different aircraft throughout his 30 years of service as a veteran of the U.S. Army and USCG. He most recently served as the Coast Guard's Chief of Aviation Safety. In that capacity he was responsible for the USCG Aviation Safety program and one of only three senior aviators exercising program level oversight over the design, development, implementation, delivery and sustainment of all USCG aviation programs.

Captain Farris has distinguished himself by extraordinary acts of leadership. Among his many achievements, Captain Farris won the U.S. Army's European Helicopter Championship early in his career along with 18 shipboard deployments and extensive airborne Law Enforcement experience in the North Atlantic, Caribbean and Eastern Pacific theatres.

Captain Farris' service in his current position as the USCG Captain of the Port of San Diego is the capstone to his military career. As the Coast Guard Captain for San Diego, he is responsible for the safe conduct of commercial maritime activity on all federally navigable waterways within an area that extends from 200 nautical miles offshore San Diego then east to the Colorado River from the Mexico border to Utah.

Along with his many roles and responsibilities, Captain Farris serves as the designated Federal Maritime Security Coordinator and Chair of the Area Maritime Security Committee overseeing commercial vessel and facilities compliance with the Maritime Transportation Security Act. He also serves as the Operational Commander for the USCG air and surface force carrying out Search and Rescue and Maritime law enforcement authority. Additionally, Captain Farris plays a pivotal role as the Senior Officer Ashore in San Diego as the primary local USCG representative to the San Diego County military, federal and civilian community.

As he enters this new stage of his life, I hope that Captain Farris will benefit from his years of work, just as the United States Military has benefited. I offer him my warmest congratulations and may he enjoy a rewarding retirement.

Mr. Speaker, I ask you to please join me in honoring all the brave men and women who have served in the United States Armed Forces, and the admirable service of Captain Thomas Farris.

SALUTING SERVICE ACADEMY STUDENTS—ELIZABETH CARPENTER

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Elizabeth Carpenter, a United States Air Force Academy Appointee. Elizabeth is a graduate of Plano East Senior High School where she excelled at many things. She was a strong student who participated in National Honor Society and the International Baccalaureate Program. Elizabeth is also an accomplished athlete. She played varsity volleyball and was the team captain at Plano East. She comes from a family of service as her grandfather graduated from the United States Military Academy and retired as a colonel from the Air Force and her sister is currently at the U.S. Naval Academy. Elizabeth has aspirations to become a pilot. Elizabeth chose to apply to the Air Force Academy because she is certain it is only there she can study her interest in aviation and give her a foundation that she can apply in any endeavor.

HONORING JIM LEHRER

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to a distinguished journalist. On May 12, 2011, Jim Lehrer announced that he is leaving the "NewsHour" as a regular anchor effective the week of June 6, the final step in a carefully planned retirement. He said he will still appear many Fridays to moderate an analysis of the week's news.

Born in Wichita, Kansas in 1934, Jim Lehrer received an A.A. degree from Victoria College and a B.J. in 1956 from the University of Missouri before joining the Marine Corps. From 1959 to 1966, he was a reporter for The Dallas Morning News and then the Dallas Times-Herald. He was also a political columnist at the Times-Herald for several years and in 1968 became the city editor.

Lehrer's newspaper career led him to public television, first in Dallas, as KERA-TV's executive director of public affairs, on-air host and editor of a nightly news program. He subsequently moved to Washington, DC to serve as

the public affairs coordinator for PBS, and was also a member of PBS's Journalism Advisory Board and a fellow at the Corporation for Public Broadcasting. Lehrer went on to join the National Public Affairs Center for Television (NPACT) as a correspondent.

Lehrer has been honored with numerous awards for journalism, including the Chairman's Award at the 2010 National Academy of Television Arts & Sciences News & Documentary Emmy Awards, the 1999 National Humanities Medal, presented by President Bill Clinton and First Lady Hillary Rodham Clinton and in October 2011, the National Press Club will present him with their top honor, the Fourth Estate Award. In 1999, Lehrer was inducted into the Television Hall of Fame with Robert MacNeil and into The Silver Circle of the Washington, DC Chapter of The National Academy of Television Arts and Sciences. He has won two Emmys, the Fred Friendly First Amendment Award, the George Foster Peabody Broadcast Award, and the William Allen White Foundation Award for Journalistic Merit and the University of Missouri School of Journalism's Medal of Honor. In 1991, he was elected as a Fellow of the American Academy of Arts and Sciences.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Jim Lehrer on an extraordinary career. This trailblazing journalist has made a lasting impact on his profession. I thank Jim for his important contributions, and wish him a happy and healthy retirement.

A TRIBUTE TO DR. SUDIE TATUM

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. MOORE. Mr. Speaker, I rise to give tribute to Dr. Sudie E. Tatum who passed away on June 1, 2011. On Sunday, June 5, 2011, services were held at Greater Galilee Missionary Baptist Church. The church had long planned to celebrate her life on this date; they felt no need to change it and held her funeral as part of "Dr. Tatum Day."

Dr. Tatum was born as Sudie Ethel Ware in Harrell, Arkansas and raised in Milwaukee, Wisconsin. She was a high school dropout, who became an educator. She graduated from UW-Milwaukee with qualifications for both teacher and social work. Dr. Tatum earned a master's degree in education administration and a doctorate in theology. Dr. Tatum taught adult basic education at Milwaukee Area Technical College.

She was active in church leadership and for 38 years served as president of the Women's Auxiliary of the General Baptist State Convention of Wisconsin. As president, she was a strong advocate for women, raising funds for mission work and was quite able of reminding men in authority that women kept the churches going.

Dr. Tatum's work with the church led her to distant La Hatte, Haiti, where she felt compelled to build a new church and school. She asked her family for money to help build the church and school. She contributed money that she had saved to purchase a car and

family members donated the rest of the needed \$18,000.

Dr. Tatum was preceded in death by her husband of 57 years, Earl Tatum. She never gave birth but raised her late sister's children as her own. Survivors include the children she raised, David Hollins Sr., Jynette Hamilton, Pastor Sudie B. Jones, Shirley Owens, Ruthie L. Darrough and James Hollins Jr.; and their children. Instead of flowers, she requested an offering for home and foreign ministries; therefore, a collection was taken as people left her service.

Mr. Speaker, I rise because Dr. Sudie E. Tatum is an example of the best of what Milwaukee and the Fourth Congressional District has to offer. She will be remembered as a woman who packed plenty of life into her 92 years and, who took the opportunity to combine the joys of her life: love of family, education, social work, guidance and missionary work.

PERSONAL EXPLANATION

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. TSONGAS. Mr. Speaker, I missed votes on the evening of June 13, 2011 because of pressing matters in my district. Had I been present, I would have voted for the LaTourette Amendment to the FY 2012 Military Construction and VA Appropriations bill to remove language from the bill which rolls back worker protections by discouraging the use of Project Labor Agreements. In this fragile fiscal climate, Congress should be defending our skilled laborers, whose essential work contributes to our economic recovery. Restricting existing policies which permit the establishment of basic terms and conditions on complex, large scale construction projects is harmful for workers and a distraction from the important programs which are funded in the underlying bill.

Additionally, I would have voted against the Amash Amendment, which would have prohibited compliance with the Davis-Bacon prevailing wage law. The Davis-Bacon Act has been a cornerstone of labor protection for 80 years, and I would have proudly voted to uphold it.

SALUTING SERVICE ACADEMY STUDENTS—KEVIN CARRINGER

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices

they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Kevin Carringer, a United States Military Academy Appointee. Kevin is a graduate of Plano West Senior High School where he ran cross country, and track. Kevin also participated in triathlons, winning a consistent first place amongst his age group, and also achieving fifty miler awards for BSA canoeing and kayaking. Kevin worked hard at various jobs through his summers and serves as an Eagle Scout in the Boy Scouts of America. He served as president of the Plano West Cycling Club and was a member of the National Honor Society. Kevin's personal ambition and motivation to protect freedom inspire him to attend a United States Military Academy. In an essay Kevin stated he aspires to become the best Ranger the Army has seen, and believes that the full four year lifestyle of military discipline and training is required as his first stepping stone to success.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. PENCE. Mr. Speaker, I was absent from the House floor during rollcall votes 391, 408, and 409. Had I been present, I would have voted "yea" on rollcall 391, "nay" on rollcall 408, and "yea" on rollcall 409.

TRIBUTE TO MR. EDWARD HARVEY HOOMES, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. BONNER. Mr. Speaker, I rise to honor the memory of Mr. Edward Harvey Hoomes, Jr., of Brewton, Alabama, a respected public servant who passed away after an extended illness on June 9, 2011. He was 76 years old.

During his lifetime, Edward Hoomes was a much beloved member of his community, and spent many years working for the Escambia County Commission. E.H., as he was called by his friends and family, honorably served in the United States Army from 1957 to 1959, reaching the rank of Specialist 3.

Mr. Speaker, E.H. will be remembered for his character, strength, love of the outdoors and his loving heart. All who knew E.H. will surely miss him.

On behalf of the people of South Alabama, I would like to extend my condolences to his wife, Betty, their daughters, Beverly and Sandra, their son Robert, and their families for the loss. You are all in our thoughts and prayers.

HONORING SUNG MO "STEVE"
KANG

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Sung Mo "Steve" Kang, Chancellor of the University of California, Merced; and to thank him for his leadership and dedication to the academic advancement of the Central Valley.

Since March 1, 2007, Steve Kang has served as Chancellor of the University of California, Merced, the first American research university of the 20 century. Kang is an experienced educator, researcher and administrator. Previously, he was Dean of the Baskin School of Engineering at UC Santa Cruz. He now serves on the Central Valley Higher Education Consortium Board, MentorNet Advisory Board, the UC President's Advisory Council on Science and Innovation, Business-Education Alliance of Merced County, and the Board of the Great Valley Center as its Chairman. He also serves on international advisory boards for institutions in Canada, Korea, Switzerland, and Taiwan.

He brings a wealth of experience from a long and distinguished career in private industry and higher education. Kang served as a department head (1995–2000) and a professor (1985–2000) in electrical and computer engineering at the University of Illinois at Urbana-Champaign. He was a visiting professor at the Swiss Federal Institute of Technology at Lausanne, the University of Karlsruhe and the Technical University of Munich, and a Chaired Visiting Professor of Electrical Engineering and Computer Science of Korea Advanced Institute of Science and Technology (KAIST). He has also taught at Rutgers University.

Prior to his career in education, Kang worked for AT&T Bell Laboratories, where he led the development of the world's first 32-bit microprocessor chips as a technical supervisor and designed satellite-based private communication networks as a member of technical staff.

His leadership in industry is evidenced by his earlier appointment to the Blue Ribbon Task Force on Nanotechnology, a joint federal-state venture to promote California as the premier center for nanotechnology research, development, and commercialization. He served as president of the Silicon Valley Engineering Council, the alliance for engineering leaders in Silicon Valley, with more than 60,000 engineers.

Kang holds 15 U.S. patents in electrical engineering and has written or co-authored 11 books and 400 technical papers and won numerous awards and fellowships for his work and publications. His current research interests include nanoelectronics, lower-power, very large-scale integrated (VLSI) circuits; modeling and simulation of semiconductor devices and circuits.

Kang is a fellow of IEEE, ACM and AAAS, Foreign Member of National Academy of Engineering of Korea, and is listed in Who's Who in America, Who's Who in Technology, Who's Who in Engineering and Who's Who in Mid-

west. He received the Alexander von Humboldt U.S. Senior Scientist Award (1996), IEEE Millennium Medal (2000), Chang-Lin Tien Education Leadership Award (2007), Korean-American Leadership Award (2008), IQ Quality Award (2008), and many other accolades. Most recently (2009), Kang was inducted into the Silicon Valley Engineering Hall of Fame.

He earned his bachelor of science degree, graduating summa cum laude, from Fairleigh Dickinson University in Teaneck, N.J.; his master of science from the State University of New York at Buffalo; and his doctorate from UC Berkeley. All his academic degrees are in electrical engineering. Kang and wife, Mia, live in the chancellor's residence in Merced. They have two grown children.

Mr. Speaker, please join me in honoring and commending Sung Mo "Steve" Kang, Chancellor of the University of California, Merced for his numerous years of selfless service to the education of our community.

HONORING JENNIFER FORSETH

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to recognize Ms. Jennifer Forseth, a teacher at Centerfield Elementary School, and her fourth grade class from Oldham County in the fourth district of Kentucky.

Ms. Forseth and her students have been recognized by the National Energy Education Development Project for their outstanding work on energy programs this year.

Ms. Forseth's class conducted a study detailing how to improve energy efficiency in their school that culminated in a presentation of their findings. Their academic initiative earned them a scholarship and recognition by the NEED Youth Awards.

It is my hope that the accomplishments of Ms. Forseth and the fourth grade students from Centerfield Elementary School serve as inspiration for others to increase their own energy efficiency. I ask my colleagues in the U.S. House of Representatives to join me in recognizing their accomplishments.

VALENTINA ROSENDO CANTÚ

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. POE of Texas. Mr. Speaker, on February 16, 2002, 17-year-old Valentina Rosendo Cantú was almost finished doing her washing in a stream when eight soldiers suddenly appeared. They beat her until she passed out. When Valentina came to, she was raped, not once, but twice, as the rest of the soldiers stood by, watching and mocking her.

She was finally able to escape, returning home to her husband and three-month-old daughter, but she hasn't been able to escape from the memories of what happened to her.

For the last 9 years, Valentina has been begging for these bad guys to be punished. Despite her tireless pursuit of justice, the Mexican government refuses to allow her case to be tried under civilian jurisdiction while the military courts have completely dropped the case. Valentina is not only a victim of a heinous violent crime, she is also a victim of the negligence of members of the Mexican government, and it's time for these outlaws to be brought to justice.

And that's just the way it is.

SALUTING SERVICE ACADEMY
STUDENTS—EMMA DRIDGE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Emma Dridge, a United States Air Force Academy Appointee. Emma is a graduate of Allen High School where she was considered an all-around overachiever in everything she did. She played high school and club volleyball where she earned numerous awards. Emma was active in Fellowship of Christian Athletes, Young Life, and the Chamber Orchestra. One of Emma's teachers said Emma demonstrates confidence, inspiration and perseverance while always giving 100 percent at all times and has the ability to motivate others to do the same. Emma chose to apply to a United States Service Academy so that she may experience a unique and extraordinary education, while also being offered a chance to contribute athletically at the highest collegiate level. Emma knows that an Air Force Academy education will provide a solid foundation for her professional and academic pursuits.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. ANDREWS. Mr. Speaker, on rollcall No. 417 for H.R. 2055, I am not recorded because I was absent. Had I been present, I would have voted "aye."

On rollcall No. 418 for H.R. 2055, I am not recorded because I was absent. Had I been present, I would have voted "aye."

On rollcall No. 419 for H. Res. 300, I am not recorded because I was absent. Had I been present, I would have voted "nay."

TRIBUTE TO FIFTY-FOURTH NATIONAL PUERTO RICAN DAY PARADE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the Fifty-Fourth National Puerto Rican Day Parade, which will be held on June 12th, 2011, in New York City. A radiant and star-studded event, this parade proudly recognizes the heritage of Puerto Rican people here in the United States, and year upon year has proven to be one of our nation's largest outdoor festivities.

The National Puerto Rican Day Parade is the successor to the New York Puerto Rican Day Parade, which held its inaugural celebration on Sunday, April 12th, 1958, in "El Barrio," Manhattan. The impact of the first Puerto Rican Day Parade in New York was immediate and resounding. Thousands of New York Puerto Ricans flooded the streets in a very public, very proud demonstration of their emergence in the City as an important and growing ethnic group. For the next 38 years, the New York Puerto Rican Day Parade became a staple of New York's cultural life. In 1995, the overwhelming success of the parade prompted organizers to increase its size and transform it into the national and international affair that it is today.

On June 12th delegates representing over thirty states, including Alaska and Hawaii, will join the roughly 3 million parade goers every year who turn New York's Fifth Avenue into a sea of traditional red, white, and blue flags. It's a picture unlike anything you will see anywhere else in the country. Not only because New York is the most international city in the world, but also because of the relationship that exists between New York and the Puerto Rican community. It's an historic relationship essentially born of mutual benefit and respect. Puerto Ricans have helped transform New York into a dynamic, bilingual city that continues to welcome newcomers from all over the globe, and the City of New York, believed by many to be a place of opportunity, has enabled Puerto Ricans to flourish economically, culturally and politically.

The success that the parade enjoys each year is brought about in large measure by the continued efforts of a choice few individuals—women and men of able leadership who believe, as I do, in the unbound potential of people of Puerto Rican descent. The Parade's march up Fifth Avenue, while certainly the most visible aspect of the celebration, is hardly the only event associated with the National Puerto Rican Day Parade, Inc.'s activities. Each year more than 10,000 people attend a variety of award ceremonies, banquets and cultural events that strengthen the special relationship shared by Puerto Ricans and the City of New York.

Mr. Speaker, the National Puerto Rican Day Parade is an experience unlike any other. It signals to all who witness it that the Puerto Rican community, both in New York and nationally, represents an exquisite tapestry of in-

dividuals. Its power can be seen on the faces and heard in the streets, as millions come together to joyously proclaim their heritage. And so, Mr. Speaker, as a Puerto Rican and a New Yorker, and as someone who participates in this parade annually, I stand before you and my colleagues in Congress with a full and proud heart to pay tribute to the sights and sounds and wonder that is the National Puerto Rican Day Parade.

SALUTING SERVICE ACADEMY STUDENTS—CHRISTOPHER GORDON

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Christopher Gordon, a United States Military Academy Appointee. Christopher spent the past year at Boston University studying for Mechanical Engineering on an AROTC Scholarship. He is a 2010 graduate of Plano West Senior High where he played varsity soccer as the goalkeeper and participated in JROTC Rifle Team. Christopher also participated in Army JROTC as a platoon leader, served as a member of the patriot booster club, and holds the rank of Eagle Scout within the Boy Scouts of America. Christopher aspires to serve his country and foster a career as an officer in the Army Special Forces. Christopher believes that West Point leadership education will provide him with the proper tools to learn more and more about what it is to be a better, more effective leader.

RON POWELL'S 50TH ANNIVERSARY WITH THE UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great sincerity that I take this opportunity to honor and congratulate Ronald E. Powell, who is celebrating fifty years of service with the United Food and Commercial Workers International Union (UFCW) Local 881. For nearly five decades, Ron has dedicated his life's work to the American Labor Movement and has been able to touch the lives of countless workers, families, and communities across the

nation. In honor of Ron's fifty years of service, a celebratory reception will be held on June 16, 2011, at Gibson's Steakhouse in Chicago, Illinois.

Ronald Powell began his career with the UFCW in 1961 when he was hired on as a Field Representative for Local 881. Because of his true dedication and strong leadership skills, he was promoted in 1968 to Field Staff Supervisor, and was then appointed Vice President/Director of Field Operations in 1973. In 1983, Ron's hard work and success led him to become President of Local 881. Under Ron's leadership, Local 881 has become an exemplary organization, providing exceptional service in the areas of work-site representation, membership services, benefits, communications, and activities.

In addition to his impressive career with Local 881, Ron serves as a Vice President on the UFCW International Executive Board, and is a Vice President for the Illinois State AFL-CIO. Ron also currently serves as a Trustee for the UFCW Midwest Pension Benefits Fund. In 2010, he was appointed by Governor Pat Quinn to serve on the Metropolitan Pier and Exposition Authority Board. Ron is also a past member of the Board of Directors for the International Employee Benefits Foundation and is the former Chairman of the Illinois State Investment Board. Ron's passion and unwavering devotion to the UFCW and its members is unmatched and he is to be commended.

Ron selflessly gives of his time to many charitable organizations and has been a dynamic force in promoting the union's involvement in numerous civic endeavors. He has been a tremendous asset to the Leukemia & Lymphoma Society and has helped to raise funds to facilitate research toward finding a cure. He also initiated fundraising campaigns for the Jackson Park Hospital and the Little City Foundation and is a former board member for the United Way of Illinois and Blue Cross Blue Shield of Illinois. Although Ron has served the UFCW and his community with complete dedication, it is his commitment to his family that is most impressive. Ron and his wonderful wife, Lois, have four beloved children and twelve grandchildren.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending Mr. Ronald Powell as he is honored for his lifetime of service and dedication to the UFCW, as well as the state of Illinois, Northwest Indiana, and communities nationwide. Ron's complete dedication and uncompromising loyalty are to be admired and he is worthy of the highest praise.

"CAN WE AFFORD THE MILITARY BUDGET?"

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, a leading conservative policy analyst, Bruce Bartlett, on June 14th published a compelling analysis of the great disparity that exists in military spending in the world as a percentage of gross domestic product. Building on the

speech Secretary of Defense Gates gave last week, which Mr. Bartlett correctly describes as a speech “in which he berated our allies in the North Atlantic Treaty Organization for not carrying their weight in terms of providing resources for the common defense,” Mr. Bartlett offers a very important chart. As he notes, it shows “that in 2010, the United States spent 5.4 percent of its gross domestic product on its military—twice as much as spent by Britain and three to four times as much as most of our NATO allies . . .” Mr. Bartlett notes that simply talking about percentages understates the disparity between our military spending and that of the rest of the world—“because the United States has the world’s largest economy, its share of world military spending is outsized, accounting for 43 percent of all

the military spending on Earth—six times as much as China . . .”

Mr. Bartlett correctly closes by noting that “With polls showing declining support for the war in Afghanistan and increasing talk in Congress, even among Republicans, about cutting the military budget,” it is time for us to rethink our worldwide military commitments, and find ways in which we can reduce military spending so that we fully protect the legitimate interests of the United States, but end a situation in which military spending makes impossible demands on any effort to reduce the deficit.

CAN WE AFFORD THE MILITARY BUDGET?

(By Bruce Bartlett)

Bruce Bartlett held senior policy roles in the Reagan and George H.W. Bush adminis-

trations and served on the staffs of Representatives Jack Kemp and Ron Paul.

Defense Secretary Robert M. Gates gave a speech in Brussels on Friday in which he berated our allies in the North Atlantic Treaty Organization for not carrying their weight in terms of providing resources for the common defense. “For all but a handful of allies, defense budgets—in absolute terms, as a share of economic output—have been chronically starved for adequate funding for a long time, with the shortfalls compounding on themselves each year,” Mr. Gates said.

An examination of the latest NATO data shows that in 2010, the United States spent 5.4 percent of its gross domestic product on its military—twice as much as spent by Britain and three to four times as much as most of our NATO allies, as shown in the following table.

MILITARY EXPENDITURES AS A PERCENTAGE OF G.D.P. IN NATO

Country	1985–89, average	2010	Country	1985–89, average	2010
U.S.	6.0	5.4	Norway	2.9	1.5
Greece	4.5	2.9	Czech Rep	--	1.4
Britain	4.4	2.7	Denmark	2.0	1.4
Albania	--	2.0	Germany	2.9	1.4
France	3.7	2.0	Italy	2.2	1.4
Poland	--	1.9	Netherlands	2.8	1.4
Turkey	2.5	1.9	Romania	--	1.3
Estonia	--	1.8	Slovak Rep	--	1.3
Bulgaria	--	1.7	Belgium	2.7	1.1
NATO—Europe	3.1	1.7	Hungary	--	1.1
Portugal	2.5	1.6	Spain	2.1	1.1
Slovenia	--	1.6	Latvia	--	1.0
Canada	2.1	1.5	Lithuania	--	0.9
Croatia	--	1.5	Luxembourg	0.8	0.5

North Atlantic Treaty Organization.

A crucial reason for this gap is that the United States spends almost as much today as it did during the Cold War. Every other NATO country spends substantially less.

Secretary Gates also made another point about military spending by our allies: they spend much more on personnel and less on equipment than the United States. “The result is that investment accounts for future modernization and other capabilities not directly related to Afghanistan are being squeezed out—as we are seeing today over Libya,” he cautioned.

According to NATO, the United States spends 46.7 percent of its military budget on

personnel. All but five other NATO countries spend more—often considerably more. The average for all NATO countries other than the United States is 56.7 percent of their military budgets spent on personnel, with a number of countries spending two-thirds to three-quarters.

Consequently, there is little money left over for equipment. The United States spends 24.2 percent of its military budget on equipment and only five NATO countries spend more. The average for all NATO countries other than the United States is 16.7 percent of military spending going to equip-

ment, with a number of countries spending less than 10 percent.

But what about our adversaries? Don’t we need to maintain a high level of military spending to counter the capabilities of countries like Russia and China?

For those data, we need to look to a different source. According to the latest yearbook from the Stockholm International Peace Research Institute, the standard non-classified source, Russia spent 4.3 percent of its G.D.P. on military outlays in 2009, down from 15.8 percent in 1988; China spent just 2.2 percent of its G.D.P. on the military budget, about the same as it has been since 1989.

MILITARY SPENDING IN SELECTED NON-NATO COUNTRIES, 2009

Country	Spending (mil- lions, \$U.S.)	% of G.D.P.	Country	Spending (mil- lions, \$U.S.)	% of G.D.P.
Australia	18,963	1.9	Japan	51,008	1.0
China	110,100	2.2	South Korea	24,372	2.9
Cuba	2,249	n/a	Libya (2008)	1,100	1.2
Egypt	4,017	2.1	Pakistan	5,039	2.8
India	35,819	2.8	Russia	53,300	4.3
Iran (2008)	7,044	1.8	Saudi Arabia	41,273	11.2
Israel	12,373	6.3	United States	668,604	4.7

Stockholm International Peace Research Institute.

The institute notes that the United States accounted for virtually all of the increase in world military spending in 2010.

And because the United States has the world’s largest economy, its share of world military spending is outsized, accounting for 43 percent of all the military spending on Earth—six times as much as China, which has the world’s second largest military budget and accounts for 7.3 percent of world military spending. Russia accounts for just 3.6 percent.

With polls showing declining support for the war in Afghanistan and increasing talk in Congress, even among Republicans, about cutting the military budget, it appears certain that the Defense Department is going to

be downsized and our foreign military commitments scaled back in coming years.

This is going to require serious rethinking of what we perceive to be our strategic threats and whether the United States can continue to afford to be the world’s peace-keeper.

HONORING LOVIE MAE KAZEE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of Ms. Lovie Mae Kazee who will turn 95 on July 1, 2011.

Ms. Lovie Mae Walker Kazee was born July 1, 1916 to Bob and Gertie Walker in Hearne, Texas. She married Lueranze Kazee on November, 3, 1932 in Marland, Texas. They moved to Dallas in 1944, where she began

work as the housekeeper and nanny for The Richard Gump family. She served in that capacity for over 50 years. She retired in 1997 to care for her ailing husband who passed away in 1999 after 67 and a half years of marriage.

To this union 10 children, 27 grandchildren, 78 great grandchildren, 138 great great grandchildren and 3 great great great grandchildren have been born. She is blessed to have 5 generations of heirs celebrating her birth.

Ms. Lovie attributes her longevity to living a faithful Christian life, putting God first in all that she does, never drinking alcohol, nor smoking and remaining physically active.

Ms. Lovie has never been sick and remains an active member of Dallas West Church of Christ. She is the last of the original eight founding members of the congregation, which was started in 1947 and presently meets at 3510 North Hampton Road, Dallas, Texas. Elder Sam Berry is the ministering servant.

Mr. Speaker, I rise today in recognition of Ms. Lovie Mae Kazee who turns 95 next month and I encourage my colleagues to join me in this effort and celebration.

IN RECOGNITION OF THE MARINES OF MOTOR TRANSPORT MAINTENANCE COMPANY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. MATSUI. Mr. Speaker, I rise today to honor the Marines and Inspector-Instructor Staff of the Motor Transport Maintenance Company as they gather for a welcome home ceremony in Sacramento. I ask all my colleagues to join me to recognize the dedication that each of these men and women have shown for their country.

Since 2008, this Motor Transport Maintenance Company, also known as MTM Company, has served over 51,000 days of operational support in the Iraq theater. They have done this by conducting motor transport maintenance, force sustainment, administrative, supply, and training support to thousands of Joint Forces troops in theater. The men and women of MTM Company displayed honor, courage, commitment, and teamwork, traits that we have come to expect from those that serve in our nation's military.

Over the last decade our nation's military Reservists have been mobilized to an unprecedented scale. The Marines of the MTM Company have been no exception. One hundred seventy-three members of this unit have been deployed overseas in support of U.S. operations since 2008. Forty-six have been deployed twice to Iraq in support of Operation Iraqi Freedom or Afghanistan as part of Operation Enduring Freedom. Another fourteen have been deployed to Iraq or Afghanistan three times over the last four years.

The Marines of MTM Company drill at the Marine Corps Reserve Center Sacramento. They have left their mark across the nation and across the world. They have provided first class support to their fellow Marines regardless of the hardships they faced or challenges that they have had to overcome.

The Marines of the MTM Company, called up from their civilian lives to serve their nation, have spent a great deal of time away from their families, often at extraordinary personal sacrifice. We must thank and acknowledge the families and friends of these Marines who stood by them while they were deployed. Their sacrifices, along with the sacrifices of their loved ones, should not be lost on Congress or on each of our constituents.

Mr. Speaker, I ask my colleagues to join me in extending my sincere thanks for a job well done and welcome home wishes to the men and women of the Motor Transport Maintenance Company and all Marines that have been called to serve.

100 YEAR ANNIVERSARY OF THE INTERNATIONAL BUSINESS MA- CHINES (IBM) CORPORATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. REED. Mr. Speaker, I rise today to celebrate the 100 year anniversary of the International Business Machines (IBM) Corporation. For the last century, IBM has been on the cutting edge of collecting, quantifying and analyzing information and has served as a bright example of American ingenuity. In 2010 alone, IBM received 5,896 U.S. patents, the 18th consecutive year it has topped the list of the world's most inventive company.

In addition to IBM's long history of technological innovations and computing, the Corporation has a rich history of community service, which needs to be recognized. Thomas Watson founded IBM with the purpose of not only attaining profits, but also with the goal of creating a socially responsible organization that aided its local community. Through its impressive contributions, I believe IBM has honored the goals set out by Mr. Watson.

For example, to celebrate their centennial, members of IBM's staff donated more than 2.5 million hours of skills based volunteering in more than 120 countries over the past several months. More astoundingly, IBM recently surpassed more than thirteen million hours of service to our country and the world. In addition to skills-based donations, IBM has also delivered hundreds of new service grants to support employees' volunteer activities.

IBM provides an exceptional model of a corporation that exemplifies what it means to be a civically responsible organization, and I applaud how IBM has chosen to celebrate their Centennial.

I'm proud to have IBM headquartered in my home State of New York. I look forward to witnessing the technological innovations and volunteerism that I know will continue to flow from IBM in their next 100 years of business.

[From Democrat and Chronicle.com, June 15, 2011]

AFTER 100 YEARS, INNOVATION REMAINS KEY
TO IBM'S SUCCESS

(By Sarah Bradshaw)

Cellphone 3-D imaging. Batteries powered by air. Reusing supercomputer-generated heat to power air conditioners.

These aren't the stuff of science fiction, but the innovations that International Business Machines Corp.—which celebrates its 100th anniversary Thursday—is aiming for as it begins its second century.

The Westchester County-based provider of computer services received 5,896 U.S. patents in 2010, marking the 18th consecutive year it topped the list of the world's most inventive companies.

This is the company whose engineers and scientists developed many of the building blocks of modern information technology, including the memory chip, the mainframe, the personal computer and even new fields of mathematics.

IBM is a notable part of the Rochester-area economy, operating a 190,000-square-foot data center in Greece that employs 550 people at the Canal Ponds Business Park. The company is in the midst of a \$40 million upgrade of that facility over the next couple of years.

IBM also has given more than \$1.75 million over the past decade to the University of Rochester and nearly \$500,000 to Rochester Institute of Technology in the form of IBM Faculty Awards and Shared University Research Awards. In 2008, IBM also opened a software Innovation and Collaboration Lab at RIT.

Research and development has been a major component of IBM. The company spent \$5.8 billion on R&D in 2009, more than Apple Inc., Cisco Systems Inc. or Google Inc. Last year, it raised its R&D spending to \$6 billion.

In its 100-year history, IBM's transformations and technological breakthroughs have been significant. First came time clocks and typewriters, and eventually supercomputers that have helped Russian railways move freight and passengers, prevented tax fraud in the United States and monitored the health of premature babies in Toronto.

On April 7, 1964, then-Chairman Thomas J. Watson Jr. introduced a new generation of computing equipment—the System/360—that would revolutionize the way the world processed information.

Watson, son of legendary IBM leader Thomas J. Watson Sr., called the event the most important product announcement in company history. “The result will be more computer productivity at a lower cost than ever before,” he said.

System/360 succeeded IBM's earlier 700 series, which did not have hard drive space but instead used magnetic tape as memory. The 700 series was used for specific purposes, while System/360 were general purpose computers with interchangeable parts and software.

System/360 was a \$5 billion bet to create something unprecedented, said Bernie Meyerson, vice president for innovation at IBM. “If System/360 had failed, there's a high probability that there wouldn't be an IBM,” he said.

But the gamble paid off. In 1989, 25 years after Watson introduced it, products based on System/360's architecture accounted for more than half the company's revenue.

Pat Meaney is a senior technical staff member at IBM in Poughkeepsie, Dutchess County, with 25 years of experience at Big Blue, which means he has seen his fair share of changes in technology.

“It's amazing how many changes happened during my career,” said Meaney, 47. “When I look back, there was trepidation, but they turned out good.”

Meaney was encouraged to explore his interests within the corporation. His duties

today include working on the reliability of the System Z mainframe memory. In 1986, after graduating from Clarkson University, he was hired by IBM as a logic designer, and focused on frequency timing. His interest quickly became how to make sure the machine never goes down.

"It's always exciting," he said. "If you are going to work 40-plus hours a week, make sure it's something you like to do."

Meany has submitted 60 patents since 1995, with 40 approved patents and is a member of the patent review board.

He said that for the next generation of IBMers, "The thing to look at is the trends technology is taking. As you look to the future, there are always things that look like roadblocks. They look like they will hinder us, but we challenge ourselves to get around them."

THE BUILDER

Thomas J. Watson Sr., the legendary and controversial president of IBM from 1914 to 1956, oversaw the company's growth into an international force. He had strong ties to upstate. Born in Campbell, Steuben County, he worked in Painted Post, Buffalo and Rochester. While in Rochester, starting in 1900, he was a salesman for National Cash Register, using ruthless tactics against competitors and making such an impression on corporate headquarters in Dayton, Ohio, that he was transferred there.

In 1914, Watson was brought in to run the Computing-Tabulating-Recording Co. in New York City, three years after its founding. In 1924, it was renamed IBM.

IRAN'S ONGOING EFFORTS TO ASSIST THE SYRIAN REGIME

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. BERMAN. Mr. Speaker, I rise to draw attention to Iran's ongoing efforts to assist the Syrian regime in violently suppressing peaceful protesters.

I submit the articles "Iran Helping Syrian Regime Crack Down on Protestors, Say Diplomats," printed in the May 9, 2011, *Guardian*, and "Iran Reportedly Aiding Syrian Crackdown," printed in the May 27, 2011, *Washington Post*.

Press reports indicate that Iran is playing an active role in helping Syrian President Bashar al-Assad brutally crackdown on peaceful democracy protesters. As the *Washington Post* reports, "Iran is dispatching increasing numbers of trainers and advisers—including members of its elite Quds Force—into Syria to help crush anti-government demonstrations that are threatening to topple Iran's most important ally in the region."

Syrians have witnessed an increase in arrests, and door-to-door raids, similar to those that helped to crush Iran's Green Movement protests in 2009.

Human rights groups suggest that more than 7,000 people have been detained since the uprising began. And more than 1100 people are said to have died.

Mr. Speaker, Iran is terrified that it is about to lose its most important ally in the Arab world—they will do everything in their power to prevent that from happening. It appears that

human life holds no value to the leaders in Damascus and Tehran.

I encourage all of my colleagues to read these articles and follow this development closely. The Congress must continue to put pressure on Syria and Iran so that freedom, respect for human rights and democracy can emerge in both nations.

[The *Guardian*, May 9, 2011]

IRAN HELPING SYRIAN REGIME CRACK DOWN ON PROTESTERS, SAY DIPLOMATS

Iran is playing an increasingly active role in helping the Syrian regime in its crackdown on pro-democracy protesters, according to western diplomatic sources in Damascus.

The claim came as Syria's security forces backed by tanks intensified operations to suppress unrest in three new flashpoint towns on Sunday and it was confirmed that four women had been shot dead in the first use of force against an all-female demonstration.

A senior western diplomat in Damascus expanded on assertions, first made by White House officials last month, that Iran is advising president Bashar al-Assad's government on how to crush dissent.

The diplomat pointed to a "significant" increase in the number of Iranian personnel in Syria since protests began in mid-March. Mass arrests in door-to-door raids, similar to those that helped to crush Iran's "green revolution" in 2009, have been stepped up in the past week.

Human rights groups suggest more than 7,000 people have been detained since the uprising began. More than 800 people are said to have died, up to 50 during last Friday's "day of defiance". Last night two unarmed demonstrators were reportedly killed during a night rally in the eastern city of Deir al-Zor.

"Tehran has upped the level of technical support and personnel support from the Iranian Republican Guard to strengthen Syria's ability to deal with protesters," the diplomat said, adding that the few hundred personnel were not involved in any physical operations. "Since the start of the uprising, the Iranian regime has been worried about losing its most important ally in the Arab world and important conduit for weapons to Hezbollah [in Lebanon]," the diplomat said.

Last month White House officials made similar allegations about Iranian assistance for the regime, particularly in terms of intercepting or blocking internet, mobile phone and social media communications between the protesters and the outside world. But the officials did not provide hard evidence to support their claims.

Activists and diplomats claim Iran's assistance includes help to monitor internet communications such as Skype, widely used by a network of activists, methods of crowd control, and providing equipment such as batons and riot police helmets.

Syria has denied seeking or receiving assistance from Iran to put down the unrest. In a statement issued on Friday, Iran's foreign ministry stressed Syria's "prime role" in opposing Israel and the U.S., and urged opposing forces in the country to compromise on political reform. U.S. policy towards Syria was based on "opportunism in support of the Zionist regime's avarice", it said.

The Assad family, from the Shia Muslim minority Alawite sect, is likely to be nervous about appearing to be helped by its Shia-dominated ally to crush protesters drawn from the 75% Sunni population.

Regime forces backed by tanks were in action over the weekend in Homs, in the town

of Tafas north of Deraa, and in the coastal city of Baniyas, activists said. Violence was also reported in the Damascus dormitory town of Zabadani.

Along with arbitrary detentions, shootings have continued.

Razan Zeitouneh, a lawyer in the capital who is monitoring the protests, said four women were shot dead in the village of Merqeb, close to Baniyas, and six men were shot dead in Baniyas on Saturday.

IRAN REPORTEDLY AIDING SYRIAN CRACKDOWN

[From the *Washington Post*, May 27, 2011]

U.S. officials say Iran is dispatching increasing numbers of trainers and advisers—including members of its elite Quds Force—into Syria to help crush anti-government demonstrations that are threatening to topple Iran's most important ally in the region.

The influx of Iranian manpower is adding to a steady stream of aid from Tehran that includes not only weapons and riot gear but also sophisticated surveillance equipment that is helping Syrian authorities track down opponents through their Facebook and Twitter accounts, the sources said. Iranian-assisted computer surveillance is believed to have led to the arrests of hundreds of Syrians seized from their homes in recent weeks.

The United States and its allies long have accused Iran of supporting repressive or violent regimes in the region, including Syria's government, the Hezbollah movement in Lebanon and Hamas in the Gaza Strip. Many previous reports, mostly provided by Western officials, have described Iranian technical help in providing Syria with riot helmets, batons and other implements of crowd control during 10 weeks of demonstrations against President Bashar al-Assad.

The new assertions—provided by two U.S. officials and a diplomat from an allied nation, all of whom spoke on the condition of anonymity to describe sensitive intelligence—are clearly aimed at suggesting deepening involvement of Iranian military personnel in Syria's brutal crackdown against anti-Assad demonstrators. There was no response on Friday to requests for comment left with the Syrian Embassy and Iranian interests section in Washington.

In the account provided by the diplomat and the U.S. officials, the Iranian military trainers were being brought to Damascus to instruct Syrians in techniques Iran used against the nation's "Green Movement" in 2009, the diplomat said. The Iranians were brutally effective in crushing those protests.

Officers from Iran's notorious Quds Force have played a key role in Syria's crackdown since at least mid-April, said the U.S. and allied officials. They said U.S. sanctions imposed against the Quds Force in April were implicitly intended as a warning to Iran to halt the practice.

The Quds Force is a unit of Iran's Islamic Revolutionary Guard Corps responsible for operations outside the country. It has helped fund and train Hezbollah and Hamas militants and supported anti-U.S. insurgents inside Iraq.

While the size of the Iranian contingent in Syria is not known, the numbers of advisers has grown steadily in recent weeks despite U.S. warnings, according to the U.S. and allied officials.

The Obama administration mentioned the role of the Quds Forces in announcing two sets of sanctions imposed against Syrian government officials in the past month. A White House executive order last week that targeted Assad and six other top government

officials also included a little-noticed reference to Mohsen Chizari, an Iranian military officer who is the No. 3 leader in the Quds Force in charge of training.

The naming of Chizari—who in 2006 was arrested but later released by U.S. forces in Iraq for allegedly supplying arms to insurgents there—suggests that officials possess evidence of his role in assisting Syria's crackdown on protesters, said Michael Singh, a former senior director for Middle East affairs for the National Security Council during George W. Bush's administration.

"There's a deeply integrated relationship here that involves not only support for terrorism but a whole gamut of activities to ensure Assad's survival," Singh said.

It is not unusual for governments to draw on foreign assistance during times of unrest, as Western-allied governments in Bahrain and Egypt did when protests were building in those countries.

Iran's increasing engagement in the Syrian crackdown reflects anxiety in Tehran about the prospects for Assad, who has failed to end the protests despite rising brutality that human rights groups say has left more than 800 people dead and perhaps 10,000 in prison. While managing to hold on to power, Assad has been severely weakened after months of Syrian unrest, according to current and former U.S. officials and Middle East experts.

"Iran is focused intently on how things are evolving in Syria," said Mona Yacoubian, a former Middle East expert with the State Department's intelligence division and who is a special adviser to the U.S. Institute of Peace. "The two countries have a long-standing alliance of 30 years-plus. Syria is Iran's most important inroad into the Arab world, and its perch on the front line with Israel."

Assad, whose army is stretched across dozens of cities in an unprecedented domestic deployment, increasingly needs help to survive, Yacoubian said. And Iran desperately needs Assad. "If they lose the Syrian regime, it would constitute a huge setback," Yacoubian said.

Iran, a longtime supplier of military aid to Syria, has been helping Dasmascus battle the current wave of civil unrest since at least mid-March, said the U.S. and allied officials. The emergence of Syria's first true mass protests—with tens of thousands of demonstrators pouring into the streets demanding Assad's ouster—initially flummoxed the country's security leaders, who had little experience with such phenomena.

On March 23, Turkish officials seized light weapons—including assault rifles and grenade launchers—on an Iranian cargo plane bound for Syria. Whether the shipment was intended to help suppress the uprising is unclear, but around the same time, Syria received other Iranian shipments that included riot control gear and computer equipment for Internet surveillance, the U.S. and allied sources said.

Just before the shipments, Assad announced with great fanfare that he was lifting the country's ban on the use of social media such as Facebook and YouTube. While widely hailed at the time, the move gave Assad's security police an Iranian-inspired tool for tracking down leaders of the protest movement, said Andrew Tabler, a former Syria-based journalist who is a Syria expert at the Washington Institute for Near East Policy.

"Lifting the ban on Facebook helped the regime pinpoint where the [activists] were

coming from," Tabler said in a phone interview from Lebanon, where he remains in contact with opposition figures. "It was not about being magnanimous; it was a way to allow more surveillance, leading to thousands of arrests."

HONORING THE BOYES HOT SPRINGS POST OFFICE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise today with my colleague, Representative LYNN WOOLSEY, to honor the 100th birthday of an important community institution, the Boyes Hot Springs Post Office. On July 8, 1911, the Sonoma Index Tribune reported that "A.D. Graham of Graham's Cash Store received the appointment as post master of Boyes Springs. Located at his store."

The store, lost in a 1923 fire along with most of the town, was near the train depot at Boyes Boulevard and the Sonoma Highway (Hwy 12). After rapid rebuilding, the post office was located in the Woodleaf Store (now a diner that is part of the Sonoma Mission Inn) until 1951, when its current site was built at the Plaza Center at Boyes Boulevard and Sonoma Highway.

This site, previously known as the Boyes Springs Plaza, had been the scene of street parties and fiestas. Now, redevelopment plans include a public plaza in the surrounding space, reviving it as a place for celebration.

Boyes Hot Springs has a lively history, integral to the fabric of the Sonoma Valley. Formerly the center of a great resort area, it hosted thousands of visitors during its heyday. There were dozens of resorts, from small motor courts to the grand Sonoma Mission Inn. The Boyes Bath House boasted the second largest indoor swimming pool in the country. And, for many years, the area was a training ground for professional football and baseball teams such as the Cleveland Browns and the San Francisco Seals.

After the demise of the passenger railroad, the area still thrived with the construction of the Golden Gate Bridge and the rise of the automobile. Boyes Springs real estate man L.E. "Bud" Castner was one of the first directors of the Golden Gate Bridge District.

In the 1960s, as the resorts faded, Boyes Hot Springs faded a bit as well. Community pride, however, never waned. The area became attractive in the 1980s and 1990s to home buyers who were priced out of the Bay area market. Attracted by its rural charm, they purchased its large stock of charming cottages to rehabilitate. At the same time, the population of Mexican immigrants grew, attracted principally by the grape growing and wine businesses.

To old timers and new residents alike, the post office is the center of the community. Since most of the surrounding streets receive no mail delivery, residents make a daily trip to the post office where they catch up on the latest local news with their friends and neighbors. The immigrant population relies on it for communication with their families back home.

The postal workers are personally known to all, a part of the broader community family.

Mr. Speaker, the community is hosting a celebration to honor this anniversary. In the words of one of the organizers, Michael Acker of the Springs Community All, it will "salute the past, show appreciation for service, and look to the future with hope." Please join us in honoring the centennial of the Boyes Hot Springs Post Office.

IN RECOGNITION OF THE SAILORS MOBILIZED FROM THE NAVY OPERATIONAL SUPPORT CENTER SACRAMENTO

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. MATSUI. Mr. Speaker, I rise today to honor the men and women of the Maritime Expeditionary Security Squadron 9, Naval Mobile Construction Battalion 18, Detachment 0818 and other mobilized Sailors from the Navy Operational Support Center Sacramento, as they gather for a welcome home ceremony. I ask all my colleagues to join with me and recognize the dedication that each of these men and women have shown their country.

Since 2008, 215 Sailors have been deployed to Iraq in support of Operation Iraqi Freedom, to Afghanistan as part of Operation Enduring Freedom, and across the world in support of U.S. operations. These men and women have displayed the honor, courage, commitment, and teamwork that we have come to expect from those that serve in our military.

Maritime Expeditionary Security Squadron 9, also known as MSRON 9, provided over 18,000 days of operational support to protect the Al Basrah Oil Terminal, which lies just offshore of the Iraqi coast. The oil terminal is one of the most important assets to the people of Iraq, accounts for over 85 percent of Iraq's gross domestic product, and is key to the country's future. For nearly a year, MSRON 9 provided vigilant security for the facility, and without their presence the people of Iraq would not have experienced much of the stability they have seen in recent years.

In Afghanistan, Naval Mobile Construction Battalion 18, Detachment 0818 provided over 16,000 days of operational support building schools, airfields, electrical infrastructure, and other such facilities across the country. Facing constant danger, they have brought hope and modern infrastructure to many Afghans. One Sailor, UT1 Ronald Christopher Marquart, was hit by rocket shrapnel while working at Kandahar Airfield and was awarded a Purple Heart.

All of the Sailors of MSRON 9, NMCB 18, and the subordinate commands at the Naval Operations Support Center Sacramento are Reservists, called up to serve their nation. They have spent a great deal of time away from their families, often at extraordinary personal sacrifice. For this reason, we must also thank and acknowledge the families and friends of these Sailors who stood by them while they were deployed. Their sacrifices,

along with the sacrifices of their loved ones, should not be lost on Congress or our constituents.

Mr. Speaker, I ask my colleagues to join me in extending my sincere thanks for a job well done, and welcome home to the men and women of Maritime Expeditionary Security Squadron 9, Naval Mobile Construction Battalion 18, Detachment 0818 and all Naval Reservists that have been called to serve.

IBM CENTENNIAL DAY

HON. NAN A.S. HAYWORTH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

Ms. HAYWORTH. Mr. Speaker, I rise today to recognize the largest employer in New York's 19th Congressional District, IBM, on the 100th anniversary of their founding. IBM employees, retirees, partners, and clients within the Lower Hudson Valley and around the world are hosting an IBM Centennial Day of Service to donate their time, skills, and expertise to support our communities.

Since 2003, IBM employees have donated more than 13 million hours of service around the world in over 120 countries. Within the last six months alone, IBM volunteers have contributed over 2.5 million hours to service in behalf of worthy causes, including teaching math and science to middle school students; mentoring young Uruguayans from impoverished neighborhoods; and coaching hundreds of small business entrepreneurs in Nigeria.

\$12 million in service grants are also being distributed as part of the IBM Centennial Day of Service, and I commend both IBM and its thousands of dedicated and talented employees for their generosity.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 16, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 17

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2012.

SR-232A

JUNE 20

2 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine 2050, focusing on implications of demographic trends in the Organization for Security and Co-operation in Europe (OSCE) region.

2247, Rayburn Building

JUNE 21

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine cybersecurity and data protection in the financial sector.

SD-538

Foreign Relations
To hold hearings to examine the nominations of Anne W. Patterson, of Virginia, to be Ambassador to the Arab Republic of Egypt, Michael H. Corbin, of California, to be Ambassador to the United Arab Emirates, and Matthew H. Tueller, of Utah, to be Ambassador to the State of Kuwait, all of the Department of State.

SD-419

Health, Education, Labor, and Pensions
To hold hearings to examine senior hunger and the "Older Americans Act".

SD-430

2 p.m.
Joint Economic Committee
To hold hearings to examine spending less, owing less, growing the economy.

1100, Longworth Building

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine the nominations of John Bryson, to be Secretary, and Terry D. Garcia, of Florida, to be Deputy Secretary, both of the Department of Commerce.

SR-253

Judiciary
Crime and Terrorism Subcommittee
To hold hearings to examine cybersecurity, focusing on evaluating the Administration's proposals.

SD-226

Foreign Relations
To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.

SD-106

Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine inspiring students to Federal service.

SD-342

Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219

JUNE 22

10 a.m.
Finance
To hold hearings to examine preventing overpayments and eliminating fraud in the unemployment insurance system.

SD-215

Homeland Security and Governmental Affairs
To hold hearings to examine the next steps for securing rail and transit.

SD-342

Judiciary
To hold an oversight hearing to examine intellectual property law enforcement efforts.

SD-226

10:15 a.m.
Joint Economic Committee
To hold hearings to examine manufacturing in the United States, focusing on why we need a national manufacturing strategy.

SH-216

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine outside witness statements.

SD-192

11:30 a.m.
Library
Organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress.

SC-6, Capitol

Printing
Organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress.

SC-6, Capitol

1:30 p.m.
Homeland Security and Governmental Affairs
To hold hearings to examine transforming lives through diabetes research.

SD-G50

2:30 p.m.
Judiciary
To hold hearings to examine the nominations of Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, and Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida.

SD-226

JUNE 23

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine farm bill accountability, focusing on the importance of measuring performance, while eliminating duplication and waste.

SD-G50

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine Federal regulation, focusing on a review of legislative proposals.

SD-342

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine the "Indian Reorganization Act" 75

years later, focusing on restoring tribal homelands and promote self-determination.

SD-628

Foreign Relations

Western Hemisphere, Peace Corps and Global Narcotics Affairs Subcommittee International Development and Foreign Assistance, Economic Affairs and International Environmental Protection Subcommittee

To hold joint hearings to examine Haiti, focusing on reinvigorating aid under Martelly.

SD-419

2:30 p.m.

Energy and Natural Resources
Water and Power Subcommittee

To hold hearings to examine S. 500, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service

District, S. 715, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects, S. 802, to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, S. 997, to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District, S. 1033, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and S. 1047, to amend the Reclamation Projects Authorization and Adjustment of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve

environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, an original bill entitled, "Bureau of Reclamation Fish Recovery Programs Reauthorization Act of 2011", and an original bill entitled, "Fort Sumner Project Title Conveyance Act".

SD-366

Intelligence

To hold hearings to examine the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.

SH-216

JUNE 29

2:30 p.m.

Veterans' Affairs

Business meeting to consider pending calendar business.

SR-418

SENATE—Thursday, June 16, 2011

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Don Duncan, Senior Chaplain of Oklahoma Jail & Prison Ministries and Chaplain of the Oklahoma County Sheriff's Office.

The guest Chaplain offered the following prayer:

Let us pray.

Father, as we pause to seek Your divine guidance, I pray for Your presence, wisdom, and divine protection to be bestowed upon these Senators, their families, their staffs, and all those who have committed their lives in service to our country. I pray Your guidance through eternal principles in all discussions and final decisions. I pray for that which is honorable both in Your sight and in the heart of each citizen. When a conclusion is reached, may peace abide throughout this Chamber and throughout this land.

We pray this through the Name of Jesus. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 16, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will resume consideration of S. 782, which is the Economic Development Revitalization Act, with 4 hours of debate on the Feinstein and McCain amendments. At about 2 p.m., there will be two rollcall votes in relation to the Feinstein and McCain amendments. Each amendment will have a 60-vote threshold.

OIL SUBSIDIES

Mr. REID. Mr. President, I am happy to see the Republicans opening up to what Democrats have been saying all along—that cutting wasteful subsidies to Big Oil should be on the table if we are going to reduce the deficit. Yesterday, my friend, the senior Senator from Tennessee, said he would consider ending taxpayer subsidies for oil companies making record profits. I congratulate my friend, the senior Senator from Tennessee. Democrats agree. Handouts such as these to companies that made \$36 billion in the first quarter of this year alone must be part of the discussion if we are going to get our fiscal house in order.

As we decide where to cut, we will need to make some tough choices, but not every choice has to be difficult. If we are serious about reducing spending, ending tens of billions in taxpayer giveaways to big oil companies shouldn't be one of the difficult decisions we have to make.

When the other side says the alternative is to end Medicare, slash Medicaid, and put millions of seniors at risk, the choice is that much clearer. We cannot take with one hand from those who can least afford it and give with the other hand to those who can. Before we end Medicare as we know it or eliminate Medicaid funding for nursing homes, as the Republicans have proposed, we should cut wasteful spending. During the course of a year, one in five Americans will be on Medicaid. The cuts the Republicans propose will affect real people—the elderly man in the nursing home, for example; the child missing her yearly checkup, as an example; the pregnant woman, as an example, whose baby depends on proper prenatal care; or the person with a disability, for example, who is able to live alone thanks to the helping hand Medicaid provides. These cuts will affect everyone else too. Cutting Medicaid simply shifts costs; it doesn't lower costs. Each patient who doesn't get the care he or she needs from a doctor today will get it tomorrow at three times the price in an emergency room, and we will all foot that bill.

The American people have spoken loudly and clearly. They do not want to balance the budget on the backs of seniors, children, or the disabled. I am glad to see at least one of my Republican colleagues courageously breaking from the pack.

Mr. President, would the Chair now announce whatever the business of the day is.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 782, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat home buyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Bacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for

making qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the volumetric ethanol excise tax credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn modified amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

Reid (for Feinstein/Coburn) amendment No. 476, to repeal the volumetric ethanol excise tax credit.

AMENDMENTS NOS. 476 AND 411

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 4 hours of debate equally divided and controlled between the two leaders or their designees on amendment No. 476, offered by the Senator from California, Mrs. FEINSTEIN, and amendment No. 411, offered by the Senator from Arizona, Mr. MCCAIN.

Mr. REID. Mr. President, noting there is no one on the floor, I suggest the absence of a quorum, and I ask unanimous consent that during the quorum the time be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I rise in support of the Ethanol Subsidy and Tariff Repeal Act, which Senator COBURN and I are offering as an amendment to pending legislation. The other cosponsors on this amendment are Senator WEBB and Senator COLLINS. This is identical to a bill that we have submitted. On that bill there are more cosponsors. They are COBURN, CARDIN, WEBB, CORKER, LIEBERMAN, COLLINS, SHAHEEN, BURR, RISCH, and TOOMEY.

I want to have the record straight that this amendment is in response to a bill which we have crafted. On Tuesday the Senate voted on the proposal but unfortunately we saw a process battle, which I spoke to on the floor, which I think overwhelmed, in some respects, the debate. That is not the case today. There are ongoing negotiations to see if it is possible to put together a solution which can bring all sides together on this amendment that we will be voting on at 2 o'clock. Thus far we do not have an agreement. However, at

least one of our cosponsors of this has said to me—this is Senator WEBB—that he would very much appreciate a straight up-or-down vote on Coburn-Feinstein so we know exactly where the Senate stands. It is still possible, even after that cloture vote, if we can reach a successful conclusion to the negotiation that we could have another vote and change that.

Today, this is the first vote that the Senate has taken based on the merits of repealing the ethanol subsidy and tariff. In a nutshell, let me give the reasons. I know of no other product in the United States that has a triple crown of benefits: It is a mandate: oil companies must buy this ethanol; there is a subsidy: oil companies are paid for buying this substance; and this substance known as corn ethanol is protected by a protective tariff which prevents other nations, such as Brazil, from importing ethanol which actually has more beneficial environmental effects.

As a matter of fact, corn ethanol is the least environmentally proficient form of ethanol. Everything else is better than corn; cellulosic is better, algae is better, and sugar is better. The bottom line is we have a triple crown of subsidy, mandate, and protective tariff on the least effective, least environmentally sound ethanol there is.

More importantly, corn ethanol is now used to such an extent that it is having a major impact on food commodity prices and in particular on feed prices. This is particularly true in the poultry industry. I will get to that in a few minutes.

I do want to thank Senators KLOBUCHAR and THUNE for good-faith efforts to try to reach a compromise. As part of this compromise, at least from my point of view, a substantial amount of the revenue must be used to reduce the debt and deficit in addition to eliminating wasteful ethanol subsidies and tariffs. These negotiations have been ongoing since Tuesday. We have not yet reached an agreement. The vote at 2 o'clock will not end these talks. I am perfectly willing to continue to talk but I do think it is important that we have a clean up-or-down vote on the Coburn-Feinstein amendment.

The issue at hand is a simple issue. The subsidy given to these oil companies costs taxpayers billions of dollars every year and the tariff actually has the effect of making us more dependent on foreign oil. Let me explain. In 2005, the ethanol subsidy cost taxpayers \$1.5 billion. This year that number is nearly \$6 billion. In just 6 years it has gone from a cost of \$1.5 billion to a cost of nearly \$6 billion. There is a reason for it, and I will get to that in a moment, but since 2005, the total cost of this subsidy has been \$22.6 billion.

Here is the increase every year: \$1.5 billion in 2005; 2006, \$2.6 billion; 2007,

\$3.3 billion; 2008, \$4.4 billion; 2009, \$5.2 billion; 2010, \$5.7 billion; and the all-time high in these last 2 years of \$5.7 billion.

However, it continues to rise. The proposal that has been made for an extension to 2015, by some, would cost another \$31 billion.

Let me be clear. The subsidy is wasteful and duplicative. It does very little to promote the use of ethanol which oil companies already must use under current law. The renewable fuels standard dictates oil companies use 14 billion gallons of biofuels this year, 20.5 billion gallons by 2015, to 36 billion gallons by 2022.

These volumes, by law, increase every year. It more than doubles by 2022. It is that doubling in volume that will ultimately cost us; we are currently paying oil companies to follow this law.

Let me speak briefly about the tariff. The 54-cent-per-gallon tariff on ethanol imports makes our Nation more dependent on foreign oil. The tariff acts as a trade barrier, placing clean sugarcane ethanol imports from friendly nations at a competitive disadvantage to oil imports from OPEC. This discourages imports of low-carbon ethanol from our allies and leads to more oil and gasoline imports from OPEC countries, which enter the United States tariff free. So you have a high tariff on ethanol imports but a very low tariff on oil. Sugarcane ethanol, one of the lowest carbon fuels that is widely available, suffers from this tariff.

This tariff makes no sense and it should be repealed. I believe that there is very strong consensus in this body on the tariff issue. The Ethanol Subsidy and Tariff Repeal Act repeals the 45-cent-per-gallon ethanol blending subsidy known as the volumetric ethanol excise tax credit on July 1. The 54-cent-per-gallon ethanol tariff is also repealed beginning on July 1. Two parts of the three-part triple crown of government support are covered in our bill.

The third part of the triple crown is that refineries are already required to use ethanol under the Renewable Fuel Standard. The subsidy pays them to use that mandated ethanol, and ethanol, again, is protected from competition by a very high import tariff.

I think we need to address this quickly because the effects are harmful and the costs are great. At highest risk are increased costs for feed, corn, and other food. Today, 39 percent of the U.S. corn crop is used to produce ethanol, according to the Congressional Research Service. Well over a third of the corn crop is used to produce ethanol. Corn futures reached a record \$7.99 a bushel last week, this is an increase of 140 percent over 12 months.

In this graph you can see the rise, from \$2 in 2005 to \$3 in 2006, going up over 2007, 2008 to over \$4, beginning to

come down slightly in 2009, continues down in 2010, and then in 2010 to 2011, and 2011 to 2012, it has shot up to well over \$6. This is devastating, to poultry farms all over the country. This is devastating to cattle and this is devastating to food commodity prices. These prices will continue to go up if we let these subsidies continue. The annual average price of corn has risen 225 percent since 2006. So from 2005 to today, there has been a 225-percent increase in corn prices. Does anybody think that is good for this Nation? Is it good for farmers who depend on corn feed? I don't think so.

Let me give you some examples. The annual feed cost for Foster Farms tripled over the past year, increasing costs by more than \$200 million. That is greater than the firm's largest ever annual profit. Zacky Farms, which is a large farm, has lost \$35 million over the last 3 years due to increased corn costs.

I want to read to you for a moment a summary of the impacts on Zacky Farms. Here is the background. Zacky Farms is a family-owned, vertically integrated producer of quality turkey products for consumers in the retail and food service markets. The company is 55 years old but has roots in supplying poultry products to consumers that reach back all the way to 1928, representing three generations of commitment to the business. Zacky currently employs over 1,000 and supplies approximately 2 percent of the turkey consumed in the United States.

During the past 3-plus years, the growing use of corn for ethanol has been nothing less than devastating on Zacky Farms. Why? The cost of turkey feed represent about 60 percent of the final price of turkey products that consumers buy in stores. Corn is roughly 50 percent of the turkey feed formulation, making corn one-third of the cost of a turkey. Soybean meal, usually the second largest ingredient in turkey feed, competes for the same acreage as corn, and consequently the pricing of soybean meal often moves in tandem with corn. The government is sitting on acres and paying farmers not to plant soybeans, thereby encouraging costs to rise. I didn't know that. We are paying farmers not to plant soybeans. Recent reports show that since 1990, there are essentially no new acres available. Ethanol use of corn is therefore driving up other turkey feed ingredient prices also.

The increasing use of corn in ethanol—now nearly 40 percent of the Nation's corn supply—has been a major factor in driving the price of corn from \$2 a bushel, to \$4 a bushel, to \$6 a bushel, and currently \$7.75 a bushel. That is what Zacky is currently paying. This dramatic increase has all occurred since the fourth quarter of 2006. The turkey industry has been unable to pass these cost increases along fast enough to maintain profitability.

We were in the caucus on Tuesday, and we heard one Senator talk about how a farm has actually collapsed because of these prices in his State, and a second Senator reiterated his deep concern about what is happening to the poultry interest in his State. So this is not just Foster Farms and Zacky Farms, which happen to be in California, it is all over.

They then go into the impact of corn for ethanol on employees, suppliers, customers, consumers, and family ownership, and they say they have suffered significant losses during the past 3 years, and it has been estimated to be as much as \$35 million in losses from 2008, 2009, and 2010, and their banking relationships have been shattered after 60 years of banking. Bank of America told the company to find another bank.

In 2008, the company was forced to implement across-the-board salary freezes and other measures to help control these costs. Turkey prices have jumped dramatically and will continue to increase—in other words, the market is becoming such that turkey is going to become an endangered species, particularly in a down market. And they stopped promotions, such as the free Thanksgiving turkey with the purchase of a certain dollar amount. It goes on and on. This is a very serious issue.

Let me give you another one. Paul Cameron is a commercial cattle feeder from the Imperial Valley. He says:

My company employs 32 hard-working men and women. Many of these employees are second and third generation to the livestock business. Our cattle rely primarily on Midwestern grown corn as their primary source for grain.

This is the conflict here:

This year 41 percent of our Nation's corn crop will be used up by a heavily subsidized ethanol industry. In a year where nationally our grain inventories have already been reduced by adverse weather, corn has risen in price by 140 percent. Because of this, any chance of profitability in all protein industries has vanished.

The cattle inventory in our own operation is being reduced and we have begun the process of laying off many of our employees. Coming from a county with 27.9 percent unemployment (April EDD), these good, hard-working people will be relegated to trying to find jobs where there are none. These are the very people that take great pride in the fact that they not only feed a Nation, but also feed the world.

This is what these subsidies are doing. This is actual testimony read verbatim.

I have a letters from the American Meat Institute, California Dairies, National Chicken Council, National Cattlemen's Beef Association, National Meat Association, National Pork Producers Council, and the National Turkey Federation essentially saying the same thing:

Corn-based ethanol has distorted the corn market, and stretched corn supplies to the point production costs have increased sig-

nificantly. Additionally, the current import tariff on foreign sources of ethanol harms United States consumers by retarding the development of a robust and sustainable biofuels market.

That is a direct quote.

Mr. President, I ask unanimous consent to have printed in the RECORD this testimony following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mrs. FEINSTEIN. Then there is a very long list in a letter to Senators REID and MCCONNELL from a couple dozen agencies, both agricultural and environmental, and I ask unanimous consent to have printed in the RECORD that letter as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mrs. FEINSTEIN. Thank you. Also, from the Western United Dairymen Association and from the National Cattlemen's Beef Association as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 3.)

Mrs. FEINSTEIN. I do this not because I want to run through it all but because I think it is evidentiary testimony to what is happening as a result of what is very bad and egregious public policy. At a time of debt and deficit, where we are looking to find a compromise solution, which is going to be very difficult. If we reach one, it will have a dramatic impact on this Nation. To continue a program which has the potential to cost tens of billions of dollars makes no sense to me at all.

This summer, experts are predicting a mass slaughter of hogs. The USDA predicts that U.S. corn reserves will sink to their lowest level since the mid-1990s this summer, and rising food prices are contributing to global poverty and instability. So we are faced with a vote today that is very simple. The vote says: End this trifecta of subsidy, mandate, and protective tariff. It says: Do not wait for it to expire at the end of the year, but do it as of July 1. If we do it as of July 1, we will produce approximately \$2.7 billion to the Treasury to ameliorate debt and deficit. I think this is an easy \$2.7 billion to save.

Now, someone might say: Well, what are you doing to all of the producers of ethanol? Shouldn't we protect them? Well, this has been going on for a very long time—since 2005. To have an industry develop that then becomes dependent on this trifecta of subsidy, mandate, and protective tariff is only going to increase costs in the future. I understand beginning an industry with some help, giving them a leg up, giving them a foothold. That foothold becomes a foothold, and then they go on their

own. The ethanol industry instead wants a continuation of the subsidy that effectively goes to the oil companies—the most profitable industry in the United States—continue the subsidy, continue the mandate, and continue to protect ethanol.

You can be sure that if we don't do this now and we wait for it to end at the end of 2012, there will be a fight to continue it. We are all talking about saying no. We are all talking about that the time has come when we have to do business differently. We have a lot of major problems out there. We have a lot of people who need help. Would I rather help those people or would I rather help Big Oil do essentially what they are mandated to do anyway? The choice is easy. The choice is clear. Would I want to continue a high, protective tariff on the least environmentally friendly commodity, corn ethanol? It is not even algae. It is not cellulosic. It is not sugar cane. It is the least environmentally friendly feedstock used to produce ethanol.

I have opposed this from the beginning because I am not that prescient, I just knew that once we started this it wasn't going to end. Once we started it, it was going to be more, more, more. That is the beat. If we can sell it in the next few hours with the proposal that meets the strictures of both sides of this great institution—we are trying to do that, but there are people who strongly believe it should be ended quickly, and that is what this cloture vote this afternoon will show. It would be the first consequential vote of the Senate to say that major subsidies to oil companies, to do what they are mandated to do, have come to an end. Protective tariffs of the least environmentally friendly source of ethanol will come to an end, and they will come to an end in a timely way. This is what the government should be doing.

I would like to yield the floor at this time. I know this has been tough. The big surprise to me has been how emotional our caucus on the Democratic side has been, and I understand the other side's caucus, the Republican side, was emotional as well. This appears to be much more major than the legislation itself might signal. I am very hopeful we will have 60 votes. That would send a very loud message from the Senate.

Thank you very much.

I yield the floor.

EXHIBIT 1

Hon. TOM COBURN,

*U.S. Senate,
Washington, DC.*

Hon. DIANNE FEINSTEIN,

*U.S. Senate,
Washington, DC.*

DEAR SENATORS COBURN AND FEINSTEIN, The undersigned livestock and poultry groups appreciate your leadership with the introduction of "The Ethanol Subsidy and Tariff Repeal Act," which would end 30 years of tax credits for conventional ethanol and

end the tariff on imported ethanol on July 1st.

At a time when animal agriculture is facing pressures on many fronts, this legislation would ease the economic strain that is heavily affecting the industries that rely so heavily on corn to feed livestock and poultry. Corn-based ethanol has distorted the corn market, and stretched corn supplies to the point production costs have been increased significantly. Additionally, the current import tariff on foreign sources of ethanol harms U.S. consumers by retarding the development of a robust and sustainable biofuels market.

If enacted, your legislation would save taxpayers nearly \$3.3 billion in 2011. Experts such as the Congressional Budget Office and the Government Accountability Office have already concluded that the subsidy is unnecessary and leading economists agree that ending it would have little impact on ethanol production, prices, or jobs.

This legislation will help American consumers by ending the costly and unnecessary protection and subsidization of converting corn into fuel. We applaud you for your leadership on the issue and strongly encourage Congress to pass this legislation promptly.

Sincerely,

AMERICAN MEAT INSTITUTE.
CALIFORNIA DAIRIES, INC.
NATIONAL CHICKEN
COUNCIL.
NATIONAL CATTLEMEN'S
BEEF ASSOCIATION.
NATIONAL MEAT
ASSOCIATION.
NATIONAL PORK PRODUCERS
COUNCIL.
NATIONAL TURKEY
FEDERATION.

My name Paul Cameron and I am a commercial cattle feeder from the Imperial Valley. My company employs 32 hard working men and women. Many of these employees are second and third generation to the livestock business. Our cattle rely primarily on Midwestern grown corn as their primary source for grain. This year 41% of our nation's corn crop will be used up by a heavily subsidized ethanol industry. In a year where nationally our grain inventories have already been reduced by adverse weather conditions, corn has risen in price by 140%. Because of this, any chance of profitability in all protein industries has vanished.

The cattle inventory in our own operation is being reduced and we have already begun the process of laying off many of our employees. Coming from a county with 27.9% unemployment (April-EDD), these good, hard-working people will be relegated to trying to find jobs where there are none. These are the very people that take pride in the fact that they not only feed a nation, but also feed the world.

Energy independence for our nation is vital, but the production of abundant, safe, and healthy proteins for the world's population is every bit as important. As cattle producers nationwide, who have never asked for a subsidy of any kind, we only ask that ethanol production stand on its own and allow true supply and demand dictate the real price of corn.

EXHIBIT 2

JUNE 13, 2011.

Hon. HARRY REID,

Majority Leader, U.S. Senate, Washington, DC.

Hon. MITCH MCCONNELL,

Minority Leader, U.S. Senate, Washington, DC.

DEAR CONGRESSIONAL LEADERS: The undersigned diverse group of business associations,

hunger and development organizations, agricultural groups, environmental groups, budget hawks, grassroots groups and free marketers urge you to support the Coburn-Feinstein amendment, No. 436, to the Economic Development Revitalization Act (S. 782), which would end 30 years of tax credits for conventional ethanol and end the tariff on imported ethanol on July 1st.

Conventional ethanol is due to receive some \$6 billion in refundable tax credits this year. Continuing to subsidize oil companies to blend ethanol—which they are already required to do by the Renewable Fuels Standard—is wasteful and unnecessary. This amendment will save U.S. taxpayers several billion dollars this year and have virtually no impact on ethanol production, jobs or prices.

Sincerely,

Action Aid USA, American Bakers Association, American Frozen Food Institute, American Meat Institute, Americans for Limited Government, Americans for Prosperity, California Dairies, Inc., Clean Air Task Force, Competitive Enterprise Institute, Defenders of Wildlife, Environmental Working Group, Friends of the Earth, Freedom Action, Greenpeace USA, Grocery Manufacturers Association, International Dairy Foods Association, Milk Producers Council.

National Black Chamber of Commerce, League of Conservation Voters, National Chicken Council, National Council of Chain Restaurants, National Meat Association, National Restaurant Association, National Turkey Federation, National Wildlife Federation, Natural Resources Defense Council, Oxfam America, Sierra Club, Snack Food Association, Southern Alliance for Clean Energy, Taxpayers for Common Sense, U.S. PIRG, Union of Concerned Scientists, World Wildlife Federation.

EXHIBIT 3

WESTERN UNITED DAIRYMEN,
Modesto, CA, December 10, 2010.

Hon. DIANNE FEINSTEIN
*U.S. Senate,
Washington, DC.*

DEAR SENATOR FEINSTEIN: The plan to extend the ethanol blenders tax credit and tariff in the tax package will add significantly to the economic distress this country's dairy farm families have experienced for the past two years. In addition, if this plan goes forward, these incentives will have been extended without debate while the country's deficit and debt situation grows more alarming nearly every day and responsible people disagree over the environmental benefits of corn ethanol.

Producers are still reeling from low prices resulting from the loss of export markets caused by the worldwide financial crisis in late 2008. Throughout that time, dairy farmers' production costs have remained very high. The erosion in equity experienced by dairy farmers in this country over the past 24 months is of staggering proportions.

Estimates are that the U.S. will use upwards of one-third of the nation's corn crop to make ethanol this year, and that was before the EPA recently increased the amount that can be blended by 50%. The USDA now estimates this year's average farm price for corn between \$4.80 and \$5.60/bushel. That is up nearly 25% from the estimate just two months ago and compares to the previous record of \$4.20/bushel in 2007/08.

The blenders tax credit is also unnecessary. Mandates requiring the use of renewable fuels will ensure significant demand for corn ethanol for the foreseeable future.

Please oppose inclusion of corn ethanol incentives in the tax package. An issue that is this costly, in so many ways, deserves significant debate prior to a vote.

Very truly yours,

MICHAEL L.H. MARSH, CPA,
Chief Executive Officer.

[From the National Cattlemen's Beef Association]

NCBA SUPPORTS LEGISLATION TO END ETHANOL SUBSIDY, IMPORT TARIFF

WASHINGTON (May 3, 2011).—National Cattlemen's Beef Association (NCBA) President Bill Donald said the Ethanol Subsidy and Tariff Repeal Act, which was introduced today by U.S. Senators Tom Coburn (R-Okla.) and Dianne Feinstein (D-Calif.), would end 30 years and more than \$30 billion of taxpayer support for the corn-based ethanol industry and would finally level the playing field for all commodities relying on corn as a major input. The legislation would repeal both the Volumetric Ethanol Excise Tax Credit (VEETC) and the tariff on imported ethanol by no later than June 30, 2011.

"NCBA supports the development of renewable and alternative fuels and we know ethanol plays a role in reducing our dependence on foreign oil. However, we don't support forcing taxpayers to prop up an industry that should be able to stand on its own two feet," said Donald who is also a cattleman from Melville, Mont. "Senators Coburn and Feinstein should be commended for their leadership on this issue and for introducing this commonsense legislation that will not only level the playing field for a bushel of corn but will also save taxpayers more than \$6 billion annually."

Donald said the VEETC and the ethanol import tariff put other end-users of corn, including cattlemen and women, at a severe competitive disadvantage. From December 2007 to February 2010, the cattle feeding sector of the beef industry lost a record \$7 billion in equity due to high feed costs and economic factors that have negatively affected beef demand. Between 2005 and 2008, corn prices quadrupled, reaching a record high of \$8 a bushel and are more than \$7 a bushel today. Donald said this volatility in the marketplace was a result of ethanol mandates and subsidies artificially pushing feed costs higher.

"It's no secret that supplies are tight. In fact, the U.S. Department of Agriculture has predicted ethanol will account for 40 percent of this year's corn crop. All we are asking is to compete head-to-head for a bushel of corn. That's what this legislation will accomplish," Donald said. "The federal government shouldn't be in the business of picking winners and losers. We urge all senators to take a stand on the side of good government and support this legislation."

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I wish to say to the Senator from California, many of the points she made are valid. I came back for the purpose of addressing our overspending and that involves all kinds of tax expenditures and all kinds of subsidies. It is necessary because of our current debt and deficit situation. We have to get control of this. It is the only reason I ran. It is the only reason I am back in the Senate, with a commitment from the people of Indiana who supported me that, yes, this is what needs to be done in

Washington. So I am not here to criticize the efforts of Senator COBURN or Senator FEINSTEIN and others to begin to address these subsidies. That is exactly what we need to do.

I think the phrase of the Senator from California: "This is what we are doing in a timely way," goes to the heart and the essence of where I believe we need to go. We have subsidized, for some valid reasons early on, the production of ethanol. We did that because we said we are not independent in terms of our energy production, and our dependence on oil—particularly Middle Eastern oil. Our dependence is not only costly to us from the standpoint of OPEC setting the price of oil worldwide, based on their output, but also from the standpoint that we have spent a lot of money in blood and treasure to continue this dependence on oil, by placing troops in the Middle East. Would anybody think we would pay nearly as much attention to the Middle East as we are now were it not for the fact the oil supply that comes from there is absolutely necessary for our economy and the world economy? I think everyone in this Chamber would say we want less dependence on foreign sources and more independence. So the production of homegrown energy out of corn or other products grown in the soil which can be converted to a form of energy, so we use less foreign oil and more of our own resources to drive our trucks and cars and fuel our planes, is a valid goal.

To get that started—I wasn't here—but Congress passed a set of subsidies in order to encourage that industry. On the basis of that, States, private entities, public-private partnerships committed to move forward with production of ethanol. We are at a point now where there is essentially agreement that this subsidy has to be phased out, taken away, and the producers of ethanol agree. Maybe it is a political reality or for whatever reason.

As I spoke to ethanol producers across my State, I basically said we cannot continue this subsidy in our current situation of debt. It has always been designed to become economically feasible, and it would be related to the price of oil. Well, the price of oil has gone up. This gives ethanol producers a more level playing field.

The problem many of us from the Midwest have—but I will only speak for myself—many of us from corn-growing and ethanol-producing States—and Indiana, by the way, is one of the leading States in the Nation, producing a significant percentage of ethanol—is that this amendment basically says it is over now. A bipartisan group has come together around a transition proposal Senator THUNE has put forward. I am all for a straight up-or-down vote on the best way to eliminate this subsidy and to phase it out completely. I can't imagine anybody here would think, as

we address Tax Code expenditures, that there wouldn't be a transition process in place for eliminating that expenditure for an industry or for an individual in the United States.

I joined Senator WYDEN, a Democrat, in a bipartisan effort for comprehensive tax reform. Our proposal basically eliminates most of the special provisions in the tax code, totaling almost \$1 trillion. We take away these specialized tax provisions in a way to reduce rates and make our companies more competitive, lower individual rates and simplify the Tax Code. But, we know that in doing so, there has to be a transition period. We cannot just yank away from the private sector or the public-private sector an economic basis on which they went forward and committed to that particular entity and product. So all we are asking for is a transition process.

I know there is talk about giving Members a vote next week on this proposal and so forth. I don't blame Senator COBURN and Senator FEINSTEIN one bit for using a procedural rule—actually, Senator FEINSTEIN did not do that and did not support that and I think deserves a second vote. I don't fault Senator COBURN for using procedural methods which were maybe not necessarily something of precedent, but it is possible under our procedures to do what was done in order to get his vote on the floor. He has been asking for that vote for weeks, if not months. It is an issue we ought to be debating. But there ought to be a debate—an honest debate—between essentially the two sides of this issue, both of which agree the subsidy ought to be removed; one of which says we remove it today on this vote, the other says we remove it over a period of time—3 years or so. We take the money immediately saved and donate it to reducing the deficit, but we take some of the money in order to transition away from the subsidy, which is what Senator THUNE is trying to do without getting into all the details, which I don't need to do.

What I am here to do is to plead for an opportunity to debate both sides of this; to have a vote on the Coburn amendment and a vote on the Thune legislation, winner take all—that is the way it works here—and let the chips fall where they may. But at least we will have had an honest debate about two alternatives to try to reach the same goal. One takes a longer period of time than the other. The Senate will vote and the yeas will be yeas and the nays will be nays and the yeas will prevail and we will move forward on that basis. All we have now is a promise that maybe we will give the Senate an opportunity to bring something up next week so we can vote on the phase-out program.

Some Members will say: Hey, this is great. I can vote for both, and then I can go home and say, yes, we need to

eliminate the subsidy and that is why I voted for Senator COBURN's amendment. Then I can also say the following week I voted for Senator THUNE. One of these should work. We have it both ways.

We should make a distinction between which way we want to go and what we want to do. I happen to choose, for I think valid reasons, that we ought to transition out of this because of the enormous financial commitment made on the part of ethanol producers in my State, and the enormous benefit that has come to our agriculture sector which has grown a lot of corn and paid a lot of taxes, helping our economy grow. But to just yank it away from them right away because we say this has to be done right now without any transition, I don't think it is fair to all those who have made that commitment.

Does ethanol need to be economically viable to compete with other forms of energy? Yes. Did it need—and I wasn't here, again, but this body of Congress, including the administration, said it needed a head start so we could reduce our dependence on foreign oil, and they gave them that in the form of these subsidies and in the form of a tariff and in the form of some credits. Financially, have we come to the point where we now need to look at this, as well as hundreds of other subsidies and tax expenditures that we simply can no longer afford? The answer is, yes, we have come to that point. But is the best way to do this, particularly in this instance, where there is more than just an interest for one or two companies, which we find in so much of the Tax Code. There is a national security interest in this as well. Our military says our continued dependence on foreign sources of oil is a national security issue affecting our troops, affecting our expenditures, affecting our deployments, where these people need to go to keep the ceilings open, to keep the oil flowing, and so forth?

So there is a national basis on which we need to have competing forms of energy that can lessen our dependence, and ethanol is one of those. Does it need to be economically viable? Absolutely. How do we get there? We can get there by pulling the rug out from them now, shutting it down, and seeing a precipitous drop in ethanol production because it is no longer economically viable or, as Senator THUNE has tried to do and a coalition of us who support that, we can put in place a sensible way to reduce this subsidy to zero, to bring ethanol to a point of economic viability on its own and immediately send a significant amount—\$1 billion—to reduce the deficit. So this could be a transition to allow ethanol to be an economically viable part of our ability to provide transportation energy without having to call up the Middle East and say: Keep sending it

and, by the way, we will send our troops, we will send our money, we will send our treasure because we absolutely have to have this to drive our economy.

I think there is compelling reason to allow the Thune amendment to be heard on the floor, to give Members an opportunity to debate and make their case on each side, take a vote, and we will let the chips fall where they may. But we will at least have had the courage to stand up and honestly say: This is where I come down, this is what I stand for, and then the voters can decide whether they like that. But I think it makes sense from an economic standpoint and from an energy independence standpoint. Also, it is common sense that anybody who has been encouraged by this body to invest in this product to reduce our dependence on oil, to at least give them a chance to phase this thing down so they don't necessarily put a padlock on the refining plants and basically put them out of business. That doesn't achieve the goal—the very reason this body put these enhancements and subsidies in place in the first place.

Conclusion: We need to phase out the subsidy. There are other subsidies and other expenditures out there we can eliminate now without having this kind of adverse economic effect and without having a negative effect on our national security, but this is not one of them.

I urge my colleagues and I urge the leadership to allow the pleas of Senator THUNE and others of us to be heard so we have an honest debate, an honest choice, and then we accept the results.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask that I could briefly respond to the Senator's comments. Senator COATS and I work together on Intelligence. I have great respect for him. I understand the regional issues involved, so I understand the Senator's thinking. My thinking is, we get a strong vote on this today. This is simply a cloture vote. We have 60 votes. We have some time to see if we can work something out.

One thing I have learned in this whole line of pursuit is, if you give your word, keep it. The only thing you have is your integrity, and I give you my word that we will continue to try to bring both sides together.

I know this is a long journey. I know we will be blue-slipped and we have to

come back and we will have to have a bill we can put a tax matter on. That is for a later day. I think we are into this, and so many people want kind of a clean vote, that if we have that, I am prepared to give you my word to continue to try to discuss this.

My own view on these things is to do the very best we can, try to reach a compromise when issues are like this, and march on to the next thing. This has become far harder than I anticipated. I think we are relatively close to a solution, to a compromise. Whether Senator COBURN will accept it, I do not know. But I know these discussions are going on, and all I can do is pledge you my best effort to try to get to something that satisfies everybody.

If you come from a large ethanol-producing State, I understand what this means. On the other hand, I also understand this is going to be the first of many coming down the line. We have to change the way we do business if we are going to carry out the mandate of a prudent government, we have to make a lot of changes. None of it is going to be easy, so we might as well get used to it now. But for whatever it is worth, you have my word I will continue to try.

Mr. COATS. Well, Mr. President, if the Senator would yield.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I accept that fully. Having had the opportunity to work with Senator FEINSTEIN on the Intelligence Committee, I do not hesitate for a second to accept her word and know she will keep it. It has been a pleasure to work with her on that committee. We spend many hours behind closed doors discussing issues of great importance to this country, and she has provided great leadership in that effort.

I will look forward to working with the Senator from California, accept fully her offer. Hopefully, we can find a good solution to this issue. I could not agree with Senator FEINSTEIN more that this is the first of many things, tough decisions we are going to have to make. If we are not flexible in making these decisions at this time of clear fiscal distress, we are going to be judged very harshly by the markets and by our constituents. They know we are spending too much. They know we need to make decisions, some of which will be painful. We are trying to do this in a way that does not become Draconian, and I appreciate the words of the Senator from California in terms of the willingness to sit down together and work this through.

As the Senator said, this will be the first of many difficult days ahead. But what is encouraging and ought to be encouraging to the American people is, there is a bipartisan commitment—first of all, a bipartisan understanding of the plight we are in—I wish we were not here, but we are—and a bipartisan

understanding, a growing bipartisan understanding, that working together is the only solution to this. Because if it becomes stalemate, we are doing a great disservice to the future prosperity of the country and its impact on future generations, including our current generation and the many people who are out of work who need an economic recovery to take place sooner rather than later.

I thank the Senator for her comments and look forward to working with her, along with others, in this, the first of probably many difficult but important and necessary discussions.

Mrs. FEINSTEIN. I thank the Senator.

Mr. COATS. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I rise in support of the Feinstein amendment that would eliminate at long last the subsidies for ethanol, corn-based ethanol in America. In a little while, we are going to have a chance to vote, and I would ask my colleagues to support the Feinstein amendment.

I thank the leader for making time on the calendar so we can vote on this issue, and I hope a majority will support this amendment. I know we have a 60-vote threshold, and I hope we would be able to express, at long last, that it is time to eliminate this subsidy.

This is an issue that has brought together an unusual and broad-based support among those who are seeking to eliminate this subsidy. We have taxpayer advocates who understand this is a subsidy that taxpayers should not be underwriting. We have hunger and development organizations which recognize the impact on ethanol on the corn crop is affecting the affordability of food not only here, but it is having a major impact around our entire country.

We have agricultural groups, including the Maryland poultry growers and integrators, who support the repeal of the subsidy for ethanol. That is because the poultry industry understands the impact the ethanol subsidies are having on the poultry industry. I will talk a little bit more about that.

We have free market groups that say: Look, let the market work. There is no need for us to interfere with the free market. We have religious organizations. We have environmental groups—and I will talk a little bit more about that—that although the ethanol subsidy was originally put on, we thought, for a positive environmental impact, it

is having the reverse impact. Because of the amount of energy that is necessary to produce ethanol, all the good we thought was being done has been lost.

Then we have those who are budget hawks who are saying: Look, we are being asked to do a lot to bring the budget into balance. There are a lot of hard decisions. Why don't we at least eliminate these unnecessary subsidies in an attempt to bring our budget more into balance?

The wide range of interest groups supporting this issue has fostered wide bipartisan support for repealing this credit for ethanol. So we have an opportunity to bring together a lot of different groups, to work across party lines, to start the process, to bring our agricultural programs into better balance, to have a better energy policy, to help create jobs, and also to deal with our budget deficit.

According to the GAO, this credit "is a wasteful and duplicative" federally funded support program for an industry that already enjoys a mandated market share under the renewable fuels standard.

Since 2006, the renewable fuels standard has required oil companies to blend increasing amounts of ethanol into our gasoline. So when we repeal this credit, when we repeal the break the ethanol industry receives, it will not impact on the market from the point of view of the amount of ethanol that will be available.

Especially during times of fiscal constraint, it simply does not make sense to continue giving billions of dollars to a robust and thriving industry from which American consumers see little benefit.

We have a huge budget deficit. The Presiding Officer understands that. I understand that. The people of Ohio, the people of Maryland understand that. We need to look at ways we can bring the budget deficit down. Repealing unnecessary subsidies should clearly be at the top of our list.

With more than 40 percent of America's corn crop going into fuel, the increased demand has made feed extraordinarily expensive.

Let me share with you what I have heard from my poultry farmers on the Eastern Shore of Maryland. The poultry industry is an important part of the economic fiber of the Eastern Shore of Maryland. The poultry industry translates into jobs for people who live on the Eastern Shore of Maryland. It is extremely important. Yet the single largest cost factor for the poultry industry is the corn feed that goes into producing the poultry—feeding the chickens.

With such a high cost factor, the arbitrary demand factor for corn as a result of ethanol has raised the cost of producing poultry in my State, costing us jobs. The elimination of this subsidy

will help us maintain and expand jobs in the State of Maryland and around the region.

While corn-based ethanol may be a homegrown fuel, it is an extremely energy and water resource-intensive process to produce. So where we thought we were producing an energy source that would be favorable to our Nation, it takes so much energy to produce the ethanol that at the end of the day, we have used imported energy to produce our own homegrown energy source, and we do not benefit from the point of view of having energy independence in America.

The energy savings are minimal when you take into consideration how much energy it takes to produce ethanol, not to mention that ethanol burns less efficiently in our engines than regular fuel, and the higher the concentration, the fewer the miles per gallon the driver gets. The result is, we use more energy, when we were trying to save energy. It does not make sense over the long term.

A tax break for ethanol is a gift to the oil companies and the grain producers—a gift that actually harms American consumers and our environment.

Corn is a staple food commodity that is found in millions of American products from food additives to livestock feed. More than one-third of our Nation's corn is now going into the production of ethanol.

So this is causing a problem in our food stock—the amount of corn that goes into ethanol in America. It is time we eliminate this arbitrary subsidy that is causing a disruption, making it more difficult for people to afford their basic products.

The increased demand for corn is raising the price of everything from eggs to milk to soft drinks to chicken to breakfast cereals, and it is the American consumer who is being hit the hardest with these higher food prices.

Using corn to make ethanol also harms our environment. Once corn is harvested, it is a costly and energy-intensive process to turn it into ethanol fuel fit for commercial sale. We need to develop sustainable, renewable biofuels—those that are not derived from a food-based commodity such as corn—to make our Nation less dependent on foreign energy sources.

I support developing the next generation of algae or cellulosic biofuels. I do not support providing billions of dollars for a fuel product that is driving up the cost of food, harming our environment, and doing little to reduce our consumption of foreign oil. It is time we stop subsidizing Big Oil to produce a fuel they will produce with or without an additional \$6 billion a year of subsidy.

I hope my colleagues also support the Feinstein amendment that would

eliminate this subsidy so we can eliminate this unnecessary subsidy, help make food more affordable for the people of our Nation, and help us develop an energy policy that does make sense for America, that will help our security and help our economy.

For all of those reasons, I will support the Feinstein amendment. I urge my colleagues to do so.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Mr. President, I rise to speak today on behalf of a Coburn-Feinstein amendment that we will be voting on later. It is rare that people in this country who are receiving a tax credit tell us, as servants of the United States, that they do not want the tax credit they are receiving.

I think most people in this room are aware that we are spending about \$6 billion a year on something called a blenders tax credit. My understanding is that the blenders who receive this tax credit have shared with us that this is a waste of money, and they would like for this to end.

So we have an amendment today—and it is at an especially fortunate time for us, at a time when we are having tremendous fiscal issues in this country—we have an amendment before us today to do away with this tax credit, which seems to me to be only something of common sense.

I think most people in America know that years ago in Congress we passed a mandate that requires a certain amount of ethanol to be used. So this mandate is already in place. This mandate forces the use of a certain number of gallons of ethanol in this country. But on top of that, our country is now paying 45 cents for every gallon that is blended. Those people who receive this have told us this is unnecessary, that it is a waste of taxpayer money and they do not want it.

So the Coburn-Feinstein amendment does away with it. It also does away with a tariff—importers that import ethanol into our country now pay a tariff—which actually raises the price of ethanol. It actually raises what people are now paying at the pump because they have to pay a tariff to import this into our country. It does away with that tariff.

So this is a very commonsense amendment. I certainly thank Senator COBURN and Senator FEINSTEIN for offering this amendment at a time when our country is in such financial straits. It is rare that we have something like this, again, where those people who actually receive this credit would like to do away with it.

I know it has been argued that at the end of this last year we all voted for certain tax issues. That is an interesting argument—except what happens at the end of the year is, we do these en masse. There are minor provisions within this package that we have no opportunity to take out. So here this massive group of tax credits comes to us, and we have to vote up or down on a package of them. That is huge and has all kinds of tax provisions in it.

So there are some people in this body who have said: Well, but we just voted this in place. Well, we voted a package in place, but many of us for years have argued that this tax credit is redundant. We have argued that it is a waste of taxpayer money. We have argued that with the mandates in place there is absolutely no need for this, and the tariff that goes along with this, where we pay for imported ethanol. We pay more because of this tariff. It is absolutely a burden to American consumers and certainly, again, to taxpayers.

I thank the Senators for offering this amendment. I look forward to supporting it. This is one of those amendments—sometimes we vote on things down here that, candidly, are rather mundane. This is one of those amendments that I not only support, I support with tremendous enthusiasm and energy. I urge all of my colleagues in the Senate to support this very commonsense amendment that does something that is responsible for consumers; that does something that is responsible for taxpayers; and, obviously, will make our country stronger if it passes. I have a sense it may.

I urge those on the Senate floor to please consider it if they are now middle ground and have not made a decision.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I have spoken on this earlier in the week. I will not spend a great deal of time today. Thanks to the majority leader, we will have two votes this afternoon on items that I think are representative of critical problems in our country.

The first is a vote on an amendment by Senator FEINSTEIN and myself that eliminates payment to the largest refining and oil companies in this country to blend ethanol, which they have honestly admitted—and they sent us a letter saying it—they don't want.

The second is on whether we will subsidize, with Federal tax dollars, additional pumps to use ethanol.

The reason the votes are important is because the way we get out of trouble as a nation is a couple of billion dollars at a time. We have a Federal mandate that says X amount of fuel has to be blended with ethanol every year. That will rise to 22 billion gallons in 2015. So there is no reason for us to pay somebody to blend it when they already have to, and we have seen the shift in the industry from small entities to the very large. When this program started, it was about less than a billion dollars in cost. It will now be, on an annualized basis, around \$6 billion. While we are running a \$1.6 trillion deficit, we need every penny we can get. So I am thankful this has been brought up. But it begs the larger question—actually there are two. One, can we trust markets—real markets—to work more effectively than Washington mandating and dictating policies?

Throughout our history—if you look at it in total—no government can ever do any allocation of scarce resources as well as the market can. The markets are not perfect. There is no question, they make mistakes and cause occasional shortages. But overall, in the long run, markets work much better than a bureaucratic Soviet-style mandate of what we will do and what price we will pay for it.

The second question it begs is, what is our country's energy policy? We send a quarter of a trillion dollars a year outside this country for oil and gas, liquids and natural gas. That is a quarter of a trillion dollars that we could invest here and pay for our own resources.

We are the only nation in the world where our resources are owned by the citizens and our own government limits our ability to utilize it.

The CRS just finished a study that shows that the oil and gas reserves in the United States are greater than that of Saudi Arabia, China, and Canada combined. So the question is, why aren't we using ours, rather than sending money overseas and undermining our own economy and not creating jobs?

The projections are that if we would truly utilize our resources, we could create close to 190,000 jobs a year in the exploration and energy business—without subsidies, without tax credits; that is what would be the result. With oil near \$100 a barrel, and we continue to send the money out of the country instead of going after our own resources, which are plentiful, we have to ask the question, what are we doing?

The final point I will make is, when you buy ethanol-blended gasoline and you look at the price and you see, here is regular that has no ethanol in it, and here is ethanol-blended gasoline that is about 20 or 25 cents cheaper, it is important that the American people understand that you need to add \$1.72 to that to get the real price you are paying for that blended gasoline, because

that is what your government has put into the pipeline in the way of loans, grants, subsidies, blenders credits, and taxes on imported ethanol. So even though it looks cheaper, it is not. It is about \$1.40 more, when you look at all the costs taken from you as a taxpayer and put into the pipeline and given to the special interests, in terms of what we will have, and where we will have it, and when we will have it.

I support ethanol alternative fuel, especially now that it has 7½ percent of our market. But the best way for ethanol to survive is for it to stand on its own two feet, without subsidies, without us spending dollars we don't have to get something that we are going to get anyway.

I am extremely pleased with my discussions with Senator REID. I am thankful to Senator CARDIN, as well as Senator FEINSTEIN. She has been working on this for a long time. She opposed this when it started. She recognizes that what we have actually done is not help ourselves that much. We have markedly increased the cost of food. We can say 40 percent of the corn crop this last year went for ethanol, and corn is at historic highs. When you look at a poultry producer or beef producer or pork producer or lamb producer or turkey producer or milk producer or egg producer, their largest cost has doubled because of this policy.

Quite frankly, America is lucky because the worldwide demand for grains—given our wonderful farm community and their ability to produce—is extremely high and our farmers are extremely efficient. So this policy will not affect farm prices significantly right now. But, hopefully, in the future it will bring them down to a more moderate level.

Two-and-a-half years ago, corn was at \$3 a bushel and most corn farmers made money. It is now above \$7, even though their input costs have risen somewhat with the increase of oil prices. The farms in our country that raise grains have never been in better shape—if they can get a crop in. I know we have areas in the country where that hasn't happened.

So I think overall we are starting to address some of the misdirected capital formation in this country by backing off on government picking of winners and losers, and I am thankful for the opportunity to speak on that.

I yield the floor, as I see the Senator from Iowa is here.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Iowa.

Mr. HARKIN. Madam President, I ask unanimous consent that upon the completion of my remarks, the Senator from Ohio, Mr. BROWN, be recognized for his statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Madam President, I strongly oppose both the amendment

offered by Senators FEINSTEIN and COBURN and the one offered by Senator MCCAIN that we will be voting on in a couple of hours.

My message today is very simple: This assault on America's ethanol industry is both misguided and undeserved. This is truly a homegrown industry built on the investment and labor of many thousands of Americans providing a product that helps us with one of our most pressing national issues—our dependency on imported oil. Yet here we are debating amendments that I think clearly tell the industry: You aren't important, you don't matter, and you don't have the support of the American people. I think that is not only the wrong message but a misguided message to be sending, and I will tell you why.

We have been struggling with our dependency on oil for almost 40 years. One of our strategies over that period of time has been to develop and commercialize biofuels. I am proud to have been involved from the beginning and I continue to this day to be a strong advocate for renewable biofuels produced from domestic feedstocks. We started working on this, as I said, over 30 years ago. It has been a long campaign, but it has been a remarkably successful campaign when you think about it. It took about 20 years for ethanol to get to the point of contributing just a few percent to our gasoline supply. In the past 10 years, biofuels, and particularly ethanol have gotten to the point where they now displace about 10 percent of our gasoline supply. Think about that: 10 percent of our gasoline supply, used basically for transportation, is displaced by biofuels. I think that is a remarkable achievement. No other alternative supply comes close.

In fact, no alternative supply provides even 1 percent of our domestic fuel demand. Let me repeat that: No other alternative to ethanol comes even close to displacing 1 percent of imported oil. Yet ethanol is displacing 10 percent today. Again, a remarkable achievement.

Our oil dependency problem is still with us. We still depend on it from many nations that are unstable or unfriendly to us, and it is getting worse. Oil imports are costing us on average, over the last few years, about \$100 per barrel.

I know many of my colleagues share my strong concern about oil imports and the need to find alternatives, and that is why we passed new CAFE standards in the Energy Independence and Security Act of 2007. That is why we adopted a mandate for renewable biofuels in that same bill—a mandate for their use. Going back further, that is why we began providing tax incentives for biofuels production already in the 1970s. That is why we promoted alternative fuels in the 1991 Energy bill. That is why many of us today are pro-

moting hybrid and electric vehicles. And that is why we need to continue to support the production of ethanol and other domestic biofuels.

Just as increasing efficiency standards have been a big success in reducing demand, promoting biofuels has been, by far, our biggest success on the supply side. They have gone from a few percent at the turn of the century to about, as I said, 10 percent today. Moreover, looking ahead, the most likely supply-side alternative to displace the next 10 percent of our gasoline demand is biofuels. Again, we recognized this fact in 2007 when we adopted the renewable fuels standard 2 RFS2—that requires 36 billion gallons of biofuels by 2022—36 billion gallons of biofuels by 2022.

Now, again, we should pay attention to the options. Let's promote alternatives, such as electric vehicles. I am all for that. But we should also make sure, since we are going to be using liquid fuels for most of our transportation fleet in the next 10, 20 years and beyond that we look at the biofuels. It is renewable—renewable and clean. Our biofuels challenge isn't production or even economics; our challenge is adapting our transportation markets, our fuel markets, to be able to utilize the biofuels.

Again, as I said, most of our biofuels are in the form of ethanol. That will continue to be our principal biofuel for many years to come. However, today we can only displace 10 percent of our gasoline in the form of a 10-percent blend of ethanol. It is called E10. You can go to your gas stations—and my friend from Oklahoma was referring to the ethanol blends, which is what we have today—and those are limited. Most of it is E10. Again, we need to be able to use higher blends—15 percent, 20 percent, even as high as 85 percent of ethanol.

In fact, in my State, and in our neighboring State to the north, Minnesota, we are beginning to see pumps called E85—85 percent of the fuel that comes out of it is ethanol, and only 15 percent is gasoline. Quite frankly, the flexible-fuel cars run just fine on that 85 percent blend. The problem is we need more blender pumps at our filling stations. We don't have them, but we need them. We have them in a few States, but very few States have blender pumps. So we need to pass a bill like S. 187, the Biofuels Market Expansion Act, which I introduced in January.

I remember a few years ago that Senator LUGAR and I had a meeting in the Ag Committee room. We had the major oil companies come in to ask them why they didn't put more blender pumps in their fuel stations. Their answer was very clear and very logical.

They said: Well, why would we take up valuable space in our filling stations for a blender pump when there are almost no flexible-fuel cars out there that could use it? Point well taken.

So after that we called in the automobile companies. I know we had Chrysler, Ford, GM, Honda, I believe there was, and we asked them: Why don't you make more flexible-fuel cars? The response, from their viewpoint, was very logical: Why should we build more flexible-fuel cars when there aren't any blender pumps out there? Point well taken.

So here we have the chicken and the egg dilemma. The oil companies say they don't want to put in blender pumps with no flex-fuel cars out there, and the automobile manufacturers say they don't want to build flex-fuel cars because there are no blender pumps.

I might point out that in Brazil almost every car built by Ford, by GM, by Honda, or Toyota—those built in Brazil—are basically built for flexible fuel. They will burn anything from 10 to 20 to 50 to 85 percent—actually, in Brazil, up to 100 percent—of ethanol. That is the direction we need to go here.

With these two amendments today, we find ourselves going in exactly the wrong direction. The Feinstein-Coburn amendment tells the ethanol industry that it no longer has the support of Congress. The McCain amendment would block one of the most critical things we need to do; that is, the installation of flexible-fuel pumps.

I have said many times that we can reform our biofuels policy. I am more than willing to give up the ethanol tax credit. I have said that before on the Senate floor. We can give up the ethanol tax credit if the ethanol industry has access to the market. But when we take the two amendments together, one pulls the rug out from underneath the ethanol industry in terms of its tax credits—and I am saying: OK, fine. That is fine. We can do that, if we have access. Then the McCain amendment comes along and says: No, no, you can't use any of the funds we have put in the last Ag bill—which had tremendous bipartisan support, I might add—for blender pumps at fuel stations.

So here we have it. Tell the ethanol industry it can't get the tax credits, and guess what. We are going to keep them from getting access to the marketplace. That is what we need—market access for ethanol. You can go to Exxon and Mobile and Shell and all those gas stations. Do you think they want to put in an ethanol pump? They are OK with 10 percent—they will do the 10 percent now—but we need them to put in those blender pumps, and the automobile companies need to produce cars that are flexible fueled. They do a few of them now, but every car built ought to be flexible fuel so people can choose.

As I have said, ethanol can stand on its own two feet now, if people have the right and the freedom and the ability to use it. But if we are up against monopolistic kinds of filling stations that

won't permit a blender pump to be put in, then ethanol has no marketplace.

We also need to build a dedicated pipeline for ethanol. The oil companies and the gas companies have their own pipelines. They would not put any ethanol through those pipelines. They say it is due to water and all that, but let's face it. They won't put any ethanol through their pipelines. The private sector can build—not the government but the private sector—and is willing and ready to build a dedicated pipeline from the Midwest to the east coast. A couple of companies have already secured most of the rights-of-way and are ready to go. All they need is one simple thing: a loan guarantee. They do not need money, just a simple loan guarantee so they know they can build the pipeline and that the ethanol industry can use it and get the fuel to the east coast, where the majority of our population is right now and where we don't have enough ethanol in our major population centers.

So, again, we need to redouble our national commitment to expanding the use of renewable energy and weaning ourselves off of imported oil. But we are not going to do it with these two amendments today. The ethanol industry just wants the marketplace to be able to accept it, and they will stand on their own two feet. They can do that. That is more important than the tax subsidies.

I might also add, I remember debating this issue with the then-Senator from Texas, Mr. Gramm. We had a lot of debates on the Senate floor back in the 1980s or 1990s, I guess, on this issue.

I pointed out at that time that if you talk about the tax credits and support from the government the ethanol industry has gotten, it pales in comparison to the dozens of years of tax write-offs and benefits we have given the oil companies in America going clear back to about 1920.

If you think about all the tax benefits we have given the oil companies in America to drill, to produce, to ship, to pipe, to refine, to market, and add it all up, ethanol is just a small part of that. But the oil companies have never given up. They have never given up on their assault on ethanol and on biofuels.

The Coburn amendment is precipitous. At the end of the year, the ethanol tax credits are going to expire. Hopefully, before the end of the year, we will reach some agreement, work out something where we have more access to the marketplace, and then we can do away with the tax credits. But we should not take an action that would slash the value of the ethanol industry's primary product by nearly 20 percent overnight.

Think about it this way. We have a 1-year extension of the ethanol tax credits that goes to the end of this year. We did that. The Congress did that. We

said that to the industry. Investors have come in, modifications in plants have been made, plants have been built. Yet in the middle of the year we are going to say no? We are going to take it away?

To all my friends over there who keep talking about the private sector and how we need the private sector and don't need the government, you are going to pull the rug out from underneath the private sector on a guarantee that we gave them earlier this year. No industry could survive a shock such as that, and it is wrong. It is wrong to do that at this point in time.

We all know one thing. This afternoon, people can come down and vote against ethanol, vote against the tax credits for the ethanol industry, vote to cut off marketplace access to ethanol, but nothing is going to happen. The House will blue-slip it, and then we will be on to doing what needs to be done in a logical way; that is, to reduce the tax credits for ethanol, which I am in favor of doing. In fact, we then can promote market access.

Senator LUGAR and I, in the past, have worked on bills together, basically like the bill introduced this year, that would do three things: It would mandate a certain proportion of blender pumps be installed at the large gasoline stations, those that are owned by the major oil companies. It would provide tax credits to the small mom-and-pop stations that would put in the blender pump in their station, the independents. Third, it would mandate a gradual increase over the next few years of the number of cars produced in America and sold in America that are flexible fueled. If we do all those things, ethanol will stand on its own two feet.

I wished to say one last thing before I yield the floor to the Senator and that is this. Right now, much is made of the fact that there is \$5 billion of tax credits this year going to the ethanol industry. I understand that. However, because of the lower price of ethanol, because we are blending 10 percent ethanol into gasoline, all the people in America today are paying less for their gasoline than they otherwise would if we didn't have ethanol. So if you take that into account, the fact that the consumers of America, when they fill their gas tank, are paying less than they would if they didn't have ethanol, that more than offsets the \$5 billion we have put into the tax credits for ethanol support.

So, yes, we have supported the ethanol industry with \$5 billion. I dare say, we have gotten back probably twice as much as that in savings at the gas pump for the consumers of America.

Perhaps that is what the oil companies are mad about. Maybe they would like to have that money for themselves. I suppose that is probably true.

I understand that. But I think our obligation is to the consumers of America and to the private sector, which is operating on a guarantee we gave them that we would have these tax credits at least until the end of this year, and I think on an implicit guarantee that we gave that we would make sure there would be a marketplace that would be open and accessible for biofuels.

So that is what we need to do, to reduce the tax credits but open the marketplace for the ethanol with blender pumps and with flexible fueled cars. But that is not before us today. But we will continue to work together again toward the end of this year to make a reasonable, smooth transition from the tax credits to access to the marketplace, and I will take the floor again and again during the remainder of this year on these issues.

I am not doing it today, but I will show the amount of tax benefits that the oil companies have gotten over the last 80 years. Add that up and compare it to what the ethanol industry has gotten over the last about 30 years, and you will see that the oil companies have gotten a lot more than what ethanol has ever received from the government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise in support of my amendment. I would ask unanimous consent to speak as in morning business to speak on Libya.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIBYA

Mr. MCCAIN. Madam President, yesterday, the President made an announcement that I believe will strike most of my colleagues and the Americans they represent as a confusing breach of common sense. Two administration lawyers claimed that U.S. military involvement in Libya is not in breach of or calls for the War Powers Resolution. In other words, they believe our military activities in Libya do not require a War Powers Resolution because the United States is not engaged in a state of hostilities in Libya.

This puzzling assertion seems to be undercut by the very report that the administration sent to Congress yesterday, which makes it clear that the U.S. Armed Forces have been and presumably will continue to fly limited strike missions to suppress enemy air defenses, to operate armed Predator drones that are attacking Qadhafi's forces in an effort to protect Libyan civilians, and to provide the overwhelming support for NATO operations, from intelligence to aerial refueling.

I agree actions such as these don't amount to a full-scale state of war, and I would certainly grant that I am no legal scholar, but I find it hard to swal-

low that U.S. Armed Forces dropping bombs and killing enemy personnel in a foreign country doesn't amount to a state of hostilities.

Unfortunately, this only adds more confusion to our already confusing policy in Libya. Our policy objective, as stated by the President correctly, is to compel Qadhafi to relinquish power. Yet that is not our military objective. The administration claims to have turned the operation in Libya over to NATO, an alliance in which the United States makes up three-quarters of the collective defense spending, as Secretary Gates recently pointed out. The administration sought the blessing of the United Nations, the Arab League, and NATO before using force in Libya but still has not sought a similar authorization or statement approval from the elected representatives of the American people. That is wrong.

The result of all this, I hate to say, is plain to see in the actions of our colleagues on the other side of the Capitol in the House. There is massive and growing opposition to continuing the U.S. involvement in Libya. There has already been one piece of legislation passed that binds the President's authority as Commander in Chief. There could likely be a vote soon to cut off funding for the entire operation. In short, the accumulated consequences of all this delay, confusion, and obfuscation has been a wholesale revolt in Congress against the administration's policy.

I take no pleasure in pointing this out, because though I have disagreed, and disagreed strongly at times, with aspects of the administration's policy in Libya, I believe the President did the right thing by intervening to stop a looming humanitarian disaster in Libya. Amid all our present arguments about legal and constitutional interpretations, we can't forget the main point: In the midst of the most groundbreaking geopolitical event in two decades, as peaceful protests for democracy were sweeping the Middle East, with Qadhafi's forces ready to strike at the gates of Benghazi, and with Arabs and Muslims in Libya and across the region pleading for the U.S. military to stop the bloodshed, the United States and our allies took action and prevented the massacre that Qadhafi had promised to commit in a city of 700,000 people. By doing so, we began creating conditions that are increasing the pressure on Qadhafi to give up power.

Yes, the progress toward this goal has been slower than many had hoped, and the administration is doing less to achieve it than I and others would like. But the bottom line is this: We are succeeding. Qadhafi is weakening. His military leaders and closest associates are abandoning him. NATO is increasing the tempo of its operations and degrading Qadhafi's military capabilities

and command and control. The Transitional National Council is gaining international recognition and support and performing more effectively, and though their progress is uneven, opposition forces in Libya are making strategic gains on the ground.

I know many were opposed to this mission from the very beginning, and I respect their convictions. But the fact is, whether people like it or not, we are engaged in Libya and we are succeeding. So I would ask my colleagues, is this the time for Congress to begin turning against this policy? Is this the time to ride to the rescue of the man whom President Reagan called the mad dog of the Middle East? Is this the time for Congress to declare to the world, to Qadhafi and his inner circle, to all the Libyans who are sacrificing to force Qadhafi from power, and to our NATO allies who are carrying a far heavier burden in this military operation than we are—is this the time for America to tell all these different audiences that our heart is not in this, that we have neither the will nor the capability to see this mission through, that we will abandon our closest friends and allies on a whim?

These are questions every Member of Congress needs to think about long and hard but especially my Republican colleagues. Many of us remember well the way that some of our friends on the other side of the aisle savaged President Bush over the Iraq war, how they sought to do everything in their power to tie his hands and pull America out of that conflict with far too little care for the consequences their actions would have on our friends, our allies, our interests, and our moral standing as the world's leading power. We were right to condemn this behavior then, and we would be wrong to practice it now ourselves simply because a leader of the opposite party occupies the White House.

Last week, Qadhafi wrote a personal letter of thanks to the Members of Congress who voted to censure the President and end our Nation's involvement in Libya. Republicans need to ask themselves whether they want to be part of a group that is earning the grateful thanks of a murderous tyrant for trying to limit an American President's ability to force that tyrant to leave power.

The goal for all of us in this body, Democrats and Republicans alike, should not be to cut and run from Libya but to ensure we succeed. In the very near future, Senator KERRY and I, along with a strong senior bipartisan group of our colleagues, will introduce an authorization for the limited use of military force in Libya. The administration may assert that we are not engaged in hostilities in Libya, but the Senate should go on record as authorizing these operations. We are in a state of hostilities, and the only result

of further delay and confusion over Congress's role in this debate will be to continue ceding the initiative to the strongest critics of our actions in Libya.

We plan to introduce the authorization soon. I urge the majority leader to schedule a vote on it quickly. The Senate has been silent for too long on our military involvement in Libya. It is time for the Senate to speak. When that time comes, I believe we will find a strong bipartisan majority that is in favor of maintaining our current course in Libya, that supports our seeing this mission through to success, and that is willing to continue standing in the breach with our allies until the job is done.

Madam President, amendment No. 411 would prohibit the U.S. Department of Agriculture from funding the construction of ethanol blender pumps or ethanol storage facilities—the latest request from the ethanol lobby. By prohibiting funding for these pumps and storage facilities we will prevent American taxpayers from spending over \$20 billion to convert the 20,000 gasoline pumps currently under construction.

During Tuesday's cloture vote on the ethanol tax credit amendment, some members that voted against cloture cited concerns with the procedural tactics used to bring up the vote; the "unfairness" of ending the subsidy in mid-year, therefore "pulling the rug" out from underneath the ethanol industry; and that it was somehow premature to end over 30 years of subsidies unless it was coupled with further funding for ethanol infrastructure construction.

I hope my fellow critics of the ethanol tax credit have taken notice of this new tactic over the past few weeks. For ethanol supporters, this debate has been about where and how to prop up the industry in the future—not whether the ethanol industry deserves future taxpayer support.

It is time to say enough is enough; this industry has been collecting corporate welfare for far, far too long. For those of us who have been fighting against these handouts over the last two decades, it has been far too long since we have had a full debate on this issue.

As a reminder to some of my colleagues of how this debate and support of corn-ethanol handouts has shifted over the years, I would like to read a portion of a floor statement on ethanol subsidies I delivered on March 11, 1998.

Mr. President, let me just take a moment and try to explain why we have such generous ethanol subsidies in law today. The rationale for ethanol subsidies has changed over the years, but unfortunately, ethanol has never lived up to the claims of any of its diverse proponents.

In the late 1970s, during the energy crisis, ethanol was supposed to help the U.S. lessen its reliance on oil. But ethanol use never took off, even when gasoline prices were highest and lines were longest.

Then, in the early 1980s, ethanol subsidies were used to prop up America's struggling corn farmers. Unfortunately, the usual "trickle down" effect of agricultural subsidies is clearly evident. Beef and dairy farmers, for example, have to pay a higher price for feed corn, which is then passed on in the form of higher prices for meat and milk. The average consumer ends up paying the cost of ethanol subsidies in the grocery store.

By the late 1980s, ethanol became the environmentally correct alternative fuel.

Unfortunately, the Department of Energy has provided statistics showing that it takes more energy to produce a gallon of ethanol than the amount of energy that gallon of ethanol contains. In addition, the Congressional Research Service, the Congressional Budget Office, and the Department of Energy all acknowledge that the environmental benefits of ethanol use, at least in terms of smog reduction, are yet unproven.

These facts are as true today as they were 13 years ago. In fact, we now have a better understanding of the negative effects corn-ethanol has on both the environment and food prices than we did 13 years ago.

But it is important to note that while attention is being paid—and rightly so—to eliminating the unneeded and wasteful ethanol tax credit, the corn-ethanol lobby is seeking a new ethanol-stimulus package by attempting a congressional runaround to continue bilking American taxpayers out of their money.

Instead of seeking approval from Congress, lobbyists have convinced the USDA to change the rules of the Rural Energy for America Program to pay for new gas station pumps at retail stations at the expense of solar, wind, and energy efficiency projects. In fact, the President has announced his goal to fund the construction of 10,000 ethanol blender pumps and tanks within the next 5 years—a down payment on future ethanol-stimulus spending.

Supporters of ethanol corporate welfare are happy to tell you that if they get their way, these 10,000 blender pumps and tanks will be the tip of the iceberg for billions in new federally funded corn-ethanol infrastructure development.

To be perfectly clear: Not content with government support to subsidize ethanol, protect it from competition, or require its use, lobbyists now want American taxpayers to pay for the construction of pumps and holding tanks at retail gas stations.

Of course, the U.S. Department of Agriculture is happy to comply with the industry's request to fund infrastructure construction. On April 8, 2011, Secretary Vilsack issued a rule that would classify blender pumps as a renewable energy system qualifying it for funding under the Rural Energy Assistance Program.

When Congress created the Rural Energy Assistance Program it had no intention of paying gas station owners to upgrade their infrastructure, further subsidizing the ethanol industry.

Furthermore, as a bonus to any gas station owners that take advantage of the grant program, once the Federal Government has built the blending pumps and holding tanks, retailers will be eligible to receive the ethanol tax credit, double dipping in the Federal Treasury.

How expensive will this ethanol stimulus be if the special interest lobby gets its way? According to the U.S. Department of Agriculture an ethanol blender pump and tank cost an average of \$100,000 to \$120,000 to install. With over 200,000 fuel pumps currently operating in the U.S. it would cost over \$20 billion to convert them all. This is one stimulus project that we cannot afford.

And for those concerned about the lack of support for wind and solar projects, a recent Congressional Research Service—CRS—report indicates that tax credits and subsidies for solar, wind and geothermal power will cost \$8.62 billion from 2008 to 2012; the ethanol tax credit alone would cost over three times more—\$26.5 billion. Allowing the Rural Energy for America Program to continue funding blender pumps and tanks will only continue this trend.

For my colleagues that really wanted to end the corporate welfare handouts to the corn-ethanol industry but were concerned over the process issues surrounding the ethanol tax credit vote or concerned about the fairness of ending the tax credit in midyear, you can rest assured that those concerns to not apply to this amendment.

It is time Congress takes a step towards ending unneeded and unnecessary payouts to a robust and strong industry. In a time of fiscal constraint, when all are being asked to make a sacrifice, we should expect more from leaders in the private sector than continuing to seek handouts—"stimulus projects"—from the Federal Government.

I was disappointed, obviously, in the vote that we took concerning the ethanol subsidies and I know probably how the vote on this amendment will turn out. The message is: Americans, we are not serious about heeding the mandate of last November to stop spending, to stop wasteful projects, to stop the unnecessary projects such as ethanol subsidies. We are going to spend 20 billion of your tax dollars in your local gas station to install a pump.

No wonder the American people, according to recent polls, are disillusioned, disappointed, and pessimistic about our future. This vote on this amendment will confirm an ample and adequate reason and an understandable reason for that pessimism.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I know we are scheduled to have two votes around 2 o'clock today on the ethanol issue. Once we are past those amendments, we have a number of other important issues to be debated and hopefully scheduled for votes. Senator HUTCHISON, for example, has one on health care lawsuits, Senator PORTMAN on unfunded mandates, Senator BROWN on withholding payments, Senator DEMINT has an amendment on the death tax and the renewable fuels standards. In addition, our ranking member and manager, Senator INHOFE, has a couple of amendments as well.

I will be talking to the majority leader during the next votes to see how we can begin to schedule votes on these and other amendments that may need to be considered before we move to final passage.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Madam President, I arrived today to speak to the McCain amendment. I noticed my colleague from Arizona was just on the floor. I wanted to say I appreciate him offering this amendment. As with the Coburn-Feinstein amendment, I support his amendment.

I also wanted to make reference to the comments he made regarding our conflict in Libya. I agree with him—these are my words—that it is bizarre the administration sent over a letter yesterday, referring to the fact that we are not involved in hostilities in Libya. It is really totally bizarre when you look at what is going on in the air in Libya right now. I have no idea why Mr. Coe would have offered this argument. I know we are going to have a hearing in Foreign Relations in the next couple of weeks to look at this issue.

Thirdly, I would like to point out one of the reasons we are in this situation right now where Congress has not authorized anything in the administration—I sent a letter to the administration, Secretary Gates and Secretary Clinton, 9 weeks ago just asking five questions about our engagement in Libya. I received last week a letter from an Acting Assistant Secretary that gave me half an answer on one of those five questions.

I think most people in this body are aware that Senator WEBB and I then authored a resolution asking 21 questions of the administration regarding Libya. I thank them for transmitting to us some information on Libya yes-

terday. We have not yet gotten access to the classified versions of it. We have, obviously like everyone else here, I am sure, read the unclassified version. But I think the reason we find ourselves in the place we are is we just have not been able to get information from the administration regarding this conflict.

I know the Senator from Arizona and the Senator from Massachusetts are working on an authorization request, a limited authorization. I hope they will potentially wait until we have the answers to all 21 questions, the same questions to which many of the House Members wanted the answer. I share with them the frustration that Congress has not taken any action and would say I am really stunned by the fact that the administration has chosen not to give responses to questions until yesterday. And really this was done in response to I know what they saw was a movement in Congress just wondering why in the world they would be so resistant to answering basic questions regarding a conflict.

But then secondarily, again, just the bizarre answer that we are not involved in hostilities—I mean, you can't tell Senators one thing in private, the same Senators, and tell them something else in public and expect Senators to feel any degree of credibility regarding those statements.

I thank the Senator from Arizona for the comments he has made. We have had an amicable relationship regarding this discussion. We have had like thoughts on several aspects of this conflict, and we have had probably some differing thoughts, but I am here today to say I agree with him that his amendment is an amendment that needs to be passed. I agree with him that it is incredible that we have not acted as a Congress, and I would say the big reason for that is just the lack of information. For some reason, the administration has gone to seek approval from the United Nations but has not shown any desire to seek approval from Congress. It is just, again, odd.

Then thirdly is just the bizarre nature of this administration saying that what we are doing there does not involve hostilities when in their unclassified version that the whole world has the ability to see, there is no way the engagements they have said in an unclassified document are occurring in Libya do not involve hostilities. That is just absolutely categorically not possible.

I do hope that very soon Congress will take action. I hope that all the questions we have asked for answers to have been answered, and I think all of us will know very soon when we actually gain access to the classified versions of what has been sent over.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. I see I am joined by the Senator from Iowa, who I know will speak shortly and has been a leader in biofuels and energy for many years.

I rise to speak about the votes we will have later today on the amendments that would immediately cut off support for our homegrown energy industry with I guess a few days' notice. I did not think there was precedent for this decision. If this were to ultimately pass—I am not certain this is the vehicle that would allow it to go into law, but if it were to pass, we would have made a decision that is different from the decision in January affecting an industry that employs nearly 500,000 people.

I wish to talk about the amendment offered by my friend, the Senator from California. And I would hope, I would say first, that if we were voting twice on an amendment in just a few days, it would be something that creates jobs or decreases our dependence on foreign oil, but that is not the case here. We are talking about pulling the rug out from an industry that provides 10 percent of the Nation's fuel supply and supports nearly 500,000 jobs. I don't think people quite understand that about biofuels. I think they think it is some boutique industry. Madam President, 10 percent of our Nation's fuel supply at a time when gas is up near \$4 a gallon.

We know there is support for phasing out the current ethanol tax credits. I have a bill to do that. Senator GRASSLEY has another bill to do that. We understand that at a time when our country is facing severe budget constraints. But the question is not if we should do it—we will—it is when and how.

We all know homegrown energy has played an important part in reducing our dependence on foreign oil and supported thousands of jobs. We also know that as we continue to move our Nation toward energy independence—by the way, we actually are moving up in terms of our own energy independence, which is a goal that I believe every Member strongly supports, and that is that homegrown energy will be a significant part of our solution. We need a glidepath and not a cliff for the only alternative to oil.

Immediately ending all support for the biofuels industry, as the amendments we are considering propose to do, would stifle investment in not only the existing ethanol industry but also the newly developed cellulosic—yes, that is part of this—cellulosic, algae, and the next generation of biofuels, which I think holds the most hope for this country. In fact, many of the first advanced biofuel plants are co-located with corn ethanol plants. You cannot promote next-generation fuels by ending a tax policy for existing biofuels 6 months into a 1-year extension with only a few days' notice.

Again, the real debate is not about whether we end this tax credit—we know we should do it, and I believe we should do it with oil, too, but right now we are on biofuels—it is about how we do it. That is why the Senator from South Dakota, Mr. THUNE, and I continue to work toward the bipartisan compromise to reduce our deficit and offer a reasonable way to reform the biofuels industry and achieve significant deficit savings immediately. And I appreciate our colleagues talking to us. We have had many meetings, and we are working very hard to get this done. We need to work toward a pragmatic solution that reforms the ethanol industry without harming jobs or driving up gas prices at a time when gas is over \$3.70 a gallon.

An article in the Chicago Tribune underscored the fact that if we cease to produce the 13 billion gallons of ethanol we make every year, it will drive up prices at the pump by as much as \$1.40 per gallon in the short term. Does the Senate actually think we can afford to raise gas prices by \$1.40? Do my colleagues think we can afford \$5-per-gallon gas?

I look forward to working with my colleagues on a more responsible option that will reduce the deficit and not suddenly disrupt an industry that supports \$3 billion in economic activity in my State alone.

I also wish to say a few words in opposition to the amendment offered by my friend from Arizona, Senator MCCAIN. Our current policies provide incentives for many different kinds of fuel-dispensing technologies—from hydrogen to natural gas, to electric hookups, to ethanol—but the McCain amendment singles out only biofuel blender pumps and proposes to cut all incentives for investment in these pumps at a time when we need to be expanding our fuel supply options, not limiting them to oil from Saudi Arabia. We should be investing in the farmers and workers of the Midwest and not the oil cartels of the Mideast.

What the McCain amendment does is focus on limiting those blender fuel pumps. Blender pumps do not require customers to use ethanol. That is why they are blender pumps. They give consumers a choice at the pump and help lower gas prices for all consumers, even those who do not use the higher blends of ethanol.

From 2000 to 2010, competition from ethanol reduced wholesale gasoline prices by an average of 25 cents per gallon, saving American consumers an average of \$34.5 billion annually. During the gasoline price runup in 2010, the impact of ethanol and gasoline prices was substantially larger, reducing gasoline prices by a national average of 89 cents per gallon.

Giving consumers a choice of using higher blends of renewable fuel has allowed the country of Brazil to become

energy independent, and we can do the same here.

The McCain amendment would also do more than limit consumers' options at the pump. I know North Carolina is a good military State. This would prohibit the U.S. military from constructing blender pumps or storage tanks that can use more fuels that would be more resilient in case of a fuel supply cutoff from OPEC or other disruptions in the global fuel supply.

Our dependence on foreign oil has been widely recognized by our military and diplomatic leaders as a major strategic vulnerability. To respond to this, we have taken important steps in recent years to encourage U.S. Government and military fleet vehicles to be fuel flexible as part of our efforts to reduce both our spending on fuel and our dependence on foreign oil. Shouldn't we allow our homegrown ethanol to compete with foreign oil to fuel these vehicles?

I urge my colleagues to oppose the McCain amendment. At a time when families and businesses across the Nation are battling high fuel costs, we should be giving them more options at the pump, not less.

Today's votes on the Feinstein amendment and the McCain amendment are part of a process. We all know it is not the final result. While I strongly oppose both amendments, I also know that regardless of the outcome today or even the outcome of that vote 2 days ago, we still have work to do.

I appreciate the willingness of the Senator from California and the Senator from Oklahoma to continue to negotiate with Senator THUNE and myself. These are serious ongoing negotiations. I am hopeful that in the coming days we can reach a bipartisan compromise. It is not just about one amendment on a bill that is not the vehicle where we can get this done, but, in fact, we actually have a bipartisan compromise that balances our need to continue to support homegrown biofuels with our need to reduce our deficit and to do this in a way that actually puts money right now back to our government to pay off this debt.

I see Senator GRASSLEY, who knows a little bit about finances with his major role on the Finance Committee, and also, as a farmer, a little bit about the biofuels industry.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Iowa.

Mr. GRASSLEY. I compliment Senator KLOBUCHAR on her leadership in trying to find, first of all, leadership in supporting biofuels and alternative energy but also working very hard for the last few weeks to find a compromise on this issue that is a very difficult issue and very divisive here within the Senate.

So we are voting at 2:00 today on these amendments to which Senator

KLOBUCHAR has already referred. The first is an amendment by Senators FEINSTEIN and COBURN repealing the incentive for domestically produced ethanol. I emphasize "domestically produced" because we do not have to worry about oil sheiks robbing us of all of our resources when you burn ethanol the way you do when you burn imported gasoline. The second amendment is offered by Senator MCCAIN, prohibiting the U.S. Department of Agriculture from using funds for the installation of blender pumps.

These amendments won't lower the price of gasoline at the pump. That is what people today are concerned about—the price of gas at the pump. These amendments won't lessen our dependence on foreign oil. We spend \$835 million every day importing oil. And these amendments won't create a single job in the United States. In fact, they will do just the opposite. They will raise the price of gasoline, make us more dependent on foreign oil, and they won't create a single job. Most importantly, these amendments also won't save the taxpayers any money because they stand little chance of being enacted. Even if the amendments were to pass today, they won't get out of this Chamber because of our Constitution that says that revenue measures must originate in the House of Representatives. So when this bill, if it passes the Senate, goes to the House, they are going to reject it, or they use the term "blue slip" this bill, and it is going to come back to the Senate. So this bill, with these amendments, is dead on arrival in the other body.

It is also dead on arrival at the White House. We have had indications in a statement that President Obama opposes repealing the incentives and is open to new approaches that meet today's challenges and save taxpayers money.

I remember one of the first policy discussions I had with then-new Senator Obama. I was chairman of the Finance Committee. He came up, and we talked about what we could do working together to promote ethanol as an alternative energy. His idea was incorporated into a piece of legislation that became law. I was glad to work with him on it. So I thank President Obama for the statement he recently gave—again, now, as President of the United States—supporting alternative energies, biofuels, and, in this case, specifically ethanol.

The votes at 2 o'clock, then, are a fruitless exercise. So in a sense we are in political theater here as we debate these issues. We have already had this vote, and it was defeated 40 to 59.

Everybody knows oil is now hovering near \$100 a barrel, and everybody knows, as we hear once a month or maybe are reminded every day, unemployment is 9.1 percent. So why has the Senate taken a full week, voting twice,

on the same amendment that will increase prices at the pump, increase dependence upon foreign oil, and lead to job loss, or at least do nothing about the unemployment rate?

We should be having this debate in the context of a comprehensive energy plan. This debate should include a review of the subsidies for all energy production, not just singling out ethanol. Nearly every type of energy gets some market-distorting subsidy from the Federal Government. An honest energy debate should include ethanol, oil, natural gas, nuclear, hydropower, wind, solar, biomass, and probably a lot of other alternative energies I don't think of right now. By discussing it in the context of an overall energy policy instead of singling out ethanol right now, we would be able to then make sure we have a level playing field for all forms of energy because the government shouldn't be choosing between petroleum and alternative energy, as an example.

When the oil and gas subsidies were targeted, as the ethanol subsidies are being targeted right now and oil and gas subsidies were targeted last month, the president of the National Petrochemical and Refiners Association had this to say:

Targeting a specific industry, or even a segment of that industry, is what we would consider punitive and unfair tax policy. It is not going to get us increased energy security, increased employment, and it is certainly not going to lower the price of gasoline.

Well, those very same words could be said about the ethanol debate we are having right now because it would surely increase our energy insecurity, it would increase unemployment, and it is certainly not going to lower the price of gasoline.

So it seems to me that the old saying about what is good for the goose ought to be good for the gander applies. So what is good for a subsidy on petroleum and the people who defend that—why would we want the inconsistency we are demonstrating here? Because that gets back to how I voted on that provision about a month ago. I voted that we ought to deal with oil and gas and ethanol and all of those things in the same context and make sure they fit into an overall national energy policy.

In December 2010, Congress enacted this 1-year extension of VEETC, the volumetric ethanol excise tax credit, also known as a blenders' credit. We extended it for 1 year. That is what is being repealed in the Coburn amendment. This 1-year extension has allowed Congress and the domestic biofuels industry to determine the best path forward for Federal support of biofuels and for the phasing out of that subsidy.

As a result of these discussions, Senator CONRAD and I introduced bipar-

tisan legislation on May 4 that is a serious, responsible first step to reducing and redirecting Federal tax incentives for ethanol. Our bill will reduce and phase out VEETC over a period of a few years. It also would extend through 2016 the alternative-fuel refueling property credit, the cellulosic producers' tax credit that deals with a second generation of ethanol from things other than grain, and the special depreciation allowance for cellulosic biofuels plant property.

Earlier this week, I joined Senator THUNE and Senator KLOBUCHAR in introducing another bipartisan bill to immediately reduce and reform the ethanol tax incentive. It includes many of the same features as the bill I introduced last month with Senator CONRAD, but it enacts these reforms this year, right now. Senator THUNE's approach also leads to significant deficit reduction.

The legislation we have introduced is a responsible approach that will reduce the existing blenders' credit and put those valuable resources into investing in alternative-fuel infrastructure, including alternative-fuel pumps or, as Senator KLOBUCHAR used the term, blender pumps. It would also make significant investments in advanced and cellulosic ethanol. That is the second generation of ethanol. That is where we want to go so we are not using grain for fuel. It is a forward-looking bill that deserves widespread support.

The Thune-Klobuchar bill of which I am a cosponsor will responsibly and predictably reduce the existing tax incentive and help get alternative-fuel infrastructure in place so consumers can decide which fuels they prefer. We shouldn't pull the rug out from under this industry that has made these enormous investments. We need to provide a transition.

I know that when American consumers have the choice, they will choose domestically produced, clean, affordable, renewable fuel. They will choose fuel from America's farmers and ranchers, rather than from oil sheiks and foreign dictators.

Both of the ethanol reform bills I mentioned are supported by the ethanol advocacy groups. In an almost unprecedented move, the ethanol industry is advocating for a reduction in their Federal incentives. No other energy industry has come to the table to reduce or eliminate subsidies. No other energy lobby has come to me with a plan to reduce their Federal support. For sure, Big Oil hasn't come forward with any suggestions on reducing their subsidies.

The best way to get deficit reduction that gets to the President's desk with a Presidential signature is a responsible transition such as the one offered by Senator THUNE and Senator KLOBUCHAR. Otherwise, this exercise today and these two votes today are a waste

of time. This vote will simply put many Members of this body on record in support of a \$2.4 billion tax increase.

I would encourage those who wish to reduce incentives and save taxpayers' money to work with Senators THUNE and KLOBUCHAR and the rest of us on a responsible transition that has a chance of being enacted and, most importantly, signed by the President; therefore, I urge my colleagues to oppose these two amendments.

I have always said that ethanol shouldn't be singled out, that it ought to be talked about in the context of an overall energy policy. But one of the reasons it has been able to be separated from all of the rest of the alternative energy as well as from all the rest of our energy policies we have for this country is because there is a great deal of ignorance about ethanol. We can tell that in this town when we hear a lot of people mispronounce the word "ethanol" with a long "e." So I want to refer to some of these things, and I am going to use statements from the sponsor of the bill and refute some of these things I think are really wrong.

The first one:

We can save \$3 billion if we eliminate the VEETC blending subsidy.

Well, there are a lot of numbers thrown around about how much this incentive costs and how much the Coburn amendment would save. I have a letter from the Joint Committee on Taxation with a score of the Coburn amendment. The fact is, the amendment, if enacted on July 1, 2011, would increase revenue to the Federal Treasury by \$2.4 billion, not \$3 billion as the author stated. Again, the Coburn amendment, if enacted, would be saving \$2.4 billion. That is from the Joint Committee on Taxation; that is not my estimation. That is the estimation of the people who score for the Congress of the United States what impact various tax bills have.

Another statement:

All the blenders of gasoline in the United States—all of them—have called and written and said: "We do not want the \$3 billion for the rest of the year."

I have a letter from the Society of Independent Gasoline Marketers of America—and they go by the acronym SIGMA—to the Senate majority and minority leaders opposing efforts to prematurely and abruptly eliminate the blenders' credit, contrary to the statement I just read that all the blenders want to do away with this.

The letter states:

As the leading marketers of ethanol-blended fuel at the retail level, SIGMA members and customers are the beneficiaries of VEETC. Simply put, SIGMA opposes recent moves to prematurely or abruptly end the subsidies without any consideration for future fuel and fuel-delivery costs. To end this incentive immediately would no doubt result in immediate spike in consumers' fuel costs.

That is the end of the quote from the Society of Independent Gasoline Marketers of America.

So I hope somebody will put that in their pipe and smoke it because the fact that all of these people, we have been told here on the floor of the Senate, don't want this—well, that is an incorrect statement.

Another statement:

According to the U.S. Department of Agriculture, 40 percent of last year's corn crop was utilized, converted to ethanol.

It is true that almost 40 percent of the corn crop went into the ethanol plant to produce ethanol. But what it doesn't tell us is that out of a 56-pound bushel of corn, there are 18 pounds of animal feed left over that is more efficient in fattening animals than even the original corn. That is called dried distillers grain. So I do not want people of this body to come to me in their ignorance and tell me we are using too much corn and saying it is 40 percent of the corn crop when 18 pounds out of every 56-pound bushel of corn is for very efficient animal feed. So I am going to take credit for that 18 pounds and refute this statement that 40 percent of last year's corn crop was utilized and converted to ethanol.

One bushel of corn produces nearly 3 gallons of ethanol and 18 pounds of high-value animal feed. In 2010, 4.65 billion bushels of corn were used to produce 13 billion gallons of ethanol. But ethanol production uses only the starch from the corn kernel. More than one-third, or 1.4 billion bushels of dry distillers grain, is left over available as a high-value livestock feed.

On a net basis, ethanol production used only 23 percent of the U.S. corn crop—far less than the 40 percent that Senator COBURN claims. According to the U.S. Department of Agriculture, feed use consumed 37 percent of the U.S. corn supply, much more than the 23 percent consumed by the ethanol production.

The next statement that is incorrect:

The American people ought to take into consideration when they go buy a gallon of fuel today—you already have \$1.72 worth of subsidy in there. It does not have anything to do with oil and gas drilling.

I believe Senator COBURN is referring to a report from the Congressional Budget Office. For the record, that report relied on the questionable assumption that only a tiny fraction of ethanol consumption is attributable to the ethanol tax credit. Regardless, I am glad he raised this point about subsidies and oil and gas drilling.

Our colleagues may be interested to learn of the hidden cost of our dependence upon foreign oil. And these are not my estimates. I am going to give you references for you to look up.

A peer-reviewed paper published in *Environment Magazine* in July 2010 concluded that “. . . \$27 to \$138 billion dollars is spent annually by the U.S. military for protection of Middle Eastern maritime oil transit routes and oil infrastructure, with an average of \$84 billion dollars per year.”

Isn't it convenient to forget those costs of our national defense, such as keeping oil lanes open so we can get oil to the United States that we spend \$835 million every day to import oil?

I wish to refer to another one.

Milton Copulos, an adviser to President Ronald Reagan, a veteran of the Heritage Foundation, and head of the National Defense Council Foundation, testified before Congress in a recent year on the “hidden costs” of imported oil.

Mr. Copulos stated that by calculating oil supply disruptions and military expenditures, the hidden costs of U.S. dependence on petroleum would total up to \$825 billion per year. The military expenditure is equivalent to adding \$8.35 to the price of a gallon of gasoline refined from Persian Gulf oil. There is no hidden—this is important about ethanol—because there is no hidden U.S. military cost attributable to homegrown, renewable, environmentally good ethanol.

Here is another statement I wish to refute:

There is a big difference between a subsidy that is a tax credit and allowing someone to advance depreciation because they are going to write it off anyhow.

The net effect to the Federal Government's revenue, if you take all of those away, is still zero.

That statement wants you to believe that all the tax benefits the oil industry gets are just tax benefits; they are not a subsidy. Well, my response is, I have to refer to a September 2000 report by the Government Accountability Office. But that report concluded that the Federal Government has granted tax incentives, direct subsidies, and other support to the petroleum industry. They describe tax incentives as Federal tax provisions that grant special tax relief designed to encourage certain kinds of behavior by taxpayers or to aid taxpayers in special circumstances.

According to the Government Accountability Office, the tax break allowing for the expensing of intangible drilling costs began in 1916. The percentage depletion allowance was enacted in 1926.

The Government Accountability Office estimated that these two tax incentives led to a revenue loss of as much as \$144 billion between the time studied by the Government Accountability Office, which goes from 1968, to when the report was given in the year 2000.

I would say to my colleagues that those figures I just gave you are a far cry from the zero revenue effect that Senator COBURN claims for the oil industry. These are the Government Accountability Office's words and figures. They refer to them as tax incentives that resulted in the loss of revenue of more than \$100 billion to the Federal Treasury over a 32-year period.

I have heard Senator COBURN on the floor on many occasions talking about the dire fiscal situation our country is in. I find myself voting with Senator COBURN most of the time. But on this issue, I disagree. Yet on this issue, it sounds as though he is arguing about semantics. One is a “subsidy,” yet the other is a “legitimate business expense.” In other words, in the case of ethanol, it is a subsidy. In the case of Big Oil and their taxes, it is a legitimate business expense.

I am not sure this argument over terminology will give our children and grandchildren much comfort when they are picking up the trillion-dollar tab over the next couple of decades.

The last statement I wish to refute is this:

Corn prices are at \$7.65 a bushel.

Well, that had to be a couple days ago because I get a report every day on corn prices at my local elevator in New Hartford, IA. They were \$7.10 yesterday. But let me quote again.

Corn prices are at \$7.65 a bushel. They are 2½ times what they were 3½ years ago. [Ethanol] has been, this last year, the significant driver.

Let me suggest, first of all, that he is right, 3½ years ago, corn was about \$7 a bushel. But 6 months later, it was \$3.58 a bushel. So anybody who thinks corn is going to stay at this historically high price is not very smart. And if farmers are spending money according to that, they better slow up because they are going to be caught off guard and out of business like they were in the 1980s.

So this is my response, in addition to what I said about corn going down to \$3.58: Grain used for ethanol accounts for approximately 3 percent of the world's coarse grain. Let me reflect on that statement for a minute, because you get the opinion, when they say 40 percent of U.S. corn is used in ethanol, that, ye gods, what are people going to eat? But worldwide—and the grain market is worldwide—the global marketplace decides the price of grain. And worldwide, only 3 percent of the coarse grain—and corn is one of the coarse grains—is used for fuel. Because of the increased corn production, the amount of grain available for non-ethanol use is growing.

In the year 2000, there were 2.4 billion metric tons of grain available for uses other than for ethanol. Even with the growth of the ethanol industry, last year there were 2.6 billion metric tons of grain available for uses other than for ethanol.

It is also important to review the cost of corn in retail food prices. The corn price today: The corn cost in a gallon of milk is about 46 cents. The cost of corn in a pound of chicken is 34 cents. One pound of beef takes 92 cents worth of corn. One pound of pork requires 39 cents.

So you have all these excuses coming from the food manufacturers of the

United States that ethanol is the cause of food prices rising. But you can see in the figures I just gave you that what the farmer gets out of a dollar's worth of retail food is about 21 cents. And you could cut this in half, and it will be cut in half, like it was 3½ years ago. But when the price of corn goes down, you are not going to see big food manufacturers reducing their cost of food by 20 percent because they need ethanol as a scapegoat to raise the price of food.

That is all I have to say about ethanol. But I do have an amendment I am submitting to this bill that is before us that is unrelated to ethanol, but it also brings up the same point: that there are a lot of places in this budget we can save money.

Senator JOHNSON of South Dakota and I are submitting this amendment that pertains to setting limits that any one farmer, including this farmer, can get from farm program payments.

I have been pushing for reform of farm program payments for many years. Some folks from outside of Iowa unfamiliar with this issue may be surprised that I am the Member who keeps pushing these reforms. They may think: Iowa's economy relies heavily on agriculture. Why would a Senator from a farm State such as Iowa want a hard cap on farm payments?

But Iowa farmers understand why I continue pushing for a hard cap. This is about making sure the farm programs provide what they are supposed to provide: a safety net for those who need it; basically, farmers who have the economic incapability of overcoming natural disasters and political issues and international politics that they have no control over that affects the impact of farm income. Those are small and medium-sized farmers. They are not these megafarmers that are 10 percent of farmers getting 70 percent of the benefits out of the farm program.

These small and medium-sized farmers—as, of course, bigger farmers do—play a vital role in supplying our Nation and world with food. However, they are continually, as small farmers, faced with the challenge of rising land prices and cash rents. Many times, young and beginning farmers cannot compete because of high land prices and rents. There is no doubt the rise in commodity prices is part of the reason for higher land prices and cash rents.

But, currently, farm program payments are also placing upward pressure on land prices. This is not how it is supposed to work. What I just said means we are subsidizing big farmers to get bigger. There is nothing wrong with big farmers getting bigger. I do not argue with that in any segment of our economy. But we should not be subsidizing big farmers to get bigger.

The farm program was put in place to provide a safety net for farmers. It is meant to help them get through tough times. The farm program was not cre-

ated to help big farmers get bigger. Let me repeat for you—because it cannot get enough emphasis—10 percent of this Nation's largest farmers receive 70 percent of the farm program payments.

These large farms do not need these program payments to get through tough times. Small and medium-sized farmers do not need nonmarket factors driving up the land prices and cash rents.

This amendment is a commonsense solution to this problem. Reform the farm program so it works as a true safety net for those it was intended for. We can do that by placing limits on how much a single farm operation can receive in program payments. The government should stay out of subsidizing the growth of large farms.

In addition, this amendment tightens the requirements for people to be considered an actively engaged farmer. For too long, people have gamed the system and received farm payments that the law did not intend.

There have been a number of amendments submitted to the EDA bill before us in the name of saving taxpayer dollars. The ethanol amendment—supposedly that is one of the motives behind it.

By setting hard payment caps, and making these other reforms, we will save the U.S. Treasury approximately \$1.5 billion over 10 years.

The headlines around here are dominated by the problems of the budget. Many of my colleagues have come to this floor in recent weeks and discussed government spending and the big debt.

If this body is going to be serious about cutting spending, then this amendment I am laying before you as a limitation on farm payments is a continuation of that effort. Instead of spending time debating the merits of programs that assist the renewable energy industry, an industry that, by the way, helps us wean ourselves off our need for foreign oil, why do we not agree to make cuts in areas we should be able to have an agreement?

This is a simple and commonsense way for us to save money, while at the same time making sure the farm program accomplishes what it is supposed to.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 9 minutes 37 seconds remaining.

Mr. THUNE. Mr. President, I wish to join my colleague from Iowa, who has been a great leader over the years on the issue of biofuels, in trying to transition our country away from the dangerous dependence we have on foreign oil and over the years has worked to put in place policies that have helped build an industry literally from the ground up. The ethanol industry, in its

inception many years ago, sort of started with just a few farmers getting together. Today they are producing about 13 billion gallons of ethanol. It represents 10 percent of our entire fuel supply. There is not any other fuel in the country that provides the alternative to traditional gasoline ethanol does.

That is the result of a lot of investment, a lot of hard work by a lot of people over the years. It has also been as a result of a dependence upon what has been fairly stable public policy. Now there is a debate about whether that public policy ought to change. That certainly is a debate we can have. I do not wish to get into the merits of the individual elements of ethanol policy because obviously people are going to disagree about that.

But I am going to point out that we put this policy in place in December of last year. In December of last year, we told this industry, which represents—these are 204 American-owned plants. These are American companies that employ almost 500,000—indirectly or directly—American jobs and American workers in this country. So we told them, in December of last year, 81 Senators—81 Senators, many of whom are now saying, I am going to vote to do away with this particular tax policy—81 Senators voted for it. We had 81 votes in the Senate in December that said these are going to be the rules of the game until December of this year.

So now we have this effort to completely change the rules in the middle of the game. I have not been here all that long. I served three terms in the House of Representatives. I am in my seventh year in the Senate. But I do not recall an occasion where we have ever done anything such as this, where the Congress has put policy in place, made commitments to American businesses—in this case, people who employ American workers—and then tell them 6 months later, I am sorry, we are going to pull the rug out. You are out there on your own now.

It would be one thing if these decisions were made in a vacuum. But most of these businesses made investment decisions based upon public policy that was put in place by this Congress. We cannot, in good faith, now go tell them we are just going to jerk this policy out of the way. Does our word mean anything around here?

To start with, we have an issue with this particular amendment because it is unconstitutional. We cannot originate a tax measure in the Senate. So it will be blue-slipped in the House of Representatives, which makes everything we are doing right now largely symbolic. This bill is not going anywhere.

But there seems to be people who are intent upon making some sort of statement, I guess, or trying to send some sort of a message. But the end result, if

what they were trying to accomplish today were to become law, is we would raise gas prices because we are talking about a \$2.4 billion increase in taxes on people who inevitably are going to pass it on. So why would we want to start raising gas prices at a time when we have historically high gas prices and people are already being pinched at the pump?

So we single out a specific industry. I have heard people get up today and say: Well, we voted for tax extenders last year, but you know what, they were part of a bigger package. We did not have to agree with all of it. Well, then, do not vote for it and, surely, have the debate then. Why were we not debating the issue last December? If people had issues with this, they should have been brought out then when we put this policy in place.

What, in effect, we are doing is singling out an industry and saying: We are going to punish you by changing the rules in the middle of the game because we do not like your industry or because we do not like this particular tax provision.

Well, we had a similar debate a few weeks ago. There was an effort to do something on oil and gas tax provisions. The argument that was made at the time, myself included, was why would we single out a specific industry? If we are going to do this, let's do this in a comprehensive way when we look at all types of policies, tax expenditures, favorable tax treatment that various industries in this country get, and let's examine them all together. Let's make some changes.

This is selectively singling out a specific industry and changing a tax policy in the middle of the year. There has been a statement made on the floor that people who get the benefit or the blenders credit do not want it. It strikes me at least, if they do not want it, they do not have to take it. They have to file for it. They have to file with the IRS. If they do not want the blenders credit, they do not have to take it. But most of the people who file for the blenders credit, it is assumed, are going to pass it on to the retailer, to the gas station, and ultimately to the consumer so it will result in lower prices.

Most of the refiners anyway are large, integrated oil companies that, frankly, do not want the competition that is represented by the ethanol industry. They do not have to take the blenders credit. They have to do something to get it. They have to file with the IRS in order to receive it.

One other point I wish to make, because there has been some talk as well about ethanol and the environmental benefits, there are certain States in the country that perhaps would like to have even higher standards. But if we compare ethanol to traditional gasoline, according to the EPA, in terms of

greenhouse gas emissions—lifecycle greenhouse gas emissions—it is 20 percent lower, corn-based ethanol. When we get to cellulosic ethanol, which is the next generation of biofuels—if we can get there, if we do not completely do away with the platform we have today with corn-based ethanol—it will have a 60-percent lifecycle greenhouse gas emission advantage over traditional gasoline.

So corn-based ethanol, 20 percent cleaner burning than traditional gasoline; cellulosic ethanol, 60 percent cleaner burning than gasoline. That is according to the Environmental Protection Agency, which does not take a particularly favorable view of these fuels because they like to include in their calculation types of elements, such as indirect land use in other countries around the world, which, frankly, we do not think ought to be part of the calculation, but even with that 20-percent cleaner burning than traditional gasoline for corn-based ethanol and 60 percent for cellulosic ethanol.

I wish to read, if I might, from a letter that I received from an organization called ACORE. That is the American Council on Renewable Energy. This organization is about 500 deep, represents about 500 other organizations; in some cases, American companies, universities, members such as Walmart, such as DuPont. This is what they say:

Current domestic ethanol production is also laying the groundwork and infrastructure for the more advanced biofuels of the future including cellulosic ethanol, algae-derived fuels, and drop-in fuels. We have already crossed the threshold of these home-grown biofuels meeting a substantial portion of transportation fuel demand for cars and light duty trucks; but they cannot be further developed without the infrastructure investments that are fostered by current ethanol production today.

They go on to say that:

The Thune-Klobuchar amendment ensures ethanol production will continue, while directing limited government resources to support infrastructure development and the transition to advanced biofuels.

The ethanol tax credit has been critical to increased domestic ethanol production and corresponding economic growth, job creation, enhanced energy security and lower gas prices. We urge you to oppose the Coburn amendment, which would prematurely terminate support for our domestic ethanol industry while failing to invest in critical infrastructure and advanced biofuels. We ask for your support of the Thune-Klobuchar amendment.

The Thune-Klobuchar amendment—we are working with the Senator from California, Mrs. FEINSTEIN, the Senator from Oklahoma, Mr. COBURN, on a solution that would hopefully lead us to a result. It would do what many of the folks in this Chamber want to see done. It would do away completely with the blenders credit, effective July 1, and with the ethanol tariff. It would also put money back into debt reduction.

We think that is a better way to do this. I hope those discussions will lead somewhere. But this vote today is going to be a largely symbolic vote for reasons I just mentioned: It is unconstitutional. It will be blue-slipped in the House of Representatives and, therefore, it makes absolutely no sense for us to be having this vote in the first place. It certainly does not make any sense for us to be sending a message to this industry that we want to do away with it.

I understand my time has expired.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak in favor of the Feinstein amendment. I am a proud cosponsor of this proposal because it will save us money, reduce food prices and do so in a responsible manner.

Ethanol enjoys truly unprecedented support from the Federal Government. First there is the renewable fuels mandate that requires ethanol to be blended into gasoline.

Second, there is a 45-cent-per-gallon subsidy to blend ethanol into gasoline that is costing the Treasury nearly \$6 billion per year.

Third, there is a 54-cent-per-gallon tariff on imported ethanol protecting the domestic industry from any serious competition.

And to top it all off the Federal Government spends billions every year to subsidize the growth of corn for ethanol.

In a time of fiscal constraint we simply cannot afford to prop up an industry with such enormous supports.

And these supports are not just costing taxpayers money, but they are also causing food prices to rise and harming our environment.

The USDA estimates that 40 percent of this year's corn crop will be used for ethanol. This is raising grain prices worldwide, especially hurting the needy.

For these reasons, the Feinstein amendment has the support of taxpayer rights groups, religious groups looking out for the needy, budget hawks concerned about our deficit, livestock growers who use grain as feed, the grocers and restaurants who are seeing food prices increase, and the environmental community who understand that corn ethanol requires enormous amounts of fossil fuels to be produced.

My support for the Feinstein amendment is not just because it is the right thing to do for our country and our Federal budget, but because it is the right thing to do for my home State. New Jersey has over 120,000 flex fuel vehicles, but does not have a single E85 ethanol pump in the entire State. 120,000 cars that are built to allow automakers to game fuel economy standards but may never see a drop of E85 fuel.

I know that this issue is important to our friends in the Midwest, but ethanol producers already have a guaranteed market for their product as a result of the Federal mandate. Now we have an opportunity to help families across the country by ending this failed ethanol policy and providing relief both in terms of their taxes and their food prices.

For these reasons, I will be voting in favor of the Feinstein Amendment and urge my colleagues to do the same.

I also think this vote is important for the larger debate over the deficit.

Our friends on the other side of the aisle have said revenues cannot be a part of the strategy to reduce the deficit. I think this vote and the one earlier this week in which 34 Republicans voted to end these wasteful ethanol tax breaks show there is bipartisan support for cutting wasteful tax subsidies and loopholes and that these revenue expenditures must be part of any solution on the deficit.

As I speak about that, let me end on another item I think should be on the table, one I have been promoting. The first place to start in terms of tax expenditures is oil subsidies.

A bipartisan majority of 52 Senators voted recently to end these tax breaks. If these 34 Republicans come into the fold, we could work together to make some real progress. Oil companies do not need these subsidies—I am talking about the big five—with oil trading at nearly \$100 per barrel. They have all the incentive they need in the marketplace. But cutting these subsidies, we can cut the deficit by \$21 billion. This year alone these companies are projected to earn up to \$144 billion in profits—not proceeds but profits. If they can simply live with a mere \$142 billion in profits, then they can do their share to reduce the deficit without raising gas prices.

It is time to come together across party lines and to end wasteful tax subsidies and lower the deficit. This vote is an important first step, and I think by doing so we will—notwithstanding the issues about blue slips and constitutional impediments—send a clear sense of the Senate that will move us in a direction that will end the ultimate subsidies and help us reduce the deficit. I think ending oil subsidies will get us on a path to a bipartisan solution that is critical for the Nation.

Mr. HATCH. Mr. President, I rise today in support of Senator McCain's amendment to prohibit the use of Federal funds for the construction of ethanol blender pumps and ethanol storage facilities. My vote today is not a vote against ethanol as a transportation fuel. I strongly support the greater use of alternative transportation fuels and alternative-fuel filling stations in the United States. In certain cases, I have even advocated for government support of these goals. But

government support for a source of energy should create a temporary boost, not a long-term Federal dependency. It is just as foolish to attempt to build an economy on subsidized energy as it is to build a house on the sand.

I have been criticized for opposing a Democratic proposal to raise taxes on domestic oil producer, but there is a difference in the size of the Grand Canyon between allowing oil companies to keep a portion of their own profits, which they use for more domestic energy production, versus handing out very large amounts of taxpayer cash to ethanol companies. Ethanol companies not only have a lower tax rate than oil companies on average, they also benefit from the ethanol excise tax credit, from government handouts for ethanol filling infrastructure, a large Federal mandate forcing refineries to produce ethanol whether it makes economic sense or not, and an ethanol import tariff.

I cannot conceive of any justification for a program that hands out taxpayer funds for an activity as it does for ethanol blender pumps and storage facilities when it already has a Federal mandate forcing it into what used to be the free market. In my book, there is no greater subsidy than Federal mandate, and that alone is more than ethanol deserves.

I have supported broad-based incentives for alternative fuels in the past, but enough is enough, and in the case of ethanol, it is more than enough by far. Affordable energy is basic to a strong economy just as a healthy blood supply is basic to human life, and a long-term handout is no substitute for affordability.

I will continue to support reducing our dependency on foreign oil by increasing domestic energy production, increasing the efficiency of our transportation sector, and increasing the diversity of our transportation fuels. But those goals should focus on energy sources that can compete in the free market. Reliance on noncompetitive energy sources will only drag down our economy.

Mr. President, I urge my colleagues to support more competitive America by voting for Senator McCain's amendment.

Ms. COLLINS. Mr. President, I am pleased to join Senators FEINSTEIN and COBURN supporting an amendment to repeal the ethanol excise tax credit and the ethanol import tariff. These policies are fiscally irresponsible, environmentally unwise, and economically indefensible. Today we have another opportunity to take action to end them.

Historically, our government has helped a product compete in one of three ways: we subsidize it, we protect it from competition, or we require its use. Right now, ethanol may be the only product receiving all three forms of support.

The ethanol tax break is extraordinarily expensive. The Government Accountability Office has found that the tax credit costs American taxpayers a staggering \$6 billion annually. This is quite a sum to prop up a fuel that is causing land conversion for corn production, commodity and food prices to rise, and is barely putting a dent in our Nation's dependence on foreign oil. With our amendment, we have the opportunity to immediately save American taxpayers nearly \$3 billion for the remainder of 2011 alone.

Ethanol use is mandated under the renewable fuels standard, RFS, which guarantees market for corn ethanol. Collectively, the first generation biofuels industry will receive tens of billions in unnecessary subsidies through the year 2022. If the current subsidy were allowed to continue for five years, the Federal Treasury would pay oil companies at least \$31 billion to use 69 billion gallons of corn based ethanol that the RFS already requires them to use. We simply cannot afford to pay the oil industry for following the law.

The data overwhelmingly demonstrate that the costs of the current ethanol subsidies and tariffs far outweigh their benefits. Just last summer, the Center for Agricultural and Rural Development at Iowa State University estimated that a 1-year extension of the ethanol subsidy and tariff would lead to only 427 additional direct domestic jobs at a cost of almost \$6 billion, or roughly \$14 million of taxpayer money per job.

While expanding our capacity to generate alternative, domestic fuel sources is an important step toward becoming less dependent on foreign oil, I have serious concerns about the effects of increased ethanol use. There are other alternative sources of energy that make far more sense.

The energy, agricultural, and automotive sectors are already struggling to adapt to the existing ethanol mandates. I have concerns with the partial waiver issued by the Environmental Protection Agency for the use of E15, a blend of gasoline containing 15 percent ethanol. Many residents in my state have already experienced difficulties using gasoline blended with just 10 percent ethanol, finding that it causes problems in older cars, snowmobiles, boats, and lawn mowers. The EPA's E15 waiver fails to adequately protect against misfueling and will add unnecessary confusion at the gas pump for consumers. We simply cannot place so many engines in jeopardy.

These first generation biofuel mandates also present environmental concerns as they could result in energy efficiency losses and increased air pollution because the mechanical failures can jeopardize the effectiveness of engine emission controls.

Over recent years, we have also seen food and feed prices increase as crops

have been diverted for the production of corn-based ethanol. We should be raising food crops for food, not for fuel. Senate Homeland Security Committee chairman JOE LIEBERMAN and I held a series of hearings in 2008 to examine the impact of corn based ethanol on food prices and we found that it certainly had a negative impact.

The cost of this policy to our Nation and its taxpayers, particularly given our current fiscal crisis, can no longer be ignored. At a time when we are projecting a deficit this year alone of \$1.5 trillion, how can we justify spending \$6 billion to subsidize ethanol?

I urge my colleagues, especially those who questioned the process used to bring an identical amendment to the floor just a couple days ago, to join me today in supporting the Feinstein-Coburn amendment to repeal these fiscally indefensible corn-based ethanol subsidies.

Ms. MIKULSKI. Mr. President, I rise in favor of ending lavish and unneeded ethanol subsidies. This is the second opportunity that my colleagues and I have to end unnecessary subsidies to one of the most profitable and wealthy industries in the world. In May, I voted to end \$2 billion a year in tax breaks to the five biggest oil companies that made more than \$36 billion in profits in the first 3 months of 2011. And today I will vote to end \$6 billion a year subsidies for ethanol blenders.

While the Nation is facing record deficits and families and businesses in Maryland are getting crushed with high gas, corn and food prices, ending \$6 billion a year in tax breaks for ethanol producers is a no-brainer. The numbers speak for themselves. This subsidy doesn't help the chicken farmers on the eastern shore of Maryland who are paying corn costs that are three times higher than they were 5 years ago. It isn't making us less dependent on foreign oil. And it certainly isn't reducing the deficit. The only thing this subsidy is doing is padding the pockets of oil companies who blend ethanol. These companies don't need taxpayer help to survive—let alone thrive.

At a time when Congress is considering devastating cuts to FIRE grants for our first responders, home heating oil assistance for seniors, and nutritious foods for pregnant women and newborns, it makes no sense to preserve a \$6 billion a year tax break for an industry that doesn't need it. If we are serious about the deficit, we have to make smart decisions. Ending these subsidies is a long overdue answer to getting this country back on track to fiscal sanity, and not in a way that hurts middle class families or traditional industries in Maryland.

Ethanol blenders have hit the trifecta of government support. First, the law requires that ethanol be used in gasoline. Second, blenders get a 45-

cent-per-gallon tax credit. And third, it is protected by a tariff which discourages the import of cheaper, more efficient, and more environmentally sound types of ethanol. The Feinstein amendment does not change the requirement that ethanol be used in gasoline. It simply ends the unneeded and lavish subsidy to oil companies that blend the ethanol.

It is time to stop filling up oil industry profits while draining taxpayer's wallets. Ending these subsidies will right a wrong in the tax code and ensure that middle class families aren't on the hook for more giveaways. Let's pass this bill, end these subsidies, and put our efforts into additional ways to reduce the deficit.

Mr. LEVIN. Mr. President, I will vote to oppose both the amendments offered today.

I share many of the concerns of Senator FEINSTEIN and others in this body about the impact of the volumetric ethanol excise tax credit. I am particularly concerned that this credit may increase the price that Americans pay for food, something few families can afford these days.

But I cannot support Senator FEINSTEIN's amendment, for three reasons.

First, I fear that her amendment, while addressing tax credits for corn-based ethanol, would also remove support for other, non-corn sources. While I applaud Senator FEINSTEIN for maintaining support for cellulosic ethanol production, we should not reduce support for other non-corn sources that have potential to help reduce our dependence on imported oil without affecting food prices. For example, companies in my state and elsewhere are working on production of biofuels from algae. I believe any attempt to address tax credits for corn-based ethanol should leave intact support for these non-corn sources.

Second, I fear that ending this credit now, more than 6 months before it is set to expire, would unfairly burden business that have made plans with the assumption that the credit would remain in place at least until then. These businesses have a right to expect that Congress will not pull the rug out from under them.

Third, I am concerned that by attaching this amendment to an important piece of legislation, we endanger passage of that legislation. I support the underlying bill, which would reauthorize the Economic Development Administration. The EDA is an important resource for communities across the country, and at a time when jobs should be our top priority, we should support programs with proven records of job creation. But by attaching a revenue measure to EDA bill, the House will almost certainly "blue slip" the bill and thereby doom it.

I also will oppose the amendment offered by Senator MCCAIN. I believe that

we should support the creation of infrastructure that will support alternative energy development. By prohibiting Federal funding for creating infrastructure to support ethanol production and use—including cellulosic ethanol and other non-corn sources—Senator MCCAIN's amendment would make it more difficult for us to develop these new sources of energy, sources we need to end our dependence on imported fossil fuels.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to discuss two amendments to the underlying bill: amendment No. 411 offered by Senator MCCAIN and amendment No. 476 offered by Senators FEINSTEIN and COBURN.

I oppose these amendments. Abruptly pulling support for ethanol, as these amendments attempt to do, runs counter to vital efforts to reduce dependence on foreign oil. The ethanol industry supports over 400,000 American jobs, offers consumers a choice at the pump, lowers fuel prices, and displaces millions of gallons of foreign oil with a homegrown alternative.

Amendment No. 476, offered by Senators FEINSTEIN and COBURN, would eliminate the blender tax credit for the use of ethanol and end the tariff on imported ethanol that ensures tax incentives are limited to domestically produced renewable fuels. Senator MCCAIN's amendment, No. 411, would block federal efforts to promote ethanol blender pumps or ethanol storage facilities. Last fall, Agriculture Secretary Vilsack announced a goal of installing 10,000 blender pumps nationwide over 5 years to help give consumers a choice at the pump. Senator MCCAIN's amendment would end this type of important initiative to promote renewable fuel infrastructure.

While I support responsible efforts to reform and significantly reduce the cost of tax incentives for ethanol, we must focus on developing our ethanol infrastructure that will facilitate the transition toward advanced biofuels and cellulosic ethanol. The renewable fuels industry, and ethanol in particular, has played an important role in addressing our energy needs. Our support of renewable fuels to date has brought us to a point where ethanol displaces millions of gallons of oil. Unfortunately, this amendment would not only hinder our existing ethanol industry, but it would also stall the development of the next generation of biofuels like cellulosic ethanol.

Ethanol also has been shown to reduce prices at the pump. A recent study by the Center for Agricultural and Rural Development, CARD, found that the increased use of ethanol reduced wholesale gasoline prices by an average of \$0.89 per gallon in 2010. At a time when high fuel prices are having a detrimental impact of the budgets of millions of Americans, it is important that we not hastily take steps that will further increase those prices.

Rather than voting to abruptly end the current incentives for ethanol, I have worked with colleagues on an alternative proposal that would transition from the existing blender credit to targeted investments, while also reducing the deficit. This effort, led by Senators KLOBUCHAR and THUNE, would end the current form of the volumetric ethanol excise tax credit and redirect a portion of the estimated savings toward deficit reduction and the remaining toward renewable fuels infrastructure, a safeguard credit for ethanol should oil prices fall below certain points, and continued support for small producers and development of advanced biofuels.

I support efforts to reform incentives that promote our renewable fuels industry and reduce the deficit, but I oppose these amendments. I hope that my colleagues will continue to discuss further alternatives that ensure we continue to have a strong renewable fuels industry.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I want to speak for a couple of minutes, until another speaker arrives on the other side. If I might, I want to elaborate on where these discussions are that we have been having with regard to getting a result and a solution that I think actually could get enacted and become law.

Since we first had this vote a couple days ago, I have been in conversations, along with Senator KLOBUCHAR from Minnesota, Senator COBURN, and Senator FEINSTEIN, the sponsors of this amendment, to see if there isn't some way we can find something we could actually do that would accomplish what probably many of them would like to see accomplished but doing it in a way that is not disruptive, that is a thoughtful approach to the future of the biofuels industry, and that actually does something meaningful in terms of dealing with the debt and deficit.

Those discussions continue. I think we continue to get closer and closer to an agreement. I hope my colleagues will continue to talk and discuss this matter. We will continue those discussions after the vote at 2 o'clock. I say that to let my colleagues know that even though this particular vote is going to amend a piece of legislation that perhaps isn't going to go anywhere—and certainly this amendment, because it is a blue slip and has a constitutional issue, isn't going to go anywhere—there are earnest discussions going on that I hope will yield a result.

Again, in my view, there is a better way to do this. Obviously, there are people who feel strongly and deeply, and we have heard the emotion of this debate over the last few days about this subject. But there is, in my view, a right way and wrong way to do this. The right way is to do it so that we are not pulling the rug out from under an industry after we already put in place policy that they have relied on in terms of their investment issues.

I hope we can get that agreement, and I certainly hope my colleagues will bear that in mind. There are a number of Members here who obviously are very supportive of the legislation that Senator KLOBUCHAR and I introduced earlier this week, and we heard Senator GRASSLEY speak to that point and others who are cosponsors.

We continue to work with the sponsors of the Coburn-Feinstein amendment to see if there isn't a path forward that will enable us to pass something through the Senate. I wanted to let my colleagues know that and apprise them of the status of those discussions. I hope we can come to a conclusion that will get a result and not simply have a vote that ends up being largely symbolic. We will continue to have discussions, and I will continue to keep my colleagues apprised of the discussions.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 476, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent to modify the pending Feinstein amendment with the changes at the desk.

This modification is to correct a drafting error made by legislative counsel.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end, add the following:

TITLE —ETHANOL SUBSIDIES AND TARIFF REPEAL

SEC. 01. SHORT TITLE.

This title may be cited as the “Ethanol Subsidy and Tariff Repeal Act”.

SEC. 02. REPEAL OF VEETC.

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(2) Section 6427(e)(6)(A) of such Code is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment the Ethanol Subsidy and Tariff Repeal Act”.

(b) ELIMINATION OF INCOME TAX CREDIT.—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking “2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”, and

(2) by adding at the end the following:

“After such date zero zero”.

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

SEC. 03. REMOVAL OF TARIFFS ON ETHANOL.

(a) DUTY-FREE TREATMENT.—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

“SUBCHAPTER XXIII
Alternative Fuels

Heading/ Sub- heading	Article Description	Rates of Duty		
		1		2
		General	Special	
9823.01.01	Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses	Free	Free	20%”.

(b) CONFORMING AMENDMENTS.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

- (1) by striking heading 9901.00.50; and
- (2) by striking U.S. notes 2 and 3.

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the later of June 30, 2011, or the date of the enactment of this Act.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the Feinstein-Coburn amendment No. 476, as modified.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Under the previous order, the amendment requires 60 votes for its adoption.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. SANDERS). The result was announced—yeas 73, nays 27, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—73

Akaka	Gillibrand	Nelson (FL)
Alexander	Graham	Paul
Ayotte	Hagan	Pryor
Barrasso	Hatch	Reed
Baucus	Heller	Reid
Begich	Hutchison	Risch
Bennet	Inhofe	Rockefeller
Bingaman	Inouye	Rubio
Blumenthal	Isakson	Sanders
Boozman	Johnson (WI)	Schumer
Boxer	Kerry	Sessions
Brown (MA)	Kyl	Shaheen
Burr	Landrieu	Shelby
Cantwell	Lautenberg	Snowe
Cardin	Leahy	Tester
Carper	Lee	Toomey
Coburn	Lieberman	Udall (CO)
Collins	Manchin	Udall (NM)
Coons	McCain	
Corker	McConnell	Vitter
Cornyn	Menendez	Warner
Crapo	Merkley	Webb
DeMint	Mikulski	Whitehouse
Enzi	Murkowski	Wyden
Feinstein	Murray	

NAYS—27

Blunt	Grassley	Lugar
Brown (OH)	Harkin	McCaskill
Casey	Hoeven	Moran
Chambliss	Johanns	Nelson (NE)
Coats	Johnson (SD)	Portman
Cochran	Kirk	Roberts
Conrad	Klobuchar	Stabenow
Durbin	Kohl	Thune
Franken	Levin	Wicker

The PRESIDING OFFICER. On this vote, the yeas are 73, the nays are 27. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

VOTE ON AMENDMENT NO. 411

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the McCain amendment No. 411.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Under the previous order, this amendment will require 60 votes.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 41, nays 59, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—41

Alexander	Enzi	Murkowski
Ayotte	Graham	Paul
Barrasso	Hatch	Portman
Blumenthal	Heller	Risch
Boozman	Hutchison	Rockefeller
Brown (MA)	Inhofe	Rubio
Burr	Isakson	Sessions
Chambliss	Johnson (WI)	Shelby
Coburn	Kyl	Snowe
Collins	Lee	Toomey
Corker	Lieberman	Vitter
Cornyn	Manchin	Webb
Crapo	McCain	Wicker
DeMint	McConnell	

NAYS—59

Akaka	Grassley	Moran
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Hoeven	Nelson (FL)
Bingaman	Inouye	Pryor
Blunt	Johanns	Reed
Boxer	Johnson (SD)	Reid
Brown (OH)	Kerry	Roberts
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schumer
Carper	Kohl	Shaheen
Casey	Landrieu	Stabenow
Coats	Lautenberg	Tester
Cochran	Leahy	Thune
Conrad	Levin	Udall (CO)
Coons	Lugar	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 59. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, the motions to reconsider the previous two votes are considered made and laid upon the table.

The majority leader.

Mr. REID. There will be no more rollcall votes this week. We will work on next week's schedule later today. I ask unanimous consent that the Senators from Massachusetts, Mr. KERRY and Mr. BROWN, be recognized for up to 10 minutes each, and following that time I be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

HOCKEY CHAMPIONSHIP

Mr. KERRY. Mr. President, before Mayor Menino ques the Duckboats for the victory parade on Saturday, I want to take a moment with my colleague on the Senate floor to celebrate an extraordinary victory by the Boston Bruins. After a grueling 39 years of so many ups and downs, heartbreaking misses and almosts, the Stanley Cup is coming back to Boston. That is thanks to the extraordinary grit of a special hockey team, a team that had remarkable character. I have to say—and I say this, I hope, cautiously because I know pride comes before a fall. Nevertheless, we in Massachusetts are blessed with an embarrassment of riches right now because last night's heart-stopping 7th game victory against the Vancouver Canucks is now allowing us to cele-

brate our seventh championship for our city in the last decade. Again, I know pride comes before the fall, but sweeping the Yankees a weekend ago and now winning this isn't too bad.

As a lifelong hockey fan and a guy who still tries to get around the rink occasionally when my hips allow me to do that, the Bruins' win last night was one of the sweetest ever. That is partly because it was in such a long time coming, but it is also because of the determination this team showed in getting there. Not since 1972 have the Bruins brought home a coveted Stanley Cup; and not since the 1970 championship of the legendary Bobby Orr's flying goal has there been so much for Boston hockey fans to cheer about.

This Boston Bruins team made history not just in the championship but in the way they got there. They are the first team in NHL history to win a game 7 three times in the same postseason. They did it with a kind of hard-nosed, selfless, remember-the-fundamentals, play the basics, gritty kind of teamwork that we in Boston admire so much.

During the Bruins' run to the championship, we got to witness a very special kind of pride and encouragement that came from our city. It was a black and gold Bruins jersey on the statue of Paul Revere, and before game 7 everybody got to see our injured forward, Nathan Horton, pouring a bottle of Boston water onto the Vancouver ice. This team couldn't and wouldn't lose at home, and last night Horton's magic water turned Vancouver into our home ice. Today all of New England is home to the world's champion, the Boston Bruins.

I have to say with last night's victory, yet another Bruin legend was born, goalie Tim Thomas. In seven spectacular games, again and again, Tim turned back Vancouver and held the Canucks to eight goals the entire series. In the final shutout, Tim had 37 saves. So it was more than appropriate that he was named the playoff's Most Valuable Player. I would say what Curt Schilling was to the 2004 Red Sox as Tim Thomas is to the Bruins today.

This Stanley Cup win is a victory for everyone in Massachusetts who has ever laced up a skate and braved the black ice on frozen ponds early in the morning, for every parent who has packed their kids into a minivan at 4 in the morning to get to practice. For everyone who remembers their heart skipping a beat when Bobby Orr sailed through the air in victory, for everyone who never stopped rooting for this team over a four-decade drought, we hear our own voices and the words of Tim Thomas last night when he proclaimed:

You've been waiting for it a long time, but you've got it. You wanted it, you got it. We're bringing it home.

Just as it was for the Red Sox for a long time, some people said this day

was never going to come. Just as it was for the Red Sox, and a curse that we no longer hear much about, some even blamed fate for the drought. But after last night, Mr. President, Boston proved once again: Never underestimate an underdog. So, final score: Bruins 1, Fate, 0.

I am proud to offer my congratulations to the Bruins players, the coaches, and the front office for a great series, for a great season, and for being great champions. This team never quit. They never lost focus. They believed in themselves as individuals. Above all, they believed in themselves as a team. So we cannot wait for Saturday when we will see the city of Boston's reflection in the polished silver and nickel of Lord Stanley's Cup. Welcome back to Boston.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I am honored to be able to speak as well with my friend and colleague, Senator KERRY, to celebrate this victory. I was 11 years old when it last happened. I come to the floor to recognize the Boston Bruins and their thrilling season and 4-0 victory in game 7 over Vancouver in the Stanley Cup finals.

I enjoy not being an avid skater like Senator KERRY. I am amazed at the way they go all out and then just slam each other up against the boards and actually get up. I find that amazing. Obviously, they are bringing the Cup back, as Senator KERRY said, for the first time since 1972.

We actually have a couple of Boston fans with us today. As my colleagues know, it is also the home of the Beanpot tournament and some of the best college hockey in the country.

The Bruins made history last night by becoming the first team in the NHL to win three deciding game 7s in a single playoff run, twice rebounding from being down two games to none. For Bruins fans, including myself and everybody I was with last night, we were very excited about the victories over the rivals from Montreal and then Philadelphia, Tampa, and finally Vancouver. It made for a memorable month.

Being the big underdog before the series began, the Bruins played inspired hockey to win Lord Stanley's Cup, and they did it as a team. They played outstanding defense against one of the best offensive teams in the NHL. Bostonians will never ever forget the sight of Captain Chara standing 6 feet 9 inches tall, which I find truly amazing, accepting the Stanley Cup and lifting it high above the ice. Chara led the incredible defensive effort in that series.

It was also an unforgettable moment for NHL veteran Mark Recchi. Playing in his final NHL game last night, Recchi capped a great career the way most professional hockey players can

only dream about—with the Stanley Cup in his hands moving around the ice. Last night, he said it was one of the best groups of players he has ever played with. For those of us who watched, we can attest that it was one fun team to watch. It was a lot of fun. Everyone was so excited, regardless of whether they were a Bruins fan, just to see the intensity with which the series was played.

It was a mixture of youth and experience, hard physical play and great scoring touch that helped put together this run. Brad Marchand, a Bruins rookie, has become a household name also with hockey fans after scoring an impressive 11 goals throughout the playoffs, setting the record for the most playoff goals by a Boston rookie and tying for second most in NHL history.

Patrice Bergeron, coming back from an injury that cost him two games earlier in the playoffs, scored the first goal in game 7 that set the tone. As Senator KERRY said, our clutch goalie, Tim Thomas, took home the Conn Smythe Trophy as the most valuable player during the playoffs. I didn't know a body could move like that, quite frankly. He was the consummate professional, literally unbeatable, with shutouts in games 4 and 7.

Behind the bench, as my colleagues know, Coach Claude Julien led the "Bs" with quiet confidence, even as his team faced daunting deficits and the devastating loss of forward Nathan Horton in game 3 of the Cup finals. The home team had won each of the first three games, so while he couldn't play, Horton was there to, as was referenced, take some Boston water and put it on the ice to make it our home ice. This is vindication for team president Cam Neely, a Bruins great for so many years; Peter Chiarelli, the general manager who put this great team together; and owner Jeremy Jacobs and his team as well.

With the Bruins' Stanley Cup victory, the city of Boston can, in a classy manner, celebrate this victory, as we have done before. As Senator KERRY also pointed out, we are very blessed in Massachusetts and in New England to have the Patriots, Red Sox, and Celtics to round out a decade that includes many world championships. Upon the arrival of the Stanley Cup in Boston today, the Bay State has hosted all four major championship trophies since 2005. As we all know, since 2002, the Patriots have won the Lombardi Trophy three times, the Red Sox have captured the World Series Trophy twice, and the Celtics have earned the O'Brien NBA Title Trophy once. That is an unprecedented run in sports history.

No longer left out, the Bruins can join a highly decorated group of teams that has never been matched. I didn't come down to the floor to brag about Boston's reputation as the home of the

greatest champions in professional sports. No, I have to say that the evidence is pretty compelling on its own.

So with great pride as the junior Senator from Massachusetts, today I also honor the 2011 Boston Bruins for their remarkable season and commend them for their relentless pursuit of Lord Stanley's Cup. Another championship banner will hang from the rafters of the TD Bank Garden, and I am very optimistic it will not be the last one for Boston, the hub of hockey.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Massachusetts.

Mr. KERRY. Madam President, before our time expires, listening to my colleague from Massachusetts, he reminded me about Captain Chara, the defenseman who raised the Stanley Cup last night, the tallest person ever to play in the National Hockey League. So that reminds me that, therefore, we are also making history because never has the Stanley Cup been held so high over the ice.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I am happy to be here to listen to my friends talk about hockey, and I will talk for just a minute about hockey. I was raised in the desert. When I came back as a Member of Congress, I wanted my boys to watch a hockey game. I wanted to watch one. I had never watched one. So we went to a hockey game. I tell my colleagues, it is a game you have to learn something about. For me, with no hockey experience, it was pretty difficult. They are on the ice just a few minutes and then off, back and forth, and it is hard to keep track of it. But I did have the opportunity twice to watch the great Gretzky and that was a great experience.

One of my most difficult, scary experiences of my life: There was a time when—well, they still do—Las Vegas had a minor league hockey team. I was asked to go out in the middle of that ice and drop a puck. I don't do very well, as demonstrated when a few weeks ago I slipped and fell and dislocated my shoulder on regular dirt. So to walk out on that ice was something that was frightening to me, and I have never forgotten that. So to have those men rushing up and down those rinks the way they do is truly astounding. My only heroism in hockey was my own heroism in convincing myself I should go out there.

Mr. President, our staffs have been working diligently for days now to find a path that would allow the Senate to complete action on the jobs bill which is now on the floor. They have worked so hard on this bill because it is legislation to reauthorize the successful Economic Development Administration, which has been so important to

this country since 1965. It is not an Obama piece of legislation. It was started by Lyndon Johnson, and every President since then, Democratic and Republican, has wrapped their arms around this legislation because it is so good for our country.

The Economic Development Administration has created jobs where they are most needed—in economically distressed communities. In just the last 5 years, for \$1.2 billion of investment, we have created 314,000 jobs. The merits of reauthorizing this job-creating administration are so very clear. EDA works with businesses, universities, and leaders at the local level, so it creates jobs from the bottom up. For every \$1 we invest as a government, we get \$7 in return. It helps manufacturers and producers compete in the global marketplace, and it is a great investment. Every \$1 from EDA, as I have indicated, attracts \$7 in private sector investment. That is a pretty good return.

Because of this agency's success and because each Senator is on record talking about the importance of creating jobs, including Senator BOXER in her capacity as the chair of that most important committee, the Environment and Public Works Committee, she has produced this bill. She has shown me statements by virtually every Senator in this Chamber about the merits of this bill—Democrats and Republicans alike. So this is the kind of bill that should pass on a bipartisan basis, if not unanimously, and it has passed in the past unanimously. In the past, that is what would have happened. We would have done this so quickly—but no more.

Now we find ourselves struggling just to bring it up for a vote. I heard the Republican leader this morning speak earlier about the state of play on the EDA bill. He said we have gotten this done. We have this to do and this to do and this to do.

Here is a brief review for our colleagues, so far, of what we have had on this bill. We have already had votes, again, on matters totally unrelated to this bill, including swipe fees, regulatory reform, ethanol—three votes on that. We have 70 amendments that have been filed. We have pending now a number of amendments relating to the debt limit, to Wall Street reform, health reform, Davis-Bacon, and 66 others that could be pending.

In addition, Senators have filed amendments that are related to immigration reform, the border fence, E-Verify, the estate tax, right-to-work laws, gainful employment regulation, a series of amendments dealing with endangered species, light bulbs and other energy-efficient provisions. There has been not a single amendment that has anything to do with this bill, not a single thing that is germane to this bill.

So I am going to continue to work with the Republican leader and hope-

fully find a way to complete action on this extremely important bill. But it seems, so far, to be a never-ending process. It is filibuster by amendment—amendment after amendment after amendment—amendments that have nothing to do with the legislation.

We can't continue this. This process has to end so we can pass this bill, let the private sector create jobs the American people need, and let the Senate move on to other pressing matters. I hope we can work something out, but in the meantime, I have no alternative as the leader of this Senate but to file cloture on this bill.

CLOTURE MOTION

Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that act, and for other purposes.

Harry Reid, Barbara Boxer, Frank R. Lautenberg, Thomas R. Carper, Sherrod Brown, Sheldon Whitehouse, Robert P. Casey, Jr., Christopher A. Coons, Jon Tester, Benjamin L. Cardin, Tom Udall, Jeanne Shaheen, Debbie Stabenow, Patty Murray, Kent Conrad, Richard J. Durbin, Joe Manchin III.

REIP ACT

Mr. CARDIN. Mr. President, today I rise to engage the Senator from South Dakota in a colloquy to discuss the Reduce Excessive Interest Payments Act, the REIP Act, which is a stand-alone bill that the junior Senator from Georgia and I introduced in March, and which we offered as an amendment, Senate Amendment No. 407, to S. 782, the pending legislation. The REIP Act protects homeowners from paying additional interest on their Federal Housing Administration-backed mortgages once they have repaid the loan's principal.

At present, FHA allows lenders to charge interest on a mortgagor's loan through the end of the month, even if the mortgagor pays the loan off at the beginning of the month, to cover the contractual obligation to pay investors in mortgage backed securities for the full month. Mortgagors with conventional mortgages or with Veterans Administration-backed mortgages stop accruing interest once the principal is repaid, despite there being a similar contractual obligation to pay such investors. I have deep concerns about the impact these excess interest payments have on FHA borrowers, who typically have limited resources, but may end up paying more interest on their loans than other borrowers. While some

might argue that this is merely an issue of educating the borrowers to encourage them to repay their principal at the end of the month, I am skeptical about whether the FHA mortgagors, who often repay their loans through selling their homes or refinancing their mortgages, have much ability to choose the day on which their transaction closes and the principal is repaid.

I understand that the Banking Committee and the Department of Housing & Urban Development, HUD, are willing to work with Senator ISAKSON and me and our staffs to further understand this issue and make sure that FHA policies regarding interest charges protect borrowers to the extent possible. Is that right?

Mr. JOHNSON of South Dakota. Yes, that is correct. My understanding is that HUD has been working to determine the impact of a change in how interest is accrued on FHA loans and the Department is committed to working with the junior Senator from Maryland on this issue. At the Banking Committee, my staff and I will also continue to study the issue and work with the Senator's staff and various stakeholders to discern the impact that such a change would have on interest rates and on the mortgage-backed securities market. With help from the Department and the junior Senators from Maryland and Georgia, we will move this process forward to bring about the best outcome for FHA borrowers.

I want to assure the junior Senator from Maryland that I share his concern for FHA borrowers and am committed to pursuing policies that protect borrowers while also ensuring robust real estate and mortgage markets. I thank my colleague for bringing this issue to the attention of the Senate and I look forward to working with him.

Mr. CARDIN. I thank the distinguished Senator from South Dakota for his consideration, and I compliment him for the excellent work he has done thus far in working to strengthen the real estate market and the economy in general during the economic downturn. I am sure the Senator will be pleased to learn that HUD committed to me and my staff that it would deliver within the next 2 to 3 weeks an analysis of how many borrowers are affected by the current interest policy and are required to pay excess interest. The last data published are from 2000 to 2003 but indicate what is at stake. Total excess interest payments from that period, according to the National Association of Realtors, amounted to more than \$1.3 billion. If hundreds of thousands of FHA borrowers could save hundreds of millions of dollars in excess interest payments each year, those savings could provide an economic stimulus in communities across the Nation that would not cost taxpayers anything. Additionally, in the

next 60 to 90 days, HUD will complete a study on the impact of changing interest calculations on its systems, and those of large and small lenders, and share those results with the Banking Committee and me.

Mr. President, with these assurances and commitments from the chairman and from HUD firmly in place, I will withdraw the amendment I offered on behalf of myself and the junior senator from Georgia, Senate Amendment 407, at the appropriate time.

PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 75, S. 679, the Presidential appointment efficiency and streamlining bill.

The PRESIDING OFFICER. The motion to proceed is now pending.

Mr. REID. Madam President, before I leave the floor, I wish to say a word to and about my friend, the Senator from California. As I have indicated, she is the chair of this most important committee, the Environment and Public Works Committee, which I had the good fortune of chairing on two separate occasions. She has been tireless in bringing legislation to this floor—attempting to. She has been talking about this bill for months, about how good it is.

When she sat down and reminded me of the merits of this legislation, I thought: This should be a good one, a job-creating measure. We need that right now. I have been very disappointed that we haven't been able to move forward. But it is not because of any lack of effort on her part.

She and I came to Washington together many years ago and served together in the House of Representatives. She is my friend, but she is also one of the most outstanding legislators we have had in this body, bar none.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business until 6 p.m. this evening, with Senators permitted to speak for up to 10 minutes each during that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California.

ECONOMIC DEVELOPMENT REVITALIZATION BILL

Mrs. BOXER. Madam President, I want to thank the Senator from Nevada, my friend, the majority leader, Senator REID, for his remarks. And I want to thank him for filing cloture on the EDA bill. He said the Economic Development Administration was started

by Richard Nixon. Actually it was continued by Richard Nixon. It was started by Lyndon Johnson in 1965 and supported by Presidents whether they were Republican, Democrat, liberal, moderate, or conservative.

Congress has supported this legislation. The last time the EDA was authorized, it was authorized by a voice vote in the Senate when George W. Bush was President and he signed it into law.

So one has to ask one's self: Why do we find ourselves in the middle of a filibuster? Why do we find ourselves with 91 amendments filed to this little bill that takes a \$500 million authorization and, because of the effect it has on the private sector, draws in private sector matching funds 7 to 1 and means it is a \$3 billion a year, basically, jobs bill? This is a jobs bill. Every Republican and every Democrat I know around here says: jobs, jobs, jobs. But they are killing another jobs bill. I think the American people have to understand, this list of amendments that has been filed—Senator REID went through a few of them. There is even one that relates to the prairie chicken. With all due respect, there may be a lot of issues surrounding the prairie chicken, but it has nothing to do with an Economic Development Act bill.

It goes on and on. It talks about protecting free choice for workers to refrain from participating in labor unions. This sounds familiar from a Governor from the Midwest. It talks about amending the Unfunded Mandates Reform Act.

Let's face it, we were not born yesterday. I wish I were, but I was not. The fact is—the print on this list is too small to even show up on the screen—we have a three-page list of amendments. We have 91 amendments filed to this bill—which is a jobs bill, which is a simple bill to reauthorize the Economic Development Administration's programs.

EDA is a great job creator. In our committee, every single Democrat and Republican, save one individual, voted for this bill. So it is bipartisan. It has been supported by Presidents since Lyndon Johnson. It has created, over time, millions of jobs. We know this particular bill, at its current funding level, would support up to 200,000 jobs a year or up to a million jobs over 5 years. And they are good jobs.

How does that happen? Because the EDA goes into local communities that have high unemployment rates. They bring together the local governments, the State government, the private sector, the nonprofits, and they say: What do you want to do here to attract industry, to attract consumers here? What do you want to do to rehabilitate this community?

Sometimes they say: We need a new road. We need a new water project. We want to build an industrial park for

new businesses. And this is what EDA does. So they are locally controlled ideas and a coming together of the Federal Government, the local government, the State government, and the nonprofits in a beautiful package that has resulted in millions of jobs over time since it started.

Here is what I want to say today as I go through my statement. The first thing I want to say is, we know what the other side is doing. They are killing these jobs bills by a frivolous list of amendment after amendment after amendment that has nothing to do with the bill.

This is not the first time. In this very spot, a few weeks ago, stood another Senator with a southern accent, MARY LANDRIEU from Louisiana. She is the chairman of the Small Business Committee. She had a fantastic bill called SBIR. It is a small business innovation research program that has been in place since the 1980s, brought to us by a Republican Senator named Warren Rudman.

Again, it is a bill that has always been without controversy. What did they do to that bill, my Republican friends? Death by filibuster, death by amendment, kill that jobs bill right here on the floor.

If you put that in the context of everything the Republicans have done since they picked up more seats around here, and they took over the House, here is the list: They still have not appointed conferees to the FAA, Federal Aviation Administration, bill conference. That bill will create 280,000 jobs. It modernizes our airports. It gets rid of the old ways we track planes and brings our air traffic control system into the 21st century.

Senator ROCKEFELLER has worked so hard. It is sitting over there waiting for conferees. I am a conferee here on this side. I am waiting to go get this bill done. It is essential. It has a passenger bill of rights attached to it, which is so important. It will make sure our systems work properly. It will put in place safety features. Jobs, jobs, and jobs. They have not done a thing.

The patent bill. I had some problems with the patent bill because I did not like one or two provisions. But the bottom line is, the patent bill is expected to create 300,000 jobs. It is sitting over in the House. No action. So since they took over, they have passed a bill to destroy Medicare, destroy education—it is known as their budget. But when it comes to jobs, there is no beef. And we are perplexed.

This bill has attached to it—the EDA bill—now an ending of the ethanol subsidy. I happened to vote for that. The fact of the matter is, whether you supported it or you did not, it is going to save billions. So now the EDA bill is not only a jobs bill that leverages billions of dollars to create jobs from the

private sector, but it reduces the deficit because it has this amendment on ethanol.

I would say to my friends who may be listening from their offices, when we come back next week, vote "yes" to cut off debate and get this bill done. Get this bill done.

I have talked about the fact that Senate Republicans have supported this program continually. I wish to tell you some of the things they have said about the EDA. Remember, I am quoting Senate Republicans who are trying to kill this bill by loading it up and filibustering it.

Twenty-six of the current Republican Senators have made positive statements about EDA or put out great press releases in their States, and I agree with what they said.

For example, Senator COCHRAN of Mississippi praised the EDA grant intended to help spur economic development in northeast Mississippi. He said:

This region has suffered during the economic downturn, but the Three Rivers has been diligent about working to help create jobs. . . .

This is what he said about an EDA grant.

Senator CORNYN of Texas said a \$2 million EDA grant for a water tower will "pave the way for creation of new jobs and business opportunities" in Palestine, TX.

But they are filibustering this bill.

Senator CRAPO says EDA business grants will help "keep Idaho firms on the cutting edge in various fields. . . ." He says:

This can make Idaho firms successful, which translates into more jobs and revenue in Idaho.

So my Republican friends, while they are trying to kill this bill by filibuster, have said laudatory things about the EDA. You explain it to me. I think I have an answer as to why they are doing it. But I will continue.

Let's see what Senator WICKER said when he got a grant:

These federal dollars will fund rail improvements and help bring new jobs and economic growth. . . . I am glad the federal government has taken this step to continue its investment in South Mississippi's recovery.

These are all the Republicans who are killing this bill with a filibuster.

Senator COLLINS—a \$1.1 million grant to fund renovations at Loring Development Authority. She and Senator SNOWE praised the EDA. They said:

This investment by EDA will allow for improvements and upgrades . . . which in turn, will help encourage further business growth. Loring will continue to be an economic driver for the region, creating good jobs in Aroostook County.

This is just a small sample of more than 26 Republican Senators who have praised the EDA. Yet each one of them seems to be supporting endless debate, amendments that have nothing to do with the bill. But they all have a

chance to do the right thing on Tuesday and vote to cut off debate.

We have had some tough amendments to this bill already. It has gone a couple of weeks. It is time we had a clean vote because—guess what—jobs are what it is all about.

I am going to not go on too much longer, but I felt it is important to explain to the American people—who, by the way, give Congress an 18-percent positive rating. Hello. Is it no wonder? We are doing nothing about jobs. Every time we try to do something, it is stymied.

I laid out what they have done, the Republicans. End Medicare as we know it. By the way, pass a slew of abortion bills. It is unbelievable to me. And these straightforward jobs bills go nowhere. So do not tell me you are for jobs and then come down to this floor and offer amendment after amendment on the prairie chicken, on the border fence, on issue after issue that has nothing to do with this EDA bill.

EDA creates a job for every \$3,000 invested. That is incredibly good. We invest \$3,000 and a good-paying job comes about. Why? Because the matching funds come in.

This is the time we have a chance to create 200,000 jobs a year over the 5 years of this bill. So here is the thing. Again, we need, in these tough times, as we are going to get our arms around this deficit—and here is the thing I find interesting: There is lots of talk about how to cure the deficit from the other side. But they forget some of the easiest ways to do it. One is, say to billionaires: Thank you very much. You have gotten millions back a year. Let's go back to your rate that you had when Bill Clinton was President. You made a fortune then. You will still make a fortune and help out with this deficit, millionaires and billionaires.

Oh, they do not want to do that, our friends on the other side. They want to destroy the EPA. They want to destroy the Department of Energy. They want to destroy the Department of Education. They want to destroy Medicare. That is their answer. Why? To pay for tax cuts for the richest of the richest of the richest. Explain to me how that helps the middle class in this great Nation.

Another way. You want to cure the deficit and the debt? End the wars. End the combat mission. Bring home the troops. Let's work diplomatically in Iraq and Afghanistan. I met with the Afghanistan women who are struggling there. They do not want combat troops. They want help to get a peace and reconciliation process going. It is time to end the wars.

Our highway trust fund, which is so critical, is short \$6 billion. And it is difficult. That is the trust fund that pays for the highways, for the bridges that are falling down, for the infrastructure improvements for our trans-

portation system. And I know it is hard to find \$6 billion.

But we are spending \$12 billion a month on the wars in Afghanistan and Iraq. Bring the money home. It is time we spend it in this country for our people. We are not going to walk away from our responsibility. We are still going to have the counterterrorism going on. We are still going to protect our personnel who are there. We are still going to work for peace and reconciliation.

But you want to talk about the ways to cure this deficit, it is not that hard. We did it before, we can do it again. The Democrats balanced the budget under Bill Clinton—the only time it was done in recent history—and we created 23 million jobs, not by threatening Medicare and Social Security, and the Department of Education, and the EPA, and the Clean Air Act, and all of the things they are going after here, but by doing the right thing by our children and our grandchildren and making the right investment, to become energy independent.

So for me, the argument of not being able to do anything because of the deficit, something is wrong with that. You have to cure the deficit problem and make the investments that make sense. Here is an investment that makes sense. For every dollar of EDA investment, you get \$7 in private sector investment. That is what we ought to be doing.

I said this before, I will say it again: For every one job we create, it costs us approximately \$3,000 per job. These are good jobs. It is a smart program for us. That is why it has lasted since the 1960s. I said before, up to 200,000 jobs a year could be created here, 1 million jobs over the life of this bill. What are we doing loading down a beautiful bill such as this with all of these extraneous amendments?

We will look at a couple more charts. If you want to know how many jobs were created between 2005 and 2010, 450,000 jobs, and 85,000 jobs were saved. So we are not talking about some ethereal idea of a new jobs bill. This is a jobs bill that has worked, and it is a jobs bill that should not be filibustered. It should not be stalled. It should not be loaded up with things that have nothing to do with it while the American people worry and give us an 18-percent approval rating. I am surprised it is that high at the rate we are going.

Look at some of the folks who support this: the United States Conference of Mayors, the American Public Works Association, the National Association of Counties, the AFL-CIO, the Council on Competitiveness, the Association of University Research Parks, the National Association of Development Organizations, the National Business Incubation Association, the State Science and Technology Institute, and

an arm of the Chamber of Commerce has come in with a letter.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 7, 2011.

Hon. BARBARA BOXER,
U.S. Senator, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BOXER: I am writing to share with you the U.S. Chamber of Commerce Business Civic Leadership Center (BCLC)'s positive experience in working with the Economic Development Administration (EDA). BCLC has worked with EDA on numerous projects over the past ten years to help local communities with their economic development, regional sustainability, and disaster recovery initiatives. EDA has served as a valuable partner in many communities that BCLC has worked in including: San Jose, CA, Seattle, WA, Cedar Rapids, IA, Mobile, AL, New Orleans, LA, Atlanta, GA, Boca Raton, FL, Minneapolis, MN, Newark, NJ and many others.

We have worked with EDA on projects including:

Conducting regional forums designed to bring corporate contributions professionals together with economic development experts and civic sector innovators to discuss how businesses' corporate citizenship practices can advance the competitiveness and long-term development of their communities.

Providing opportunities to build up relationships between and among companies and government agencies at the local and national levels.

Developing a report that maps how and why companies invest in communities across the United States.

Writing a report on economic recovery and rebuilding in Cedar Rapids after the flooding in 2008.

Sending economic development teams to cities across the Gulf Coast to provide valuable oil spill recovery resources and information.

Working with local chambers of commerce in disaster affected areas regions to provide local recovery grants.

BCLC is the corporate citizenship arm of the U.S. Chamber of Commerce, and in this capacity we work with thousands of businesses and local chambers of commerce on community development and disaster recovery issues across the country. These local chambers and businesses are consistently looking for national best practices, lessons learned, technical assistance, planning and strategy support, and other insights, tools, and techniques to make their communities as economically competitive as possible.

In our experience, EDA staff members have displayed a high degree of professionalism and technical expertise. They have engaged with us on multiple levels, from consultations at the national level, to sharing valuable field experience at the state and local levels.

We have canvassed many businesses and local chambers about their community development needs, and they almost unanimously tell us that some of their highest local priorities include business recruitment and retention, and helping small and medium-sized businesses grow. They also tell us that support for regional economic development planning that transcends municipal boundaries is an increasing area of interest, and that this is a unique capability that EDA can and does support.

As you consider EDA's future roles and responsibilities, we would be happy to share with you our experiences and lessons learned in working with the agency, and to provide you with additional information upon request.

Sincerely,

STEPHEN JORDAN,
Executive Director,
Business Civic Leadership Center.

Mrs. BOXER. It is a letter from an arm of the Chamber of Commerce. I will tell you, it is rare when you get the AFL-CIO and an arm of the Chamber of Commerce singing from the same book. They do not want to see filibusters. They want to see jobs. They do not want to see filibusters. They want to see progress. They want to see us work across party lines.

So I kept asking during my remarks, why would they do this to us? Why would they do this to the American people? I have an answer. I wish this were not true, but it has been stated by some of the Republican Presidential candidates and it has been stated by the Republican leader here: Their priority is defeating Barack Obama. Their priority is defeating our President. Their priority is not job creation, it is not business creation, it is not fair tax policy, it is defeating this President. When you look at it through that lens, then you say to yourself, wait a minute. If we got something done around here and the President had a signing ceremony—as we used to do in the good old days when we worked together—and he had a Republican here, a Democrat here, and an Independent there, and we all came together as we always have—unanimous consent. We passed this in 2004 by unanimous consent. They are afraid if we did that, the President would take out his pen and he would sign this bill and we would create jobs. I hate to say it, but I am not making it up. That is what they have said. I hope over this weekend when we go home and we meet with our people, and they say, Senators, you have got to do something about jobs, I hope the public will say to us, be we Democrats or Republicans: Do not filibuster jobs bills. We cannot afford to lose more jobs. We need to create jobs.

The EDA bill is a jobs bill. It was created as a jobs bill. It has been a jobs bill since 1965, signed by Presidents, passed by Congress, never loaded down with amendment after amendment that is not germane, that weighs it down. I hope the people at home will pay attention to this.

I will say this: There is a pattern. This is not the first bill. I told you about the small business bill, same thing; FAA bill, sitting over there, no conferees; patent bill, sitting over there, no action. And millions of jobs are at stake.

I just found this out about the small business bill that they killed here a few weeks ago. Each year that bill provides support for 6,000 businesses, and over

the lifetime of the program it has provided almost 26,000 awards to firms in California to help them get started. That bill was filibustered to death. I do not get it, except if what I say is true and that is what the motivation is, and all I can come up with. I have looked into the hearts of my friends and wondered how could they do this. They voted for this bill in committee. Why would they load it up like this and put all of these amendments on it? There is only one reason, to not make progress. And who gets hurt by that? They think the President.

But I have news for them. America is going to wake up, because I am going to be here every day talking about this. I know my colleagues are going to be here talking about it. Jobs, jobs, and jobs. I hope this bill gets cloture and we can move on with it on Tuesday. That would be a wonderful thing, if we do that. That is a change in the atmosphere. Then we can pass this bill and get on with the next jobs bill and pass that bill and get on to the next jobs bill, and the spirits of the people will be lifted. Look, we know government does not create the jobs. The private sector creates most of the jobs. But the beauty of bills such as the SBA bill, that small business bill, is private sector jobs. The beauty of this bill? Private sector jobs. So it would lift the spirits of the people instead of having them watch this, watch me, and think: They will never get together and do anything. Then I will not be shocked if our ratings—the Congress—hit the bottom of the barrel. They are already close. I hope the people will insist on our passing these jobs bills. Things are tough out there. People are unemployed, they are underemployed. Businesses are sitting on mounds of cash. They have learned to be able to be profitable without hiring more people.

Things are shifting. The sands are shifting between the middle class. Thank God this President rescued the auto industry and that we had a majority here to stand with him to do that. Thank goodness we took some of the steps that we took to get banks lending again when credit was frozen. But you know what. Our progress is being stymied because partisanship has taken over the process. Partisanship means when you get bills out of a committee, people who voted for them suddenly disappear. They are nowhere in sight, and they file all of these amendments to bring down the bill.

We can only hope that when we come back next week there will be a change of heart. I certainly hope so. I have been here a long time. I have been in the House 10 years, here a lot of years, since 1993. I have served with Republican Presidents and Democratic Presidents. But I want to say this. I fought hard when election time came. I just had one. It was tough. You know that, Madam President, 2010 was tough.

Every time we have elections they are tough. That is the time that politics is in your blood, it is in your veins. You are out there, you are working hard, you are fighting for your life.

But when we are here, we have to do the people's business. And however we feel about who we want to be President, who we admire, who we did not admire, that ought to be left somewhere else. I hope it will be left somewhere else. I hope that on Tuesday we vote for cloture on this EDA bill. I would hate to see this die. I would hate to see this die. Because when you deal a death blow to the EDA, you deal a death blow to 1 million jobs.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND OPINION

Mr. BARRASSO. I come to the floor today, as I do each week, as a doctor who practiced medicine in Wyoming for 25 years, as someone who has taken care of families all around the State of Wyoming, as a doctor who has great concerns about what has happened to the American health care system, and will continue to happen under the health care law that has been passed by this body and signed into law at the insistence of this President.

I come as a doctor giving a second opinion, because I have great concerns about this health care law. In talking with patients, in talking with doctors, and from my own personal knowledge, I believe this health care law is going to be bad for patients, bad for providers—the nurses and the doctors who take care of those patients—and bad for the payers, the taxpayers of this country who are going to be left to pay the bill.

Recently my friends on the other side of the aisle have been using what I believe to be significant scare tactics about my party and Medicare.

Medicare is the program for our senior citizens. I believe it is important that the American people receive the truth. They deserve to have the truth about the future of Medicare, not scare tactics.

The fact is, unless Congress takes action, Medicare will go broke in 13 years. Again, in 13 years, Medicare will go broke. Today, more money is going out than is coming in. A bankrupt Medicare equals no Medicare for our seniors. These are people who have paid into Medicare, but a bankrupt Medicare means no Medicare.

If Washington doesn't show leadership now—today, this year—this program will run out of money and Medi-

care patients will run out of care. Many of my friends on the other side of the aisle continue to ignore the ticking clock and ignore reality.

Let's take a look at some of the reality the other side is ignoring. They are ignoring the fact that the life expectancy in the United States has risen significantly since Medicare was signed into law. When Medicare became law, in 1965, the average life expectancy was about 70. So, on average, you are talking about people being on Medicare for a certain number of years. Now, with the advances of medicine, the life expectancy is almost 80—the high seventies for men, but the low eighties for women. People are living about 10 years longer now, on average, than at the time Medicare was signed into law in 1965. It is an undeniable fact.

Another fact is that there are about 10,000 new Medicare recipients adding to the rolls every day as the baby boomers turn 65. An entire generation of baby boomers is retiring. The other side seems to ignore the fact that there are far more retirees today than ever before, and they are getting more money paid out of the program than they ever put in. I have townhall meetings and I travel around my State of Wyoming. People say: I paid into Medicare. They are absolutely right. On average, a couple who is retiring this week has paid into Medicare about \$110,000—that is over a lifetime of working. That is significant money they have paid in. What kinds of services will they receive over the remainder of their lifetime, adjusted for today's dollars? It is \$343,000. So you are talking about \$109,000 that they paid into the system, and they are taking out \$343,000.

American seniors know Medicare is in trouble. They understand the math doesn't add up, that this \$3 coming out for every \$1 paid in cannot work forever and ever. My friends on the other side, who attack Republicans for wanting to address this problem in a responsible way, tend to want to ignore this reality.

To make matters worse, Members on the other side actually voted for a health care law that puts Medicare on an even faster track to bankruptcy. In fact, the President's health care law cuts \$500 billion from Medicare—not to save or strengthen or secure Medicare for the next generation. No, they took \$500 billion from our seniors on Medicare to start a whole new government program for someone else. So it was no surprise to me when I read recently that those folks who look at the numbers, who work for the government, say Medicare is going to be broke 5 years sooner than even they had anticipated. It is odd how Democrats never even mention this when they attack Republican plans to save Medicare. Well, when they run advertisements and hold press conferences focused on scare tac-

tics, why don't they ever explain their own \$500 billion cut to Medicare?

It is also odd to me that the Democrats never talk about the other very significant piece of the President's health care law that attacks our seniors on Medicare. Hidden away in the bill is the President's Independent Payment Advisory Board, or IPAB. As a doctor who practiced medicine for 25 years in Casper, WY, I can tell you what this board is. It is a rationing board—a board to ration the health care of our seniors.

Rationing, some may say, is a very strong word. But that is exactly what it is. The President's health care law puts Medicare on the road to rationing. This health care law creates an unelected, unaccountable board of Washington bureaucrats, who will decide how much Medicare pays for certain Medicare services.

Starting in 2014, after the next Presidential election, members of the board will decide how much they will reimburse hospitals and doctors for taking care of Medicare patients. Then providers all across this country will have to decide whether they can continue to care for American seniors.

Let's face it, even today doctors are running away from taking care of patients on Medicare. According to the American Medical Association, one in three primary care doctors already limits how many Medicare patients they are willing to see. According to the same survey of the American Medical Association, 60 percent of doctors say they are looking for ways to get out of Medicare completely.

Even more providers are going to stop seeing Medicare patients, and this situation will continue to get worse. If you don't believe me, ask seniors in your own community what happens when their doctor retires. Ask somebody on Medicare how easy it is for them to find a doctor to take care of them. If they happen to be with a doctor, and they turn 65, ask if they are allowed to stay with that doctor or if they move to another community to be closer to their children and grandchildren, ask them how difficult it is for those on Medicare to find a doctor. The reason is, of course, because Medicare pays a lot less than the going rate.

Yet, the Democrats' and the President's solution is to pay even a lower amount and continue to ration and ratchet down that amount, resulting significantly in additional rationing of care as our seniors find it harder and harder to find physicians and nurses to take care of them.

The other thing about this rationing board is that it gets worse when you look at the details. It will be practically impossible for this Congress—or any Congress—to overturn the rationing board's recommendations.

Again, to me it seems very odd that my friends on the other side don't talk

about this rationing board when they hold their Medicare events. But as NANCY PELOSI said, first you have to pass it before you get to find out what is in it. The American people continue to find out what is in this health care law, and they continue to oppose it. I say to my colleagues on the other side of the aisle, if you are so proud of the work you have done on Medicare, then you should stand and defend this rationing board. My colleagues on the other side of the aisle should explain to American seniors how it will work and how it will impact their care. America deserves a thorough and honest debate about the future of Medicare, how we got to this point, and how we can, in a responsible way, strengthen and secure Medicare for those on Medicare and for the next generation.

I bring this to you today because today a new study came out in the *New England Journal of Medicine*. It has to do not with Medicare—a program for our seniors—but with Medicaid, a program for low-income people—specifically, in many cases, for children. The study from the *New England Journal of Medicine* today talks about how very difficult it is for people—specifically children—on Medicaid to even get an appointment to see a doctor.

During the health care debate over the last year, I have come to the floor continuously and talked about the fact that many physicians refuse to take patients on Medicaid, because the reimbursement from the government is lower than the cost of actually even treating the patient—considering rent, office expenses, and other costs.

This study out today in the *New England Journal of Medicine* talks about researchers in Chicago who called a number of doctors' offices with an identical voice, the same person calling—actually, the same office—a month apart with the same symptoms, whether it was for asthma or different conditions such as diabetes, for the child's care, and the question came: Do you have insurance or are you on Medicaid?

What they found is that for 89 percent of those with insurance, they were able to get an appointment—regular insurance. Of those saying, no, we have Medicaid—and they called hundreds and hundreds of offices and clinics—only one in three was able to get an appointment. Think about that. It is something for our seniors to think about, as well as the President's rationing board. It pays less and less for a visit to a doctor.

We have talked about the fact that Medicare rates, as a result of the \$500 billion cut from Medicare, will be in many places similar to Medicaid rates. So I would assume that at some point soon seniors will have the exact same amount of trouble getting an appointment to see a physician, as the *New England Journal of Medicine* found today, for children on Medicaid.

With that, I say that I will continue to come to the Senate floor week after week with a doctor's second opinion about the health care law, because week after week we see new information, new relevant information about how the impact of this broad, sweeping law, significant changes for the health care of all Americans—how it is, in my opinion, bad for patients, bad for providers, the nurses and doctors who take care of them, and bad for taxpayers.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ETHANOL

Mr. COONS. Mr. President, I rise today to speak to the proceedings that just occurred in this body with regard to ethanol and to talk about how I see them from the perspective of my home State of Delaware.

Today, the Senate agreed on a path forward to end Federal subsidies for corn-based ethanol. As Senators, we are often asked to make tough choices, and the bipartisan votes on today's amendments were largely a reflection of where we are from.

For Delaware, agriculture is the single largest part of our economy. We grow a lot of corn, we grow a lot of soybeans, we have companies investing in advanced biofuels, and we have a major poultry industry. Today, I voted for Delaware's poultry growers and for our consumers. Lots of folks across this country in the last few years have lost their jobs, lost their homes, and lost their livelihoods. It is very important to me that the people of Delaware know, on the record, that the vote I cast today to end Federal subsidies for ethanol was about making sure we are supporting our home State poultry industry.

My main concerns are that one of the most important economic engines—not just in Delaware but in the whole Delmarva Peninsula—is the poultry industry. That industry has its back against the wall and is struggling to survive. At a time when many other agricultural industries are seeing record prices—and that is a positive, a boon for them—for the poultry industry, the rising cost of feed is forcing decades-old companies to rethink their business models or, sadly, as in one case just last week for one of the most important and vital poultry companies in Delaware, to shut their doors and go into bankruptcy.

We need to move away from corn-based ethanol and toward homegrown

advanced biofuels if we are going to accomplish three goals at the same time. One is to reduce our deficit, to end unwise and unnecessary Federal spending; second is to support and advance and defend our poultry industry, whether in Delmarva or throughout the rest of the country; and third is to continue to make progress toward the future of clean, promising biofuels that are not from grain.

The amendment I just voted for closes the door on corn-based ethanol, but that should not prevent us from finding a path forward to advanced biofuels, those not from grain, whether cellulosic ethanol or drop-in biofuels from algae or otherwise.

Today, I also filed an amendment with Senator CARPER, the senior Senator from Delaware, that makes it clear that as we close the door on corn-based ethanol, we need to do two other things going forward: first, use those billions of dollars in savings to reduce the deficit and, second, redirect funds, formerly committed to VEETC, to support an important but just beginning, a nascent advanced biofuels industry.

Ultimately, the policies we pursue should lead to American consumers, producers, and farmers using less petroleum and, more importantly, using less oil from overseas sources. If we are going to reduce our dependence on fossil fuels and especially on those we import from overseas, we are going to need to continue to pursue a range of cleaner and more secure sources of energy. Advanced biofuels are central to this effort. Now that we have taken the important first step by adopting the Feinstein-Coburn amendment and signaling the intent of this body to end Federal subsidies to corn-based ethanol, I hope we will also responsibly pay down our Federal deficit and continue a strong path forward toward the advanced biofuels that Delawareans are making a significant contribution toward making a reality.

As my colleague from California has noted, corn-based ethanol has historically been supported by three policies: the volumetric ethanol excise tax credit, known as VEETC, which provides a 45 cent per gallon tax credit to gasoline suppliers who blend ethanol with gasoline; a tariff of 54 cents per gallon on imported ethanol, which is largely targeted at sugarcane ethanol from Brazil; and a requirement that mandates the use of ethanol in gasoline by set amounts every year, increasing to 36 billion gallons by 2022.

VEETC and the import tariff may have been needed in the past to stand up the nascent corn-based ethanol industry, but experts agree that the industry has matured, and these two supports are no longer needed.

At a time when our federal government is facing a massive deficit and spiraling debt, we need to take a hard look at how we spend our taxpayer dollars. These subsidies are expensive, and

studies have shown them to have dramatic impacts on our federal budget as well as on the cost of corn feed used by chicken farmers, including those in Delaware. This year alone, VEETC will cost taxpayers \$6 billion. We just can't afford to maintain this duplicative and wasteful subsidy.

Delaware's chicken farmers can't afford it either. Most economists and market analysts agree that the steady growth in ethanol demand has had a dramatic effect on the price of corn. This cost has trickled down to related agricultural markets, including food, feed, fuel, and land. The average annual price of corn has jumped 225 percent just in the past 5 years. Last week, corn futures reached nearly \$8 a bushel, which is 140 percent over last year.

The No. 1 cost for chicken farmers is feed, and farmers in Delaware are feeling the pinch. One major poultry company declared bankruptcy last week, and it cited the high cost of corn feed as a major factor. Couple this with rising energy costs, trade barriers, and low chicken prices, and you can see why many poultry companies are nearing a breaking point.

Something must be done. The VEETC credit and the tariff are no longer worth the investment. It is past time that we repeal these subsidies, and I was proud to vote for the Feinstein-Coburn amendment to do so.

At the same time, let me be clear: the Feinstein-Coburn approach is only part of a larger effort. In addition to ending VEETC and the tariff, we must also do much more to promote investment in the research, development, and deployment of advanced biofuels, including cellulosic and drop-in biofuels. These will help us reduce our dependence on petroleum and encourage further innovation. We need to provide greater certainty to help launch a next-generation biofuels industry through the extension of tax credits and other federal programs for certain targeted advanced biofuels.

Many concerns are raised because corn ethanol dominates the U.S. biofuels market. But what is our ultimate goal? Shouldn't it be about greater fuel efficiency and product diversity in our domestic transportation sector? First, that can be achieved through increased fuel economy standards. Second, it can also come from technological alternatives like electrification, natural gas and hydrogen fueled vehicles. Third—and most important for what we are debating here today—it will come from developing commercially viable, advanced biofuels.

There are legitimate concerns about corn ethanol's economic and environmental impacts, but we should also not be cutting off our nose to spite our face. For this reason, I have filed an amendment that makes it clear that we should be redirecting the repeal of

the VEETC to deficit reduction and the extension of advanced biofuels for 5 years to provide a long-term signal to this small but emerging industry.

I want to be part of a solution that provides a strong, long-term future for our Nation's alternative fuels industry. I want to see domestically produced, next-generation feedstocks grow. This would be from cellulosic, biodiesel, and drop-in fuels like methanol and butanol. They could come from different feedstocks, such as recycled grease, wood, corn stover, switch grass, municipal waste, algae, and livestock manure. Right now there is little to no commercial production, but we need to support those efforts with new incentives for these fuels and bio-refineries. Most importantly, we need to work on bringing down the costs and expanding their markets.

In Delaware, inventive companies are already hard at work researching cutting-edge biofuel systems, including ones that produce energy from soybeans and algae. One such company is Elcriton in Newark, which is producing drop-in fuels from duckweed, an aquatic plant that can be used to produce fuel. Another company headquartered in Delaware—DuPont—working with partners around the country on both cellulosic and biobutanol technologies. None of these fuels compete with the price of livestock feed. I am proud of the biofuel innovation taking place in my State, and I want to replicate this model across the country.

In addition, this growth of advanced biofuel innovation has the potential to lead to new economic opportunities not only for energy companies and consumers but also for Delaware chicken farmers. Today, of great concern to them is the price of corn on the input end of farm operations, but—hopefully, not too far down the road—a significant factor on their balance-books may soon be earnings from waste that can be sold for biofuels.

Ultimately, the policies we pursue should lead to American consumers, producers, and farmers using less petroleum. If we are going to reduce our dependence on fossil fuels, particularly those imported from overseas, we are going to need to pursue a range of cleaner and more secure sources of energy. Advanced biofuels are central to this effort, and, now that we have taken the first step by adopting the Feinstein-Coburn amendment, I hope the Senate will take the next step as well.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE ECONOMY

Mr. HATCH. Mr. President, our Nation's challenges grow by the day. The citizens of Utah get this. The citizens in this country get this.

A recent NBC News-Wall Street Journal poll found that 62 percent of Americans think the country is on the wrong track. Only 37 percent of Americans approve of the President's job of handling the economy. I would like to meet those people, because when I talk to Utahns, the numbers are much lower than that, and I understand why.

Applications for unemployment have been above 400,000 for 7 straight weeks. Economic growth is stagnant. Job growth is pathetic. The real estate market remains in free-fall. Since 2007, housing values have dropped by more than during the Great Depression.

Medicare is going bankrupt, and when it does, it will take down this country and tens of millions of seniors with it. Yet President Obama and his Democratic allies steadfastly refuse to acknowledge that there is a problem with Medicare. Former Speaker NANCY PELOSI, when asked where the Democrats' reform plan was, responded:

We have a plan. It's called Medicare.

Meanwhile, the President's hand-picked chairwoman of the Democratic National Committee gleefully demagogues Republicans' efforts to fix this dying program.

There are legitimate fears that the Federal Reserve's loose money policy is creating yet another stock market bubble that could pop and destroy the retirement savings of millions of Americans. Most ominously, PIMCO, the world's largest bond fund manager, is looking to countries such as Australia, Canada, Brazil, and Mexico, countries without our massive fiscal problems, to invest. As I have said before, there is a genuine risk that the United States is in a debt bubble. Because of historically low interest rates, we may be totally underestimating how dangerously leveraged this country is. But the minute rates start going up, citizens are going to realize how much they are on the hook for. When the word on the street is that U.S. Treasuries are not worth investing in, higher interest rates are just around the corner.

So we have a lot of work to do, but I wish to touch on three things we should be doing now, and I mean right now. The people are demanding action, and there are a few things Congress can do that would bring relief to struggling American families.

First, the President needs to submit the Colombia, Panama, and South Korean Free Trade Agreements to Congress. They are long overdue. The failure to submit these agreements has

stalled U.S. job growth at a time when it is desperately needed. There is only upside to these agreements. Consider that from Utah alone, South Korea imported more than \$294 million of goods in 2009.

The former Director of the Congressional Budget Office, Doug Holtz-Eakin, has it right. This is what he said earlier this week in a letter to the President:

Opening Colombia, South Korea, and Panama to U.S. businesses is anticipated to increase total exports by \$12 billion, and will add at least \$14 billion to the United States gross domestic product, promoting increased investment and job creation at home.

While the President is down in Florida yukking it up with rich liberals about how he wasted nearly \$1 trillion on his stimulus boondoggle, he seems oblivious to the fact that he could just hit send, deliver these agreements to Congress, and have a trade-driven economic stimulus.

If given a clean up-or-down vote, I am confident these agreements would pass. I have no doubt who would prevail if that debate were allowed to happen. But old habits die hard.

The President's spend-first mentality is cluttering what should be a clean debate on the benefit of these free-trade agreements for the American economy. Rumors persist that the President may include a reauthorization of an expanded trade adjustment assistance bill into one or perhaps all the bills implementing our trade agreements with Colombia, Panama, and South Korea. This would be a grave mistake. That tactic raises serious procedural concerns which could jeopardize approval of these job-creating agreements.

It also raises serious concerns about the President's commitment to gaining approval of our long-stalled trade agreements with these important allies. It would send a signal that further placating unions is more important than growing our economy, a position I simply cannot understand or support. If the President chooses this course of action, he needs to know I will vigorously oppose him and reserve the right to use all procedural options available to do so. If, as the President says, there is such strong bipartisan support for trade adjustment assistance, it should be considered on its own merits and not thrust upon an unwilling Congress through procedural shenanigans.

These trade agreements are something Washington can do, and should do, to get our economy back on track. But we must also be vigilant in fighting against proposals that would undermine our economy and our sovereignty.

Standard & Poor's recently downgraded Greece's debt rating to CCC, from a B. This is the world's lowest rating, and S&P concluded that a default on Greek debt was increasingly likely.

So what was the President's response? Like the Siren's Call, a bailout beckoned. He seemed to go all in for an IMF bailout of Greece. Greece has already been bailed out once by the IMF, to the tune of \$145 billion. We cannot let this happen again. That is why today I am cosponsoring the anti-IMF bailout amendment with my good friends, Senators DEMINT, VITTER, and CORNYN.

This amendment, which we filed to the Economic Development Revitalization Act, would rescind bailout funds provided in 2009 to the International Monetary Fund. Under the urging of the Obama administration, additional funding of up to \$108 billion was given to the IMF which it can use to bail out heavily indebted European countries such as Greece.

The amendment I am cosponsoring would roll that funding back. Now is not the time, when Americans are struggling to find work and have budget problems of their own, to tap innocent American taxpayers in order to bail out profligate European governments. Rather, it is time to stop our own runaway spending and our continued movement toward European levels of government. If we go down that route, the destination is an America very different than the one our Founders intended, and it is critical we hit the brakes now and save our limited constitutional government.

The American people are tired of bailouts. When ordinary Americans are struggling to get by and when our country faces its own debt crisis, the last thing we need is a bailout of irresponsible Socialist governments and the irresponsible investors who bet on them, which brings me to my final point.

Earlier this week, my colleague and friend from Florida, Senator MARCO RUBIO, gave his maiden speech in the Senate. He is certainly to be commended. I sat here and listened to him. It was a tour de force, and I recommend that all my colleagues, and, for that matter, all the citizens of this Nation read it. He made it clear that he is confident in this Nation and our ability to weather the current storm and emerge in rich and steady seas.

America's best days are ahead of it. America has been and will always be a shining city on a hill. But for there to be another American century, a century of liberty and prosperity both here and abroad, we have our work cut out for us.

America is over \$14 trillion in debt. We face our third straight year of trillion-dollar deficits. We have entitlement programs that are going bankrupt. Under this Presidency, we have lifted the debt ceiling three times and the last one, if I recall correctly, was about \$1.9 trillion and we have basically just given the administration an open checkbook. We have entitlement programs that are going bankrupt.

Our total obligations, according to one account, are over \$62 trillion. This is a debt burden that is simply unsustainable. We need to get our spending under control immediately; otherwise, American families and citizens will be crushed under the weight of all this debt.

The other side keeps telling us the problem is a lack of revenue. They say all we need to do is raise taxes and eliminate tax loopholes. Never mind the fact that raising taxes threatens to kill the small businesses that will be the engines of our economic recovery, and never mind the fact that these so-called loopholes include the IRAs, 401(k)s, and charitable deductions of American taxpayers.

Let's not make any bones about it. The left's proposal to gut tax expenditures would put a bull's-eye on the backs of working families who have mortgages and save for the future.

In the spirit of bipartisanship, as an aside to some of my friends on my side of the aisle who seem to think all expenditures are wasteful spending, consider the following: The third largest tax expenditure is the current lower rates for capital gains and dividends. Be careful, my friends; otherwise, you might end up inadvertently finding yourselves sharing the stage with my friend, the junior Senator from Vermont, in effect, advocating for a sharp hike in the rates of capital gains and dividends.

Even if liberal Democrats did all these things, raising taxes on middle Americans and further hindering economic growth, we still would come nowhere close to balancing the budget.

This is the dirty secret of President Obama and Democratic leadership to engage in meaningful efforts to balance the budget. As my colleague from Alabama, the ranking member of the Senate Budget Committee, notes, it has been more than 770 days since Democrats passed a budget. That is disgraceful. For over 2 years, congressional Democrats have simply abdicated their most basic constitutional responsibility, and here is why. They have refused to cut spending, and they know balancing the budget for new taxes alone would be perceived as a full-blown assault on personal liberty and limited government. So instead of offering up a bogus budget, as the President did, and get laughed out of town, or offering up a proposal for balance that satisfies their liberal base, raises the tax burden to historic levels, and inspires the vitriol of their constituents, Democrats decided to keep their mouths shut.

Where does that leave us? The answer, to me, is clear. We need to pass a balanced budget constitutional amendment. This is where the entire Republican caucus stands in the Senate. The amendment I introduced, S.J. Res. 10, is supported by every single Senate Republican. I bet it is the first time all

Republican Senators have supported it. It is a good amendment that benefited from the input of many Senators, and it is a necessary amendment.

Some people—the sophisticated set—argue this is not a serious proposal. The American people beg to differ. They know Congress will not balance the budget and shrink the size of government without meaningful constitutional restraints. The actions of Democrats and President Obama over the last few months are all the evidence we need to support this hypothesis. Facing a full-blown debt crisis, they still prefer to kick the spending can down the road.

I want to be clear that I am deadly serious about this proposal, and so are the people of Utah. I have been pleased to work side-by-side with my colleague from Utah, Senator MIKE LEE, on the balanced budget amendment, and Senator CORNYN and all the other Republicans. Some people might say MIKE LEE and I are an odd couple. I have a few years on him, and I don't tend to be as animated as he is. He is a great young man with a lot of energy. But we share at least one thing, an absolute commitment to passing a balanced budget constitutional amendment and sending it to the people in the States for ratification. The people are demanding that we act, and it is well past time that we recognize their constitutional sovereignty and allow them to exercise it through State ratifying conventions.

I would like to commend Senator LEE for his tireless work on this amendment. He is not the only one who deserves thanks, however. My colleagues, Senators CORNYN, KYL, TOOMEY, DEMINT, RUBIO, PAUL, and many other Republicans were essential in the development of this amendment, but it is special for me to be working with my friend, Senator LEE, on this critical constitutional amendment. He is a legitimate constitutional scholar, a steadfast advocate of our constitutionally limited government, and a hero to many. I could not be more proud to stand with him and lead this fight for the people of Utah and the taxpayers of this country.

If the American people said anything last fall, it is they want their representatives in Washington to listen to them. They know we will not get it right every time, but they know we should always do our best to represent their values and their interests. This Congress needs to listen to the people. It needs to get these trade agreements done without holding them hostage to unrelated spending. It needs to say no to more bailouts, and it needs to pass a balanced budget constitutional amendment.

In this country, the people are sovereign. I would have to say, if we would pass that constitutional amendment through the Senate, I believe we would

get it through the House, and then it is up to the States. We still have to get three-quarters of the States to ratify it.

To the extent that Democrats hate the constitutional amendment and hate that kind of restraint on their spending practices, they can lead the battle in the States. The problem is, they know this constitutional amendment would be ratified so fast our heads would be spinning.

We need 38 States to ratify a constitutional amendment, and that is not easy under anybody's view. In this country let's let the people decide that. They are sovereign. It is well past time that Congress and the President listen to them.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DECLARATION OF WAR

Mr. DURBIN. Mr. President, as has the Presiding Officer, I have served both in the House of Representatives and in the U.S. Senate, and during the course of my career, I have been called on to make many votes. Most of them fade into obscurity after they are cast and are never recalled, but there are a few we will remember for our lifetimes.

I would say the highest level in that category are the times when we are called upon as Members of Congress to consider a declaration of war. Many of us have lost sleep over those decisions. We have thought about those votes long and hard. No matter how just the war may be or how important it may be, we cannot help but reflect on the fact that at the end of the day, people will die as a result of our decisions if we go forward in terms of a declaration of war. I have lost sleep over those decisions.

I have tried during the course of making those decisions to be guided by several principles.

First, as Members of the Congress, both in the House and the Senate, we swear to uphold and defend the Constitution. I feel as though that Constitution is my starting point for my responsibility and my rights as a Member of the U.S. Senate when it comes to this issue.

The Constitution is very clear in article I, section 8, clause 11, that only the Congress can declare war. The decision was made by our Founding Fathers that the people of the United States literally would have a voice in this decision. It wouldn't be a decision made only by the Chief Executive because ultimately the people and their families and their children would pay the price of a war in human terms—the loss of life—and, of course, in the cost of war borne by our Nation.

I am also guided by my responsibility to the people who were kind enough to give me this opportunity to serve. I think about my State of Illinois and the families, the mothers, fathers, and children all across that State who could be affected by a decision if our Nation goes to war.

I also like to think about whether the war is absolutely necessary in terms of the defense of the United States of America.

Some cases are easier calls. When we were attacked on 9/11, many of us knew that 3,000 innocent Americans had died at the hands of terrorists. I didn't hesitate to vote for a declaration of war against those forces in Afghanistan responsible for that attack on the United States.

We went through a parallel debate at the same time about the invasion of Iraq. I did not believe the previous President made a compelling case for the invasion of Iraq. If my colleagues will recall, at that time the debate was about weapons of mass destruction that could threaten the Middle East or even the United States. I voted against that declaration of war on Iraq. Twenty-three of us did in the Senate—22 Democrats and 1 Republican. We came to learn that there were no weapons of mass destruction. Many of the threats which gave rise to the President's request turned out to not be factual at all. Well, we are finally—finally—more than 10 years later, starting to bring those troops home from Iraq, and we have paid a heavy price in Americans killed and maimed and in the cost to our Nation.

Each time we have been challenged as a Senate and as a House to consider a declaration of war, I have thought long and hard about it: my constitutional responsibilities, my responsibilities to the people of my State, and whether such a war was absolutely necessary.

Now we are engaged in three wars—wars in Iraq, Afghanistan, and in Libya. Shortly, we will be considering the authority of the President of the United States to continue our involvement in Libya. I am going to apply the same constitutional standard and standards of judgment to that decision that I have to every other declaration of war or every other approval of engagement in hostilities by the United States as I have in the past.

This President is my friend. He was my colleague in the Senate. We are of the same political party. But when it comes to an issue of this gravity, we have to move beyond any personal considerations when it comes to the President and think about our Nation, our Constitution, and our responsibility to the people we represent.

We have learned during the course of our history that Presidents don't always come to Congress when they initiate a war. President Franklin Roosevelt did. He came to Congress shortly after—in fact, the day after—the attack on Pearl Harbor in December of 1941 and asked for the authority and permission to go forward with a war that would be waged against those who would attack us. Then came the Korean conflict, which was not characterized in official terms as war because President Truman didn't come to Congress asking for that authority.

I had two brothers, incidentally, who served in the U.S. Navy during the Korean conflict. They always used to jokingly say it was a police action with real bullets, and I know, because many innocent Americans died in the course of that Korean conflict. Yet there was no formal declaration of war.

Vietnam was a war I paid much closer attention to because it came at a time when I was in college and law school, and my friends were being asked to serve. Again, there was no official declaration of war.

After Vietnam and after the tremendous loss of life and all the controversy associated with it, there was a debate in the Halls of Congress about whether we needed to be more specific in terms of the authority of a President to go to war. So Congress enacted the War Powers Resolution in the 1970s, which spelled out in specific terms the responsibility of the President when he would ask this Nation to go to war.

That bill, having passed both the House and the Senate, was sent to President Nixon, who vetoed it. He viewed it, as most Presidents have then and since, as an intrusion on his authority as Commander in Chief. But the Congress decided to pass the War Powers Resolution over the veto of President Nixon, reaffirming the constitutional authority and right of Congress when it came to a declaration of war.

Now we find ourselves in a situation where Congress has voted on going forward with the war in Iraq—and, as I mentioned earlier, I was one of those who voted against it—going forward with the war in Afghanistan—I was one who voted for it; all Senators did, I might add, from both political parties—and now a question of Libya.

Several months ago, the situation in Libya became so grave that the President of the United States met with our leaders in the military and leaders of other nations to ask what should be

done. Muammar Qadhafi, the rogue leader of Libya, was literally attacking and killing his own people in the streets of his country, and there was a widespread public reaction against it from the Arab League, of which Libya was a member, as well as the European Union, the United Nations, and others.

President Obama made the decision then to consult with Members of Congress about what we should do. I was fortunate enough, being a member of leadership, to be part of the conference call when the President was on the line with leaders—Democrats and Republicans—in the House and Senate and spelled out what he believed was the grave threat to the innocent people of Libya.

At that point, this was a question as to whether Benghazi was going to fall and whether Muammar Qadhafi would consolidate power and take retribution against those who had been in opposition to his government. He said he was going to take to the streets with his military and kill them like rats, and we took him at his word, and the President felt the civilized nations of the world had to act.

Acting in consultation and in concert with the Arab League and the United Nations and NATO, the President spelled out a course of action. He told us in these early consultations that the United States involvement would be very limited, perhaps more intense at the outset than as any conflict progressed, and that we would not commit land troops to Libya, and that basically the leadership of this effort would be under the auspices of NATO, and we would be in a supportive role—a role which would diminish over time. That was the President's promise, and that was what was executed.

Now, more than 2 months later, the question has arisen: Well, what is this President's responsibility under the Constitution? What is the Congress's responsibility under the Constitution? Are we engaged in a war?

I might say that I sat down before coming to the floor and carefully reread the War Powers Resolution. Although we characterize it in many different ways, the language of this War Powers Resolution is, in some areas, difficult to apply to every situation. It makes reference throughout "to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations."

We translate that in our debates, and I have been party to many over the course of the time I have served in the House and the Senate, as to whether we are talking about a defensive military action or an offensive military action.

I do not think there is any question—not in my mind—that a President as

Commander in Chief has the authority, without seeking congressional approval, to defend the people of the United States and its territory. Certainly, we would not expect the President to wait for Congress to convene, debate, and vote if the United States and its citizens are under attack.

But what of those other circumstances where we are initiating military action that is not strictly in defense of the United States? Are those so-called offensive military actions hostilities? Do they require a President to come forward and to ask of Congress authority to go forward with the U.S. involvement in those military hostilities? That is where we find ourselves today.

More than 60 days after the initiation of our involvement in Libya, the debate is still on in the Senate as to whether we need to authorize the President to continue our efforts in Libya and whether that authorization should be under the War Powers Resolution.

I think it should. That is why I have come to the floor today. I joined with Senator BEN CARDIN in introducing a proposal, a Senate joint resolution, which we have circulated, which would give the President the authority, if passed, to continue the hostilities in Libya under the War Powers Resolution, expressly stating that it would not involve land forces, ground troops, and that it would have a time certain to end—in our case, by the end of this calendar year—subject to another decision by Congress as to whether it should go forward.

I believe that is still the right course of action. I am hopeful that before the end of the day there will be action taken by some of my colleagues here in Congress to come forward with a bipartisan resolution which parallels what I just described.

I might add there is some controversy, and it is worthy of at least debate, as to our current situation in Libya and whether it fits squarely within the War Powers Resolution.

Bob Bauer, who is general counsel to the President of the United States, argues it does not. Yesterday, in a conference call, Mr. Bauer was asked specifically whether he thought the War Powers Resolution was applicable to the current situation in Libya. Here is what he said. When he was asked: Could you explain? he said:

Certainly. As I mentioned, as my colleague was going through the nature of the mission and how it changed, we're now in a position where we're operating in a support role. We're not engaged in any of the activities that typically over the years in war powers analysis is considered to constitute hostilities within the meaning of the statute. We're not engaged in sustained fighting. There's been no exchange of fire with hostile forces. We don't have troops on the ground. We don't risk casualties to those troops. None of the factors, frankly, speaking more

broadly, has risked the sort of escalation that Congress was concerned would impinge on its war-making power.

So within the precedents of a war powers analysis, all of which typically are very fact-dependent, we are confident that we're operating consistent with the resolution. That doesn't mean that we don't want the full, ongoing consultation with Congress or authorization as we move forward, but that doesn't go to our legal position under the statute itself, and we're confident of that.

I respect Mr. Bauer, but I respectfully disagree with him. I believe that what we are engaged in in Libya is a matter that should come under the War Powers Resolution. I believe that we should as a Congress consider it under the War Powers Resolution.

I think that is the right course of action. It will give the President clear authority, and it will also establish the clear authority of Congress in this particular situation.

Let me add quickly, I think the President was right in what he did initially. I believe the use of American military technology—which was primarily our initial investment—was certainly warranted. Working with NATO, we created an atmosphere where the NATO forces could not be in harm's way, would be safe in their early efforts to stop Muammar Qadhafi in his efforts to kill the civilians in his country.

I also believe the President was right from a foreign policy viewpoint by not doing this unilaterally but working with the Arab League, the European Union, and the United Nations.

The fact that we have for the first time in history NATO forces working in concert with the Arab League is, I think, a very positive thing, and I salute the President for doing it.

I think his goal and motives were good in this effort, and I would vote, if asked, to continue this effort under the War Powers Act affirmatively based on all the briefings I have received.

Having said that, I believe we should pursue the course that Senator CARDIN and I suggested in our resolution, that we should, in fact, deal with this matter under the War Powers Resolution. We should debate and take action on it here in the Senate.

I am hopeful that soon—perhaps before the end of the day—there will be some effort under way in a bipartisan fashion to do just that.

At the end of the day, we will be asked by future generations if we kept true to our oath under the Constitution, which requires us to face difficult debates and decisions, and there are none more difficult than this.

We are also going to be asked by the people we represent in terms of the cost in human life and the cost to American taxpayers whether we engaged in the debate and determined it was the appropriate thing to do.

I have, like so many Members of the Senate and Congress, had the sad duty

to attend the funerals of those who have fallen in combat in service to our country. It is sad to face their families and realize they have paid the ultimate sacrifice to our Nation. I think that requires us, even in circumstances where the facts are debatable, to err on the side of exercising our constitutional authority.

I hope before the end of the day this bipartisan resolution will come to the floor—and certainly before the end of the week—and that we debate it and act on it before the end of this work period.

Again, let me make it clear, I think the President is right in what he is doing. But I think we have a responsibility that goes beyond Mr. Bauer's conclusion—a responsibility to decide that this offensive use of military force, even for a good purpose, a good humanitarian purpose, is one that requires the authorization of the American people through their Members of Congress.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Morning business is closed.

THE PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume consideration of the motion to proceed to Calendar No. 75, S. 679. I send a cloture motion to the desk and ask the clerk to report.

CLOTURE MOTION

The PRESIDING OFFICER. Without objection, it is so ordered.

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 75, S. 679, the Presidential Appointment Efficiency and Streamlining Act of 2011:

Harry Reid, Joseph I. Lieberman, Thomas R. Carper, Frank R. Lautenberg, Sherrod Brown, Barbara Boxer, Sheldon Whitehouse, Patty Murray, Robert P. Casey, Jr., Christopher A. Coons, Joe Manchin III, Debbie Stabenow, Jon Tester, Benjamin L. Cardin, Jeanne Shaheen, Kent Conrad, Richard J. Durbin.

Mr. REID. Mr. President, I am disappointed that we had to file cloture again. I would hope, though, that in the ensuing days, the Republicans on the other side will let us get on this bill.

This is a bill Senator MCCONNELL and I started working on when we were both whips many years ago. The purpose of the bill is to eliminate the need to have all of these nominations to these relatively minor posts confirmed by the Senate. And the work done by the chairman and ranking member of the Budget Committee, Senators SCHUMER and ALEXANDER, has been exemplary.

We now will have—when this legislation passes, and I really think it will pass, even if we have to invoke cloture on the motion to proceed and on the bill itself—hopefully that will not be necessary, but if we do, that is what we will have to do. This bill would take away the necessity of our having to do some 200 nominations for some of these minor posts I talked about.

I hope we can get on this bill when we come back next week. It will be the right thing to do. There is so much to do. This would set the tone of this work period that has not been so good to this point.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m. on Tuesday, June 21, 2011, the Senate proceed to executive session to consider Calendar No. 34, the nomination of Michael H. Simon, of Oregon, to be U.S. District Judge for the District of Oregon; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on Calendar No. 34; that following this vote, the Senate recess until 2:15 p.m. for the weekly party conferences; that at 2:15 p.m., the Senate consider Calendar No. 183, Leon E. Panetta to be the Secretary of Defense for our country; that there be 2 hours of debate equally divided between the two leaders or their designees; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on Calendar No. 183; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, no further motions be in order to the nominations, and any statements related to the nominations be printed

in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; further, that following this vote, the Senate resume consideration of the EDA bill and vote on the motion to invoke cloture on that bill; that if cloture is not invoked, the Senate proceed to vote to invoke cloture on the motion to proceed to S. 679, the Presidential Appointment Efficiency and Streamlining Act; finally, that the mandatory quorum under rule XXII be waived on both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 17 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBERSECURITY

Mr. WHITEHOUSE. Mr. President, I rise today to speak about a serious issue that touches on our national security, our economic well-being, the safety of our families, and our privacy; that is, America's cybersecurity.

I look forward to conducting an in-depth examination of the aspects of this issue that falls within the Senate Judiciary Committee's jurisdiction during the Subcommittee on Crime and Terrorism's June 21, 2011, hearing, "Cybersecurity: Evaluating the Administration's Proposals." However, because of the importance of improving our cybersecurity, as demonstrated by the recent Gmail spear-fishing attacks and hacks at Sony, Epsilon, Lockheed Martin, and even the Senate itself, I rise to make some initial remarks today.

American technological innovation ushered in the Internet age, bringing with it Facebook, YouTube, and the rest of the World Wide Web. It set off an explosion of new commerce, freedom of expression, and economic opportunity even in the smallest details of our lives—allowing a car company, for instance, to unlock your car doors remotely if you have locked yourself out of your car.

However, this increased connectivity allows criminals, terrorists, and hostile nations to exploit cyberspace, to attack America, to invade our privacy, to loot our intellectual property, and to expose America's core critical infrastructure to cyber sabotage. Entire online communities are dedicated to stealing and selling American credit

card numbers. Consider the disturbing fact that the price of your credit card number stolen online actually goes up if the criminal also is selling your mother's maiden name. Some criminals have learned how to spy on Americans, hacking into our home computers and looking out through the video camera attached to the screen. Others run Web sites selling stolen entertainment without paying the American companies that created it. And millions of American computers—millions of American computers—have been compromised by malware slaved to botnets that can record your every keystroke and send it instantaneously across the world to a criminal's laptop.

I firmly believe that cyber crime has put our country on the losing end of the largest illicit transfer of wealth in world history. Whether by copying source code, by industrial espionage of military product designs, by identity theft, by online piracy, or by outright old-fashioned stealing from banks—just doing it the electronic way—cyber crime cripples American innovation, kills jobs here at home, and undermines our economic and national security.

Congress must act to protect Americans from these Internet dangers and to protect our civil liberties. Let me say at the outset that the government must not be allowed to snoop indiscriminately into our online activity, to read our e-mail, or to watch us online. There simply is no need for such an invasion of privacy, and we must move forward with that firmly in mind.

The majority leader has introduced a leadership bill that will be a vehicle for our work. The Commerce Committee, led by Chairman ROCKEFELLER and Ranking Member SNOWE, both of whom I had the privilege to serve with on the Intelligence Committee, and the Homeland Security Committee, led by Chairman LIEBERMAN and Ranking Member COLLINS, reported key bills last year. Chairman LEAHY and the Judiciary Committee have reported important legislation on data breach and other issues central to cybersecurity. The Armed Services, Energy, and other committees have studied the issue from the perspective of their particular jurisdictions and expertise, and under the leadership of Chairman FEINSTEIN, the Intelligence Committee Cybersecurity Task Force completed its classified report last July, authored by me, Senator MIKULSKI, and Senator SNOWE. So we have been ready in Congress.

The administration has now weighed in with its own proposal, recognizing that we need cybersecurity legislation to make our Nation safer and launching in earnest our legislative process.

We have hard work ahead to find the best possible solutions to this complex and grave challenge to our national and economic security. As we begin, I would like to flag five issues that I be-

lieve must be addressed as this legislation goes forward.

First, we need to build greater public awareness of cybersecurity threats going forward.

What is the problem? The problem is that information affecting the dot.gov and the dot.mil domains—the government domains—is largely classified. And in the dot.com, dot.net, and dot.org domains, threat information is often kept proprietary by the victim business so as not to worry shareholders, customers, and regulators, or give ammunition to competitors. The result is that Americans are left in the dark about the level of danger that is actually out there on the Internet.

The administration's proposal would require covered businesses to notify customers if their personal information is stolen, expand reporting of cybersecurity threats, and require some public assessments of cyber readiness.

I believe more can still be done on these fronts. I have had the pleasure of working with Senator KYL to introduce S. 931, the Cyber Security Public Awareness Act. I would like to urge interested colleagues to review it and consider including it as part of our larger cybersecurity legislation. That is first.

Second, the Senate needs to ensure that we give private industry the tools necessary for self-defense against cyber attacks.

Proper sharing among and within industries of cybersecurity threat information is vital. The administration took an important step by recommending, subject to various safeguards, enhanced sharing of cybersecurity threat information by the government with private industry. But we may also need to remove legal impediments that unnecessarily limit the sharing of threat information within industries, and we should be prepared to listen here to the private sector's needs as they set up those areas for safe communications about the cyber threats they share.

Third, our Nation does not have basic rules of the road for end users, ISPs, and software and hardware suppliers.

The administration proposal includes important provisions that would move us in the right direction. Assuming that ISPs—Verizon and Comcast and the companies that are actually providing the service—assuming that these companies qualify as critical infrastructure, which is an assumption we should clarify before getting too far down this path, the administration's proposal would require them to develop a standardized framework to address cybersecurity.

Sensible laws and regulations have made our highways safe, and we need similarly to make our information highways safe. Federal procurement can encourage effective cybersecurity standards with appropriate supply

chain security so as to improve cybersecurity across the hardware and software industries. These improvements will benefit the government directly, but it will also improve the security of all products on which business and consumers rely.

Americans are too often unaware of dangerous malware that has been surreptitiously inserted into our own computers, and we do not take readily available measures to protect ourselves and those with whom we link.

One leading ISP, Comcast, deserves credit for developing a new mechanism to notify and assist its customers when their computers have been compromised by malicious software or botnets. All other ISPs should work together to join, strengthen, and standardize this program. In Australia, ISPs have developed a code of conduct that may be a model for their American counterparts in this regard.

The fourth point: It is vital that the government have an instant response plan that clearly allocates responsibilities for responding to a major cyber attack or breach. The administration proposal puts the responsibility for such incident response with the Department of Homeland Security Cybersecurity Center envisioned by the proposal. I look forward to working with the administration and my colleagues on that aspect of the proposal.

More generally, the administration proposal, like bills that have been reported in the Senate, gives the Department of Homeland Security a leadership role in our Nation's cybersecurity. We have to remember this is a relatively new role for the Department of Homeland Security. It is one of a great many different responsibilities that the Department of Homeland Security bears, and it is a role in which much of the government's expertise resides in other agencies than the Department of Homeland Security.

The Department of Homeland Security's role must be configured to attract sufficiently high-caliber cybersecurity professionals to ensure that DHS properly leverages the cybersecurity expertise at those other agencies and to assure sufficient independence and credibility of the Cybersecurity Center to perform this vital mission, even as administration change and attention to cybersecurity waxes and wanes. Cybersecurity is a real and present danger, so we must also plan for and minimize the interim period in which DHS builds up its cybersecurity expertise, promulgates necessary regulations, and otherwise grows into any new role with which it is tasked.

Cyber attacks happen at the speed of light, so the best defense requires that we preposition some of our defensive capabilities. Many of our Nation's leading experts who have seen the dark heart of the Internet's dangers and understand the cyber threat in its dimen-

sions recommend rapidly creating secure domains for our most critical infrastructure—our electric grid being the most obvious example. These would be domains in which our Nation's best cybersecurity defenses could be both lawful and effective. Obviously, this would need to be done in a very transparent manner, subject to strict oversight. But we as a country have impressive capabilities in this area, and we need to make sure those impressive capabilities protect our critical infrastructure as soon as possible. They are not deployed to protect critical infrastructure now.

Fifth, countries around the world, including countries that dedicate significant resources to exploiting our cyber vulnerabilities, are working hard to build their cyber workforces. We must not fall behind.

This means enabling our colleges and universities, in partnership with private companies, government agencies, and other cybersecurity innovators, to research the next great cybersecurity technology and to build the cyber human capital our Nation needs to defend itself and continue to flourish on the Internet.

Academic and technological leaders in my State, such as the University of Rhode Island and Brown University, have been hard at work developing new cybersecurity technologies and strengthening our Nation's cyber expertise. I look forward to working with them as we go forward.

There are other vital issues we must address, many of which I have spoken about previously on this floor. We must work, for example, to scale up our Nation's cybersecurity and law enforcement resources to match the seriousness of the threat posed by cyber criminals, by terrorist organizations, and by hostile nation states using cyberspace to attack our Nation.

The bottom line is we have a lot of important work to do. I am glad there is every indication that it will be bipartisan work, undertaken with the country's best interests in mind. I look forward to taking on this task with my colleagues in the months ahead.

I yield the floor.

WELCOMING HIS EXCELLENCY TSAKHIAGIIN ELBEGDORJ

Mr. LUGAR. Mr. President, today as ranking member of the Senate Foreign Relations Committee, I am pleased to welcome the President of Mongolia, His Excellency Tsakhiagiin Elbegdorj, a renowned promoter of democracy and a longtime friend of the United States.

As a leader of the peaceful democratic revolution in Mongolia in 1990, President Elbegdorj was a pioneer of freedom in Mongolia. His distinguished service to Mongolia includes serving as Prime Minister and Vice Speaker of the Great Hural/Parliament.

The United States recognized Mongolia in 1987 and established our first Embassy in Ulaanbaatar in 1988. We have supported Mongolia in its move toward democracy and market-oriented reforms.

Our partnership with Mongolia is vibrant and growing with multiple intersects covering trade and economic issues, defense cooperation, and people-to-people programs. Mongolia is also active in regional and global affairs and would be an appropriate host for future multilateral talks related to North Korea and its nuclear weapons program.

Since 2003, Mongolian troops have been deployed in support of coalition operations in Iraq and Afghanistan. In addition, Mongolia has deployed over 3,000 personnel on U.N. peacekeeping missions in approximately 10 countries.

I appreciate this opportunity to convey my appreciation for the personal leadership of President Elbegdorj and his important contribution to the growing of Mongolia-U.S. relations.

JUNETEENTH 2011

Mr. CARDIN. Mr. President, I rise today in celebration of the 146th anniversary of Juneteenth, the oldest continually celebrated commemoration of the end of slavery in the United States. This significant historical event is appropriately observed as an important part of American history. Though the Emancipation Proclamation officially took effect on January 1, 1863, many slaves did not find freedom until Union troops were able to reach the Southern States to enforce the order. Lincoln's order initially directed the Confederate States to end slavery, but allowed the States that remained in the Union during the Civil War to maintain the peculiar institution of slavery. It wasn't until December of 1865 that the 13th amendment marked the complete abolition of slavery in this country. Juneteenth was an important first step toward inclusion in the greater American dream.

It is a time of reflection, healing and an opportunity for our country to have meaningful discussions about our legacy of slavery and inequality and our ambitions for a more perfect Union.

With the breadth of technology we have today, it is difficult for many to conceive of a time where news traveled over days, months and even years depending on where the communication began and ended. The real-time dissemination of information via mobile phones, BlackBerries and Skype video chat makes it easy to forget a time when things moved at a much slower pace. In the 1860s horses were widely used for carrying mail, although parts of the country were building out railroads—with locomotives powered by steam traveling approximately 15 miles per hour.

On June 19, 1865, Union troops arrived in Galveston, TX, to deliver freedom to slaves still held in bondage. Because of the amorphous period between the Emancipation Proclamation and the official implementation of freedom for America's slaves, Juneteenth is celebrated not only on June 19, but the entire month of June, to represent the slow spread of freedom during the war. The culminating reading of General Order No. 3 on June 19 sparked spontaneous and jubilant celebration, and the spirit of that celebration has thrived in every African-American community from that day forward.

While Juneteenth represents an import phase in our history, it does not represent the end of discrimination and prejudice. African Americans would continue to struggle to establish equality as citizens, in education, professional careers and socioeconomic status because of Jim Crow laws and other forms of insidious discrimination.

In marking this occasion, it is appropriate to reflect on what was responsible for its creation. Millions of Africans, kidnapped by traders or sold into bondage by warring African kings, were ripped from their ancestral homes and carried across the Atlantic Ocean under hellish conditions known as the Middle Passage. While estimates vary, it is likely that as many as 2.5 million Africans died before ever reaching the shores of the "New World."

No comfort found them upon their arrival, as they were treated as chattel and sold to merchants and farmers. Their daily lives included intense, back-breaking physical labor for long hours in poor conditions, with no hope of attaining freedom or economic advancement. Maryland was complicit in this bondage, and at one point in the late 16th century, slaves made up approximately a third of the State's population.

Maryland, however, helped to lead the abolitionist movement as well. The underground railroad, vital to the freedom of many slaves, ran through Maryland's Eastern Shore and Chesapeake Bay. Its operation relied on the kindness and secrecy of a vast network of often anonymous citizens, many who lived in Maryland, all equally dedicated to ferrying fleeing slaves to freedom in New York, Massachusetts, and Canada.

Indeed, determined slaves from Maryland would leave an indelible mark on our national landscape. Harriet Tubman, a slave from Dorchester County, MD, went on to guide her family as well as 300 other slaves over 19 trips into the South out of slavery and into the North. During her clandestine daring, she never lost a single "passenger."

Frederick Douglass, born in Talbot County, escaped northwards at age 20 and began a long life of fiercely advocating for racial equality not only in

the United States but abroad as well. He established the hallmark arguments that abolitionists would echo for years to come, until Emancipation was finally proclaimed.

Emancipation was not the end of the struggle. Explicit laws and implicit associations would continue to create and sustain dire inequalities in the African-American community. Maryland passed 15 Jim Crow laws between 1870 and 1957, laws that would meaningfully segregate almost every area of public life, and would contribute to the man who would later argue the landmark *Brown v. Board of Education* case, Thurgood Marshall, being denied admission to the University of Maryland Law School. Marshall would go on to become the first Black Supreme Court Justice, and would help to safeguard the rights and freedoms of all Americans, regardless of race.

This Juneteenth, we must recommit ourselves to fighting racial disparity and prejudice. As we look back at the legacy of Juneteenth, and how the slow spread of the news of freedom brought forward a new era in our country's history, we must recommit ourselves to the hard work of ensuring that equal representation, equal opportunity, and equal justice are spread everywhere as well. Though the progress and spread may be slow, it will reach every American if we continue to vigilantly demand equality to access to health care, equal treatment by financial institutions, equal educational opportunities, and adherence to the words of our forefathers that "all men are created equal."

We must continue to eliminate inequality so we can truly honor the spirit of Juneteenth.

RECOGNIZING TIM THOMAS HOCKEY LLC

Ms. SNOWE. Mr. President, last night, the Boston Bruins completed a stunning comeback to win the Stanley Cup for the first time since 1972. This monumental victory is a testament to the team's workmanlike approach to the game, and there is much praise to go around. But one of the key players who contributed to the inspired game 7 win was Tim Thomas, Boston's fantastic goaltender. Winner of the Conn Smythe Trophy of Stanley Cup Final Most Valuable Player—at age 37, the oldest player to win this honor—Thomas posted a .967 save percentage in the series, stopping 238 of 246 shots, and stopping a record 798 shots in the entire playoffs. More than just a team player on the ice, Tim Thomas is also involved in the community with his Tim Thomas Hockey Camps. Today, I rise to recognize Tim Thomas and his endeavors to promote both hockey and sportsmanship throughout New England.

Incorporated in Portland, ME, Tim Thomas Hockey Camps got their start

4 years ago to help players of all ages participate and develop skills in the exciting sport of hockey. Camps are held during the summer across Maine, New Hampshire, Vermont, and Massachusetts, and campers have expressed tremendous appreciation of the dedication of the camps' staff to teaching the fundamentals of the game. Tim leads a team of 20 experienced staff members, from former National Hockey League players to college standouts and coaches, who impart their vast knowledge on camp attendees. Aside from the technical aspects of hockey, the camps also teach players about teamwork, camaraderie, and the importance of a strong work ethic. Additionally, the Tim Thomas Foundation helps both hockey players and organizations in need of assistance, and supports a number of groups and charities from the Greely Hockey Boosters in Cumberland, ME, to the Hunger Mountain Children's Center in Waterbury, VT.

Tim's desire to help others attain their goals in hockey comes from his own moving story, which is a case study in hard work, patience and perseverance. A star goalie at the University of Vermont, he was drafted 217th overall in 1994 by the now-defunct Quebec Nordiques. After spending several seasons in the minor leagues and in Europe, Tim made his debut with the Boston Bruins when he was 28 years old and became the team's starting goaltender 3 years later. Tim has racked up numerous accolades and All Star Game appearances over the course of his career, including winning the Vezina Trophy in 2009 as the NHL's best goaltender. He is almost certainly a lock to win it again this year. Furthermore, what makes this year's accomplishment so special is that Tim had off-season hip surgery last summer.

Tim Thomas' remarkable road to the Stanley Cup is truly noteworthy for aspiring hockey players across New England, and indeed the country. To many, he is a hero who helped bring the Cup back to Boston for the first time in 39 years. But to many more, Tim Thomas is also a role model, who inspires children of all ages to pursue their goals and dreams in the hopes that, one day, with hard work and resolve, they too can attain the ultimate prize. I thank Tim Thomas and everyone who is a part of the Tim Thomas Hockey Camps for their superb work, and offer my congratulations to the Bruins organization on its stellar victory!

TRIBUTE TO GERRY COUNIHAN

Mrs. BOXER. Mr. President, today I wish to pay tribute to a wonderful member of our Senate family. After 20 years of public service, Gerry Coughlin is retiring from his post as Senate elevator operator.

In 1991, shortly after earning a degree from Franciscan University, Gerry

began his Capitol Hill journey working in the mailroom for Senator JOHN MCCAIN.

Gerry then moved on to become a Capitol tour guide in 1997, where he distinguished himself with his enthusiasm and strong work ethic. Ted Daniel, former director for the Capitol's visitor services, hired Gerry, and remembers that on Gerry's first day he came to work thoroughly prepared, standing head and shoulders above his peers.

It was this passion and "can-do" attitude that led Gerry to become an integral part of the tour guide team that every day bring history to life for visitors. Gerry even made Capitol history himself. He gave the first public tour following the fatal shooting of two U.S. Capitol Police officers in 1998. And when the Capitol reopened to visitors following the terrorist attacks of September 11, 2001, Gerry again was chosen to lead the first tour.

Sadly, in 2007 Gerry was a victim of a home invasion as he was getting ready for work one morning. He suffered a near fatal assault and the mailman found him 3 hours later on his neighbor's steps where he had gone for help.

Gerry spent 5 weeks in the hospital relearning basic skills, not certain he would ever walk again. While in the hospital, he met Special Olympics founder Eunice Kennedy Shriver. He describes her as "marvelous" during his time of need.

With an abundance of emotional and medical support, Gerry was able to overcome this significant challenge and return to Capitol Hill as an elevator operator. I know I am not alone when I say that this is one of the best hires to date. Gerry's welcoming demeanor and caring and protective character have been appreciated by all Senators. He will certainly be missed.

Gerry's story is one of strength and determination. While his positions on Capitol Hill may have varied, he always strives to be the best at what he does and never lets circumstances bring him down. Having woven his way into all of our hearts, Gerry is an integral piece of the social fabric of Capitol Hill. We will remember him always.

I wish Gerry Counihan nothing but the best as he moves on to his next endeavor at the Department of Health and Human Services. I hope that he knows he is an inspiration to many and will forever be a part of the Senate community and the Senate family.

TRIBUTE TO CATHRYN HILKER

Mr. PORTMAN. Mr. President, I rise today to speak about Cathryn Hilker on the occasion of her 80th birthday. Cathryn is a resident of Cincinnati, OH, who has done incredible work over the last 30 years to help save the world's cheetah population. On Monday, June 20, 2011, the Cincinnati Zoo will be celebrating her 80th birthday

and honoring her commitments to cheetah conservation.

Cathryn's work with cheetahs began in 1980, when she brought home a young cheetah cub named Angel. Over the next 12 years, Cathryn and Angel toured the country, giving live presentations to more than 1 million people and appearing on hundreds of television news programs all around the world. Through the Cincinnati Zoo's Cat Ambassador Program, which Cathryn Hilker founded, she and her team of trainers continue to take cheetahs and other endangered cats to schools to teach students about how we can help protect endangered species. Today, because of Cathryn Hilker's commitment and the support of her Angel Fund foundation, the African cheetah has a future in the wild.

Mr. President, for her commitment to cheetah conservation and her numerous contributions to the Cincinnati Zoo and the community of Cincinnati, I would like to thank Cathryn Hilker and wish her a happy 80th birthday.

RECOGNIZING TREMCO INCORPORATED

Mr. PORTMAN. Mr. President, I rise today to congratulate Tremco, Inc., for its energy efficiency efforts. Tremco, located on Green Road in Beachwood, OH, recently completed a multimillion-dollar renovation of their 40-year-old headquarters to transform it into an energy-efficient example for sustainable design. The unveiling and dedication of the facility, which will be attended by our Governor, Members of Congress, and local officials, will take place tomorrow.

The renovation will allow Tremco to lower its carbon footprint, reduce gas usage by 84 percent, reduce electric usage by 43 percent, save hundreds of thousands of gallons of potable water, and reduce materials sent to landfills by 90 percent. In addition, they are hoping to receive the prestigious U.S. Green Building Council's LEED-Gold certification for their energy-efficient improvements.

In today's world of rising energy prices and instability in the Middle East, I would like to commend the management and employees of Tremco, Inc., for their leadership in sustainability and congratulate them as they celebrate their newly renovated headquarters in a "Building Green on Green" dedication that will take place on Friday, June 17, 2011.

REMEMBERING KATHRYN TUCKER WINDHAM

Mr. SHELBY. Mr. President, today I wish to pay tribute to Kathryn Tucker Windham, who passed away in her home on Sunday, June 12, 2011, at the age of 93. Kathryn was a renowned storyteller for whom I had deep respect.

She enjoyed an accomplished career as an author, playwright, photographer and journalist. Kathryn also demonstrated a fierce dedication to her community. I mourn her passing.

Born on June 2, 1918, Kathryn spent the majority of her childhood in Thomasville, AL, where she also began her career in writing and photography. She graduated from Huntingdon College in Montgomery and remained supportive of her alma mater for the duration of her long and successful career.

Kathryn's trailblazing accomplishments include publishing many well-loved ghost stories and autobiographical memories as well as three cookbooks. She was also recognized as the first woman journalist in the South to cover a police beat at a major daily newspaper, and she had stints at the Alabama Journal, the Birmingham News, the Selma Times-Journal, the Area Agency on Aging and WUAL radio. Kathryn also wrote several plays, including a one-woman show that she, herself, performed. She was also a contributor to NPR's "All Things Considered" and a regular at the National Storytelling Festival in Jonesborough, Tennessee. Always giving back to her community, Kathryn founded the Alabama Tale-Tellin' Festival, which takes place each year in Selma.

Kathryn's achievements garnered recognition, both in the State of Alabama and nationally. She received the Alabama Humanities Foundation's Alabama Humanities Award, the University of Alabama's Society of Fine Arts' Alabama Arts Award, the National Storytelling Association's Circle of Excellence Award and Lifetime Achievement Award as well as numerous other distinguished awards and honors throughout her lifetime. Additionally, the Alabama Southern Community College in Thomasville opened the Kathryn Tucker Windham Museum in her honor.

I am honored to have known Kathryn and to have enjoyed her great works of literature and journalism. She was truly an inspiration to her community, the literary world, and the nation. Her legacy will forever be preserved through her timeless stories. My thoughts and prayers are with her friends and family, especially her children, Dilcy Hilley and Ben Windham, as they mourn the loss of this gracious and wonderful woman.

Kathryn cleared a path for women writers and journalists to follow after her and should be revered for her bravery, stamina and grace. Her life's contributions to the State of Alabama will forever be remembered.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. PAUL LECLERC

• Mr. SCHUMER. Mr. President, today I honor Dr. Paul LeClerc, president and

chief executive officer of the New York Public Library, NYPL, on the occasion of his retirement. On June 30 of this year, Dr. LeClerc will leave his post at the NYPL, having served as its leader since December 1, 1993. Dr. LeClerc is a true scholar and leader and the New York Public Library and the city of New York will deeply miss his leadership at this iconic institution.

The New York Public Library is one of the preeminent libraries in the world and under Dr. LeClerc's leadership it has implemented a series of initiatives that have made it a world leader in the field of information collecting and distribution. Just to name a few, these achievements include strategic alliances with the most important collections in Western Europe, South America and Russia; creating for the public's use one of the most advanced IT systems in any library; and creating a new Center for Scholars and Writers at the historic Stephen A. Schwarzman Building at Fifth Avenue.

In addition to being at the forefront of research, the New York Public Library's over 90 locations bring services to every neighborhood of the Bronx, Staten Island, and Manhattan. Last year alone, 15.4 million New Yorkers visited these neighborhood branch libraries looking for services that they can't receive anywhere else; 2.4 million individuals visited the NYPL's four research libraries, accessing many of the collections and programs I have already described; and 25.4 million people from around the world visit the Library's Web site and online collections each year. Dr. LeClerc has overseen all of these magnificent resources and we are so thankful to him for his passion and dedication.

As Dr. LeClerc retires from the library, leaving his mark on its past and future, I would like to ask my colleagues to join with me today in honoring him for his over 17 years of dedication to the New York Public Library, the city of New York, and pursuers of knowledge worldwide.●

BOWDLE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Bowdle, SD. The town of Bowdle will celebrate its 125th anniversary this year.

Bowdle was founded in 1886 and experienced rapid growth as the rail line running through the town continued to expand westward. Located in Edmunds County, it has now become an agricultural center in the region. It also has a strong local business community and excellent healthcare and educational facilities.

Bowdle has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations

to the citizens of Bowdle on this landmark occasion and wish them continued prosperity in the years to come.●

BRYANT, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Bryant, SD. The town of Bryant will celebrate its 125th anniversary this year. Bryant was named after an official of the railroad, as the town came into being when the railroad came through the southwest corner of Hamlin County. Bryant is also home to the Kant Hotel which is listed in the National Register of Historic Places.

Bryant has been a successful and thriving community for the past 125 years and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Bryant on this important occasion and wish them continued prosperity in the years to come.●

CONDE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Conde, SD. The town of Conde will celebrate its 125th anniversary this year.

Located in Spink County, Conde was founded in 1886 when W.W. Rounds, Conde's first settler, sold his farm to the Western Town Lot Company. The town was named by the French-born wife of a local railroad executive, who chose to name the town after the fortress of Conde in France.

Today Conde is known for its excellent pheasant and deer hunting, and friendly atmosphere. Conde has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Conde on this landmark occasion and wish them continued prosperity in the years to come.●

HECLA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Hecla, SD. The town of Hecla will celebrate its 125th anniversary this year.

Located in Brown County, Hecla was founded in 1886 and was named after a volcano in Iceland. Today Hecla is known for its excellent hunting, abundant bird watching opportunities, and friendly atmosphere.

Hecla has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Hecla on this landmark occasion and wish them continued prosperity in the years to come.●

LANGFORD, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Langford, SD. The town of Langford will celebrate its 125th anniversary this year.

Langford was founded in 1886 and named after Sam Langford, the owner of the land where the town was built. Located in Marshall County, it is known for its talented high school band and community pride in their high school athletes.

Langford has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Langford on this landmark date and wish them continued prosperity in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 5:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1934. An act to improve certain administrative operations of the Library of Congress, and for other purposes.

H.R. 2112. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

The message also announced that the House has passed the following joint resolutions, without amendment:

S.J. Res. 7. Joint resolution providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9. Joint resolution providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1934. An act to improve certain administrative operations of the Library of

Congress, and for other purposes; to the Committee on Rules and Administration.

H.R. 2112. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2144. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-11-946-2 IR; FV11-946-2 IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2145. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Blueberry Promotion, Research, and Information Order; Section 610 Review" (Docket No. AMS-FV-10-0006) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2146. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, Oregon; Termination of Marketing Order 924" (Docket No. AMS-FV-10-0053; FV10-924-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2147. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Referendum Procedures" ((RIN0581-AD03) (Docket No. AMS-FV-10-0015; FR-B)) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2148. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendment to the National List of Allowed and Prohibited Substances (Livestock)" ((RIN0581-AD04) (Docket No. AMS-NOP-10-0051; NOP-10-04FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2149. A communication from the Administrator of Cotton and Tobacco Programs, Agricultural Marketing Service, De-

partment of Agriculture, transmitting, pursuant to law, the report of a rule entitled "User Fees for 2011 Crop Cotton Classification Services to Growers" ((Doc. No. AMS-CN-10-0111) (CN-11-001)) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2150. A communication from the Acting Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sorghum Promotion and Research Program: State Referendum Results" (Doc. No. AMS-LS-11-0040) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2151. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Modification of the Rules and Regulations" (Doc. No. AMS-FV-11-0024; FV11-946-3IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2152. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2011-2012 Marketing Year" (Doc. No. AMS-FV-10-0094; FV11-985-1FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2153. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Standards for Grades of Potatoes" (Doc. No. AMS-FV-08-0023) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2154. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Suspension of Handling Requirements" (Doc. No. AMS-FV-11-0019; FV11-916/917-5 IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2155. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in Designated Area Southeastern California; Increased Assessment Rate" (Doc. No. AMS-FV-10-0104; FV11-925-1FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2156. A communication from the Administrator of the Fruit and Vegetable Pro-

grams, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California; Increased Assessment Rate" (Doc. No. AMS-FV-10-0090; FV10-989-3FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2157. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "U.S. Honey Producer Research, Promotion, and Consumer Information Order; Termination of Referendum Procedures" (Doc. No. AMS-FV-07-0094; FV07-706-FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2158. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Decreased Assessment Rate" (Doc. No. AMS-FV-10-0115; FV11-932-1IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2159. A communication from the Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Federal Seed Act Regulations" (Doc. No. AMS-LS-08-0002) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2160. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Regulations Issued Under the Export Grape and Plum Act; Revision to the Minimum Requirements" (Doc. No. AMS-FV-10-0091; FV11-35-1FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2161. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Perishable Agricultural Commodities Act: Impact of Post-Default Agreements on Trust Protection Eligibility" (Doc. No. AMS-FV-09-0047) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2162. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Amendment to Allow Additional Exemptions" (Doc. No. AMS-FV-10-0072; FV10-927-1FIR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2163. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transitional Relief under Internal Revenue Code 6033(j) for Small Organizations" (Notice 2011-43) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2164. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alternative Simplified Credit under Section 41(c)(5)" (RIN1545-BH32) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2165. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Requirement for Taxpayers Filing Form 5472" (RIN1545-BK01) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2166. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Request for Comments on Funding of Patient-Centered Outcomes Research Through Fees Payable by Issuers of Health Insurance Policies and Self-Insured Health Plan Sponsors" (Notice 2011-35) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2167. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2011-49) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2168. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon Dioxide Sequestration; 2011 Section 45Q Inflation Adjustment Factor" (Notice 2011-50) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2169. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Basis in Stock Acquired in Transferred Basis Transactions" (Rev. Proc. 2011-35) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2170. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data and defense services to Mexico for the manufacturing of the Multiple Integrated Laser Engagement System (MILES) Individual Weapon System (IWS) in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2171. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to

a manufacturing license agreement for the export of defense articles, including technical data, and defense services to Italy to support the Final Assembly and Check-Out Facility ("FACO") stand-up activities for the F-35 Lightning II program in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2172. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the commission's Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2173. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2174. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Defense's Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2175. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 28th Annual Humboldt Bay Festival, Fireworks Display, Eureka, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0167)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2176. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chelsea St. Bridge Demolition, Chelsea River, Chelsea, MA" ((RIN1625-AA00) (Docket No. USCG-2011-0420)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2177. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Commencement Bay, Tacoma, WA" ((RIN1625-AA00) (Docket No. USCG-2011-0197)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2178. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Annual Events Requiring Safety Zones in the Captain of the Port Sault Sainte Marie Zone" ((RIN1625-AA00) (Docket No. USCG-2011-0188)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2179. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ocean City Air Show, Atlantic Ocean, Ocean City, MD" ((RIN1625-AA00) (Docket No. USCG-2011-0391)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2180. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursu-

ant to law, the report of a rule entitled "Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY" ((RIN1625-AA00) (Docket No. USCG-2010-1091)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2181. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Conneaut Festival Fireworks, Conneaut Harbor, Conneaut, OH" ((RIN1625-AA00) (Docket No. USCG-2011-0214)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2182. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lorain Independence Day Fireworks, Black River, Lorain, OH" ((RIN1625-AA00) (Docket No. USCG-2011-0215)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2183. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Temporary Change to Enforcement Location of Recurring Fireworks Display Event, Currituck Sound; Corolla, NC" ((RIN1625-AA00) (Docket No. USCG-2011-0384)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2184. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Put-In-Bay Fireworks, Fox's the Dock Pier; South Bass Island, Put-In-Bay, OH" ((RIN1625-AA00) (Docket No. USCG-2011-0417)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2185. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M/V Del Monte Live-Fire Gun Exercise, James River, Isle of Wight, VA" ((RIN1625-AA00) (Docket No. USCG-2011-0427)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2186. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M.I.T.'s 150th Birthday Celebration Fireworks, Charles River, Boston, MA" ((RIN1625-AA00) (Docket No. USCG-2011-0375)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2187. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan" ((RIN1625-AA17) (Docket No. USCG-1998-4623)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2188. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Vessel Traffic Service Lower Mississippi River; Correction" ((RIN1625-AA58) (Docket No. USCG-1998-4399)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2189. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Severn River, Spa Creek and Annapolis Harbor, Annapolis, MD" ((RIN1625-AA08) (Docket No. USCG-2011-0046)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2190. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments" ((RIN1625-AB69) (Docket No. USCG-2011-0257)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2191. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Increase for the Common Pool Fishery" (RIN0648-XA429) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2192. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of Commercial Penaeid Shrimp Trawling Off South Carolina" (RIN0648-XA431) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1103. A bill to extend the term of the incumbent Director of the Federal Bureau of Investigation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Marina Garcia Marmolejo, of Texas, to be United States District Judge for the Southern District of Texas.

Michael Charles Green, of New York, to be United States District Judge for the Western District of New York.

Wilma Antoinette Lewis, of the District of Columbia, to be Judge for the District Court of the Virgin Islands for a term of ten years.

Thomas Gray Walker, of North Carolina, to be United States Attorney for the Eastern District of North Carolina for the term of four years.

Charles F. Salina, of New York, to be United States Marshal for the Western District of New York for the term of four years.

Robert William Mathieson, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

Juan Mattos Jr., of New Jersey, to be United States Marshal for the District of New Jersey for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself and Mr. KYL):

S. 1213. A bill to amend title II of the Social Security Act to extend the solvency of the Social Security Trust Funds by increasing the normal and early retirement ages under the Social Security program and modifying the cost-of-living adjustments in benefits; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mrs. BOXER, Mrs. MURRAY, Mrs. SHAHEEN, and Mr. LAUTENBERG):

S. 1214. A bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions; to the Committee on Armed Services.

By Mr. KERRY:

S. 1215. A bill to provide for the exchange of land located in the Lowell National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORKER:

S. 1216. A bill to waive the requirement that existing traffic signs meet minimum retroreflectivity standards on or before the compliance dates established by the Federal Highway Administration; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. INOUE, Mr. AKAKA, and Mr. BEGICH):

S. 1217. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Finance.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 1218. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

By Mr. BARRASSO (for himself, Mr. ISAAXSON, and Mr. VITTER):

S. 1219. A bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CONRAD:

S. 1220. A bill to lessen the dependence of the United States on foreign energy, to promote clean sources of energy, to strengthen the economy of the United States, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 1221. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 1222. A bill to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 1223. A bill to address voluntary location tracking of electronic communications devices, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGAMAN:

S. 1224. A bill to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery program through fiscal year 2023; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN:

S. 1225. A bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. INHOFE, Mr. BARRASSO, Mr. HOEVEN, Mr. CORNYN, Mr. BLUNT, Ms. LANDRIEU, Mrs. HUTCHISON, Mr. COATS, Mr. CORKER, Mr. THUNE, and Mr. LUGAR):

S. 1226. A bill to amend the Clean Air Act to address air pollution from Outer Continental Shelf activities; to the Committee on Environment and Public Works.

By Mr. BEGICH:

S. 1227. A bill to improve Arctic health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. GRAHAM, Mr. COONS, and Mr. MCCAIN):

S. 1228. A bill to prohibit trafficking in counterfeit military goods or services; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 1229. A bill to amend the State Department Basic Authorities Act of 1956 to establish a United States Ambassador at Large for Arctic Affairs; to the Committee on Foreign Relations.

By Mr. DURBIN:

S. 1230. A bill to secure public investments in transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. Res. 209. A resolution congratulating the Dallas Mavericks on winning the 2011 National Basketball Association Championship; considered and agreed to.

By Mr. BROWN of Massachusetts (for himself, Mr. KERRY, Ms. SNOWE, Ms. COLLINS, Mrs. SHAHEEN, Ms. AYOTTE, Mr. REED, Mr. WHITEHOUSE, and Mr. LEAHY):

S. Res. 210. A resolution congratulating the Boston Bruins for winning the 2011 Stanley Cup Championship; considered and agreed to.

By Mr. LEVIN (for himself, Mrs. HUTCHISON, Ms. LANDRIEU, Mr. COCHRAN, Mr. CARDIN, Mr. CORNYN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. UDALL of Colorado, Mr. BEGICH, Ms. MIKULSKI, Mr. DURBIN, Mr. BROWN of Ohio, Mr. AKAKA, Ms. STABENOW, and Mr. WICKER):

S. Res. 211. A resolution observing the historical significance of Juneteenth Independence Day; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 52

At the request of Mr. INOUE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 52, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 119

At the request of Mr. VITTER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 119, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 146

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 496

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 496, a bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish.

S. 506

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 648

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 648, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 652

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 652, a bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes.

S. 726

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Alabama (Mr. SESSIONS), the Senator from South Dakota (Mr. THUNE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 792

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 792, a bill to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

S. 815

At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

S. 906

At the request of Mr. WICKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 960

At the request of Mr. KERRY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 965

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 965, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mr. JOHANNES), the Senator from Alabama (Mr. SESSIONS), the Senator from South Dakota (Mr. THUNE), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the

National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1059

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1059, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 1113

At the request of Ms. MURKOWSKI, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1113, a bill to facilitate the reestablishment of domestic, critical mineral designation, assessment, production, manufacturing, recycling, analysis, forecasting, workforce, education, research, and international capabilities in the United States, and for other purposes.

S. 1174

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1174, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1189

At the request of Mr. PORTMAN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs

dispensed to low-income individuals under the Medicare prescription drug benefit program.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 202

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 202, a resolution designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day".

AMENDMENT NO. 424

At the request of Mr. JOHANNIS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of amendment No. 424 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 433

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 433 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 467

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cospon-

sor of amendment No. 467 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 468

At the request of Mrs. HUTCHISON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 468 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 476

At the request of Mrs. FEINSTEIN, the names of the Senator from Virginia (Mr. WEBB), the Senator from Maine (Ms. COLLINS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 476 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself and Mr. KYL):

S. 1213. A bill to amend title II of the Social Security Act to extend the solvency of the Social Security Trust Funds by increasing the normal and early retirement ages under the Social Security program and modifying the cost-of-living adjustments in benefits; to the Committee on Finance.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Defend and Save Social Security Act".

SEC. 2. ADJUSTMENT TO NORMAL AND EARLY RETIREMENT AGE.

(a) IN GENERAL.—Section 216(l) of the Social Security Act (42 U.S.C. 416(l)) is amended—

(1) in paragraph (1)—
(A) in subparagraph (C), by striking "2017" and inserting "2016"; and

(B) by striking subparagraphs (D) and (E) and inserting the following new subparagraphs:

"(D) with respect to an individual who—
"(i) attains 62 years of age after December 31, 2015, and before January 1, 2024, such individual's early retirement age (as determined under paragraph (2)(A)) plus 48 months; or
"(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2015, and before January 1, 2024, 66 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(i));

“(E) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(ii)); or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(i)); and

“(F) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2026, 69 years of age; or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2026, 69 years of age.”;

(2) by amending paragraph (2) to read as follows:

“(2) The term ‘early retirement age’ means—

“(A) in the case of an old-age, wife’s, or husband’s insurance benefit—

“(i) 62 years of age with respect to an individual who attains such age before January 1, 2016;

“(ii) with respect to an individual who attains 62 years of age after December 31, 2015, and before January 1, 2023, 62 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(ii)) for the calendar year in which such individual attains 62 years of age; and

“(iii) with respect to an individual who attains age 62 after December 31, 2022, 64 years of age; or

“(B) in the case of a widow’s or widower’s insurance benefit, 60 years of age.”;

(3) by striking paragraph (3) and inserting the following:

“(3) With respect to an individual who attains early retirement age in the 5-year period consisting of the calendar years 2000 through 2004, the age increase factor shall be equal to two-twelfths of the number of months in the period beginning with January 2000 and ending with December of the year in which the individual attains early retirement age.”; and

(4) by adding at the end the following new paragraph:

“(4) The age increase factor shall be equal to three-twelfths of the number of months in the period—

“(A) beginning with January 2016 and ending with December of the year in which—

“(i) for purposes of paragraphs (1)(D)(ii), the individual attains 60 years of age; or

“(ii) for purposes of paragraph (2)(A)(ii), the individual attains 62 years of age; and

“(B) beginning with January 2024 and ending with December of the year in which—

“(i) for purposes of (1)(E)(ii), the individual attains 60 years of age; or

“(ii) for purposes of (1)(E)(i), the individual attains 62 years of age.”.

(b) CONFORMING INCREASE IN NUMBER OF ELAPSED YEARS FOR PURPOSES OF DETERMINING PRIMARY INSURANCE AMOUNT.—Section 215(b)(2)(B)(iii) of such Act (42 U.S.C. 415(b)(2)(B)(iii)) is amended by striking “age 62” and inserting “early retirement age (or, in the case of an individual who receives a benefit described in section 216(1)(2)(B), 62 years of age)”.

SEC. 3. COST-OF-LIVING ADJUSTMENT.

Section 215(i) of the Social Security Act (42 U.S.C. 415(i)) is amended—

(1) in paragraph (1)(D), by inserting “subject to paragraph (6),” before “the term”; and

(2) by adding at the end the following new paragraph:

“(6)(A) Subject to subparagraph (B), with respect to a base quarter or cost-of-living computation quarter in any calendar year after 2010, the term ‘CPI increase percentage’ means the percentage determined under paragraph (1)(D) for the quarter reduced (but not below zero) by 1 percentage point.

“(B) The reduction under subparagraph (A) shall apply only for purposes of determining the amount of benefits under this title and not for purposes of determining the amount of, or any increases in, benefits under other provisions of law which operate by reference to increases in benefits under this title.”.

By Mr. WARNER:

S. 1222. A bill to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. WARNER. Mr. President, I rise today to introduce an important new piece of legislation—the Digital Accountability and Transparency Act, or DATA Act.

Sine I have been in Washington, I have been frustrated by the lack of transparency and useful spending information to help inform the decision-making process. Our taxpayers deserve to clearly see how their tax dollars are spent.

As Chairman of the Budget Committee’s Task Force on Government Performance, I have been working to improve the outcomes and results of our Federal investments.

Last year, we passed the Government Performance and Results Modernization Act to more frequently track government outcomes and to help reduce overlap and duplication. Today, I will introduce the DATA Act to help bring a new level of transparency to our Federal spending.

I want to start by acknowledging the work of the administration and the Recovery Accountability and Transparency Board—this legislation was built off the important work they have been leading to reduce waste for the Recovery Act investments.

Under Vice President BIDEN’s leadership, supported by the Recovery Board Chairman Earl Devaney—they have established a new standard for government accountability. The results are impressive.

Out of more than 200,000 Recovery Act fund recipients—there are only 7 recipients that have not filed their required financial reports.

I also need to mention the leadership at the Office of Management and Budget—including director Jack Lew and our chief performance officer Jeff Zients. OMB led the charge with the Recovery Board to ensure the accountability of the Recovery Act funds and have made transparency an important goal government-wide.

The administration, the Recovery Board and OMB have proved that government can respond to the demand for more transparency and accountability.

Now we need to expand the Recovery Act model across the whole government. The DATA Act does just that.

First, this legislation will require recipients of Federal funds and government agencies to report spending data into one transparent online portal. Much like they did for Recovery Act funds.

This data will be analyzed and compared proactively in order to identify and prevent waste, fraud and abuse before it happens. There are tremendous opportunities to reduce improper payments by applying the Recovery Board’s fraud prevention tactics to the entire Federal Government.

This legislation will also create a new Board to oversee transparency efforts and set consistent standards for data across the entire Federal Government. Board membership will be comprised of a select group that will include senior OMB officials, agency Deputy Secretaries and Inspectors General.

All this information will be made publicly available so the American people can track taxpayer funds more closely.

This legislation will create a new structure that could help coordinate and reduce duplicative reporting requirements and burdens felt by many governments, nonprofits and businesses.

Finally, this legislation is an example of how Washington should work. It builds off the work of the administration and the Recovery Board, the work of Chairman DARRELL ISSA in the House and now with the introduction of this legislation in the Senate. By working together in a bipartisan way, we will have the strongest proposal that is poised to change the way the government does business.

I must thank Chairman DARRELL ISSA of California for his leadership on developing this legislation. He has been working tirelessly on improving transparency for years—even starting a House Caucus on Transparency to rally his colleagues on the subject.

I am pleased to be his partner in offering this legislation.

I look forward to working with my colleagues in the Senate and with the administration to make refinements to this legislation and to move forward with this bill.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 1223. A bill to address voluntary location tracking of electronic communications devices, and for other purposes; to the Committee on the Judiciary.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Location Privacy Protection Act of 2011”.

SEC. 2. DEFINITION.

In this Act, the term “geolocation information” has the meaning given that term in section 2713 of title 18, United States Code, as added by this Act.

SEC. 3. VOLUNTARY LOCATION TRACKING OF ELECTRONIC COMMUNICATIONS DEVICES.

(a) IN GENERAL.—Chapter 121 of title 18, United States Code, is amended by adding at the end the following:

“§ 2713. Voluntary location tracking of electronic communications devices

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered entity’ means a non-governmental individual or entity engaged in the business, in or affecting interstate or foreign commerce, of offering or providing a service to electronic communications devices, including, but not limited to, offering or providing electronic communication service, remote computing service, or geolocation information service;

“(2) the term ‘electronic communications device’ means any device that—

“(A) enables access to, or use of, an electronic communications system, electronic communication service, remote computing service, or geolocation information service; and

“(B) is designed or intended to be carried by or on the person of an individual or travel with the individual, including, but not limited to, a vehicle the individual drives;

“(3) the term ‘express authorization’ means express affirmative consent after receiving clear and prominent notice that—

“(A) is displayed by the electronic communications device, separate and apart from any final end user license agreement, privacy policy, terms of use page, or similar document; and

“(B) provides information regarding—

“(i) what geolocation information will be collected; and

“(ii) the specific nongovernmental entities to which the geolocation information may be disclosed;

“(4) the term ‘geolocation information’—

“(A) means any information—

“(i) concerning the location of an electronic communications device that is in whole or in part generated by or derived from the operation or use of the electronic communications device; and

“(ii) that may be used to identify or approximate the location of the electronic communications device or the individual that is using the device; and

“(B) does not include any temporarily assigned network address or Internet protocol address of the individual; and

“(5) the term ‘geolocation information service’ means the provision of a global positioning service or other mapping, locational, or directional information service.

“(b) COLLECTION OR DISCLOSURE OF GEOLOCATION INFORMATION TO OR BY NON-GOVERNMENTAL ENTITIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a covered entity may not knowingly collect, receive, record, obtain, or disclose to a nongovernmental individual or entity the geolocation information from an electronic communications device without the express authorization of the individual

that is using the electronic communications device.

“(2) EXCEPTIONS.—A covered entity may knowingly collect, receive, record, obtain, or disclose to a nongovernmental individual or entity the geolocation information from an electronic communication device without the express authorization of the individual that is using the electronic communications device if the covered entity has a good faith belief that the collection, receipt, recording, obtaining, or disclosure is—

“(A) necessary to locate a minor child or provide fire, medical, public safety, or other emergency services;

“(B) for the sole purpose of transmitting the geolocation information to the individual or another authorized recipient, including another third party authorized under this subparagraph; or

“(C) expressly required by statute, regulation, or appropriate judicial process.

“(c) ANTI-CYBERSTALKING PROTECTION.—Not earlier than 24 hours, and not later than 7 days, after the time an individual provides express authorization to a covered entity providing a geolocation information service to the individual for the express purpose of authorizing disclosure of geolocation information relating to the individual to another individual, the covered entity shall provide the individual a verification displayed by the electronic communications device that informs the individual—

“(1) that geolocation information relating to the individual is being disclosed to another individual; and

“(2) how the individual may revoke consent to the collection, receipt, recording, obtaining, and disclosure of geolocation information relating to the individual.

“(d) CIVIL REMEDIES.—

“(1) ACTION BY ATTORNEY GENERAL OF THE UNITED STATES.—If the Attorney General of the United States has reasonable cause to believe that an individual or entity is violating this section, the Attorney General may bring a civil action in an appropriate United States district court.

“(2) ACTION BY STATE ATTORNEYS GENERAL.—If the attorney general of a State has reasonable cause to believe that an interest of the residents of the State has been or is threatened or adversely affected by a violation of this section, the attorney general of the State may bring a civil action on behalf of the residents of the State in an appropriate United States district court.

“(3) RIGHT OF ACTION.—Any individual aggrieved by any action of an individual or entity in violation of this section may bring a civil action in an appropriate United States district court.

“(4) PENDING PROCEEDINGS.—

“(A) FEDERAL ACTION.—If the Attorney General has brought a civil action alleging a violation of this section, an attorney general of a State or private person may not bring a civil action under this subsection against a defendant named in the civil action relating to a violation of this section that is alleged in the civil action while the civil action is pending.

“(B) STATE ACTION.—If the attorney general of a State has brought a civil action alleging a violation of this section, an individual may not bring a civil action under this subsection against a defendant named in the civil action for a violation of this section that is alleged in the civil action while the civil action is pending.

“(5) RELIEF.—In a civil action brought under this subsection, the court may award—

“(A) actual damages, but not less than damages in the amount of \$2,500;

“(B) punitive damages;

“(C) reasonable attorney’s fees and other litigation costs reasonably incurred; and

“(D) such other preliminary or equitable relief as the court determines to be appropriate.

“(6) PERIOD OF LIMITATIONS.—No civil action may be brought under this subsection unless such civil action is begun within 2 years from the date of the act complained of or the date of discovery.

“(7) LIMITATION ON LIABILITY.—A civil action may not be brought under this subsection relating to any collection, receipt, recording, obtaining, or disclosure of geolocation information that is authorized under any other provision of law or appropriate legal process.

“(e) EFFECTS ON OTHER LAW.—

“(1) IN GENERAL.—This section shall supersede a provision of the law of a State or political subdivision of a State that requires or allows collection or disclosure of geolocation information prohibited by this section.

“(2) COMMON CARRIERS AND CABLE SERVICES.—This section shall not apply to the activities of an individual or entity to the extent the activities are subject to section 222 or 631 of the Communications Act of 1934 (47 U.S.C. 222 and 551).”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 121 of title 18, United States Code, is amended—

(1) in the table of sections, by adding at the end the following:

“2713. Voluntary location tracking of electronic communications devices.”; and

(2) in section 2702—

(A) in subsection (b), by striking “A provider” and inserting “Except as provided under section 2713, a provider”; and

(B) in subsection (c), by striking “A provider” and inserting “Except as provided under section 2713, a provider”.

SEC. 4. GEOLOCATION INFORMATION USED IN INTERSTATE DOMESTIC VIOLENCE OR STALKING.

(a) IN GENERAL.—Chapter 110A of title 18, United States Code, is amended—

(1) by redesignating section 2266 as section 2267;

(2) by inserting after section 2265 the following:

“§ 2266. Geolocation information used in interstate domestic violence or stalking

“(a) OFFENSES; UNAUTHORIZED DISCLOSURE OF GEOLOCATION INFORMATION IN AID OF INTERSTATE DOMESTIC VIOLENCE OR STALKING.—A covered entity that—

“(1) knowingly and willfully discloses geolocation information about an individual to another individual;

“(2) knew that a violation of section 2261, 2261A, or 2262 would result from the disclosure; and

“(3) intends to aid in a violation of section 2261, 2261A, or 2262 as a result of the disclosure, shall be punished as provided in subsection (b).

“(b) PENALTIES.—A covered entity that violates subsection (a) shall be fined under this title, imprisoned for not more than 2 years, or both.”; and

(3) in section 2267, as so redesignated, by adding at the end the following:

“(11) COVERED ENTITY; GEOLOCATION INFORMATION.—The terms ‘covered entity’ and ‘geolocation information’ have the meanings given those terms in section 2713.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 10.—Section 1561a(b) of title 10, United States Code, is amended by striking “section 2266(5)” and inserting “section 2267(5)”.

(2) TITLE 18.—Title 18, United States Code, is amended—

(A) in section 1992(d)(14), by striking “section 2266” and inserting “section 2267”; and

(B) in chapter 110A—

(i) in the table of sections, by striking the item relating to section 2266 and inserting the following:

“2266 Geolocation information used in interstate domestic violence or stalking.

“2267. Definitions.”; and

(ii) in section 2261(b)(6), by striking “section 2266 of title 18, United States Code,” and inserting “section 2267”.

(3) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Section 2011(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-5(c)) is amended by striking “section 2266” and inserting “section 2267”.

SEC. 5. SALE OF GEOLOCATION INFORMATION OF YOUNG CHILDREN.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) by inserting after section 2252C the following:

“§ 2252D. Sale of geolocation information of young children

“Any person who knowingly and willfully sells the geolocation information of not less than 1,000 children under 11 years of age shall be fined under this title, imprisoned for not more than 2 years, or both.”; and

(2) in section 2256—

(A) in paragraph (8), by striking the period at the end and inserting a semicolon;

(B) in paragraph (9), by striking the period at the end and inserting a semicolon;

(C) in paragraph (10), by striking “and” at the end;

(D) in paragraph (11), by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following:

“(12) the term ‘geolocation information’ has the meaning given that term in section 2713.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2252C the following:

“2252D. Sale of geolocation information of young children.”.

SEC. 6. NATIONAL BASELINE STUDY OF USE OF GEOLOCATION DATA IN VIOLENCE AGAINST WOMEN.

(a) IN GENERAL.—The National Institute of Justice, in consultation with the Office on Violence Against Women, shall conduct a national baseline study to examine the role of geolocation information in violence against women.

(b) SCOPE.—

(1) IN GENERAL.—The study conducted under subsection (a) shall examine the role that various new technologies that use geolocation information may have in the facilitation of domestic violence, dating violence, or stalking, including, but not limited to—

(A) global positioning system technology;

(B) smartphone mobile applications;

(C) in-car navigation devices; and

(D) geo-tagging technology.

(2) EVALUATION.—The study conducted under subsection (a) shall evaluate the effectiveness of the responses of Federal, State, tribal, and local law enforcement agencies to the conduct described in paragraph (1).

(3) RECOMMENDATIONS.—The study conducted under subsection (a) shall propose recommendations to improve the effectiveness of the responses of Federal, State, tribal, and local law enforcement agencies to the conduct described in paragraph (1).

(c) TASK FORCE.—

(1) IN GENERAL.—The Attorney General, acting through the Director of the Office on Violence Against Women, shall establish a task force to assist in the development and implementation of the study conducted under subsection (a) and guide implementation of the recommendations proposed under subsection (b)(3).

(2) MEMBERS.—The task force established under paragraph (1) shall include—

(A) representatives from—

(i) the National Institute of Standards and Technology; and

(ii) the Federal Trade Commission; and

(B) representatives appointed by the Director of the Office on Violence Against Women from—

(i) the offices of attorney generals of States;

(ii) national violence against women nonprofit organizations; and

(iii) the industries related to the technologies described in subsection (b)(1).

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes the results of the study conducted under subsection (a).

SEC. 7. GEOLOCATION CRIME REPORTING CENTER.

(a) IN GENERAL.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, and in conjunction with the Director of the Bureau of Justice Assistance, shall create a mechanism using the Internet Crime Complaint Center to register complaints of crimes the conduct of which was aided by use of geolocation information.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Attorney General, acting through the Director of the Federal Bureau of Investigation, and in conjunction with the Director of the Bureau of Justice Assistance, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) discusses the information obtained using the mechanism created under subsection (a);

(2) evaluates the potential risks that the widespread availability of geolocation information poses in increasing crimes against person and property;

(3) describes programs of State and municipal governments intended to reduce these risks; and

(4) makes recommendations on measures that could be undertaken by Congress to reduce or eliminate these risks.

SEC. 8. NATIONAL GEOLOCATION CURRICULUM DEVELOPMENT.

The Attorney General shall develop a national education curriculum for use by State and local law enforcement agencies, judicial educators, and victim service providers to ensure that all courts, victim advocates, and State and local law enforcement personnel have access to information about relevant laws, practices, procedures, and policies for investigating and prosecuting the misuse of geolocation information.

By Mr. DURBIN:

S. 1230. A bill to secure public investments in transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Taxpayers in Transportation Asset Transfers Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) ASSET TRANSACTION.—The term “asset transaction” means—

(A) a concession agreement for a public transportation asset; or

(B) a contract for the sale or lease of a public transportation asset between the State or local government with jurisdiction over the public transportation asset and a private individual or entity.

(2) CONCESSION AGREEMENT.—

(A) IN GENERAL.—The term “concession agreement” means an agreement entered into by a private individual or entity and a State or local government with jurisdiction over a public transportation asset to convey to the private individual or entity the right to manage, operate, and maintain the public transportation asset for a specific period of time in exchange for the authorization to impose and collect a toll or other user fee from a person for each use of the public transportation asset during that period.

(B) EXCLUSION.—The term “concession agreement” does not include an agreement entered into by a State or local government and a private individual or entity for the construction of any new public transportation asset.

(3) PUBLIC TRANSPORTATION ASSET.—

(A) IN GENERAL.—The term “public transportation asset” means a transportation facility of any kind that was or is constructed, maintained, or upgraded before, on, or after the date of enactment of this Act using Federal funds—

(i) the fair market value of which is more than \$500,000,000, as determined by the Secretary; and

(ii) that has received any Federal funding, as of the date on which the determination is made;

(iii) the fair market value of which is less than or equal to \$500,000,000, as determined by the Secretary; and

(I) that has received \$25,000,000 or more in Federal funding, as of the date on which the determination is made; or

(iii) in which a significant national public interest (such as interstate commerce, homeland security, public health, or the environment) is at stake, as determined by the Secretary.

(B) INCLUSIONS.—The term “public transportation asset” includes a transportation facility described in subparagraph (A) that is—

(i) a Federal-aid highway (as defined in section 101 of title 23, United States Code);

(ii) a highway or mass transit project constructed using amounts made available from the Highway Account or Mass Transit Account, respectively, of the Highway Trust Fund;

(iii) an air navigation facility (as defined in section 40102(a) of title 49, United States Code); or

(iv) a train station or multimodal station that receives a Federal grant, including any grant authorized under the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4907) or an amendment made by that Act.

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 3. PROGRAM TO SECURE PUBLIC INVESTMENTS IN TRANSPORTATION INFRASTRUCTURE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program under which a Federal lien shall be attached to each public transportation asset.

(b) PROHIBITION ON SALES AND LEASES.—

(1) IN GENERAL.—A public transportation asset to which a lien is attached under subsection (a) may not be the subject of any asset transaction unless—

(A) the lien is released in accordance with paragraph (2);

(B)(i) the private individual or entity seeking the asset transaction enters into an agreement with the Secretary described in paragraph (3)(A)(i); and

(ii) the State or local government or other public sponsor seeking the asset transaction enters into an agreement with the Secretary described in paragraph (3)(A)(ii);

(C) the Secretary publishes a disclosure in accordance with paragraph (4); and

(D) the State or local government seeking the asset transaction provides for public notice and an opportunity to comment on the proposed asset transaction.

(2) RELEASE OF LIENS.—

(A) IN GENERAL.—A lien on a public transportation asset described in paragraph (1) may be released only if—

(i) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset pays to the Secretary an amount determined by the Secretary under subparagraph (B); and

(ii) the Secretary certifies that the required agreements described in paragraph (3) have been signed, and the terms of the agreements incorporated into the terms of the asset transaction, for the public transportation asset.

(B) DETERMINATION OF REPAYMENT AMOUNT.—The Secretary shall determine the amount that is required to be paid for the release of a Federal lien on a public transportation asset under this paragraph, taking into account, at a minimum—

(i) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset;

(ii) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants;

(iii) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in clause (i) that may be offset by that depreciation; and

(iv) the loss of Federal tax revenue from bonds relating to, and the tax consequences of depreciation of, the public transportation asset.

(3) AGREEMENTS.—

(A) IN GENERAL.—As a condition of any new or renewed asset transaction for a public transportation asset—

(i) the private individual or entity seeking the asset transaction shall enter into an

agreement with the Secretary, which shall be incorporated into the terms of the asset transaction, under which the private individual or entity agrees—

(I) to disclose and eliminate any conflict of interest involving any party to the agreement;

(II)(aa) to adequately maintain the condition and performance of the public transportation asset during the term of the asset transaction; and

(bb) on the end of the term of the asset transaction, to return the public transportation asset to the applicable State or local government in a state of good repair;

(III) to disclose an estimated amount of tax benefits and financing transactions over the life of the lease resulting from the lease or sale of the public transportation asset;

(IV) to disclose anticipated changes in the workforce and wages, benefits, or rules over the life of the lease and an estimate of the amount of savings from those changes; and

(V) to provide an estimate of the revenue the transportation asset will produce for the private entity during the lease or sale period; and

(ii) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset shall enter into an agreement with the Secretary, which shall be incorporated into the terms of the asset transaction, under which the State or local government or other public sponsor agrees—

(I) to pay to the Secretary the amount determined by the Secretary under paragraph (2)(B);

(II) to conduct an assessment of whether, and provide justification that, the asset transaction with the private entity would represent a better public and financial benefit than a similar transaction using public funding or with a public (as opposed to private) entity, including an assessment of—

(aa) the loss of toll revenues and other user fees relating to the public transportation asset; and

(bb) any impacts on other public transportation assets in the vicinity of the public transportation asset covered by the asset transaction;

(III) that, if the private individual or entity enters into bankruptcy, becomes insolvent, or fails to comply with all terms and conditions of the asset transaction—

(aa) the asset transaction shall immediately terminate; and

(bb) the interest in the public transportation asset conveyed by the asset transaction will immediately revert to the public sponsor;

(IV) to provide an estimate of all increased tolls and other user fees that may be charged to persons using the public transportation asset during the term of the asset transaction;

(V) to disclose any plans the State or local government seeking the asset transaction has for up-front payments or concessions from the private individual or entity seeking the asset transaction;

(VI) that the Federal Government and the applicable State and local governments will retain respective authority and control over decisions regarding transportation planning and management; and

(VII) to prominently post or display the agreement on the website of the local government or public sponsor.

(B) TERM.—An agreement under this paragraph shall not exceed a reasonable term, as determined by the Secretary, in consultation with the relevant State or local government.

(4) PUBLICATION OF DISCLOSURE.—Not later than 90 days before the date on which an asset transaction covering a public transportation asset takes effect, the Secretary shall publish in the Federal Register a notice that contains—

(A) a copy of all agreements relating to the asset transaction between the Secretary and the public and private sponsors involved;

(B) a description of the total amount of Federal funds that have been expended as of the date of publication of the notice to construct, maintain, or upgrade the public transportation asset;

(C) the determination of the repayment amount under paragraph (2)(B) for the public transportation asset;

(D) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants; and

(E) a certification that the asset transaction will not adversely impact the national public interest of the United States (including the interstate commerce, homeland security, public health, and environment of the United States).

(5) RENEWAL OF ASSET TRANSACTION.—An asset transaction that expires or terminates may be renewed only if—

(A) the Secretary—

(i) calculates a new repayment amount under paragraph (2)(B) required for renewal, as the Secretary determines to be appropriate;

(ii) takes into consideration the impact of a renewed agreement on nearby public transportation assets; and

(iii) publishes a new disclosure for the renewed agreement in accordance with paragraph (4); and

(B) the State or local government seeking to renew the asset transaction—

(i) provides for public notice and an opportunity to comment on the proposed renewal;

(ii) pays to the Secretary the new amount calculated by the Secretary pursuant to subparagraph (A)(i); and

(iii) enters into a new agreement in accordance with paragraph (3) for the renewal.

(c) AMTRAK.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may permit a private individual or entity to enter into an asset transaction covering all or any portion of the facilities and equipment of the National Railroad Passenger Corporation (referred to in this subsection as “Amtrak”).

(2) CONDITIONS.—A private individual or entity that seeks to enter into an asset transaction described in paragraph (1) shall agree—

(A) to enter into an agreement described in subsection (b)(3) with the Secretary covering the asset transaction; and

(B) to pay to the Secretary an amount equal to the amount of Federal funds provided for Amtrak during the period of fiscal year 1971 through the fiscal year in which an agreement described in subsection (b)(3) covering the asset transaction is entered into, as adjusted by, as determined by the Secretary—

(i) the reasonable depreciation of the portion of Amtrak facilities and equipment covered by the agreement, including that amount of Federal funds provided for Amtrak that may be offset by that depreciation;

(ii) the amount of Federal funding received by a State or local government to upgrade any capital facilities owned or operated by Amtrak to facilitate passenger rail service; and

(iii) the loss of Federal tax revenue from bonds, Federal financing, or any tax advantages granted to Amtrak since fiscal year 1971, including financing and bonding covered by or provided under the Taxpayer Relief Act of 1997 (Public Law 105-34; 111 Stat. 788) or an amendment made by that Act.

(3) TERM, DISCLOSURE, AND RENEWAL.—Paragraphs (3)(B), (4), and (5) of subsection (b) shall apply to an asset transaction entered into under this subsection.

(d) USE OF FUNDS BY SECRETARY.—Funds received by the Secretary as a payment under paragraph (2)(A)(i) or (5)(B)(ii) of subsection (b) or subsection (c)(2)(B) shall be available to and used by the Secretary, without further appropriation and to remain available until expended, for transportation projects and activities in the same transportation mode as the mode of the public transportation asset for which the payment was received.

(e) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to implement this Act.

(f) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress and publish in the Federal Register a report that describes each public transportation asset that is the subject of an asset transaction during the year covered by the report, including the total amount of Federal funds that were received by a State or local government to construct, maintain, or upgrade the public transportation asset as of the date of submission of the report.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act such sums as are necessary.

SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 209—CONGRATULATING THE DALLAS MAVERICKS ON WINNING THE 2011 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted the following resolution; which was considered and agreed to:

S. RES. 209

Whereas the Dallas Mavericks finished the 2010-11 National Basketball Association (NBA) season with a 57-25 record;

Whereas, during the 2011 NBA Playoffs, the Mavericks defeated the Portland Trail Blazers, Los Angeles Lakers, Oklahoma City Thunder, and Miami Heat en route to the NBA Championship;

Whereas the Mavericks epitomized a “never say die” attitude during the 2011 NBA Finals, overcoming losses in games 1 and 3 of the NBA Finals with thrilling fourth quarter comebacks in games 2, 4, and 5 to take a 3-2 series lead;

Whereas, on June 12, 2011, the Mavericks won the 2011 NBA Championship in 6 games over the Miami Heat;

Whereas the Mavericks owner Mark Cuban never wavered in his commitment to bring an NBA championship to Dallas, fulfilling the vision of founding owner Don Carter and past owner Ross Perot, Jr.;

Whereas the President of Basketball Operations and General Manager Donnie Nelson built a team complete with depth, versatility, and humility;

Whereas third-year Head Coach Rick Carlisle and his assistants helped transform the Mavericks from a perennial playoff contender into the NBA’s best;

Whereas Dirk Nowitzki, who has spent his entire 13-year career with the Mavericks, overcame injury and illness to average 26 points and 9.6 rebounds per game during the NBA Finals, earning the NBA Finals Most Valuable Player Award;

Whereas longtime Mavericks guard Jason Terry scored a game high 27 points in game 6 to carry the Mavericks to the championship;

Whereas 17-year NBA veteran Jason Kidd set the tone for the Mavericks’ success through his patient, calm, and disciplined leadership;

Whereas Shawn Marion, Tyson Chandler, DeShawn Stevenson, and Jose Juan “J.J.” Barea provided balance on offense and defense to help pave the way to the championship;

Whereas the Mavericks bench was pivotal to the team’s championship, with valuable contributions being made by the entire roster, including guard Rodrigue Beaubois, forward Corey Brewer, forward Caron Butler, forward Brian Cardinal, center Brendan Haywood, guard Dominique Jones, center Ian Mahinmi, and forward Peja Stojakovic; and

Whereas the Mavericks gave the city of Dallas its first NBA Championship, a unique and special accomplishment for Mavericks fans throughout the Dallas/Fort Worth Metroplex and around the world: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Dallas Mavericks for their outstanding heart, resolve, and determination in winning the 2011 National Basketball Association Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Mavericks head coach Rick Carlisle;

(B) Mavericks general manager Donnie Nelson; and

(C) Mavericks owner Mark Cuban.

SENATE RESOLUTION 210—CONGRATULATING THE BOSTON BRUINS FOR WINNING THE 2011 STANLEY CUP CHAMPIONSHIP

Mr. BROWN of Massachusetts (for himself, Mr. KERRY, Ms. SNOWE, Ms. COLLINS, Mrs. SHAHEEN, Ms. AYOTTE, Mr. REED of Rhode Island, Mr. WHITEHOUSE, and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas on Wednesday, June 15, 2011, the Boston Bruins, the oldest National Hockey League (NHL) franchise in the United States, brought the Stanley Cup back to Boston for the first time in 39 years;

Whereas to accomplish this feat, the Bruins defeated the Vancouver Canucks, the

team with the best record in the NHL during the regular season, in Game 7 of the Stanley Cup Finals;

Whereas the Bruins became the first team in NHL history to win 3 deciding Game 7’s during a single playoff run and twice came back from 0-2 series deficits;

Whereas Bruins goaltender Tim Thomas won the Conn Smythe trophy, which is awarded to the player deemed most valuable to his team during the Stanley Cup playoffs;

Whereas Tim Thomas shut out the Canucks in the deciding game of the Finals, and allowed only 8 goals over the 7 game series;

Whereas Bruins rookie Brad Marchand scored 11 goals in the playoffs, setting a team record for playoff goals by a rookie, and tying for the second-most playoff goals by a rookie in NHL history;

Whereas Bruins right wing Mark Recchi hoisted his third Stanley Cup, and is retiring as a champion after 1,652 NHL regular-season games and 190 playoff games;

Whereas Bruins captain Zdeno Chara, at 6 feet, 9 inches tall, lifted the Stanley Cup as high above the ice as it has ever been lifted;

Whereas Bruins General Manager Peter Chiarelli made key trades near the trade deadline to put the Bruins in a position for a Stanley Cup run, acquiring Tomas Kaberle, Rich Peverley, and Chris Kelly; and

Whereas Bruins Head Coach Claude Julien ensured that the Bruins played and won as a team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Boston Bruins for winning the 2011 Stanley Cup Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Head Coach Claude Julien;

(B) President and former Bruins All-Star Cam Neely; and

(C) General Manager Peter Chiarelli.

SENATE RESOLUTION 211—OBSERVING THE HISTORICAL SIGNIFICANCE OF JUNETEENTH INDEPENDENCE DAY

Mr. LEVIN (for himself, Mrs. HUTCHISON, Ms. LANDRIEU, Mr. COCHRAN, Mr. CARDIN, Mr. CORNYN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. UDALL of Colorado, Mr. BEGICH, Ms. MIKULSKI, Mr. DURBIN, Mr. BROWN of Ohio, Mr. AKAKA, Ms. STABENOW, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 211

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Lincoln’s Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas with news that the Civil War had ended and that the enslaved were free;

Whereas African-Americans who had been slaves in the Southwest celebrated June 19th, commonly known as “Juneteenth Independence Day”, as the anniversary of their emancipation;

Whereas African-Americans from the Southwest continue the tradition of celebrating Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas, for more than 145 years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas the faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of the Senate that—

(A) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

(B) history should be regarded as a means for understanding the past and solving the challenges of the future.

AMENDMENTS SUBMITTED AND PROPOSED

SA 477. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 478. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 479. Mr. DEMINT (for himself, Mr. VITTER, Mr. HATCH, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 480. Mr. GRASSLEY (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 481. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 482. Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 483. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 484. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 485. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 477. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike lines 1 through 6 and insert the following:

(A) in subparagraph (D), by inserting “, with the goal that at least 1 university center is to be established in each State” after “centers”;

(B) in subparagraph (H), by striking “and” at the end;

(C) by redesignating subparagraph (I) as subparagraph (J); and

(D) by inserting after subparagraph (H) the following:

SA 478. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 12, strike the quotation marks and the following period and insert the following:

“(8) PHASE-OUT OF FEDERAL INTEREST.—

“(A) IN GENERAL.—The Secretary shall release any Federal interest in property and income in connection with a grant made from revolving loan funds after the original grant has been fully disbursed and recaptured by the grant recipient at least once if the recipient, as determined by the Secretary—

“(i) retains the grant funds for the overall economic development advancement of the service delivery area; and

“(ii) continues to comply with section 602.

“(B) APPLICABILITY.—This paragraph shall apply to property and income assisted or generated through provision of a grant from revolving loan funds before, on, or after the date of enactment of this paragraph.”.

SA 479. Mr. DEMINT (for himself, Mr. VITTER, Mr. HATCH, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF AUTHORITY TO PROVIDE CERTAIN LOANS TO THE INTERNATIONAL MONETARY FUND, THE INCREASE IN THE UNITED STATES QUOTA, AND CERTAIN OTHER AUTHORITIES, AND RESCISSION OF RELATED APPROPRIATED AMOUNTS.

(a) REPEAL OF AUTHORITIES.—The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended—

(1) in section 17—

(A) in subsection (a)—

(i) by striking “(1) In order” and inserting “In order”; and

(ii) by striking paragraphs (2), (3), and (4); and

(B) in subsection (b)—

(i) by striking “(1) For the purpose” and inserting “For the purpose”; and

(ii) by striking “subsection (a)(1)” and inserting “subsection (a)”; and

(iii) by striking paragraph (2);

(2) by striking sections 64, 65, 66, and 67; and

(3) by redesignating section 68 as section 64.

(b) RESCISSION OF AMOUNTS.—

(1) IN GENERAL.—The unobligated balance of the amounts specified in paragraph (2)—

(A) is rescinded;

(B) shall be deposited in the General Fund of the Treasury to be dedicated for the sole purpose of deficit reduction; and

(C) may not be used as an offset for other spending increases or revenue reductions.

(2) AMOUNTS SPECIFIED.—The amounts specified in this paragraph are the amounts appropriated under the heading “UNITED STATES QUOTA, INTERNATIONAL MONETARY FUND”, and under the heading “LOANS TO INTERNATIONAL MONETARY FUND”, under the heading “INTERNATIONAL MONETARY PROGRAMS” under the heading “INTERNATIONAL ASSISTANCE PROGRAMS” in title XIV of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1916).

SA 480. Mr. GRASSLEY (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, add the following:

SEC. 2 . PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following:

“(3) LEGAL ENTITY.—

“(A) IN GENERAL.—The term ‘legal entity’ means—

“(i) an organization that (subject to the requirements of this section and section 1001A) is eligible to receive a payment under a provision of law referred to in subsection (b), (c), or (d);

“(ii) a corporation, joint stock company, association, limited partnership, limited liability company, limited liability partnership, charitable organization, estate, irrevocable trust, grantor of a revocable trust, or other similar entity (as determined by the Secretary); and

“(iii) an organization that is participating in a farming operation as a partner in a general partnership or as a participant in a joint venture.

“(B) EXCLUSION.—The term ‘legal entity’ does not include a general partnership or joint venture.”;

(2) in subsection (b)—

(A) in paragraphs (1), (2), and (3), by striking “(except a joint venture or a general partnership)” each place it appears;

(B) in paragraph (1)(A), by striking “\$40,000” and inserting “\$20,000”; and

(C) in paragraphs (2) and (3)(A), by striking “\$65,000” each place it appears and inserting “\$30,000”;

(3) in subsection (c)—

(A) in paragraphs (1), (2), and (3), by striking “(except a joint venture or a general partnership)” each place it appears;

(B) in paragraph (1)(A), by striking “\$40,000” and inserting “\$20,000”; and

(C) in paragraphs (2) and (3)(A), by striking “\$65,000” each place it appears and inserting “\$30,000”;

(4) by striking subsection (d) and inserting the following:

“(d) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—The total amount of the following gains and payments that a person or legal entity may receive during any crop year may not exceed \$75,000:

“(1)(A) Any gain realized by a producer from repaying a marketing assistance loan for 1 or more loan commodities and peanuts under subtitle B or C of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731 et seq.) at a lower level than the original loan rate established for the loan commodity under those subtitles.

“(B) In the case of settlement of a marketing assistance loan for 1 or more loan commodities and peanuts under those subtitles by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

“(2) Any loan deficiency payments received for 1 or more loan commodities and peanuts under those subtitles.

“(3) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for 1 or more loan commodities and peanuts, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under those subtitles or section 1307 of that Act (7 U.S.C. 7957).”;

(5) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively;

(6) by inserting after subsection (d) the following:

“(e) SPOUSAL EQUITY.—

“(1) IN GENERAL.—Notwithstanding subsections (b) through (d), except as provided in paragraph (2), if a person and the spouse of the person are covered by paragraph (2) and receive, directly or indirectly, any payment or gain covered by this section, the total amount of payments or gains (as applicable) covered by this section that the person and spouse may jointly receive during any crop year may not exceed an amount equal to twice the applicable dollar amounts specified in subsections (b), (c), and (d).

“(2) EXCEPTIONS.—

“(A) SEPARATE FARMING OPERATIONS.—In the case of a married couple in which each spouse, before the marriage, was separately engaged in an unrelated farming operation, each spouse shall be treated as a separate person with respect to a farming operation brought into the marriage by a spouse, subject to the condition that the farming operation shall remain a separate farming operation, as determined by the Secretary.

“(B) ELECTION TO RECEIVE SEPARATE PAYMENTS.—A married couple may elect to receive payments separately in the name of each spouse if the total amount of payments and benefits described in subsections (b), (c), and (d) that the married couple receives, directly or indirectly, does not exceed an amount equal to twice the applicable dollar amounts specified in those subsections.”;

(7) in paragraph (3)(B) of subsection (g) (as redesignated by paragraph (5)), by adding at the end the following:

“(iii) IRREVOCABLE TRUSTS.—In promulgating regulations to define the term ‘legal entity’ as the term applies to irrevocable trusts, the Secretary shall ensure that irrevocable trusts are legitimate entities that have not been created for the purpose of avoiding a payment limitation.”; and

(8) in subsection (i) (as redesignated by paragraph (5)), in the second sentence, by striking “or other entity” and inserting “or legal entity”.

(b) SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.—The Food Security Act of 1985 is amended by striking section 1001A (7 U.S.C. 1308–1) and inserting the following:

“SEC. 1001A. SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.

“(a) SUBSTANTIVE CHANGE.—

“(1) IN GENERAL.—For purposes of the application of limitations under this section, the Secretary shall not approve any change in a farming operation that otherwise would increase the number of persons or legal entities to which the limitations under this section apply, unless the Secretary determines that the change is bona fide and substantive.

“(2) FAMILY MEMBERS.—For the purpose of paragraph (1), the addition of a family member to a farming operation under the criteria established under subsection (b)(3)(B) shall be considered to be a bona fide and substantive change in the farming operation.

“(3) PRIMARY CONTROL.—To prevent a farm from reorganizing in a manner that is inconsistent with the purposes of this Act, the Secretary shall promulgate such regulations as the Secretary determines to be necessary to simultaneously attribute payments for a farming operation to more than 1 person or legal entity, including the person or legal entity that exercises primary control over the farming operation, including to respond to—

“(A)(i) any instance in which ownership of a farming operation is transferred to a person or legal entity under an arrangement that provides for the sale or exchange of any asset or ownership interest in 1 or more legal entities at less than fair market value; and

“(ii) the transferor is provided preferential rights to repurchase the asset or interest at less than fair market value; or

“(B) a sale or exchange of any asset or ownership interest in 1 or more legal entities under an arrangement under which rights to exercise control over the asset or interest are retained, directly or indirectly, by the transferor.

“(b) PAYMENTS LIMITED TO ACTIVE FARMERS.—

“(1) IN GENERAL.—To be eligible to receive, directly or indirectly, payments or benefits described as being subject to limitation in subsection (b) through (d) of section 1001 with respect to a particular farming operation, a person or legal entity shall be actively engaged in farming with respect to the farming operation, in accordance with paragraphs (2), (3), and (4).

“(2) GENERAL CLASSES ACTIVELY ENGAGED IN FARMING.—

“(A) DEFINITION OF ACTIVE PERSONAL MANAGEMENT.—In this paragraph, the term ‘active personal management’ means, with respect to a person, administrative duties carried out by the person for a farming operation—

“(i) that are personally provided by the person on a regular, continuous, and substantial basis; and

“(ii) relating to the supervision and direction of—

“(I) activities and labor involved in the farming operation; and

“(II) onsite services directly related and necessary to the farming operation.

“(B) ACTIVE ENGAGEMENT.—Except as provided in paragraph (3), for purposes of paragraph (1), the following shall apply:

“(i) A person shall be considered to be actively engaged in farming with respect to a farming operation if—

“(I) the person makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of—

“(aa) capital, equipment, or land; and

“(bb) personal labor and active personal management;

“(II) the share of the person of the profits or losses from the farming operation is commensurate with the contributions of the person to the operation; and

“(III) a contribution of the person is at risk.

“(ii) A legal entity shall be considered to be actively engaged in farming with respect to a farming operation if—

“(I) the legal entity makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of capital, equipment, or land;

“(II)(aa) the stockholders or members that collectively own at least 51 percent of the combined beneficial interest in the legal entity each make a significant contribution of personal labor and active personal management to the operation; or

“(bb) in the case of a legal entity in which all of the beneficial interests are held by family members, any stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) who owns at least 10 percent of the beneficial interest in the legal entity makes a significant contribution of personal labor or active personal management; and

“(III) the legal entity meets the requirements of subclauses (II) and (III) of clause (i).

“(C) LEGAL ENTITIES MAKING SIGNIFICANT CONTRIBUTIONS.—If a general partnership, joint venture, or similar entity (as determined by the Secretary) separately makes a significant contribution (based on the total value of the farming operation involved) of capital, equipment, or land, the partners or members making a significant contribution of personal labor or active personal management and meeting the standards provided in subclauses (II) and (III) of subparagraph (B)(i) shall be considered to be actively engaged in farming with respect to the farming operation involved.

“(D) EQUIPMENT AND PERSONAL LABOR.—In making determinations under this subsection regarding equipment and personal labor, the Secretary shall take into consideration the equipment and personal labor normally and customarily provided by farm operators in the area involved to produce program crops.

“(E) SIGNIFICANT CONTRIBUTION OF PERSONAL LABOR OR ACTIVE PERSONAL MANAGEMENT.—

“(i) IN GENERAL.—Subject to clause (ii), for purposes of subparagraph (B), a person shall be considered to be providing, on behalf of the person or a legal entity, a significant contribution of personal labor and active personal management, if the total contribution of personal labor and active personal management is at least equal to the lesser of—

“(I) 1,000 hours; and

“(II) a period of time equal to—

“(aa) 50 percent of the commensurate share of the total number of hours of personal labor and active personal management required to conduct the farming operation; or

“(bb) in the case of a stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) that owns at least 10 percent of the beneficial interest in a legal entity in which all of the beneficial interests are held by family members who do not collectively receive payments directly or indirectly, including payments received by spouses, of

more than twice the applicable limit, 50 percent of the commensurate share of hours of the personal labor and active personal management of all family members required to conduct the farming operation.

“(i) MINIMUM LABOR HOURS.—For the purpose of clause (i), the minimum number of labor hours required to produce a commodity shall be equal to the number of hours that would be necessary to conduct a farming operation for the production of each commodity that is comparable in size to the commensurate share of a person or legal entity in the farming operation for the production of the commodity, based on the minimum number of hours per acre required to produce the commodity in the State in which the farming operation is located, as determined by the Secretary.

“(3) SPECIAL CLASSES ACTIVELY ENGAGED IN FARMING.—Notwithstanding paragraph (2), the following persons shall be considered to be actively engaged in farming with respect to a farm operation:

“(A) LANDOWNERS.—A person or legal entity that is a landowner contributing owned land, and that meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), if, as determined by the Secretary—

“(i) the landowner share-rents the land at a rate that is usual and customary; and

“(ii) the share received by the landowner is commensurate with the share of the crop or income received as rent.

“(B) FAMILY MEMBERS.—With respect to a farming operation conducted by persons who are family members, or a legal entity the majority of the stockholders or members of which are family members, an adult family member who makes a significant contribution (based on the total value of the farming operation) of active personal management or personal labor and, with respect to such contribution, who meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i).

“(C) SHARECROPPERS.—A sharecropper who makes a significant contribution of personal labor to the farming operation and, with respect to such contribution, who meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), and who was receiving payments from the landowner as a sharecropper prior to the effective date of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651).

“(4) PERSONS AND LEGAL ENTITIES NOT ACTIVELY ENGAGED IN FARMING.—For the purposes of paragraph (1), except as provided in paragraph (3), the following persons and legal entities shall not be considered to be actively engaged in farming with respect to a farm operation:

“(A) LANDLORDS.—A landlord contributing land to the farming operation if the landlord receives cash rent, or a crop share guaranteed as to the amount of the commodity to be paid in rent, for such use of the land.

“(B) OTHER PERSONS AND LEGAL ENTITIES.—Any other person or legal entity, or class of persons or legal entities, that fails to meet the requirements of paragraphs (2) and (3), as determined by the Secretary.

“(5) PERSONAL LABOR AND ACTIVE PERSONAL MANAGEMENT.—No stockholder or member may provide personal labor or active personal management to meet the requirements of this subsection for persons or legal entities that collectively receive, directly or indirectly, an amount equal to more than twice the applicable limits under subsections (b), (c), and (d) of section 1001.

“(6) CUSTOM FARMING SERVICES.—A person or legal entity receiving custom farming

services will be considered separately eligible for payment limitation purposes if the person or legal entity is actively engaged in farming based on paragraphs (1) through (3).

“(7) GROWERS OF HYBRID SEED.—To determine whether a person or legal entity growing hybrid seed under contract shall be considered to be actively engaged in farming, the Secretary shall not take into consideration the existence of a hybrid seed contract.

“(c) NOTIFICATION BY LEGAL ENTITIES.—To facilitate the administration of this section, each legal entity that receives payments or benefits described as being subject to limitation in subsection (b), (c), or (d) of section 1001 with respect to a particular farming operation shall—

“(1) notify each person or other legal entity that acquires or holds a beneficial interest in the farming operation of the requirements and limitations under this section; and

“(2) provide to the Secretary, at such times and in such manner as the Secretary may require, the name and social security number of each person, or the name and taxpayer identification number of each legal entity, that holds or acquires such a beneficial interest.”.

(c) FOREIGN PERSONS AND LEGAL ENTITIES MADE INELIGIBLE FOR PROGRAM BENEFITS.—Section 1001C of the Food Security Act of 1985 (7 U.S.C. 1308-3) is amended—

(1) in the section heading, by striking “PERSONS” and inserting “PERSONS AND LEGAL ENTITIES”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “CORPORATION OR OTHER” and inserting “LEGAL”;

(B) in the first sentence, by striking “a corporation or other entity shall be considered a person that” and inserting “a legal entity”; and

(C) in the second sentence, by striking “an entity” and inserting “a legal entity”; and

(3) in subsection (c), by striking “person” and inserting “legal entity or person”.

(d) REGULATIONS.—

(1) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this section and the amendments made by this section.

(2) PROCEDURE.—The promulgation of the regulations and administration of this section and the amendments made by this section shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(C) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(e) BUDGETARY EFFECTS.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 481. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike lines 23 and 24 and insert the following:

force, or Department of Energy defense-related or other defense-related funding reductions, or funding reductions for government entities on property deeded from military bases, for help in—

SA 482. Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. SENSE OF THE SENATE REGARDING USE OF SAVINGS RESULTING FROM REPEAL OF VEETC.

It is the sense of the Senate that the savings from the repeal of the Volumetric Ethanol Excise Tax Credit should be directed to—

(1) reducing the Federal deficit; and
(2) extending for 5 years the Federal tax credits for advanced biofuels (as defined by the Renewable Fuel Standard under the Energy Independence and Security Act of 2007).

SA 483. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 76, after line 6, add the following:
SEC. 6. RESCISSION OF UNOBLIGATED APPROPRIATIONS.

(a) IN GENERAL.—Of the unobligated amounts appropriated for high-speed rail projects under title XII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and title I of division A of the Consolidated Appropriations Act, 2010 (Public Law 111-117), \$2,400,000,000 is rescinded.

(b) DEFICIT REDUCTION.—All amounts rescinded under subsection (a) shall be used to reduce the public debt of the United States.

SA 484. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 6. BUDGET OF THE UNITED STATES GOVERNMENT.

(a) PROHIBITION ON PRINTING THE BUDGET OF THE UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—Chapter 13 of title 44, United States Code, is amended by adding at the end the following:

“§ 1345. Prohibition on printing of the budget of the United States Government

“The Government Printing Office shall not print the budget of the United States Government described under section 1105 of title 31, United States Code.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of

title 44, United States Code, is amended by adding after the item relating to section 1344 the following:

“Sec. 1345. Prohibition on printing of the budget of the United States Government.”.

(b) **ELECTRONIC AVAILABILITY.**—The Office of Management and Budget shall make the budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, available—

(1) to the public on the website of the Office of Management and Budget; and

(2) in a format which enables the budget to be downloaded and printed by users of the website.

SA 485. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON PRINTING THE CONGRESSIONAL RECORD.

(a) **PROHIBITION ON PRINTING.**—

(1) **IN GENERAL.**—Chapter 9 of title 44, United States Code, is amended by striking section 903 and inserting the following:

“§ 903. Congressional Record: daily and permanent forms

“(a) **IN GENERAL.**—The public proceedings of each House of Congress as reported by the Official Reporters, shall be included in the Congressional Record, which shall be issued in daily form during each session and shall be revised and made electronically available promptly, as directed by the Joint Committee on Printing, for distribution during and after the close of each session of Congress. The daily and the permanent Record shall bear the same date, which shall be that of the actual day’s proceedings reported. The Government Printing Office shall not print the Congressional Record.

“(b) **ELECTRONIC AVAILABILITY.**—

“(1) **GOVERNMENT PRINTING OFFICE.**—The Government Printing Office shall make the Congressional Record available to the Secretary of the Senate and the Chief Administrative Officer of the House of Representatives in an electronic form in a timely manner to ensure the implementation of subsection (a).

“(2) **WEBSITE.**—The Secretary of the Senate and the Chief Administrative Officer of the House of Representatives shall make the Congressional Record available—

“(A) to the public on the websites of the Secretary of the Senate and the Chief Administrative Officer of the House of Representatives; and

“(B) in a format which enables the Congressional Record to be downloaded and printed by users of the website.”.

(b) **CONGRESSIONAL RECORD.**—

(1) **IN GENERAL.**—Chapter 9 of title 44, United States Code, is amended—

(A) in section 905, in the first sentence, by striking “printing” and inserting “inclusion”; and

(B) by striking sections 906, 909, and 910.

(2) **TECHNICAL AND CONFORMING AMENDMENTS.**—The table of sections for chapter 9 of title 44, United States Code, is amended by striking the items relating to sections 906, 909, and 910.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet on Thursday, June 23, 2011, at 10 a.m. to conduct a hearing entitled “Stories from the Kitchen Table: How Middle Class Families are Struggling to Make Ends Meet.”

For further information regarding this hearing, please contact Zach Schechter Steinberg on (202) 224-5441.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 16, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 16, 2011, at 10:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate June 16, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “Finding Our Way Home: Achieving the Policy Goals of NAGPRA.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m., in SD-192 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CARDIN. Mr. President, I ask unanimous consent that the Com-

mittee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m. to conduct a hearing entitled “An Examination of SBA Programs: Eliminating Inefficiencies, Duplications, Fraud and Abuse.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 16, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, “Oversight Hearing: The Nuclear Regulatory Commission’s Preliminary Results of the Nuclear Safety Review in the United States Following the Emergency at the Fukushima Daiichi Power Plant in Japan.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Katy Jones, Caitlin Lawrence, and Jean Fleming of my staff be granted the privilege of the floor during today’s session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE DALLAS MAVERICKS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 209, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 209) congratulating the Dallas Mavericks on winning the 2011 National Basketball Association Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 209) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 209

Whereas the Dallas Mavericks finished the 2010–11 National Basketball Association (NBA) season with a 57–25 record;

Whereas, during the 2011 NBA Playoffs, the Mavericks defeated the Portland Trailblazers, Los Angeles Lakers, Oklahoma City Thunder, and Miami Heat en route to the NBA Championship;

Whereas the Mavericks epitomized a “never say die” attitude during the 2011 NBA Finals, overcoming losses in games 1 and 3 of the NBA Finals with thrilling fourth quarter comebacks in games 2, 4, and 5 to take a 3–2 series lead;

Whereas, on June 12, 2011, the Mavericks won the 2011 NBA Championship in 6 games over the Miami Heat;

Whereas the Mavericks owner Mark Cuban never wavered in his commitment to bring an NBA championship to Dallas, fulfilling the vision of founding owner Don Carter and past owner Ross Perot, Jr.;

Whereas the President of Basketball Operations and General Manager Donnie Nelson built a team complete with depth, versatility, and humility;

Whereas third-year Head Coach Rick Carlisle and his assistants helped transform the Mavericks from a perennial playoff contender into the NBA’s best;

Whereas Dirk Nowitzki, who has spent his entire 13-year career with the Mavericks, overcame injury and illness to average 26 points and 9.6 rebounds per game during the NBA Finals, earning the NBA Finals Most Valuable Player Award;

Whereas longtime Mavericks guard Jason Terry scored a game high 27 points in game 6 to carry the Mavericks to the championship;

Whereas 17-year NBA veteran Jason Kidd set the tone for the Mavericks’ success through his patient, calm, and disciplined leadership;

Whereas Shawn Marion, Tyson Chandler, DeShawn Stevenson, and Jose Juan “J.J.” Barea provided balance on offense and defense to help pave the way to the championship;

Whereas the Mavericks bench was pivotal to the team’s championship, with valuable contributions being made by the entire roster, including guard Rodrigue Beaubois, forward Corey Brewer, forward Caron Butler, forward Brian Cardinal, center Brendan Haywood, guard Dominique Jones, center Ian Mahinmi, and forward Peja Stojakovic; and

Whereas the Mavericks gave the city of Dallas its first NBA Championship, a unique and special accomplishment for Mavericks fans throughout the Dallas/Fort Worth Metroplex and around the world: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Dallas Mavericks for their outstanding heart, resolve, and determination in winning the 2011 National Basketball Association Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Mavericks head coach Rick Carlisle;

(B) Mavericks general manager Donnie Nelson; and

(C) Mavericks owner Mark Cuban.

CONGRATULATING THE BOSTON
BRUINS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent—with considerable happiness and pride—that the Senate now proceed to the consideration of S. Res. 210, celebrating the Boston Bruins’ victory, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 210) congratulating the Boston Bruins for winning the 2011 Stanley Cup Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, it would be unimaginable there be objection to such good news.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 210) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 210

Whereas on Wednesday, June 15, 2011, the Boston Bruins, the oldest National Hockey League (NHL) franchise in the United States, brought the Stanley Cup back to Boston for the first time in 39 years;

Whereas to accomplish this feat, the Bruins defeated the Vancouver Canucks, the team with the best record in the NHL during the regular season, in Game 7 of the Stanley Cup Finals;

Whereas the Bruins became the first team in NHL history to win 3 deciding Game 7’s during a single playoff run and twice came back from 0–2 series deficits;

Whereas Bruins goaltender Tim Thomas won the Conn Smythe trophy, which is awarded to the player deemed most valuable to his team during the Stanley Cup playoffs;

Whereas Tim Thomas shut out the Canucks in the deciding game of the Finals, and allowed only 8 goals over the 7 game series;

Whereas Bruins rookie Brad Marchand scored 11 goals in the playoffs, setting a team record for playoff goals by a rookie, and tying for the second-most playoff goals by a rookie in NHL history;

Whereas Bruins right wing Mark Recchi hoisted his third Stanley Cup, and is retiring as a champion after 1,652 NHL regular-season games and 190 playoff games;

Whereas Bruins captain Zdeno Chara, at 6 feet, 9 inches tall, lifted the Stanley Cup as high above the ice as it has ever been lifted;

Whereas Bruins General Manager Peter Chiarelli made key trades near the trade deadline to put the Bruins in a position for a Stanley Cup run, acquiring Tomas Kaberle, Rich Peverley, and Chris Kelly; and

Whereas Bruins Head Coach Claude Julien ensured that the Bruins played and won as a team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Boston Bruins for winning the 2011 Stanley Cup Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Head Coach Claude Julien;

(B) President and former Bruins All-Star Cam Neely; and

(C) General Manager Peter Chiarelli.

ORDERS FOR MONDAY, JUNE 20,
2011

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 2 p.m. on Monday, June 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; and that the filing deadline for first-degree amendments to S. 782, the Economic Development Revitalization Act, be 3:30 p.m. on Monday, June 20.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am advised there will be no rollcall votes on Monday. The next rollcall vote will begin at approximately noon on Tuesday, June 21, on confirmation of the Simon nomination.

RECESS UNTIL MONDAY, JUNE 20,
2011, AT 2 P.M.

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 5:37 p.m., recessed until Monday, June 20, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

JOHN EDGAR BRYSON, OF CALIFORNIA, TO BE SECRETARY OF COMMERCE, VICE GARY LOCKE.

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

MARY J. W. CHOI

To be dental officer

BROOKS B. HORAN

To be senior assistant dental officer

ETHAN F. HIGSON

To be assistant dental officer

TIARA L. APPLEQUIST

TIMOTHY B. HOUSE

CARA B. SCHRINER

LAUREN B. SIMS

MEREDITH A. SNYDER

To be nurse officer

PATINA S. WALTON-GEER

To be assistant nurse officer

MICHELLE A. KRAYER
HEIDI M. SABOL

To be junior assistant nurse officer

KENIA P. ALTAMIRANO
SHANNON C. BEST
REBECCA M. KIBEL
TIMOTHY N. ONSERIO
HERBERT P. PARTSCH
JUSTIN R. PLOTT
BRANDY TORRES

To be junior assistant health services officer

JAREN T. MELDRUM
CHRISTOPHER P. MORRIS

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STANLEY E. CLARKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. PAUL J. SELVA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. WILLIAM M. FRASER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. TERRENCE A. FEEHAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL T. FLYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DANIEL P. BOLGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN F. CAMPBELL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JAMES K. BROWN, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ANTONIO J. VICENS-GONZALEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JON S. LEHR
COLONEL TIMOTHY P. MCGUIRE
COLONEL BURDETT K. THOMPSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) EARL L. GAY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JEFFREY B. WARNER

To be major

GARY S. WOLLAM

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be lieutenant colonel

KARYN L. ARMSTRONG

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

JODI L. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JAYME M. SUTTON

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

ROBERT HWANG

To be major

ANTHONY C. KIGHT

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

FARRUKH HAMID
KELLY M. MANN
RICHARD T. MULL
VIRGINIA A. PITTMAN-WALKER
ERIC W. SIMONS

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JENNIFER L. FELTWELL
JOSHUA P. STAUFFER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ANDREW C. BROWN
JOHN W. EANES

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

COLLEEN M. MURPHY

To be major

FRANCIS H. BOUDREAU
DONALD E. LAYNE
JAMES T. NORA

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

AMY A. BLANK
MICHAEL E. YAPP

To be major

CARLOS M. CEBOLLERO
PETER V. HUYNH

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARTI J. BISSELL
MARK C. BOLL
LAPTHE C. FLORA
GEORGE B. GRAFF

BENJAMIN H. LACY III
DOUGLAS R. MESSNER
MARK S. PARRISH
CARLA S. ROMERO

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DAVID A. AUCH
MARK L. BURKETT
PETER A. COLDWELL
THOMAS A. DEVINE
JEANNE B. JONES
SHAWN M. OBRIEN
JAMES M. PABIS
JAMES M. ROLLINS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GREGORY A. PINKLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

LI SUNG

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

GREGORY C. PEDRO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHAD W. GAGNON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JULIE R. WETMORE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PHILLIP E. LEE, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PAUL D. HANSON
MICHAEL J. STIGLITZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CARMEN I. BOIS
BRENT B. HUTSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CHRISTOPHER A. ASSELTA
KENNETH L. SMITH, JR.
ERNST K. WALGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

REBECCA L. DUNAVENT
MARY J. JOHNSON
CHRISTINE C. RIVERA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

HEATHER C. BEASLEY
RANDY C. BRYAN
DALE O. HARRIS
PATRICK E. KELLY
MATTHEW LEE
ANN L. LITCHFIELD
PAMELLA A. MYERS
BLAIR C. PEREZ
CARRIE M. STEPHENS
JEREMIAH J. SULLIVAN
RUSSELL J. VERBY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KEVIN J. BARTOL
TIM A. FESPERMAN
CHRISTOPHER M. HIGGINS
CHRISTOPHER W. KITCHEN
DOUGLAS G. MARKHAM
WILLIAM B. MATTIMORE III
ALAN J. REYES
BRUCE J. WEIDNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

SHANE A. BOWEN
JAMES P. COLE
EVAN J. DAVIES
ADRIENNE M. FRENCH
JEFFREY J. HAWKER
DOUGLAS L. JOHNSON
MICHAEL J. LANGWORTHY
SEAN R. MALONEY
LEON RONEN
JEFFREY G. WEYENETH
PETER J. WITUCKI
WARREN D. WOLLIN II

WITHDRAWALS

Executive message transmitted by
the President to the Senate on June 16,
2011 withdrawing from further Senate
consideration the following nomina-
tions:

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING
WITH KENIA P. ALTAMIRANO AND ENDING WITH BRANDY
TORRES, WHICH NOMINATIONS WERE SENT TO THE SEN-
ATE ON MAY 11, 2011.

HOUSE OF REPRESENTATIVES—Thursday, June 16, 2011

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of the people's House. Send Your Spirit of Wisdom as they face this day with difficult decisions to be made, work to be done, burdens to be carried. Might they work together with charity and join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

We pray especially this day for one of the House's own whom You have called beyond this life. We give You thanks for the life and service to this Nation and this House of Mr. John Patrick Murtha. May he and all those who have served in our military rest now in peace.

Please keep all the Members of this Congress, and all who work for the people's House, in good health, that they might faithfully fulfill the great responsibility given them by the people of this great Nation.

Bless us this day and every day. May all that is done here this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. WALZ) come forward and lead the House in the Pledge of Allegiance.

Mr. WALZ of Minnesota led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

“MR. PRESIDENT, BY WHAT AUTHORITY, SIR, DO YOU WAGE WAR?”

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, President Obama has unilaterally brought America into its third war—the war in Libya.

The Constitution provides that Congress, not the Executive, should decide to go to war with other nations. Even the War Powers Resolution does not give the President the omnipotent power to continue this war.

The resolution says that there must have been an attack on the United States or that the war is in the national security interest of the United States. Neither has occurred. Also, the War Powers Resolution requires a ceasing of hostility after 60 days unless there is congressional approval. Congress has not approved this war.

The President's new innovative argument for this war is that the United States is not really engaged in hostilities in Libya; therefore, we are not at war. I assume war is in the eyes of the beholder.

Mr. Speaker, throughout history, national executives have justified wars because, well, they've wanted to go to war. The Constitution and the law have been trampled on by this march to war. But we cannot let the Constitution get in the way of a “good war,” can we?

And that's just the way it is.

HONORING A BRAVE FALLEN HERO, SPECIALIST EMILIO CAMPO

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALZ of Minnesota. Madam Speaker, I rise today to honor a brave fallen hero from my district who was killed in Iraq last week. Specialist Emilio Campo, a remarkable young man from Madelia, Minnesota, gave his life for this Nation.

He joined the National Guard while he was still in high school, and his classmates remember him as a kind, fun-loving young man who had aspirations to attend college and to go into the medical field. He served his country bravely as an Army medic; but when he would come home to questions about his exciting and dangerous work, he would always shrug them off, shy away from the attention, and explain that he was just doing his job.

Earlier in the week, the Mankato Free Press reported that, in the 2009 graduation section of the Madelia Times Messenger, Emilio's favorite quote was listed as: “Dream as if you'll live forever. Live as if you'll die today.”

By all accounts, Emilio did exactly that.

Tomorrow, his family, his friends and his community will gather together to honor his memory and to celebrate his life. We will remember his sacrifice to this Nation and how he died and gave the ultimate sacrifice; but we will also remember the kind of person he was—full of life, kind-hearted, a good friend, and a good son.

THE AMERICAN PEOPLE NEED JOBS

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Madam Speaker, unemployment is over 9 percent. Americans are struggling. They need relief. They need certainty. They need jobs.

House Republicans have passed legislation aimed at removing barriers to job creation, including bills to rein in wasteful spending, end unnecessary regulation, decrease uncertainty, and ensure the survival of Medicare, Medicaid and Social Security.

One of the many pieces of legislation passed to spur job growth was our budget. My colleagues across the aisle can critique our plans, but it is unacceptable to demagogue it without having a plan of their own.

Law requires that Congress pass a budget; yet Democrats shirked that responsibility last year when they held the majority, and they have yet to propose an alternative this year. We have

heard a few speeches but no honest plan that can be read, scored, compared, and negotiated.

The American people need jobs. Rather than engaging in demagoguery, I ask my colleagues to bring a plan to the negotiating table. Let's do our job so more Americans have one.

RECOGNIZING PRIDE MONTH

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Madam Speaker, I rise in celebration of June as Pride Month.

Participating and supporting the lesbian, gay, bisexual, and transgender community is a way of life. At its core, this month stands to recognize a fundamental belief upon which this country is founded: equality.

The first pride parade took place in 1970 to commemorate the Stonewall riots in New York. Forty years later, the event has become much more than a parade; it has evolved into a month-long celebration of the LGBT community.

What was once a moment is now a movement, bringing people together to fight for the rights and benefits granted to them by the Constitution, rights we should all fully support and fight for every day in Washington. We've got a few victories under our belt. Hate crimes legislation and the repeal of Don't Ask, Don't Tell have passed these Chambers, but there remains much to be done.

I look forward to celebrating equality for all this weekend at the Chicago Pride Parade and festival, and I am as emboldened as ever to continue this important work in Congress.

ECONOMIC NEWS

(Mr. HARRIS asked and was given permission to address the House for 1 minute.)

Mr. HARRIS. Madam Speaker, I rise to report some distressing economic news from my district.

To add to our country's rising unemployment, plummeting home values and a steep drop in retail sales last month, Allen Family Foods filed for bankruptcy last week. A well-known name in the poultry industry and a longstanding Delmarva family business, this closing could cost thousands of jobs.

The reason for Allen's collapse: soaring grain prices, energy costs and overbearing government regulations, especially from the EPA.

The chilling signal sent to potential job creators throughout America right now is that the bureaucrats in this administration are now the central planners of our economy—and they are not doing a very good job. We have tried to create jobs their way, and it hasn't

worked. Overtaxing, overspending and overregulating cannot and will not create jobs.

It is time to head in a new direction. It is time for a new economic policy. If we stop the spending spree in Washington, businesses will, once again, create jobs in America. It is up to us to restore confidence and certainty and to send a signal to the private sector that the United States is, once again, open for business.

AMERICANS ARE OPPOSED TO ENDING MEDICARE

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Madam Speaker, the Republican majority seems to be using any route possible to hide the truth about its "road to ruin" budget and its plans to end Medicare. The Washington Post, the New York Times, the National Journal, and others recently reported that mass mailings sent from Democratic Members of Congress to their constituents have been heavily edited by majority leadership if they address the Republican plan to end Medicare.

But Americans know the truth, Madam Speaker. Every day, I hear from many of my constituents in the Capital Region of upstate New York who tell me how much they rely on Medicare and how worried they are over the majority's plan to end the program. My constituents know that a voucher will not even come close to covering their rising prescription drug costs and doctors' visits. Our senior community is tremendously wise. They know that the risk associated with the Republican plan is shifted from our government to their pockets.

No matter how it is spun, Americans are opposed to ending Medicare. Let's instead work together to strengthen the program and ensure it remains on strong financial footing.

□ 0910

OBAMA ADMINISTRATION KILLS JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, tomorrow the House Committee on Oversight and Government Reform, led by Chairman DARRYL ISSA, will conduct a field hearing at The Boeing Company's 1.1 million square-foot manufacturing plant in North Charleston, South Carolina. This will expose an outrage of Big Government killing jobs.

As the Seattle Times correctly editorialized Monday: "The NLRB is at-

tempting to reverse a U.S. investment by the Nation's number one exporter 17 months after the company decided to make it—after the money's been spent, after the equipment is set up, and after 1,000 workers have been hired. For the government to demand now that the company move everything to another State shows no sense of practical reality."

South Carolina recruited this new second line of 787 Dreamliners through a competitive incentive package developed by Commerce Secretary Joe Taylor, which included a trained, world-class workforce, a welcoming pro-business climate, right-to-work laws, and pro-business local government of Republican and Democratic bipartisanship. The Boeing Company's decision was based on economics and sound business policy. The Obama administration should stop its attack on American jobs and American workers.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

MEDICARE

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, a close examination shows the changes that our Republican colleagues are proposing to Medicare would actually make things much worse, not better. To begin with, the Republican proposal would add to the program's cost. Privatizing Medicare would cost 11 percent more than it would for providing exactly the same services under the current Medicare plan. And the additional cost for going private would just widen over time.

According to the nonpartisan politifact.org, under the Republican plan, those just becoming eligible for Medicare, those 55 years old and under 10 years from now, would have to pay a whopping \$6,400 more per year than they would under the current plan.

This kind of foreseeable increase in costs actually works just like a tax aimed squarely at our retiring seniors. The Republican plan would be a disaster for our seniors and our economy.

OUR NATION DESERVES BETTER

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Madam Speaker, today we will vote on a bill to deprive impoverished mothers and their children of nutritional assistance at a time when record numbers of Americans are unfortunately relying on these programs.

There is no better indication of the majority's misplaced priorities than when you examine their cuts to meals for low-income seniors and the cuts to

our Nation's emergency food banks. My Republican colleagues love to say that these painful cuts are necessary to reduce the deficit. Don't believe it for a second. If we repeal the Bush tax cuts for millionaires for 1 day, just for 1 day, we could preserve every penny of the \$100 million in cuts to senior food, aid senior hungry and soup kitchens.

We're recovering from the worst economic disaster since the Great Depression. Poverty is on the rise across America. During these tough times, we could ask millionaires to go without their special tax cuts for 1 day. Instead, Republicans are asking some of America's poorest, most vulnerable seniors to go hungry for 1 day and more.

Madam Speaker, our Nation deserves better than that.

GENERAL LEAVE

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2112.

The SPEAKER pro tempore (Mr. CONAWAY). Is there objection to the request of the gentleman from Georgia?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2112.

□ 0917

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO) had been postponed, and the bill had been read through page 80, line 2.

AMENDMENT NO. 38 OFFERED BY MR. HOLDEN

Mr. HOLDEN. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5.88 percent and may not be used to carry out the limitations contained in paragraphs (1) through (8) of section 728.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. HOLDEN. Madam Chair, what my amendment will do is restore the \$1 billion in cuts to mandatory conservation programs in the underlying bill. Almost half of the total cuts in this piece of legislation come from mandatory conservation programs. That's the largest cut in history.

Madam Chair, specifically in this bill there are \$210 million in cuts in the Conservation Steward Program; \$350 million in cuts in the Environmental Quality Incentives Program; \$50 million in cuts in Farmland Protection Program; 96,000 acres reduced in the Grassland Reserve Program; 64,200 acres reduced in the Wetland Reserve Program; and \$35 million of reductions in Wildlife Habitat Incentives Program.

Madam Chair, to make this budget-neutral as it is scored by the CBO, it is paid for with a 5.88 percent across-the-board cut in discretionary spending in the bill, including the \$102 million already reduced in discretionary conservation programs in the bill.

Madam Chair, this is shared sacrifice as opposed to not shared sacrifice in the overwhelming, significant reduction of \$1 billion in mandatory discretionary programs.

Madam Chair, in the farm bill we worked very hard in a bipartisan manner to get the investment in conservation that our producers need all across the country, and they need it now more than ever as they are under significant danger and peril from regulatory agencies, particularly the EPA. They need these conservation programs so they can stay in compliance and they can do the job that they do so well in producing our agriculture all across the country.

□ 0920

This is a bipartisan bill. I am honored to be the ranking member on the Conservation Subcommittee and to be joined by the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. THOMPSON). And I urge adoption of the amendment.

I yield back the balance of my time. Mr. THOMPSON of Pennsylvania. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Chair, as chairman of the House Agriculture Committee's Subcommittee on Conservation, Energy,

and Forestry, I rise in strong support of this amendment offered by my friend from Pennsylvania and ranking member on the subcommittee, Mr. HOLDEN.

This amendment will restore limited mandatory funding for the conservation programs as defined under the current farm bill. I believe it's important to note that this amendment does not have any additional cost. We're still within the frame of the Appropriations Committee's allocation for the bill.

This amendment simply preserves critical conservation programs which remain important for many farms, ranches, and agricultural lands across the Nation in order to protect environmentally sensitive areas. The programs offer voluntary incentives for farmers and ranchers to enroll land into conservation areas. In my district, these programs are vital for water quality improvement on our local farms and throughout the region. And it's the same for many other States. In my area of Pennsylvania, this is vital to be able to deal with the mandates levied upon us by agencies such as the EPA. The programs are cost-effective and provide excellent returns on investment while utilizing local, State, and private funding so that everyone involved has skin in the game.

The amendment, again, does not increase the bill's cost by even one penny because it's fully offset by reducing the bill's discretionary funding by 5.88 percent. I commend the Appropriations subcommittee chair for his efforts to produce an overall bill that is fiscally responsible and reduces funding in total by 13 percent in comparison to previous fiscal years.

And as the chairman of the subcommittee with jurisdiction over these programs, I can say very frankly to my good friend from Georgia, I look forward to the next farm bill where the authorizing committee can further explore making these programs even more efficient and even more cost-effective, more so than they already are.

However, changes to programs, as defined under the current farm bill, especially when it comes to the mandatory spending in this amendment, I believe should be handled by the Agriculture Committee, not the appropriations process. I fully support this amendment and request my colleagues to do the same.

I yield back the balance of my time. Mr. KINGSTON. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Madam Chair, I want to, first of all, thank my good friend from Pennsylvania for talking to me about this amendment. Earlier this week, I expressed my concerns at that time, which I still have with it, and want to make a number of points.

Number one, we're not 100 percent sure what this scores out in terms of

budget authority. So there is that question over it. Number two, I want to say that while conservation funding is down, farmers still have access to \$5.8 billion in conservation funding. And that's for private landowners. Actually, it's \$5.868 billion, to be exact.

I also want to make sure that my friends know that even though there are CHIMPs in this, changes in mandatory programs, that no conservation contracts will have to be canceled because of these limitations. The Federal Government cannot and does not break farm commodity or conservation contracts without significant consequences. We are aware of that. So we have made sure that none of the conservation contracts would be abrogated.

And then finally I want to say to my friend the ranking member, just to underscore some of the sensitivities that we've been through in the last couple of days, that this actually does cut the WIC program, cuts the Commodity Supplemental Food Program, and it cuts the Conservation Reserve Program and a lot of the other programs which there has been so much passion about on this floor in the last couple of days.

So with that, I do oppose the amendment, and I urge everyone to vote "no" on it.

Mr. FARR. I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, I rise with great concern for this amendment. It wants to reduce about 5.8 percent across the board. Our problem is that we have dealt a really bad deal. The bill that we brought to the floor—and we cut some last night across the board—is \$5 billion, or 23 percent below what the President requested. The President put together all of the asks, and as you know, OMB scrubs those things. And we're always very critical of the President's requests, sometimes because they're so low. Nonetheless, this is 23 percent below what the President requested. It's 14 percent below what we enacted last year.

We in the committee last year, under ROSA DELAURO, when we were in the majority, we didn't have the impact on farm programs, particularly the environmental programs, that the cuts do this year. It's below the 2010-enacted level, and it's actually below the 2008-enacted level.

You know, people use these terms very loosely, "below a level." But think of it in your own personal income. Think about what the costs of life were for you in 2008 versus now. And I would submit that almost in every case, your water bill, your cable bill, your garbage bill, your utility bill, certainly the price of gasoline now, is a lot higher than it was in 2008. Nonetheless, you've got the same amount of

money. So it's going to have a draconian impact, this amendment and the underlying bill, on the Department of Agriculture and the Food and Drug Administration.

So I'm concerned. I think the gentleman is well intended to protect the programs that I care a great deal about. But I think the 5.8 percent across-the-board cut on top of what we've already cut is just too much.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. HOLDEN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HOLDEN. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before any short title), insert the following new section:

The amount otherwise provided by this Act for "Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses" is hereby reduced by \$11,000,000.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CAMPBELL. Madam Chair, this amendment really ought to be a no-brainer. It cuts \$11 million from the USDA Wildlife Services' livestock protection program. Let me give you four reasons why this should be a no-brainer.

First of all, it saves \$11 million. Not the end of the world, but it's a start. We all know we have to save a lot of money. We all know we have to spend less money, and this is a start for doing it. Now why does it do that? Why do we cut \$11 million from this? This program is taxpayer money used to kill potential predators that supposedly are threatening livestock. But this killing of predators is very indiscriminate. We're killing all kinds of wildlife out there, both predators and nonpredators, both threatening and nonthreatening. Third, less than 1 percent of livestock in America is killed by predators every year. So we're spending this money for a tiny, tiny portion of the livestock that is out there. And fourth—and this is almost the biggest reason—why are taxpayers paying this? Why is this a taxpayer responsibility? If ranchers want to protect their livestock, why don't they do it? Why don't they pay for it?

Madam Chair, there are so many ways to protect these livestock—with pens and with fencing, with lighting, with all kinds of things—without indis-

criminately killing wildlife and without using taxpayer money to do it. Madam Chair, this is \$11 million we can save, should save, and will save if this amendment is approved.

I yield back the balance of my time.

Mrs. LUMMIS. Madam Chairman, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Madam Chairman, the gentleman from California would be correct, that ranchers and farmers should be able to pay to deal with the predator situation. The problem is, they're not allowed to.

□ 0930

The Federal Government doesn't allow people to kill predators that are attacking their livestock. So consequently, here's another situation just like we discussed yesterday, where the government puts restrictions on ranchers and farmers so they cannot protect their own livestock. So the taxpayers—because of their demands that ranchers and farmers not protect their own livestock, the Federal Government steps in.

In addition, though, wildlife strikes on airplanes cost U.S. commercial aviation \$700 million a year. One part of Wildlife Services is when USDA works with 822 domestic airports, as well as Department of Defense air bases in the U.S. and in Iraq and in Afghanistan. So part of this is to assist with efforts to prevent conflict between wildlife and commercial aviation flights, some of which can be quite devastating and deadly.

Furthermore, there's been an \$18 million loss of sheep and lands to predators, or \$11 million when you add cattle and calf losses. Absent predator management, losses would explode, and that would drive family farms and ranchers out of business.

This is a very balanced program in terms of the approach it takes to shared responsibility between airport managers and Wildlife Services, ranchers and farmers and Wildlife Services. It requires a tremendous cost share or matching program at greater than 40 percent. The Wildlife Services Division has more than 2,500 cooperative agreements in place across the United States.

Madam Chairman, I yield to the gentleman from Minnesota (Mr. PETERSON), former chairman of the Ag Committee.

Mr. PETERSON. The gentlewoman is exactly right. We would be happy to control the predators. The problem is they won't let us. And right now we're going through a delisting process in Minnesota on wolves. We just had a meeting a couple of nights ago, a big meeting up north. And part of the problem is, because of the budget situation and the pressure on that part of the budget, they don't even have the

resources at this point, given the existing money, to be able to come in and help us control the wolves.

And they are going through a process where they're turning over the management to the local State DNR, and they're not allowing the farmers to go out there and control the predators, and they're eating their calves and their sheep. And there's even a program in Minnesota where they pay them because we can't control it. And we would be happy to, you know, we have been trying to get, we're happy they are finally being delisted. But the farmers would take care of this. But in this agreement it says that we can't do anything for 5 years. We can't hunt these wolves for 5 years.

We also have a problem in Minnesota and other States with cormorants. And we entered into an agreement with Mexico that we wouldn't shoot any black birds since 1973 under the Migratory Bird Act, and so we can't control cormorants. And Wildlife Services is the only way we can deal with that. And we've been making some progress on it. But prior to this treaty, we controlled these cormorants on these lakes by the local guys going out and hunting them.

So we would be happy, if we get the Federal Government to get out of this, to deal with it. We wouldn't need any money from the government. This is a problem caused by us, and that's why we need this money. And the last thing we need to do is reduce it. So I oppose this amendment.

Mrs. LUMMIS. Madam Chairman, I now yield to the gentleman from Oklahoma (Mr. LUCAS), the chairman of the Ag Committee.

Mr. LUCAS. I thank the gentlelady for yielding.

I too rise in opposition to this amendment. Let's face it. The Wildlife Services plays a critical role in protecting humans from dangers caused by wildlife.

The CHAIR. The time of the gentleman from Wyoming has expired.

Mr. LUCAS. I move to strike the last word.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. DEFAZIO. Madam Chair, aren't you supposed to alternate sides? That was Republican time.

The CHAIR. The Chair may alternate sides.

Mr. DEFAZIO. I thought you usually did.

The CHAIR. The Chair intends to let the gentleman from Oklahoma finish his statement.

The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Madam Chair, the Wildlife Services use biologically sound and socially acceptable methods to resolve these issues when agriculture and industrial production are harmed by wildlife or public safety is at risk from wildlife.

If you own a pet, you benefit from the Wildlife Services. They reduce rabies in wildlife populations which prevents the spread of that terrible disease to domestic animals and humans.

Every time you get in a car, you benefit from the Wildlife Services. They work to reduce automobile collisions with deer, which affect an average of 29,000 people each year, cause \$1 billion in damages.

Every time you fly on a plane, you benefit from the Wildlife Services. They have people working in all 50 States to prevent dangerous aircraft collisions with birds.

How can we forget Captain Sullenberger's heroic landing on the Hudson River after Flight 1549 hit a bird at takeoff? And while we applaud the captain's achievement, there is no question that reducing these dangerous collisions must be a priority in the future.

And the largest portion of the Wildlife Services' budget, 43 percent, is spent on protecting human health and safety. Often Wildlife Services is the first line of defense against health risks involving everything from West Nile virus to avian flu, to Lyme disease. They prevent disease exposure to humans, livestock and wildlife.

And what's more, Wildlife Services is one of the few Federal agencies that requires private sector matching funds on a 1-1 basis. It's unfortunate that there are not more Federal programs as fiscally responsible as the Wildlife Services.

Yet, every year, animal rights groups opposed to the predator control conducted by the joint USDA Wildlife Services programs attempt to eliminate the funding from this vital program. And every year Congress rejects these attempts. That's because the wildlife cause \$126 million in livestock losses for producers, field crop losses totaling \$619 million, specialty crop losses at \$146 million. All told, wildlife causes \$12.8 billion in damage every year to natural resources, public infrastructure, private property and agriculture.

Without the predatory management done by Wildlife Services, losses would explode, driving family farms and ranchers out of business. Cutting funding for the Wildlife Services would be both costly and dangerous. Doing so also ignores the proven science behind Wildlife Services work, as well as their commitment to minimizing wildlife mortality.

This amendment's not scientifically sound, and it's certainly not economically minded. I urge my colleagues to oppose it, continue the funding for the Wildlife Services' efforts to protect you, your property, your pets.

Mr. DEFAZIO. I move to strike the requisite number of words.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Actually, I have experience with this. When I was a county commissioner and we were on some tough times, we said, we're not going to continue this program. We dropped our share. Heard all the same myths. Oh, my God, the deprivation. We're going to lose all our sheep; we're going to lose all our cattle. We're going to have these horrible things happen. Know what happened? Nothing. They took care of the problem themselves. A coyote comes on your property in proximity to your property, you can kill it. That's a myth. You can kill it. Sure you can. There's this limited exemption regarding endangered species which is apparently a problem in some States, not in ours. They just killed some wolves in eastern Oregon because they were concerned that they might have caused predation.

Now, let's talk about this subsidy. It's unnecessary. It's ineffective. And it's a taxpayer subsidy. I mean, are you guys serious about cutting the deficit or not? Why give private ranching interests subsidies to do something they should do themselves?

□ 0940

There is no good reason to do that. Now you're going to say, oh, we're worried about aircraft. Well, no. We're only cutting in one budget, which is \$13.7 million, which is the Livestock Protection Program.

Now, of course he said it's incredibly cost effective. It's been about \$1 billion that's been spent on this program during its duration by the Federal Government, \$1 billion. And during that time—because they're not following biology or any sensibility—the coyote population has tripled despite the \$1 billion. In Colorado, they fly around in planes and shoot coyotes; it costs about 100 bucks a coyote. There are more coyotes now than there were when Animal Damage Control started these programs.

They don't understand pack behavior and what causes dispersion. They've got coyotes now in parts of the country where they haven't seen them for 100 years. It's a really effective program; it's working really well. It has nothing to do with geese or any of that. That's another part of Wildlife Services. That is not the subsidy to private ranching interests to conduct lethal predator control.

And then they do some other great things. They have these nifty little devices, they're called M-44s. It's basically a baited cyanide shot shell. Now, it has sickened some humans—hasn't killed any yet. Has killed quite a number of domestic animals. Sooner or later it's going to kill a kid. Some kid is going to be pulling on that little string saying, gee, I wonder what this does—BAM, cyanide shot shell. Now, that's really discriminate. That's really effective. That's the same program

that has helped triple the population of coyotes out there over the last 80 years since these programs have existed.

So you can come up with all sorts of whoo-ha and say, oh, it has to do with Captain Sullenberger. No. It has to do with we can't shoot these things ourselves, no. I mean, just face it, if you want to subsidize ranching interests, just be honest about it and say we want to borrow \$11 million in the name of the American taxpayers and give it to private ranching interests. That's it, plain and simple, yes or no.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CAMPBELL. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before any short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to provide (or to pay the salaries and expenses of personnel to provide) to upland cotton producers countercyclical payments for upland cotton under section 1104 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714), repayment rates for marketing assistance loans under section 1204(b) of such Act (7 U.S.C. 8734(b)) at the prevailing world market price for upland cotton, cotton storage benefits under section 1204(g) of such Act (7 U.S.C. 8734(g)), or loan deficiency payments for upland cotton under section 1205 of such Act (7 U.S.C. 8735).

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Madam Chair, as I'm certain my colleagues are aware by now, in 2002 Brazil filed a complaint with the WTO accusing the U.S. of trade-distorting cotton subsidies that were inconsistent with our international trade obligations. The WTO sided with Brazil; and after years of debate, a WTO arbitration panel authorized Brazil to engage in retaliatory trade sanctions against the U.S. for more than \$800 million.

Instead of effectively reforming our programs, however, the administration agreed to pay \$147.3 million annually in technical assistance to Brazilian cotton farmers every year until the issues of trade compliance in our cotton programs are resolved in the next farm bill's passage or a mutually agreed upon solution is reached. There is little chance that we're going to have reauthorization this year of the farm bill. I

would suggest that it's probably not likely that we will do so next year either.

So here we are again. We've talked about this before: spending money, 147 million taxpayer dollars to the Brazilians, so that we can continue to subsidize our own cotton farmers. We simply shouldn't do that.

Now some will say, hey, if we do this, it will spark a trade war, if we get rid of this payment to Brazil. In my view, we dealt with that effectively in the Appropriations Committee. I offered an amendment saying if you want to pay the Brazilians off to not have them retaliate for our trade protections, then let's do that out of the money we're giving to our own cotton farmers. So take out of direct payments \$147 million and pay that. That amendment was adopted in the Appropriations Committee.

Well, guess what? A point of order was raised here and that amendment was stricken, so we couldn't do that. So all this concern—people say they're concerned about the taxpayer, well, we protected the taxpayer there by saying let's take the money out of the fund that we already pay our own farmers and pay off the Brazilians. That was rejected here. And so here we are again.

We have an amendment that will be voted on later, the Kind amendment, which will simply strike that payment. I plan to vote for that amendment; I hope we do that. But another way of approaching that as well is to simply go at our own cotton subsidies to ensure that we're not distorting the market by doing this program in the first place.

Now the Ag Committee will say, that's our expertise, let us deal with that; we'll deal with that in a new farm bill. Well, they dealt with that in the old farm bill, and many of us stood here and warned and said this is trade distorting; the WTO is going to rule against us and we're going to end up with retaliatory trade sanctions.

Well, the Ag Committee went ahead and did it anyway. It didn't fix the problem. They will say, well, we tried, we tried. But it's not the direct payments that are the problem. It's the countercyclical, it's the other programs that we have. And until that is dealt with, we're going to have these trade sanctions.

So when the Ag Committee stands up and says let us deal with that, I would remind people we have let them deal with that, and they haven't dealt with it. And so we have to go about it in another way.

I would simply say we cannot continue to subsidize our own ag interests this way, in particular this cotton program, when we know it's out of step with our international trade obligations.

So you can go about it in two ways. You can go ahead and say, hey, we're

going to not pay Brazil this amount, this protection money—or whatever you want to call it, this tribute—and then that will force us to deal with our own cotton subsidies; or we can deal with the cotton subsidies ourselves with this amendment and simply say we aren't going to do these trade-distorting cotton subsidies anymore. Then there won't be a need to pay Brazil off.

So that's what this amendment does. I would urge adoption of it.

I yield back the balance of my time.

Mr. CONAWAY. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Madam Chair, I'm going to oppose my good friend from Arizona's amendment. He tried this in the CR 1 and lost this vote. This is a bad way to attack this policy.

Quite frankly, the Ag Committee did a good-faith effort in addressing what we thought were the issues in 2008 with a farm bill by doing away with Step Two and other programs. Quite frankly, though, the Brazilians won't lay out for us exactly what it is about our policies that they don't like. We would be happy for the gentleman to elucidate that for us, if he can describe exactly what those policies are. It's not the countercyclical payments; it's not the marketing loan payments. It's other things that we've been trying to fix, and we will attempt again to fix those in 2012.

This safety net that he attacks with a meat cleaver instead of a scalpel is important to production agriculture in this country. As we've said over and over these microphones the last 3 days, America has always had an ag policy that attempts to put a safety net under production agriculture.

We enjoy the safest, most abundant, cheapest food and fiber supply in the world because of the hard work, the sweat equity, and the risk-taking of the American ag producer. They rely on this safety net that is intricate, it's complicated, it's interwoven, and it works.

We understand in 2012 we will have far fewer resources with which to work that safety net. And the Ag Committee is committed to getting that done; the chairman is committed to getting that done. We will then bring that work product to this floor. The gentleman from Arizona will then have the opportunity, if he doesn't think we've fixed the Brazilian problem, to present a solution at that time.

□ 0950

But at this stage, using an appropriations bill to rework the farm bill in this manner and ignoring the work of the Ag Committee in my view is wrong policy. We should defeat this amendment once again, as we did in the CR in February–March. I ask my colleagues to vote against the Flake amendment.

I yield back the balance of my time.

Mr. PETERSON. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. I also rise to oppose this amendment. As the gentleman from Texas has indicated, we have been trying to resolve this. We made significant changes already and there are some ongoing consultations or whatever you want to call them with the Brazilians. But he is right: They will not lay out what they actually want to resolve this situation, and frankly, from what I can see, I don't think there is anything that we can do that they will agree to. So we are trying to work through this.

But as I said when we had this discussion yesterday, it is very troubling to me that we are in this situation. With the way this WTO operates, the Brazilians have the most closed market in the world. You try to get any products into Brazil, and it is almost impossible. But do we care about that? No. They are spending I don't know how many billions of dollars of government money to increase production and increase agriculture in Brazil, way more than we are spending, and do we complain about that? No.

Some people say it is because of the agreements that we have entered into. Who knows exactly what it is. But the Brazilians are not lily white in all of this. They are utilizing some of the flaws in the WTO agreement to push this cause, and, frankly, we have let them do it.

So this needs to get dealt with in the regular order in the farm bill. This is not the place to do this on the floor of the House. We will deal with it. I think the chairman will back me up on that. We would love to have the Brazilians tell us what it is that they will agree to so we can resolve this. These discussions are ongoing. Hopefully they will be more forthcoming and we can get an answer to what it is that will solve this problem. Frankly, from my experience, I wouldn't hold my breath. So we will see.

So I oppose this amendment and I ask my colleagues to oppose it. This is the wrong place to do it.

I yield back the balance of my time.

Mr. LUCAS. Madam Chairman, I move to strike the last word.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Madam Chairman, I really kind of thought we were working on the annual agriculture appropriations bill, with the discretionary money, the programs that are handled on a year-to-year basis, but it seems we are going to debate the farm bill. I guess if that is the case, I should be managing it and let me just do it a year early.

The short statement is, like my colleagues Mr. CONAWAY and Mr. PETER-

SON, I rise in strong opposition to this amendment. This amendment would turn an industry on its head. It would do no good.

My good friend from Arizona has come to the floor and implied this would solve the trade dispute between the United States and Brazil. It would do no such thing. Mr. FLAKE has called this the Brazilian cotton problem, but the dispute is much more complicated than just cotton and actually involves export programs. This amendment wipes out the safety net established in 2008. For what reason? This is the kind of amendment you get when you have so-called experts offering amendments in areas outside their field of expertise.

This is a devastating amendment. This would throw the cotton market into disarray. We have no assurance, as the ranking member and the General Farm Commodities Subcommittee chairman have noted, no assurance from the Brazilians that if we eliminated the cotton program, as this amendment basically does, that it would make any difference to them.

As my colleagues have noted, we made huge changes in the 2008 farm bill, eliminating step two, changing the GSM program in a way we thought would satisfy the Brazilians. This amendment would circumvent the legislative process in what can only be described as a haphazard way.

Honestly, I really expected this amendment to be thrown out on a point of order because it clearly, clearly would end the countercyclical program for cotton, significantly changes how the repayment program works, eliminates the loan deficiency payments, and eliminates the cotton storage program. Those are major policy changes.

Again, this appropriation bill is 13 percent down. We are almost back to 2006 levels. Anyone who is concerned about what is being spent on the production of agriculture in rural America, take note; we are doing our part today under Mr. KINGSTON's bill. And when we get to the farm bill, be it next summer in regular order, be it this fall as part of some grandiose budget deficit-debt ceiling agreement, we will make incredibly tough decisions, because we will have to be a big part of addressing the national budgetary issue.

But let us do it in regular order. Let us do it in the farm bill process. Speaker BOEHNER has said time and time again, a more open process. Look at the appropriations process. We are going to do a farm bill under this open process. All of my good friends here will get to use all of their agricultural expertise in every conceivable way they can. But let's do it in regular order, in the proper fashion, in the proper way.

Again, Madam Chairman, I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Mr. FARR. Madam Chairman, I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I rise with great concerns about this amendment, because I don't think it does what the author intends it to do. All it does is say none of the funds made available in this act—this act, not other acts, not other bills that the chair and ranking member pass in their committees—can be used for countercyclical payments to upland cotton producers. There is nothing in here about Brazil. This doesn't affect Brazil. But this does affect a lot of cotton growers in a lot of States, including the State of California, which is one of the leading cotton-producing States.

If this amendment was constructive, I think you would find a lot more support for it, but I don't find it being very constructive because it only limits it to cuts in this bill and not to what the underlying problems are all about, which is covered in many other acts than this one.

Mr. FLAKE. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Arizona.

Mr. FLAKE. I thank the gentleman.

I recognize the appropriations process isn't the best way to legislate, it really isn't, and this is a clumsy way. This only applies to this act, and you have to do it in strange ways. I understand that.

But we are told that we ought to rely on the expertise of the Ag Committee. Well, the expertise of the Ag Committee is what got us into this problem in the first place. It is what got us into the problem of having to pay Brazil in order to continue to subsidize our own farmers. That is what we are dealing with here.

I recognize this is clumsy. I recognize this is uncomfortable. But we have got to do this some way, and we can't rely on just waiting until the next farm bill is passed. It may not be this year, or likely won't be. It won't be next year, or likely won't yet. So we could be doing this for years. So I recognize it is clumsy, I apologize for that, but we have to do something at some point.

Mr. FARR. Reclaiming my time, with all due respect, I don't think the Agriculture Committee created the Brazilian problem. It was not the committee's act that created it. It was what the Brazilians did in their ability to become a major agricultural production country. And they are going after production in other countries. They have got connections with their government much closer between producers and government than we have here. They are buying out companies. They are going to really try to affect farm prices in the United States. I will tell you, the next place they are going to go after is specialty crops.

So I am not a big fan, as you know. I spoke last night with concerns about getting these payment limitations down and to essentially trying to find a better program that is not so costly to the taxpayers. But you don't do anything beneficial with this money, you just cut it. And I am here to do things using money, taxpayers' money, to do the wise thing.

□ 1000

It doesn't affect the outcome at all. It just penalizes certain people that happen to be in the cotton business. And I don't think that I want to support an amendment that isn't constructive.

I yield back the balance of my time.

Mr. NEUGEBAUER. I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. NEUGEBAUER. Thank you, Madam Chairman.

American farmers and ranchers are citizens, too. I represent West Texas District 19 in Texas; 29,000 square miles, 27 counties, made up of a lot of farmers and ranchers and farm families and ranch families. They're concerned about the deficit as well. They're concerned about the growing debt and the legacy that that will leave for our children and our grandchildren. They're willing to step up and take their share of the burden of being able to get our country headed back on the right track again. In fact, that process started in the 2008 farm bill, where a lot of these farm programs were reduced. And for the last few years, for example, countercyclical payments have been nearly nil in many of those commodities because the program was operating the way it was designed.

So I appreciate my colleague's efforts to be a budget hawk and in many ways and at many times I have supported a lot of his amendments and ideas, but today I come to the floor saying that this is not the place to write the farm bill; that we have that process coming up next year. Farm families are stepping up in this particular appropriation bill. As the chairman so appropriately pointed out, major cuts to agricultural programs occur in the bill that we're considering today.

So I'm going to urge my colleagues, let's write the farm bill when it's time to write the farm bill. Let's put together programs that are good for production agriculture. I would remind a lot of folks that when we look at this farm bill, a lot of people don't understand all of the things that are in this. And it's called a farm bill, an appropriation bill. But quite honestly, a majority of this bill is about food stamps, it's about nutrition programs, and a very smaller percentage of this bill really has anything to do with production agriculture. And I think one of the things that we have to be extremely

careful about here, and that's the reason we need to get this right and that's the reason we need to do it in regular order, is today America is dependent on 70 percent of its oil in this country. In other words, every day we get up, 70 percent of our oil has to be imported in this country. And just recently, the United States of America, half of its credit is due to foreign countries.

And so today we are importing oil. Today, we have to import money to finance our deficits. And what we want to be extremely careful about is that in the future Americans don't have to wake up and determine who's going to feed them because we have eliminated the farm industry in this country. And so I think that's the reason it's important to do this carefully. It's important to do it right. And I look forward as a member of the Ag Committee, as we move into 2012, sitting down with my colleagues and writing farm policy that will be good for America, be good for our budget long term, and that's the appropriate time to do that. So I'm going to urge my colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. BLUMENAUER. I move to strike the last word.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I rise in support of the amendment from my good friend from Arizona. I appreciate his work over the years as we've tried to refocus attention and our resources in areas that are more productive for most American farmers and ranchers, for the taxpayer, and for the general economy.

I just heard my good friend talk about his concern about who's going to feed America in the future. Well, the issue of having these lavish agricultural subsidies that are concentrated three-quarters in the top 10 producers, and they are not people who are in the main producing food, the fruits and vegetables that people care about that would add to nutrition. The people that are in my agricultural community in Oregon are basically shut out. 87% don't receive it. They are not getting support for some of the things that are market neutral in terms of marketing, in terms of research that's being slashed, in terms of commonsense support for meeting their environmental objectives to protect clean water and habitat.

Being able to start tamping this down is essential. The AGI limitation, the one that I had on the floor last night that would limit the total amount of payment, these are things that there's never a good time to deal with them. I've been through three farm bill cycles. I've heard the body express itself in terms of instructions to the conferees and watched them disregard it when it came, for example, to limitation of payment.

I would like to turn to my friend from Arizona to yield some time. Be-

fore I do, I just want to correct one misapprehension that is floating around about the amendment that we had on the floor last night that limited title 1 payments to \$125,000 per entity.

Now, some people are pretending that this would somehow affect disaster payments or crop insurance. No. It is just title 1 payments. It's very simple. It's set forth in the bill. Anybody can read it. And it's not going to deal, for example, with disaster payments. But on this note, I would like to yield to my good friend from Arizona, thanking him for his continued partnership and advocacy in this area.

Mr. FLAKE. I thank the gentleman. I want to thank the gentleman for his work in this area for a long time over the years to try to end these out-of-step programs that we have in the agricultural field. Let me just correct something that was said before. It was said that we're in this position because of Brazil, because of the practices that they're doing. No. It's because our own agricultural policy—in this case, our cotton subsidies—is trade distorting. Nobody can stand up in this body or on this floor and make a case otherwise. Nobody can stand up with a straight face and say that our cotton program that we have is not trade distorting. That's why we're in this problem. That's why Brazil was able to take this case to the WTO, and the WTO ruled in their favor—because we have trade distorting farm policies. That's what we need to fix. That's the intent of this amendment.

There was an amendment last night by Congressman KIND that will be voted on later today. I may not and likely will not call for a rollcall on this one so that people can focus on that one. The Kind amendment limits payments to Brazil. If we do that, then we can force a change in our own policy, and we can force that issue better than perhaps any other amendment right now. So that's what I would encourage people to vote for, is the Kind amendment, when it comes to a rollcall later. If you do not believe that it's proper to be sending money to Brazil to address our own trade distorting cotton policy, then vote for the Kind amendment later today.

I thank the gentleman for yielding.

Mr. BLUMENAUER. I appreciate his clarification. I agree wholeheartedly with his sentiment. It's insane that instead of changing our trade-distorting, unjustified subsidies, that we're instead going to subsidize the cotton industry both in the United States and in Brazil. It's certainly not the approach that we should be taking at a time when we're going to have to do business differently. We talk about people getting economic haircuts. What happens today is that 31 congressional districts get more than half of all the subsidies. They, not coincidentally, are districts that are concentrated on the

Ag Committee and have a different perspective than the majority of the people in the House.

I'm hopeful we can work our will with these amendments.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. LUJÁN

Mr. LUJÁN. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the fund made available by this Act may be used by the Under Secretary of Agriculture for Marketing and Regulatory Programs to provide any marketing funds to any entity that advertises, describes, labels, or offers for sale chile peppers (also known as capsicum annuum) as New Mexico chile unless such chile peppers were grown in New Mexico.

□ 1010

Mrs. LUMMIS. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from New Mexico is recognized for 5 minutes.

Mr. LUJÁN. Thank you, Madam Chair.

I rise today to offer an amendment that will protect New Mexico chile farmers from unfair marketing practices. Lately we've seen a disturbing trend where marketers and retailers falsely use the unique quality and brand of New Mexico chile to misleadingly advertise their products. New Mexico is a special place where we take pride in our agricultural products. In particular, we take pride in our chile. We even spell it differently, Madam Chair. We spell it C-H-I-L-E, contrary to the more popular spelling C-H-I-L-I most associated with Texas style chili. Traveling around New Mexico, I've heard the plight of New Mexico farmers. There is concern with the importation of peppers, of chili powders from out of State and even from other countries that are hurting our producers in New Mexico. It's a concern that they may be put out of business, and it's a concern that is attacking the authentic New Mexico chile brand.

This unfair practice has led to decreased revenues for New Mexico chile farmers, who work all summer and diligently to raise their crops for harvest in the fall months and whose prices are undercut by imported products that falsely advertise as New Mexico chile.

Madam Chair, my amendment is simple and would not impose any costs on the Federal Government. My amendment would prevent any funds from this bill from being used to advertise,

describe, label or offer for sale chile peppers as New Mexico chile, unless the chile peppers used are grown in New Mexico.

This amendment is important to the protection of New Mexico's local chile producers, and I urge my colleagues to support this amendment and protect this unique agricultural product. As we know, Madam Chair, anyone who's tried it loves it.

I yield back the balance of my time.

POINT OF ORDER

Mrs. LUMMIS. Madam Chairman, I make a point of order against the amendment. It is violative of clause 2 of rule XXI because it proposes changes that require a new determination that is not within the purview and scope of the current bill.

I respectfully ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

The gentleman from New Mexico is recognized.

Mr. LUJÁN. Madam Chair, on the point of order, sadly, I think this may be ruled out of order, but I would ask that maybe there is an opportunity for the committee to work with myself not only as we get to the farm bill but also with the Ag Committee as we talk about the importance of this important product in New Mexico and its impact there, and I would certainly respectfully request from our friends on the other side of the aisle that maybe we can get a chance to work with one another.

I would be happy to yield, Madam Chair.

The CHAIR. The gentlewoman from Wyoming is recognized on the point of order.

Mrs. LUMMIS. Madam Chair, the committee would be very pleased to work with the gentleman from New Mexico and myself in particular since my daughter is a new resident of your State.

The CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Secretary, specifically a duty to determine the activities of entities receiving certain funds in the bill. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

The CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Thank you, Madam Chairman.

As you can see, this is a very simple bill. My amendment would require every single agency covered in this Ag appropriations bill to be accountable to the taxpayers money by reducing one nickel out of a dollar for what they have been given to spend. It requires all accounts to absorb that equally, that 5 percent reduction, and it will keep the bureaucracy from picking winners and losers or choosing to fund their pet programs. Certainly the amendment will save the taxpayers money, but this is also a stand for good government. It's about taking responsibility, not torturing the American taxpayer with excuses for ineffective and inefficient bureaucracies.

There are a lot of people that say the Appropriations Committee deserves a pat on the back for decreasing discretionary spending by 4.7 percent below the 2008 levels, and I agree with that. I think they are to be commended. Certainly off the President's request, the 13 percent reduction that they have made. I'm part of that effort that has pushed to return our spending to the pre-stimulus, pre-bailout levels, but there is more that must be done. We have to make our government leaner. We have to make it more effective. Every day, Americans are tightening their belts. They're asking government to do the very same thing. Tennesseans keep saying, why is it that government keeps asking us to sacrifice for it when government should be sacrificing for us? Every Federal program needs to be held accountable, and this is a way to do it. Our States have done across-the-board cuts. Our city governments have done across-the-board cuts. Even history will show you that twice before, our Presidents have pushed for across-the-board cuts: World War II, Korean Conflict, there were 28 percent and 30 percent across-the-board cuts in discretionary spending. The reason they did this, Madam Chairman, is because there was a crisis, there was a war, there was a need to restructure, to re-order and to address the priorities of the day.

One of my constituents came up to me recently—this is someone who is active in the ag community in our State—and she said, "It is time that the bureaucracies get their house in order. It is time that you all in Congress stop spending money you don't have on programs we don't want."

So as we do our due diligence on the spending process, as we act responsibly to our constituents and to the taxpayer, it is time for us to turn to the bureaucracies, the rank-and-file Federal employees who put the pen to the paper on how this money gets spent, and say to them, "Find another nickel on a dollar." We're doing it for the children, we are doing it for our grandchildren, we're doing it to make certain that we stop borrowing 40 cents of every dollar that is spent.

This amendment would reduce the budget authority by \$951 million. It would reduce the current outlays by \$675 million. That would be spread equally at a 5 percent rate across every single agency. It can be done, and, Madam Chairman, in these times of crisis, it should be done as we seek to return this Nation to fiscal stability and to responsibility.

I yield back the balance of my time.
Mr. KINGSTON. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. First of all, I want to thank my good friend from Tennessee for offering this amendment and her tireless work to try to reduce spending in our country, and I absolutely agree with all the statements that she has made.

I do want to point out, though, that the only budget that has passed either body is the Ryan budget. I supported, as I know she did, the RSC budget, which is actually more conservative, but it did not pass. At least we did get a budget passed on the House floor. The Senate was unable to do that. Even though the Democrats are the majority party over there, the Senate rejected the President's budget 97-0, and apparently now they've given up and they're not going to try to pass a budget. The only bill that we have an opportunity to move is under the Ryan budget, which is what this bill reflects. It is a 13.4—actually it's higher than that because we cut it last night a little bit more, or we did some across-the-boards, but it's about a 13.4 percent cut already.

□ 1020

Where the big money is—and I know my friend from Tennessee is as frustrated about this as I am—is in the mandatory spending. In fact, I have a chart over there. We don't have any pages or I'd bring it up here on the floor; but 86 percent of this budget is mandatory spending, and I use the word "mandatory" loosely because it's really on automatic spending. That's where the big money is. Unfortunately, we can't get to it. This portion that we do have control over used to be \$23 billion; and right now, under our budget, it's \$17.2 billion.

Let me show my friend this because I think it's very important. The blue line is the mandatory spending of the Agriculture budget, and the red line is the discretionary spending. The point is that this committee has jurisdiction over the red line. We do not on this committee have jurisdiction over the blue line. Yet you can see the blue line is the one that's going up and that the red line is the one that's actually going down.

So that's one of my frustrations about the entire process and about the rules which we're governed by; but I

want to make sure that my friend knows, under the portion we do control, that we did cut it 13.4 percent.

I yield back the balance of my time.
Mr. FARR. I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I rise in opposition to this amendment.

It doesn't do any of the things that the author talked about. It's a one-sentence bill. This is a legal bill. We are here as lawmakers. It says that each amount made available by this act other than the amount required to be made available by provision of law, which is the one part that Mr. KINGSTON just talked about, is hereby reduced by 5 percent.

That's all it says. There is nothing about accountability. The accountability goes on before our committee. That's what we do. We go over every item in the USDA's and FDA's budgets and in a public process where there is input and give-and-take. We do the scrutiny every year. That's what the Appropriations Committee is all about. It makes good press releases to get up here and say that, if you cut, squeeze and trim, government is going to get a lot better; but then they don't practice it in their own offices or in their own lifestyles. They just demand that, by just cutting out money, people who give services to people can't give those services.

So this amendment doesn't do anything that the author talks about except to whack a budget that was already whacked. It was whacked by the allocation given to us. As I pointed out, it's \$5 billion less. It's almost 23 percent less than what the President requested. It's 14 percent below what Congress enacted last year. It's 26 percent below what we enacted in 2010. It's even below what we enacted in 2008. Last night, we cut across the board. We did what this amendment does, in a very small proportion; but we used that money beneficially to adjust for the WIC program. So just whacking it across the board by 5 percent isn't going to cause any good for anybody, and I oppose the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the construction of an ethanol blender pump or an ethanol storage facility.

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. This is a rather straightforward amendment. I should say, before I start, that an identical amendment to this was approved when we voted on H.R. 1 earlier this year by a vote of 261-158.

Mr. KINGSTON. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Georgia.

Mr. KINGSTON. I supported this when you offered it on the continuing resolution, and I plan to support it today.

Mr. FLAKE. Okay. Then, reclaiming my time, I will be very brief.

The ethanol industry, as we all know, receives a trifecta of government support. Its use is mandated by law. It is protected by a prohibitive import tariff on imported ethanol; and it receives billions in subsidies, effectively paying them to follow the law.

Everyone knows that ethanol subsidies are going to go away. Thirty years is enough. I mean, even Al Gore and others who supported them in the beginning said, no, that was a mistake, and we're going the other direction now. So ethanol supports—or direct subsidies or the import tariffs—are going to go.

The industry is asking, How can we keep these subsidies going? The effort now is to pay for infrastructure, so the Secretary of Agriculture, Secretary Vilsack, has indicated that he wants the USDA to determine how it can potentially use programs to promote the distribution and storage—blender pumps—and how to put money into infrastructure. As we all know, once you start putting money into infrastructure, then you say, well, we've already put some money in, and we've got to continue to do it, so those subsidies will continue and continue and continue.

We cannot continue to do this, Madam Chair. We cannot continue to fund this, particularly when we are borrowing 40 cents on the dollar. I would urge the adoption of the amendment, and I am glad that the chairman supports it.

I yield back the balance of my time.

Mr. PETERSON. I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. I rise in opposition to the amendment. We are, once again, debating ethanol. There is so much misrepresentation and misunderstanding of what's going on.

The ethanol industry has been one of the best things that has happened in rural America. We have created a tremendous amount of jobs in small towns that otherwise get bypassed, and they've been very successful. The way we've been able to do it up to this point is through the blend, by having people blend 10 percent ethanol. The EPA is approving going to 15 percent ethanol, but the industry has hit what they call a "blend wall."

Now, the blend was basically driven by the fact that the refineries and oil companies needed octane. Gasoline is low in octane and high in Btus. Ethanol is high in octane and low in Btus. Back in the old days, we used lead to raise the octane level. Then when lead was banned, the oil companies decided to create MTBE. We warned them against that, but they went ahead and built the MTBE plants, which, it turned out, poisoned the water in a number of cities in the United States. Then the oil companies and refineries went to the ethanol blend, which they should have done in the first place. That's working, but we're at a limit now.

If we're going to move ahead, we have to have access to the marketplace. The problem that we have is that we don't have the cars like Brazil has which can burn different levels of ethanol, and we don't have the pumps in the gas stations so that people can have access to ethanol. If we're going to get rid of the VTAC and the other programs that we have in ethanol, we're okay with that as long as the consumers have the ability to make the choice at the station. If they want to burn ethanol, they've got to have the ability to be able to do that.

So we need to get the pumps in the station. We need to get the car companies to start building vehicles like they do in Brazil, which run a 25-30 percent blend. The American companies are building these cars in Brazil. Every gas station in Brazil has ethanol as opposed to those in the United States. That's one of the reasons they have been so successful and why they are now completely independent from any foreign sources of fuel for their vehicles.

What we're trying to do here is eventually eliminate the subsidies that people have complained about—the VTAC and other things.

□ 1030

But in order for us to be able to maintain this industry and maintain these jobs in rural America, we have to be able to have the infrastructure. We have to have the blended pumps. We have to have the cars. The right blend is 25/30 percent. You will get the best performance, the best mileage. Brazil has figured this out. They've been doing this for a long time. Their blend is 26 percent. We have people that have

put in amendments that say we can't blend above 10 percent. We have this foolishness about how it is going to ruin small engines and so forth. This argument has been going on since 1975, and you know, we've been blending ethanol, we haven't ruined any engines yet.

So we need to defeat this amendment because this goes in the wrong direction. If you want a market that's open and lets consumers have a choice, the way to do it is to get the infrastructure in place. I ask my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. WELCH. I move to strike the last word.

The CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Madam Chairman, I rise in support of the amendment, and I do it with great deference and respect to my leader, the ranking member of the Agriculture Committee.

But here's the issue. One, at what point do we have taxpayers given relief from these \$6 billion subsidies to an industry? The ethanol industry gets 45 cents a gallon. They get the benefit of 54 cents as a protective tariff against the import of, among others, Brazilian ethanol, and then they get a mandate requiring that they put ethanol in their vehicles. Now, as Mr. FLAKE mentioned, that's a trifecta: subsidy, protective tariff, and a mandate. No other industry has that level of Federal taxpayer and legislative benefit. We just don't have it.

Second, this is helping parts of rural America. I listened carefully to what Mr. PETERSON said, but it is causing significant difficulties in my State for our dairy farmers who purchase grain. One of the rising costs for them is the cost of grain, and one of the factors in that are these tariff barriers and mandates that are pushing up their costs. So it's making life on the dairy farm pretty tough.

Now, the final thing is that folks who use small engines like chainsaws or weed whackers or lawn mowers or boats where they don't run that engine continuously as we do our cars are complaining—and mechanics are backing them up—that the ethanol is doing real damage to those engines.

So it's time, I think, for this Congress to step back and give the taxpayer some relief. Ethanol, if it's going to sink or swim, it should be doing it on its own merits at this point.

I yield to my friend from Arizona.

Mr. FLAKE. I thank the gentleman and thank him for his articulate remarks on this.

I failed to mention the breadth of support for this amendment in the outside community. Let me just read some of these names.

The CHAIR. The time of the gentleman from Vermont has expired.

Mr. KINGSTON. I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I yield to the gentleman from Arizona.

Mr. FLAKE. I thank the gentleman.

Suffice it to say, there's a long list of organizations supporting this. Everyone on the right from Americans for Limited Government, Americans for Prosperity; on the left, Freedom Action, Friends of the Earth, Greenpeace; then everyone in the middle, the Grocery Manufacturers Association, Milk Producers Council, National Chicken Council, National Council of Chain Restaurants, National Meat Association, National Turkey Federation, National Wildlife Federation, and on and on and on.

This is a great amendment and I urge its adoption.

This amendment is supported by the following organizations:

Action Aid USA; American Frozen Food Institute; American Meat Institute; Americans for Limited Government; Americans for Prosperity; California Dairies, Inc.; Clean Air Task Force; Competitive Enterprise Institute; Environmental Working Group; Friends of the Earth; Freedom Action; Greenpeace USA; Grocery Manufacturers Association; Milk Producers Council; National Chicken Council; National Council of Chain Restaurants; National Meat Association; National Restaurant Association; National Turkey Federation; National Wildlife Federation; Oxfam America; Southeast Milk, Inc.; Taxpayers for Common Sense.

Mr. KINGSTON. Madam Chair, I yield to the gentlewoman from South Dakota.

Mrs. NOEM. I appreciate the gentleman for yielding.

Madam Chair, we talk a lot on the House floor recently about agriculture and about the fact that agriculture needs a haircut and that people are concerned about agriculture getting too many benefits provided by the taxpayers. I would certainly say that in the past, in the most recent, agriculture has been significantly cut, and under this bill here before us today, we also see significant cuts.

I rise in strong opposition to this amendment offered by the gentleman from Arizona because this amendment is an attack on consumer choice, on the free market access, and on home grown American energy. He's trying to provide technology that would allow consumers to decide if they want to use an ethanol blend. We've seen the reports out there that have indicated that ethanol has reduced the price of gasoline up to 89 cents a gallon, and across this country consumers don't even have the option to purchase that right now if they would like to.

I have a plan that would modernize ethanol policy. It would send over a billion dollars to deficit reduction. It would make sure that we have infrastructure in place so that consumers can have relief from these high gas prices.

With everything that has been going on in the country today, one of the top

two issues that I hear about every day in South Dakota and across this country is high gas prices. If we can reduce those high gas prices for people at home struggling with that today, the best thing we can do is give them a flex pump in their community where they can access that. Right now they have no choice if they want to use an American, domestically grown, renewable energy source which they can use to reduce their dependence on foreign sources of oil.

I'm a strong supporter of an all-of-the-above American energy plan, and that's truly what we need. We need to put Americans first. We need to stop relying on the Middle East to fuel our vehicles. We can grow that product right here in our country. We can provide the taxpayers with lower priced gasoline. We can renewably do that over and over and over again and give them that choice and that option. We just need to give them a pump. We need to give them a pump in their community so they have that option, and that's what this country is about is flexibility, by giving those people back home options.

That's why I am not a supporter of this amendment. I think that that is certainly a wise place for us to invest in making sure that we rely upon ourselves, that we use our own sources and we provide exactly what the American people need today.

Mr. KINGSTON. I thank the gentleman, and I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I also rise in opposition to this amendment, and I associate myself with the remarks of the gentlelady from South Dakota.

I believe that with the economic challenges that our country has felt, much of which is related to the cost of fuel, this is an amendment that I think undermines our ability to recover and to create jobs.

In our rural community down in Mitchell County, Georgia, we have an ethanol facility there which contributes a tremendous amount to the local economy. It hires people and it is, I think, the example of how we grow our rural economy. In fact, this amendment would stop that kind of job growth. It would not allow this facility to expand and to be prosperous, and I just think that it's the wrong way to go.

When America and the American economy gets sick and gets a cold, the rural economy has pneumonia and it's on life support, and we need to make sure that—we had some 30, 40, 50, 60 individuals in rural Georgia who decided that they wanted to invest their own money in a home grown industry for renewable energy, so that we would be

in a position to contribute to our own energy self-sufficiency and we would be able to do it in a way where our local individuals would be able to create jobs and to increase the economy there in our local rural community. It has worked very well except for the fact that they don't have the facilities, don't have the pumps, and we need to make sure that they do.

This amendment I think is pennywise and pound foolish, and I think that we need to go ahead and move ahead to help our country become energy self-sufficient. How do we do that? By making sure that consumers do have access to the blends so that we will not continually have to fight with the Middle East for the cost of fuel. Oil prices really are battering our economy. Energy costs are battering our national security. When you look at how many billions of gallons of fuel are spent for our national security with our military vehicles, our weapons, we need to have alternative energy sources, and I think this amendment undermines that.

I oppose it and I associate myself with all those who oppose this amendment. I think that we need to move forward with energy self-sufficiency, energy independence for our country.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1040

AMENDMENT OFFERED BY MR. GARDNER

Mr. GARDNER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. The amount otherwise provided by this Act for "Integrated Activities" is hereby increased by, and the amount otherwise provided by this Act for "National Institute of Food and Agriculture-research and education activities" is hereby reduced (to be derived from amounts for competitive grants (7 U.S.C. 22 450i(b))) by, \$4,400,000, respectively.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Madam Chair, this amendment moves funding over to the integrated activities account. I am very concerned about our work when it comes to animal disease and food safety issues, especially when it relates to issues like FMD, chronic waste and disease, mad cow disease, other infectious animal diseases, prion-based diseases.

I want to make sure that we are not imperiling the U.S. livestock industry, especially when it comes to our livestock exports. If we were to delay even just 3 to 4 days in terms of finding or responding to an outbreak of FMD, it could cost our country \$135 billion in agriculture and possibly destroy our export markets.

Madam Chair, I would just ask for a "yes" vote on the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. GARDNER).

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. FLORES

Mr. FLORES. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 4 _____. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. I rise to offer my amendment, which would address another restrictive and misguided Federal regulation.

Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of an alternative fuel unless its "lifecycle greenhouse gas emissions" are less than or equal to emissions from an equivalent conventional petroleum sources. Simply put, my amendment would stop the government from enforcing the ban on the U.S. Department of Agriculture and all other Federal agencies funded by the Ag appropriations bill.

The initial purpose of section 526 was to stifle the Defense Department's plans to buy and develop coal-based, or coal-to-liquids, jet fuels, based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum. Earlier this week, I offered my similar amendment to the MILCON-VA appropriations bill, and it passed this House by a voice vote.

My friend from Texas (Mr. CONAWAY) also had language added to the defense authorization bill to exempt the Defense Department from this burdensome regulation. We must ensure that our military becomes energy independent and can efficiently rely on domestic and more stable sources of fuel. But section 526's ban on fuel choice applies to all Federal agencies, not just the Defense Department. This is why I am offering this amendment again today.

While we hope the USDA is not going to be fueling up any jets any time soon,

the underlying bill does allow for the purchase of more than 400 new passenger vehicles. The Department of Agriculture's choice on fuel to power these vehicles to provide service to our Nation's farmers and agricultural producers will be limited without my amendment.

The USDA should not be burdened with wasting its time studying fuel emissions when there's a simple fix, and that's not to restrict their fuel choices based on extreme environmental views, policies, and regulations like section 526.

Madam Chairman, section 526 makes our Nation more dependent on Middle Eastern oil. And stopping the impact of section 526 would help us promote American energy, improve the American economy, and create American jobs. I urge my colleagues to support the passage of this commonsense amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment, Madam Chair.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, look, if you like dirty air, you will love this amendment. If you like dirty fuel, you will love this amendment.

What this provision does is it strikes the requirement in law that says to the government, which is a big purchaser of fuel, look, don't buy dirty fuel. Buy something that is clean. I mean, that's what we're trying to do is stimulate clean air, fuel efficiency, alternative fuels. This strikes us down. This is going back to the old smokestack, fill the air full of dirty air. This goes back to all the traditional people that just don't like the fact that there's competition out there and that the Federal Government has to purchase that competition. I don't understand why in a competitive world, where fuel and efficiency and engine development, where we're going to have to lead that or have our clock cleaned, this is exactly what creates markets for that.

You look at venture capital, you look at all these people that go in and put private risk capital out. Then they have got to have a market. And fortunately, the government tries to be that market, whether we're buying healthy foods for children, whether we're buying food for our troops, whether we're trying to encourage alternative fuels, as we have under this program where the Navy planes have found a proven alternative to traditional aviation fuel that they've tested in supersonic speed jets.

This is a program that tells the American ingenuity. Get out there and invent something. Because guess what, if you invent it, we, as a purchaser of cleaner and better standards, are going to be your market. And this amendment just wipes that all out. It's really back to dirty smokestacks, dirty air,

and no competition and no ability for America to succeed in the future.

I yield back the balance of my time.

Mr. KINGSTON. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. For clarification purposes, I yield to my friend from Texas (Mr. FLORES).

Mr. FLORES. I thank the gentleman for yielding to me.

Let me correct some of the comments made by my friend from California. First of all, this is a typical example of the way that the Federal Government operates, where the left hand does something that's entirely different from the right hand. On one hand, the left hand says, We want to have alternative fuel sources available for our economy. The right hand says, But we can do it for everybody, except the agencies of the Federal Government.

Let me give you an example. Oil sands from Canada. Production of oil from oil sands in Canada could completely displace our use of Middle Eastern oil. And yet, we're trying to block in this bill the use of oil sands from Canada. Virtually all the fuel in the United States has oil from some oil sands in Canada blended in as fuel. That would mean all that fuel is off limits to the United States Government and, in particular with this bill, to the United States Department of Agriculture.

We should reduce our dependence on Middle Eastern oil, not increase our dependence on Middle Eastern oil. And my amendment to eliminate the impact of section 526 reduces that dependence on Middle Eastern oil. Remember also, Madam Chairman, this amendment was passed by a voice vote for the MILCON-VA bill.

Mr. KINGSTON. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before any short title), insert the following new section:

SEC. ____ . None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds \$250,000.

Mr. FLAKE (during the reading). I ask unanimous consent that the amendment be considered as read.

The CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Madam Chair, much attention has been paid to making significant cuts in Federal spending. The first step in addressing the massive public debt that has accumulated, I would submit, is that all areas of spending need to be on the table. This includes spending on farm subsidies. We've already talked a lot about this today.

Over the last 15 years, almost three-quarters of farm payments have gone to just 10 percent of producers. The bottom 80 percent of recipients account for slightly more than a tenth of that money. Under current law, recipients are entitled to receive farm subsidies so long as their adjusted gross income, or AGI, is less than \$500,000 in nonfarm AGI and \$750,000 in farm AGI.

□ 1050

Thus, you can have an adjusted gross income of slightly less than \$1.25 million and still ask taxpayers to foot the bill for your Federal agriculture payment. Let me say that again. You can have an adjusted gross income of \$1.25 million, adjusted gross income, and still go to the trough here and ask the taxpayers for farm subsidy payments. I would ask anyone, how can they explain why a family earning more than \$1 million a year needs to receive a check from the government?

This amendment would lower that income limit to be eligible to receive farm payments from \$1.25 million to \$250,000 in adjusted gross income. I think a farmer has done well if they clear \$250,000. I think it's wonderful if they do that. They should try to take a day off from their hard work if they do. But don't come back to the Federal Government and say, we need more farm subsidy payments. Let's have some sanity in this program here.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I couldn't agree more with the gentleman from Arizona when he says that we've got to put everything on the table in order to eliminate this deficit and to put us on a path toward balancing our budget. We've got a fiscal crisis.

But at the same time, we need to make smart choices. We need to establish priorities. We don't need to cut off our feet or cut off our hands. We need to empower ourselves and have the tools that we need. And I think that if we're going to have a strong agricultural community, if we're going to have American farmers be able to produce high quality, safe, economical food for the people of this country and for export, and to be able to compete in

the global marketplace, we are going to have to have reasonable and smart farm support.

Our authorizing committee has done a great job. And Members of this body have done a tremendous job in trying to review over the years what we need to do to tighten up and make more efficient our farm support programs. And we've got to do that. And of course they do have to be on the table. But let's be smart. Let's not take a meat ax to it when we need to take a scalpel approach.

An individual or a legal entity must be actively engaged in farming rules that are administered by USDA in order to participate in farm programs. To receive the payments when they are available, individuals or legal entities determined to be actively engaged in farming must prove their average adjusted gross farm and nonfarm income are below the levels that are set by the statute. If an individual is determined to be eligible, the total benefits for all crops are limited to a specific amount as dictated by the statute.

Now, we can't have a cookie-cutter approach to this. Our farmers in the Midwest and other parts of the country other than the Southeast have a different need in terms of farm support and farm support programs. We have a diversity of crops. We have a multitude of crops in our portfolio in the Southeast, from Virginia all the way to Texas. And in order to be able to grow those crops effectively, a producer has to have versatile equipment. For example, if you grow cotton you've got to have a certain kind of equipment for cotton. If you grow corn and grain, you've got to have a different piece of equipment for that. There are three different kinds of equipment. And peanut growers, cotton growers, and grain growers all in the Southeast have to finance those various kinds of equipment.

Now, the 2008 farm law made the most comprehensive and far-reaching reforms of eligibility and limitations on farm programs in 20 years. It substantially reduced the level of the income test that was established in the 2002 farm bill by creating two new tests to determine eligibility. Individuals or entities with a 3-year average adjusted gross nonfarm income exceeding \$500,000 are not eligible for any commodity program benefits. Individuals with a 3-year average adjusted gross farm income exceeding \$750,000 are ineligible for direct benefits.

While this amount may seem generous, the gross income is calculated before debt servicing and other expenses are met. Since a new cotton harvester can cost upwards of \$750,000, and investments in land and crop input such as fuel are escalating, you've still got to take into account the cost of the irrigation system, the labor cost, the rent on the land, the ad valorem taxes,

and health insurance for the farmers and for their families. So you've really got a lot of expenses that are not taken into account when this statutory limitation on income is calculated.

It also, in '08, eliminated the three entity rule and replaced it with the direct attribution rule, which provides that each payment is attributed to a specific individual. That reduced the payment, since prior to 2008, individuals could participate in three entities receiving payments.

Congress thoroughly debated the level of income tax when we developed the 2008 farm bill so that the tests for farm income and the tests for nonfarm income were appropriate. The tests are administered by USDA, and the documents submitted to USDA by program participants are subject to rigorous review by USDA and IRS.

This is a bad, bad thing, and I suggest that we ought to let the authorizing committee do this in the farm bill and not do it now.

I yield back the balance of my time.

Mr. LUCAS. Madam Chairman, I move to strike the last word.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Madam Chairman, I rise in opposition to this amendment. This is clearly an attempt to legislate policy through an appropriation bill, contrary to the intent of regular order, and this is not the way that we should do business.

Arbitrarily changing eligibility requirements for farm programs outside of the farm bill is irresponsible. It seriously undermines farmers' ability to make long-term plans and investments, and it adds a dangerous element of uncertainty to the market. The result would be a reluctance to make investments in equipment and practices that increase productivity.

The process of developing the 2012 farm bill would begin in the Agriculture Committee next week. Our first step will be a comprehensive audit of current farm programs to determine which are working, which are not, and how to best insure that America's farmers and ranchers remain competitive and productive into the 21st century.

Our farm program audits are just the beginning of what will be a very transparent, inclusive, thorough process of developing the 2012 farm bill. During that process, we will be careful to consider how best to stabilize, how to provide stability and certainty to farmers during lean years. Without appropriate risk management tools in place, a few bad seasons could put farming operations out of business permanently.

Proponents of this amendment makes it sound like the Agriculture Committee has done nothing on this issue. That couldn't be farther from the truth. As my colleague has just alluded, in 2008, the Agriculture Com-

mittee, under the leadership of my colleague, then-chairman PETERSON, meticulously debated the appropriate levels for farm program eligibility. The results were some of the most aggressive reforms in AGI in two decades.

Not only did we tighten eligibility, but in the implementation of those rules, USDA allows IRS to verify a farmer's AGI.

In 2012, we will once again review how to efficiently and effectively target farm policy. America's farmers, ranchers and taxpayers deserve an open and accountable policymaking process. This amendment not only precludes a transparent process, but it silences the voices of Americans who would like to contribute to comprehensive discussion of farm policy.

I urge you to oppose this amendment to prevent policy discussions from being shortchanged. Allow us to work through regular order in the open process that will be used in the coming year.

Once again, I oppose the amendment.

I yield back the balance of my time, Madam Chairman.

Mr. PETERSON. I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. I rise in opposition to this amendment.

As Chairman LUCAS just indicated, we spent a lot of time working through this. This has a much bigger impact on my friends in the South than it does in our part of the world, although it does affect some of our folks. But one of the reasons is the way they finance and operate in the South, where they have a lot of shared rent. We are pretty much cash renting up in our part of the world now.

□ 1100

But you've got folks that have land that get caught up in this AGI, and it causes problems in terms of financing their operations and the way that they have structured agriculture in the South.

When I've been down there in Arkansas and other places—Mississippi, Georgia—the people that have been the most opposed to this are the bankers. And if you're concerned about having family farmers and keeping as many people on the land as possible, this is exactly the wrong way to go about it. You're going to upset the whole apple cart in doing this.

Having said that, why do we have an adjusted gross income limit on farmers? Why don't we have it on everybody? If this is such a good idea, why don't we have anybody that gets any money from the government be subject to this AGI? If it's good enough for farmers, then anybody that makes \$250,000 doesn't get anything from the government, period, just like farmers. That's how much sense this makes.

The other thing that everybody talks about is that 80 percent of the people only get 10 percent of the payments. Well, people need to understand that we have a definition of "farmer" that is flawed and we should get rid of. They claim that we have 2 million farmers in this country. But do you know what it takes to be a farmer, the definition? If you could produce \$1,000 of farm income—you don't have to, just if you could produce \$1,000, you're considered a farmer. The true reality is we have 350,000 commercial farmers that produce over 90 percent of the food, and obviously they're going to get the payments because that's the way the system works.

We have worked through this on the committee. I didn't agree with these AGI limits and payment limits that we put in the bill, but it was something we had to work out and we worked it out. This should not be dealt with on the floor. Once again, people who have made decisions based on the 5-year farm bill—they've made a lot of investments, they've put a lot of money into their operations based on how this thing is structured—we should not come in and pull the rug out in the middle of the deal here. And we should do this in the regular order in the farm bill. That's where it needs to be done.

This is a bad amendment. I urge my colleagues to oppose it.

I yield back the balance of my time.

Mr. CONAWAY. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Madam Chair, I want to make a couple of quick points.

The ranking member, the former chairman of the Ag Committee, made a good point, which is the percentages that get bandied about in this regard that seem to make the arguments a little more inflammatory are based on a skewed definition. You don't live on a farm that makes only \$1,000 of gross revenue. That's not a farmer who's in the business of farming, and that's who these Ag support safety nets should support.

I would like to make one comment about why the Ag Committee is the one that ought to be making these kinds of things. If you will read the gentleman's amendment, it says, "to a person, legal entity, if the average adjusted gross income of the person or legal entity is \$250,000." Average of what, Madam Chairman? Average of 1 year? Average of 5 years? Average of a lifetime? Average of what? And so a poorly crafted amendment—I know the gentleman is working in good faith, he has been at this for a long time, I don't have any problem with that, but this is an example of a hastily drawn, poorly drafted amendment that is unenforceable in effect and it skews up. So in addition to all the other things we have said about letting the Ag Committee do it, here's a good example of why.

Madam Chair, I yield back the balance of my time.

Mr. CRAWFORD. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. CRAWFORD. Madam Chair, I also rise today because I strongly oppose this amendment.

As I've listened to the debate, I think some folks are missing some fundamental principles of where our Nation's food supply comes from. I've seen many Members come to the floor to defend funding our nutrition programs—which is obviously a worthy cause—but at the same time many of those Members come down here and attempt to pull the rug out from under farmers by scrapping programs that provide an important safety net to our producers.

We have to be clear: We can't have a stable food supply for recipients of nutrition programs and all Americans unless our commodity producers have some stability. Through a deliberate and balanced approach, the Ag Committee has brought reform to the AGI means test by further targeting program benefits to those individuals that depend on farming for their livelihood. By setting the income level at an appropriate level, the committee recognized the production costs and the economies of scale that are necessary to be competitive in today's agriculture. An overly restrictive AGI ceiling disregards the financial reality of commercially viable farms.

Let's be clear about this: A farmer's AGI is not profit. There are still a number of expenses that must be covered. In addition to personal expenses, farmers must service the debt that, given the cost of today's machinery and land, can easily reach into the millions of dollars.

At a time when more and more people have to rely on the productivity and stability of American agriculture, now is not the time to pose a threat to the very food source on which they rely.

Madam Chair, I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Madam Chair, I know that \$250,000 sounds like a lot of money. It will buy you a third of a new John Deere cotton picker.

From our standpoint as a country, agriculture and manufacturing have been the foundations of our economy. The things that we need to get our economy back on track are access to capital and regulatory certainty. And when you make changes that are this drastic on the floor through an amendment process instead of going through the committee process where it should

be done, then you hinder those two things. Farmers lose confidence, and their lenders lose confidence in Federal policy, and that does away with the stability and predictability that some of these issues are designed to provide. The loans necessary to operate the business may become harder to come by if we start to make amendments like this and allow amendments like this on the floor.

I simply rise to say this: Agriculture has been strong. It's been one of the bright spots in America, and it will continue to be one of the bright spots in America because of the work ethic of the people involved in the agricultural industry.

I would ask my colleagues to oppose this amendment and allow us to deal with this in the Agriculture Committee in the farm bill that we will be starting over the next couple of weeks.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. FLAKE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to alter contract no. GS-35F-4076D with respect to the location of data storage.

Mr. KINGSTON. Madam Chair, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from Illinois is recognized for 5 minutes.

Mr. LIPINSKI. Madam Chair, I applaud the administration's leadership in looking for ways to save money and simplify our Federal IT infrastructure by moving data to storage in cloud computing, but the critical question is where will this data actually be stored?

There is no reason for essential government data to be stored in offshore facilities, and the USDA has recognized that fact. In cloud computing contracts signed by the USDA, Secretary Vilsack and CIO Chris Smith have insisted that all data must be stored in the United States. This amendment seeks to reinforce and codify USDA contracts' terms specifically regarding where the data is stored. That is all that this

speaks to. It says that this contract, in regards to where the data is stored, will be codified with this amendment.

Now, why is this important? It's critical for security reasons. We shouldn't have to worry about another nation seizing the infrastructure where our data is stored. It's critical for reliability reasons. We don't want another country, either intentionally or accidentally, disconnecting us from the servers we need to run our government.

□ 1110

And it is critical because building, operating, and safeguarding this infrastructure here in the United States also means more American jobs.

So what this amendment seeks to do, as I said, is just look at this one part of the contract and say this data must be stored here in the United States, that this cannot be changed.

I ask my colleagues to support this amendment. It is budget neutral. It supports the efforts of the USDA and keeps our data secure and accessible and supports American jobs.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I withdraw my reservation—as I read the amendment, it looks like it is in order—and I move to strike the last word.

The Acting CHAIR (Mr. BISHOP of Utah). The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I oppose the amendment, and do so out of caution.

What I want to say to my friend, who knows a lot about this and I know is a very careful steward of tax dollars and very deliberative in his legislation in general, I am not that familiar with the issue. I am not certain why location is that important, and I am very reluctant to tie the hands of the USDA in seeking the best contract. I want them to do what a business would do and be free from micromanagement by the U.S. Congress. If the location is outside of the United States or the location is in Illinois or in Georgia or in California, I want them to do what is best for the USDA and the best for the taxpayers. As I understand this amendment, it would limit that sort of flexibility.

So I oppose the amendment; but I want to say to the gentleman from Illinois, I certainly will continue a dialogue with you on this, because I do realize I need to learn more about it. But on that basis, I do not want to tie their hands based on location.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the ranking member very much for yielding.

I thank the chairman for his comments, but I think there has been a little bit of confusion, and I just want to clear this up. This speaks specifically to a contract that the USDA has already entered into, and essentially it is just looking at that one piece of that contract that says all data must be stored in the United States and codifying that to say that that part cannot be changed.

This is one contract that has already been signed. It is not speaking to anything else in the future. But I think that it is important for security that I think this is a good move that the USDA made. So I just want to speak to that in this amendment specifically, and it is not in any way tying the hands of the USDA or any other agency in the future.

I would hope that the other agencies, USDA and other agencies, follow this lead in the future because I think it is good for the United States. But it doesn't any further tie the hands of the USDA. I just wanted to clear that up.

Mr. FARR. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LIPINSKI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel to carry out a market access program under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, administered by the USDA's Foreign Agricultural Service, the MAP program uses funds from the Commodity Credit Corporation to aid the development, expansion and maintenance of foreign markets for U.S. agricultural commodities and products. It does so by forming partnerships with nonprofit trade organizations and cooperatives, nonprofit State regional trade groups, small businesses and others to market our products overseas.

In a perfect world, if there is a lot of money hanging around to do something, this might be a good thing to do

to help these small companies market their products overseas. I would argue that is really not the proper role and function of government, but people could argue when times are good, let's do that. But we are borrowing 40 cents on the dollar. Every dollar that we spend on this kind of thing is borrowed. And we are borrowing money to subsidize companies, small and large, to market their products overseas.

A while ago, The New York Times shined some light on this program. They spotlighted the ridiculousness of a fashion show in India put on with taxpayer money in partnership with the cotton industry's Cotton Council International. Here we are subsidizing a fashion show in India in partnership with the Cotton Council International.

The article notes that "over the last decade, the program has provided nearly \$2 billion in taxpayer money to agricultural trade associations and farmer cooperatives. These promotions are as varied as a manual for pet owners in Japan and a class at a Mexican culinary school to teach aspiring chefs how to cook rice for Mexican customers." Come on. We are spending money that we are borrowing for this kind of activity.

You will hear arguments for every dollar we spend in this, it yields \$20 in returned income or whatever else. You always hear that when you hear about government spending that people want to protect. But let me say, when we are running debt and deficits like we are today, we shouldn't be running programs like this. We ought to save money where we can.

Time magazine also noted here that a lot of the money goes to large farmer-owned cooperatives. It will be portrayed it is just helping small businesses, that there have been reforms to make sure it doesn't go to corporations like McDonald's or whatever else.

But this article noted that corporations like Sunkist, Welch's and Blue Diamond, which grows and sells almonds, combined these three companies had over \$2 billion in sales in 2009. These aren't small companies, yet we are subsidizing them. We are subsidizing the promotion of their products overseas. I am glad they are exporting. I hope they continue to export. But they don't need to do it with taxpayer money.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, this is the kind of program that I think Mr. FLAKE pointed out that you wonder why we use taxpayer moneys to market American agriculture abroad, and you say, well, we don't need to do that. As he pointed out, he pointed out a

couple of great big companies that take advantage of it.

But guess what? In this legislation we carve out so that the small businesses can take advantage of this. And why do we do that? I don't know how much you see in the advertising that goes on to buy products from other countries, but remember the Juan Valdez coffee ad for Colombian coffee, "Wake up and smell the coffee"? Guess what? That was subsidized by the Colombian Government. It was very, very effective. Coffee prices actually went down and they lost their ability because it cost them about \$40 million a year to do that advertising.

What we have created in the United States is a matching program saying, you put up your money first, put up the private sector money, and we will match it, and we carve out and protect it.

□ 1120

And I'm just looking. California has a lot of congressional districts. You wouldn't think that districts in San Francisco or Los Angeles—we have 53 Members of Congress from California. There's only four congressional districts in California that don't take advantage of this program. I would imagine those are in the middle of Los Angeles. Because there are companies in it—and I can go through all of them. A lot of them are very small. In my county alone, we have Soy Vay, for example. Soy Vay, the sauce. That's a husband and wife company. They take advantage by putting some of their money up and then they get to advertise. I don't know what countries they choose to advertise in. They can't advertise their product per se. They have to advertise the generic of it. So you don't sell Sunkist oranges, you sell: You should buy more California oranges.

It's an easy program to attack, but when you get down to managing in a global market and world competition, this stuff makes sense. As long as other countries are going to do it to us to stay competitive, we've got to do it to them. I think our way of doing it protects the small producer, more than anybody else, and allows them to get—we do this in tourism promotion all the time. We just passed a bill to advertise United States abroad. We have a Tourism Promotion Board to do that. We're going to have to be globally competitive. And this is one of the programs that allows us to be globally competitive.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Georgia.

Mr. BISHOP of Georgia. Thank you very much.

I couldn't agree with Mr. FARR more. The one thing that I think we need to understand that this program enhances

is our trade deficit. We have been suffering with a global economy over the years. But the one aspect of the American economy in terms of our trade deficit that has kept us afloat has been agricultural exports. And it's programs like the Market Access Program that has allowed us to maintain a trade balance with our global competitors.

So I would think that this is a program that we ought to carefully protect. It's a program that works. And it's what has kept our trade deficit at the level that it is. If we should take this away, we can look to have more products from China, fewer of our exports going overseas, and fewer of the smaller companies that benefit from this carve-out, being able to utilize the Internet marketing and to sell their products overseas. So I would think that this is, again, penny-wise, pound-foolish, and it should be defeated.

Mr. FARR. I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Let me ever so briefly say that I oppose the amendment. It, once again, is the process of cutting funding for the Market Access Program, in effect legislating farm policy through the appropriations process. It is not appropriate under regular order. It should not be occurring. We will consider this, along with other programs, in the 2012 Farm Bill program.

Let me note, I agree with my colleagues. Over the last 25 years MAP has boosted agriculture exports, it has increased American jobs, it has added to rural income. I know we have a lot of discussion these days on creation of jobs, and rightly so. Exports are one of the most surefire ways to increase American jobs. In fact, for every billion dollars in exports, approximately 8,400 jobs are created here at home. In 2010, agricultural exports alone supported nearly 1 million American jobs.

Please oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Ms. SEWELL. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Ms. SEWELL. I would have offered an amendment to actually control the

cormorants, which are an invasive species that affect the catfish farmers. I understand that due to technical reasons, I can't. But I was hoping the chairman would allow me to engage in a colloquy regarding it.

The Animal and Plant Health Inspection Services, APHIS as it's known, is an agency within the USDA which plays a critical role in helping farmers to handle losses as a result of wolves, coyotes, birds, and other invasive species. This agency is especially important to our catfish farmers because it helps to protect and control the livestock from cormorants, which are birds that prey upon catfish.

In the South, especially in Alabama, the southern catfish production has seen phenomenal growth over the last 30 years. The continued growth of the catfish industry has really been limited by the growth of these cormorants and other invasive species that feed upon the livestock.

The State of Alabama has roughly 22,000 water acres of fish farms where nearly 200 commercial farmers produce 25 different species, most of which are catfish. In Alabama, farmers are quite concerned that in the committee record it looked as if the control of these invasive species would be limited only to the Southeast. I don't think that was the original intent of the committee report.

I really was hoping the chairman would address that issue and just clarify, if he would, whether or not the cormorants funding would be limited.

Mr. KINGSTON. Will the gentleman yield?

Ms. SEWELL. I yield to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentleman for yielding, and also to bring up the fact that the cormorants are a problem all over the country. And certainly, as one from Georgia, I know exactly that you in Alabama are having the problems that they have in the Northeast and in Mississippi and all the other places. I will absolutely work with the gentlewoman from Alabama to make sure that the USDA is addressing your cormorant problems. And I will work with the ranking member from California to make sure that it does not get forgotten.

I also appreciate your diligence on the cormorant issue. Realizing that the report is a little bit misleading as we have written it, I think you have underscored something that we all are behind you on. So we will work with you on it.

Ms. SEWELL. Thank you, Mr. Chairman.

Mr. PETERSON. Will the gentleman yield?

Ms. SEWELL. I yield to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. I'm sorry, I was out of the Chamber. As I understand it,

you're trying to get the cormorant animal damage extended to other parts of the country.

Ms. SEWELL. To make sure on the clarification of the language.

Mr. PETERSON. That is a very important thing. This is getting to be a bigger and bigger problem. We've had the problem in the Midwest. They have had the problem in the Northeast. But there's a lot of problems I know in Alabama and Mississippi and some of those States as well because these birds migrate.

As I said earlier, the reason we got into this problem is because we entered into this migratory bird treaty with Mexico and Canada back in 1973. In Mexico, blackbirds are sacred as part of their culture down there. And so there's a prohibition in that treaty against any hunting of any blackbirds, whether it be crows or cormorant or whatever it is. So that has tied our hands in terms of trying to deal with these issues.

We've been able to make changes on kind of a pilot basis in certain areas, but we need to do this all over the country because these birds migrate. They go all the way from Canada, down to Mexico, and back and forth. They cause a lot of damage to fish farms. In my part of the world, it's sport fishing lakes. A cormorant will eat three times its weight in fish a day. They do tremendous damage when they get in there.

So I support the gentlewoman and hope we can extend this program around the country.

Ms. SEWELL. I yield back the balance of my time.

□ 1130

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to thank the ranking member for working with us on this bill. I want to thank all the minority and the majority staff for all their fine work. We would not be here today without them. At their request and because the hour is late and Members are eager to vote on this bill, I will submit the names of all the hard-working people who made this thing happen, but I wanted to say thank you on behalf of both of us.

I yield to my friend from California.

Mr. FARR. Thank you very much, Mr. Chairman.

I know we've been here almost 25 hours of debate. I appreciate the open rule and the fact that we've had a huge debate. I personally would like to thank you and all the staff. I wore my Father's Day tie for you because I know your children are in town and you've been spending a lot of time here on the floor, and I'd like to wish you a happy Father's Day.

Mr. KINGSTON. The same to you. I wore my organic cotton tie on your behalf. Thank you very much.

This legislation would not be possible without the great working relationship I enjoy with our ranking member Mr. FARR. Again, we don't always agree but we do try to communicate and put together a sound product. I also thank all the staffers who have averaged about 50–60 hours a week since December to make this happen. Matt Smith and Martha Foley with the Minority, and Rochelle Dornatt and Troy Phillips with Ranking Member FARR's office, our majority staff clerk of many years Martin Delgado and his team Tom O'Brien, Betsy Bina, and Andrew Cooper. From my personal office, Allie Thigpen, Michael Donnal, Adam Sullivan, Chris Crawford, Caroline Black, and Mary Carpenter. You might not see them on the House floor, but their fingerprints are all over the bill.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Ms. PINGREE of Maine.

Amendment No. 1 by Ms. FOXX of North Carolina.

Amendment No. 25 by Mr. KIND of Wisconsin.

An amendment by Mr. DINGELL of Michigan.

An amendment by Ms. JACKSON LEE of Texas.

Amendment No. 23 by Mr. GIBSON of New York.

Amendment No. 3 by Mr. BLUMENAUER of Oregon.

Amendment No. 1 by Mr. KING of Iowa.

Amendment No. 2 by Mr. KING of Iowa.

Amendment No. 22 by Mr. GARRETT of New Jersey.

Amendment No. 29 by Ms. JACKSON LEE of Texas.

An amendment by Mr. SCALISE of Louisiana.

Amendment No. 28 by Ms. JACKSON LEE of Texas.

An amendment by Ms. HIRONO of Hawaii.

Amendment No. 38 by Mr. HOLDEN of Pennsylvania.

An amendment by Mr. CAMPBELL of California.

An amendment by Mrs. BLACKBURN of Tennessee.

Amendment No. 1 by Mr. FLAKE of Arizona.

Amendment No. 2 by Mr. FLAKE of Arizona.

An amendment by Mr. LIPINSKI of Illinois.

Amendment No. 3 by Mr. FLAKE of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. PINGREE OF

MAINE

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentlewoman from Maine (Ms. PINGREE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 238, not voting 24, as follows:

[Roll No. 437]

AYES—170

Ackerman	Fudge	Nadler
Andrews	Garamendi	Owens
Baldwin	Gibson	Pallone
Barrow	Gonzalez	Pascarell
Bass (CA)	Green, Al	Pastor (AZ)
Becerra	Grijalva	Payne
Berkley	Gutierrez	Pelosi
Berman	Hanabusa	Perlmutter
Bishop (GA)	Hanna	Peters
Bishop (NY)	Hastings (FL)	Peterson
Blumenauer	Heinrich	Pingree (ME)
Boswell	Higgins	Price (NC)
Brady (PA)	Himes	Quigley
Braley (IA)	Hinchey	Rahall
Brown (FL)	Hirono	Reyes
Butterfield	Hochul	Richmond
Capps	Holden	Rothman (NJ)
Capuano	Holt	Roybal-Allard
Cardoza	Honda	Runyan
Carnahan	Hoyer	Ruppersberger
Carney	Israel	Ryan (OH)
Carson (IN)	Jackson (IL)	Sánchez, Linda
Castor (FL)	Jackson Lee	T.
Chandler	(TX)	Sanchez, Loretta
Chu	Johnson (GA)	Sarbanes
Ciulline	Johnson, E. B.	Schakowsky
Clarke (MI)	Kaptur	Schiff
Clarke (NY)	Keating	Schrader
Clay	Kildee	Schwartz
Clyburn	Kind	Scott (VA)
Coffman (CO)	Kissell	Serrano
Cohen	Kucinich	Sewell
Connolly (VA)	Langevin	Sherman
Conyers	Larsen (WA)	Shuler
Cooper	Lee (CA)	Smith (WA)
Costa	Levin	Speier
Costello	Lewis (GA)	Stark
Courtney	Lipinski	Sutton
Crowley	Loebach	Thompson (CA)
Cuellar	Lofgren, Zoe	Thompson (MS)
Cummings	Lowey	Tierney
Davis (CA)	Lujan	Tonko
Davis (IL)	Lynch	Towns
DeFazio	Maloney	Van Hollen
DeGette	Markey	Velázquez
DeLauro	Matsui	Visclosky
Deutch	McCarthy (NY)	Walz (MN)
Dicks	McColum	Wasserman
Dingell	McDermott	Schultz
Doggett	McGovern	Waters
Doyle	McNerney	Watt
Edwards	Meeks	Waxman
Ellison	Michaud	Welch
Engel	Miller (NC)	Wilson (FL)
Farr	Miller, George	Woolsey
Fattah	Moore	Wu
Filner	Moran	Yarmuth
Fortenberry	Murphy (CT)	

NOES—238

Adams	Bartlett	Boren
Aderholt	Barton (TX)	Boustany
Akin	Bass (NH)	Brady (TX)
Alexander	Benishke	Brooks
Altmire	Berg	Brown (GA)
Amash	Biggert	Buchanan
Austria	Bishop (UT)	Bucshon
Baca	Black	Buerkle
Bachmann	Blackburn	Burgess
Bachus	Bonner	Burton (IN)
Barletta	Bono Mack	Calvert

Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Cleaver
Coble
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler

Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Palazzo
Paul
Paulsen
Pearce
Pence
Petri

Pitts
Platts
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Lance
Roskam
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—24

Bilbray
Bilirakis
Denham
Eshoo
Frank (MA)
Giffords
Green, Gene
Inslee

Larson (CT)
McCotter
Neal
Olson
Oliver
Poe (TX)
Polis
Rangel

Rokita
Rush
Schweikert
Slaughter
Stivers
Tsongas
Weiner
Whitfield

□ 1158

Messrs. AUSTIN SCOTT of Georgia, WEST, YOUNG of Indiana, HALL, and CULBERSON changed their vote from “aye” to “no.”

Messrs. JACKSON of Illinois, GUTIERREZ, CUMMINGS, COFFMAN of Colorado, Ms. BASS of California, Messrs. WELCH and COSTA changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 437, I missed the vote due to a hearing on Pipeline Safety in Energy & Commerce Subcommittee. Had I been present, I would have voted “aye.”

Stated against:

Mr. BILIRAKIS. Mr. Chair, on rollcall No. 437, had I been present, I would have voted “no.”

AMENDMENT NO. 1 OFFERED BY MS. FOXX

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 201, not voting 19, as follows:

[Roll No. 438]

AYES—212

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Bartlett
Benishak
Berg
Biggert
Bilbray
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier

Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly

Quayle
Reed
Rehberg
Reichert
Renacci
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise

Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)

Thornberry
Tiberi
Tipton
Turner
Upton
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—201

Ackerman
Altmire
Andrews
Baca
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Cantor
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Engel
Farr
Fattah
Filner
Fortenberry
Frank (MA)

Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran

Murphy (CT)
Nadler
Napolitano
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Ribble
Richardson
Richmond
Roe (TN)
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—19

Cleaver
Eshoo
Giffords

Larson (CT)
McCotter
Neal

Olson
Oliver
Pelosi

Pitts Slaughter Weiner
Poe (TX) Stivers Whitfield
Rangel Tsongas
Rokita Walberg

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute left in this vote.

□ 1203

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. KIND

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Wisconsin (Mr. KIND)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 223, noes 197,
not voting 12, as follows:

[Roll No. 439]

AYES—223

Ackerman	Dent	Israel
Adams	Deutch	Jackson (IL)
Altmire	Dingell	Jackson Lee
Amash	Doggett	(TX)
Andrews	Donnelly (IN)	Johnson, E. B.
Baca	Doyle	Johnson, Sam
Bachmann	Dreier	Jordan
Baldwin	Duffy	Kaptur
Bass (CA)	Duncan (SC)	Keating
Bass (NH)	Duncan (TN)	Kildee
Becerra	Edwards	Kind
Benishek	Ellison	King (NY)
Berkley	Engel	Kucinich
Bilbray	Farr	Labrador
Bilirakis	Fattah	Lamborn
Bishop (NY)	Filner	Landry
Bishop (UT)	Fitzpatrick	Langevin
Blumenauer	Flake	Larsen (WA)
Brady (PA)	Frank (MA)	LaTourette
Brown (GA)	Franks (AZ)	Lee (CA)
Buerkle	Frelinghuysen	Lewis (GA)
Burton (IN)	Fudge	Lipinski
Campbell	Garamendi	LoBiondo
Capps	Garrett	Luján
Capuano	Gerlach	Lummis
Carnahan	Gibson	Lynch
Carney	Gingrey (GA)	Maloney
Cassidy	Gohmert	Manzullo
Castor (FL)	Gowdy	Marino
Chabot	Graves (GA)	Markey
Chaffetz	Graves (MO)	Matheson
Chandler	Green, Al	McClintock
Chu	Green, Gene	McCollum
Cicilline	Grimm	McDermott
Clarke (MI)	Guinta	McGovern
Clarke (NY)	Gutierrez	McKinley
Clay	Hall	Meehan
Cleaver	Hanabusa	Meeks
Coble	Harris	Michaud
Coffman (CO)	Heinrich	Miller (FL)
Cohen	Herrera Beutler	Miller (MI)
Connolly (VA)	Higgins	Miller, Gary
Conyers	Himes	Miller, George
Cooper	Hinchey	Moore
Crowley	Hirono	Moran
Cummings	Hochul	Mulvaney
Davis (CA)	Holt	Murphy (CT)
DeFazio	Honda	Murphy (PA)
DeGette	Hunter	Nadler
DeLauro	Inslee	Napolitano

Nugent	Rush	Terry
Pallone	Ryan (OH)	Tiberi
Pascarell	Ryan (WI)	Tierney
Paul	Sánchez, Linda	Tonko
Payne	T.	Towns
Pelosi	Sanchez, Loretta	Turner
Pence	Sarbanes	Upton
Peters	Scalise	Van Hollen
Petri	Schakowsky	Velázquez
Pingree (ME)	Schiff	Visclosky
Platts	Schrader	Walberg
Posey	Schweikert	Walsh (IL)
Price (GA)	Scott (SC)	Waters
Price (NC)	Sensenbrenner	Watt
Quayle	Serrano	Webster
Quigley	Sherman	Westmoreland
Rahall	Shuster	Whitfield
Rehberg	Sires	Wilson (SC)
Richardson	Smith (NJ)	Wolf
Rogers (MI)	Smith (WA)	Woodall
Rohrabacher	Speier	Woolsey
Ross (FL)	Stark	Wu
Rothman (NJ)	Stearns	Yarmuth
Roybal-Allard	Stutzman	Yoder
Royce	Sutton	Young (AK)

NOES—197

Aderholt	Gibbs	Noem
Akin	Gonzalez	Nunes
Alexander	Goodlatte	Nunnelee
Austria	Gosar	Olson
Bachus	Granger	Owens
Barletta	Griffin (AR)	Palazzo
Barrow	Griffith (VA)	Pastor (AZ)
Bartlett	Grijalva	Paulsen
Barton (TX)	Guthrie	Pearce
Berg	Hanna	Perlmutter
Berman	Harper	Peterson
Bigert	Hartzler	Pitts
Bishop (GA)	Hastings (FL)	Poe (TX)
Black	Hastings (WA)	Polis
Blackburn	Hayworth	Pompeo
Bonner	Heck	Reed
Bono Mack	Hensarling	Reichert
Boren	Herger	Renacci
Boswell	Hinojosa	Reyes
Boustany	Holden	Ribble
Brady (TX)	Hoyer	Richmond
Braley (IA)	Huelskamp	Rigell
Brooks	Huizenga (MI)	Rivera
Brown (FL)	Hultgren	Roby
Buchanan	Hurt	Roe (TN)
Bucshon	Issa	Rogers (AL)
Burgess	Jenkins	Rogers (KY)
Butterfield	Johnson (GA)	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Canseco	Jones	Ross (AR)
Cantor	Kelly	Runyan
Capito	King (IA)	Ruppersberger
Cardoza	Kingston	Schilling
Carson (IN)	Kinzing (IL)	Schmidt
Carter	Kissell	Schock
Clyburn	Kline	Schwartz
Cole	Lance	Scott (VA)
Conaway	Lankford	Scott, Austin
Costa	Latham	Scott, David
Costello	Latta	Sessions
Courtney	Levin	Sewell
Cravaack	Lewis (CA)	Shimkus
Crawford	Loeb sack	Shuler
Crenshaw	Lofgren, Zoe	Simpson
Critz	Long	Smith (NE)
Cuellar	Lowe y	Smith (TX)
Culberson	Lucas	Southerland
Davis (IL)	Luetkemeyer	Sullivan
Davis (KY)	Lungren, Daniel	E.
Denham	E.	Thompson (CA)
DesJarlais	Mack	Thompson (MS)
Diaz-Balart	Marchant	Thompson (PA)
Dicks	Matsui	Thornberry
Dold	McCarthy (CA)	Tipton
Ellmers	McCarthy (NY)	Walden
Emerson	McCaul	Walz (MN)
Farenthold	McHenry	Wasserman
Fincher	McIntyre	Schultz
Fleischmann	McKeon	Waxman
Fleming	McMorris	Welch
Flores	Rodgers	West
Forbes	McNerney	Wilson (FL)
Fortenberry	Mica	Wittman
Fox	Miller (NC)	Womack
Gallegly	Myrick	Young (FL)
Gardner	Neugebauer	Young (IN)

NOT VOTING—12

Eshoo	Neal	Slaughter
Giffords	Olver	Stivers
Larson (CT)	Rangel	Tsongas
McCotter	Rokita	Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute left in this vote.

□ 1214

Mr. WITTMAN, Mrs. BONO MACK,
and Mr. POE of Texas changed their
vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MR. DINGELL

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Michigan (Mr. DIN-
GELL) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 178, noes 241,
not voting 13, as follows:

[Roll No. 440]

AYES—178

Ackerman	DeLauro	Kind
Altmire	Deutch	Kissell
Andrews	Dicks	Kucinich
Baca	Dingell	Langevin
Baldwin	Doggett	Larsen (WA)
Barrow	Dold	Lee (CA)
Bass (CA)	Donnelly (IN)	Levin
Becerra	Doyle	Lewis (GA)
Berkley	Edwards	Lipinski
Berman	Ellison	Loeb sack
Bigert	Engel	Lofgren, Zoe
Bishop (GA)	Farr	Lowe y
Bishop (NY)	Fattah	Luján
Blumenauer	Filner	Lynch
Boren	Frank (MA)	Maloney
Boswell	Fudge	Markey
Brady (PA)	Garamendi	Matsui
Braley (IA)	Gonzalez	McCarthy (NY)
Brown (FL)	Green, Al	McCollum
Burgess	Green, Gene	McDermott
Butterfield	Grijalva	McGovern
Capps	Grimm	McIntyre
Capuano	Gutierrez	McNerney
Carnahan	Hanabusa	Meehan
Carney	Hastings (FL)	Meeks
Carson (IN)	Heinrich	Miller (NC)
Castor (FL)	Higgins	Miller, George
Chu	Himes	Moore
Cicilline	Hinchey	Moran
Clarke (MI)	Hinojosa	Murphy (CT)
Clarke (NY)	Hirono	Murphy (PA)
Clay	Hochul	Nadler
Cleaver	Holt	Napolitano
Clyburn	Honda	Pallone
Cohen	Hoyer	Pascarell
Connolly (VA)	Inslee	Pastor (AZ)
Conyers	Israel	Payne
Cooper	Jackson (IL)	Pelosi
Courtney	Jackson Lee	Perlmutter
Crowley	(TX)	Peters
Cummings	Johnson (GA)	Pingree (ME)
Davis (CA)	Johnson, E. B.	Price (NC)
Davis (IL)	Kaptur	Quigley
DeFazio	Keating	Rahall
DeGette	Kildee	Reyes

Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)

Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns

Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

West
Westmoreland
Whitfield
Wilson (SC)

NOT VOTING—13

Costello
Eshoo
Giffords
Larson (CT)
McCotter

Neal
Olver
Rangel
Rokita
Slaughter

Yoder
Young (AK)
Young (FL)
Young (IN)

Polis
Price (NC)
Quigley
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko

Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—241

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner

Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris
Rodgers
Mica
Michaud

Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1218

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 252, not voting 13, as follows:

[Roll No. 441]

AYES—167

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio

DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)

Johnson, E. B.
Kaptur
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Peters
Petri
Pingree (ME)

NOES—252

Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinchee
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kline
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson

McCarthy (CA)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)

Southerland	Turner	Wittman
Stearns	Upton	Wolf
Stutzman	Walberg	Womack
Sullivan	Walden	Woodall
Terry	Walsh (IL)	Yoder
Thompson (PA)	Webster	Young (AK)
Thornberry	Westmoreland	Young (FL)
Tiberi	Whitfield	Young (IN)
Tipton	Wilson (SC)	

NOT VOTING—13

Eshoo	Nugent	Stivers
Giffords	Oliver	Tsongas
Larson (CT)	Rangel	Weiner
McCotter	Rokita	
Neal	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1222

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. NUGENT. Mr. Chair, on rollcall No. 441 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 23 OFFERED BY MR. GIBSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GIBSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 198, not voting 13, as follows:

[Roll No. 442]

AYES—221

Ackerman	Carson (IN)	Farr
Aderholt	Cassidy	Fattah
Akin	Castor (FL)	Filner
Alexander	Chandler	Fitzpatrick
Altmire	Chu	Forbes
Austria	Cicilline	Fox
Baca	Clarke (MI)	Frank (MA)
Bachus	Clarke (NY)	Franks (AZ)
Baldwin	Coble	Fudge
Barletta	Cohen	Galleghy
Barton (TX)	Connolly (VA)	Garamendi
Bass (CA)	Costello	Gardner
Bass (NH)	Crawford	Gibbs
Benish	Critz	Gibson
Berg	Crowley	Gohmert
Berkley	Cuellar	Gonzalez
Berman	Cummings	Goodlatte
Bishop (GA)	Davis (CA)	Gosar
Bishop (UT)	Davis (IL)	Graves (MO)
Boren	DeFazio	Green, Al
Boswell	DeLauro	Green, Gene
Boustany	Denham	Griffin (AR)
Braley (IA)	DesJarlais	Griffith (VA)
Brown (FL)	Deutch	Grijalva
Burgess	Dicks	Hanabusa
Calvert	Donnelly (IN)	Hanna
Capito	Doyle	Harris
Capps	Duffy	Hartzler
Capuano	Edwards	Hastings (FL)
Carnahan	Ellison	Heck
Carney	Emerson	Heinrich

Herrera Beutler	McDermott	Schilling
Higgins	McGovern	Schock
Hinchey	McHenry	Schrader
Hirono	McIntyre	Scott (SC)
Hochul	McKeon	Scott (VA)
Holden	McKinley	Scott, Austin
Honda	McNerney	Scott, David
Hoyer	Meeks	Serrano
Huelskamp	Mica	Sessions
Hurt	Michaud	Sewell
Inslee	Miller (NC)	Sherman
Issa	Moran	Shuler
Jackson (IL)	Mulvaney	Shuster
Jackson Lee	Murphy (PA)	Simpson
(TX)	Nadler	Sires
Jenkins	Napolitano	Smith (NE)
Johnson (GA)	Noem	Smith (TX)
Johnson (IL)	Nugent	Smith (WA)
Johnson, E. B.	Nunes	Southerland
Jones	Owens	Speier
Jordan	Pastor (AZ)	Sutton
Keating	Pelosi	Thompson (CA)
Kind	Petri	Thompson (MS)
King (IA)	Pingree (ME)	Tonko
Kinzinger (IL)	Polis	Towns
Kucinich	Pompeo	Van Hollen
Labrador	Price (NC)	Visclosky
Landry	Rahall	Walden
Langevin	Reed	Walz (MN)
LaTourette	Rehberg	Wasserman
Lee (CA)	Renacci	Schultz
Lewis (CA)	Reyes	Watt
Lewis (GA)	Richardson	Welch
Loeb	Richmond	Wilson (FL)
Lowey	Rigell	Wittman
Luetkemeyer	Rogers (AL)	Womack
Lujan	Rogers (MI)	Woolsey
Lummis	Ross (AR)	Wu
Lynch	Ruppersberger	Yarmuth
Maloney	Rush	Young (AK)
Manzullo	Ryan (OH)	Young (FL)
Markey	Sanchez, Loretta	Young (IN)
McCarthy (NY)	Schakowsky	
McCollum	Schiff	

NOES—198

Adams	Diaz-Balart	Lance
Amash	Dingell	Lankford
Andrews	Doggett	Larsen (WA)
Bachmann	Dold	Latham
Barrow	Dreier	Latta
Bartlett	Duncan (SC)	Levin
Becerra	Duncan (TN)	Lipinski
Biggert	Ellmers	LoBiondo
Bilbray	Engel	Lofgren, Zoe
Bilirakis	Farenthold	Long
Bishop (NY)	Fincher	Lucas
Black	Flake	Lungren, Daniel
Blackburn	Fleischmann	E.
Blumenauer	Fleming	Mack
Bonner	Flores	Marchant
Bono Mack	Fortenberry	Marino
Brady (PA)	Frelinghuysen	Matheson
Brady (TX)	Garrett	Matsui
Brooks	Gerlach	McCarthy (CA)
Brown (GA)	Gingrey (GA)	McCauley
Buchanan	Gowdy	McClintock
Bucshon	Granger	McMorris
Buerkle	Graves (GA)	Rodgers
Burton (IN)	Grimm	Meehan
Butterfield	Guinta	Miller (FL)
Camp	Guthrie	Miller (MI)
Campbell	Gutierrez	Miller, Gary
Canseco	Hall	Miller, George
Cantor	Harper	Moore
Cardoza	Hastings (WA)	Murphy (CT)
Carter	Hayworth	Myrick
Chabot	Hensarling	Neugebauer
Chaffetz	Herger	Nunnelee
Clay	Himes	Olson
Cleaver	Holt	Palazzo
Clyburn	Huizenga (MI)	Pallone
Coffman (CO)	Hultgren	Pascarelli
Cole	Hunter	Paul
Conaway	Israel	Paulsen
Conyers	Johnson (OH)	Payne
Cooper	Johnson, Sam	Pearce
Costa	Kaptur	Pence
Courtney	Kelly	Perlmutter
Cravaack	Kildee	Peters
Crenshaw	King (NY)	Peterson
Culberson	Kingston	Pitts
Davis (KY)	Kissell	Platts
DeGette	Kline	Poe (TX)
Dent	Lamborn	Posey

Price (GA)	Ryan (WI)	Tiberi
Quayle	Sánchez, Linda	Tierney
Quigley	T.	Tipton
Reichert	Sarbanes	Turner
Ribble	Scalise	Upton
Rivera	Schmidt	Velázquez
Roby	Schwartz	Walberg
Roe (TN)	Schweikert	Walsh (IL)
Rogers (KY)	Sensenbrenner	Waters
Rohrabacher	Shimkus	Waxman
Rooney	Smith (NJ)	Webster
Ros-Lehtinen	Stark	West
Roskam	Stearns	Westmoreland
Ross (FL)	Stutzman	Whitfield
Rothman (NJ)	Sullivan	Wilson (SC)
Roybal-Allard	Terry	Wolf
Royce	Thompson (PA)	Woodall
Runyan	Thornberry	Yoder

NOT VOTING—13

Eshoo	Neal	Stivers
Giffords	Oliver	Tsongas
Hinojosa	Rangel	Weiner
Larson (CT)	Rokita	
McCotter	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining on this vote.

□ 1227

Mrs. SCHMIDT changed her vote from “aye” to “no.”

Messrs. CLARKE of Michigan and LANDRY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 442, had I been present, I would have voted “aye.”

AMENDMENT NO. 3 OFFERED BY MR.

BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 154, noes 262, not voting 16, as follows:

[Roll No. 443]

AYES—154

Ackerman	Capps	Davis (CA)
Amash	Capuano	Davis (IL)
Andrews	Castor (FL)	DeFazio
Bachmann	Chabot	DeGette
Baldwin	Chu	Dent
Bass (CA)	Cicilline	Deutch
Bass (NH)	Clarke (MI)	Dingell
Becerra	Clay	Doggett
Berkley	Coble	Dold
Berman	Coffman (CO)	Doyle
Biggert	Cohen	Dreier
Bishop (NY)	Connolly (VA)	Duncan (SC)
Blumenauer	Conyers	Duncan (TN)
Brady (PA)	Cooper	Ellison
Campbell	Crowley	Fattah

Filner
Fitzpatrick
Flake
Frank (MA)
Franks (AZ)
Garamendi
Garrett
Graves (GA)
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
Kind
King (NY)
Kucinich
Langevin
Larsen (WA)
Levin
Lewis (GA)

NOES—262

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Baca
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chaffetz
Chandler
Clarke (NY)
Cleaver
Clyburn
Cole
Conaway
Costa
Costello

Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
McCarthy (NY)
McClintock
McDermott
McGovern
Michaud
Miller (FL)
Miller, George
Moore
Moran
Mulvaney
Nadler
Napolitano
Owens
Pallone
Pascrell
Paul
Paulsen
Payne
Pelosi
Peters
Petri
Pingree (ME)
Polis
Posey
Price (GA)
Quayle
Quigley
Rahall

Reichert
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Sensenbrenner
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Tierney
Tonko
Towns
Van Hollen
Walsh (IL)
Wasserman
Schultz
Waters
Waxman
Wilson (FL)
Woodall
Wu
Yarmuth
Young (IN)

Meehan
Meeks
Mica
Miller (MI)
Miller (NC)
Miller, Gary
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Pearce
Pence
Perlmutter
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Price (NC)
Reed
Rehberg
Renacci
Simpson
Ribble
Richardson
Richmond

Diaz-Balart
Eshoo
Gibson
Giffords
Landry
Larson (CT)

Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Scalise
Schilling
Schmidt
Schock
Schradner
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Shinkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)

NOT VOTING—16

Southerland
Stearns
Stutzman
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yoder
Young (AK)
Young (FL)

Stivers
Sullivan
Tsongas
Weiner

Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Hall
Harris
Hartzler
Hastings (WA)
Hensarling

Herger
Huelskamp
Hultgren
Hunter
Hurt
Jenkins
Jordan
Kelly
King (IA)
King (NY)
Kingston
Lamborn
Lankford
Latham
Latta
LoBiondo
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Paul
Paulsen
Petri
Pitts
Platts

NOES—262

Ackerman
Aderholt
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggart
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver

Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Fudge
Gallegly
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Guthrie

Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Ribble
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Wolf
Womack
Young (AK)
Young (FL)

Gutierrez
Hanabusa
Harper
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Larsen (WA)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loeb sack

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1230

So the amendment was rejected.
The result of the vote was announced as above recorded.
Stated against:
Mr. GIBSON. Mr. Chair, on rollcall No. 443, I would have voted “no.”

AMENDMENT OFFERED BY MR. KING OF IOWA
The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 155, noes 262, not voting 15, as follows:

[Roll No. 444]

AYES—155

Adams
Akin
Bachmann
Bartlett
Barton (TX)
Benishek
Berg
Bilbray

Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)

Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Carter

Bucshon
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver

Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Fudge
Gallegly
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Guthrie

Gutierrez
Hanabusa
Harper
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Larsen (WA)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loeb sack

Lofgren, Zoe
Long
Lowey
Lujan
Lungren, Daniel E.
Lynch
Maloney
Marino
Markley
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Noem
Nunes
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pearce

Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Robby
Rogers (AL)
Rooney
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano

Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Turner
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (IN)

NOT VOTING—15

Eshoo
Giffords
Hanna
Johnson (IL)
Labrador

Larson (CT)
McCotter
Neal
Oliver
Rangel

Rokita
Slaughter
Stivers
Tsongas
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in this vote.

□ 1235

Mrs. SCHMIDT changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Chair, on rollcall No. 444, I was taken from the floor by Agricultural staff to analyze certain issues, and inadvertently missed the first King amendment. I have been a strong supporter of ranch justice, including in the farm arena. However, the process of dealing with claims, and the fiscal impact, necessitate a “present” vote. Had I been present, I would have voted “present.”

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 176, not voting 16, as follows:

[Roll No. 445]

AYES—240

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishke
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Jones
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes

Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Reichert
Renacci
Ribble
Rigell
Rivera
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Calvert
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes

Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—176

Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez

Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kissell
Kucinich
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markley
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Noem
Nunes
Owens
Pallone
Pascarell
Pastor (AZ)
Payne

Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—16

Ellison
Eshoo
Giffords
Johnson (IL)
Larson (CT)
McCotter

Meeks
Miller, George
Neal
Oliver
Rangel
Rokita

Slaughter
Stivers
Tsongas
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in this vote.

□ 1238

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Chair, on June 16, 2011, I inadvertently missed rollcall No. 445, and would have voted “no” on that rollcall vote.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Chair, on rollcall No. 445, I was taken off the floor by agricultural staff to analyze certain agricultural issues, and inadvertently missed the vote. I am a strong pro-life Member, but this amendment addresses an issue simply not a part of the bill. Had I been present, I would have voted “present.”

AMENDMENT NO. 22 OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 189, not voting 12, as follows:

[Roll No. 446]

AYES—231

Adams	Frelinghuysen	McIntyre
Aderholt	Galleghy	McKeon
Akin	Gardner	McKinley
Alexander	Garrett	McMorris
Amash	Gerlach	Rodgers
Austria	Gibbs	Meehan
Bachmann	Gingrey (GA)	Mica
Bachus	Gohmert	Miller (FL)
Bartletta	Goodlatte	Miller (MI)
Bartlett	Gosar	Miller, Gary
Barton (TX)	Gowdy	Mulvaney
Bass (NH)	Granger	Murphy (PA)
Benishek	Graves (GA)	Myrick
Berg	Graves (MO)	Neugebauer
Biggert	Griffin (AR)	Noem
Bilbray	Griffith (VA)	Nugent
Bilirakis	Grimm	Nunes
Bishop (UT)	Guinta	Nunnelee
Black	Guthrie	Olson
Blackburn	Hall	Palazzo
Bonner	Hanna	Paul
Bono Mack	Harper	Paulsen
Boren	Harris	Pearce
Boustany	Hartzler	Pence
Brady (TX)	Hastings (WA)	Petri
Brooks	Hayworth	Pitts
Broun (GA)	Heck	Platts
Buchanan	Hensarling	Poe (TX)
Bucshon	Herger	Pompeo
Buerkle	Herrera Beutler	Posey
Burton (IN)	Huelskamp	Price (GA)
Calvert	Huizenga (MI)	Quayle
Camp	Hultgren	Reed
Canseco	Hunter	Rehberg
Cantor	Hurt	Reichert
Capito	Issa	Renacci
Carter	Jenkins	Ribble
Cassidy	Johnson (IL)	Rigell
Chabot	Johnson (OH)	Rivera
Chaffetz	Johnson, Sam	Roby
Coble	Jordan	Roe (TN)
Coffman (CO)	Kelly	Rogers (AL)
Cole	King (IA)	Rogers (KY)
Conaway	King (NY)	Rogers (MI)
Cravaack	Kingston	Rohrabacher
Crawford	Kinzing (IL)	Rooney
Crenshaw	Kline	Ros-Lehtinen
Culberson	Labrador	Roskam
Davis (KY)	Lamborn	Ross (FL)
Denham	Lance	Royce
Dent	Landry	Runyan
DesJarlais	Lankford	Ryan (WI)
Diaz-Balart	Latham	Scalise
Dold	Latta	Schilling
Dreier	Lewis (CA)	Schmidt
Duffy	LoBiondo	Schock
Duncan (SC)	Long	Schweikert
Duncan (TN)	Lucas	Scott (SC)
Ellmers	Luetkemeyer	Scott, Austin
Emerson	Lummis	Sensenbrenner
Farenthold	Lungren, Daniel	Sessions
Fincher	E.	Shimkus
Fitzpatrick	Mack	Shuster
Flake	Manzullo	Simpson
Fleischmann	Marchant	Smith (NE)
Fleming	Marino	Smith (NJ)
Flores	McCarthy (CA)	Southerland
Forbes	McCauley	Stearns
Fox	McClintock	Stutzman
Franks (AZ)	McHenry	Sullivan

Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg

Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burgess
Butterfield
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Filner
Fortenberry

NOT VOTING—12

Eshoo
Giffords
Larson (CT)
McCotter

Nadler
Napolitano
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

AMENDMENT NO. 29 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 237, not voting 14, as follows:

[Roll No. 447]

AYES—181

Ackerman	Frank (MA)	Murphy (CT)
Altmire	Fudge	Nadler
Andrews	Garamendi	Napolitano
Baca	Gonzalez	Pallone
Baldwin	Green, Al	Pascrell
Barrow	Green, Gene	Pastor (AZ)
Bass (CA)	Grijalva	Payne
Becerra	Gutierrez	Pelosi
Berkley	Hanabusa	Peters
Berman	Hastings (FL)	Polis
Biggert	Heinrich	Price (NC)
Bishop (GA)	Higgins	Quigley
Bishop (NY)	Himes	Rahall
Blumenauer	Hinchey	Reyes
Boren	Hinojosa	Richardson
Boswell	Hirono	Richmond
Brady (PA)	Hochul	Rohrabacher
Braley (IA)	Holden	Ross (AR)
Brown (FL)	Holt	Rothman (NJ)
Butterfield	Honda	Roybal-Allard
Capps	Hoyer	Rush
Capuano	Inslee	Ryan (OH)
Carnahan	Israel	Sanchez, Linda
Carney	Jackson (IL)	T.
Carson (IN)	Jackson Lee	Sanchez, Loretta
Castor (FL)	(TX)	Sarbanes
Chandler	Johnson (GA)	Schakowsky
Chu	Johnson (IL)	Schiff
Ciilline	Johnson, E. B.	Schradler
Clarke (MI)	Kaptur	Schwartz
Clarke (NY)	Keating	Scott (VA)
Clay	Kildee	Scott, David
Cleaver	Kind	Serrano
Clyburn	Kissell	Sewell
Cohen	Kucinich	Sherman
Connolly (VA)	Langevin	Shuler
Conyers	Larsen (WA)	Sires
Cooper	Lee (CA)	Smith (WA)
Costello	Levin	Speier
Courtney	Lewis (GA)	Stark
Critz	Lipinski	Sutton
Crowley	Loeb sack	Thompson (CA)
Cuellar	Lofgren, Zoe	Thompson (MS)
Cummings	Lowey	Tierney
Davis (CA)	Lujan	Tonko
Davis (IL)	Lynch	Towns
DeFazio	Maloney	Van Hollen
DeGette	Markey	Velázquez
DeLauro	Matheson	Visclosky
Deutch	Matsui	Walz (MN)
Dicks	McCarthy (NY)	Wasserman
Dingell	McCollum	Schultz
Doggett	McDermott	Waters
Dold	McGovern	Watt
Donnelly (IN)	McIntyre	Waxman
Doyle	McNerney	Welch
Edwards	Michaud	Wilson (FL)
Ellison	Miller (NC)	Woolsey
Engel	Farr	Wu
Farr	Fattah	Yarmuth
Fattah	Filner	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1242

So the amendment was agreed to.

The result of the vote was announced as above recorded.

NOES—237

Adams	Gohmert	Owens
Aderholt	Goodlatte	Palazzo
Akin	Gosar	Paul
Alexander	Gowdy	Paulsen
Amash	Granger	Pearce
Austria	Graves (GA)	Pence
Bachmann	Graves (MO)	Perlmutter
Bachus	Griffin (AR)	Peterson
Barletta	Griffith (VA)	Petri
Bartlett	Grimm	Pingree (ME)
Barton (TX)	Guinta	Pitts
Bass (NH)	Guthrie	Platts
Benishek	Hall	Poe (TX)
Berg	Hanna	Pompeo
Bilbray	Harper	Posey
Bilirakis	Harris	Price (GA)
Bishop (UT)	Hartzler	Quayle
Black	Hastings (WA)	Reed
Blackburn	Hayworth	Rehberg
Bonner	Heck	Reichert
Bono Mack	Hensarling	Renacci
Boustany	Herger	Ribble
Brady (TX)	Herrera Beutler	Rigell
Brooks	Huelskamp	Rivera
Broun (GA)	Huizenga (MI)	Roby
Buchanan	Hultgren	Roe (TN)
Bucshon	Hunter	Rogers (AL)
Buerkle	Hurt	Rogers (KY)
Burgess	Issa	Rogers (MI)
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (OH)	Ros-Lehtinen
Camp	Johnson, Sam	Roskam
Campbell	Jones	Ross (FL)
Canseco	Jordan	Royce
Cantor	Kelly	Runyan
Capito	King (IA)	Ruppersberger
Cardoza	King (NY)	Ryan (WI)
Carter	Kingston	Scalise
Cassidy	Kinzinger (IL)	Schilling
Chabot	Kline	Schmidt
Chaffetz	Labrador	Schock
Coble	Lamborn	Schweikert
Coffman (CO)	Lance	Scott (SC)
Cole	Landry	Scott, Austin
Conaway	Lankford	Sensenbrenner
Costa	Latham	Sessions
Cravaack	LaTourette	Shimkus
Crawford	Latta	Shuster
Crenshaw	Lewis (CA)	Simpson
Culberson	LoBiondo	Smith (NE)
Davis (KY)	Long	Smith (NJ)
Denham	Lucas	Smith (TX)
Dent	Luetkemeyer	Southerland
DesJarlais	Lummis	Stearns
Diaz-Balart	Lungren, Daniel	Stutzman
Dreier	E.	Sullivan
Duffy	Mack	Terry
Duncan (SC)	Manzullo	Thompson (PA)
Duncan (TN)	Marchant	Thornberry
Ellmers	Marino	Tiberi
Emerson	McCarthy (CA)	Tipton
Farenthold	McCauley	Turner
Fincher	McClintock	Upton
Fitzpatrick	McHenry	Walberg
Flake	McKeon	Walden
Fleischmann	McKinley	Walsh (IL)
Fleming	McMorris	Webster
Flores	Rodgers	West
Forbes	Mica	Westmoreland
Fortenberry	Miller (FL)	Whitfield
Fox	Miller (MI)	Wilson (SC)
Franks (AZ)	Miller, Gary	Wittman
Frelinghuysen	Mulvaney	Wolf
Gallegly	Murphy (PA)	Womack
Gardner	Myrick	Woodall
Garrett	Neugebauer	Yoder
Gerlach	Noem	Young (AK)
Gibbs	Nugent	Young (FL)
Gibson	Nunes	Young (IN)
Gingrey (GA)	Olson	

NOT VOTING—14

Eshoo	Neal	Slaughter
Giffords	Nunnelee	Stivers
Larson (CT)	Oliver	Tsongas
McCotter	Rangel	Weiner
Miller, George	Rokita	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1245

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 179, not voting 15, as follows:

[Roll No. 448]

AYES—238

Adams	Duncan (SC)	King (NY)
Aderholt	Duncan (TN)	Kingston
Alexander	Ellmers	Kinzing (IL)
Altmire	Emerson	Kline
Amash	Farenthold	Labrador
Austria	Fincher	Lamborn
Bachmann	Fitzpatrick	Lance
Bachus	Flake	Landry
Barletta	Fleischmann	Lankford
Bartlett	Fleming	Latham
Barton (TX)	Flores	LaTourette
Benishek	Forbes	Latta
Berg	Fortenberry	Lewis (CA)
Biggart	Fox	LoBiondo
Bilirakis	Franks (AZ)	Long
Bishop (UT)	Frelinghuysen	Lucas
Black	Gallegly	Luetkemeyer
Blackburn	Gardner	Lummis
Bonner	Garrett	Lungren, Daniel
Bono Mack	Gerlach	E.
Boren	Gibbs	Mack
Boswell	Gibson	Manzullo
Boustany	Gingrey (GA)	Marchant
Brady (TX)	Gohmert	Marino
Brooks	Goodlatte	McCarthy (CA)
Broun (GA)	Gosar	McCauley
Buchanan	Gowdy	McClintock
Bucshon	Granger	McHenry
Buerkle	Graves (GA)	McKeon
Burgess	Graves (MO)	McKinley
Burton (IN)	Green, Gene	McMorris
Calvert	Griffin (AR)	Rodgers
Camp	Griffith (VA)	Meehan
Campbell	Grimm	Mica
Canseco	Guinta	Miller (FL)
Cantor	Guthrie	Miller (MI)
Capito	Hall	Miller, Gary
Carter	Harper	Mulvaney
Cassidy	Harris	Murphy (PA)
Chabot	Hartzler	Myrick
Chaffetz	Hastings (WA)	Neugebauer
Coble	Heck	Noem
Coffman (CO)	Hensarling	Nunes
Cole	Herger	Nunnelee
Conaway	Herrera Beutler	Olson
Costello	Holden	Palazzo
Cravaack	Huelskamp	Paul
Crawford	Huizenga (MI)	Paulsen
Crenshaw	Hultgren	Pearce
Critz	Hunter	Pence
Culberson	Hurt	Peterson
Davis (KY)	Jenkins	Petri
Denham	Johnson (IL)	Pitts
Dent	Johnson (OH)	Platts
DesJarlais	Johnson, Sam	Poe (TX)
Diaz-Balart	Jones	Pompeo
Dold	Jordan	Posey
Dreier	Kelly	Price (GA)
Duffy	King (IA)	Quayle

Rahall	Scalise	Thornberry
Reed	Schilling	Tiberi
Rehberg	Schmidt	Tipton
Renacci	Schock	Turner
Ribble	Schweikert	Upton
Rigell	Scott (SC)	Walberg
Rivera	Scott, Austin	Walden
Roby	Sensenbrenner	Walsh (IL)
Roe (TN)	Sessions	Webster
Rogers (AL)	Shimkus	West
Rogers (KY)	Shuster	Westmoreland
Rogers (MI)	Simpson	Whitfield
Rohrabacher	Smith (NE)	Wilson (SC)
Rooney	Smith (NJ)	Wittman
Ros-Lehtinen	Smith (TX)	Wolf
Roskam	Southerland	Womack
Ross (AR)	Stearns	Woodall
Ross (FL)	Stutzman	Yoder
Royce	Sullivan	Young (AK)
Runyan	Terry	Young (FL)
Ryan (WI)	Thompson (PA)	Young (IN)

NOES—179

Ackerman	Gonzalez	Napolitano
Andrews	Green, Al	Owens
Baca	Grijalva	Pallone
Baldwin	Gutierrez	Pascarell
Barrow	Hanabusa	Pastor (AZ)
Bass (CA)	Hanna	Payne
Bass (NH)	Hastings (FL)	Pelosi
Becerra	Hayworth	Perlmutter
Berkley	Heinrich	Peters
Berman	Higgins	Pingree (ME)
Bishop (GA)	Himes	Polis
Bishop (NY)	Hinchee	Price (NC)
Blumenauer	Hinojosa	Quigley
Brady (PA)	Hirono	Reichert
Braley (IA)	Hochul	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Rothman (NJ)
Capuano	Inslee	Royal-Allard
Cardoza	Israel	Ruppersberger
Carnahan	Issa	Rush
Carney	Jackson (IL)	Ryan (OH)
Carson (IN)	Jackson Lee	Sánchez, Linda
Castor (FL)	(TX)	T.
Chandler	Johnson (GA)	Sanchez, Loretta
Chu	Johnson, E. B.	Sarbanes
Cicilline	Kaptur	Schakowsky
Clarke (MI)	Keating	Schiff
Clarke (NY)	Kildee	Schrader
Clay	Kind	Schwartz
Cleaver	Kissell	Scott (VA)
Clyburn	Kucinich	Scott, David
Cohen	Langevin	Serrano
Connolly (VA)	Larsen (WA)	Sewell
Conyers	Lee (CA)	Sherman
Cooper	Levin	Shuler
Costa	Lewis (GA)	Sires
Courtney	Lipinski	Smith (WA)
Crowley	Loeb sack	Speier
Cuellar	Loftgren, Zoe	Stark
Cummings	Lowe y	Sutton
Davis (CA)	Lujan	Thompson (CA)
Davis (IL)	Lynch	Thompson (MS)
DeFazio	Maloney	Tierney
DeGette	Markey	Tonko
DeLauro	Matheson	Towns
Deutch	Matsui	Van Hollen
Dicks	McCarthy (NY)	Velázquez
Dingell	McCollum	Visclosky
Doggett	McDermott	Walz (MN)
Donnelly (IN)	McGovern	Wasserman
Doyle	McIntyre	Schultz
Edwards	McNerney	Waters
Ellison	Meeks	Watt
Engel	Michaud	Waxman
Farr	Miller (NC)	Welch
Fattah	Miller, George	Wilson (FL)
Filner	Moore	Woolsey
Frank (MA)	Moran	Wu
Fudge	Murphy (CT)	Yarmuth
Garamendi	Nadler	

NOT VOTING—15

Akin	McCotter	Rokita
Bilbray	Neal	Slaughter
Eshoo	Nugent	Stivers
Giffords	Oliver	Tsongas
Larson (CT)	Rangel	Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1248

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. AKIN. Mr. Chair, on rollcall No. 448, had I been present, I would have voted "aye."

Mr. NUGENT. Mr. Chair, on rollcall No. 448, had I been present, I would have voted "aye."

AMENDMENT NO. 28 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 235, not voting 15, as follows:

[Roll No. 449]

AYES—182

Ackerman	DeFazio	Kildee
Andrews	DeGette	Kind
Baca	DeLauro	Kissell
Baldwin	Deutch	Kucinich
Barrow	Dicks	Langevin
Bartlett	Dingell	Larsen (WA)
Bass (CA)	Doggett	Lee (CA)
Becerra	Donnelly (IN)	Levin
Berkley	Doyle	Lewis (GA)
Berman	Edwards	Loeb
Biggert	Ellison	Lofgren, Zoe
Bilbray	Engel	Lowey
Bishop (GA)	Farr	Lujan
Bishop (NY)	Fattah	Lynch
Blumenauer	Filner	Maloney
Boren	Forbes	Marchant
Brady (PA)	Frank (MA)	Markey
Braley (IA)	Fudge	Matheson
Brown (FL)	Garamendi	Matsui
Butterfield	Gonzalez	McCarthy (NY)
Capps	Green, Al	McCollum
Capuano	Green, Gene	McDermott
Carnahan	Grijalva	McGovern
Carney	Gutierrez	McIntyre
Carson (IN)	Hanabusa	McNerney
Castor (FL)	Hastings (FL)	Meeks
Chandler	Heinrich	Michaud
Chu	Higgins	Miller (NC)
Cicilline	Himes	Miller, George
Clarke (MI)	Hinchey	Moore
Clarke (NY)	Hinojosa	Moran
Clay	Hirono	Murphy (CT)
Cleaver	Hochul	Napolitano
Clyburn	Holden	Pallone
Cohen	Holt	Pascarella
Connolly (VA)	Honda	Pastor (AZ)
Conyers	Hoyer	Paul
Cooper	Inlee	Payne
Costello	Israel	Pelosi
Courtney	Jackson (IL)	Peters
Critz	Jackson Lee	Pingree (ME)
Crowley	(TX)	Polis
Cuellar	Johnson (GA)	Price (NC)
Cummings	Johnson (IL)	Quigley
Davis (CA)	Johnson, E. B.	Rahall
Davis (IL)	Kaptur	Reyes

Richardson	Schwartz
Richmond	Scott (VA)
Rohrabacher	Scott, David
Ross (AR)	Serrano
Rothman (NJ)	Sewell
Roybal-Allard	Sherman
Ruppersberger	Shuler
Rush	Sires
Ryan (OH)	Smith (WA)
Sánchez, Linda T.	Speier
Sanchez, Loretta	Stark
Sarbanes	Sutton
Schakowsky	Thompson (CA)
Schiff	Thompson (MS)
Schrader	Tierney
	Tonko

NOES—235

Adams	Gibbs	Murphy (PA)
Aderholt	Gibson	Myrick
Akin	Gingrey (GA)	Neugebauer
Alexander	Gohmert	Noem
Altmire	Goodlatte	Nugent
Amash	Gosar	Nunes
Austria	Gowdy	Nunnelee
Bachmann	Granger	Olson
Bachus	Graves (GA)	Owens
Barletta	Graves (MO)	Palazzo
Barton (TX)	Griffin (AR)	Paulsen
Bass (NH)	Griffith (VA)	Pearce
Benishek	Grimm	Pence
Berg	Guinta	Perlmutter
Bilirakis	Guthrie	Peterson
Bishop (UT)	Hall	Petri
Black	Hanna	Pitts
Blackburn	Harper	Platts
Bonner	Harris	Poe (TX)
Bono Mack	Hartzler	Pompeo
Boswell	Hastings (WA)	Posey
Boustany	Hayworth	Price (GA)
Brady (TX)	Heck	Quayle
Brooks	Hensarling	Reed
Broun (GA)	Herger	Rehberg
Buchanan	Herrera Beutler	Reichert
Bucshon	Huelskamp	Renacci
Buerkle	Huizenga (MI)	Ribble
Burgess	Hultgren	Rigell
Burton (IN)	Hunter	Rivera
Calvert	Hurt	Roby
Camp	Issa	Roe (TN)
Campbell	Jenkins	Rogers (AL)
Canseco	Johnson (OH)	Rogers (KY)
Cantor	Johnson, Sam	Rogers (MI)
Capito	Jones	Rooney
Cardoza	Jordan	Ros-Lehtinen
Carter	Keating	Roskam
Cassidy	Kelly	Ross (FL)
Chabot	King (IA)	Royce
Chaffetz	King (NY)	Runyan
Coble	Kingston	Ryan (WI)
Coffman (CO)	Kinzinger (IL)	Scalise
Cole	Kline	Schilling
Conaway	Lamborn	Schmidt
Costa	Lance	Schock
Cravaack	Landry	Schweikert
Crawford	Lankford	Scott (SC)
Crenshaw	Latham	Scott, Austin
Culberson	LaTourrette	Sensenbrenner
Davis (KY)	Latta	Sessions
Denham	Lewis (CA)	Shimkus
Dent	Lipinski	Shuster
DesJarlais	LoBiondo	Simpson
Diaz-Balart	Long	Smith (NE)
Dold	Lucas	Smith (NJ)
Dreier	Luetkemeyer	Smith (TX)
Duffy	Lummis	Southerland
Duncan (SC)	Lungren, Daniel E.	Stearns
Duncan (TN)	Ellmers	Stutzman
Emerson	Mack	Sullivan
Farenthold	Manzullo	Terry
Fincher	Marino	Thompson (PA)
Fitzpatrick	McCarthy (CA)	Thornberry
Flake	McCauley	Tiberi
Fleischmann	McClintock	Tipton
Fleming	McHenry	Turner
Flores	McKeon	Upton
Fortenberry	McKinley	Walberg
Fox	McMorris	Walden
Franks (AZ)	Rodgers	Walsh (IL)
Frelinghuysen	Meehan	Webster
Galleghy	Mica	West
Gardner	Miller (FL)	Westmoreland
Garrett	Miller (MI)	Whitfield
Gerlach	Miller, Gary	Wittman
	Mulvaney	Wolf

Womack	Yoder	Young (FL)
Woodall	Young (AK)	Young (IN)

NOT VOTING—15

Eshoo	Nadler	Slaughter
Giffords	Neal	Stivers
Labrador	Oliver	Tsongas
Larson (CT)	Rangel	Weiner
McCotter	Rokita	Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1251

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HIRONO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 288, noes 132, not voting 12, as follows:

[Roll No. 450]

AYES—288

Ackerman	Chandler	Fortenberry
Alexander	Chu	Frank (MA)
Altmire	Cicilline	Fudge
Andrews	Clarke (MI)	Galleghy
Baca	Clarke (NY)	Garamendi
Bachus	Clay	Garrett
Baldwin	Cleaver	Gerlach
Barletta	Clyburn	Gibson
Bartlett	Cohen	Gingrey (GA)
Barton (TX)	Connolly (VA)	Gohmert
Bass (CA)	Conyers	Gonzalez
Bass (NH)	Cooper	Goodlatte
Becerra	Costa	Gosar
Berg	Costello	Graves (MO)
Berkley	Courtney	Green, Al
Berman	Cravaack	Green, Gene
Bilbray	Crawford	Griffin (AR)
Bilirakis	Critz	Griffith (VA)
Bishop (GA)	Crowley	Grijalva
Bishop (NY)	Cuellar	Grimm
Bishop (UT)	Cummings	Guthrie
Black	Davis (CA)	Gutierrez
Blackburn	Davis (IL)	Hall
Blumenauer	DeFazio	Hanabusa
Boren	DeGette	Hanna
Boswell	DeLauro	Harper
Boustany	Dent	Harris
Brady (PA)	DesJarlais	Hartzler
Braley (IA)	Deutch	Hastings (FL)
Brooks	Dicks	Heck
Brown (FL)	Dingell	Heinrich
Buchanan	Doggett	Herger
Butterfield	Dold	Herrera Beutler
Calvert	Donnelly (IN)	Higgins
Camp	Doyle	Himes
Capito	Duncan (TN)	Hinchey
Capps	Edwards	Hinojosa
Capuano	Ellison	Hirono
Cardoza	Farr	Hochul
Carnahan	Fattah	Holden
Carney	Filner	Holt
Carson (IN)	Fincher	Honda
Cassidy	Fitzpatrick	Hoyer
Castor (FL)	Fleischmann	Hultgren
Chaffetz	Forbes	Israel

Jackson (IL)
 Jackson Lee (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kissell
 Kline
 Kucinich
 Labrador
 Lance
 Landry
 Langevin
 Larsen (WA)
 Latham
 LaTourette
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Luetkemeyer
 Lujan
 Lungren, Daniel E.
 Lynch
 Maloney
 Marchant
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McKeon

NOES—132

Adams
 Aderholt
 Akin
 Amash
 Austria
 Bachmann
 Barrow
 Benishek
 Biggert
 Bonner
 Bono Mack
 Brady (TX)
 Broun (GA)
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Campbell
 Canseco
 Cantor
 Carter
 Chabot
 Coble
 Coffman (CO)
 Cole
 Conaway
 Crenshaw
 Culberson
 Davis (KY)
 Denham
 Diaz-Balart
 Dreier
 Duffy
 Duncan (SC)
 Ellmers
 Emerson
 Engel
 Farenthold
 Flake
 Fleming

McKinley
 McNerney
 Meehan
 Meeks
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Nadler
 Napolitano
 Noem
 Nunes
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Platts
 Polis
 Pompeo
 Price (NC)
 Quigley
 Rahall
 Rehberg
 Renacci
 Reyes
 Richardson
 Richmond
 Rigell
 Rogers (MI)
 Ros-Lehtinen
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sanchez, Linda T.

Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Sensenbrenner
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Sires
 Smith (NJ)
 Smith (WA)
 Speier
 Stark
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Tiberi
 Tierney
 Tonko
 Towns
 Turner
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Whitfield
 Wilson (FL)
 Wittman
 Woolsey
 Wu
 Yarmuth
 Young (AK)

Tipton
 Walberg
 Walsh (IL)
 Webster
 West

Westmoreland
 Wilson (SC)
 Wolf
 Womack
 Woodall

Yoder
 Young (FL)
 Young (IN)

Bishop (UT)
 Black
 Blackburn
 Blumenauer
 Bonner
 Bono Mack
 Boswell

NOT VOTING—12

Boustany
 Brady (TX)
 Braley (IA)
 Brooks
 Broun (GA)
 Buchanan

Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Butterfield

Calvert
 Camp
 Campbell
 Canseco
 Cantor

Capito
 Capps
 Capuano
 Carnahan
 Carson (IN)

Carter
 Cassidy
 Castor (FL)
 Chabot
 Chaffetz

Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Cohen

Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper

Cravaack
 Crawford
 Crenshaw
 Crowley
 Cuellar

Culberson
 Cummings
 Davis (CA)
 Davis (KY)
 DeGette

DeLauro
 Denham
 Dent
 DesJarlais
 Deutch

Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold

Donnelly (IN)
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)

Edwards
 Ellison
 Ellmers
 Emerson
 Engel

Farenthold
 Farr
 Fattah
 Fincher
 Flake

Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry

Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly

Garamendi
 Gardner
 Garrett
 Gibbs
 Gibson

Gingrey (GA)
 Gohmert
 Gonzalez

Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)

Green, Al
 Green, Gene
 Griffin (AR)
 Grijalva
 Grimm

Guinta
 Guthrie
 Gutierrez
 Hanabusa
 Hanna

Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth

Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler

Higgins
 Hinchey
 Hinojosa
 Hirono
 Hochul

Holt
 Honda
 Hoyer
 Huelskamp
 Hultgren

Hunter
 Inslee
 Israel
 Issa
 Jackson (IL)

Jackson Lee (TX)
 Jenkins
 Johnson (GA)
 Johnson (OH)

Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur

Keating
 Kildee
 Kind
 Koskam
 King (IA)

King (NY)
 Kingston
 Kline
 Lamborn
 Lance

Landry
 Langevin
 Lankford
 Larsen (WA)
 Latham

LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)

Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe

Lowey
 Lujan
 Lungren, Daniel E.
 Lynch
 Mack

Maloney
 Markey
 Matsui
 McCarthy (CA)
 McCaul

McClintock
 McCollum
 McDermott
 McGovern
 McHenry

McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers

McNerney

Meeks
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)

Miller, Gary
 Miller, George
 Moore
 Mulvaney
 Myrick

Nadler
 Napolitano
 Neugebauer
 Noem
 Nugent

Nunes
 Nunnelee
 Olson
 Pallone
 Pascrell

Pastor (AZ)
 Paulsen
 Payne
 Pearce
 Pelosi

Pence
 Perlmutter
 Peters
 Pitts
 Poe (TX)

Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)

Quayle
 Reed
 Rehberg
 Reichert
 Reyes

Richardson
 Richmond
 Rigell
 Rivera
 Roby

Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher

Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)

Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppersberger

Ryan (OH)
 Ryan (WI)
 Sarbanes
 Scalise
 Schakowsky

Schiff
 Schilling
 Schmidt
 Schock
 Schweikert

Scott (SC)
 Scott (VA)
 Scott, Austin
 Serrano
 Sessions

Sewell
 Sherman
 Shimkus
 Simpson
 Sires

Smith (NJ)
 Smith (TX)
 Southerland
 Speier
 Stark

Stearns
 Stutzman
 Sullivan
 Sutton
 Terry

Thompson (CA)
 Thornberry
 Tiberi
 Tierney
 Tipton

Tonko

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1256

Mr. CHAFFETZ and Ms. ROS-LEHTINEN changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MR. HOLDEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. HOLDEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 335, not voting 13, as follows:

[Roll No. 451]

AYES—84

Nugent
 Nunnelee
 Olson
 Palazzo
 Pearce
 Pence
 Pitts
 Poey
 Price (GA)
 Quayle
 Reed
 Reichert
 Ribble
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rooney
 Roskam
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sessions

Altmire
 Barletta
 Bartlett
 Berkley
 Bishop (GA)
 Boren
 Brady (PA)
 Brown (FL)
 Cardoza
 Carney
 Chandler
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Costa
 Costello
 Courtney
 Critz
 Davis (IL)
 DeFazio
 Doyle
 Filner
 Fitzpatrick
 Foy
 Gerlach
 Goodlatte
 Griffith (VA)

Hall
 Harper
 Himes
 Holden
 Huizenga (MI)
 Hurt
 Johnson (IL)
 Kelly
 Kinzinger (IL)
 Kissell
 Kucinich
 Labrador
 Long
 Lucas
 Luetkemeyer
 Lummis
 Manzullo
 Marino
 Matheson
 McCarthy (NY)
 Meehan
 Mica
 Moran
 Murphy (CT)
 Murphy (PA)
 Owens
 Palazzo
 Paul
 Peterson

Petri
 Pingree (ME)
 Platts
 Quigley
 Rahall
 Renacci
 Ribble
 Rush
 Sánchez, Linda T.
 Sanchez, Loretta
 Schrader
 Schwartz
 Scott, David
 Sensenbrenner
 Shuler
 Shuster
 Smith (NE)
 Smith (WA)
 Thompson (MS)
 Thompson (PA)
 Visclosky
 Walsh (IL)
 Walz (MN)
 Welch
 West
 Wittman

NOES—335

Ackerman
 Adams
 Aderholt
 Akin
 Alexander
 Amash
 Andrews
 Austria

Baca
 Bachmann
 Bachus
 Baldwin
 Barrow
 Barton (TX)
 Bass (CA)
 Bass (NH)

Becerra
 Benishek
 Berg
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (NY)

Becerra
 Benishek
 Berg
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (NY)

Becerra
 Benishek
 Berg
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (NY)

Becerra
 Benishek
 Berg
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (NY)

Becerra
 Benishek
 Berg
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (NY)

Towns	Waters	Womack
Turner	Watt	Woodall
Upton	Waxman	Woolsey
Van Hollen	Webster	Wu
Velázquez	Westmoreland	Yarmuth
Walberg	Whitfield	Yoder
Walden	Wilson (FL)	Young (AK)
Wasserman	Wilson (SC)	Young (FL)
Schultz	Wolf	Young (IN)

NOT VOTING—13

Eshoo	Neal	Stivers
Giffords	Oliver	Tsongas
Larson (CT)	Rangel	Weiner
Marchant	Rokita	
McCotter	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1300

Ms. WILSON of Florida changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. WEST. Mr. Chair, on rollcall No. 451, had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. CAMPBELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 132, noes 287, not voting 13, as follows:

[Roll No. 452]

AYES—132

Ackerman	Doyle	Keating
Baldwin	Duncan (TN)	Kucinich
Bass (CA)	Ellison	Langevin
Becerra	Engel	Lee (CA)
Berman	Farr	Levin
Blackburn	Fattah	Lipinski
Brady (PA)	Filner	Lofgren, Zoe
Brooks	Fitzpatrick	Lowe
Campbell	Fox	Mack
Capps	Franks (AZ)	Maloney
Capuano	Gallely	Markey
Carnahan	Garrett	McCarthy (NY)
Carney	Gerlach	McClintock
Carson (IN)	Grijalva	McCollum
Castor (FL)	Grimm	McDermott
Chu	Hanabusa	McGovern
Cicilline	Hayworth	McHenry
Clarke (MI)	Heinrich	McNerney
Coffman (CO)	Higgins	Meehan
Cohen	Himes	Miller, George
Connolly (VA)	Hinchey	Moore
Cooper	Hirono	Moran
Crowley	Holt	Murphy (CT)
Davis (CA)	Honda	Nadler
DeFazio	Hoyer	Napolitano
DeGette	Inslee	Pallone
DeLauro	Israel	Pascarell
Deutch	Jackson (IL)	Pastor (AZ)
Dicks	Johnson (GA)	Paul
Doggett	Johnson (IL)	Payne
Dold	Jones	Pelosi

Perlmutter	Sanchez, Loretta	Stark
Peters	Sarbanes	Sutton
Petri	Schakowsky	Tonko
Pingree (ME)	Schiff	Towns
Polis	Schwartz	Van Hollen
Price (NC)	Schweikert	Velázquez
Quigley	Sensenbrenner	Waxman
Reichert	Serrano	Welch
Reyes	Sherman	Whitfield
Rohrabacher	Sires	Woolsey
Roybal-Allard	Smith (NJ)	Wu
Ruppersberger	Smith (WA)	Yarmuth
Rush	Speier	Young (IN)

NOES—287

Adams	Duffy	LaTourette
Aderholt	Duncan (SC)	Latta
Akin	Edwards	Lewis (CA)
Alexander	Ellmers	Lewis (GA)
Altmire	Emerson	LoBiondo
Amash	Farenthold	Loeb
Andrews	Fincher	Long
Austria	Flake	Lucas
Baca	Fleischmann	Luetkemeyer
Bachmann	Fleming	Luján
Bachus	Flores	Lummis
Barletta	Forbes	Lungren, Daniel E.
Barrow	Fortenberry	Lynch
Bartlett	Frank (MA)	Manzullo
Barton (TX)	Frelinghuysen	Marchant
Bass (NH)	Fudge	Marino
Benish	Garamendi	Matheson
Berg	Gardner	Matsui
Berkley	Gibbs	McCarthy (CA)
Biggart	Gibson	McCaul
Bilbray	Gingrey (GA)	McIntyre
Bilirakis	Gohmert	McKeon
Bishop (GA)	Gonzalez	McKinley
Bishop (NY)	Goodlatte	McMorris
Bishop (UT)	Gosar	Rodgers
Black	Gowdy	Meeks
Blumenauer	Granger	Mica
Bonner	Graves (GA)	Michaud
Bono Mack	Graves (MO)	Miller (FL)
Boren	Green, Al	Miller (MI)
Boswell	Green, Gene	Miller (NC)
Boustany	Griffin (AR)	Miller, Gary
Brady (TX)	Griffith (VA)	Mulvaney
Braley (IA)	Guinta	Murphy (PA)
Broun (GA)	Guthrie	Murphy
Brown (FL)	Gutierrez	Myrick
Buchanan	Hall	Neugebauer
Bucshon	Hanna	Noem
Buerkle	Harper	Nugent
Burgess	Harris	Nunes
Burton (IN)	Hartzler	Nunnelee
Butterfield	Hastings (FL)	Olson
Calvert	Hastings (WA)	Owens
Camp	Heck	Palazzo
Canseco	Hensarling	Paulsen
Cantor	Herger	Pearce
Capito	Herrera Beutler	Pence
Cardoza	Hinojosa	Peterson
Carter	Hochul	Pitts
Cassidy	Holden	Platts
Chabot	Huelskamp	Poe (TX)
Chaffetz	Huizenga (MI)	Pompeo
Chandler	Hultgren	Posey
Clarke (NY)	Hunter	Price (GA)
Clay	Hurt	Quayle
Cleaver	Issa	Rahall
Clyburn	Jackson Lee	Reed
Coble	(TX)	Rehberg
Cole	Jenkins	Renacci
Conaway	Johnson (OH)	Ribble
Conyers	Johnson, E. B.	Richardson
Costa	Johnson, Sam	Richmond
Costello	Jordan	Rigell
Courtney	Kaptur	Rivera
Cravack	Kelly	Roby
Crawford	Kildee	Roe (TN)
Crenshaw	Kind	Rogers (AL)
Critz	King (IA)	Rogers (KY)
Cuellar	King (NY)	Rogers (MI)
Culberson	Kingston	Rooney
Cummings	Kinzing (IL)	Ros-Lehtinen
Davis (IL)	Kissell	Roskam
Davis (KY)	Kline	Ross (AR)
Denham	Labrador	Ross (FL)
Dent	Lamborn	Rothman (NJ)
DesJarlais	Lance	Royce
Diaz-Balart	Landry	Runyan
Lankford	Larsen (WA)	Ryan (OH)
Donnelly (IN)	Latham	Ryan (WI)
Dreier		Scalise

Schilling	Stearns	Walz (MN)
Schmidt	Stutzman	Wasserman
Schock	Sullivan	Schultz
Schrader	Terry	Waters
Scott (SC)	Thompson (CA)	Watt
Scott (VA)	Thompson (MS)	Webster
Scott, Austin	Thompson (PA)	West
Scott, David	Thornberry	Westmoreland
Sessions	Tiberi	Wilson (FL)
Sewell	Tierney	Wilson (SC)
Shimkus	Tipton	Wittman
Shuler	Turner	Wolf
Shuster	Upton	Womack
Simpson	Visclosky	Woodall
Smith (NE)	Walberg	Yoder
Smith (TX)	Walden	Young (AK)
Southerland	Walsh (IL)	Young (FL)

NOT VOTING—13

Eshoo	Oliver	Slaughter
Giffords	Rangel	Stivers
Larson (CT)	Rokita	Tsongas
McCotter	Sánchez, Linda	Weiner
Neal	T.	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1306

Messrs. FRANK of Massachusetts, FLAKE, SAM JOHNSON of Texas, ROTHMAN of New Jersey, and AMASH changed their vote from “aye” to “no.”

Ms. ZOE LOFGREN of California, Messrs. COFFMAN of Colorado and CLARKE of Michigan, Ms. SPEIER, and Mr. BERMAN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 109, noes 310, not voting 13, as follows:

[Roll No. 453]

AYES—109

Amash	Coble	Grimm
Bachmann	Coffman (CO)	Hall
Bartlett	Cooper	Hensarling
Barton (TX)	Davis (KY)	Herger
Biggart	Duncan (SC)	Huelskamp
Bishop (UT)	Duncan (TN)	Huizenga (MI)
Black	Flake	Hultgren
Blackburn	Fleischmann	Hunter
Bono Mack	Fleming	Hurt
Brady (TX)	Fox	Issa
Broun (GA)	Franks (AZ)	Johnson (OH)
Buchanan	Garrett	Johnson, Sam
Buerkle	Gingrey (GA)	Jordan
Burgess	Gohmert	King (NY)
Burton (IN)	Goodlatte	Kline
Campbell	Gowdy	Labrador
Chabot	Graves (GA)	Lamborn
Chaffetz	Griffith (VA)	Landry

Latta
Long
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Nugent

NOES—310

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)

Nunnelee
Paul
Paulsen
Pence
Petri
Pitts
Pompeo
Price (GA)
Quayle
Renacci
Ribble
Rigell
Rogers (MI)
Rohrabacher
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert

Scott (SC)
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Sullivan
Terry
Tiberi
Upton
Walberg
Walsh (IL)
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger

Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Turner
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)

Castor (FL)
Chabot
Chaffetz
Chandler
Clarke (NY)
Clay
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Courtney
Cravaack
Crawford
Crowley
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Deutch
Doggett
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Farenthold
Farr
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey

Hinojosa
Hirono
Hochul
Honda
Huizenga (MI)
Hunter
Hurt
Issa
Johnson, Sam
Jordan
Kelly
King (NY)
Kingston
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lujan
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pence
Perlmutter
Peters
Petri

Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stutzman
Sullivan
Sutton
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Tonko
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Eshoo
Giffords
Larson (CT)
McCotter
Neal
Olver
Rangel
Rokita
Sanchez, Linda T.
Slaughter
Stivers
Tsongas
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. (during the vote).
There is 1 minute remaining.

□ 1309

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 283, noes 128, not voting 21, as follows:

[Roll No. 454]

AYES—283

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek

Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks

Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carney
Carter
Cassidy

NOES—128

Ackerman
Austria
Baca
Baldwin
Barrow
Berg
Bishop (GA)
Bishop (NY)
Boswell
Braley (IA)
Brown (FL)
Burton (IN)
Butterfield
Cardoza

Carnahan
Carson (IN)
Chu
Cicilline
Cleaver
Clyburn
Conyers
Costa
Costello
Crenshaw
Critz
Cummings
Davis (IL)
DeFazio

DeGette
Diaz-Balart
Dicks
Dingell
Donnelly (IN)
Emerson
Engel
Finler
Fincher
Fortenberry
Gardner
Gonzalez
Graves (MO)
Hanabusa

Hartzler	Loeb	Ryan (OH)	Buchanan	Hoyer	Pitts	Johnson (IL)	McNerney	Schock
Hastings (FL)	Lowey	Schakowsky	Campbell	Hunter	Platts	Johnson (OH)	Meehan	Scott, Austin
Hastings (WA)	Lucas	Schilling	Capps	Inslee	Polis	Johnson, E. B.	Miller (MI)	Scott, David
Heck	Luetkemeyer	Schock	Capuano	Israel	Posey	Johnson, Sam	Miller (NC)	Serrano
Holden	Lummis	Scott (VA)	Castor (FL)	Issa	Price (GA)	Jones	Napolitano	Sewell
Holt	Manzullo	Scott, David	Chabot	Johnson (GA)	Price (NC)	Keating	Neugebauer	Shimkus
Hoyer	Markey	Serrano	Chaffetz	Jordan	Quayle	Kelly	Noem	Shuler
Huelskamp	McCarthy (NY)	Sewell	Chu	Kaptur	Quigley	Kildee	Nunes	Shuster
Hultgren	McNerney	Shimkus	Cicilline	Kind	Reichert	King (IA)	Nunnelee	Simpson
Inslee	Meehan	Smith (NE)	Clay	King (NY)	Richardson	Kingston	Olson	Smith (NE)
Israel	Meeks	Terry	Cleaver	Kucinich	Roe (TN)	Kinzinger (IL)	Owens	Smith (TX)
Jackson (IL)	Miller (NC)	Thompson (MS)	Coble	Labrador	Kissell	Palazzo	Pastor (AZ)	Southerland
Jackson Lee	Moore	Tiberi	Coffman (CO)	Langevin	Kline	Pearce	Pearce	Stutzman
(TX)	Napolitano	Tierney	Cohen	Larsen (WA)	Lance	Pence	Perlmutter	Sullivan
Jenkins	Noem	Towns	Connolly (VA)	Lee (CA)	Landry	Petersen	Thompson (CA)	Terry
Johnson (GA)	Owens	Turner	Cooper	Levin	Lankford	Poe (TX)	Thompson (MS)	
Johnson (IL)	Palazzo	Velázquez	Courtney	Lipinski	Latham	Pompeo	Thompson (PA)	
Johnson (OH)	Pelosi	Visclosky	Cravaack	LoBiondo	Royce	Rahall	Thornberry	
Johnson, E. B.	Peterson	Walz (MN)	Crowley	Loeb	Runyan	Reed	Tiberi	
Jones	Price (NC)	Wasserman	Cummings	Loeb	Ruppersberger	Rehberg	Tierney	
Kaptur	Reyes	Davis (CA)	Davis (CA)	Loeb	Ryan (OH)	Renacci	Tipton	
Kildee	Richmond	Schultz	DeFazio	Long	Ryan (WI)	Reyes	Towns	
Kind	Rivera	Waters	DeGette	Lynch	Sarbanes	Ribble	Turner	
King (IA)	Roby	Watt	DeLauro	Mack	Schiff	Richmond	Upton	
Kinzinger (IL)	Rogers (AL)	Waxman	Dent	Maloney	Schrader	Rigell	Walberg	
Kissell	Rogers (KY)	Whitfield	Deutch	Markey	Schwartz	Rivera	Walden	
Langevin	Ros-Lehtinen	Wilson (FL)	Doggett	Matheson	Schweikert	Roby	Walz (MN)	
Latham	Ross (AR)	Yarmuth	Dold	McCarthy (NY)	Scott (SC)	Rogers (AL)	Wasserman	
Latta	Ruppersberger	Yoder	Doyle	McClintock	Scott (VA)	Rogers (KY)	Schultz	
Lewis (CA)	Rush		Duncan (SC)	McDermott	Sensenbrenner	Rogers (MI)	Webster	
			Duncan (TN)	McGovern	Sessions	Rooney	Westmoreland	
			Fattah	McHenry	Sherman	Roskam	Whitfield	
			Filner	McKinley	Sires	Ross (AR)	Wilson (FL)	
			Fitzpatrick	Meeks	Smith (NJ)	Rush	Wittman	
			Flake	Mica	Smith (WA)	Sanchez, Loretta	Womack	
			Flame	Michaud	Miller (FL)	Scalise	Yarmuth	
			Fleming	Miller, Gary	Miller, George	Schilling	Yoder	
			Fox	Moore	Moran	Schmidt		
			Frank (MA)	Moran	Mulvaney			
			Frank (AZ)	Gibson	Murphy (CT)			
			Garrett	Gohmert	Murphy (PA)			
			Gibson	Gonzalez	Myrick			
			Gohmert	Gowdy	Nadler			
			Gonzalez	Graves (GA)	Nugent			
			Gowdy	Green, Gene	Pallone			
			Graves (GA)	Griffin (AR)	Pascarella			
			Green, Gene	Grimm	Paul			
			Griffin (AR)	Heck	Paulsen			
			Grimm	Heinrich	Payne			
			Heck	Hensarling	Pelosi			
			Heinrich	Higgins	Peters			
			Hensarling	Himes	Petri			
			Higgins	Hinche	Pingree (ME)			
			Holmes	Honda				
			Hinche					
			Honda					

NOT VOTING—21

Clarke (MI)	Keating	Sánchez, Linda
Eshoo	Larson (CT)	T.
Fattah	McCotter	Slaughter
Garamendi	Neal	Stark
Giffords	Olver	Stivers
Gosar	Rangel	Tsongas
Green, Al	Rokita	Weiner
Gutierrez		

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1312

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GOSAR. Mr. Chair, on rollcall No. 454, I would have voted “aye” but was in an interview and missed the vote.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 228, not voting 18, as follows:

[Roll No. 455]

AYES—186

Ackerman	Barton (TX)	Bishop (NY)
Adams	Bass (CA)	Blackburn
Amash	Bass (NH)	Blumenauer
Andrews	Benish	Boswell
Bachmann	Berkley	Brady (PA)
Baldwin	Berman	Braley (IA)
Bartlett	Biggart	Brown (GA)

Aderholt	Cassidy	Fudge
Akin	Chandler	Galleghy
Alexander	Clarke (MI)	Gardner
Altmire	Clarke (NY)	Gerlach
Austria	Clyburn	Gibbs
Baca	Cole	Gingrey (GA)
Bachus	Conaway	Goodlatte
Barletta	Conyers	Gosar
Barrow	Costa	Granger
Becerra	Costello	Graves (MO)
Berg	Crawford	Green, Al
Bilbray	Crenshaw	Griffith (VA)
Bilirakis	Critz	Grijalva
Bishop (GA)	Cuellar	Guinta
Bishop (UT)	Culberson	Guthrie
Black	Davis (IL)	Hall
Bonner	Davis (KY)	Hanabusa
Bono Mack	Denham	Hanna
Boren	DesJarlais	Harper
Boustany	Diaz-Balart	Harris
Brady (TX)	Dicks	Hartzler
Brooks	Dingell	Hastings (FL)
Brown (FL)	Donnelly (IN)	Hastings (WA)
Bucshon	Dreier	Hayworth
Buerkle	Duffy	Herger
Burgess	Edwards	Hinojosa
Burton (IN)	Ellison	Hirono
Butterfield	Ellmers	Hochul
Calvert	Emerson	Holden
Camp	Engel	Holt
Canseco	Farenthold	Huelskamp
Cantor	Farr	Huizenga (MI)
Capito	Fincher	Hultgren
Cardoza	Fleischmann	Hurt
Carnahan	Flores	Jackson (IL)
Carnahan	Forbes	Jackson Lee
Carson (IN)	Fortenberry	(TX)
Carter	Frelinghuysen	Jenkins

NOES—228

NOT VOTING—18

Eshoo	Olver	Tsongas
Garamendi	Rangel	Velázquez
Giffords	Rokita	Waters
Gutierrez	Sánchez, Linda	Watt
Larson (CT)	T.	Weiner
McCotter	Slaughter	
Neal	Stivers	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1315

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. AL GREEN of Texas. Mr. Chair, today I was unavoidably detained and missed the vote on: Flake Amendment No. 2 to H.R. 2112. Prohibits the use of funds to be used for the construction of any ethanol blender pump or any ethanol storage facility. Had I been present, I would have voted “no” on this bill.

AMENDMENT OFFERED BY MR. LIPINSKI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 254, not voting 16, as follows:

[Roll No. 456]

AYES—162

Ackerman	Frank (MA)	Miller (FL)
Aderholt	Franks (AZ)	Miller (NC)
Altmire	Garrett	Moore
Baca	Gerlach	Moran
Baldwin	Gibson	Murphy (PA)
Bartlett	Gohmert	Myrick
Bass (NH)	Goodlatte	Nadler
Becerra	Granger	Napolitano
Berkley	Graves (MO)	Nugent
Berman	Griffith (VA)	Owens
Bilbray	Grijalva	Pallone
Bishop (GA)	Grimm	Pascarell
Bishop (NY)	Hanna	Paul
Blackburn	Heck	Peters
Brady (PA)	Heinrich	Pitts
Braley (IA)	Higgins	Platts
Brown (FL)	Hinojosa	Quigley
Burgess	Hochul	Rahall
Capito	Holden	Reichert
Capuano	Holt	Reyes
Cardoza	Honda	Rigell
Carnahan	Hultgren	Rohrabacher
Carney	Hunter	Rooney
Carson (IN)	Hurt	Rothman (NJ)
Chandler	Israel	Sarbanes
Chu	Jackson (IL)	Schakowsky
Coble	Johnson (IL)	Schiff
Conaway	Jones	Schilling
Cooper	Kaptur	Scott (SC)
Costello	Keating	Sensenbrenner
Courtney	King (NY)	Serrano
Cravaack	Kissell	Sherman
Critz	Langevin	Shimkus
Cuellar	LaTourette	Shuler
Cummings	Levin	Shuster
Davis (IL)	Lewis (GA)	Simpson
DeFazio	Lipinski	Sires
DeGette	LoBiondo	Smith (NJ)
DeLauro	Loeb sack	Smith (WA)
Dent	Lowe y	Stark
Deutch	Lujan	Sullivan
Dicks	Lynch	Sutton
Doggett	Manzullo	Terry
Dold	Markey	Tiberi
Donnelly (IN)	Matheson	Tonko
Doyle	McCarthy (NY)	Turner
Duffy	McCa ul	Velázquez
Duncan (TN)	McClintock	Visclosky
Engel	McGovern	Waxman
Filner	McHenry	Welch
Fitzpatrick	McIntyre	Wittman
Forbes	Meehan	Wolf
Fortenberry	Mica	Wu
Fox x	Michaud	Yarmuth

NOES—254

Adams	Camp	Dreier
Akin	Campbell	Duncan (SC)
Alexander	Canseco	Edwards
Amash	Cantor	Ellison
Andrews	Capps	Ellmers
Austria	Carter	Emerson
Bachmann	Cassidy	Farenthold
Bachus	Castor (FL)	Farr
Barletta	Chabot	Fattah
Barrow	Chaffetz	Fincher
Barton (TX)	Cicilline	Flake
Bass (CA)	Clarke (MI)	Fleischmann
Benishkek	Clarke (NY)	Fleming
Berg	Clay	Flores
Biggert	Cleaver	Frelinghuysen
Bilirakis	Clyburn	Fudge
Bishop (UT)	Coffman (CO)	Gallegly
Black	Cohen	Gardner
Blumenauer	Cole	Gibbs
Bonner	Connolly (VA)	Gingrey (GA)
Bono Mack	Conyers	Gonzalez
Boren	Costa	Gosar
Boswell	Crawford	Gowdy
Boustany	Crenshaw	Graves (GA)
Brooks	Crowley	Green, Al
Brown (GA)	Culberson	Green, Gene
Buchanan	Davis (CA)	Griffin (AR)
Bucshon	Davis (KY)	Guinta
Buerkle	Denham	Guthrie
Burton (IN)	DesJarlais	Hall
Butterfield	Diaz-Balart	Hanabusa
Calvert	Dingell	Harper

Harris	McCarthy (CA)	Royce
Hartzler	McCollum	Runyan
Hastings (FL)	McDermott	Ruppersberger
Hastings (WA)	McKeon	Rush
Hayworth	McKinley	Ryan (OH)
Hensarling	McMorris	Ryan (WI)
Herger	Rodgers	Sanchez, Loretta
Herrera Beutler	McNerney	Scalise
Himes	Meeks	Schmidt
Hinchey	Miller (MI)	Schock
Hirono	Miller, Gary	Schrader
Hoyer	Miller, George	Schwartz
Huelskamp	Mulvaney	Schweikert
Huizenga (MI)	Murphy (CT)	Scott (VA)
Inslee	Neugebauer	Scott, Austin
Issa	Noem	Scott, David
Jackson Lee	Nunes	Sessions
(TX)	Nunnelee	Sewell
Jenkins	Olson	Smith (NE)
Johnson (GA)	Palazzo	Smith (TX)
Johnson (OH)	Pastor (AZ)	Southerland
Johnson, E. B.	Paulsen	Speier
Johnson, Sam	Payne	Stearns
Jordan	Pearce	Stutzman
Kelly	Pelosi	Thompson (CA)
Kildee	Pence	Thompson (MS)
Kind	Perlmutter	Thompson (PA)
King (IA)	Peterson	Thornberry
Kingston	Petri	Tierney
Kinzinger (IL)	Pingree (ME)	Tipton
Kline	Poe (TX)	Towns
Kucinich	Polis	Upton
Labrador	Pompeo	Van Hollen
Lamborn	Posey	Walberg
Lance	Price (GA)	Walden
Landry	Price (NC)	Walsh (IL)
Lankford	Quayle	Walz (MN)
Larsen (WA)	Reed	Wasserman
Latham	Rehberg	Schultz
Latta	Renacci	Waters
Lee (CA)	Ribble	Watt
Lewis (CA)	Richardson	Webster
Lofgren, Zoe	Richmond	West
Long	Rivera	Westmoreland
Lucas	Roby	Whitfield
Luetkemeyer	Roe (TN)	Wilson (FL)
Lummis	Rogers (AL)	Wilson (SC)
Lungren, Daniel	Rogers (KY)	Womack
E.	Rogers (MI)	Woodall
Mack	Ros-Lehtinen	Woolsey
Maloney	Roskam	Yoder
Marchant	Ross (AR)	Young (AK)
Marino	Ross (FL)	Young (FL)
Matsui	Roybal-Allard	Young (IN)

NOT VOTING—16

Brady (TX)	McCotter	Sánchez, Linda
Eshoo	Neal	T.
Garamendi	Olver	Slaughter
Giffords	Rangel	Stivers
Gutierrez	Rokita	Tsongas
Larson (CT)		Weiner

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1318

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE
The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 3 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 101, noes 314, not voting 17, as follows:

[Roll No. 457]

AYES—101

Amash	Franks (AZ)	Paul
Bachmann	Garrett	Paulsen
Bachus	Gerlach	Pearce
Bass (NH)	Gingrey (GA)	Pence
Benishkek	Gohmert	Peters
Berkley	Gowdy	Polis
Black	Graves (GA)	Price (GA)
Blackburn	Grimm	Quayle
Brooks	Guinta	Quigley
Broun (GA)	Hall	Rohrabacher
Buerkle	Hanabusa	Royce
Burgess	Hayworth	Ryan (WI)
Burton (IN)	Hensarling	Schweikert
Campbell	Herrera Beutler	Scott (SC)
Cantor	Hunter	Sensenbrenner
Carney	Jordan	Sessions
Chabot	Lamborn	Smith (NJ)
Chaffetz	Lankford	Southerland
Cicilline	LoBiondo	Speier
Coble	Long	Stearns
Coffman (CO)	Mack	Stutzman
Cohen	Matheson	Sullivan
Connolly (VA)	McClintock	Tiberi
Cooper	McCollum	Tonko
Culberson	McHenry	Van Hollen
Davis (CA)	Meehan	Walberg
DeFazio	Miller (FL)	Walsh (IL)
Doggett	Miller, Gary	West
Duncan (SC)	Moran	Wilson (FL)
Duncan (TN)	Mulvaney	Wilson (SC)
Fitzpatrick	Murphy (PA)	Woodall
Flake	Myrick	Young (AK)
Fleming	Nugent	Young (IN)
Fox x	Pascarell	

NOES—314

Ackerman	Clarke (NY)	Gibson
Adams	Clay	Gonzalez
Aderholt	Cleaver	Goodlatte
Akin	Clyburn	Gosar
Alexander	Cole	Granger
Altmire	Conaway	Graves (MO)
Andrews	Conyers	Green, Al
Austria	Costa	Green, Gene
Baca	Costello	Griffin (AR)
Baldwin	Courtney	Griffith (VA)
Barletta	Cravaack	Grijalva
Barrow	Crawford	Guthrie
Bartlett	Crenshaw	Hanna
Barton (TX)	Critz	Harper
Bass (CA)	Crowley	Harris
Becerra	Cuellar	Hartzler
Berg	Cummings	Hastings (FL)
Berman	Davis (IL)	Hastings (WA)
Biggert	Davis (KY)	Heck
Bilbray	DeLauro	Heinrich
Bilirakis	Denham	Herger
Bishop (GA)	Dent	Higgins
Bishop (NY)	DesJarlais	Himes
Bishop (UT)	Deutch	Hinchey
Blumenauer	Diaz-Balart	Hinojosa
Bonner	Dicks	Hirono
Bono Mack	Dingell	Hochul
Boren	Dold	Holden
Boswell	Donnelly (IN)	Holt
Boustany	Doyle	Honda
Brady (PA)	Dreier	Hoyer
Brady (TX)	Duffy	Huelskamp
Braley (IA)	Edwards	Huizenga (MI)
Brown (FL)	Ellison	Hultgren
Buchanan	Ellmers	Hurt
Bucshon	Emerson	Israel
Butterfield	Engel	Issa
Calvert	Farenthold	Jackson (IL)
Camp	Farr	Jackson Lee
Canseco	Fattah	(TX)
Capito	Filner	Jenkins
Capps	Fincher	Johnson (GA)
Capuano	Fleischmann	Johnson (IL)
Cardoza	Flores	Johnson (OH)
Carnahan	Forbes	Johnson, E. B.
Carson (IN)	Fortenberry	Johnson, Sam
Carter	Frank (MA)	Jones
Cassidy	Frelinghuysen	Kaptur
Castor (FL)	Fudge	Keating
Chandler	Gallegly	Kelly
Chu	Gardner	Kildee
Clarke (MI)	Gibbs	Kind

King (IA)	Murphy (CT)	Schakowsky
King (NY)	Nadler	Schiff
Kingston	Napolitano	Schilling
Kinzinger (IL)	Neugebauer	Schmidt
Kissell	Noem	Schock
Kline	Nunes	Schrader
Kucinich	Nunnelee	Schwartz
Labrador	Olson	Scott (VA)
Lance	Owens	Scott, Austin
Landry	Palazzo	Scott, David
Langevin	Pallone	Serrano
Larsen (WA)	Pastor (AZ)	Sewell
Latham	Payne	Sherman
LaTourette	Pelosi	Shimkus
Latta	Perlmutter	Shuler
Lee (CA)	Peterson	Shuster
Levin	Petri	Simpson
Lewis (CA)	Pingree (ME)	Sires
Lewis (GA)	Pitts	Smith (NE)
Lipinski	Platts	Smith (TX)
Loeback	Poe (TX)	Smith (WA)
Lofgren, Zoe	Pompeo	Stark
Lowey	Posey	Sutton
Lucas	Price (NC)	Terry
Luetkemeyer	Rahall	Thompson (CA)
Luján	Reed	Thompson (MS)
Lummis	Rehberg	Thompson (PA)
Lungren, Daniel E.	Reichert	Thornberry
Lynch	Renacci	Tierney
Maloney	Reyes	Tipton
Manzullo	Ribble	Towns
Marchant	Richardson	Turner
Marino	Richmond	Upton
Markey	Rigell	Velázquez
Matsui	Rivera	Visclosky
McCarthy (CA)	Roby	Walden
McCarthy (NY)	Roe (TN)	Walz (MN)
McCaul	Rogers (AL)	Wasserman
McDermott	Rogers (KY)	Schultz
McGovern	Rogers (MI)	Waters
McIntyre	Rooney	Watt
McKeon	Ros-Lehtinen	Waxman
McKinley	Roskam	Webster
McMorris	Ross (AR)	Welch
Rodgers	Ross (FL)	Westmoreland
McNerney	Rothman (NJ)	Whitfield
Meeks	Roybal-Allard	Wittman
Mica	Runyan	Wolf
Michaud	Ruppersberger	Womack
Miller (MI)	Rush	Woolsey
Miller (NC)	Ryan (OH)	Wu
Miller, George	Sanchez, Loretta	Yarmuth
Moore	Sarbanes	Yoder
	Scalise	Young (FL)

NOT VOTING—17

DeGette	Larson (CT)	Sánchez, Linda
Eshoo	McCotter	T.
Garamendi	Neal	Slaughter
Giffords	Olver	Stivers
Gutierrez	Rangel	Tsongas
Inslie	Rokita	Weiner

Ms. BASS of California changed her vote from “aye” to “no.”

□ 1321

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012”.

Mr. KINGSTON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. BISHOP of Utah, Acting Chair of the Committee of the Whole House on the

state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, reported the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 300, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. HOCHUL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. HOCHUL. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Hochul moves to recommit the bill H.R. 2112 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 55, after line 23, insert the following:

In addition, for carrying out section 4a of the Commodity Exchange Act (7 U.S.C. 6a), including establishing limits to diminish, eliminate, or prevent excessive speculation, and as authorized by section 12(d) of such Act (7 U.S.C. 16(d)), \$11,800,000.

Page 6, line 11, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 27, line 11, after the dollar amount, insert “(reduced by \$3,800,000)”.

Page 30, line 10, after the dollar amount, insert “(reduced by \$4,000,000)”.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 5 minutes in support of her motion.

Ms. HOCHUL. Mr. Speaker, I am here today as someone who very recently stood before the voters, and I can tell you that the constituents I represent are fed up with our inability to control the soaring price of gas in this country. In the diners, in the small businesses, and certainly at the gas stations, you can feel the incredible anger and helplessness of our consumers. And that is why I feel compelled to stand here today to offer this final amendment to restore critical funding to the Commodity Futures Trading Commission.

The CFTC is like the sheriffs in town who protect us from the Wild West of oil speculators. Now if Republicans had

their way, they would send these sheriffs packing, let the speculators drive up our gas prices and run wild, just shooting around town. But those who support my final amendment to the bill see it differently. We like law and order. We like it when people play by the rules. And we like having sheriffs around to make sure someone is keeping an eye on these speculators on behalf of our consumers.

The Agriculture appropriations bill under debate right now would hurt every single person we represent. And among the many problems with this bill is the fact that it cedes regulation of the oil market back to Big Oil, and it pits consumers against speculators.

Today oil is trading at about \$100 a barrel. In my district, my constituents are paying over \$4 a gallon just to fill up, and that's for regular. The price of diesel is really, really hurting my farmers, who pay a quarter more for every gallon.

You know, the worst part is that none of this is new for western New York. A few years ago, my region had the highest gas prices in America—not high prices, the highest. Even today, the village of Arcade, a tiny village in a farming community in Wyoming County, is listed as having among the highest gas prices in the Nation. How can that possibly be explained? What is so disturbing is that our area was just starting to climb out of recession when the price of gas skyrocketed, sending our recovery efforts backwards.

For all the Members who are concerned about the deficit, I hope you will support this amendment. The high cost of oil is not only bankrupting American families and businesses but is also bankrupting our country.

I know that the folks back home in my district are fed up with the deficit; they're fed up with the poor economy; and they are fed up with high gas prices. And they want to know what we're going to do to solve these problems. I'll tell you, the answer does not lie in firing the regulators who watch and control the speculators who now make up over 70 percent of the market. And that's exactly what this bill does.

Recently, several traders and firms were charged by the CFTC with price manipulation, trying to hoard crude oil and score a quick \$50 million. And I ask, how does gutting this agency, which protects our consumers from speculators, end up reducing the price of gas? The answer is, it doesn't.

Even the CEO of Exxon-Mobil blames speculators for the high prices, saying that just last month, oil should be trading around \$60 to \$70 a barrel if it was governed by supply and demand. Can you imagine, \$60 a barrel? Also recently, the world's largest commodity trader, Goldman Sachs, told their clients that the speculators had artificially driven up the price of oil by as much as \$27 a barrel.

The bottom line is, how do we justify slashing the budget for the only agency that can crack down on excessive speculation? I will tell you, it's not by firing all the sheriffs just when Jesse James is coming to town. I don't know about anyone else, but when I return home this weekend, I sure would not want to have to explain my support for a bill that would, in effect, make it easier for Big Oil companies and speculators to take advantage of our consumers, our drivers.

The choice is simple. Does this Congress stand with the consumers, our families, our small businesses, and our farmers? Or does it stand with the speculators? I know where my constituents expect me to stand.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I want to start off by saying, if this was a serious amendment, if this was a serious proposal—we have had 25 hours of debate—it would have been out on the House floor, and we could have taken a look at it. But let me say this: Very importantly, there is absolutely nothing in this bill that prohibits the CFTC from looking at oil speculation as it respects the supply or the cost of oil.

□ 1330

This amendment is not needed because of that alone. But let me also quote the Democrat Commissioner on the CFTC, Michael Dunn, a Democrat member of the CFTC. There has been a suggestion by some that once we set position limits, that's speculative limits, on physical derivatives, that the price we pay will inevitably drop. I believe this is a fallacy.

To date, the CFTC staff has been unable to find any reliable economic analysis to support the contention that excessive speculation is affecting the markets we regulate, or that position limits will prevent excessive speculation. The price volatility exists in our markets because of global supply and demand for physical commodities.

Now, why are the Democrats trying to get us bogged down in that the price of oil is going up because of speculation? Well, I can tell you. Go back to January 2009, and ask your constituents if they remember paying a 1.83 per gallon. And in that same month, who became President of the United States but President Obama, the Democrat.

The change you were asking for, the change we were promised was that gas went from \$1.83 per gallon to now \$3.80, a 90 percent increase. And the Democrats want us to believe it's because of speculators. You know why it's gone up? Because of more regulation, less permitting, more delays and more lawsuits.

Think about this. The President recently went down to Brazil and he told them, hey, we understand you're going to drill offshore. We encourage you to do so. We want to lend you the money, and we want to become your best customers.

Well, ladies and gentlemen, I've got news for the President. I've got news for the Democrats. American technology and American engineers do not need to hold second place to Brazil or any other country in the world. We are America.

We need to have an all-of-the-above energy policy. We do need to look at solar. We do need to look at ethanol. We do need to look at wind. We need to also look at nuclear and fossil fuels, and we need to do it here in the United States of America.

We are Americans. And if you want to bring down the price of gas at the pump, then let's increase our own domestic supply and quit playing games of blaming it on Wall Street.

I recommend a "no" vote on the motion to recommit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. HOCHUL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 2112; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 233, not voting 14, as follows:

[Roll No. 458]

AYES—185

Ackerman	Cielline	Edwards
Altmire	Clarke (MI)	Ellison
Andrews	Clarke (NY)	Engel
Baca	Clay	Farr
Baldwin	Cleaver	Fattah
Barrow	Clyburn	Filner
Bass (CA)	Cohen	Frank (MA)
Becerra	Connolly (VA)	Fudge
Berkley	Conyers	Garamendi
Berman	Cooper	Gonzalez
Bishop (GA)	Costa	Green, Al
Bishop (NY)	Costello	Green, Gene
Blumenauer	Courtney	Grijalva
Boren	Critz	Gutierrez
Boswell	Crowley	Hanabusa
Brady (PA)	Cuellar	Hastings (FL)
Braley (IA)	Cummings	Heinrich
Brown (FL)	Davis (CA)	Higgins
Butterfield	Davis (IL)	Himes
Capps	DeFazio	Hinchey
Capuano	DeGette	Hinojosa
Cardoza	DeLauro	Hirono
Carnahan	Deutch	Hochul
Carney	Dicks	Holden
Carson (IN)	Dingell	Holt
Castor (FL)	Doggett	Honda
Chandler	Donnelly (IN)	Hoyer
Chu	Doyle	Inslee

Israel	Michaud	Schakowsky
Jackson (IL)	Miller (NC)	Schiff
Jackson Lee	Miller, George	Schrader
(TX)	Moore	Schwartz
Johnson (GA)	Moran	Scott (VA)
Johnson, E. B.	Murphy (CT)	Scott, David
Jones	Nadler	Serrano
Kaptur	Napolitano	Sewell
Keating	Owens	Sherman
Kildee	Pallone	Shuler
Kind	Pascarell	Sires
Kissell	Pastor (AZ)	Smith (WA)
Kucinich	Payne	Speier
Langevin	Pelosi	Stark
Larsen (WA)	Perlmutter	Sutton
Lee (CA)	Peters	Thompson (CA)
Levin	Peterson	Thompson (MS)
Lewis (GA)	Pingree (ME)	Tierney
Lipinski	Polis	Tonko
Loeback	Price (NC)	Towns
Lofgren, Zoe	Quigley	Van Hollen
Lowey	Rahall	Velázquez
Luján	Reyes	Visclosky
Lynch	Richardson	Walz (MN)
Maloney	Richmond	Wasserman
Markey	Ross (AR)	Schultz
Matheson	Rothman (NJ)	Waters
Matsui	Roybal-Allard	Watt
McCarthy (NY)	Ruppersberger	Waxman
McCollum	Rush	Welch
McDermott	Ryan (OH)	Wilson (FL)
McGovern	Sánchez, Linda	Woolsey
McIntyre	T.	Wu
McNerney	Sanchez, Loretta	Yarmuth
Meeks	Sarbanes	

NOES—233

Adams	Duncan (TN)	King (NY)
Aderholt	Ellmers	Kingston
Akin	Emerson	Kinzinger (IL)
Alexander	Farenthold	Kline
Amash	Fincher	Labrador
Austria	Fitzpatrick	Lamborn
Bachmann	Flake	Lance
Bachus	Fleischmann	Landry
Barletta	Fleming	Lankford
Bartlett	Flores	Latham
Barton (TX)	Forbes	LaTourette
Bass (NH)	Fortenberry	Latta
Benishek	Fox	Lewis (CA)
Berg	Franks (AZ)	LoBiondo
Biggart	Frelinghuysen	Long
Billbray	Galleghy	Lucas
Bilirakis	Gardner	Luetkemeyer
Bishop (UT)	Garrett	Lummis
Black	Gerlach	Lungren, Daniel
Blackburn	Gibbs	E.
Bonner	Gibson	Mack
Bono Mack	Gingrey (GA)	Manzullo
Boustany	Gohmert	Marchant
Brady (TX)	Goodlatte	Marino
Brooks	Gosar	McCarthy (CA)
Broun (GA)	Gowdy	McCaul
Buchanan	Granger	McClintock
Bucshon	Graves (GA)	McHenry
Buerkle	Graves (MO)	McKeon
Burgess	Griffin (AR)	McKinley
Burton (IN)	Griffith (VA)	McMorris
Calvert	Grimm	Rodgers
Camp	Guinta	Meehan
Campbell	Guthrie	Mica
Canseco	Hall	Miller (FL)
Cantor	Hanna	Miller (MI)
Capito	Harper	Miller, Gary
Carter	Harris	Mulvaney
Cassidy	Hartzler	Murphy (PA)
Chabot	Hastings (WA)	Myrick
Chaffetz	Hayworth	Neugebauer
Coble	Heck	Noem
Coffman (CO)	Hensarling	Nugent
Cole	Herger	Nunes
Conaway	Herrera Beutler	Nunnelee
Cravaack	Huelskamp	Olson
Crawford	Huizenga (MI)	Palazzo
Crenshaw	Hultgren	Paul
Culberson	Hunter	Paulsen
Davis (KY)	Hurt	Pearce
Denham	Issa	Pence
Dent	Jenkins	Petri
DesJarlais	Johnson (IL)	Pitts
Diaz-Balart	Johnson (OH)	Platts
Dold	Johnson, Sam	Poe (TX)
Dreier	Jordan	Pompeo
Duffy	Kelly	Posey
Duncan (SC)	King (IA)	Price (GA)

Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)

NOT VOTING—14

Eshoo
Giffords
Larson (CT)
McCotter
Neal
Oliver
Rangel
Rokita
Slaughter
Stivers
Tsongas
Westmoreland
Yoder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1352

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 217, nays 203, not voting 12, as follows:

[Roll No. 459]

YEAS—217

Adams
Aderholt
Akin
Alexander
Austria
Bachus
Barletta
Bartlett
Bass (NH)
Benishke
Berg
Biggert
Bilbray
Billirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Cansaco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Galleghy
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis

Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)

Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Shock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—203

Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Farr
Fattah
Filner
Fincher
Flake
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McColum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Noem
Owens
Pallone
Pascarell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rohrabacher
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell

Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Eshoo
Giffords
Larson (CT)
McCotter
Neal
Oliver
Rangel
Rokita
Slaughter
Stivers
Tsongas
Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1401

Mr. GUTIERREZ changed his vote from “yea” to “nay.”

Mr. GARY G. MILLER of California changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, and 459. Had I been present, I would have voted “aye” on rollcall vote Nos. 437, 439, 440, 441, 442, 443, 447, 449, 450, 452, 454, 456, and 458. I would have voted “no” on rollcall vote Nos. 438, 444, 445, 446, 448, 451, 453, 455, 457, and 459.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REAPPOINTMENT OF SHIRLEY ANN JACKSON AS A CITIZEN REGENT OF THE SMITHSONIAN BOARD OF REGENTS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 7) providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Shirley Ann Jackson of New York, is filled by reappointment of the incumbent for a term of 6 years effective May 6, 2011.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REAPPOINTMENT OF ROBERT P. KOGOD AS A CITIZEN REGENT OF THE SMITHSONIAN BOARD OF REGENTS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 9) providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 9

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Robert P. Kogod of the District of Columbia, is filled by reappointment of the incumbent for a term of 6 years, effective May 6, 2011.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING OFFICIAL PHOTOGRAPHS OF THE HOUSE OF REPRESENTATIVES TO BE TAKEN WHILE THE HOUSE IS IN ACTUAL SESSION ON A DATE DESIGNATED BY THE SPEAKER

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent the committee on House Administration be discharged from further consideration of House Resolution 299 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 299

Resolved, That on such date as the Speaker of the House of Representatives may designate, official photographs of the House may be taken while the House is in actual session. Payment for the costs associated with taking, preparing, and distributing such photographs may be made from the applicable accounts of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LIBRARY OF CONGRESS ADMINISTRATIVE OPERATIONS IMPROVEMENT ACT

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I call up the bill (H.R. 1934) to improve certain administrative operations of the Library of Congress, and for other purposes, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 1934

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMITTING USE OF PROCEEDS FROM DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY.

(a) DISPOSITION OF PROPERTY.—Within the limits of available appropriations, the Librarian of Congress may dispose of surplus or obsolete personal property of the Library of Congress by interagency transfer, donation, sale, trade-in, or other appropriate method.

(b) USE OF PROCEEDS.—Any amounts received by the Librarian of Congress from the disposition of property under subsection (a) shall be credited to the funds available for the operations of the Library of Congress, and shall be available to acquire the same or similar property during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2012 and each succeeding fiscal year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on Senate Joint Resolution 7, Senate Joint Resolution 9, House Resolution 299, and H.R. 1934.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ADJOURNMENT TO MONDAY, JUNE 20, 2011

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H. CON. RES. 59 AND H.R. 657

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. RANGEL) be removed as a cosponsor from H. Con. Res. 59, of which I am a sponsor, and that my name be removed from H.R. 657.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. RIGELL. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from the bill, H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. I yield to my friend, the majority leader, for the purpose of inquiring about the schedule for the coming week.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. on Friday.

We will consider a few bills under suspension of the rules on Tuesday, which will be announced by the close of business tomorrow.

In addition, Mr. Speaker, I expect the House to consider H.R. 1249, the American Invents Act. This jobs bill is sorely needed to fundamentally address the backlog of 700,000 applications at the Patent and Trade Office. It will encourage entrepreneurship and growth by unlocking American entrepreneurship and growth.

The House will also consider a bill from the Energy and Commerce Committee, H.R. 2021, the Jobs and Energy Permitting Act of 2011, which addresses high gas prices.

I also expect further action on the FAA bill early in the week.

Finally, Mr. Speaker, I expect the House to begin consideration of the Department of Defense appropriations bill for fiscal year 2012, along with potential legislation related to the ongoing military conflict in Libya.

Mr. HOYER. I thank the gentleman for that information on the schedule for the coming week.

I want the gentleman to know that on our side we are very pleased to see the patent reform legislation brought to the floor. As you know, that's a part of our Make it in America agenda. I know it's a part of your agenda as well. I think this is something on which there obviously has been some controversy with respect to provisions of the bill, but it is absolutely essential that we give certainty to patents and to accelerate the approval of patents. The backlog that exists is not acceptable. I am pleased that this legislation has come to the floor. Very frankly, this is a needed and welcome piece of jobs legislation.

One of the concerns we have on this side of the aisle, as you know, is that we have not from our perspective had a jobs focus in the last 6 months. We welcome this part of our Make it in America agenda and part of your agenda as well. Again, I think we can cooperate in this effort, hopefully, and have a bipartisan effort on this patent reform bill.

□ 1410

I also would raise the issue, Mr. Majority Leader, I want to say that I know that you and Mr. KYL and others

have been participating in the talks with Vice President BIDEN. There have been constructive talks, I understand from your comments and the comments of Mr. VAN HOLLEN and Mr. CLYBURN on our side. We are very hopeful that these talks will prove fruitful and that we can move ahead. We believe it's critical, as you know, and as you have articulated, that we address the default prevention responsibility that we share. Clearly, America wants to pay its bills, the American public expects us to pay our bill, and the international community expects us to pay our bills. You and I have both read quotes from Mr. Bernanke, business leaders like Jamie Diamond, economists and others who have indicated that failure to assure that America does not default on its bills will have very dire consequences both here and around the world.

So I am hopeful, Mr. Leader, that, although you did not announce it, we have very little time left, as you know, before the August 2nd date which Secretary Geithner has indicated is the date on which we will no longer have the cash flow ability to meet our obligations as they become due and to fund the programs that we have authorized and provided for the executive department to carry out.

I would very much be interested in your thoughts with reference to how we ensure that we take action in a timely fashion. I was very pleased to see Speaker BOEHNER's comment about a week and a half ago that he was focused on assuring that we did not default and provide for the payment of our debts prior to the end of this month. As you know, we have 4 days left, or 3½ days left, in this month, and that's next week, because the following week we're off. I would very much be interested in your observations on how you see us going forward on this critically important issue.

I yield to the gentleman from Virginia.

Mr. CANTOR. I thank the gentleman for yielding. I also thank the gentleman for his remarks in couching his observation or characterization of the agenda having been brought forth by our side over the last several months, because we believe strongly that the focus should be on jobs. We differ, I believe, with the gentleman and his side of the aisle that a growth agenda is not necessarily a government program, and so our agenda, our jobs agenda, is focused on trying to eliminate the environment which is full of burdensome regulations, unfair taxes, and new mandates on the real job engines of this country, which are, Mr. Speaker, the small businesses and entrepreneurs of this country.

If the gentleman would look to see what we have been doing over the last several months, he would see that our agenda is very focused on accomplishing that end.

We passed H. Res. 72. It was a resolution directing our committees to take inventory and review existing, pending and proposed regulations and orders from agencies of the government with respect to their impact on jobs. Those reports are due June 30. They will be focused on the kinds of things that we could be doing to remove the impediments that government here in Washington has created for small business growth.

We also brought forth H.R. 872, the Reducing Regulatory Burdens Act, dealing with a duplicative application of regulations on the pesticide industry, and, as the gentleman knows, that bill had a lot of bipartisan support.

We also brought forward H.R. 910, which was the Energy Tax Prevention Act. Mr. Speaker, I think there is probably very little dissent among small businesses in this country that the EPA has stepped entirely beyond its bounds and has provided gross impediments to the growth of manufacturing and small business in this country. That bill was squarely aimed at trying to force the EPA to stop in its conduct of attempting to accomplish what the prior majority tried to do under its cap-and-tax agenda.

Mr. Speaker, I would further say, we brought H.J. Res. 37 to the floor. This was a resolution of disapproval regarding the FCC's regulation of the Internet and broadband industry practices, otherwise called the bill to stop its attempt to control the Internet. The ability for the government to begin to impose its will on the Internet is a job-killer. That bill was also taken up by the majority.

We also, as the gentleman knows, passed H.R. 4, the Small Business Paperwork Mandate Elimination Act. He and his side joined us in the bill, which began to repeal the job-killing nature of the health care bill. It was otherwise known as the 1099 provision, which all small businesses said placed too much paperwork burden on them.

We also have been very focused on what people are most focused on when they begin to think about the summer-time and taking a vacation, which is the gas prices and the prices at the pump, and we have brought forward H.R. 1230, H.R. 1229, and H.R. 1231, all of which were aimed at trying to lower the cost of fuel in this country, to maximize energy production in this country, so not only could families have the ability to do what they need but also that businesses could see lower energy costs.

And all of this, Mr. Speaker, takes place in the context where we've got a government that is borrowing 40 cents of every dollar it spends. We believe strongly that not only do we need to focus first on growth but we've got to finally do what Washington has failed over the decades, which is to get its fiscal act in order, to ensure that we

don't allow spending to get out of control again.

Mr. Speaker, the gentleman asked about the Biden talks. I share his commitment, as he related, that this is an important issue, that no one thinks that America shouldn't pay its bills. But I would also add, Mr. Speaker, that the people who elected us expect us to ensure that the fiscal insanity that has been taking place in this town stop and that we put in place reforms so we can demonstrate that we've changed the system. That's the spirit in which our side has engaged in the talks with the Vice President.

As the gentleman knows, I have been very public in my praise of the Vice President in his conduct of these talks. I am hopeful that we can meet or exceed the expectations right now, which is to say we are aiming to reduce spending by the trillions in order for us to engage in the kind of vote-taking that needs to take place to stave off a default.

But I say to the gentleman, first and foremost, our side will not support any attempt to raise the debt ceiling that is not accompanied by the kind of cuts necessary and reforms necessary, nor will we support an attempt to raise the debt limit that raises people's taxes. That, we don't want to do.

So, again, I am cautiously optimistic that we are moving forward so as to come to some agreement that meets those guidelines.

Mr. HOYER. I thank the gentleman for his comments.

I would respectfully note that so much of what he talked about was resolutions. I think resolutions clearly do state an opinion. Whether or not they have any ultimate effect is to be seen.

I think the American public, in looking at the agenda the gentleman has just gone through, probably says to themselves, Well, we don't see the jobs in that agenda. We do see the agenda in that agenda. We do see the politics in that agenda. In any event, I am pleased, as I said at the outset, that we do have a jobs bill that I think will have an impact coming to the floor this coming week, the patent reform bill, which I think is essential.

As it relates to the precluding of America's defaulting on the obligations it has incurred, I appreciate what the gentleman has to say, but, of course, the rating agencies, three agencies now, which have said we stand at risk of losing our AAA rating, which America has always had, does not distinguish between how we get to where we have a vote of approval on allowing America to pay its bills.

□ 1420

I, too, like the gentleman from Virginia, want to reach an agreement on the reduction of the deficit and the substantial reduction of the debt. The gentleman indicates he wants to cut

spending by trillions. However, as we all know—and I've repeated—the gentleman voted for a rules package the first day of this session which provides for \$4.8 trillion in additional deficit without paying for it. That is the continuation of taxes while not cutting the spending by that amount.

You precluded our continuing to provide for statutory PAYGO applying to revenues as well as expenditures. Both obviously have an impact on the deficit that we incur. We incurred substantial expense during the Bush administration, as you know, some almost \$3.5 trillion of deficit spending, or \$2.5 trillion depending upon where you count some of the expenditures; but in any event, it's a minimum of \$2.5 trillion which we didn't pay for, and we therefore increased the debt by 86 percent in those 8 years of the Bush administration.

Both of us agree that we have to abandon policies of buying things without paying for them and of spending beyond our means. I would hope that we could join together in accomplishing that objective. Literally, we have less than 21 days of legislative time remaining before August 2, whether or not we can reach agreement, and I hope we can reach agreement. Surely, I would hope the gentleman would agree that allowing America to default on its bills is not an acceptable alternative even if we can't get to agreement. We want to get to agreement. I want to work with the gentleman to get to agreement, but allowing America to default on its bills should not be an option.

Mr. CANTOR. I thank the gentleman.

I will just underscore the sense that the gentleman, Mr. Speaker, says that the markets are watching. I believe that is the case. I also believe the markets are looking for us to enact real reforms, real spending reductions. So by just acting to increase the credit limit of this country without following through on our commitment for spending cuts and reform is just checking the box and is reckless.

That's why I say to the gentleman it is important for us to come together, to walk together, to make sure that we are able to execute on a plan to reduce spending once and for all and to reform this system here in Washington so that the markets understand we mean what we say. It's time for us to make the tough decisions now and not to just stall and say we'll do it later. The people of this country have seen that over and again, and they're tired of it.

Mr. HOYER. I thank the gentleman.

Tough decisions, however, are not to pretend there's a free lunch. What we buy, we need to pay for, and if we don't want to pay for it, we shouldn't buy it. Now, frankly, that didn't happen under each one of the budgets that we adopted from 2001 to 2008, the 2009 budget. It didn't happen. We spent far beyond

that which we paid for in those budgets, and that took a \$5.6 trillion surplus projection to an almost 100 percent turnaround and an over \$10 trillion projected deficit.

I'll just say to the gentleman, I agree with you. We need to make the tough decisions. We may need to make the tough decisions on cutting spending. We need to make the tough decisions on paying for what we buy. Hopefully, we will have the courage and the wisdom on both sides of the aisle to do just that.

Mr. CANTOR. I thank the gentleman.

I hope we also have the courage and the wisdom to focus on what it is the people sent us here to do. They sent us here to focus on jobs and the economy. Yes, we take seriously our responsibility to get the fiscal house in order; but if the priority is about jobs, we know jobs don't come from government programs overall; they come from the private sector. Over half the people in this country work for small businesses. The number of small business startups in this country has been anemic of late. We've got to focus on that and ensure that we are responding to what people want. That is, they want more growth in this economy, and they want to get back to work. That should be our goal.

Mr. HOYER. I thank the gentleman for his comments, and I agree with him.

What they need is confidence in the management at the Federal level of the finances of our Nation. They had that confidence in the nineties when we had balanced budgets. They did not have that confidence in the last decade, and our economy shows the result. I certainly share the gentleman's view that, if we can give them that confidence, our economy will grow, and jobs will be created. I'm for working together to accomplish that objective.

I yield back the balance of my time.

RE&EE EXPO AND FORUM

(Mr. BARTLETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, today is the 14th Annual Congressional Renewable Energy and Energy Efficiency Expo and Forum going on until 4:30 p.m. in the Cannon Caucus room. The theme of this year's expo is "Efficiency + Renewables = Economic and National Security." There are 57 exhibitors, including the United States Air Force. They all have displays.

I encourage everyone to go and see the expo before you leave for the day.

In addition to the House and Senate Renewable Energy and Energy Efficiency Caucuses, we partnered in hosting with the Sustainable Energy Coalition and its sister caucuses: the House Sustainable Energy and Environment Coalition, the House Algae

Energy Caucus, the House Hydrogen and Fuel Cell Caucus, the House High Performance Building Caucus, the Green Jobs Caucus, as well as the Congressional Peak Oil Caucus, and the Oil and National Security Caucus.

I want to give special thanks to my colleague from Maryland, Congressman CHRIS VAN HOLLEN, who is the veteran co-chair of the House Renewable Energy and Energy Efficiency Caucus, and Ken Bossong. This event would not have been possible without the efforts of Mr. Bossong and the Sustainable Energy Coalition.

Please go to the Cannon Caucus, and see the great exhibits there—57 exhibitors, including the United States Air Force.

HONORING FALLEN FIREFIGHTER SCOTT DAVIS

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise today with a heavy heart to pay a debt of gratitude to a life of service and sacrifice by one of Indiana's bravest.

Scott Davis of Muncie, Indiana, was a devoted husband, father and a firefighter. A former Yorktown fire chief, he'd been with the Muncie Fire Department since the 15th of June 2005.

Tragically, yesterday, Firefighter Scott Davis was killed while fighting a fire at the Tabernacle of Praise Church in Muncie, Indiana. He would become the first Muncie firefighter to give his life in the line of duty since 1955.

Those who knew Scott Davis were not surprised at the boldness and bravery that he displayed in the Tabernacle of Praise fire, where he fell. He bravely sacrificed his life protecting the community, and in so doing, Scott Davis will forever be remembered as a hero and as a servant leader. In the midst of this great tragedy, I honor Firefighter Scott Davis.

We should also take a moment to remember each and every man and woman who serve and volunteer full time in fire departments around this country. We should always remember and be grateful for those who run in when others run out.

Today, we remember Scott Davis, a devoted husband to his wife, Raeanne, and a loving father of three—Jake, Emma and Max. From my family to yours, we offer our deepest condolences and those of the people of Muncie-Delaware County in the Sixth Congressional District of Indiana. The service and sacrifice of Scott Davis will never be forgotten.

□ 1430

CONGRATULATING TEXAS A&M UNIVERSITY MEN'S AND WOMEN'S TRACK TEAMS ON THEIR THIRD NATIONAL CHAMPIONSHIP

(Mr. FLORES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLORES. Mr. Speaker, I rise today with another remarkable opportunity to recognize Texas A&M University.

This past Saturday, an unprecedented third straight national championship was won in track by both the men's and women's teams. The Aggie men and women track teams both ran the 1600-meter relays to give them their third consecutive national titles at Drake Stadium in Des Moines, Iowa. This makes the Aggie track program the first in collegiate history to win both men's and women's team titles in three consecutive outdoor seasons.

The amazing talent, depth, and teamwork displayed by these athletes helped the team overcome obstacles and a shaky start to finish strong with a phenomenal win.

I commend Coach Pat Henry for his outstanding leadership in guiding the Aggies to victory, and for becoming the only coach to accomplish a triple double of NCAA championships.

I also recognize Athletic Director Byrne for his second and third NCAA national championships at Texas A&M this year.

I am honored both as an alumnus and as a Member of Congress to represent such an accomplished and well-deserving university.

Congratulations and thank you to the hardworking men and women of the Aggie track teams, to Coach Henry, and to the loyal fans of Texas A&M University for making history.

Gig 'em, and great job.

THE PRESIDENT'S FAILED ECONOMIC POLICIES

The SPEAKER pro tempore (Mr. GRIFFIN of Arkansas). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. FLORES) is recognized for 60 minutes as the designee of the majority leader.

Mr. FLORES. Mr. Speaker, most Americans remember 1 year ago tomorrow President Obama and Vice President BIDEN launched what the White House enthusiastically called the "recovery summer." This was supposed to be a 6-week-long push to highlight what the Obama administration said would be jobs created last summer by a surge in Federal stimulus spending across the country.

Senior Adviser to the President David Axelrod said, "This summer will be the most active Recovery Act season yet, with thousands of highly visi-

ble road, bridge, water, and other infrastructure projects breaking ground across the country, giving the American people a firsthand look at the Recovery Act in their own backyards and making it crystal clear what the cost would have been of doing nothing."

Yet, the only thing that is crystal clear to the majority of Americans is that there is nothing to show from the Democrats' failed economic policies that have set our country on a road to ruin.

Since President Obama has taken office he has done absolutely nothing to promote American energy production. He has done nothing to reduce the regulatory burdens on small business owners. He has done nothing to fix the Tax Code to help job creators. He has done nothing to increase competitiveness for American manufacturers. And he has done nothing to pay down America's unsustainable debt burden and bring back confidence among investors and entrepreneurs by supporting long-term American economic growth.

And now, President Obama is selling the sequel to last year's "recovery summer" sales pitch and kicking off this summer by trying to convince the American people that 28 consecutive months of unemployment above 8 percent is just a bump in the road to recovery. In addition, a number of Democrats are calling for billions more in taxpayer dollars to be spent on yet another wasteful stimulus to create jobs, but Americans aren't buying it.

Unemployment is nowhere near the 6.8 percent level at which the administration claimed it would be today if the stimulus was signed into law. When America's promise, prosperity, and security for future generations are at stake, this cannot be brushed off as just a bump in the road. It is a mountain of constraint put in place by a litany of failed Democrat policies and unfulfilled promises.

And what's worse is that President Obama recently laughed off the fact that his stimulus projects, which are costing taxpayers trillions of dollars, have failed to live up to their promise to create new jobs. Democrats promised this would be the summer of recovery, but their conflicting assessment of the economy and their double-talk has left American families wondering: Is this a joke?

Well, most economists and the American people are not laughing. Their concern is growing, and confidence in President Obama's economic policies is plunging more and more every day, and the idea of another stimulus bill is dead on arrival in the House.

In the face of the greatest economic crisis since the Great Depression, this administration and the Democrats in Congress are choosing to play politics with economic recovery and continue with another round of empty rhetoric and unfulfilled promises in their desperate sales pitch again this summer.

House Republicans are serious about creating real American jobs, and we're making it our mission to put Americans back to work. We know that what we need are commonsense policies that will create jobs in this country immediately. We cannot let this administration have another frivolous shot at the wasteful spending of taxpayer's hard-earned dollars, or be given more regulatory power or allowed to spin its way out of the catastrophic economy the Democrats have created with empty phrases like "recovery summer."

House Republicans have produced a pro-growth, pro-job creation budget, as well as a real plan for America's job creators. Both plans will put the Nation on a fiscally sustainable path to restore confidence, lower tax rates, and allow America to remain competitive in the global economy. We want to take the burden of regulation off of our job creators and produce more American energy so that Americans can start receiving the paychecks that they need and deserve. And we want to reduce the hostility of the Federal Government's regulators toward American business, both small and large.

We cannot allow this out-of-touch administration to continue with their failed experiments and silly punchlines. We cannot allow Washington Democrats to tax and spend away the futures of our children and our grandchildren. We cannot continue down the road to ruin, Mr. Speaker.

Coming from the private sector to Congress, I know that America can and will become prosperous beyond imagination and millions of new private sector jobs will be created if we would just get back to our founding free market principles and end big government and wasteful spending. It is time we take a different road this summer, Mr. Speaker. We cannot continue on the misguided and irresponsible path endorsed by the other side of the aisle of higher taxes, reckless spending, bigger government, explosive debt, crippling regulation, higher deficits, and unacceptably high unemployment.

Eighty-one percent of Americans know somebody without a job. As a matter of fact, if you'd look at the unemployment rate that includes underemployed and unemployed, almost one out of every five Americans is unemployed or underemployed today. Under President Obama's watch, almost 40,000 jobs have been lost every 2 weeks. President Obama's so-called stimulus was signed into law 28 months ago, and there are nearly 2 million fewer Americans with jobs today. They have had their chance to make things right last summer, and it has not worked. Now it is our turn.

These are undoubtedly tough times, and I want to continue the great American legacy of leaving our children better off than we ourselves are. It pains me to know that only 17 percent of the

mothers in this country believe that their children will be better off in the future. It doesn't have to be this way. There has not been a more important time in our Nation's history to realign our principles and policies in light of current economic reality.

As the son of a hardworking rancher in the Texas Panhandle, I always reflect back to those tough decisions and sacrifices that my family made around the kitchen table. We had no choice but to live within our means. Every day I remember these life lessons whether I'm balancing my family budget, or making important decisions for my constituents. I must represent the best in terms of taking care of our country's fiscal health.

We must make tough decisions on spending, on tax reform, and on reducing our Nation's debt, and we must remain committed to spurring economic growth and job creation. We must do this, most importantly, because we owe it to our children and our grandchildren so that they're afforded the same American promise and prosperity and security that we were when we were born.

Mr. Speaker, about 3 months ago, my wife and I had our first granddaughter. We want that girl when she grows up to have the same opportunities to live the American dream that we had when we were born.

Mr. Speaker, before I close, I'd like to ask our American people to remember our country in their prayers during these difficult times and also to remember to pray for our military men and women who protect it daily.

I yield back the balance of my time.

□ 1440

ROBO-ABORTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the House of Representatives to address you about the issues that are important, I think, to you and to all of us who serve in this United States Congress. As we know, the American public watches the work that we do here, and sometimes we need to send a message along on how we would like to hear that work interpreted.

Today I will take up two or perhaps three subjects. One of them is a piece of legislation that is an amendment that I offered on the Agriculture appropriations bill that did pass the House of Representatives today and became part of the bill, as final passage. That amendment was an amendment that had language in it that prohibited any of the funds in the bill from being used to support the telemed components of

this, which are used to distribute RU-486, or the legal drug name for RU-486, which we know, Mr. Speaker, is an abortion pill.

It has become a practice in Iowa where Planned Parenthood is using Iowa as an experimental State to do what I call Skype robo-abortions. Under the Food and Drug Administration regulations under RU-486, they are required to have a physician present who can conduct a number of emergency procedures, if necessary, to examine the patient.

And Planned Parenthood has circumvented this. They've clearly violated the intent of the regulation. I believe they literally violate the regulation of the FDA on RU-486, the abortion pill, and have set up and have been practicing what I call Skype robo-abortions.

In other words, a young woman who is pregnant would go to a Planned Parenthood center in Iowa, sit down in a room where there is a computer screen monitor in front of her on a desk that has a drawer in it, usually. And there are a number of different practices. A physician who might be 1,000 miles away is on the other end of the computer Internet connection, and this physician would then ask questions of this soon-to-be mother. And once she answers the questions to his satisfaction, or her satisfaction, the physician's satisfaction, there is a button pushed, a little drawer opens up, and the abortion pill rolls out and is there for the individual to take the pill, where she's advised to go home now, and your body will go through some significant changes and will expel this little baby. This is Skype robo-abortions.

Under the grant program that is facilitated by funding within this Ag appropriations bill, there have been already some grants that have been offered and presented to Planned Parenthood that have been administered by Health and Human Services, Kathleen Sebelius' agency.

I know this, Mr. Speaker, because I headed up a letter that was signed by 70 Members of Congress, asking for the documentation and a form from Health and Human Services: Are you providing grants to abortion providers? to Planned Parenthood specifically? That answer was "yes." And are these grants for telemedicine? That's the category that's in the bill, an Ag appropriations bill that just passed this House. There is \$15 million for telemedicine.

Telemedicine is supposed to help so we can do diagnosis or can remotely diagnose, not so that we can do remote Skype robo-abortions. So the amendment that passed here clearly says, You can't use any of the funds for telemedicine that would be used to distribute or used to facilitate the RU-486 abortion drug. And there's a little more precise language than that. Mr.

Speaker, I want to make it clear that I put the precise language into the RECORD last night during the debate on that amendment, the precise language, which is the congressional intent for this amendment. There is no misunderstanding, however, Mr. Speaker, since Planned Parenthood also scored this vote and also interpreted it in the way that I have just stated.

So I just simply clarify this into the RECORD that these funds, under this appropriations bill, will not go to telemedicine grants that could be used for the purposes of facilitating the Skype robo-abortions that I've described. And I am grateful to the House of Representatives for a significant majority to pass that amendment. I am grateful for the strong pro-life majority that this Congress now has, the position that this Congress has taken a number of times, that it is, a lot of us believe, immoral.

Some others won't take that position. They say, It is unjust to compel taxpayers to fund abortions or to fund the facilitation of abortions through their tax dollars. In a way, it's the majority in this Congress now, the pro-life majority in this Congress, that has given the American taxpayer the voice of conscientious objection to the federally funded facilitation of abortions.

I am grateful that this Congress now has this majority. I am grateful that they've put this vote up again today, and there have been multiple votes in this new Congress that express the very sentiment that I have just expressed. So I am expressing, Mr. Speaker, my gratitude to the House of Representatives. And my commitment continues forward down this theme until we can one day see an end to the ghastly and ghoulish and gruesome procedures that sometimes are described as "women's health services." They are not, and they are not good for women's health either, Mr. Speaker.

PIGFORD FARMS

So then I would transition into the second amendment that I offered. Last night, the vote was rolled on until within the last couple of hours here in the House of Representatives. That was the amendment that addressed the Pigford Farms issue. Now, this issue is about the class action lawsuit that was filed by a gentleman by the name of Timothy Pigford in the aftermath of an announcement that was made by then-Secretary of Agriculture Dan Glickman in 1995.

The Secretary of Agriculture in '95 admitted that the USDA had been discriminating against black farmers. That opened the door for a class action lawsuit. The class action lawsuit has been known as the Pigford suit because it was Timothy Pigford that filed the suit, and his claim was that he was discriminated against. I believe that he has been, at this point, compensated, but I don't have a way to prove that be-

cause the records for Pigford are sealed. Congress at this point can't get at the records for the settlements in the largest class action lawsuit in the history of the United States of America.

But here are the numbers, Mr. Speaker. The numbers work out to be this: In 1995, in anticipation of negotiations with a consent decree on the black farmers' discrimination case against the Department of Agriculture, they anticipated 3,000 would be the sum total universe of the black farmers who had been discriminated against who might file under the Pigford class action lawsuit, 3,000. That's out of a universe of 18,000 black farmers.

Now, whenever you are going to look at the potential for how many applicants there will be, you first look at the total universe to determine then what the percentage you think would be filing claims of that total universe and would actually have a claim.

□ 1450

The 3,000 was surely calculated as, I think, one-sixth of the overall total universe of 18,000 black farmers. They must have thought then, with an informed judgment, that one out of six black farmers had been discriminated against and would file. Well, it didn't turn out to be one out of six black farmers. It turned out to be about 1½ out of every black farmer that filed under Pigford I, not quite 1½. But there ended up being 22,000 and some odd claims with black farmers. So out of that came 15,000 and some settlements of, we believe, \$50,000 at a minimum. And that, Mr. Speaker, was a number of claims that was greater than the number of actual black farmers.

Now, I don't have a problem with carrying this debate when I look at the universe of 18,000 and I see that 22,000 and some filed a claim. Surely some of those that filed a claim were not farmers, and surely some of those who filed a claim had not been discriminated against. It took both of those standards in order to pay out, presumably.

In any case, Pigford I was resolved. \$1.05 billion was paid out under the Pigford claim of discrimination against black farmers. \$1.05 billion with a "b."

I found out about this when a USDA employee who had been deployed to Washington, DC, in the very late nineties or maybe early 2000 came back home and was sick to his stomach that he had had to distribute these millions of dollars to people that he believed, 75 percent of them, at a minimum, had filed a fraudulent claim. He brought back the copies of those applications and presented them to me and said, please do something. This is an unjust payout of people that allege their victimhood of discrimination who were not farmers, never wanted to farm, didn't know where the Farm Service

Administration was, the USDA office was. But yet they had been recruited to file the claim, and at least 75 percent fraudulent.

So I took all those applications, and I tell you, Mr. Speaker, I was blurred by it. I couldn't quite absorb all the implications by just reading the application and hearing the description of the individual that brought this back. He's not the only one. There are a number of others who willingly have come forward now and are willing to testify, and some of whom, especially in other States, that were directors of the Farm Service Administration who participated in the administration payout of the first \$1.05 billion. But since that time, Pigford I was closed. It was then extended again for any late filers to get in, and then closed again. That's where we ended up with the 22,000 and change.

After that, Mr. Speaker, there was an effort that was brought forward here in Congress by Artur Davis of Alabama in one initiative, BOBBY SCOTT of Virginia in another initiative to open this up under Pigford II. There was also an initiative in the United States Senate.

One of the people that introduced standalone legislation to open up Pigford II was Barack Obama himself as a United States Senator in the year 2007. The bill that he introduced was S. 1989. That legislation didn't go anywhere. It didn't have a single cosponsor, by my recollection, but it put the marker down.

There was a very, I'll say, urban senator from Chicago who was engaged in opening up a second round of Pigford when, in Illinois, the State that he represented—and truly he represented all of Illinois as a United States Senator—there were only 78 black farmers in the whole State. But the payout was 100 to 153 people. That's just a little snapshot measure of Illinois itself, without breaking this down county by county. Surely, I mean, it is certain that there were more claims paid out in Pigford than there were black farmers in Illinois. And probably, I'll say that's not necessarily true in every single case in every single county, but we know that's the case for Illinois.

At any rate, it became a political tool, in my view. And as they tried to open up Pigford II in the House, it didn't pass the House. When it did finally pass the House, it didn't pass the Senate. Finally in the Senate, during the lame duck session late last fall—actually, November 22—there was an action that put the Pigford issue in together with the Cobell issue and the other Native American claims on a bill called the Claims Act. The Claims Act included TANF funding, the Temporary Assistance to Needy Family supplemental, that went in with the Claims Act.

With all of this that was out there, the Pigford case didn't fit, but my back

channel information tells me that the President ordered that Pigford be attached to the Cobell and Claims Act, which they did in the Senate. And because it rode along on a piece of must-pass legislation, it passed out of the Senate, was messaged over to the House in November of last year, and passed after the election so that the discredited Congress, the lame duck Congress, voted to now appropriate another \$1.5 billion into Pigford II.

That, Mr. Speaker, goes on top of the farm bill, which was a 2008 farm bill. Sometimes I do better thinking about this chronologically. But in 2007, when we discussed and debated the farm bill here in the House, the chairman of the Ag Committee at the time, COLLIN PETERSON of Minnesota, provided for and supported language in the farm bill that carved out a \$100 million authorization for a second round of Pigford. When I objected and I said, Mr. Chairman, that will open the door for \$1.3 billion in additional money to go into that fraudulent Pigford claim, his answer was, No, it's \$100 million. That's the end of it. That's the limit. That caps it, and that settles all outstanding claims. You don't understand. This is the end of it, and it makes sure that it's done and it doesn't open up the door beyond \$100 million. We had a disagreement—some would call it an argument—about whether that opened this up to \$1.3 billion, which is what I said—that was my assertion, Mr. Speaker—or whether the then-chairman of the Ag Committee was right in that the \$100 million was the cap.

Well, in any case, we know now who was right, because there is \$1.25 billion in the pipeline for a second Pigford claim. \$100 million of it was in the farm bill, and \$1.15 billion of it was stuck into the Claims Act. And how did that number get arrived at? According to the Secretary of Agriculture, Tom Vilsack, he told me that I voted for the farm bill and directed him to go negotiate with the black farmers as a means of trying to put an end to this so that it limited the potential liability of the Federal Government.

No. When you go back and actually look at what happened, I voted "no" on the farm bill coming out of this House because, in part, it had the Pigford \$100 million in it; and the language that's there says this is the end, that this is to resolve all outstanding unresolved claims over Pigford, \$100 million.

As the chairman of the Ag Committee, COLLIN PETERSON asserted that's the language that's in the bill. But the Secretary of Agriculture, Tom Vilsack, and the Attorney General, Eric Holder, took that and somehow interpreted the plain language of the bill to direct them to go open up a second Pigford claim, which now turned into an additional \$1.15 billion on top of the \$100 million that was in the 2008 farm bill.

Where we started out with 3,000 potential claimants—excuse me—3,000 projected claimants to Pigford I, which would be the total sum of the claims out of a universe of 18,000 black farmers, now we have 94,000 claims, Mr. Speaker, 94,000 claims that have risen to the bait of 1.25 billion additional dollars. I'd point out, Mr. Speaker, that if you just round that to the nearest tenth of a billion dollars, I was spot on in my prediction that it would be a \$1.3 billion door that was opened by the \$100 million in the farm bill.

It has come to pass, just as I have said. It has been slipped in, forced in, pushed in, partly by the President of the United States, I believe at his directive. Certainly, he was delighted to sign it.

□ 1500

According to the Secretary of Agriculture, he believes he was directed by the farm bill to go and negotiate with the black farmers and open this up and ask for an additional \$1.15 billion. The language limits; it doesn't empower. But he claims also the authority to negotiate in any case and that the Attorney General has the authority to negotiate in any case.

So here we are. When I asked the Secretary of Agriculture, who has been disciplined for perpetrating a total of \$2.3 billion of discrimination against 94,000 people who claim to be black farmers, "who are they? who's been fired? who's had charges brought against them?" the answer, after a few questions, is "no one."

Think of this, Mr. Speaker: \$2.3 billion worth of discrimination allegedly brought against black farmers—agreed to, apparently, by the Secretary of Agriculture and the Attorney General. They're looking for justice, and they can't find a single perpetrator of discrimination, and they're the ones that hired them. The checks go out today to employees of the USDA under the guidance of Secretary Vilsack. In not one of them can he uncover as a discriminator or perpetrator as even a part of the \$2.3 billion that they allege was discrimination that took place, not one perpetrator on his payroll, even though every perpetrator had to be on his payroll or the payroll of his predecessors.

They can find 94,000 victims where only the universe of 18,000 exists, but he can't find a single individual that perpetrated discrimination. And we are to believe in the United States Congress that somehow this is just an example of where government went wrong and discriminated, and we're trying to right a wrong with a checkbook that comes from money borrowed from the Chinese and goes to people that could not have been farmers in the first place and could not, all of them, been discriminated against.

I can go further in that we have a whole list of discrimination claims

that come from a county where the supervisors in the USDA office were all black. It's kind of hard for me to get my mind around how it can be racial discrimination of people by the same race against people of the same race. That's a little hard to define. When the Irish go at each other, they don't call it racial discrimination—just to put that in a metaphorical position so that people understand it clearly, Mr. Speaker.

I am very concerned that too many Members of this Congress understand how much fraud exists in Pigford, and they just don't want to put up the vote; they just don't want to put up the words to correct this and call it what it is. I'll say that the fear of being accused of not having the will to face a difficult subject matter is superceded by the fear of being called a racist, so they walk away from it.

I believe this: We must have equal justice under the law. We cannot continue to be a great country unless we continue to have equal justice under the law. That means that you deal with people without regard to their race, their ethnicity, or their national origin—or their gender, by the way, or their disability or their age. All of those things are immutable characteristics. Well, almost all of them are immutable characteristics. But it's defined clearly in title VII of the Civil Rights Act, Mr. Speaker, and broadened in some of the civil rights sections that take place within our States, which I abide by and live by.

But we cannot, Mr. Speaker, be a great Nation if we're always going to shrink away from difficult subjects, if we are going to pay out borrowed taxpayer money. We're borrowing 42 cents on every dollar. Some of that money is borrowed from the Chinese; some of it's borrowed from the Saudi Arabians. And we would take that money and borrow it and hand it to people and say please don't raise a fuss. I know that you are a minority; therefore, you must have been victimized at some place along the line.

This is being sold and marketed in the South in a number of different ways—fish fries in the South, sometimes in black churches in the South. And they say to the people that attend those kinds of gatherings things such as this: You know, you don't have to be a farmer. If your granddaddy was a farmer, you're a farmer. If you're the grandson of a farmer, you were discriminated against because surely somebody discriminated against your grandfather, and surely he would have been a rich farmer had they not done that, and surely you would have inherited the farm or some of the money that he made from that, so you've been discriminated against. If your granddaddy was a farmer, you're a farmer. You file. It's natural that you were discriminated against.

The regulations and the standards on this and the proof is so low that all an applicant has to do is allege that there was discrimination and then find someone who is not a close family member who will attest that they complained about being discriminated against.

So Joe and George can get together and say, let's go file mutual applications and allege that we wanted to be farmers, we were discriminated against, and we complained. An automatic \$50,000 check goes to them out of the borrowed money of American taxpayers, along with a \$12,500 check that goes to the IRS to pay the tax liability. And they had the temerity, some of them, to complain that they weren't also getting their estate tax waived. So the money that would be settled goes into the estate if someone dies, obviously, and they didn't want to have to pay an estate tax on their inheritance. Now we can have a \$1 million exemption, a \$3 million or \$5 million exemption. They still don't want to have to pay the tax beyond the exemption. That is not just temerity; that's audacity.

And another component of this, Mr. Speaker, is this part: that the largest civil rights class action lawsuit settlement in the history of the United States is Pigford. The single individual who has received the greatest settlement from that is Shirley Sherrod—Shirley Sherrod, the former USDA employee whom the Secretary of Agriculture, Tom Vilsack, hired 3 days after she received news that she was going to receive \$13 million in her claim against Pigford. That was on July 22. He hired her on July 25.

Later on, when a speech that she gave before the NAACP came to light, then the Secretary fired her like that. I don't believe that that was an act that was his decision alone. I find the Secretary to be a wise, smart and a careful, well-prepared man—however often I disagree with him. I believe that order came from the White House. And he tried to hire her back. It didn't work until some weeks ago. Now she's back on the payroll, having filed a lawsuit against who? The guy who published the truth, Andrew Breitbart.

These are all things that this Congress needs to get to the bottom of, Mr. Speaker. This Congress needs to, if we have to, subpoena the records, go through the 94,000 applications, sort them, chart them, evaluate them, bring people under oath, gather testimony, do a complete investigation of what I believe is a fraud that's been perpetrated against the American taxpayer and done so within several different administrations. Some I believe was motivated for less than stellar reasons.

I think whenever someone has been discriminated against in these cases, we need to make them whole if we can. I support that. I think we did that for

almost all of them in Pigford I. I think we made a bunch of people whole that did not have it coming, and then, by a legislative shenanigan and action of the White House, opened up a Pigford II that put the taxpayer on the hook for an additional \$1.15 billion.

Now that sum is up to \$2.3 billion, Mr. Speaker—\$2.3 billion, 94,000 claims where there was 18,000 black farmers and an expectation of only 3,000 claims altogether, not a single identified perpetrator of discrimination, and Congress can't look at the records. Congress can't get a straight answer. A Freedom of Information Act request is denied by the USDA because it's sensitive? Sensitive? But the USDA releases as public all of the information that goes in farm subsidies. That's out there. And people go on the Web site and complain about the farm subsidies that are there. Why, if you're a farmer, should the subsidies that come to your operation be public knowledge, but if you are one who has alleged you've been discriminated against, your records are secret even from the United States Congress?

□ 1510

That is all wrong, Mr. Speaker. We know that. The conscience of this Congress has spoken today; 152 of us have spoken up, and I think the foundation for legitimate hearings has been heard.

TRIBUTE TO CHIEF WARRANT OFFICER BRADLEY GAUDET AND REMARKS ON AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, on Sunday, June 5, the State of Texas and our Nation lost a true hero. Chief Warrant Officer Brad Gaudet was killed in Afghanistan after his helicopter crashed near Kabul.

Brad was the best and brightest of what the First Congressional District of Texas has to offer. Raised in Lufkin, Texas, and a graduate of Stephen F. Austin University, he was truly a son of East Texas.

General MacArthur once said, "Duty, Honor, Country: Those three hallowed words reverently dictate what you ought to be, what you can be, what you will be. They are your rallying points: To build courage when courage seems to fail; to regain faith when there seems to be little cause for faith; to create hope when hope becomes forlorn." For Brad, these three ideas were not just to strive for. He understood them, he embodied them, he lived them.

Brad, just 31 years old, was a husband, a father, a son, and a brother. Outgoing and aggressive, Brad truly personified the Army's old slogan, "Be

All You Can Be." The summer before his senior year in high school, Brad joined the Reserves and went to boot camp. His family joked that he was never more prepared for the upcoming high school football season than he was that year.

Upon graduating from Stephen F. Austin University in Nacogdoches, Texas, Brad enlisted in the Army and was sent to Fort Rucker in Alabama. There he pursued his dream of flying and graduating from flight school. The next stage of his military service brought him to Fort Drum in New York, where he met the love of his life, Ginny.

During his second deployment, Brad achieved Pilot in Command rank, a highly-skilled specialty officer which is very difficult to achieve for those who are not commissioned officers. This speaks to his hard work, his outstanding training, his performances, the respect his superiors had for him.

A true family man, last month Brad rushed home from his third deployment in Afghanistan just in time to help with the delivery of his newly born daughter, Addyson. His family will always remember his great sense of humor, his infectious smile, his kind heart, and his desire to brighten anyone's day.

Today I want to extend my prayers and condolences to Brad's wife, Ginny; his two young daughters, Tealie and Addyson; his parents, his relatives and his friends. Their American warrior is home. He has met his maker, his master. His duty is done and he is at peace.

George Orwell said, "We sleep safely in our beds because rough men stand ready in the night to visit violence on those who would do us harm."

A grateful Nation is so very proud of this son of East Texas. We grieve the loss of our warrior brother. We honor Brad for his courage, his sacrifice and his selfless commitment to duty, honor and country. He gave his all in service for the sake of safety, freedom and liberty.

May God bless the sacrifices and the last full measure of devotion that Brad Gaudet paid, and may he bless us all because he was such a patriot.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask occupants in the gallery to please refrain from applause.

Mr. GOHMERT. I would like to address myself for a moment to Afghanistan. That is where Brad Gaudet and so many Americans have fought and have died. It was the place where the Taliban flourished. They trained terrorists; they prepared for the chance to come kill thousands of Americans in New York City; they came up with plans to kill Americans in other places in the United States, so it was important that we go take out the home bases of the Taliban.

For those that know the history of our fighting in Afghanistan, they know

that what we initially did was send in advisers and trainers and people to help the Afghans to fight and take out the Taliban, and in fact a group that proved most helpful was the Northern Alliance. Some say it was run by warlords, but these tribal regions with their leaders accepted munitions, accepted training, accepted what it took to bring war upon the Taliban, and they whipped the Taliban, at least until later when the Taliban resurged.

But after the Northern Alliance defeated the Taliban, we did something that I was not aware of, until some of the warlords or Northern Alliance leaders wanted to sit down with somebody from our government and our State Department they said had refused to meet with them.

These were the leaders of groups who risked their lives. Many in the group lost their lives fighting the Taliban, and whipped them. And when my friend DANA ROHRABACHER said, Hey, these folks want to meet with somebody from the U.S. Government, the State Department won't meet with them, will you go with me, I said sure.

Initially we were going to try to meet near northern Afghanistan, but when the Uzbeks found out, as I understand it, they didn't want to give visas to these people. We thought maybe we would meet in India, and they didn't want to give them visas. So at the last minute we arranged to meet in Berlin. Five of the nine did meet.

Something that many Americans don't realize, the Taliban in preparing for 9/11 knew that there was a man who was charismatic, who was a powerful leader, who had the chance to bring together Afghanistan as a nation, the Afghans as a people. Even though it is so very tribal, one person had the chance to really pull it all together, and on either September 9 or September 10 of 2001, he was boldly assassinated so that when a day later 9/11 occurred there would be nobody that the U.S. could really turn to as one individual to rally Afghans against the Taliban.

□ 1520

They took him out before they committed their act of atrocity against Americans. They knew what they were doing. They planned well. But our American soldiers know what they're doing. And when we sent special forces and intelligence folks to help, they were able to whip the Taliban. And I didn't realize until we met with these Northern Alliance leaders that after they initially whipped the Taliban, we demanded that they disarm. According to them, they were told, Look, we're the United States of America. You have nothing to fear. We're here. We'll make sure that you're not harmed. You fought for us. You whipped the Taliban. It was our mutual enemy. And so turn in all of your weapons.

I said, You turned in everything? They said, Well, we've got some small

arms. We can't fight the Taliban with the little bit we've got left. We gave all of that back—plus some of our own. And the Taliban has re-surfaced. The war has gone on much longer than it should have. There were reports of corruption. The poppy production has surged much more than anything else there in Afghanistan. And what they had heard was that our government was negotiating directly with Karzai, the leader of Afghanistan, and with Pakistan. And what they had been hearing was that our government was negotiating indirectly with the Taliban itself. They want to destroy America. And the word that they had gotten was basically that the United States just wanted out, and if they would let us get out without a major incident, between the Taliban, Karzai, Pakistan, they could just divide things up however they wanted.

I want our troops, I want our people, I want our resources out of Afghanistan. But we've got to make sure that people like Brad Gaudet and so many others that have given their lives haven't done it for nothing. But it seems that that initial success may have given us a good roadmap to how you succeed in Afghanistan. Equip the people that are our friends, who have the same enemies as we have, and let them do the fighting. Things went well when that's the way it went. We provided trainers, advisers, gave them some intelligence, and they whipped the bad guys for us. What would be wrong with getting back to that point instead of what the rumors are that this administration is prepared to do—let the Taliban take back up where they left off once we leave.

If the Taliban gets a foothold again, as they want to do, if al Qaeda gets a foothold and if radical Islam gets a strong foothold in Afghanistan again, does anybody really think they won't come after us again? They have pledged that we're a great Satan, that we must be eliminated. The most free country in the world, the greatest country in the history of mankind, and these people want it destroyed because it didn't fit into their narrow scope of having a global caliphate where one religious leader dictates to everybody. We kind of like our freedom, where those of us who are Christians are free to worship and those who wish to worship any other way are free to do so. That's America. But it's not time to just cut our losses and leave.

It's time to act smartly. I am very much afraid this administration will continue to reward our enemies and to turn against our allies and friends. You can't keep maintaining foreign affairs and any credibility in the world when you turn against your friends, thinking that your enemies are going to like you better because you showed you would turn on your own friends. Your enemies don't like you any better when you turn against your friends. In fact,

what happens is they not only don't like you, they no longer respect you. Because some in the world, they don't like us—they hate us—and they think we ought to be destroyed, but they respect our power. And once they see that a Nation will turn against its friends and hurt its own friends and allies, they know this country should not even be respected. As I've said many times, we don't have to keep paying people to hate us. They'll do it for free. It's time to quit paying our enemies to continue to nurture hatred against us. It's time to be a true friend to our allies.

We heard one of the greatest speeches I've heard in my 6½ years in Congress from that podium right there, and it didn't come from any State of the Union. It came from the leader of Israel. We heard from Palestinians. They thought the speech was a declaration of war. It means they didn't listen to the speech because, as Prime Minister Netanyahu made clear, as soon as the Palestinians are willing to tell their people there will be a Jewish State of Israel, peace can be worked out very quickly after that. But no one wants to say that on the Palestinian side. So, as Patrick Henry said, men cry, "Peace, peace," but there is no peace, and there will be no peace in the Middle East.

Here, we think that gee—at least this administration—we heard our friends, our enemies will love us. They've been trying that since the Clinton administration when the Clinton administration classified an anti-Khomeini and Ahmadinejad, as of now, group called the MEK, their initials. They're an antitotalitarian regime group, and they're over 3,000 residents of Camp Ashraf in Iraq. We as a Nation gave them our sovereign promise we'll make sure you're safe and secure. When we turned things over to the elected government of Iraq, we were assured by that government that they would take care of that promise and they would keep the residents at Camp Ashraf safe. Yet nearly a week ago, when a group of six of us met with the Prime Minister of Iraq there in Baghdad and tried to discuss the issue of the Iraqi military going to Camp Ashraf and killing perhaps 35 residents of Camp Ashraf, wounding perhaps a hundred or more from reports from a video DANA ROHRABACHER had seen—I had not—he said it's very clear these were unarmed civilians killed by the Iraqi military. That's not the promise we made to those people in Camp Ashraf. It's not the promise that the Iraqi leaders, including Maliki, made to those Iranians in Camp Ashraf. Yet the Iraqi military killed civilians in Camp Ashraf.

As I tried to explain to Prime Minister Maliki, when he said for us to be concerned and to try to do something about the killings would be a violation of their national sovereignty, I tried to

explain that actually it does involve sovereignty, but the U.S. sovereignty was involved in promising their safety at Camp Ashraf, and his sovereignty was involved when they promised the safety of those residents at Camp Ashraf.

□ 1530

So we have a vested interest with all of the American lives and treasure that were laid down and invested in Iraq. We have a very strong vested interest in seeing that justice is done and in seeing that people who made promises to us keep those promises, because if we don't see to that, then how can we expect anyone to trust us? How can we expect anyone to truly negotiate fairly with us, expecting we'll keep our word?

Sometimes you make bad deals, but if you're going to keep your word and if you're going to be known for being a country and a people of honor and a people of their word, you've got to keep your word. As a former judge and chief justice, some things I've seen have been unjust, but when we can do something about it to help us keep our word to those who've trusted us, we've got to do it. We can't look back.

So we were a bit surprised when our group of six Members of Congress—four Republicans and two Democrats—flew up to Erbil and met with folks up there. It's always good to see troops around, American troops. They're the best I've ever seen. The 4 years I spent in the Army, starting in the late 1970s, left me concerned that, if we were attacked back in those days, we were in a lot of trouble. But the military I see and I meet and I visit with—those from my district and from all over the country—so impress me and so impress those around them. We have an incredible military, these days, of our service men and women.

When we left Erbil in northern Iraq and were flying out, we got word that our Embassy had been contacted by Prime Minister Maliki, and was told that our group was not welcome in Iraq any longer. I have attended far too many funerals of people from Texas and other funerals of Americans who laid down their lives and, in doing so, provided people like Prime Minister Maliki the chance to come back from exile, to be elected in that country and to be a leader, that I don't think it's too much to ask for a little gratitude. We're not asking for anything in return.

I know there was some discussion—it wasn't from me—about, Gee, maybe you could help us, instead of doing deals with China for your oil after we secured your country and got rid of the tyrant Saddam Hussein. Maybe you could deal with us. I'm not asking for those things. I'm just asking for a little gratitude for the lives and the treasure that were expended to give people in Iraq the freedoms they have today.

I expect people who have become leaders in Iraq to keep their word to us, because if they can't be trusted, if they won't keep their word, well, they can lock me out of their country all they want to, but we have the power of the purse.

I didn't join in the lawsuit against the administration over the War Powers. I think they're well-intended dear friends who are involved in that suit this week. I didn't engage in that as a party for one reason, which is that this body has the power constitutionally of the purse. We don't need a War Powers Act. We don't need any interpretation by the Supreme Court of whether the War Powers is effective or whether the War Powers is not, because we have the ultimate weapon in this body called the power of the purse.

If the President wants to send our American treasure and our American military, which composes 65 percent of NATO's military, what a joke to say, Hey, we're turning it over to NATO. We won't be involved anymore. We're 65 percent of NATO's military. If we're going to have a President who sends people over there, not because Congress thought it was a good idea and not because a majority of the American people did but because the Arab League asked us to and because some in the U.N. thought it was a good idea, then Congress has the ultimate power, and we don't need the War Powers to do it. We don't need the Supreme Court's okay. All we need to do is shut down every dime being spent in Libya until such time as we can be sure that whoever takes over Libya will not be worse for the United States than the crazy murderer who is there now. We need to be sure of that.

I know the President made the mistake one day of saying he had visited all 57 States. I'm well aware that there are not 57 States in this country, although there are 57 members of OIC, the Islamic states in the world. Perhaps there was some confusion as to whether he'd been to all 57 Islamic states as opposed to all 50 U.S. States. Nonetheless, we have an obligation to the 50 American States, not to the 57 Muslim Islamic states.

Our oath that we took is in this body—in this House—and it's to the people of America. It's not to the Muslim Brotherhood, who may very well take over Egypt.

Once they do, they'll be bent upon setting up a caliphate around the world, including in the United States, and this administration will have been complicit in helping people who want to destroy our country out of the ignorance to think, if you help your enemies, they're going to like you better. Not only do they not like you, as I said, they disrespect you when they see how foolhardy you are.

It's time to quit involving this country in warfare around the world unless

we can be sure that such warfare helps us keep our oath to the United States of America.

And to quote my dear friend from Texas, also a former judge, "And that's just the way it is."

I yield back the balance of my time, Mr. Speaker.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARSON of Connecticut (at the request of Ms. PELOSI) for today on account of family matters.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Monday, June 20, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2024. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Plum Pox Virus; Update of Quarantined Areas [Docket No.: APHIS-2010-0089] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2025. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule — Loan Policies and Operations; Loan Purchases from FDIC (RIN: 3052-AC62) received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2026. A letter from the Under Secretary, Department of Defense, transmitting the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for Fiscal Year 2012, along with proposed plans for FY 2013 through 2016, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

2027. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Corporate Credit Unions (RIN: 3133-AD80) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2028. A letter from the Associate General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Truth in Savings (RIN: 3133-AD72) received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2029. A letter from the Deputy Assistant Secretary for Policy, Department of Education, transmitting the Department's final rule — Enhanced Assessment Instruments Catalog of Federal Domestic Assistance (CFDA) Number: 84.368 received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2030. A letter from the Assistant Secretary, Department of Education, transmitting the

Department's final rule — Impact Aid Programs (RIN: 1810-AA94) received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2031. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report for Fiscal Year 2009 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and the Workforce.

2032. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Developmental Disabilities Programs for Fiscal Years 2007-2008, pursuant to 42 U.S.C. 15005 Public Law 106-402, section 105; to the Committee on Energy and Commerce.

2033. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act of 2008 for FY 2010; to the Committee on Energy and Commerce.

2034. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act of 2003 for FY 2010; to the Committee on Energy and Commerce.

2035. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration [EPA-R03-OAR-2009-0876; FRL-9311-9] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2036. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Flat Wood Paneling Surface Coating Process [EPA-R03-OAR-2011-009; FRL-9312-7] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2037. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determination of Attainment for the Pittsburgh-Beaver Valley 8-Hour Ozone Nonattainment Area [EPA-R03-OAR-2010-1082; FRL-9313-1] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2038. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Alabama, Georgia, and Tennessee: Chattanooga; Determination of Attainment Data for the 1997 Annual Fine Particulate Standard [EPA-R04-OAR-2011-0084-201135; FRL-9312-5] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2039. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Extension of Attainment Date for the Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina 1997 8-Hour Ozone Moderate Nonattainment

Area [EPA-R04-OAR-2010-0504-201052; FRL-9312-9] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2040. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Requests for Modification or Revocation of Toxic Substances Control Act Section 5 Significant New Use Notice Requirements; Revision to Notification Regulations [EPA-HQ-OPPT-2008-0296; FRL-8858-1] (RIN: 2070-AJ41) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2041. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Missouri; Saint Louis Nonattainment Area; Determination of Attainment of the 1997 Annual Fine Particle Standard [EPA-R05-OAR-2010-0034; FRL-9309-6] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2042. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Paper, Film, and Foil Surface Coating Processes [EPA-R03-OAR-2011-0063; FRL-9309-3] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2043. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revisions to Requirements for Major Sources Locating in or Impacting a Nonattainment Area in Allegheny County [EPA-R03-OAR-2009-0881; FRL-9308-9] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2044. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of the Clean Air Act, Section 112(i), Authority for Hazardous Air Pollutants: Perchloroethylene Air Emission Standards for Dry Cleaning Facilities; State of Maine Department of Environmental Protection [EPA-R01-OAR-2010-1080; A-1-FRL-9285-8] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2045. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Confidentiality Determinations for Data Required Under the Mandatory Greenhouse Gas Reporting Rule and Amendments to Special Rules Governing Certain Information Obtained Under the Clean Air Act [EPA-HQ-OAR-2009-0924; FRL-9311-2] (RIN: 2060-AQ04) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2046. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Industrial, Commercial, and Institutional Boilers and Process Heaters and Commercial and Industrial Solid Waste Incineration Units [EPA-HQ-OAR-2002-0058; EPA-HQ-2003-0119; FRL-9308-6] (RIN: 2060-AQ25) (RIN: 2060-AO12) received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2047. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — LAND DISPOSAL RESTRICTIONS: Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treated by U.S. Ecology Nevada in Beatty, NV and Withdrawal of Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treatment Issued to Chemical Waste Management in Kettleman Hills, CA [EPA-HQ-RCRA-2010-0851; FRL-9310-2] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2048. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [OAR-2004-0091; FRL-9304-4] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2049. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District [EPA-R09-OAR-2011-0030; FRL-9308-3] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2050. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Placer County Air Pollution Control District and Ventura County Air Pollution Control District [EPA-R09-OAR-2011-0355; FRL-9303-9] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2051. A letter from the Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Implementation of Section 224 of the Act A National Broadband Plan for Our Future [WC Docket No.: 07-245] [GN Docket No.: 09-51] received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2052. A letter from the President, Assemblee Nationale, transmitting a letter expressing the condolences of the French people to those of the Southern United States in the wake of the tornadoes that struck the area; to the Committee on Foreign Affairs.

2053. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Removal and Modifications for Persons Listed Under Russia on the Entity List [Docket No.: 110502271-1278-01] (RIN: 0694-AF24) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2054. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

2055. A letter from the Le President de l'Assemblée Nationale, transmitting letter expressing the condolences of the people of Burkina Faso to the people of the Southern United States after the severe weather of April 27, 2011; to the Committee on Foreign Affairs.

2056. A letter from the Secretary, Department of Energy, transmitting the semi-annual report on the activities of the Office of Inspector General for the period October 1,

2010 to March 1, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2057. A letter from the Executive Director, Access Board, transmitting the Board's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2058. A letter from the Administrator, Agency for International Development, transmitting the Agency's semiannual report from the office of the Inspector General for the period ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2059. A letter from the Deputy Director, Office of Diversity Management and Equal Opportunity, Department of Defense, transmitting the Department's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2060. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Freedom of Information Act Implementation (RIN: 2590-AA44) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2061. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2062. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting the Department's final rule — Historic Preservation Certifications for Federal Income Tax Incentives (RIN: 1024-AD65) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2063. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Military Training Activities Conducted Within the Gulf of Alaska Temporary Maritime Activities Area [Docket No.: 100817363-1137-02] (RIN: 0648-BA14) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2064. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to List of User Fee Airports: Addition of Naples Municipal Airport, Naples, Florida [CBP: Dec. 11-12] received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2065. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual Price Inflation Adjustments for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223 (Rev. Proc. 2011-32) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2066. A letter from the Internal Revenue Service, Internal Revenue Service, transmit-

ting the Service's final rule — Treatment of Property Used to Acquire Parent Stock or Securities in Certain Triangular Reorganizations Involving Foreign Corporations [TD 9526] (RIN: 1545-BG96) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 1121. A bill to replace the Director of the Bureau of Consumer Financial Protection with a five person Commission; with an amendment (Rept. 112-107). Referred to the Committee of the Whole House on the State of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 2021. A bill to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities (Rept. 112-108). Referred to the Committee of the Whole House on the State of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 1573. A bill to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption; with an amendment (Rept. 112-109, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 1573. A bill to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption; with an amendment (Rept. 112-109, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 2219. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-110). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TERRY (for himself, Mr. PEARCE, Mr. GARDNER, Mr. BROWN of Georgia, Mr. JONES, Mr. ROKITA, Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. GERLACH, and Mrs. BLACKBURN):

H.R. 2204. A bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DENT (for himself and Mr. PAULSEN):

H.R. 2205. A bill to improve the medical justice system by encouraging the prompt and fair resolution of disputes, enhancing the quality of care, ensuring patient access to health care services, fostering alternatives to litigation, and combating defensive medicine, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUINTA (for himself, Mr. DUNCAN of Tennessee, Mr. WILSON of South Carolina, Mrs. SCHMIDT, Mr. PENCE, Mr. FLORES, Mr. MCHENRY, Mr. PITTS, Mr. POSEY, Mr. GINGREY of Georgia, Mr. BISHOP of Utah, Mr. DUNCAN of South Carolina, Mr. MULVANEY, and Mr. FLEISCHMANN):

H.R. 2206. A bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits plan; to the Committee on Education and the Workforce.

By Mr. MCNERNEY:

H.R. 2207. A bill to provide support to develop career and technical education programs of study and facilities in the areas of renewable energy; to the Committee on Education and the Workforce.

By Mr. MCNERNEY:

H.R. 2208. A bill to incorporate smart grid capability into the Energy Star Program, to reduce peak electric demand, to reauthorize a energy efficiency public information program to include Smart Grid information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BENISHEK:

H.R. 2209. A bill to replace the current Forest Service administrative appeals process with a pre-decisional administrative review process modeled after the successful approach used in the Healthy Forests Restoration Act of 2003, and for other purposes; to the Committee on Agriculture.

By Mr. COHEN (for himself, Mr. SHERMAN, Mr. MORAN, Mr. GEORGE MILLER of California, and Mr. LANGEVIN):

H.R. 2210. A bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals and certain computer-assisted remote hunting, and for other purposes; to the Committee on the Judiciary.

By Mr. POLIS (for himself, Mr. GRIJALVA, Ms. RICHARDSON, Mr. CARNAHAN, Mr. CONYERS, and Mr. PAYNE):

H.R. 2211. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for a system of professional learning to continuously improve educator effectiveness, student achievement, and overall school and system performance, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CONYERS:

H.R. 2212. A bill to secure the Federal voting rights of persons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. NUNNELEE (for himself, Mr. THOMPSON of Mississippi, Mr. HARPER, and Mr. PALAZZO):

H.R. 2213. A bill to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office"; to the Committee on Oversight and Government Reform.

By Mr. STIVERS:

H.R. 2214. A bill to amend the Internal Revenue Code of 1986 to provide for a designation of tax overpayments to reduce the public debt, and for other purposes; to the Committee on Ways and Means.

By Mr. BERMAN (for himself, Mr. ISSA, Mr. BOUSTANY, and Mr. RAHALL):

H.R. 2215. A bill to ensure that United States taxpayer dollars are not used to fund terrorist entities in Lebanon, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on

Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA (for himself, Mr. CUELLAR, Mrs. DAVIS of California, Mr. DREIER, Mr. FARENTHOLD, Mr. FILNER, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. REYES, Mrs. NAPOLITANO, Mr. PIERLUISI, Mr. BACA, Mr. FRANK of Massachusetts, Mr. MEEKS, Ms. VELÁZQUEZ, Ms. ZOE LOFGREN of California, Mr. POLIS, and Mr. LUJÁN):

H.R. 2216. A bill to amend the North American Free Trade Agreement Implementation Act to allow for amendments to the Border Environment Cooperation Agreement to promote infrastructure projects financed by the North American Development Bank in the border region to promote growth in trade and commerce between the United States and Mexico, and for other purposes; to the Committee on Financial Services.

By Mr. CARTER (for himself and Mr. GOHMERT):

H.R. 2217. A bill to offset the economic burden on border sheriffs from the lack of southern border security, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself and Mr. KLINE):

H.R. 2218. A bill to amend the charter school program under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mrs. CHRISTENSEN:

H.R. 2220. A bill to amend the Internal Revenue Code of 1986 to assist in the recovery and development of the Virgin Islands by providing for a reduction in the tax imposed on distributions from certain retirement plans' assets which are invested for at least 30 years, subject to defined withdrawals, under a Virgin Islands investment program; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mrs. BONO MACK, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. KING of New York, Mr. PITTS, Mrs. SCHMIDT, Mr. TIBERI, Mr. SCHOCK, Mr. DENT, Mr. JONES, Ms. BALDWIN, Ms. BERKLEY, Mr. BLUMENAUER, Mrs. MALONEY, Mr. MATHESON, Mr. McDERMOTT, Mr. MCGOVERN, Mr. NADLER, and Ms. WASSERMAN SCHULTZ):

H.R. 2221. A bill to amend title 18, United States Code, to provide penalties for transporting minors in foreign commerce for the purposes of female genital mutilation; to the Committee on the Judiciary.

By Mr. DONNELLY of Indiana (for himself and Mr. MCCOTTER):

H.R. 2222. A bill to amend title 23, United States Code, to direct the Administrator of the Environmental Protection Agency to publish annually a list of vehicles that satisfy requirements for certification as a low emission and energy-efficient vehicle, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH (for himself, Mr. DOYLE, Mr. MURPHY of Pennsylvania, Mr. SHUSTER, Mrs. CAPITO, Mr. HOLDEN, and Mr. MCKINLEY):

H.R. 2223. A bill to amend the Internal Revenue Code of 1986 to extend and modify the

section 45 credit for refined coal from steel industry fuel, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIMM (for himself, Mr. CROWLEY, Mr. ENGEL, Mr. KING of New York, Mr. MEEKS, Mr. HANNA, Mrs. MALONEY, Ms. CLARKE of New York, Mr. ACKERMAN, and Mrs. MCCARTHY of New York):

H.R. 2224. A bill to amend title XVIII of the Social Security Act to provide opportunities for additional residency slots in participating teaching hospitals and to expand the primary care bonus to certain underserved specialties and to amend the Internal Revenue Code of 1986 to provide tax incentives for practicing-teaching physicians; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HENSARLING (for himself, Mr. BACHUS, Mrs. MALONEY, Mr. GARRETT, Mr. NEUGEBAUER, Mrs. CAPITO, and Mrs. BIGGERT):

H.R. 2225. A bill to amend the Investment Advisers Act of 1940 to add a definition of family office; to the Committee on Financial Services.

By Mr. HINOJOSA (for himself, Mr. FATTAH, Mr. REYES, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. POLIS, Mr. SCOTT of Virginia, Mr. DAVIS of Illinois, Mr. HONDA, and Ms. CLARKE of New York):

H.R. 2226. A bill to increase access to adult education to provide for economic growth; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself and Mr. MURPHY of Connecticut):

H.R. 2227. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of medical gases, taking into account the special characteristics of medical gases, the special techniques and processes required to produce medical gases, and the established history of safe and effective use of medical gases; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself, Mr. GRIJALVA, Mr. FATTAH, Mr. MEEKS, Mr. RANGEL, Mr. HEINRICH, Ms. MOORE, and Ms. BORDALLO):

H.R. 2228. A bill to assist coordination among science, technology, engineering, and mathematics efforts in the States, to strengthen the capacity of elementary schools, middle schools, and secondary schools to prepare students in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MCCARTHY of New York (for herself, Mrs. CAPPS, Mr. FARR, Ms. NORTON, Mr. JACKSON of Illinois, Ms. BORDALLO, Ms. MOORE, Mr. HINCHAY, Mr. PASCRELL, and Mr. HOLT):

H.R. 2229. A bill to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr. CAMPBELL, and Mr. FRANK of Massachusetts):

H.R. 2230. A bill to amend the Internal Revenue Code of 1986 to regulate and tax Internet gambling; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself, Mr. BERG, and Mr. SCHOCK):

H.R. 2231. A bill to amend the Internal Revenue Code of 1986 to terminate the ethanol tax credits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY:

H.R. 2232. A bill to amend title 36, United States Code, to grant a Federal charter to the American Military Retirees Association, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS of Arkansas:

H.R. 2233. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD:

H.R. 2234. A bill to amend the Fair Labor Standards Act of 1938 to strengthen the provisions relating to child labor; to the Committee on Education and the Workforce.

By Ms. ROYBAL-ALLARD:

H.R. 2235. A bill to provide for enhanced protections for vulnerable unaccompanied alien children and female detainees; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLÁN (for himself, Ms. BORDALLO, Mr. FALOMAVAEGA, Mr. PIERLUISI, Mr. GRIJALVA, Ms. SLAUGHTER, Mrs. NAPOLITANO, Mr. SERRANO, Ms. HIRONO, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Ms. NORTON, Mr. WU, Mrs. MALONEY, Mrs. CAPPS, Mr. KIND, Mr. YOUNG of Alaska, Mr. CONNOLLY of Virginia, Mr. KILDEE, Mr. BOREN, Mr. BUTTERFIELD, Mr. LIPINSKI, Mr. FORTENBERRY, and Mr. LUJÁN):

H.R. 2236. A bill to provide for the issuance of a Wildlife Refuge System Conservation Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF:

H.R. 2237. A bill to promote the strengthening of the private sector in Egypt and Tunisia; to the Committee on Foreign Affairs.

By Mr. SCHOCK (for himself and Mr. PETERSON):

H.R. 2238. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel, and for other purposes; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. MORAN):

H.R. 2239. A bill to expand the research activities of the National Institutes of Health with respect to functional gastrointestinal and motility disorders, and for other purposes; to the Committee on Energy and Commerce.

By Ms. TSONGAS:

H.R. 2240. A bill to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska (for himself, Mr. McDERMOTT, and Mr. INSLEE):

H.R. 2241. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself, Mr. PIERLUISI, Mr. ROE of Tennessee, Mr. BRALEY of Iowa, Ms. HIRONO, Mr. CARNAHAN, Mr. MEEHAN, Mr. GUINTA, Mr. GOWDY, Mr. SCHILLING, Mr. CRAWFORD, Mr. SESSIONS, Mr. RUNYAN, Mr. McKEON, Mr. SHUSTER, Mr. FORTENBERRY, Mr. QUAYLE, Mr. YODER, Mr. REED, Mr. BILBRAY, Mr. HECK, Mr. MACK, Mr. DOLD, Mr. CUMMINGS, Mr. HARRIS, Mr. NUGENT, Mr. JOHNSON of Ohio, Mrs. DAVIS of California, Mr. KISSELL, Mr. COSTA, Mr. GARY G. MILLER of California, Mr. MICA, Mr. SMITH of Washington, Mr. CARSON of Indiana, Mr. COBLE, Mr. RICHMOND, and Mrs. ELLMERS):

H. Con. Res. 60. Concurrent resolution expressing the sense of Congress that United States commercial air carriers should provide certain benefits to members of the Armed Forces who are traveling on official military orders and are being deployed overseas or are returning from an overseas deployment; to the Committee on Transportation and Infrastructure.

By Mr. ROGERS of Michigan:

H. Con. Res. 61. Concurrent resolution designating a National Railroad Memorial located in Diamond District Park in historic downtown Durand, Michigan, as the "National Railroad Memorial"; to the Committee on Natural Resources.

By Mr. GALLEGLY (for himself and Mr. MORAN):

H. Res. 309. A resolution recognizing the 60th anniversary of the Animal Welfare Institute; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRITZ:

H. Res. 310. A resolution providing for the consideration of the bill (H.R. 639) to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country; to the Committee on Rules.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. SESSIONS, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. BARTON of Texas, Mr. BURGESS, Mr. GOHMERT, Mr. POE of Texas, Mr. HENSARLING, Mr. CULBERSON, Mr. BRADY of Texas, Mr. AL GREEN of Texas, Mr. McCAUL, Mr. CONAWAY, Ms. GRANGER, Mr. THORNBERRY, Mr. PAUL, Mr. HINOJOSA, Mr. REYES, Mr. FLORES, Ms. JACKSON LEE of Texas, Mr. NEUGEBAUER, Mr. GONZALEZ, Mr. SMITH of Texas, Mr. OLSON, Mr. CANSECO, Mr. MARCHANT, Mr. DOGGETT, Mr. FARENTHOLD, Mr. CUELLAR, Mr. GENE GREEN of Texas, Mr. CARTER, Mr. GRIFFIN of Arkansas, Mr. PEARCE, Mr. CHABOT, Mr. CRAWFORD, Mr. SOUTHERLAND, Mr. AUSTIN SCOTT of Georgia, Mr. LANKFORD, Mr. HURT, Mr. POMPEO, Mr. WILSON of South Carolina, Ms. HERRERA BEUTLER, Mr. SCHILLING, Mr. KINZINGER of Illinois, Mr. MCKINLEY, Mr. JOHNSON of Ohio, Mr. HECK, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mr. RENACCI, Mr. RYAN of Wisconsin, Mrs. NOEM, Mrs. HARTZLER, Mr. GUINTA, Mr. PALAZZO, Mr. GOSAR, Mr. DENHAM, Mr. TIBERI, Mr. BROUN of Georgia, Ms. FUDGE, Mrs. BLACK, Mr. RUSH, Mr. DAVIS of Illinois, Mr. CLYBURN, Mr. PAYNE, Mr. BUTTERFIELD, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Ms. WILSON of Florida, Ms. BROWN of Florida, Ms. LEE of California, Ms. EDWARDS, Ms. RICHARDSON, Ms. CLARKE of New York, Mr. CLEAVER, Mr. KUCINICH, Mr. CLARKE of Michigan, Mr. DAVID SCOTT of Georgia, and Mr. TOWNS):

H. Res. 311. A resolution congratulating the Dallas Mavericks on winning the 2011 National Basketball Association championship; to the Committee on Oversight and Government Reform.

By Mr. LEWIS of Georgia (for himself, Mr. MORAN, Mr. RANGEL, Mr. FILNER, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mr. STARK, Mr. PAYNE, Mr. JACKSON of Illinois, Mr. BLUMENAUER, Mr. McDERMOTT, Mrs. CHRISTENSEN, Ms. NORTON, Mr. GUTIERREZ, Ms. SPEIER, Mr. GEORGE MILLER of California, Ms. MOORE, and Mr. CARSON of Indiana):

H. Res. 312. A resolution expressing the sense of the House of Representatives that the United States should become an international human rights leader by ratifying and implementing certain core international conventions; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS:

H. Res. 313. A resolution recognizing that the occurrence of prostate cancer in African-American men has reached epidemic proportions and urging Federal agencies to address that health crisis by designating additional funds for research, education, awareness outreach, and early detection; to the Committee on Energy and Commerce.

By Mr. PEARCE (for himself, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. PITTS, Mrs. SCHMIDT, Mr. PENCE, Mr. GOHMERT, and Mr. FLORES):

H. Res. 314. A resolution declaring that it is the policy of the United States to support

its ally Israel in seeking peace with its neighbors, particularly toward a two-state solution that results in a free, nonmilitarized Palestinian state living side-by-side in peace and security with the Jewish State of Israel, the home of the Jewish people; to the Committee on Foreign Affairs.

By Mr. PITTS (for himself, Mr. MCINTYRE, Mrs. SCHMIDT, Mr. WILSON of South Carolina, Mr. BERG, Mr. PEARCE, Mr. STUTZMAN, Mr. HUELSKAMP, Mr. FLEISCHMANN, Mr. LAMBORN, Mr. WEBSTER, Mr. BISHOP of Utah, Mr. FLEMING, Mr. BUCSHON, Mr. GINGREY of Georgia, Mr. ROONEY, Mr. HARRIS, Mr. SOUTHERLAND, Mr. JOHNSON of Ohio, Mr. PENCE, Mr. SCALISE, Mrs. BLACKBURN, Mr. FLORES, Mr. JORDAN, Mr. JONES, Mr. HOLDEN, Mr. GARRETT, Mr. FRANKS of Arizona, Mr. POE of Texas, Ms. RICHARDSON, Mrs. CAPITO, Mr. NEUGEBAUER, Mr. FORTENBERRY, Mr. GOHMERT, Mr. WOLF, and Mr. CALVERT):

H. Res. 315. A resolution recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

54. The SPEAKER presented a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution urging the Congress to call on Canada's government to end its sanctioning of the annual baby seal hunt; to the Committee on Foreign Affairs.

55. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 44, H.D. 1 urging the Congress to propose an amendment to the United States Constitution for the states' consideration to provide that corporations are not persons under the laws of the United States; to the Committee on the Judiciary.

56. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 86 urging the Congress to support The Filipino Veterans Family Reunification Act of 2009; to the Committee on the Judiciary.

57. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 12 recognizing that the Congress presently has assumed authority to make immigration policy in the United States; to the Committee on the Judiciary.

58. Also, a memorial of the Senate of the State of Georgia, relative to Senate Resolution 312 endorsing the deepening of the federal navigation channel at Savannah Harbor; to the Committee on Transportation and Infrastructure.

59. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 253, H.D. 1 urging the Congress to expedite the processing of all claims for payments and the distribution of checks to Filipino veterans under the American Recovery and Reinvestment Act; to the Committee on Veterans' Affairs.

60. Also, a memorial of the Senate of the State of Oregon, relative to Senate Joint Memorial 6 urging the Congress to fund mobile

health care buses for women veterans; to the Committee on Veterans' Affairs.

61. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 13, H.D. 1 urging the Congress and the Department of State to host more international trade conferences and summits in Hawai'i; to the Committee on Ways and Means.

62. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 128 urging the Congress to approve the United States-Korea Trade agreement; to the Committee on Ways and Means.

63. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 72, H.D. 2 requesting Congress to examine Federal laws and regulations to allow states to more readily enact unemployment compensation-related laws that allow fear of domestic or sexual violence to be a valid reason for not accepting suitable work; to the Committee on Ways and Means.

64. Also, a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution requesting that the Federal Government reform the system of consultation with states on trade policy; to the Committee on Ways and Means.

65. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 484 urging the Congress to oppose any effort to impose new discriminatory taxes; to the Committee on Ways and Means.

66. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 3 memorializing the Congress to expedite a solution that will provide public alert and warning in situations of war, terrorist attack, natural disaster or other hazards to public safety and well-being; jointly to the Committees on Transportation and Infrastructure and Homeland Security.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TERRY:

H.R. 2204.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause: Article I, Section 8, Clause 3

By Mr. DENT:

H.R. 2205.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. GUINTA:

H.R. 2206.

Congress has the power to enact this legislation pursuant to the following:

Article I, Clause 1 and 3 of the United States Constitution

By Mr. MCNERNEY:

H.R. 2207.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution.

By Mr. MCNERNEY:

H.R. 2208.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution.

By Mr. BENISHEK:

H.R. 2209.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. COHEN:

H.R. 2210.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution

By Mr. POLIS:

H.R. 2211.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CONYERS:

H.R. 2212.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1 of the United States Constitution. This provision permits Congress to make or alter the regulations pertaining to Federal elections.

By Mr. NUNNELEE:

H.R. 2213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7. Congress has the power to "To establish post offices and post roads."

By Mr. STIVERS:

H.R. 2214.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Clause I and II of Section 8 of Article I and the XVI Amendment of the United States Constitution.

By Mr. BERMAN:

H.R. 2215.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the authority delineated in Article 1, Section 1, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mr. HINOJOSA:

H.R. 2216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CARTER:

H.R. 2217.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: Provide for the common Defence; To establish a uniform Rule of Naturalization; To provide for calling forth the militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. HUNTER:

H.R. 2218.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. YOUNG of Florida:

H.R. 2219.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. CHRISTENSEN:

H.R. 2220.

Congress has the power to enact this legislation pursuant to the following:

"Article I, section 8, clause 1, relating to taxation power, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill."

By Mr. CROWLEY:

H.R. 2221.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

By Mr. DONNELLY of Indiana:

H.R. 2222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause of on the U.S. Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GERLACH:

H.R. 2223.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 2224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HENSARLING:

H.R. 2225.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. HINOJOSA:

H.R. 2226.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clauses 1, 3, and 18 of Section 8 of Article 1 of the United States Constitution.

By Mr. LANCE:

H.R. 2227.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. LUJÁN:
H.R. 2228.
Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mrs. MCCARTHY of New York:

H.R. 2229.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. McDERMOTT:

H.R. 2230.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mrs. NOEM:

H.R. 2231.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1.

By Mr. ROONEY:

H.R. 2232.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROSS of Arkansas:

H.R. 2233.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, Clause 18 (Necessary and Proper Clause);

By Ms. ROYBAL-ALLARD:

H.R. 2234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. ROYBAL-ALLARD:

H.R. 2235.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SABLAN:

H.R. 2236.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, of the Constitution.

By Mr. SCHIFF:

H.R. 2237.

Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause of Article 1, Section 8 of the Constitution. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. SCHOCK:

H.R. 2238.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 2239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. TSONGAS:

H.R. 2240.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 2241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 26: Mr. GARAMENDI.

H.R. 58: Mr. MILLER of Florida.

H.R. 140: Mr. ROE of Tennessee.

H.R. 210: Mr. RUSH, Ms. BORDALLO, Mr. MEEKS, Ms. NORTON, Mr. BERMAN, Mr. BACA, Mrs. DAVIS of California, Mr. RANGEL, Mr. AUSTRIA, and Mr. McDERMOTT.

H.R. 240: Mr. CARSON of Indiana.

H.R. 298: Mr. SAM JOHNSON of Texas, Mr. REYES, Mr. SESSIONS, and Mr. CULBERSON.

H.R. 301: Mr. GERLACH.

H.R. 324: Mr. HEINRICH.

H.R. 327: Mr. HEINRICH.

H.R. 374: Mr. CHABOT and Mr. WALBERG.

H.R. 389: Mrs. MILLER of Michigan.

H.R. 396: Mr. MARCHANT.

H.R. 451: Mr. HARRIS, Ms. CASTOR of Florida, and Mr. BRADY of Texas.

H.R. 452: Mr. AUSTIN SCOTT of Georgia and Mr. BERG.

H.R. 495: Mr. CALVERT.

H.R. 546: Mr. GUTHRIE, Mr. McCAUL, and Mr. GONZALEZ.

H.R. 593: Mr. FORBES.

H.R. 607: Mr. MILLER of Florida.

H.R. 609: Mr. COBLE.

H.R. 615: Mr. COFFMAN of Colorado and Ms. BUERKLE.

H.R. 640: Mr. OWENS.

H.R. 642: Mr. McKEON.

H.R. 676: Mr. McDERMOTT.

H.R. 719: Mrs. MILLER of Michigan.

H.R. 724: Mr. OWENS.

H.R. 735: Mr. STUTZMAN, Mr. PRICE of Georgia, Mr. HUNTER, Mr. PALAZZO, and Mr. ALEXANDER.

H.R. 743: Mr. LATHAM.

H.R. 745: Ms. JENKINS.

H.R. 750: Mr. JONES.

H.R. 787: Mr. JOHNSON of Ohio, Mr. BILLIRAKIS, Mr. WEST, Mr. SMITH of Nebraska, Mr. GOSAR, and Mrs. MILLER of Michigan.

H.R. 805: Mr. CLEAVER.

H.R. 812: Mr. SCHRADER.

H.R. 891: Mr. LARSON of Connecticut.

H.R. 908: Mr. GERLACH.

H.R. 912: Mr. CALVERT.

H.R. 941: Mr. MURPHY of Pennsylvania.

H.R. 942: Mr. COBLE.

H.R. 972: Mr. PALAZZO, Mr. TIBERI, and Mr. BROUN of Georgia.

H.R. 973: Mr. McKEON and Mr. CALVERT.

H.R. 998: Mr. DAVIS of Illinois, Ms. WATERS, Mr. TIERNEY, Ms. SCHWARTZ, and Mr. ANDREWS.

H.R. 1004: Mr. CICILLINE.

H.R. 1022: Mr. FILNER.

H.R. 1044: Mr. LONG.

H.R. 1058: Mr. BRADY of Texas.

H.R. 1063: Mr. CARNAHAN and Ms. NORTON.

H.R. 1161: Mr. LATTI, Mr. KILDEE, Mr. GENE GREEN of Texas, Mrs. CAPITO, and Mr. DIAZ-BALART.

H.R. 1173: Mr. CHAFFETZ.

H.R. 1181: Mr. LUETKEMEYER.

H.R. 1236: Mr. PALAZZO and Mr. DAVIS of Illinois.

H.R. 1259: Mr. OLSON.

H.R. 1300: Mr. STARK.

H.R. 1324: Mr. BRADY of Texas.

H.R. 1325: Mr. CRITZ, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SIRES, and Mrs. MYRICK.

H.R. 1356: Mr. COURTNEY.

H.R. 1370: Mr. SHIMKUS.

H.R. 1386: Mr. GEORGE MILLER of California, Mr. HINCHEY, and Mr. YARMUTH.

H.R. 1397: Mr. HIMES.

H.R. 1426: Mr. TIERNEY, Ms. NORTON, Mr. HANNA, and Ms. BROWN of Florida.

H.R. 1443: Mr. CONAWAY.

H.R. 1444: Mr. CONAWAY.

H.R. 1513: Mr. KILDEE, Mr. OWENS, Mr. WHITFIELD, and Mr. HOLT.

H.R. 1519: Mr. QUIGLEY and Mr. HONDA.

H.R. 1533: Mr. CRAVAACK.

H.R. 1543: Ms. DELAURO.

H.R. 1546: Mr. MURPHY of Connecticut, Ms. NORTON, Mr. YARMUTH, and Mr. KIND.

H.R. 1551: Mrs. HARTZLER.

H.R. 1645: Mr. GONZALEZ, Mr. BACA, Mr. REYES, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. HINOJOSA, Mr. Luján, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. HONDA, Mr. SIRES, and Mr. SERRANO.

H.R. 1648: Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. LARSON of Connecticut, and Mr. HIMES.

H.R. 1681: Mr. DAVIS of Illinois.

H.R. 1686: Mr. SCHILLING.

H.R. 1695: Mr. TOWNS.

H.R. 1734: Mr. LONG and Mr. GARY G. MILLER of California.

H.R. 1738: Mr. HASTINGS of Washington.

H.R. 1744: Mr. PALAZZO, Mr. STEARNS, Mr. BERG, and Mr. SENSENBRENNER.

H. R. 1756: Mr. RANGEL, Mr. TIERNEY, and Mr. COURTNEY.

H.R. 1792: Mr. OLVER, Mr. COOPER, Mr. GRIJALVA, Mr. BISHOP of New York, Mr. HOLDEN, and Mr. WOLF.

H.R. 1848: Mr. McHENRY, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr. POE of Texas, Mr. AUSTIN SCOTT of Georgia, Mr. BARTON of Texas, Mr. SULLIVAN, Mr. FRANKS of Arizona, Mr. MICA, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, and Mr. MARCHANT.

H.R. 1852: Mr. DENT, Mr. OLVER, Mr. MICHAUD, Mr. DAVIS of Kentucky, Mr. STARK, Mr. RUSH, Mr. PASCRELL, Mr. CAPUANO, Ms. LEE of California, Ms. SPEIER, Mr. MURPHY of Connecticut, Mrs. LOWEY, Ms. CASTOR of Florida, Ms. SUTTON, Mr. SHIMKUS, and Mr. KEATING.

H.R. 1916: Ms. SUTTON, Mr. GUTIERREZ, Mr. DEUTCH, Mr. LOEBACK, Mr. BRALEY of Iowa, Mr. LYNCH, Mr. DEFAZIO, and Mr. TIERNEY.

H.R. 1932: Mr. GARY G. MILLER of California and Mr. FORBES.

H.R. 1946: Mr. FORTENBERRY.

H.R. 1951: Mr. KILDEE.

H.R. 1980: Mr. BARROW, Mr. WOLF, Mr. JOHNSON of Ohio, and Mrs. BLACKBURN.

H.R. 2011: Mr. SOUTHERLAND.

H.R. 2014: Mr. PERLMUTTER, Mr. COBLE, Mr. BARTLETT, Mr. GERLACH, Mr. JONES, Mr. COSTA, Mr. LANDRY, and Mr. GENE GREEN of Texas.

H.R. 2019: Mr. RUSH.

H.R. 2023: Mrs. HARTZLER.

H.R. 2032: Mr. GRAVES of Missouri, Mr. GARY G. MILLER of California, and Ms. JACKSON LEE of Texas.

H.R. 2033: Mr. PASCRELL, Mr. HEINRICH, Mr. STARK, and Mr. CALVERT.

H.R. 2040: Mr. BROOKS, Mr. MILLER of Florida, and Mr. SESSIONS.

H.R. 2067: Ms. CASTOR of Florida.
H.R. 2070: Mrs. SCHMIDT, Mr. PITTS, Mr. WILSON of South Carolina, Mr. PENCE, Mr. GOHMERT, Mr. FLORES, Mr. ROONEY, Mr. POSEY, Mr. FLEMING, Mr. BISHOP of Utah, Mr. KLINE, Mr. LAMBORN, Mr. FLEISCHMANN, Mr. PEARCE, Mr. GUINTA, and Mr. BARTLETT.
H.R. 2082: Mr. WEST.
H.R. 2086: Mr. BURGESS and Mr. BILBRAY.
H.R. 2103: Mr. LYNCH.
H.R. 2108: Mrs. McMORRIS RODGERS.
H.R. 2123: Ms. NORTON.
H.R. 2140: Mr. ALTMIRE.
H.R. 2144: Mr. McDERMOTT.
H.R. 2164: Mrs. BLACKBURN, Mr. McCAUL, and Mr. LEWIS of California.
H.R. 2168: Mr. WELCH.
H.R. 2173: Mr. McCLINTOCK.
H.R. 2187: Ms. WOOLSEY.
H. Res. 94: Mr. FALCOMA-VAEGA.
H. Res. 183: Mr. HINCHEY.

H. Res. 296: Mr. HENSARLING, Mr. KLINE, Mr. FLEMING, Mr. GINGREY of Georgia, Mr. FLORES, Mr. PITTS, Mrs. SCHMIDT, Mr. WILSON of South Carolina, Mr. BARTLETT, and Mr. ELLISON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 657: Mr. BISHOP of Utah.
H.R. 1380: Mr. FARENTHOLD, Mr. NUGENT, and Mr. RIGELL.
H. Con. Res. 59: Mr. RANGEL.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

9. The SPEAKER presented a petition of California State Lands Commission, California, relative to a resolution opposing the enactment of H.R. 1231; to the Committee on Natural Resources.

10. Also, a petition of Town of Cambria, New York, relative to a resolution opposing H.R. 1555; to the Committee on Homeland Security.

11. Also, a petition of American Bar Association, Illinois, relative to a resolution supporting the development and use of evidence-based, clinical, or medical practice guidelines or standards regarding patient care and safety; jointly to the Committees on Energy and Commerce and the Judiciary.

EXTENSIONS OF REMARKS

HONORING BOY SCOUTS OF
AMERICA, TROOP 1 IN PAOLI, PA**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Paoli Troop 1, Boy Scouts of America, Chester County, Pennsylvania on its 100th anniversary.

The history of Paoli Troop 1 is a long and storied one, starting with its founding as the area's first Scout Troop in 1911 at the Good Samaritan Church in Paoli, Pennsylvania. Troop 1 survived some lean early years and diminished activity during World War I, but proudly endured such challenges and, in 1924, relocated to nearby Wayne. In these early years, the Scout Law and Scout Oath were discussed in detail at the end of Troop meetings, a tradition that has been passed down to the present day.

Travel has also been a long-standing tradition of Troop 1. In 1927 and 1929, the Troop took trips to Europe, which included hiking through Scotland and parts of Brittany. On one of these trips, the Scouts met Baden Powell, founder of the Scout movement. The Troop had three mountain climbing expeditions in the Swiss Alps during 1966, 1970 and 1974, with the Troop flag having flown at the top of the Matterhorn.

Today, the Troop functions under the leadership of Scoutmaster Mike Magnotta, his assistants, and the general supervision of the Troop Committee. Its purpose, as set out in its constitution, is to promote, maintain and carry out the principles of the Boy Scouts of America and to work for the best interests of its members. The institutions and traditions of Paoli Troop 1 are many and deserve to be perpetuated for generations to come.

Mr. Speaker, I ask that my colleagues join me today in congratulating Paoli Troop 1 and its storied history on the occasion of its 100th anniversary and to extend best wishes for the Troop's bright future.

RECOGNIZING WORLD ELDER
ABUSE AWARENESS DAY**HON. PETER T. KING**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. KING of New York. Mr. Speaker, I rise today in recognition of the sixth annual World Elder Abuse Awareness Day.

In 2006, the International Foundation for the Prevention of Elder Abuse designated June 15 as World Elder Abuse Awareness Day, which recognizes elder abuse as a public health and human rights concern. Abusive acts toward

the elderly can include physical and psychological abuse, physical restraint, deprivation of dignity and the choice of daily affairs, financial exploitation and neglect. The World Health Organization has reported that between four and six percent of elderly people worldwide have experienced some form of abuse in the home. Additionally, in the United States, thirty-six percent of nursing-home employees have witnessed at least one incident of physical abuse towards an elderly patient, while forty percent admitted to psychologically abusing patients.

The abuse and neglect of older persons is a global problem, and yet it remains largely unrecognized and untreated. I join with the International Foundation for the Prevention of Elder Abuse and encourage all countries, communities, neighborhoods, and organizations to take part in today's efforts to raise awareness of this serious issue, with the goal of bringing about recognition for and ultimately an end to elder abuse and neglect.

HONORING 60TH ANNIVERSARY OF
THE FIRST URASENKE TEA
GROUP CEREMONY IN THE
UNITED STATES**HON. COLLEEN W. HANABUSA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. HANABUSA. Mr. Speaker, I rise today to honor the 60th anniversary of the first Urasenke Tea Group ceremony in Hawaii, and the first such ceremony held in the United States. This traditional ceremony was brought to the U.S. by Dr. Genshitsu Sen, who has sought to promote peace and cultural understanding throughout the globe. Dr. Sen returned from service in World War II, making a personal vow to promote "Peacefulness through a Bowl of Tea." He is an heir to a family whose leadership in the tradition of the Japanese Way of Tea, or chado, dates back 15 generations to the 16th century.

While Honolulu was the site of the first Urasenke Tea ceremony in the country, this centuries-old Japanese tradition has extended around the world, fostering international goodwill through cultural exchange. Urasenke tea groups have been established in 33 U.S. locations and in 49 countries. Dr. Sen has conducted this ceremony for world leaders and has helped to establish and teach college courses on the tradition of chado. He has led ceremonies at the United Nations, the U.S. Naval Academy and even for members of this esteemed body here on Capitol Hill.

Mr. Speaker, this occasion will be marked by a tea ceremony on the USS *Arizona* Memorial at Pearl Harbor, a most fitting location for this solemn tradition which is founded on the principles of harmony, respect, purity and tranquility.

I call attention to this significant anniversary, and the ceremony marking the occasion, in the spirit of cultural understanding and building bonds of goodwill.

HONORING CLIFTON GUNDERSON
LLP**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Clifton Gunderson LLP of Saint Joseph, Missouri. This business has been chosen to receive the YWCA Women of Excellence Award for Employer of Excellence.

Innovate leadership programs for women help create an atmosphere of achievement at Clifton Gunderson LLP. The Women's Initiative Now (WIN) program helps provide leadership skills, business skills and personal growth opportunities for female employees. Flexible work arrangements help the team balance work and family goals.

The St. Joseph office is led by a female partner—the nation's first and only female company CEO—and 50 percent of office partners and 100 percent of senior managers are female. The Career Development Network program strategically pairs an experienced individual with someone in a similar area as a mentorship, and to form an individual career development plan. Through these efforts, Clifton Gunderson LLP demonstrates its commitment to promoting a culture that continually develops female leadership.

Mr. Speaker, I proudly ask you to join me in recognizing Clifton Gunderson LLP. This business is a tremendous asset to the St. Joseph community and I am honored to represent this business in the United States Congress.

SALUTING SERVICE ACADEMY
STUDENTS—CORBIN PALMER**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

proud of each one. God bless them and God bless America.

Today I salute Corbin Palmer, a United States Air Force Academy Appointee. Corbin is a graduate of Centennial High School and attended the United States Air Force Academy Preparatory School. Corbin was involved in club gymnastics, and actively participated in Preparatory School leadership and in his church as a Priest Quorum Secretary. Corbin aspires to follow gymnastics through college and eventually enter into a medical career through the Air Force as a surgeon. Corbin also plans to become a fighter pilot for the Air Force. He hopes to continue strengthening his leadership abilities and character, and be challenged not just physically but mentally in the United States Air Force Academy.

BERG CONGRATULATES NORTH DAKOTAN DR. DORI CARLSON FOR BECOMING FIRST WOMAN TO SERVE AS PRESIDENT OF THE AMERICAN OPTOMETRIC ASSOCIATION

HON. RICK BERG

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BERG. Mr. Speaker, today I rise to congratulate Dr. Dori Carlson, who will soon be sworn in as the 90th President of the American Optometric Association, the first woman to ever serve in this prestigious position, at their 114th annual meeting in Salt Lake City, Utah, on June 18, 2011.

The American Optometric Association represents approximately 36,000 doctors of optometry, optometry students and optometric professionals and is centered on improving the quality and availability of eye and vision care. Doctors of optometry provide two-thirds of all primary eye care in the United States; optometrists serve patients in nearly 6,500 communities across the country and in 3,500 of those communities are the only eye doctors.

Dr. Carlson is a 1989 graduate of the Pacific University College of Optometry. Following graduation from optometry school, she completed a residency in hospital-based rehabilitative optometry at the American Lake and Seattle Veterans Affairs Medical Centers in Tacoma and Seattle, Washington. In 1994, she was honored as the North Dakota Young Optometrist of the Year and as the Optometrist of the Year in 2003.

She is a founding member of InfantSEE, a no-cost public health program developed to provide professional eye care for infants nationwide. Through this program, great strides are being made to ensure that potential eye and vision problems are detected early. Infant eye assessments have been available in North Dakota since the InfantSEE program launched in 2005, and Dr. Carlson has made it her mission to see as many infants as she can.

Dr. Carlson is in private practice in Park River and Grafton, North Dakota, where she provides primary care to rural North Dakotans of all ages. Her advocacy on behalf of optometrists and their patients has earned her the respect of her colleagues, and it is a high

honor to be recognized by her peers to lead the profession of optometry in the coming year.

Today I join her family, friends and colleagues in congratulating her on this achievement and wishing her the best of luck in this endeavor.

HONORING SALLY SCHWAB

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sally Schwab of Saint Joseph, Missouri. Sally is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Award for Woman in the Workplace.

As Team Leader and Chaplain for Spiritual Health Services at Heartland Health, Sally is a 25-year employee who is continually described by her coworkers as analytical, caring and loyal. She serves as national president of her professional organization, the Association for Clinical Pastoral Education, Inc., and has received numerous awards, including the Buchanan County Medical Society's Humanitarian Award. She also leads the Ethics Committee and works throughout regional hospitals to advise chaplains and provide education toward meeting patients' spiritual needs.

Sally teaches Clinical Pastoral Education students, has led an educational process on advanced directives, and serves on several organizations including the P-20 Council and the Missouri Hospice and Palliative Care Association.

Mr. Speaker, I proudly ask you to join me in recognizing Sally Schwab. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. ESHOO. Mr. Speaker. I was not present during the rollcall vote No. 417-419, on June 14, 2011. Had I been present, I would have voted as follows: On rollcall vote No. 417 I would have voted, "yes;" on rollcall vote No. 418 I would have voted, "yes;" on rollcall vote No. 419 I would have voted, "no."

THE COMMUNITY FOUNDATION OF NORTH LOUISIANA

HON. JOHN FLEMING

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. FLEMING. Mr. Speaker, I rise today to congratulate The Community Foundation of North Louisiana on its 50 years of exemplary

service to the people of North Louisiana. Since its establishment on June 26, 1961, by Colonel John Hellums Tucker, Jr., the Foundation has demonstrated exceptional service and leadership throughout the many communities it serves in my district, bettering the lives of countless families and individuals.

Starting out with a modest \$21,000 in funds, The Community Foundation of North Louisiana has since grown to being a steward of more than \$75 million of charitable assets. In pursuing its mission of strengthening communities and supporting the citizens of North Louisiana, the Foundation has awarded more than 4,000 grants totaling nearly \$40 million. In addition to its vital stewardship of charitable investments, The Community Foundation has exhibited leadership by working with other non-profits to promote philanthropy and service in the community. Through managing innovative projects, responding in times of disaster, investing in critical research, and convening leaders to discuss issues facing the area, the Foundation's activities have served as a catalyst for positive change.

Today, I am pleased to express my support and gratitude to The Community Foundation of North Louisiana as it celebrates this important milestone. With great honor and enthusiasm, I wish it continued success over its next 50 years of service.

IN HONOR OF LANCE CORPORAL ROBERT "BOBBY" THRAILKILL, USMC

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to honor a real American hero, Lance Corporal Robert "Bobby" Thrailkill of Pentwater, Michigan.

While out on foot patrol in Sagen, Afghanistan, on October 26, 2010, Bobby found a roadside bomb. After motioning for his fellow Marines to step back, the bomb exploded, causing traumatic injuries to Bobby, including the loss of his legs. Bobby faced months of rehabilitation at Walter Reed with courage and has come far in his recovery.

Today, June 16th, Bobby will marry his fiancé Karra Barr. I want to congratulate Bobby on this day and wish him a life of happiness, as well as thank him for his service to our country. In honor of Bobby, the following poem was written by Albert Caswell.

THE KILL ZONE

On battlefields of honor bright. . . .
There are but all of those who but bring
their light. . . .
All in the darkness of these days. . . . these
nights. . . .
Are but all of those heroes who but carry
that fight, all In The Kill Zone. . . .
Brave Hearts, men of courage
and might. . . .
Whose blind faith but wins that battle, that
fight. . . .
Who into darken buildings will walk. . . .
Knowing full well what death before them so
lies, all in that dark. . . .
All in that Kill Zone. . . .

As they but lead with their fine hearts. . . .
The ones who so kick in all those doors, who
are thou art. . . .

Envoys from God, our Lord's heart!
United States Marines, men like Lcpl
Thraillkill who so do their part. . . .

Who all in his most magnificent shades of
green, is one darn fine United States
Marine. . . .

As ever up ahead, out on point as he was so
courageously seen!

And on that day Robert when you so faced
death; lying there with but not much
left. . . .

As defeat you would not except. . . .

As Robert your fine heart would so
crest. . . .

With two legs gone as on the morning as you
awoke, with not much left to hold on
to. . . .

As deep down inside of you, your fine heart
so spoke. . . .

As you wiped all of those tears from your
eyes, and Marine you so told yourself .
. . . .

that you had new mountains to so climb. . . .
Yea, Michigan Marines are just that
kind. . . .

Who all in shades of green, the word courage
so define. . . .

For you have miles to go before you
sleep. . . .

Hills to climb, all in your heart of courage so
very deep. . . .

As Robert, there is nothing from your new
mission that will you so keep!

All on your road to recovery . . . , as to all
souls you so speak!

For once you walked upon those killing
fields. . . .

All for your God and Country Tis of Thee,
this man of steel. . . .

As now your new war to be won. . . .

As for all of your lost Brothers In Arms
these ones,

you will feel upon you face the new day's
sun!

Because, Strength In Honor . . . , is but from
where you come. . . .

The kind of man that every father, so wished
he had as a son. . . .

As You So Teach Us Robert, As You So Be-
seech Us Robert. . . .

Oh look Marine, from where you've come, so
far, so fast, shining like the morning
sun!

As out on point, up ahead your new life has
just begun. . . .

As with your strong heart we now so see you
run. . . .

One of Michigan's greatest of all son's. . . .

And on this day, get down on your
knees. . . .

And but thank all of these!

All of these fine sons, sons like Robert who
into the Kill Zone must venture to do
what must be done!

Could you in your life, so find the strength
. . . to walk into such that valley of
death?

Could you but find the courage and faith,
to rebuild your life when you've so lost your
strong legs as left?

Oh yes Robert how you have so shown us all
the way!

As one of the finest Americans, who never
took . . . but gave!

SALUTING SERVICE ACADEMY STUDENTS—MICHAEL ROBERTO

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Michael Roberto, a United States Military Academy Appointee. Michael is a graduate of Cistercian Preparatory School where he was highly involved in athletics, including being cross country varsity team captain, track team, soccer as a right forward, and football as a receiver and a cornerback. Michael is also the founder and president of his high school debate team, an officer in the Economics club, a writer for his school newspaper, and served on the Third District Congressional Youth Advisory Committee. Michael desired nothing more than to attend a United States Service Academy and become an officer in the military. Michael is not only interested in pursuing the superior education that an Academy will offer him, but he is also seeking the unrivaled development he will experience in becoming one of the best military officers his country deserves.

HONORING ALISON SCHIEBER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alison Schieber of Saint Joseph, Missouri. Alison is active in the community and she has been chosen to receive the YWCA Women of Excellence Award for Woman in Volunteerism.

As President of the Allied Arts Council, Alison is also serving on the Missouri Citizens for the Arts Board to advocate for the advancement of the arts through education. A Sustainer of the Junior League of St. Joseph, Alison is also a member of the Community Action Committee and a spokesman for the St. Joseph Public Library Modern Library Campaign.

Alison is lauded for her ability to lead by example, understanding the important role the arts play in childhood development. Her advocacy for the arts led to her work with the Missouri Citizen's for the Arts as a lobbyist, working to remove the sunset clause on the Cultural Entertainment tax.

Mr. Speaker, I proudly ask you to join me in recognizing Alison Schieber. She has made

an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. POLIS. Mr. Speaker, I was not present for votes on Friday, June 3, 2011. Had I been present, I would have voted "no" on rollcall vote 411.

RIDE TO WORK DAY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. DUNCAN of Tennessee. Mr. Speaker, as a Member of the Congressional Motorcycle Safety Caucus I rise to recognize Ride to Work Day.

Each year the third Monday in June is designated as Ride to Work Day and this year, on June 20, more than a million motorcyclists across the Nation will use their motorcycles to commute. In doing so, these riders will make a statement about the utility, fuel economy and fun of using motorcycles and scooters for transportation.

The Motorcycle Industry Council's most recent information estimates that more than 21.5 million Americans operated a motorcycle in 2009. Many of these riders visited Tennessee, and specifically the 2nd Congressional District, which features some of motorcycle riders' favorite roads in the Country. Two members of my own staff ride motorcycles for both fun and transportation.

As more and more Americans choose scooters and motorcycles as transportation options, or just choose to ride for recreation, it becomes ever more imperative that each of us does all we can to promote motorcycle safety. This means that motorcyclists must ride responsibly, by getting trained and licensed and obeying traffic safety laws. Other road users can do their part by being aware of motorcyclists and sharing the road.

On June 20, I encourage all riders to gear up and ride to work. I also encourage all other road users to take special note of all the riders on the road and remember to always look out for motorcyclists.

HONORING MURIEL REDMOND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Muriel Redmond of Saint Joseph, Missouri. Muriel is active in the community and has been chosen to receive the YWCA Women of Excellence Lifetime Achievement Award: Woman in Volunteerism.

After her marriage, Muriel became active in St. Joseph's Hospital Guild, continuing her interest founded while a student nurse. With her dedicated involvement, she accepted leadership positions, including president. Muriel started the Candy Striper program in 1947, being the first instructor.

Muriel's lifelong interest in the medical field included membership in the Medical Auxiliary. She has been an active member in the Flower Society, Girl and Boy Scouting, and P.E.O. She is a member of Y Women and a supporter of the Abuse Shelter.

As a member of St. Joseph's Cathedral Church and the adjoining school, she supported her children's education with two periods as president in the PTA. She remains active in the Quarter of A Century Nurses and at her present residence, the Living Community of St. Joseph; she was a founder of the Needles and Pins group.

Mr. Speaker, I proudly ask you to join me in recognizing Muriel Redmond. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

MARKING THE 30TH ANNIVERSARY
OF THE DISCOVERY OF AIDS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mrs. LOWEY. Mr. Speaker, this month marks the 30th anniversary of the first AIDS diagnosis. On June 5, 1981, the Centers for Disease Control published the first mention of what would later be determined to be HIV. Since that time, the disease has taken a heavy toll on populations both at home and around the world. We remember those who have lost their lives to AIDS and honor those who have dedicated their lives to fighting this terrible disease.

The United States has been a world leader in this fight, and there is reason to be optimistic. The President's Emergency Plan for AIDS Relief, PEPFAR, has directly supported life-saving antiretroviral treatment for more than 3.2 million men, women and children worldwide. In fiscal year 2010 alone, PEPFAR programs treated more than 600,000 HIV-positive pregnant women allowing more than 114,000 infants to be born HIV-free. In addition, PEPFAR directly supported HIV counseling and testing for nearly 33 million people, providing a critical entry point to prevention, treatment, and care.

In recent years there have been real advances in the treatment and prevention of AIDS. A scientific trial of microbicide gel has shown it to reduce the risk of a woman becoming infected with HIV during sex by almost 40 percent. Another trial has revealed that drugs used to treat HIV may also be effective in preventing infection.

We must do more to ensure that scientific breakthroughs in HIV/AIDS reach the most vulnerable populations. Mother-to-child transmission of HIV has been virtually eliminated in the developed world; however, 1,000 babies are still infected with HIV around the world

each day. This is deplorable when we have the tools and medicines to end pediatric AIDS. I commend UNAIDS and PEPFAR for their plan to virtually eliminate mother-to-child transmission of HIV by 2015.

U.S. contributions to multi-lateral organizations such as UNAIDS and the Global Fund to fight AIDS, Tuberculosis and Malaria are critical to ending the AIDS epidemic. To date, the Global Fund has provided support to treat three million HIV-positive people, and reached 150 million people with HIV counseling and testing.

We have come a long way since that June day 30 years ago. I am proud of the resources this body has dedicated over the years to fighting HIV and AIDS. Along with saving lives, this funding helps to free developing countries from the burden of disease, allowing economic growth and increased stability. I urge my colleagues to continue our commitment to fighting this disease.

A TRIBUTE TO ARCHBISHOP
VATCHÉ HOVSEPIAN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SCHIFF. Mr. Speaker, I rise today to honor His Eminence Archbishop Vatché Hovsepian upon his 60th anniversary of consecration and ordination into the priesthood.

Archbishop Hovsepian was born in Beirut, Lebanon, where he received his elementary education at the Mesrobian Armenian National School, and later was accepted as a postulate at the Antelias Theological Seminary. Upon successfully completing his studies, he was ordained Father Vatché Hovsepian, and served in the capacity of assistant dean and instructor of the Seminary.

In 1953, Father Vatché went to England to further his theological studies, and was simultaneously active in the World Council of Churches Youth Movement. After attending the College of the Resurrection near Manchester, he continued his studies at the University of Edinburgh, Scotland. During his stay in Edinburgh, Father Vatché was a vibrant member of the Theological Commission. When Father Vatché was assigned to the Pastorate of the Holy Cross Armenian Church of Union City, New Jersey in 1956, he diligently continued to pursue his studies and obtained his Bachelor of Divinity Degree at the New Brunswick Theological Seminary at Rutgers University.

Father Vatché's journey continued to Canada during the influx of Armenian immigrants to the region. In 1967, he was designated as "Bishop of Canada," and he immediately organized a new Diocese. Through the efforts, dynamism, and perseverance of the Bishop, a cathedral with school facilities was purchased in Montreal, Quebec.

In 1971, Archbishop Vatché was elected as the Primate of the Armenian Church of North America Western Diocese. Upon attaining his new role, the Primate arrived at the Diocesan Headquarters, which at the time was a rented house in Los Angeles, California. Immediately,

he began searching for a potential site for a cathedral, and a church was soon purchased in Hollywood, California. This church was later transformed into the St. John Armenian Cathedral, where the vast Armenian population living in Hollywood frequented every Sunday.

In 1988, when the disastrous earthquake struck in Armenia, the Archbishop established the Orphan's Fund, through which the Diocese sends aid and medical supplies to the orphans in Armenia regularly. In addition, Archbishop Vatché was instrumental in the founding of the St. Gregory Alfred and Marguerite Hovsepian Armenian School in Pasadena, California, as well as numerous other Armenian Day Schools in the community. Under Archbishop Vatché's leadership and guidance, the Western Diocese purchased a multi-purpose complex in Burbank, California, where the present Diocesan Headquarters stands. Archbishop Vatché has also actively participated in civic issues, and has met with five Presidents of the United States and various religious leaders.

I ask all Members to join me in thanking Archbishop Vatché Hovsepian for his selfless dedication and commitment to the Armenian community and wish him well in all future endeavors.

HONORING MICHELLE
MEIERHOFFER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Michelle Meierhoffer of Saint Joseph, Missouri. Michelle is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Award for Emerging Leader.

Michelle Meierhoffer is a recent addition to the Saint Joseph community, and in her three years here has already garnered awards and appreciation through civic and professional endeavors. Pfizer Pharmaceuticals has recognized her contributions as a Sales Representative with numerous awards, including the company's top honor. She has lent her considerable energy and imagination to the Junior League and the Albrecht Kemper Museum of Art. She embodies her own words to others to "do their best and think outside the box to obtain their goals using new and exciting means."

Mr. Speaker, I proudly ask you to join me in recognizing Michelle Meierhoffer. She has already made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

HONORING JOAN BROWN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Joan Brown and recognize her contribution to volunteerism and community involvement in Marin County, California. Ms. Brown is retiring as Manager of the Civic Center Volunteers, CCV, program after more than 32 years of fostering citizen participation in local government.

After graduating from Northwestern University, Joan continued a legacy of service begun by her family. Her initial work as an elementary school teacher greatly inspired her career path, and the professional standards she cultivated as a teacher carried over into the environment she created at CCV. A trip to the Soviet Union in 1973 focused her passion for service on participation in local government. Her official guide on the trip insisted that the Berlin Wall was nonexistent, just U.S. propaganda, reminding Joan that citizen involvement is essential for democracy.

The CCV was established in response to Proposition 13, which reduced tax revenue to the counties. Joan was hired temporarily and quickly became a permanent employee in the Personnel Department as she helped to create a place where women, retirees, and recession-impacted professionals could dedicate their skills through volunteerism. Through her leadership, the CCV grew from zero in 1979 to 8,400 in 2010.

Marin County would be a very different place were it not for Joan's success with citizen involvement in each county department, saving the Marin taxpayers millions in the process.

Joan's knack for volunteer management extended beyond the reach of the CCV. She took on the challenge of co-founding the National Association of Volunteer Programs in Local Government which included both national and international training. With Community Mental Health, she engineered volunteer development in her successful 10-year Job Coach program. And she also promoted employee effectiveness by creating a newsletter for employees by employees and establishing an employee recognition event.

For her accomplishments both within Marin County and beyond, she earned the First Acts of Caring Award from the National Association of Counties and the Volunteer Administrator of the Year Award from the international Association for Volunteer Administrators.

Mr. Speaker, I ask you to join me in commending Joan Brown's contributions of over 32 years to the people of Marin County. Joan leaves our county more enriched through her innovative vision of volunteerism and community service. I wish her an enjoyable retirement with her family and success in her continued service commitments.

SALUTING SERVICE ACADEMY STUDENTS—KIOUMARS REZAIE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Kioumars Rezaie, a United States Merchant Marine Academy Appointee. Kioumars is a graduate of Plano West Senior High School where he played football, as well as soccer and served as the team captain. Simultaneously, Kioumars played select soccer and served as his team's captain. Kioumars was actively involved as a member of the Third District Congressional Youth Advisory Board, a JROTC commander, and the National Honor Society. He was also part of the American Legion Texas Boys State where he was a state delegate and was active at St. Andrew United Methodist Church in the Seven Loaves Food Pantry. Kioumars believes that the service academies require young men and women to have honor, courage, and commitment and looks forward to grooming those traits.

HONORING ENSIGN-BICKFORD INDUSTRIES ON THEIR 175TH ANNIVERSARY

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor Ensign-Bickford Industries on their 175th anniversary. Since 1836 Ensign-Bickford has called Simsbury, Connecticut home, where its employees have always strived for quality and innovation.

Before setting up shop in Connecticut, William Bickford invented a miner's safety fuse in 1831 that would later make Ensign-Bickford Industries a pioneer of the safety fuse for both mining and military applications.

As the years passed, the country and the company changed and adapted. Ensign-Bickford transformed into a leader in the aerospace industry. In fact, since the beginning of the American space program, the company has provided the technology that allows rockets to separate, and satellites to be launched into orbit.

Ensign-Bickford has also served both our state and the nation by helping to protect our soldiers in battle. The company has developed important landmine clearing technology and

strengthened armor for military vehicles. These innovations have undoubtedly saved lives, and taken together with the other industries they serve, Ensign-Bickford has provided thousands of jobs for American families through the years.

For nearly two centuries, Ensign-Bickford Industries has epitomized the American spirit of innovation, perseverance, and responsibility that I believe we need to restore in American manufacturing. So I wish to congratulate Ensign-Bickford on this special occasion, and I ask my colleagues to join me in recognizing Ensign-Bickford Industries on their 175th anniversary.

HONORING MADELEINE MISEMER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Madeleine Misemer of Saint Joseph, Missouri. Madeleine is active in the community and in her school and has been chosen to receive the YWCA Women of Excellence Future Leader Award.

Leadership is a hallmark of Madeleine's high school career. While earning high academic honors each semester, she remained involved in Student Council and was a delegate to the Missouri Association of Student Council Summer Leadership Workshop. Madeleine has been enrolled for three years in the Leadership Class and has also been a DECA leadership conference delegate. She is often seen at athletic events supporting her peers, and is a member of the varsity tennis team. Her lengthy list of service activities includes chairman of the blood drive and steering committee member for the Senior Citizen's Prom. She is also a natural tutor and mentor, leading activities for struggling students.

Madeleine's nominator states, "Her high morals and ethics are not to be questioned . . . others trust her judgment, and she sees the bright side to all situations."

Mr. Speaker, I proudly ask you to join me in recognizing Madeleine Misemer. She is an amazing individual and a tremendous asset to our community. I am honored to represent her in the United States Congress.

HONORING COLONEL JAMES "BUSTER" HAYDEN

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. REYES. Mr. Speaker, it is with a heavy heart that I rise today to share the news of a great loss to El Paso, to Texas, and to the Nation. My dear friend, Colonel Retired James "Buster" Hayden was a class of 1945 West Point Graduate, retired Army officer with 30 years military service, long time area West Point Admissions Representative, and the Chairman of my Military Academy Advisory Board for over 15 years.

Col. Hayden came from a long and distinguished line of West Point graduates. His great-grandfather was a member of the Civil War Class of 1862, and his grandfather graduated in the Class of 1888. In the 20th Century, his father was in the World War I Class of 1917, and Col. Hayden—well known to everyone as “Buster”—graduated with the World War II Class of 1945 after securing an appointment on his fourth try!

Col. Hayden's distinguished career of 30 years included tours of duty with the Constabulary Force during the occupation of Germany, in an armored field artillery battalion during the Korean War, at the Pentagon, and with the Joint Chiefs of Staff. He retired as the Deputy Assistant Commandant of the Air Defense School in 1975. Just a year later, he started working with the West Point Admissions Field Force, beginning his long and distinguished journey of molding the next generation of leaders.

With his passing, our community has lost one of the greatest advocates for El Paso youth wishing to serve in our Nation's Armed Forces. After his family, what he loved most was inspiring scores of young El Pasoans every year to never give up on their dreams. Since 1976, he helped recruit talented cadets from the El Paso area and Southern New Mexico to West Point.

Over the last 15 years, Col. Hayden devoted countless hours, along with the other members of my Academy Advisory Board for the 16th Congressional district, to overseeing the annual process of nominating El Paso's finest young men and women to our Nation's service academies.

He influenced the lives of hundreds of service academy graduates, who have pursued successful careers in the military, education, business, and industry. In fact, Col. Hayden helped shepherd more cadets into the United States Military Academy at West Point than anyone in the history of the Academy. His efforts in our region have led to over 1,200 offers of admission to young men and women, resulting in no less than 622 graduates.

Col. Hayden never gave up on a single applicant, nominee, or appointee, even when he was feeling sick from the effects of cancer. Even near the end, his daughter found him in his office looking for information to reach a cadet. Once he got the phone number, he spent 30 minutes talking to the cadet. That is how he was with “his” cadets as well as those seeking a future at our military academies. In fact, in one of life's great ironies, I was at an event the night he passed away speaking with a second lieutenant of the 1st Armored Division from Fort Bliss who was proud to be “one of Hayden's soldiers.” He told me how Col. Hayden had changed his life by mentoring him from prep school to graduation at West Point. I have heard from many soldiers I have visited with around the world who tell of how Col. Hayden kept in touch and mentored them. That was the “Hayden way.” He always had words of encouragement for our young applicants and loved to recount the story about the challenges he himself faced in gaining entry into West Point. In his own self-deprecating way, he talked to candidates about how it took him four tries to get in, and he urged them to never give up on their dream.

During 30 years of active duty and another 35 years supporting Admissions and many other programs connected with West Point, Col. Hayden has truly espoused the motto of the United States Military Academy: Duty, Honor, Country.

His love for the Academy and for our Armed Forces was unparalleled, and we will all miss him. It was a privilege to know Buster and to work with him. He leaves a great legacy and will have a lasting impact for many generations to come. Our Nation and our community are deeply indebted to him for his service and dedication to our young people.

CONDEMNING THE ATTACKS ON DEMONSTRATORS IN SYRIA

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. KILDEE. Mr. Speaker. I rise today to strongly condemn the violence that Syrian President Bashar al-Assad has unleashed on his people over the past few months.

While the world closely watched the revolutions in Egypt and Tunisia unfold, little attention has been paid to the Assad government's crackdown on peaceful demonstrators. In March 2011, hundreds of Syrians took to the streets to demand freedom and to force the Assad government to lift the emergency law, which has been in place since 1963.

Instead of meeting their demands, the Assad government unleashed a vicious crackdown on demonstrators with security forces firing, arresting and torturing thousands of unarmed Syrians. According to U.N. officials, as many as 1,100 people may have been killed since the protests began and as many as 10,000 people have been reported to be in custody or missing.

In May 2011, the Syrian government widened its military crackdown by sending tanks into several more villages and severing communications. The attacks on civilians and military defectors intensified in June after demonstrators showed renewed strength and determination. The relentless attacks have forced thousands of Syrians to flee Syria into Lebanon and Turkey to escape the escalating violence.

While I applaud President Obama and Secretary Clinton for condemning these brutal attacks and human rights violations, I believe the U.S. and the international community should be doing more to force the Assad regime to stop attacking its own people. I urge my colleagues to join me in condemning this violence and to call on the Obama administration to take a more active role in forcing the Syrian government to end these attacks.

HONORING JAN SAXTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jan Saxton of

Saint Joseph, Missouri. Jan is active in the community and has been chosen to receive the YWCA Women of Excellence Lifetime Achievement Award: Woman in the Workplace.

In 1945, after every member of Jan's family worked to save all their earnings through the great depression, her father decided the time was right. Every penny saved was invested into the dream of rebuilding a spot of family entertainment, a golf course. A small lot at 9th and Jules in St. Joseph, provided land for rent. Used lumber and materials started a modest 18 hole course. Jan graduated from Lafayette High School and with the help of her grandmother, Pearl Summers, was put in charge of the business. The little course thrived, yet before the end of the third season, the land was sold.

After her brother and Guy Saxton returned home from the service, she married Guy, her high-school sweetheart. Soon they purchased land to build what is now Cool Crest. His engineering and carpentry skills, and her gardening and “people skills” made for the perfect combination that we still enjoy today.

Mr. Speaker, I proudly ask you to join me in recognizing Jan Saxton. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

IN TRIBUTE TO DETECTIVE JAY CARROTT

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to Jay Carrott, whose retirement from the Simi Valley Police Department is being recognized this weekend.

Detective Carrott actually retired from the Police Department last year, but was immediately deployed to Iraq as a police advisor to an Army unit out of Fort Benning, Georgia, giving his fellow officers, family and friends no time to honor his service to the community. Jay is a personal friend who I have known for many years. He is home now and it is time to give him his long overdue accolades.

Jay Carrott became a reserve officer for the city in 1985 and was hired as a full-time officer in 1987. He rose to the rank of Senior Officer before leaving for a short stint with the Lacey, Washington, Police Department. He returned to the Simi Valley Police Department in 1995 and was promoted to Detective the following year.

It was as a Detective that Jay Carrott's skills, dedication and passion for law enforcement and the victims of violent acts came to full fruition.

In describing and praising his partner, Greg Gonzales, in 2008, Carrott told the local media that a good homicide detective must be intensely curious, care deeply about others and pay great attention to detail. Those certainly are qualities Carrott brought to the job.

Those qualities led to a nearly 90 percent case closure rate. But Carrott didn't just pursue criminals and bring them to justice. Along

the way, he brought empathy to the victims and victims' families, as well.

When Detective Carrott was awarded the Investigative Excellence Award for Cumulative Investigative Excellence in 2009 from the California Commission on Police Officers Standards and Training's Robert Presley Institute of Criminal Investigation, officials said in a statement: "He believes an investigator's job is not only to seek out the truth, but also to ensure that families touched by violence have a voice."

Jay's dedication to the truth and the law are legendary. When a local community service organization refused to rescind the rental of its facility to the Hells Angels motorcycle gang, Jay quit the organization, saying his police badge meant more to him than membership in the club.

But perhaps the best praise to Jay's dedication comes from his daughter, Erin, who wrote this in 2007 as part of a school assignment after Detective Carrott was awarded the City of Simi Valley's Meritorious Service Award:

"Weeks with no sleep, calls in the middle of the night, having to travel to places to search for things you aren't even sure exist, and criminals who get away with it this is what my father faces on a daily basis."

Jay was also a member of the Department's SWAT Team, a Range Master, and a member of the SES—Special Enforcement Section. Among the other awards he earned was SVPD Officer of the Year in 1991 and the SVPD Chiefs Award in 1998. Jay also taught at Moorpark College, where he earned an associate's degree before earning a bachelor's in business from University of Redlands.

Aside from Erin, Jay and his wife, Amy, raised two sons, Joshua and Joseph, and have a grandson, Taylor.

Mr. Speaker, I know my colleagues join me in thanking Detective Jay Carrott for his service to his community and country, and for his dedication to and passion for enforcing our laws, and wish him and Amy a long and happy retirement.

**SALUTING SERVICE ACADEMY
STUDENTS—AMANDA RIGSBY**

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Amanda Rigsby, a United States Merchant Marine Academy Appointee. Amanda is a graduate of Plano East Senior

High School in 2010 where she was active in varsity and select soccer. Amanda was involved in Plano Youth Ambassadors as a co-leader, Spanish Club, and Mock Trial as a witness roll, where she earned an award for best witness. She excelled academically in the International Baccalaureate Program and a member of the National Honor Society. She spent the last year at Southern Methodist University on a full scholarship and decided to change courses and apply to the U.S. Merchant Marine Academy. Amanda is a well rounded young woman who has dreams to pursue an international career, to help people, and to make a difference. She recently stated, "I appreciate my service obligations as opportunities as a Merchant Marine following graduation and embrace not only military service but also the maritime industry."

**REMEMBERING AND HONORING
THE LIFE OF WILLIAM P. POWERS SR.**

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to mourn the passing and honor the life of William P. Powers. Bill, a long-time resident of Niantic, Connecticut, passed away peacefully on May 29, 2011. Bill's desire to give back to his country and community was without bounds. We are fortunate that he chose to spend his life protecting our nation, teaching our young people, and working tirelessly to ensure a good life for the people around him.

Following the death of their father, Bill and his brother were raised in New Haven by their mother and her extended family. After graduating from high school, Bill went to work at High Standard Manufacturing Co., which made deep hole drills, and eventually .22 caliber pistols and repeating rifles, during World War II.

Bill's impressive work ethic, revealed at a young age, afforded him a life full of rich and diverse experiences. In New Haven, he busied tables of Yale's famous Berkely College dining hall, delivered telegraphs for Western Union on his bicycle, and even worked a maintenance job for the city's railroad. When war erupted and gripped the nation, Bill enlisted in the U.S. Navy. When his number was called up in October of 1942, he trained as a pilot, flying the well-known "Privateer" patrol bomber. He was stationed in Kearney, California.

When the war ended, Bill enrolled at Columbia University on the GI Bill. He kept himself busy as a student and worked as a waiter at the Drake Hotel, where he crossed paths with famous singers and songwriters like Frank Sinatra and Cole Porter.

Education was a lifelong passion and pursuit for Bill. After graduating from Columbia, he took a job back in Connecticut, this time in East Lyme's Niantic village where he would live for nearly 60 years. He served as principal of the Flanders, Niantic Center, and Great Neck schools in eastern Connecticut. He knew not only the name of every student in his schools, but also an interesting fact about each one of them. While ensuring that his stu-

dents had a safe and productive place to learn, Bill pursued more education of his own, earning a Master of Arts and Sixth Year degree from UConn. He also led a group of his colleagues as the President of Connecticut's Elementary and Middle School Principals' Association.

It is not surprising that when Bill's time as a professional educator came to a close, he put his signature passion and hard work into making his state and community a better place. For a period, he spent several years in Connecticut's General Assembly as legislative aide for his son, Senator Mark H. Powers, and also as a popular messenger in the senate. He even spent some time as an investigator in the New London Public Defender's office and was a respected and beloved Justice of the Peace. Bill was also an active member of American Legion Post 128.

Bill's contributions as a U.S. Navy veteran, an educator, and civic leader could easily fill three lifetimes, but he packed it all into one. I admire his desire to make education a lifelong experience and his commitment to preserve his deep Connecticut roots. He will be dearly missed by his state, his community and most of all by his loving wife, Jane, and five boys, William Jr., Mark, Joseph, Richard, and Thomas. I ask my colleagues to join me in mourning the loss and celebrating the life of William P. Powers.

IN RECOGNITION OF AND APPRECIATION FOR ROBERT VAN CAMP

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. PETERS. Mr. Speaker, I rise today to salute Mr. Robert Van Camp as he retires from his 40-year career as a pioneer in education, valued mentor and dedicated global citizen.

Mr. Van Camp is, and always will be, an educator in the broadest sense of the word. Bob was raised with his brother John on a working farm in the iconic village of Romeo, Michigan. The 19th century farmhouse, in its rambling fields and rural setting, belied their exceptional upbringing. The farm was a frequent gathering place for progressive minds of the time, including the Reuther brothers, and nascent causes like the Macomb County Interracial Society. The family frequently housed exchange students from Africa and helped found the first integrated Cub Scout den in Macomb County. Their mother, Dorothy, was a graduate of Columbia Teacher College, one of just 13 women charter members of the Detroit Federation of Teachers and a fierce opponent of book censorship during her tenure on the Romeo Library Board of Directors.

Imbued with the values of equality and fairness, and inspired by his mother's devotion to education, Bob understood he was a citizen and student of the world. This understanding shaped the path of his life. More significantly, it shaped his life's work and touched thousands of young people who have been inspired to look beyond their home towns to build bridges to other lands and cultures in their own lives.

Bob began his formal career at American University in Cairo, Egypt, after graduating from Central Michigan University. Three years later, he returned home and settled his career in the fast-growing Utica Community School (UCS) district. Much of his career at Utica was spent as the venerated, respected, and highly successful debate and communications coach at Henry Ford II High School. He coached numerous teams and individuals to debate and forensics state championships and was inducted into the Michigan Speech Coaches Hall of Fame in 1983. His debate colleagues knew him as a fierce competitor and a voracious researcher with a nearly photographic memory. But above all, he was ethical, principled and always put first the education and care of the young people in his charge.

In 1984, Bob and his wife, Dr. Donna McMinn, embarked on a new chapter in their lives by moving to Japan where Bob became an English and communications instructor.

Inspired by the experience and potential to enrich the lives of young people back home, they returned to Michigan and Bob established the pioneering East Asian Institute at UCS. For nearly 10 years, countless students from Michigan and Japan spent time in one another's homes and schools as exchange students, building cultural bridges and relationships that endure today.

In 1994, the broader educational community took note of Bob's exceptional dedication and innovative work. He was honored as a Michigan Teacher of the Year by the state, Macomb County Teacher of the Year by WDIV-Newsweek and Teacher of the Year by the Michigan Council for Social Studies.

For the next 15 years, Bob served as a UCS administrator in a variety of roles and shaped curricula for all Utica Schools' students. Among the most innovative programs he spearheaded was the Utica Academy for International Studies, an IB Diploma Programme, and the Utica Center for Science and Industry. Additionally, Bob was the initial project director of a Department of Defense grant to establish a Chinese immersion program for UCS students starting in kindergarten. Thanks to Bob's vision, dedication and tireless advocacy, the Utica Schools remain on the cutting edge of cultural exchange and language programs in the State of Michigan. This "renaissance man" of education will truly be missed by his many colleagues and admirers in UCS and beyond.

Throughout his rich and varied career, Bob has helped shape the development and lives of thousands of young people whose own careers have taken them across the globe. At his retirement party tomorrow evening, many of his former students and debaters will gather from around the country to express their appreciation for his inimitable guidance and friendship.

Mr. Speaker, I ask my colleagues to join me as I salute Robert Van Camp, a shining example of the most dedicated of teachers, mentors and visionaries for education in Michigan, and indeed, around the globe. Although Bob will undoubtedly enjoy his retirement with Donna and their menagerie of animals on Stonecroft Farm, I hope in the next chapter of his life, he continues his work of building bridges to other cultures and countries and enriching the lives of young people everywhere.

DEMOCRACY RESTORATION ACT OF 2011

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Democracy Restoration Act of 2011. This legislation will serve to clarify and expand voting rights, as well as assist former felons with their reintegration into our democracy.

The Sentencing Project reports that, since 1997, 19 states have amended felony disenfranchisement policies in an effort to reduce their restrictiveness and expand voter eligibility. These reforms have resulted in more than 760,000 citizens regaining their voting rights. Yet, despite these reforms, an estimated 5 million people continue to be ineligible to vote in Federal elections, including nearly 4 million who reside in the 35 states that still prohibit some combination of persons on probation, parole, and/or people who have completed their sentence from voting.

I believe that there are three grave discrepancies in State laws regarding felony convictions that lead to unfairness in Federal elections. First, there is no uniform standard for voting in Federal elections, which leads to an egregious disparity and unequal participation in Federal elections based solely on where a person lives. Second, laws governing the restoration of voting rights after a felony conviction are unequal throughout the country and persons in some States can easily regain their voting rights while in other States persons effectively lose their right to vote permanently. Third, State disenfranchisement laws disproportionately impact ethnic minorities, thus adversely infringing upon citizens of these communities constitutional right to vote.

These concerns about ex-offender disenfranchisement are not rhetorical. In the past two election cycles, flawed voter purges have deprived thousands of legitimate voters of their rights. For example, an erroneous interpretation of state law by the Ohio Secretary of State deprived thousands of ex-felons in that state of even the right to register. Only Federal law can conclusively resolve the ambiguities in this area plaguing our voting system.

Like the States, Congress has recognized the need to address the barriers to full citizenship faced by ex-offenders. This voting legislation is the next step in restoring the ex-felon community to full citizenship. Denying voting rights to ex-offenders robs them of the opportunity to fully participate and contribute to their society. Disenfranchisement laws isolate and alienate ex-offenders, and have been shown to serve as one more obstacle in their attempt to successfully reintegrate into society. Moreover, these obstacles adversely impact the voting participation of their families, further undermining the effectiveness of our voting system.

This legislation is a narrowly crafted effort to expand voting rights for ex-felons, while protecting State prerogatives to generally establish voting qualifications. This legislation would only apply to persons who have been released from prison, and it would only apply to federal

elections. Consequently, the bill is fully consistent with constitutional requirements established by the Supreme Court in a series of decisions upholding Federal voting rights laws.

In past Congresses, voting restoration legislation has been supported by a broad coalition of groups interested in voting and civil rights, including the NAACP, ACLU, the National Council of Churches (National and Washington Office), the National Urban League, the Human Rights Watch and the Lawyers Committee for Civil Rights, among many others.

The practice of many states denying voting rights to former felons represents a vestige from a time when suffrage was denied to whole classes of our population based on race, gender, religion, national origin, and property. Ex-felons who have been lawfully released from prisons have paid their debts to society. To continue denying them the ability to reclaim rights as citizens resurrects historic unenlightened practices of our society. Ultimately, I believe that we fail not only ex-offenders by denying them the right to vote, but the rest of a society that has struggled throughout its history to be legitimate and inclusive. Just like poll taxes and literacy tests, it is long past time that these restrictions be relegated to unenlightened history.

CONGRATULATING BRIGADIER
GENERAL RICHARD A. HERSACK
ON THE OCCASION OF HIS RETIREMENT

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. AUSTRIA. Mr. Speaker, I rise today to congratulate Brigadier General Richard A. Hersack for his outstanding service to our Nation on the occasion of his retirement.

On behalf of the people of Ohio's Seventh Congressional District, I am honored to congratulate Brigadier General Hersack upon his retirement as Command Surgeon of the Air Force Materiel Command (AFMC) at Wright-Patterson Air Force Base in Ohio.

His 28 years of dedicated service to the citizens of our Nation and our community is both admirable and commendable. Hersack received his commission in 1983 upon his graduation from the St. Louis University School of Medicine. As Command Surgeon, he was the principal medical adviser to the AFMC Commander, promoting the health and well-being of 84,000 military and civilian personnel. He is responsible for the medical policy implementation and treatment execution at eight medical treatment facilities and the U.S. Air Force School of Aerospace Medicine, totaling more than 435,000 beneficiaries. Additionally, he oversees operational medicine research, development, education and training programs conducted at the Air Force Research Laboratory's 711th Human Performance Wing.

Over the course of his distinguished career, he served at Wilford Hall Medical Center as the Arthur B. Tarrow Chairman, Department of Anesthesia. General Hersack was one of the original developers of the Mobile Field Surgical Team and the Critical Care Transport

Team. He deployed in response to the bombing of the Murrah Federal Building in Oklahoma City, and operations Joint Endeavor and Assured Response.

General Hersack also commanded the 51st Medical Group, 51st Fighter Wing at Osan Air Base in South Korea. Prior to his most recent assignment, he served as Chief of the Medical Readiness Policy and Operations for the Air Force Surgeon General, overseeing all Air Force Medical operations and deployments worldwide. General Hersack is also a Chief Flight Surgeon with more than 900 flying hours, and 25 combat missions in the C-130 aircraft.

For his many years of service to our Nation, I join the people of Ohio's Seventh Congressional District in extending our best wishes upon his retirement and ongoing success in all future endeavors.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. ELLISON. Mr. Speaker, on June 15, 2011, I inadvertently missed rollcall No. 424 and 425 and would have voted "no" on both rollcall votes.

SALUTING SERVICE ACADEMY STUDENTS—CONNER WILLCOX

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Conner Willcox, a United States Merchant Marine Academy Appointee. Conner is a graduate from McKinney Boyd High School where he played football as a starting inside linebacker, lacrosse where he served as captain his senior year, and also participated in wrestling. Conner was actively involved in the National Honor Society, Peer Assistance and Leadership, Saint Gabriel Church Youth Group and as a lifeguard. Conner wants to attend an academy because of the structure and tradition of excellence offered. It is his dream to be a leader in the military in order to protect the country and preserve the liberties we all enjoy. Conner comes from a military family as his grandfather flew 136 missions in Southeast Asia including more than 100 over North Vietnam and his brother

is a Cadet First Class at the U.S. Air Force Academy.

THE INTRODUCTION OF THE DEREK M. HODGE VIRGIN ISLANDS IMPROVEMENT ACT OF 2011

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to introduce the Derek M. Hodge U.S. Virgin Islands Public-Private Investment Act. This legislation would create an innovative pilot program to leverage private pension assets to raise approximately \$250 million a year dedicated to the infrastructure of the U.S. Virgin Islands, while simultaneously raising an additional \$500 million a year for the U.S. Treasury.

In short, the bill would allow taxpayers a onetime transfer of existing IRA, 401k, and other tax deferred investments—up to a total limit of \$50 billion—into a special fund with no tax or penalties at the time of the initial transfer. The transferred funds would receive "Roth" like treatment at retirement if taxes are paid as follows:

For the first ten years, a 1.5 percent tax would be collected by the U.S. Treasury and divided 1.0 percent to the U.S. Treasury and 0.5 percent to the Virgin Islands.

During the second ten years, a 1.0 percent tax would be divided equally between the U.S. Treasury and the Virgin Islands.

After twenty years, a 1 percent tax would be continually collected only for the benefit of the U.S. Treasury.

The tax funds allocated to the Virgin Islands would be deposited in an escrow account. The Department of Interior would approve the release of the escrowed funds to pay for projects set out under an approved reconstruction plan.

Under my bill, the Virgin Islands would receive a twenty-year dedicated source of revenue that would enable it to build a modern infrastructure to move the islands toward self-sufficiency and reduce unemployment.

Mr. Speaker, the Virgin Islands has neither the tax base nor will it receive sufficient federal assistance to make the necessary investments in basic infrastructure like water, sewer, storm-water, roads, telecommunications, and electric grid. The current infrastructure is not "hardened" against frequent tropic storms, and therefore must be repaired often—further exacerbating the unwillingness of the private sector to invest in basic industries on the islands. These investments would substantially mitigate the federal government's cost for rebuilding after tropical storms and are essential to job creation and providing basic services to the citizens of the Virgin Islands.

Mr. Speaker, the legislation I introduce today is named in honor of former Virgin Islands Lieutenant Governor and former President of the Legislature of the Virgin Islands, Derek M. Hodge, who recently passed away. Derek was the driving force behind this bill and he dedicated the last several years of his

towards its passage because of what it would mean for his beloved Virgin Islands. There would not be a more fitting tribute to his life's work than the enactment of this bill into law.

In these days of budget cuts and growing unwillingness to fund for essential infrastructure, my bill will ensure the necessary investment in the Virgin Islands through a wholly voluntary funding source—a win for the citizens of the U.S. Virgin Islands and the American taxpayers.

COMMEMORATION OF LYMPHEDEMA AWARENESS DAY

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. ROE of Tennessee. Mr. Speaker, today I hope to raise awareness of lymphedema, a debilitating disease for which no cure has yet been developed.

Lymphedema is a blockage of lymph vessels that causes an accumulation of fluid, protein, and other cellular waste. This results in a swelling of the body in places where the blockage occurs. Though lymphedema can be passed down genetically, it most frequently occurs after surgical procedures to remove damaged lymph nodes or vessels. Often it is a tragic side-effect to cancer treatments, the highest risk occurring in breast and prostate cancer patients.

Doctors can screen for lymphedema using a number of diagnostic tools, and early detection is important to minimize the effects of this disease. Lymphedema, sadly, is not curable, but it is treatable through compression, specially designed exercises, or, in some cases, surgery.

One of my constituents, Jennifer Onks Hovatter of Johnson City, lost her husband Thomas to complications arising from lymphedema in 2007. Every year on June 18th—the day that Thomas passed away—Jennifer holds the Thomas Hovatter Lymphedema Awareness Day in memory of her husband.

I hope others will join me in tying a turquoise ribbon around their tree the weekend of June 17–19, and help Jennifer bring awareness to this chronic, debilitating disease.

HONORING CALIFORNIA STATE UNIVERSITY, FRESNO

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor California State University, Fresno as the University celebrates its Centennial Anniversary Year.

Starting from humble beginnings as the Fresno Normal School, CSU, Fresno has evolved into an acclaimed university. Serving a culturally diverse student body, Fresno State has pledged to be a university accessible to students from all backgrounds with the desire

to attain higher education. It is this commitment to serving all students which makes this university indispensable to the Central Valley.

Fresno State attracts both national and international attention for its many academic programs. Among the nationally acclaimed programs is the Jordan College of Agricultural Sciences and Technology. CSU, Fresno operates the first commercially bonded winery on any U.S. university campus, and student-produced wines have won hundreds of awards, bringing much needed interest to the Central Valley. In addition, the Jordan College of Agricultural Sciences and Technology is also working to solve many of the most pressing issues in agriculture. The college has become a pioneer in water-saving irrigation techniques and equipment that has been utilized.

With 64 bachelor's, 44 master's and three doctoral subject areas, CSU, Fresno has come a long way. The University has contributed much to the economic, civic and social well-being of our community.

Mr. Speaker, please join me in honoring California State University, Fresno on its Centennial Anniversary.

HONORING DIANE HARGRAVE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Diane Hargrave of Saint Joseph, Missouri. Diane is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Award for Woman in Support Services.

Within her 23 years of service to the Northwest Missouri Psychiatric Rehabilitation Center, Diane has continually excelled at a complex set of responsibilities. She has assisted with five successful federal and state inspections, and has served several facility leaders on her journey to her current title as Assistant to the Chief Operating Officer. Diane holds the complete history of the facility in her hands, and has been praised for her assistance through a major leadership reorganization. Her knowledge of the facility has been instrumental for hospital leadership navigating service delivery in the complicated public mental health care setting. Diane has guided coworkers to top administrative leadership positions, while helping NMPPRC maintain rigorous accreditation—and all with humor and generosity.

Mr. Speaker, I proudly ask you to join me in recognizing Diane Hargrave. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

VIRGINIA BEACH ELKS LODGE #2268

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. RIGELL. Mr. Speaker, I rise today to commend Paul Shoemaker and the Virginia Beach Elks Lodge #2268. On Sunday, June 12, 2011, the Virginia Beach Elks Lodge #2268 held a Flag Day Ceremony at the Flame of Hope Memorial in Virginia Beach, VA, to commemorate the adoption of the Flag of the United States. I would like to thank Chief Warrant Officer Floyd R. Shoemaker, Sr. for attending the ceremony and for his 43 years of service in the Navy, Air Force, and Army. I would also like to thank Colonel Francis X. Cubillo, USMC; Mayor William D. Sessoms, Jr.; Captain Robert N. Geis, USN; Karyn Swenor; Beverly Hamby; the Green Run High School NJROTC; Ron McGregor; and Samantha Spencer for participating in the ceremony. The Elks did an incredible job putting this event together, and I commend them for their continued service in the Hampton Roads community.

RANDLEMAN WINS CHAMPIONSHIP ON THE FINAL OUT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. COBLE. Mr. Speaker, unlike other sports, baseball is unique because there is no clock. Unless weather intervenes, the game ends only when the leading team records 27 outs. The baseball team at Randleman High School, located in the Sixth District of North Carolina, discovered that getting the last out can be the most difficult of all. Randleman won the North Carolina High School Athletic Association State 2-A championship on Saturday, June 4, 2011, in dramatic fashion by collecting that final out with a play at the plate.

The Randleman Tigers won this state championship with an 8-7 victory over defending state champion East Rutherford High School. The game was played on Oak Field at North Carolina State University. The Tigers won the best of three series, two games to one. This was Randleman's first appearance in the finals since 1985 and marks an important achievement in the school's history.

In the last inning, a six-run lead dissolved to two. Another hit scored the seventh run for East Rutherford, but as the tying run was heading to the plate, Randleman's Tyler Walls launched a perfect throw to cut-off man Dylan Richardson. The Tiger's shortstop never paused as he whipped the relay to catcher Zach Bach to get the last out and give Randleman its first state title ever. Head Coach Van Hurley, Jr., told the Asheboro Courier Tribune, "To win like that, Curtis [Linthicum] to throw like that. It's all unbelievable. We had three outs to get and six runs to give. I had complete confidence that he was going to do it."

With a grand slam on Friday and pitching the gutty win on Saturday, Curtis Linthicum received the MVP award. Joining him on the state championship team were Will Albertson, Easton Welch, Ted Luna, Jacob Tally, Dexter Allen, Jeremy Taylor, Dylan Richardson, Ryan Vickers, Cody Trogon, Tyler Walls, Connor Pratt and Zach Bach. The winning team was led by Head Coach Van Hurley, Jr., who was ably assisted by coaches Shawn Barker, Clayton Welch and Scott Clemons.

The Tigers finished their extraordinary season with a record of 28-4 and the satisfaction that comes from experiencing the result of practice and hard work right up until that final out. On behalf of the citizens of the Sixth District of North Carolina, we congratulate the Randleman High School baseball team for winning the 2011 state title.

IN SUPPORT OF EXPANDING THE PRIMARY CARE WORKFORCE AND OPPOSING H.R. 1216

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. CASTOR of Florida. Mr. Speaker, I rise today to acknowledge the importance of the primary care workforce and support provisions included in the Affordable Care Act to expand the number of primary care physicians, especially in my home state of Florida.

One of the smartest things we can do in health care today is to bolster primary care and family medicine. Your primary care doctor is your family doctor; the one you and your family see for checkups, and the doctor who is most likely to understand your health care needs. It is widely understood that if we are going to be more efficient in America with our health care dollars, we need to focus on prevention and boost the number of primary care doctors. There is a great demand for primary care physicians across the country and training new doctors in a community teaching setting is vital.

Training doctors is an especially critical issue in my home state of Florida. We have a significant doctor shortage. Florida has great medical schools and are turning out quality medical school graduates, but that is not enough because we do not have a sufficient number of residency slots. Florida is short nearly 3,000 new GME positions to meet current physician demand. Florida is the third most populous state, but ranks 44th in the nation in terms of the number of residency positions under Medicare. Those numbers reflect a brewing crisis situation. Not only does Florida have the largest and fastest growing percentage of citizens over 65, we have a rapidly aging physician population—25 percent of Florida's physicians are over 65. We need to do everything possible to train new primary care doctors all across the country, but especially in Florida. H.R. 1216 will take us backwards and that is why I strongly oppose its passage.

Before we take up legislation to terminate an initiative that encourages the training of new doctors in primary care, family medicine

and internal medicine, please understand our country's need for physicians who are most effective for our families. I urge my colleagues to support a robust primary care workforce. We need to work together to develop modern methods to train primary care physicians—and the Teaching Health Centers GME program, which my colleagues on the other side of the aisle seek to eliminate, is an innovative new model to help train more primary care physicians and encourage them to practice in communities. Physicians who train in a community setting have a better understanding of the needs of the communities they serve. Many organizations—like MedPAC and the Council on Graduate Medical Education—have called for a community-based GME program, so why do Republicans want to eliminate these opportunities before they start? Residency rotation through rural and outpatient locations provide great training opportunities for physician residents; and it encourages the resident to practice in out-patient or rural communities.

If we do not work together to find common sense solutions for our primary care workforce, America will be short of the doctors we need to serve in our communities and our families and neighbors will suffer the consequences. This is why I voted against H.R. 1216 and why I strongly oppose any attempt to eliminate innovated methods for training our future primary care workforce.

HONORING FIREFIGHTER SCOTT
DAVIS

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. PENCE. Mr. Speaker, today I rise to honor the service and sacrifice of one of Indiana's bravest.

Firefighter Scott Davis was tragically killed yesterday while fighting a fire at Tabernacle of Praise Church in Muncie, Indiana. He is the first Muncie firefighter to give his life in the line of duty since 1955.

Those who knew Firefighter Davis were not surprised at his boldness and bravery in the Tabernacle of Praise fire. He was a former Yorktown fire chief, and had been with the Muncie Fire Department since June 15, 2005.

He bravely sacrificed his life protecting the community, and in so doing, he will forever be remembered as a hero and servant leader.

In the midst of great tragedy, I honor Firefighter Davis and the other brave men and women who risk their lives every day to protect their community. We must always be grateful for those who run in when others run out.

Firefighter Davis was a man of faith, a devoted husband to his wife Raeanne, and loving father of three children—Jake, Emma, and Max. My family and I offer our deepest condolences and prayers to his loved ones, and we honor the legacy of Firefighter Davis' life of sacrificial service.

The Good Book tells us that "The Lord is close to the brokenhearted." And that is my prayer for the Davis family and the Muncie community.

CONGRATULATING TEMPLE
EMANU-EL ON CELEBRATING ITS
50 YEAR ANNIVERSARY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. LANCE. Mr. Speaker, on July 8, 2011, Temple Emanu-El of Edison will celebrate its 50th Anniversary. I am proud to join the more than 250 families in the congregation, the clergy and temple leaders in celebrating this golden anniversary.

This special event will kick off a year-long celebration of the Temple's history, successes and contributions it has made over the course of five decades to its members and to the Middlesex County and surrounding communities.

Over the last 50 years, Temple Emanu-El has earned a reputation for its open door policy, which is a hallmark of its congregational community. The renowned religious school was the first in the area to offer special education programs. The Temple has sheltered the homeless and welcomes interfaith families with no categorizing of Jewish and non-Jewish members.

A good community partner in Middlesex County, the Temple offers adult education programs. Its members deliver weekend meals-on-wheels to those in need and collects and distributes food and funds to the needy in the community.

At the Temple Emanu-El religious school, children learn Hebrew and the traditions of Judaism. Adults study with renowned Scholars-in-Residence and to take part in an Adult Bar/Bat Mitzvah program. Interfaith families can learn how to create Jewish homes.

As Temple Emanu-El celebrates this important milestone, I congratulate Rabbi Deborah K. Bravo, Cantor Jacqueline Shuchat-Marx, Rabbi Alfred B. Landsberg—Rabbi Emeritus, Jill Santoni, Educational Director, and the Temple's Board of Trustees for their dedicated efforts.

As the Temple's journey continues and traditions are passed along Dor v' Dor, I wish the Temple all the best in celebrating the next 50 years.

Mr. Speaker, I am proud to congratulate Temple Emanu-El in Edison, New Jersey in celebrating 50 years of service to the community. I am proud to share this important milestone with my colleagues in the United States House of Representatives and with the American people.

RECOGNIZING THE 146TH ANNIVERSARY OF JUNETEENTH AND THE 18TH ANNUAL CELEBRATION OF THE JUNETEENTH FREEDOM & HERITAGE FESTIVAL IN MEMPHIS, TENNESSEE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. COHEN. Mr. Speaker, I rise today to recognize the 146th anniversary of Juneteenth

and the 18th annual celebration of the Juneteenth Freedom and Heritage Festival in Memphis, Tennessee. On June 19, 1865, Major General Gordon Granger arrived in Galveston, Texas and announced in the town square that all slaves were free. Although this came nearly 3 years after the issuance of the Emancipation Proclamation, the newly freed men and women rejoiced in the streets with jubilant celebrations, and thus, the Juneteenth holiday was born. The theme of this year's Memphis festival is "Juneteenth Salutes 'The Divine Nine' in 2011."

Founded out of the necessity to combat racial discrimination and segregation, the Divine Nine is a collective group of nine historically African-American sororities and fraternities that together, create the National Pan-Hellenic Council, Incorporated. The Divine Nine works to promote unity, camaraderie, academic excellence and community service.

The Divine Nine is made up of the Alpha Kappa Alpha Sorority, Alpha Phi Alpha Fraternity, Delta Sigma Theta Sorority, Iota Phi Theta Fraternity, Kappa Alpha Psi Fraternity, Omega Psi Phi Fraternity, Phi Beta Sigma Fraternity, Sigma Gamma Rho Sorority, and the Zeta Phi Beta Sorority. They have profoundly impacted the lives of both their members and those they serve. Many of these organizations address issues related to social justice, human rights, poverty and economic security in African-American communities.

Over the years, countless Memphians have become members of these organizations and have made significant contributions to our community. Some include: current city of Memphis Mayor A C Wharton Jr., Alpha Phi Alpha; Shelby County Commissioner Deidre Malone, Alpha Kappa Alpha; 6th Circuit Court of Appeals Judge Bernice Donald, Zeta Phi Beta; and Pastor Kenneth Whalum, Jr., Phi Beta Sigma. Some who have fought for civil rights and equality are: Former president of the Memphis branch of the NAACP Velma Lois Jones, Alpha Kappa Alpha; current NAACP Executive Board member O.C. Pleasant Jr., Kappa Alpha Psi; and the late civil rights leader and former executive director of the NAACP Reverend Dr. Benjamin Hooks, Omega Psi Phi.

As we celebrate sororities and fraternities this Juneteenth, Delta Sigma Theta will host their 43rd Southern Regional Conference in Memphis. Some accomplished Memphian Delatas are cofounder Mary Church Terrell, singer Aretha Franklin, State Reps. Johnnie Turner and Lois DeBerry, Olympian Rochelle Stevens and National Civil Rights Museum Executive Director Beverly Robertson. Delta Sigma Theta has organized many initiatives that have improved African-American communities such as foreclosure prevention workshops, ACT test sessions and raising millions of dollars in college scholarships.

Mr. Speaker, it is in the spirit of these great organizations that I ask my colleagues to join me in observing our nation's 146th anniversary of Juneteenth and the celebrations in Memphis. This is a time to reflect upon the end of slavery in America and to recognize the many contributions of African-American citizens. As the Alpha Phi Alpha, Dr. Martin Luther King, Jr. said, the Emancipation Proclamation "came as a joyous daybreak to end the long night of their captivity."

HONORING MO ANDERSON

HON. JAMES LANKFORD

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. LANKFORD. Mr. Speaker, I rise today in honor of my constituent, Mo Anderson, for her commitment to volunteer community service which has inspired true acts of kindness all across communities in North America.

Mo was an elementary school music teacher for 14 years, after which she developed her first and very successful real estate office in Edmond, Oklahoma in 1975. In her current role as vice chairman of Keller Williams Realty, Mo spends much of her time traveling across the United States teaching at real estate training events. She has received numerous awards for her hard work and dedication.

Mo is the beloved leader of her real estate firm, significantly influencing her colleagues, and it is her story that has inspired the Keller Williams annual national Renew, Energize and Donate Day. Each year, on the second Thursday in May, thousands of associates from across the United States and Canada participate in projects and devote their time to renewing and energizing aspects of the neighborhoods in which they serve.

As an Oklahoman, I am proud of Mo for setting a wonderful example. She has inspired others to see needs in communities and to be sure those needs are met. Oklahoma is very grateful to Mo Anderson and to her building a legacy of caring.

PHILLIP O. BARRY, PH.D., PRESIDENT, MESALANDS COMMUNITY COLLEGE IN TUCUMCARI, NEW MEXICO

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. LUJÁN. Mr. Speaker, Dr. Phillip O. Barry in his 15 years at Mesalands Community College in Tucumcari, New Mexico has transformed Mesalands from an area vocational school into a community college. Dr. Barry's vision for Mesalands Community College has been instrumental to the continued development and success of the College. His efforts include leading the College through a rigorous accreditation process, and establishing the College's foundation to assist students in securing their educational futures. Dr. Barry's leadership also created the Mesalands Community College Dinosaur Museum, the North American Wind Research and Training Center, and a nationally ranked intercollegiate rodeo program.

Dr. Barry has spent decades working at community colleges to improve access and learning opportunities for all students, and especially those of New Mexico. His efforts and leadership in higher education will be a help to New Mexico and to the community college students of today and tomorrow. Thanks to Dr. Barry and the institutions he has led, a growing number of Americans are able to continue

their educations, achieve secondary degrees, and help ensure our country's future competitiveness in an increasingly global economy.

HONORING U.S. ARMY FIRST LIEUTENANT JOHN M. RUNKLE OF WEST SALEM, OHIO

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. RENACCI. Mr. Speaker, my thoughts and prayers are with the family of 1st Lt. John Runkle as we honor his memory and express our deepest gratitude for his service to America. Our Nation and our State lost one its finest last month when Lt. Runkle of West Salem, OH died while serving our country in Operation Enduring Freedom in Kandahar, Afghanistan. A native Ohioan, John Runkle graduated from Northwestern High School in 2002 and then enlisted in the U.S. Army. Following a deployment to Iraq during 2004 and 2005, he entered West Point, where he went on to graduate in the top ten percent of his class.

In 2010 Lt. Runkle graduated from Ranger School and served with the 4th Battalion, 101st Aviation Regiment, based at Fort Campbell, Kentucky. A standout servicemember in our Armed Forces, Lt. Runkle earned numerous commendations and medals during his career, including the Army Commendation Medal, the Army Achievement Medal and the National Defense Service Medal. Lt. Runkle was 27 years old when his unit was struck by an improvised explosive device in Kandahar, Afghanistan on May 26, 2011. Lt. Runkle is survived by his father, John Runkle of Wooster, OH and his mother, Christine Runkle of West Salem, OH. He is also survived by his sister, Jane, and brothers Corey and Brent.

Although Lt. Runkle's life was cut far too short, the achievements he earned and the selfless service he gave to our Nation during his 27 years far exceeded what most of us could hope for in several lifetimes. Lt. Runkle represented the best of what America has to offer and his legacy will serve forever as a shining example of sacrifice, honor and a steadfast commitment to preserving freedom and liberty for all those that he left behind. Our country is a lesser place without him, but remains free and strong thanks to his service and his sacrifice.

CHINESE SPYING DEVICES
INSTALLED ON HONG KONG CARS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. WOLF. Mr. Speaker, I submit the following article regarding the scope of Chinese espionage. The degree to which China spies on both its own people and foreigners is a reminder of the illegitimate security and economic practices of Beijing.

CHINESE SPYING DEVICES INSTALLED ON HONG KONG CARS

(By Albert Ding and Matthew Robertson)

For years now Chinese authorities have been installing spying devices on all dual-plate Chinese-Hong Kong vehicles, enabling a vast network of eavesdropping across the archipelago, according to a Hong Kong newspaper.

The report in Apple Daily states that the recording devices began being installed as "inspection and quarantine cards" in July 2007. They were installed without charge by the Shenzhen Inspection and Quarantine Bureau on thousands of vehicles.

Smugglers were the first to note something strange about the devices. A source told Apple Daily that after the cards were installed mainland authorities had no trouble picking off the cars carrying illicit goods.

"For every ten cars we ran we only had [smuggled goods] in three or four to reduce the risk, but the border agents caught all of them. The accuracy was unreal!" Apple Daily quoted the smuggler saying.

The device, no larger than a PDA, is taped onto the vehicle's front window. Protective tape covers the screws, presumably to prevent tampering—though it didn't stop Apple Daily from removing the devices, taking them to experts for inspection, and presenting pictures of them splayed open on their website, with neat graphics indicating the various internal components.

Apple Daily says they took the device to a university professor and a private investigator, both of whom attested to the espionage potential of the units.

Zhang Dawei, identified as "a private investigator of over 30 years," took a look at the device's internal structure and told the Daily that the card could certainly be used for eavesdropping.

An Associate Professor of Electrical Engineering at City University of Hong Kong, Zheng Liming, took apart one of the devices and confirmed that it can listen in on conversations.

And the range is extensive, he said. "The signal receiving range is up to 20km, which means if the device installer wants to, they can listen even when the vehicles are in Hong Kong," he said.

Two of the regions in Hong Kong where the device can transmit data back to China are Sha tin and Tuen mun.

Much cheaper chips can be used to check inspection status for simple border crossings, Zhang said, "But this device uses chips commonly found in Bluetooth and voice recording devices, designed for receiving voice transmission."

He thus thought it "very likely" that they were being used for surveillance.

The Daily interviewed several Hong Kong drivers to gauge their reactions; predictably, they were often irate.

Ms. Deng, who operates a real estate business, said: "Even if we hired a maid, we are not allowed to install a surveillance camera in her room due to privacy issues! You can't just do whatever you want."

A senior manager in an unidentified company noted that those who qualify for the dual license plate usually have some financial clout. If their business conversations in the car were recorded and the information shared, he said, it may be enough to send people bankrupt.

HKBusiness.net, an online news site, says that businesses that invested more than \$1 million in mainland China and paid more than 30,000 yuan in tax over the past year qualify for a dual license plate.

Apple Daily quotes a source saying there are at least 20,000 cars with dual license plates, and tens of thousands of trucks and buses.

A reporter from the newspaper went to the Shenzhen Inspection and Quarantine Bureau and confronted them with the accusations. Staff on duty flatly denied the idea, Apple Daily said. Speaking Cantonese, they assured him that "It's not that high tech."

SMALL BUSINESS ROUNDTABLE

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BARLETTA. Mr. Speaker, our economy is stalled. Our unemployment rate is still way too high. Two-thirds of all small business owners say it's a bad time to expand.

That's why it was important for me to spend part of last week meeting with local business and economic leaders in a Small Business Roundtable. We discussed how federal over-regulation hampers business growth and expansion. We talked about legislative reform and the different needs of businesses and industries of various sizes.

I spoke to the leaders of CAN DO, Greater Hazleton's economic development agency, which celebrated its 55th anniversary this year, and with the Columbia-Montour Chamber of Commerce. Everywhere I went, I spoke with business leaders who are in the trenches every single day. They understand how government impacts their companies. They see how high taxes and burdensome overregulation keep them from growing.

One of the commitments I made to the people of northeastern Pennsylvania was that I would take their voices here to Washington with me. Mr. Speaker, the business leaders back home are crying out for relief. They're asking for us to get off their backs. They want to be able to grow, to expand, to buy more equipment, and to hire more workers.

Roundtable talks are a way for me to stay in touch with groups of constituents who are experts in their fields, and to get their opinions about current and future regulations and legislation. The discussions we've had so far have been extremely helpful, and the free flow of ideas and comments between panel members is fantastic.

Also last week, I convened an education roundtable to talk about fixing our broken system. Local educators and I discussed ways we can improve the synergy between educational programs, and how we can remove classroom hurdles and let teachers teach the workforce of the future.

When I toured the manufacturing and research-and-development Schott North America's Advanced Optics and glass manufacturing facility in Duryea, Pennsylvania, I heard about their need for skilled workers. These are the kind of jobs we need in northeastern Pennsylvania and in the United States. We must make sure that educators are able to prepare young people for those jobs.

One place that is working to prepare the workforce of tomorrow is the Career Technology Center of Lackawanna County in

Scranton, a consortium of nine school districts in northeastern Pennsylvania that provides instruction in 26 career areas. I saw firsthand the instruction that is going on in the technology center, and I'm proud of the work they do for our young people.

Of course, nowadays, our children face many hurdles on the road to their future. A serious and growing hurdle is the increasing amount of gang activity. I know northeastern Pennsylvania is about the last place anyone would think about when it comes to gangs, but national gangs are drawn to our quiet towns and our quality of life. Last week, I proudly co-hosted a gang awareness seminar with Pennsylvania Senator John Yudichak. We were privileged to welcome D. Darell Dones, supervisory special agent of the Behavioral Science Unit of the FBI, to the area. Agent Dones presented startling information about gangs and led a panel of experts who provided a frank assessment of local gang problems and potential gang solutions. Agent Dones noted that this cooperative effort—co-hosted by a Democratic state senator and a Republican congressman—was unlike any he'd seen in the country.

But the most special moment for me was when I helped present a veteran with medals he earned more than 65 years ago. Hazleton resident George Puhak helped liberate the Philippines during World War II, but for some reason, this Army veteran never received all of the medals he was entitled to. Representatives from the Embassy of the Philippines made the trip from Washington to Hazleton to present Mr. Puhak with the medals he earned all those decades ago. It was an honor for me to participate in the presentation, which took place in front of some of Mr. Puhak's children and grandchildren. Mr. Puhak's courage—and the commitment and dedication shown by his fellow members of The Greatest Generation—should stand as a shining example for today's youth, for whom we are working so hard here in Washington.

NAAMA SHAFIR: RELIGIOUS DISCRIMINATION LIVES ON

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. POE of Texas. Mr. Speaker, during World War II, Jews were forced to wear the yellow star of David as a symbol of hatred and scorn.

The Jewish people experienced hatred in many forms during the Holocaust, most notably the murder of 4.9 to 6.0 million citizens.

Have we moved past this backward way of thinking? No!

Twenty-one-year-old Naama Shafir is a junior guard for the woman's basketball team at the University of Toledo. This April, she led her team to victory in the Women's National Invitation Tournament championship with a career-high 40 points and was named tournament MVP.

She continues to excel, and has qualified to compete in the European championship as part of the Israeli women's national basketball team.

However, because Naama wears a t-shirt under her jersey in order to comply with the modesty standards expected of Orthodox Jews, she will not be allowed to compete in the European championship.

Tens of thousands of soldiers died during World War II trying to overcome this terrible prejudice, yet Naama still endures that same prejudice that her ancestors were faced with during the war.

And that's just the way it is.

SALUTING SERVICE ACADEMY STUDENTS—RYAN MARTINEZ

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Ryan Martinez, a United States Naval Academy Appointee. Ryan is a graduate of Cistercian Preparatory School where he played football as a wide receiver and a free safety, ran cross country, participated in track, and played soccer earning a total of nine letters during his high school career. Ryan was actively involved in Student Council as the vice president, a member of the Third District Congressional Youth Advisory Council, earned the rank of Eagle Scout, and worked as a sports writer for his school's newspaper. He was selected to attend the U.S. Naval Academy Summer Leadership Seminar. Ryan realized there was no other university he would rather attend, and by attending a service academy he would not only be pushing his talents to their fullest potential, but he would also be using them for his ultimate goal of servicing others, and especially his remarkable country.

STATEMENT RECOGNIZING NATIONAL SUMMER LEARNING DAY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. PAYNE. Mr. Speaker, I rise today to recognize June 21 as National Summer Learning Day and draw attention to the importance of high-quality summer learning opportunities in the lives of young people. This day is an opportunity for schools, nonprofit organizations, public agencies, resident camps, sports clubs, businesses, museums and libraries to showcase the contributions they make to the lives of young people during the summer.

The effort to keep kids learning during summer is based on research that shows that without effective summer learning opportunities: most students fall more than two months behind in math over the summer; low-income children fall behind two to three months in reading each summer, while their middle and upper-income peers make slight gains; and by the end of fifth grade, lower-income children can be nearly three years behind their higher-income peers in reading.

Last year, nearly 500 events were held nationwide that highlighted how summer learning programs advance academic growth, support working families, keep children safe and send students back to school ready to learn.

I am proud to recognize National Summer Learning Day and encourage communities across the country to celebrate and acknowledge the importance of providing all young people with high-quality learning opportunities during the summer months.

REMEMBERING REVEREND L.E.
LAWSON AND MONSIGNOR
CHARLES KING

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BURGESS. Mr. Speaker, today I rise to honor the memory of two of Denton County's most esteemed spiritual leaders, Reverend L.E. Lawson and Monsignor Charles King. Both Reverend Lawson and Monsignor King devoted their lives to serving their respective congregations and compassionately working to improve the lives of the less fortunate in the Denton community.

Reverend Lawson, who passed away May 22nd, spent the last 26 of his 52 years in the ministry as pastor of Denton's Mount Cavalry Baptist Church, during which time he baptized, married, and performed the burials of generations of church members. Reverend Lawson loyally tended to the spiritual needs of the community in which he immersed himself.

Monsignor King, who passed away June 1st and just a week after the Reverend Lawson, served 10 of his 54 ministry years at Denton's Immaculate Conception Catholic Church, but left an equally lasting mark of leadership and compassion on his congregation and his community.

The two men's spiritual work represented different branches of Christianity. Monsignor King's Catholic Church is a centuries-old world religion of grandeur while Reverend Lawson hailed from the much humbler African-American Baptist church. In the end, however, their paths ultimately led to interchangeable legacies that reflect both men's never-ceasing dedication to the Christian faith and the Denton community. Comments from members of both congregations in Reverend Lawson's and Monsignor King's obituaries could be applied to either man.

Mr. Speaker, today I rise to commemorate the exemplary lives of Reverend L.E. Lawson and Monsignor Charles King. With the passing of these men, Denton has lost more than a century of spiritual direction and service. Their

passion and enthusiasm for their faith and their fellow man, however, will always be remembered.

HONORING GRADUATES OF RUT-
GERS LAW SCHOOL CLASS OF
2011 AND PROFESSOR JOHN
BECKERMAN

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. ANDREWS. Mr. Speaker, I rise today offering my sincere congratulations to the Rutgers Law School Class of 2011. I additionally would like to recognize Rutgers-Camden Professor John Beckerman. Professor Beckerman possesses a keen legal mind and a passion for teaching. He has taught many classes ranging from Medieval European History to Duty and Fairness in Corporate Law at many esteemed schools, including Yale University, the University of Michigan, and Rutgers-Camden Law. This spring, he was selected by this year's Rutgers-Camden graduating class as the 2011 "Professor of the Year." As part of this honor, Professor Beckerman delivered the Class Day Speech to the Rutgers School of Law-Camden class of 2011 on May 18, 2011. It is my privilege to read his remarks into the RECORD:

Honored Guests, Dear Friends, There are a lot of lawyers in our country—something approaching one million two hundred thousand—and despite all who leave the profession every year, loud voices constantly tell us that there are too many lawyers, too much law, too much regulation; that we need fewer lawyers, less law, and especially less regulation.

Not everyone in the audience will agree with me, and that's fine, but I have a different message for you. Quite apart from the ongoing debate about the proper size and scope of government, never have we needed capable and courageous lawyers more than we need you now. Never has our society needed your knowledge; your skills; your policy expertise; your problem solving ability; your good judgment; your sensitivity to the plight of ordinary people, to say nothing of the poor, disadvantaged and oppressed, more than we need it today.

History shows that lawyers and legal doctrine always have served those of wealth and privilege. It is no coincidence that property law in Anglo-American jurisprudence largely developed in its main outlines before the laws of crime, torts, and contract. Because wealthy and powerful persons and entities can better afford lawyers than can the rest of us, they not only hire lawyers more easily, but also elect legislators, influence who become judges, and exert disproportionate influence on both the law enacted by legislatures and doctrine declared by courts.

What difference does this make today? The past thirty years have seen the greatest concentration of wealth upwards ever in the history of our republic. The effects of these economic changes on the law and politics are not surprising, but are cause for enormous concern. As Jay Feinman has demonstrated (UN-MAKING LAW: THE CONSERVATIVE CAMPAIGN TO ROLL BACK THE COMMON LAW, Boston, 2004), there has been a movement in legislatures and courts to reduce the

legal protections available to ordinary people and to increase the legal benefits our government gives to corporations and individuals of wealth and power.

It's no secret that the General Electric Company paid no federal income taxes in 2010 despite making more than \$5 billion in profits, that the government gives \$4 billion of tax subsidies every year to the oil industry despite the huge profits they are making as gas prices top \$4 per gallon, and that billionaires who have died since the beginning of 2010 paid no federal estate taxes. You don't need me to tell you what's wrong with this picture. We need lawyers and legislators with vision and courage to correct these distributional inequities currently enshrined in law.

Consistent with the trend of reducing protections for ordinary people, in the past month and a half, the conservative majority on the Supreme Court issued two decisions that I find very disturbing. In one (AT&T Mobility, LLC v. Concepcion, No. 09-903, April 27, 2011), they held that the Federal Arbitration Act preempts efforts of state courts to limit contractual arbitration clauses that they deem unfair to consumers. As soon as corporations insert into every contract an arbitration clause limiting your right to sue and waiving your right to represent others, this decision will effectively end all consumer and employment class action lawsuits throughout the United States, as well as their disciplining effects on corporate behavior.

In another case (Connick v. Thompson, No. 09-571, March 29, 2011), the majority expanded the doctrine of municipal immunity to overturn a damage award won by a man who served eighteen years on death row in Louisiana for crimes he did not commit as a result of the district attorney's deliberately withholding from the defense the exculpatory evidence that eventually exonerated him, in flagrant violation of well-settled constitutional law. And a year ago, in Citizens United v. Federal Election Commission, 558 U.S. 50 (2010), the same majority held that corporations have the same First Amendment rights as people, thus effectively eviscerating most legislative efforts to limit the corrosive effects of money on politics. Do we need educated, proficient and courageous lawyers to restore balance to the law in these areas? Of course we do.

But those aren't the only reasons we need you so badly. The same interests that tell us there are too many lawyers continue to try to cripple protection of the environment from greenhouse gases, to limit protection of the oceans from oil well blowouts such as BP's Deepwater Horizon catastrophe, to hinder protection of the drinking water supply in Pennsylvania and New York from the carcinogenic effects of hydraulic fracturing chemicals used to extract natural gas, to reduce protection of the nation's food supply and pharmaceuticals, to obstruct protection of the capital markets and investors from the same excesses of Wall Street and the banking industry that melted down our financial system in 2008 and gave us the Great Recession; to end protection of severely injured victims of medical negligence and abuse by physicians and hospitals in the guise of tort reform, and to vilify public employees including policemen, firemen and teachers and abolish their collective bargaining rights.

We know from sad experience that free markets don't regulate themselves, that the environment and the public health don't protect themselves, that trickle-down economics doesn't work, and that tax cuts don't pay

for themselves. But we need lawyers to translate that experience into law if the public is to be protected from the worst excesses of free market capitalism and corporate greed.

We need you for other compelling reasons also. In 2009, over 6,600 hate crimes were reported in the United States, almost half against victims targeted because of their race, the rest against victims targeted because of their religion, sexual orientation, ethnicity, national origin or disability. We need lawyers not only to prosecute the perpetrators, but also to dispel the dual curses of ignorance and intolerance that cause these crimes and to protect the civil rights of the persons who are their targets.

And throughout the world, peoples emerging from the yokes of tyrannical and dictatorial regimes need the assistance of lawyers to establish laws that will afford them the blessings of fair and peaceful democratic government.

My new lawyer colleagues, the challenges that await you are serious and daunting. Both American society and the world need you desperately. The faculty and staff of the law school and all who have supported you during your time here have the highest hopes for each and every one of you. We offer you only one challenge as you graduate from Rutgers Law School. Make us all proud of you!

Thank you very much.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for rollcall votes numbered 417 and 418 on Tuesday, June 14, 2011. Had I been present, I would have voted "yea" on both rollcalls.

COMMEMORATING CHALLENGE DAIRY PRODUCTS 100TH ANNIVERSARY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. NUNES. Mr. Speaker, I rise today to extend my congratulations to Challenge Dairy Products as they celebrate their 100th anniversary. Challenge first opened with 4 employees, a wagon and a rented horse that traveled from the San Joaquin Valley to Los Angeles. Today, Challenge Dairy Products has grown into a cooperative association representing 450 California family-owned dairies that markets and distributes dairy products globally.

Challenge has become the largest butter brand in the West and is the leading dairy foodservice provider in California with eight distribution centers spanning from Lodi to San Diego. Challenge's successes are evidence of the many dedicated California dairy farmers and employees who have ensured the quality of all dairy products they produce.

From the very beginning J.P. Murphy, the first President of then-named Challenge

Cream and Butter Association, recognized the importance of quality when he built the Challenge brand's reputation. With skilled marketing, word spread about the quality of Challenge Cream and Butter until they were the best known brand in the West. In an ongoing effort to improve butter quality, Challenge's engineers developed novel methods for butter processing and shipment, effectively replacing wooden churns and containers with aluminum.

Today, Challenge Dairy Products is a wholly owned subsidiary of California Dairies, Inc., CDI, and markets nearly half of CDI's butter supply. As California's largest dairy provider, CDI has six manufacturing facilities that are located throughout the central valley and directly employs over 740 people. The 450 dairy farmer members produce 17 billion pounds of milk annually, allowing CDI to market high quality dairy products in all 50 states and 52 foreign countries.

Challenge has provided generations of families with quality dairy products and has been instrumental in making California the top dairy state in the Nation. I applaud Challenge Dairy Products, their dairy farmers and employees for their hard work and dedication, and I congratulate them on their 100th anniversary.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BLUMENAUER. Mr. Speaker, I wish to correct a vote that I made in the amendment series of H.R. 2112. During the roll call votes, I voted "no" on the Campbell amendment to prohibit funding from the Animal, Plant and Health Inspection Service account for being used for the purpose of destroying wild animals in order to protect livestock. I intended to support the amendment, as I firmly believe that the federal government should not support cruel, drastic measures of animal destruction. My record is strongly supportive of these types of provisions, and I regret that I missed another opportunity to state my strong disapproval to many of the trapping and poisoning methods employed in the destruction of wildlife.

I wish to clearly state for the record that I supported the Campbell-DeFazio amendment and did not intend to vote against it.

CONGRATULATING TIM THOMAS ON WINNING NHL'S MOST VALUABLE PLAYER AWARD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. KILDEE. Mr. Speaker, I rise today to congratulate Stanley Cup winner, playoff MVP, Flint Native and Davison High School graduate Tim Thomas.

Tim's road to the championship is a tale of perseverance and staying true to your dreams. Tim was born in my hometown of Flint, Michi-

gan, graduating from high school in nearby Davison. From an early age, he dreamed of playing in the NHL as a goalie. His family was so supportive of his dreams, that his parents sold their wedding rings in order to pay for him to go to hockey camp.

During his four years of college hockey at the University of Vermont, he was the 217th player drafted in 1994 and turned down an offer to play for the NHL's Quebec Nordiques. After graduation, he spent nine years playing for minor league teams in the United States, and for leagues in Canada and Finland. It seemed that his dream of playing in the NHL would not be realized.

But finally, after years of perseverance he finally got the call to the big leagues, becoming a full-time goalie for the Boston Bruins in 2005–2006 season. He continued his uphill battle to keep his place on the team, fighting through critics who wanted him traded and a hip injury that required surgery during the off season. But last night, he showed that all those years of hard work were worth it. Tim helped lead his team to playoff victory, blocking 37 shots to post his fourth shutout of the series. At the age of 37, Tim is only the fourth goalie in history to post a Game 7 shutout in the Stanley Cup finals.

Tim's story is an inspiration to everyone who has been told that they're not good enough and who have struggled to achieve success. He is proof that if you work hard, greatness can be achieved and that dreams do come true.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Tim Thomas for helping to lead the Boston Bruins to the Stanley Cup victory and winning the title of Most Valuable Player in the NHL.

RECOGNIZING RIDE TO WORK DAY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. BURGESS. Mr. Speaker, as Co-Chair of the Congressional Motorcycle Safety Caucus I rise to recognize Ride to Work Day.

Since 1992, this event has been organized by the Ride to Work organization and is intended to increase public awareness of motorcyclists; promote the use of bikes as consistent methods of transportation; and increase motorcycle safety.

This year, on June 20th more than a million riders will commute to work on their motorcycles and scooters. This annual event offers riders an opportunity to highlight motorcycles and scooters as viable, fun, and fuel-efficient modes of transportation.

In 2008, more than 25 million Americans operated a motorcycle at least once—and that number is expected to rise as more Americans recognize motorcycles and scooters as attractive commuting options. Motorcycles and scooters can save riders money at the fuel pump, and help to reduce our nation's dependence on foreign sources of oil, as motorcycles are considerably more fuel-efficient than most other vehicles.

As more Americans choose two wheels over four it becomes even more important to focus

on motorcycle safety. As a doctor I know how important safety is when riding and sharing the roads. Riders and their machines are smaller and harder to spot—and given that motorcyclists make up a relatively small percentage of all road users, drivers often do not expect to encounter motorcycles. It is therefore important that we take every opportunity to remind all road users to be aware on Ride to Work Day and every day.

**A TRIBUTE IN HONOR OF DORIS
MOORAD NADDER**

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished woman, Doris Moorad Nadder. A lifetime member of Illinois' Carter-Westminster United Presbyterian Church, an extraordinary wife, mother, grandmother, cousin and friend, Doris is beloved for her spirited community involvement.

A native of Chicago, Illinois, Doris Nadder attended Lake View High School and later Northwestern Business College and Jones Business School. In 1983, she joined Kraft Foods, and spent the next 15 years contributing her considerable energy and talents to the company, rising to become Account Executive for Major Accounts. In her spare time, she wrote a play about the food service business for which she won a Prestigious Achievement Award. That's just how Doris Nadder sees life . . . a wonderful stage on which so many people interact.

Apart from her professional career, Doris Nadder has devoted herself to her church community, serving as an Elder and Financial Secretary. She can always be found mingling with friends in the pews, or leading the Carter-Westminster Exercise Group. She was recently chosen as Carter-Westminster's "S.Y.S.K." (Someone You Should Know), an honor she has earned and richly deserves.

Above all, Doris Nadder loves her family. She and her husband Dick were married in 1956, and raised three beautiful children—Claudia, Allison, and James. Her three grandchildren, Colin, Adam, and Jason are the lights of her life, whom she rates as "Ten Pluses."

Doris and Dick Nadder are avid readers and world travelers, having visited Spain, Austria, England and France. She has brought new meaning to the word 'retired', walking three miles daily, painting beautiful watercolors, practicing her calligraphy, and occasionally even working part-time.

Mr. Speaker, I ask my colleagues to join me in honoring my very special cousin, Doris Nadder. She enriches the lives of everyone who knows her, and she brings constant joy to her family and wide circle of friends. I'm proud to pay tribute to a woman who lives her faith every day of her life, strengthens each of us with her integrity, and makes her community and our country stronger and better with all she does.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. ANDREWS. Mr. Speaker, on rollcall No. 420 for H.R. 2112, I am not recorded because I was absent. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. HUIZENGA of Michigan. Mr. Speaker, on rollcall No. 413, I was inadvertently de-

layed. Had I been present, I would have voted "no."

THE ABILITYONE PROGRAM

HON. JOHN FLEMING

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. FLEMING. Mr. Speaker, I rise today to acknowledge the positive influence of the AbilityOne Program in my district. Since its establishment in 1971, AbilityOne has grown to become the largest source of employment for those who are blind or have other severe disabilities in the United States.

Individuals employed through the AbilityOne Program provide vital services to hundreds of nonprofit organizations and the federal government. Within my district both the Fort Polk/Joint Readiness Training Center and Barksdale Air Force Base employ individuals enrolled in the AbilityOne Program. By assisting those who are blind or severely disabled in finding and keeping jobs, AbilityOne vastly improves participants' quality of life, giving them the dignity of work and the security of financial support.

I am proud to support the underlying goals and purpose of the AbilityOne Program, and commend the many constituents I have in the 4th District of Louisiana who have found meaningful and productive employment through this program. I realize Fort Polk's and Barksdale's AbilityOne employees are critical to the success of these installations and their important missions.

With great honor, I applaud the AbilityOne Program and its participants for making a difference in unemployment among people with disabilities in Louisiana and throughout the United States.

HOUSE OF REPRESENTATIVES—Monday, June 20, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LEWIS of California).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 20, 2011.

I hereby appoint the Honorable JERRY LEWIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,

Washington, DC, June 17, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 17, 2011, at 10:50 a.m., and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to highly enriched uranium in the territory of the Russian Federation.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,

Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSILE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-36)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies (U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the emergency declared in Executive Order 13159 of June 21, 2000, with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2011.

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament

agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, June 17, 2011.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 10 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 21, 2011, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2067. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Plants for Planting; Establishing a Category of Plants for Planting Not Authorized for Importation Pending Pest Risk Analysis [Docket No.: APHIS-2006-0011] (RIN: 0579-AC03) received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2068. A letter from the Chief Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — Supplemental Nutrition Assistance Program: Civil Rights Protections for SNAP Households (RIN: 0584-AD89) received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2069. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule — Loan Policies and Operations; Lending and Leasing Limits and Risk Management (RIN: 3052-AC60) received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

2070. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8179] received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2071. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2072. A letter from the Acting Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Program Integrity: Gainful Employment—Debt Measures [Docket ID: ED-2010-OPE-0012] (RIN: 1840-AD06) received June 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2073. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Requirements for Bicycles (RIN: 3041-AC95) received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2074. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Certain Consumer Appliances: Test Procedures for Battery Chargers and External Power Supplies [Docket No.: EERE-2009-BT-TP-0019] (RIN: 1904-AC03) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2075. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Payment Adjustment for Provider-Preventable Conditions Including Health Care-Acquired Conditions [CMS-2400-F] (RIN: 0938-AQ34) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2076. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Motorcycle Helmets [Docket No.: NHTSA-2011-0050] (RIN: 2127-AK15) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2077. A letter from the Deputy General Counsel, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Ex Parte Rules and Other Procedural Rules [GC Docket No.: 10-43] received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2078. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Service Rules for the 698-746, 747-762 and 777-792

MHz Bands; Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Amendment of Part 90 of the Commission's Rules [WT Docket No.: 06-150] [PS Docket No.: 06-229] [WP Docket No.: 07-100] received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2079. A letter from the Assistant Bureau Chief, Commission's final rule — Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services [WT Docket No.: 05-265] received May 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2080. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Lybia (RIN: 1400-AC83) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2081. A letter from the Associate Director for PP&I, Department of the Treasury, transmitting the Department's final rule — Taliban (Afghanistan) Sanctions Regulations received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2082. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulations; Federal Acquisition Circular 2005-52; Small Entity Compliance Guide [Docket: FAR 2011-0077, Sequence 4] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2083. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Sustainable Acquisition [FAC 2005-52; FAR Case 2010-001; Item I; Docket 2010-0001, Sequence 1] (RIN: 9000-AL-96) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2084. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Buy American Exemption for Commercial Information Technology-Construction Material [FAC 2005-52; FAR Case 2009-039; Item IV; Docket 2010-0104, Sequence 1] (RIN: 9000-AL62) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2085. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations [FAC 2005-52; FAR Case 2008-009; Item III; Docket 2009-0020, Sequence 1] (RIN:

9000-AL28) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. SCOTT of Virginia (for, Mr. PAUL, Mr. CONYERS, Mr. BARTLETT, Ms. NORTON, Mr. GRIJALVA, Mr. COHEN, Ms. WATERS, Mr. PAYNE, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. NADLER, and Mr. MORAN) introduced a bill (H.R. 2242) to amend the Controlled Substances Act and the Controlled Substances Import and Export Act regarding penalties for cocaine offenses, and for other purposes; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SCOTT of Virginia:

H.R. 2242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 96: Mr. McKEON and Mr. CANSECO.

H.R. 139: Mr. RYAN of Ohio, Mr. PRICE of North Carolina, Mr. LARSON of Connecticut, Mr. LYNCH, Mr. TIERNEY, and Mr. PASCRELL.

H.R. 501: Ms. HIRONO.

H.R. 687: Mr. SMITH of Texas and Ms. BORDALLO.

H.R. 733: Mr. CULBERSON, Mr. MICHAUD, Mr. McDERMOTT, Mr. JOHNSON of Georgia, Mr. GALLEGLY, Mr. CALVERT, and Ms. JACKSON LEE of Texas.

H.R. 923: Mr. CONYERS and Mrs. MCCARTHY of New York.

H.R. 1352: Mr. FRANK of Massachusetts.

H.R. 1700: Mr. FLEMING.

H.R. 1856: Mr. LANKFORD and Mrs. HARTZLER.

H.R. 2044: Mr. BURTON of Indiana.

H.R. 2045: Mr. BURTON of Indiana.

H.R. 2092: Mr. PAUL.

H.R. 2108: Mr. NUGENT.

SENATE—Monday, June 20, 2011*(Legislative day of Thursday, June 16, 2011)*

The Senate met at 2 p.m., on the expiration of the recess, and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

O God of time and eternity, You made us. Bring our wandering hearts under Your control. Infuse within our lawmakers a love for You that will make their obedience willing and glad. Lord, enable them to turn from every thought, word, and deed that violates righteousness. Help them to manifest ethical fitness in their private and public lives, making integrity the hallmark of their characters. Let right living begin with them as they resolve to labor for peace and justice and to be good stewards of Your gifts.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 20, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following any leader remarks, the Senate will be in morning business with Senators permitted to speak for up to 10 minutes each.

There will be no rollcall votes today. The next rollcall vote will be at about noon tomorrow on confirmation of the Simon nomination.

Further, following the weekly caucus meetings on Tuesday, Senators should expect up to three additional rollcall votes on confirmation on the Panetta nomination, cloture on the Economic Development Act, and if cloture is not invoked, cloture on the motion to proceed to the Presidential Appointment Efficiency and Streamlining Act.

AMENDMENTS TO EDA

Mr. REID. Mr. President, this Congress convened in January with a single mandate from the American people: create jobs. So Democrats have brought to the Senate floor bill after bill aimed at helping American businesses innovate, grow, and hire. These were good pieces of legislation with proven track records of creating jobs.

Take the latest, the Economic Development Administration reauthorization. Since 1965 the EDA has created jobs in economically distressed communities all over America, creating good jobs in places that need them, such as Nevada, California, Florida, and many others. This should be a goal on which we can all agree.

In the last 5 years, the Economic Development Administration has created 314,000 jobs and has done it efficiently too. For every dollar the Federal Government invests, private industry invests \$7.

For 45 years the EDA has worked with businesses and universities at the local level to create jobs from the ground up. Even when Republicans controlled the White House, even when they controlled Congress, even when they controlled both, EDA was there helping businesses grow.

Today, our economy needs jobs more than ever. Yet Republicans have found new ways to kill a piece of legislation that would put Americans back to work. They have stood on the Senate floor and talked with straight faces about job creation and then turned around and bogged down good job-creating legislation with amendments that would kill even the most bipartisan bill. Meanwhile, unemployed Americans wait and wait.

They wait while Republicans filibuster, not with words but with amendments. A bill that has created 314,000 jobs in the last 5 years, they filibustered. One would think these must be important amendments if Republicans are willing to make Americans who are standing in the employment line wait longer and longer. But you be the judge.

Our Republican friends are holding up a proven job creator to exempt the sand dune lizard from the Endangered Species Act. Lest the lizard be singled out, there is an amendment to exempt the lesser prairie chicken.

This sends the message that such frivolous amendments, more than 90 of them, are more important than putting people back to work.

Here are some of the amendments they have filed: EPA water quality standards, lightbulbs, right-to-work laws, the estate tax, repeal of Wall Street reform, the United States-Mexico border fence. Yet, again, a handful of these amendments would delay or repeal health care reform. None of them are germane to the legislation before us.

My staff looked through all of these, and they found one arguably is germane, and that one is an amendment offered by Senator INHOFE which the chairman of the committee, BARBARA BOXER, agrees to. Again, they have amendments that would delay or repeal health care reform. It is a battle Republicans seem determined to fight over and over, no matter how many times they lose.

We have already voted on bank card swipe fees and ethanol subsidies, and we voted on the regulatory reform amendment offered once again by the senior Senator from Maine. Yet we could not reach agreement to consider this worthy bill.

This is not the first time Republicans have stopped the important work of job creation in its tracks. The small business innovation research bill died on the Senate floor because of amendments, none of which related to that bill. The Federal Aviation Administration reauthorization and patent reform bills, which would have put about a half million people to work, languish in the House. They are over there now someplace. Yet, still, unemployed Americans wait on this bill we are going to vote cloture on tomorrow—or try to.

The amendments are really hard to comprehend: the Consumer Financial Protection Agency, to do away with

that; they repeal Dodd-Frank Wall Street reform, the Commission to Approve Oversight and Eliminate Wasteful Spending, debt instrument transparency, amend the NLRA with respect to States that have the right-to-work laws, national right to work, gainful employment regulation, termination of global climate change, permanently repeal the estate tax, substitute the Economic Development Administration, prohibit award and designation of funds to any area or entity named for a living Member of Congress, repeal position on withholding of certain payments made to vendors by government entities, extension of certain Outer Continental Shelf leases, removal of insurance moratorium for industrial banks, limit antitrust exemption, repeal Davis-Bacon wage requirements, prohibit printing of the CONGRESSIONAL RECORD, increase statutory limit of the public debt, enable States to opt out of health care reform.

Another one is, Stability Oversight and Council authority, inclusion of application to independent regulatory agencies, amend Unfunded Mandates Reform Act, border fence completion, major rules of the legislative branch shall have no force for approval as enacted into law, delay implementation of health care reform until final resolution in pending lawsuits, securities laws amendments, rescind \$45 billion of unobligated discretionary appropriations, rescission of unobligated discretionary appropriation, reduce amounts authorized to be appropriated, prescribe fires in Flint Hills region, EPA water quality standard, repeal Bright Fields Demonstration Program, terminate global climate change mitigation.

Mr. President, these are amendments that go page after page. I have only mentioned a few of them. They have more than 90 of them. If there ever were an example of such a tremendous waste of the Senate's time and the indication that the Republicans don't care anything about the American people working—I guess their goal is to make things as bad as they can and, hopefully, the American people won't see through it, and maybe they will get somebody elected to replace President Obama. What other reason could there be?

People are desperate for jobs. The unemployed wait and wait. It would be different if they came here and offered amendments that had some relevance or germaneness to this legislation. But they don't.

Tomorrow, Republicans will get another chance to help us move forward on a bill that has a proven track record of putting people to work, for the amount of \$1.2 billion, and the last 5 years we have created 314,000 jobs. Why? Because it is good for the private sector. For every dollar we invest, they invest \$7. In the meantime, though, I urge my Republican colleagues to consider the cost of these delaying tactics.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

KENTUCKY COAL MINERS

Mr. MCCONNELL. Mr. President, I would like to say a few words to acknowledge the three coal miners who are trapped in a coal mine near Middlesboro, KY. They were trapped there as a result of terrible storms and flooding in the southeastern part of my State. A number of different communities have been affected by the flooding, and a lot of people are working hard to help folks recover from power outages and mudslides. From what I understand, rescue efforts for the three miners are now underway, and the people on the ground are hopeful they will be able to rescue all three men, but we want them and their families to know we are all thinking of them as the rescue efforts continue.

This is a vitally important industry in the region, and in moments such as this it is appropriate that we acknowledge the danger people who work in the coal mines subject themselves to every single day. They are a courageous and dedicated group, and we are very grateful for their work.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF MICHAEL SIMON

Mr. WYDEN. Mr. President, tomorrow, the Senate will vote on the confirmation of Michael Simon to serve as U.S. District Court Judge for the District of Oregon. Michael Simon is a good and decent man. In my home State where we have a judicial emergency by the standards of Chief Justice Roberts, it is vitally important that Michael Simon be confirmed. To begin, I wish to thank Chairman LEAHY; ranking minority member GRASSLEY; the majority leader, Senator REID, and minority leader MCCONNELL for bringing this nomination to the floor today.

Senator MERKLEY and I have been proud to put forward Mr. Simon's name for consideration by the President. We were enthused by his subsequent nomination, and we are now hopeful he will soon be able to continue his service to the people of Oregon in this new capacity.

Michael Simon is both a distinguished lawyer and a legal scholar with a diverse and impressive legal career. That career includes work as a public servant, as a litigator, a pro tempore judge, and as a professor. Michael Simon now is a partner at the firm of Perkins Coie in Portland, and he has worked there since 1986. After graduating summa cum laude from UCLA, Mr. Simon attended Harvard Law School where he again graduated with honors cum laude.

He began his legal career in the Department of Justice antitrust division where he served as a trial attorney for 5 years. During his time working in Washington, DC, Mr. Simon also volunteered for and served as special U.S. Attorney for the Eastern District of Virginia. It was through his work at the antitrust division that Mr. Simon made one of his most notable contributions, and that was a contribution to strengthening consumer protection law. The distinguished President pro tempore of the Senate knows from his days in Connecticut as attorney general how important it is that there be public advocates for consumer rights because so often this is a field that gets short shrift. People say they are for the rights of consumers, but these cases can be hard and time consuming to bring. That is what Michael Simon did and did so well.

Working on behalf of the Department of Justice on the case of *United States v. American Airlines*, Mr. Simon successfully argued for extending the reach of the Sherman Act to include monopolization and attempted monopolization. In my view, this extension is one that benefits consumers each and every day across this country. Frankly, to have someone on the bench who has this kind of expertise in fighting monopolies and protecting the rights of consumers is a very special qualification that I would simply commend to the Senate as we consider the nomination of Michael Simon.

Throughout his work both in the public sector and in private practice, Mr. Simon has been an active member of our community. In fact, I have had many conversations with him in his capacity as the immediate past president of Congregation Beth Israel in my hometown where he constantly is the leader of the congregation, reaching out to conscript volunteers for a host of projects, particularly those that involve children. He has engaged in extensive pro bono work. He has volunteered for many local nonprofit organizations. I would call him the official champion of voluntarism, because when we look at some of the causes he has volunteered for—he has been a past board member of the Waverly Children's Home; he has been past president and current board member of the Classroom Law Project—we see that he consistently comes back to recognizing the importance of the well-being and security of children in our community. That, too, is a special area of expertise and advocacy that he will bring to the bench, confirmed by the Senate, and another area that I wish to commend Mr. Simon to the Senate for as we look at his candidacy this week.

This seat has been vacant for nearly 2 years. As the distinguished President pro tempore of the Senate knows, there is a process by which one actually determines a judicial emergency. It has essentially been defined by Chief Justice Roberts, and we clearly have such an emergency in my home State of Oregon. So it is very welcome news for Oregonians that we have this opportunity to have a full bench, to have all justices on deck, and it is my view that Mr. Simon is an outstanding nominee. I have absolutely no reservations that he will be a superior judge.

I strongly urge my colleagues to join me in supporting an exceptional individual—a person who is fair and thoughtful and who brings years and years of expertise and a host of very important legal assignments. I am especially grateful that he is a resident of my hometown where he has distinguished himself with extraordinary volunteering for a whole host of causes that are important, especially the future of our children.

Mr. President, I yield the floor.

I see the distinguished chairman of the Finance Committee here, so let me yield the floor at this time.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MONTANA FLOOD HEROES

Mr. BAUCUS. Mr. President, Christopher Reeve once said that “A hero is an ordinary individual who finds the strength to persevere and endure in spite of overwhelming obstacles.”

Today I wish to call attention to five Montana heroes—everyday folks making a superheroic effort to help their friends and neighbors. I enjoy sharing these stories. I am proud of these stories because they tell the story about what it is to be a Montanan.

For all the flooding that is going on in my State of Montana and in other States of the Nation, I am happy to mention the names of many Montana heroes who have been rising above and beyond the call of duty and are following Christopher Reeve's definition of what it means to be a hero.

We in Montana pride ourselves in helping our fellow neighbors. I know that is true in States all across our country. I don't want to say it is just in the State of Montana, but I can say that in our State it is special. We in Montana sometimes say we are one big small town. It is a big State, not a lot of people. We tend to know each other. There is a strong sense of camaraderie and community which I think is even stronger in my State than perhaps in some others.

My home State continues to face severe flooding. The Jefferson River, which is one of the three rivers that form the headwaters of the Missouri River, is over its banks at Three Forks, MT. The Milk River, where Lewis and Clark traveled—up the Missouri and part of the way up the Milk River—continues to flood, and the Missouri River is flooding in Toston. As we know, downstream the Missouri flooding has been very significant. Rain is also in the forecast for the rest of the week. We have record snowpack levels in our State. We have a lot of flooding, and there is going to be more.

But Montanans all across our State continue to do all that is necessary and beyond to help. As we can see, this is the Rocky Boy's Indian Reservation that is underwater for the second time in a year. This is the problem. The floods come and then they recede; the rains come and melt the snowpacks, so it is flooding again. This is the Rocky Boy's Reservation, one of the seven major Indian reservations in the State of Montana.

This is Bruce Sun Child, interim chairman of the Chippewa Cree Tribe. I have known Bruce for many years. He has been working around the clock to help his tribe through this emergency. For those who lost their homes, he helped them find a place to sleep. For the sick, he found a way to get them to the hospital. He is one of those guys who cares.

Dave Dickman owns a business in Great Falls called Dickman Excavation. After flooding threatened

homes in Great Falls—this happens very often, usually in the Sun River which is one of the tributaries of the Missouri River. It flows into the Missouri in Great Falls. Dave Dickman donated thousands of sandbags to Montana families working to protect their homes from rising waters. This is classic. This is typical. When we asked him why he did all this and why he is working so hard, he humbly said, “I know my neighbors would do the same for me if I needed a helping hand.”

Floyd Fisher is another Montana hero. I have been mentioning many heroes in Montana individually and specifically by name over the last couple of weeks. This is Floyd Fisher. He does it all. Floyd Fisher is the Golden Valley sheriff. He is also the county coroner. Floyd is the county fire chief. He is also the disaster emergency services director. He works as an EMT responding to ambulance calls. Floyd is a busy guy. Floyd cares. He likes to help people. After learning of a pending flash flood in Ryegate, MT, last week, we initiated the county's reverse 911 alert system. He then rushed across town door to door with an evacuation order. Shortly thereafter, 2 feet of water flooded the streets of Ryegate.

After the floods, Floyd Fisher kept at it. He directed traffic away from washed out roads. He picked up a broom to help clean out Super D's Grocery. He provided emergency medical care.

Floyd has been working around the clock, catching 2 or 3 hours of sleep when he can find it. If you want to understand Montana, look no further than Floyd. His efforts sum it up very well.

Last week, Missoula County set up a flood hotline to help people face the rising floodwaters. Before long, the hotline received dozens of calls from volunteers wanting to help. Missoula's former rural fire chief, Curt Belts, stepped up to help. This is Curt. He has a smile on his face right now. He didn't have a smile on his face when he was helping out with the flood.

Curt worked with the United Way to organize over 60 volunteers daily. He made sure sandbags were placed at key locations around Missoula. He worked very hard—14-hour days—to minimize damage from flooding in Missoula. If we ask any volunteer around Missoula, they will tell you it was Curt who made all the difference, even down to the finest details such as sunscreen and bug spray for volunteers. Runoff is expected to swell again in Missoula. Thanks to Curt, they are much more ready.

In Lewistown, John Bebee's home was safe and dry, but his neighbors near the river were in danger. For the last 3 weeks, John has been sandbagging homes in Lewistown that are most in danger. No one needed to ask him for help. No one went to John and said:

John, can you help out? He just knew what was needed. He knew on his own, and he headed out to provide that help.

In the Upper Missouri River Breaks in north central Montana, there are a lot of cottonwood trees. The cottonwood trees need floods to regenerate. Floods along the Missouri clear away rich, bare soil for new cottonwoods to take root. Hydrologists with the U.S. Bureau of Land Management in Lewistown said this year's floods could help establish a new generation of cottonwoods. The aging stands had been in danger of disappearing altogether.

So like the cottonwood, Montana will return from these floods stronger than ever. That is because of hundreds of unsung heroes stepping up to help. I am asking Montanans to share their stories of ordinary folks doing extraordinary things for their friends and neighbors. Whether on Facebook or by calling my office, we want to hear those inspiring stories.

In closing, I wish to share a humble thank-you. Thank you to all of Montana's heroes. I do not know what we would do without you. Thank you for your service. You are wonderful. You are aces. We all deeply appreciate all you are doing.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEBT CEILING

Mr. KYL. Mr. President, as you know, there is a great deal of discussion going on right now in different forums on whether to increase our debt limit and, as a part of that, how we can reduce this government's spending practices so that we won't have to keep extending the debt ceiling in the future. Those conversations include a lot of focus on reducing spending in the near term and finding ways to reform some of the entitlement programs so that spending will also be reduced over the long term because I think everyone agrees that the current way we spend money—40 cents of every dollar has to be borrowed—is literally going to result in bankruptcy if we don't bring it under control.

There are those who say: Well, actually, the answer to the problem is to increase revenues—meaning raise taxes. The problem with that is we didn't get into this problem because we didn't tax enough; we got into this problem because we have been spending too much.

The simplest way to think about it is that historically we spend about 20 per-

cent of the gross domestic product. Under the Obama budgets, we are going to be spending—and we almost spend this much now—25 percent of the gross domestic product, and that is a spending increase that is not sustainable.

Even under the largest of deficits, when President Bush was President, it was less than $\frac{1}{2}$ trillion. But under the Obama budget, it is \$1.5 trillion almost exactly for every year for the last 3 years and on into the future. The result is that under this President we will have doubled all of the debt this country has accumulated from the time George Washington was President all the way through the time George Bush was President. We will double that under the Obama administration.

The problem is spending; it is not taxes. Evidence of that was presented last Thursday in an op-ed piece in the Wall Street Journal. At the conclusion of my remarks, I am going to ask unanimous consent to have the article printed in the RECORD because I think it makes the point. I will quote from it or at least discuss some of the arguments in this piece right now.

It was put together by a Cato Institute senior fellow Alan Reynolds, who has written on this subject in the past and is a real student of the effect of tax rates on economic growth and on revenues for the country. One of the points he discusses in this op-ed is what happens when you raise tax rates, as some of our friends—particularly on the other side of the aisle—want to do as part of this deficit reduction exercise. Do you necessarily increase revenues if you raise tax rates? What are the impacts on the economy? What happens, on the other hand, if you are able to reduce tax rates?

Now, there is no plan on the table to actually reduce tax rates, but I think the arguments he presents make it clear that lower rates do not necessarily produce less revenue and, in fact, can have a salutary impact on economic growth and therefore job creation, which is, of course, what we are trying to be all about here.

He has studied tax rates for the last six decades, and here is some of the factual information he comes out with. The conclusion is this: Higher tax rates do not necessarily lead to more revenue. In fact, recent history has often shown the opposite. Here are some specific examples.

Back when the highest tax rate in this country was 91 percent—if you can just think about that, a 91-percent tax rate. Why would anyone work to make that last \$1 when 91 cents of the \$1 you earn goes to Uncle Sam? That was the highest tax rate. The lowest tax rate was 20 percent. Today, the lowest tax rate is zero and the next one is 10 percent and then 15 percent and so on. So this was a much more progressive Tax Code. Individual income tax revenues during that time were 7.7 percent of the gross domestic product.

President Kennedy came along and proposed cutting both the highest and the lowest rates. So they went from 91 down to 70 and from 20 down to 14 percent. What happened to the 7.7-percent revenues? They rose to 8 percent of gross domestic product. So the rates were reduced, but the revenue to the Treasury was increased.

What happened a few years later when that was done, when President Reagan first cut the top rate from 70 percent down to 50 percent? Did revenues fall? No. Revenues to the government increased to 8.3 percent of the gross domestic product.

Third example, 1986, when the top rate was slashed again from 50 percent down to 28 percent, almost in half. You would think revenues would decline. No. They remained almost exactly the same, from 8.3 to 8.1 percent.

So his research clearly demonstrates that the link between lower rates and lower revenues is very weak, if not actually a converse relationship. The relationship between higher taxes and economic difficulty could not be more clear.

Let's talk about what happens when you have increases in the tax rates. In the early 1990s, the top rate was increased to 31 percent—which, by the way, is more comparable to about 35 percent in today's dollars because of hidden taxes—the country fell into a recession and revenues actually dropped to just 7.8 percent of GDP. So you think you are going to raise more revenue and reduce the deficit by raising tax rates? Wrong. We raised taxes, revenues actually dropped, and the country went into a recession.

When the top two tax rates were raised later to 36 and 39.6 percent and taxes on Social Security increased as a part of the Clinton tax hikes, revenues again barely moved to 8 percent—so from 7.8 to 8 percent. The government actually collected more tax revenue when the top rate was just 28 percent.

It is simply not true that you can raise tax rates and therefore get more revenue to the Treasury and therefore reduce the debt and the deficit. It is especially not true if you are only talking about doing that for the very highest tax earners because they don't make enough to produce the kind of revenue that would be required to reduce the deficit that much.

To be sure, there are always fluctuations, and there is not a very specific causal relationship in all cases between rates and revenues collected. For example, during the technology bubble of the 1990s, revenues rose above 9 percent. We were on a roll. People made more money. The government made more money as a result. But, interestingly enough, this was only after capital gains taxes were cut from 28 percent down to 20. There is almost an inverse relationship between the capital gains tax rate and revenues collected.

As that rate goes up, less revenue is collected. As the rate comes down, more revenue is collected because it is a tax on economic activity. The lower the tax, the more economic activity you have and therefore the more the Federal Government receives in revenues, even though the rate is lower.

Reynolds found a similar correlation between rates and revenues with capital gains as he identified with ordinary income taxes.

Just a couple of other statistics. When the capital gains rate was 28 percent, revenues were 2.5 percent of the GDP. After the rate was cut down to 20 percent, capital gains revenues rose to 4.6 percent of GDP. So when you cut the tax rate, then the revenues almost doubled.

As I said, capital gains are the most sensitive to rate reductions or rate increases of all our tax rates. Nonetheless, it is an impressive figure to demonstrate that at least you don't want to be raising tax rates even if you are not willing to reduce them.

In summary, after both ordinary income and capital gains tax rates were cut to 35 and 15 percent respectively in 2003, individual income tax revenues were 8.1 percent of GDP, which was higher than the period when the ordinary income tax rate was 39.6 and the capital gains rate was 28 percent. So almost no matter how you look at it, you can see this relationship, and it is almost an inverse relationship.

Again, I am not claiming that all tax cuts pay for themselves or that in all cases this is exactly the way it works out. But to assume we can solve part of our problem by raising tax rates and especially raising them on the people who are most able to move income around to avoid paying taxes or minimize their tax rates and who are the most susceptible to the capital gains rates and who are the people most able to invest in business and therefore help to create jobs—to suggest that increasing their tax rates is a good idea is obviously not true based upon the research Mr. Reynolds has done.

The bottom line, lower tax rates do not necessarily mean less revenue, higher rates do not always mean more revenue, and the facts frequently point to the opposite.

There is obviously more to consider than just how much revenue will be raised. Unfortunately, higher tax rates also have a very pernicious effect on economic growth and job creation, and Reynolds' research in this area is very clear as well. When surtaxes were imposed in our economy back in 1969 and 1970, our economy fell into one of the deepest recessions we have had until the one we are in right now.

During the bracket creep of the 1980 to 1981 period, when inflation forced taxpayers to pay higher rates, until that was fixed later, the economy again fell into a recession, and fol-

lowing the rate increases of 1990, the economy fell into a recession. So it is pretty clear higher taxes are the last thing you need to do or want to do during a time of persistently high unemployment and a struggling economy, as we have today. Yet, as I said, there are some Members of Congress and the administration who have proposed raising tax rates as a way to address the deficit.

I even read that an academic proposed a 70-percent rate. One witness before the Senate Finance Committee, believe it or not, even suggested that a tax rate of 90 percent would maximize revenue.

To show you how counterintuitive that is, let me just ask the question. What two tax rates produce zero revenue? Well, the answer is zero, of course, and 100 percent. If you are going to tax 100 percent of what somebody makes, he is not going to bother to make the money. It doesn't do him any good, and it doesn't do him much good if he only gets to save a dime out of a dollar that he makes if the government takes 90 percent. So it is not true that sticking the rich with a very high tax rate is going to bring in more revenue to the government. Those people don't have to make the money. They can shift it around so they can minimize their tax burden. Eventually, what that does is put an even greater burden on middle-income Americans who aren't that wealthy, who can't move their money around, who have to take it and spend it to support their families, send their kids to school or for health costs or whatever it might be. That is why you cannot solve this problem by raising taxes. You have to focus on the side where all the growth has been, which is increased spending.

At the end of the day, the American people believe wasteful Washington spending has to stop. That is why they are saying to many of us, don't raise the debt ceiling, at least until you have made sure we are not going to have to keep doing this in the future because spending keeps going up. Let's have a downpayment on significant savings now. Let's set the budget numbers for the next 10 years so they actually represent a reduction in spending, not an increase. Let's have entitlement reform that shows that, even after that 10 years, the expenses will continue to, if not fall, at least rise less quickly so our economic growth can manage any increase in costs. Let's do that in such a way that we absolutely put constraints on Congress and the President. We put ourselves in a straitjacket, so to speak, so we can't create exceptions and waivers and get around it in other ways.

Unless we do those things, I don't think most of the people on my side of the aisle are going to have an appetite for increasing the debt ceiling. I know I am not. I am going to look at the his-

torical evidence that people such as Alan Reynolds point out to us, the evidence that clearly shows that higher tax rates do not necessarily translate into higher revenues; in fact, in many of the cases, it is precisely the opposite. It is why, beyond the obvious economic costs, it is foolish to propose higher rates as a solution to our fiscal crisis.

Mr. President, I ask unanimous consent to have printed in the RECORD the Wall Street Journal op-ed I mentioned.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 16, 2011]

WHY 70% TAX RATES WON'T WORK

(By Alan Reynolds)

The intelligentsia of the Democratic Party is growing increasingly enthusiastic about raising the highest federal income tax rates to 70% or more. Former Labor Secretary Robert Reich took the lead in February, proposing on his blog "a 70 percent marginal tax rate on the rich." After all, he noted, "between the late 1940s and 1980 America's highest marginal rate averaged above 70 percent. Under Republican President Dwight Eisenhower it was 91 percent. Not until the 1980s did Ronald Reagan slash it to 28 percent."

That helped set the stage for Rep. Jan Schakowsky (D., Ill.) and nine other House members to introduce the Fairness in Taxation Act in March. That bill would add five tax brackets between 45% and 49% on incomes above \$1 million and tax capital gains and dividends at those same high rates. The academic left of the Democratic Party finds this much too timid, and would rather see income tax rates on the "rich" at Mr. Reich's suggested levels—or higher.

This new fascination with tax rates of 70% or more is ostensibly intended to raise gobs of new revenue, so federal spending could supposedly remain well above 24% of gross domestic product (GDP) rather than be scaled back toward the 19% average of 1997–2007.

All this nostalgia about the good old days of 70% tax rates makes it sound as though only the highest incomes would face higher tax rates. In reality, there were a dozen tax rates between 48% and 70% during the 1970s. Moreover—and this is what Mr. Reich and his friends always fail to mention—the individual income tax actually brought in less revenue when the highest tax rate was 70% to 91% than it did when the highest tax rate was 28%.

When the highest tax rate ranged from 91% to 92% (1951–63), even the lowest rate was quite high—20% or 22%. As the nearby chart shows, however, those super-high tax rates at all income levels brought in revenue of only 7.7% of GDP, according to U.S. budget historical data.

President John F. Kennedy's across-the-board tax cuts reduced the lowest and highest tax rates to 14% and 70% respectively after 1964, yet revenues (after excluding the 5%–10% surtaxes of 1969–70) rose to 8% of GDP. President Reagan's across-the-board tax cuts further reduced the lowest and highest tax rates to 11% and 50%, yet revenues rose again to 8.3% of GDP. The 1986 tax reform slashed the top tax rate to 28%, yet revenues dipped trivially to 8.1% of GDP.

What about those increases in top tax rates in 1990 and 1993? The top statutory rate was raised to 31% in 1991, but it was really

closer to 35% because exemptions and deductions were phased-out as incomes increased. The economy quickly slipped into recession—as it did during the surtaxes of 1969–70 and the “bracket creep” of 1980–81, which pushed many middle-income families into higher tax brackets. Revenues fell to 7.8% of GDP.

The 1993 law added two higher tax brackets and, importantly, raised the taxable portion of Social Security benefits to 85% from 50%. At just 8% of GDP, however, individual income tax receipts were surprisingly low during President Bill Clinton's first term.

The Internet/telecom boom of 1998–2000 was the only time individual income tax revenues remained higher than 9% of GDP for more than one year without the economy slipping into recession (as it did when the tax topped 9% in 1969, 1981 and 2001).

But that was an unrepeatable windfall resulting from the quintupling of Nasdaq stocks—combined with (1) the proliferation of nonqualified stock options that have since been thwarted by the Financial Accounting Standards Board, and (2) the 1997 cut in the capital gains tax to 20%. Realized capital gains rose to 4.6% of GDP from 1997 to 2002—up from 2.5% of GDP from 1987 to 1996 when the capital gains tax was 28%.

Suppose the Congress let all of the Bush tax cuts expire in 2013, which is the current trajectory. That would bring us back to the tax regime of 1993–96 when the individual income tax brought in no more revenue (8% of GDP) than it did in 2006–08 (8.1% of GDP).

It is true that President Obama proposes raising the capital gains tax to 23.8%, which could raise more revenue than the 28% rate of 1993–96. But a 23.8% tax on capital gains and dividends would nevertheless be high enough to depress stock prices and related tax revenues.

Still, pundits cling to the myth that lower tax rates mean lower revenues. “You do probably get a modest boost to GDP from tax cuts,” concedes the Atlantic's Megan McCardle. “But you also get falling tax revenue. It can't be said too often—and there you are, I've said it again.”

Yet the chart nearby clearly shows that reductions in U.S. marginal tax rates did not cause “falling tax revenue.” It is not necessary to argue that tax rate reduction paid for itself by increasing economic growth. Lowering top marginal tax rates in stages from 91% to 28% paid for itself regardless of what happened to GDP.

It is particularly remarkable that individual tax revenues did not fall as a percentage of GDP because changes in tax law, most notably those of 1986 and 2003, greatly expanded refundable tax credits, personal exemptions and standard deductions. As a result, the Joint Committee on Taxation recently reported that 51% of Americans no longer pay federal income tax.

Since the era of 70% tax rates, the U.S. income tax system has become far more “progressive.” Congressional Budget Office estimates show that from 1979 to 2007 average income tax rates fell by 110% to minus 0.4% from 4.1% for the second-poorest quintile of taxpayers. Average tax rates fell by 56% for the middle quintile and 39% for the fourth, but only 8% at the top. Despite these massive tax cuts for the bottom 80%, overall federal revenues were the same 18.5% share of GDP in 2007 as they were in 1979 and individual tax revenues were nearly the same—8.7% of GDP in 1979 versus 8.4% in 2007.

In short, reductions in top tax rates under Presidents Kennedy and Reagan, and reductions in capital gains tax rates under Presi-

dents Clinton and George W. Bush, not only “paid for themselves” but also provided enough extra revenue to finance negative income taxes for the bottom 40% and record-low income taxes at middle incomes.

Mr. KYL. I note the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

Mr. DURBIN. I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DREAM ACT

Mr. DURBIN. Mr. President, it was about 10 years ago that I received a call to my office in Chicago from a Korean-American mother who was concerned about her daughter. Her daughter had been brought to the United States at the age of 2, had grown up in the United States, all her brothers and sisters were born here as well, and her daughter had been accepted on a music scholarship. Turns out she was an extraordinarily talented concert pianist. She was graduating from high school and had been accepted at Juilliard School of Music and Manhattan Observatory School of Music, and in filling out the application, there was a question about her daughter's citizenship. Since she brought her daughter here on a visitor's visa at the age of 2 and never filed any papers, she wanted to know her daughter's status.

It turns out her daughter's status was very clear. She was undocumented, and the law was also very clear; that this 18-year-old girl who had lived here for 16 years was told she had to leave America. There was no recourse. She was not even being sent back to Korea because her family transited from Korea to Brazil to the United States. They wanted to ship her to Brazil, a country she was not even aware of with a language she did not speak, Portuguese. In that situation, her mother said: What can we do? I checked with the law, and it turned out there was no place to turn. Her daughter was without a country. That is when I introduced the DREAM Act.

The DREAM Act is legislation which says if you came to the United States as a child, if you have been a long-term resident of the United States, you have good moral character, and you graduate from high school, we will give you two chances to become legal in America. You can either enlist in our military or you can finish at least 2 years of college. That was 10 years ago. I am still working to pass that legislation. Over the period of time I have worked on it, I have met hundreds, maybe more, of people like that young girl I

just described. They are young people who have that kind of excited look in their eyes, they want to be part of this world. Most of them are college students or college graduates, but they cannot make the first move toward the life they want to live because they are undocumented.

That is why I continue to come to the floor of the Senate each week and tell their stories, urging my colleagues, on both sides of the aisle, in the name of justice, to give these kids a chance. We have a pretty basic principle in America. We do not hold kids responsible for the wrongdoing of their parents. We tell kids you are responsible for your own life. Do the right thing. Go to school. Don't get in trouble, study, aspire to greatness. Go to college, and they do. These kids do too. But they have an obstacle most children in America do not have. They have no country.

Senator MENENDEZ of New Jersey, my friend and colleague, had a great statement on the floor, and I have used it many times. I credited the Senator the first time, but I will credit him again because he is here. He tells of these young people getting up every day and putting their hands to their heart and pledging allegiance to the United States of America, going to events where they sing along with the only National Anthem they know, and in the eyes of the law, in the eyes of America, they are not part of us. They are somewhere in the middle.

Is that right? Is it fair? Is it a standard we want to establish in this country when it comes to justice? I don't think so. We need these young people. They are not only bright and energetic, they can become tomorrow's leaders in our military. That is why Secretary Robert Gates, who is retiring this month as Department of Defense Secretary, supports this legislation. That is why so many others have stepped up in both political parties and said this is a smart thing to do, give these young people a chance to prove themselves.

I just had a discussion in my office about H-1B visas. These are visas we offer to foreigners, people who were not born in the United States, to come here and work because we need their talent pool to be part of an expanding American economy. What about the talent pool of these DREAM Act students? As I have told their stories on the floor, these are students who are extraordinary: chemical engineers, mechanical engineers, teachers, aspiring attorneys, but they cannot do any of those things because they have no citizenship status in America.

I wish to share the story of two of them and I know Senator MENENDEZ is on the floor and this will not take long. The first is Diana Banda. This is her photo. Diana was brought to the United States in 1993 at the age of 3. She grew up in Oregon and dreamed of being a

first responder. She volunteered with the American Red Cross at her community emergency response team. During her senior year in high school, Diana was diagnosed with thyroid cancer. Thankfully, after a long struggle, she is cancer free. After her recovery, Diana is more determined than ever to pursue her dream. She is enrolled in a firefighting and paramedic program at the community college in Salem, OR. These students qualify for no Federal assistance. When they go to college, they pay for it out of their pockets. They sacrifice more than many students because they are determined to get an education.

Diana sent me a letter. This is what she said about her dreams for the future:

Although I love Mexico because it is the place I was born, I could not pack my things and move back to a place I know nothing about, a place I only know through old baby pictures and family stories.

Diana says:

America is my home. This is the place I love where everyone and everything I know is. I know nothing outside the United States. Whatever punishment I must pay, I am willing to do. All I ask for is a chance. Better yet I beg for a chance to prove that I am not a criminal, that I have much to offer this beautiful place.

Should we deport Diana Banda, a cancer survivor, a future paramedic, back to Mexico, a country she left behind when she was just a toddler? Should we accept her invitation to punish her? For what? For being part of the family who brought her here at the age of 3? It was not her decision; it was her parents' decision. Rightly or wrongly, she is in the United States. When you look at this photo and realize she could be part of our future, we realize what the DREAM Act is all about.

Let me introduce you to another dreamer. This is Monji Dolon. Monji's parents brought him here from Bangladesh in 1991 at the age of 5. As he grew up in his new home, Monji immersed himself in the study of computers and technology.

Monji wrote me a letter and said as follows:

For as long as I can remember, I have had an intense passion for technology. In middle school, that passion led to spending many nights constructing remote-controlled model and Van de Graaff generators. In high school, I fell in love with computers and the Internet, spending my senior year creating an online newspaper for my school.

Monji did not know about his immigration status until he started applying for college. He asked his parents what he should say in terms of his immigration status. That is when Monji learned he was undocumented. In 2008, Monji graduated from the University of North Carolina at Chapel Hill, an outstanding school. Again, let me put in the record, these students who graduate from college do it facing sacrifices

many students don't. They get no Federal assistance, none. Monji's prospects are limited, even though he graduated from the University of North Carolina Chapel Hill, an outstanding school, and he is being courted by the technology industry. They want to hire this bright young man. He has even been offered a job as a lead engineer for a startup company in Silicon Valley. Monji's prospects are constricted because of his immigration status. The DREAM Act would give him a chance to pursue his dreams and contribute his talent to the only country he has ever called home.

Here is what he told me:

I've turned down several great job offers from reputable companies because of my status. The DREAM Act would let me take my passion for technology to the next level by allowing me to move to Silicon Valley and pursue my dream as an Internet entrepreneur.

When you look at some of the most amazing technology in America today, you will find that many times it is the product of immigrants who came to this country and created companies that employ thousands of people. I do not know if Monji will be one of those persons. I think he deserves a chance. Would America be better off if we sent him back to Bangladesh, a country he has not been to in 20 years? Of course not.

There is so much discussion about America's economic future in the 21st century. Every year, with all these H-1B visas, we bring in talented people from overseas while at the same time our laws banish these talented people I just talked about back to countries they have never known as they have grown up. We could use people with Monji's talents in America. We can use them in technology, as we can use Diana's talents in the field of medicine.

I first introduced this bill 10 years ago. Since then I have met so many immigrant students who would qualify. As are Diana Banda and Monji Dolon, they are America's heart. They are willing to serve our country, even risk their lives for our country, if we would just give them a chance.

I urge my colleagues in this political town, this partisan town, on this issue: Let's put it aside. Let's support basic justice and fairness. Let's give these kids a chance. I am willing to stake my reputation as a Senator on the fact that America will be a better place when the DREAM Act becomes law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, first of all, I didn't come to the floor for this purpose, but I would be remiss if I didn't thank the distinguished Senator from Illinois, the Democratic whip, for his incredible commitment and passion to this issue. I have seen him just about every session take time out of every day to both dramatize and put a

human face on this opportunity to turn some of America's greatest prospects into opportunity and prosperity for this entire country. I am thrilled he has adopted various of my lines, and I am honored by it.

It is true; these young people came to this country through no choice of their own. The only country they have ever known is the United States of America. They put their hands on their hearts and pledge allegiance to the United States, and the only National Anthem they have ever learned to sing or believe in is "The Star-Spangled Banner."

We have a tremendous opportunity. I wish to thank the distinguished Senator for his incredible commitment to this issue. I appreciate it very much.

AFGHANISTAN

Mr. MENENDEZ. Mr. President, I have come to the floor to speak about something that I very passionately believe in, and that is my view in support of a significant and sustained reduction of American combat forces in Afghanistan beginning this July.

In short, I believe the time has come to move from a strategy of counterinsurgency to one of counterterrorism—a strategy that would rely on our specialized military forces to continue to engage those who present a real and continued threat to the national security of the United States and one that would allow us to bring home a majority of troops serving in Afghanistan.

After September 11, almost a decade ago, we were clearly justified in intervening in Afghanistan to defeat al-Qaida and bring bin Laden to justice for the atrocities they committed against Americans on our own soil. I supported President Bush at that time in that effort. I have a standard that if I am willing to send my son and daughter to fight for America on behalf of the Nation's national security interests, I will vote to send anyone else's sons and daughters. Not so in Iraq where I did not believe it was in the national security interests of the United States; and if I won't send my son and daughter, I won't vote to send anyone else's sons or daughters. But in Afghanistan nearly a decade ago, that is where the perpetrators of September 11 were, and it was the right engagement. Our original goals have largely been met in that respect.

Today, even according to the Director of the CIA, fewer than 100 members of al-Qaida remain in Afghanistan. Since September 11, we are painfully aware that the world is a different place, and we will always have to be vigilant. But the current threat simply does not justify the presence of 100,000 American troops on the ground. Bin Laden is dead, having hidden for years in Pakistan in plain view of the ISI, Pakistan's intelligence force, and the Pakistani military.

Clearly, the issue at hand is about terrorism not insurgency. Terrorism is a borderless issue represented by the unimpeded movement of the Taliban into Pakistan and a safe haven in Abbottabad for al-Qaida's leader. In finding bin Laden and bringing him to justice, we have struck a serious blow to al-Qaida's network that permits us to now reconsider our mission and the wisdom of pursuing a broad and open-ended strategy of nation building in Afghanistan because, make no mistake about it, what we are doing in Afghanistan is nation building.

This is interesting. I have heard speeches on the Senate floor and in my previous service in the House by many of my colleagues on the other side of the aisle about how we should not be nation building, as though that is not a vital national interest. Well, that is exactly what we are doing. The costs of our current strategy are too high in lives lost, in futures unraveled by injury, and in taxpayer dollars spent.

Mr. President, 1,500 brave men and women have lost their lives in Afghanistan. Almost 12,000 have been wounded in action, at a cost—a continuing cost—of \$10 billion a month—a month. Nonmilitary contributions to Afghan reconstruction and development from 2002 to 2010 have reached \$19 billion—a number which is expected to surge as we transition to a civilian mission. But at the same time, reports from the Senate Foreign Relations Committee, on which I sit, and from the bipartisan Commission on Wartime Contracting in Iraq and Afghanistan place our billions of dollars in investment at risk of falling into disrepair because of inadequate planning to pay for the ongoing operations and maintenance; not to mention that from my own perspective, \$19 billion later, I don't know what we have achieved in Afghanistan.

In my mind not only are the costs and lives and treasure far too high, but there is a growing consensus that absent a very long and sustained commitment involving many troops on the ground, we can't win the hearts and minds of the Afghan people or, for that matter, even President Karzai who, in my view, has not proven to be a good partner. Karzai most recently suggested that the U.S. and NATO forces risk becoming an occupying force that would be, in his words, ousted from the country—all of these lives later of American troops lost. To do what? To have a counterinsurgency effort. Which is what? Fighting insurgents to give the Afghan Government the opportunity to sustain itself, to defend itself, to govern itself, and we are an occupying force? We are an occupying force?

We have to ask, even if we are willing to make the enormous economic commitment required to build a democracy and to fund the necessary security elements at the cost of tens of billions of

dollars per year, what is the likelihood of our success?

The Afghan Government is corrupt. Our working relationship with President Karzai continues to be challenged. Today I believe he made some other comments—either today or yesterday—again, that malign the very Nation that is there defending them with the sons and daughters of America, with the National Treasury of America—in a country that, by the way, has \$1 trillion of precious deposits of various minerals that, if properly pursued, would be able to fund the Afghan Nation for years to come.

When they gave out their first contract, who did they give it to? Not the Nation that has defended them but the Chinese who have done nothing to stand up for the Afghan people.

So I look at a government that is corrupt, our working relationship with Karzai crumbling, our focus on building security forces challenged because its membership largely excludes Pashtuns in the south, which is the base for the Taliban. I am not certain there is any amount of money or a plan that can work under those circumstances. It seems to me for every Taliban fighter we kill, buy off, or convert another one will take his place, and more and more will stand up to fight an enemy that is perceived as infidels. I am not certain a counterinsurgency strategy is anything but counterproductive.

It is clear to me the present course is unsustainable, creates dependency, breeds corruption, and ignores the fact that at some point Afghanistan will have to stand on its own—on its trillions of dollars in mineral deposits—and build its own future. We are spending \$10 billion a month on a counterinsurgency strategy in Afghanistan that does not have a clear path to a definable victory. I am not certain a counterinsurgency strategy in Afghanistan does anything but feed and grow the insurgency.

In short, I am not certain a counterinsurgency strategy is a winnable strategy. Therefore, it is my belief we need a tailored counterterrorism strategy to achieve and protect our national security interests and meet our broader fiduciary responsibilities. Since 2001 we have invested over \$50 billion to help stand up a central government in Kabul and fund reconstruction projects across Afghanistan. So \$26 billion has gone to standing up the Afghan security forces, including an additional \$11 billion this year. To date, the Afghan National Army now stands at 164,000 men, and the Afghan National Police Force at 126,000. So combined, the Afghan National Security Forces now stand at 290,000 men strong.

We can't forever be the overprotective parent. The time has come to allow Afghans to secure their own future, to draw on the 290,000 men who

have committed to securing their country's future, and to allow them the opportunity to defend their Nation and their people.

The fact is, Afghanistan is a rugged, multifaceted country with a long history of complex tribal relationships. It faces almost unprecedented challenges in building a vibrant, independent, and, hopefully, democratic nation from the rubble of more than a quarter century of war. We can guide a process to provide necessary, achievable, and sustainable assistance to bolster their efforts—and we should—but it is up to the Afghan people to stand up a government and a security force and to develop their own counterinsurgency effort.

Our primary goal—the goal that was crystal clear on September 12, 2001—was to address the imminent terrorist threat to America and America's interests. The phrase was “to drain the swamp and address the new threats we face.”

The Taliban is a threat, but they are not the threat we rallied to address. Any counterterrorism strategy we employ now can necessarily deal with any Taliban issues that would be a threat to American security. But the primary threat to America and to American interests is posed by al-Qaida. It is a threat that is stateless, borderless. The notion that if we deploy enough forces in Afghanistan we will somehow lessen that threat, in my view, is farcical and falls on the conventional Washington wisdom that more is better.

In my view, better is better—a mission better focused on the threats, with specialized troops better trained to better locate and better destroy terrorist hideouts; a mission with resources better spent on projects that are necessary, achievable, and sustainable. In short, we need a better, not a bigger, mission.

In my view, we must accelerate the transfer of nation building and nation protecting to the Afghan people and their government. We must remain ever vigilant and ever prepared to protect our national security interests and eliminate any new terrorist threats that emerge. We should continue to identify areas where our advice and assistance can strengthen the Afghan Government and the institutions of democracy. But our mission should be one of counterterrorism, not counterinsurgency.

We need to concentrate our resources on the real threats in the region—threats to U.S. citizens and U.S. interests and threats that could destabilize Pakistan and place nuclear materials at risk, which would be a very real and present threat to national security and the security of the region—a threat we cannot abide.

We entered Afghanistan to address a threat vital to the national security of our country. By reforming our mission,

targeting our unique military resources, and refining our assistance mission to focus on sustainable and achievable outcomes, we can achieve that goal with fewer troops and less money.

For those reasons, last week I joined with my distinguished colleague Senator MERKLEY of Oregon and many other Members in urging the President to begin a sizable and sustained reduction in U.S. combat forces from Afghanistan this summer. It is time to bring our men and women home. It is my belief this is the best and most responsible policy for America—a policy that seeks to protect our national security while meeting our fiduciary responsibilities, and serving the interests of the service men and women and their families who have sacrificed so much on behalf of a grateful Nation. It is time. It is time.

With that, I yield the floor.

WORLD REFUGEE DAY

Mr. LEAHY. Mr. President, this year, we celebrate the 60th anniversary of the 1951 Convention Relating to the Status of Refugees. I am pleased that today, June 20, the international community is celebrating World Refugee Day, an important opportunity to recognize the continuing plight of the millions of refugees around the world who deserve our protection.

It is also a moment to celebrate the accomplishments of refugees who have been resettled and are building new lives in the countries that welcomed them.

The theme of World Refugee Day 2011 is "Real People, Real Needs." This theme reminds us that each individual refugee has a story to tell. Every refugee has experienced persecution, causing him or her to flee a home, a community, and a nation, because the circumstances are so dire that flight is the only option. Conflicts around the world are displacing persons, such that the United Nations High Commissioner for Refugees now counts over 43 million persons who have been forced from their homes, which include refugees, internally displaced, and stateless persons. For many of the world's 15.4 million refugees, resettlement is the only hope they have of rebuilding a stable life and home.

The United States has long been committed to resettling refugees, but our resettlement program was strengthened by the enactment of the 1980 Refugee Act. Over the past 30 years, more than 2.6 million refugees and asylum seekers have found safety in the United States. And since 1989, almost 5,600 refugees have been resettled in my home State of Vermont. We are fortunate to have the Vermont Refugee Resettlement Program, with its decades of experience and award-winning volunteer program, leading this effort.

Over the last 5 years, many of these new Vermonters have come from Bhutan, Burma, and the Congo. Their culture is enriching my historically Anglo Saxon and French Canadian State.

Throughout this challenging time, I have remained proud of the role that our Nation plays in protecting refugees abroad and in helping many resettle in the United States. In a time of tight budgets, I was pleased to be able to protect funding for refugee assistance and resettlement programs in the fiscal year 2011 appropriations continuing resolution, when many other programs were cut.

The United States is a leader in international refugee protection. I am proud of that commitment and will work to ensure our government maintains this strong financial and political support. There is more that we can do, however.

I regret that the United States is not in full compliance with its obligations under the 1951 Refugee Convention. Changes to the law and a handful of court opinions issued in recent years have eroded protections for some of the most vulnerable asylum seekers.

Last week, I reintroduced the Refugee Protection Act, S. 1202, to restore the legal foundation of the United States for protection of refugees and asylum seekers. The Refugee Protection Act will correct serious shortcomings in current law, such as the overly broad definition of material support for terrorist groups.

The Refugee Protection Act does not diminish the rigor of security and background checks of incoming refugees, but it recognizes that the current law sweeps in a large number of persons who were victims of persecution at the hands of terrorist organizations, not supporters of those terrorist groups.

The Refugee Protection Act also repeals the 1-year filing deadline for asylum seekers in the United States. This deadline was unnecessary when it was added to the law in 1996 and remains unnecessary now.

Under court decisions interpreting our law, certain groups of asylum seekers can face improperly high barriers to protection. For example, the Board of Immigration Appeals has required seekers who base a claim on persecution of their social group to show that the group is "socially visible." This requirement is not a part of the statute or implementing regulations. Moreover, it is unnecessarily onerous for certain groups who take great pains to conceal their membership in the social group. For example, lesbian, gay, bisexual, or transgendered individuals from certain countries may have to hide their identity to avoid physical attacks or extreme social isolation. Women from certain cultures must conceal that they have not been forcibly circumcised or face the threat that tribal

leaders will subject them to this violent and dangerous practice.

Our law grants asylum to those who have experienced persecution or have a well-founded fear of future persecution. Therefore, courts should not require these individuals to risk serious harm by exposing their membership in the persecuted social group in the home nation. Social visibility may be a factor in some cases, but must not be a baseline requirement to prevail on an asylum claim.

I thank Senators LEVIN, AKAKA, and DURBIN for their support of the Refugee Protection Act of 2011. I also thank Representative ZOE LOFGREN for introducing a companion bill, H.R. 2185, in the House of Representatives.

I hope that on World Refugee Day others will join us in helping to reform our domestic laws to help the victims of persecution worldwide.

LUKAS ROBERT CORWIN

Mr. LUGAR. Mr. President, as we discuss and debate the future of medical care for all citizens in our Nation, it is appropriate to take a few moments to salute heroes who make a truly life saving difference.

June 3, 2011, was a very special day for me and my wife Charlene. We received the joyous news that a great-grandson, Lukas Robert Corwin, had been born in Riley Hospital for Children, Indianapolis, IN. I was privileged to visit Lukas early in the morning on the next day and to congratulate his proud parents, Jonathan and Christie Corwin.

At that time, we had been informed that Lukas would require heart surgery in a few weeks and would probably remain in the hospital until the date of surgery. Suddenly, just 2 weeks after his birth, it was apparent that Lukas could barely breathe and that his heart rate had dropped into the 40s. His evening nurse performed oral care. Dr. Turrentine determined that the surgery must occur immediately and we prayed as Jonathan and Christie accompanied Lukas to the surgical area with the support of Ariana, Christie's favorite nurse, Chrissy, Lukas' evening nurse, Andrew, a medical student, Abby, another nurse, and Dr. Turrentine.

These remarkable medical heroes for the next few hours performed miraculous procedures that brought the ordeal of Lukas to a very successful conclusion. I salute all of the life saving procedures and the gifted persons who were able to use them so well in truly saving the life of a beautiful little boy. Our prayers are now with Lukas, his parents, grandparents, and the dedicated teams of life saving persons at Riley Hospital.

TRIBUTE TO GERRY COUNIHAN

Mrs. FEINSTEIN. Mr. President, today I wish to pay tribute to Gerry

Counihan, an extraordinary man and a wonderful example for us all.

Gerry is a familiar face and a friend to the Members of this body.

Each of us who have made the trip into this historic Capitol Building and boarded the elevator to cast a vote on this floor has been warmly welcomed or helped in some way by Gerry.

Gerry's life has had its share of challenges.

He was born with a learning disability, but with his trademark determination and optimism he beat the odds and graduated from Franciscan University in 1988.

Gerry first came to work here on Capitol Hill in 1991, and he returned in 1997 to take a job as a tour guide.

His enthusiasm and his love of American history made him an outstanding guide and a dedicated public servant.

Gerry also helped many visitors to our Capitol cope during a time of tragedy.

He gave the first public tour of the Capitol after two police officers were killed in 1998.

In 2001, Gerry gave the first tour when the Capitol reopened following the terrorist attacks of September 11.

In my opinion, this is a testament to the dedication and the patriotism Gerry has shown during his many years of service to our country.

In May 2007, Gerry was the victim of a brutal home invasion and assault. After this senseless act of violence, he was told by his doctors that he may never walk again.

But Gerry has never taken no for an answer.

After months in the hospital and grueling rehabilitation, Gerry returned to the Capitol, eventually taking a job as an elevator operator.

Again, Gerry impressed all of us in the Senate with his dedication and his generous spirit.

Gerry will soon begin a job at the Department of Health and Human Services. I know I speak for all of us when I say that HHS is lucky to have him.

Gerry makes the Senate a brighter place, and I am truly sorry to see him go. I admire his optimism, his dedication, and especially his courage in the face of adversity.

I wish Gerry well as he moves onto this exciting new challenge.

ADDITIONAL STATEMENTS

REMEMBERING LAURA ZISKIN

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in paying tribute to Laura Ellen Ziskin, one of Hollywood's most influential film producers, activists, and philanthropists. Laura Ziskin passed away on June 12, 2011, at her home in Santa Monica, CA, after a 7-year battle with cancer. She was 61 years old.

A native of the San Fernando Valley, Laura Ziskin was born on March 3, 1950, to Mae and Jay Ziskin. In 1973, Ziskin graduated from the University of Southern California's School of Cinematic Arts and began working in the entertainment industry first as a game show writer, and then as a personal assistant to producer and director Jon Peters, with whom she would work on the 1976 Barbra Streisand remake of "A Star Is Born."

Over the next three decades, Laura Ziskin became one of the world's most successful female producers. Ziskin's fame quickly grew with her production of 1985's "Murphy's Romance," 1988's "D.O.A.," 1990's megahit "Pretty Woman," and 1991's "What About Bob?" Ziskin's films were both critically acclaimed and well received, with "As Good As It Gets," 1997, "The Thin Red Line," 1998, "Fight Club," 1999, and the recent blockbuster Spider-Man films. In 2002, Laura Ziskin would also become the first woman to ever produce the Academy Awards—again repeating the feat in 2007.

Laura Ziskin devoted her time and celebrity to improving the lives of others. She gave her support by serving on the boards of organizations such as the National Council of Jewish Women and Education First and was honored by many others, such as the Big Sisters of Los Angeles, the Women's Image Network Award, the Producers Guild of America, City of Hope, and her own alma mater, USC's School of Cinematic Arts. I was also proud to present her with a "Woman Making History" Award for her wonderful work.

When Ziskin was diagnosed with breast cancer in 2004, she immediately became heavily involved in creating a new model for cancer research. In 2008, she founded the nonprofit Stand Up To Cancer, SU2C, in collaboration with friends and colleagues, Katie Couric and Sherry Lansing and the Entertainment Industry Foundation, among others. Ziskin used her film production skills to be a driving force for raising funds for cancer research and support services, including by producing television specials in 2008 and 2010 that aired on major international networks.

Throughout her illness, Laura never quit either her professional or charitable work. She touched the lives of countless individuals and families who struggle with cancer by giving them hope that one day, there will be a cure. In one of her last blog postings, she urged others to take a stand. She wrote, "Take a stand—for yourself, for a loved one . . . for anyone in the fight. Let's make everyone diagnosed with cancer a survivor."

Laura Ziskin is survived by her partner, Alvin Sargent, her daughter, Julia Barry, and her son-in-law, Eli Dansky. •

FIGHTING BLINDNESS

• Mr. HARKIN. Mr. President, for most people, it is a given that they are able to see the many wonderful sights the world has to offer. But in this country, more than 10 million people are affected by retinal diseases, such as retinitis pigmentosa and age-related macular degeneration, that result in blindness. These people are being robbed of their vision, plain and simple. By 2020, as the population continues to age, that number is expected to reach 15 million. These diseases might not attract much attention, but their impact on the lives of our friends, family members, and constituents is significant.

Later this month, in Baltimore, MD, the Foundation Fighting Blindness, a private nonprofit that has raised more than \$425 million in research funding, will host its national VISIONS Conference. It will gather together visually challenged people from across the United States, as well as eight other countries, along with renowned researchers committed to finding treatments and cures for these diseases and physicians providing patient care.

The Foundation will also celebrate its 40th anniversary by looking back on four decades of breakthroughs, progress, and hope in the field of retinal disease research. There is a lot to celebrate, as recent advances in research, including a number of clinical trials, have given new hope for restoring vision. Results from one breakthrough study funded in part by the Foundation Fighting Blindness show that gene therapy restored vision in patients suffering from a severe retinal disease. In fact, a 9-year-old boy who had lost his vision almost completely was able to play baseball and read the chalkboard in his class for the first time.

This life-changing work is possible thanks to the Foundation Fighting Blindness, which, through various fundraising efforts, provides the capital necessary to launch innovative, results-oriented research—the kind of research promising enough to draw funding from other sources, such as the National Eye Institute, one of the National Institutes of Health. Now, as the momentum continues to build, a partnership between the private and public sectors is crucial to eradicating blinding diseases.

I congratulate the Foundation Fighting Blindness on its 40th anniversary. With the help of this organization and the National Eye Institute, research will continue to flourish until cures are realized. •

BOWDLE, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today I pay tribute to the 125th anniversary of the founding of the city of Bowdle, SD. Bowdle, like

many of the cities in South Dakota, was founded for its position along the railroad tracks.

Alex M. Bowdle, an employee for Chicago & Milwaukee Railroad, founded Bowdle in 1886. He chose the location for its readily available access to clean water. This water was essential for the trains to use in their boilers, and helped to keep the trains moving on schedule. The water also greatly benefited area farmers who needed it for irrigation of their crops.

Bowdle through the years has continued to be a thriving community. Their commitment to education can be seen in the graduates of the Bowdle School District. In addition city of Bowdle has many outdoor recreation options including pheasant hunting and the Bowdle Golf Club, which residents believe is one of the best courses in the State.

Bowdle's residents have a strong local community and take pride in their city. To celebrate the momentous occasion the city is planning to hold a street dance with live music, along with many other events to bring the surrounding community together to share stories and experiences of the beloved city of Bowdle.

I am proud to publicly honor Bowdle on this memorable occasion. Small communities such as Bowdle are part of the backbone of our great State, and help to preserve our rich frontier history and deep-seated character. Bowdle exemplifies what it means to be a great South Dakota community.●

BRYANT, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the community of Bryant, SD, on reaching the 125th anniversary of its founding. Bryant is a community-oriented town located in Hamlin County and will be celebrating its quasiquicentennial the weekend of June 24 to 26.

Founded in 1887 upon the completion of the Chicago, Milwaukee, and St. Paul railroads, the small town embraced its origins and was named after the local railroad official. Bryant prides itself on its fire preparedness and is home to a dedicated volunteer fire department.

The importance of community to the town is evident in the presence of their well-maintained auditorium and parks which host town gatherings, baseball games, dances, craft fairs, and suppers. Bryant will celebrate this milestone with many activities including a car and tractor show, a parade, and even fireman's games.

South Dakota is built on the values and spirit of small communities like Bryant. It is because of our small tight-knit communities that many choose to call South Dakota home. I congratulate the citizens of Bryant on

their accomplishments over the last 125 years and look forward to seeing their future endeavors.●

CONDE, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the community of Conde, SD, on reaching the 125th anniversary of its founding. Located in Spink County, this small, close-knit community will be celebrating its quasiquicentennial the weekend of June 24 to 26.

The building of railroad branches in South Dakota by the Chicago and Northwestern Railroad created growth for numerous towns. Amongst the newly established area, the town of Conde was founded in 1886. This railroad town was formerly known as Coral until April 15, 1882. A railroad official's wife selected the name in honor of the Conde family of France and the French town of Conde.

Conde, SD, "The Place to Call Home," is known for its beautiful scenery and outdoor activities. Conde is settled in the rolling Coteau Hills and is an excellent area for Ring Neck Pheasant and White Tail Deer hunting. The city of Conde still has a variety of businesses located in this community. Conde will commemorate its anniversary with a weekend of events. The community has planned to host live music bands, an all-school reunion, a 5K "Roll and Stroll" through the beautiful town of Conde, and plenty of food vendors.

Conde exemplifies the hometown community spirit of South Dakota. After 125 years, the community of Conde is still thriving, and it is my honor to publicly congratulate the citizens of Conde on reaching this commendable milestone.●

HECLA, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the town of Hecla, SD, on reaching the 125th anniversary of its founding. This small town in Brown County has flourished from its humble pioneer origins to a vibrant South Dakotan community.

The completion of the Dakota Central Railroad, known later as the Chicago Northwestern, breathed life into this region of Brown County, and the community of Hecla was born in 1886. The railroad was essential to the progress of the town as it provided a means to get supplies, export harvests, and transport mail. Mystery surrounds the naming of Hecla as the railroad crew decided to name the town after the volcano, Mt. Hekla, in Iceland for unknown reasons.

Today, Hecla is a progressive small town community. It features several local businesses, including grain elevators, lodging sites, banks, res-

taurants, meat processors, and insurance agencies, and is home to several churches. Hecla will be commemorating its anniversary with a celebration on the weekend of June 25th-26th. The town plans to celebrate with many events including a parade and a dance to be held on Hecla's Main Street. The events of the weekend promise to provide great opportunities to celebrate such a historic milestone.

Most South Dakotans call small towns like Hecla home. Even 125 years after its founding, Hecla still exemplifies what it means to be a great South Dakota community. I am proud to publicly honor Hecla on this memorable occasion and congratulate the people of Hecla on their achievements.●

LANGFORD, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, I wish to recognize the 125th anniversary of the founding of Langford, SD. Langford served historically as a city born from the railroads, and for many residents was the first stop to a new life on the prairie.

Founded in 1886, Langford was settled as the Chicago, Milwaukee and St. Paul Railroad Company continued to lay their track across the prairie. Sam Denton originally surveyed the 190-acre plot overlooking the South Dakota countryside. John A. Edmunds' hardware store was the first business established in Langford. The store was delivered prebuilt as a shanty. The very next day a blacksmith shop was opened with several churches soon to follow.

From its earliest days, Langford has been marked by a strong sense of community with residents gathering frequently in the Langford Opera House, now the Legion Hall. Langford at one time boasted five schoolhouses, and still continues this commitment to education with the Langford Area School District.

Residents plan to celebrate the 125th with many activities, including a parade, car show, softball tournament, and a Sunday service. Main Street in Langford will be filled with the pride of all the residents from the area, past and present.

A hundred twenty five years after its founding, Langford continues to be a vibrant community and a great asset to South Dakota. I am proud to honor the achievements of Langford on this memorable occasion.●

TURTON, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I pay tribute to the 125th anniversary of the founding of Turton, SD. This small town in Spink County embodies the very values that South Dakota was founded upon.

Named after Joseph Turton, one of the town's first settlers from England, the town was founded in 1886 and formally incorporated in 1907. Situated

along the Groton branch of the Chicago Northwestern Railroad, Turton was originally established as a railroad town. The railroad was essential to the development of the vibrant town as it provided necessary supplies and a means to transport goods. Today, Turton is best known for their beautiful Catholic church, which was built in 1893, and is still in use today.

Residents of Turton will kick off the town's quasicentennial celebration and their annual St. John's Day with the Turton Community Golf Tournament, street dances, games, and banquets. To wrap up a fun filled weekend, Turton has planned a Sunday morning mass and breakfast.

Small towns like Turton symbolize what it means to be a South Dakotan community. I am pleased to recognize the achievements of Turton, and to offer my congratulations to the residents of the town on this historic milestone.●

TEEN VOICES

● Mr. KERRY. Mr. President, I ask to have printed in the RECORD the remarks of my friend Donna Brazile at the 20th anniversary celebration for Teen Voices. Teen Voices is a journalism mentoring and leadership development program for teen girls which was founded in Cambridge, MA, and creates publications which reach hundreds of thousands of young women across the world. Donna's words do great justice to what a terrific program Teen Voices is as they celebrate an important milestone, and I believe this occasion deserves special recognition in the CONGRESSIONAL RECORD.

The information follows.

REMARKS OF DONNA BRAZILE, APRIL 14, 2011

Now, Karen, I noticed that as soon as I started speaking you turned the music off. It reminded me of a few weeks ago when I was at the White House—let me start by bringing greetings from President Obama, who's in Chicago tonight. President Obama is having a rally tonight and he wanted to know why I couldn't come to Chicago to introduce him. I said, "I'm going to be hanging out with Teen Voices and trust me, I want to be in Boston tonight, Mr. President." But I was invited a few weeks ago and some of you who are young enough to remember the Motown sounds, the President invited me, and it was one of those weekends when I wanted to see my sisters. I have five sisters. So I said, "I really need three tickets." And he looked at me and said, "Donna, this is Motown. Stevie Wonder, Smokey Robinson, John Legend, Arthur Rees," and the list went on and on and on. So I said, "Well, alright, then give me four tickets!" And he said, "Well I'm only going to give you one ticket. One for yourself, and one for a guest."

Well, I have six sisters. I mean five of us and you know, my brothers. I said, "Please give me a couple extra tickets."

He said, "Sorry, you know, we have rules. And you cannot get but one ticket."

So I waited, I called the next week. And they said this was the public liaison office so they gave me one ticket. So I called the po-

litical engagement office. I thought, clearly they must have an extra ticket. And they gave me another ticket! So I called my sister, Lisa, and I said, "Lisa, you can come." I already told my older sister she could come. And then I have another sister. She's number—Sheryl, Sheila, Donna—she's number seven! So I said, "Dmitri, guess what, you can come!" So there were four Brazile women in the house. So of course, we got there right before the performances. And then they said, "Well, you all have to go back there." And I'm like, "No, no, no. That's not right. We don't care. Because we're going to dance." And of course, they seated us way in the back. But the performers had to come out. So as John Legend came out my sisters were blowing kisses. They didn't want autographs (we're not into autographs from Louisiana). We want hugs. So the Jonas Brothers came out, and I whispered, "That's Nick Jonas!"

"What! What! My daughter loves him! Hey baby!"

I said, "No, this is the White House, you don't do that. This is a dignified place, this place has been here for 200 years." And so the night went on and on. And you know, back in the day, for those of you who are a little young, every time a new song came out—we had to twist and we did the jerks. And then with Jackson 5—I want you back, I want you back. So we knew all of the songs. Well, one song came on and of course, this was a rendition of "Dancing in the Street" and my sister decided this was her moment to do a dance that I had never seen. And a dance the Secret Service had never seen. So, the reason why, when the music started playing, I just wanted to give you all a warning, if my sisters were here, they would have come up with a song. So it's now like midnight, and I say "Girls, the President has gone up. I know Stevie Wonder is still here, but we've got to go home, so come on, let's go."

And my sister goes, "Ain't no party like a White House party, like a White House party don't stop."

I said, "Where'd you all get that?" And then the Marine Band, who knew the Marine band could actually play jazz tunes, and then she's teaching the Marine Band—"Ain't no party like a White House party, like a White House party don't stop."

The next day I saw the President, I was at a meeting and I was trying to pretend I didn't know those women. I said, "I know Mr. President was taped so hopefully you can edit my sisters out." Of course, when it was on PBS, they didn't edit us out. Alright, my sisters—I just wanted to let you all know if you go to the White House and decide to hang out for a party or an event just remember—"Ain't no party like a White House party, like a White House party don't stop." But . . . I'm chair of the Democratic Party. My dad is 80 years old. I called him and I said, "Guess what. I'm chair of the Democratic party, one of the oldest political parties in the country."

He said, "It's a job."

I said, "Well, but it doesn't pay."

He said, "Well, that's like most jobs."

There are some perks and I took advantage of one of them just a night ago. I just want to let everyone know a little bit about it. And you know, some people want a car to drive. Not me. First of all, I want a man dropping me off. So it's bad enough I live one block from the head of the CIA and I have to explain to people who visit me why the cops are outside. I say, "No, nothing's going on at the house. It's the CI—wait, never mind—it's okay, just come on in, it's alright." So no, I

don't want a car to drive. That's too tacky, that's not me. I mean, I'm a girl from New Orleans. I can roll.

So they say, "Well, do you want a phone?"

I mean, well, I worked for Al Gore. He created the Internet; of course I want a phone. "So what do you have?"

"AT&T."

"No, no, no. Dropped service. I'll stick with Verizon." And so they start listing all these other things, and I say no letterhead, no business card, no office, no secretary, no assistant.

They say, "Donna, what do you want?"

I say, "I hear you have tickets for the Easter egg roll." And, I want to tell you this story because when I worked for Bill Clinton and Al Gore back in the 1990s, I was involved with the inaugural as well as the campaign. I went into the office one day and they said, "Donna, what do you want?"

I said, "All of the leftover tickets." Some people didn't make it; they didn't sell all the seats, and so on. So here you have rows of all the dignitaries all in the diplomatic core, all these people from the government, all these people looking good. And then you have rows of little kids. Rows and rows. And that was me. I said, "Absolutely. I'm going across the bridge to Southeast, Washington D.C., and I am going to give tickets out to kids, who like myself, their parents are not rich. They don't have connections. But one day, one of these kids, one, maybe one, will grow up and become President of the United States." And I want to say that I gave them a ticket. I gave them an opportunity. So when President Obama won, and you all know I'm one for tickets—This is not my speech, I'm going to get to my speech. But I just wanted to let everyone know how I roll.

And so, this is why, at my age of 51, I have 300 children. don't ask me how I did it. I did it, I got 300, they are really well taken care of, different daddies; it's a long story. But when you've worked on as many campaigns—Karen mentioned my 7 presidential, my 58 congressional, and my 19 state and local campaigns, I worked on campaigns in 48 states. I've lived here twice in my life, 2 more states and I will become Miss USA. I've done a lot of work in my life, okay? I mean, I've worked in Alaska, I was up there. I was in Juneau. I've been to Utah, I've seen the mountains. So I've been all over the place, but I still keep it real. I'm still that little girl, that little girl who grew up poor. To a mother who was a maid, a father who was a janitor. And I was proud of my parents, my parents worked very hard. They wanted us to have everything; they wanted us to have the best of life. Sometimes, they couldn't afford it. But often times, they would put a little away. That's why I tell people I can wait. My mother used to say, "It's a little away. How fast you need it?"

"Tomorrow."

"Oh, no, no, no. How fast you need it?"

I'd say, "Okay, next month."

She'd say, "Oh, I'll get it out by next month, don't worry." And then, my mother, or my father, would go out and work an additional job or longer hours so that we could get what we needed in order to be the people that we are, or the kids that we wanted to be, the grown-ups that we wanted to be as well.

But, I would get my tickets, so my kids would come in, and I'd say, "Hey B." And by the way, I used to carry a big purse. Whenever you see my carrying a big purse, I'm coming after some tickets. That's not a bag, that's a ticket basket. And I would walk into (something?) headquarters—you heard the

song "Ain't too proud of the bag." I need it for my kids. So I had 700 tickets from the President, and let me tell you, everybody, every dignitary was hitting me up. They'd say, "Donna, got tickets?"

I'd say, "No I don't."

Ohhh she's lying! And then I learned how to, for my purple ticket, oh so you want my purple give me 2 of your golds! Why! Because my purple ticket gets you up front but you give me 2 so think about it! I would get those big tickets so I could get 5 smaller tickets so I could get more people in. All I cared about was getting more people in. So I thought about it the other day, because I'm always into tickets. I'm a ticket person—so I said, "How many tickets can I get as the chair of the Democratic Party? I need my tickets." And then I learned I got 10 tickets, I thought, oh thank you, Lord, I got 10. Now you all know I'm starting at 10. Watch me. Now the chair gets 10, how many does the Vice Chair get? I'm still Vice Chair!

And then I'm going to call my congresswoman, and then I'm going to call the congress people from Alaska. Nobody's coming here for an Easter egg hunt. And Washington State; and you know you can always hit up California; you know I'm going to hit up Kansas. I can't hit up Hawaii because that's where the President is from. But I'm going to get my tickets and you know, I'm giving them to the kids, like myself, kids who have grown up poor, kids who need to be able, because they live in Washington, D.C., to say that "I went to the White House. I was at the White House and I saw the President, I saw the First Lady, I saw his two little daughters, and I met Bo." That's the dog, for those of you who don't know.

But I'm honored to be here with you, I had to tell my tickets stories. Everyone who knows me back in DC calls me the ticket lady. And I love tickets—not parking tickets—but tickets. But it is an honor to join you tonight as you celebrate 20 years. I've had some time to read up on Jenny and all of the work that you all have done and have committed to do. You are an inspiration. You have empowered millions of young girls who not only read your magazine but those who also contribute to it and those who want to be a part of it. You are a source of inspiration and extortion of empowerment and I want to thank the Board. I'd like to thank Lisa. I'd like to thank all the sponsors and of course Denise and Seema. And yeah, I've been checking out your shoes. They come in size 11, baby?

But I also want to thank you for helping young girls find their voices and helping them amplify their message and lifting them up. Your message is one of hope and change. I want to say, I remember what it's like to be young—it was just 2 weeks ago—the grey hair may throw you off a little bit, but the truth is, I'm still 15 at heart. Now, notice I said 15, not 18. Fifteen not 13. Because, I believe at 15, I had a life-changing, what I call, experience.

My grandmother, who took time to raise most of us, because my parents were busy working, she got sick that year. And throughout our childhood, Grandma was the rock; she was the foundation in our house. My grandmother was from Mississippi. She was the daughter of former slaves. And though she had lived to see so many changes take place in her lifetime, she had 12 kids. In fact, my daddy was number 12. My grandmother had my father when at the age of 48—yeah I guess that's made him the way he is.

But my grandmother, in my judgment, was my role model. She was my rock. She was

my inspiration. I wanted to be just like Ramon, because she knew everything. I would get up in the morning at 4 o'clock—"Ramon, what are you doing?"

She'd say, "I'm soaking the clothes."

"Well, okay."

"We going to go hang them up outside."

"Well, okay." I did that. At 5:30, she was in the kitchen making buttermilk biscuits. As you can tell, I ate a couple of them. They were the best buttermilk biscuits in the world. She made her biscuits from scratch. But by 7:00, before we went off for school, Ramon told me that I had to read the newspaper with her. Her eyesight was failing. So I would read the newspaper, from front to back. The classified section, the sports section, and of course, I read the opinion columns. I was excited to know what was going on in the world and Grandma even taught me how to read the comics, and of course, her horoscope—every day.

But when Ramon took sick, it really changed my life. All of a sudden, I had to grow up. All of a sudden, I had to learn how to take care of her. Along with two of my other siblings, we took turns watching over her, bringing her soup, bringing her water, helping her get up, and of course, helping her put on her petticoat and slippers so that she could sit in her rocking chair. A few months before we were to return back to school, Ramon took a turn for the worst. And my mother and father sat down along with Dr. Beam and said "Ramon Frances has to go into a nursing home. We can't afford to take care of her—you're going back to school, and she will need help." And so I talked to my baby sister, Lisa, and I said, "Lisa, you like to comb hair. I can help bathe her. Sheryl can make sure that her clothes—my grandmother liked all her clothes ironed, we could not just put on anything. After all, she did make our slips." She made everything but our underwear.

She was the most important person in my life because she taught me responsibility at a very young age. But, she also taught me to pursue my dreams, and not to be afraid of what was out of our homes. Ramon was one who believed in the future; she was one who taught us not to be fearful of anyone. One of the best pieces of advice I've ever received, and God knows if it comes in handy now, is she said, "Donna, it's not what they call you. It's what you answer to." And so, as a cable call girl on CNN, when they call, I go! I got called last night—MSNBC—for three weeks, I can go on MSNBC and Fox, so I'm having fun. Anderson called me last night, "I miss you!"

"Baby, I know you're my boo, but I'm going to see what's going on at MSNBC and Lawrence O'Donnell and Debbi Gregor, and George Will-Karen." I told George the other day, "I wanna see you in jeans before you retire." I want to tell you all something about conservative men. If any of you all are in the room, I know your secret—it is Victoria, it's out. George Will, George Will has a soft spot. His soft spot is that he is really a baseball fan, he loves sports. And George Will loves anyone who knows sports. And so I often bring in my baseball metaphors and my football metaphors and that's how I get George to really warm up to me. And then I do my zingas.

But my grandmother taught me another important lesson. And at a very early age, she taught me that lesson. She taught me to listen. She taught me to listen to what other people were saying. So I know what it's like to grow up in a household where people don't talk to you, or listen to you. I know what

it's like to grow up and not know what it is you wish to do with your life. I know what it's like to be silenced, even when I'm screaming my head off sometimes to get people to listen—I know what it's like to have people think that you have nothing to say. And I know what it's like, because I experienced it also as a child growing up down in the segregated deep South.

I can remember when I was often the youngest person because I was so active in politics back in my native state of Louisiana. So often they would invite young people in the room just so the picture would look right but they really didn't want us to say a word. They didn't want us to even give our input. And it used to drive me crazy when I was growing up, to just be out in the world not knowing if I could make a difference, not knowing what the sound of my voice would do if I was able to contribute. But it was my grandmother who kept pushing me and others out the door. And she gave me all of the courage I needed to go out there and to try to make change in the world.

So I want to first of all say to all the teens in the room, and those who still, like myself, are young at heart—you have so much to give. The world is waiting for you. The world needs you. And why you? Because there's no one better. And why now? Because tomorrow is not soon enough. This is your moment. This is your time. This is a time that not only can you find your voice but you can find it in ways that will allow you to soar and to make a difference.

I didn't wait until I was 18 before I decided to find my voice. I started writing poems at an early age hoping that someone would discover me. Perhaps I didn't know the rhymes at the time but I had a story, I had something to say and I wanted to share it. I wanted someone to listen to me. Then again, my mother bought a tape recorder one year for Christmas. She said, "What do you want Donna?" I said, "Donna wants a tape recorder." And so my nickname became "Tape Recorder." And I recorded every conversation and then I put music to it and made it a soap opera for everyone to listen to.

And so I wanted to be in the world, I wanted my voice heard. And so this is your moment to begin the dream about your future. And what kind of future are you looking to have? And what do you want to do with your life?

You have to begin thinking about all of these questions early because the world is not going to wait for you to catch up with it. You have to begin to hurry history and catch up with the world, especially now with all of the technology at our disposal. We can talk to someone on Skype all the way across the world. We can text right now and reach out to people standing in line waiting for a (something). And yes, we can find out with our own Twitter accounts and Facebook that we can be part of a revolution taking place thousands and thousands of miles away from here. So you are the future, and it's time that you learn that "the future belongs to those who believe in the beauty of their dreams." The First Lady, Eleanor Roosevelt, when she said that, she could not envision that we would live to see so many changes in this country, yet we still have a long way to go.

So I want to leave you with some ingredients, and I want to pour them into you right now. Because this is the moment for you, many of you, who are ready to enter the world, ready to make a difference, ready to use your voice, out there to try to stir things

up. When I was a young girl, I used to tell my grandmother, "Ramon, I want to be like Harriet Tubman." Harriet Tubman was one of my favorites. I figured anyone who ran away from slavery was a good role model to have.

So I said to Ramon I wanted to be a leader. I wanted to be a leader like Harriet Tubman. So some of you are probably thinking, "Wow, how can I become a leader?" So this is what I knew about being a leader. A leader is defined as someone who is in command, as someone who guides, a person in a position of influence or importance, a role model. Now let me say, I'm a leader. Not only am I elected to an office that allows me to help guide the oldest political party in the country, I'm also a party leader that helps devise political strategy, a campaign consultant who has also helped to organize and manage campaigns at every level. But I'm also an owner of a small business that employs staff, consultants, and interns, I also teach at a major college. So the foundation of good leadership is being honest and fair. A leader is someone who listens as well as asks questions. A leader has courage and a leader treats others with respect and dignity. A leader admits to mistakes and takes responsibility for his or her actions. And a leader has integrity and can be trusted. A leader also inspires and motivates others to take action in the pursuit of the common good. Now, there are more traits; leaders are often problem-solvers because they seek solutions and leaders are also visionaries because they help to set long-term goals.

So it's important to learn how to use your voice to become a leader, and that you begin to see yourself as a leader and as someone who can become successful because you are important and because we need you. We need more young women, more young women willing to serve in public office. We need more young women willing to write news articles, tweet, posting blogs and stories on Facebook, and not just that stuff that makes your friends happy. But the stuff that can really make other people think. And so, here are my other ingredients.

Believe in the power of your dreams. If you don't, no one else will.

Second, be true to yourself. I've done a lot in my life because someone else wanted me to do it or I thought about it. Sometimes it turned out well, sometimes of course it hasn't, but I have never ever given up on any of my dreams. I keep working toward them. And when I finished writing that first book, I will see a minority or woman as president and four years later, we have our first bi-racial president. And if I continue to work hard, one day, you all will be invited to the White House as we inaugurate our first female president, or Hispanic, Asian-American, person of color, and so on.

So you have to live your dreams, you just can't dream and then walk out of the room and expect someone to stir up all the ingredients. You gotta go into the arena and stir it up. Sometimes, you have to bring your own pot and sometimes you have to bring your own fire. It's called Tabasco, for those of you who don't know.

Number three: Never accept no as a final answer. I've been told "no, no, no;" I know "no" in just about every language. I often tell people after they say no, "That's a yes, isn't it?" Nah, figure out a way. Go around it, go beneath it, go above it, go below it, just find a way. Find a way, find a path. If you really want to do something, go for it. You can't stop at no. A friend used to tell me that no is just a prelude to yes. Now, when

I hear no, I think "Good, now I'm just one step closer to yes."

Now number four: When you stumble get back up. I have stumbled a lot. My knees are good, my elbows are even better, sometimes I've had to work my way up, because I've had some hits. I have fallen. But you get back up, it's as simple as that. You're gonna fall, you're gonna fail, you're gonna make mistakes, people will not always listen to you—I've got three minutes left, I am not Baptist—I am Catholic; I need five, and I'll wrap it up in four.

Number five: Keep a little spice handy. Life gets boring. It is really boring sometimes. But never be afraid to spice it up. We're all unique, no two of us are exactly alike—but think about your limits. And then push them a bit. What makes you uncomfortable? Sometimes you gotta know that so you can just add those missing ingredients that might give you some spice. For me, I was scared of horses. I had to spice up my life and I had to ask myself—why? What's keeping me from embracing something that I'm scared of? It was fear. Took me until I was in my mid-40s, but I conquered that fear. I had that horse following me, and I didn't even have an apple.

And let me tell you number six. Courage isn't the absence of fear; courage is facing your fear and overcoming it. Sometimes, you know what you're scared of before you even know what you like! Don't let your fears stand in the way of your success.

And then there's number seven. This is about faith. Because when I was a little girl I had so many people invest what I would call and consider now a lot of energy into me. They'd say, "Donna, you gotta do this." I'd respond, "Okay!" They'd say, "Donna, can you make this happen?" I'd say, "Yes!" And they would run off, and I'd be thinking—AHH! I would freak. But I remember when Dr. Martin Luther King, who inspired me as a little girl, said "Faith is taking one step, even when you cannot see the entire staircase." And for me, I often have to just take that one step, and then it comes right there. It just, it appears.

And Mrs. King, his wife, I was just over 21 when I met her and worked for her as a young girl. And Mrs. King said, "Donna, we want to make the birthday a national holiday." And I said, "Okay!" Everybody else, from the time Dr. King died in 1968 'til 1981, they just said, "We'll, maybe," and then Ronald Reagan was elected and they'd say, "Well that'll never happen." And a bunch of us, we were all young, were just out of college, we said, "We have time." We'll do it." And within 18 months, we had a holiday because we had faith.

And so, let me close up a little bit by saying that I learned growing up, with a large family, with brothers and sisters, with parents, grandparents and others, with neighbors who loved us, and with friends who would always stand by our side—I learned that I could really go to the next step. That I could move beyond the limitations placed on me simply because of where I was born. I knew that when I was a kid that no matter what people said about my skin color, what they said about my hair, what my sisters continue to say about my hair. I'm like, "Will you all stop?" They say, "Donna, it looked like (something) last night." And I say, "Your TV, maybe you should get HDTV. Maybe you should get rid of that box." But I know they're telling me with love to get myself to the beauty parlor. But I learned as a little kid, it's not what people say, and it's not what people see about you. My grand-

mother was right. It's what you believe in. It's not what they call you, it's what you answer to.

So let me close with a poem that continues to inspire me every time I read it. It's Maya Angelou, called "Still I Rise." And I close with her words:

You may write me down in history
With your bitter, twisted lies,
You may trod me in the very dirt
But still, like dust, I'll rise . . .
Out of the huts of history's shame
I rise
Up from a past that's rooted in pain
I rise
I'm a black ocean, leaping and wide,
Welling and swelling I bear in the tide.
Leaving behind nights of terror and fear
I rise
Into a daybreak that's wondrously clear
I rise
Bringing the gifts that my ancestors gave,
I am the dream and the hope of the slave.
I rise
I rise
I rise.

To my friends, to the young ladies, to the sponsors, to all the supporters of this great organization, it's now your turn to let these young women rise, to give them the wings that they need so that they will soar and make a difference. To rise up to your full potential, to rise until you feel the air surrounding you. Rise up, rise high, and make us all proud. Thank you and God bless you.●

WDEV RADIO

● Mr. LEAHY. Mr. President, as one born in Montpelier, VT, I grew up listening to WDEV in Waterbury. My mother and father were friends of the owners of the station and I still remember days as a child going to visit.

Living now in Middlesex, VT, I—like everyone else in our area listen to WDEV to find out what is happening throughout central Vermont. At a time when more and more radio stations nationwide go to a canned format, WDEV is one that has not forgotten over the decades that it is a mainstay of the community.

Recently when we were facing horrible flooding and storms in Vermont, the lifeline for all of us was WDEV. Only there could we find out what was happening on the weather, what was happening on road conditions, and what we would face. Stefan Hard of the Times Argus wrote an excellent story about Chris Bouchard and Roger Hill and what they did to keep us all safe and informed. I talked with my friend Ken Sauier, about what they had done and said I intended to speak on the Senate Floor, and now, Mr. President, I ask that the article by Stephan Hard be printed in the RECORD.

The article follows:

[From the Times Argus, June 6, 2011]

STORM-CENTERED

(By Stefan Hard)

For weather forecasters Chris Bouchard and Roger Hill, who were on duty May 27, the historic storms of that day quickly pushed their workdays into overdrive and overtime

and gave them a first-hand taste of the crazy weather they were reporting on. Looking back, they are both in awe at the level of destruction caused by the storms' related flooding, but are grateful that no one was killed.

Hill prepares forecasts for Radio Vermont, WDEV, for utility companies, and for his WeatheringHeights.com website; Bouchard is a staff meteorologist at the Fairbanks Museums Eye on the Sky forecast center.

Both men knew from early in the day, May 27, that the weather could be turning severe.

"It was clear to us for several days that there was a possibility for severe weather on Thursday-Friday," said Bouchard. "On the day of the event in the morning, it looked pretty clear that we were going to get supercell thunderstorms, large hail, damaging winds and possibly even tornadoes." Bouchard reported as such during his 12:55 p.m. weather report on Vermont Public Radio. The first supercell of the day passed just north of Burlington at about 3p.m. and left large hail on the ground as it passed over Lowell. Bouchard continued his warnings throughout the afternoon.

By 6:30 p.m., storms were beginning to hit central Vermont, and power was knocked out at Hill's home and forecast center in Worcester. Hearing tornado warnings on the radio for Caledonia County and without power to run his phalanx of computers, Hill decided to head to the WDEV studios in Waterbury, where the station had back-up power and where Hill could get his own evaluations and warnings directly on the air in the midst of what he had already determined could be life-threatening conditions due to the continued risk of tornadoes, dangerous lightning, and with already-saturated ground from recent rains, a real possibility of catastrophic flash floods. He hopped in his car and headed for Waterbury.

"I felt a need and a responsibility to do this," said Hill. "I've haven't had anybody die on my watch and I didn't want that to happen this time," he said.

Hill forgot to take his cell phone charger and didn't leave a note for his wife, Michelle, as to where he was going. "My wife is very upset with me," he said. "She didn't know where I was until she heard me on the air."

Driving through Middlesex, Hill encountered a downed tree across the road and had to reroute and rain and hail fell and tornado warnings continued come across on the crackling radio. When he got to the station offices in Waterbury, the door was locked (after business hours) and his cell battery was dead, so he couldn't call on-air host Lee Kittell to let him inside, and Kittell was unable to check and see emails that Hill was sending from his netbook, which still had a charge. Kittell was very busy and lightning temporarily knocked out the station's computer system. Hill resorted to running down the street to use the phone at a convenience store to call Kittell to let him in. Once inside, Hill and Kittell reported on the storm continuously, except for a half-hour break for the audio track of WCAX-TV news at 11, until 1:45 a.m.

Callers kept the phone lines lit up all evening with reports of continuous lightning, ball lightning, hail the size of golf balls, trees down, power outages, and worst of all, flash flooding in Barre and Montpelier. Hill, stunned, kept seeing a line of "training echo" thunderstorms streaming into central Vermont all night and his on-air voice became increasingly ominous.

"I felt stupid, but I got to the point where I was just saying, Oh, my God!"

Meanwhile, Bouchard had finished his forecasting shift at the Fairbanks Museum in St. Johnsbury, and had taken to the road, storm chasing, and didn't have the need to let anyone know where he was going. "I went to Barnet, because that's where it looked like the action was going to be," he said. Bouchard stopped in several locations, setting up his tripod just outside his car to get pictures of clouds that might produce tornadoes, and lots of lightning. Bouchard said at one point, he grabbed his tripod and camera and jumped in his car just as lightning bolts crashed to the ground uncomfortably close. Bouchard never saw a tornado, and none were confirmed from that storm outbreak, but he got some striking lighting photos, some of those will part of a show of 32 of his best lightning images at the Fairbanks Museum at the end of the month.

Hill, his cell battery dead, his netbook battery now dead, and his own batteries running low, headed home from WDEV at about 2 a.m. after receiving, along with Kittell, countless calls from listeners praising the duo for staying on the air with information. Of course, on his way home, Hill couldn't update his wife on his progress through the continuing storms, so, when he finally made it home, he faced a storm of another kind.

Happily, Hill and his wife, Michelle on Sunday were beginning a belated celebration of their 25th wedding anniversary, taking a few days off, including a little travel. Hill has planned a small detour in their travels to see, first-hand, the level of destruction in Springfield, Mass., where, last week, two tornadoes struck in another example of powerful, training echo thunderstorms.●

TRIBUTE TO NICHOLAS MAXIM

● Ms. SNOWE. Mr. President, Mahatma Gandhi once said, "Strength does not come from physical capacity, it comes from an indomitable will." Today, I recognize and pay tribute to Nicholas Maxim, an extraordinary young man from Readfield, ME, and the living embodiment of Gandhi's words. Nicholas, a fifth grade student at Readfield Elementary School, was recently presented with a national award for his outstanding penmanship. He earned the award when, unbeknownst to him, his principal submitted a sample of his handwriting to Zaner-Bloser, an Ohio-based company that holds an annual handwriting contest.

While this national honor would, in and of itself, merit the high praise and recognition of this esteemed institution, this accomplishment is even more compelling and impressive when one considers that Nicholas was born without lower arms or hands. His writing sample, which stood out among the estimated 200,000 entries, was executed by balancing the writing utensil between his two upper arms—the manner in which he routinely writes, given that he rarely uses his prosthetic devices for such purposes.

Nicholas' sample was so outstanding, and his story so compelling and inspirational, that Zaner-Bloser created a new award category in his honor—the "Nicholas Maxim Special Award for Excellent Penmanship." Fittingly,

Nicholas was the first recipient of this special award earlier this year. His story caught the attention of many of the national media outlets but, despite all the attention and accolades, Nicholas retained his humility and unassuming style. Preferring to stay out of the limelight and seemingly content to allow others to talk about his myriad accomplishments, Nicholas represents Maine and our Nation with unwavering modesty that speaks volumes about his character and personality.

During my congressional career, I have often spoken about the primacy of maintaining one's values and integrity, setting high expectations and goals, and believing in one's self. I further contend that there are certain constants that are timeless, and one of them is that the greatest limits that will be placed on our lives are the ones which we place upon ourselves. A courageous and persistent young man, Nicholas is truly an inspiration to us all, as he has never allowed his circumstances to limit what he can achieve. As a testament to this fact, one of Nicholas' favorite pastimes is writing and drawing comic strips. Delightful and humble, Nicholas innately possesses an unconquerable resolve that is hidden beneath an unpretentious exterior. His sister captured the essence of these character traits when, to the Kennebec Journal, she said about him, "He is who he is and does what he does not to get attention . . . It's for me to see him being who he is that's an inspiration."

Undeniably, Nicholas Maxim stands as a shining testament to the power of the human spirit. I offer my heartfelt congratulations to him for demonstrating to children and adults alike, across the State of Maine and, indeed, our Nation, that by placing no restrictions on your horizons, you broaden the range of possibilities that exist for you and the trajectory you envision for yourself.●

COMMUNITY FOUNDATION OF NORTH LOUISIANA

● Mr. VITTER. Mr. President, today I wish to honor the Community Foundation of North Louisiana on the occasion of its 50th anniversary on June 26, 2011.

The Community Foundation of North Louisiana has had a widespread impact in our State, and I applaud its exceptional efforts to enrich Louisiana communities.

Since 1961, the Community Foundation has been committed to providing emergency aid during disasters, strengthening communities and non-profit organizations through programs like the Endowment Challenge Program, and establishing partnerships such as the Aspen Ideas Mini-Festival that bring citizens and local leaders together.

Endeavors such as the Genius Fund, the Women's Philanthropy Network, and the Northwest Louisiana Voluntary Organizations Active in Disaster are further examples of how the Community Foundation's generosity has successfully improved the community and the lives of so many Louisianans.

Under the leadership of COL James Hellums Tucker, Jr., the foundation has grown from an organization with a modest \$21,000 to one that has endowed more than \$75 million. And through its goodwill and philanthropy, has awarded more than \$40 million for more than 4,000 grants and scholarships so that organizations and students can achieve their goals and realize their dreams.

Again, I am proud to honor and applaud the Community Foundation of North Louisiana, the oldest in the State, on 50 years of charitable giving and congratulate them for their many contributions to our State.●

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13159 OF JUNE 21, 2000, WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSILE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION, AS RECEIVED DURING RECESS OF THE SENATE ON JUNE 17, 2011—PM 11

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared in Executive Order 13159 of June 21, 2000, with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2011.

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful

uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, June 17, 2011.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2193. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the annual audit of the American Red Cross; to the Committee on Armed Services.

EC-2194. A communication from the Deputy to the Chairman, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Securities of Nonmember Insured Banks" (RIN3064-AD67) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2195. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals: U.S. Navy Training in the Virginia Capes Range Complex and Jacksonville Range Complex" (RIN0648-BB03) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2196. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Retention Standard; Emergency Rule Extension" (RIN0648-BA29) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2197. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XA393) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2198. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gag Grouper Management Measures" (RIN0648-BA94) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2199. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Nantucket Lightship Access Area" (RIN0648-BB05) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2200. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Priorities and Allocations System Regulations" (RIN1901-AB28) received in the Office of the President of the Senate on June 16, 2011; to the Committee on Energy and Natural Resources.

EC-2201. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Race to the Top Fund" (RIN1810-AB10) received in the Office of the President of the Senate on June 16, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2202. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Division of Freedom of Information; Change of Office Name, Address, Telephone Number, and Fax Number; Technical Amendments" (Docket No. FDA-2011-N-0318) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2203. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Linde Ceramics Plant in Tonawanda, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-2204. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Wah Chang facility in Albany, Oregon, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-2205. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to imported foods; to the Committee on Health, Education, Labor, and Pensions.

EC-2206. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation; Implementation of Information Technology Security Provision" (RIN3090-AJ15) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and

were referred or ordered to lie on the table as indicated:

POM-37. A resolution adopted by the House of Representatives of the Legislature of the State of Texas memorializing its support for the conservation of Castner Range; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 306

Whereas, the Castner Range in El Paso is one of the most rugged pristine landscapes in Texas, encompassing 7,000 acres of undeveloped desert and foothills; and

Whereas, the land was previously known as the Castner Range Complex at Fort Bliss and was used as a United States Army artillery range, but the Department of Defense ceased operations there in 1971; unexploded ordnance remained behind, rendering the land unsuitable for development, and under the stewardship of the army, it has been allowed to rest in its natural state; and

Whereas, since 1995, the army has been clearing old artillery rounds from the surface of the land; surface clearance, as opposed to subsurface clearance, was found to offer the best risk-reduction-to-cost ratio and is most compatible with a minimal-disturbance future land use, such as passive recreation on protected parkland; and

Whereas, although the Castner Range is off-limits to the public, El Pasoans have long cherished the area for its surpassing beauty; bordering Franklin Mountains State Park on the west, the range contains some of the most geologically complex and visually striking parts of the Franklins and is prized for its Mexican gold poppy, which carpets the lower slopes in brilliant color in the spring; and

Whereas, also remarkable for its biodiversity, Castner Range provides a number of distinctive animal habitats, and its unique soils and location combine to make this the only known site in Texas where several rare plants can be found; moreover, the range holds the greatest concentration of springs in the Franklins, supporting unexpectedly lush pockets of vegetation; and

Whereas, Castner Range is further distinguished by military history and archaeological sites; and

Whereas, in 1981, the Texas Legislature provided for the adjustment of the boundaries of Franklin Mountains State Park in anticipation of the future addition of Castner Range lands, an idea strongly favored by area residents; both the El Paso City Council and the El Paso County Commissioners Court unanimously passed resolutions in recent years advocating that the Castner Range be left undeveloped and be conserved for recreational use; furthermore, the Franklin Mountains State Park management plan takes the range into account, envisioning a network of trails in the canyons and lower elevations, and the U.S. Department of Defense recently made a \$300,000 grant to the Frontera Land Alliance to collect data concerning a conservation conveyance for the area; and

Whereas, the Castner Range is one of the Lone Star State's unequalled treasures, and its conservation will provide enormous benefits to future generations of Texans; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Texas Legislature hereby express its support for the conservation of Castner Range; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the President of the United States, to the commanding gen-

eral of Fort Bliss, to the secretary of the U.S. Department of Defense, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-38. A resolution adopted by the House of Representatives of the Legislature of the State of Texas congratulating President Obama on his proven and successful policies in the war on terrorism and in homeland security; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 1694

Whereas, on September 11, 2001, Osama bin Laden, a sworn enemy of the United States of America, coordinated a series of monstrous and cowardly terrorist attacks that resulted in the tragic loss of 2,977 innocent lives, leading to an engagement in a war on terrorism across many fronts; and

Whereas, on May 1, 2011, after nearly 10 years of bin Laden's evasion of military and intelligence forces seeking his capture, President Barack Obama declared to the nation and the world that bin Laden had finally been killed, and that "Justice has been done."; and

Whereas, the president's patience, leadership, wisdom, and determination have led directly to the demise of the most wanted man in the world and have hardened this nation's resolve to defeat the forces of malevolent fanaticism, and by destroying the mastermind behind the worst terrorist attack on American soil he has struck a significant and historic blow against Al Qaeda; and

Whereas, following the death of the perpetrator of the attacks, the family members and friends of those who lost their lives in the attacks on September 11 are able to achieve a greater sense of closure; and

Whereas, after months of meetings of the National Security Council, led by President Obama, who directed intelligence officials to zero in on bin Laden's whereabouts, intelligence officials devised and carefully carried out a clandestine operation, which had frequently been rehearsed in an effort to minimize casualties, both civilian and military; and

Whereas, as commander-in-chief of our great nation, he boldly gave the final authorization to commence the operation to brave and highly trained members of our nation's armed services; and

Whereas, upon hearing the news of bin Laden's elimination, in an impressive show of unity and in defiance of the fanatics who still today seek to destroy our free way of life, jubilant citizens expressed pride in our nation and our president by spontaneously celebrating the news in cities across the country, singing "The Star Spangled Banner" and loudly chanting "U-S-A," and former presidents Bill Clinton and George W. Bush have offered him their congratulations; and

Whereas, domestically, he has acted with both initiative and organizational acumen toward the precautionary defense of our citizens and has successfully prevented a terrorist attack on American soil during his service to our nation as president; and

Whereas, internationally, he has wisely exercised the use of diplomacy to nurture collaborative relationships with other nations, which has helped improve the freedom and safety of the world's people; and

Whereas, President George W. Bush had the near universal support of the freedom-

loving peoples and countries of the world after the attacks on September 11, 2001, when he famously pledged to defend freedom against fear, saying "We will not tire, we will not falter, and we will not fail," and President Obama had the strength and wherewithal to see that pledge through to fulfillment; and

Whereas, legislators in Texas reaffirm the solemn creed that we are one nation, under God, indivisible, with liberty and justice for all, who stand strongly behind the president with respect to these several issues as he confronts the grave problems of national and international security; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Legislature of the State of Texas hereby congratulate President Obama on his proven and successful policies in the war on terrorism and in homeland security; and, be it further

Resolved, That the House of Representatives of the 82nd Legislature of the State of Texas hereby commend the intelligence personnel who diligently and quietly toiled for years to uncover the whereabouts of bin Laden and whose achievement, while historic, may never be fully known to the public; and, be it further

Resolved, That the House of Representatives of the Legislature of the State of Texas hereby commend the members of the 82nd armed forces who successfully and heroically carried out an incredibly sensitive mission with no military losses and with a minimal loss of civilian lives; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the United States Congress, to the governor of Texas, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-39. A resolution adopted by the House of Representatives of the Legislature of the State of Texas urging Congress to fully support the vital operations and joint force structure at Ellington Field Joint Reserve Base; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 784

Whereas, Ellington Field plays an important role in the Houston-area economy while contributing to the defense of our nation; and

Whereas, Ellington Field was constructed in 1917 and served as a training base for military air personnel during World War I and World War II and as a navigator training school in the 1950s; NASA became a tenant there in 1962, and in 1984, Ellington Field was taken over by the City of Houston; today, it continues to provide support for military reserve and guard units even as it serves as a base for a variety of commercial operations; and

Whereas, featuring commands from all five Department of Defense and Department of Homeland Security military services, Ellington Field Joint Reserve Base has grown to include more than 6,000 active, reserve, and guard members; it is home to the 147th Reconnaissance Wing, which is at the forefront of the trend toward unmanned aircraft that is transforming the Air Force and Air Guard; and

Whereas, the region served by the Ellington Field JRB is vital to national security and the only one in the country containing

all 17 national asset categories identified by the Department of Homeland Security as prime potential targets for global terrorism; a \$100 million expansion now in progress is vastly increasing the defense capabilities of the base and will have an enormous economic impact on surrounding communities, with estimates ranging to nearly \$700 million; and

Whereas, Ellington Field Joint Reserve Base provides a strong stimulus to the Houston-area economy and is poised to take on an ever-greater role in the defense of the Lone Star State, the Gulf Coast region, and the nation; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Texas Legislature hereby respectfully urge the Congress of the United States to fully support the vital operations and joint force structure at Ellington Field Joint Reserve Base; and, be it further

Resolved, That the chief clerk forward official copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the Secretary of Defense, to the Secretary of Homeland Security, to the Secretary of Veterans Affairs, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-40. A resolution adopted by the House of Representatives of the Legislature of the State of Texas expressing opposition to H.R. 3424 and to any other proposal that would limit the use of reinsurance by non-U.S.-based insurance companies; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 243

Whereas, the insurance business greatly depends on affiliated reinsurance for managing and spreading risk; and

Whereas, purchasing reinsurance from affiliates is a means for large insurers to manage capital and also serves an important risk-transfer purpose, providing significant additional primary insurance capacity, particularly for crop, windstorm, general liability, products liability, and aircraft insurance; and

Whereas, non-U.S.-based insurance companies with U.S. affiliates purchase reinsurance from parent and sister companies domiciled abroad, but a bill introduced in the United States Congress would penalize them for doing so, even though U.S. and foreign-based insurance groups currently pay functionally equivalent taxes on reinsurance transactions; given the average tax burden of 25 percent in European countries, such legislation would render most offshore reinsurance transactions prohibitively expensive, and the U.S. market would see a capacity shortfall and increases in premiums for consumers; and

Whereas, a major study by the Brattle Group, an economic research and consulting firm, concluded that the proposed policy would result in a 20 percent reduction in the supply of reinsurance for consumers in the United States, in turn leading to annual cost increases of \$10 to \$12 billion; in addition, a broad coalition of industry and consumer groups have spoken out against the proposal; and

Whereas, taxation proposed in H.R. 3424, 111th Cong. (2009), discriminates against the use of offshore affiliated reinsurance by foreign-based companies and, if enacted, will severely undermine the risk management prac-

tices at the heart of international reinsurance markets; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Texas Legislature hereby express its opposition to H.R. 3424 and to any other proposal that would limit the use of reinsurance by non-U.S.-based insurance companies; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-41. A resolution adopted by the House of Representatives of the Legislature of the State of Texas urging Congress and the U.S. Fish and Wildlife Service to withdraw its proposal to list the dunes sagebrush lizard under the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 1955

Whereas, the United States Fish and Wildlife Service has proposed granting endangered species status to the dunes sagebrush lizard, a measure that would have a significant negative impact on the Lone Star State; and

Whereas, the business climate in Texas has been consistently ranked as the nation's best, and the oil and gas sector is crucial to its continued vitality; Texas is the nation's leading producer of oil and natural gas, and it holds 30 percent of the nation's natural gas reserves and almost a quarter of its oil reserves; the oil and gas industry contributes \$30 billion annually to the Texas economy and employs more than 315,000 Texans at some of the highest salaries in the state; and

Whereas, despite its resilience, the Texas economy has not been immune to the global economic recession; there have been significant job losses over the past two years, and recently high gas prices have posed new challenges; the Fish and Wildlife Service failed to take these factors into account in its proposal to grant endangered species status to the dunes sagebrush lizard in southeastern New Mexico and adjacent oil-producing areas of West Texas; and

Whereas, in addition, the service has failed to consider that approximately 75,000 acres identified as habitat for the lizard are owned and managed by The University of Texas for the benefit of higher education; university officials have estimated that the listing could stop the drilling of approximately 1,000 oil and gas wells and eliminate the production of seven million barrels of oil equivalent annually; and

Whereas, the Texas Legislature and the Texas Parks and Wildlife Department have traditionally recognized the private landowner as the primary steward of our state's natural resources, but the Fish and Wildlife Service has not adequately consulted with the State of Texas, Texas landowners, or other stakeholders; moreover, the service has failed to fully consider issues unique to species protection and habitat conservation in Texas; and

Whereas, listing the dunes sagebrush lizard as an endangered species would inflict severe economic damage, harm property owners, and undermine higher education in the Lone Star State; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Texas Legislature hereby

respectfully urge the United States Fish and Wildlife Service to withdraw its proposal to list the dunes sagebrush lizard under the Endangered Species Act of 1973; and, be it further

Resolved, That the House of Representatives direct the agencies of the State of Texas to cooperate with the efforts of the Texas Endangered Species Task Force to investigate the scientific basis of the proposed listing and the potential burdens on private property rights and economic development in the state; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the President of the United States, the acting director of the U.S. Fish and Wildlife Service, the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-42. A resolution adopted by the House of Representatives of the Legislature of the State of Texas expressing support for the inclusion of Taiwan in the United States Visa Waiver Program; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 1483

Whereas, Taiwan and the United States enjoy a friendly and mutually beneficial relationship, and solid commercial, educational, and cultural ties can be further strengthened by the inclusion of Taiwan in the U.S. Visa Waiver Program; and

Whereas, a full-fledged, stable democracy, Taiwan shares with the United States a commitment to democracy, human rights, the rule of law, and a market-based economy; moreover, Taiwan is our ninth-largest trading partner and a key export market in almost every major sector; trade in commercial goods between Taiwan and the United States totaled nearly \$62 billion in 2010; and

Whereas, the two nations have long maintained close and productive cooperation in science and technology, and since 1979, they have signed more than 190 science and technology agreements under the framework of the Taipei Economic and Cultural Representative Office and the American Institute in Taiwan; Taiwan has worked very closely with the United States in the field of education, and in 2010, more than 26,000 Taiwanese studied in our colleges and universities; and

Whereas, these important relationships generate significant interpersonal contact and travel, and in 2009, people from Taiwan paid more than 500,000 visits to the United States; if admitted to the Visa Waiver Program, holders of Taiwan passports could travel to the United States without the expense and time-consuming process of obtaining a visa, which is expected to boost the number of visits for both sightseeing and business purposes; Taiwanese travel to the United Kingdom and New Zealand spiked by 35 to 40 percent after those countries waived visa obligations, and it is estimated that waiving visa requirements for Taiwanese travels in the United States could increase tourism revenue by as much as \$1.8 billion; and

Whereas, in order to gain entry into the Visa Waiver Program, a country must have a visa refusal rate below 3 percent, and only 2.2 percent of Taiwanese visa applications were rejected by the United States in fiscal year 2010; about 100 countries, including Japan

and members of the European Union, offer Taiwan visa exemptions on the basis of reciprocity and out of confidence that citizens of Taiwan are law-abiding and unlikely to overstay; and

Whereas, Taiwan has already exempted U.S. passport holders from visa requirements for visits up to 30 days; by extending similar privileges, the United States can facilitate people-to-people contacts, enhance cultural links, and expand business opportunities and tourism; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Texas Legislature hereby endorse the inclusion of Taiwan in the United States Visa Waiver Program; and, be it further

Resolved, That the chief clerk forward official copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-43. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011, the Public Servant Retirement Protection Act of 2011, or a similar instrument; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION No. 94

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefits, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it can make the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, the GPO negatively impacts approximately twenty-seven thousand one hundred forty-four Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hard-working individuals to lose a significant portion of the social security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately twenty-five thousand three hundred twenty-two Louisianians; and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, many workers rely on Social Security Administration Annual Statements that fail to take into account the GPO and WEP when projecting benefits; and

Whereas, because the Social Security benefit statements do not calculate the GPO and the WEP, many public employees in Louisiana are unaware that their expected Social Security benefits shown on such statements will be significantly lower or non-existent due to the service in public employment; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and because of the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by taking away benefits they have earned; and

Whereas, our nation should respect, not penalize, public servants; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by the United States Congress; Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011 (H.R. 1332), the Public Servant Retirement Protection Act of 2011 (S. 113), or a similar instrument; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the

United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-44. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011, the Public Servant Retirement Protection Act of 2011, or a similar instrument; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION No. 93

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefits, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it can make the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, the GPO negatively impacts approximately 27,144 Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hard-working individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately 25,322 Louisianians; and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, many workers rely on Social Security Administration Annual Statements that fail to take into account the GPO and WEP when projecting benefits; and

Whereas, because the Social Security benefit statements do not calculate the GPO and the WEP, many public employees in Louisiana are unaware that their expected Social Security benefits shown on such statements will be significantly lower or nonexistent due to the service in public employment; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and because of the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by taking away benefits they have earned; and

Whereas, our nation should respect, not penalize, public servants; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by the United States Congress; Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011 (H.R. 1332), the Public Servant Retirement Protection Act of 2011 (S. 113), or a similar instrument; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-45. A resolution adopted by the House of Representatives of the Legislature of the State of Iowa memorializing its support of the positive impact of the CSBG program in Iowa and its opposition to federal action to reduce CSBG funding disproportionately compared to the rest of the federal domestic discretionary budget; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 44

Whereas, in state fiscal year 2010, 365,752 Iowans in 140,333 households were helped in their fight against poverty through services funded by the federal Community Services Block Grant (CSBG) program; and

Whereas, more than 96 percent of the families receiving services were at or below 175 percent of the federal poverty level or \$35,427 annual family income; and

Whereas, more than 76 percent of the individuals served by the 18 community action agencies were working or received social security as their source of income; and

Whereas, those 18 community action agencies have 127 service centers throughout all 99 Iowa counties; and

Whereas, each community action agency is governed by a community-based volunteer board of directors consisting of elected officials, private sector representatives, and low-income Iowans; and

Whereas, Iowa's 18 community action agencies employ 3,350 Iowans; and

Whereas, CSBG funding for the 18 community action agencies brought in \$2.3 million in local funding, \$13.6 million in private funding, \$13.9 million in state funding, and \$222.9 million in federal funding to Iowa's local communities; and

Whereas, CSBG funding for Iowa's 18 community action agencies helped generate \$17.7 million in in-kind goods and services and donated items; and

Whereas, the 18 community action agencies received \$7,154,281 in CSBG funding enabling the community action agencies to operate their service centers and to administer state and federally funded programs; and

Whereas, President Obama has proposed a 50 percent reduction in CSBG funding and making the allocation of the remaining funds competitive instead of continuing the current allocation formula that brings stability to Iowa's community and economic development initiatives; and

Whereas, the Iowa House of Representatives supports efforts of the United States Congress to effectively reduce the federal deficit while promoting the current and future economic security of all Iowans; Now therefore, be it

Resolved by the House of Representatives, That the House of Representatives supports the positive impact of the CSBG program in Iowa and opposes federal action to reduce CSBG funding disproportionately compared to the rest of the federal domestic discretionary budget; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of the Iowa congressional delegation.

POM-46. A resolution adopted by the House of Representatives of the Legislature of the State of Texas memorializing the legacy of public service to the community of Campbellton Post Office; to the Committee on Homeland Security and Governmental Affairs.

HOUSE RESOLUTION NO. 523

Whereas, the Campbellton Post Office in southern Atascosa County, Texas, has played an essential role in the lives of area residents for more than 130 years, but the United States Postal Service has placed it on a list of facilities to be closed in 2011; and

Whereas, John Campbell established the post office in his general store in 1874, and five years later, moved them both to the new town of Campbellton; Mr. Campbell was officially appointed the first postmaster and was succeeded over the years by a number of his descendants, including William Campbell, Edward Campbell, Louise Campbell, and Alyce Campbell; and

Whereas, its present postmaster, Lydia Rodriguez Castillo, began her long tenure in 1971; a postal service hiring freeze prevents her position from being filled when she re-

tires, yet the postal service has targeted the branch for closure in part because it lacks a permanent postmaster; and

Whereas, residents of the rural area and hamlets served by the Campbellton Post Office rely on it for business communications as well as for their personal mail, and the post office is particularly important to the elderly; if it should close, customers would have to travel some 20 miles to send packages, check post office boxes, or mail important documents; accordingly, patrons and civic leaders have formed a committee and started a petition to support the preservation of this integral institution; and

Whereas, throughout the history of Campbellton, the post office has been part of the fabric of the community, and its closing would deprive citizens of ready access to vital services and diminish their quality of life; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Texas Legislature hereby honor the legacy of public service to the community of the Campbellton Post Office; and, be it further

Resolved, That the House of Representatives hereby respectfully urge the United States Congress to direct the U.S. Postal Service to continue operating the Campbellton Post Office in Atascosa County, Texas; and, be it further

Resolved, That the chief clerk forward official copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the United States postmaster general, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 978. A bill to amend the criminal penalty provision for criminal infringement of a copyright, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEAHY (for himself and Mr. PORTMAN):

S. 1231. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

By Ms. AYOTTE (for herself, Ms. SNOWE, Ms. COLLINS, Mr. BROWN of Massachusetts, and Ms. LANDRIEU):

S. 1232. A bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 1233. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to facilitate the accelerated development and deployment of advanced safety systems for commercial motor vehicles; to the Committee on Finance.

By Mr. GRASSLEY:

S. 1234. A bill to amend part B of title IV of the Social Security Act to reauthorize grants to assist children affected by methamphetamine or other substance abuse under the promoting safe and stable families program; to the Committee on Finance.

By Mr. RUBIO:

S. 1235. A bill to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Ms. LANDRIEU, and Mrs. MCCASKILL):

S. 1236. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 277

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. ISAACSON) was added as a cosponsor of S. 277, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 385

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 385, a bill to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

S. 418

At the request of Mr. HARKIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 506

At the request of Mr. CASEY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 528

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 528, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 685

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 685, a bill to repeal the Federal sugar program.

S. 740

At the request of Mr. REED, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 851

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 851, a bill to establish expanded learning time initiatives, and for other purposes.

S. 866

At the request of Mr. TESTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 951

At the request of Mrs. MURRAY, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1018

At the request of Mr. KERRY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1018, a bill to amend title 10, United States Code, and the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to provide for implementation of additional recommendations of the Defense Task Force on Sexual Assault in the Military Services.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from West Vir-

ginia (Mr. MANCHIN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1181

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1181, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1201

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1201, a bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR), the Senator from Alabama (Mr. SESSIONS) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 12

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that the President should take certain actions with respect to the Government of Burma.

S. CON. RES. 17

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

S. RES. 165

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 165, a resolution designating July 23, 2011, as "National Day of the American Cowboy".

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Texas (Mrs. HUTCHISON), the Senator from California (Mrs. FEINSTEIN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 201

At the request of Mr. BROWN of Massachusetts, the name of the Senator

from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 201, a resolution expressing the regret of the Senate for the passage of discriminatory laws against the Chinese in America, including the Chinese Exclusion Act.

S. RES. 202

At the request of Mr. CONRAD, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 202, a resolution designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day."

S. RES. 211

At the request of Mr. LEVIN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Oregon (Mr. MERKLEY), the Senator from Florida (Mr. RUBIO), the Senator from Virginia (Mr. WARNER), the Senator from Colorado (Mr. BENNET), the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Carolina (Mrs. HAGAN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mr. SCHUMER), the Senator from California (Mrs. FEINSTEIN), the Senator from Florida (Mr. NELSON), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. Res. 211, a resolution observing the historical significance of Juneteenth Independence Day.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. PORTMAN):

S. 1231. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased today to join with Senator PORTMAN to introduce the bipartisan Second Reauthorization Act. This bill builds on recent successes and takes important new steps to ensure that people coming out of prison have the opportunity to turn their lives around, rather than returning to a life of crime. That saves taxpayer money and makes us all safer.

This important legislation improves Federal reentry policy and authorizes assistance to collaborations between state and local corrections agencies, nonprofits, educational institutions, service providers, and families to ensure that offenders released into society have the resources and support they need to become contributing members of the community. The reau-

thorization bill builds on the success of the Second Chance Act by continuing, improving, and consolidating its programs.

Four years ago, I joined with then-Senators BIDEN, Specter, and Brownback as an original cosponsor of the Second Chance Act, and I was pleased to help move that legislation through the Senate. The Senate recognized the value of the Second Chance Act when, after a great deal of work and compromise, the bill passed unanimously. I hope this reauthorization bill receives the same bipartisan support.

In the past few decades, Congress and the states have passed new criminal laws creating more and longer sentences for more crimes. As a result, this country sends even more people to prison every year, costing millions and millions of dollars. There are currently over 2 million people in jail or prison, and more than 13 million people spend some time in jail or prison each year. Most of these people will at some point return to our communities.

Last July, I chaired a hearing on the Second Chance Act, and the Committee heard about the great strides many states are making with innovative prisoner reentry programs. Commissioner Andrew Pallito from the Vermont Department of Corrections testified and shared with us his experience with reentry programs in Vermont. The Vermont Department of Corrections and many others in Vermont have strongly supported the Second Chance Act, which gives me confidence that it represents an important step in making our country safer.

The Second Chance Act authorized grants for key reentry programs and required that these programs demonstrate measurable positive results, including a reduction in recidivism. Preliminary studies show that these programs are already working well.

The reauthorization bill that we propose today improves, consolidates and reauthorizes the state and local government grant programs created by the Second Chance Act. It is intended to ensure that funding is available for planning and implementation of key reentry projects so that evidence-based methodology is employed to ensure meaningful reductions in recidivism rates. It is designed to ensure that all states have the opportunity to develop and benefit from these important programs.

The bill also consolidates several programs that were underutilized into one grant program with multiple purposes. This will ensure that Federal dollars are effectively spent on programs that link probation with swift and certain enforcement, like the very successful HOPE program in Hawaii.

The Second Chance Act authorized research into educational methods used in prisons and jails. This reauthorization bill asks the Attorney General to

review that research and establish best practices for prison education. It then reallocates the authorized funds previously used for research into a grant program to implement these best practices in prisons and jails. The bill also adds nonprofit organizations as eligible grant recipients for programs promoting family-based substance abuse treatment.

This legislation makes modest improvements to Federal reentry policy that have the added benefit of reducing Bureau of Prison costs. It continues the successful Elderly and Family Reunification for Certain Non Violent Offenders Pilot Program and modestly expands the pool of inmates eligible to apply for the program. More than 60 inmates have now participated in this program, and not a single one has reoffended.

The bill also creates an incentive for inmates to participate in rigorous recidivism reduction programming by awarding a credit of up to 60 days per year toward completion of their sentence for participation in such programs. The incentive is modeled on that currently awarded for successful participation in residential drug abuse treatment programs.

Finally, the Second Chance Reauthorization Act promotes accountability by requiring periodic audits of grantees to ensure that Federal dollars are responsibly spent. Grantees with problematic audits will not be eligible for funding in future years.

As a former prosecutor, I believe strongly in securing tough and appropriate prison sentences for people who break our laws. But it is also important that we do everything we can to ensure that when these people get out of prison, they enter our communities as productive members of society, so we can start to reverse the dangerous cycle of recidivism and violence. The Second Chance Reauthorization Act will help break this cycle.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Second Chance Reauthorization Act of 2011".

SEC. 2. IMPROVEMENTS TO EXISTING PROGRAMS.

(a) REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL DEMONSTRATION PROJECTS.—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) GRANT AUTHORIZATION.—The Attorney General shall make grants to States, local

governments, territories, or Indian tribes, or any combination thereof (in this section referred to as an 'eligible entity'), in partnership with stakeholders, services providers, and nonprofit organizations for the purpose of strategic planning and implementation of adult and juvenile offender reentry projects.";

(2) by striking subsections (d), (e), and (f) and inserting the following:

"(d) COMBINED GRANT APPLICATION.—The Attorney General shall develop a procedure to allow applicants to submit a single application for a planning grant under subsection (e) and an implementation grant under subsection (f).

"(e) PLANNING GRANTS.—

"(1) IN GENERAL.—Except as provided in paragraph (3), the Attorney General may make a grant to an eligible entity of not more than \$75,000 to develop a strategic, collaborative plan for an adult or juvenile offender reentry demonstration project as described in subsection (h) that includes—

"(A) a budget and a budget justification;

"(B) a description of the outcome measures that will be used to measure the effectiveness of the program in promoting public safety and public health;

"(C) the activities proposed;

"(D) a schedule for completion of the activities described in subparagraph (C); and

"(E) a description of the personnel necessary to complete the activities described in subparagraph (C).

"(2) APPLICATION.—

"(A) IN GENERAL.—An eligible entity desiring a planning grant under this subsection shall submit to the Attorney General an application that shall include a commitment by the applicant to partner with a local evaluator to identify and analyze data that will—

"(i) enable the grantee to target the intended offender population; and

"(ii) serve as a baseline for purposes of the evaluation.

"(B) PROCEDURE.—The Attorney General shall develop a procedure to evaluate the qualifications of a local evaluator described in subparagraph (A).

"(3) MAXIMUM TOTAL GRANTS AND MINIMUM ALLOCATION.—

"(A) MAXIMUM AMOUNT.—The Attorney General may not make planning grants and implementation grants to 1 eligible entity in a total amount that is more than a \$1,000,000.

"(B) MINIMUM ALLOCATION.—Unless all eligible applications submitted by a State, or unit of local government within such State, for a planning grant have been awarded funds under this section, the State, in combination with the all of the grantees within the State (other than Indian tribes), shall be allocated for each fiscal year not less than 0.75 percent of the total amount appropriated in the fiscal year under this section for planning and implementation grants.

"(4) PERIOD OF GRANT.—A planning grant made under this subsection shall be for a period of 1 year, beginning on the first day of the month in which the planning grant is made.

"(f) IMPLEMENTATION GRANTS.—

"(1) APPLICATIONS.—An eligible entity desiring an implementation grant under this subsection shall submit to the Attorney General an application that—

"(A) contains a reentry strategic plan as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to fund the program after Federal funding is discontinued;

"(B) identifies the local government role and the role of governmental agencies and nonprofit organizations that will be coordinated by, and that will collaborate on, the offender reentry strategy of the applicant, and certifies the involvement of such agencies and organizations;

"(C) describes the evidence-based methodology and outcome measures that will be used to evaluate the program funded with a grant under this subsection, and specifically explains how such measurements will provide valid measures of the impact of that program; and

"(D) describes how the project could be broadly replicated if demonstrated to be effective.

"(2) REQUIREMENTS.—The Attorney General may make a grant to an applicant under this subsection only if the application—

"(A) reflects explicit support of the chief executive officer of the State, unit of local government, territory, or Indian tribe applying for a grant under this subsection;

"(B) provides extensive discussion of the role of State corrections departments, community corrections agencies, juvenile justice systems, or local jail systems in ensuring successful reentry of offenders into their communities;

"(C) provides extensive evidence of collaboration with State and local government agencies overseeing health, housing, child welfare, education, substance abuse, victims services, and employment services, and with local law enforcement agencies;

"(D) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community;

"(E) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant;

"(F) provides a plan for continued collaboration with a local evaluator as necessary to meeting the requirements under subsection (h); and

"(G) demonstrates that the applicant participated in the planning grant process or engaged in comparable planning for the reentry project.

"(3) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority to grant applications under this subsection that best—

"(A) focus initiative on geographic areas with a disproportionate population of offenders released from prisons, jails, and juvenile facilities;

"(B) include—

"(i) input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;

"(ii) consultation with crime victims and offenders who are released from prisons, jails, and juvenile facilities;

"(iii) coordination with families of offenders; and

"(iv) input, where appropriate from the juvenile justice coordinating council of the region;

"(C) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

"(i) planning while offenders are in prison, jail, or a juvenile facility, prerelease transition housing, and community release;

"(ii) establishing prerelease planning procedures to ensure that the eligibility of an offender for Federal or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals

for reentry services, including assistance identifying and securing suitable housing; and

“(iii) delivery of continuous and appropriate drug treatment, medical care, job training and placement, educational services, or any other service or support needed for reentry;

“(D) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

“(E) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;

“(F) target high-risk offenders for reentry programs through validated assessment tools; and

“(G) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, or homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.

“(4) AMOUNT.—The amount of a grant made under this subsection may not be more than \$925,000.

“(5) PERIOD OF GRANT.—A grant made under this subsection shall be effective for a 2-year period—

“(A) beginning on the date on which the planning grant awarded under subsection (e) concludes; or

“(B) in the case of an implementation grant awarded to an eligible entity that did not receive a planning grant, beginning on the date on which the implementation grant is awarded.”;

(3) in subsection (g)(1)(B)(ii), by striking “50 percent” and inserting “75 percent”;

(4) in subsection (h)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—As a condition of receiving financial assistance under subsection (f), each application shall develop a comprehensive reentry strategic plan that—

“(A) contains a plan to assess inmate reentry needs and measurable annual and 3-year performance outcomes;

“(B) uses, to the maximum extent possible, randomly assigned and controlled studies, or rigorous quasi-experimental studies with matched comparison groups, to determine the effectiveness of the program funded with a grant under subsection (f); and

“(C) includes as a goal of the plan to reduce the rate of recidivism for offenders released from prison, jail or a juvenile facility with funds made available under subsection (f).

“(2) LOCAL EVALUATOR.—A partnership with a local evaluator described in subsection (e)(2) shall require the local evaluator to use the baseline data and target population characteristics developed under a subsection (e) planning grant to derive a feasible and meaningful target goal for recidivism reduction during the 3-year period beginning on the date of implementation of the program.”;

(5) in subsection (i)(1), by striking “under this section” and inserting “under subsection (f)”;

(6) in subsection (j)—

(A) in paragraph (1), by inserting “for an implementation grant under subsection (f)” after “applicant”;

(B) in paragraph (2)—

(i) in subparagraph (E), by inserting “, where appropriate” after “support”; and

(ii) by striking subparagraphs (F), (G), and (H), and inserting the following:

“(F) a cost-benefit analysis to determine the cost effectiveness of the reentry program;

“(G) increased number of staff trained to administer reentry services;

“(H) increased proportion of individuals served by the program among those eligible to receive services;

“(I) increased number of individuals receiving risk screening needs assessment, and case planning services;

“(J) increased enrollment in, and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services;

“(K) increased enrollment in and degrees earned from educational programs, including GED, vocational training, and college education;

“(L) increased number of individuals obtaining and retaining employment;

“(M) increased number of individuals obtaining housing;

“(N) reduction in drug and alcohol use; and

“(O) reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.”;

(C) in paragraph (4), by striking “this section” and inserting “subsection (f)”;

(D) in paragraph (5), by striking “this section” and inserting “subsection (f)”;

(7) in subsection (k)(1), by striking “this section” each place the term appears and inserting “subsection (f)”;

(8) in subsection (l)—

(A) in paragraph (2), by inserting “beginning on the date on which the most recent implementation grant is made to the grantee under subsection (f)” after “2-year period”; and

(B) in paragraph (4), by striking “over a 2-year period” and inserting “during the 2-year period described in paragraph (2)”;

(9) in subsection (o)(1), by striking “appropriated” and all that follows and inserting the following: “appropriated—”

“(A) \$40,000,000 for fiscal year 2012;

“(B) \$45,000,000 for fiscal year 2013;

“(C) \$50,000,000 for fiscal year 2014;

“(D) \$55,000,000 for fiscal year 2015; and

“(E) \$60,000,000 for fiscal year 2016.”;

(10) by adding at the end the following:

“(p) DEFINITIONS.—In this section—

“(1) the term ‘exoneree’ means an individual who—

“(A) has been convicted of a Federal or State offense that is punishable by a term of imprisonment of more than 1 year;

“(B) has served a term of imprisonment for not less than 6 months in a Federal or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

“(C) has been determined to be factually innocent of the offense described in subparagraph (A); and

“(2) the term ‘offender’ includes an exoneree.”.

(b) COST-EFFECTIVE ALTERNATIVES TO INCARCERATION PROGRAM.—

(1) AUTHORIZATION.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by striking part CC (42 U.S.C. 3797q et seq.) and inserting the following:

“PART CC—COST EFFECTIVE ALTERNATIVES TO INCARCERATION PROGRAM

“SEC. 2901. DEFINITIONS.

“In this part:

“(1) ELIGIBLE OFFENDER.—The term ‘eligible offender’ means an individual who—

“(A) has been charged, sentenced, or convicted of a crime for which a sentence of imprisonment of more than 1 year is authorized; and

“(B) does not have 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

“(2) PROBATION WITH ENFORCEMENT PROGRAM.—The term ‘probation with enforcement program’ means a program that—

“(A) reduces drug use, crime, and recidivism by requiring swift, predictable, and graduated sanctions for noncompliance with the conditions of probation, as determined by the Attorney General;

“(B) identifies for enrollment in the program eligible offenders who are serving a term of probation and who are at high risk of failing to observe the conditions of supervision and of being returned to incarceration as a result of the failure;

“(C) notifies eligible offenders of the rules of the probation demonstration program, and consequences for violating such rules;

“(D) monitors eligible offenders for illicit drug use with regular and rapid-result drug screening;

“(E) monitors eligible offenders for violations of other rules and probation terms, including failure to pay court-ordered financial obligations, such as child support or victim restitution;

“(F) responds to violations of the other rules and probation terms with immediate arrest of the violating eligible offender, and swift and certain modification of the conditions of probation, including imposition of short jail stays (which may gradually become longer with each additional violation and modification);

“(G) immediately responds to eligible offenders who have absconded from supervision with service of bench warrants and immediate sanctions;

“(H) provides rewards to eligible offenders who comply with such rules;

“(I) ensures funding for, and referral to, substance abuse treatment for eligible offenders who repeatedly fail to refrain from illicit drug use; and

“(J) establishes procedures to terminate program participation by, and initiate revocation to a term of incarceration for, eligible offenders who habitually fail to abide by program rules and pose a threat to public safety.

“(3) LAW ENFORCEMENT OR PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAM.—The term ‘law enforcement or prosecution drug treatment alternative to prison program’ means a program that—

“(A) is administered by a prosecutor or law enforcement officer of a State, Indian tribe, or local government;

“(B) requires an eligible offender who is sentenced to participate in the program (instead of incarceration) to participate in a comprehensive substance abuse treatment

program that is approved by the State or Indian tribe and licensed, if necessary, to provide medical and other health services;

“(C) requires an eligible offender to receive the consent of the prosecutor or law enforcement officer involved to participate in the program;

“(D) in the case of an eligible offender who is sentenced to participate in the program, requires the offender to serve a sentence of imprisonment with respect to the crime involved if the prosecutor or law enforcement officer, in conjunction with the treatment provider, determines that the eligible offender has not successfully completed the relevant substance abuse treatment program described in subparagraph (B);

“(E) provides for the dismissal of the criminal charges that lead to the participation of an eligible offender in the program if the eligible offender is determined to have successfully completed the program;

“(F) requires each substance abuse provider treating an eligible offender under the program to—

“(i) make periodic reports of the progress of the treatment of the eligible offender to the law enforcement officer involved and to the appropriate court in which the eligible offender was convicted; and

“(ii) notify the prosecutor or law enforcement officer involved and the appropriate court if the eligible offender absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program, consistent with Federal and State confidentiality requirements; and

“(G) has an enforcement unit comprised of law enforcement officers involved, the duties of which shall include—

“(i) verifying the address of an eligible offender and other contacts;

“(ii) if necessary, locating, apprehending, and arresting an eligible offender who has absconded from the facility of a substance abuse treatment provider or otherwise violated the terms and conditions of the program and returning the eligible offender to the appropriate court for sentencing for the crime involved.

“(4) REENTRY COURT.—The term ‘reentry court’ means a program that—

“(A) monitors juvenile and adult eligible offenders reentering the community;

“(B) provides juvenile and adult eligible offenders reentering the community with coordinated and comprehensive reentry services and programs, such as—

“(i) drug and alcohol testing and assessment for treatment;

“(ii) assessment for substance abuse from a substance abuse professional who is approved by the State or Indian tribe and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

“(iii) substance abuse treatment from a provider that is approved by the State or Indian tribe, and licensed, if necessary, to provide medical and other health services;

“(iv) health (including mental health) services and assessment;

“(v) aftercare and case management services that—

“(I) facilitate access to clinical care and related health services; and

“(II) coordinate with such clinical care and related health services; and

“(vi) any other services needed for reentry;

“(C) convenes community impact panels, victim impact panels, or victim impact educational classes;

“(D) provides and coordinates the delivery of community services to juvenile and adult eligible offenders, including—

“(i) housing assistance;

“(ii) education;

“(iii) job training;

“(iv) conflict resolution skills training;

“(v) batterer intervention programs; and

“(vi) other appropriate social services; and

“(E) establishes and implements graduated sanctions and incentives.

“SEC. 2902. GRANT AUTHORITY.

“(a) IN GENERAL.—The Attorney General may make grants to States, local governments, territories, Indian tribes, nonprofit agencies, or any combination thereof, to develop, implement, or expand programs that provide alternatives to incarceration, in accordance with this part.

“(b) ALLOWABLE USES.—

“(1) IN GENERAL.—A grant under this part may be used for the expenses of a law enforcement or prosecution drug treatment alternatives to prison program, a problem-solving court, including a reentry court, or a probation with enforcement program including for—

“(A) salaries, personnel costs, equipment costs, and other costs directly related to the operation or evaluation of the program;

“(B) payments for providers that are approved by the State or Indian tribe and licensed, if necessary, to provide needed treatment or education to eligible offenders participating in the program, including aftercare supervision, mental health services, substance abuse services, vocational training, education, and job placement; and

“(C) payments to public and nonprofit private entities that are approved by the State or Indian tribe and licensed, if necessary, to provide mental health, alcohol and drug addiction treatment to offenders participating in the program.

“(2) SUPPLEMENT AND NOT SUPPLANT.—Grants made under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for programs described in this part.

“(c) APPLICATIONS.—

“(1) IN GENERAL.—A State, local government, territory, Indian tribe, or nonprofit agency desiring a grant under this part shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

“(2) APPLICATION CONTENTS.—An application submitted under paragraph (1) shall—

“(A) describe the program to be assisted under this part and the need for the program to serve eligible offenders;

“(B) describe a long-term strategy and detailed implementation plan for the program, including how the applicant plans to pay for the program after the Federal funding is discontinued;

“(C) identify the governmental and community agencies the activities of which shall be coordinated under the project;

“(D) certify that—

“(i) all agencies affected by the program, including community corrections and parole entities, have been appropriately consulted in the development of the program; and

“(ii) there will be appropriate coordination with all such agencies in the implementation of the program; and

“(E) describe the methodology and outcome measures that will be used to evaluate the program.

“SEC. 2903. FEDERAL SHARE.

“(a) MATCHING REQUIREMENT.—The Federal share of the cost of an activity carried out using a grant under this part shall be not more than 50 percent.

“(b) IN-KIND CONTRIBUTIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), the recipient of a grant under this part may meet the matching requirement under subsection (a) by making in-kind contributions of goods or services that are directly related to the purpose for which the grant was awarded.

“(2) MAXIMUM PERCENTAGE.—Not more than 75 percent of the amount provided by a recipient of a grant under this part to meet the matching requirement under subsection (a) may be provided through in-kind contributions under paragraph (1).

“SEC. 2904. GEOGRAPHIC DISTRIBUTION.

“The Attorney General shall ensure that, to the extent practicable, the distribution of grants under this part is equitable and includes States, local governments, territories, Indian tribes, or nonprofit agencies—

“(1) in each State; and

“(2) in rural, suburban, tribal, and urban jurisdictions.

“SEC. 2905. REPORTS AND EVALUATIONS.

“Each entity receiving a grant under this section shall submit to the Attorney General, for each fiscal year in which funds received under the grant are expended, a report, at such time and in such manner as the Attorney General may reasonably require, that contains—

“(1) a summary of the activities carried out under the program assisted by the grant;

“(2) an assessment of whether the activities are meeting the need for the program identified in the application submitted under section 2902(c); and

“(3) such other information as the Attorney General may require.

“SEC. 2906. TRAINING AND TECHNICAL ASSISTANCE.

“The Attorney General may, using amounts made available to carry out this part, establish training and technical assistance for grantees, including—

“(1) providing education, training, and technical assistance for States, Indian tribes, territories, local governments, service providers, and nonprofit organizations relating to problem-solving courts, law enforcement drug treatment alternative to prison programs, and probation with enforcement programs;

“(2) collecting data and best practices from grantees and other agencies and organizations;

“(3) developing and disseminating evaluation tools, mechanisms, and measures to better assess and document performance measures and outcomes;

“(4) disseminating information to States and other relevant entities about best practices, policy standards, and research findings; and

“(5) interdisciplinary and profession-specific training for relevant professionals on information and skills necessary to plan, implement, or expand problem-solving courts, law enforcement drug treatment alternative to prisons programs, and probation with enforcement programs.

“SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this part—

“(1) \$10,000,000 for fiscal year 2012;

“(2) \$12,000,000 for fiscal year 2013;

“(3) \$14,000,000 for fiscal year 2014;

“(4) \$16,000,000 for fiscal year 2015; and

“(5) \$20,000,000 for fiscal year 2016.

“(b) LIMITATIONS.—Of the amounts made available pursuant to subsection (a) for a fiscal year—

“(1) not more than 2 percent may be used by the Attorney General for salaries and administrative expenses; and

“(2) not more than 5 percent nor less than 2 percent may be used for technical assistance and training.

“SEC. 2908. RULE OF CONSTRUCTION.

“Nothing in this part shall be construed to prevent a grantee that operates a drug court under part EE when the grant under this part is awarded from using funds from the grant under this part to supplement the drug court in accordance with section 2902(b)(1).”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) in section 1001(a) (42 U.S.C. 3793(a)), by striking paragraph (26); and

(B) by striking section 2978 (42 U.S.C. 3797w-2).

(3) SAVINGS CLAUSE.—A grant made under section 2978 or part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w-2 and 3797q et seq.) before the date of enactment of this Act shall remain in full force and effect under the terms, and for the duration, of the grant.

(c) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—Part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.) is amended—

(1) in section 2921 (42 U.S.C. 3797s), in the matter preceding paragraph (1), by inserting “nonprofit organizations,” before “and Indian”; and

(2) by striking section 2926(a) (42 U.S.C. 3797s-5(a)), and inserting the following:

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this part—

“(1) \$8,000,000 for fiscal year 2012; and

“(2) \$10,000,000 for each of fiscal years 2013, 2014, 2015, and 2016.”.

(d) GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by redesignating part KK (42 U.S.C. 3793ee et seq.) as part LL;

(2) by redesignating the second part designated as part JJ, as added by the Second Chance Act of 2007 (Public Law 110-199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as part KK;

(3) by redesignating the second section designated as section 3001 and section 3002 (42 U.S.C. 3797dd and 3797dd-1), as added by the Second Chance Act of 2007 (Public Law 110-199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as sections 3005 and 3006, respectively;

(4) in section 3005, as so redesignated—

(A) in subsection (a)—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(4) implement methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities consistent with the best practices identified in subsection (c).”;

(B) by redesignating subsection (c) as subsection (d); and

(C) by inserting after subsection (b), the following:

“(c) BEST PRACTICES.—Not later than 180 days after the date of enactment of the Second Chance Reauthorization Act of 2011, the Attorney General shall identify and publish best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities. The best practices shall consider the evaluations per-

formed and recommendations made under grants made under subsection (a) before the date of enactment of the Second Chance Reauthorization Act of 2011”; and

(5) in section 3006, as so redesignated, by striking “to carry” and all that follows through “2010” and inserting “for each of fiscal years 2012, 2013, 2014, 2015, and 2016 for grants for purposes described in section 3005(a)(4)”.

(e) TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of 2007 (42 U.S.C. 17511) is amended—

(1) in subsection (a), by striking “and Indian” and inserting “nonprofit organizations, and Indian”; and

(2) by striking subsection (e) and inserting the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$7,000,000 for each of fiscal years 2012 and 2013; and

“(2) \$10,000,000 for each of fiscal years 2014, 2015, and 2016.”.

(f) OFFENDER REENTRY SUBSTANCE ABUSE AND CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section 201(f)(1) of the Second Chance Act of 2007 (42 U.S.C. 17521(f)(1)) is amended to read as follows:

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2012 through 2016.”.

(g) MENTORING GRANTS TO NONPROFIT ORGANIZATIONS.—Section 211 of the Second Chance Act of 2007 (42 U.S.C. 17531) is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following:

“(f) DEFINITION.—In this section, the term ‘offender’ includes an individual who—

“(1) has been convicted of a Federal or State offense that is punishable by a term of imprisonment of more than 1 year;

“(2) has served a term of imprisonment for not less than 6 months in a Federal or State prison or correctional facility as a result of the conviction described in paragraph (1); and

“(3) has been determined to be factually innocent of the offense described in paragraph (1).”; and

(3) in subsection (g), as redesignated, by striking “this section” and all that follows and inserting the following: “this section—”

“(1) \$15,000,000 for fiscal year 2012;

“(2) \$16,000,000 for fiscal year 2013;

“(3) \$16,000,000 for fiscal year 2014;

“(4) \$19,000,000 for fiscal year 2015; and

“(5) \$20,000,000 for fiscal year 2016.”.

SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.

(a) DEFINITION.—In this section, the term “unresolved audit finding” means an audit report finding or recommendation that a grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 1-year period beginning on the date of an initial notification of the finding or recommendation.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2012, and every 3 years thereafter, the Inspector General of the Department of Justice shall conduct an audit of not less than 5 percent of all grantees that are awarded funding under—

(1) section 2976(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(b));

(2) part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797q et seq.), as amended by this Act;

(3) part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.);

(4) part JJ of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797dd et seq.); or

(5) section 115, 201, or 211 of the Second Chance Act of 2007 (42 U.S.C. 17511, 17521, and 17531).

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under the grant programs described in paragraphs (1) through (5) of subsection (b) in the fiscal year following the fiscal year to which the finding relates.

(d) PRIORITY OF GRANT AWARDS.—The Attorney General, in awarding grants under the programs described in paragraphs (1) through (5) of subsection (b) shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

SEC. 4. FEDERAL REENTRY IMPROVEMENTS.

(a) RESPONSIBLE REINTEGRATION OF OFFENDERS.—Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) is repealed.

(b) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(1) in subsection (g)—

(A) in paragraph (3), by striking “carried out during fiscal years 2009 and 2010” and inserting “carried out during fiscal years 2012 through 2016”; and

(B) in paragraph (5)(A)(i), by striking “65 years” and inserting “60 years”;

(2) by striking subsection (h);

(3) by redesignating subsection (i) as subsection (h); and

(4) in subsection (h), as so redesignated, by striking “2009 and 2010” and inserting “2012 through 2016”.

(c) ENHANCING REPORTING REQUIREMENTS PERTAINING TO COMMUNITY CORRECTIONS.—Section 3624(c) of title 18, United States Code, is amended—

(1) in paragraph (5), in the second sentence, by inserting “, and number of prisoners not being placed in community corrections facilities for each reason set forth” before “, and any other information”; and

(2) in paragraph (6), by striking “the Second Chance Act of 2007” and inserting “the Second Chance Reauthorization Act of 2011”.

(d) TERMINATION OF STUDY ON EFFECTIVENESS OF DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section 244 of the Second Chance Act of 2007 (42 U.S.C. 17554) is repealed.

(e) AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH.—Section 245 of the Second Chance Act of 2007 (42 U.S.C. 17555) is amended—

(1) by striking “243, and 244” and inserting “and 243”; and

(2) by striking “2009 and 2010” and inserting “2012, 2013, 2014, 2015, and 2016”.

(f) FEDERAL PRISONER RECIDIVISM REDUCTION PROGRAMMING ENHANCEMENT.—

(1) IN GENERAL.—Section 3621 of title 18, United States Code, is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

“(g) INCENTIVE FOR PRISONERS’ PARTICIPATION IN REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘demonstrated to reduce recidivism’ means that the Director of Bureau of Prisons has determined that appropriate research has been conducted and has validated the effectiveness of the program on recidivism; and

“(B) the term ‘successfully participates’ means that a prisoner has been enrolled for a period of not less than 180 days during the 12 months preceding the award of credit in 1 or more programs—

“(i) for which the prisoner is eligible; and

“(ii) that meet the treatment and program needs of the prisoner.

“(2) ELIGIBILITY TO EARN ADDITIONAL CREDIT.—Any prisoner who, in the judgment of the Director of the Bureau of Prisons, successfully participates in a program that has been demonstrated to reduce recidivism, is eligible to earn additional credit toward satisfaction of the sentence being served by the prisoner.

“(3) CREDIT TOWARD SERVICE OF SENTENCE.—Except as provided in paragraph (4), a prisoner may receive credit toward service of the sentence of the prisoner of up to 60 days per year for each year in which the prisoner is in custody of the Bureau of Prisons and successfully participates in a program described in paragraph (2). Any credits awarded under this subsection shall vest on the date the prisoner is released from custody.

“(4) LIMITATION ON AWARDS OF CREDIT.—

“(A) IN GENERAL.—A prisoner may accrue credit toward service of the sentence of the prisoner under this subsection if—

“(i) the credit accrued under this subsection is combined with reductions in the period of time the prisoner remains in custody resulting from participation in a residential substance abuse program; and

“(ii) credit received under section 3624(b) does not exceed 33 percent of the sentence imposed on the prisoner.

“(B) PRIOR TIME CREDIT.—No credits shall be awarded for any time spent in—

“(i) programs during the 180-day period preceding the enactment of the Second Chance Reauthorization Act of 2011; or

“(ii) official detention prior to the date the sentence commences under section 3585(a).

“(5) RECEIPT OF CREDIT AT END OF YEAR.—A prisoner may receive credit at the end of each year of the sentence being served by the prisoner, beginning at the end of the first year of the sentence, subject to a determination by the Director by the Bureau of Prisons that during the year the prisoner display exemplary compliance with institutional disciplinary regulations. For purposes of this section, the first year shall commence on the date the sentence commences under section 3585(a).”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect 180 days after the date of enactment of this Act.

By Mr. GRASSLEY:

S. 1234. A bill to amend part B of title IV of the Social Security Act to reauthorize grants to assist children affected by methamphetamine or other substance abuse under the promoting safe and stable families program; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I come to the floor today to introduce a bill on an issue that is very important to me and many of my colleagues here in the Senate. I have long been a passionate supporter of some of the most vulnerable members of our society, es-

pecially the thousands of our Nation's foster youth. Currently, there are over 420,000 children living in foster care. Each one of these foster youth deserves a safe, loving and permanent home. But, each year, these children face a declining number of foster homes, and must also deal with the widespread negative misperceptions attached to the foster care system. Many of them have to cope with parents that struggle with substance abuse problems. Parental substance abuse is one of the leading, if not the primary, reasons forcing children into the foster care system.

According to the Congressional Research Service, in a nationally representative study, caseworkers investigating allegations of abuse or neglect noted active drug abuse by the 37 percent of the primary caregivers from whom children were removed to out-of-home care. The same report also noted active alcohol abuse among 29 percent of the primary caregivers from whom children were removed. The percentage of children who remain in care due to issues related to substance abuse is believed to be even larger because, among other reasons, accessing and successfully completing treatment services is often time consuming and children may not be able to safely return to their homes until treatment is successfully completed. An additional troubling statistic comes from a 2005 report by the RAND Corporation, which revealed that more than 300,000 children entered the foster-care system due to methamphetamine abuse.

I would like to take a moment to share a story about one foster youth who is currently serving as an intern in my Washington, DC office thanks to the Congressional Coalition on Adoption Institute. Her name is Taatianna and her story is a reminder of the challenges that many foster youth face.

When Taatianna turned three, she opened the front door of her home to a caseworker who removed her and her two siblings from their home. Taatianna was placed in the foster care system at very young age because of her parent's substance abuse. She has lived many years with shame and guilt, believing she was responsible for splitting apart her family. However, she now knows that drug and alcohol were the reasons she was neglected and forced into foster care. Fortunately, Taatianna and her siblings were able to live together and be raised by their biological grandmother, Ruby, in Relative Kinship Care. Ruby played the role of mom, dad, and grandma to these three children. While growing up, Taatianna and her siblings faced emotional and mental anxieties, trying hard not to succumb to the curse of substance abuse addiction that ran in their family. But more importantly, the kids longed to be with their mom and dad again, hoping they could get clean, hold a job, and be a family. Taatianna's

mother struggled, and continues to struggle with, addiction.

Drugs and alcohol have torn this family apart, and have destroyed any sense of normalcy or permanency they so desperately yearned for. Taatianna witnessed first-hand the traumatic effects of substance abuse in both her parents and many other family members. Taatianna, and many other foster youth in this country, could be helped if parents were treated or had better access to treatment for their substance abuse problems.

Foster care shouldn't be a destination. It should be a temporary detour for children while their parents are treated and are ready to be parents.

So, today, on behalf of many youth in foster care, I introduce the Partners for Stable Families and Foster Youth Affected by Methamphetamine or Other Substance Abuse Act. This bill will reauthorize the Regional Partnership Grants that were created in 2006 as part of the Promoting Safe and Stable Families Act. The passage of this legislation was a tremendous step forward in our efforts to help the youth in the foster care system. The funds from these grants address a variety of challenges that are barriers to optimal family outcomes. The mission of the Regional Partnership Grants is to improve the safety, permanency, and well-being of children who are in an out-of-home placement or are at-risk of such placement because of a parent or caretaker's abuse of methamphetamine or another substance.

In September 2007, following the authorization of the Regional Partnership Grants, the Department of Health and Human Services awarded multiyear grants to 53 regional partnerships representing 29 states and 6 tribes. The first round of grants supported the creation or expansion of family treatment drug courts, improvement of system-wide collaboration, expanded access to comprehensive family centered treatment, use of evidence-based practice approaches such as motivational enhancement therapy, parent advocates, and recovery management approaches to drug treatment monitoring. The groups receiving these grants were split almost evenly between the public and private sectors, and they represent a great example of how both can assist the many youth and families that are a part of the foster care system.

Allow me an opportunity to tell you about the grantees in my home state of Iowa.

One grantee, Upper Des Moines Opportunity Inc., is undertaking the Parent Partner Program in 9 counties in rural Northwest Iowa. This program primarily assists individuals addicted to meth, and is unique because parents are matched to Parent Partners who serve as mentors, assisting clients to navigate the child welfare and substance abuse systems. The goal of these

Parent Partners is to support and mentor parents who have trouble keeping their families together and are at risk of incarceration or permanently losing custody of their children. This program is more personal than stand alone drug treatment programs because Parent Partners have been through the same situations. One outcome is that clients are developing a trusting relationship with professionals in the child welfare and substance abuse systems; thereby increasing their chances for success and becoming more engaged in substance abuse treatment and recovery. The Parent Partner understands the client's situation, allowing them to bond and build trust with the goal of regaining custody of their children more quickly. The Parent Partners serve as the critical link between the Department of Human Services, the parent, and other experts.

Another grantee, the Parents and Children Together, PACT, is a family drug court initiative implementing a community based approach to substance abuse treatment. The program supports the family to remain the primary permanency option for their children. PACT is a partnership of the courts, the state child welfare agency, the Iowa Department of Public Health, and five community pilot sites with the State Court taking the lead. Through this program, family treatment courts were implemented in each pilot site. The program is focused on increasing the safety, permanency and well-being of children by addressing the substance abuse treatment programming and service gaps through a community collaborative planning approach. The partnership has worked hard over the years to establish family drug courts in their pilot sites that support families as they navigate the foster care system and substance abuse treatment. With the knowledge they are gaining on what works and what doesn't, they have provided two family treatment court forums for other interested community court led teams. They presently serve 6 sites and have 6 other court led teams that are interested in learning more.

According to a forthcoming report from the Administration on Children, Youth, and Families, over 8,000 adults and 12,000 children have been served by the Regional Partnership Grants. Bryan Samuels, the Commissioner of the Administration, has said that children are discharged from foster care at a faster rate because of the grants and that families are more likely to be reunited within 12 months and are more likely to stay that way after 12 months.

The efforts to help at-risk youth must continue. We know that substance abuse issues will continue to push kids into foster care. In Iowa alone, from 2005–2009, the Iowa Department of Human Services classified 5,330

children victims of abuse due to the presence of an illegal drug in their body. Meth continues to be a huge concern. In fact, meth lab incidents in Iowa have dropped dramatically since their peak in 2004, but have risen in each of the past three years. The resurgence in meth lab incidents coincides with a rise in drug-related prison admissions, meth treatment admissions, and child abuse cases.

In my original version of the Regional Partnership Grants in 2006, I envisioned \$40 million per year to be available for grants to improve the outcomes of those affected by meth or other substance abuse. Unfortunately this amount was reduced during conference committee negotiations. In the bill I am introducing today, I am again calling for the amount to be set at \$40 million per year. This will allow new grantees to start programs while giving short two-year extensions to existing grantees. The goal is to encourage new collaborations throughout the country, while giving time to existing collaborations to institute best practices and educate other entities about what works and what does not.

The reauthorization of the Regional Partnership Grants will also include several measures aimed at improving the original legislation. The bill will allow more dollars to be available for activities and collaborative efforts by instituting a 5 percent administrative fee cap on the amount that can be retained by the Administration on Children, Youth, and Families for technical assistance or contract services. Finally, the bill will require more evaluation of regional partnerships, and require the Secretary of Health and Human Services to evaluate the new grantees and issue a report on the best practices implemented by their programs no later than December 1, 2012, with a follow-up report due in 2017. These reports will prove useful in efforts to improve our foster-care system.

The improvement of the lives of families and youth that are involved in the foster care system is one of the most important issue I have undertaken in the U.S. Senate. The Regional Partnership Grants have not only helped youth in search of permanent, loving families, but have brought back together families that were torn apart by substance abuse. As a founder and co-chair of the Senate Caucus on Foster Youth, I have been a witness to the many successes that have occurred thanks to our support of these children and young adults; however, I am also still painfully aware of the amount of work that remains. We can take another significant step forward in this area by passing the Partners for Stable Families and Foster Youth Affected by Methamphetamine or Other Substance Abuse Act and reauthorizing the Regional Partnership Grants.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Ms. LANDRIEU, and Mrs. MCCASKILL):

S. 1236. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Border Tunnel Prevention Act of 2011 with my colleagues and friends, Senator JON KYL, Senator MARY LANDRIEU and Senator CLAIRE MCCASKILL. This bill will provide law enforcement and prosecutors with important tools to locate border tunnels, identify criminals and punish those involved.

As the U.S., Mexico border has become more secure, criminals have sought out new ways to transfer drugs and people across the border. For years, smugglers have tried to go around our border checkpoints. Now, they are trying to go under them to evade border enforcement. There is an increasing number and sophistication of tunnels along the Southwest border.

Tunnels range from anything from a shallow dirt crawl way to sophisticated concrete structures with shoring, ventilation and electricity. One tunnel found in San Diego even had a make-shift elevator.

Underground tunnels present a serious national security threat. The first tunnel was discovered in May of 1990. However, beginning in 2001, tunnels began to increase dramatically. Between September 2001 and today, an astonishing 125 completed tunnels have been discovered making a total of 137 completed tunnels since 1990.

Border tunnels are most often used to transport narcotics from Mexico to the United States, but assumingly are also used to smuggle weapons and people. Just as tunnels can be used to transport drugs across the border, they could be used to smuggle a terrorist into the United States.

In recent years, there has been a striking increase in the sophistication of these tunnels. To date, authorities have discovered 61 sophisticated tunnels, 37 of which were constructed in California.

In San Diego in February of 2006, I had the occasion to visit a very sophisticated tunnel discovered by the multi-agency San Diego Tunnel Task Force, led by U.S. Immigration and Customs Enforcement. The Department of Homeland Security has established these tunnel task forces in San Diego, El Paso, Nogales, Yuma and Imperial Valley.

The tunnel was 2,400 feet long, close to half of a mile, stretching from an abandoned warehouse near the southern border of California through to Tijuana, Mexico. It remains the longest cross-border tunnel discovered in U.S. history, more than nine stories below

ground at its deepest point, and had ample ventilation and groundwater drainage systems, cement flooring, lighting, and a pulley system.

Authorities seized over 4,200 pounds of marijuana in the tunnel, and have attributed the operation to the Arellano Felix Organization.

The exit of the tunnel in the United States was concealed in a small office inside a massive empty warehouse, covered only by four square tiles.

After seeing this tunnel, I introduced the Border Tunnel Prevention Act of 2006. The bill became law in 2007 and criminalized the construction, financing or use of an unauthorized tunnel or subterranean passage across an international border into the United States. It also imposes a punishment for anyone who negligently permits others to construct or use an unauthorized tunnel or subterranean passage on their land.

The first prosecution under this law was in connection to a December 2009 partially-built tunnel found in Calexico, California. An investigation resulted in the arrest of Daniel Alvarez, a United States citizen. Alvarez eventually pled guilty to criminal violations put into place by the Border Tunnel Prevention Act and was sentenced to 15 months in federal prison.

Today, I am introducing a bill to enhance the 2007 law. Specifically, it will make the use, construction or financing of a border tunnel a conspiracy offense. This would punish the intent to engage in tunnel activity, even in cases where a tunnel was not fully constructed.

The bill will include illegal tunneling as an offense eligible for Title III wiretaps even when there are not drugs or other contraband to facilitate a wiretap; specify border tunnel activity as unlawful under the existing forfeiture and money laundering provisions to allow authorities to seize assets in these cases.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Border Tunnel Prevention Act of 2011".

SEC. 2. FINDINGS.

Congress finds the following:

(1) As the international border between the United States and Mexico becomes more secure, trafficking and smuggling organizations intensify their efforts to enter the United States by increasing the number of tunnels and other subterranean passages between Mexico and the United States.

(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

(3) Between May 1990 and May 2011, law enforcement authorities discovered 137 tunnels, 125 of which have been discovered since September 2001. While law enforcement authorities discovered only 2 tunnels in California between 1990 and 2001, there has been a dramatic increase in the number of border tunnels discovered in California since 2001.

(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person's land.

(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options.

SEC. 3. DEFINITIONS.

In this Act:

(1) NATIONAL SECURITY ZONE.—The term "national security zone" means any Southwest Border land designated by the Secretary as being at a high risk for border tunnel activity, as authorized under section 8(b).

(2) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.

(3) SOUTHWEST BORDER LAND.—The term "Southwest Border land" means all parcels of real property in the United States that—

(A) are located within 1 mile of the international border between the United States and Mexico; and

(B) are not owned by a Federal, State, tribal, or local government entity.

SEC. 4. ATTEMPT OR CONSPIRACY TO USE, CONSTRUCT, OR FINANCE A BORDER TUNNEL.

Section 555 of title 18, United States Code, is amended by adding at the end the following:

"(d) Any person who attempts or conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy."

SEC. 5. AUTHORIZATION FOR INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS.

Section 2516(1)(c) of title 18, United States Code, is amended by inserting ", section 555 (relating to construction or use of international border tunnels)" before the semicolon at the end.

SEC. 6. FORFEITURE.

(a) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by inserting "555," after "545,".

(b) CIVIL ASSET FORFEITURE.—Any merchandise introduced into the United States through a tunnel or passage described in section 555(a) of title 18, United States Code, shall be subject to seizure and forfeiture in accordance with section 596(c) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)).

SEC. 7. MONEY LAUNDERING DESIGNATION.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting "section 555 (relating to border tunnels)," after "section 554 (relating to smuggling goods from the United States),".

SEC. 8. NOTIFICATION REQUIREMENTS.

(a) NOTIFICATION TO LAND OWNERS.—The Secretary is encouraged to annually provide

each known nongovernmental owner and tenant of land located in a national security zone with a written notification that describes—

(1) Federal laws related to the construction of illegal border tunnels; and

(2) the procedures for reporting violations of such laws to U.S. Immigration and Customs Enforcement.

(b) DESIGNATION OF BORDER TUNNEL HIGH RISK AREAS.—

(1) IN GENERAL.—The Secretary may designate any Southwest Border land that the Secretary has a substantial reason to believe is at a high risk for border tunnel activity as a national security zone.

(2) PUBLICATION.—The Secretary shall—

(A) publish any designations made under paragraph (1) in the Federal Register; and

(B) allow appropriate notice and comment in accordance with the chapter 5 of title 5, United States Code (commonly referred to as the "Administrative Procedures Act").

(c) RULEMAKING.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

SEC. 9. REPORT.

(a) IN GENERAL.—The Secretary shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross border tunnels in Southwest Border land discovered during the reporting period; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction on Southwest Border land.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

AMENDMENTS SUBMITTED AND PROPOSED

SA 486. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 487. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 488. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 489. Mr. CASEY (for himself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 490. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 491. Mr. MENENDEZ (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 141, recognizing the efforts and accomplishments of the GOD'S CHILD Project and congratulating the GOD'S CHILD Project on its 20th anniversary.

SA 492. Mr. MENENDEZ (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 141, *supra*.

SA 493. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 486. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, between the matter after line 2 and line 3, insert the following:

SEC. 13. VERIFICATION OF SELF-REPORTED DATA.

(a) IN GENERAL.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 12(a)) is amended by adding at the end the following:

"SEC. 220. VERIFICATION OF SELF-REPORTED DATA.

"For each fiscal year, the Secretary shall—

"(1) audit and verify data reported to the Secretary by at least 10 percent of the individuals and entities that receive assistance in the form of grants under this Act during the fiscal year or the immediately preceding fiscal year;

"(2) in conducting the audit and data verification, evaluate the sufficiency of the documentation and methodology of grantees for determining private investment and job creation resulting from the economic development project for which funds are provided under this Act; and

"(3) submit to the appropriate committees of Congress, and publish in the Federal Register, a report describing the results of the audits and verifications."

(b) CONFORMING AMENDMENT.—The table of contents of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by adding after the item relating to section 219 (as added by section 12(b)) the following:

"Sec. 220. Verification of self-reported data."

SA 487. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. 22. ANGEL INVESTMENT TAX CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 30E. ANGEL INVESTMENT TAX CREDIT.

"(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of the qualified equity investments made by a qualified investor during the taxable year.

"(b) QUALIFIED EQUITY INVESTMENT.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified equity investment' means any equity investment in a qualified small business entity if—

"(A) such investment is acquired by the taxpayer at its original issue (directly or through an underwriter) solely in exchange for cash, and

"(B) such investment is designated for purposes of this section by the qualified small business entity.

"(2) EQUITY INVESTMENT.—The term 'equity investment' means—

"(A) any form of equity, including a general or limited partnership interest, common stock, preferred stock (other than non-qualified preferred stock as defined in section 351(g)(2)), with or without voting rights, without regard to seniority position and whether or not convertible into common stock or any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion, and

"(B) any capital interest in an entity which is a partnership.

"(3) REDEMPTIONS.—A rule similar to the rule of section 1202(c)(3) shall apply for purposes of this subsection.

"(c) QUALIFIED SMALL BUSINESS ENTITY.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified small business entity' means any domestic corporation or partnership if such corporation or partnership—

"(A) is a small business (as defined in section 41(b)(3)(D)(iii)),

"(B) has its headquarters in the United States,

"(C) is engaged in a high technology trade or business related to—

"(i) advanced materials, nanotechnology, or precision manufacturing,

"(ii) aerospace, aeronautics, or defense,

"(iii) biotechnology or pharmaceuticals,

"(iv) electronics, semiconductors, software, or computer technology,

"(v) energy, environment, or clean technologies,

"(vi) forest products or agriculture,

"(vii) information technology, communication technology, digital media, or photonics,

"(viii) life sciences or medical sciences,

"(ix) marine technology or aquaculture,

"(x) transportation, or

"(xi) any other high technology trade or business as determined by the Secretary,

"(D) has been in existence for less than 5 years as of the date of the qualified equity investment,

"(E) employs less than 100 full-time equivalent employees as of the date of such investment,

"(F) has more than 50 percent of the employees performing substantially all of their services in the United States as of the date of such investment, and

"(G) has equity investments designated for purposes of this paragraph.

"(2) DESIGNATION OF EQUITY INVESTMENTS.—For purposes of paragraph (1)(G), an equity investment shall not be treated as designated if such designation would result in the aggregate amount which may be taken into account under this section with respect to equity investments in such corporation or partnership exceeds—

"(A) \$10,000,000, taking into account the total amount of all qualified equity investments made by all taxpayers for the taxable year and all preceding taxable years,

"(B) \$2,000,000, taking into account the total amount of all qualified equity investments made by all taxpayers for such taxable year, and

"(C) \$1,000,000, taking into account the total amount of all qualified equity investments made by the taxpayer for such taxable year.

"(d) QUALIFIED INVESTOR.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified investor' means an accredited investor, as defined by the Securities and Exchange Commission, investor network, or investor fund who review new or proposed businesses for potential investment.

"(2) INVESTOR NETWORK.—The term 'investor network' means a group of accredited investors organized for the sole purpose of making qualified equity investments.

"(3) INVESTOR FUND.—

"(A) IN GENERAL.—The term 'investor fund' means a corporation that for the applicable taxable year is treated as an S corporation or a general partnership, limited partnership, limited liability partnership, trust, or limited liability company and which for the applicable taxable year is not taxed as a corporation.

"(B) ALLOCATION OF CREDIT.—

"(i) IN GENERAL.—Except as provided in clause (ii), the credit allowed under subsection (a) shall be allocated to the shareholders or partners of the investor fund in proportion to their ownership interest or as specified in the fund's organizational documents, except that tax-exempt investors shall be allowed to transfer their interest to investors within the fund in exchange for future financial consideration.

"(ii) SINGLE MEMBER LIMITED LIABILITY COMPANY.—If the investor fund is a single member limited liability company that is disregarded as an entity separate from its owner, the credit allowed under subsection (a) may be claimed by such limited liability company's owner, if such owner is a person subject to the tax under this title.

"(4) EXCLUSION.—The term 'qualified investor' does not include—

"(A) a person controlling at least 50 percent of the qualified small business entity,

"(B) an employee of such entity, or

"(C) any bank, bank and trust company, insurance company, trust company, national bank, savings association or building and loan association for activities that are a part of its normal course of business.

"(e) NATIONAL LIMITATION ON AMOUNT OF INVESTMENTS DESIGNATED.—

"(1) IN GENERAL.—There is an angel investment tax credit limitation of \$500,000,000 for each of calendar years 2011 through 2015.

"(2) ALLOCATION OF LIMITATION.—The limitation under paragraph (1) shall be allocated by the Secretary among qualified small business entities selected by the Secretary.

"(3) CARRYOVER OF UNUSED LIMITATION.—If the angel investment tax credit limitation for any calendar year exceeds the aggregate amount allocated under paragraph (2) for such year, such limitation for the succeeding calendar year shall be increased by the amount of such excess. No amount may be carried under the preceding sentence to any calendar year after 2020.

"(f) APPLICATION WITH OTHER CREDITS.—

"(1) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—Except as provided in paragraph (2), the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

"(2) PERSONAL CREDIT.—

"(A) IN GENERAL.—In the case of an individual who elects the application of this

paragraph, for purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.

“(B) LIMITATION BASED ON AMOUNT OF TAX.—In the case of a taxable year to which section 26(a)(2) does not apply, the credit allowed under subpart A for any taxable year (determined after application of paragraph (1)) by reason of subparagraph (A) shall not exceed the excess of—

“(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(ii) the sum of the credits allowable under subpart A (other than this section) and section 27 for the taxable year.

“(C) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) by reason of subparagraph (A) exceeds the limitation imposed by section 26(a)(1) or subparagraph (B), whichever is applicable, for such taxable year, reduced by the sum of the credits allowable under subpart A (other than this section) for such taxable year, such excess shall be carried to each of the succeeding 20 taxable years to the extent that such unused credit may not be taken into account under subsection (a) by reason of subparagraph (A) for a prior taxable year because of such limitation.

“(g) SPECIAL RULES.—

“(1) RELATED PARTIES.—For purposes of this section—

“(A) IN GENERAL.—All related persons shall be treated as 1 person.

“(B) RELATED PERSONS.—A person shall be treated as related to another person if the relationship between such persons would result in the disallowance of losses under section 267 or 707(b).

“(2) BASIS.—For purposes of this subtitle, the basis of any investment with respect to which a credit is allowable under this section shall be reduced by the amount of such credit so allowed. This subsection shall not apply for purposes of sections 1202, 1397B, and 1400B.

“(3) RECAPTURE.—The Secretary shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any qualified equity investment which is held by the taxpayer less than 3 years, except that no benefit shall be recaptured in the case of—

“(A) transfer of such investment by reason of the death of the taxpayer,

“(B) transfer between spouses,

“(C) transfer incident to the divorce (as defined in section 1041) of such taxpayer, or

“(D) a transaction to which section 381(a) applies (relating to certain acquisitions of the assets of one corporation by another corporation).

“(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out this section, including regulations—

“(1) which prevent the abuse of the purposes of this section,

“(2) which impose appropriate reporting requirements, and

“(3) which apply the provisions of this section to newly formed entities.”

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (35), by striking “plus”;

(2) in paragraph (36), by striking the period at the end and inserting “, plus”; and

(3) by adding at the end the following new paragraph:

“(37) the portion of the angel investment tax credit to which section 30E(f)(1) applies.”

(c) CONFORMING AMENDMENTS.—

(1) Section 1016(a) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting “, and”, and by inserting after paragraph (37) the following new paragraph:

“(38) to the extent provided in section 30E(g)(2).”

(2) Section 24(b)(3)(B) of such Code is amended by striking “and 30D” and inserting “30D, and 30E”.

(3) Section 25(e)(1)(C)(ii) of such Code is amended by inserting “30E,” after “30D.”

(4) Section 25A(i)(5)(B) of such Code is amended by striking “and 30D” and inserting “, 30D, and 30E”.

(5) Section 25A(i)(5) of such Code is amended by inserting “30E,” after “30D.”

(6) Section 25B(g)(2) of such Code is amended by striking “and 30D” and inserting “30D, and 30E”.

(7) Section 26(a)(1) of such Code is amended by striking “and 30D” and inserting “30D, and 30E”.

(8) Section 30(c)(2)(B)(ii) of such Code is amended by striking “and 30D” and inserting “, 30D, and 30E”.

(9) Section 30B(g)(2)(B)(ii) of such Code is amended by striking “and 30D” and inserting “30D, and 30E”.

(10) Section 30D(d)(2)(B)(ii) of such Code is amended by striking “and 25D” and inserting “, 25D, and 30E”.

(11) Section 904(i) of such Code is amended by striking “and 30D” and inserting “30D, and 30E”.

(12) Section 1400C(d)(2) of such Code is amended by striking “and 30D” and inserting “30D, and 30E”.

(d) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 30E. Angel investment tax credit.”

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to investments made after December 31, 2010, in taxable years ending after such date.

(f) REGULATIONS ON ALLOCATION OF NATIONAL LIMITATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary's delegate shall prescribe regulations which specify—

(1) how small business entities shall apply for an allocation under section 30E(e)(2) of the Internal Revenue Code of 1986, as added by this section,

(2) the competitive procedure through which such allocations are made,

(3) the criteria for determining an allocation to a small business entity, including—

(A) whether the small business entity is located in a State that is historically underserved by angel investors and venture capital investors,

(B) whether the small business entity has received an angel investment tax credit, or its equivalent, from the State in which the small business entity is located and registered,

(C) whether small business entities in low-, medium-, and high-population density States are receiving allocations, and

(D) whether the small business entity has been awarded a Small Business Innovative Research or Small Business Technology Transfer grant from a Federal agency,

(4) the actions that such Secretary or delegate shall take to ensure that such alloca-

tions are properly made to qualified small business entities, and

(5) the actions that such Secretary or delegate shall take to ensure that angel investment tax credits are allocated and issued to the taxpayer.

(g) AUDIT AND REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall report to Congress on the number of taxpayers claiming the credit under section 30E of the Internal Revenue Code of 1986, the amount claimed by each taxpayer, and the characteristics of the taxpayers claiming such credit.

(h) COLLECTION OF DATA.—The Secretary of the Treasury shall ensure that the data needed for the report under subsection (g) is collected and retained for the use of the Comptroller General.

SEC. 23. 100 PERCENT CONTINUOUS LEVY ON PAYMENTS TO MEDICARE PROVIDERS AND SUPPLIERS.

(a) IN GENERAL.—Paragraph (3) of section 6331(h) of the Internal Revenue Code of 1986 is amended by striking the period at the end and inserting “, or to a Medicare provider or supplier under title XVIII of the Social Security Act.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to levies issued after the date of the enactment of this Act.

SEC. 24. 100 PERCENT CONTINUOUS LEVY ON PAYMENTS RELATING TO PROPERTY.

(a) IN GENERAL.—Paragraph (3) of section 6331(h) of the Internal Revenue Code of 1986, as amended by section 2, is amended by striking “goods or services” and inserting “property, goods, or services”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to levies issued after the date of the enactment of this Act.

SA 488. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . POSTAL SERVICE POLICY.

Section 101(b) of title 39, United States Code, is amended—

(1) in the first sentence, by striking “a maximum degree of”; and

(2) by striking “where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit, it being” and inserting “. It is”.

SA 489. Mr. CASEY (for himself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, insert the following:

TITLE II—TRADE ADJUSTMENT ASSISTANCE

SEC. 200. SHORT TITLE.

This title may be cited as the “Trade Extenders Act of 2011”.

Subtitle A—Extension of Trade Adjustment Assistance

SEC. 201. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 1893 of the Trade and Globalization Adjustment Assistance

Act of 2009 (Public Law 111-5; 123 Stat. 422) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) (as in effect on February 12, 2011) is amended by striking “shall not exceed—” and all that follows and inserting “shall not exceed \$575,000,000 for each of the fiscal years 2011 through 2016, and \$143,750,000 for the 3-month period beginning on October 1, 2016, and ending on December 31, 2016.”.

(2) Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) (as in effect on February 12, 2011) is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(3) Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) (as in effect on February 12, 2011) is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(4) Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) (as in effect on February 12, 2011) is amended by striking “for fiscal year 2010” and all that follows and inserting “for each of the fiscal years 2011 through 2016, and \$12,500,000 for the 3-month period beginning on October 1, 2016, and ending on December 31, 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.”.

(5) Section 275(f) of the Trade Act of 1974 (19 U.S.C. 2371d(f)) (as in effect on February 12, 2011) is amended by striking “December 15 in each of the calendar years 2009 through” and inserting “December 15, 2009.”.

(6) Section 276(c)(2) of the Trade Act of 1974 (19 U.S.C. 2371e(c)(2)) (as in effect on February 12, 2011) is amended by striking “not more than—” and all that follows and inserting “not more than \$25,000,000 for each of the fiscal years 2011 through 2016, and \$6,250,000 for the 3-month period beginning on October 1, 2016, and ending on December 31, 2016.”.

(7) Section 277(c) of the Trade Act of 1974 (19 U.S.C. 2371f(c)) (as in effect on February 12, 2011) is amended—

(A) in paragraph (1), by striking “this subchapter—” and all that follows and inserting “this subchapter \$150,000,000 for each of the fiscal years 2011 through 2016, and \$37,500,000 for the 3-month period beginning on October 1, 2016, and ending on December 31, 2016.”; and

(B) by striking paragraph (2) and inserting the following:

“(2) AVAILABILITY.—Amounts appropriated pursuant to this subchapter shall remain available until expended.”.

(8) Section 278(e) of the Trade Act of 1974 (19 U.S.C. 2372(e)) (as in effect on February 12, 2011) is amended by striking “December 15 in each of the calendar years 2009 through” and inserting “December 15, 2009.”.

(9) Section 279A(h)(2) of the Trade Act of 1974 (19 U.S.C. 2373(h)(2)) (as in effect on February 12, 2011) is amended by striking “December 15 in each of the calendar years 2009 through” and inserting “December 15, 2009.”.

(10) Section 279B(a)(1) of the Trade Act of 1974 (19 U.S.C. 2373a(a)(1)) (as in effect on February 12, 2011) is amended by striking “section 279A—” and all that follows and inserting “section 279A \$40,000,000 for each of the fiscal years 2011 through 2016, and \$10,000,000 for the 3-month period beginning on October 1, 2016, and ending on December 31, 2016.”.

(11) Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) (as in effect on February 12, 2011) is amended to read as follows:

“SEC. 285. TERMINATION.

“(a) ASSISTANCE FOR WORKERS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), trade adjustment assistance,

vouchers, allowances, and other payments or benefits may not be provided under chapter 2 after December 31, 2016.

“(2) EXCEPTION.—Notwithstanding paragraph (1), a worker shall continue to receive trade adjustment assistance benefits and other benefits under chapter 2 for any week for which the worker meets the eligibility requirements of that chapter if the worker is—

“(A) certified as eligible for trade adjustment assistance benefits under chapter 2 pursuant to a petition filed under section 221 on or before December 31, 2016; and

“(B) otherwise eligible to receive trade adjustment assistance benefits under chapter 2.

“(b) OTHER ASSISTANCE.—

“(1) ASSISTANCE FOR FIRMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), technical assistance and grants may not be provided under chapter 3 after December 31, 2016.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any technical assistance or grant approved under chapter 3 pursuant to a petition filed under section 251 on or before December 31, 2016, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the technical assistance or grant is otherwise eligible to receive such technical assistance or grant, as the case may be.

“(2) FARMERS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), technical assistance and financial assistance may not be provided under chapter 6 after December 31, 2016.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any technical or financial assistance approved under chapter 6 pursuant to a petition filed under section 292 on or before December 31, 2016, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the technical or financial assistance is otherwise eligible to receive such technical or financial assistance, as the case may be.

“(3) ASSISTANCE FOR COMMUNITIES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), technical assistance and grants may not be provided under chapter 4 after December 31, 2016.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any technical assistance or grant approved under chapter 4 pursuant to a petition filed under section 273, or a grant proposal submitted under section 278 or 279A, on or before December 31, 2016, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the technical assistance or grant is otherwise eligible to receive such technical assistance or grant, as the case may be.”.

(12) Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) (as in effect on February 12, 2011) is amended by striking “\$10,400,000 for the 6-week period beginning January 1, 2011, and ending February 12, 2011,” and inserting “\$90,000,000 for each of the fiscal years 2011 through 2016, and \$22,500,000 for the 3-month period beginning on October 1, 2016, and ending on December 31, 2016”.

SEC. 202. EFFECTIVE DATE.

The amendments made by section 201—

(1) shall take effect on the date of the enactment of this Act; and

(2) shall apply to—

(A) petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment; and

(B) petitions for assistance and proposals for grants filed under chapter 4 of title II of the Trade Act of 1974 on or after such date of enactment.

Subtitle B—Health Coverage Improvement

SEC. 211. IMPROVEMENT OF THE AFFORDABILITY OF THE CREDIT.

(a) IN GENERAL.—Section 35(a) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(b) CONFORMING AMENDMENT.—Section 7527(b) of such Code is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to coverage months beginning after February 12, 2011.

SEC. 212. PAYMENT FOR THE MONTHLY PREMIUMS PAID PRIOR TO COMMENCEMENT OF THE ADVANCE PAYMENTS OF CREDIT.

(a) IN GENERAL.—Section 7527(e) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coverage months beginning after February 12, 2011.

SEC. 213. TAA RECIPIENTS NOT ENROLLED IN TRAINING PROGRAMS ELIGIBLE FOR CREDIT.

(a) IN GENERAL.—Section 35(c)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coverage months beginning after February 12, 2011.

SEC. 214. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) IRC AMENDMENT.—Section 9801(c)(2)(D) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(b) ERISA AMENDMENT.—Section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)(C)) is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(c) PHSA AMENDMENT.—Section 2701(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning before January 1, 2014 (42 U.S.C. 300gg note)) is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after February 12, 2011.

SEC. 215. CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.

(a) IN GENERAL.—Section 35(g)(9) of the Internal Revenue Code of 1986, as added by section 1899E(a) of the American Recovery and Reinvestment Tax Act of 2009 (relating to continued qualification of family members after certain events), is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(b) CONFORMING AMENDMENT.—Section 173(f)(8) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(8)) is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after February 12, 2011.

SEC. 216. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.

(a) ERISA AMENDMENTS.—

(1) PBGC RECIPIENTS.—Section 602(2)(A)(v) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)(A)(v)) is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(2) TAA-ELIGIBLE INDIVIDUALS.—Section 602(2)(A)(vi) of such Act (29 U.S.C. 1162(2)(A)(vi)) is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(b) IRC AMENDMENTS.—

(1) PBGC RECIPIENTS.—Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986 is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(2) TAA-ELIGIBLE INDIVIDUALS.—Section 4980B(f)(2)(B)(i)(VI) of such Code is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(c) PHSA AMENDMENTS.—Section 2202(2)(A)(iv) of the Public Health Service Act (42 U.S.C. 300bb-2(2)(A)(iv)) is amended by striking “February 12, 2011” and inserting “December 31, 2016”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after February 13, 2011.

SEC. 217. ADDITION OF COVERAGE THROUGH VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATIONS.

(a) IN GENERAL.—Section 35(e)(1)(K) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2012” and inserting “January 1, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coverage months beginning after February 12, 2011.

SEC. 218. NOTICE REQUIREMENTS.

(a) IN GENERAL.—Section 7527(d)(2) of the Internal Revenue Code of 1986 is amended by striking “February 13, 2011” and inserting “January 1, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to certificates issued after February 12, 2011.

SA 490. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, insert the following:

SEC. 22. REPORTS TO CONGRESS.

(a) FUNDING LIMITATION.—No Federal funds may be obligated by the Secretary of Transportation or any other Federal officer for any study, project, or other effort to carry out the High-Speed Intercity Passenger Rail Program until at least 6 months after the Congress receives the reports required under subsections (b) and (c).

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

(1) cost projections for carrying out President Obama’s goal of building a high-speed rail system that gives 80 percent of Americans access to high-speed rail by 2036;

(2) the amount of government subsidies that would be needed to operate and maintain each high-speed rail line receiving funding in the first 10 years of operation;

(3) a review of the cost-benefit analysis methods used to evaluate grant requests for high-speed rail projects, including the im-

pact of such analyses on the grant award process;

(4) a review of the accuracy and methodology of the cost estimates of the California High-Speed Rail Authority and the California Legislative Analyst’s Office;

(5) a review of the accuracy and methodology of ridership estimates for each grant recipient;

(6) an analysis of the reasons for cost increases of 15 percent or greater since the time the application was received for any grant-recipient project;

(7) the principle reasons behind the decisions by the States of Florida, Wisconsin, and Ohio to return Federal funding for high-speed rail projects in those States; and

(8) a review of—

(A) all high-speed rail projects costing more than \$1,000,000,000 that have been constructed, or proposed for construction, in countries within the Organisation for Economic Co-operation and Development; and

(B) available data concerning government subsidies for the projects referred to in subparagraph (A), including cost overruns and profitability.

(c) INSPECTOR GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall submit a report to Congress regarding Federal grants awarded for high-speed rail projects that includes—

(1) a description of the process by which the Department of Transportation incorporated the volatility of the development, planning, and construction cost estimates into its decision making process when awarding grants and choosing routes and segments;

(2) a description of how the Department of Transportation valued the expected level or potential need for government subsidies to operate and maintain high-speed rail lines receiving funding in the first 10 years of operation;

(3) a review of the cost benefit analysis used by the Department of Transportation when deciding to award the grants and how that analysis influenced the award of Federal funds; and

(4) a review of the impact of the Department of Transportation’s decision making process and cost benefit analyses on the high-speed rail grant awards.

SA 491. Mr. MENENDEZ (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 141, recognizing the efforts and accomplishments of the GOD’S CHILD project and congratulating the GOD’S CHILD Project on its 20th anniversary; as follows:

On page 3, beginning on line 11, strike “volunteers,” and all that follows through line 13 and insert “volunteers and staff of the GOD’S CHILD project.”

SA 492. Mr. MENENDEZ (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 141, recognizing the efforts and accomplishments of the GOD’S CHILD Project and congratulating the GOD’S CHILD Project on its 20th anniversary; as follows:

In the preamble, on page 2, in the first clause, strike “, the hometown of Patrick Atkinson”.

In the preamble, on page 3, in the clause immediately preceding the resolved clause, strike “and Patrick Atkinson have received

numerous accolades recognizing their service” and insert “has received numerous accolades recognizing its service”.

SA 493. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

Strike section 2(w).

NOTICES OF HEARINGS

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on the Library will meet on Wednesday, June 22, 2011, at 11:30 a.m., in SC-6 to conduct its organization meeting for the 112th Congress.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee on (202) 224-6352.

JOINT COMMITTEE ON CONGRESS ON PRINTING

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on Printing will meet on Wednesday, June 22, 2011, at 11:30 a.m., in SC-6 to conduct its organization meeting for the 112th Congress.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee on (202) 224-6352.

UNANIMOUS CONSENT AGREEMENT—S. 782

Mr. MENENDEZ. Mr. President, I ask unanimous consent that on Tuesday, June 21, when the Senate resumes consideration of S. 782, the Economic Development Revitalization Act, there be up to 10 minutes of debate equally divided between the two leaders or their designees prior to the vote on the motion to invoke cloture on S. 782.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING AND CONGRATULATING THE GOD’S CHILD PROJECT

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 141 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 141) recognizing the efforts and accomplishments of the GOD’S CHILD Project and congratulating the GOD’S CHILD Project on its 20th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the preamble be considered, the Conrad amendment to the preamble, which is at the desk, be agreed to, the preamble, as amended, be agreed to; the resolution be considered, the Conrad amendment, which is at the desk, be agreed to, and the resolution, as amended, be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 492) was agreed to, as follows:

(Purpose: To improve the preamble)

In the preamble, on page 2, in the first clause, strike “, the hometown of Patrick Atkinson”.

In the preamble, on page 3, in the clause immediately preceding the resolved clause, strike “and Patrick Atkinson have received numerous accolades recognizing their service” and insert “has received numerous accolades recognizing its service”.

The preamble, as amended, was agreed to.

The amendment (No. 491) was agreed to, as follows:

(Purpose: To improve the resolved clause)

On page 3, beginning on line 11, strike “volunteers,” and all that follows through line 13 and insert “volunteers and staff of the GOD’S CHILD project.”.

The resolution (S. Res. 141), as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 141

Whereas international educator, human rights leader, and native of the State of North Dakota Patrick Atkinson, deeply concerned about the plight of poor and exploited children around the globe, established the nonprofit GOD’S CHILD Project in 1991 with the mission of breaking the bitter chains of poverty through education and information;

Whereas the GOD’S CHILD Project has a global presence, serving the most vulnerable women and children on 3 continents, with operations in El Salvador, Guatemala, India, Malawi, and the United States;

Whereas the international GOD’S CHILD Project, true to its roots, maintains its global headquarters in Bismarck, North Dakota;

Whereas more than 5,000 orphaned, abandoned, and impoverished children and nearly 8,700 widowed, abandoned, and single mothers and their dependents receive care from, and are educated by, the GOD’S CHILD Project;

Whereas since the GOD’S CHILD Project was founded, more than 18,000 parentless children and thousands more women have been given hope by the GOD’S CHILD Project;

Whereas the GOD’S CHILD Project, taking a comprehensive view of helping the destitute and exploited break free from poverty and oppression, operates schools, a family clinic, social work department, psychology clinic, domestic violence program, legal aid department, and a center for malnourished children;

Whereas in response to the transnational problem of human trafficking, the GOD’S CHILD Project established the Institute for

Trafficked, Exploited, and Missing Persons in 2001 to address the issues of human trafficking and exploitation, which are particularly severe in Central America;

Whereas the GOD’S CHILD Project is often 1 of the first organizations to respond to devastating natural disasters, including Tropical Storm Agatha, which ravaged Central America in 2010, taking nearly 180 lives and destroying the homes of thousands;

Whereas each year, approximately 2,500 volunteers and 45 homebuilding groups from around the world join with the GOD’S CHILD Project staff to compassionately serve their brothers and sisters in need; and

Whereas the GOD’S CHILD Project has received numerous accolades recognizing its service to the poor from United States and foreign organizations, including the Guatemalan Congressional Medal of Honor, Guatemala’s Goodwill Ambassador For Peace, and the 2010 Humanitarian Award from the Bismarck City Human Rights Commission: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the GOD’S CHILD Project on its 20th anniversary;

(2) commends the GOD’S CHILD Project for its charitable service to the poor and its efforts to help thousands break the bonds of poverty and exploitation; and

(3) recognizes those individuals who have served impoverished children and women throughout the world under the auspices of the GOD’S CHILD Project, including the volunteers and staff of the GOD’S CHILD Project.

JUNETEENTH INDEPENDENCE DAY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 211 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 211) observing the historical significance of Juneteenth Independence Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 211) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 211

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Lincoln’s Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers led by Major General Gordon Granger ar-

rived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African-Americans who had been slaves in the Southwest celebrated June 19th, commonly known as “Juneteenth Independence Day”, as the anniversary of their emancipation;

Whereas African-Americans from the Southwest continue the tradition of celebrating Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas, for more than 145 years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas the faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of the Senate that—

(A) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

(B) history should be regarded as a means for understanding the past and solving the challenges of the future.

ORDERS FOR TUESDAY, JUNE 21, 2011

Mr. MENENDEZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Tuesday, June 21; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m. with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business the Senate proceed to executive session under the previous order; further, that the filing deadline for second-degree amendments to S. 782, the Economic Development Revitalization Act, be 11 a.m. on Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MENENDEZ. Mr. President, the first rollcall vote of the week will begin at approximately noon tomorrow

on confirmation of the Simon nomination. Senators should expect up to three additional rollcall votes at 4:15 p.m. on confirmation of the Panetta nomination, cloture on the Economic Development Revitalization Act, and cloture on the motion to proceed to the

Presidential Appointment Efficiency and Streamlining Act.

RECESS UNTIL 10 A.M. TOMORROW

Mr. MENENDEZ. Mr. President, if there is no further business to come be-

fore the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 5:04 p.m., recessed until Tuesday, June 21, 2011, at 10 a.m.

EXTENSIONS OF REMARKS

DENNIS PUFFER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Dennis Puffer, a beer connoisseur who has served in the beer industry for 36 years, and a man who has spent his entire life striving for quality.

Before Mr. Puffer began his remarkable career, he graduated from Iowa State University where he was active in the university's ROTC program. After college, he went on to serve in the United States Air Force, earning the rank of Captain and working in the supply division.

In 1975, Mr. Puffer began working for Miller Brewing Company. He served at several Miller breweries around the U.S. before he served as Plant manager for Miller's Irwindale and Trenton breweries. During his time as Plant manager, Mr. Puffer established a working environment that placed safety and the workers first, which made Trenton Miller's highest production facility.

Mr. Puffer relocated to Coors' Golden, Colorado brewery in 1997 where he served as Plant Manager. Only four short years after Mr. Puffer moved to the Coors facility, he became the Group Vice President of Brewery Operations, which allowed him to focus on customer service, cost reduction and overall effectiveness. His efforts as Group Vice President led him to become the Chief Brewery Operations Officer of Molson Coors Brewing Company in 2005. Currently, Mr. Puffer serves as the Executive Vice President and Chief integrated Supply Chain Officer for Miller Coors, a position he has held since 2008.

Mr. Speaker, it is an honor to recognize Dennis Puffer, for his commitment to the people who work for him and the company he works for is an encouragement.

IN RECOGNITION OF WORLD REFUGEE DAY

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. McDERMOTT. Mr. Speaker, today, I rise to pay tribute to the 47 million people worldwide who are displaced from their homes due to conflict or persecution. June 20, 2011 is World Refugee Day. This is a day to not only observe the courage and strength of the world's displaced population, but to honor their perseverance and lasting contributions to our communities.

These are people who are optimistic that one day they will return to their homes—free from violence, political conflict, or war. How-

ever, due to ongoing instability in their home countries, the number of refugees who have been able to safely return to their homes has declined in recent years. We have the responsibility to support these men, women and children in their search for a safe and stable place to call home.

World Refugee Day is also a time to recognize those who work to assist refugees across the globe. I am fortunate enough to have in my Congressional District of Seattle, Washington several dedicated organizations who have shown tremendous commitment to assisting the hundreds of newly arrived refugees in Washington State. Organizations such as the Refugee Women's Alliance, Lutheran Community Services Northwest, International Rescue Committee, Refugee Federation Service Center, and Southwest Youth and Family Services, just to name a few, have worked tirelessly to provide consistent advocacy and to improve the lives of many in Washington's Seventh District.

Mr. Speaker, as the theme for this year's observance, "Home" is ultimately what fuels refugees' drive and optimism to search for a safe living environment. This is a time for Americans to reflect on a population whose quiet courage and resilience are an inspiration to us all. We all carry the responsibility to aid those whose spirits are so resilient and who hope for a brighter future, whether they are Burmese refugees escaping ethnic conflict or Iraqi refugees fleeing from violence. Let us recognize World Refugee Day and honor the millions of refugees worldwide.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. LARSON of Connecticut. Mr. Speaker, on June 16, 2011, I was not present for rollcall votes 437 through 459 due to an unavoidable family matter. If I had been present for these votes, I would have voted: "aye" on rollcall vote 437; "nay" on rollcall vote 438; "aye" on rollcall vote 439; "aye" on rollcall vote 440; "aye" on rollcall vote 441; "aye" on rollcall vote 442; "nay" on rollcall vote 443; "nay" on rollcall vote 444; "nay" on rollcall vote 445; "nay" on rollcall vote 446; "aye" on rollcall vote 447; "nay" on rollcall vote 448; "aye" on rollcall vote 449; "aye" on rollcall vote 450; "aye" on rollcall vote 451; "nay" on rollcall vote 452; "nay" on rollcall vote 453; "aye" on rollcall vote 454; "aye" on rollcall vote 455; "aye" on rollcall vote 456; "nay" on rollcall vote 457; "aye" on rollcall vote 458; and "nay" on rollcall vote 459.

PERSONAL EXPLANATION

HON. RICK BERG

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. BERG. Mr. Speaker, I was unavoidably detained on Tuesday, June 14th at 2:33 p.m., and missed rollcall vote No. 419. Had I been present, I would have voted in favor of H. Res. 300.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained during two rollcall votes on June 16, 2011 and was unable to cast my vote. Had I been present, I would have voted "no" on rollcall vote No. 445, and "aye" on rollcall vote No. 447.

WELCOMING MR. ARUN JAITLEY, MEMBER OF PARLIAMENT AND LEADER OF OPPOSITION, RAJYA SABHA

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to welcome Mr. Arun Jaitley, Leader of Opposition in the Rajya Sabha. A prominent Member of Parliament, Mr. Arun Jaitley represents the Bharatiya Janata Party, BJP, the largest Opposition party in India.

Mr. Jaitley has been a member of the BJP National Executive since 1991 and held the posts of its General Secretary and Spokesperson.

During his political career, Mr. Jaitley has previously served as the Minister of State for Information and Broadcasting; Disinvestment; Law, Justice & Company Affairs; and Shipping, Commerce and Industry.

He is a Senior Advocate of the Supreme Court of India and was appointed Additional Solicitor General in 1989.

As a Minister, he pioneered the disinvestment program in India and helped usher in new telecom policy. The Fast Track Courts together with the reforms in the Civil Procedure Code and the Criminal Procedure Code are the highlights of his tenure as Law Minister.

He also piloted comprehensive Company Law reforms and the law on Competition to bring the corporate legal framework in tune with liberalization and globalization.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Jaitley also steered the Indian Negotiations at the WTO during the challenging days in the run-up to the crucial ministerial meetings at Cancun in 2003. Under his leadership, a significant breakthrough was achieved by the Indian negotiators by forging the new alliance of G-20 which brought the developing world to the center stage.

I look forward to working with Mr. Jaitley as he continues to create employment and opportunity—not only in India—but in the United States.

I also thank Mr. Sanjay Puri, CEO of the Alliance for U.S.-India Business, for uniting India's key leaders and U.S. lawmakers. I especially applaud him for highlighting Mr. Jaitley's work.

**HONORING ALFRED E. ZAMPELLA
FOR HIS LIFELONG DEDICATION
TO JERSEY CITY**

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to recognize my good friend and constituent, Alfred E. Zampella, for his unwavering commitment to education and activism in Jersey City, New Jersey.

Al Zampella was born in Jersey City on February 8, 1923 and has lived there ever since. As the youngest of five boys in an iconic Jersey City family, Al and the Zampella brothers each grew to make significant contributions to their community in their respective fields. Al's lifelong service to his community and his country began during World War II; Al served as a Lieutenant and saw sea combat in the Asian Pacific Theater of Operations. The State of New Jersey recognized Al for his heroism and bravery by awarding him the Distinguished Service Medal. He earned his bachelor's degree from Seton Hall University in South Orange, New Jersey, and a master's in Education Administration and Supervision from New York University—right across the Hudson River from his hometown of Jersey City.

Al went on to serve as principal of Jersey City Public School No. 27, shaping the lives of students and teachers as he worked to keep kids in school and engaged in their own education. He was a great support to his fellow educators, motivating them and working together to make P.S. 27 a solid foundation for the future success of its students. After many years of devoted service, Al retired in 1990. Only several years later—on November 7, 1996—P.S. 27 honored its beloved former principal by unveiling its new name: Alfred E. Zampella Public School No. 27. The school continues to be a highly regarded educational institution, having received many prestigious honors and awards in recognition of its success. This year's graduating eighth grade class held a ceremony to present Al with a gift: the unveiling of a beautiful new sign for the Alfred E. Zampella Public School, recognizing his dedicated community involvement.

Although he retired from P.S. 27 over 20 years ago, Al remains an active contributor to

his community, serving as a member on many boards and organizations in North Jersey. In 2009, Al received the Jersey City Heights Legend Award, recognizing his tireless community involvement, which continues today. As my Hudson County Community Outreach Director for the past 12 years, Al serves the people of Jersey City diligently and with enthusiasm. I am very fortunate to have such an experienced and well-regarded individual on my staff; Al is a great role model for young people with a passion for serving others. And, despite his remarkable career in public service and the numerous accolades he has received for it, Al's proudest accomplishment is his beautiful family. Together with his wife Jaclyn, the Zampellas have three talented and successful sons: Edward, Walter, and Gary. They have been blessed with six grandchildren: Bailey, Evan, Lauren, Matthew, Francesca, and Juliana, each of whom is an endless source of joy for their proud grandparents.

Mr. Speaker, today I have the privilege of recognizing my good friend Alfred Zampella for his exceptional devotion to Jersey City, Hudson County, and Northern New Jersey at large. Al has shaped Jersey City indelibly, working for decades to improve his community and making a memorable impression on everyone he meets. My most sincere appreciation and very best wishes go to Al Zampella and his loving family, and I thank him for a lifetime of serving his community.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 20, 2011

Ms. ESHOO. Mr. Speaker, I was not present during the rollcall vote Nos. 420–459, on June 15–16, 2011. Had I been present, I would have voted: on rollcall vote No. 420 I would have voted “yes”; on rollcall vote No. 421 I would have voted “no”; on rollcall vote No. 422 I would have voted “yes”; on rollcall vote No. 423 I would have voted “yes”; on rollcall vote No. 424 I would have voted “no”; on rollcall vote No. 425 I would have voted “yes”; on rollcall vote No. 426 I would have voted “yes”; on rollcall vote No. 427 I would have voted “yes”; on rollcall vote No. 428 I would have voted “yes”; on rollcall vote No. 429 I would have voted “no”; on rollcall vote No. 430 I would have voted “no”; on rollcall vote No. 431 I would have voted “no”; on rollcall vote No. 432 I would have voted “yes”; on rollcall vote No. 433 I would have voted “no”; on rollcall vote No. 434 I would have voted “no”; on rollcall vote No. 435 I would have voted “no”; on rollcall vote No. 436 I would have voted “no”; on rollcall vote No. 437 I would have voted “no”; on rollcall vote No. 438 I would have voted “no”; on rollcall vote No. 439 I would have voted “yes”; on rollcall vote No. 440 I would have voted “yes”; on rollcall vote No. 441 I would have voted “yes”; on rollcall vote No. 442 I would have voted “yes”; on rollcall vote No. 443 I would have voted “yes”; on rollcall vote No. 444 I would have voted “no”; on rollcall vote No. 445 I would have voted “no”; on rollcall vote No.

446 I would have voted “no”; on rollcall vote No. 447 I would have voted “yes”; on rollcall vote No. 448 I would have voted “no”; on rollcall vote No. 449 I would have voted “yes”; on rollcall vote No. 450 I would have voted “yes”; on rollcall vote No. 451 I would have voted “yes”; on rollcall vote No. 452 I would have voted “yes”; on rollcall vote No. 453 I would have voted “no”; on rollcall vote No. 454 I would have voted “no”; on rollcall vote No. 455 I would have voted “yes”; on rollcall vote No. 456 I would have voted “no”; on rollcall vote No. 457 I would have voted “yes”; on rollcall vote No. 458 I would have voted “yes”; and on rollcall vote No. 459 I would have voted “no.”

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 21, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 22

10 a.m.

Finance

To hold hearings to examine preventing overpayments and eliminating fraud in the unemployment insurance system.

SD-215

Homeland Security and Governmental Affairs

To hold hearings to examine the next steps for securing rail and transit.

SD-342

Judiciary

To hold an oversight hearing to examine intellectual property law enforcement efforts.

SD-226

10:15 a.m.

Joint Economic Committee

To hold hearings to examine manufacturing in the United States, focusing on why we need a national manufacturing strategy.

SH-216

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine outside witness statements.

SD-192

11:30 a.m.

Library

Organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress.

SC-6, Capitol

Printing

Organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress.

SC-6, Capitol

1:30 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine transforming lives through diabetes research.

SD-G50

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine addressing ethnic tension in Kyrgyzstan, focusing on the report of the International Commission of Inquiry into the events in Southern Kyrgyzstan in June 2010.

2118, Rayburn Building

2:30 p.m.

Judiciary

To hold hearings to examine the nominations of Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, and Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida.

SD-226

JUNE 23

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine farm bill accountability, focusing on the importance of measuring performance, while eliminating duplication and waste.

SD-G50

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine reauthorization of the National Flood Insurance Program, part II.

SD-538

Finance

To hold hearings to examine health care entitlements, focusing on the road forward.

SD-215

Foreign Relations

Business meeting to consider the nominations of William J. Burns, of Maryland, to be Deputy Secretary, Gary Locke, of Washington, to be Ambassador to the People's Republic of China, and Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Afghanistan, all of the Department of State; to be immediately followed by a hearing to examine evaluating goals and progress in Afghanistan and Pakistan.

SD-106

Health, Education, Labor, and Pensions

To hold hearings to examine middle class families.

SD-430

Homeland Security and Governmental Affairs

To hold hearings to examine Federal regulation, focusing on a review of legislative proposals.

SD-342

Judiciary

Business meeting to consider S. 1145, to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, an original bill entitled, "Second Chance Reauthorization Act of 2011", and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Jane Margaret Triche-Milazzo, to be United States District Judge for the Eastern District of Louisiana, Alison J. Nathan, and Katherine B. Forrest, both to be a United States District Judge for the Southern District of New York, Susan Owens Hickey, to be United States District Judge for the Western District of Arkansas, Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, Executive Office of the President, and Alfred Cooper Lomax, to be United States Marshal for the Western District of Missouri, and David L. McNulty, to be United States Marshal for the Northern District of New York, both of the Department of Justice.

SD-226

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine U.S. Coast Guard budget and oversight.

SR-253

2:15 p.m.

Indian Affairs

Business meeting to consider the nominations of Cynthia Chavez Lamar, of New Mexico, and Barbara Jeanne Ells, of Colorado, both to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development; to be immediately followed by an oversight hearing to examine the "Indian Reorganization Act" 75 years later, focusing on restoring tribal homelands and promote self-determination.

SD-628

Foreign Relations

Western Hemisphere, Peace Corps and Global Narcotics Affairs Subcommittee
International Development and Foreign Assistance, Economic Affairs and International Environmental Protection Subcommittee

To hold joint hearings to examine rebuilding Haiti in the Martelly era.

SD-419

2:30 p.m.

Energy and Natural Resources
Water and Power Subcommittee

To hold hearings to examine S. 500, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, S. 715, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects, S. 802, to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, S. 997, to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District, S. 1033, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and S. 1047, to amend the Reclamation Projects Authorization and Adjustment of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, an original bill entitled, "Bureau of Reclamation Fish Recovery Programs Reauthorization Act of 2011", and an original bill entitled, "Fort Sumner Project Title Conveyance Act".

SD-366

Intelligence

To hold hearings to examine the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.

SH-216

JUNE 29

2:30 p.m.

Veterans' Affairs

Business meeting to consider pending calendar business.

SR-418

JUNE 30

10 a.m.

Foreign Relations

Western Hemisphere, Peace Corps and Global Narcotics Affairs Subcommittee
To hold hearings to examine the state of democracy in the Americas.

SD-419

SENATE—Tuesday, June 21, 2011*(Legislative day of Thursday, June 16, 2011)*

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

You come to us, O Lord. Into our poverty comes Your wealth. Into our emptiness comes Your fullness. Into our fears comes Your peace. Into our ugliness comes Your beauty. Empower our Senators to prepare themselves for Your coming. Remove any barrier that will keep them from experiencing Your presence. Lord, give them more than human wisdom so that justice, truth, and peace will prevail.

Come to us, O Lord, and make us instruments of Your peace. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MICHAEL F. BENNET led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 21, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BENNET thereupon assumed the chair as Acting President pro tempore.

Mr. REID. Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business until 11 a.m., with the Republicans controlling the first half and the majority controlling the final half. I would ask at this time that the morning business hour be a full hour, not stop at 11.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. The filing deadline for second-degree amendments to S. 782, the Economic Development Revitalization Act, is at 11 a.m. this morning.

Following morning business, the Senate will be in executive session to consider the nomination of Michael Simon to be United States District Judge in Oregon. Then, at noon, there will be a vote on confirmation of the Simon nomination.

Following the vote, the Senate will recess until 2:15 p.m. today for the weekly caucus meetings.

At 2:15, the Senate will consider the nomination of Leon Panetta to be Secretary of Defense, with 2 hours of debate. At about 4:15 this afternoon, Senators should expect up to three rollcall votes: the first on confirmation of the Panetta nomination; the second will be a cloture vote on the EDA bill; and, if cloture is not invoked, there will be a third vote on cloture on the motion to proceed to the Presidential Appointment and Streamlining Act.

I might note that this, or some version of this, we have talked about for a long time. When Senator MCCONNELL and I were both whips, we talked about this legislation and spent a lot of time on it.

EDA

Mr. REID. Mr. President, this afternoon we will have a cloture vote on reauthorization of the Economic Development Administration, a law we have depended on for more than 50 years.

This is the fourth jobs bill Democrats have brought to the floor this year. I do hope Republicans will not allow it to be the fourth jobs bill to wither on the vine thanks to their obstructionist tactics. This is a good piece of legisla-

tion with decades of helping American businesses in economically distressed communities to innovate, grow, and to hire.

In the last 5 years alone, the Economic Development Administration has created 314,000 jobs and successfully turned every \$1 in Federal investment into \$7 in private sector investment. It is good legislation that will create good jobs for Americans who need these jobs. Unfortunately, that is not enough to win bipartisan support among Republicans here in the District of Columbia who are more interested in destroying Medicare than creating jobs.

The Small Business innovation research bill is a good piece of legislation too. That also died in the Senate last month under a pile of unrelated amendments. The bills the Senate passed this year reauthorizing the Federal Aviation Administration and reforming America's patent system were good legislation also. They would have created or saved about 480,000 jobs. It made it out of the Senate alive but now languishes in the Republican-controlled House. Will the Economic Development Authority suffer the same fate? I hope not.

Here, 24 hours ago, I presented to the American people in the Senate a myriad of amendments that have been filed in regard to this legislation. A lot have been offered but more filed. I read about 40 of them dealing with different types of endangered species, the lesser sand dune reptile, I don't remember what it was, but all kinds of nonrelated amendments. Global warming. Post office reform. As I said, almost 100 amendments, and I read 35 or 40 of them here yesterday, having nothing to do with this legislation. Nothing.

I hope we don't have another bill that is blocked, the fourth this year. If they do that, it would be clear they are more interested in this rightwing ideology than creating much-needed employment. Of the 90-plus amendments, I repeat, only one of which my staff was able to find had any germaneness to the bill, and that is one the chairman of the committee, Senator BOXER, would agree to anyway because it was offered by Senator INHOFE.

This is an important piece of legislation. This legislation will put hundreds of thousands of people to work. So today's vote is again about priorities. Americans have been very clear, job creation is their No. 1 priority, their No. 2 priority, and their No. 3 priority. Democrats share that priority. Republicans obviously don't.

We will never stop bringing jobs bills to the floor, and we will never stop fighting the other side's obstructionism to try to get them passed. Again, Republicans have a different priority, it appears, and that is ending Medicare. And that is too bad. They have worked hard to block three bills that could have created and saved hundreds of thousands of jobs during tough economic times, but they pushed even harder for their ideological plan to kill Medicare as we know it.

The Republican plan would put insurance company bureaucrats between seniors and their doctors. Every senior would pay \$6,400 more for health care in the first year alone. It would force more than 7 million seniors to pay more for cancer screenings, wellness checks, and treatments beginning next year.

Americans have been clear about this too, very clear. They have resoundingly rejected this ideological plan to hurt seniors. Republicans think it is a bad idea. Democrats think it is a bad idea. And, of course, the Independents think it is a bad idea. All polls show this.

Unfortunately, I haven't heard a shred of evidence that my Republican friends here in Congress are getting the message on Medicare that the American people have gotten. Today they will have a chance to show the American people once again whether they have heard the message on jobs. I hope they have, because so much is at stake. And America is watching.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

KENTUCKY COAL MINERS

Mr. McCONNELL. Mr. President, yesterday I came to the floor to report that there were several miners in my State trapped in a mine as a result of floods. I want to start today with an update on that situation.

I am happy to report that all three were rescued after spending 14 hours trapped in a Bell County coal mine. They were all reunited with their families last night, which is great news. Their families were waiting for them at the West Cumberland Baptist Church, and we are certainly glad this particular story had a happy ending.

DEBT REDUCTION

Mr. McCONNELL. This morning, I wish to say a word about the upcoming vote on the debt ceiling and the bipartisan negotiation surrounding it, to reiterate why we are having these talks and what they ought to achieve. But first, a little context.

Right now, ratings agencies are threatening to downgrade U.S. debt, putting us on red alert that the kind of economic crisis we are seeing in parts of Europe could very quickly happen right here.

We know that failing to do something significant about our fiscal problems would be a serious drag on jobs and our economy. That is why, over the past several weeks, I have come to the floor of the Senate and spoken at press conferences, with a now familiar refrain: The time to act on significant reforms is right now. And I have been crystal clear about what qualifies as significant.

Above all, it means doing something to strengthen and preserve our long-term entitlement programs, so we can actually keep our promises to those who have been paying into these programs for years, and so these programs don't end up consuming every single dollar we take in. Entitlements are the biggest drivers of our debt. By definition, they have to be a part of any plan to lower the debt.

This is hardly a controversial view. Everyone from the President on down has said that entitlements must be reformed if we have any chance at all of reining in our debt and strengthening our long-term fiscal health.

In fact, 3 months ago, 31 Senate Democrats signed a letter to the President urging him to put together a plan to reduce the deficit, a plan they said they hoped would include entitlement changes, 31 members of the Democratic conference right here on the other side of the aisle, including the occupant of the chair.

As the occupant of the chair put it recently, "I think it's absolutely clear that we have to redesign our entitlement programs."

Here is how Senator DURBIN put it a few weeks ago: "We have serious economic problems ahead of us if we don't have some reform in both Medicare and Social Security."

This was from former President Bill Clinton after the recent congressional election in New York: "I don't think that the Democrats or the Republicans should conclude from the New York race that no changes can be made in Medicare," he said, "[or] that no changes can be made in Social Security . . . that no changes can be made that will deal with this long-term debt problem."

Here is President Obama's lead negotiator on the debt talks, Vice President BIDEN, from last January: "Everybody talks about we have to do something about Social Security and Medicare, and we do."

Here are the two chairs of the President's debt commission, Erskine Bowles and Alan Simpson, in a recent op-ed in "Politico": "A credible plan must address the growth of entitlement spending . . ."

Here is the President himself, about a month after he took office: "To preserve our long-term fiscal health we must . . . address the growing costs in Medicare and Social Security."

And, as for me, I have been clear on this same point in public and in private from the moment I stepped out of a meeting with the President and other Members of Congress at the White House on May 12.

So it is not exactly a groundbreaking observation that if these discussions are to mean anything they have to involve entitlement reform since no one believes we actually get at our fiscal problems without it. This is what serious people expect and are hoping for out of these talks.

The moment requires, as I have said for weeks, three things: Real cuts in spending over the short term; that is, over the next 2 years—not more spending increases or "freezes"; real cuts over the medium-term; that is, over the next 10 years with enforceable caps on spending; and meaningful reforms to entitlements, which are the major drivers of our debt. That is the definition of a significant package.

Some Democrats are insisting that they will only agree to cuts if Republicans agree to raise revenue. That is Washington speak for tax hikes and it is absurd.

First of all, is there anyone outside of Washington, DC, who really thinks that with 14 million people looking for work in this country, the solution is to raise taxes? The last thing you want to do in the middle of a jobs crisis is raise taxes. Does anyone seriously think that is a good idea? Even the President has said as much. It is just common sense. Remember, the President signed the extension of current tax rates back in December with a similar argument.

But even if we weren't in the middle of a jobs crisis, it would be foolish—and completely dishonest. We are in the middle of a debt crisis right now because we spend too much. The solution is to spend less.

How do we know this?

For 30 years beginning in 1971, Federal spending as a percentage of the economy has averaged around 20.8 percent. But after 2 years of out-of-control spending by the President and his Democrat allies in Congress, government spending is now projected to rise a full 4 percentage points above the historical norm.

That may not sound like a lot, but 4 percent of a \$14 trillion economy is an enormous amount of money. Just as the economy sank, Democrats increased government spending by hundreds of billions of dollars. And now they want to make it permanent. That is the reason we have a deficit like we do.

Government spending has gone up, and a bad economy has caused revenue to go down.

That is the reason the debt has gone up 35 percent since the President took office.

Now Democrats want to use that bad economy as an excuse to lock their spending levels in place. They want to use it as an excuse to raise taxes, which would only make the economy worse, cause us to lose even more jobs, and make it even harder to create new jobs.

So let's just be clear about what is going on here. Right now, Washington is borrowing roughly \$4 billion every day above what it collects in taxes. And Democrats don't want to admit we have a spending problem?

We have a national debt the size of our entire economy and Democrats are wondering whether they want to do anything about the biggest drivers of the debt?

Look: Democrats can continue to argue among themselves about whether to step up and address this crisis they have helped create, but they can't argue about what is causing it or what is needed to address it.

Republicans have been crystal clear about where we stand. And Democrats have also been crystal clear about what's needed for these talks to be a success. It is my hope that they consider their own past statements on entitlement reform as we approach the end of these talks.

The path to success is clear. Let's not let this opportunity to do something go to waste.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Arizona.

LIBYA

Mr. MCCAIN. Mr. President, I rise to join the Senator from Massachusetts, who will shortly submit the product of many hours of bipartisan cooperation and negotiation, an authorization for the limited use of military force in Libya. The resolution, as will be introduced by my colleague from Massachusetts, as I mentioned, would authorize the President to employ the U.S. Armed Forces to advance U.S. national

security interests in Libya as part of the international coalition that is enforcing U.N. Security Council resolutions in Libya. It would limit this authority to 1 year, which is more than enough time to finish the job, and it makes clear that the Senate agrees with the President that there is no need and no desire to commit U.S. conventional ground forces in Libya.

I will be the first to admit that this authorization is not perfect and it will not make everyone happy. It does not fully make me happy. I would have preferred that this authorization make clear that our military mission includes the President's stated policy objective of forcing Qadhafi to leave power. I would have preferred that it urge the President to commit more U.S. strike aircraft to the mission in Libya so as to help bring this conflict to a close as soon as possible. And I would have preferred that it call on the President to recognize the Transitional National Council as the legitimate voice of the Libyan people so as to free Qadhafi's frozen assets for the Transitional National Council to use on behalf of the Libyan people. I have called on the administration to do all of these things for some time, and I do so now again.

That said, this authorization has been a bipartisan effort. My Republican colleagues and I have had to make compromises, just as have the Senator from Massachusetts and his Democratic colleagues. I believe the end result is an authorization that deserves the support of my colleagues in the Senate on both sides of the aisle, and I am confident they will support it.

I know the administration has made it clear that it believes it does not need a congressional authorization such as this because it is their view that U.S. military operations in Libya do not rise to the level of hostility. I believe this assertion will strike most of my colleagues and the Americans they represent as a confusing breach of common sense, and it seems to be undercut by the very report the administration sent to Congress which makes clear that U.S. Armed Forces have been and presumably will continue to fly limited strike missions to suppress enemy air defenses, to operate armed Predator drones that are attacking Qadhafi's forces in an effort to protect Libyan civilians, and to provide the overwhelming support for NATO operations, from intelligence to aerial refueling. Indeed, we read in today's New York Times that since the April 7 date that the administration claims to have ceased hostilities in Libya, U.S. warplanes have struck at Libyan air defenses on 60 occasions and fired about 30 missiles from unmanned drones.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the article from today's New York Times enti-

tled "Scores of U.S. Strikes in Libya Follow Handoff to Libya."

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MCCAIN. I certainly agree that actions such as these do not amount to a full-fledged state of war, and I will certainly grant that I am no legal scholar, but I find it hard to swallow that U.S. Armed Forces dropping bombs and killing enemy personnel in a foreign country does not amount to a state of hostilities.

What is worse, this is just the latest way in which this administration has mishandled its responsibility with regard to Congress. The President could have asked to authorize our intervention in Libya months ago, and I believe it could have received a strong, though certainly not unanimous, show of support.

The administration's disregard for the elected representatives of the American people on this matter has been troubling and counterproductive. The unfortunate result of this failure of leadership is plain to see in the full-scale revolt against the administration's Libya policy that is occurring in the House of Representatives. As I speak now, our colleagues in the House are preparing a measure that would cut off all funding for U.S. military operations in Libya, and they plan to vote on it in the coming days.

I know many were opposed to this mission from the beginning, and I respect their convictions. I myself have disagreed and disagreed strongly at times with aspects of the administration's policy in Libya. But at the end of the day, I believe the President did the right thing by intervening to stop a looming humanitarian disaster in Libya.

Amid all our arguments over prudence, legality, and constitutionality of the administration's policy in Libya, we cannot forget the main point: In the midst of the most groundbreaking geopolitical event in two decades, as peaceful protests for democracy were sweeping the Middle East, with Qadhafi's forces ready to strike at the gates of Benghazi and with Arabs and Muslims in Libya and across the region pleading for the U.S. military to stop the bloodshed, the United States and our allies took action and prevented the massacre Qadhafi had promised to commit in a city of 700,000 people. By doing so, we began creating conditions that are increasing the pressure on Qadhafi to give up power.

Yes, the progress toward this goal has been slower than many had hoped and the administration is doing less to achieve it than I and others would like, but the bottom line is this: We are succeeding, Qadhafi is weakening. His military leaders and closest associates

are abandoning him. NATO is increasing the tempo of its operations and degrading Qadhafi's military capabilities and command and control. The Transitional National Council is gaining international recognition and support and performing more effectively, and though their progress is uneven, opposition forces in Libya are making strategic gains on the ground.

We are all entitled to our opinions about Libya policy, but here are the facts. Qadhafi is going to fall. It is just a matter of time. So I ask my colleagues, is this the time for Congress to turn against this policy? Is this the time to ride to the rescue of a failing tyrant when the writing is on the wall that he will collapse? Is this the time for Congress to declare to the world, to Qadhafi and his inner circle, to all of the Libyans who are sacrificing to force Qadhafi from power, and to our NATO allies who are carrying a far heavier burden in this military operation than we are—is this the time for America to tell all of these different audiences that our heart is not in this, that we have neither the will nor the capability to see this mission through, that we will abandon our closest friends and allies on a whim? These are the questions every Member of Congress needs to think about long and hard but especially my Republican colleagues.

Many of us remember well the way some of our friends on the other side of the aisle savaged President Bush over the Iraq war and how they sought to do everything in their power to tie his hands and pull America out of that conflict. We were right to condemn that behavior then, and we would be wrong to practice it now ourselves simply because the leader of the opposite party occupies the White House. Someday—I hope soon—a Republican will again occupy the White House, and that President may need to commit U.S. armed forces to hostilities. So if my Republican colleagues are indifferent to how their actions would affect this President, I would urge them to think seriously about how a vote to cut off funding for this military operation can come back to haunt a future President when the shoe is on the other foot.

The House of Representatives will have its say on our involvement in Libya this week. The Senate has been silent for too long. It is time for the Senate to speak, and when that time comes I believe we will find a strong bipartisan majority in favor of authorizing our current military operations in Libya and seeing this mission through to success. That is the message Qadhafi needs to hear; it is a message Qadhafi's opponents, fighting to liberate their nation, need to hear; and it is a message America's friends and allies need to hear.

So let's debate this authorization, but then let's vote on it as soon as possible.

I wish to thank my colleague from Massachusetts for his hard work on this resolution. I understand he will be submitting it very soon. I hope the majority leader of the Senate will schedule a debate and vote on this resolution as soon as possible. It is long overdue.

EXHIBIT 1

[From the New York Times, June 20, 2011]

SCORES OF U.S. STRIKES IN LIBYA FOLLOWED HANDOFF TO NATO

(By Charlie Savage and Thom Shanker)

WASHINGTON.—Since the United States handed control of the air war in Libya to NATO in early April, American warplanes have struck at Libyan air defenses about 60 times, and remotely operated drones have fired missiles at Libyan forces about 30 times, according to military officials.

The most recent strike from a piloted United States aircraft was on Saturday, and the most recent strike from an American drone was on Wednesday, the officials said.

While the Obama administration has regularly acknowledged that American forces have continued to take part in some of the strike sorties, few details about their scope and frequency have been made public.

The unclassified portion of material about Libya that the White House sent to Congress last week, for example, said "American strikes are limited to the suppression of enemy air defense and occasional strikes by unmanned Predator" drones, but included no numbers for such strikes.

The disclosure of such details could add texture to an unfolding debate about the merits of the Obama administration's legal argument that it does not need Congressional authorization to continue the mission because United States forces are not engaged in "hostilities" within the meaning of the War Powers Resolution.

Under that 1973 law, presidents must end unauthorized deployments 60 days after notifying Congress that they have introduced American forces into actual or imminent hostilities. That deadline for the Libyan mission appeared to pass on May 20, but the administration contended that the deadline did not apply because the United States' role had not risen to the level of "hostilities," at least since it handed control of the mission over to NATO.

In support of that argument, the administration has pointed to a series of factors, noting, for example, that most of the strikes have been carried out by allies, while the United States has primarily been playing "non-kinetic" supporting roles like refueling and surveillance. It has also said there is little risk of American casualties because there are no ground troops and Libyan forces have little ability to exchange fire with American aircraft. And it noted that the mission is constrained from escalating by a United Nations Security Council resolution.

The special anti-radar missiles used to suppress enemy air defenses are usually carried by piloted aircraft, not drones, and the Pentagon has regularly said that American military aircraft have continued to conduct these missions. Still, officials have been reluctant to release the exact numbers of strikes.

Under military doctrine, strikes aimed at suppressing air defenses are typically considered to be defensive actions, not offensive. On the other hand, military doctrine also

considers the turning on of air-defense radar in a no-fly zone to be a "hostile act." It is not clear whether any of the Libyan defenses were made targets because they had turned on such radar.

The administration's legal position prompted internal controversy. Top lawyers at the Justice Department and the Pentagon argued that the United States' military activities did amount to "hostilities" under the War Powers Resolution, but President Obama sided with top lawyers at the State Department and the White House who contended that they did not cross that threshold.

On Monday, Jay Carney, the White House press secretary, acknowledged the internal debate, but defended the judgment made by Mr. Obama, noting that the applicability of the War Powers Resolution to deployments has repeatedly prompted debate over the years.

The House of Representatives may vote later this week on a proposal to cut off funding for the Libya mission. The proposal is backed by an odd-bedfellows coalition of antiwar liberals and Tea Party Republicans.

They are opposed by an equally unusual alignment of Democrats who support the White House and the intervention in Libya, and more hawkish Republicans.

On Monday, a group that includes prominent neoconservative figures—including Liz Cheney, Robert Kagan, William Kristol and Paul Wolfowitz—sent Republicans an open letter opposing efforts to cut off funds for the mission.

Mr. MCCAIN. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I see another colleague who is waiting for time. I ask unanimous consent to proceed for such time as I might use, but it won't be much over 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KERRY. I thank the Chair.

Mr. President, I wish to thank the Senator from Arizona for his important and courageous comments that run counter to the political currents of the day, some of which have been expressed in the other body and elsewhere. I thank him for thinking about the strategic interests of the country ahead of some of the political interests with respect to the next election.

There have been many occasions when this body has behaved very differently when a President, either Republican or Democrat, has engaged American forces in one way or another without authorization within that 60-day—or even outside of the 60-day—parameter of the War Powers Act. The

fact is, we have had a number of military actions—Panama, Libya in 1986, Grenada in 1983, Iran in 1980, Haiti in 1993, the Persian Gulf in 1987 to 1988, Lebanon in 1982, and then subsequently Kosovo in 1999, Bosnia in 1992, Somalia in 1992—which didn't have this fight about authorization.

In fact, only Iraq in 2003, Afghanistan in 2001, and Iraq in 1990 were authorized prior to our engagement. The fact is, four of those I mentioned ended before the 60 days had expired, but the others didn't. Bosnia, Kosovo, and Somalia all went beyond 60 days, and the issue was never raised. So I think it is important for us to put this in context, if you will, and to measure some of the realities and the choices we face with respect to Libya today.

We will shortly this morning—a little later—be submitting this resolution. It is a bipartisan resolution. Democrats and Republicans are joining together to put in a very limited authorization with respect to our engagement in a support role—not any direct engagement but a support role only—and it is limited to that support role.

I am particularly familiar with the debate relating to, and with the War Powers Act itself, over these years because that was a debate that took place specifically in response to the war that Senator McCain and I were both a part of—the Vietnam war. The War Powers Act was a direct reaction to that war which was at that time the longest war in our history, until now—Afghanistan—10 years in duration. Over 58,000 Americans lost their lives, and it spanned several administrations, including Kennedy, Johnson, and Nixon. The fact is, as a result of that war in which we never declared war, the Congress wanted to assert its appropriate prerogatives with respect to the declaration of war and the engagement of American forces. So the War Powers Act was passed.

The War Powers Act very specifically created this dynamic where the Congress had 60 days to act. The President could deploy troops for a period of 60 days without their action, and if they hadn't acted, the inaction itself would require a President to then withdraw troops. So it didn't actually require the Congress to act, but it created this 60-day period. The fact is, any Member of Congress during those 60 days could bring a resolution to the floor denying the President the right to go forward. Nobody did that in the past 60 days, I am glad to say, and we are now beyond those 60 days.

It is not without precedent, incidentally, that we have authorized an action much later. In fact, I think one action was specifically authorized for about a year, and that was the action in Lebanon. About a year after they had landed it was authorized. So we are within days of that in terms of this discussion.

Let me read specifically what the War Powers Act says. It says:

In the absence of a declaration of war, in any case in which the United States Armed Forces are introduced into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances. . . .

I think the operative words, the critical words, are "United States Armed Forces are introduced into hostilities."

Now, one could argue, as people are—there is an article in the Washington Post today, and there are other articles where people are saying: Well, of course we are in hostilities. Hostilities are taking place. Bombs are being dropped. But that is not, in my judgment, even though I support the War Powers Act—and President Obama, incidentally, has supported it here, which is unique from other Presidents—but the fact is, just because hostilities are taking place and we are supporting people engaged in those hostilities does not mean we are ourselves, in fact, introducing troops into hostilities.

No American is being shot at. No American troop is on the ground or contemplated being put on the ground. So the mere fact that others are engaged in hostilities and we are supporting them I don't believe automatically triggers what was contemplated in the aftermath of the Vietnam war.

Frankly, that is not the principal argument we need to be having. What we need to be doing is looking at the bigger picture. I don't think any country—the United States, the U.N., or any nation—ought to be drawn lightly into any kind of military intervention. I have always argued that. But, in my judgment, there were powerful reasons the United States should have joined in establishing the no-fly zone over Libya and forcing Qadhafi to keep his most potent weapons out of the fight.

If we slice through the fog of misinformation and weigh the risks and the benefits alongside our values and our interests, which are always at stake, I think the justification for the President's involvement, for our country's involvement, and for our supporting it are compelling, and I think they are clear.

What is happening in the Middle East right now could be the single most important geostrategic shift since the fall of the Berlin Wall. It has profound implications for U.S. expenditures and for U.S. military engagement in other parts of the region. It has significant impact on the threats we will face, on the potential strategic risks for our country, and for our interests in terms of that region.

Absent United Nations-NATO resolve, the promise that the prodemocracy movement holds for transforming the Arab world—the whole Arab world—and all it could mean for the United States in terms of hopes for peace between Israel and Palestine,

hopes for a different set of relationships, hopes for restraining Wahabism, hopes for diminishing the levels of religious extremism, hopes for reducing the amount of terrorism—all of those things are contained in this awakening, in this transformation people are trying to achieve. It is an effort which I and others believe would have been crushed if the hopes of the prodemocracy movement were simply ignored and we turned our backs on them.

I can't imagine—just think about the consequences. Colonel Qadhafi says: I am going to show no mercy. I am going to go and kill those dogs—dogs—who have risen up and expressed their desire to have fundamental freedoms and rights. He is going to go into Benghazi and he is going to annihilate anybody who is in opposition to him. We already saw him pulling people out of hospital beds. We already saw him attacking women—using rape as a tool of war—dishonoring people in the Muslim world as a consequence for life. We saw what he was doing.

Are we really serious that in the wake of the gulf states, in an unprecedented request saying to us: We want your help; in the wake of the Arab League in an unprecedented request asking for U.S. and other Western engagement in their part of the world to stand up for these rights, that we would simply say: Too bad, so sad, go about your business, we have better things to do?

The consequences would have been extraordinary. Remember, President Clinton said his greatest regret of his Presidency was he didn't engage in Rwanda and prevent—which we could have done at very low cost—what happened with the genocide in Rwanda. That is his greatest regret.

How many Senators have gone to Israel and gone somewhere else in the world and said to people with respect to the Holocaust: Never again; never again. Do the words only apply to one group of people or do the words have meaning in terms of genocide, in terms of wanton killing of innocent people at the hands of a dictator?

So what is the cost to us of this great effort? I believe other dictators would have seen the failure to challenge Qadhafi as a complete license to act with impunity against their people at any other place.

The vast majority of the protesters in these countries are simply crying out for the opportunity to live a decent life, get a job, provide for a family, have opportunities, and have rights. I think abandoning them would have betrayed not only the people seeking democratic freedoms, but it would have abandoned the core values of our country. And I can hear now—I can hear it. Some of the same people now who are complaining about the President being involved would have been the first people at the barricade complaining about

why the United States did not stand up for our values and how feckless the President was that he was not willing to stop a dictator from coming at these innocent people. You can hear it. Everybody in the country knows that is exactly where we would be.

Now, why there and not in Syria? A legitimate question. There are different interests and different capacities. The reality is, the Gulf States asked us to come in. The Arab League asked us to come in. And we knew whom we were dealing with with respect to the council and the players. There is a whole set of uncertainties with respect to Syria, even today, that distinguish it both in terms of what we can assert and what we can achieve, and sometimes both in foreign policy and in domestic policy you are limited to what you can achieve and to what is doable in a certain situation.

I believe if we had simply turned our backs, as some people are now arguing we ought to do now, which would be the most reckless thing I have ever heard in my life—at a moment where people are actually achieving the goals, where the pressures are mounting, where Qadhafi is less able to maneuver, where his forces have been reduced, where many people in our intelligence community and in the NATO intelligence community are saying there is progress being made and the vice is tightening—that we would suddenly just pull the rug out from under that is extraordinary to me. Snatch—snatch—defeat from the jaws of victory. I believe—I cannot tell you when it might happen, but I am absolutely confident it is going to happen—Qadhafi is finished. Ask the people in the country. Even his own supporters are reacting out of fear. And the truth is, the vice is tightening because every day that goes by, the opposition gets stronger; every day that goes by, he has less ability to manage the affairs of the country itself.

I think if we simply send the message the House of Representatives is contemplating today, it would be a moment of infamy, frankly, with respect to the House and with respect to our interests because it would reinforce the all too common misperception on the Arab street that America says one thing and does another.

We are already spending billions of dollars in the fight against extremism in many parts of the world. We did not choose this fight. Everybody knows that. It was forced on us, starting with 9/11. To fail to see the opportunity of affirming the courageous demand of millions of disenfranchised young people who had been the greatest recruits for al-Qaida for the extremism, for any of the extremist groups—to not affirm their quest now to try to push back against repression and oppression and to try to open a set of opportunities for themselves for jobs, for respect, for de-

mocracy—I think to turn our backs on that would be ignorant, irresponsible, shortsighted, and dangerous for our country. It would ignore our real national security interests, and it would help extend the narrative of resentment toward the United States and much of the West that is rooted in colonialism and furthered by our own invasions of Iraq and Afghanistan.

Remember, the pleas for help did not just come from the Libyan rebels. And this is not something we just cooked up here at home with some desire to go get engaged somewhere. It came from the Arab League, which has never before asked for this kind of assistance. It came from the Gulf States, which have never before said to the West: We need your help to come intervene.

Even at the hand of their own leader, it seems to me that if we had silently accepted the deaths of Muslims, we would have set back our relations for decades. Instead, by responding and giving the popular uprising a chance to take power, I think the United States and our allies send a message of solidarity with the aspirations of people everywhere, and I believe that will be remembered for generations.

The particular nature of the madman who was vowing to “show no mercy” to his own people, to his own fellow Muslims, the particular nature of this man, who was going to go after the “dogs” who dared to challenge him, and his role in the past, I believe, mandated that we respond. And we responded in a stunningly limited way.

I do think our colleagues from New Jersey and New York and other States in New England need to reflect on the fact—they do not really need a reminder, I suspect—that Qadhafi is the man who was behind the bombing of Pan Am 103, claiming the lives of 189 Americans.

The intervention in Libya, in my judgment, sends a critical signal to other leaders in the region that they cannot automatically assume they can simply resort to large-scale violence to put down legitimate demands for reform without any consequences. I think U.N. resolve in Libya can have an impact on future calculations. Indeed, I think the leaders of Iran need to pay close attention to the resolve that is exhibited by the international community, and we need to think about that resolve in the context of our interests in Iran.

The resolution we will submit—Senator McCain and myself and other Senators—is absolutely not a blank check for the President. Not at all. It is a resolution that authorizes limited use of American forces in a supporting role. I want to emphasize that. There is only an authorization for a supporting role. It says specifically that the Senate does not support the use of ground troops in Libya. The President has stated that is his policy, but we adopt

that policy in this resolution. It authorizes the limited use of American forces for a limited duration, and it would expire 1 year from the time of authorization.

This resolution envisions action consistent with the letter the President sent to congressional leaders on May 20 in which he specified that the U.S. participation in Libya has consisted of nonkinetic support of the NATO-led operation, including intelligence, logistical support, and search and rescue missions.

The ACTING PRESIDENT pro tempore. The Senator has used 20 minutes.

Mr. KERRY. Mr. President, I think I asked for such time as I would use, but I will try to tighten it up.

The administration informed Congress last week it does not consider the use of U.S. forces to rise to the level of “hostilities.” I have already discussed that. I think there is an important constitutional question here, but it is not a new question. The truth is that Presidents—Democratic and Republican—have undertaken limited military action. I mentioned each of those instances.

I think this debate is healthy, but the words we use about it have consequences. They send a message. And I think none of us should send any message to Colonel Qadhafi lightly. The last message any U.S. Senator wants to send, in my judgment, is that all he has to do is wait us out, all he has to do is wait for the Congress—even as the progress is being made and the vice is tightening—because we are divided at home.

I believe passage of this resolution would be an important step in showing the country and the rest of the world and particularly showing Muammar Qadhafi that the Congress of the United States and the President of the United States are committed to this critical endeavor. I firmly believe the country is on the strongest footing when the President and the Congress speak with one voice on foreign policy matters. So I hope our colleagues will support this resolution.

For 60 years, we have been working to build a cohesive and consistent alliance with our partners in NATO. Many times our military and political leaders have complained that our European allies have not carried their share of the burden; that Americans have paid too high a price in blood and treasure; that we have led while others followed. Earlier this month, Secretary Gates warned that the NATO alliance is at risk because of European penny-pinching and distaste for front-line combat. He said the United States was not going to carry the alliance as a charity case. Well, here is the alliance leading. Here is the alliance doing what we have wanted them to do for years. And here, all of a sudden, are Members of Congress suggesting it is OK to pull the

rug out from under that alliance. I think that would really toll the bell for NATO.

I believe we need to see the realities of the strategic interests that are on the table and proceed. Will we stand up for our values and our interests at the same time? Will we support the legitimate aspirations of the Libyan people? I think our own security ultimately will be strengthened immeasurably if we can assist them to transition to a democracy. The cost now will be far, far less than the cost in the future if we lose our resolve now.

I thank my colleague for his generous allowance of the extra time.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Nebraska.

HEALTH CARE

Mr. JOHANNES. Madam President, over a year ago now, the President signed into law health care legislation that we are finding is certainly long on promises but short on sound policy. Unfortunately, the legislation did not follow a transparent or thorough process. Instead, it was hastily rushed through on a premise that has now become famous, as said by Speaker PELOSI: We have to pass it to see what is in it. Now, almost daily, newspapers, constituent mail, and independent reports continue to reveal that the law's promises are not reality.

Recently, the Columbus Dispatch told the story of a family with a pre-existing condition. Two years ago, their struggles to find health insurance coverage outraged this administration. In fact, their hardship was specifically used as an example of why we needed to get the health care system reformed. Well, party affiliation did not define how we felt about this family. We all empathized and sympathized with their struggles and recognized the need for basic health insurance reforms. But, unfortunately, we did not harness that common ground to develop sound policy that addresses the very real problems within the health care system. Instead, a bitterly partisan bill was shoved through Congress, and now we are stuck with its consequences.

So what are the consequences for the family who struggled to get insurance? The article reports that their annual premium has increased a whopping \$12,000. Clearly, one result of the law is soaring premiums. President Obama promised no fewer than 20 times that he would cut premiums by \$2,500 for the average family by the end of his term. But, unfortunately, this is not an isolated story. This broken promise is evident in homes all across this great Nation. Mail from frustrated Nebraskans continues to flood my office. They question how a health care law that costs so much yet still allows skyrocketing premiums could have ever passed.

A single mother from Bellevue, NE, recently found out that her family's health care premium increased by \$700 per year. Her insurance provider explained it was due to mandates in the new health care law.

She pleaded with me:

Please stand up on behalf of single moms like me. We do all we can to hold our world together, give up time with our children to work two jobs . . . and now this! How am I supposed to maintain health insurance for my family?

Well, I wish I could tell constituents their premiums will not go up, as the President promised. I wish I could tell them the new health care law addressed the rising costs of health care, as the President promised it would. Instead, these stories reflect what the experts predicted would happen if the law passed. The nonpartisan Congressional Budget Office estimated that individual health insurance premiums would increase by an average of \$2,100 per family due solely to the new mandates included in the law. That puts the gap between Candidate Obama's promise and President Obama's health care law at an alarming \$4,600 per family.

The administration's own Medicare Actuary expects health care costs to increase \$311 billion over the next decade under the new law. In fact, the Actuary testified that the President's promise that the health care law would lower costs was "false, more so than true."

Now, some may say: MIKE, just wait until the law is fully implemented. That is when the promises will be fulfilled. But I continue to get reports on my desk forecasting the negative consequences of this irresponsible and shortsighted piece of legislation.

For example, one of the law's major flaws is that about half of its new health insurance coverage is achieved by locking millions of more people on an already-broken Medicaid system.

Yet the New England Journal of Medicine recently released a study showing those on Medicaid struggle to find doctors to treat them.

The medical journal's research revealed that 66 percent of individuals who mentioned Medicaid's Children Health Insurance Program when calling to schedule a medical appointment were denied an appointment for the child.

That is compared to only 11 percent who said they had private insurance.

That is right—those on Medicaid's CHIP were six times more likely to be denied treatment.

And when Medicaid was accepted, the children had to wait, on average, 22 days longer than those with private insurance.

Researchers blame low Medicaid payments, delays in paying, and bureaucratic redtape driving doctors from even accepting these patients.

As a former Governor, I can tell you that these problems have long plagued the Medicaid Program.

Yet in 2014 the President's new law dramatically expands Medicaid, dumping over 24 million more Americans onto this very broken system. How can the President promise guaranteed coverage for these millions of Americans when this study shows the majority of our most vulnerable population is denied treatment under the Medicaid system? The bottom line is you cannot receive care if you cannot find a doctor to provide it. The logic simply does not match the promise.

Another recent study by the consulting group McKinsey & Company calls another one of the President's guarantees into question. Their study analyzed the impact of the health care law on employer-sponsored benefits.

Prior to the health care law, America's employers were the backbone of our Nation's health care system, providing 165 million Americans with health care coverage. The McKinsey study found that 30 percent of employers will definitely or probably stop offering their employees health care insurance after 2014.

During the health care debate, supporters of the law insisted that the law builds on the principle of employer-sponsored coverage.

The President even repeatedly promised if you like your plan, you can keep it. But again, this appears to be an empty promise.

According to the study—and others that came before it—employees will be stripped of plans that they like and dumped onto the new law's health care exchanges to fend for themselves.

I realize there is some disagreement surrounding this particular study. But how can we deny this commonsense logic?

The more you know about this law, the more you conclude it just does not make sense for employers to offer a health care plan.

Beginning in 2014, the health care law mandates that employers with more than 50 workers offer health insurance coverage or pay a penalty of \$2,000 per worker. And with this mandate comes a slew of other requirements. Suddenly dropping coverage and paying the \$2,000 penalty becomes an economic necessity.

During the health care debate, I spoke about this on the Senate floor. I and many others warned that the proposed penalties for businesses would create a perverse incentive. When you do the math, I said back then this is no penalty at all, compared to the cost of private insurance.

It is a wise business decision if you are worried about the bottom line. That is how the law encourages employers to dump their employees onto the exchange.

A Deloitte consultant told the Associated Press, "I don't know if the intent was to find an exit strategy for

providing benefits, but the bill as written provides the mechanism." John Deere has responded by saying businesses will look into "just paying the fine." Not surprisingly, employers have done their own math. AT&T reported that its \$2.4 billion cost of coverage would drop to \$600 million for the penalties. Estimates reveal Caterpillar could save 70 percent on health care costs by eliminating coverage and paying the penalties. And the list goes on.

Prior to its passage, the Congressional Budget Office predicted 7 percent of employers would drop insurance coverage due to the health care law. Now studies and business logic are challenging that estimate. This may mean the CBO's projected cost of the health care law may be significantly too low.

That is right—the \$2.6 trillion cost estimate for the health care law could be surprisingly too low. The President promised that this bill would lift the burden off the middle class. Not only will they see their premiums continue to increase due to out-of-control health care costs, but they will foot the cost of the new exchanges.

Unfortunately, time is confirming what we have been predicting all along. The case for repeal of the health care law grows stronger every day. I will work to overturn these negative consequences. I believe Americans deserve better. They deserve promises that we can keep.

The PRESIDING OFFICER. The Senator from Montana.

MONTANA FLOODS

Mr. TESTER. Madam President, I wish to talk a little bit about the flooding that is going on in Montana and has been going on for basically better than the last month. The picture I have is that of the Musselshell River east of Roundup. The river channel is not in this area. In fact, it is on the far side of this river.

My guess is—I have not seen this—this picture was taken about 10 days ago. But my guess is, it is still flowing like this and for a number of reasons I want to address in my speech today.

Over the past few months, we have seen severe flooding in Montana that has impacted our homes and businesses. It has devastated farmland and ranch land. It has displaced families across our State.

The flooding has tested thousands of Montanans and the basic services and infrastructure they rely on every day. But when disaster hits Montana, we rise to the occasion. When I meet the families and the community leaders affected by flooding and when I tour their towns, I do not see resignation or hopelessness. I see resilience. I see our traditions of hard work and working together. I see communities that are rebuilding and moving forward, ordi-

nary people and local officials working diligently with local, State, and Federal partners to address urgent and on-going needs they are unable to address alone.

Thanks to that spirit of working together, neighbor to neighbor, Montana communities are rebuilding and businesses are reopening. We are looking to account for the severe crop damage and livestock loss suffered by Montana's farmers and ranchers, and we are looking for resources to make up for the \$8.6 million in damages to our State's infrastructure. Sadly, that number is only getting bigger.

Montana's resiliency is going to be tested because we are not out of it yet—not even close. Given the unusually significant snowpack in the Rocky Mountains that has yet to melt, our rivers and streams will continue to swell. The cost to Montana communities and families will continue to mount, and more and more of them will look to emergency assistance to provide timely services and assistance to those most in need, to help them get back on their feet.

That is why I am particularly alarmed by the looming shortfall in FEMA's Disaster Relief Fund, which the House left dangerously unfunded, even amid a string of weather-related disasters across this country that have led us to 45 declared disasters. We are now looking at estimates of a \$2 to nearly \$5 billion shortfall for fiscal year 2012 alone.

The total need is estimated to be as much as \$6.6 billion. Montana is still tallying the damage. The risk of further damage is still very high. Yet we do not know right now if there will be enough money left over to meet the needs this disaster has already created in our State of Montana.

The House thinks we should pay for past disasters with funding allocated for current and future disasters and by cutting assistance to firefighters and other first responders. In Roundup, Billings, and elsewhere in Montana, the folks who are rescuing stranded residents in boats to take them to get urgent medical care are not from FEMA; they are the same men and women who fight to protect our communities every day—the cops and firefighters who are part of these communities.

Taking away the resources they need will not fly. It is irresponsible and unacceptable. I want all my colleagues to understand the importance of what we are facing, not just in Montana but across this country. There are 45 declared disasters around the country. It is time to do our part for communities all across this country that are facing unprecedented disasters from floods, tornadoes, to wildfires.

Let's make sure this Nation's emergency responders have what they need to do their jobs. They are doing their part for all of us. Tough economic

times have forced us all into some very difficult decisions. There is no doubt about that. But it is critical that we do everything we can on behalf of the communities and families across our Nation who are simply looking to pick up the pieces, to rebuild their homes, their schools and businesses, and to get back on their feet.

When small businesses cannot get back on their feet and when our No. 1 industry, agriculture, gets a punch during the growing season, our entire economy will be impacted in a negative way. Montanans will continue to be resilient, and they will continue looking out for one another. But there are some burdens that are simply too big for them to bear alone. It is time for Congress to stand, do its part, and the sooner the better.

I look forward to working with Chairman LANDRIEU and Ranking Member COATS on the Homeland Security Appropriations Subcommittee to make sure that no community from Montana or anywhere else in the country is left wondering if the government will make good on a commitment to help them rebuild.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent that the time during the quorum call be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MICHAEL H. SIMON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider

the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Michael H. Simon, of Oregon, to be United States District Judge for the District of Oregon.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate on the nomination, equally divided in the usual form.

Mr. LEAHY. Mr. President, today the Senate will finally consider the nomination of Michael Simon to fill a judicial emergency vacancy on the District Court for the District of Oregon. Mr. Simon, the head of litigation at the Portland office of Perkins Coie, is one of the most highly regarded lawyers in the country. He spent 5 years as a trial attorney at the Department of Justice during the Reagan administration, including a stint as a Federal prosecutor, and 3 years as a volunteer judge pro tem on an Oregon county court. Mr. Simon's nomination has had the strong support of his home State Senators, Senator WYDEN and Senator MERKLEY, since he was nominated nearly a year ago and has twice been reported by the Judiciary Committee with significant bipartisan support. I mention that because, traditionally, someone like this would go through almost the first day after he was reported.

I thank the majority leader and the Republican leader for finally scheduling this vote. It is most unfortunate that the Republicans objected to considering this nomination when it was reported last year. That meant that we had to spend more time and taxpayer money to consider it a second time in the Judiciary Committee, and the nomination had to be reported again earlier this year. It should not have taken more than 4 months since the committee reported Mr. Simon's nomination for a second time for the Senate Republican leadership to finally consent to debate and a vote.

This is, finally, the last of the judicial nominations reported last year that could and in my view should have been considered then. Now, after 6 months of unnecessary delay, the people of the District of Oregon may finally see a longstanding judicial vacancy filled by a highly qualified nominee who has always had bipartisan support from the days he was working for the Reagan administration. The Senate may finally be able, 6 months into this year, to start to focus on nominees who had hearings and were considered by the Judiciary Committee this year. There are currently 16 judicial nominees who were reported unanimously by the Judiciary Committee over the last several months who are still awaiting final Senate consideration and confirmation. They include nominees with the support of Republican home State Senators and nominees for judicial emergency vacancies. These delays mean that judicial vacancies

around the country remain well above what they should and could be. With current vacancies hovering around 90 and many more upcoming, the Senate is being prevented from solving the vacancies crisis that the Chief Justice, President, Attorney General and judges around the country have urged us to end.

When we take nominations considered 1 year and then delay them into the next year, it is wrong to say that you are "moving right along." I have served with Presidents Ford, Carter, Reagan, the first President Bush, Clinton, the second President Bush, and now President Obama. During all that time, whether Democrats or Republicans were in the majority, no President had to put up with these unseemly delays, except for President Obama.

The delay in considering this nomination is only the latest demonstration that those on the other side who say the majority leader can simply call up nominations are wrong. Senators know it is not true. If that were true, nominees like Mr. Simon would have been considered and voted on last year.

Some Senators may seek to avoid responsibility for the Senate's historically slow pace of confirming judicial nominations and claim their hands are clean, but they know the Senate is a body that requires consent to avoid extensive delays. They know that if there is no consent, it takes the burdensome requirement of invoking cloture in order to end a filibuster and have a vote. Moving forward to address the ongoing judicial vacancy crisis—and it is a crisis—requires cooperation. It requires the minority to work together with the majority and set aside partisan differences for the good of the American people.

Last week, the Senate was able to get consent to confirm the first two judicial nominees since May 17, even though almost a score of qualified nominees has been awaiting final confirmation since that date. In addition to the Simon nomination, there are 19 judicial nominations currently pending on the Senate's Executive Calendar. Of those, 16 are, by anyone's definition, consensus nominees. Seven of them were nominated to fill judicial emergency vacancies. Sixteen nominees were unanimously approved by every Republican and every Democratic Senator on the Judiciary Committee after thorough review, and an additional nominee was reported with only one Senator in opposition. All are supported by their home State Senators, Republicans and Democrats.

These are the kinds of nominees who in past years would have been confirmed within days of being reported to the Senate. Instead, extended delays now burden every nomination before the Republican leadership finally consents, if it does, to take up nominations. Mr. Simon's nomination was

first reported with bipartisan support last December. Three district court nominations reported unanimously by the Committee in early April remain stalled before the Senate, Paul Oetken and Paul Engelmayer of New York, and Romana Manglona of the Mariana Islands. All of these consensus nominations would easily have been confirmed if the majority leader was not blocked from bringing them up. We should not need to file cloture to vote on these kinds of consensus nominees, but that is what has been required by the Senate Republican minority. Incidentally, when we have filed for cloture on these nominees, for many of them we got a vote and they passed overwhelmingly.

We should have regular votes on President Obama's highly qualified nominees instead of more delays. We should also restore the Senate's tradition—a tradition I can speak to as one who has been in the Senate for 37 years—of working to clear the calendar of pending nominations before a recess. Contrast that traditional practice with what the Senate did before the Memorial Day recess, when no judicial nominees were confirmed. With vacancies still totaling more than 90 on Federal courts throughout the country, and with nearly two dozen future vacancies on the horizon, there is no time to delay consideration of these nominations. If we were to take positive action just on the nominees who received unanimous support in committee, vacancies could be reduced below 80 for the first time since the beginning of President Obama's administration.

With judicial vacancies continuing at crisis levels, affecting the ability of courts to provide justice to Americans around the country, I have been urging the Senate to vote on the judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. My efforts have not yielded much success or sense of urgency. Nor have the statements by the Chief Justice of the United States, the Attorney General of the United States, the Federal Bar Association and a number of Federal judges across the country.

Those who delay or prevent the filling of these vacancies must understand they are delaying and preventing the administration of justice. We can pass all the bills we want to protect American taxpayers from fraud and other crimes, but you cannot lock up criminals or recover ill-gotten gains if you do not have judges. The mounting backlogs of civil and criminal cases are growing larger.

I think of the first 2 years of the last President Bush's term in office. During the 7 months that Republicans had the majority, they did not bother to hold a hearing on President Bush's nominees. But in the 17 months that the Democrats were in charge, the Democrats held hearings and confirmed 100 of his

nominees. To their credit, in the following 24 months, the Republicans confirmed 105.

Ah, for those days.

Our ability to make progress regarding nominations has been hampered by the creation of what I consider to be misplaced controversy over many nominees' records. As with the long-delayed nomination of Judge Edward Chen, the supposed "controversy" that has delayed and obstructed the nomination of Michael Simon is the result of some Senators seeking to impose a partisan litmus test in place of our sworn constitutional duty to offer advice and consent on nominations. That Mr. Simon filed amicus briefs on behalf of the ACLU and several Jewish organizations in cases involving the First Amendment, discrimination against gay and lesbian individuals, and the rights of religious minorities does not render him unfit to be a judge. Our legal system is an adversary system, predicated upon legal advocacy for both sides. Certainly defending civil liberties is no vice. Since when do we impose a litmus test for nominees that they can never have been legal advocates? If we were to do that, we would have no judges. Almost every nominee who had been a practicing lawyer would be disqualified by one side or the other.

I had hoped when 11 Republican Senators joined in voting to end a filibuster against Judge Jack McConnell of Rhode Island that the Senate was moving away from the narrow, partisan attacks on judicial nominations that have slowed us from making progress since President Obama took office. Yet the successful Republican filibuster of the nomination of Professor Goodwin Liu to the Ninth Circuit was one of the most disappointing votes I have seen in the U.S. Senate. There were no "extraordinary circumstances" or justification for this partisan filibuster of a good man and brilliant nominee.

In the wake of the filibuster, newspapers around the country decried the Senate for denying Professor Liu the up-or-down vote that Republican Senators argued just a few years ago every nominee was entitled to have when there was a Republican in the White House. The New York Times editorialized that the standard of "extraordinary circumstances" for filibustering nominees "is meaningless if senators are going to define someone like Mr. Liu as a legal extremist."

The editorial continued:

He is, not surprisingly, a liberal thinker who is nonetheless squarely in the legal mainstream, having even received the support of strong conservatives, including Kenneth Starr and Clint Bolick.

The New York Times also described the filibuster of Professor Liu as "payback" making it "harder to fill benches during this administration and many more to come."

The Denver Post wrote in an editorial:

The Senate filibuster last week of federal appellate court candidate Goodwin Liu wasn't just a defeat for the president who nominated him. It signifies the dissolution of a truce that had been struck years earlier in which senators had generally agreed not to hold hostage qualified judicial candidates from the opposing political party. It is a shame it has come to this.

The San Francisco Chronicle editorialized:

Fair-minded people who have looked at Liu's record and determined that he has the intellect and temperament to be a superb appellate judge include prominent conservatives Richard Painter, chief ethics lawyer in the Bush White House, and Whitewater prosecutor Ken Starr. But neither fair play nor intellectual honesty carried the day in the Senate, where Liu's nomination remained bottled up through the efforts of multiple Republicans who had opined (in the Bush years) that it was unconstitutional for senators to deprive a judicial nominee of an up-or-down vote.

In an editorial entitled, "Trashing of Court Nominees Must End," the Iowa City Press-Citizen wrote:

What is most disturbing about Thursday's Senate vote is not the fact that the Senate rejected this nominee, but how it was done: by a filibuster. In other words, the Republicans used the Senate rules to prevent a simple up-or-down vote on the Liu nomination.

I ask unanimous consent that copies of these editorials be printed in the RECORD at the conclusion of my remarks.

THE PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

MR. LEAHY. The question for me about Mr. Simon is the same question I have asked about Judge Chen, Professor Liu, and every judicial nominee, whether nominated by a Democrat or a Republican President: whether he or she will have judicial independence. I don't care what their politics are. I don't care what party they belong to. I don't care who they have represented in the past. All I want to know is: Will they have judicial independence? Do they understand the role of a judge and how that differs from the role of an advocate?

The judge has to protect everybody in their courtroom, on both sides. There is no question that Michael Simon is going to have judicial independence. So I hope Senators today will set aside their partisan litmus test and join me in supporting this fine nomination.

EXHIBIT 1

[From the New York Times, May 22, 2011]

BREAKING FAITH

"I will not vote to deny a vote to a Democratic president's judicial nominee just because the nominee may have views more liberal than mine."

That was Senator Lamar Alexander, Republican of Tennessee, promising in 2003 not to filibuster judicial nominees for reasons of

ideology. But on Thursday, Mr. Alexander, along with 41 other Senate Republicans, voted to filibuster one of President Obama's judicial nominees for that very reason—breaking a promise and kindling yet another row over a president's right to appoint like-minded judges.

The fight was over Goodwin Liu, a Berkeley law professor nominated by the president for a seat on the Ninth Circuit Court of Appeals. He lost on a vote of 52 to 43, short of the 60-vote requirement demanded by Republicans.

He became the first Obama nominee to be successfully filibustered, and the only nominee since 2005. That year, a Senate "Gang of 14" agreed that such nominees should be allowed an up-or-down majority vote except in extraordinary circumstances.

The group was correct in preserving the right to filibuster the most extreme candidates, but the agreement is meaningless if senators are going to define someone like Mr. Liu as a legal extremist. He is, not surprisingly, a liberal thinker who is nonetheless squarely in the legal mainstream, having even received the support of strong conservatives, including Kenneth Starr and Clint Bolick.

What, specifically, made him so extraordinary that he was not worthy of an up-or-down vote? The Republican argument against him is laughably thin. "He believes the Constitution is a fluid, evolving document," said Jeff Sessions of Alabama. John Cornyn of Texas falsely accused Mr. Liu of holding the "ridiculous view that our Constitution somehow guarantees a European-style welfare state."

But other Republicans were more forthcoming about the real reason for the blockade: Mr. Liu dared to criticize Justice Samuel Alito Jr. as harshly conservative before he was confirmed to the Supreme Court. The filibuster apparently was payback, and the Republican eagerness for revenge has broken faith and a clear understanding on the Senate floor. That will make it harder to fill benches during this administration and many more to come.

[From denverpost.com, May 28, 2011]

EDITORIAL: SO MUCH FOR THE GANG OF 14 TRUCE

The Senate filibuster last week of federal appellate court candidate Goodwin Liu wasn't just a defeat for the president who nominated him.

It signifies the dissolution of a truce that had been struck years earlier in which senators had generally agreed not to hold hostage qualified judicial candidates from the opposing political party.

It is a shame it has come to this.

Republicans may be celebrating the defeat of President Obama's nominee, who on Wednesday officially withdrew his nomination to the 9th U.S. Circuit Court of Appeals; however, it's an action that surely will come back to bite them.

Democrats are unlikely to forget. In fact, Senate Judiciary Chairman Patrick Leahy, D-Vt., told reporters before the vote that a Liu filibuster would mean Democrats would do the same to the next Republican president's nominees.

It would be regrettable if that were to happen. The so-called Gang of 14 had in 2005 joined forces to avert a showdown on judicial candidates nominated by then-President Bush.

Seven Republican and seven Democratic senators, cleaving to the "advise and consent" role of senators as enumerated in the

U.S. Constitution, agreed not to filibuster or block qualified judicial candidates unless “extraordinary circumstances” were in play.

There was, at the time, little consensus as to what constituted “extraordinary circumstances” and assuredly even less agreement now.

At the time of the compromise, which then-Sen. Ken Salazar of Colorado took part in crafting, several senators said they would know extraordinary circumstances when they saw them.

The Republican filibuster of Liu, a University of California-Berkeley law professor, will set precedents as to how extraordinary circumstances will be defined. (Colorado’s U.S. Sens. Michael Bennet and Mark Udall, both Democrats, voted against a filibuster.)

Extraordinary circumstances, it seems, will come to mean a candidate who holds views that are ideologically repugnant. That is a dangerous standard.

Liu is a liberal and far more so than other prominent judicial nominees President Obama has sent to the Senate for confirmation.

We aren’t crazy about some of Liu’s positions either, but he is qualified for the job. The American Bar Association, which independently evaluates judicial nominees, gave him their highest ranking: unanimously well-qualified.

We have long favored an up-or-down vote on judicial candidates, and this is no exception. Elections have consequences, and those include the president getting to choose judicial candidates, even if they are controversial.

A return to the so-called judge wars in an effort to block the president’s power to fill vacancies on the federal bench ultimately will serve neither party.

[From SFGate.com, May 20, 2011]

SHAME ON GOP SENATORS WHO BLOCKED GOODWIN LIU

Senate Republicans, dripping with partisanship and hypocrisy, blocked an up-or-down vote Thursday on the nomination of UC Berkeley law Professor Goodwin Liu to the Ninth U.S. Circuit Court of Appeals in San Francisco.

Their argument that Liu is a leftist ideologue does not hold up to scrutiny. Instead, the continuing filibuster of Liu’s nomination carries the distinct scent of political retribution.

Fair-minded people who have looked at Liu’s record and determined that he has the intellect and temperament to be a superb appellate judge include prominent conservatives Richard Painter, chief ethics lawyer in the Bush White House, and Whitewater prosecutor Ken Starr.

But neither fair play nor intellectual honesty carried the day in the Senate, where Liu’s nomination remained bottled up through the efforts of multiple Republicans who had opined (in the Bush years) that it was unconstitutional for senators to deprive a judicial nominee of an up-or-down vote. The obstructionists included Sens. John McCain, R-Ariz., and Lindsey Graham, R-S.C., who were among a group of 14 senators who had pledged that they would filibuster a nominee only in “extraordinary circumstances.”

Both McCain and Graham suggested, unconvincingly, that Liu was sufficiently out of the mainstream to merit such extreme action. Graham specifically mentioned Liu’s “outrageous attack” on Samuel Alito during his Supreme Court confirmation hearings in 2006. But, again, on closer inspection, Liu’s

point-by-point dissection of Alito’s record was meticulously documented with facts.

Another undercurrent at play is a GOP fear that the 40-year-old Liu, with his sharp intellect and appealing manner, might be a candidate to become the first Asian American on the Supreme Court. The gamesmanship against this well-qualified nominee is a disgrace to the Senate and a disservice to the judiciary.

[From Press—citizen.com, May 23, 2011]

TRASHING OF COURT NOMINEES MUST END

The judicial confirmation wars just got a fresh supply of ammunition. The U.S. Senate on Thursday failed to muster the votes needed to move forward on the confirmation of a nominee for a federal judgeship.

That almost certainly ended the Obama administration’s two-year struggle to win confirmation for Goodwin Liu to the 9th Circuit U.S. Court of Appeals.

The rejection also shattered any hope that partisan battles over confirmations might finally end. Democrats outraged over this loss will no doubt remember this and look for an opportunity for payback. This has been the story since 1987, when Senate Democrats led the effort to defeat Robert Bork, Ronald Reagan’s nominee to the U.S. Supreme Court. Since then, both parties have been guilty of trashing the potential judicial careers of clearly fit nominees: Republicans skewering Democratic presidents’ nominees; Democrats returning the favor for Republican presidents.

Sadly, Sen. Chuck Grassley, R-LA, played a role in defeating the Liu nomination. This is especially disappointing since, as the ranking Republican on the Senate Judiciary Committee—which vets judicial nominees—Grassley could have helped set a new tone on confirmations. He has done just the opposite.

Grassley has consistently opposed Liu’s confirmation because, he has said, the professor and associate dean at the University of California-Berkeley Law School is has made numerous controversial statements in his writings and speeches that express an “activist judicial philosophy” and because has no prior judicial experience. In a prepared statement, Grassley said “Liu holds a view of the Constitution that can only be described as an activist judicial philosophy” and if appointed to the court, “he will bring a personal agenda and political ideology into the courtroom.”

That is one opinion, and Grassley is certainly entitled to it. Others—including several conservative Republican lawyers, including former Whitewater prosecutor Kenneth Starr and two former lawyers in the Bush administration—disagree. Liu was given a unanimous “well qualified” endorsement from the American Bar Association, and his resume bristles with sterling academic and professional credentials. Liu would have been the first Asian-American judge on the 9th Circuit Court.

What is most disturbing about Thursday’s Senate vote is not the fact that the Senate rejected this nominee, but how it was done: by a filibuster. In other words, the Republicans used the Senate rules to prevent a simple up-or-down vote on the Liu nomination. The effort to end the filibuster fell eight votes short of the 60 needed. But had the 52 senators who voted for cloture voted for confirmation, Liu would be headed for the bench.

This is the very same tactic Republicans (including Grassley) rightly condemned when Democrats filibustered to block Republican nominees. They said that all presi-

dential nominees deserve an up-or-down vote, and they were right then.

How soon they forget.

Alas, Democrats who are outraged by Thursday’s move will not forget, and this mindless back-and-forth battle over judges will continue, probably forever. It is a sad day for the courts, for bipartisanship in the Senate and for the nation.

Mr. GRASSLEY. Today, the Senate will consider the nomination of Michael Simon, nominated to be a U.S. district judge for the District of Oregon. This nominee was reported out of Judiciary Committee with four votes in opposition. I am one of those who opposed the nominee and would like to detail my reasons for doing so.

Mr. Simon received his B.A. *summa cum laude* from the University of California, Los Angeles, in 1978, and J.D. *cum laude* from Harvard Law School in 1981. He began his legal career as a trial attorney with the Antitrust Division of the Justice Department.

In 1985, he spent 6 months as special assistant U.S. attorney for the Eastern District of Virginia and argued one appeal before the Fourth Circuit. Mr. Simon joined a large law firm as an associate in 1986. Since 1990, he has been a partner and the head of litigation for the firm’s Portland office.

Throughout his career, Mr. Simon has advocated on behalf of the American Civil Liberties Union of Oregon as a pro bono attorney. But his involvement in the ACLU goes beyond mere representation of a client. Mr. Simon has been a member of the ACLU of Oregon since 1986. He is an active member of their Lawyers’ Committee and served as a board member from 1997 to the year 2004, the vice president for legislation 1997 to 1998, and vice president for litigation from 2000 to 2004.

I recognize that judicial nominees should not be evaluated solely on client lists or memberships, that would be very unfair. However, these are relevant bits of information about a nominee.

Listen to the words of one of my Democratic colleagues, who inferred that the ACLU is beyond a moderate and mainstream approach. This was stated during the debate on judges nominated by President Bush:

If you look at the records of these judges and you put scales, left to right, 10 being the most liberal and 1 being the most conservative, these judges are “ones”, to be charitable. When Bill Clinton nominated judges, he nominated mainly sixes and sevens, people who tended to be a little more liberal, but were moderate and mainstream—very few legal aid lawyers or ACLU charter members, much more prosecutors and partners in law firms.

My colleague recognized that ACLU lawyers were beyond moderate and mainstream. I would complete his analysis and rank this organization as very liberal.

In Mr. Simon’s case, there has been concern about whether or not he shares the far out views of the ACLU. On this

question, Mr. Simon refuses to provide a clear answer. At his hearing he stated that “we do not necessarily agree with all of the positions taken by the American Civil Liberties Union.” When asked in follow-up questions to describe the legal or policy position with which he disagrees, he argued that his advice to the ACLU was confidential and subject to the attorney-client privilege. In a second round of questions, committee members clarified they were not asking about advice to a client, but policy positions with which he disagreed. This was met with “I am not at liberty to describe the legal or policy positions advocated by the ACLU with which I disagree.”

The ACLU does hold very liberal views, and Mr. Simon has been the voice for those views. For example, Mr. Simon wrote a letter to the Tillamook County Courthouse in Oregon expressing the ACLU’s concern with religious Christmas signs and decorations. The letter encouraged the county to repeal its resolution that deemed the county a “Merry Christmas County.”

On issue after issue, Mr. Simon refused to disassociate himself from legal and policy positions held by the ACLU, that are far outside the mainstream. This includes the legalization of drugs, the unconstitutionality of the death penalty, the unconstitutionality of the Pledge of Allegiance, the ACLU’s opposition to tax exemptions for churches and extreme views regarding separation of church and state.

Mr. Simon’s views on the war on terrorism and a liberal view on civil liberties are troubling to me. In a speech in 2007, Mr. Simon argued that Americans’ civil liberties have been threatened because of measures undertaken following 9/11. In his speech, he said that “our thinking would be clearer and our solutions more effective if we stop thinking about—and stop calling—terrorism a ‘war’ or a ‘crime,’” and argued that calling military action against terrorism a “war” “implies that a military conquest is the best tool for this fight” and that terminology “may limit more creative and even more successful techniques to promote and protect our security.”

Perhaps Mr. Simon agrees with the Attorney General who, in a recent speech, asserted that “our most effective terror-fighting weapon” is our article III [civil] court system. I certainly disagree with that assertion, and I think most national security experts, our military, and most Americans would disagree as well.

Mr. Simon appears to approach constitutional theory with an activist slant. In remarks before a conference sponsored by the Oregon Lawyers Chapter of the American Constitution Society on May 23, 2007, Mr. Simon stated:

There is also support for the conclusion that the Founders did not believe that their

intentions and understanding should bind future generations. That may be the only real ‘original intent’ of the Founders.

That quotation makes me wonder, if the Constitution wasn’t going to have any hold on future generations, why did the drafters spend so much time during that summer of 1787—and even longer periods of time—getting the Constitution adopted. That seems to be the implication of what he says there.

It is no surprise, then, that Mr. Simon has a hostile view of religion in the public square. He continued in those remarks, “There is also support for the proposition that the concept of ‘separation of church and state’ was an ‘unfolding and evolving’ idea at the time of the Founders. . . .”

Mr. Simon appears to demand an absolute wall of separation between church and state, as opposed to the U.S. Government promoting a specific religion. He has argued against religious displays on public land, against religious visitors to schools, against a coach praying with his football players. I assume that means even if you’re praying that they don’t get injured. Mr. Simon has argued that it is unconstitutional under the establishment clause to teach intelligent design in public school science classes.

Based on his views regarding the war on terror, his activist approach to constitutional interpretation, his hostility to religion in the public square, and his remarks and advocacy of ideas which indicate a legal view that is outside the mainstream, I will oppose this nomination. I ask my colleagues to do likewise.

Mr. LEAHY. Mr. President, I see my two friends—the two outstanding and distinguished Senators from the State of Oregon—and I yield the floor to them.

The PRESIDING OFFICER. The junior Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank the chairman of the Judiciary Committee for his comments and perspective on judicial independence. It is extremely important in having a court system that can both be effective and reflect the faith of the citizens of this Nation that they have a system of true justice.

I rise in support of the nomination of Michael Simon to the post of U.S. District Judge for the District Court of Oregon. Quite simply, Michael Simon is a man of enormous integrity, intellectual breadth and depth, and good old-fashioned common sense and decency. Michael Simon has earned a reputation as a top lawyer in commercial litigation, appellate law, and constitutional law. He is respected nationally. He is eminently qualified for this seat.

After graduating summa cum laude from UCLA, he attended Harvard Law School, where he graduated cum laude. He began his legal career in the Department of Justice’s antitrust divi-

sion, where he served as a trial attorney for 5 years. During this time, he also volunteered for and served as a special assistant U.S. Attorney for the Eastern District of Virginia.

Mr. Simon is currently a partner at Perkins Coie in Portland, where he has worked since 1986 and earned a reputation as one of the Northwest’s real legal stars. He has engaged in extensive pro bono work and has volunteered for many nonprofit organizations. He has served as an adjunct faculty member at Lewis & Clark Law School, teaching antitrust law, drawing on his earlier life experience. He has also served as a pro tem judge on the Multnomah County Circuit Court.

In the courts, Michael has made his name as a staunch defender of consumer protection, antitrust laws, and the first amendment. He has found the time to be deeply involved in his community, displaying a commitment to voluntarism, civic participation, and public service.

For years, Michael has been a leader of the Classroom Law Project, a nonprofit that prepares youths to become active, engaged and informed participants in our democratic society. Serving as president, and then as a board member, he has helped bring a love of civics and democracy to thousands of public school students across Oregon.

In addition to his service in government and civic organizations, Mr. Simon has been an active member of the Jewish community in Portland. He is a familiar and beloved face at his temple, Beth Israel, and has served on the boards of the American Jewish Committee and the Jewish Federation of Greater Portland.

In short, Michael Simon exemplifies the traits that every Federal district judge should possess—a brilliant legal mind and a heart dedicated to service, fairness, and community.

The U.S. District Court of Oregon has historically had a reputation as a place of efficient and fair courts led by outstanding professional jurists. I know Michael Simon will uphold this tradition. He will be an outstanding judge who will continue the district’s tradition of fairness and commitment to public service, and he will fill a critical vacancy in this district.

Michael Simon is an excellent nominee, and I urge all my colleagues to reflect on his record and his capacity in multiple dimensions throughout his life that brings a seasoned judgment and the independence of mind to the judicial system. I urge my colleagues to support his nomination.

I thank the Chair.

The PRESIDING OFFICER. The senior Senator from Oregon.

Mr. WYDEN. Mr. President, Senator MERKLEY has said it very well this morning. I had a chance to speak about Michael Simon yesterday, and I want to make a few additional remarks this morning.

After the retirement of Senator Hatfield, whom we all know is still beloved by many here in the Senate, I have had a chance to work with our former colleague Senator Gordon Smith and now with Senator MERKLEY to send to both Republican and Democratic Presidents some outstanding men and women for their consideration for the District Court in Oregon. Today, Senator MERKLEY and I send to the Senate for its consideration another outstanding individual—someone who is going to take his place with the other leaders who have been named to the district court of Oregon.

Michael Simon is one of those persons who, when you look at what kind of jurist you want to have, meets all the essential tests. He is a thoughtful man, he is a fair man, and he is an individual who always wants to have all the facts in front of him before he makes a reasoned judgment. When I look at his background—and Senator MERKLEY has laid out several of the areas that were special and that we are especially proud of, his work in the private sector at Perkins Coie—I come particularly to his work in consumer protection and the antitrust field, because it highlights the kind of person Michael Simon is.

He made one of his most notable contributions to strengthening consumer protection law working on behalf of the Department of Justice on the case of the United States v. American Airlines, and he successfully argued then for extending the reach of the Sherman Act to include monopolization and attempted monopolization.

This is not a partisan issue. This is the kind of issue that helps all Americans—all Americans, regardless of their political philosophy or party they belong—to benefit from the fruits of a more competitive American marketplace.

Michael Simon's work in that area benefits each and every one of us every single day.

Second, as I talked about yesterday, and Senator MERKLEY has described eloquently this morning, we are very proud of Michael Simon's championing work as a volunteer. I can tell you, that it seems as though virtually every good cause that comes across my desk at home seems to have Michael Simon's name on it urging that Oregonians participate and volunteer their time.

We are especially proud of his work on behalf of children. His work with the Classroom Law Project, his work at the Waverly Children's Home, where he was past head of the board of directors, these kinds of positions are ones where you make a difference. These kinds of positions give Mr. Simon a chance to teach not just right and wrong to young people but a chance to give them the kind of background about the rule of law and the rights

and responsibilities we want to instill in our children. That is why we are very proud to bring to the attention of the Senate his work with Oregon's youngsters.

Finally, I want to stress the immediacy of the need for the Senate to confirm Michael Simon today. This seat has been vacant for 664 days. It is just 1 of 36 judicial emergencies. As it stands, there are nearly 90 Federal court vacancies, some of which have been empty for more than 3 years. Judicial emergencies are not just some sort of Washington phrase to throw around on the floor of the Senate. They are actually an emergency defined by the Chief Justice of the United States, John Roberts. And to earn this designation, filings must exceed 600 per judge in district courts and 700 per judge in circuit courts.

Justice delayed is justice denied. Until the Senate begins to move expeditiously to fill these vacancies, justice will continue to be denied to thousands of Americans who deserve due process.

Both Senator MERKLEY and I are very grateful to Senator LEAHY and Senator GRASSLEY, the majority leader Senator REID, and the minority leader Mr. MCCONNELL for their work to bring this nomination to the floor.

I hope colleagues who have questions about Michael Simon will come to Senator MERKLEY and myself. We will stay on the floor and be available to colleagues to answer any questions.

But this is a good and decent man who possesses all of the requisite qualities we would like in a jurist, whether it is his work in the private sector, whether it is his pioneering work in the field of extending the reach of the Sherman Act to deal with monopolies. This is a person who will reflect great credit on the District Court of Oregon and on the legal system of our country.

I hope all our colleagues will support Michael Simon today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

PANETTA NOMINATION

Mr. CHAMBLISS. Mr. President, I rise to support the nomination of Leon Panetta to be the 23rd Secretary of Defense. Director Panetta has a long history of government and private sector service and experience, including service in the U.S. Army.

Director Panetta served ably for eight terms as a member of the U.S. House of Representatives, rising to be chairman of the House Budget Committee. He left that position to be President Clinton's Director of the Office of Management and Budget and later served 2½ years as President Clinton's Chief of Staff, which is where I got to know him well. He then spent 10 years codirecting a foundation with his wife that seeks to instill in young men and women the virtues and values of public service. Knowing Director Pa-

netta, this comes as no surprise. In February 2009, he became the 19th Director of the Central Intelligence Agency, and it is in this capacity where I have had the opportunity to work very closely with him over the last several years and consider him a close friend.

Director Panetta has been an outstanding leader of the Central Intelligence Agency, and it is bittersweet to see him leave. Director Panetta is a true leader in every sense of the word. He understands how Capitol Hill works since he served in Congress for 16 years. He has always shown the Senate Select Committee on Intelligence, which is the committee that oversees his organization, the right kind of deference and responded to our questions and concerns promptly and directly.

Although he leaves the CIA, he is not leaving the administration and I am quite pleased that I will continue to have the opportunity to work with him as Secretary of Defense. I think he has the right qualifications for his new job. He understands budgets, and in this time of economic austerity we need someone with that knowledge and his ability to understand and manage the resources of a huge organization such as the Department of Defense.

In his current capacity as Director of the CIA, he has also worked and built strong partnerships with the Department of Defense, having been involved in the planning and execution of numerous joint operations, including of course the most recent operation against Osama bin Laden. He will continue this strong partnership in his new position, and I know he will continue to ensure that these two organizations work closely together and cooperate successfully in the interest of our national security and for the safety of our country.

Director Panetta has a very challenging job ahead of him. The United States is involved in three major military operations overseas, as well as countless smaller ones. Budgets are extremely tight, and they are only going to get tighter. However, no country has the global interests and global responsibilities that the United States has, and for that reason we need a military that can protect those interests and carry out those responsibilities. Director Panetta will need to decide how we do that and will also help decide what, if anything, the United States can and needs to stop doing.

He will also need to take responsibility for shaping our military to be prepared for the future. For the last decade, our military has necessarily been focused on fighting and winning the conflicts we are in; namely, Iraq and Afghanistan. We continue to meet that challenge, and I am very optimistic that we, with the Afghan people, will prevail against insurgents in Afghanistan, just as we prevailed with

the Iraqi people against insurgents in Iraq. However, we can't take our eyes off the future. As a nation, we have a very poor record of predicting where our next conflict will come from.

I have heard it said that when Secretary McNamara had his confirmation hearing to be Secretary of Defense in 1961, no one asked him a question about a country called Vietnam. And when Secretary Rumsfeld had his confirmation hearing in 2001, no one asked him about Afghanistan. But, in both cases, those were the issues that would dominate their tenure as Secretary of Defense.

If I might say, Director Panetta, if a new global hot spot dominates your tenure as Secretary of Defense, there is a good chance that it will be one that no one asked you about at your confirmation hearing.

For this reason, our Armed Forces need to be prepared to fight conflicts that are unlike our current ones. We cannot, and should not, assume that the next war will be like the current one. We need to be prepared for both high-end and low-end conflict. We need to be prepared not just so that we can fight and win these conflicts but so we can deter potential adversaries and not have to fight in the first place.

I know Leon Panetta realizes that, and I know he will continue to be committed to ensuring our military is as prepared as possible to meet whatever challenges may come our country's way. That will not be easy, and it will take a man of his ability to do this successfully and in a way that takes into account our current fiscal situation. However, I believe the President has chosen the right man for the job.

I support Leon Panetta's nomination to be the next Secretary of Defense, and I encourage my colleagues to support that nomination as well.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, let me first say I thought the statement from the distinguished Senator from Georgia was spot on, and I particularly appreciated his point that when we confirm Leon Panetta to head Defense, no one can possibly predict what kind of challenges he will face there. But this is the kind of person who, because of ability and background, is up to any kind of challenges that are thrown to him. So I want to associate myself with my colleague from Georgia.

Mr. President, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to yield back the

remainder of the time and I ask for the yeas and nays.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Michael H. Simon, of Oregon, to be United States District Judge for the District of Oregon? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from New Hampshire (Ms. AYOTTE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 92 Ex.]

YEAS—64

Akaka	Graham	Murkowski
Alexander	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Inouye	Nelson (FL)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Kirk	Reid
Boxer	Klobuchar	Rockefeller
Brown (MA)	Kohl	Sanders
Brown (OH)	Kyl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Snowe
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Lieberman	Udall (CO)
Conrad	Lugar	Udall (NM)
Coons	Manchin	Warner
Cornyn	McCain	Webb
Durbin	McCaskey	Whitehouse
Feinstein	Menendez	Wyden
Franken	Merkley	
Gillibrand	Mikulski	

NAYS—35

Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Burr	Hoeven	Roberts
Chambliss	Hutchison	Rubio
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Crapo	Lee	Vitter
DeMint	McConnell	Wicker
Enzi	Moran	

NOT VOTING—1

Ayotte

The nomination was confirmed.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed and reassembled at 2:15 p.m. when called to order by the Presiding Officer (Mr. WEBB).

EXECUTIVE SESSION

NOMINATION OF LEON E. PANETTA TO BE SECRETARY OF DEFENSE

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Leon E. Panetta, of California, to be Secretary of Defense.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate, equally divided, between the two leaders or their designees.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I understand there is a time agreement on this nomination; is that correct?

The PRESIDING OFFICER. The Senator is correct—2 hours of debate, equally divided.

Mr. LEVIN. I thank the Presiding Officer, and I yield myself 10 minutes.

Mr. President, the nomination of Leon Panetta to be Secretary of Defense is a wise and a solid nomination. Director Panetta has given decades of dedicated public service to this Nation, and we should all be grateful he is once again willing to answer the call and take the helm at the Department of Defense. We are also grateful to his wife Sylvia for her significant sacrifices over the last 50 years in supporting Leon Panetta's efforts in the public and private sectors.

When Mr. Panetta appeared before the Armed Services Committee at his nomination hearing, all of our Members commented invariably in the same way—reflecting the view that we are grateful Mr. Panetta is willing to take on this position. He is going to bring a reassuring level of continuity and in-depth experience. He has been a critical member of President Obama's national security team during his tenure as Director of the Central Intelligence Agency. The Department of Defense will need Director Panetta's skill and his wisdom to navigate the extraordinarily complex set of challenges in the years ahead.

Foremost among those demands are the demands on our Armed Forces, and these are exemplified by the ongoing wars in Afghanistan and Iraq. Between those two conflicts, we continue to have approximately 150,000 troops deployed. The U.S. military is also providing support to NATO operations to protect the Libyan people. In addition, even after the extraordinary raid that killed Osama bin Laden, we face potential terrorist threats against us and against our allies which emanate from Pakistan, Yemen, Somalia, and other places.

The risk of a terrorist organization getting their hands on and detonating an improvised nuclear device or other weapon of mass destruction remains one of the gravest possible threats to the United States. To counter that threat, the Defense Department is working with the Departments of State, Energy, Homeland Security, and other U.S. Government agencies to prevent the proliferation of nuclear weapons, fissile materials, and dangerous

technologies. As Secretary of Defense, Director Panetta's leadership in this area will be of vital importance. Here again, it is that experience as Director of the CIA which will be so invaluable.

In the coming weeks, President Obama and his advisers will face a number of key national security decisions. While the drawdown of U.S. forces in Iraq remains on track, there have been recent signs of instability in that country. As a result, it is possible that Iraq's political leadership may ask for some kind of continuing U.S. military presence beyond the December 31 withdrawal deadline which was agreed to by President Bush and Prime Minister Maliki in the 2008 Security Agreement.

Another key decision point is looming in Afghanistan regarding reductions in U.S. forces starting next month. President Obama said the other day:

It's now time for us to recognize that we have accomplished a big chunk of our mission and that it's time for Afghans to take more responsibility.

The President also said a few months ago that the reductions starting next month will be "significant." Hopefully, they will be. Director Panetta, while not assigning a specific number, agreed they need to be significant. A significant reduction in our troop level this year would send a critical signal to Afghan leaders that we mean it when we say our commitment is not open-ended and that they need to be urgently focused on preparing Afghanistan's security forces to assume security responsibility for all of Afghanistan. The more that Afghan security forces do that, the better the chances of success because the Taliban's biggest nightmare is facing a large, effective Afghan Army—an army which is already respected by the Afghan people, but now, hopefully—and soon—in control of Afghanistan's security.

Another major issue facing the Department is the stress that 10 years of unbroken war has placed on our Armed Forces. Over the last decade, many of our service men and women have been away from their families and homes for multiple tours. Not only is our force stressed, so are our military families. We owe them our best efforts to reduce the number of deployments and increase the time between deployments.

The next Secretary of Defense will have to struggle with the competing demands on our forces while Washington struggles with an extremely challenging fiscal environment. The Defense budget will not and should not be exempt from cuts. But Congress, working with the next Secretary of Defense, will need to scrub each Defense program and expenditure and make the tough choices and tradeoffs between our war fighters' requirements today and preparations for the threats of tomorrow.

Last week, the Armed Services Committee marked up the fiscal year 2012 National Defense Authorization Act. The committee cut about \$6 billion from the President's budget request. However, the President has decided to reduce the national security budgets for the next 12 years by \$400 billion. What we don't know is how much of that \$400 billion he will recommend to come from the Defense budget and how much from the intelligence and homeland security budgets or how much is recommended to be in the first of that 12-year period—fiscal year 2012.

The Nation is fortunate that Director Panetta's compelling record of achievement and experience is well suited to the demands of the position of the Secretary of Defense. Mr. Panetta is the right person to help our military through the fiscal challenges that confront this Nation. His service as President Clinton's Director of the Office of Management and Budget is invaluable because he understands the budget process and because he shaped the decisions that helped achieve the budget surpluses of the late 1990s.

Leon Panetta has repeatedly demonstrated an ability to reach across party lines and work in a bipartisan spirit since entering public service 45 years ago. He worked on the staff of the Republican whip in the Senate and headed the Office of Civil Rights in the Nixon administration. He later won election to the House of Representatives as a Democrat, where he served 16 years, earning the respect of his peers and becoming the chairman of the House Budget Committee.

Throughout his time in public service, Leon Panetta has been guided by a clear moral compass. He has said:

In politics there has to be a line beyond which you don't go—the line that marks the difference between right and wrong, what your conscience tells you is right. Too often people don't know where the line is. My family, how I was raised, my education, all reinforced my being able to see that line.

Leon Panetta has been intimately involved in the most pressing national security issues of our time. During his tenure as Director of the Central Intelligence Agency, President Obama turned to Director Panetta to personally oversee the manhunt for Osama bin Laden and the awe-inspiring operation that brought an end to al-Qaida's murderous leader and provided a measure of relief to the families and friends who have suffered since September 11, 2001. The raid on the bin Laden compound epitomizes the way in which the CIA and the Defense Department are finally working together to support each other in counterterrorism operations, and Director Panetta deserves credit for this close coordination.

Before concluding, I wish to pass along my gratitude and deep admiration for the man who is stepping down as head of the Department of Defense,

Secretary Robert Gates. Secretary Gates has provided extraordinary service to this country, spanning the administrations of eight Presidents. Four and a half years ago, he left the comfort and rewards of private life, following a long career in government, to once again serve the critical post of President Bush's Secretary of Defense at one of the most difficult times in recent history. Throughout his tenure, across the Bush and Obama administrations, Secretary Gates' leadership, judgment, and candor have earned him the trust and respect of all who have worked with him.

Secretary Gates has combined vision and thoughtfulness with toughness, clarity and courageous decision-making. Secretary Gates established a direct and open relationship with Congress and with our Senate Armed Services Committee in particular. As chairman of that committee, I will always be personally grateful for that.

Secretary Gates' tenure as Secretary of Defense will be judged by history to have been truly exceptional. So our next Secretary of Defense will have enormous responsibilities but also big shoes to fill. I am confident Leon Panetta is the right person to take on that challenge, and I urge our colleagues to support this nomination.

Mr. President, I yield the floor, I suggest the absence of a quorum, and I ask unanimous consent that any time consumed during the quorum call be equally divided.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I rise in strong support of President Obama's nominee to serve as our 23rd Secretary of Defense, Mr. Leon Panetta. These are big shoes to fill. Secretary Gates has had a remarkable term as Secretary and a remarkable career in public service. In addition, the challenges our military faces in this economic climate are significant. We must have a serious discussion about crafting a sustainable way forward.

I sat down with Director Panetta earlier this month to discuss these challenges. I can say with certainty, Leon Panetta is up to the test. He has the experience and wisdom required, and I look forward to working with him once the Senate gives its advice and consent to his nomination.

I have known Leon Panetta for a long time. We served together in the House of Representatives, and we worked together in government for many years. He has an amazing history of public service to America. We served

together on the House Budget Committee when we were both Congressmen in the early 1990s, and he chaired that committee. He understands budgets and the challenges they present.

As Director of the Office of Management and Budget, he took that skill to the executive branch; and as Chief of Staff to President William Jefferson Clinton, he crafted the proposal which brought us to balance in our budget as a nation.

It is hard to imagine it was only 10 years ago that we had a balanced Federal budget. In fact, we were generating a surplus, putting that money into the Social Security trust fund to make it stronger. Ten years later, mired deep in debt, it is hard to imagine that happened, but it did, and Leon Panetta was a big part of that occurrence.

He advised President George W. Bush on how to bring a close to the Iraq war in a responsible way. For the last 2 years he has had an awesome responsibility as Director of the Central Intelligence Agency.

Thanks to the President's strategic focus and Director Panetta's extraordinary leadership, Special Forces and CIA operatives were able to locate and capture Osama bin Laden last month in Pakistan. These are precisely the skills and experiences we need at the table at this moment.

I know Leon Panetta as more than just a fellow colleague in the House and a person who shared some time in public service when I did. I know him as a person. I know his family. I know what he thinks. I know his values. I have to tell you, President Obama and America are fortunate to have a person of this quality who is willing to give even more of his life in public service. He could have stayed out in Monterey, CA, his home area, and no hardship assignment, but he chose not to. He came to Washington to head up the Central Intelligence Agency and now has accepted this invitation to head up the Department of Defense. There is no question in my mind that he will bring to it an extraordinary skill level and amazing values.

Director Panetta and I have talked a little bit about some subjects, and one near and dear to my heart, the DREAM Act. The DREAM Act is legislation I introduced almost 10 years ago allowing immigrant students who have no country an opportunity to contribute to America. These young people came to the United States with their parents when they were just kids and infants. They have lived here all their lives. All they want is a chance to prove how much they love this country. The bill I introduced said there are two ways they should be allowed to do it: No. 1, to complete at least 2 years of college, to have, obviously, a high school diploma and good background; but another, to serve in our Nation's military.

I have been proud to have the support of Secretary of Defense Gates in this effort, and I look forward to the same support from the next, Secretary Panetta. The DREAM Act would strengthen our military and strengthen our Nation, and I am sure, as General Colin Powell has said, "Immigration is what's keeping this country's lifeblood moving forward." These young people can help us move forward as a nation to be safer and create more opportunity.

We have a number of challenges ahead. Our men and women are fighting wars in Iraq, Afghanistan, and now Libya. Servicemembers and their families have borne an incredible burden of sacrifice in these conflicts over the last decade. As a nation, we are spending tens of billions of dollars a month to sustain them in their efforts.

At the same time, public support for these undertakings will not last forever. The current situation needs to change, and the President is about to make an announcement when it comes to our troop levels in Afghanistan. We have to craft a way forward and deal honestly and responsibly with what is possibly one of our most challenging situations in Afghanistan. I believe it has to begin with a substantial redeployment of U.S. troops back to America from Afghanistan.

Last week I joined Senator JEFF MERKLEY of Oregon and 24 of my colleagues in a letter to the President expressing these concerns. I trust the President and incoming Secretary of Defense and Congress can find a responsible path forward. We need to take a hard look at every aspect of our Federal budget, including our Department of Defense, to sustain our men and women in uniform but not to waste money on privatization, on contractors, and on runaway contracts.

As Chairman of the Joint Chiefs of Staff, Admiral Mullen has commented that our greatest national security threat is our ballooning deficit. Of course, we need to protect our country, but we need to do it in a fiscally responsible manner. Even as we address the path forward in Iraq, Afghanistan, and Libya, even as we trim the spending in the defense budget, we will not back away from our commitment to the men and women in uniform. I know Leon shares that statement.

I support Leon Panetta as our next Secretary of Defense because now more than ever we need his steady hand, his leadership, to tackle these challenges in budgets, in management, and in the critical conflicts we are engaged in around the world. I congratulate President Obama for selecting Leon Panetta for this awesome responsibility, and I look forward to working with him on these issues and others in the years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today to express my strong support for the nomination of Leon Panetta as the next Secretary of Defense. Director Panetta comes to this job at an extraordinarily challenging time for the Department of Defense and for our Nation. Among the many issues he will confront, Mr. Panetta will oversee the completion of our direct military operations in Iraq, the beginning of the transition of our forces out of Afghanistan, the enhancement of our cyber defenses, and the reduction of our defense budget.

I have known Leon Panetta for many years, and I know he is particularly well suited to address all of these challenges. He is a man of great intellect, of great decency, and great determination.

At the end of this year, for example, in compliance with the Status of Forces Agreement, we will complete the withdrawal of our forces from Iraq and hand over primary responsibility for our ongoing relationship with Iraq to the Department of State. It remains to be seen whether the Iraqi Government will ask us to extend our military presence past December 31. But for now, we are thoroughly and determinately preparing our troops to leave. Having served as a member of the Iraq Study Group, Mr. Panetta certainly understands the importance of this transition and will carry it out.

As the next Secretary of Defense, Leon Panetta will also continue to focus our efforts on fighting terrorism in Afghanistan and Pakistan. We are facing a critical turning point in our operations. This week, we expect President Obama to announce his plan to begin reducing our force levels in Afghanistan this summer, a commitment he made in his speech at West Point in 2009.

Along with the reduction in forces we must sustain the security gains that we have accomplished during the past year and further build the capacity of the Afghan forces so they are able to take full responsibility for their own security. Mr. Panetta understands how important it is for all of our agencies to work together in this effort and all security missions; that using military force may be our primary weapon of securing areas but enduring success comes from coordination among the intelligence and law enforcement communities, from effective diplomacy, and from assistance programs administered by the Department of State and the USAID.

The conditions on the ground in Afghanistan are directly related to our ability to successfully attack the terrorist networks that are operating along the border in Pakistan. In his current position as Director of the CIA, Mr. Panetta has reinvigorated these efforts, most notably with the successful raid on Osama bin Laden. Indeed, I believe when history looks back, outside

of the critical and ultimate decision by the President of the United States, one of the most important roles played in this effort to prepare the way for those courageous SEALs was the steady leadership of Leon Panetta at the Central Intelligence Agency. He understands the complexities of our relationship with Pakistan and, indeed, throughout the world. This expertise will be critical as we move forward, and critical for our next Secretary of Defense.

He will also lead the Department of Defense in preparing for the emerging threats to our national security, such as attacks to our cyber infrastructure. Indeed, every branch of government is working to define the roles various organizations will play in protecting people, infrastructure, and information within cyberspace.

During his confirmation hearings before the Senate Armed Services Committee, I discussed with Director Panetta the strategy the Department of Defense would employ in confronting the potential of a cyber attack against the United States. He responded in no uncertain terms. His words:

I have often said that there is a strong likelihood that the next Pearl Harbor that we confront could very well be a cyberattack that cripples our power system, our grid, our security systems, our financial systems, our governmental systems. This is a real possibility in today's world. And as a result, I think we have to aggressively be able to counter that.

Indeed, Mr. Panetta understands the future as well as the present, and he will bring his experience as well as his vision to bear on the emerging challenges that face the United States.

Perhaps most challenging of all, Leon Panetta will lead the Department at a time of great fiscal constraints. As our Nation continues to find a path forward to rebound from the economic challenges of the last few years, there is an ever-growing pressure to reduce the size of the defense budget, which has nearly doubled over the past 10 years. But we must be careful to do so in a way that removes unsustainable costs without losing vital capability.

As a result of the high operational tempo and the duration of multiple overseas operations, all of our services are facing serious reset and recapitalization needs. Serious decisions will have to be made to ensure that we have the right systems in place to meet the threats we face, all at a price level that we can afford.

Having served as the House Budget Committee chairman, and as the Director of the Office of Management and Budget, there is no one who has more knowledge, more experience, more sense of the details than Leon Panetta, and I believe he is the most well qualified individual to tackle the huge budgetary issues that are facing the Department of Defense.

Leon will have an extraordinary role to play, particularly in the wake of the

extraordinary service of Secretary of Defense Robert Gates. I can't think of anyone I respect or admire more. I can't think of anyone who has served this country with more distinction, who has served with more selfless dedication to the Nation, and fundamentally who has made his decisions knowing full well that at the end of the day young Americans in the uniform of the United States will carry out his orders.

Bob Gates has done a superb job. But I have every confidence that Leon Panetta will continue to carry on, will continue to meet those standards, will continue to lead the Department of Defense with distinction, with dedication and great loyalty, just as Secretary Gates has done, and ultimately we will know that at the end of all the decisions emanating from the Pentagon there is a young American willing and able and ready to serve, to support this Nation and defend it.

With that, I rise to express my great support for Secretary-designee Panetta and wish him well in all of his endeavors and pledge to work with him closely.

I yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, first of all, I rise in total support of Mr. Leon Panetta as the new Secretary of Defense. He is an outstanding public servant who has served in many capacities and he has been a tremendous leader in every role he has held.

THE DEBT CEILING AND AFGHANISTAN

With that being said, I rise to speak on our war in Afghanistan. Very soon our Nation, this esteemed body, and particularly the President of the United States will address two of the greatest challenges our Nation currently faces. The first is Afghanistan.

The second issue is raising the debt ceiling and confronting our Nation's unsustainable spending and debt. To the average American, Afghanistan and raising our debt ceiling may seem unrelated, but they are, in fact, directly related. They are directly related to the hard fiscal and strategic choices our Nation must make if we are to remain safe and secure in the coming decades.

With respect to raising the debt ceiling, the budget realities we face are both striking and frightening. While some may choose to ignore this threat, mere words cannot give weight to the fiscal peril our Nation now faces. Only numbers can.

Since 1992, we have raised the debt ceiling 16 times. In 1992, our national

debt stood at \$4.1 trillion. Between 2002 and today, our national debt rose from \$5.9 trillion to over \$14.3 trillion. Now for the first time in our Nation's history, our yearly budget deficits may exceed \$1 trillion for 4 years in a row. At the current pace of deficit spending, CRS projects our national debt will exceed \$23.1 trillion by 2021.

In order to pay for the financial hole we have dug, the Congressional Budget Office projects that net interest payments will increase fourfold over the next 10 years, from \$197 billion in fiscal year 2011 to \$792 billion in fiscal year 2021. To put that number into perspective, one decade from today, interest payments on our \$23.1 trillion debt will exceed the amount we currently spend on education, energy, and national defense combined. Numbers of this size are not only unimaginable, they will prove catastrophic for our Nation's future.

The fiscal peril we face reminds me of the words a former Senator said on this floor in declaring why he chose in 2006 to vote against raising the debt ceiling when our national debt stood at that time at \$8.18 trillion. He said:

The rising debt is a hidden domestic enemy, robbing our cities and States of the critical investments and infrastructure like bridges, ports, and levees; robbing our families and our children of critical investments in education and health care reform; robbing our seniors of the retirement and health security they counted on. Every dollar we pay in interest is a dollar that is not going to investment in America's priorities.

That former Senator was President Barack Obama.

While his perspective on these words may ring differently today, I believe they accurately capture the difficult choices we face today. The choice is this: Will we rebuild America's future?

Today, with our Nation facing a stagnant economy and a death spiral of debt, we can no longer have it all—or pretend we can. We must choose what as a nation we can and cannot afford to do. Our risky debt will not only undermine our economic security, it also threatens our national security. As ADM Michael Mullen said:

I believe that our debt is the greatest threat to our national security. If we as a country do not address our fiscal imbalances in the near-term, our national power will erode, and the costs to our ability to maintain and sustain influences could be great.

We can no longer in good conscience cut services and programs at home, raise taxes, or—this is very important—lift the debt ceiling in order to fund nation building in Afghanistan.

Ten years ago, when our mission in Afghanistan began, it was a just and rightful mission to seek out and destroy those responsible for the terrorist attacks on 9/11 and the deaths of thousands of innocent Americans. We overthrew the Taliban government to provide a safe haven to al-Qaida. We have hunted down and killed Osama

bin Laden as well as most of the senior members of this terrorist group. Today, in Afghanistan, in a nation of 30 million people, intelligence estimates suggest there are only between 50 and 100 al-Qaida terrorists harbored there. Because of the incredible work of our military men and women, the mission of destroying al-Qaida in Afghanistan by all accounts has been a success. But the real truth is, after 10 years, our current mission in Afghanistan has become less about destroying al-Qaida and more about building a country where, frankly, one has never existed.

In February, I saw firsthand the significant challenges our brave troops face as they pursue this nation building mission. During the trip I heard from Ambassador Eikenberry and General Petraeus. I visited Helmand Province and Kandahar. I met with local tribal leaders and President Karzai of Afghanistan. What I heard from many officials and diplomats was that progress could be just around the corner but only if we give it more time and more money. I heard we must stay to counter the threat of al-Qaida but then was told that only a handful of al-Qaida members existed in Afghanistan. I was told that governance was improving, but that corruption was so rampant that billions—yes, billions—of dollars were lost to corrupt officials who seemed more interested in improving their own lives than the lives of their own people. I was told we need a sizable force to diffuse the threat posed by the Taliban but that estimating the size of the enemy was difficult. Still, everyone acknowledges that their force is a fraction of the number of troops we have there now. I was told that because of rampant corruption and theft, the very cost of moving our supplies was indirectly funding the very enemy we face.

I was told that China—yes, China—could reap billions by extracting resources from Afghanistan, but guess what. They are not contributing anything to the cost of security. I was told that after years of spending billions training a new Afghanistan military and police force, it could be years longer before they could fully defend their nation and their people, and even then it would demand billions more in funding from us. I was also told we were building schools, roads, and infrastructure as well as providing billions in aid for small businesses and job creation so Afghanistan could become more self-sufficient. But today, 97 percent of the Afghan economy is based on foreign aid, and that is after 10 long years. I have been told again and again that American aid is critical to rebuilding Afghanistan but that local projects built with American tax dollars could not be branded as American-funded projects out of fear of reprisals. I was told the people of Afghanistan truly want us there but was then told in a meeting with President Karzai that it was time for America to leave.

The American people have been hearing all of these arguments and the sad facts for nearly a decade. Now, after 10 years, I had truly hoped progress in Afghanistan would be clear and the Afghan people would be united and their government and leaders would be one defined by honesty, integrity, and a shared determination to build a better state. But the real truth is impossible to ignore. After 10 years, we face the choice of whether we will continue to spend tens of billions of tax dollars and lose precious American lives not on fighting and killing al-Qaida terrorists in Afghanistan but policing and building a state where the leaders seem indifferent to the difficulties of their people and their people seem indifferent at best, if not hostile, to our presence.

Tomorrow, President Obama will present to the American people his latest review on the war in Afghanistan and whether our mission will change. As is already clear, some in this esteemed body will argue for the President to stay the course and others will suggest a very different course. The question the President faces—and we all face—is quite simple: Will we choose to rebuild America or Afghanistan? In light of our Nation's fiscal perils, we cannot do both.

I believe if we are being honest with the American people about the depth of fiscal challenges we face at home, it is impossible to defend the mission in Afghanistan in which we are rebuilding schools, training police, teaching people to read—in other words, building a country—even at the expense of our own.

Neither the President nor any Senator can divorce the difficult decisions we must now make on Afghanistan from the equally difficult decisions we must now make on cutting domestic spending in order to raise the debt ceiling.

While the truth is the war on terrorism must be fought and it must be won, that war is not in Afghanistan. Yet, with every passing month, we are choosing to spend billions we can't afford to fight a war against an enemy that is no longer there.

Since the day I was sworn in, I have heard from countless of my fellow West Virginians who ask, How is it possible we are willing to spend hundreds of billions of dollars in Afghanistan while we face mountains of debt and spending cuts here at home? How is it possible we will choose to spend hundreds of billions of dollars to build Afghanistan when our children, our seniors, our veterans, the poor, and the middle class are being asked to bear the brunt of massive spending cuts?

I have carefully thought over these questions over these many months, and after hearing from my constituents, seeing Afghanistan again with my own eyes, listening to our soldiers on the

ground, hearing from dozens of diplomats, foreign policy experts, and the military leaders over these many months, as well as confronting the truth about the fiscal and economic peril our Nation faces in the coming years, I believe it is time for President Obama to begin a substantial and responsible reduction in our military presence in Afghanistan. I believe it is time for us to rebuild America, not Afghanistan.

That is why I strongly agreed with Senators MERKLEY and LEE, and the words of 27 of my Republican and Democratic colleagues, who made it clear in a letter they sent to the President last Thursday that:

... we must accelerate the transfer responsibility for Afghanistan's development to the Afghan people and their government. We should maintain our capacity to eliminate any new terrorist threats, continue to train the Afghan National Security Forces, and maintain our diplomatic and humanitarian efforts. However, these objectives do not require the presence of over 100,000 American troops engaged in intensive combat operations.

I believe it is time for us to compel the elected leaders of Afghanistan and its people to take responsibility for the destiny of their nation so we can ensure the destiny of ours. In that spirit, I have sent President Obama a letter calling on him to pursue significant reductions and end the scope of our current mission in Afghanistan well before 2014. I believe any further mission in Afghanistan should, as my Senate colleagues suggested in their letter, focus primarily on responding to any resurgent terrorist threat as well as providing targeted training for the Afghan military and police.

Throughout this transition period and beyond, I have asked the President to provide the American taxpayer a monthly accounting, to be published online, of every dollar that will be provided to Afghanistan government officials and agencies so as to ensure that no American tax dollars are lost to corruption and greed.

As for those on the right or the left who believe that leaving Afghanistan sooner is irresponsible, I simply ask them: Is 10 years not long enough? I ask them to tell the families of our brave military men and women who are on their third and fourth tour of duty, how much longer must they wait to come home. I ask them to look into the eyes of any American child and ask them to surrender our Nation's future for the sake of another. I ask all of them to explain to the American people the sanity of spending \$485 billion more, on top of the \$443 billion we have spent, to build Afghanistan over the next decade at the very same time our Nation drowns in a sea of debt.

The time has come to make the difficult decision. Charity begins at home. We can no longer afford to rebuild Afghanistan and America. We must choose, and I choose America.

As I made clear when I ran for this esteemed office, I would not put my political party before country, but I would do my best to do what is right for the people of my beloved State and great Nation. To that end, I promised to speak out and take positions, as difficult as they may be, not for the benefit of my next election but that are best for the next generation.

It is why I spoke out about the debt, to tell the American people and the people of West Virginia that I would not vote to raise the debt ceiling without a long-term permanent fix. I did this not because it was popular or easy but because we, as elected leaders of this great Nation, have a solemn obligation to rebuild our Nation before all others.

Our economy, our prosperity, our schools, our children, our veterans, our soldiers, our workers, our seniors, our Nation's future must come first. I, for one, will not look West Virginians in the eye and tell them that in order to raise the debt ceiling, vital programs and funding for Social Security, Medicare, our schools, roads, health care, veterans, seniors, and infrastructure will be slashed but we will continue to spend billions building schools, roads, and infrastructure in Afghanistan.

The time has come for us to realize the people of Afghanistan have to choose their own destiny. We cannot build it for them. The time has come for us to realize that in this time of fiscal peril, our solemn obligation is to build our own Nation, and that by doing so we will make America safer and stronger for generations to come.

The words of the great West Virginia statesman Robert C. Byrd ring even more true today than in October 2009 when he gave his last floor speech about the war in Afghanistan. Our friend said this:

During a time of record deficits, some actually continue to suggest that the United States should sink hundreds of billions of borrowed dollars into Afghanistan, effectively turning our backs on our own substantial domestic needs, all the while deferring the costs and deferring the problems for future generations to address. Our national security interests lie in defeating—no, I go further, in destroying al-Qaida. Until we take that and only that mission seriously, we risk adding the United States to the long, long list of nations whose best laid plans have died on the cold, barren, rocky slopes of that far off country, Afghanistan.

May God bless the brave men and women who serve this Nation and the United States of America.

Thank you, Mr. President.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise in support of the nomination of Leon Panetta to succeed Robert Gates. But first I feel compelled to respond to the statements by the Senator from West Virginia which characterize the isolationist, withdrawal, lack of knowledge,

of history attitude that seems to be on the rise in America.

In case the Senator from West Virginia forgot it or never knew it, we withdrew from Afghanistan one time. We withdrew from Afghanistan, and the Taliban came, eventually followed by al-Qaida, followed by attacks on the United States of America.

The Senator from West Virginia has expressed his admiration for the men and women who are serving. I hope he would pay attention to the finest military leader who will now be the head of the CIA, General Petraeus, whose knowledge and background may exceed that of the Senator from West Virginia.

If we leave Afghanistan in defeat, we will repeat the lessons of history. It is not our expenditures on Afghanistan that are the reasons we are now experiencing budget difficulties.

I am pleased the Senator from West Virginia went to Afghanistan once. I would suggest he consult with the people who know best that since 2009, when the surge began, we have had success on the ground in Afghanistan, and we are succeeding.

There are enormous challenges ahead of us. But as Secretary Gates has said: Withdrawal to "Fortress America"—which is basically the message of the Senator from West Virginia—will inevitably lead to attacks from them on the United States of America. I view the remarks of the Senator from West Virginia as at least uninformed about history and strategy and the challenges we face from radical Islamic extremism, including al-Qaida.

I urge my colleagues in the Senate to vote in favor of this nomination today.

Director Panetta has had an extraordinary career of public service. He served in the House of Representatives, representing his California district for eight terms. He served in the White House as President Clinton's Chief of Staff and Director of the Office of Management and Budget.

Since February 2009 he has been the Director of the Central Intelligence Agency, strengthening that agency and forging positive relationships in the interagency process and with the congressional intelligence oversight committees. It is my expectation that Director Panetta will work closely with GEN David Petraeus, the nominee to succeed him at the CIA, and continue the cooperation and commitment that enabled the finding and elimination of Osama bin Laden.

I am certainly hopeful that as Secretary of Defense Director Panetta will successfully lead the effort to find and eliminate Ayman al-Zawahiri, who we are told has assumed leadership of al-Qaida, and other al-Qaida leaders. Zawahiri is a sworn enemy of the United States and our way of life and, like bin Laden, must be dealt with in similar terms.

Before discussing the challenges Mr. Panetta will encounter, I want to express my thanks and admiration for the service of Secretary Gates as he nears the end of his 4½-year tenure as Secretary of Defense. I recall that through much of 2007 and 2008 we heard about Secretary Gates' countdown wristwatch that displayed the number of days until a new administration would take over in January 2009, and he and his wife Becky could finally return to their peaceful lakeside home and retirement in Washington State. It is fortunate for the country that President Obama asked, and Secretary Gates agreed to postpone retirement, and that he continued to serve and, presumably, discarded that wristwatch.

Secretary Gates testified at his nomination hearing on December 5, 2006, that he agreed to leave Texas A&M University and return to government out of love for his country, and he and his family have provided one of the greatest examples I have seen of that kind of patriotism, answering the call to duty when his talents were most needed. For this, and for innumerable other contributions he has made to the men and women of the Armed Forces, he has truly earned a place in history as one of America's greatest Secretaries of Defense.

In December 2006, at a time when so many Senators were clamoring for a cut-and-run strategy in Iraq—just as they are calling for a cut-and-run strategy in Afghanistan—Secretary Gates made the following statement at his nomination hearing:

While I am open to alternative ideas about our future strategy and tactics in Iraq, I feel quite strongly about one point. Developments in Iraq over the next year or two will, I believe, shape the entire Middle East and greatly influence global geopolitics for many years to come. Our course over the next year or two will determine whether the American and Iraqi people, and the next President of the United States, will face a slowly, but steadily improving situation in Iraq and in the region or will face the very real risk, and possible reality, of a regional conflagration. We need to work together to develop a strategy that does not leave Iraq in chaos and that protects our long-term interests in, and hopes for the region.

Mr. President, you could substitute the word "Afghanistan" for exactly what Secretary Gates then said in December 2006. Then we had the surge. There were 59 votes against the surge that would have called for withdrawal in the summer of 2007. Some of us knew what was right and fought for it, and we have succeeded in Iraq, just as we will fight to continue the surge in Afghanistan. We will succeed in Afghanistan, and we will come home with honor, and Afghanistan will not deteriorate to a cockpit of conflict between regional countries that will then cause again the threat of radical Islamic extremism to threaten our very existence—certainly pose threats of attacks on the United States.

Secretary Gates was, of course, correct then about Iraq. Today we must add Afghanistan and Libya to his warning about the future consequences of the decisions we make today. In the next few months, our country faces decisions related to our national security and defense that will echo for decades to come—decisions that will determine whether we remain the world's leading global military power, able to meet our many commitments worldwide, or whether we will begin abandoning that role.

One of these decisions that will have perhaps the most impact on this outcome is our response to the President's stated goal of cutting \$400 billion in national security spending by 2023—on top of the \$178 billion in efficiencies and top line reductions that Secretary Gates already has imposed.

Secretary Gates and Admiral Mullen have sounded the alarm against misguided and excessive reductions in defense spending that cut into the muscle of our military capabilities. If we get this wrong, it will result in a dramatic drop in U.S. influence and, as Secretary Gates has said, "a smaller military able to go fewer places and do fewer things."

Defense spending is not what is sinking this country into fiscal crisis, and if the President and Congress act on that flawed assumption they will create a situation that is truly unaffordable: the decline of U.S. military power and influence.

It is inevitable there will be cuts to defense spending, and some reductions are no doubt necessary to improve the efficiency of the Department of Defense. But I also remember GEN Edward Meyer, then-Chief of Staff of the Army, who warned in 1980 that excessive defense cuts over many years had produced a "hollow army." That is not an experience we can or should repeat in the years to come. We must learn the lessons of history.

I sincerely hope Director Panetta, upon assuming office, will not focus exclusively on how but on whether the President's proposal should be implemented and will apply his independent judgment in providing advice to the President on the cuts that can be made without damage to our national security.

Last week, the Committee on Armed Services completed its markup for the Defense Authorization Act for fiscal year 2012. In a very tough fiscal environment, this markup represents an effort to support our warfighters and bolster the readiness of the U.S. military. Unfortunately, the committee chose to authorize hundreds of millions of dollars in unnecessary and unrequested porkbarrel projects and rejected my efforts to stop the out-of-control cost overruns of the F-35 program.

The Defense authorization bill is an important piece of legislation while

our country continues to be engaged in two wars; therefore, I voted to move the bill out of committee. Nevertheless, I will continue my efforts to fight the egregious and wasteful spending during debate on the floor of the Senate, and I will urge Director Panetta, once he is confirmed, to favorably endorse the proposals I will make to properly use precious national defense dollars.

In addition, especially in this budget environment, it will be important to continue to eliminate weapons programs that are over cost, behind schedule, and not providing improvements in combat power and capabilities. After 10 years of war, we must continue to eliminate every dollar of wasteful spending that siphons resources away from our most vital need: enabling our troops to succeed in combat.

One of the key criteria I am looking for in the next Secretary of Defense is continuity—the continuation of the wise judgment, policies, and decision-making that have characterized Secretary Gates' leadership of the Department of Defense. As Director of the CIA, Mr. Panetta has demonstrated that he possesses the experience and ability to ensure that we achieve our objectives in the three conflicts in which U.S. forces are now engaged: Iraq, Afghanistan, and Libya.

In Iraq, the key question now is whether some presence of U.S. forces will remain beyond the end of this year, pending an Iraqi request and approval, to support Iraq's continuing needs and our enduring national interests. I believe such a presence is necessary, and I encourage the administration to work closely with the Maliki government to bring about this outcome.

In Afghanistan, the main question is the size and scope of the drawdown of forces beginning this July. Here, too, I agree with Secretary Gates that any drawdown should be modest so as to maximize our ability to lock in the hard-won gains of our troops through the next fighting season. I hope Director Panetta, as the Secretary of Defense, will support "modest" reductions and take no action that would undermine the hard-won gains in Afghanistan.

Finally, we know that there is growing opposition to continuing the U.S. involvement in Libya. There has already been one legislative attempt to bind the President's authority as Commander-in-Chief, and there will likely be others. In short, the accumulated consequences of the administration's delay, confusion, and lack of meaningful consultation have been a wholesale revolt in Congress against the administration's policy.

Although I have disagreed, and disagreed strongly at times, with aspects of the administration's policy in Libya, I believe the President did the right

thing by intervening to stop a humanitarian disaster in Libya. Amid all of our present arguments about legal and constitutional interpretations, we cannot forget the main point: In the midst of the most groundbreaking geopolitical event in two decades, as peaceful protests for democracy were sweeping the Middle East, with Qadhafi's forces ready to strike Benghazi, and with Arabs and Muslims in Libya and across the region pleading for the U.S. military to stop the bloodshed, the United States and our allies took action and prevented the massacre that Qadhafi had promised to commit in a city of 700,000 people. By doing so, we began creating conditions that are increasing the pressure on Qadhafi to give up power.

Director Panetta has been nominated to lead our Armed Forces amid their tenth year of sustained overseas combat. Not surprisingly, this has placed a major strain on our forces and their families. And yet, our military is performing better today than at any time in our history. That is thanks to the thousands of brave young Americans in uniform who are writing a new chapter in the history of our great country. They have shown themselves to be the equals of the greatest generations before them. And the calling that all of us must answer, in our service, is to be equal and forever faithful to the sacrifice of these amazing Americans.

I have outlined some of the challenges that lay before Mr. Panetta. I have the highest confidence, however, that he is their equal.

Mrs. FEINSTEIN. Mr. President, I rise in strong support of the nomination of Leon Panetta to be the 23rd Secretary of Defense.

Mr. Panetta, who currently serves as the Director of the Central Intelligence Agency, was nominated by President Obama on April 28. The Senate Armed Services Committee held a hearing on his nomination on June 9, and I was honored to introduce him at that hearing. His nomination was approved unanimously by the committee on June 14.

I would like to speak briefly about Director Panetta's career, and in particular his time at the Central Intelligence Agency.

In his 47 years of public service, Director Panetta has held the positions of Congressman, chairman of the House Budget Committee, Director of the Office of Management and Budget, chief of staff to the White House, codirector, with his wife, of the Leon & Sylvia Panetta Institute for Public Policy, which I have had the pleasure of speaking before, member of the Iraq Study Group, and Director of the CIA.

His career and service started in 1964 as a second lieutenant in the U.S. Army, and now 47 years later he has come full circle to be nominated to lead the Department of Defense and U.S. Armed Forces.

In the course of 2 years as Director of the CIA, Mr. Panetta has mastered the intelligence field, led the CIA through a very tumultuous time, restored badly damaged relationships with Congress and with the Director of National Intelligence, and carried out President Obama's personal instruction to him to find Osama bin Laden.

It has been my pleasure to serve as the chairman of the Senate Select Committee on Intelligence during this time and to be able to work closely with Mr. Panetta.

I have no doubt that his past experience and his capabilities prepare Leon Panetta to meet the major challenges before the Department of Defense.

With knowledge of CIA operations and analysis, he will come to the Pentagon with a thorough understanding of the situation in Afghanistan as well as the aggravating factors of our relationship with Pakistan. Through CIA analysis and operations, he is also well aware of the other contingencies around the globe where the U.S. military may be called to deploy.

Director Panetta is also well positioned to guide the Department through the constrained budget environment. The budget cuts to the Pentagon have already begun, for the first time in 10 years, with the appropriations bills now moving through the Congress.

The Defense Appropriations Subcommittee, on which I serve, held a hearing last week with Secretary Robert Gates and the Chairman of the Joint Chiefs of Staff, ADM Mike Mullen. Both of them expressed concerns that budget cuts not lead to a "hollow force" or deprive the Department and the Nation of needed capabilities.

I am confident that Leon Panetta possesses the credentials and experience to make cuts where needed and where prudent, but that he will do so in a way that keeps the military strong and capable, and in a way that maintains the cohesion of the Department and its services.

Beyond Director Panetta's experience is his leadership style, his character, and a deft personal touch. As we all know, personal relationships and the way one approaches things matter a great deal, whether within Cabinet meetings or negotiating with foreign counterparts. Mr. Panetta's approach is effective, and it provides for a very good working relationship with the Congress.

Positions like the Director of the CIA or the Secretary of Defense require a strong character and a strong moral compass, qualities that this nominee possesses.

Let me give you an example. Early in his tenure at the CIA in 2009, Director Panetta was briefed on a number of active and recent intelligence programs. One of them, which I can't describe

here, was particularly sensitive and provoked questions and concern. Director Panetta asked the CIA staff if the congressional intelligence committees had been briefed on this program. He was told they had not.

Mr. Panetta immediately requested an urgent meeting with the Intelligence Committee to brief us. He said he found it unacceptable that this program had been withheld from Congress, and terminated it in large part on that basis.

In the 2 years since, he has never declined to answer a question or provide us with his candid views. He has been completely forthright, and motivated only by what is best for the CIA, and more importantly, this nation.

The Department of Defense is the largest Department in the Federal Government. As Secretary Gates recently noted, the health care budget of the Department of Defense is bigger than the entire budget of the CIA. The Secretary of Defense is responsible for thousands of young men and women serving in Afghanistan, Iraq, and deployed around the world, and bears the burden of every death and casualty we suffer.

I agree with Secretary Gates that no other position can fully prepare someone to be Secretary of Defense. But I believe that Leon Panetta, who has served honorably and successfully in Congress, at the Office of Management and Budget, at the White House, and now the CIA, is uniquely qualified to be another outstanding Secretary of Defense in this very challenging time.

I urge his confirmation.

Ms. SNOWE. Mr. President, I rise today to enthusiastically support the nomination of Leon Panetta, the current Director of the Central Intelligence Agency, to be the 23rd Secretary of Defense.

Director Panetta has contributed nearly five decades of public service to our Nation, including as an officer in the U.S. Army, a distinguished Congressman, and most recently as Director of the Central Intelligence Agency, a position for which he was confirmed by the Senate on February 12, 2009. He and I served together in the House of Representatives from my first term in 1979 until he departed in 1993 to become Director of the Office of Management and Budget. Over the past 2½ years, I have had the opportunity to frequently work with Director Panetta, in my role as a senior member of the Senate Select Committee on Intelligence.

Like his predecessor, Dr. Robert Gates—who also served as CIA Director before becoming Secretary of Defense—Director Panetta brings to the Pentagon a wealth of experience built over a lifetime of service to his Nation and his fellow Americans. Over the past 2½ years, Director Panetta has repaired a damaged relationship between the CIA and Congress, an impressive accom-

plishment, to say the least, and led the agency and the Nation's human intelligence activities at a time when the Nation waged two wars and contended with such threats as Islamic extremism, terrorism, and cyber intrusion and attack.

And of course, Director Panetta will forever be remembered as the CIA Director during the May 1, 2011, mission in which U.S. forces once and for all rid the world of public enemy No. 1 and brought justice to the evil incarnate that was Osama bin Laden. On that night, the combined might of our Nations military, intelligence, and counterterrorism professionals sent the unmistakable message to the terrorists of the world that America will prevail in this fight.

I deeply appreciate Director Panetta's efforts at the CIA, and believe he leaves the entire Agency, from the halls of Langley to its agents in the farthest reaches of the world, a better and more capable organization than it was when he arrived. I am confident that Director Panetta's unique experiences within the military, the Congress, and the intelligence communities will serve him, the Department of Defense, and the Nation well when he assumes the role of Secretary of Defense.

More than 4½ years ago, in December 2006, I rose in support of the nomination of Dr. Gates for the position for which we consider Director Panetta today. At the time, I said that Dr. Gates and the Nation were facing the imperative of charting a new course and strategy in Iraq, rising violence in Afghanistan, global terrorism, the threats posed by nuclear states such as North Korea and possibly Iran, and the increasing strains on our military.

Director Panetta faces similar challenges today. He must continue to help shape our role in Iraq, define our strategy for the Nation's future involvement in Afghanistan, and recapitalize and reconstitute the elements of our military that have been at war for nearly a decade, while ensuring that the U.S. military is prepared to meet and overcome any hurdle on the horizon, whether in North Korea, China, Africa, the Middle East, Eastern Europe, or other, as yet unknowable, places around this globe.

At his confirmation hearing before the Senate Armed Services Committee on June 9, Director Panetta said, "We are no longer in the Cold War. This is more like the blizzard war—a blizzard of challenges that draws speed and intensity from terrorism, from rapidly developing technologies, and the rising number of powers on the world stage."

Director Panetta must confront the unpredictable vagaries of this "blizzard war" within perhaps the most arduous budgetary environment our Nation has faced since the Great Depression—an environment in which President Obama

has already called for \$400 billion in reductions to national security spending over the next decade, much of which will come out of Department of Defense budgets.

It is hard to imagine how exactly cuts of hundreds of billions of dollars to national security budgets can be possible without both significant trade-offs and a fundamental retooling of our national security strategy. Perhaps more imperative than any other task confronting him, Director Panetta will likely be the individual most responsible for ensuring that our national security strategy is appropriate for meeting our global and national security interests, and that our defense budgets are sufficient to meet those challenges.

In this era in which distance alone is insufficient to insulate the United States and our global interests from terrorists and nations that wish to do us harm, Director Panetta faces the extraordinary task of ensuring that our Armed Forces remain able to defeat today's conventional and irregular threats, project power and U.S. presence around the world, and develop the war fighting capabilities necessary for our soldiers, sailors, airmen, and marines to prevail in the conflicts of the future.

If any nominee possesses the defense and budget bona fides required for such times, it is Director Panetta, who has demonstrated his capabilities as Director of the CIA, as former OMB Director, and as the former chair of the House Budget Committee. I believe that he is well prepared for the challenges of leading the Department of Defense, and I will vote to confirm Director Panetta as our 23rd Secretary of Defense.

On a final note, Secretary Gates will soon take leave from his post at the Pentagon, and I believe that he will be remembered for his consummate role in transforming our Nation's military from a force that focused on Cold War operations to one that was capable of defeating threats in Iraq and Afghanistan, while possessing the flexibility necessary to successfully carry out a mission like the one that killed bin Laden.

As Secretary Gates prepares to depart public life, I would like to thank him for the countless sacrifices he has made over a lifetime of contributions to the nation, which includes serving eight Presidents, as well as the distinctions of being the only Secretary of Defense in U.S. history asked to remain in that office by a newly elected President, and the only career officer in the CIA's history to rise from entry-level employee to Director. These two stand-out achievements speak volumes about Secretary Gates' work ethic and love of country. Our country and our security have been forever enhanced by his dedication to public service, and I wish him well in his future endeavors.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, I have the utmost respect for the Senator from Arizona and his commitment to this country and his service to this country.

I can only report what I have seen. I was in Afghanistan twice—as a Governor in 2006, representing the National Guard of West Virginia, and I went back in 2010. While there, I saw deterioration. I did not see a country that had an infrastructure and an economy. I saw corrupt leadership and nothing good coming of it.

With that, I know that the Senator has had much more experience. I can only speak from common sense and for the people of West Virginia about what they feel. We are a very hawkish State and a patriotic State. If 10 years is not enough, how long is enough—I think that is the question being asked—for the sacrifices being asked of them? When we cannot buy water lines and sewer lines or fix roads and repair bridges in West Virginia, yet they hear about the billions we are spending in a country that doesn't want us there, I think it is time to leave.

Respectfully, that might be the disagreement we have.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I rise in support of the nomination of Leon Panetta for Secretary of Defense. The President has chosen wisely. He has a terrific national security team in place. General Petraeus has become the CIA Director. Mr. Donilon has done a great job as National Security Adviser. In Leon Panetta, the President could not have chosen better. I am pleased with Ambassador Crocker, Ambassador Eikenberry, and General Petraeus did a heck of a job in Afghanistan. Ambassador Crocker will be the best we have to offer on that side for the military-civilian partnership in Afghanistan.

Leon Panetta heading up the Department of Defense is a home-run choice. I have known Leon for quite a while. I want to let the country know I think the President made a very wise decision. Tomorrow night, he is supposed to tell us about Afghanistan.

Mr. SCHUMER. Will my colleague yield?

Mr. GRAHAM. Yes.

Mr. SCHUMER. Mr. President, I wish to add my accolades about Leon Panetta. I know him well. We roomed together for 11 years here in Washington. He is a strong, smart, honorable, and devout man. He will be a great Secretary of Defense. I thank my colleague for praising him and add my accolades.

Mr. GRAHAM. Mr. President, that shows you how bipartisan it is going to be—GRAHAM and SCHUMER. That shows you the depth and breadth of Leon Panetta—the way people view him here.

One of the first decisions he will have to make is what to tell the President about Afghanistan. I know we are war weary and have been there for 10 years. We didn't just throw a dart at the map when we decided to go there. That is the place the Taliban was controlling, they invited al-Qaida to be their honored guests, and bin Laden had a welcome home in Afghanistan. The rest is history.

President Bush understood that the Taliban was a force for evil. They allowed bin Laden to come to Afghanistan and plan the 9/11 attacks. They had a choice to make, and they chose poorly. We went in there to take the Taliban down.

We have a war in Iraq—and we can debate whether we should have done that. One of the reasons we are still not where we would like to be 10 years later is because a lot of the resources we had in Afghanistan went to Iraq. Now we finally got it right.

For the last 17 months, we have had enough troops in Afghanistan to make a difference. To President Obama, that was a hard decision for you to make—to add 30,000 additional troops at a time when most people said: Why are we still there? Can't we come home? But the President chose wisely, and 2014 is the transition goal—to transition to Afghan control. I think we are well on track.

Tomorrow night, the President will tell us about withdrawing troops. I believe we can, not because we are tired but because of the success on the ground. Let me point out some successes that would allow the President to make a reasoned judgment to withdraw troops. The one thing I urge the President to do is never lose sight of why we went there and our national security goals in Afghanistan. We will all be judged by what we leave behind. We want to leave behind the ability of the Afghan people to say no to the Taliban and reject extremism. They have the will, but they don't have the capacity yet. But they are getting there. Anytime you have the desire of the people who are oppressed by the Taliban and al-Qaida and you can help them help themselves, that makes it all safer.

Here is what happened since the President sent surge forces in. In November of 2009, there were two nations

and 30 NATO trainers—two nations helping train the Afghan security forces from NATO. They had a combined 30 people. You could put them all in a bus. One thing the President did when he surged American forces in was that he insisted NATO step up their game. Here we are today, and we have 1,300 NATO trainers in Afghanistan with 32 countries providing assistance. We have 49 different countries helping in some form of training.

In the last 17 months, we have added 90,000 Afghan Army and police forces. So there has been a surge, far beyond the American coalition surge, in Afghan forces. How did that happen? We have better training. In September of 2009, 800 people were joining the Afghan Army per month. They were losing 2,000 a month. That was a terrible trend. In December of 2009, because of this new construct we came up with, we have been averaging 6,000 army recruits a month and 3,000 for the police. Today, we have 160,000 in the Afghan National Army and 126,000 in the Afghan National Police. By the end of the year, we will have 305,000 army and police under arms in Afghanistan. And the reason that has happened is because we have changed the way we train the Afghan security forces.

So I hope the President, listening to Leon Panetta, Secretary Gates, and Secretary Petraeus, will tell the American people we can start bringing forces home beginning this summer because we have been successful, and we are not going to do anything to undermine that success because it has come at such a heavy price.

In reality, ladies and gentlemen, we have been in Afghanistan with the right configuration for about 18 months. The army retention rates today in the Afghan Army are 69 percent—almost doubled. The literacy rate among the Afghan Army and police force is twice that of the national population because we have focused on literacy. It is hard to be a policeman or army officer if you can't read or write. We are helping a people who have been dirt poor, who have been at war for 30 years, and who have been treated very poorly by everybody in the world. At the end of the day, it is in our national security interest to make sure the country where the Taliban took over and allowed bin Laden to come in as an honored guest never goes back into the hands of an extremist.

I am confident Leon Panetta has the wisdom and background, as the CIA Director, as a former Member of Congress, and as a successful businessperson, to lead the Pentagon at the most challenging time since World War II.

He is taking over from Bob Gates. There is not enough we can say or do for Secretary Gates to thank him. He has had the job for 5 years. When he came on board, Iraq was a hopeless, lost cause in the minds of many, and he

and General Petraeus, Ambassador Crocker, and many others—mainly our troops and coalition forces—took an Iraq that was on the verge of an abyss and we are now on the verge of a representative government that can defend itself and be an ally of the United States. Having Saddam Hussein replaced by a representative government in Iraq aligned with us is priceless. If we could as a nation take the place from which we were once attacked and turn it over to people who want to go a different way than the Taliban, and they have the ability to fight back and say no, all of us will be safer.

I congratulate the President on picking Leon Panetta to be Secretary of Defense. I know he has had a lot of hard decisions in the war on terror, and one of the biggest decisions he will make is coming up maybe tomorrow night. I want to work with him, Republicans and Democrats together, in making sure our Nation is never attacked again from Afghanistan. That is possible. We are on the verge of getting that right.

As we draw down troops, I ask the President to please tell those who are left behind still fighting in Afghanistan that he hasn't lost sight of the prize. The prize is not just bringing our troops home, the prize is to make sure their children never have to go back and fight in the future. That is the goal—to withdraw from Afghanistan in a way that we are safer and that our national security is enhanced. We are on the verge of achieving that goal.

What Secretary Panetta and others are going to be challenged with as we go forward in the 21st century is going to be substantial. The enemy is still alive, even though not well. We have punished the enemy—al-Qaida and other extremist groups—but they will not give up easily. At the end of the day, the goal is for our country to be safe, and it will take more than killing bin Laden to do that. Killing bin Laden was a form of justice long overdue, and it did make us safer, but the ultimate security in this world lies not with our ability to kill individuals but with our ability to help those who need to fight in their own backyard and protect themselves from terrorism. That really is security that is sustainable.

If we can leave Afghanistan in 2014 in a fashion that they have the capacity to marry up with their will to say no to the Taliban and turn their country around toward the light and not the darkness, then I say without any doubt that our country did them right. If we cut this operation short because we are tired and weary, we will pay a price. Our values are so much better than the enemy's. They have patience and bad ideas. We have a lot of good ideas for the future of mankind. The question is, Do we have the patience to make sure those ideas can flourish?

This is a long, hard war, fought by a few. We are on the verge of success. I

could not think of a better person to lead us to a complete success, an enduring success, than Leon Panetta. So I look forward, in a bipartisan fashion, to voting for I think one of the best choices the President could have made as Secretary of Defense.

To Bob Gates, I would say: Whatever you do in retirement, wherever you go, you have my respect, my admiration, and on behalf of the American people you will go down in history as one of the steadiest hands America could have ever had during challenging times.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Michigan.

Mr. LEVIN. Madam President, first, let me thank the Senator from South Carolina for his analysis on Afghanistan as well as his great support for Leon Panetta and his comments about Bob Gates, which I very much share and commented about this afternoon in a very similar way.

I particularly wish to commend Senator GRAHAM for his analysis of what has changed in Afghanistan in the last 17 or 18 months, so that the reductions which will be announced tomorrow are not based on getting tired but are being based, I am sure, on the conditions on the ground or in Afghanistan and on the critical changes which have taken place in Afghanistan.

I very much agree with his assessment about the surge in the Afghan forces. I was listening to his comments from a monitor, and when I heard his analysis about 90,000 additional Afghan forces, he is exactly right. The surge has not just been 30,000 of our troops but three times as many in terms of Afghan troops. And the importance of that is not just the numbers, not just the training, and not just the literacy, which the Senator pointed out, but also the mentoring and the partnering in the field with coalition forces.

We have tracked this very carefully, and there has been a significant increase in the number of Afghan units that consistently are in the field partnering with our troops and with other coalition members' troops, and that makes a huge difference too because when the Afghan people see Afghan troops in the lead instead of foreign nations' troops in the lead, they understand that, in fact, the Taliban's argument that they are being occupied is a false propaganda argument, and that weakens the Taliban tremendously as well.

Mr. GRAHAM. Will the Senator yield for a question?

Mr. LEVIN. Yes.

Mr. GRAHAM. This is the time to have some good bipartisanship.

Senator LEVIN, is it not true—I have to ask you a question—that you have been saying as long as I can remember that the surge that really needs to occur is on the Afghan side?

You have focused like a laser in the last couple of years on training capacity. Not only are we producing 90,000

additional Afghan Army and police forces, 97 percent of them now can pass Western shooting standards. Two years ago, that number was less than a third. Of the NCOs—noncommissioned officers—graduating from the schools in Afghanistan, there is about an 80-percent literacy rate. Two years ago, it was less than 50 percent.

So what I wish to acknowledge is that Senator LEVIN has been focusing on what I think is the ticket home with honor and security: building up an Afghan army and police force that can fight the fight without 100,000 Americans. We are well on the way. If we had not changed our training program—which the Senator has been focused on for a very long time—we would not have had this success. And General Caldwell is one of the unsung heroes of this war.

But I couldn't agree more with my colleague from Michigan. The reason we can bring American troops home is because there are more Afghans to do the fighting. And the Senator mentioned that during the surge in Helmand, it was a 10-to-1 ratio. For every Afghan, there were 10 American forces. It is almost 50-50 today, with a climb to where it will be Afghans in the lead.

The final thought is that among the trainers themselves, the goal by 2013 is to replace NATO trainers with Afghan trainers, and we are well on our way to having a majority of the training done by Afghans themselves. So if we can get the fighting ratios to 1-to-1 this year and improve on that by 2014, we will be able to turn the country over to the Afghan security forces. And I think we have a good plan. Let's just stick with it.

Mr. LEVIN. I want to first of all thank my good friend from South Carolina for those comments. He has been very perceptive of the importance of turning this responsibility over to the Afghans as soon as possible, and we are clearly on track to do exactly that. It is that improvement in the situation on the ground that will allow, hopefully, for a significant reduction that will be announced tomorrow. That is our hope—my hope.

But I think the Senator from South Carolina has seen this right from the beginning, that we wanted success and we could have success in Afghanistan. Indeed, we see some real evidence of that success in the military situation on the ground. If only that could be equivalent to the governance situation, we all would be a lot more comfortable.

Mr. GRAHAM. If the Senator will yield for one final thought, the two big impediments to our success in Afghanistan are Pakistan and poor governance. The reason the Taliban came back is because the governance in Afghanistan was poor, not well-accepted by the people, and lack of security. We now have better security, and I do see signs of

better governance. And we have to fix the Pakistan side of the equation. On the Afghan side of the border, we are doing about everything we can do to build up the Afghan people. We will deal with Pakistan and we will deal with better governance, but none of that is possible without better security. Now we have a security environment that I think will lead to better governance. But don't lose sight of the prize, and that is to leave the country in a sustainable manner.

I look forward to working with Senator LEVIN to push the Afghan Government to do their part and also to engage Pakistan and say: What you are doing in Pakistan is unacceptable. Stop the double-dealing. Get involved.

I thank the Senator.

Mr. LEVIN. I think we know our Presiding Officer, Senator SHAHEEN, is very much into the issue of putting some real pressure on Pakistan to end the Haqqani network's intrusions and excursions into Afghanistan. And I think we are all together on that essential goal of changing Pakistani behavior in terms of what they are allowing to occur on their soil, which is that safe haven, particularly for the Haqqanis.

I again thank my friend from South Carolina, and I am reminded by something he said of an earlier visit I made to Afghanistan, by the way, with a number of colleagues—I think Senator REED and one other Senator were with me. We were with a bunch of Afghan leaders in a small town. This is what they call their Shura. It just happened that they were having this the day we were visiting. There were maybe 50 or 60, 70 guys—old guys, all guys—sitting on the ground on a dirt floor. We intruded, barged in, and I asked one question.

I said: Do you want us here?

The answer: We want you to train our army and leave, and then we will invite you back as guests.

You can't say it much more succinctly.

I thank my colleague.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. We are prepared to yield back the remainder of our time and do so.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Leon E. Panetta, of California, to be Secretary of Defense?

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 93 Ex.]

YEAS—100

Akaka	Gillibrand	Moran
Alexander	Graham	Murkowski
Ayotte	Grassley	Murray
Barrasso	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hatch	Paul
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Inouye	Risch
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Rubio
Burr	Johnson (WI)	Sanders
Cantwell	Kerry	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Kyl	Snowe
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Lee	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Vitter
Cornyn	Manchin	Warner
Crapo	McCain	Webb
DeMint	McCaskey	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Feinstein	Merkley	
Franken	Mikulski	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table.

The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate shall resume legislative session.

The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Madam President, we have 10 minutes. Senators should listen to the debate. It is very important. We have an important vote in just 10 minutes, and it is my understanding that the arrangements have been made that Senator BOXER would close. She would have the final 5 minutes. Does anybody have any problem with that?

I ask unanimous consent that be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 782, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat home buyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Bacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the Volumetric Ethanol Excise Tax Credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn modified amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes of debate only equally divided between the two leaders or their designees.

Who yields time?

The Senator from Wyoming.

Mr. BARRASSO. Madam President, I yield back Republican time.

Mr. DURBIN. Madam President, the one thing that all Members of Congress agree we need more of is jobs.

Illinois recently published its most recent statewide unemployment num-

bers and there is no question that the numbers are disappointing. Following 15 straight months of declining unemployment, unemployment rates rose for the first time to 8.9 percent. The only way to decrease the unemployment rate is to ensure robust job growth in all parts of the country. And while Members from different parties often disagree on how to help create jobs, the Economic Development Administration, EDA, reauthorization before us today is a great example of bipartisan legislation that can help.

On May 1, 1961, President Kennedy signed into law a bill creating the precursor of the Economic Development Agency, the Area Redevelopment Administration, ARA. The ARA was championed by another Illinois Senator and the man who gave me my start as an intern in this building, Senator Paul Douglas.

ARA provided assistance to distressed areas through loans and grants for public facilities; technology and market information; and research grants in order to spur economic growth. Sound familiar? Paul Douglas believed then, as I believe now, there is a proper role for government to play in assisting distressed communities and regions.

Now for 50 years, the ARA and then the EDA have helped communities identify the best strategies for creating economic growth and leveraging private investment to help create jobs. EDA remains focused on assisting distressed communities and communities recovering from disasters.

And it has been very effective. Every Federal dollar invested in EDA projects attracts \$7 additional dollars in private investments in these distressed communities. And even in the midst of this last recession and sparse private investments, EDA-funded public/private projects created an estimated 161,500 jobs in the last 2½ years.

In Illinois in 2009 and 2010 alone, EDA funded 52 projects that resulted in nearly \$70 million in new investments in the State. But beyond just the numbers, I want to give you some real life examples of EDA's impact in Illinois communities.

Under the 2010 EDA Community Trade Adjustment Assistance Program, the city of Galesburg and Knox County identified themselves as significantly impacted by trade. EDA funded a project that allowed for the creation of the Entrepreneurs Innovate & Go Global Initiative to help develop entrepreneurs at every level. The grantees are putting together workshops and training that focuses on entrepreneurship, innovation and globalization. EDA assistance also includes technical assistance in commercialization that will ultimately help small businesses and new entrepreneurs streamline business plans and create new jobs.

Under the Recovery Act, EDA helped fund the creation of a micro revolving

loan fund for Accion Chicago, a spinoff of an international nonprofit organization dedicated to microfinance. ACCION is using the project funds to expand its existing microlending activities in Cook County and to promote entrepreneurship by providing loan capital and financial literacy counseling to clients who don't have access to traditional bank credit. The \$1,200,000 revolving loan fund is projected to make 120 loans in the initial round of lending—creating or saving about 400 jobs.

After terrible flooding in 2008 and the subsequent disaster declaration, EDA was able to award \$677,000 in disaster supplemental funding to the city of Princeton. The city of Princeton used these funds to build infrastructure for a 137-acre industrial site, including rehabilitation of existing roadway, construction of new roadway, water-main, sewer lines, and city-owned electric and fiber optic cable. This project not only will improve the long-term economic options for the community, but is expected to create 500 jobs and induce \$50,000,000 in private investment in the region.

The bill on the floor right now would reauthorize EDA to continue making these necessary investments for an additional 5 years. And it would also improve flexibility and efficiency at the agency. For example, the bill would allow EDA to do more in the most distressed communities by increasing the cap on the Federal share of projects in areas that have very high unemployment rates and very low per capita income. And it would allow communities using EDA's revolving loan fund to more easily shift those dollars to the economic development project with the greatest potential to help the region.

When Senator Douglas led the effort to create ADA he faced opposition from none other than Senator Goldwater. Senator Goldwater argued that distressed regions are, and I quote, "perfectly normal to the economic cycle of American enterprise, and not in need of government intervention."

While history has proven he is wrong, at least this is a debatable argument. At least he was grappling with policy issues actually being considered. The reality is, if Congress wants to help create jobs and bring down the unemployment rate, we need to be able to pass simple pieces of legislation that will help create jobs with little to no costs. Instead for the second time in 2 months, we find a jobs bills filibustered by amendment.

If we can't find a way to work together on bills like EDA reauthorization or SBIR/STTR reauthorization, the American public is justified in believing that we will do nothing to help create jobs. And to borrow a quote from Paul Douglas during his work on ADA, "The lives of too many human beings are at stake to sit by and do nothing . . ."

I urge my colleagues to support the legislation and move quickly to final passage.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, we have spent many days talking about the importance of the bill before us which would reauthorize the Economic Development Administration. The EDA is a proven success. I think it is instructive that no one on the other side is speaking out against it. It is amazing to me they do not speak out against it, but I have a feeling we may not get this cloture vote. I hope I am wrong.

As I look at ways for us to be bipartisan, there are a couple of areas where I think we can come together. One would certainly be deficit reduction. We Democrats know how to do it. We did it under Bill Clinton, and we are the only party in 50 years to pass a budget that actually brought us to a surplus. We can do that with our friends on the other side, and I am glad there are talks going on.

The other area is job creation and job preservation. The other side says they want to do it with us. This is a golden opportunity for them to join with us. We have seen—and Leader REID knows this because he has selected various jobs bills to bring to the Senate floor. It was not by chance this bill came. He wanted committee chairmen to say which bills had bipartisan support in their committees. We voted this bill out nearly unanimously. We had one objection in a time when things are pretty contentious. Why is it? I will tell you why it is.

One of the best ways to tell you is to quote Senator JOHN CORNYN, who said a \$2 million EDA grant for a water tower in Texas will “pave the way for creation of new jobs and business opportunities.” That says it all.

We have 27 Republicans who went on the record saying the EDA was a good job creation bill. We know that historically \$1 of EDA investment attracts \$7 in private sector investment. So while this is a \$500 billion bill, if you see that it is \$7 for each \$1, it is into the millions in terms of the job creation that will follow. As a matter of fact, we know the jobs created will be between about 250,000 and 1 million over the life of the bill. One million jobs. All we need is a cloture vote.

This EDA started in 1965, and it has been supported by Democrats and Republicans. I gave you an example of Senator CORNYN and what he said. These are just some of the people who are supporting us: the Conference of Mayors, the Public Works Association—it goes on into all of our States—the University Economic Development Association—why do they support it? They know this particular program is a spark plug. Put in \$1 and attract \$7 of private sector investment. People get to work again.

I am just hopeful that we do not see this bill die today. This is a moment in time we can show that we mean what we say. Senator CRAPO said the EDA business grant will help “keep Idaho firms on the cutting edge.”

Senator LUGAR said EDA funding is “essential in our efforts to improve the quality of life and the standard of living for Hoosier families.”

It goes on. Senator COLLINS has some beautiful statements. Twenty-seven of our colleagues, Republicans and Democrats, have always supported this legislation. The last time it was signed into law was by George W. Bush, yes, and it passed this Senate unanimously. If this bill goes down because our friends on the other side keep wanting to offer—they have offered tens of amendments. It is up to about 100 amendments: one about the prairie chicken, another one about a lizard—all fine but do not belong on this bill. This bill is about jobs.

I hope our friends will vote with their hearts and will look back on their press releases. I certainly think if they did that, they would cast an “aye” vote, and we would pass this bill and do something for jobs in this Nation.

Thank you very much.

I yield back my time, and I ask for the yeas and nays.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII of the Standing Rules of the Senate, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 38, S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that act, and for other purposes.

Harry Reid, Barbara Boxer, Kent Conrad, John F. Kerry, Sheldon Whitehouse, Amy Klobuchar, Benjamin L. Cardin, Jeff Bingaman, Jeff Merkley, Patty Murray, Robert Menendez, Jeanne Shaheen, Bernard Sanders, Frank R. Lautenberg, Jack Reed, Richard J. Durbin, Daniel K. Akaka.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that act, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 49, nays 51, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—49

Akaka	Gillibrand	Pryor
Baucus	Hagan	Reed
Begich	Harkin	Reid
Bennet	Inouye	Rockefeller
Bingaman	Kerry	Sanders
Blumenthal	Kohl	Schumer
Boxer	Landrieu	Shaheen
Brown (OH)	Lautenberg	Stabenow
Cantwell	Leahy	Tester
Cardin	Levin	Udall (CO)
Carper	Lieberman	Udall (NM)
Casey	Manchin	Warner
Conrad	Menendez	Webb
Coons	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murray	
Franken	Nelson (FL)	

NAYS—51

Alexander	Graham	McCaskill
Ayotte	Grassley	McConnell
Barrasso	Hatch	Moran
Blunt	Heller	Murkowski
Boozman	Hoeven	Nelson (NE)
Brown (MA)	Hutchison	Paul
Burr	Inhofe	Portman
Chambliss	Isakson	Risch
Coats	Johanns	Roberts
Coburn	Johnson (SD)	Rubio
Cochran	Johnson (WI)	Sessions
Collins	Kirk	Shelby
Corker	Klobuchar	Snowe
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Enzi	McCaIn	Wicker

The PRESIDING OFFICER (Mr. CASEY). On this vote, the yeas are 49, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. If we could have the attention of the Senate.

The PRESIDING OFFICER. The Senator will come to order.

ORDER OF PROCEDURE

Mr. REID. Senator SCHUMER and Senator ALEXANDER are that far from an agreement that we can move forward on the next bill. So with everyone's patience, I ask unanimous consent that the cloture vote scheduled to occur immediately—right now—be postponed until Wednesday; that is tomorrow, June 22, at a time to be determined by the majority leader, in consultation with the Republican leader, and that if cloture is invoked tomorrow, time postcloture be counted as if cloture was invoked at 6 p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business until 6 p.m. this evening, with Senators permitted to speak for up to 10 minutes each during this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont is recognized.

NUCLEAR POWER

Mr. SANDERS. Mr. President, I wish to say a word about a critical issue for the State of Vermont and for my State's energy future, and that deals with the Vermont Yankee nuclear powerplant. The Vermont Yankee nuclear powerplant is one of 23 plants in our country with the same design—General Electric Mark One—as the Fukushima plants that have experienced partial or perhaps full meltdowns in Japan.

All of us feel terribly about what has happened in Japan, and our hearts go out to that struggling country. But at the same time, in our Nation, we also have some very disturbing developments regarding nuclear power, and I wish to touch this afternoon on two of them.

The first is, we have a situation in the State of Vermont in which a powerful \$14 billion energy company called Entergy is trying to force the people of my State to keep an aging and troubled nuclear reactor open for another 20 years. This is a plant that is 40 years old. They want to keep it open for another 20 years. The Vermont Yankee plant's original 40-year license expires in March of 2012, and I firmly believe 40 years is enough. But that is not just my opinion.

Vermont, uniquely, thanks in part to an agreement between the State and Entergy when it purchased Vermont Yankee in 2002, has asserted its authority through our State legislature to decide whether Vermont Yankee should operate beyond March of 2012. The Vermont State Senate, representing the wishes of the people of our State, voted on a bipartisan basis, 26 to 4—26 to 4—not to grant an extension of the license of that plant. The law is clear that States have the right to reject nuclear power for economic reasons, and that is exactly what the Vermont State Senate did in an overwhelming bipartisan vote.

We know Vermont Yankee has had serious problems in the last several years, including a collapse of its cooling towers in 2007 and radioactive tritium leaks in 2005 and 2010. The tritium leaks came from pipes plant officials claimed under oath did not exist.

In support of the Vermont legislature's decision, the Vermont congressional delegation has been clear that Entergy should respect Vermont's laws. In other words, what we are saying—the delegation here—is that Entergy should respect the laws of the State of Vermont and what our State senate has done. However, just last week, we learned that Entergy's well-paid corporate lobbyists and lawyers have been meeting in secret with Federal agencies, including the Nuclear Regulatory Commission staff, pushing the Federal Government to intervene in the lawsuit Entergy filed against Vermont. Entergy wants the Federal Government to take up its extreme ar-

gument that Vermont's right to decide its own energy future is preempted by Federal nuclear safety laws.

It so happens that NRC Chairman Greg Jazcko, who is, in my view, a fair-minded public servant, does not agree with Entergy. He told me last week at a Senate hearing that "I see nothing that would tell me that there's a preemption issue here." He said in a conversation with reporters that Vermont had a "role to play in determining Vermont Yankee's future" and that he "doubted the NRC would do anything to interfere with the state's process." I believe the Chairman's position is correct. The NRC regulates safety—safety—although some Vermonters believe they do not do that very well. Nevertheless, it is not the arbiter of political or legal disputes between a powerful energy company and the State of Vermont. That is not the business of the NRC.

So I was very surprised to learn last week that against the Chairman's public recommendation, the NRC voted in secret, by a 3-to-2 margin, to tell the Department of Justice to intervene on Entergy's behalf. When I questioned the NRC's Commissioners at a hearing last week, they refused to tell us how they voted. Several of them admitted they had not even read the major 1983 Supreme Court opinion on this issue—a case between PG&E v. California, where the Supreme Court said—and I quote an important point regarding States rights and nuclear energy. This is the quote from the Supreme Court:

The promotion of nuclear power is not to be accomplished "at all costs." The elaborate licensing and safety provisions and the continued preservation of state regulation in traditional areas belie that. Moreover, Congress has allowed the states to determine—as a matter of economics—whether a nuclear plant vis-a-vis a fossil fuel plant should be built. The decision of California to exercise that authority does not, in itself, constitute a basis for preemption. . . . the legal reality remains that Congress has left sufficient authority in the states to allow the development of nuclear power to be slowed or even stopped for economic reasons.

That is the decision of the Supreme Court of the United States, 1983.

I reminded the NRC at that hearing, and do so again today, that this lawsuit is none of their business, and their getting involved damages the credibility of the Nuclear Regulatory Commission. The NRC opted to relicense Vermont Yankee based on safety, and that is where their concern and authority begins and ends. The main point is this: The NRC does not represent the people of Vermont and has no right to tell us what kind of energy future we will have. The people of Vermont believe—and I agree—that our future lies significantly with energy efficiency and sustainable energy. Today, I renew my call on the floor of the Senate for the Federal Government to stay out of this case. Entergy is a \$14 billion cor-

poration. They have all kinds of lobbyists and they make all kinds of campaign contributions. They don't need the help of the Federal Government.

Mrs. BOXER. Will the Senator yield?

Mr. SANDERS. Yes.

Mrs. BOXER. I am very pleased the Senator took to the floor to speak to the American people about what they are going through in his State. I am not as familiar with the condition of the nuclear powerplant, so I will not go there. I trust my friend's judgment. There are some serious issues raised—a different design of the plant—and the fact that it is close or identical to the design of the plant in Japan that had all the issues. Here is the point. I support the Senator. I was proud of the way he questioned the issues.

I will pose a question to the Senator. Isn't it true that there is a lot of talk around Washington about how States rights should be protected?

Mr. SANDERS. I tell my good friend from California, day after day, we hear from some of our colleagues how they don't trust the Federal Government and they don't want the Federal Government getting involved in the issues impacting their constituents. So the answer to the Senator's question is yes.

Mrs. BOXER. Building on that, isn't it true that the NRC—as we have learned by reading their founding documents—is an independent commission; isn't that a fact?

Mr. SANDERS. Yes, that is true.

Mrs. BOXER. I say to my friend, given those two points, plus the ones my friend made, it seems untenable that the NRC, which is supposed to be an independent agency, would assert itself into a matter between the State of Vermont and a private company. I just say, as chairman of the Environment and Public Works Committee, how strongly I support what the Senator is trying to do, which is to allow his State to, frankly, have a say over something as important as the economics surrounding energy. My friend knows we work hard in this day and age to make sure America can leap forward and save energy and lead the world and invent alternatives.

In light of what happened in Japan, this becomes more and more important. I hope my friend will take heart and know that this chairman of the committee stands with him on this battle.

Mr. SANDERS. I thank Senator BOXER for her thoughts and the extraordinary leadership she is providing on the Environment Committee.

I think everyone understands that the function of the NRC is very simple. It is to make sure the 104 nuclear powerplants in this country run as safely as possible. That is their job. Their job is not to tell the State of Vermont or the State of California or the State of Pennsylvania what future they might

want to pursue in terms of energy. They are not supposed to be a proponent of the nuclear industry. That is not their job. Their job is to make sure our nuclear plants are being run safely. So in terms of economics, the people of Vermont or any other State in this country have the right to determine what the future of nuclear powerplants is in their State. What our State is saying is, after 40 years, we want to shut down Vermont Yankee. We want to move in a new direction that we think benefits our State. We do not want the Department of Justice to intervene in this case, where Entergy is suing Vermont.

Let me conclude, while we are on the issue of nuclear power, and point out that the Associated Press recently revealed that 48 out of 65 nuclear power sites in this country have leaked radioactive tritium, and Vermont Yankee is one of those sites. Thirty-seven facilities had leaks at levels that violated Federal drinking water standards, and some leaks have migrated off the sites, contaminating private wells, although none is yet known to have contaminated public drinking water supplies.

These allegations by the Associated Press are extremely disturbing. Safety at our nuclear plants should be the most important priority at the NRC, particularly after what we saw happen in Japan. The function of the NRC is not to represent the nuclear power industry; it is to represent the needs of the people of the United States.

That is why I will be working as a member of the Environment Committee, which has oversight over the NRC, with our chairperson, Senator BARBARA BOXER, and others on the committee who are interested in this issue, to call for a GAO investigation of the allegations made by the Associated Press. We need to determine whether it is true that the NRC is systematically working with the industry to undermine safety standards for aging plants in order to keep them operating.

Let me conclude by mentioning that around the world there is growing concern about the dangers of nuclear power, and I think that concern has been heightened by the terrible tragedy in Japan. It is important to note that Germany has decided to close all 17 nuclear plants in the next decade and not to build any new ones. They are getting out of the nuclear business. Switzerland is also phasing out nuclear power. In Italy, just a few weeks ago, 94 percent of the people voted in an election against restarting the nuclear power industry.

Here in the United States, some States are moving in the same direction. In addition to Vermont, New York, led by Governor Cuomo, wants the Indian Point plant shut down. Massachusetts is supporting Vermont in its lawsuit to preserve States rights to decide their own energy future, and I be-

lieve other States will support us as well.

The bottom line—and the law supports this—is that if States such as Vermont want to move away from aging and troubled nuclear reactors and to a sustainable energy future, we have the right to do that. I will fight tooth and nail to protect that right.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

ECONOMIC DEVELOPMENT REVITALIZATION ACT

Mr. BROWN of Ohio. Mr. President, Senate Republicans, in their typically unanimous way, just blocked this Chamber from even voting on the Economic Development Revitalization Act of 2011.

We heard Senator BOXER point out how many Republicans have supported the Economic Development Administration many times in what they did for economic development in their States. We know in Vermont, Pennsylvania, and Ohio, how EDA works with small Federal investments, leveraging that money in the private sector through incubators, in many cases, or accelerators or whatever the communities call them, and they do, in fact, create jobs. Unfortunately, every Republican in this Chamber decided that wasn't such a good thing—perhaps to deny a political victory to President Obama. What it did was take away another tool to get this economy back on course.

So many people in this body seem to think it is all about reducing the debt. It is about reducing the debt, but it needs to be largely about creating jobs. There doesn't seem to be that much interest in that on the other side of the aisle.

Just last week, I spoke with economic development directors and county commissioners from the city of Moraine, a suburb of Dayton where a GM plant closed, and Ashtabula County, my wife's home county in the northeast corner of the State. They explained the importance of EDA funding and how it supports economic growth in their communities.

EDA has traditionally been a non-controversial and bipartisan job-creation bill. It helps broker deals between the public and private sectors, which is critical to economic growth and recovery. It is particularly important to economically distressed communities and in these types of economic times.

Every \$1 of EDA grant funding leverages \$7 worth of private investment. For every \$10,000—and this is one study, proven by evidence and fact—of EDA investment in business incubators, which helps entrepreneurs start companies, between 50 and 70 jobs are created. When we put money into the

Youngstown incubator or a bit of Federal money into LaunchHouse in Shaker Heights—an incubator just launched, if you will—it creates jobs. It helps entrepreneurs and startup companies create jobs in our communities. Some of these businesses will fail. A few of them will wildly succeed. Many will hang on for several years, hiring 5, 10, 20 or maybe hundreds of people.

In Ohio, since 2006, more than 40 EDA grants worth \$36 million have leveraged a total of more than \$87 million once private resources were matched.

Colleges and universities from Bowling Green in the northwest to Ohio University in the southeast, to Miami in the southwest, have received EDA funds. So too have port authorities in Toledo and Ashtabula—the Presiding Officer's border with Erie—in that part of Ohio and entrepreneurs in Cleveland and Appalachia.

If we are going to strengthen our competitiveness, communities will need to equip businesses with the tools they need to survive, and communities will need to create higher skill, living wage jobs and attract private investment.

That is what EDA is designed to do; it is the “front door” for communities facing sudden and severe economic distress.

When economic disaster hits, communities turn to the government, and in so many cases it is EDA that does the job.

EDA has helped redevelop the former GM plant in Moraine—several thousand GM jobs, Frigidaire jobs. Because of EDA, local partnerships, and outside private investments, we expect to see hundreds and hundreds, maybe a few thousand jobs in manufacturing in that Moraine plant. We have seen EDA help redevelop the DHL plant in Wilmington. Ashtabula's Plant C received EDA investments to make vital repairs. The bill Republicans just blocked us from even voting on would have strengthened a proven job-creating program.

How many times do we hear about businesses worried about uncertainty created in a still recovering economy? This bill would have provided certainty in funding for an established job-creating problem. It would have reduced regulatory burdens to increase flexibility for grantees. It would have encouraged public-private partnerships that we have already seen make a difference across Ohio.

I offered two amendments that would have further strengthened EDA. One would have assisted former auto communities when a plant closure or downsizing causes economic distress, such as Wilmington or Moraine.

The other would have made more Ohio communities eligible to receive funds for business incubators. Ohio is the home of the National Business Incubator Association—the trade association for all incubators in southeast

Ohio and Athens. We have a model for business incubators in Toledo, Youngstown, and now Shaker Heights.

This amendment would have allowed more Ohio communities to support homegrown entrepreneurship.

Republican Senators chose to bog down the EDA bill with other unrelated amendments. All of them were unrelated to the task at hand; that is, how do we create jobs? Just yesterday, I was at Cleveland State University, where its Veteran Student Success Program goes above and beyond in serving our Nation's veterans.

Unemployment among young Americans is especially acute and disproportionately affects young veterans, and that is an outrage. Today, the unemployment rate for returning servicemembers between 20 and 24 is 27 percent—almost 3 times the national unemployment average. That means more than one in four veterans can't find a job to support his or her family, easing the transition to civilian life. When our economy needs their skills, when veterans can get the job done, too often veterans are turned away. Cleveland State University has a Project SERV Program to ensure servicemembers who return home and into the classroom receive the educational benefits they earned and deserve. Imagine the difficulty for someone 25 years old, who has done two combat tours in Iraq, who comes back to Cleveland or to Philadelphia or anywhere else in this country and tries to integrate into a classroom of 18- and 19-year-olds who have seen nothing like the 25-year-old who has been in combat in Iraq or Afghanistan.

This Project SERV at Cleveland State has been groundbreaking and is one of the few in the country—and now at Youngstown State University. What they are doing is establishing veteran support programs at colleges and universities. It started as an idea at a community roundtable I convened at Cleveland State a few years ago. It became law in the last Congress, and we have ensured its funding.

Yesterday, I met with Clarence Rowe, a staff sergeant in the Marine Corps, who is using the veterans resources at CSU to translate his military skills to the needs of the civilian job market. But as much as CSU and other universities do to assist our veterans, high unemployment continues to hurt all Americans. Too often, people such as Staff Sergeant Rowe, who has put years into serving his country, come back and, even with developing their job skills in school, they simply can't find jobs.

Education, workforce investment, and EDA have long been sound Federal investments that have helped to create jobs and strengthen our economy. It is a shame Republicans have yet again placed a roadblock on the pathway toward a strong and more prosperous

middle class. We can do better than that.

Mr. President, I yield the floor.

Mr. CASEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AFGHANISTAN

Mr. CASEY. Mr. President, I rise tonight to speak about our policy in Afghanistan. We know the President is about to announce a major decision on the policy. As the President determines the degree and scope of the drawdown in Afghanistan, there will be a lot of debate, about troop levels, principally. But while this is an important discussion, we need to step back and comprehensively focus on overall U.S. strategic interests in the region.

Over the course of my time in the Senate, some 4½ years now, I have participated in more than 20 Foreign Relations Committee hearings on Afghanistan and Pakistan. This week we will hear from Secretary Clinton on the U.S. policy on both Afghanistan and Pakistan. I personally chaired four hearings on U.S. policy in the region, I have traveled to Afghanistan and Pakistan on two occasions, and met with our military and civilian leadership as well as senior government officials in both countries. I have spoken repeatedly on the Senate floor about the importance of accountability of U.S. military and civilian programs.

When it comes to matters of war, the Senate has a special responsibility to ask questions and to hold the executive branch accountable no matter what party is in the White House. I have taken this responsibility very seriously and have repeatedly questioned and examined U.S. policy in south Asia.

There has been substantial progress in Afghanistan. On the battlefield, the United States coalition and Afghan forces have rolled back advances made by the Taliban. We have made measurable, albeit fragile, gains on security in key provinces of the country. Al-Qaida, operating from Pakistan, has been significantly degraded.

There has also been measurable progress in the education and health fields. Only 900,000 boys and no girls attended school under the Taliban. Today more than 6 million children are in school and a third of them are girls. In the field of health, more than 85 percent of Afghans now have access to at least some form of health care, up from 9 percent in the year 2002.

These gains have not come without immeasurable sacrifice on the part of our Armed Forces and of course their families. In Pennsylvania we have lost 30 servicemembers killed in action in Operation Enduring Freedom since 2001. To date, 461 have been wounded, some of them grievously wounded.

In Iraq, the Commonwealth of Pennsylvania lost 197 servicemembers killed in action and 1,233 were wounded. These courageous men and women gave what many years ago Lincoln called "the last full measure of devotion" to their country. We owe them a debt of gratitude. We owe the same debt of gratitude to their families and to all veterans and their families returning from the battlefield.

After this exhaustive review, and based upon measurable gains in Afghanistan, I believe the United States can shift from a strategy of counterinsurgency toward an increased focus on counterterrorism. It is time for the United States to lighten its footprint in the country. It is also a time to accelerate the shift in responsibility to Afghan forces and for a drawdown of a significant number of United States troops from Afghanistan. The capabilities of both al-Qaida and the Taliban have been severely degraded.

The United States-led development projects have strengthened the health and education sectors, as I mentioned before. At a time of economic austerity here in the United States, the approximately \$120 billion per year price tag is, for sure, unsustainable. We must take a significant shift in our strategy.

As chairman of the Senate Foreign Relations Subcommittee on Near Eastern, South, Central Asian Affairs, I am focused on our broader national security interests in both regions. We must focus on extremist groups that have the capability and intent to project terrorism on the United States homeland and interests around the world. We should continue to conduct counterterror operations on al-Qaida, Pakistani Taliban, and others who seek to strike the United States homeland and our interests.

Significant challenges, however, do remain and the United States should focus on the following. First, we must redouble our efforts to train the Afghan security forces. We made substantial progress in recruiting and training, but this needs to be ramped up. In the long run, Afghanistan's ability to deny safe haven to al-Qaida or any terrorist organization will depend upon a strong and durable army and police in Afghanistan.

Second, much work remains in Pakistan. In Senate hearings and meetings with U.S. and Pakistani officials, I have questioned Pakistan's full commitment to addressing the extremist threat within its borders. For example, Pakistan has done little to stop the flow of bomb components across the border into Afghanistan, where they are used against our troops. Terrorists in Pakistan have the capability to strike internationally, and have done so in recent years.

These terrorists are also the central threat to the Pakistani state itself, a concern that grows as Pakistan

inexplicably expands its nuclear arsenal.

The Pakistani people have suffered greatly in the struggle against these extremist groups as thousands of civilians and security forces have died. This is precisely why it is so unfortunate that the Pakistani Government is not fully committed to confronting this threat.

I have been very patient with respect to this critical relationship, but I am compelled to speak the truth when the stakes are so high for the American people. The United States troops and the people of Pakistan both have a lot at stake, in addition to the American people. In my judgment, recent developments are unacceptable and merit a serious examination of U.S. aid to Pakistan. The Senate should hold hearings so we have a full accounting of Pakistan's efforts to combat terrorism.

The third area of our focus should be the grave concerns that many of us have—and I have for sure—about the future of women and girls in Afghanistan. If nothing else, we cannot lose precious ground gained in rights for this critical 50 percent of the population—women and girls. Over the past 10 years, women have assumed seats in Parliament and girls have returned to school. I mentioned the number earlier. Women's rights have become a part of the public dialog at long last.

When speaking to a group of Afghan women in May, Secretary of State Clinton said, "We will not abandon you, we will stand with you always."

We must as a nation stand by this commitment to the women and girls who live in Afghanistan. Empowered women are the most influential voice to dissuade young men from taking up arms in Afghanistan and places around the world. These women are the most likely to develop their own communities as well.

Finally and most importantly, it is our moral obligation to protect those who are most vulnerable in Afghanistan.

I have significant concerns about governance in Afghanistan. I have closely examined Afghanistan's uneven governance record and have serious questions about the viability of the democratic experiment in that country. The foundational act of democracy, elections, has not met international standards in Afghanistan and has established the basis for an unresponsive government and unresponsive government officials and corruption.

As the United States draws down its military presence, the international community must renew its focus on governance in Afghanistan and efficient disbursement of U.S. assistance. A recent Senate Foreign Relations Committee report suggests that we must do a better job of accounting for the resources spent on bolstering the Afghan Government.

In conclusion, we have made progress in Afghanistan all these years. The surge in U.S. troops, working with coalition forces and the Afghan Army, has rolled back gains made by the Taliban. Our special forces have killed Osama bin Laden and several other senior al-Qaida leaders. The numbers and capabilities of the Afghan security forces have increased. Women and girls are better off than they were in the year 2001, and the health sector has improved.

Significant challenges remain, but based upon these advances and on the significant costs of our current policy, it is time, after 10 long years, to begin the drawdown process.

I yield the floor.

TRIBUTE TO DR. CONRAD JONES

Mr. MCCONNELL. Mr. President, I rise to recognize a distinguished doctor and Kentuckian, Dr. Conrad Jones. Dr. Jones has risen to become one of the most admired and applauded physicians in the Bluegrass State, a feat that was recognized at the Murray-Calloway County Hospital in 2007 when they opened their new women's health facility and named it the Conrad Jones Women's Pavilion. As Dr. Jones has contributed to the field of women's health for six decades now, it was a very fitting tribute.

When Dr. Jones was born in 1922, there was not yet the MRI, the ultrasound or the home pregnancy test. Dr. Jones's father, Dr. Cody Jones, was also a physician, and a young Conrad would accompany him on his rounds as a country doctor. The Jones family had come to Kentucky from the Carolinas and Tennessee before the Civil War. Conrad's mother was a school teacher who taught in Hazel and at Murray High School.

Conrad remembers his father worked long, hard hours. His father would have preferred that Conrad become a farmer instead of a doctor, in fact, because a doctor's life was too hard. Luckily for the people of Kentucky, Conrad did not take that particular piece of advice.

Dr. Conrad Jones attended Murray State and then went to medical school at the University of Louisville. After serving his country in uniform, he returned to Murray, KY, to work at what was then the new city-county hospital and its obstetrics unit. He helped patients from the immediate area as well as all over Marshall, Graves and Henry counties.

Dr. Jones has practiced medicine in Murray so long he can tell you the history of how medicine and medical technology has advanced in the area. Dr. Jones certainly keeps up with the technology, and is proud that Murray has what he calls by today's standards state-of-the-art facilities.

I wish to commend Dr. Conrad Jones for his many decades of service to his

community. The people of Murray, Calloway County and Kentucky are lucky to have him. I know my colleagues join me when I say this U.S. Senate is grateful to him and his family for all he has contributed to make ours a stronger country.

The Murray-Calloway County Chamber of Commerce published a 2008 Viewbook that contained an illuminating article detailing Dr. Conrad Jones's life and career. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed, as follows:

[From the Murray-Calloway County Chamber of Commerce 2008 Viewbook]

MURRAY'S CONRAD JONES: A LIFE IN MEDICINE
(By Robert A. Valentine)

In February 2007, the Murray-Calloway County Hospital opened a state-of-the-art facility dedicated to women's health. Almost everyone there recognized the appropriate name of the new facility: The Conrad Jones Women's Pavilion. Dr. Conrad Jones, who had already witnessed six decades of progress in women's health, was looking on in a state of near-speechless humility.

He was born long before the MRI, the ultrasound or even the home pregnancy test. Most women had yet to vote in their first presidential election, and all but a very, very few babies were born at home. It was a warm October in 1922.

"My father wanted me to be a farmer because a physician's life was hard," Dr. Jones told us in an interview in his offices at the Murray Woman's Clinic. He was attracted to the life of the country doctor, despite its perils and long, hard hours. "Work in the tobacco fields made me know that I didn't want that."

After Murray State, he entered medical school at the University of Louisville. Following that, he went directly into the service. "There were few specialists there," he remembers. "You did whatever was necessary for the patient."

He returned to Murray after the service. By that time, the new city-county hospital had come into being with an obstetrics unit on the second floor of the northwest wing. "It was pretty crude by today's standards," he remembers, "But it was probably the best OB unit for several counties around. We did about as many deliveries then as we do now," Dr. Jones observed, because many patients came from Marshall, Graves and Henry counties.

"Murray has always been a very progressive community in terms of technology" he reminded us. "By today's standards, what we have now is the state-of-the-art. This should serve us well for several years."

We asked Conrad Jones how long he has been in Murray. With a broad smile, he answered, "Always." That makes him the ideal source of information on changes in women's healthcare over the years. We also asked about the most important changes during his career.

"Today there are far more caesarian sections being performed. In the '50s and '60s, if your section rate got above 5 or 6 percent, it was uncommon. Now, we see 23 to 30 percent. Surgery is much safer now, and we have better tracking technology, so you can tell how the fetus is under stress. Fetal monitors were a major step forward by in the late '60s and early '70s."

Modern techniques make it much safer for the mother. "Anesthesia is also another big change. Not too many years back, the only anesthesia was the 'saddle block' (a procedure which cuts off sensation in the pelvic region) or nitrous oxide. Now, the epidural has replaced that."

But the main change is the technology and the facility. The custom of hospital instead of home deliveries has drastically reduced the infant mortality rate. Only two generations ago, maternal and infant mortality was all too common. "The mothers of today have no idea how dangerous childbirth used to be," he recalls with a serious look.

And women are presenting more challenges. Today, there are more career or professional women, and more women remain in the workforce longer. "The age at which women start families is higher, and I don't know what affect that's going to have on the family. But we know that, as a mother ages, there is a greater risk to her and to the child. However, medicine is keeping pace, I think, so it's safer." He points with pride to the work of his associates in fertility treatments and in the new outpatient, non-invasive surgeries for incontinence hysterectomies, and non-surgical permanent birth control. "Fifty years ago, that would have seemed like a miracle," he says.

THE ROLE OF WOMEN IN MURRAY MEDICINE

In the future, he expects to see more women entering medicine, and he welcomes it. "We had two women in my medical school class of 100; now about half of the classes are women. It's a growing thing, and very important. Most of the pediatricians in Murray are women, and there are two top-notch internists. We have Dr. Deeter and Dr. Burnett in our practice (Murray Woman's Clinic) and three outstanding nurse-practitioners, and that is very important to good, modern family care."

After so many sleepless nights and the constant drive to remain "current" in technology and practice, we had to ask if he would still choose medicine as a career if he were starting over, today. "Most emphatically, yes! The hours are very difficult, but you get so much joy out of helping others. It's a very happy, joyous experience; you are helping people at a vital time in their lives."

And what would he tell someone starting out in medicine today? "Well," he smiled, and leaned over his desk, "You've got to have a good partner—and that's my wife. She was with me all the way; when I was gone all night, she had to be alone. We couldn't take vacations as other folks might, and maybe we missed a lot of things. She has been a real trooper; without her, I couldn't have done it."

Would he change anything about his career? "Not a bit," he smiled. After all, it has been not merely a career so much as it is a life in medicine.

FELONY STREAMING

Mrs. FEINSTEIN. Mr. President, I rise to address S. 978, legislation passed by the Judiciary Committee last week that would increase the penalties for willful copyright infringement by "streaming." I would like to explain why I voted "pass" on the bill at the Judiciary Committee markup, and to express what my concern is.

First, I very much appreciate the intent behind this legislation, and commend Senators KLOBUCHAR and CORNYN

for bringing it forth. Online infringement of copyrights has had a very serious, detrimental, effect on the entertainment industry, which is based in large part in my State of California. Those who willfully infringe copyrights for the purpose of commercial advantage or private financial gain deserve to be punished like the thieves that they are.

But in doing this, we must make sure that the punishment is proportionate to the crime. This bill simply copies the penalty structure from the current law that makes larger scale illegal downloading a felony. That law makes "the reproduction or distribution, including by electronic means"—i.e. downloading—a felony punishable by up to 5 years imprisonment, if it involves: 10 or more copies; with a total retail value of more than \$2,500; and within a 180-day period.

This bill just replicates that penalty structure, with the additional element of an alternative "fair market value" threshold. It makes willful infringement through "public performances by electronic means"—i.e. streaming—also a felony, subject to the same 5-year maximum sentence, if it involves: 10 or more public performances; within a 180-day period; with either a total retail or economic value of more than \$2,500; or total fair market value of licenses of more than \$5,000.

As I stated at the beginning, I have no problem with increased punishment for large-scale infringers, whether they infringe through downloads or through streams. The problem, though, with this structure is that it treats streaming as being as serious as downloading. But a download, in my view, is obviously much more serious, because it makes a permanent copy of the song or movie or show, as opposed to the one-time viewing or listening that streaming creates. This is very likely why downloading was made a felony to begin with, while streaming wasn't. Given that downloading is much more serious and damaging, to have a moral consistency with the downloading penalties, the streaming thresholds, at least in quantity, should be much higher.

Therefore, I hope to work with the bill's sponsors before this legislation goes to the floor, to craft a more appropriate threshold, which reflects the differences between downloading and streaming. As the sponsors and the chairman of the Judiciary Committee, Senator LEAHY, have stated, there are other outstanding issues that they are committed to addressing before this bill comes to the floor, and I hope this concern that I have can be resolved in the same way.

SUMMER LEARNING

Mrs. MURRAY. Mr. President, today I wish to discuss the importance of

summer learning, and to draw attention to the significance of high-quality summer learning opportunities in the lives of young people.

The effort to keep kids learning during summer is based on research that shows that without effective summer learning opportunities: students fall more than 2 months behind in math over the summer; low-income children fall behind 2 to 3 months in reading each summer; and that by the end of fifth grade, lower income children can be nearly 3 years behind their higher income peers in reading.

Last year, nearly 500 events were held nationwide that highlighted how summer learning programs advance academic growth, support working families, keep children safe and send students back to school ready to learn.

I am proud to recognize the importance of summer learning and encourage communities across the country to celebrate and acknowledge the importance of providing all young people with high-quality learning opportunities during the summer months.

ADDITIONAL STATEMENTS

TRIBUTE TO LINDA RUNDELL

• Mr. BINGAMAN. Mr. President, today I recognize Ms. Linda Rundell, the Bureau of Land Management's New Mexico State director, for her exemplary public service and to express my congratulations on her upcoming retirement after 32 years.

Linda has held many titles during her time with BLM, including range conservationist, wildlife biologist, environmental impact statement team leader, program analyst, congressional fellow, and district manager. And her work has taken her to nearly as many parts of our country, including Alaska, Nevada, Oregon, and Washington, DC.

But the majority of her career has kept her in my home State of New Mexico where she will finish her tenure with BLM as State director for New Mexico, Oklahoma, Texas, and Kansas. Since 2002, Linda has overseen an annual budget of \$250 million and is responsible for 13.4 million acres of public lands in New Mexico and nearly 54 million acres of Federal and tribal subsurface minerals underlying non-BLM lands in the four States.

With a mission of multiple-use management, the BLM is tasked with balancing competing uses of our public land—including oil and gas development, wildlife protection, recreation, grazing, landscape conservation, and cultural resource protection—to name just a few. Attempting to balance these activities can be a challenging task for any land manager. However, Linda's career demonstrates how well she has personified this mission by assisting groups with opposing viewpoints to

find common ground through collaboration.

Restore New Mexico, a program Linda established in 2005, demonstrates the benefits that can be achieved through collaboration. In only about 6 years the BLM—in partnership with environmental groups, ranchers, oil and gas companies, and sportsmen—has begun the restoration of 1.5 million acres of grasslands and woodlands in New Mexico. These efforts are reversing decades and even centuries of habitat fragmentation, encroachment by invasive species, and the legacy of orphaned oil and gas wells across the State. The results have been excellent, and the partnerships that have been built between long-time adversaries cannot be understated. With this collaboration as a framework, the long-term successful restoration of our public lands is more likely than ever.

Linda's impressive record as State director is no doubt a product of what she learned in the years leading up to it. Her background as a wildlife biologist, for example, gave her the foresight to recognize that the BLM had a significant role to play if further population declines of the lesser prairie chicken were to be averted. Before this small grouse began gaining headlines in newspapers, Linda knew that a continued decline of this species would have far-reaching implications. For this reason, she has worked diligently to protect and expand lesser prairie chicken habitat in the State.

Linda exemplifies the attributes found in effective leaders—honesty, a strong work ethic, and a willingness to make the right decision even when it may be difficult. She is highly respected within and outside the agency for her leadership skills and her staff in New Mexico mirror these traits. I appreciate how helpful she and her staff have been while working with my office in the development of various policy initiatives including conservation measures—many of which have been signed into law—like the Ojito Wilderness, Prehistoric Trackways National Monument, Fort Stanton-Snowy River Cave National Conservation Area, and Sabinoso Wilderness.

Linda's tenure as BLM State director will leave a lasting legacy that has and will continue to benefit the health of our public land and wildlife as well as the economy of our State and Nation. Our Nation is grateful for her service, and I wish her the best on her future endeavors.●

MESSAGE FROM THE HOUSE

ENROLLED JOINT RESOLUTIONS SIGNED

At 12:38 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

S.J. Res. 7. Joint resolution providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9. Joint resolution providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

The enrolled joint resolutions were subsequently signed by the President pro tempore (Mr. INOUE).

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, June 21, 2011, she had presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 7. Joint resolution providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9. Joint resolution providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2207. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Robert L. Van Antwerp, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2208. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General David H. Petraeus, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-2209. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the RQ-4A/B Unmanned Aircraft System (UAS) Global Hawk Block 30 Program; to the Committee on Armed Services.

EC-2210. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to depot-level maintenance and repair workloads by the public and private sectors; to the Committee on Armed Services.

EC-2211. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Conservatorship and Receivership" (RIN2590-AA23) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2212. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-2213. A communication from the Chairman and President of the Export-Import

Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Bangladesh; to the Committee on Banking, Housing, and Urban Affairs.

EC-2214. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-2215. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standards for Toddler Beds" (RIN3041-AC79) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2216. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fractional Aircraft Ownership Programs and On-Demand Operations; Technical Amendment" ((RIN2120-AH06) (Docket No. FAA-2001-10047)) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2217. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Control Room Management/Human Factors" (RIN2137-AE64) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2218. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146 and Avro 146-RJ Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0673)) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2219. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F; Model MD-10-10F, MD-10-30F, and MD-11, and MD-11F Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1044)) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2220. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine" ((RIN2120-AA64) (Docket No. FAA-2011-0504)) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2221. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries GmbH Model DA 42 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0231)) received during recess of the Senate in the Office of the President of the Senate on June 17, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2222. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application for Reinstatement and Retroactive Reinstatement for Reasonable Cause under Internal Revenue Code Section 6033(j)" (Notice No. 2011-44) received in the Office of the President of the Senate on June 16, 2011; to the Committee on Finance.

EC-2223. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Dow Chemical Company in Madison, Illinois, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-2224. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Bliss and Laughlin Steel Company located at 110 Hopkins Street, Buffalo, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-2225. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Chapman Valve Manufacturing Company (i.e., Building 23 and the Dean Street facility) in Indian Orchard, Massachusetts, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-2226. A communication from the Inspector General of the General Services Administration, transmitting, pursuant to law, the Administration's Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2227. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education's Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2228. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Tennessee Advisory Committee; to the Committee on the Judiciary.

EC-2229. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Connecticut Advisory Committee; to the Committee on the Judiciary.

EC-2230. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2010 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1103, a bill to extend the term of the incumbent Director of the Federal Bureau of Investigation (Rept. No. 112-23).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 679, a bill to reduce the number of executive positions subject to Senate confirmation (Rept. No. 112-24).

By Ms. STABENOW, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

H.R. 872. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUMENTHAL (for himself, Mr. LIEBERMAN, and Mr. ROCKEFELLER):

S. 1237. A bill to amend the Internal Revenue Code of 1986 to allow manufacturing businesses to establish tax-free manufacturing reinvestment accounts to assist them in providing for new equipment and facilities and workforce training; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. ROCKEFELLER):

S. 1238. A bill to make bills implementing trade agreements subject to a point of order unless certain conditions are met, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. 1239. A bill to provide for a medal of appropriate design to be awarded by the President to the memorials established at the 3 sites honoring the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1240. A bill to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. HATCH, Ms. AYOTTE, Mr. BLUNT, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. CORNYN, Mr. DEMINT, Mr. ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. JOHANNES, Mr. KYL, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Mr. RISCH, Mr. SESSIONS, Mr. THUNE, Mr. WICKER, Mr. VITTER, and Mr. PAUL):

S. 1241. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself and Mr. MANCHIN):

S. 1242. A bill to provide for the treatment of certain hospitals under the Medicare program; to the Committee on Finance.

By Mrs. HAGAN:

S. 1243. A bill to require that certain Federal job training and career education pro-

grams give priority to programs that provide an industry-recognized and nationally portable credential; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. MCCAIN, Mr. LEVIN, Mr. KYL, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. LIEBERMAN, Mr. BLUNT, Mr. CARDIN, and Mr. KIRK):

S.J. Res. 20. A joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN (for himself, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. BARRASSO, Mr. BROWN of Ohio, and Mr. PORTMAN):

S. Res. 212. A resolution congratulating the people and Government of the Republic of Slovenia on the twentieth anniversary of the country's independence; considered and agreed to.

By Mr. DEMINT (for himself, Mr. CORNYN, Mr. VITTER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Mr. CRAPO, Mr. ENZI, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. KIRK, Mr. LEE, Mr. MCCONNELL, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. WICKER, Mr. ROBERTS, Mr. LIEBERMAN, Mr. GRAHAM, and Mr. ALEXANDER):

S. Res. 213. A resolution commending and expressing thanks to professionals of the intelligence community; to the Select Committee on Intelligence.

ADDITIONAL COSPONSORS

S. 56

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 56, a bill to amend title XIX of the Social Security Act to improve access to advanced practice nurses and physician assistants under the Medicaid Program.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 343

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 343, a bill to amend Title I of Pub. L. 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve

the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended Pub. L. 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 462

At the request of Mr. KOHL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 462, a bill to better protect, serve, and advance the rights of victims of elder abuse and exploitation by establishing a program to encourage States and other qualified entities to create jobs designed to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act.

S. 528

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 528, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 534

At the request of Mr. KERRY, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 541

At the request of Mr. BENNET, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 541, a bill to amend the Elementary and Secondary Education Act of 1965 to allow State educational agencies, local educational agencies, and schools to increase implementation of schoolwide positive behavioral interventions and supports and early

intervening services in order to improve student academic achievement, reduce disciplinary problems in schools, and to improve coordination with similar activities and services provided under the Individuals with Disabilities Education Act.

S. 596

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 596, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 652

At the request of Mr. KERRY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 652, a bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes.

S. 679

At the request of Mr. SCHUMER, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 679, a bill to reduce the number of executive positions subject to Senate confirmation.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 755

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 769

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 769, a bill to amend title 38, United States Code, to prevent the Secretary of Veterans Affairs from prohibiting the use of service dogs on Department of Veterans Affairs property.

S. 778

At the request of Mr. MORAN, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 797

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. SANDERS) was added as a cospon-

sor of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 800

At the request of Mr. HARKIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 800, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 834

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 946

At the request of Mr. BAUCUS, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 946, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1056

At the request of Mr. HARKIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1056, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 1088

At the request of Mr. KERRY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1088, a bill to provide increased funding for the reinsurance for early retirees program.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1167

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1167, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1189

At the request of Mr. PORTMAN, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. ROBERTS) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1211

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1211, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 1214

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1214, a bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions.

S. 1224

At the request of Mr. BINGAMAN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1224, a bill to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery program through fiscal year 2023.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 23

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Con. Res. 23, a concurrent resolution declaring that it is the policy of the United States to support and facilitate Israel in maintaining defensible borders and that it is contrary to United States policy and national security to have the borders of Israel return to the armistice lines that existed on June 4, 1967.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 211

At the request of Mr. LEVIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 211, a resolution observing the historical significance of Juneteenth Independence Day.

AMENDMENT NO. 405

At the request of Mr. BARRASSO, his name was added as a cosponsor of amendment No. 405 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 440

At the request of Mr. MERKLEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 440 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 476

At the request of Mrs. FEINSTEIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 476 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1240. A bill to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, today I am introducing legislation, along with my colleague from Connecticut, Senator BLUMENTHAL, which will strengthen the content knowledge and instructional skills of our present K-12 teacher workforce. Our goal with this legislation, like any education legislation I support, is to ultimately raise student achievement.

The Teachers Professional Development Institutes Act would establish up to eight new Teachers Professional Development Institutes throughout the nation each year over the next 5 years based on the successful model that has been operating at Yale University for over thirty years. Every Teachers Institute would consist of a partnership between an institution of higher education and the local public school system in which a significant proportion of the students come from low-income households. These Institutes will strengthen the present teacher workforce by giving each participant an opportunity to gain more sophisticated content knowledge and a chance to develop curriculum units with other colleagues that can be directly applied in their classrooms. We know that teachers gain confidence and enthusiasm when they have a deeper understanding of the subject matter that they teach and this translates into higher expectations for their students and an increase in student achievement.

The Teachers Professional Development Institutes are based on the Yale-New Haven Teachers Institute model that has been in existence since 1978. For over 30 years, the Institute has offered, five or six 13 session seminars each year, led by Yale faculty, on topics that teachers have selected to enhance their mastery of the subject areas they teach. The subject selection process begins with representatives from the Institutes soliciting ideas from teachers throughout the school district for topics on which teachers feel they need to have additional preparation, topics that will assist them in preparing materials they need for their students, or topics that will assist them in addressing the standards that the school district requires. As a consensus emerges about desired seminar subjects, the Institute director identifies university faculty members with the appropriate expertise, interest and desire to lead the seminar. University faculty members, especially those who have led Institute seminars before, may sometimes suggest seminars they would like to lead, and these ideas are circulated by the representatives as well. The final decisions on which seminar topics are offered are ultimately made by the teachers who participate.

In this way, the offerings are designed to respond to what teachers believe is needed and useful for both themselves and their students.

The cooperative nature of the Institute seminar planning process ensures its success. Institutes offer seminars and relevant materials on topics teachers have identified and feel are needed for their own preparation, as well as what they know will motivate and engage their students. Teachers enthusiastically take part in rigorous seminars they have requested, and practice using the materials they have obtained and developed. This helps ensure that the experience not only increases their preparation in the subjects they are assigned to teach, but also their participation in an Institute seminar gives them immediate hands-on active learning materials that can be used in the classroom. All of this is a very empowering experience for teachers.

The Yale-New Haven Teachers Institute conducted a National Demonstration Project from 1999–2002 that showed that similar Institutes could be created rapidly at diverse sites with large concentrations of disadvantaged students. After 2 years of research and planning, and based on the success of that project, the Institute in 2005 launched the Yale National Initiative to strengthen teaching in public schools, a long-term endeavor to assist with the establishment of Teachers Institutes of this specific type in most states. As a result, new Institutes already have been established in Philadelphia, Pennsylvania, Charlotte, North Carolina, and New Castle County, Delaware. Nine other school districts in 6 states, including California, Arizona, Oklahoma, Illinois, Virginia, and Georgia, are currently participating in the Initiative to learn how to develop a new Institute.

The teachers surveyed for the National Demonstration Project reported that student motivation, student interest, and student mastery were higher during the Institute-developed unit than during other work. Subsequently, the findings of a 2009 Report on Teachers Institute Experiences found that teachers participated out of desires to obtain curricula that suited their needs, increased subject mastery, and motivated students. Mr. President, 96 percent of the teachers rated the Institute seminars as useful, partly due to the reported increase in knowledge and in raising expectations for their students.

A retrospective study showed that over 5 years, Teachers Institute participants were almost twice as likely as non-participants to remain teaching in the district 5 years later. Research has shown that longevity in a district leads to increased teacher effectiveness.

Many agree that teacher quality is the single most important school-related factor in determining student

achievement. High-quality teacher professional development programs that focus on subject and pedagogy knowledge are a proven method for enhancing the effectiveness of a teacher in the classroom. A recent review of professional development studies by the Department of Education's Institute of Education Sciences found that, and I quote "teachers who receive substantial professional development, an average of 49 hours in the 9 studies, can boost their students' achievement by about twenty-one percentile points."

The Yale-New Haven Teachers Institute model enhances teachers' basic writing, math, and presentation skills. It increases expectations of student achievement and enthusiasm for teaching while developing skills for motivating students. These are key features that research suggests are effective in producing gains in both teacher knowledge and practice and student achievement. The Teachers Institutes lead to student achievement gains through a proven approach distinguished from both conventional professional development offerings of school districts and from traditional continuing education and outreach programs of colleges and universities.

Education Secretary Arne Duncan said recently, and I quote, "the practices of high-performing countries show clearly that America in particular has to do much more to elevate the teaching profession, from the recruitment and training of teachers to their evaluation and professional development."

This is precisely what the Teachers Professional Development Institutes Act strives to accomplish. The need for effective teachers with deep content knowledge is most apparent and urgent in schools and school districts that enroll a high proportion of students from low-income families, exactly the schools and school districts that Teachers Institutes serve.

The Yale-New Haven Teachers Institute has already proven to be a successful model for teacher professional development as demonstrated by the high caliber curriculum unit plans that teacher participants have developed and placed on the web, and by the evaluations that support the conclusion that virtually all the teacher participants felt substantially strengthened in their mastery of content knowledge and their teaching skills. The finding that Institute participants were almost twice as likely as non-participants to remain teaching in high-need schools is especially encouraging. Our proposal would open this opportunity to many more teachers in high-need schools throughout the nation.

I urge my colleagues to act favorably on this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTES.

(a) IN GENERAL.—Part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

"Subpart 6—Teachers Professional Development Institutes

"SEC. 2161. SHORT TITLE.

"This subpart may be cited as the 'Teachers Professional Development Institutes Act'.

"SEC. 2162. FINDINGS AND PURPOSE.

"(a) FINDINGS.—Congress makes the following findings:

"(1) Teaching is central to the educational process and the ongoing professional development of teachers in the subjects they teach is essential for improved student learning.

"(2) Attaining the goal of the No Child Left Behind Act of 2001 (Public Law 107–110)—having a classroom teacher who is highly effective in every academic subject the teacher teaches—will require innovative approaches to improve the effectiveness of teachers in the classroom.

"(3) The Teachers Institute Model focuses on the continuing academic preparation of schoolteachers and the application of what the teachers study to their classrooms and potentially to the classrooms of other teachers.

"(4) The Teachers Institute Model was developed initially by the Yale-New Haven Teachers Institute and has successfully operated in New Haven, Connecticut, for more than 30 years.

"(5) The Teachers Institute Model has also been successfully implemented in cities larger than New Haven.

"(6) In the spring of 2009, a report entitled 'An Evaluation of Teachers Institute Experiences' concluded that—

"(A) Teachers Institutes enhance precisely those teacher qualities known to improve student achievement;

"(B) Teachers Institutes exemplify the crucial characteristics of high-quality teacher professional development; and

"(C) Teachers Institute participation is strongly related to teacher retention in high-poverty schools.

"(b) PURPOSE.—The purpose of this subpart is to provide Federal assistance to support the establishment and operation of Teachers Institutes for local educational agencies that serve significant low-income student populations in States throughout the Nation, in order to—

"(1) improve student learning; and

"(2) enhance the quality and effectiveness of teaching and strengthen the subject matter mastery and the pedagogical skills of current teachers through continuing teacher preparation.

"SEC. 2163. DEFINITIONS.

"In this subpart:

"(1) SIGNIFICANT LOW-INCOME STUDENT POPULATION.—The term 'significant low-income student population' means a student population of which not less than 40 percent of the students included are eligible for free or reduced price lunches under the Richard B. Russell National School Lunch Act.

“(2) TEACHERS INSTITUTE.—The term ‘Teachers Institute’ means a partnership or joint venture—

“(A) between or among—

“(i) 1 or more institutions of higher education; and

“(ii) 1 or more local educational agencies that serve 1 or more schools with significant low-income student populations; and

“(B) that improves the effectiveness of teachers in the classroom, and the quality of teaching and learning, through collaborative seminars designed to enhance both the subject matter and the pedagogical resources of the seminar participants.

“SEC. 2164. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—The Secretary is authorized to award grants under this subpart in order to encourage the establishment and operation of Teachers Institutes.

“(b) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 50 percent of the funds appropriated to carry out this subpart to provide technical assistance to facilitate the establishment and operation of Teachers Institutes. The Secretary may contract with the Yale-New Haven Teachers Institute to provide all or part of the technical assistance under this subsection.

“(c) SELECTION CRITERIA.—In selecting Teachers Institutes to support through grants under this subpart, the Secretary shall consider—

“(1) the extent to which a proposed Teachers Institute will serve schools that have significant low-income student populations;

“(2) the extent to which a proposed Teachers Institute will follow the understandings and necessary procedures described in section 2166;

“(3) the extent to which each local educational agency participating in the Teachers Institute has a high percentage of teachers who are unprepared or underprepared to teach the core academic subjects the teachers are assigned to teach; and

“(4) the extent to which a proposed Teachers Institute will receive a level of support from the community and other sources that will ensure the requisite long-term commitment for the success of a Teachers Institute.

“(d) CONSULTATION.—

“(1) IN GENERAL.—In evaluating applications using the criteria under subsection (c), the Secretary may request the advice and assistance of the Yale-New Haven Teachers Institute or other Teachers Institutes.

“(2) STATE AGENCIES.—If the Secretary receives 2 or more applications for grants under this subpart from local educational agencies within the same State, the Secretary shall consult with the State educational agency regarding the applications.

“(e) FISCAL AGENT.—The fiscal agent for the receipt of grant funds under this subpart shall be an institution of higher education participating in the partnership or joint venture, as described in section 2163(2)(A), that is establishing or operating the Teachers Institute.

“(f) LIMITATIONS.—A grant under this subpart—

“(1) shall provide grant funds for a period of not more than 5 years; and

“(2) shall be in an amount that is not more than 50 percent of the total costs of the eligible activities supported under the grant, as determined by the Secretary.

“SEC. 2165. ELIGIBLE ACTIVITIES.

“Grant funds under this subpart may be used—

“(1) for the planning, development, establishment, and operation of a Teachers Institute;

“(2) for additional assistance to an established Teachers Institute for its further development and for its support of the planning, development, establishment, and operation of a Teachers Institute under paragraph (1);

“(3) for the salary and necessary expenses of a full-time director for a Teachers Institute to plan and manage the Teachers Institute and to act as a liaison between all local educational agencies and institutions of higher education participating in the Teachers Institute;

“(4) to provide suitable office space, staff, equipment, and supplies, and to pay other operating expenses, for the Teachers Institute;

“(5) to provide a stipend for teachers participating in the collaborative seminars conducted by the Institute in the sciences and humanities and to provide remuneration for members of the faculty of the participating institution of higher education leading the seminars; and

“(6) to provide for the dissemination, through print and electronic means, of curriculum units prepared in the seminars conducted by the Teachers Institute.

“SEC. 2166. UNDERSTANDINGS AND PROCEDURES.

“A grantee receiving a grant under this subpart shall abide by the following understandings and procedures:

“(1) PARTNERSHIP.—The essential relationship of a Teachers Institute is a partnership between a local educational agency and an institution of higher education. A grantee shall demonstrate a long-term commitment on behalf of the participating local educational agency and institution of higher education to the support, including the financial support, of the work of the Teachers Institute.

“(2) SEMINARS.—A Teachers Institute sponsors seminars led by faculty of the institution of higher education partner and attended by teachers from the local educational agency partner. A grantee shall provide participating teachers the ability to play an essential role in planning, organizing, conducting, and evaluating the seminars and in encouraging the future participation of other teachers.

“(3) CURRICULUM UNIT.—A seminar described in paragraph (2) uses a collaborative process, in a collegial environment, to develop a curriculum unit for use by participating teachers that sets forth the subject matter to be presented and the pedagogical strategies to be employed. A grantee shall enable participating teachers to develop a curriculum unit, based on the subject matter presented, for use in the teachers’ classrooms.

“(4) ELIGIBILITY AND REMUNERATION.—Seminars are open to all partnership teachers with teaching assignments relevant to the seminar topics. Seminar leaders receive remuneration for their work and participating teachers receive an honorarium or stipend upon the successful completion of the seminar. A grantee shall provide seminar leaders and participating teachers with remuneration to allow them to participate in the Teachers Institute.

“(5) DIRECTION.—The operations of a Teachers Institute are managed by a full-time director who reports to both partners but is accountable to the institution of higher education partner. A grantee shall appoint a director to manage and coordinate the work of the Teachers Institute.

“(6) EVALUATION.—A grantee shall annually review the activities of the Teachers In-

stitute and disseminate the results to members of the Teachers Institute’s partnership community.

“SEC. 2167. APPLICATION, APPROVAL, AND AGREEMENT.

“(a) IN GENERAL.—To receive a grant under this subpart, a Teachers Institute, or a partnership or joint venture described in section 2163(2)(A) that is proposing to establish a Teachers Institute, shall submit an application to the Secretary that—

“(1) meets the requirement of this subpart and any regulations under this subpart;

“(2) includes a description of how the applicant intends to use funds provided under the grant;

“(3) includes such information as the Secretary may require to apply the criteria described in section 2164(c);

“(4) includes measurable objectives for the use of the funds provided under the grant; and

“(5) contains such other information and assurances as the Secretary may require.

“(b) APPROVAL.—The Secretary shall—

“(1) promptly evaluate an application received for a grant under this subpart; and

“(2) notify the applicant, within 90 days of the receipt of a completed application, of the Secretary’s determination.

“(c) AGREEMENT.—Upon approval of an application, the Secretary and the applicant shall enter into a comprehensive agreement covering the entire period of the grant.

“SEC. 2168. REPORTS AND EVALUATIONS.

“(a) REPORT.—Each grantee under this subpart shall report annually to the Secretary on the progress of the Teachers Institute in achieving the purpose of this subpart.

“(b) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this subpart and submit an annual report regarding the activities assisted under this subpart to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives. The Secretary shall broadly disseminate successful practices developed by Teachers Institutes.

“(c) REVOCATION.—If the Secretary determines that a grantee is not making substantial progress in meeting the purposes of the grant by the end of the second year of the grant under this subpart, the Secretary may take appropriate action, including revocation of further payments under the grant, to ensure that the funds available under this subpart are used in the most effective manner.

“SEC. 2169. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated, for grants (including planning grants) and technical assistance under this subpart, such sums as may be necessary for fiscal year 2012 and each of the 4 succeeding fiscal years.”

(b) TABLE OF CONTENTS.—The table of contents of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 2151 the following:

“SUBPART 6—TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTES

“Sec. 2161. Short title.

“Sec. 2162. Findings and purpose.

“Sec. 2163. Definitions.

“Sec. 2164. Program authorized.

“Sec. 2165. Eligible activities.

“Sec. 2166. Understandings and procedures.

“Sec. 2167. Application, approval, and agreement.

“Sec. 2168. Reports and evaluations.”

By Mr. RUBIO (for himself, Mr. HATCH, Ms. AYOTTE, Mr. BLUNT, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. CORNYN, Mr. DEMINT, Mr. ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. JOHANNES, Mr. KYL, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Mr. RISCH, Mr. SESSIONS, Mr. THUNE, Mr. WICKER, Mr. VITTER, and Mr. PAUL):

S. 1241. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

Mr. RUBIO. Mr. President, it is an honor to stand alongside Senator HATCH today as we introduce the Child Interstate Abortion Notification Act. This bill, which would help States enforce laws requiring that parents be notified before their child has an abortion, is supported by many pro-life groups and organizations. But perhaps most importantly, it is supported by a broad majority of parents, who are in a much better position to help children with tough decisions than virtually anyone else.

Many States require that a parent be notified before a minor has an abortion, while even more require the consent of a parent before a physician can legally perform an abortion. Unfortunately, these laws are undermined and circumvented by those simply willing to travel to a State without these restrictions.

This important legislation would put an end to this practice permanently by simply enabling States to enforce their existing laws, which are designed to protect our children and defend parents' rights. While this legislation serves that goal, it also promotes a culture of life in our nation that is critical to ensuring we continue to cherish and defend the self-evident, fundamental right to life, especially as it applies to the unborn.

Specifically, this bill has two parts: First, it prohibits the act of knowingly taking a minor across State lines with the intent of obtaining an abortion if this action evades the parental involvement law in her home State. Second, it would require abortion providers to notify a parent of an out-of-State minor before performing an abortion.

Sadly, many are willing to circumvent State law and shuttle young girls across State lines in order to avoid parental notification laws. With the help of my Senate colleagues, we will put a stop to this and ensure that parents are aware of profound medical operations involving their children. With that thought in mind, I ask you to support this legislation to help keep parents informed.

Mr. HATCH. Mr. President, today I am proud to stand with my friend from

Florida, Senator RUBIO, as he introduces an important piece of legislation, the Child Interstate Abortion Notification Act. This bill, which today is being introduced in the House by Representative ILEANA ROS-LEHTINEN of Florida, is based on the belief that children should not make profound life-changing decisions by themselves and that parents are generally in the best and most responsible position to help them.

One of the many disturbing ironies in the abortion debate is that parental consent is needed for such things as tattoos or school fieldtrips but not always for abortions that will end one life and change another forever. Abortion advocates say that abortion should be treated as any other surgical procedure, but many of them oppose requiring the same parental consent for abortion that is required for any other procedure.

What is worse, there are individuals and organizations out there who appear to care more about money than about kids. They are willing to help young girls get abortions by any means necessary, including taking them to other States without the knowledge or consent of their parents. Mind you, those same parents will be responsible for the aftermath, for the physical, emotional, and spiritual consequences of the abortion. If parents are to be responsible at the end, they have the right to be there at the beginning.

If it were possible, just for a moment, to take the abortion politics out of the picture, every parent knows that kids have to develop over time the judgment and maturity to make decisions. No one is more committed to them, no one has more love for them, no one has more responsibility for them than their parents.

This bill has two parts. First, it prohibits taking a minor across State lines for an abortion if doing so evades the parental involvement law in her home State. In the 109th Congress, this portion of our bill passed the Senate with 65 bipartisan votes. More than 80 percent of our fellow Americans support it. Second, this bill requires abortionists to notify parents of an out-of-State minor before performing an abortion. Fifty-seven Senators voted for cloture on this combined bill in 2006.

I urge my colleagues to read the bill. It does not apply when an abortion is necessary to save a girl's life or if the girl is a victim of abuse or neglect. Again, please read the bill. It is carefully drafted with the appropriate exceptions and safeguards in order to focus on what unites the vast majority of Americans, that parents should be involved before their child has an abortion. The majority of States have laws requiring parental involvement and, with its interstate component, this bill is a legitimate and constitutional way for Congress to help protect children and support parents.

By Mr. ROCKEFELLER (for himself and Mr. MANCHIN):

S. 1242. A bill to provide for the treatment of certain hospitals under the Medicare program; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I, along with my colleague Senator MANCHIN, rise today to introduce the Fair Competition for Hospitals Act of 2011, legislation that will level the playing field for a handful of hospitals in the Northern Panhandle of West Virginia who are burdened by a payment disparity as compared to hospitals in neighboring States serving the same patient population. This legislation will adjust the wage index determination for these hospitals to make sure they are treated the same as the nearby facilities in other States. It will also help hospitals in other areas of the country facing a similar situation.

Medicare's hospital wage index system was created to reflect the variation in the price of labor across the country. Usually, hospitals in different States are located far enough apart that they do not compete for the same patients or workforce, within the same labor market. However, the geography in the Northern Panhandle of West Virginia presents a unique situation; with a geographic area as little as 6 miles wide, hospitals in West Virginia are much more akin to hospitals in Ohio and Pennsylvania, on either side of the panhandle. Therefore, this small group of hospitals is competitively disadvantaged because of wage index differences across state borders. This competitive disadvantage is causing these hospitals to struggle under the weight of providing the same care for a lower payment and making it more difficult to continue the high level of care for which they have become known.

These hospitals are vital cornerstones to the people in their communities. They employ more than 4,000 people and provide health care for tens of thousands more. As an essential part of the community, they should not be significantly disadvantaged by a payment structure that does not take into account the unique makeup of this area.

The solution I am introducing today is budget neutral and fair. It will make sure that these hospitals in my State are treated on a level playing field with their competitors and not disadvantaged by an economically meaningless State border. I urge my colleagues to support this legislation.

By Mrs. HAGAN:

S. 1243. A bill to require that certain Federal job training and career education programs give priority to programs that provide an industry-recognized and nationally portable credential; to the Committee on Health, Education, Labor, and Pensions.

Mrs. HAGAN. Mr. President, I am pleased to reintroduce a very important piece of legislation to accelerate

job growth across America, the American Manufacturing Efficiency and Retraining Investment Collaboration Achievement Works Act, also known as the AMERICA Works Act. This bill is part of the solution to the Nation's economic and unemployment problem.

We all know that American families, as well as the manufacturing industry, have faced difficult times over the last few years. But the truth is that the manufacturing industry will always be a vital part of our Nation's economy.

The national unemployment rate has stabilized somewhat, but almost 14 million Americans remain out of work. We still have a long way to go. In my home State of North Carolina, unemployment hovers at 9.7 percent, with several counties facing double-digit unemployment rates. Job creation is my number one priority and this legislation is an innovative way to get Americans back into the workforce.

The United States needs a strong technical workforce. The AMERICA Works Act would encourage national industries, such as biotechnology, construction, and machinery, to come together and agree on the skill sets they most value in prospective employees. Community colleges would participate, creating the appropriate curricula to meet those needs. Students who complete the programs would receive an industry-recognized credential. Workers who carry these industry-backed credentials would be able to market themselves in any area of the country. Businesses could count on the fact that workers with these credentials have the expertise and skills they are looking for.

The AMERICA Works Act would require certain Federal job training and career development education programs to give priority to programs that provide an industry-recognized and nationally portable credential. This credentialing system starts out with basic competencies that prepare individuals for the workplace. Once basic competencies are completed, individuals can work toward high performance technical competencies and then progress further to highly skilled technical and management competencies. The credentialing levels are stackable, allowing workers flexibility along their career tracks. Stackable credentials provide straightforward paths, with clear entry and exit points, for workers to advance their careers and attain high quality jobs.

In North Carolina, we have an advanced manufacturing skills program at Forsyth Technical Community College in Winston-Salem. Forsyth Tech is participating in the National Association of Manufacturers' Manufacturing Skills Certification System, which offers credit programs toward nationally recognized, stackable credentials. They have had hundreds of students enroll in their programs. Forsyth Tech has al-

ready collaborated with state and local businesses to begin the process of incorporating their credentials into job descriptions. They believe that introducing graduates with skill certifications into the local workforce will help improve the hiring process, and the nationally recognized credentials will improve employment opportunities.

When the President's Jobs Council met earlier this month in North Carolina, a leading topic of discussion, and something the President himself mentioned, is the need to improve job training for American industries so that our workers can be competitive in the global economy.

The AMERICA Works Act will help job seekers and employers keep America competitive in every industry, from textiles to aerospace, high-tech to biotech, and connect programs like those offered at Forsyth Tech with employers in the community, region, and across the United States.

As I mentioned before, job creation is my number one priority. I want to do everything I can to create jobs and make sure our workers have the skills necessary to help our businesses grow and thrive. By incentivizing industry-recognized, nationally portable, stackable credentials, we can ensure that America has the best businesses, with the best-trained workers leading the world.

I urge my colleagues to join me in supporting this important bill to expand employment opportunities for hardworking Americans.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 212—CONGRATULATING THE PEOPLE AND GOVERNMENT OF THE REPUBLIC OF SLOVENIA ON THE TWENTIETH ANNIVERSARY OF THE COUNTRY'S INDEPENDENCE

Mr. HARKIN (for himself, Mrs. SHAHEEN, Mrs. KLOBUCHAR, Mr. BARRASSO, Mr. BROWN of Ohio, and Mr. PORTMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 212

Whereas, on December 23, 1990, the people of Slovenia voted overwhelmingly in favor of independence from the former Yugoslavia in a national referendum;

Whereas, on June 25, 1991, the Republic of Slovenia declared itself as an independent and sovereign nation;

Whereas, on December 23, 1991, the parliament of Slovenia adopted a constitution based on the rule of law, respect for human rights, and democratic ideals;

Whereas, during its 20 years of independence, Slovenia has been an important United States ally in Central Europe and a strong advocate of democracy, the rule of law, and the merits of an open, free market economy;

Whereas the Government of Slovenia has made important contributions to international efforts to promote peace, stability,

and development in Southeast Europe, Afghanistan, and elsewhere;

Whereas the Government of Slovenia serves as a leader in efforts to remove destructive land mines in parts of Southeast Europe and in other parts of the world;

Whereas Slovenia has become an active member of international organizations, including the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe, the World Trade Organization, the European Union, the North Atlantic Treaty Organization, and the Organization for Economic Cooperation and Development; and

Whereas Slovenia has further consolidated its international role through successful chairmanship of the Organization for Security and Cooperation in Europe in 2005, and, as the first new member from Central and Eastern Europe, the presidency of the Council of the European Union in 2008: Now, therefore, be it

Resolved, That the Senate hereby—

(1) congratulates the people and the Government of the Republic of Slovenia as the country celebrates 20 years of independence on June 25, 2011;

(2) commends the people of Slovenia on the significant progress made in the last 20 years;

(3) recognizes the important role of the Slovenian community in the United States to promote partnership and cooperation between the two countries; and

(4) encourages the Government of the Republic of Slovenia to continue its important work in the transatlantic alliance, and the efforts to further peace, stability, and prosperity in Southeast Europe and elsewhere.

SENATE RESOLUTION 213—COMMENDING AND EXPRESSING THANKS TO PROFESSIONALS OF THE INTELLIGENCE COMMUNITY

Mr. DEMINT (for himself, Mr. CORNYN, Mr. VITTER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Mr. CRAPO, Mr. ENZI, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. KIRK, Mr. LEE, Mr. MCCONNELL, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. WICKER, Mr. ROBERTS, Mr. LIEBERMAN, Mr. GRAHAM, and Mr. ALEXANDER) submitted the following resolution; which was referred to the Select Committee on Intelligence:

S. RES. 213

Whereas since the attacks on September 11, 2001, the United States intelligence community has gathered critical information that has helped to prevent additional attacks on United States soil;

Whereas the Central Intelligence Agency (hereinafter referred to as the "CIA") plays a vital role in United States intelligence collection;

Whereas the importance of the CIA's work was exemplified by the successful operation against Usama bin Laden;

Whereas, as authorized by the President and in accordance with specific legal guidance provided by the Department of Justice, the CIA lawfully detained and interrogated certain high-value suspected terrorists;

Whereas information obtained from high-value detainees who had been detained and

interrogated by the CIA was essential in determining the organizational structure, key operatives, modus operandi, and other relevant information on al-Qaeda operations;

Whereas information obtained from high-value detainees who had been detained and interrogated by the CIA was crucial to tracking down Usama bin Laden;

Whereas Michael Hayden, a former Director of the CIA, wrote, "Let the record show that when I was first briefed in 2007 about the brightening prospect of pursuing bin Laden through his courier network, a crucial component of the briefing was information provided by three CIA detainees, all of whom had been subjected to some form of enhanced interrogation. One of the most alerting pieces of evidence was that two of the detainees who had routinely been cooperative and truthful (after they had undergone enhanced techniques) were atypically denying apparent factual data—a maneuver taken as a good sign that the CIA was on to something important. So that there is no ambiguity, let me be doubly clear: It is nearly impossible for me to imagine any operation like the May 2 assault on bin Laden's compound in Abbottabad, Pakistan, that would not have made substantial use of the trove of information derived from CIA detainees, including those on whom enhanced techniques had been used.";

Whereas a May 30, 2005, Department of Justice memo stated, "In particular, the CIA believes that it would have been unable to obtain critical information from numerous detainees, including KSM [Khalid Sheikh Mohammed] and Abu Zubaydah, without these enhanced techniques. . . . Indeed, before the CIA used enhanced techniques in its interrogation of KSM, KSM resisted giving any answers to questions about future attacks, simply noting, 'Soon, you will know.'";

Whereas according to such May 30, 2005, memo, Abu Zubaydah explained the effect of enhanced techniques as, "Brothers who are captured and interrogated are permitted by Allah to provide information when they believe they have reached the limit of their ability to withhold it in the face of psychological and physical hardships.";

Whereas such May 30, 2005, memo further indicates that after using enhanced interrogation techniques, high-value detainees became cooperative stating, "since the use of enhanced techniques, 'KSM and Abu Zubaydah have been pivotal sources because of their ability and willingness to provide their analysis and speculation about the capabilities, methodologies, and mindsets of terrorists.'";

Whereas mastermind of the attacks of September 11, 2001, Khalid Sheikh Mohammed disclosed to CIA interrogators information about a "second wave" plot using an East Asian al-Qaeda group known as Jemmah Islamiyah to hijack and crash an airliner into the Library Tower in Los Angeles;

Whereas Khalid Sheikh Mohammed gave CIA interrogators information that led to the capture of Riduan bin Isomuddin, known as Hambali, the leader of the Indonesian terrorist organization Jemaah Islamiyah;

Whereas al-Qaeda senior operational planner Abu Zubaydah and Khalid Sheikh Mohammed supplied important intelligence about Abu Musab al-Zarqawi and his terrorist network, aiding United States operations against al-Qaeda in Iraq;

Whereas in a May 2011 interview, Leon Panetta, the Director of the CIA, in response to a direct question about enhanced interrogation and the successful bin Laden operation, stated that, "Obviously there was some valu-

able information that was derived through those kind of interrogations.";

Whereas, although the President issued an Executive Order in January 2009 that effectively ended the CIA's interrogation and detention program, the Administration has yet to establish clear policies for the detention and interrogation of suspected high-value detainees, particularly those captured overseas by foreign governments;

Whereas in 2009, the Attorney General launched a preliminary review into whether Federal laws were violated in connection with the interrogation of specific detainees, even though career prosecutors had previously considered and rejected filing criminal charges in those cases; and

Whereas the preliminary review initiated by the Attorney General will determine whether CIA employees involved in the detention and interrogation of terrorists should be prosecuted for alleged violations of Federal law: Now, therefore, be it

Resolved, That the Senate—

(1) commends the professionals of the United States intelligence community for their dedication;

(2) expresses thanks to the employees of the Central Intelligence Agency for their selfless service;

(3) recognizes that continued investigation of employees of the Central Intelligence Agency for their involvement in a detention and interrogation program that helped to save lives by averting terrorist attacks on the United States is unwarranted and will likely have a chilling effect on the critical work of their colleagues and other United States national security professionals;

(4) urges the President and the Attorney General to immediately close the Department of Justice's ongoing investigation, and decline future prosecution, of Central Intelligence Agency employees for actions related to the interrogation of detainees at overseas locations, including the use of enhanced interrogation techniques on detained terrorists at such locations; and

(5) urges the President to develop and implement policies allowing for the long-term detention and interrogation by the intelligence community of high-value detainees, including detainees who are captured overseas or are in the custody of foreign countries.

AMENDMENTS SUBMITTED AND PROPOSED

SA 494. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 434 submitted by Mr. GRASSLEY and intended to be proposed to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 495. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 496. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 497. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 498. Mr. CASEY (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 202, designating June 27, 2011, as "Na-

tional Post-Traumatic Stress Disorder Awareness Day".

TEXT OF AMENDMENTS

SA 494. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 434 submitted by Mr. GRASSLEY and intended to be proposed to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. 23. PERMANENT REAUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking "pilot" each place such term appears; and

(2) in subsection (b), by striking "until September 30, 2012".

SA 495. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. ____ . DEBATE AND CONSIDERATION OF LEGISLATIVE MATTERS AND NOMINATIONS.

(a) DEBATE ON MOTIONS TO PROCEED.—Rule VIII of the Standing Rules of the Senate is amended by striking paragraph 2 and inserting the following:

"2. Debate on a motion to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 2 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for a motion to go into executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter, which shall not be debatable."

(b) RIGHT TO OFFER AMENDMENTS.—Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

"After debate has concluded under this paragraph but prior to final disposition of the pending matter, the Majority Leader and the Minority Leader may each offer not to exceed 3 amendments identified as leadership amendments if they have been timely filed under this paragraph and are germane to the matter being amended. Debate on a leadership amendment shall be limited to 1 hour equally divided. A leadership amendment may not be divided."

(c) POSTCLOTURE DEBATE ON NOMINATIONS.—The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following: "If the matter on which cloture is invoked is a nomination, the period of time for debate shall be 2 hours."

SA 496. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to

reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:
SEC. ____ . ESTABLISHING MAJORITY VOTE THRESHOLD FOR PROCEEDING TO NOMINATIONS.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

"Is it the sense of the Senate that the debate shall be brought to a close?" And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn — except on a nomination to an Executive Branch position requiring the advice and consent of the Senate, in which case the necessary affirmative vote shall be a majority of the Senators duly chosen and sworn — then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

SA 497. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:
SEC. ____ . POSTCLOTURE DEBATE ON NOMINATIONS.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following: "If the matter on which cloture is invoked is a nomination, the period of time for debate shall be 2 hours."

SA 498. Mr. CASEY (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 202, designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day"; as follows:

On page 2, beginning on line 4, strike "urges" through "working" on line 5 and insert "supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 21, 2011, at 4:15 p.m. in room S-216 of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on June 21, 2011, at 10 a.m., to conduct

hearing entitled "Cybersecurity and Data Protection in the Financial Sector."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 21, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 21, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Senior Hunger and the Older Americans Act" on June 21, 2011, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. TESTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 21, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate on June 21, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Cybersecurity: Evaluating the Administration's Proposals."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on June 21, 2011, at 2:30 p.m., to conduct a hearing entitled, "Inspiring Students to Federal Service."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Shelby Clark and Dan Majewski from Senator BINGAMAN's office be given the privileges of the floor for Tuesday, June 21, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I ask unanimous consent that Danielle DeFant, a fellow with my office, be granted the privilege of the floor for the remainder of the 112th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS DAY

Mr. CASEY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 202 and the Senate proceed to its consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 202) designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Mr. President, I ask unanimous consent the resolution be considered; the Conrad amendment, which is at the desk, be agreed to; the resolution, as amended, be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 498) was agreed to, as follows:

(Purpose: To improve the resolution)

On page 2, beginning on line 4, strike "urges" through "working" on line 5 and insert "supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense".

The resolution (S. Res. 202), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 202

Whereas the brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every reasonable resource to ensure their lasting physical, mental, and emotional well-being;

Whereas 2.4 percent of servicemembers returning from deployment to Operation Enduring Freedom or Operation Iraqi Freedom are clinically diagnosed with post-traumatic stress disorder (referred to in this preamble

as “PTSD”) and up to 17 percent of Operation Enduring Freedom and Operation Iraqi Freedom veterans exposed to sustained ground combat report PTSD symptoms;

Whereas up to 10 percent of Operation Desert Storm veterans, 30 percent of Vietnam veterans, and 8 percent of the general population of the United States suffer or have suffered from PTSD;

Whereas the Department of Veterans Affairs reports that more than 438,000 veterans were treated for PTSD in 2010 alone;

Whereas many cases of PTSD remain unreported, undiagnosed, and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health issues;

Whereas PTSD significantly increases the risk of depression, suicide, and drug- and alcohol-related disorders and deaths, especially if left untreated;

Whereas the Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain; and

Whereas the establishment of a National Post-Traumatic Stress Disorder Awareness Day will raise public awareness about issues related to PTSD and help ensure that those suffering from the invisible wounds of war receive proper treatment: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 27, 2011, as “National Post-Traumatic Stress Disorder Awareness Day”;

(2) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense to educate servicemembers, veterans, the families of servicemembers and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress disorder; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Veterans Affairs and the Secretary of Defense.

CONGRATULATING THE REPUBLIC OF SLOVENIA

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 212, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 212) congratulating the people and Government of the Republic of Slovenia on the twentieth anniversary of the country's independence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed

to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 212) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 212

Whereas, on December 23, 1990, the people of Slovenia voted overwhelmingly in favor of independence from the former Yugoslavia in a national referendum;

Whereas, on June 25, 1991, the Republic of Slovenia declared itself as an independent and sovereign nation;

Whereas, on December 23, 1991, the parliament of Slovenia adopted a constitution based on the rule of law, respect for human rights, and democratic ideals;

Whereas, during its 20 years of independence, Slovenia has been an important United States ally in Central Europe and a strong advocate of democracy, the rule of law, and the merits of an open, free market economy;

Whereas the Government of Slovenia has made important contributions to international efforts to promote peace, stability, and development in Southeast Europe, Afghanistan, and elsewhere;

Whereas the Government of Slovenia serves as a leader in efforts to remove destructive land mines in parts of Southeast Europe and in other parts of the world;

Whereas Slovenia has become an active member of international organizations, including the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe, the World Trade Organization, the European Union, the North Atlantic Treaty Organization, and the Organization for Economic Cooperation and Development; and

Whereas Slovenia has further consolidated its international role through successful chairmanship of the Organization for Security and Cooperation in Europe in 2005, and, as the first new member from Central and Eastern Europe, the presidency of the Council of the European Union in 2008: Now, therefore, be it

Resolved, That the Senate hereby—

(1) congratulates the people and the Government of the Republic of Slovenia as the country celebrates 20 years of independence on June 25, 2011;

(2) commends the people of Slovenia on the significant progress made in the last 20 years;

(3) recognizes the important role of the Slovenian community in the United States to promote partnership and cooperation between the two countries; and

(4) encourages the Government of the Republic of Slovenia to continue its important work in the transatlantic alliance, and the

efforts to further peace, stability, and prosperity in Southeast Europe and elsewhere.

ORDERS FOR WEDNESDAY, JUNE 22, 2011

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 22; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to S. 679, the Presidential Appointment Efficiency and Streamlining Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. CASEY. Mr. President, we are working on an agreement for consideration of the Presidential Appointment Efficiency and Streamlining Act. We will notify Senators when votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. CASEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:30 p.m., adjourned until Wednesday, June 22, 2011, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 21, 2011:

THE JUDICIARY

MICHAEL H. SIMON, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON.

DEPARTMENT OF DEFENSE

LEON E. PANETTA, OF CALIFORNIA, TO BE SECRETARY OF DEFENSE.

HOUSE OF REPRESENTATIVES—Tuesday, June 21, 2011

The House met at noon and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 21, 2011.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

MEDICAID

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, while it is imperative that we reduce the Federal deficit, balancing the budget on the backs of our Nation's disadvantaged children and senior citizens is neither responsible nor equitable. I believe in an America that protects the young and the elderly.

But the Republican budget attacks the important safeguards for children and the disadvantaged, replacing Medicaid with vastly limited monetary grants to the States, forcing them to either reduce benefits to lower-income families or reduce the number of eligible families. Currently, 34 million children receive health care through Medicaid. From 1997 to 2009, the percentage of children without health insurance as a result dropped from 13.9 percent to 8.2. The Republican budget's attacks on Medicaid will imperil the health insurance for 24,100 children and reduce benefits for 6,100 seniors in my district, the 11th District of Virginia.

Unfortunately, the Republican attacks on our seniors don't end with

Medicaid. Imagine a world where half of all seniors lack health insurance. Imagine a world where the rising costs of health care threaten retirees' ability to afford essential medicine their doctor prescribed. Imagine a world where more than one out of every three seniors lives in poverty and the choice for the day is between food and their drugs. This isn't a dystopian nightmare—it was the United States in 1965 before we passed Medicare. Seniors suffering from arthritis, hypertension, coronary disease, cancer, glaucoma, and any number of ailments lacked coverage and far too often fell into financial distress.

But thanks to Medicare, we changed all of that, providing guaranteed health insurance coverage to our Nation's seniors. As a result, the senior poverty rate decreased by 75 percent.

But our retirees once again face that nightmare scenario as the Republican budget plan for fiscal year 2012 seeks to eliminate Medicare for everyone 54 years and younger and force future retirees into finding insurance in the private market—the private market which could choose not to offer them coverage at all. Many seniors will be forced to pay more for health insurance; many seniors won't find any coverage.

Under the Republicans' plan for Medicare, according to the nonpartisan Congressional Budget Office, retirees in 2022 will pay \$6,400 more per year than they otherwise would under the traditional Medicare coverage.

In addition, the Republican budget reopens the Medicare part D prescription drug coverage gap, or the doughnut hole, which will cost seniors thousands of dollars each year for prescription medication. Prescription drugs can be expensive, and many of the medications seniors take are long term. People take medication daily to control their arthritis pain, lower their cholesterol, and reduce the risk of stroke. These lifesaving medications come at a price.

The implementation of Medicare part D in 2005 left many seniors with a gap in coverage, the doughnut hole. This gap, the initial coverage within it, and the catastrophic coverage amount cost many seniors thousands of dollars a year. I was proud to vote to eliminate that doughnut hole in 2009 with the health care reform bill. Unfortunately, just 2 years later, the Republican attack on Medicare reinstates the doughnut hole, once again threatening seniors with thousands of dollars in medication costs.

Mr. Speaker, I know our constituents want the Congress to get our fiscal house in order, and they're right. But Americans don't want us to eviscerate Medicare and attack retiree health insurance as part of that process.

I recently held a telephone town hall meeting and I conducted a poll. Seventeen hundred people participated in that poll. Seventy-three percent said do not gut Medicare.

True fiscal responsibility requires a firm commitment and shared sacrifice. It involves long-term focus to rein in and reduce spending in a responsible, sustained manner. Real fiscal discipline requires us to look at every area of the budget, including revenues, savings, efficiencies, and cuts where necessary. Ultimately, the budget represents our Nation's priorities. Reducing deficits is a significant priority, and as my constituents in the 11th District of Virginia have made clear, protecting seniors and their Medicare is equally significant.

WARNING: LIGHT BULBS DANGEROUS TO YOUR HEALTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, it's turn out the lights; the party is almost over for the incandescent light bulb.

Four years ago, a law went into place which mandated that every light bulb across America must be 25 percent more efficient by 2014. What this meant was that the incandescent light bulb, Thomas Edison's greatest invention, is being banned and Americans will be forced to buy the government-selected replacement, the compact fluorescent light bulb.

There are health risk problems with the compact fluorescent light bulb, or the CFL as it's called. The National Institutes of Health states that fluorescent bulbs contain mercury. Now, isn't that lovely? Further, another Federal agency, the EPA, warns that the broken bulb contains mercury and will "continue to release mercury vapor until it is cleaned up and removed from the room."

Mr. Speaker, I thought we were trying to get rid of mercury in our products in this country. So, in case we happen to break one of these new glass fragile light bulbs—and I have one here and I'll be very careful not to drop it on the House floor because if I do, we'll have to evacuate the House floor. Here's what the EPA says and advises

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

we're to do to clean up the poisonous debris in this light bulb.

I am reading from the EPA's verbatim Web site:

Have people and pets leave the room.

Air out the room for 5 to 10 minutes by opening a window or a door to the outdoors. Now, how you do that in a high-rise, Mr. Speaker? You are to shut off the central heating and air conditioning system.

Collect materials needed to clean up the broken bulb. I guess we have to use gloves and duct tape, and place the cleanup materials in a sealable container.

Promptly place all bulb debris and cleanup materials outdoors in a trash container or protected area until materials can be disposed of properly.

Avoid leaving any bulb fragments or cleanup materials inside the room.

It goes on. Continue to air out the room where the bulb was broken and leave the heating and air conditioning system shut off for several hours.

I might note this is just a condensed instruction. The EPA has provided more detailed instructions on its Web site, and I submit this 3-page, single-spaced, typed document of over 1,000 words on how to clean up one of these light bulbs if it's broken into the RECORD, Mr. Speaker.

Recently, the French have noted that CFL bulbs can harm a child's vision because they contain arsenic, among other poisons, and the German scientists have found that these CFL bulbs can also cause cancer. Now, isn't that odd—that these bulbs mandated by the Federal Government actually are harmful to our health?

We should forget school lunches, Mr. Speaker. We now need to worry about our children's eyesight because of the lighting they sit under every day in a classroom, all thanks to the blind Federal Government. The Federal Government's anti-energy, anti-consumer choice regulation leaves Americans no other option but to purchase and use a harmful, poisonous product. If that's not reason enough to get rid of these bulbs, here's another one.

None of these bulbs are made in the U.S.A. You look very carefully on every one of these bulbs, they will say, "Made in China." That's right. Our good buddies, the Chinese, make all of these bulbs. The last factory in the United States that made incandescent light bulbs closed down September 14, 2010. This ended a manufacturing industry that began all the way back to Thomas Edison.

So these job-producing light bulb factories have been shipped off to China and now to Mexico, leaving even more Americans out of work. In fact, the light bulb that I just read off of says that it is made in China, and it's in several languages, of course.

So the Federal Government imposed a burdensome, harmful-to-your-health

regulation. An American factory closed. Jobs moved overseas. We've sort of heard this story before.

□ 1210

But there's a bright spot to this sad tale. Just yesterday, the State of Texas passed a law that protects Texans from this absurd abuse of Federal power. The law will allow Texans to continue to buy incandescent bulbs that are made in the State of Texas, keeping the government out of people's lives and keeping jobs in America—even if it is in Texas.

And let's not forget that this regulation is unconstitutional. The Federal Government does not have the authority to force anybody to buy anything, from health care insurance to a box of doughnuts or even a light bulb, especially if the light bulb is hazardous to America's health. Nowhere in the Constitution does the Federal Government have such abuse of power.

So it's time we repeal the unconstitutional job-killing, bad-for-your-health light bulb mandate. Otherwise, it looks like we'll be singing "the party's over" for the incandescent light bulb. "Because they say that all good things must end. Call it a night. The party's over. And tomorrow starts the same old thing again."

And that's just the way it is.

WHAT TO DO IF A COMPACT FLUORESCENT LIGHT (CFL) BULB OR FLUORESCENT TUBE LIGHT BULB BREAKS IN YOUR HOME: DETAILED RECOMMENDATIONS

SOURCE: EPA.GOV

BEFORE CLEANUP

1. Have people and pets leave the room, and avoid the breakage area on the way out.
2. Open a window or door to the outdoors and leave the room for 5–10 minutes.
3. Shut off the central forced-air heating/air conditioning (H&AC) system, if you have one.
4. Collect materials you will need to clean up the broken bulb:

Stiff paper or cardboard; sticky tape (e.g., duct tape); damp paper towels or disposable wet wipes (for hard surfaces); glass jar with a metal lid (such as a canning jar) or a sealable plastic bag(s).

CLEANUP STEPS FOR HARD SURFACES

1. Carefully scoop up glass fragments and powder using stiff paper or cardboard and place debris and paper/cardboard in a glass jar with a metal lid. If a glass jar is not available, use a sealable plastic bag. [NOTE: Since a plastic bag will not prevent the mercury vapor from escaping, remove the plastic bag(s) from the home after cleanup.]
2. Use sticky tape, such as duct tape, to pick up any remaining small glass fragments and powder. Place the used tape in the glass jar or plastic bag.
3. Wipe the area clean with damp paper towels or disposable wet wipes. Place the towels in the glass jar or plastic bag.
4. Vacuuming of hard surfaces during cleanup is not recommended unless broken glass remains after all other cleanup steps have been taken. [NOTE: It is possible that vacuuming could spread mercury-containing powder or mercury vapor, although available information on this problem is limited.] If vacuuming is needed to ensure removal of all

broken glass, keep the following tips in mind:

Keep a window or door to the outdoors open; vacuum the area where the bulb was broken using the vacuum hose, if available; and remove the vacuum bag (or empty and wipe the canister) and seal the bag/vacuum debris, and any materials used to clean the vacuum, in a plastic bag.

5. Promptly place all bulb debris and cleanup materials, including vacuum cleaner bags, outdoors in a trash container or protected area until materials can be disposed of properly.

Check with your local or state government about disposal requirements in your area. Some states and communities require fluorescent bulbs (broken or unbroken) be taken to a local recycling center.

6. Wash your hands with soap and water after disposing of the jars or plastic bags containing bulb debris and cleanup materials.

7. Continue to air out the room where the bulb was broken and leave the H&AC system shut off, as practical, for several hours.

CLEANUP STEPS FOR CARPETING OR RUGS

1. Carefully scoop up glass fragments and powder using stiff paper or cardboard and place debris and paper/cardboard in a glass jar with a metal lid. If a glass jar is not available, use a sealable plastic bag. [NOTE: Since a plastic bag will not prevent the mercury vapor from escaping, remove the plastic bag(s) from the home after cleanup.]

2. Use sticky tape, such as duct tape, to pick up any remaining small glass fragments and powder. Place the used tape in the glass jar or plastic bag.

3. Vacuuming of carpeting or rugs during cleanup is not recommended unless broken glass remains after all other cleanup steps have been taken. [NOTE: It is possible that vacuuming could spread mercury-containing powder or mercury vapor, although available information on this problem is limited.] If vacuuming is needed to ensure removal of all broken glass, keep the following tips in mind: Keep a window or door to the outdoors open; vacuum the area where the bulb was broken using the vacuum hose, if available; and remove the vacuum bag (or empty and wipe the canister) and seal the bag/vacuum debris, and any materials used to clean the vacuum, in a plastic bag.

4. Promptly place all bulb debris and cleanup materials, including vacuum cleaner bags, outdoors in a trash container or protected area until materials can be disposed of properly.

Check with your local or state government about disposal requirements in your area. Some states and communities require fluorescent bulbs (broken or unbroken) be taken to a local recycling center.

5. Wash your hands with soap and water after disposing of the jars or plastic bags containing bulb debris and cleanup materials.

6. Continue to air out the room where the bulb was broken and leave the H&AC system shut off, as practical, for several hours.

FUTURE CLEANING OF CARPETING OR RUGS: AIR OUT THE ROOM DURING AND AFTER VACUUMING

1. The next several times you vacuum the rug or carpet, shut off the H&AC system if you have one, close the doors to other rooms, and open a window or door to the outside before vacuuming. Change the vacuum bag after each use in this area.

2. After vacuuming is completed, keep the H&AC system shut off and the window or door to the outside open, as practical, for several hours.

ACTIONS YOU CAN TAKE TO PREVENT BROKEN
COMPACT FLUORESCENT LIGHT BULBS

Fluorescent bulbs are made of glass and can break if dropped or roughly handled. To avoid breaking a bulb, follow these general practices:

Always switch off and allow a working CFL bulb to cool before handling.

Always handle CFL bulbs carefully to avoid breakage.

If possible, screw/unscrew the CFL by holding the plastic or ceramic base, not the glass tubing.

Gently screw in the CFL until snug. Do not over-tighten.

Never forcefully twist the glass tubing.

Consider not using CFLs in lamps that can be easily knocked over, in unprotected light fixtures, or in lamps that are incompatible with the spiral or folded shape of many CFLs.

Do not use CFL bulbs in locations where they can easily be broken, such as play spaces.

Use CFL bulbs that have a glass or plastic cover over the spiral or folded glass tube, if available. These types of bulbs look more like incandescent bulbs and may be more durable if dropped.

Consider using a drop cloth (e.g., plastic sheet or beach towel) when changing a fluorescent light bulb in case a breakage should occur. The drop cloth will help prevent mercury contamination of nearby surfaces and can be bundled with the bulb debris for disposal.

INVEST IN THE FUTURE OF OUR
NATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. We've seen some pretty miserable employment numbers recently, but the real unemployment rate is actually about twice what you read in the paper. It's closer to 18 percent, with discouraged workers and people who are underemployed.

Now, can we look to Washington for solutions? On the Republican side of the aisle, the answer is simple: more tax cuts. That will put people back to work. Let's see, for 10 years now, we've been living under the Bush tax cuts; and we've had the worst job creation for the last decade since World War II.

Now, it doesn't seem to be working too well, but it is all based on the theory of trickle-down. But I think at this point, the American people have been trickled on so much, particularly those who are unemployed and looking for work, that they'd like an umbrella and they'd like a little shelter from these nonsensical policies.

Can we look to the White House? Well, unfortunately, things aren't a lot better down at the White House. They went along with the Republicans on quite a bit of these tax cuts. Forty percent of the so-called stimulus was tax cuts. Seven percent—one-sixth of that—was invested in infrastructure. And guess what, that investment at one-sixth the cost of the tax cuts put a heck of a lot more people to work, investment in building things and in the

future of our country, as opposed to debt-driven consumption-driven tax cuts.

Last December, the President caved, went along with extending the Bush tax cuts, and we've still got miserable job creation. Oh, wow, that's a surprise. Now they've floated a balloon. The White House has a great new idea. Let's continue the Social Security tax holiday. That was added to the Bush tax cuts in December. That's created a lot of jobs. Sure, working families can use an extra \$15 a week. But what about the 20 million people who are unemployed? They don't get any of that. And how much of that \$15 a week, how many jobs does that create? But the White House thinks we should extend that, and maybe we should give it on the employer side too.

So here's the way it will work: we don't have the money. We're going to cut the Social Security tax again. We have to make the trust fund whole. So we'll borrow \$200 billion from China that we'll put into the Social Security trust fund, and that's going to put America back to work. What a great idea. Wait a minute, how about we take that \$200 billion the White House wants to borrow to extend the Social Security tax holiday and we invest it into real things, the Nation's crumbling infrastructure?

We have 20 percent unemployment in the construction industry, and it isn't just construction workers who go to work when we rebuild our infrastructure. We have Buy America requirements. They're all American jobs, and everything that goes into every job is made in America. If it's a transit system, you've got engineers; you've got software; you've got high-tech manufacturing. If it's a bridge, you've got steel; you've got concrete; you've got engineering design; you've got construction workers. If it's a highway, the same thing.

Take that money, take that \$200 billion they want to borrow and give a Social Security tax holiday. Instead, invest it in the future of this country and things that will serve our country for 100 years, make us more productive, more efficient, and you can look your grandkids in the eye 15, 20, 30 years from today and say, Yes, that's right, we borrowed that money; and you are still paying the bill.

If you give it for a Social Security tax holiday, he is going to say, Granddad, what did you spend that \$17 on that week? Because I am paying the bill. But how about if Granddad can say, We built that bridge; we built that transit system; we rebuilt our national transportation system. We put millions to work and, guess what, that system will serve you for another 100 years.

That's an investment versus consumption. Everybody around here is just into consumption. We need to invest in the future of our country.

IN RECOGNITION OF TWO MEN
FROM HOBBS, NEW MEXICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. PEARCE) for 5 minutes.

Mr. PEARCE. Mr. Speaker, this past weekend I had the opportunity in Hobbs, New Mexico, to attend two services, recognition ceremonies for people from Hobbs. First of all, we were able to attend the retirement for Dr. Dean Mathis, who pastored Taylor Memorial Baptist Church for 36 years, same preacher, same church. That is just not heard of these days in America.

All teachers are required to do two very difficult things. They are required to push our knowledge base to the extreme limits of what we are able to know; but simultaneously to that, they have to stay grounded in truth. In other words, you can't just teach out to the edge of the learning envelope. You also have to stay grounded in the timeless principles that cause things to be relevant and true. Dr. Mathis did this with extreme care and with a delicacy that I found always attractive. He was able to bring biblical lessons to life in our personal lives and bring relevance to these teachings.

I think that also he perfected community participation at all levels. From his one small congregation there in Hobbs, New Mexico, we have city counselors, county commissioners, judges, two State representatives, a State senator, and a U.S. Congressman.

Now, that says a lot, coming from one small corner of the State of New Mexico. But his life didn't end there. He also had two missionaries check in from very difficult parts of the world. They were on Skype and checked in at the ceremony, saying that if it hadn't been for his teachings, that they would not have been there.

Dr. Mathis and his wife, Betty Sue, dedicated their lives to the spiritual calling. And without those spiritual teachings in our society today, we find our society is drifting towards moral chaos. We are dealing with those problems here in this Congress as we deal with teen pregnancies, with hunger, with people who are wasting their lives on drugs and taking extraordinary amounts of Medicaid.

So we deal with the problems of a society that is becoming all too secular and forgetting that no matter what we pass as laws here that there is a moral component to every nation and that if we ignore that, we ignore it at our peril. I would like to give my congratulations to Dr. Dean Mathis and his wife, Betty Sue, for their years of service.

But then on the same day, we were able to recognize Carl Mackey. Carl Mackey was a few years younger than me and passed away at too early an age last year. Carl Mackey was a community leader. He was one of the friends,

one of the many people that my mom had in class. She used to talk about Carl and said, Carl is really mobile. That meant Carl was walking up and down all the time during classes. Carl was actually one of her favorite students.

Now, I know Mom and Carl both personally, and they probably did not agree on one philosophical issue: Carl was a hard-core Democrat, community activist, black leader. Mom just was conservative, raised a conservative family. But they identified each other across that chasm of philosophy to recognize that there aren't many differences in us accept the human nature that says that everyone should have access to justice, to mercy, and to kindness. So it was in that that this young junior high student and Mom formed a relationship that continued until he passed away.

I was able to visit with Mom about their relationship this last weekend, and she still remembers it with a smile. When I was elected and Carl Mackey was serving, Carl and I, again, overcame all the supposed difficulties, the things that we did not see eye to eye on in our philosophies. But we did see eye to eye in having him represent a piece of the community that is often forgotten. That was the community that I grew up in, the southern part of Hobbs, the part of Hobbs that did not get its fair share of funding, fair share of justice.

So Carl was a constant voice, reminding all of us that we need to stop, slow down just a bit, and pay attention to the small guys in society. He will be greatly missed, and Dr. Mathis and his wife will be greatly missed. But I thank the community of Hobbs, taking the time to honor two different people, completely different backgrounds, completely different lives who weren't so different after all.

In the end, we are all Americans, and we're here for a better America. I salute them both.

□ 1220

THE BARBER OF BIRMINGHAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL. Mr. Speaker, I rise today to honor a great American, Mr. James Armstrong of Birmingham, Alabama, and the inspiring documentary of his life entitled "The Barber of Birmingham: Foot Soldier of the Civil Rights Movement." This film had its world premiere in January at the Sundance Film Festival and later won Best Documentary Short at the Ashland Independent Film Festival.

In March, the city of Birmingham hosted a red carpet screening of this wonderful movie, and it was attended by over 2,000 Alabamians. It was fea-

tured at the Alabama Theater, a venue that once refused admission to African Americans.

Tonight we will celebrate "The Barber of Birmingham" with its Washington, D.C., premiere. Later this week, the documentary will be screened at the Silverdocs festival in Silver Spring, Maryland.

Mr. Speaker, the screening of this film and its historic accounts are deserving of tribute. I commend the independent filmmakers and codirectors, Robin Fryday and the late Gail Dolgin, for their collaborative vision in capturing the essence of Mr. James Armstrong's life, a Birmingham legend and civil rights activist.

This documentary celebrates the thousands of foot soldiers whose names are not written in the history books but on whose shoulders we all stand. I applaud the directors for their wonderful rendition of Mr. James Armstrong's life.

I applaud Gail Dolgin for her steadfast determination to battle breast cancer while codirecting and editing the film from her hospice bed in order to submit the film for the Sundance Film Festival. She died 2 weeks prior.

I pay homage to Ms. Amelia Boynton of Selma, who was interviewed and provided historical accounts for segments of the film. The film also visited and revisited the news footage of the beating of Ms. Amelia Boynton and others that endured beatings on Edmund Pettus Bridge on Bloody Sunday during their march for the Voting Rights Act.

Though she is ill, Ms. Boynton was determined to travel the distance to be a part of tonight's premiere. I am inspired by the courage and determination displayed by Ms. Boynton, who, at 99 years old, would not be deterred and will be here tonight at the premiere of "The Barber of Birmingham" right here at the Capitol Visitor's Center.

James Armstrong, who died at 81 in November 2009, lived to see the fulfillment of his dream when our Nation elected its first African American President. I recognize him for a symbol of everything that is good and right and great in this Nation.

For over 50 years, Mr. Armstrong ran a barber shop in Birmingham, Alabama. It served as a community hub for discussions of current events, like the Voting Rights Act, education, and other civil rights issues.

Mr. James Armstrong was a World War II Army veteran, and he made his mark on the civil rights movement as a foot soldier who carried the American flag at the head of the 1965 Selma to Montgomery march, Bloody Sunday, as it's known. When authorities turned on the marchers that day, Mr. Armstrong dropped to his knees, but he never let go of that flag. Proudly, James Armstrong carried that flag until the day he died in 2009 for every

commemoration of the Bloody Sunday march.

As many in this august body will note, our colleague, the Honorable JOHN LEWIS of Georgia, was among the foot soldiers of this historic march.

I salute Mr. Armstrong and his sons, Dwight and Floyd, for fulfilling the destiny meant for them. He and his sons filed a discrimination lawsuit that encouraged Blacks to actually attend elementary schools in the Deep South, breaking barriers in public education in Birmingham and throughout the South. They filed a desegregation lawsuit in 1963.

The Armstrongs lived close to where civil rights activist the Reverend Fred Shuttlesworth's home was bombed, and where the four little Black girls were killed in the 16th Avenue Baptist Church just 5 days after they integrated Graymont Elementary School.

Dwight and Floyd needed a Federal escort to school for 2 years and were guarded at night with shotguns by members of the Alabama Christian Movement For Human Rights.

Now, these selfless acts by James, Floyd, and Dwight Armstrong added significantly to the quality of life of all citizens in Alabama and in Birmingham. That is why I stand before you today to recognize Mr. James Armstrong, a proud American, a proud Alabamian, for his unrelenting dedication to the civil rights movement.

Tonight, we will see the premiere of "The Barber of Birmingham," and I encourage all to see it when it comes to a theater near you.

Mr. Speaker, I would like to take a point of personal privilege. Growing up in Selma, Alabama, I take great pride in paying tribute to a film that not only shares our painful history, but also celebrates our time-tested resiliency through the life of James Armstrong and other unsung foot soldiers and heroes. This documentary, which people will be able to see in theaters in New York and Los Angeles in August and September, should motivate us all to protect the right to vote for every single American citizen. The film should also inspire all citizens of every age, race, or gender to cherish the right to vote and to use it to advance this great Nation for the benefit of all people.

I look forward to attending the Capitol Hill premiere tonight and urge all to see The Barber of Birmingham: Foot Soldier of the Civil Rights Movement.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

ECONOMIC DIFFICULTIES WE FACE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 5 minutes.

Mr. GOHMERT. Mr. Speaker, as always, it's an honor to speak here in the House of Representatives.

I heard Democratic friends mention earlier that what we need to do to get the economy going is start spending on infrastructure because our grandchildren will really appreciate the dollars that they have to pay years from now that we spent on infrastructure.

The only thing is, that's exactly what our friends across the aisle were saying in January of 2009 when they wanted an \$800 billion stimulus package that turned out to be maybe \$900 billion or \$1 trillion. It was going to be for infrastructure. And many in the American public said, yeah, that's a good idea. It turned out that only around 6 percent or so, 6 to 7 percent may have been for infrastructure.

Okay. Fooled us once, shame on you. Fool us twice, shame on us.

The thing is, some of us weren't fooled even back then. We had already seen things that were said that would be done that were not done. So I voted against that so-called "porkulus" stimulus, or whatever you want to call it, bill. I voted against TARP because in America we're not supposed to just give one man \$700 billion and say, go do whatever you want with all this money; we don't care, just fix things. Because he certainly didn't fix things, although he did engorge his buddies at Goldman Sachs.

Nonetheless, we do face economic difficulties. And within the last 2 weeks there were six of us, a bipartisan group, in Turkey. Their economy seems to be going very well, and we were seeing things growing and doing well in Istanbul. And they don't understand sarcasm very well and so, but I, nonetheless, said to some of their economic leaders, business leaders, so you must have had many huge stimulus packages to get the economy going. They looked at me like I was crazy because they don't understand sarcasm very well in another language I guess. But they spoke good English.

Nonetheless, they didn't use stimulus packages. But they did say they had dropped their corporate tax rate that was much too high down to 20 percent, and now businesses have been coming in. That works. It works whenever it's been tried.

But let me get to another point. Credibility is always relevant. In my days as a judge and chief justice that was one of the rules of the court. Credibility is always an issue. It's always relevant. So when this country makes promises to people and doesn't keep them, or they're stupid promises to people we know will not keep their word to us, we lose credibility.

We found out now that this administration is negotiating with the Taliban; basically, you know, just let us out. We're negotiating with the Taliban? Did Hoover negotiate with Dillinger, and Bonnie and Clyde?

Did Robert Kennedy, as Attorney General, negotiate with the Mob?

When people are involved and they're criminals and they're murderers and they're engaged in criminal activity and they've never kept a promise, do you really want to be making that deal?

Now, I know it seems like we should have learned a lesson from the Clinton administration. When North Korea was trying to build nukes, the Clinton administration sends Madeleine Albright, and she comes in, hey, hey, how about dropping pursuing nuclear weapons? We'll build you a nuclear power plant if you'll just—you'll build us a nuclear power plant if we just tell you we won't pursue it? Sure, we'll tell you that all day long.

□ 1230

So they cut a deal. We built them a nuclear plant, and that has been used to develop nuclear weapons, just like anybody should have figured it would. When you deal with criminals, with lying thugs, you can't trust that agreement.

For us to be negotiating with the Taliban is a blight on those who have given their lives there. I attended a funeral this weekend of Brad Gaudet, who went down in a helicopter accident on June 5. We owe those people who have given their lives fighting against those who want to destroy our way of life better than cutting a deal.

Let's rearm the Northern Alliance, the people that originally defeated the Taliban—just give them the advisers, the trainers, all that they need, and let them whip the Taliban for us again. Let's not negotiate with Dillinger. It makes no sense and we lose credibility.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 32 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of this assembly to be the best and most faithful servants of the people they serve. Purify their intentions, that they will say what they believe and act consistent with their words.

Help them, indeed help us all, to be honest with themselves, so that they will not only be concerned with how their words and deeds are weighed by others, but also with how their words and deeds affect the lives of those in need and those who look to them for support, help, strength, and leadership.

May all that is done this day in the people's House be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Tennessee (Mr. FLEISCHMANN) come forward and lead the House in the Pledge of Allegiance.

Mr. FLEISCHMANN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NLRB KILLING JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, Congressman DARELL ISSA conducted a field hearing in North Charleston, South Carolina. A witness who really brought home the consequences families will face as a result of the NLRB's job-killing complaint was Cynthia Ramaker, who is currently employed at Boeing.

Bringing a human face to the complaint, she explained how the NLRB is denying her right to work. She explained that Boeing's new 1.1 million square foot building is already completed. Manufacturing is to begin this summer, with over 1,000 jobs already, and up to 3,800 more jobs could come. With construction and suppliers, ultimately 9,000 jobs could be created.

Boeing was attracted to South Carolina because of the trained world-class workforce, a welcoming pro-business climate, right to work laws, and a pro-business government of Republicans and Democrats. The job-killing action of the Obama administration is a threat to American workers.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

PROPOSED LEGISLATION TO SAVE \$50 MILLION FOR TENNESSEE TAXPAYERS

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, today I will introduce my first piece of legislation since taking office, and I am proud that it saves the taxpayers of my home State of Tennessee an estimated \$50 million.

The unfunded mandate put in place by the new standards of the Federal Highway Administration is an undue burden on States when they can least afford it. That is why I am joining Congressman DESJARLAIS and Senators ALEXANDER and CORKER to allow local governments to meet these new standards at the end of a road sign's natural lifecycle, and not on the accelerated timetable put forth by the Federal Highway Administration.

While this administration and their departments might have the mindset of tax, borrow, and spend, local governments cannot do the same. At a time when we are working to be fiscally responsible and balance our budgets, the Federal Government is telling them to spend money they don't have.

Washington politicians should take a clue from their local and State officials and get to work on balancing the budget instead of telling States how to spend their money.

REPUBLICAN PLAN FOR AMERICA'S JOB CREATORS

(Mr. HENSARLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENSARLING. Mr. Speaker, since President Obama was elected, 2½ million more of our fellow citizens have lost their jobs. Unemployment has now been above 8 percent for 28 straight months, the longest stretch since the Great Depression, and if you look at the underemployment numbers and those who have simply given up, the situation is far worse. The top three credit rating agencies have now all issued warnings about our spending-driven national debt. A recent report by the Bureau of Labor Statistics says that new business startups are at a 17-year low.

Mr. Speaker, we have got to get this Nation back to work. America is experiencing a deficit of jobs because job creators have a severe deficit of confidence in the President's economic policies. Washington cannot help the job seeker by punishing the job creator with massive debt and massive regulations.

House Republicans have a plan for America's job creators which will put the Nation on a fiscally sustainable path, make our Tax Code more competitive, help create more American-

made energy, and take the burden of regulation off our job creators' backs so America can go back to work.

REAL RECOVERY AGENDA

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, last Friday marked 1 year since President Obama promised the American people a recovery summer. But looking at the latest grim economic reports, it is clear that recovery couldn't be further from the truth. Consumer confidence slid to a 6-month low; unemployment rose to 9.1 percent, the highest rate since December; the stagnant economy created only 54,000 jobs, less than half of the 125,000 many economists predicted; and housing prices fell to new depths in April.

Mr. Speaker, it is painfully clear that President Obama's policies of excessive spending, borrowing, and regulation are failing. The American people are paying the extremely high price, and they are demanding changes—an end to the spending and borrowing, and more pro-growth, pro-job policies. That is why we are working hard on a real recovery agenda that will create jobs, cut spending, and restore our Nation to fiscal health.

RECESS

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5:30 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess until approximately 5:30 p.m.

□ 1731

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCCLINTOCK) at 5 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

SERGEANT CHRIS DAVIS POST OFFICE

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 1632) to designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the "Sergeant Chris Davis Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1632

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, shall be known and designated as the "Sergeant Chris Davis Post Office".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the "Sergeant Chris Davis Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Texas (Mr. CUELLAR) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD).

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARENTHOLD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1632, introduced by the gentleman from Texas, (Mr. NEUGEBAUER) would designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the Sergeant Chris Davis Post Office. The bill is cosponsored by the entire Texas delegation; and, Mr. Speaker, I am proud to be an original cosponsor myself.

Mr. Speaker, it is altogether fitting and proper that we name this post office in Lubbock for Army Sergeant Davis to honor a true American hero and his service to our country.

Sergeant Davis was born on October 25, 1971, in Lubbock; and according to his sister Margaret, he was always helping people and serving, even from a young age. She recalled that "he was always helping and serving and always thinking of someone else. That was Chris."

With his passion for service, Chris joined the Army in 1999 and was eventually assigned to the 2nd Battalion, 69th Armor Regiment, 3rd Brigade Combat Team, 3rd Infantry Division, based out of Fort Benning, Georgia.

While deployed in Iraq, Sergeant Davis was tragically killed on June 23, 2007, when his unit was attacked by insurgents using an improvised explosive

device and small arms fire in Baghdad. He was 35 years old and left behind his wife, Debbie, and two children.

As a Representative from Texas, it is my honor to stand in this Chamber and pay tribute to fellow Texans who have made the ultimate sacrifice courageously defending our country's freedom. I am truly grateful for the service of Sergeant Chris Davis and for all those who serve and protect us each day. I urge all Members to join me in strong support of this bill.

I reserve the balance of my time.

Mr. CUELLAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform minority, I am pleased to join my colleagues in consideration of H.R. 1632, which would rename the United States Postal Service facility at 5014 Gary Avenue in Lubbock, Texas, as the Sergeant Chris Davis Post Office.

The bill before us was introduced by my good friend and colleague Representative RANDY NEUGEBAUER of Texas on April 15, 2011. In accordance with the committee requirements, the bill is cosponsored by all 32 Members of the Texas delegation. Further, H.R. 1632 was unanimously reported out of the House Committee on Oversight and Government Reform.

Mr. Speaker, I would like to briefly highlight the achievements and the honorable service of Sergeant Davis. After graduating from Estacado High School in Lubbock, Texas, Sergeant Davis enlisted in the Army and was assigned to the 2nd Battalion, 69th Armor Regiment, 3rd Brigade Combat Team, 3rd Infantry Division, stationed out of Fort Benning, Georgia. Sergeant Davis was killed while serving in Baghdad, Iraq, when insurgents attacked his unit with small arms fire and an improvised explosive device.

From his early childhood, Sergeant Davis was always described as being a server, whether it was helping out in his community or looking out for friends and family. His decision to enlist in the Army and serve his Nation would be the crowning achievement of his ability to give back to his community. Always described as a happy-go-lucky individual, Sergeant Davis will be forever remembered by his ultimate sacrifice to our Nation.

I ask that we pass the underlying bill without reservation and pay tribute to the honor and value this young man displayed and so others understand his commitment and sacrifice to protect our Nation.

I also join my good friend from south Texas, and I urge the passage of H.R. 1632.

I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Speaker, I yield such time as he may consume to the gentleman from Lubbock, Texas (Mr. NEUGEBAUER), the sponsor of this

legislation, who represents Texas Tech University and a fine area of west Texas.

Mr. NEUGEBAUER. Mr. Speaker, I thank the gentleman.

I rise today to honor a fallen soldier from the United States Army. Sergeant Chris Davis of Lubbock, Texas, was assigned to the 2nd Battalion, 69th Armor Regiment, 3rd Brigade Combat Team, 3rd Infantry Division at Fort Benning, Georgia. He joined the Army in September of 1999 and proudly served four tours in Iraq, 2002, 2003, 2005 and 2007. On June 23, 2007, while deployed in Iraq, Sergeant Davis was killed in action when his unit was attacked by insurgents using improvised explosive devices and small arms. He was only 35 years old.

The bill currently under consideration, H.R. 1632, would designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the Sergeant Chris Davis Post Office. I believe it is important for Congress to honor the sacrifice of this soldier and his family, and I urge my colleagues to support this measure.

Chris was born October 25, 1971. He grew up in Lubbock, Texas, and graduated from Estacado High School. He later enlisted in the Army in 1999. Before enlisting, Chris was a welder in a machine shop.

Sergeant Davis wanted to serve his country from a very young age. According to his father, Ray Davis, he said that while Chris was in school, he expressed a desire to join the Army. His family remembers that he used to say, I want to fight for my country. I want to do something for my country and this is what I will do. And he said, So if something happens, don't be mad at anyone.

Chris earned quite a few awards during his honorable service to our country: one Army Commendation Medal, three Army Achievement Medals, one Presidential Unit Citation, one Good Conduct Medal, one National Defense Service Medal, one Armed Forces Expeditionary Medal, one Southwest Asia Service Medal, one Iraqi Campaign Medal, one Global War on Terrorism Expeditionary Medal, and one Global War on Terrorism Service Medal.

Sergeant Davis will be remembered as a valiant soldier and a wonderful son, father, husband, and brother. He loved his family and was known to always place others before himself. His sister Margaret remembers that Chris loved to have barbecues just for the opportunity to give him time to spend time with his family. He was known to make people laugh. He had the knack for cheering up anyone around him who was having a bad day. Chris was proud to be an American, and he bravely served his Nation that he loved.

Chris is survived by his wife, Debbie; his daughter, Taylor; his son, Zachary;

his parents, Raymond and Herminia; and nine siblings, who I am sure are watching today.

□ 1740

On behalf of the United States Congress, we thank you for your sacrifice. As I speak these words, I'm reminded of the words Abraham Lincoln used in his famous letter to Mrs. Bixby, the mother of five sons who were killed during the Civil War:

"I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom." Abraham Lincoln, November 21, 1864.

Mr. Speaker, with the 4-year anniversary of Sergeant Davis' death just a few days away, I urge my colleagues to support H.R. 1632, in honor of Sergeant Chris Davis, and designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the Sergeant Chris Davis Post Office.

Mr. CUELLAR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Speaker, along with my Texas colleagues, I would like to urge all Members to support passage of H.R. 1632.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, H.R. 1632.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FARENTHOLD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MARINE SGT. JEREMY E. MURRAY POST OFFICE

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 349) to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARINE SGT. JEREMY E. MURRAY POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, shall be known and designated as the “Marine Sgt. Jeremy E. Murray Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Marine Sgt. Jeremy E. Murray Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Texas (Mr. CUELLAR) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD).

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARENTHOLD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 349, introduced in the Senate by Senator SHERROD BROWN of Ohio, would designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the Marine Sgt. Jeremy E. Murray Post Office.

From a young age, Marine Corps Sergeant Jeremy E. Murray had a strong desire to join the military and to serve his country. According to his mother, Pam, Sergeant Murray talked constantly about wanting to join the military. In fact, he prepared so well for boot camp that he was able to break down a rifle faster than his superiors—something that didn't please his drill instructor.

Sergeant Murray joined the Marines in 1996, after graduating from Waterloo High School in Atwater Township. He was later assigned to the 3rd Battalion, 1st Marine Regiment, 1st Marine Division, 1st Marine Expeditionary Force, and served three tours of duty in Iraq.

Tragically, on November 16, 2005, Sergeant Murray was killed by a roadside bomb outside of Fallujah. Sergeant Murray was 27 years old and left behind his wife, Megan, and his son, Ian. He was awarded the Purple Heart, a Navy and Marine Corps Achievement Medal, and a Gold Star for his heroism.

In closing, I would like to read a quote from Sergeant Murray, as recalled by his father, Harold. Sergeant Murray told his father, “If I don't come home, Dad, you know I died proudly. I died for what I wanted to do. This is my lifetime dream.”

America and I are grateful for Sergeant Murray's service to our country

and for all our brave men and women in uniform who sacrifice so much for us each and every day.

I urge all Members to join me in strong support of this bill.

I reserve the balance of my time.

Mr. CUELLAR. I yield myself such time as I may consume.

On behalf of the House Committee on Oversight and Government Reform minority, I'm pleased to join my colleagues and my friend from Texas in consideration of S. 349, which asks that we designate a postal facility in Rootstown, Ohio, after Marine Sergeant Jeremy Murray, who faithfully served his country until his passing in November of 2005 after his third tour of duty abroad.

S. 349 was introduced by Ohio State Senator SHERROD BROWN on February 15, 2011, and was passed by the Senate without amendment by unanimous consent on May 16, 2011. Congressman TIM RYAN from the State of Ohio introduced H.R. 725 also on February 15, 2011, which serves as a companion bill to the measure being considered currently.

Marine Sergeant Murray was a man who bravely served his country and was awarded the Purple Heart, a Navy and Marine Corps Achievement Medal, and a Gold Star for his heroic achievement in Iraq. His mother, Pam Murray, is a longtime employee of the same facility which S. 349 is naming in honor and memory of her son.

Mr. Speaker, with respect for his achievements and sacrifice for his country, I urge the swift passage of this measure, which will recognize Sergeant Murray's contribution to America by naming this postal facility after him.

I yield back the balance of my time.

Mr. FARENTHOLD. I again urge all Members to support passage of S. 349.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, S. 349.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FARENTHOLD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SCHERTZ VETERANS POST OFFICE

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 771) to designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the “Schertz Veterans Post Office”.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 771

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SCHERTZ VETERANS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, shall be known and designated as the “Schertz Veterans Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Schertz Veterans Post Office”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Texas (Mr. CUELLAR) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD).

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARENTHOLD. Mr. Speaker, H.R. 771, introduced by my friend and colleague, the gentleman from south Texas (Mr. CUELLAR), would designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the Schertz Veterans Post Office.

This bill is cosponsored by the entire Texas delegation, and I'm a proud cosponsor myself, Mr. Speaker. It's altogether fitting and proper that we designate this post office in Schertz to honor those who have sacrificed so much for this Nation—our veterans.

Mr. Speaker, I'd like to commend my colleague from Texas for introducing this legislation and also commend him for introducing H.R. 1318, the South Texas Veterans Health Care Expansion Act. I'm a proud original cosponsor of this legislation as well, which is vitally important to the veterans all over south Texas.

□ 1750

H.R. 1318 would expand health care for the more than 117,000 veterans who reside in far south Texas. Currently, without adequate medical facilities, many of these veterans are forced to drive over 6 hours to the nearest facility in order to receive needed medical care.

This is unacceptable and we can do better.

Mr. Speaker, I am pleased to report that this legislation passed the House last week as part of the Military Construction and Veterans Affairs Appropriations Act for fiscal year 2012, and it

is my hope that the Senate will act swiftly on this measure and that the President will soon sign this important bill into law.

The VA estimates nearly 49,000 veterans currently reside in the 27th Congressional District, which I am honored to represent. This makes up much of far south Texas, along with the district Mr. CUELLAR and Mr. HINOJOSA represent. According to the VA, Texas has an estimated 1.7 million veterans, and there are approximately 22.5 million veterans all across our Nation.

To the men and women who have served, thank you for all you have done and for the countless sacrifices that you have made. I am truly grateful for your service and for the hardships you and your families have endured. I am proud to stand in this Chamber and to honor you here today with both bills, that of renaming the post office and our veterans' bill for south Texas. I urge all Members to join me in strong support of H.R. 771.

I reserve the balance of my time.

Mr. CUELLAR. I yield myself such time as I may consume.

First of all, I want to thank my good friend and colleague from south Texas, along with Congressman RUBÉN HINOJOSA, and then on the Senate side, both Senator KAY BAILEY HUTCHISON and Senator CORNYN. All of us have been working as a team, and have been working to improve the access to veterans in south Texas. I think my friend said it ably, that there is a need out there, and we are working together to make sure in a bipartisan way that we provide that health care to the veterans. And I certainly want to thank Mr. FARENTHOLD for all the leadership that he has provided. Thank you very much.

H.R. 771 will designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the Schertz Veterans Post Office to honor those who have served in our Nation's defense. Many of us know someone who has served in the military: a friend, a family member, a parent, or a neighbor. Nearly 2 million veterans, almost 10 percent nationwide, call Texas home, and I thank them for their service. Our veterans have given full measures of devotion, sacrificing their time, their youth, in some cases their health, and in all cases time with their families. The Schertz Veterans Post Office will be located in the city of Schertz in Guadalupe County, which is connected with the military presence of Randolph Air Force Base nearby, which I represent.

Guadalupe County, in which Schertz resides, has the second-highest concentration of veterans in my district. Thousands and thousands of them live there in Guadalupe County. This legislation will name a landmark to serve as both a reminder and as a sincere "thank you" to the veterans at home

and abroad. I urge the passage of H.R. 771 for all the brave men and women who have fought for our country.

Mr. Speaker, I yield such time as he may consume to my good friend, the gentleman from Texas, Congressman LLOYD DOGGETT.

Mr. DOGGETT. I thank the gentleman for yielding.

I thank both of my colleagues from Texas for using this as an opportunity, not only to herald this important bill, but as well the importance of health care for our veterans in south Texas.

As a sponsor myself, through several sessions of this effort to strengthen health care in south Texas, I am pleased we are finally making some progress on it. We need to continue to redouble our efforts, whether it is there or at Audie Murphy, or at the burn center, or at Lackland, or, as with our success last Friday in Austin, Texas, where we broke ground on what will become the largest veterans' outreach clinic to provide outpatient care for our veterans of any place in the entire United States.

Of course, what brings us principally here today is the bill that Congressman CUELLAR introduced and that I am a sponsor of, the bill to salute the veterans of Schertz, Texas, by renaming this as the Schertz Veterans Post Office. With so many in the Schertz area who have contributed so much to our Nation's freedom, there just aren't enough public buildings in Schertz to name all of them for the individual sacrifice that has occurred, so this bill very practically approaches the heroism and the contribution of so many veterans and their families in Schertz by renaming this building the Veterans Post Office.

Schertz' connection to our Armed Forces is a proud and storied history. Most of the community's growth began going back to a general store in the last century, in the 20th century. It began in the twenties and thirties with the Army's construction of what was then called in Hollywood and elsewhere the West Point of the Air, then Randolph Field before the Air Force was even formed.

Today, Randolph Field may be called Randolph Air Force Base and Schertz, Texas, may have had since 1990 a tripling of its population, but some things have not changed. One of those, since World War II—1946 and the end of that war, as the veterans were returning—has been the chartering and the continuation of the Veterans of Foreign War Post, commanded by Mike Espinola, and it is still a thriving heartbeat of community activities. Families are also still coming to Schertz, Texas. They're coming in droves. Even CNN recognized it as one of the best places to live anywhere in America.

So often, rapid change will divide rather than unite, and that could be es-

pecially true when you have people coming from, literally, all over the world to a community practically adjacent to a military base and otherwise filled with many commuters. But unlike so many other parts of our country, where folks return to the same street without a sense of neighborhood, the people in Schertz have maintained a community spirit that is reflected at the Schertz Family YWCA, which recently got the Strong Community award; at the many events families attend at Pickrell Park; or at a football game at Samuel Clemens High School. This renamed Veterans Post Office will help maintain that community spirit and will serve as an anchor and as a reminder of where Schertz came from, how it has grown, and the road ahead.

A while back, I stood at this very microphone to speak up for the renaming of a post office in south Austin on South Congress, which is the street that once connected San Antonio and Austin, for Sergeant Henry Ybarra, III, who was killed in Iraq. I remember the dedication service that we had there, joined by the Catholic War Veterans, the American GI Forum, LULAC, and The Knights of Columbus Council, in addition to the family and friends of Sergeant Ybarra. It meant a great deal to them, and I believe that the same thing, the same kind of inspiration which they feel every time they go into that hub of community activity, will be realized as well in Schertz, Texas.

Our veterans, whether they wore uniforms last week or decades ago, understand a fundamental truth: That our military is the strongest in the world because of the spirit and the bravery of the men and women who put on that uniform. As a grateful Nation, we must continue to honor their service by meeting their health care needs and by taking steps like today in the renaming of the Schertz Veterans Post Office. I think it's a step in the right direction.

Mr. FARENTHOLD. I continue to reserve the balance of my time.

Mr. CUELLAR. I want to thank the gentleman from Texas, my good friend and colleague, Mr. LLOYD DOGGETT, for his dedication, his passion, and his commitment to the veterans. For many years, he has been supporting the veterans, and has worked very hard. If there is anybody who works very hard for the veterans, it is my friend Mr. LLOYD DOGGETT, and I certainly want to thank you for cosponsoring this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FARENTHOLD. I too would like to thank the gentlemen from Texas for their ongoing and continuing support for the veterans.

There is not too much that we can do for the men and women who sacrifice time and again for our country. They

sacrifice their time; they sacrifice their work; and sadly, in some cases, they are asked to sacrifice their lives. I stand in strong support of this bill, and urge my colleagues to pass H.R. 771, renaming the post office in Schertz, Texas, the Schertz Veterans Post Office.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, H.R. 771.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. FARENTHOLD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1800

SPENCER BYRD POWERS, JR. POST OFFICE

Mr. FARENTHOLD. Mr. Speaker, I move to suspend the rules and pass the bill (S. 655) to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPENCER BYRD POWERS, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, shall be known and designated as the "Spencer Byrd Powers, Jr. Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Spencer Byrd Powers, Jr. Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Texas (Mr. CUELLAR) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD).

GENERAL LEAVE

Mr. FARENTHOLD. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 655.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARENTHOLD. Mr. Speaker, I yield myself such time as I may consume.

S. 655, introduced in the Senate by Senator THAD COCHRAN of Mississippi, would designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the Spencer Byrd Powers, Jr. Post Office.

Spencer Byrd Powers, Jr., was born on February 12, 1945, and grew up in Cary, Mississippi, a town that his family has called home for nearly a century. While growing up in Cary, Spencer Powers had a sense of duty and service ingrained in him by his father, uncle, and other relatives, all who bravely served our country during World War II.

During the mid-1960s, as the Vietnam War progressed, Spencer Powers decided it was time to step up and serve his country. He was commissioned in the U.S. Army as a second lieutenant and fought valiantly until his tragic death on February 8, 1968, during an offensive attack operation in South Vietnam. He was only 22 years old at the time and just a few days shy of his 23rd birthday.

Mr. Speaker, I am truly grateful for each and every member of our armed services that has paid the ultimate price and given the ultimate sacrifice in the name of freedom and in defense of our Nation. Spencer Byrd Powers, Jr., and his family are a great example of the values that make this country a wonderful place, a country where sacrifice, duty, and a selfless desire to serve inspire and motivate people to a cause greater than themselves. To the Powers family and to all the others who have served, I say thank you.

I'd like to urge all Members to join me in strong support of this bill.

I reserve the balance of my time.

Mr. CUELLAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, minority, I also want to thank my colleague Mr. FARENTHOLD for the leadership that he's provided on managing this bill, and I am pleased to join my colleagues across the aisle in consideration of S. 655, which would name the United States Postal Service facility at 95 Dogwood Street in Cary, Mississippi, as the Spencer Byrd Powers, Jr. Post Office.

The underlying bill before us was introduced by Senator THAD COCHRAN of Mississippi on March 28, 2011, and passed by the Senate on May 16, 2011. Our colleague, Representative BENNIE THOMPSON from the State of Mississippi, also introduced a companion bill to this measure in the form of H.R. 1072. Both measures aim to acknowledge and recognize the heroic service of Spencer Byrd Powers, Jr., by renaming the local post office in Cary, Mississippi, in his honor.

With his father and other relatives serving in our Armed Forces, Spencer Byrd Powers would continue their leg-

acy by joining the United States Army, where he would serve this Nation honorably up until the point of his death. In 1968, Spencer Byrd Powers unfortunately would become the first member of his family not to return home from serving in war abroad. Spencer Byrd Powers was killed in an offensive attack operation in the Vietnam War.

I ask that we come together as Americans to honor Mr. Powers' sacrifice so that those who continue to serve after Mr. Powers can understand his commitment and his courage to serve on behalf of this beautiful country that we call America.

I urge my colleagues to join me in honoring this fallen soldier and vote in support of passing H.R. 1072 to rename the Dogwood Street postal facility in Cary, Mississippi, as the Spencer Byrd Powers Post Office.

Mr. Speaker, I urge passage of this Senate bill.

I have no further requests for time, and I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Speaker, I too urge all Members to support the passage of S. 655, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill, S. 655.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 5 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCCLINTOCK) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1632, by the yeas and nays;

H.R. 771, by the yeas and nays;

S. 349, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

SERGEANT CHRIS DAVIS POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1632) to designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the “Sergeant Chris Davis Post Office,” on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 396, nays 0, not voting 36, as follows:

[Roll No. 460]

YEAS—396

Ackerman	Chandler	Frank (MA)
Adams	Chu	Franks (AZ)
Aderholt	Cicilline	Frelinghuysen
Akin	Clarke (MI)	Fudge
Alexander	Clarke (NY)	Galleghy
Altmire	Clay	Garamendi
Amash	Cleaver	Gardner
Andrews	Clyburn	Garrett
Austria	Coble	Gerlach
Baca	Coffman (CO)	Gibbs
Bachmann	Cohen	Gibson
Baldwin	Cole	Gingrey (GA)
Barletta	Conaway	Gohmert
Barrow	Connolly (VA)	Gonzalez
Bartlett	Conyers	Goodlatte
Barton (TX)	Cooper	Gosar
Bass (CA)	Courtney	Gowdy
Bass (NH)	Cravaack	Granger
Becerra	Crawford	Graves (GA)
Benishek	Crenshaw	Graves (MO)
Berg	Critz	Green, Al
Berman	Crowley	Green, Gene
Biggart	Cuellar	Griffin (AR)
Bilbray	Cummings	Griffith (VA)
Bilirakis	Davis (CA)	Grimm
Bishop (GA)	Davis (KY)	Guinta
Bishop (UT)	DeFazio	Guthrie
Black	DeGette	Hall
Blackburn	DeLauro	Hanabusa
Blumenauer	Denham	Hanna
Bonner	Dent	Harper
Bono Mack	DesJarlais	Harris
Boren	Deutch	Hartzler
Boswell	Diaz-Balart	Hastings (FL)
Brady (PA)	Dicks	Hastings (WA)
Brady (TX)	Dingell	Hayworth
Braley (IA)	Doggett	Heck
Brooks	Dold	Heinrich
Brown (GA)	Donnelly (IN)	Hensarling
Brown (FL)	Doyle	Herger
Buchanan	Dreier	Herrera Beutler
Bucshon	Duffy	Higgins
Buerkle	Duncan (SC)	Himes
Burgess	Duncan (TN)	Hinojosa
Butterfield	Edwards	Hirono
Calvert	Ellison	Hochul
Camp	Ellmers	Holden
Campbell	Emerson	Holt
Canseco	Eshoo	Honda
Capito	Farenthold	Hoyer
Capps	Farr	Huelskamp
Capuano	Filner	Huizenga (MI)
Cardoza	Fincher	Hultgren
Carnahan	Fitzpatrick	Hunter
Carney	Flake	Hurt
Carson (IN)	Fleischmann	Inslee
Carter	Fleming	Israel
Cassidy	Flores	Issa
Castor (FL)	Forbes	Jackson (IL)
Chabot	Fortenberry	Jackson Lee
Chaffetz	Fox	(TX)

Jenkins	Moore	Sarbanes
Johnson (GA)	Mulvaney	Scalise
Johnson (IL)	Murphy (CT)	Schakowsky
Johnson (OH)	Murphy (PA)	Schiff
Johnson, E. B.	Myrick	Schilling
Johnson, Sam	Nadler	Schmidt
Jones	Napolitano	Schwartz
Kaptur	Neal	Schweikert
Keating	Neugebauer	Scott (SC)
Kelly	Noem	Scott (VA)
Kildee	Nugent	Scott, Austin
Kind	Nunes	Scott, David
King (IA)	Nunnelee	Sensenbrenner
King (NY)	Olson	Serrano
Kinzinger (IL)	Oliver	Sessions
Kissell	Owens	Sewell
Kline	Palazzo	Sherman
Kucinich	Pallone	Shimkus
Labrador	Pascrell	Shuler
Lamborn	Pastor (AZ)	Shuster
Lance	Paul	Simpson
Landry	Paulsen	Sires
Langevin	Payne	Slaughter
Lankford	Pearce	Smith (NE)
Larsen (WA)	Pelosi	Smith (NJ)
Latham	Pence	Smith (WA)
Latta	Peters	Southerland
Lee (CA)	Peterson	Stark
Levin	Petri	Stearns
Lewis (CA)	Pitts	Stutzman
Lewis (GA)	Platts	Sullivan
Lipinski	Poe (TX)	Sutton
LoBiondo	Polis	Terry
Loebsack	Pompeo	Thompson (CA)
Lofgren, Zoe	Posey	Thompson (PA)
Long	Price (GA)	Thornberry
Lowey	Price (NC)	Tiberi
Lucas	Quayle	Tierney
Luetkemeyer	Quigley	Tipton
Lujan	Rahall	Tonko
Lungren, Daniel	Rangel	Towns
E.	Reed	Tsongas
Lynch	Rehberg	Turner
Mack	Reichert	Upton
Maloney	Renacci	Van Hollen
Manzullo	Reyes	Velázquez
Marchant	Ribble	Visclosky
Marino	Richardson	Walberg
Matheson	Richmond	Walden
Matsui	Rigell	Walsh (IL)
McCarthy (CA)	Rivera	Walsh (MN)
McCarthy (NY)	Roby	Wasserman
McCauley	Roe (TN)	Schultz
McClintock	Rogers (AL)	Waters
McCollum	Rogers (KY)	Waxman
McCotter	Rogers (MI)	Webster
McDermott	Rohrabacher	Welch
McGovern	Rooney	West
McIntyre	Ros-Lehtinen	Westmoreland
McKeon	Roskam	Whitfield
McKinley	Ross (AR)	Wilson (FL)
McMorris	Ross (FL)	Wilson (SC)
Rodgers	Rothman (NJ)	Wittman
McNerney	Roybal-Allard	Wolf
Meehan	Royce	Womack
Meeks	Runyan	Woodall
Mica	Ruppersberger	Woolsey
Michaud	Rush	Wu
Miller (FL)	Ryan (OH)	Yarmuth
Miller (MI)	Ryan (WI)	Yoder
Miller (NC)	Sánchez, Linda	Young (FL)
Miller, Gary	T.	Young (IN)
Miller, George	Sanchez, Loretta	

NOT VOTING—36

Bachus	Giffords	Perlmutter
Berkley	Grijalva	Pingree (ME)
Bishop (NY)	Gutierrez	Rokita
Boustany	Hinchey	Schock
Burton (IN)	Jordan	Schrader
Cantor	Kingston	Smith (TX)
Costa	Larson (CT)	Speier
Costello	LaTourette	Stivers
Culberson	Lummis	Thompson (MS)
Davis (IL)	Markey	Watt
Engel	McHenry	Weiner
Fattah	Moran	Young (AK)

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mr. GIBSON). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan, and their families, and of all who serve in our Armed Forces and their families.

SCHERTZ VETERANS POST OFFICE

The SPEAKER pro tempore (Mr. MCCLINTOCK). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 771) to designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the “Schertz Veterans Post Office,” on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 34, as follows:

[Roll No. 461]

YEAS—398

Ackerman	Boren	Clarke (MI)
Adams	Boswell	Clarke (NY)
Aderholt	Brady (PA)	Clay
Akin	Brady (TX)	Cleaver
Alexander	Braley (IA)	Clyburn
Altmire	Brooks	Coble
Amash	Brown (GA)	Coffman (CO)
Andrews	Brown (FL)	Cohen
Austria	Buchanan	Cole
Baca	Bucshon	Conaway
Bachmann	Buerkle	Connolly (VA)
Bachus	Burgess	Conyers
Baldwin	Butterfield	Cooper
Barletta	Calvert	Costa
Barrow	Camp	Courtney
Bartlett	Campbell	Cravaack
Barton (TX)	Canseco	Crawford
Bass (CA)	Cantor	Crenshaw
Bass (NH)	Capito	Critz
Becerra	Capps	Crowley
Benishek	Capuano	Cuellar
Berg	Cardoza	Cummings
Berman	Carnahan	Davis (CA)
Biggart	Carney	Davis (KY)
Bilbray	Carson (IN)	DeFazio
Bilirakis	Carter	DeGette
Bishop (GA)	Cassidy	DeLauro
Bishop (UT)	Castor (FL)	Denham
Black	Chabot	Dent
Blackburn	Chaffetz	DesJarlais
Blumenauer	Chandler	Deutch
Bonner	Chu	Diaz-Balart
Bono Mack	Cicilline	Dicks

Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Farr
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzer
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inlee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating

Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Ribble
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts

Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Southerland
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Benishek
Berg
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Waxman

Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)

Berkley
Bishop (NY)
Boustany
Burton (IN)
Costello
Culberson
Davis (IL)
Engel
Fattah
Giffords
Grijalva
Gutierrez

Hinchev
Jordan
King (IA)
Kingston
Lummis
Markey
Moran
Nugent
Pingree (ME)
Rokita
Schock
Schradner

Sewell
Smith (TX)
Smith (WA)
Speier
Stivers
Thompson (MS)
Watt
Weiner
Westmoreland
Young (AK)

NOT VOTING—34

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MARINE SGT. JEREMY E. MURRAY
POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 349) to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office," on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 0, not voting 35, as follows:

[Roll No. 462]

YEAS—397

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Biggert
Bilbray
Bilirakis
Walsh (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner

Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz

Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham

Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Farr
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzer
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inlee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating

Johnson, Sam
Jones
Kaptur
Keating
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Luetkemeyer
Luján
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts

Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Southerland
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)

Wasserman	Westmoreland	Woolsey
Schultz	Wilson (FL)	Wu
Waters	Wilson (SC)	Yarmuth
Waxman	Wittman	Yoder
Webster	Wolf	Young (FL)
Welch	Womack	Young (IN)
West	Woodall	

NOT VOTING—35

Berkley	Grijalva	Rokita
Berman	Gutierrez	Schock
Bishop (NY)	Hinchey	Schrader
Boustany	Jordan	Smith (TX)
Burton (IN)	Kingston	Smith (WA)
Costello	Lewis (CA)	Speier
Culberson	Lummis	Stivers
Davis (IL)	Markey	Thompson (MS)
Dicks	McMorris	Watt
Engel	Rodgers	Weiner
Fattah	Moran	Whitfield
Giffords	Pingree (ME)	Young (AK)

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House Chamber today. Had I been present, I would have voted "yea" on rollcall votes 460, 461, and 462.

HOUR OF MEETING ON TOMORROW

Mr. HARPER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 tomorrow for morning-hour debate, thereafter to resume its session at 11:30 a.m.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GRIMM). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

ELECTION SUPPORT CONSOLIDATION AND EFFICIENCY ACT

Mr. HARPER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 672) to terminate the Election Assistance Commission, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 672

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Election Support Consolidation and Efficiency Act".

SEC. 2. TERMINATION OF ELECTION ASSISTANCE COMMISSION.

(a) *TERMINATION.*—The Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.) is amended by adding at the end the following new title:

"TITLE X—TERMINATION OF COMMISSION

"Subtitle A—Termination

"SEC. 1001. TERMINATION.

"Effective on the Commission termination date, the Commission (including the Election Assistance Commission Standards Board and the Election Assistance Commission Board of Advisors under part 2 of subtitle A of title II) is terminated and may not carry out any programs or activities.

"SEC. 1002. TRANSFER OF OPERATIONS TO OFFICE OF MANAGEMENT AND BUDGET DURING TRANSITION.

"(a) *IN GENERAL.*—The Director of the Office of Management and Budget shall, effective upon the Commission termination date—

"(1) perform the functions of the Commission with respect to contracts and agreements described in subsection 1003(a) until the expiration of such contracts and agreements, but shall not renew any such contract or agreement; and

"(2) shall take the necessary steps to wind up the affairs of the Commission.

"(b) *EXCEPTION FOR FUNCTIONS TRANSFERRED TO OTHER AGENCIES.*—Subsection (a) does not apply with respect to any functions of the Commission that are transferred under subtitle B.

"SEC. 1003. SAVINGS PROVISIONS.

"(a) *PRIOR CONTRACTS.*—The termination of the Commission under this subtitle shall not affect any contract that has been entered into by the Commission before the Commission termination date. All such contracts shall continue in effect until modified, superseded, terminated, set aside, or revoked in accordance with law by an authorized Federal official, a court of competent jurisdiction, or operation of law.

"(b) *OBLIGATIONS OF RECIPIENTS OF PAYMENTS.*—

"(1) *IN GENERAL.*—The termination of the Commission under this subtitle shall not affect the authority of any recipient of a payment made by the Commission under this Act prior to the Commission termination date to use any portion of the payment that remains unobligated as of the Commission termination date, and the terms and conditions that applied to the use of the payment at the time the payment was made shall continue to apply.

"(2) *SPECIAL RULE FOR STATES RECEIVING REQUIREMENTS PAYMENTS.*—In the case of a requirements payment made to a State under part 1 of subtitle D of title II, the terms and conditions applicable to the use of the payment for purposes of the State's obligations under this subsection (as well as any obligations in effect prior to the termination of the Commission under this subtitle), and for purposes of any applicable requirements imposed by regulations promulgated by the Director of the Office of Management and Budget, shall be the general terms and conditions applicable under Federal law, rules, and regulations to payments made by the Federal government to a State, except that to the extent that such general terms and conditions are inconsistent with the terms and conditions that are specified under part 1 of subtitle D of title II or section 902, the terms and conditions specified under such part and such section shall apply.

"(c) *PENDING PROCEEDINGS.*—

"(1) *NO EFFECT ON PENDING PROCEEDINGS.*—The termination of the Commission under this subtitle shall not affect any proceeding to which the Commission is a party that is pending on

such date, including any suit to which the Commission is a party that is commenced prior to such date, and the applicable official shall be substituted or added as a party to the proceeding.

"(2) *TREATMENT OF ORDERS.*—In the case of a proceeding described in paragraph (1), an order may be issued, an appeal may be taken, judgments may be rendered, and payments may be made as if the Commission had not been terminated. Any such order shall continue in effect until modified, terminated, superseded, or revoked by an authorized Federal official, a court of competent jurisdiction, or operation of law.

"(3) *CONSTRUCTION RELATING TO DISCONTINUANCE OR MODIFICATION.*—Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any proceeding described in paragraph (1) under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if the Commission had not been terminated.

"(4) *REGULATIONS FOR TRANSFER OF PROCEEDINGS.*—The Director of the Office of Management and Budget may issue regulations providing for the orderly transfer of proceedings described in paragraph (1).

"(d) *JUDICIAL REVIEW.*—Orders and actions of the applicable official in the exercise of functions of the Commission shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been issued or taken by the Commission. Any requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function of the Commission shall apply to the exercise of such function by the applicable official.

"(e) *APPLICABLE OFFICIAL DEFINED.*—In this section, the 'applicable official' means, with respect to any proceeding, order, or action—

"(1) the Director of the Office of Management and Budget, to the extent that the proceeding, order, or action relates to functions performed by the Director of the Office of Management and Budget under section 1002; or

"(2) the Federal Election Commission, to the extent that the proceeding, order, or action relates to a function transferred under subtitle B.

"SEC. 1004. COMMISSION TERMINATION DATE.

"The 'Commission termination date' is the first date following the expiration of the 60-day period that begins on the date of the enactment of this subtitle.

"Subtitle B—Transfer of Certain Authorities

"SEC. 1011. TRANSFER OF ELECTION ADMINISTRATION FUNCTIONS TO FEDERAL ELECTION COMMISSION.

"There are transferred to the Federal Election Commission (hereafter in this section referred to as the 'FEC') the following functions of the Commission:

"(1) The adoption of voluntary voting system guidelines, in accordance with part 3 of subtitle A of title II.

"(2) The testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories, in accordance with subtitle B of title II.

"(3) The maintenance of a clearinghouse of information on the experiences of State and local governments in implementing voluntary voting system guidelines and in operating voting systems in general.

"(4) The development of a standardized format for reports submitted by States under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act, and the making of such format available to States and units of local government submitting such reports, in accordance with section 703(b).

"(5) Any functions transferred to the Commission under section 801 (relating to functions of

the former Office of Election Administration of the FEC).

“(6) Any functions transferred to the Commission under section 802 (relating to functions described in section 9(a) of the National Voter Registration Act of 1993).

“(7) Any functions of the Commission under section 1604(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1277; 42 U.S.C. 1977ff note) (relating to establishing guidelines and providing technical assistance with respect to electronic voting demonstration projects of the Secretary of Defense).

“(8) Any functions of the Commission under section 589(e)(1) of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-7(e)(1)) (relating to providing technical assistance with respect to technology pilot programs for the benefit of absent uniformed services voters and overseas voters).

“SEC. 1012. EFFECTIVE DATE.

“The transfers under this subtitle shall take effect on the Commission termination date described in section 1004.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end the following:

“TITLE X—TERMINATION OF COMMISSION

“Subtitle A—Termination

“Sec. 1001. Termination.

“Sec. 1002. Transfer of operations to Office of Management and Budget during transition.

“Sec. 1003. Savings provisions.

“Sec. 1004. Commission termination date.

“Subtitle B—Transfer of Certain Authorities

“Sec. 1011. Transfer of election administration functions to Federal Election Commission.

“Sec. 1012. Effective date.”.

SEC. 3. REPLACEMENT OF STANDARDS BOARD AND BOARD OF ADVISORS WITH GUIDELINES REVIEW BOARD.

(a) REPLACEMENT.—Part 2 of subtitle A of title II of the Help America Vote Act of 2002 (42 U.S.C. 15341 et seq.) is amended to read as follows:

“PART 2—GUIDELINES REVIEW BOARD

“SEC. 211. ESTABLISHMENT.

“There is established the Guidelines Review Board (hereafter in this part referred to as the ‘Board’).

“SEC. 212. DUTIES.

“The Board shall, in accordance with the procedures described in part 3, review the voluntary voting system guidelines under such part.

“SEC. 213. MEMBERSHIP.

“(a) IN GENERAL.—The Board shall be composed of 82 members appointed as follows:

“(1) One State or local election official from each State, to be selected by the chief State election official of the State, who shall take into account the needs of both State and local election officials in making the selection.

“(2) 2 members appointed by the National Conference of State Legislatures.

“(3) 2 members appointed by the National Association of Secretaries of State.

“(4) 2 members appointed by the National Association of State Election Directors.

“(5) 2 members appointed by the National Association of County Recorders, Election Administrators, and Clerks.

“(6) 2 members appointed by the Election Center.

“(7) 2 members appointed by the International Association of County Recorders, Election Officials, and Treasurers.

“(8) 2 members appointed by the United States Commission on Civil Rights.

“(9) 2 members appointed by the Architectural and Transportation Barrier Compliance Board under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

“(10) The chief of the Voting Section of the Civil Rights Division of the Department of Justice or the chief’s designee.

“(11) The director of the Federal Voting Assistance Program of the Department of Defense.

“(12) The Director of the National Institute of Standards and Technology or the Director’s designee.

“(13) 4 members representing professionals in the field of science and technology, of whom—

“(A) one each shall be appointed by the Speaker and the Minority Leader of the House of Representatives; and

“(B) one each shall be appointed by the Majority Leader and the Minority Leader of the Senate.

“(14) 4 members representing voter interests, of whom—

“(A) one each shall be appointed by the chair and ranking minority member of the Committee on House Administration of the House of Representatives; and

“(B) one each shall be appointed by the chair and ranking minority member of the Committee on Rules and Administration of the Senate.

“(b) MANNER OF APPOINTMENTS.—

“(1) IN GENERAL.—Appointments shall be made to the Board under subsection (a) in a manner which ensures that the Board will be bipartisan in nature and will reflect the various geographic regions of the United States.

“(2) SPECIAL RULE FOR CERTAIN APPOINTMENTS.—The 2 individuals who are appointed as members of the Board under each of the paragraphs (2) through (9) of subsection (a) may not be members of the same political party.

“(c) TERM OF SERVICE; VACANCY.—Members of the Board shall serve for a term of 2 years, and may be reappointed. Any vacancy in the Board shall be filled in the manner in which the original appointment was made.

“(d) EXECUTIVE BOARD.—

“(1) IN GENERAL.—Not later than 60 days after the day on which the appointment of its members is completed, the Board shall select 9 of its members to serve as the Executive Board of the Guidelines Review Board, of whom—

“(A) not more than 5 may be State election officials;

“(B) not more than 5 may be local election officials; and

“(C) not more than 5 may be members of the same political party.

“(2) TERMS.—Except as provided in paragraph (3), members of the Executive Board of the Board shall serve for a term of 2 years and may not serve for more than 3 consecutive terms.

“(3) STAGGERING OF INITIAL TERMS.—Of the members first selected to serve on the Executive Board of the Board—

“(A) 3 shall serve for 1 term;

“(B) 3 shall serve for 2 consecutive terms; and

“(C) 3 shall serve for 3 consecutive terms, as determined by lot at the time the members are first appointed.

“(4) DUTIES.—The Executive Board of the Board shall carry out such duties of the Board as the Board may delegate.

“(e) BYLAWS; DELEGATION OF AUTHORITY.—The Board may promulgate such bylaws as it considers appropriate to provide for the operation of the Board, including bylaws that permit the Executive Board to grant to any of its members the authority to act on behalf of the Executive Board.

“SEC. 214. POWERS; NO COMPENSATION FOR SERVICE.

“(a) HEARINGS AND SESSIONS.—

“(1) IN GENERAL.—To the extent that funds are made available by the Federal Election Com-

mission, the Board may hold such hearings for the purpose of carrying out this Act, sit and act at such times and places, take such testimony, and receive such evidence as the Board considers advisable to carry out this title, except that the Board may not issue subpoenas requiring the attendance and testimony of witnesses or the production of any evidence.

“(2) MEETINGS.—The Board shall hold a meeting of its members—

“(A) not less frequently than once every 2 years for purposes selecting the Executive Board and voting on the voluntary voting system guidelines referred to it under section 222; and

“(B) at such other times as it considers appropriate for purposes of conducting such other business as it considers appropriate consistent with this title.

“(b) INFORMATION FROM FEDERAL AGENCIES.—The Board may secure directly from any Federal department or agency such information as the Board considers necessary to carry out this Act. Upon request of the Executive Board, the head of such department or agency shall furnish such information to the Board.

“(c) POSTAL SERVICES.—The Board may use the United States mails in the same manner and under the same conditions as a department or agency of the Federal Government.

“(d) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Executive Board, the Administrator of the General Services Administration shall provide to the Board, on a reimbursable basis, the administrative support services that are necessary to enable the Board to carry out its duties under this title.

“(e) NO COMPENSATION FOR SERVICE.—Members of the Board shall not receive any compensation for their service, but shall be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board.

“SEC. 215. STATUS OF BOARD AND MEMBERS FOR PURPOSES OF CLAIMS AGAINST BOARD.

“(a) IN GENERAL.—The provisions of chapters 161 and 171 of title 28, United States Code, shall apply with respect to the liability of the Board and its members for acts or omissions performed pursuant to and in the course of the duties and responsibilities of the Board.

“(b) EXCEPTION FOR CRIMINAL ACTS AND OTHER WILLFUL CONDUCT.—Subsection (a) may not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of a member of the Board.”.

(b) CONFORMING AMENDMENTS.—

(1) MEMBERSHIP ON TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(c)(1) of such Act (42 U.S.C. 15361(c)(1)) is amended—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

“(i) Members of the Guidelines Review Board.”;

(B) by redesignating clause (iii) of subparagraph (A) as clause (ii); and

(C) in subparagraph (D), by striking “Standards Board or Board of Advisors” and inserting “Guidelines Review Board”.

(2) CONSIDERATION OF PROPOSED GUIDELINES.—Section 222(b) of such Act (42 U.S.C. 15362(b)) is amended—

(A) in the heading, by striking “BOARD OF ADVISORS AND STANDARDS BOARD” and inserting “GUIDELINES REVIEW BOARD”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2) GUIDELINES REVIEW BOARD.—The Executive Director of the Commission shall submit the

guidelines proposed to be adopted under this part (or any modifications to such guidelines) to the Guidelines Review Board.”.

(3) **REVIEW OF PROPOSED GUIDELINES.**—Section 222(c) of such Act (42 U.S.C. 15362(c)) is amended by striking “the Board of Advisors and the Standards Board shall each review” and inserting “the Guidelines Review Board shall review”.

(4) **FINAL ADOPTION OF PROPOSED GUIDELINES.**—Section 222(d) of such Act (42 U.S.C. 15362(d)) is amended by striking “the Board of Advisors and the Standards Board” each place it appears in paragraphs (1) and (2) and inserting “the Guidelines Review Board”.

(5) **ASSISTANCE WITH NIST REVIEW OF TESTING LABORATORIES.**—Section 231(c)(1) of such Act (42 U.S.C. 15371(c)(1)) is amended by striking “the Standards Board and the Board of Advisors” and inserting “the Guidelines Review Board”.

(6) **ASSISTING FEC WITH DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS ON ABSENTEE BALLOTS OF ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.**—Section 703(b) of such Act (42 U.S.C. 1973ff-1 note) is amended by striking “the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board” and inserting “the Guidelines Review Board”.

(c) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended by amending the item relating to part 2 of subtitle A of title II to read as follows:

“PART 2—GUIDELINES REVIEW BOARD

“Sec. 211. Establishment.

“Sec. 212. Duties.

“Sec. 213. Membership.

“Sec. 214. Powers; no compensation for service.

“Sec. 215. Status of Board and members for purposes of claims against Board.”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the Commission termination date described in section 1004 of the Help America Vote Act of 2002 (as added by section 1(a)).

SEC. 4. SPECIAL REQUIREMENTS RELATING TO TRANSFER OF CERTAIN AUTHORITIES TO FEDERAL ELECTION COMMISSION.

(a) **DEVELOPMENT AND ADOPTION OF VOLUNTARY VOTING SYSTEM GUIDELINES.**—

(1) **IN GENERAL.**—Part 3 of subtitle A of title II of the Help America Vote Act of 2002 (42 U.S.C. 15361 et seq.) is amended by adding at the end the following new section:

“SEC. 223. TRANSFER OF AUTHORITY TO FEDERAL ELECTION COMMISSION.

“(a) **TRANSFER.**—Effective on the Commission termination date described in section 1004, the Federal Election Commission (hereafter in this section referred to as the ‘FEC’) shall be responsible for carrying out the duties and functions of the Commission under this part.

“(b) **ROLE OF EXECUTIVE DIRECTOR.**—The FEC shall carry out the operation and management of its duties and functions under this part through the Office of the Executive Director of the FEC.”.

(2) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended by adding at the end of the item relating to part 3 of subtitle A of title II the following:

“Sec. 223. Transfer of authority to Federal Election Commission.”.

(b) **TESTING, CERTIFICATION, DECERTIFICATION, AND RECERTIFICATION OF VOTING SYSTEM HARDWARE AND SOFTWARE.**—

(1) **IN GENERAL.**—Subtitle B of title II of such Act (42 U.S.C. 15371 et seq.) is amended by adding at the end the following new section:

“SEC. 232. TRANSFER OF AUTHORITY TO FEDERAL ELECTION COMMISSION.

“(a) **TRANSFER.**—

“(1) **IN GENERAL.**—Effective on the Commission termination date described in section 1004, the Federal Election Commission (hereafter in this section referred to as the ‘FEC’) shall be responsible for carrying out the duties and functions of the Commission under this subtitle.

“(2) **ROLE OF EXECUTIVE DIRECTOR.**—The FEC shall carry out the operation and management of its duties and functions under this subtitle through the Office of the Executive Director of the FEC.

“(b) **TRANSFER OF OFFICE OF VOTING SYSTEM TESTING AND CERTIFICATION.**—

“(1) **IN GENERAL.**—There are transferred to the FEC all functions that the Office of Voting System Testing and Certification of the Commission (hereafter in this section referred to as the ‘Office’) exercised under this subtitle before the Commission termination date.

“(2) **TRANSFER OF PROPERTY, RECORDS, AND PERSONNEL.**—

“(A) **PROPERTY AND RECORDS.**—The contracts, liabilities, records, property, appropriations, and other assets and interests of the Office, together with the unexpended balances of any appropriations or other funds available to the Office, are transferred and made available to the FEC.

“(B) **PERSONNEL.**—

“(i) **IN GENERAL.**—The personnel of the Office are transferred to the FEC, except that the number of full-time equivalent personnel so transferred may not exceed the number of full-time equivalent personnel of the Office as of January 1, 2011.

“(ii) **TREATMENT OF EMPLOYEES AT TIME OF TRANSFER.**—An individual who is an employee of the Office who is transferred under this section shall not be separated or reduced in grade or compensation because of the transfer during the 1-year period that begins on the date of the transfer.”.

(2) **CLERICAL AMENDMENT.**—The table of contents of such Act is amended by adding at the end of the items relating to subtitle B of title II the following:

“Sec. 232. Transfer of authority to Federal Election Commission.”.

(c) **DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS ON ABSENTEE BALLOTING BY ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS.**—Section 703(b) of such Act (42 U.S.C. 1973ff-1 note) is amended by adding at the end the following: “Effective on the Commission termination date described in section 1004, the Federal Election Commission shall be responsible for carrying out the duties and functions of the Commission under this subsection.”.

SEC. 5. CONFORMING AMENDMENTS TO OTHER LAWS.

(a) **FEDERAL ELECTION CAMPAIGN ACT OF 1971.**—

(1) **DUTIES OF FEC.**—Section 311(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(a)) is amended—

(A) by striking “and” at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(10) provide for the adoption of voluntary voting system guidelines, in accordance with part 3 of subtitle A of title II of the Help America Vote Act of 2002 (42 U.S.C. 15361 et seq.);

“(11) provide for the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories, in accordance with subtitle B of title II of the Help America Vote Act of 2002 (42 U.S.C. 15371 et seq.);

“(12) maintain a clearinghouse of information on the experiences of State and local governments in implementing voluntary voting system

guidelines and in operating voting systems in general;

“(13) carry out the duties described in section 9(a) of the National Voter Registration Act of 1993;

“(14) develop a standardized format for reports submitted by States under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act, make such format available to States and units of local government submitting such reports, and receive such reports in accordance with section 102(c) of such Act, in accordance with section 703(b) of the Help America Vote Act of 2002;

“(15) carry out the duties described in section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1277; 42 U.S.C. 1977ff note); and

“(16) carry out the duties described in section 589(e)(1) of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-7(e)(1)).”.

(2) **AUTHORIZATION TO ENTER INTO PRIVATE CONTRACTS TO CARRY OUT FUNCTIONS.**—Section 311 of such Act (2 U.S.C. 438) is amended by adding at the end the following new subsection:

“(g) Subject to applicable laws, the Commission may enter into contracts with private entities to carry out any of the authorities that are the responsibility of the Commission under paragraphs (10) through (16) of subsection (a).”.

(3) **LIMITATION ON AUTHORITY TO IMPOSE REQUIREMENTS ON STATES AND UNITS OF LOCAL GOVERNMENT.**—Section 311 of such Act (2 U.S.C. 438), as amended by paragraph (2), is further amended by adding at the end the following new subsection:

“(h) Nothing in paragraphs (10) through (16) of subsection (a) or any other provision of this Act shall be construed to grant the Commission the authority to issue any rule, promulgate any regulation, or take any other actions that imposes any requirement on any State or unit of local government, except to the extent that the Commission had such authority prior to the enactment of this subsection or to the extent permitted under section 9(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-7(a)).”.

(b) **NATIONAL VOTER REGISTRATION ACT OF 1993.**—Section 9(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-7(a)) is amended by striking “Election Assistance Commission” and inserting “Federal Election Commission”.

(c) **UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.**—

(1) **DEVELOPMENT OF STANDARDS FOR STATE REPORTS.**—Section 101(b)(11) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)(11)) is amended by striking “the Election Assistance Commission” and inserting “the Federal Election Commission”.

(2) **RECEIPT OF REPORTS ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.**—Section 102(c) of such Act (42 U.S.C. 1973ff-1(c)) is amended by striking “the Election Assistance Commission (established under the Help America Vote Act of 2002)” and inserting “the Federal Election Commission”.

(d) **ELECTRONIC VOTING DEMONSTRATION PROJECTS FOR SECRETARY OF DEFENSE.**—Section 1604(a)(2) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1277; 42 U.S.C. 1977ff note) is amended by striking “the Election Assistance Commission” and inserting “the Federal Election Commission”.

(e) **TECHNOLOGY PILOT PROGRAM FOR ABSENT MILITARY AND OVERSEAS VOTERS.**—Section 589(e)(1) of the Military and Overseas Voter Empowerment Act (42 U.S.C. 1973ff-7(e)(1)) is amended by striking “Election Assistance Commission” and inserting “Federal Election Commission”.

(f) *EFFECTIVE DATE.*—The amendments made by this section shall take effect on the Commission termination date described in section 1004 of the Help America Vote Act of 2002 (as added by section 1(a)).

SEC. 6. OTHER CONFORMING AMENDMENTS RELATING TO TERMINATION.

(a) *HATCH ACT.*—Section 7323(b)(2)(B)(i)(I) of title 5, United States Code, is amended by striking “or the Election Assistance Commission”.

(b) *SENIOR EXECUTIVE SERVICE.*—Section 3132(a)(1)(C) of title 5, United States Code, is amended by striking “or the Election Assistance Commission”.

(c) *INSPECTOR GENERAL ACT OF 1978.*—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “the Election Assistance Commission”.

(d) *EFFECTIVE DATE.*—The amendments made by this section shall take effect on the Commission termination date described in section 1004 of the Help America Vote Act of 2002 (as added by section 1(a)).

SEC. 7. STUDIES.

(a) *PROCEDURES FOR ADOPTION AND MODIFICATION OF VOLUNTARY VOTING SYSTEM GUIDELINES.*—

(1) *STUDY.*—The Comptroller General shall conduct a study of the procedures used to adopt and modify the voluntary voting system guidelines applicable to the administration of elections for Federal office, and shall develop recommendations on methods to improve such procedures, taking into account the needs of persons affected by such guidelines, including State and local election officials, voters with disabilities, absent military and overseas voters, and the manufacturers of voting systems.

(2) *REPORT.*—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress on the study conducted under paragraph (1), and shall include in the report the recommendations developed under such paragraph.

(b) *PROCEDURES FOR VOTING SYSTEM TESTING AND CERTIFICATION.*—

(1) *STUDY.*—The Federal Election Commission shall conduct a study of the procedures for the testing, certification, decertification, and recertification of voting system hardware and software used in elections for Federal office, and shall develop a recommendation on the entity that is best suited to oversee and carry out such procedures, taking into consideration the needs of persons affected by such procedures, including State and local election officials, voters with disabilities, absent military and overseas voters, and the manufacturers of voting systems.

(2) *REPORT.*—Not later than 2 years after the date of the enactment of this Act, the Federal Election Commission shall submit a report to Congress on the study conducted under paragraph (1), and shall include in the report the recommendation developed under such paragraph.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. HARPER) and the gentleman from Texas (Mr. GONZALEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HARPER. I yield myself such time as I may consume.

As we move forward on the difficult job of securing our Nation's financial future, the Congress will face many difficult decisions. Programs will have to be cut, and some even eliminated. All of those programs are there because someone wants them. We have to look carefully at each one and decide whether the benefit it creates is worth the cost of maintaining it.

After more than 2 years of hearings, investigations and oversight, the Committee on House Administration has identified not just a program but a Federal agency that we cannot justify to the taxpayers. That agency, the Election Assistance Commission, should be eliminated.

Mr. Speaker, while the House is going to be making some very difficult spending decisions in the future, this is actually a clear and easy choice. The EAC was created in 2002 by the Help America Vote Act. HAVA passed the House with a large bipartisan majority. One hundred seventy-two Republicans voted for the bill that created the EAC. Its creation was a bipartisan choice, and so should be its termination. One of the primary reasons the EAC was created was to distribute money to States to update voting equipment and voter registration systems. The EAC has accomplished that, paying out over \$3 billion to States for those purposes. With our deep debt and deficit, there almost certainly will be no more money for the EAC to distribute, meaning that that function is complete.

Another of the EAC's main functions, conducting research on election issues, is also complete. The agency has completed all of 19 planned election management guidelines as well as the 21 planned quick start guides. It has completed four of the five studies required under HAVA, and the fifth is tied up in an interagency controversy, making it unlikely that it will ever be finished.

The EAC also maintains a clearinghouse for election officials to share experiences working with voting systems, and it operates a program to develop voluntary guidelines for voting systems, test voting systems against those guidelines, and certify that systems comply with those guidelines. Thirty-five States and territories use the Federal testing and certification system in some way to decide what voting systems their election officials can purchase and use. Unlike the grants and research programs that are now obsolete, the clearinghouse and the testing and certification programs provide continuing value for State and local election officials.

Against that backdrop, we have to look at the reality of what has happened to the EAC. When it was created by HAVA, the EAC was a small agency

authorized for 3 years to spend up to \$10 million per year. That was 9 years ago. The agency is still there, and its last full-time, full-year appropriation was for almost \$18 million. Since a staff ceiling was removed in 2007, the agency has doubled in size, and this doubling came despite the fact that many of the EAC's responsibilities were completed or diminished. The average salary at the EAC is over \$100,000. It has an executive director, a chief operating officer, a chief financial officer, and an accounting director. In its budget request for 2012, the EAC proposed to spend 51.7 percent of its budget on management and administration costs. Mr. Speaker, that bears repeating. The EAC planned to spend more than half of its budget on overhead. An agency with that plan is an agency that should be eliminated.

The need to eliminate the EAC is so great that the National Association of Secretaries of State, a bipartisan group, whose members have received the more than \$3 billion distributed by the EAC, has passed two resolutions calling for Congress to dissolve the agency. In 2005 and again in 2010, the Secretaries of State asked us to do what I am asking this House to support today.

Beyond simply being an agency with an increasing size and a dwindling purpose, the EAC has proven time and time again that what the agency knows how to do best is to be reckless and irresponsible with taxpayer dollars. In the short time I have served on the Committee on House Administration, we have learned of two different cases where legal claims were filed against the EAC for discrimination against candidates for the position of general counsel. The first case involved discrimination based on the candidate's political affiliation. The second involved discrimination based on the candidate's service in the military. Political neutrality and assistance to military and overseas voters are values the EAC should promote, not undermine.

□ 1920

On top of that, these cases are expensive for the taxpayers.

In the development of this bill, we have sought out and received a considerable amount of input from election officials and others, in hearings at the committee and other settings. That input has allowed us to improve this bill as we have moved forward. Perhaps most importantly, we added a Guidelines Review Board that gives election officials and others a formal seat at the table when voting system guidelines are developed. This board streamlines two existing boards into a single, smaller one but preserves the ability of States and local election officials to stay involved directly.

Before I close, I would like to thank Chairman HALL from the Committee

on Science, Space, and Technology. He has worked closely with us as a partner in developing this bill. I appreciate his efforts to improve the bill and to bring it to the floor.

This bill is a careful and thoughtful measure to close down a Federal agency in a responsible way. To sustain an agency that has completed its assigned studies, dispersed its assigned grants, and fulfilled most of its mandates is the definition of irresponsibility. We haven't rushed through this process. We've held hearings. We've listened to numerous experts. We've kept and re-assigned the programs that provide true value for election administrators. And now is simply the time to end the EAC and save American taxpayers at least \$33 million in the next 5 years.

It doesn't get any easier to find an example of wasteful government spending. If we can't do this, we might as well pack up and go home because this is as obvious as it gets.

Mr. Speaker, I reserve the balance of my time.

Mr. GONZALEZ. Mr. Speaker, I rise in opposition to H.R. 672, and I yield myself 5 minutes.

Supporters of the bill once told us that this would save \$14 million each year. I'm not sure how they came up with that number. What we do know is that when Ranking Member BRADY asked the FEC if they could handle the responsibilities of EAC, this is what they said: Sure, if you give us more money. So this bill would take money from an agency they don't like and give it to an agency that no one likes. It will take money from an agency that has met many challenges and has improved its operations in the past few years, and it will give it to one on the opposite path, one that has become only more dysfunctional in recent years.

But H.R. 672 doesn't move all of EAC's functions to the FEC. Some of the best ones simply go away. So let's say that H.R. 672 will save the Federal Government \$6.6 million a year. That's great. Unless you happen to live in a State. This is just another example of shifting the costs to the States. Well, we lose the efficiencies of having a central clearinghouse for information, so maybe this isn't just cost shifting but cost increasing, because no matter what we do, our States have to run elections every year, often twice a year.

The EAC doesn't run elections. That's not its job. It assists the State and local election officials so that they can run elections better and for less. And local election officials have written in from across the country in praise of the EAC and opposition to this bill. H.R. 672 would eliminate the one Federal agency that's focused on finding best practices for elections. That will make it that much harder for the supervisor of elections in Palm

Beach County, Florida, to learn that the registrar of voters in Fresno County, California, figured out a way to process paper ballots so they would run more smoothly, representing a 25 percent savings in election costs.

In my home, Bexar County, the elections administrator, Jacqui Callanen, learned from an EAC instructional video a new technique that will save our county \$100,000 per year. That's \$100,000 in savings for one county, from one EAC instructional video, and we have more than 8,000 election jurisdictions in the United States.

But the savings don't stop there. The recount from Minnesota's 2008 Senate race was estimated to cost the State as much as \$5 million and the candidates around \$20 million. Worse, the people of Minnesota were deprived of one of their Senators for 6 of the most turbulent months in recent history. If the EAC can prevent the need for such recounts and reduce the costs and time involved in others, how much is that worth? EAC has taken tremendous steps to help our States ensure that our citizens, especially the disabled, are able to exercise their constitutional right and civic responsibility to participate in our electoral system. Now, how much is that worth?

Are the proponents of this bill willing to put a pricetag on that? Mr. Speaker, we spend millions of dollars and put our young men and women in harm's way, promoting and protecting our great democracy. Is it really too much to spend \$6.6 million here at home?

When H.R. 672 was marked up in committee, I offered a very simple amendment. It would have had GAO look into whether the bill would actually save money, including whether savings at the Federal level would simply be the result of pushing costs onto the States, and whether voters would be disenfranchised, giving us the time to reconsider if the results were negative. I hadn't anticipated that the bill would reach the floor with no chance to offer an amendment. When we defeat this, when it comes up for a vote, and if the Republican leadership should decide to bring H.R. 672 back to the floor under a rule, I fully intend to offer that amendment again. If the supporters of H.R. 672 are so confident of the bill's savings and innocuous nature, I can't see why they would object to my amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. HARPER. I yield as much time as he shall consume to the gentleman from California (Mr. LUNGREN), chairman of the Committee on House Administration.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise in support of this legislation. You know, Mr. Speaker, my mom was born and raised in Chicago, Illinois, and listening to her stories about what transpired in the

political process when she was growing up there, I used to think that the only place that you could find immortality in this world was on the voting rolls of Cook County. But I find here today that Ronald Reagan was right: Immortality is in the name of a Federal Government program.

This was supposed to be a temporary program. It was supposed to give temporary assistance to the States to make sure they could comply with HAVA, and it has done that. It has done that. It has let out all the money, billions of dollar that go to the States to assist in doing that. Its time has come and gone.

Mr. Speaker, if we cannot see that in these very difficult budget times we have to make some difficult decisions with respect to looking at programs to see if they've exhausted their usefulness, then we'll never be able to respond appropriately to what our constituents expect of us.

Mr. Speaker, this legislation, carefully drafted, allows for those small elements of this agency to be transferred to the FEC with funds to carry out those responsibilities. The argument that the gentleman has just made, that somehow the FEC is not up to snuff, is not an argument I would think that the gentleman would support to somehow get rid of the FEC. We are giving them some responsibilities with funds, and hopefully they can carry those out.

The idea that we can stand here with a straight face and argue that an agency which spends over 50 percent of its total funding on overhead—and be able to say that to the American people is not only disappointing, but it's dispiriting, because it suggests to the American people that we are incapable of looking carefully at agencies and departments to see when, in fact, they are doing a job that continues and needs to be done, or when they have finished their function and, therefore, no longer need to exist.

Now, the Secretaries of State have spoken rather forcefully before our committee with respect to the fact that they no longer need the assistance of this particular arm of the Federal Government.

□ 1930

How often do we have people who come to us and say, We don't need this assistance anymore? Not very often. Should we ignore that in this particular case?

Admittedly, this is a small amount of money. It's only in the millions. Where I come from, that's important. Millions mean a lot. This is more important, though, as a symbol or a signal as to what we will do.

Look, if we had all the money in the world, maybe we wouldn't have this on the floor. We don't have all the money in the world, although we've tried to

prove that we can print all the money in the world. The fact of the matter is folks back home want us somehow to get our house in order. That's the House of Representatives, and it's the house that we call the United States Federal Government. This may be a small room in that house, but, nonetheless, it is one that needs to be addressed.

The gentleman from Mississippi has done an excellent job of holding hearings on this matter, hearing from all parties on this, and has come up with this legislation. The suggestion that somehow by disestablishing the EAC we are going to penalize the military is something that I cannot understand very well at all. The Federal Voting Assistance Program under the DOD will continue to implement the MOVE Act, as they have very ably done since the passage of this bill in the last Congress. If you really examine it, the EAC has a very small role in the process, and that role will be continued after the EAC has been shut down.

States are looking at us to see whether we can give them some relief, and, in most cases, we are not going to be able to give the States some relief because, frankly, we don't have the money.

Businesses are looking at us, those who are in businesses, to see if we will understand the mistakes we've made in the past and do what they have to do, that is, to try to become more effective and more efficient. Our constituents are looking at us as they look for some glimmer that we understand the terrible fiscal situation we find ourselves in. And they're looking for just the slightest, the smallest suggestion that we are going to be serious about the fiscal mess that we find ourselves in.

This is a small start, but it is a start. And again, as the gentleman from Mississippi said, if we can't do this now, when can we do it? When you have a demonstrable record of an agency that's outlived its usefulness, you have to act. That's all we're attempting to do. I would hope that we would have a near unanimous vote in support of the gentleman's bill.

Mr. GONZALEZ. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip who was instrumental in a bipartisan effort to actually pass, a few years ago, the Help America Vote Act.

Mr. HOYER. I thank the gentleman for yielding.

I want to rise in opposition to this bill.

The gentleman from Mississippi knows as well as any of us that the right to vote is sacred. Access to the polling places ought to be sacred. Every American ought to be facilitated in voting, and every American vote needs to count. That's what the Help America Vote Act was all about.

Bob Ney of Ohio, who was chairman of the House Administration Committee subsequent to the 2000 election, and I worked on this legislation. And as has been pointed out, it passed overwhelmingly in a bipartisan way.

The right to vote is at the foundation of our democracy, so it is extremely disappointing that this bill would undermine our Nation's ability to protect that right. From 1789 to 2000, the Federal Government had elections which it did not pay for nor did it administer. Now, under this bill, we're still not paying for elections and we're still not administering them, not this bill that's on the floor. But under our scheme of things, the elections are still run by States and counties and localities.

What this agency was designed to do was to bring the best information possible so that elections could be run in the best way possible. There are over, I think, 120 million voters in America. So this is 20 cents for each one of those voters, to make sure that they have access and that their vote is counted and counted properly. Eliminating funding for the Election Assistance Commission would harm the integrity of our elections in 2012 and for years to come. Voters deserve assurance that their vote will count.

In 2000, our democracy was blemished by our flawed election systems. This was a response, passed in a bipartisan fashion. Regardless of how we felt about the outcome of that election, Republicans and Democrats agreed that the Federal Government had a duty to improve election systems so that every qualified citizen's vote counts.

Now, the FEC has a responsibility, and that is to monitor contributions and expenditures of political candidates, not to run elections. They had somewhat that responsibility before we created the Election Assistance Commission in HAVA, and they did not carry it out. Why? Because they neither had the resources nor the time to do so.

We need to provide States the financial and informational resources to upgrade their voting registration systems, train their poll workers, and improve access for disabled voters. The result was the bipartisan Help America Vote Act, or HAVA, which I was proud to help write.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GONZALEZ. I yield the gentleman 1 additional minute.

Mr. HOYER. It passed the House by 357 votes to 48 and passed the Senate with only two votes against.

Before HAVA, the Federal Government guaranteed voting rights, but it did little to ensure, on the nuts-and-bolts level, that our objectives were carried out. As part of its efforts toward that end, HAVA created a bipartisan Election Assistance Commission, whose job is to administer grants to

States and provide States with ongoing guidance.

My good friend from California (Mr. LUNGREN), with whom I have served for a number of years, is wrong. There was no intention to make this a temporary agency just for the distribution of grants. It was an ongoing advisory agency to make sure that best practices were pursued, not because they can impose but because they can advise, an extraordinarily worthwhile event.

The EAC has created a comprehensive program to test State voting systems for accuracy. Don't we all want that? And use of this program has been shown to save our States millions of dollars, as the ranking member just said.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. GONZALEZ. I yield the gentleman 1 additional minute.

Mr. HOYER. I thank the gentleman for yielding the additional minute.

The EAC is not perfect. There is no agency, including the one we're going to fund this week that spends almost \$700 billion—that's not perfect. Should we fix it where it's broken? Yes. Should we do that to every agency? Yes. Is it our responsibility to do so? Yes. But to eliminate the very agency constructed to ensure that we do not repeat the travesty of 2000 is to retreat from ensuring fair, open, accessible elections where every vote will count.

I urge my colleagues to vote against this piece of legislation. If, in fact, the EAC needs fixing, let's fix it. That's the responsibility of the House Administration Committee on which I served for, I think, 17 years. You ought to do that if you think this is not working correctly, because what it does is absolutely essential for democracy and for America.

Defeat this legislation.

Mr. HARPER. I yield 2 minutes to the distinguished gentleman from Georgia, Dr. GINGREY, chairman of the Committee on House Administration's Subcommittee on Oversight.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in strong support of H.R. 672, and I commend my good friend from Mississippi (Mr. HARPER) for his authorship.

The distinguished minority whip, the former Democratic majority leader, just made the statement essentially saying that few things are more important in this country than ensuring that every American citizen's right to vote is protected, and the EAC helps America to vote.

□ 1940

We agree on this side of the aisle, Mr. Speaker. We agree that few things are more important than ensuring Americans can vote. However, the Election Assistance Commission's support in this area is negligible at best.

In 2005, and again in 2010, the National Association of Secretaries of State, the individuals in the States tasked with overseeing elections, called for the dissolution of the EAC. The committee heard firsthand testimony from Secretaries of State that affirmed the passion with which they support this bill, the Harper bill, and how useless they feel this agency has become.

When those who oversee elections call for the dissolution of an agency supposedly meant to be supporting their efforts, Congress should listen.

But no, it's like President Ronald Reagan once said, and I quote him: "No government ever voluntarily reduces itself in size. Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this Earth."

Mr. Speaker, the minority whip just basically said the same thing, that once an agency is created, even after it's performed its function, it's done its duty, it's time to eliminate it. And we're talking about millions of dollars.

This is an important bill. As the gentleman from Mississippi so clearly stated, if we can't do this, what can we do in regard to reducing unnecessary spending of the taxpayer dollars so we'll have those precious dollars for other more important matters to help our States?

So I ask my colleagues on both sides of the aisle, please, let's have a unanimous vote in support.

Mr. GONZALEZ. I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I rise in opposition to the so-called Election Support Consolidation and Efficiency Act. This would eliminate, as we have heard, the Election Assistance Commission.

And let me remind my colleagues, Mr. Speaker, there is nothing more crucial to democracy than guaranteeing the integrity, fairness, accessibility and accuracy of elections. Democracy works only if the citizens believe it does. The system must work, and the people must believe that it works.

But voting shouldn't be an act of blind faith. It should be an act of record. The EAC helps maintain the integrity of the American electoral process. And too many people across the country lack confidence in the legitimacy of election results, and the dismantling of the EAC would further erode that faith that is so essential to democracy.

How quickly Members seem to have forgotten the Florida recount with its hanging chads and pregnant chads and uncertainty counts of ballots to determine voter intent. The 2000 election exposed critical flaws and inconsistencies in how elections were conducted and,

in its wake, Congress, under the leadership of Representative HOYER and others, approved the Help America Vote Act to assist State and local jurisdictions.

Yet, the legislation we're considering today willfully ignores this history. The bill closes the EAC, transfers some of its vital functions to the Election Commission, an agency that doesn't have the capability or the expertise to do the job and has other important work to do.

This bill takes this in exactly the wrong direction. While millions of Americans are casting their votes on unauditable voting machines and the results of many elections are not audited, eliminating the EAC would increase the risks that our electoral process will be compromised by voter system irregularities. Can we afford to take that risk? Certainly not.

H.R. 672 is another example of the desire of this Chamber that seems to exist to cut recklessly valuable services, rather than engage in the hard work of making government work at its best.

I urge my colleagues to vote "no" on this misguided bill.

Mr. HARPER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Colorado (Mr. COFFMAN), also a former Secretary of State for the State of Colorado.

Mr. COFFMAN of Colorado. In listening to the opposition, the statements against this legislation, it would make it sound like the EAC, the Election Assistance Commission, is a branch of the Justice Department, that it's there to enforce the right to vote. It doesn't do any of that at all.

The primary goal for the Election Assistance Commission was, after the Florida recount, the problems there in the 2000 election, that according to the Help America Vote Act, that the States such as Colorado that I was the Secretary of State in, were going to have to have a voter registration system that would be interactive, interactive database, to make sure that there wasn't fraud, that there wasn't duplicative registrations; and that the EAC would be the conduit for Federal resources grants to States to be able to facilitate that, and to make sure that that was carried out by the States. And that was for the 2008 Presidential election, long since done, long accomplished.

As to the EAC, which has no ability to mandate anything to States, but as an advisory tool, election officials across this country don't utilize it. There are associations that provide those best practices at every level of elections, from the county clerks to the Secretaries of State. And so this is an agency who's primary purpose is long since over with, and we can transfer the remaining function over to the Federal Elections Commission. And I

rise in strong support for H.R. 672 and would urge its passage.

Mr. GONZALEZ. I yield 2 minutes to my colleague from the great State of Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Mr. Speaker, it is disappointing that we are here in the dark of night discussing the issues of election fairness. I would almost imagine it would be somewhat similar to taking up the Voting Rights Act, the one of 1965, in the dark of night.

We can speak lightly about this, but I will tell you that every election time someone is denied the right to vote in the United States. I hope Americans are paying attention tonight to realize that even though it is represented that the change and eliminating the particular agency that deals with the questions of fairness, the Election Assistance Commission, we're actually not saving money, and passing the responsibilities off to the Federal Elections Commission.

Why could we not have accepted the amendment of the distinguished gentleman from Texas (Mr. GONZALEZ), who said let's do it right. Let's have a general accountable study and know what we're doing and if we're taking away the rights of those who are desiring to vote.

I will tell you that the purging of voters that occurs in Texas and other places around the Nation, and in particular in Harris County, is not a minor issue. The distraction of African American male voters in Florida during the 2000 election is not simply a distraction.

And so the question is, even if this deals with interactive data, let me suggest to you that it is an important tool for local government because without this particular commission, those resources or those responsibilities and the finding of the money will be on local governments. So now we're doing unfunded mandates.

I would simply say that it was painful to pass the health bill.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. GONZALEZ. I yield the gentle lady an additional 30 seconds.

Ms. JACKSON LEE of Texas. This legislation, Mr. Speaker, was passed in the backdrop of a great deal of emotionalism.

□ 1950

I am not here to point fingers, but I lived through that emotional time. It is history, my colleagues know that it is, but they know how painful it was to be engaged in hanging chads and discussions about who was turned away from the voting booth—and also the discrepancies on how we count our votes in America, the most sophisticated Nation in the world, the Nation that others look to and say, how do we promote democracy?

Why would we stand on the floor of the House at 8 o'clock tonight and deny democracy? I ask my colleagues to oppose this legislation and to stand for democracy and fairness.

Mr. HARPER. I reserve the balance of my time.

Mr. GONZALEZ. Mr. Speaker, I yield myself such time as I may consume.

First of all, I would like to address some of the remarks made by the proponents of this particular bill. First, I know it was not intentional to mischaracterize the words of Mr. HOYER. He did not state that the EAC should have an eternal life. What he said is, it was essential, in its present form, in the function that it provides. I think he also indicated that everything is not a simple budget or mathematical problem. There is cost benefit to look into and see what the true benefit is for the investment of that Federal dollar.

Much has been said about the National Association of Secretaries of State coming out with a resolution. That is not news. From the very inception they opposed the creation of the Election Assistance Commission, and on a regular basis they would pass a resolution expressing that opposition. But I do wish to point out that the president of the National Association of Secretaries of State, Secretary of State of Minnesota Mark Ritchie—whose State knows something about the cost of problematic elections—testified before our committee on March 31 that he was certainly not in favor of terminating the Election Assistance Commission.

I also wish to read from a letter that we received today at about 4 p.m. to a House Administration election staffer:

Dear Mr. Khalil, I am the election director of Harford County Board of Elections in northeastern Maryland. I am a Republican and have been active in the Republican Party since 1968. I am also the Republican member of the Standards Board of the Election Assistance Commission.

As a representative of a local board of elections, we are very isolated and depend on the EAC as a clearinghouse of information and resources. The EAC has been most helpful to local boards of elections in supporting our election administration and providing guidance in future elections. The FEC is too political and cannot do and perform as the Election Assistance Commission.

The passage of H.R. 672 will be a loss to local boards of election nationwide. We are the grassroots of the election community, and we need the support of the EAC.

In closing, we will in fact defeat this tomorrow. I'm hoping that my amendment will be ruled in order and that we will have a chance to really look at the potential effect this bill will have on local election officials. Not to politicize it. This is not about Republicans

or about Democrats; it's about how effective and efficient our local election officials can be. With the assistance of the only clearinghouse, the only commission with the expertise and the dedication to that single goal. There will be no other agency like it, there will be no other commission like it, and it's well worth the investment that we make on a yearly basis to assure the integrity and the efficiency of our local elections. I don't know of any better investment.

I understand that we have to tighten our belts. Do we do it, though, at the cost of the efficient running of our elections, the very basis for our democracy?

I commend the Members on the other side of the aisle for this effort, but it is truly misguided. It's not based on facts or the realities on the ground. And almost every local election official will echo those sentiments today.

I oppose this bill. I will be voting against it. And I ask my colleagues to please oppose this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. HARPER. Mr. Speaker, may I inquire as to the remaining time?

The SPEAKER pro tempore. The gentleman from Mississippi has 3½ minutes remaining.

Mr. HARPER. Mr. Speaker, I find it very interesting that the statement was just made that the FEC is too political to take on the responsibilities of the EAC. That's an amazing statement in light of the fact that the EAC has been sued for political discrimination—the very agency that's supposed to take care of fairness and do things in these issues gets sued for political discrimination. So that is hardly an argument to say that it can't be transferred.

We are looking at transferring the essential functions of the EAC over to the FEC with the personnel and funding that's necessary to do that job. It's a very responsible and adult thing to do to take care not only of spending issues, but we have an agency that is spending 51.7 percent of its budget on administration and management, not in program administration, not in taking care of grants, those have come and gone. So here we are in that situation of an agency that needs to be eliminated.

And I want to make it clear that in no way, by eliminating the EAC, are we doing anything to repeal or have any intent to do away with HAVA. That is something that came about in a bipartisan effort, and it will remain and shall remain as we move forward. But the EAC was created and funded for a 3-year period. Nine years later, we have one of the most inefficient agencies that we will probably ever see. It is beyond tweaking and correcting to do that.

I want to say that we all believe it is essential in our country that everyone

has a right to vote and has access to vote and that no one be disenfranchised. In no way does that have any impact in a negative way. In fact, it will make the election process more efficient to do away with an agency like this. It is a Federal agency that has long outlived its usefulness. And if we look at the people that are on the ground in the States, the Secretaries of State in each of our States, that NASS would pass a resolution, not once, but twice, that this agency needs to be done away with—we need to follow that great advice of those that are most intimately familiar with what's going on.

I urge my colleagues to vote in favor of this legislation.

Mr. HALL. Mr. Speaker, I am pleased that H.R. 672 eliminates wasteful spending in a responsible way. In particular, H.R. 672 would transfer the Election Assistance Commission's Office of Voting System Testing and Certification to the Federal Election Commission, while maintaining the National Institute of Standards and Technology's (NIST) current role in the accreditation of laboratories to test voting equipment. The bill continues the formal mechanisms for input into the development of Voluntary Voting System Guidelines (VVGs) by maintaining the current Technical Guidelines Development Committee (which NIST, chairs), and replaces several committees with a streamlined 56-member Guidelines Review Board composed of state and local election officials and other key constituencies including federal representatives.

The Committee on Science, Space, and Technology is the Committee of jurisdiction over the scientific and technological aspects of voting reform including research, development, and testing of voting machine standards. These responsibilities have been assigned by the Help America Votes Act (HAVA) of 2002 to NIST. Within HAVA, the Science, Space, and Technology Committee created provisions to ensure that proper technical standards would be developed to improve voting technology and that a reliable system would be set up to test equipment against those standards. These activities allow states and localities to participate in the standards development process and to trust the systems they choose to invest in. Both are preserved in the legislation we are considering today.

I thank Representative GREGG HARPER (R-MS) and his staff for recognizing the importance of maintaining a pathway for the development of voting standards and ensuring the quality of voting equipment in H.R. 672.

Mr. COFFMAN of Colorado. Mr. Speaker, I rise in support of H.R. 672.

Today our national debt is 14.344 trillion dollars. Any time we have the opportunity to save taxpayers \$33 million over five years, while improving the efficiency of our federal government, we should take it.

Those against this bill have said that elections officials from across the country have called for the agency to be protected. Well, I happen to have been a Secretary of State for the State of Colorado, and I am calling for this Agency to be eliminated. In fact, the National Association of Secretaries of State has passed

two resolutions calling for the EAC's termination.

The EAC's election research function is obsolete. It has completed 4 of the 5 federally mandated election studies, and the one outstanding study is six years overdue and mired in interagency controversy.

The agency spends over 50% of its budget on administrative costs. EAC's budget request for 2012 is for 5.4 million dollars to manage programs totaling 3.4 million dollars.

The EAC does not register voters, nor does it have any enforcement authority over laws governing voter registration.

This bill will transfer the EAC's remaining valuable service, its voting system testing and certification program, to the Federal Election Commission (FEC), which is better equipped to perform these functions more efficiently.

It is time to, as this bill does, terminate the EAC promptly and responsibly.

Mr. BLUMENAUER. Mr. Speaker, today I voted against H.R. 672, a bill that ends the Election Assistance Commission (EAC), an independent and bipartisan commission whose main function is to improve and oversee elections in the U.S.

This bill would transfer much of the EAC's responsibilities and funds to the Federal Elections Commission (FEC), whose main priority is not election administration, but rather enforcing federal campaign laws. In a letter to the House Administration Committee, the FEC noted that they could "contract with outside groups to fulfill aspects of the EAC's responsibilities." Facilitating free and fair elections is an inherently governmental function that should not be outsourced.

The world's leading democracy should not affix a price on free and fair elections, but that is exactly what Congress does in this legislation. In effect, H.R. 672 says that preventing another crisis like the one we saw during the 2000 presidential election—where millions of Americans did not have their ballots counted due to failed voting machines—is too expensive and is not a priority.

It is deeply ironic that just as Florida—the state responsible for the bulk of voter complications in 2000 that prompted Congress to pass the Help America Vote Act—signs into law onerous voter registration requirements, Congress is dismantling a bipartisan solution that helped ensure the effective administration of elections.

This is a politicized bill that is well wide of the mark of true government reform. Simply repealing the EAC, like Republicans did with the Presidential Election Fund earlier this year, further undermines America's democracy and is a step in the wrong direction. I oppose this legislation.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in opposition to H.R. 672 "Election Support Consolidation and Efficiency Act." This bill seeks to amend the Help America Vote Act of 2002 to terminate the Election Assistance Commission (EAC), the EAC Standards Board, and the EAC Board of Advisors 61 days after enactment of this Act. It also requires that the Director of the Office of Management and Budget (OMB) perform EAC functions with respect to certain existing contracts and agreements during the transition period for finishing EAC affairs.

I oppose this bill because it undermines the intent behind the Help America Vote Act. Let me remind those who have forgotten of the chaos in the days following the election of 2000. Congress passed the Help America Vote Act in 2002 which helped create the Election Assistance Commission. The EAC was created to help state and local election officials use current technology and best practices when overseeing elections.

The EAC oversees voting-system testing and certification. The EAC tests and certifies voting machines for use in elections to safeguard against the problems of 2000 election in Florida; and creates voluntary voting guidelines for states, instilling confidence in the democratic process of this country for all voters.

The Commission also develops and fosters the training and organization of more than 8,000 election administrators throughout the nation.

The EAC's certification program is helping state and local governments save money by using its oversight role to coordinate with manufacturers and local election officials to ensure that the existing equipment meets its durability and longevity potential. This saves state and local governments from the unnecessary expense of new voting equipment.

The Commission plays a major role in collecting accurate and comparable election data.

Living in a nation guided by the spirit of democracy and by which the American people are the voices for change, I do not see how H.R. 672 can continue this legacy. Without the EAC, there would be no federal agency focused on improving the quality of elections. With this, the American people will lose faith in our democracy and, to tell you the truth so will I.

The American people have not forgotten the chaos of the 2000, and let us ensure that this Congress remembers those troubling days as well. We must never forget the feeling of fear and uncertainty as the fabric of our democracy and our faithful constitution was put to test. I feel for scores of votes in Florida, whose voices were not heard as fraud and corruption consumed polling stations. As a representative of Texas, a state of over 20 million people, I refuse to have any voice of Texas' constituents, or mine of the 18th district, be stifled by those who think otherwise.

In the society we live in, it is often those who cannot defend themselves or those with limited political power whose voices are often overshadowed. Among this group are oftentimes the poor, women, the uneducated, the inept, and the elderly. The EAC has worked tirelessly to end this trend. Through research, grant-making and the development of voting guidelines, the Election Assistance Commission is helping many groups gain their Constitutional right to vote, including racial and ethnic minorities, members of the Armed Services (especially those serving overseas), disabled Americans and senior citizens.

The EAC has worked to improve the accessibility of more than 37 million disabled voters with disabilities.

It also has worked to create electronic voting systems for our brave men and women in uniform fighting overseas so that they are able to vote abroad.

Considering my belief that the termination of the EAC would untangle progress our democracy has made in bringing uniformity and equality among states in the voting process, I strongly urge opposition to this bill. If the EAC is terminated, it is very likely we will see many more elections like the election of 2000. If we care about the legacy of our democracy and our constitution, I urge opposition to H.R. 672.

Ms. RICHARDSON. Mr. Speaker, I rise in strong opposition of H.R. 672, the Election Support Consolidation and Efficiency Act, which eliminates the Election Assistance Commission, EAC. I oppose this legislation because terminating the EAC risks reducing the voting and civil rights of our citizens—rights for which many have given their lives.

The EAC is charged with developing standards for voting systems, and this precedent-setting work has been recognized by nations around the world. The EAC's certification program uses its oversight role to coordinate with manufacturers and local election officials to ensure that existing voting equipment meets durability and longevity standards. This relieves states and local governments of burdensome costs of acquiring new but unnecessary voting equipment.

Several countries are so impressed with our system that they have signed agreements with the EAC for technical assistance as they develop their own voting system standards and certification procedures.

The EAC has also played a central role in improving the accessibility of voting for the country's more than 37 million voters with disabilities. We still have a long way to go to achieve the Help America Vote Act's mandate to make voting accessible and the EAC's leadership is essential to continuing the effort to offer all Americans the right to vote "privately and independently."

Mr. Speaker, it is worth recalling that the EAC, an independent bipartisan commission charged with improving the conduct of elections in America to ensure that every vote counts, was born out of the 2000 presidential election fiasco with its unforgettable contributions to the political lexicon: "hanging" chads, "pregnant" chads, "dimpled" chads; "butterfly ballots"; and "voter intent."

In response to the 2000 debacle, the EAC has performed valuable work to ensure the reliability and trustworthiness of our nation's election systems. It has played a central role in collecting accurate and comparable election data. With our nation's complex and diversified election administration system, central data collection is essential if we are going to improve our citizens' trust and confidence in election results. EAC develops and fosters the training and organization of our nation's more than 8,000 election administrators.

Terminating EAC is not only an invitation to repeat the embarrassment of the 2000 presidential election, but it breaks faith with those who labored long and risked much to secure the right to vote for all Americans, particularly African Americans and other minority groups.

Mr. Speaker, if you believe every vote counts—and every vote should be counted—then we must preserve the EAC and oppose this legislation.

It is also important to note that abolishing the EAC would simply shift costs to the Federal Election Commission and local governments, not save taxpayer money. The FEC is not an agency that can make decisions in a timely and responsive fashion due to its partisan divisions. Consequently, transferring the functions performed by the EAC to the FEC is inconsistent with the national interest in ensuring election integrity, improving voter access to the polls, and enhancing the quality of election systems.

For these reasons, I strongly oppose H.R. 672 and I would urge my colleagues to join me in defeating this misguided and reckless legislation that puts the integrity of our election systems—public confidence in election outcomes—at risk.

Mr. HARPER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and pass the bill, H.R. 672, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GONZALEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 2000

THE WAY IT IS ON AMERICAN INVOLVEMENT IN LIBYA

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the war in Libya continues. It is the third war the United States is in. In my opinion, this war is unconstitutional because Congress has not approved it. It also violates the War Powers Resolution, because even after the time limit has expired, the President still engages troops overseas without congressional authority. And this war is not in the national security interests of the United States. Administration officials say so.

This is a war that is sponsored by NATO. It is said we need to help NATO out. Well, if NATO wants to continue this war, let them. The United States is footing this bill, and it has cost us \$750 million already.

The President says Muammar Qadhafi is a bad guy and he has got to go. We don't know what is going to replace him. We may have an oppressive regime replaced by an extremist radicalized regime. Who knows? But this war is not in the interests of the United States, and it is now Congress' responsibility to cut off the funds for

this war, because this war violates the United States Constitution and it is not in the security interests of the United States.

And that's just the way it is.

MARINE SGT. JEREMY E. MURRAY POST OFFICE

(Mr. RYAN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor Marine Sergeant Jeremy Murray.

Today on this House floor we renamed the Post Office in Rootstown, Portage County, Ohio, where Jeremy grew up. He served our country during several tours to the Middle East, and at 28 years old he lost his life.

His mother has worked at this post office for 11 years, so it was a special day today for us to, in a very small way here in the House of Representatives, say "thank you" to him for his service and to thank his parents, Pam and Harold, for raising such a great young kid who would be willing to go off to war because his country asked him and serve us in such a noble way.

So, today I rise to say thank you to Jeremy, thank you to his parents, thank you to Rootstown, and thank you to Waterloo High School that instilled in him these values, a terrific young man whom we honor here today and we honor with this post office.

STANDING BEHIND NORTH DAKOTA RESIDENTS AFTER DEVASTATING FLOODS

(Mr. BERG asked and was given permission to address the House for 1 minute.)

Mr. BERG. Mr. Speaker, today the residents of Minot, North Dakota, and the surrounding communities are preparing for a devastating flood that is going to impact their cities. The water levels in the Souris River have never reached the levels that they will reach in the next 24 to 48 hours. Many parts of the city and the surrounding rural areas will be inundated with water as water levels rise above the current levels. More than 10,000 residents have already been evacuated.

In North Dakota, we pull together in challenging times and we support our friends and our communities. The city and people around Minot need to know that, when the water recedes, we will be there to help. We will be there to clean up, and we will be there to rebuild.

I ask everyone to please join me in keeping these residents who are fighting for their homes and their communities in your thoughts and prayers and to stand with Minot and other communities up and down the Souris River to ensure a strong recovery.

REPUBLICAN WOMEN ON JOB GROWTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Washington (Mrs. McMORRIS RODGERS) is recognized for 60 minutes as the designee of the majority leader.

Mrs. McMORRIS RODGERS. Mr. Speaker, it is with tremendous pride that I stand with my fellow Republican women on the House floor tonight. We stand before you from every corner of America, as businesswomen, nurses, physicians, farmers, mothers, educators, and attorneys to tell you the story of the Republican woman.

While our backgrounds and professions may be different, one thing is not: We are all conservative reformers committed to leaving America better for our children and grandchildren. After all, women in this country know better than anyone the effects of harmful economic policies. Why? Because two out of three businesses are started by women. Women-owned business are the fastest growing segment in the United States economy and they generate over \$2.5 trillion in revenue a year. Women manage 83 percent of household income, spend two out of three health care dollars, and make up the majority of health care providers in America.

Women are at the center of this debate, and the House Republican women are committed to leading it. But at a time when our country has accumulated over \$14 trillion in debt and faced 28 consecutive months of unemployment above 8 percent, we know this is not an easy task. Yet despite the obstacles and the opposition, House Republican women are committed to fighting this fight, to creating jobs, to making America what she once was—the land of opportunity, innovation, and ingenuity. And that is why we are all here. That is why we ran for Congress and why we stand in the Halls of Congress; some of us for many years, others are brand new, all of us bound by the commitment to real reform.

We have seen the numbers. Eighty-one percent of Americans know someone without a job; the average unemployed American has been searching for over 38 weeks; and since President Obama took office, we have lost over 2 million jobs in this country. We refuse to sit here and watch those numbers rise.

As eastern Washington's Representative, I ran for Congress 7 years ago to help keep that American Dream alive. I spent 13 years working beside my mom and dad and brother in our family-owned business in Kettle Falls, Washington. I was the first in my family to graduate from college, and I later had the honor of serving as State Representative, while continuing to work in our family business and learning firsthand the value of hard work,

the value of opportunity. From the fruit stand in Kettle Falls to the Halls of Congress, I am here years later because I refused to let that opportunity be threatened.

I come home every night to two beautiful children, Cole and Grace, and I want them to have the opportunities that I have had. I want them not only to know the American Dream and what it is, but I want them to have the opportunity to live it.

America stands at a crossroads like never before in our Nation's history. Last year at this time the administration was talking about a recovery summer. This year we should be talking about a reality summer. The reality is clear and it is unprecedented. I was just home in Spokane, where unemployment is over 9 percent and there is one thing on the forefront of everyone's minds—jobs.

So, tonight we Republican women are here to remind the American people that creating jobs is our number one priority. Our GOP plan for job creators will empower small businesses, fix the Tax Code, encourage entrepreneurs, increase competitiveness, and pay down America's national debt. We will stand on this House floor, debate in committee hearings, work with our colleagues across the aisle, and continue to listen to those at home until we get Americans back to work. And we will. We are on the road to economic recovery, and the House Republican women are committed to ensuring that we get there.

With that, it is with great pleasure that I would like to yield to the dynamic woman from North Carolina.

Mrs. ELLMERS. Thank you so much to my colleague from Washington, and thank you, Mr. Speaker, for allowing us tonight to come as Republican women to speak out to the American people.

I came to Washington as one of the new freshmen here, and I am very honored to be part of this group. We are a group of women who believe in our country. We believe in the right of every American to achieve. There are no guarantees, but if you put your mind to it and you work hard, everyone can achieve.

I, too, came from a family that was not wealthy. My parents did not really see the value in a college education. I am a second generation American here in the United States, and I am first generation college educated. I basically put myself through college and nursing school with many different jobs. I became a nurse, and I have been a nurse for over 21 years and am very happy to be so. I am a wife and a mom. My son, Ben, is 16 years old.

When health care became such a huge issue in this country and when our President spoke about changing it, the best health care system in the world, I knew that that was not only going to

be detrimental to health care but also the economy, because it is such a large portion of our economy. So I put myself forward to run for office, because I believed that if you are going to change things in Washington, you have to change Washington itself. So here I am, proud to be serving with these great women.

We have many, many issues in this country right now that we are faced with, and we need jobs. Unemployment has been above 9 percent for over 23 months now. Yes, our colleagues across the aisle put forward their plan over a year ago. That plan has failed, and it is time for a new plan.

As a woman, being a multitasker, Mr. Speaker, as you know how wonderful women are, we can put our minds to it and we can solve these problems.

□ 2010

Speaking as a nurse, I've always taken care of many patients, but none more dear to me than my seniors. And what they are faced with today because of the destruction that has been put forward by our Democrat colleagues across the aisle in ObamaCare, it has truly done just that—destroyed it. And it is our job to rescue it back for the American people so that it will be there for our seniors and it will be there for generations to come.

As it is right now, \$500 billion has been taken out, and a 15-person panel will be put in place to decide what kind of health care you receive. That right will be taken away from you and your physician. Imagine a group of individuals without any health care background whatsoever deciding for you whether or not you'll be able to have surgery or whether or not you'll be able to have a treatment. Imagine trying to explain that to your family. Imagine sitting at the bedside of your loved one and telling them that, No, I'm sorry, your doctor cannot do surgery on you, and there is no way that we can appeal it. That is what has been put in place by ObamaCare, and we are determined as Republican women to pull back on this.

We spoke about jobs. My colleague from Washington has a wonderful illustration of what we need to do. That is the answer to the problems that we face here in America today. And as a woman, I am dedicated, as are my colleagues, to doing just that.

Again, in closing, I'll just say that it is an absolute and incredible honor to be here—and I am getting emotional—with my fellow women who are going to stay tonight and speak to all of you out there in America about the importance of being a good conservative woman and how much we all, if we work together, can come up with the answers to our problems.

Mrs. McMORRIS RODGERS. I'd like to yield to the gentlelady from South Dakota.

Mrs. NOEM. I appreciate that.

Mr. Speaker, I rise this evening to join my fellow female colleagues and Members on this side of the aisle to highlight exactly what it means to be a Republican woman.

Mr. Speaker, I grew up in a family that didn't believe that there were certain tasks for boys or certain tasks for girls, but that we all did it all. My dad taught me how to drive a semi-truck and a combine, just like he did my brothers. I was expected to help with the chores even though they were tough and they were often dirty ones. I grew up thinking that I could do anything that the boys could do, and that way of thinking has certainly stayed with me. Over the years, I helped run our family businesses, including the farm and the ranches. I helped run the family restaurant and our hunting lodge. Although our businesses never grew so large that I was one of the women who are a part of what controls now 51 percent of the New York Stock Exchange, I always remembered what my dad said, and I always remembered that I could work just as hard as the guys could. My contribution was always just as valuable.

A few years ago, with young kids, raising them still at home, I saw that we needed someone with business experience, someone with common sense and age experience to serve in our State legislature. So I ran and won a seat there. I realized that if I was going to be there and spend time away from my family and away from my businesses, I wanted to be as effective as I possibly could. So that meant running for a leadership position.

So in my second term I became the assistant majority leader in the South Dakota State legislature. I soon realized that the place that really needed a person with common sense and business sense and a place that really needed someone who had worked in agriculture and run businesses and someone who isn't afraid to roll up their sleeves and get to work was in Washington, D.C.

So I ran for Congress last year on the platform that we need people to represent us who have real-life experiences; who have experience running businesses, balancing checkbooks, dealing with regulations, and paying taxes. I didn't run because I was a woman, and I didn't expect people to vote for me because I was a woman. That had never even entered into my thought process, as the person I was running against was also a woman. I worked to earn each vote in talking about what was important in this country, in talking to folks about our life experiences and my position on the issues. That's what I knew mattered to South Dakotans, and that's what mattered to me.

Mr. Speaker, my agenda, the Republican agenda, is indeed pro-women. It is

pro-women because it's pro-small business, pro-job creator, pro-family, pro-economic growth. You see, just as my dad taught me years ago, women in my home State of South Dakota and all across this country, we care about the same things that men do. They're worried about the security of their jobs; they're worried about their children's future, and they're worried about finding a job if they need one.

We're worried about the excessive spending that this country is engaging in and the overwhelming debt that we're continuing to accumulate and that we're going to leave to our children and our grandchildren. We're worried about what new government regulation is going to come in and hinder our businesses and what is around the corner that's going to try and control our portion of our lives or hurt our small businesses on the street corner.

Mr. Speaker, our Republican Conference has rolled out a jobs plan. It's pro-woman and it's pro-man because it does exactly what we need to get our economy back on track. It cuts burdensome regulation; it fixes the Tax Code; it increases American competitiveness, and it maximizes our production of American-made energy.

I would like to close by thanking all of my colleagues for this opportunity to speak on the House floor tonight on what it means to be a Republican woman and what it means to be someone who serves here with common sense, business experience, and life experience, who cares about our children and grandchildren in this country. I would like to thank my colleagues as well for organizing this special hour. It has been my honor to serve and to speak and to share this evening with you tonight.

Mrs. MCMORRIS RODGERS. Next, I'd like to yield to the gentlelady from Florida.

Mrs. ADAMS. Thank you. I, too, want to join my colleagues here tonight. And like my distinguished colleague from South Dakota, my father always taught me that you can do and be anything you would like as long as you're willing to work hard for it. It had nothing to do with your gender. It's just as long as you're willing to work hard for it.

So I took this to heart, and it is something that has stuck with me throughout my life whether it was when I joined the Air Force at 17 or when I was a single mother working two jobs trying to keep food on the table, or as a person who was working during the day and paying my way through the police academy at night or later on as a State legislator and now as a Member of Congress. I know what it's like to struggle, and I understand how difficult it is for women and families across this Nation during these tough economic times. I never aspired to be in public office, but a strong

sense of justice and a love and an appreciation for our great country led me to where I am here today.

I ran for the Florida legislature years ago after I lost my second husband in the line of duty as a deputy sheriff because I was always there testifying on behalf of victims' and citizens' rights issues. One year I couldn't believe what I had heard, and I got involved so much with legislation that had passed that I felt it tied my hands as a police officer to do what I was sworn to do, and that was to protect and serve the community I was hired in in Orange County, Florida. So I decided to do something about it. I ran and was elected to Florida's 33rd district.

Eight years later, as I was preparing to come home and retire and be back and reacquaint myself with my family, I witnessed what a lot of people, a lot of families witnessed throughout this country—and that was our country was accruing an astronomical amount of debt. They were recklessly spending taxpayers' hard-earned money, and the passage of the Obama health care plan and rapid unemployment in Florida and across the Nation was just too much to bear. So I knew our country was heading down the wrong path—an unsustainable path—and something needed to be done.

The trajectory of the Nation's fiscal path was clear. Like so many mothers across this country, I saw the future of our Nation and especially our children's future at risk. I couldn't sit by and watch as our country continued down this reckless fiscal path. I had the strong desire to change our Nation's course, and that's what led me to this Nation's Capital.

The truth is that our Nation expects more from its leaders in Congress. I came here to make a difference—to remove the barriers to job creation that have been imposed by this administration's addition to spending, taxation, and regulation. Only by giving more power back to the families and small businesses that make this great Nation can we put our economy back on a sustainable path and help the private sector put people back to work.

I made a promise to the men and women in District 24 that I would fight to end the spending-driven debt crisis that led to our Nation's dire economic state. I will continue to keep this promise, and I will continue to fight for families across this country by working towards fiscal responsibility, lower taxes, and by removing job-killing regulations that have stifled our Nation's economic growth for far too long.

□ 2020

We need to get our people back to work. We want jobs, and that's what we are fighting so hard to do. As Republican women, we understand, and we will continue to fight to empower

small businesses and to reduce the regulation that is hurting our businesses.

Mrs. MCMORRIS RODGERS. Let's hear from the gentlelady from New York.

Ms. BUERKLE. First of all, let me thank my colleague from the State of Washington for hosting this very special and important Special Order.

When the Obama administration took office, many Americans were so concerned that the administration was too inexperienced to know how to even govern this country; but we soon understood that they were too mistaken to learn and too arrogant to care.

Americans continue to see the unveiling of various provisions of the President's health care bill, such as the creation of the Independent Payment Advisory Board to ration health care, a disastrous half trillion dollars in Medicare cuts for new benefits, the betrayal of our friendship with Israel, and the willful pursuit of Libyan "kinetic action" in opposition to the wishes of the American people and in defiance of the War Powers Act. We have been betrayed by the choices of the leaders we depended on to steer this ship safely through troubled waters.

But I have hope, just like the other Republican women here tonight, that while we have to accept the Democrat leadership's choices for a time, nothing says we have to live with them. I am here in Congress because I have watched the American Dream become increasingly fragile, and I said to myself over a year ago that I would not sit this fight out. Mr. Speaker, this is a fight. This is a fight for the very United States we love so dearly.

Both sets of my grandparents came here from Italy. They worked hard; they raised their families, and they gave back to their communities. My presence in Congress, really in so many respects, just like so many of my colleagues', embodies the American Dream. I am a registered nurse, an attorney, and for the last 13 years have represented a teaching hospital. I am the mother of six children and a grandmother of 11. Mr. Speaker, I am a proud Republican woman.

We Republican women stand here tonight not as an anomaly; we represent millions of Republican women who say that we are not going to accept being marginalized because of our political party. We are real women. We are real Republicans. We are here to restore the American Dream.

Mrs. MCMORRIS RODGERS. Next, I would like to yield to the gentlelady from Illinois.

Mrs. BIGGERT. I thank the gentlelady for having this tonight.

Mr. Speaker, I thank all of the Republican women who are here and especially the freshmen because they have brought so much enthusiasm, so much talent, so much intelligence to this body, and it really has been such a help to us.

When I was elected to Congress, I was the only Republican woman to be there. It was kind of lonesome, so I thought, well, at least I can be the president, the vice president, the treasurer, the secretary of the freshmen Republican women that year, but there was nobody else to be there with me, so I had to do it all alone. I've been here a long time. This is my 13th year. To see what has happened and the enthusiasm and what is going on and the changes that are happening is incredible.

I came from a family where my father was the first to go to college. His parents had emigrated from Finland even though they were Swedish. He went to college, but he always said to my three siblings and me, You can do anything you want to do if you get a good education; but he made one mistake, maybe, because he said he would pay for it. So my older sister went to medical school; I went to law school; my brother went to law school; my sister got her master's in Latin and Greek, but she doesn't use that too much anymore.

So that was true, because I never, never expected that I would be in Congress. I never expected that I would be a lawyer. In fact, I went to a wonderful school—Stanford for undergraduate—and then applied to law school. For my first year, I went to the University of California; and the first thing that greeted me was a professor who said, You're taking the place of someone who belongs here, which was a man. That really has changed my life, because I excelled in everything I did. I transferred law schools, by the way, and went back to Illinois.

My first job out of law school was clerking for a judge in the U.S. Court of Appeals for the Seventh Circuit. The reason I got it was that a young man from a different school where the judge had always hired—the judge didn't particularly like him, so he called over to Northwestern, and they sent me over there, and that's how I got that job. I continued in the legal profession, but I found that I got involved in a lot of volunteer work along the way, too—being chairman of boards and whatever and then running for and being elected to the State assembly.

The reason I wanted to go into the State assembly and into Congress was from what I learned from volunteer work—and from having four children, first of all, and then from being president of the high school school board—because I wanted my children to have the best education; and the way to do that is to get involved and to participate as with all of the others, like being chairman of the Visiting Nurses Association of Chicago, and I got into Medicare and Medicaid. So all of these things led me to want to go into Congress. I was asked to do those things. Then finally, when a seat opened up in

Congress, I said, I'm going for this. I was elected, and I've been here and on three committees that are really important still—with the Financial Services, the Education and Labor, and the Science Committees.

Let me just talk a little bit about trade because, as has been said by so many Members much more eloquently than I, government does not create jobs; it's the private sector; but government needs to act to reduce and get rid of the barriers that we have put on so many of the businesses so that we can have economic growth so that we can have those jobs. One way is to look at the trade issue.

We cannot have protectionist trade policies. Free trade agreements are one of the many ways to improve all American standards of living and to get our economy back on track. The administration has three trade agreements that are on the shelf, already negotiated and all ready for approval—Colombia, Panama and South Korea. These trade agreements alone have the potential to create 250,000 jobs for Americans in America. What has been so concerning is that the President has not acted, and a failure to act means that we will continue to lose sales and jobs to other countries which do not face the trade barriers that our goods and services are facing. On many products, tariffs would come down immediately upon the enactment of these agreements, giving a boost to exports and jobs.

Let me just tell you about one company that has trade with Colombia. It's a big company with big, big machinery; and every time they send one of those pieces of machinery into Colombia, it's a \$200,000 tariff, which shouldn't be there, while we have open doors and while we have trade that can come here.

We have wasted so much time. We have wasted at least 2½ years for not doing this. I think, with these trade agreements, such an increase would provide a tremendous boost to the national economy, especially to my home State of Illinois, where we rank No. 5 in the exporting States for manufacturing and agriculture products. So I would encourage the administration to immediately send up those trade agreements. Doing so would immediately put people back to work and provide a much needed boost to our economy.

I thank all the women who are here today, and I thank you for doing this and for giving us the opportunity.

Mrs. McMORRIS RODGERS. Thank you. A great point.

Next, I would like to yield to the first woman from Alabama.

Mrs. ROBY. Thank you so much, and to the gentlelady from Washington, I appreciate so much the opportunity.

What an honor and a privilege to serve with each and every one of you and to be here on the floor tonight to

just share with Americans about who we are and what we stand for and why we are here.

The question that I'm most often asked in the district and certainly here as well is: Why in the world would a 34-year-old woman with a 6-year-old and a 2-year-old run for Congress?

I will tell you that Margaret and George, my two children, are the very reasons that my husband, Riley, and I decided to enter into the race for Congress to represent Alabama's Second District: because we are committed to leaving this country, the best we can, in better shape for our children than it was for us. That's why we're here—and what a privilege to serve.

□ 2030

In college, I studied music and thought I was going to work in the music industry and went to law school to further those aspirations, where I met my husband, Riley, and we were married shortly after law school and we both went into private practice.

About 2 years practicing law, I was watching the news one night, and my predecessor on the city council said that she wasn't going to seek reelection, and I felt this lurch in my stomach. It was just really a gut check moment for us. I tapped Riley and I said, That's what I need to be doing. I want to serve my community.

Of course I had a wonderful example in both of my parents. My father is a public servant and my mother served in many capacities as a volunteer in our community all growing up, and I think that gave me that sense of urgency of wanting to be involved in my community. Riley and I didn't have children yet, but we knew we wanted to, and I thought, if we're going to live in this city and in this State and raise our children here, then we want to be a part of it.

I served 7 years on the Montgomery city council, and shortly after my son, George, was born—he was 8 weeks old—we started praying about this opportunity to run for Congress, to serve Alabama's Second District and our country. So little George was 8 weeks old, and I felt as a mom of these two small children and as a wife that I had something to bring to the table, that it was an opportunity to bring a perspective as the one that runs through the grocery store and goes to the gas pump as to how much Americans are hurting with the lack of jobs right now. Again, what a responsibility and a privilege. Riley and I wake up every single day and know that we have a real responsibility to serve the people that we represent.

I recently had the distinct privilege of going with you, my colleague from Washington, to Afghanistan for Mother's Day. I serve on the House Armed Services Committee. What an honor to spend that time with our men and

women in uniform, but particularly the women that are serving overseas away from their children and particularly on that day. As a mom that's here in Congress, on a plane back and forth, doing my best to serve my constituents and my country, I realize, looking into their eyes, the tremendous sacrifice that they make, that what we do here doesn't even hold a candle to. It was truly an honor to get to spend that time in the war zone, to have a better understanding of what our men and women sacrifice for our liberty and freedom that we have right here.

I am committed to doing my part to help remove this cloud of uncertainty that is hanging over job creators in the United States of America. As I travel throughout my district—and all of you do—I hear story after story about what is the government going to do to us next. I was at a manufacturing company 2 weeks ago in the district where they put a \$1 million addition to their 700,000 square foot manufacturing facility, remanufacturing, only to keep up with the regulations that are imposed on them by the Federal Government. This is where we are. How in the world can we expect the private sector to be creating jobs when the heavy hand of government is that strong?

So I am committed to that, and I am committed to real reforms that will allow for the private sector to do what they do best. That is what our country was founded on. I am proud to serve my State and my country as a Republican woman, but more importantly as a conservative committed to doing my part to get our country back on track, not for the next election but for the next generation.

Thank you.

Mrs. McMORRIS RODGERS. Thank you.

Let's hear from the lady from Ohio.

Mrs. SCHMIDT. I thank my good friend from Washington.

Mr. Speaker, I rise today because I really want to say thank you to my parents for instilling in me the opportunity to live the American Dream. My father didn't have much as a child. He didn't even have an education. But he grew up in a place where he could live his dream. He knew if he worked hard that he could live and do what he wanted to do, and that was to provide for his family, buy a farm, own a business, and give us the opportunity to lead our lives in the way that we wanted to. I instilled that hope and that desire in my own daughter. Over 5 years ago, I decided to run for this office. It was March 23, 2005. I'll never forget the date. It was the day my daughter got engaged. As we celebrated both decisions, I realized the enormity in the decision that I was making. See, back then I realized that government was spending too much money, and we had to do something about it. But now that she is married and I've been here over

5 years and administrations have changed, I realize that we weren't spending as much then as we are today. The accelerated spending is really hurting our American Dream.

My daughter owns her own business, and she has two wonderful little children, but I fear that they won't be able to have the American Dream that she is trying to hold onto and that I was afforded by my own parents. And I look today and I say to myself, what has this administration done to help us move forward? A year ago, the President announced that in 2010, June 17, was going to be the summer of recovery.

How is that recovery going? Well, we're still over 9 percent unemployment. We spent over \$1 trillion in stimulus money to no effect. Our underemployment is at 19 percent. We have over 14 million people that are underemployed and looking for work and 9 million people have part-time jobs. But in addition to those statistics, our economy is not growing, and it's not growing because this government is getting in the way of the growth and it's with overregulation.

I worked with BOB GIBBS on one bill, H.R. 872, the Reducing Regulatory Burdens Act, which took an erroneous court decision and put it in its place. But it's more than just that bill that's in our way. As a mother and a grandmother, I'm alarmed at the USDA getting into my grandchildren's lunch boxes and into my pantry with overregulation, telling schools what they can provide for their students. They're taking potatoes out of the lunch room. It's not just eliminating potatoes to one cup a week, but it's the enormity of the burden of expense that's put onto our school system, over \$5 billion mandated to public schools, and most of that burden is on schools that can least afford it.

I could go on and on about the overregulation that is squelching the ability for our country to grow. I have a stake in this. Actually I have two. It's Michael and it's Anthony. They mean everything to me. I want those two wonderful little boys to have all the hopes and dreams that I had as a child fulfilled as an adult. I want them to have the same hopes and dreams that my daughter had fulfilled. I want what my father gave to me, the belief that with God and living in America, all things are possible.

We have to stop the overregulation and the overspending that is occurring in this country today. Our future is at stake, and it is serious. The Republican women in the House get it, and I applaud them for fighting with me for their children, for their grandchildren, but most importantly for my Michael and my Anthony.

Mrs. McMORRIS RODGERS. Next I would like to yield to the gentlelady from Kansas.

Ms. JENKINS. I thank my friend from Washington for yielding me some time.

My name is LYNN JENKINS, and I am a Republican woman in my second term from the Second District in Kansas. Before entering public office, I worked for over a dozen years in public accounting as a certified public accountant helping businesses and individuals with their tax planning, their tax compliance, and I did that so they could focus on what they did best and that was create jobs and be successful for their local economies.

I originally ran for office for the House of Representatives in Kansas, because I was frustrated by the burdens the State government placed on my clients and the families. As a member of both the Kansas House and the Senate and then as State treasurer for a term and a half, I was pleased to help Kansas work to secure sound economic policies.

□ 2040

But several years ago, I became increasingly concerned about the policies of the Federal Government and how they were holding back our citizens and our job creators. So I ran for Congress, and I am honored to be here this evening with my fellow Republican women to highlight the Republicans' plan to promote job growth.

Over 2 years ago when I came to Washington, my goal was to pass policies to stimulate the flagging economy and get us back on firm financial footing. Unfortunately, one of the first things the Democrat majority did at that time was to ignore our proposals for economic growth and choose instead to pass a stimulus package that we Republicans opposed. And just as we predicted at the time, it has failed.

Let's look at some of the facts. The White House advisers said that passing the stimulus would keep unemployment below 8 percent. The unemployment rate is currently over 9 percent, and it has been above 8 percent for more than 2 years. I've got a visual aid here that shows a new study by economists from the University of Western Ontario and Ohio State University found that the President's failed stimulus, the largest stimulus in American history, destroyed or forestalled roughly 1 million private sector jobs. Taxpayers will end up paying \$1.16 trillion for all the private sector jobs lost or forestalled by the Democrats' stimulus.

The facts tell us the total cost of the Democrats' stimulus, according to the nonpartisan Congressional Budget Office, to be over \$820 billion, and interest on the debt for the bill will be nearly \$350 billion for over a \$1 trillion pricetag. The number of net jobs the economy has shed since the Democrat stimulus was signed into law is reaching almost 2 million. In the last 12 months, entrepreneurs have started up

the fewest new U.S. businesses in more than a decade. The national debt has increased by more than \$3.5 trillion.

The Federal Government shouldn't be in the business of job creation. We should be focusing our efforts here in Congress on putting policies in place that encourage private sector job growth, and that's why I'm so proud of the Republicans and their job proposal that's before us. Included in the proposal are many reforms. Some include an opportunity to fix the Tax Code to help job creators; spur investment; create more American jobs by streamlining our Tax Code; by increasing competitiveness for American manufacturers; by reining in this unsustainable debt and start living within our means; addressing the issue of regulatory overreach; and encouraging entrepreneurship and growth.

So, tonight, along with my fellow Republican women from across this Nation, I'm calling upon our President and the Democrat majority in the Senate to work with us. Help us pass our jobs plan so we can get Americans back to work.

Mrs. MCMORRIS RODGERS. Great. Thank you.

Next, I would like to yield to my classmate and member of the Rules Committee from North Carolina.

Ms. FOXX. Thank you. I want to thank my colleague from the State of Washington, CATHY MCMORRIS RODGERS, for organizing this Special Order tonight, and Mr. Speaker, I am a Republican woman and so proud to be a part of this great group of women that we've heard from tonight.

Growing up in a poor family in rural North Carolina meant that there were many opportunities in life that simply weren't available to me. But there was one important opportunity that has always been available to me and to all of us, and that is living in the freest land on Earth, where working hard, taking chances, and persevering are catalysts for success.

I'm a Republican woman because over the course of my life I've seen how the incentive to succeed and the guarantee that the fruits of your labor are your own have shaped a people and a Nation that accomplishes great things.

Before I came to Congress, I worked in higher education and as a small business owner. Over the course of my career, I encountered good government and bad government. Each is a powerful force. Good government frees us to pursue ideas to invest our money as we see fit, to build, create, and grow a business or even to fail in our endeavors. As a small business owner, I also observed firsthand how government has the power to crush people under high taxes and oppressive rules, or it has the power to unleash creativity with a light touch and low taxes.

I came to Congress as a Republican because my life experience in business

and education taught me that, by easing off the rulemaking and the tax hiking, government can help foster an environment where hardworking, innovative, and dedicated people can succeed.

I'm a Republican because I want to be part of creating a Federal Government that is nimble, focused, responsive, and aligned with the Constitution. I believe that such a government will capitalize on our strength as a Nation of innovators and entrepreneurs by removing barriers to job creation and wealth creation.

As Republicans we're going to put our government on track to spend less and live within its means, just like women across the Nation do every day with their family budget. When government is right-sized, our economy grows and businesses create jobs.

We know that the Constitution guarantees the rights of the people, not the rights of the government, Mr. Speaker. That's why as a Republican woman I'm focused on making sure government doesn't stand in the way of the people, and that the laws we make here in Congress expand freedom, rather than expand government.

Mrs. MCMORRIS RODGERS. Thank you.

Next, I'd like to yield to the gentleman from Missouri.

Mrs. HARTZLER. Thank you very much, Mr. Speaker, and thank you, my friend from Washington State.

This is so exciting to get to be here tonight, to get to visit with the American people about what it means to be a Republican woman, and I am honored to represent Missouri's Fourth Congressional District, and as I share with people about the great district that I get to represent, it's a story of the heartland.

Missouri's Fourth District, we are just made of small towns and farms, and we work hard and we hunt on weekends and go to church on Sundays, and we just want the government to leave us alone. And basically, what we have seen over the years is Washington getting bigger and bigger and pushing out the private enterprise and threatening our basic freedoms. And so that's what we have to push back against and restore America's greatness.

Who I am and the reasons I align myself with the Republican Party is a reflection of my background and experiences that I've had over the years. I wanted to share just a few of those things with you.

I grew up on a farm near Archie, Missouri, and my mom and my dad and my sister and I, we raised corn and soy beans and had a lot of hogs and had a cow/calf operation. And one thing that strikes me as very pivotal to my life is my parents in January would sit down and take several days cash-flowing the year, projecting forward what they thought the yields on the crops were going to be, the prices on the crops,

looking at the expenses, the payments that we had, seeing if we'd be able to make it all work. And after a few years, my mom and dad called my sister and I over and said, you need to sit here with us and learn this process.

Well, I can tell you, as a little kid, that wasn't the most exciting way to spend our evenings, but it was a wonderful experience because we learned how hard it was to make everything work and to pay for everything and to live within your means. And I learned that you can't spend more than you take in. I learned fiscal responsibility that is so much a part of the Republican Party, and what we're here trying to do is to restore that because Washington keeps spending money that it doesn't have, and we can't do that at home. We don't do it on our farms. We don't do it in our businesses, and it's time that Washington learned some lessons from the heartland and from ordinary families like mine.

□ 2050

Something else I learned on the farm is that hard work pays off usually. Of course there are a lot of things dealing with weather and other things that you can't control. But one thing lately that you can't control is the amount of government regulations that are threatening agriculture. Now the EPA is trying to regulate dust. Well, I still live on a gravel road. And I have news for people at the EPA: If you farm, if you drive down a gravel road, you are going to get dust. So don't try to fine us or tell us that we can't have that. That's just a lack of common sense. So Washington needs to listen to us ordinary people and not do that.

Something else I learned growing up was a love of our country and a respect for our military. My dad served in the U.S. Army Reserves. That really made a huge impression on me, that he was willing to serve his country. And all of those brave men and women who today are putting their lives on the line for us deserve our highest respect. According to the Constitution, there are only a few things we're supposed to do, and one of them is to provide for the common defense. And I'm so honored to sit on the House Armed Services Committee, where I can work hard for those men and women and keep our country strong and safe and secure.

I grew up and became a teacher, and I taught home economics. Now they call it "family and consumer sciences." I love that. I chose that profession because I believe in the family, and I want to make it as strong as possible, and I love young people. One thing I taught was a class dealing with finances in the home. I taught the kids how to balance a checkbook, and kids got it. I would say, You can't spend more than you take in. They understood it. And I don't understand how come Washington doesn't understand

that same principle. So that's what I'm trying to bring here, how we need to have a balanced budget. And that is one thing the Republicans are fighting for.

I also taught a class called food services. It was a vocational class where we actually—I trained them in how to have a job. And a lot of food service jobs are beginning career opportunities for young people, and they can move forward. But I taught them, if you work hard and you do an excellent job and become skilled in what you do, you can move forward in life. And in America, anything is possible. I want that to still be the mantra that we share with our young people today, and make sure we preserve the opportunity that we had.

Later I was a State representative. And then after that, the Governor appointed me as chairman of the Missouri Women's Council, and I enjoyed that for 2 years. In that council, as an agency in the Department of Economic Development, we helped women connect with and meet their economic goals, and that's jobs. You know, Mr. Speaker, women are starting businesses at twice the rate of men, which amounts to 400 new businesses every day that are started by women. And women-owned businesses are the fastest-growing segment of the United States economy. There are 10.6 million businesses owned in the United States by women that employ over 19 million American workers, and women-owned businesses generate some \$2.46 trillion in revenue each year. Women are smart. They're able to own their own businesses, and we here in Washington need to help them meet those goals, not provide hindrances for it. And clearly from the last speaker, you see that President Obama's plan has failed. Throwing money at something does not create jobs. There is a better plan.

I'm also a small business owner now. My husband and I own a company where we sell farm equipment. We employ about 50 people, have three stores. So I know the challenges of day-to-day operating a small business in America. Most jobs in America are created by small business owners, the same people that President Obama is trying to tax. What he doesn't understand is that if you tax job creators more, they're not going to have money to be able to hire a worker. It doesn't make sense. We've got to change course here.

A couple of stories, quickly, I wanted to share with you from businesses in my district reflect how the policies here in Washington are killing jobs. One is, when I was on the campaign trail a couple of years ago, I met with a business who told me that they wanted to open up a second location. Things were going pretty well. They had about 30 employees at the time. But they asked about this new health care bill that was being debated, that the Presi-

dent was pushing through. And they said, If this passes, our business will fold. We provide health care for our employees as much as possible. We provide them a stipend so they can go buy their own policies. But if this bill passes, we can't afford that. So they told me they have decided not to open up a second location because of the government's takeover of health care that Washington was forcing down the throats of Americans. That is tragic because in this town, there are hundreds of people out of work. And it broke my heart that what is going on here in Washington was directly causing people to be unemployed back home.

Another example: I've been visiting with a lot of companies in my district that manufacture goods. And thank goodness we still have a lot of manufacturing jobs here in America. But as I visit with them, they share with me the hurdles that they're having to overcome just to stay open because of Washington's policies of high taxes and regulations. Their competition is overseas. And they've told me, VICKY, we do not want to move to China. We do not want to take those jobs there. But yet if we move there, we're not going to have to pay near as many taxes, and we don't have to live by these awful regulations from EPA and all these other government agencies. So we're going to try to stay here as long as possible. But please, please help us get government off our backs. And I assured them I certainly would do everything that I can because, you know, as House Republicans, we know how to create jobs, and that's what we're putting forward.

We're putting forth a plan to lower taxes. We're putting forth plans to push back on these government regulations that are out there that are killing jobs, hurting our farmers. We are promoting trade overseas and want to get these trade agreements passed—and we're also getting rid of that huge uncertainty of debt that is hanging over our country and promoting a balanced budget, like my mom and dad did around the kitchen table at home, like I taught my kids at school how to do.

But the last thing that influences me is being a wife and mother. And that is what inspires me to continue to fight for faith, family, freedom, and our future. That's what we're all about.

Mrs. McMORRIS RODGERS. Mr. Speaker, I would like to yield to the inspiring Representative from Tennessee.

Mrs. BLACK. My name is DIANE BLACK, and I represent the Sixth Congressional District in Tennessee. I am hearing more and more from women in my district. More and more women are decision makers in their households. As a matter of fact, statistics show us that 84 percent of women are primary decision makers today. They set their budgets. They buy groceries. They take their children to school and to doctors,

and they also work outside the home. I hear from women all over my district who are on the front lines, and they say that the economy is making life tougher and that they are constantly trying to do more with less. They tell me that when they go to the grocery store, how much the rising food prices are cutting into what they buy. Gas is more expensive, and their budgets are shrinking, and their choices are limited because Washington is deciding for them.

As these past few years got harder, government stood in the way of our economy getting back on track. And in Tennessee, we have an unemployment rate of 9.6 percent. I also hear from women in my district whose husbands are looking for jobs, and these women are working two jobs to make ends meet, a struggle that is very real to me. As a nurse for over 40 years, I worked two jobs when my children were little and our family was trying to better ourselves, as my husband was working on his degree. I worked not only as a nurse, but I also had a school for children in my home. My fellow GOP women here tonight, we are all with similar stories of struggles and challenges and working hard for our families. Government needs to get out of the way and allow businesses to grow so that jobs are created and America gets back on track.

I am a Republican woman, and I am proud of that. I am proud to say that I am not only protecting children and their families but also am working to make sure that our country gets back on track so that we have jobs that will allow these families to be strong and grow.

□ 2100

I believe that I'm not only speaking for myself, but also for the women back home and across this country.

Mrs. McMORRIS RODGERS. I would like to yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman of the International Relations Committee.

Ms. ROS-LEHTINEN. I thank the gentlelady from Washington for yielding me the time. I'm inspired to hear my wonderful colleagues, proud Republican women, proud to be Republican, as well as plugging our gender because we have a very positive story to tell our country.

And as my wonderful friend, the colleague from the State of Washington, pointed out, my name is ILEANA ROS-LEHTINEN; and I represent Florida's proud and beautiful 18th Congressional District that covers from Bal Harbor all the way down to sunny Key West, 265 miles of coastal beach area.

And I'm a daughter, I'm a mother, I'm a grandmother, I'm a wife of a Vietnam veteran, a former educator and a former small business owner. I fled Castro's communist Cuba with my

parents when I was 8 years old. I'm proud to be a naturalized American, so Cuban by birth, American by choice. And I am also a Republican woman.

I entered public service after talking with my parents, with the parents of a school, a small private bilingual school that I operated along with my parents in Hialeah, a blue-collar working town of Miami-Dade County.

And after hearing from the parents of the school that I operated about their hopes and their dreams and the problems and the concerns that they had, I decided that the best way to help them was not just to help them individually, but rather to help them in a bigger way by being involved in the legislative process in order to change the policies that were causing them difficulties.

As we have said here tonight, Mr. Speaker, our Nation faces grave economic dissatisfaction and a sluggish economy and no job recovery. And Republican women understand and recognize the need for creative and bold solutions to get America moving in a positive direction once again so that small business owners, such as the LEANA ROS-LEHTINENS in south Florida, who have a small school or who have a small business, are not hampered by burdensome regulations that inhibit their growth.

And we know how small business suffers due to this growing bureaucracy and this unnecessary regulatory wrangling that goes on and that has occurred in the last few years, and the previous speakers spoke on this issue of the regulation that has run amuck.

So Republican women also recognize this economic prosperity cannot be created by government because small and medium-sized businesses are the engines that fuel our economy. So together, Republican women don't want to—we're in unison to say that we do not want to leave this burden, this financial debt, this deficit to our children and grandchildren. We want to leave them with a more prosperous and secure Nation. And that's why I'm proud to be a Republican woman.

Mrs. McMORRIS RODGERS. I'm proud to yield to my colleague from Washington State.

Ms. HERRERA BEUTLER. As the youngest woman in the U.S. Congress, I'm proud to be here tonight joined by my colleagues from across the Nation. And I'm here tonight to politely decline the anti-woman label that some who must not have better things to do have pushed our way, because the women here in this Chamber, the Republican women on this side of the aisle, as you've heard, are incredibly diverse. They're cops, attorneys. They've served, they're moms, some of them have served in public office like myself. There's a tremendous group of problem-solvers here and that's what we need.

We know that we need solutions, and the most important solution we can

find right now has to do with bringing more jobs to folks at home, making sure that we have good, strong American jobs that will support our families.

And as Congress looks for the job creation solutions that so many Americans are craving, I believe that we Republican women possess or bring a special skill to the table. One of my woman colleagues summed it up best when she said, women take technical problems and come up with creative solutions. We're simply better at looking at the issues from outside the box. I believe much of what she said, and I think that's one of the reasons that you see us here tonight fighting for the families back home, whether it's home in southwest Washington, where they've been out of work; where it's the mom who knows how much it costs to put gas in the tank, how much it costs for health care, for the education bills; who's worried about her older parents and making sure that they have access to health care; or thinking about her children and her grandchildren.

It's these women in and throughout our Nation who have really borne the brunt of this economy. So it's very important that we're at the table here tonight pushing back on that label, because we do represent those American women; and the solutions that we're bringing and that we're fighting for are going to make it so that those women who have dreams to start their own business, to plan for retirement, who want to see less of their hard-earned dollars going into the gas tank, those are the women we're standing up for tonight, and the solutions that we're bringing forward are going to help them help their families, help our communities, and help our country.

I recognize we have limited time here tonight, and I thank you for allowing me to share and stand up with these tremendous ladies.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2021, JOBS AND ENERGY PERMITTING ACT OF 2011, AND PROVIDING FOR CONSIDERATION OF H.R. 1249, AMERICA INVENTS ACT

Mr. NUGENT (during the Special Order of Mrs. McMORRIS RODGERS), from the Committee on Rules, submitted a privileged report (Rept. No. 112-111) on the resolution (H. Res. 316) providing for consideration of the bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities, and providing for consideration of the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent re-

form, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURTON of Indiana (at the request of Mr. CANTOR) for today on account of a family medical emergency.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The Speaker announced his signature to enrolled Joint Resolutions of the Senate of the following titles:

S.J. Res. 7—Providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9—Providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

ADJOURNMENT

Mrs. McMORRIS RODGERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 22, 2011, at 9:30 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2086. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bromoxynil; Pesticide Tolerances [EPA-HQ-OPP-2010-0268; FRL-8873-9] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2087. A letter from the Director, Regulation Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ethylene Glycol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0361; FRL-8870-7] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2088. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraflufen-ethyl; Pesticide Tolerances [EPA-HQ-OPP-2010-0426; FRL-8873-5] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2089. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans: Pennsylvania; Revision to the Inspection and Maintenance (I/M) Program — Quality Assurance Protocol for the Safety Inspection Program in Non-I/M Counties [EPA-R03-OAR-2011-0379; FRL-9314-4] received June 2,

2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2090. A letter from the Director, Regulation Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans: Pennsylvania; Revisions to Requirements for Major Sources Locating in or Impacting a Nonattainment Area in Allegheny County [EPA-R03-OAR-2009-0881; FRL-9308-9] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2091. A letter from the Director, Regulation Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia; Macon; Determination of Attaining Data for the 1997 Annual Fine Particulate Standard [EPA-R04-OAR-2011-0055-201136; FRL-9313-8] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2092. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations. (Kalispell, Montana) [MB Docket No.: 11-20] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2093. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination that a continuation of a waiver currently in effect for the Republic of Belarus will substantially promote the objectives of section 402, of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 112-37); to the Committee on Foreign Affairs and ordered to be printed.

2094. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-016, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2095. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-014, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2096. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-117, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2097. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-101, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2098. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Court Orders and Legal Processes Affecting Thrift Savings Plan Accounts received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2099. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule

— General Services Administration Acquisition Regulation; Rewrite of Part 570; Acquiring Leasehold Interests in Real Property [GSAR Amendment 2011-01; GSAR Case 2006-G508 (Change 48) Docket 2009-0017; Sequence 1] (RIN: 3090-A196) received May 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2100. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Contract Close-out [FAC 2005-52; FAR Case 2008-020; Item II; Docket 2009-0031, Sequence 1] (RIN: 9000-AL43) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2101. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-52; Item VI; Docket 2011-0078; Sequence 2] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2102. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-52; Introduction [Docket FAR 2011-0076, Sequence 4] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2103. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Oversight of Contractor Ethics Programs [FAC 2005-52; FAR Case 2010-017; Item V; Docket 2010-0017, Sequence 1] (RIN: 9000-AL92) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2104. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30781; Amdt. No. 3424] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2105. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30782; Amdt. No. 3425] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2106. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Gruver Cluck Ranch Airport, TX [Docket No.: FAA-2011-0272; Airspace Docket No. 11-ASW-3] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2107. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Livermore, CA [Docket No.: FAA-2010-1264;

Airspace Docket No. 10-AWP-23] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2108. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Idaho Falls, ID [Docket No.: FAA-2011-0023; Airspace Docket No. 11-ANM-2] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2109. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; McCall, ID [Docket No.: FAA-2011-0097; Airspace Docket No. 11-ANM-3] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2110. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Ozark, MO [Docket No.: FAA-2011-0432; Airspace Docket No. 11-ACE-8] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2111. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Propellers Model 247F Propellers [Docket No.: FAA-2009-0113; Directorate Identifier 2008-NE-25-AD; Amendment 39-16602; AD 2011-04-02] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2112. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Models DA 42, DA 42 NG, and DA 42 M-NG Airplanes [Docket No.: FAA-2011-0185; Directorate Identifier 2011-CE-002-AD; Amendment 39-16694; AD 2011-10-13] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2113. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 150, 152, 170, 172, 175, 177, 180, 182, 185, 188, 190, 195, 206, 207, 210, T303, 336, and 337 Airplanes [Docket No.: FAA-2010-1101; Directorate Identifier 2009-CE-013-AD; Amendment 39-16690; AD 2011-10-09] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2114. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Model MYSTERE-FALCON 50 Airplanes [Docket No.: FAA-2011-0042; Directorate Identifier 2010-NM-267-AD; Amendment 39-16695; AD 2011-10-14] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2115. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 and A310 Series Airplanes, and Model A300 B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No.: FAA-2011-0030; Directorate Identifier 2009-NM-183-AD; Amendment 39-16698; AD 2011-10-17] (RIN: 2120-AA64) received June 2, 2011, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2116. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2008-1165; Directorate Identifier 2008-NE-38-AD; Amendment 39-16685; AD 2011-10-04] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2117. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No.: FAA-2011-0037; Directorate Identifier 2010-NM-273-AD; Amendment 39-16691; AD 2011-10-10] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2118. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 875-17, RB211-Trent 877-17, RB211-Trent 884-17, RB211-Trent 884B-17, RB211-Trent 892-17, RB211-Trent 892B-17, and RB211-Trent 895-17 Turbofan Engines [Docket No.: FAA-2010-0821; Directorate Identifier 2010-NE-30-AD; Amendment 39-16657; AD 2011-08-07] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2119. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes; and Model ERJ 190-100 STD, ERJ 190-100 LR, ERJ 190-100 IGW, ERJ 190-200 STD, ERJ 190-200 LR, and ERJ 190-200 IGW Airplanes [Docket No.: FAA-2011-0038; Directorate Identifier 2010-NM-153-AD; Amendment 39-16684; AD 2011-10-03] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2120. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No.: FAA-2010-1276; Directorate Identifier 2010-NM-092-AD; Amendment 39-16689; AD 2011-10-08] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2121. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes; [Docket No.: FAA-2010-1275; Directorate Identifier 2010-NM-091-AD; Amendment 39-16688; AD 2011-10-07] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2122. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes; [Docket No.: FAA-2010-1274; Directorate Identifier 2007-NM-090-AD; Amendment 39-16687; AD 2011-10-06] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2123. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Airbus Model A310-203, -204, -222, -304, -322, and -324 Airplanes [Docket No.: FAA-2010-1273; Directorate Identifier 2010-NM-089-AD; Amendment 39-16686; AD 2011-10-05] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2124. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BURKHART GROB LUFT-UND MODEL G 103 C Twin III SL Gliders [Docket No.: FAA-2011-0127; Directorate Identifier 2010-CE-065-AD; Amendment 39-16681; AD 2011-09-19] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2125. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318-112, A319-111, A319-112, A319-115, A319-132, A319-133, A320-214, A320-232, A320-233, A321-211, A321-213, and A321-231 Airplanes [Docket No.: FAA-2011-0390; Directorate Identifier 2011-NM-064-AD; Amendment 39-16696; AD 2011-10-15] (RIN: 2120-AA64) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NUGENT: Committee on Rules. House Resolution 316. A resolution providing for consideration of the bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities, and providing for consideration of the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform (Rept. 112-111). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. McNERNEY:

H.R. 2243. A bill to amend title 38, United States Code, to require the Secretary of Labor to publish on an Internet website certain information about the number of veterans who are employed by Federal contractors; to the Committee on Veterans' Affairs.

By Mr. HANNA (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS, Mr. CROWLEY, Mr. NADLER, Mr. TOWNS, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mr. GRIMM, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Ms. HAYWORTH, Mr. GIBSON, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Ms. BUEKLE, Ms. HOCHUL, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H.R. 2244. A bill to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office"; to the Committee on Oversight and Government Reform.

By Ms. DEGETTE (for herself and Mr. ROONEY):

H.R. 2245. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio:

H.R. 2246. A bill to suspend United States assistance to Brazil until such time as Brazil amends its laws to remove the prohibition on extradition of nationals of Brazil to other countries; to the Committee on Foreign Affairs.

By Mr. RYAN of Ohio (for himself and Mr. LANGEVIN):

H.R. 2247. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WELCH (for himself and Mrs. EMERSON):

H.R. 2248. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY:

H.R. 2249. A bill to provide for the treatment of certain hospitals under the Medicare program; to the Committee on Ways and Means.

By Mr. GRIFFITH of Virginia (for himself, Mr. BUTTERFIELD, Mr. OLSON, Mr. BARROW, Mrs. MCMORRIS RODGERS, Mr. ROSS of Arkansas, Mr. SCALISE, and Mr. MATHESON):

H.R. 2250. A bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NEUGEBAUER:

H.R. 2251. A bill to direct the Board of Governors of the Federal Reserve System to amend Regulation D to increase the transaction limits on passbook savings, statement savings, and money market deposit accounts; to the Committee on Financial Services.

By Mr. BARTLETT (for himself, Mr. SIMPSON, Mr. POSEY, Mr. BURTON of Indiana, Mr. LATTI, Mr. CALVERT, Mr. HALL, Mr. DUNCAN of Tennessee, Mr. MARCHANT, Mr. MICA, Mr. MCCOTTER, Mr. ROSS of Florida, Mrs. MILLER of Michigan, Mr. FORBES, Mr. BROOKS, Mr. GINGREY of Georgia, Mr. FLORES, Mr. FRANKS of Arizona, and Mrs. SCHMIDT):

H.R. 2252. A bill to protect the right to obtain firearms for security, and to use firearms in defense of self, family, or home, and to provide for the enforcement of such right; to the Committee on the Judiciary.

By Mr. BASS of New Hampshire:

H.R. 2253. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CAPUANO (for himself, Mr. KEATING, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. LYNCH, Mr. MARKEY, Mrs. MCCARTHY of New

York, Mr. MCGOVERN, Mr. NEAL, Ms. NORTON, Mr. OLVER, Mr. PASCRELL, Mr. SERRANO, Mr. TIERNEY, Ms. TSONGAS, and Mr. WU):

H.R. 2254. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to establish national tunnel inspection standards for the proper safety inspection and evaluation of all highway tunnels, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DELAURO (for herself and Mr. FATTAH):

H.R. 2255. A bill to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Education and the Workforce.

By Mr. DOYLE (for himself, Mr. SMITH of New Jersey, Mr. DEUTCH, Mr. YOUNG of Florida, Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. KISSELL, Mr. FARR, Mr. FILNER, Mr. NADLER, Mr. MORAN, Ms. HIRONO, Mr. PASCRELL, Mr. ROTHMAN of New Jersey, Mr. LEWIS of Georgia, Ms. BERKLEY, Mrs. MALONEY, Mr. OLVER, Mr. GALLEGLY, Mr. LATOURETTE, Ms. TSONGAS, Ms. ROYBAL-ALLARD, Mr. KUCINICH, and Ms. MCCOLLUM):

H.R. 2256. A bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally; to the Committee on Agriculture.

By Mr. FLEISCHMANN (for himself and Mr. DESJARLAIS):

H.R. 2257. A bill to waive the requirement that existing traffic signs meet minimum retroreflectivity standards on or before the compliance dates established by the Federal Highway Administration; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida (for himself, Ms. BORDALLO, Ms. WASSERMAN SCHULTZ, Ms. BROWN of Florida, Mr. FALCOMA, Mr. PIERLUISI, and Mr. DEUTCH):

H.R. 2258. A bill to establish the National Hurricane Research Initiative to improve hurricane preparedness, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HECK (for himself, Mr. DUNCAN of South Carolina, and Mrs. MILLER of Michigan):

H.R. 2259. A bill to require the withdrawal of United States Armed Forces from operations in Libya, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. HINCHEY, and Mr. GRIJALVA):

H.R. 2260. A bill to provide for a study by the National Academy of Engineering regarding improving the accuracy of collection of royalties on production of oil, condensate, and natural gas under leases of Federal lands and Indian lands, and for other purposes; to the Committee on Natural Resources.

By Mr. MCCOTTER (for himself and Mr. BURTON of Indiana):

H.R. 2261. A bill to withhold United States contributions to the United Nations or a United Nations agency if the United Nations or such agency supports the recognition of an independent Palestinian state, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PAUL:

H.R. 2262. A bill to amend the Internal Revenue Code of 1986 to exclude from gross in-

come amounts distributed from tax-favored accounts during a period of unemployment; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 2263. A bill to amend the Internal Revenue Code of 1986 to exclude from Federal tax certain payments made in connection with reductions in force; to the Committee on Ways and Means.

By Mr. REYES:

H.R. 2264. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND (for himself and Mr. THOMPSON of Mississippi):

H.R. 2265. A bill to direct the President to forgo recoupment of liabilities relating to assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington:

H.R. 2266. A bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes; to the Committee on Armed Services.

By Mr. WALDEN (for himself, Ms. SCHWARTZ, Mr. JONES, Mr. ELLISON, Mr. LANCE, Ms. HANABUSA, Mr. WU, Mr. BARLETTA, Mr. GRIJALVA, Mr. COFFMAN of Colorado, Mr. LANGEVIN, Mr. BILBRAY, Mr. BLUMENAUER, Mr. LATHAM, Mr. SCHRADER, Mr. LATOURETTE, Mrs. CAPPS, Mr. HANNA, Mr. THOMPSON of California, Mr. TERRY, Mr. NEAL, Mr. BASS of New Hampshire, Mr. CHANDLER, Ms. LEE of California, Ms. SCHAKOWSKY, Mr. CICILLINE, Mr. BRADY of Pennsylvania, and Mr. BOSWELL):

H.R. 2267. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 2268. A bill to amend title 5, United States Code, to provide that Washington's Birthday be observed on February 22, rather than the third Monday in February, of each year; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida:

H.J. Res. 67. A joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACKERMAN:

H. Res. 317. A resolution demanding that Hamas immediately and unconditionally re-

lease Israeli soldier Gilad Shalit; to the Committee on Foreign Affairs.

By Mr. CAPUANO (for himself, Mr. LYNCH, Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. NEAL, Mr. OLVER, Mr. MCGOVERN, Mr. TIERNEY, Ms. TSONGAS, and Mr. KEATING):

H. Res. 318. A resolution congratulating the Boston Bruins on winning the 2010-2011 Stanley Cup; to the Committee on Oversight and Government Reform.

By Mr. LANGEVIN:

H. Res. 319. A resolution expressing the sense of the House of Representatives that adding art and design into Federal programs that target the Science, Technology, Engineering, and Mathematics (STEM) fields encourages innovation and economic growth in the United States; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. McNERNEY:

H.R. 2243.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. HANNA:

H.R. 2244.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. DeGETTE:

H.R. 2245.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RYAN of Ohio:

H.R. 2246.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RYAN of Ohio:

H.R. 2247.

Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 2248.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, the power to make laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States.

By Mr. MCKINLEY:

H.R. 2249.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. GRIFFITH of Virginia:

H.R. 2250.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NEUGEBAUER:

H.R. 2251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BARTLETT:

H.R. 2252.

Congress has the power to enact this legislation pursuant to the following:

Amendment II, the right of the people to keep and bear Arms, shall not be infringed

By Mr. BASS of New Hampshire:

H.R. 2253.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution

By Mr. CAPUANO:

H.R. 2254.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 3, and Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. DELAURO:

H.R. 2255.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. DOYLE:

H.R. 2256.

Congress has the power to enact this legislation pursuant to the following:

"This law is enacted pursuant to Article 1, Section 8, Clauses 1 and 3 to the U.S. Constitution."

By Mr. FLEISCHMANN:

H.R. 2257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Mr. HASTINGS of Florida:

H.R. 2258.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution

By Mr. HECK:

H.R. 2259.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mrs. MALONEY:

H.R. 2260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MCCOTTER:

H.R. 2261.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 18: The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PAUL:

H.R. 2262.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment, which gives Congress the power to lay and collect taxes, clearly gives Congress the authority to provide tax relief to the unemployed.

By Mr. PAUL:

H.R. 2263.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment, which gives Congress the power to lay and collect taxes, clearly gives Congress the authority to provide tax relief to the unemployed.

By Mr. REYES:

H.R. 2264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RICHMOND:

H.R. 2265.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1) and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. SMITH of Washington:

H.R. 2266.

Congress has the power to enact this legislation pursuant to the following:

Article I, § 8, clause 12, which grants Congress the power "to make Rules for the Government and Regulation of the land and naval Forces."

By Mr. WALDEN:

H.R. 2267.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is pursuant to the following:

1) Article I, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

2) Article I, Section 1—All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. WOLF:

H.R. 2268.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. HASTINGS of Florida:

H.J. Res. 67.

Congress has the power to enact this legislation pursuant to the following:

Section 8, clauses 11, 12, 13, and 14.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. RUSH and Ms. BROWN of Florida.
H.R. 49: Mr. DIAZ-BALART.
H.R. 166: Mr. PAUL.
H.R. 198: Mr. HIMES and Mr. LUJÁN.
H.R. 360: Mrs. ELLMERS.
H.R. 363: Mrs. CHRISTENSEN.
H.R. 373: Mr. GOODLATTE.
H.R. 374: Mr. PALAZZO.
H.R. 420: Mrs. SCHMIDT, Mr. HULTGREN, Mr. WHITFIELD, Mr. MILLER of Florida, Mr. HARRIS, Ms. BUERKLE, Mrs. BLACK, Mr. YODER, Mr. JOHNSON of Ohio, and Mr. HURT.
H.R. 421: Mr. ADERHOLT.
H.R. 452: Mr. POE of Texas, Mr. BASS of New Hampshire, and Ms. BUERKLE.
H.R. 507: Mr. McDERMOTT.
H.R. 512: Ms. CLARKE of New York.
H.R. 574: Ms. SCHAKOWSKY and Mr. KILDEE.
H.R. 607: Mr. PASCRELL.
H.R. 610: Mr. CARTER and Mr. FRANK of Massachusetts.
H.R. 615: Mr. NEUGEBAUER and Mrs. SCHMIDT.
H.R. 642: Mr. CALVERT and Mr. SESSIONS.
H.R. 674: Mr. CAMPBELL, Mr. GRIFFIN of Arkansas, Mr. SMITH of Texas, Mr. ROGERS of Kentucky, and Mr. CARTER.
H.R. 687: Mr. DANIEL E. LUNGREN of California.
H.R. 692: Mr. PALAZZO.
H.R. 733: Mr. BUCHANAN, Mr. YOUNG of Alaska, Mr. ROSS of Florida, Mr. RUSH, Mr. CRENSHAW, Mr. OLVER, and Ms. BROWN of Florida.
H.R. 735: Mr. THORNBERRY, Mr. BRADY of Texas, Mr. SMITH of Texas, Mr. HUELSKAMP, Mr. MACK, Mr. GOWDY, and Mr. STIVERS.
H.R. 838: Mr. HUIZENGA of Michigan.
H.R. 860: Ms. RICHARDSON, Mr. KEATING, Mr. BROUN of Georgia, Ms. TSONGAS, Mr. McKEON, and Mr. SULLIVAN.
H.R. 870: Mr. OLVER.
H.R. 880: Mr. BRALEY of Iowa.
H.R. 894: Ms. ESHOO.
H.R. 901: Mr. DUNCAN of South Carolina.
H.R. 905: Mr. GONZALEZ.
H.R. 942: Mr. AKIN.
H.R. 949: Ms. SPEIER.
H.R. 972: Mr. WHITFIELD, Mr. HENSARLING, Mr. STIVERS, and Mr. BACHUS.
H.R. 990: Mr. CONAWAY.
H.R. 999: Ms. CASTOR of Florida.
H.R. 1006: Mrs. HARTZLER.
H.R. 1031: Mr. ROSKAM.
H.R. 1041: Ms. CLARKE of New York, Mrs. McMORRIS RODGERS, Mr. LUCAS, and Mr. BROOKS.
H.R. 1085: Mr. RYAN of Ohio.
H.R. 1091: Mr. CALVERT.
H.R. 1093: Mr. COSTELLO, Mrs. SCHMIDT, Mr. HULTGREN, and Mr. LATHAM.
H.R. 1112: Mr. COURTNEY.
H.R. 1130: Mr. KISSELL.
H.R. 1154: Mr. LATHAM and Mr. HINCHEY.

H.R. 1173: Mrs. MILLER of Michigan and Mr. CANSECO.
H.R. 1182: Mr. LATTA and Mr. MURPHY of Pennsylvania.
H.R. 1186: Mr. PENCE.
H.R. 1193: Ms. SCHWARTZ and Ms. BASS of California.
H.R. 1200: Mr. CONYERS, Ms. SCHAKOWSKY, and Mr. CLAY.
H.R. 1206: Mr. PAULSEN, Mr. LATHAM, and Mr. PETRI.
H.R. 1234: Mr. SHULER and Mr. BECERRA.
H.R. 1253: Mr. ELLISON.
H.R. 1259: Mr. DUNCAN of South Carolina, Mr. BISHOP of Utah, Mr. BROUN of Georgia, Mr. MCKINLEY, Mr. HARPER, Mr. MACK, Mr. PAULSEN, and Mr. CANSECO.
H.R. 1262: Mr. JONES.
H.R. 1269: Mr. ROTHMAN of New Jersey, Mr. KILDEE, and Ms. DELAURO.
H.R. 1288: Mr. PRICE of North Carolina, Mr. WESTMORELAND, Mr. COHEN, Mr. ISRAEL, Mr. WOLF, Ms. LINDA T. SÁNCHEZ of California, Mr. MICHAUD, Mr. SHULER, Mr. RANGEL, Mr. HIMES, Mr. OLVER, Mr. MCGOVERN, Mr. KING of New York, and Mr. SCOTT of Virginia.
H.R. 1297: Mr. ROTHMAN of New Jersey.
H.R. 1312: Mr. DANIEL E. LUNGREN of California.
H.R. 1351: Ms. LORETTA SANCHEZ of California, Mr. RUNYAN, Mr. OLVER, Mrs. CAPPS, and Ms. WILSON of Florida.
H.R. 1367: Ms. BASS of California and Mr. COHEN.
H.R. 1370: Mr. PAUL, Mr. HARRIS, and Mr. SIMPSON.
H.R. 1381: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1386: Mr. COHEN, Ms. SCHAKOWSKY, Mr. LIPINSKI, Ms. VELÁZQUEZ, and Mr. LATHAM.
H.R. 1397: Mr. HANNA.
H.R. 1451: Mr. LARSEN of Washington and Mr. HINCHEY.
H.R. 1459: Mr. GARY G. MILLER of California.
H.R. 1463: Mr. PRICE of North Carolina.
H.R. 1475: Ms. MATSUI.
H.R. 1479: McCOTTER.
H.R. 1489: Ms. SCHAKOWSKY.
H.R. 1505: Mr. LABRADOR, Mr. GARY G. MILLER of California, and Mr. YOUNG of Alaska.
H.R. 1506: Mr. PASCRELL.
H.R. 1509: Mr. TIBERI and Ms. JENKINS.
H.R. 1515: Mr. ROYCE.
H.R. 1527: Mr. PETERSON.
H.R. 1545: Mr. CANSECO.
H.R. 1551: Mr. GARY G. MILLER of California and Mr. JOHNSON of Ohio.
H.R. 1558: Mr. HOLDEN, Mr. MATHESON, Mr. NUNNELEE, Mr. HERGER, Mrs. LUMMIS, Mr. CALVERT and Mr. BARTON of Texas.
H.R. 1561: Mr. CANSECO.
H.R. 1588: Mr. GUTHRIE, Mr. NUNNELEE, Mr. FINCHER, and Ms. FOX.
H.R. 1606: Mr. CUMMINGS.
H.R. 1623: Mr. RYAN of Ohio.
H.R. 1631: Mrs. MALONEY.
H.R. 1639: Mr. PETERSON and Mr. BOREN.
H.R. 1659: Ms. SLAUGHTER.
H.R. 1663: Mr. SCHOCK.
H.R. 1675: Mr. PERLMUTTER.
H.R. 1676: Mr. CONNOLLY of Virginia and Mr. COURTNEY.
H.R. 1706: Mrs. MYRICK.
H.R. 1724: Mr. HONDA, Ms. MOORE, Ms. SPEIER, and Mr. GEORGE MILLER of California.
H.R. 1744: Mr. AUSTIN SCOTT of Georgia, Mrs. BLACKBURN, Mr. CHABOT, Mr. HARPER, Mr. ROE of Tennessee, Mr. LANKFORD, and Mr. RENACCI.
H.R. 1747: Mr. CANSECO.
H.R. 1755: Mr. HUIZENGA of Michigan.
H.R. 1756: Mr. KING of New York, Mr. CROWLEY, and Mr. RUNYAN.

H.R. 1775: Mr. GARY G. MILLER of California, Mr. WOMACK, Mr. FINCHER, Mr. GRIFFIN of Arkansas, Mr. DAVIS of Kentucky, and Mr. RIBBLE.
H.R. 1803: Mr. MCGOVERN.
H.R. 1810: Mr. SARBANES.
H.R. 1814: Ms. SLAUGHTER.
H.R. 1832: Mr. MURPHY of Pennsylvania.
H.R. 1834: Mr. ROSS of Arkansas.
H.R. 1845: Mr. GONZALEZ, Mr. ROTHMAN of New Jersey, Mr. LATHAM, Mr. KEATING, and Mr. GRIJALVA.
H.R. 1848: Mr. CHAFFETZ and Mrs. ADAMS.
H.R. 1856: Mrs. MALONEY.
H.R. 1862: Mr. CAPUANO and Mr. LATOURETTE.
H.R. 1865: Mr. GOSAR, Mr. SMITH of Nebraska, Mr. CANSECO, Mr. LANDRY, Mr. PAUL, Mr. GARY G. MILLER of California, Mr. SHUSTER, Mr. REHBERG, and Mr. GUINTEA.
H.R. 1872: Mrs. LUMMIS.
H.R. 1876: Mr. HEINRICH.
H.R. 1880: Ms. CHU.
H.R. 1901: Ms. SCHAKOWSKY and Ms. RICHARDSON.
H.R. 1932: Mr. MACK.
H.R. 1933: Mr. RUSH.
H.R. 1935: Mr. COHEN.
H.R. 1938: Mr. PAUL, Mrs. LUMMIS, Mr. OLSON, and Mr. POE of Texas.
H.R. 1947: Mr. WOLF, Mr. SABLAN, Mr. PETERSON, Ms. SLAUGHTER, Ms. BROWN of Florida, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. WU, Mr. KISSELL, Mr. BERMAN, Ms. BORDALLO, Mr. WALZ of Minnesota, Ms. CASTOR of Florida, Mrs. NAPOLITANO, Mr. CONNOLLY of Virginia, Ms. DELAURO, Mr. McNERNEY, and Ms. SCHAKOWSKY.
H.R. 1955: Mr. WITTMAN.
H.R. 1958: Mr. LATHAM.
H.R. 1968: Mr. ALTMIRE.
H.R. 1970: Ms. SCHAKOWSKY and Ms. SPEIER.
H.R. 1974: Mr. WELCH.
H.R. 1982: Mr. McDERMOTT.
H.R. 1985: Mr. NADLER.
H.R. 1986: Mr. WITTMAN.
H.R. 1993: Mr. PALAZZO, Mr. STEARNS, and Mr. BRADY of Texas.
H.R. 1996: Mr. PAUL and Mr. JONES.
H.R. 2000: Mrs. HARTZLER.
H.R. 2001: Mrs. MILLER of Michigan.
H.R. 2018: Mr. SOUTHERLAND, Mrs. LUMMIS, Mr. BONNER, Mr. GUTHRIE, and Mr. PAUL.
H.R. 2029: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. BURGESS.
H.R. 2040: Mr. GOSAR and Mr. WILSON of South Carolina.
H.R. 2042: Mr. MANZULLO.
H.R. 2054: Mr. SULLIVAN and Mr. GARDNER.
H.R. 2061: Mr. RANGEL.
H.R. 2068: Mr. GUTHRIE.
H.R. 2070: Mr. KISSELL and Mr. FORBES.
H.R. 2072: Mr. HINOJOSA.
H.R. 2079: Mr. WEINER, Mr. GIBSON, Mr. NADLER, Ms. CLARKE of New York, Mrs. LOWEY, Mr. REED, Ms. HAYWORTH, and Mr. RANGEL.
H.R. 2086: Mr. MEEKS, Mr. SIRES, Mr. CLAY, and Mr. FRANK of Massachusetts.
H.R. 2092: Mr. PENCE.
H.R. 2097: Mr. WITTMAN.
H.R. 2102: Mr. PETRI.
H.R. 2104: Mr. WELCH and Mr. COBLE.
H.R. 2108: Mr. GRIFFIN of Arkansas.
H.R. 2117: Mr. SCHOCK, Mr. BURGESS, Mr. BONNER, Mr. OLSON, Mr. MICA, Mr. GERLACH, Mr. COFFMAN of Colorado, Mr. WHITFIELD, Mr. ANDREWS, Mr. BRADY of Texas, Mr. GUTHRIE, and Mrs. MYRICK.
H.R. 2123: Ms. FUDGE and Ms. DELAURO.
H.R. 2139: Mr. CONAWAY, Ms. RICHARDSON, Mr. CARTER, Mr. MCGOVERN, Mr. FARR, and Mrs. BIGGERT.
H.R. 2144: Mr. MORAN.

H.R. 2146: Mr. BURTON of Indiana, Mr. CHAFFETZ, Mr. MCHENRY, Mr. FARENTHOLD, Mr. ROSS of Florida, and Mr. LANKFORD.

H.R. 2149: Ms. HIRONO.

H.R. 2158: Mr. BERMAN, Mrs. BONO MACK, Mr. DENHAM, Mr. DREIER, Mr. HERGER, Mr. LEWIS of California, Mr. McKEON, Mr. GARY G. MILLER of California, Mr. NUNES, and Mr. ROYCE.

H.R. 2161: Mr. CROWLEY.

H.R. 2164: Mr. CAMPBELL, Mrs. MILLER of Michigan, Mr. DUNCAN of Tennessee, Mr. PALAZZO, Mr. BARTLETT, and Mr. ROHR-ABACHER.

H.R. 2171: Mr. McCLINTOCK and Mr. LANDRY.

H.R. 2185: Mr. ELLISON.

H.R. 2194: Mr. JACKSON of Illinois.

H.R. 2218: Mr. GEORGE MILLER of California, Mr. PETRI, Mr. McKEON, Mr. BUCSHON, Mr. ROE of Tennessee, Mr. KELLY, Mr. POLIS, Mr. DESJARLAIS, and Mr. WALBERG.

H.R. 2224: Mr. RANGEL.

H.R. 2236: Mr. FLEMING, Ms. WOOLSEY, Mr. KING of New York, and Ms. RICHARDSON.

H.R. 2242: Mr. QUIGLEY.

H.J. Res. 13: Mr. GUINTA.

H. Con. Res. 39: Mr. LARSON of Connecticut, Ms. FOXX, Ms. ESHOO, Mr. LUETKEMEYER, Mr. ROSKAM, Mr. DANIEL E. LUNGREN of California, and Mr. CULBERSON.

H. Con. Res. 59: Mr. FORBES.

H. Res. 20: Mr. MURPHY of Connecticut.

H. Res. 25: Mr. McCLINTOCK.

H. Res. 47: Ms. BASS of California and Ms. NORTON.

H. Res. 111: Mr. SIMPSON and Mr. JONES.

H. Res. 137: Mr. SHIMKUS and Mr. ROGERS of Kentucky.

H. Res. 243: Ms. VELÁZQUEZ, Mr. RANGEL, Ms. LORETTA SANCHEZ of California, and Mr. SMITH of Washington.

H. Res. 268: Mr. LATHAM, Mr. SHUSTER, Mr. KELLY, Mr. LARSON of Connecticut, Mr. DREIER, Mr. JOHNSON of Georgia, Mr. DONNELLY of Indiana, Ms. BORDALLO, Mr. WU, Mr. LUETKEMEYER, Mr. WOODALL, Ms. WILSON of Florida, Mr. STEARNS, Mr. SOUTHERLAND, Mr. DAVID SCOTT of Georgia, Mr. RUSH, Mr.

REYES, Mr. REED, Mr. MCNERNEY, Mr. MCINTYRE, Mr. MATHESON, Mr. MARKEY, Mr. LEWIS of Georgia, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. ISRAEL, Mr. AL GREEN of Texas, Mr. FORBES, Mr. FITZPATRICK, Mr. COHEN, and Mr. CALVERT.

H. Res. 286: Mr. LIPINSKI.

H. Res. 289: Ms. BORDALLO, Mr. STARK, Mr. CARSON of Indiana, Mr. CLYBURN, Mr. COHEN, Mr. CROWLEY, Mr. DEUTCH, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. WASSERMAN SCHULTZ, Ms. BASS of California, and Mr. WATT.

H. Res. 312: Ms. BASS of California and Mr. KUCINICH.

H. Res. 314: Mr. WESTMORELAND.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: MR. RIGELL

AMENDMENT No. 1: At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used to carry out military operations in Libya.

H.R. 2219

OFFERED BY: MR. RIGELL

AMENDMENT No. 2: At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used to support Operation Odyssey Dawn or Operation Unified Protector.

H.R. 2219

OFFERED BY: MR. RIGELL

AMENDMENT No. 3: At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used to support Operation Odyssey Dawn.

H.R. 2219

OFFERED BY: MR. COLE

AMENDMENT No. 4: At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.

H.R. 2219

OFFERED BY: MR. COLE

AMENDMENT No. 5: At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used by the Central Intelligence Agency or the Department of Defense until such a time that the President formally requests and receives from Congress an authorization for the use of military force in or against Libya.

H.R. 2219

OFFERED BY: MR. COLE

AMENDMENT No. 6: At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used by the Central Intelligence Agency or the Department of Defense to furnish military equipment, military training or advice, or other support for military activities, to any group or individual, not part of a country's armed forces, for the purpose of assisting that group or individual in carrying out military activities in or against Libya.

H.R. 2219

OFFERED BY: MR. BISHOP OF UTAH

AMENDMENT No. 7: Page 109, line 25, strike "acquisition management" and insert "product support".

Page 110, line 1, after "systems," insert the following: ", other than those mission assignments or transfers approved by the Secretary of the Air Force or the Secretary's designee prior to June 19, 2011,".

EXTENSIONS OF REMARKS

THE SMITHSONIAN FOLKLIFE
FESTIVAL

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to invite my colleagues and members of their staffs to attend a free musical event that will be held this afternoon (Tuesday, June 21, 2011) from 1:00–2:00 p.m. on the West Front Lawn of the United States Capitol. This event will feature music performed by the David Pernell Ensemble as a preview to the Smithsonian's annual Folklife Festival. This year, one of the Folklife Festival themes is Rhythm and Blues: Tell It Like It Is.

The 2011 Smithsonian Folklife Festival will celebrate the people and culture of R & B music in the United States. R & B encompasses jump blues, soul, funk and more contemporary styles and is recognized throughout the world as one of the most identifiably American forms of popular music. The Festival program will explore the social and cultural history integral to the development of R & B and will present not only performances, but also conversations and discussions with some of the artists, songwriters, radio personalities, and others who have worked behind the scenes to produce the music.

From June 30th–July 4 and from July 7–11, the Rhythm and Blues: Tell It Like It Is program will consist of two large covered stages on the National Mall and a smaller discussion/narrative stage, highlighting select styles associated with African American urban centers in the United States. Through performance and narrative presentations, Festival visitors will discover exciting connections between different forms of musical performance, social dance, the recording industry, and broadcast radio—all of which accompanied and contributed to shaping the musical heritage of R & B. The program is being produced in partnership between the Smithsonian's Center for Folklife and Cultural Heritage, the Folklife Festival, and the National Museum of African American History and Culture.

I encourage my colleagues and their staff to take a few minutes and enjoy some great R & B music today as a preview to the Smithsonian's 2011 Folklife Festival.

REMEMBERING LAURENCE
BUTLER DILLARD

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. CANTOR. Mr. Speaker, I rise today to honor the memory and legacy of an individual

that served this body, the Commonwealth of Virginia and our Nation tirelessly for many, many years, Mr. Laurence Butler Dillard, who most of us came to know simply as Larry.

I had the pleasure of meeting Larry many years ago, during the early days of my own journey in public service. Larry proudly served the people of Virginia's 3d Congressional District in the office of my friend and colleague, BOBBY SCOTT. With Larry's passing, Congressman SCOTT's office has lost not just an employee, but a friend, and I offer my condolences to Representative SCOTT and his entire staff.

Larry's quest for knowledge and genuine appreciation for history, especially Virginia's history and culture, was infectious to all that had the pleasure of interacting with him.

In an environment that is often described as unyieldingly partisan, Larry's approach to the legislative system and constituent service was indeed refreshing. His unique ability to overcome differences, backed up by his positive and enthusiastic personality, bridged the parties together and remains a model for all of us. And that's how Larry was—never deterred, no issue insurmountable, always finding that common ground. He devoted his life to the service of others.

I hope this body will join me in offering sincere condolences to Larry's wife Sherry, his son Brandon, his brother Randy, Congressman SCOTT and his staff and Larry's many family members and friends. Larry Dillard's contributions to this institution will always be remembered.

PROCLAMATION FOR COLTON
BULLARD, RECIPIENT OF THE
"2011 LITTLE LEAGUE INTERNATIONAL'S
GOOD SPORT OF THE YEAR AWARD"

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GUINTA. Mr. Speaker, on June 18, 2011, Colton Bullard, from Rye, NH will be receiving the "2011 Little League International's Good Sport of the Year Award." Colton has exceptional work ethic and drive as well as a deep passion for the sport of baseball. His dedication to his team and to improving his skills is known and witnessed by all. Colton not only is a huge asset on the team but he is the epitome of what this award represents.

This award is a testament to his spirited and dedicated commitment to the ideals and goals of the Little League program. Colton has become a true student of the game and is always listening and learning. Everyone who knows Colton recognizes his humble and modest personality and consider him to be the "best kid on the field." He is a shining exam-

ple of all that is positive and beneficial through participating in Little League.

I congratulate Colton for receiving this award and for his outstanding sportsmanship. I wish him the very best in his athletic career and for a bright future.

IN HONOR OF HENRY L. MEYER III

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Henry L. Meyer III and his leadership of KeyCorp on the occasion of his retirement.

Henry L. Meyer began his long career with KeyCorp in the summer of 1970, when he worked as a teller. After receiving a Bachelor of Arts degree in econometrics from Colgate University in 1972, Mr. Meyer joined KeyCorp, formerly Society National Bank. In 1978, he received a Master of Business Administration degree from Harvard University.

In 1984, Mr. Meyer relocated for his position with Society National Bank to Dayton, but moved back to Cleveland in 1987 after being elected Executive Vice President of Society Corporation and Senior Executive Vice President of Society National Bank. In 1990, he was elected as Society National Bank's President and Chief Operating Officer, and became the Chief Executive Officer in 1993. After Society National Bank became KeyCorp in 1994, Mr. Meyer became the Chief Executive Officer in February of 2001. In May of 2001, he was elected as KeyCorp's Chairman of the Board.

In addition to his career, Mr. Meyer is involved in his community. He serves on a number of civic and cultural boards in the Cleveland area, including the Northeast Ohio Council on Higher Education, Law Enforcement Foundation, Inc., ideastream (WVIZ/PBS and WCPN), United Way of Greater Cleveland, University School, the Greater Cleveland Partnership, University Hospitals Health System, Inc., and University Hospitals of Cleveland. Mr. Meyer is also on the Federal Advisory Council of the Federal Reserve System and serves as a director of Continental Airlines, Inc.

Mr. Speaker and colleagues, please join me in honor of a hardworking and worthy individual, Mr. Henry Meyer. We should reflect on his good deeds and his admirable work ethic.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

THE OFFICIAL FEDERAL HOLIDAY
OF GEORGE WASHINGTON'S
BIRTHDAY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. WOLF. Mr. Speaker, today I am introducing legislation to reestablish the legal public holiday for Washington's Birthday from the third Monday of February to the actual date of George Washington's birth on February 22.

I have long admired President Washington and have found inspiration in public service from studying his life. Unfortunately I have found that students today have a dearth of knowledge about our nation's beginnings and the man from Virginia who led the colonies to form the union known as the United States of America.

Two-time Pulitzer Prize winning history author David McCullough recently observed, "We're raising young people who are, by and large, historically illiterate." The 2010 National Assessment of Educational Progress, or Nation's Report Card, in U.S. history underscores that concern. Students in grades 4, 8, and 12 participated in the assessment. At each grade, students responded to questions designed to measure their knowledge of American history in the contexts of democracy, culture, technological and economic changes, and America's changing world role. The levels—Basic, Proficient and Advanced—measure what students should know and be able to do at each grade assessed. At all grade levels, less than one-quarter of students performed at or above the Proficient level in 2010. Only 20 percent of fourth-graders, 17 percent of eighth-graders, and 12 percent of twelfth-graders performed at or above the Proficient level on the 2010 U.S. history assessment.

I believe Congress has unwittingly contributed to this lack of historical understanding by relegating Washington's Birthday to the third Monday of February to take advantage of a three-day weekend. We need to change the focus from celebrating sales at the mall to celebrating the significance of President Washington's birth to the birth of our nation.

There is a reason the birthday of President George Washington is the only legal federal holiday observed for a president of the United States. He is called the "father of our country" because he is without compare in our nation's history. We need to reestablish Washington's Birthday on the actual date of his birth to honor his legacy and in doing so call upon schools across the nation to focus on Washington as the soldier, legislator, and president who shepherded our young nation through war, political turmoil, rebellion and expansion as no other single individual was capable of doing.

Washington's Birthday has been celebrated since the final days of the Revolutionary War. French and American troops paraded through Newport, Rhode Island, in 1781 and celebrations were held in Richmond, Virginia, in 1782. Organized by French General Rochambeau and others who knew him personally, these celebrations drew special attention to the bravery, courage, leadership and perseverance of the Revolutionary War hero.

From the beginning of our country, the importance of this day has been recognized. As President James Buchanan said in 1860, "... when the birthday of Washington shall be forgotten, liberty will have perished from the earth." In response, President Rutherford B. Hayes signed legislation in 1879 that made Washington's Birthday a holiday for District federal workers. The holiday was extended to all federal workers in 1885.

This legislation I introduce today is not without precedent. In 1975, Congress amended the Uniform Monday Holiday Act and President Gerald R. Ford signed legislation into law returning the annual observance of Veterans Day from the fourth Monday in November to its original date of November 11, beginning in 1978.

The Uniform Holiday Bill signed in 1968 and effective in 1971 was intended to ensure three-day weekends for federal employees by celebrating four national holidays on Mondays: Washington's Birthday, Memorial Day, Veterans Day, and Columbus Day. Originally called Armistice Day to mark the signing of an Armistice on the 11th hour, of the 11th day, of the 11th month in 1918 that ended World War I, the date of November 11 holds historic and patriotic significance as a day of thanks and remembrance for all veterans. The law change brought widespread public protest and 46 states refused to recognize any day other than November 11 to honor the sacrifice made first by World War I veterans and subsequently by all veterans. The restoration of the observance of Veterans Day to November 11 not only preserves the historical significance of the date, but helps focus attention on the important purpose of Veterans Day as a celebration to honor America's veterans for their patriotism, love of country, and willingness to serve and sacrifice for the common good.

Likewise, we need to restore the observance of Washington's Birthday to February 22 to preserve the date of his birth for history and to focus attention on his life of service and duty to his country. Even George Washington's home state of Virginia, where he was born and raised, which he served in elected office, where he accepted General Cornwallis' surrender, and where he is buried, celebrates Washington's Birthday in accordance with the Uniform Monday Holiday Act. I believe all school children in every state should dedicate February 22 each year to learning about our greatest leader, foremost patriot, first president and the only six-star general in the nation's history.

George Washington began his career in public service in the Virginia militia, eventually promoted to Colonel in command of the Virginia Regiment. He served as a voluntary aide-de-camp to British General Edward Braddock as part of the ill-fated Monongahela expedition before resigning his commission in 1759 and returning to Mount Vernon.

His military career earned him a seat in the Virginia House of Burgesses representing Frederick County, Virginia. The 10th Congressional District, which I currently represent, includes the City of Winchester, where the building that housed his office still stands. In 1774, Washington was a natural selection to be one of Virginia's representatives at the First Continental Congress. During the Second Conti-

mental Congress in 1775, he was unanimously chosen to lead the Continental Army and subsequently led a team of young officers through eight years of war against the most powerful military in the world. Perhaps Washington's greatest accomplishment during the Revolutionary War was building a professional army and keeping it together during long stretches of inactivity.

After the peace treaty was signed in Paris in 1783, Washington set perhaps one of the most important precedents in our history. When he resigned his commission in the Continental Army, Washington made it clear that the military was subordinate to the civil government. Washington had gone to great lengths to observe this subordination during the war years, and made sure that this act solidified its importance. Desiring simply to retire in peace to Mount Vernon, Washington voluntarily handed over the reins of power to the elected legislature.

But despite his desire to stay a private citizen, he left Mount Vernon in 1787 to serve as the president of the Constitutional Convention because he felt that his country needed him. The power of his presence was perhaps the single most important factor in bridging the divide between the disparate interests of the newly created states. Through eight years of war and the voluntary relinquishment of power, the American people and his peers trusted Washington, noting that if he supported the new Constitution, it was worthy of adoption. This trust overcame the objections of many who continued to have problems with the document until passage of the Bill of Rights.

After the Constitutional Convention adjourned, Washington again made plans to permanently leave public life. But as he closely monitored the ratification process at Mount Vernon between 1787 and 1788, Washington became resigned to the fact that he was the only person that could hold the new union together. Washington moved to New York to take the position of chief executive after he received word that he had been unanimously by the Electoral College. To this day, Washington is the only president to be elected unanimously, first in 1789 and again in 1792.

Perhaps most importantly, Washington set the precedent of presidents serving a maximum of two terms. This precedent was followed by the following 31 presidents, until Franklin Roosevelt won a third term in 1940 and a fourth term in 1944. It is important to understand that historically, most victorious revolutionary generals grabbed as much power as possible and served as long as they possibly could. Washington, whose devotion to serving his country was only outdone by his love of his family, broke with this dubious tradition and began 219 years of peaceful transitions of power.

President Washington exemplifies the best that America and Americans have to offer the world; principled leadership, personal bravery, a sense of duty and public service, patriotism, recognition of our unique role in world history, and a reverence for his Creator. His enduring service deserves to be remembered on his actual birthday.

This legislation is supported by George Washington's Mount Vernon Estate and its executive director James Rees. A copy of his letter appears below.

Mr. Speaker, it is only right that we hold February 22 as a date of reverence to commemorate the unique person without whom the tide of American history may well have taken a different turn. I urge my colleagues to join in cosponsoring this legislation to forever honor President George Washington's Birthday.

GEORGE WASHINGTON'S
MOUNT VERNON,
Mount Vernon, VA, June 21, 2011.

Hon. FRANK WOLF,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN WOLF: I would like to thank you for introducing legislation to restore the nation's official observance of George Washington's Birthday to February 22, the actual date of his birth 279 years ago. We are writing today in strong and enthusiastic support of your efforts.

Today many states, the media, advertisers and the general public have abandoned recognition of Washington's Birthday and replaced it with a commercial "shopping holiday" that leaves American history and patriotism by the side of the road. The holiday was far more meaningful when it revolved around George Washington, and schools were able to focus on his sterling example of character and leadership. We look forward to the day, when once again, February 22 is marked by patriotic festivities and lessons about the life of George Washington, which can teach and inspire American leaders of today and tomorrow.

As our nation's foremost founding father, Washington is relevant to each new generation because his prominent character traits—undaunted courage, unabashed patriotism, reasoned judgment, a profound sense of civic responsibility, and a deep, selfless commitment to country—never go out of style. Educating the children of America about the life and leadership of George Washington is an important investment in the future of our nation.

Your efforts are particularly important because as noted author and historian David McCullough has said many times, we are "raising a generation of historically illiterate children." Surveys and focus groups over the years tell us that most Americans—particularly young Americans—know the face of Washington because they see it every day on their dollars and quarters, but they don't know much more about him.

Why should we be concerned? Because George Washington was the most important, the most effective, the most powerful leader of our nation's founding era, and the shining example of his life is needed today more than ever.

To those like you who know and respect George Washington, it is crystal clear that many today have drifted so far from his standards of leadership that there is a real cause for concern for the future of our nation. We believe that George Washington is the best example of leadership and character the nation has ever known; therefore, it is our duty, our responsibility and our privilege to teach today's leaders and young people about George Washington's leadership with the hope that they will follow in his footsteps. Your legislation will be a significant step in that direction.

For example, a most compelling lesson for young people today is that George Wash-

ington served in the three most important leadership roles in the founding era. Quite remarkably, the Father of our Country was selected for each of these jobs unanimously, and, contrary to the common practice of the day, he gave up power and walked away from each of the positions despite strong support for him not to do so.

First, as Commander-in-Chief of the Continental Army, he surmounted incredible odds, never took a day off in eight years of battle, and emerged victorious. But perhaps Washington's greatest moment came when he halted an attempt by his officers to overthrow the civilian government and make him king. He then resigned from the military entirely and returned to his life as a farmer at Mount Vernon.

With this resignation, Washington actually established a new definition of power. Before George Washington the road map was for great leaders to gain as much power as possible and keep it. But Washington truly believed in the concept of liberty—where the power rests with the people. He taught the world how to relinquish power—what an important lesson for the leaders of today.

Less than four years after his return to Mount Vernon, Washington was drafted to be President of the Constitutional Convention—because only he could bring the delegates together. He was elected as our first President and after serving two terms—he exited. He could have been elected again and again but he peacefully transferred power demonstrating that democracy really works.

Celebration of George Washington's Birthday on February 22 will help restore the position of the Father of Our Country as "First in War, First in Peace, and First in the Hearts of his Countrymen," as Light-Horse Harry Lee said so many years ago. George Washington's sterling example of character and leadership provides the opportunity to refresh and inspire our country as we face formidable challenges both at home and abroad.

Sincerely,

JAMES C. REES,
President.

IN HONOR OF JAMES H. TROUT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor James H. Trout who is being honored as a 2011 Father of the Year by the Father's Day Council of Northeastern Ohio and the American Diabetes Association.

Mr. Trout is the Executive Vice President of Acme Fresh Market Stores, serving on its Board of Directors and its Executive Committee. He has been with Acme Stores since 1973, working in a number of different capacities in increasingly important roles, serving as Director of General Merchandise, Senior Director of Merchandising, and Vice President of Sales and Merchandising.

Mr. Trout and his wife, Debbie, are the proud parents of two children—Jennifer, 31, and Jeff, 29—and one grandchild. Jim and Debbie currently reside in Suffield, where they are active in their community. Mr. Trout, former President of the Suffield Jaycees, also serves as a trustee for the F.W. Albrecht Family Foundation.

Mr. Speaker and colleagues, please join me in honoring James H. Trout, a hardworking and industrious man, and a wonderful husband, father and grandfather, on the occasion of his recognition as Father's Day Council's Father of the Year 2011.

HONORING THE RETIREMENT OF
MS. CONNIE FERRIS BAILEY

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. BALDWIN. Mr. Speaker, I rise today to honor the career and achievements of Ms. Connie Ferris Bailey, Executive Director of Operation Fresh Start, OFS, as she retires from her esteemed position after 34 years of service.

OFS was founded in 1970 and provides young offenders and high school dropouts with opportunities to learn basic work skills, prepare for high school equivalency exams, and secure employment. Furthermore, OFS stresses the importance of giving back to the community by renovating housing into safe, energy-efficient, affordable homes for low-income families. Over the past forty years OFS has built over 215 quality homes.

It is undoubtedly because of Connie's tireless leadership and energy that OFS is what it is today. In 1979, three years after joining OFS, Connie assumed the role of Executive Director. Under her tutelage OFS expanded annual enrollment to over 150 youth and focused on helping participants achieve self-sufficiency and become contributing citizens of the community. Connie's dedication to building a sustainable future and continuing Wisconsin's proud environmental legacy led OFS to begin providing conservation and stewardship services in and around Dane County in 1980. Additionally, since 2005, OFS builds new homes to meet or exceed Wisconsin Energy Star standards.

Connie transformed lives of at-risk youth in Madison, Dane County, and across Wisconsin. To date, OFS has served over 7,000 people. Eighty-five percent of participants are between the ages of 16–24 and 80 percent complete the goals of the program. Studies show that an astounding 60–65 percent of graduates remain self-sufficient. These numbers only begin to explain why the OFS model that Connie helped shape is so successful. It is not surprising that, in 1998, then Governor Tommy Thompson was eager to work with Connie to establish Wisconsin Fresh Start, WFS, a network of non-profit agencies operating under the OFS model that provide services aimed at increasing self-esteem and self-sufficiency of troubled youth. Today, WFS includes 9 agencies in 12 communities around the state and OFS continues to provide technical assistance to WFS.

Over the years, Connie held every employment title within OFS, highlighting how vital each position is to the program's overall success. It is an understatement to say that Connie has been and forever will be an invaluable asset to OFS and our community as a whole. Her emphasis on the value of hard

work, respect, and self-worth and her recognition of potential in each and every person makes her an inspirational role model. Thankfully, although Connie is retiring, she will continue to provide essential technical assistance to new Youthbuild USA programs throughout the Midwest. People like Connie and programs like Operation Fresh Start are yet another reason I am so proud to represent the Second Congressional District of Wisconsin. I join those across Wisconsin, the Midwest, and our great Nation in thanking Ms. Connie Ferris Bailey for her lifetime of service.

CONGRATULATING GEORGE DAWSON MIDDLE SCHOOL ON BEING RECOGNIZED AS ONE OF THE NATION'S TOP 100 SCHOOLS TO WATCH

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. MARCHANT. Mr. Speaker, it is with great pride and pleasure that I rise today to recognize and congratulate George Dawson Middle School in Southlake, TX for being recognized as one of the Nation's Top 100 Schools to Watch. George Dawson was chosen for its academic excellence, developmental responsiveness to students and ability to provide students with the resources, teachers and support they need.

Sponsored by The National Forum To Accelerate Middle Grades Reform, the Schools to Watch program looks at schools that have the whole picture of education. After a written application is approved, state teams observe schools and conduct numerous interviews. Those who pass expectations are then approved to be Schools to Watch for three years. High-performing teachers, strong leadership, and a commitment to bring about continuous improvement are but a few of the strict criteria George Dawson met to receive this prestigious honor.

Educational success is the result of many factors, including hard work, innovation and a supportive community. I am proud to represent such a community, and especially a school that is reaching and surpassing all expectations. On behalf of the 24th Congressional District of Texas, I ask my colleagues to join me in congratulating George Dawson Middle School on its recognition as one of America's Top 100 Schools to Watch.

IN HONOR OF KENNETH A. LANCI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor Kenneth A. Lanci who is being honored as a 2011 Father of the Year by the Father's Day Council of Northeastern Ohio and the American Diabetes Association.

Mr. Lanci, Chairman and Chief Executive Officer of Consolidated Graphics Group, Inc.,

is also the Chairman of Project Love and Purple America. While Consolidated Graphics, Inc. is a leader in graphic art technology, Purple America is a leader in uniting Americans through shared values. Its mission is to create new forums to share beliefs, engage young people in meaningful dialogue, and connect all Americans through shared American ideals. Purple Love is a character-building program that has trained thousands of American teens and their educators to build a culture of kindness, caring and respect in their schools.

Mr. Lanci has also brought OneSight to Cleveland's Municipal School District, a non-profit organization which has given free eye exams and eye glasses to thousands of children in the area.

Mr. Lanci's good work extends to his family as well. Mr. Lanci is a devoted husband to his high school sweetheart, father to his three children, and grandfather to his six grandchildren.

Mr. Speaker and colleagues, please join me in honoring Kenneth Lanci, a man of great honor and spirit, a wonderful husband, father and grandfather, on the occasion being recognized as Father's Day Council's Father of the Year 2011.

RECOGNIZING THE DALLAS HISPANIC YOUTH INSTITUTE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. EDDIE BERNICE JOHNSON of Texas.

Mr. Speaker, I rise today to recognize the outstanding students who are participating in this week's Dallas Hispanic Youth Institute. Each year, the Hispanic College Fund hosts this empowerment event to help inspire Hispanic high school students in the Dallas-Fort Worth Metroplex to overcome barriers to higher education and pursue careers that only a college education can provide.

By attending the Hispanic Youth Institute, these students have shown their desire to continue their educational attainment and taken proactive steps to achieve those dreams. Despite being the largest minority group in the United States, Hispanics have the lowest rate of higher education completion. As the Hispanic population in Texas and throughout the United States continues to grow, ensuring opportunities and success for all is essential to our economy and welfare. We cannot continue to compete globally as a country if we let millions of bright minds slip through the cracks.

The Hispanic Youth Institute connects disadvantaged Hispanic high school students with local Hispanic professionals, college admissions officers, mentors, and other inspirational speakers. By providing informational seminars at on-campus settings, the Hispanic Youth Institute helps students build confidence and receive practical tools to help achieve a pathway to college.

Many of the students at this week's Hispanic Youth Institute will become the first person in their family to attend and complete college. This is an important step for these young

people, as well as the next generation who will look towards their example. They will become the role models of tomorrow, and I hope that this week's event will inspire them to give back.

I would like to recognize the Social Security Administration for its commitment to volunteerism at the Hispanic Youth Institute under the direction of Raul Garduño. Additionally, I'd like to recognize Raul Magdaleno and all of the other individuals who have worked to make the Hispanic Youth Institute a success. Raul Magdaleno is the Chair of the Dallas Hispanic Youth Institute and has served as a key advocate for the program and Hispanic students since its inauguration in 2009. Each year, Raul inspires students through his story of overcoming extreme adversities to obtain a higher education by teaching students that the "number one ticket we have to fight poverty is education."

I am confident that this year's Dallas Hispanic Youth Institute will be a great success, and wish the 200 student participants best wishes in their studies and attaining their goals.

IN HONOR OF MR. BRIAN E. HALL AND MR. WILLIAM D. HALL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. William D. Hall and Mr. Brian E. Hall who are being honored as a 2011 Father of the Year by the Father's Day Council of Northeastern Ohio and the American Diabetes Association. This father-son duo demonstrates the long-lasting, positive effect that one father can have on another.

Mr. William D. Hall is the founder of Hall's Trucking, which later became Industrial Transport, Inc. and later, Industrial Inventory Solutions. He also founded the Holly Development Company. Mr. Hall has been active in public policy as well as redeveloping neighborhoods. Despite Mr. Hall's many successful endeavors, his greatest source of pride remains his two children and ten grandchildren.

Mr. Brian E. Hall is the son of William D. Hall. He is the current Chairman and CEO of Industrial Inventory Solutions, where he has helped the business grow into a national comprehensive logistics firm. Mr. Hall also holds many other positions, including Secretary and Governance Chairman for the Rock and Roll Hall of Fame, Chairman of the President's Council Foundation, Trustee of the University of Cincinnati Foundation and Trustee of University Hospitals. Brian E. Hall's main commitment, however, is to his three children.

Mr. Speaker and colleagues, please join me in recognizing Mr. William D. Hall and Mr. Brian E. Hall who exemplify model citizens and outstanding fathers. I wish Mr. William D. Hall and Mr. Brian E. Hall the best in all of their future endeavors.

HONORING THE DISTRICT OF COLUMBIA SERVICE ACADEMY SELECTION BOARD

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. NORTON. Mr. Speaker, I rise to commend my Service Academy Selection Board, an exemplary group of selfless, dedicated Washingtonians who have served our country and have been so generous to continue their service by helping me select nominees to the United States Service Academies. Although academy nominations and appointments are attributed to me, they are not, by any means, my singular effort. Most of the work, involving careful vetting and painstaking evaluation of each applicant, as well as encouragement and recruitment, is done largely by my Service Academy Selection Board.

The work of the Service Academy Selection Board is so critical to our nation that I ask the entire House to join me in recognizing and thanking the members of the District of Columbia's Service Academy Selection Board, who recommend to me the nominees from whom the academy selects appointees: Cdr. Kerwin E. Miller, USN (Ret), Chair, U.S. Naval Academy, Class of 1975, attorney in private practice; George R. Keys, Jr., immediate past Chair, U.S. Air Force Academy, Class of 1970, Rhodes Scholar, partner with Jordan & Keys LLP; Wesley Brown, Chair Emeritus, U.S. Naval Academy, Class of 1949, Academy's first African-American graduate, for whom the Academy's new field house is named; Steven Blust, U.S. Merchant Marine Academy, Class of 1971, President of the Institute of International Containers, former Chairman of the Federal Maritime Commission; Capt. Karen Courington, USAFR, Air Force Academy Admissions Liaison Officer, C-17 pilot, employee of Deutsche Bank designing their "Veterans on Wall Street" initiative; David Gragan, U.S. Air Force Academy, Class of 1977, Senior Procurement Executive of the Consumer Financial Protection Bureau, Department of the Treasury; Anthony K. Hollinger, U.S. Naval Academy, Class of 1987, established a Veterans Affairs program for the University of the District of Columbia; OV Johnson, U.S. Air Force, retired 1974, served in the Air Force's Office of Special Investigations; Daniel J. Keenaghan, U.S. Military Academy, Class of 2000, international trade specialist who specializes in logistics and export promotion; Charles B. King, III, U.S. Military Academy, Class of 1994, Risk Analysis Branch Chief with the Transportation Security Administration; Riaz Latifullah, U.S. Merchant Marine Academy, Class of 1978, employee of AARP, Inc; Tony Montes, U.S. Army veteran, long-time D.C. resident and community activist; James Nelson Rimensnyder, U.S. Military Academy, Class of 2005, whom I nominated in 1999 and 2000, deployed in support of Operation Iraqi Freedom from 2006-2007 as an armor platoon leader and again in 2008-2009 as a Task Force Intelligence officer; Barbara J. Smith, Chair of the Department of Teaching, Learning and Professional Development at Bowie State University and; Joel C.

Spangenberg, U.S. Naval Academy, Class of 2000, Special Assistant to the Deputy Secretary of Veterans Affairs.

These D.C. residents each have lead outstanding lives of professional accomplishment and service. Together, they make an awe-inspiring group. Their service to the District of Columbia and to our nation has been outstanding in every way.

Mr. Speaker, I ask my colleagues to join me in saluting the District of Columbia Service Academy Selection Board for their diligent work and dedication to our youth, for their continuing service, and for their commitment to our country.

DEPARTMENT OF DEFENSE SECURITY ACT OF 2011

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. SMITH of Washington, Mr. Speaker, on behalf of Congresswoman GABRIELLE GIFFORDS, I have introduced the Department of Defense Energy Security Act of 2011. As many of you know, Congresswoman GIFFORDS has been a staunch advocate of energy alternatives and its impact on national security. As a member of the House Armed Services Committee, she has worked on a number of initiatives since she arrived in Congress, and many of those proposals have been included in the committee's annual defense authorization bill. The bill that I am introducing for her today continues this legacy.

The Department of Defense Energy Security Act of 2011 is a comprehensive bill that seeks to move the Department forward on energy security. It includes a number of initiatives based on input from various national security and energy organizations, the Department of Defense, and industry.

These include initiatives such as: Joint Contingency Base Resource Security Pilot Project; Tactical Vehicle Efficiency Report; Conversion of Non-Tactical Vehicles; Alternative Fuels Contracting Authority; Designation of an Executive Agent for Alternative Fuel Development; Energy Test Bed Initiative; Energy Conservation Investment Program; Report on ASHRAE Building Standards; Continually-updated List of Energy Technologies for DOD Facilities; Energy Manager Certification; Energy Management Data Needs; Interim Renewable Electricity Standard (RES) Goals; Remove Technology Bias in Permissible Land Use; Strategic Plan for Renewable Energy Development; Report on Cross-Agency Renewable Energy Development Efforts; Elimination of Approval Requirement for Long-Term Contracts for Energy/Fuel at Military Installations; Report on Energy Security and Renewable Energy Development; Report on Installation Energy Security and Societal Impacts.

Several of the provisions proposed in the bill, already have been included H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012. I am pleased to assist Congresswoman GIFFORDS in her efforts to continue to improve the energy security of the Department of Defense.

HONORING ROCKY RUN MIDDLE SCHOOL'S "THE LATEST GENERATION MEETS THE GREATEST GENERATION" PROGRAM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. WOLF. Mr. Speaker, I recently attended a wonderful event at Rocky Run Middle School in Chantilly, Virginia. The program brings World War II veterans together with 7th grade students for one-on-one interviews about the veterans' experiences during war.

The event was initiated 10 years ago by history teacher Jamie Sawatzky and for his efforts, he was selected as the Fairfax County Public Schools Teacher of the Year. Rocky Run Middle School is the only school in the region with this type of program.

The event was attended by 125 World War II veterans, representing all branches of the Armed Forces and nearly every theater of the war. I was touched to hear the recollections from so many members of the "Greatest Generation" who sacrificed so much to protect our nation's freedom. Students got to hear from Edward Connor, who served with the U.S. Army Air Corps in Papua, New Guinea, and Guadalcanal; Lucas Dargan, who served aboard a U.S. Navy destroyer in the north Atlantic guiding supply convoys; Donald Graul, a paratrooper with the 82nd Airborne Division who parachuted into Normandy on D-Day and was captured by the Germans, spending the rest of the war in a POW camp, and Richard Graff, who marched with the Army through France, Belgium, and Holland and met the Russian Army at the Elbe River.

These men, and many more, volunteered their time to share their views with today's students. With fewer and fewer World War II veterans still living, I applaud the efforts of these and all veterans who share this living history and make their memories part of children's learning experience and the historical record.

I also want to draw attention to the Rocky Run students, who recognize the importance of learning from previous generations. Knowing about one of the most traumatic episodes in world history and the sacrifice it required of all Americans, these students will have an appreciation of what it takes to preserve our nation's freedoms. The 7th graders of Rocky Run Middle School took on a challenging assignment and carried it out in a fashion of which we can all be proud.

There can be no better learning experience than combining the knowledge and experience of the "Greatest Generation" with the "Latest Generation." I hope schools across America can learn from the example of Rocky Run Middle School in Chantilly, Virginia.

TRIBUTE TO SARAH ZABEL

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. ROKITA. Mr. Speaker, I rise today to recognize and congratulate Sarah Zabel, one

of my constituents and I am proud to say one of this year's 141 U.S. Presidential Scholars.

Sarah is one of the top students in her graduating class at Brownsburg High School in Brownsburg, Indiana, while balancing work and numerous extracurricular activities. She is a member of the Girl's Varsity Tennis Team and writes for the Y-Press, the youth news bureau of the Indianapolis Star. Sarah also sings in Starlight Voices, a competitive women's choir. She has held several leadership positions within her community, including Vice President of the National Honor Society, copy editor of Brownsburg High School's student newspaper, and was a participant in the National Young Leaders Conference. It is clear, Sarah succeeds not only in the classroom, but as an active member of her community. In Sarah's free time, she tutors second grade students, serves food for Beggars for the Poor, and collects non-perishable goods for local food pantries.

I am proud to honor Sarah Zabel in recognition of all her achievements, admirable leadership, and superior contributions to her local community. As she heads to Xavier University in the fall, I wish her the best of luck for a bright and successful future.

IN HONOR OF MARY ANNE
CRAMPTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mary Anne Crampton to acknowledge her tremendous service to the Northeast Ohio community.

A native of Pittsburgh, Mary Anne relocated to the Cleveland area to begin her career and has prospered in various organizations since. She has been credited with transforming the downtown area of Lakewood, Ohio, into a lively, historic area.

Mary Anne served as the Executive Director of LakewoodAlive, an economic development organization that strives to facilitate economic stability and growth in the Lakewood area, since its inception. She was recently was chosen as the Lakewood Chamber of Commerce 2011 Business Person of the Year. Her unwavering devotion to furthering economic development in Lakewood has proven beneficial for the Cleveland suburb. Prior to working for LakewoodAlive Mary Anne was Manager of Marketing and Public Relations at Cleveland Sight Center, a nonprofit organization that works to enhance the lives of blind persons.

In addition to her career, Ms. Crampton is a dedicated and involved member of the Northeast Ohio community. Mary Anne is a member on the board of the Lakewood Hospital Foundation where she serves on the governance committee. She is a board member of the Lakewood Chamber of Commerce where she serves on the economic development committee, and she chairs the board resources committee for the Beck Center for Cultural Arts.

Mr. Speaker and colleagues, Mary Anne Crampton has proven herself a very valuable

citizen of the Cleveland community and surrounding areas. Her exceptional passion to better the lives of the members of her community is truly a blessing. Mary Anne's vision and hard work make her one of Northeast Ohio's most remarkable citizens.

WILDLIFE REFUGE SYSTEM CONSERVATION SEMIPOSTAL STAMP ACT OF 2011

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. SABLAN. Mr. Speaker, last week I introduced H.R. 2236, the Wildlife Refuge System Conservation Semipostal Stamp Act of 2011. This bill would let Americans donate to the upkeep of the National Wildlife Refuge System by purchasing semipostal stamps. There are 553 refuge sites in or nearby almost every congressional district in this country; and those refuges need financial help.

Last month, Chairman FLEMING of the Natural Resources Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held an oversight hearing on the National Wildlife Refuge System's finances. The U.S. Fish and Wildlife Service, which manages the System, testified that it has \$3.3 billion in unmet operational needs and deferred maintenance projects.

A semipostal stamp could help—at least in some small way—to pull the Refuge System out of that deep hole. Semipostals are postage stamps sold at a premium, with the difference going to fund a cause of national interest. The stamps have proven successful. The Breast Cancer Research Stamp has raised over \$71 million since it was authorized in 1998.

Now, in times of budget constraint, Americans are looking for ways to revitalize the wildlife refuges in their backyards without increasing the demand on taxpayers. The semipostal stamp authorized in H.R. 2236 would provide Americans a way to support their 553 refuge sites without increasing taxes or taking funds from other important government services.

The National Wildlife Refuge System was created by President Theodore Roosevelt and today it is the world's premier system of public lands and waters set aside to conserve fish, wildlife and plants. In my district, the Northern Mariana Islands, the Volcanic Unit and the Mariana Trench Unit of the Marianas Trench Marine National Monument are parts of the National Wildlife Refuge System. The Volcanic Unit is an arc of undersea mud volcanoes and thermal vents where exotic animals thrive in some of the harshest conditions imaginable. This is an area of cutting-edge scientific scrutiny, and awakens dreams of deep-sea exploration and discovery in us all.

In almost every state and territory wildlife refuges are similarly important. They provide recreational opportunities. By exposing our young people to the natural world, refuges inspire the next generation of scientists and researchers. And the wildlife refuges are eco-

nomics. Every year, the Refuge System attracts 44 million tourists, generating \$1.7 billion in sales and sustaining 27,000 jobs.

Despite the value of the National Wildlife Refuge System, it remains drastically underfunded—unable to keep up with basic operations and maintenance costs. My bill would help alleviate that problem. H.R. 2236 brings a fresh source of income to the National Wildlife Refuge System without drawing on taxpayers or increasing the national debt. The bill gives Americans the choice to contribute to a program deeply important to our Nation and I ask my colleagues to support H.R. 2236.

TRIBUTE TO BILL HAWKINS

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. PAULSEN. Mr. Speaker, today I rise to pay tribute to a true leader from my home State of Minnesota, William A. Hawkins. Bill has recently retired as Chairman and CEO of Medtronic, the world's leading medical technology company. He has been an insightful leader and his legacy includes the launch of important new technologies, major investments in quality and innovation, and the successful navigation through an increasingly challenging environment.

Bill's years at Medtronic have been filled with competition and innovation—serving with unwavering commitment to global growth, encouraging and acquiring technology, and growing the ability to meet patient needs in emerging markets. Under his guidance, Medtronic became a chronic disease management company and not just a medical technology company.

As Co-Chair of the Medical Technology Caucus, I am a major proponent of advancing life-saving technologies for patients. I have worked with Bill for a number of years in support of the medical technology industry on many issues such as trade, tax, payment, regulatory and research policies. Minnesota is one of the top med-tech epi-centers in the country. It remains one of few industries in the U.S. that exports more products than it imports—approximately \$36 billion annually. Our work helps to ensure that the medical technology industry continues to play a major role in the positive economic growth of our State and Nation.

Bill has nearly 35 years of career experience in the medical device industry, serving in leadership positions at Novoste Corporation; American Home Products; Johnson & Johnson; Guidant Corporation; and Eli Lilly. He began his medical technology career with Carolina Medical Electronics in 1977.

He joined Medtronic in 2002 as Senior Vice President and President of the company's Vascular business before serving as Corporate President and Chief Operating Officer. Bill Hawkins was named Chief Executive Officer of Medtronic in 2007 and assumed the additional role of Chairman in 2008.

In March of 2010 Bill received the Biomedical Engineering Society's Distinguished Achievement Award. This award is given to

recognize those that have made great contributions to the field of biomedical engineering/bioengineering.

Bill is also committed to giving back to our community by serving on the Board of Visitors for the Duke University School of Engineering and the Board of Directors for the Guthrie Theater and the University of Minnesota Foundation.

I am pleased to join Bill's friends, family, and colleagues in congratulating him on his many accomplishments, and wish him well as he starts the next chapter in his life. His passion for advancing innovations will keep him taking broad and bold steps to make the world a better place.

Congratulations Bill Hawkins!

HONORING GEORGE ROBERT
LUDWIG

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. HENSARLING. Mr. Speaker, it is my honor today to recognize Lieutenant George Robert Ludwig for his heroic service to our country. Lieutenant Ludwig entered the Army Aviation Flight School at Fort Rucker, Alabama in 1963 and served in Vietnam and Bien Hoa.

Lieutenant Ludwig was awarded the Distinguished Flying Cross for his heroism while participating in aerial flight. He first distinguished himself by exceptionally valorous action while serving as an aircraft pilot in action at Dong Xoai, Republic of Vietnam from June 10, 1965 to June 14, 1965. When battle erupted on morning of June 1, 1965, he was flying his aircraft with the mission of providing radio relay and acting as an artillery observer. When word was received that the United States compound at Dong Xoai was under heavy attack by a regiment of Viet Cong, Lieutenant Ludwig, who was flying the only aircraft in the immediate area, unhesitatingly volunteered to act as forward air controller for United States fighter bombers en route to the area. During the five-day period following the Viet Cong attack, Lieutenant Ludwig flew numerous radio relay and artillery adjustment missions, successfully and accurately directing many air strikes in support of the besieged compound.

Lieutenant Ludwig also received twenty Air Medals, two Medals of Valor and was the only Army pilot in the Vietnam War to receive the Distinguished Flying Cross by the United States Air Force.

I would like to take this opportunity, on behalf of the residents of the 5th District of Texas, to thank Lieutenant Ludwig and his family for their service to this country. We are eternally grateful for our service men and women, past and present, who have fought to preserve liberty for our generation and generations to come.

INTRODUCTION OF THE STUDY OF
WAYS TO IMPROVE THE ACCU-
RACY OF THE COLLECTION OF
FEDERAL OIL, CONDENSATE,
AND NATURAL GAS ROYALTIES
ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mrs. MALONEY. Mr. Speaker, today I am reintroducing the Study of Ways to Improve the Accuracy of the Collection of Federal Oil, Condensate, and Natural Gas Royalties Act, which successfully passed the House in the last Congress as an amendment to the Consolidated Land, Energy, and Aquatic Resources (CLEAR) Act. I thank original cosponsors Representatives HINCHAY and GRIJALVA for their support.

At a time of record high gas prices, it is vital to ensure the American taxpayer is fairly and accurately compensated for energy resources extracted from leased federal onshore and offshore lands. This legislation would commission the National Academy of Engineers to study if the production volume measurement of oil, condensate, and natural gas collection on federal lands (including submerged, deep water, and Indian lands) could be improved with alternative methods.

In April 2010, the Government Accountability Office released a study showing the management of production from oil and natural gas leases has been inconsistent and inadequate in past administrations. With revenues from leases amounting to billions of dollars, it is important that American taxpayers accurately know the amount of oil and gas that is extracted on leased federal lands.

A better understanding of the best extraction measurement methods could ultimately result in increased revenue for the federal government. I urge my colleagues to support this legislation in the 112th Congress.

HONORING PAUL E. LANDERS, JR.

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. HENSARLING. Mr. Speaker, it is my honor today to recognize Major General (Retired) Paul E. Landers, Jr. for his heroic service to our country. General Landers served as deputy chief of staff, operations and transportation at Headquarters Air Mobility Command on Scott Air Force Base, Illinois.

General Landers was a command pilot, logging more than 5,600 flying hours. His military awards and decorations include the Distinguished Service Medal, Legion of Merit with oak leaf cluster, Distinguished Flying Cross with oak leaf cluster, Meritorious Service Medal with oak leaf cluster, Air Medal with 15 oak leaf clusters, Air Force Commendation Medal and Republic of Vietnam Gallantry Cross with two silver stars. While commander of the 437th Military Airlift Wing, he was awarded the Order of the Sword, the highest honor bestowed by the enlisted force.

I would like to take this opportunity, on behalf of the residents of the 5th District of Texas, to thank General Landers and his family for their service to this country. We are eternally grateful for our service men and women, past and present, who have fought to preserve liberty for our generation and generations to come.

HONORING CHAD OBERMILLER'S
IRONMAN

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. QUIGLEY. Mr. Speaker, I rise today in recognition of Chad A. Obermiller, an integral member of my staff and even prouder member of an elite group of athletes—athletes who compete in the phenomenon known only as "The Ironman."

Few sane individuals voluntarily sign themselves up to compete in such a harrowing and humbling experience. For Chad, he has made such a decision three times, and will be crossing the line this Sunday, June 26, 2011 in Coeur d'Alene, Idaho, to complete his third Ironman.

A 2.4 mile swim, followed by a 112 mile bike, and capped by a full marathon—yes, a 26.2 mile run—it is no surprise that a phrase has been coined specifically to describe those who drag themselves to the finish line following this arduous task: "The Crawl."

But, I have complete confidence that Chad will cross that line proudly and upright, as he has promised both my staff, as well as me, that he intends to win.

To quote one of Chad's greatest heroes, Lance Armstrong: "Life, to me, is a series of false limits and my challenge as an athlete is to explore those limits."

Chad, may you know no limits in Coeur d'Alene.

HONORING RICHARD E. DWELLE

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. HENSARLING. Mr. Speaker, it is my honor today to recognize Captain Richard E. Dwelle from Athens, Texas for his heroic service to our country.

In 1942, Mr. Dwelle joined the United States Army Reserves and in 1944, he was commissioned for active duty as a 2nd Lieutenant. In December of 1944, Mr. Dwelle arrived in Europe and was assigned as a replacement officer to M Company, 329 Regiment, 83rd Infantry Division where he received a promotion to 1st Lieutenant. Following his valorous service at the Battle of the Bulge and during the Rhine Campaign, Mr. Dwelle was discharged from active duty in June of 1946 and promoted to Captain in the Reserves. Mr. Dwelle later resigned from Reserves after a decade of service.

Mr. Dwelle and his wife Peggy have been an integral part of Henderson County, Texas

serving on numerous charitable boards. Mr. Dwelle was named Citizen of the Year in Athens in 1971 and was inducted into the Rice University Sports Hall of Fame in 1997.

I would like to take this opportunity, on behalf of the residents of the 5th District of Texas, to thank Mr. Dwelle and his family for their service to this country. We are eternally grateful for our service men and women, past and present, who have fought to preserve liberty for our generation and generations to come.

RECOGNIZING MORTON MUSEUM
OF COOKE COUNTY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. BURGESS. Mr. Speaker, today I rise in recognition of the Morton Museum of Cooke County in Gainesville, Texas. I am proud to announce that this small local history museum, which has been serving the historical curiosity of the public since 1968, is one of the newest participants in the 2011 Conservation Assessment Program (CAP), a program administered by the Heritage Preservation and funded through the Institute of Museum and Library Services.

CAP is a technical assistance program that, for over twenty years, has been helping small museums that lack conservators or building experts of their own to improve their collections care efforts in terms of their individual budget, staffing, and fundraising capacities. The Morton Museum is one of only five museums in Texas selected for this prestigious grant, and one of only one hundred museums nationwide. With its participation in the Conservation Assessment Program, the museum will receive a professional site visit for assessment and prioritized recommendations for improvements. Together, CAP and the Morton Museum are working hard to ensure an enriching experience for all who visit the museum.

It is not only an honor for the Morton Museum to be selected to participate in this program, but it is also an honor for me to have the opportunity to represent the museum and the people who work so hard to maintain its tradition of excellence in the 26th District of Texas. I commend the Morton Museum's continuing efforts to improve and serve the people and visitors of Cooke County.

SALUTING WELCOME HOME A
HERO

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, as a 29-year Air Force veteran and a former Prisoner of War for nearly 7 years, more than half of that time in solitary confinement, it gives me great joy to request that the U.S. House of Representatives formally recognize

and commemorate the 7th anniversary of the "Welcome Home a Hero Program" at Dallas-Fort Worth (DFW) International Airport. I especially want to thank the kind folks at DFW, the North Texas Commission, and the USO for their efforts to recognize and show their appreciation to the brave men and women who serve our country.

"Welcome Home a Hero" is a volunteer program to encourage and support our deployed military and greet troops at DFW International Airport as they return home for two weeks of R&R. Anywhere from 150 to 275 troops come through DFW each day, with one flight arriving daily and one flight departing daily. Volunteers gather each day to welcome these troops off their flight, thanking and encouraging them for their service to our great nation.

This wonderful program started in the summer of 2004 when the U.S. military selected DFW to begin receiving the daily 20-hour flights from Kuwait. Once the flights began, grassroots groups, schools, churches, scouts and veterans organizations began to greet the troops on a daily basis. DFW fire trucks welcome every military charter on the runway with a "shower of affection" to begin the celebration.

In fact, "Welcome Home a Hero" has greeted more than 1 million troops during the course of the program by dedicated volunteers who greet troops daily. I had the privilege of attending the one millionth warrior ceremony at DFW and let's just say that there wasn't a dry eye in the place.

If you want to experience the best America has to offer—respect for freedom, gratitude for service and sacrifice and a deep, deep love of country—just head on down to Terminal D or Terminal B depending on the day. You'll witness the show of support from volunteers from across North Texas and the unbridled joy and emotional high of a family embracing a returning warrior. Cheerful and faithful patriots of all ages and stages wearing their finest red, white and blue attire show up so that they can let complete strangers who dedicate their lives to our armed forces know that we love them, we care about them, we pray for them and we appreciate them.

You'll see humble veterans from wars gone by who know that freedom is not free. You'll meet Vietnam veteran Bert Brady who makes a point of ensuring that this generation of soldiers, sailors, airmen and Marines returns with honor and a warm welcome—unlike the men who came home from Vietnam. You'll feel a sweet embrace from the "huggin' and kissin' grandmas" who make it a habit of planting a big one on digi-cammie clad warriors. Each volunteer offers a sweet smile, a love of country and respect for service that truly welcomes home our troops with the way they deserve to be treated.

As a combat veteran who witnessed the ultimate low for returning warriors from Vietnam, I made a promise to myself that when, not if, I escaped my captivity in Vietnam, I would do anything and everything in my power to treat our men and women of the United States Armed Forces with the respect and honor that they deserve. "Welcome Home a Warrior" is a shining example of that golden homecoming and showcases how much North Texans—and Americans—support our troops.

If people across America find themselves traveling through DFW, I encourage them to call the R&R update line 972-574-0392 to learn of the next arrival ceremony and to see if they may participate in a truly heartwarming and uplifting welcome home celebration for our armed forces. They also may go to www.dfwairport.com/heroes.

On this day, I respectfully request that the United States House of Representatives reaffirms our unwavering commitment to actively promote and support the "Welcome Home a Hero Program" and its invaluable importance to the morale and welfare of those men and women who serve our country.

Make no mistake—America remains the land of the free because of the brave. God bless America.

RECOGNIZING BROOKS BYERS OF
FLOWER MOUND

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. BURGESS. Mr. Speaker, today I rise in recognition of our youth who show an outstanding capacity for service. In particular, I would like to commend the achievements of Brooks Byers of Flower Mound, Texas. Mr. Byers is the newest winner of The Congressional Award Gold Medal, Congress's only and very prestigious award for youth.

Earning the Gold Medal requires great commitment and devotion to service; each award-winner must spend two or more years completing more than 400 hours of community service. Mr. Byers's service projects included organizing youth tennis camps and gift-wrapping fundraisers to raise more than \$3,000 for Susan G. Komen for the Cure, tutoring at-risk children each week and raising money for their after-school program through a book drive, and organizing homecoming celebrations for soldiers each weekend as part of the Welcome Home a Hero Program.

Mr. Byers's accomplishments do not end here. The Congressional Award Gold Medal also requires participants to complete 200 hours of personal development and physical fitness activities, which Brooks fulfilled through a junior golf league and his high school's tennis team. For the Expedition part of the Gold Medal program, Brooks planned a trip to enrich his understanding of ancient European history in Scotland and France.

The Congressional Award Gold Medal recognizes youth who show great initiative and an inspiring ability to reach complex, self-imposed goals. This experience, what Mr. Byers himself calls "transformative", shows an incredible commitment to excellence and the principles of our country's future leaders. It is an honor for me to have the opportunity to recognize and represent Mr. Brooks Byers.

A TRIBUTE TO JOSÉ R. SÁNCHEZ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize José R. Sánchez.

José R. Sánchez, is President and Chief Executive Officer of Norwegian American Hospital, Chicago's only Latino hospital. José has a 30-plus year career as a health care executive and possesses a wealth of knowledge of the health care industry.

As President and CEO of Norwegian American, José is dedicated to enhancing the quality of services provided to more than 112,000 patients annually. Among his first priorities was to lead the management executive team to critically assess and refine the quality of all systems, structures and services that are currently in place. José is committed to pursuing collaborative and innovative solutions to combat the health care challenges of the communities the hospital serves: Humboldt Park, West Town, Wicker Park, Logan Square and Austin.

Before joining Norwegian American Hospital, José was the Senior Vice President of the Generations +/Northern Manhattan Health Network, one of the largest health care networks in the New York City Health and Hospitals Corporation. During his tenure, he oversaw three acute care hospitals of which two were level one trauma centers, and 34 community-based health centers in East Harlem, Central Harlem and the South Bronx in New York City.

José is the architect of the Urban Health Conference, an annual national forum in existence since 2001 that brings together more than 300 health care providers to focus on the disparities in health care for minority populations and strategies to eliminate them. He serves as Chairman of the East Harlem Business Capital Corporation Board of Directors, which provides microlending and business development services for community businesses. In addition, he is a member of the Board of Boricua College in New York. The college was designed to serve the educational needs of Puerto Ricans and other Hispanics. In October 2009, José was named among the "Most Influential Latinos" in the United States by Hispanic Business Magazine, a New York Times Co. syndicated publication.

José has been a licensed social worker since 1979. He holds a Bachelor of Arts degree in Psychology from the City College of New York and a Master of Social Work from Adelphi University. In 2002, he was conferred an honorary doctorate degree from the New York College of Podiatric Medicine. This honor recognized his measurable accomplishments and steadfast commitment to improving the health status of the poorest and most disadvantaged populations in New York City.

Mr. Speaker, I would like to recognize Mr. José R. Sánchez for his extraordinary accomplishments and his spirit that reflect the best our nation has to offer.

HONORING CAROLE M. WATSON

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary career of Carole M. Watson as she retires from over 30 years of nonprofit management, including the last ten years as Chief Community Investment Officer with the United Way of the Bay Area, UWBA. I join our community in celebrating the many ways in which her life's work has contributed to the success and well-being of countless people throughout the Bay Area and beyond.

In addition to holding a Master of Social Work from Wayne State University and a bachelor's degree in Education & Social Work from Western Michigan University, Ms. Watson completed the United Way of America/Annie E. Casey Foundation's Family Strengthening for Success Fellowship at Harvard University's John F. Kennedy School of Government in 2002. Ms. Watson's experience in academia also includes serving as a university faculty member for undergraduate and graduate students of Social Work while residing in Tennessee.

During three decades of leadership experience in the nonprofit sector, Ms. Watson served two Urban League affiliates located in Nashville, Tennessee and the San Francisco Bay Area. In her Urban League roles, she managed job development, led training programs and coordinated job fairs serving thousands of job seekers. Over the years, she has helped over 7,000 job seekers in securing employment opportunities with roughly 100 employers.

In her most recent role as UWBA's Chief Community Investment Officer, Ms. Watson managed grants, programs, volunteers, marketing strategies, donor cultivation, collaborative fundraising, fund distribution and community building across seven Bay Area counties.

As a member of UWBA's senior management team for the last 10 years, Ms. Watson has been known as a fearless and effective leader and mentor. She managed a \$6 million portfolio with a Community Investment Team and Community Project staff, comprising over 20 members. And in 2002, she was voted the esteemed UWBA Percy C. Moore Employee of the Year by her colleagues.

The recipient of numerous honors and accolades, Ms. Watson received the National Philanthropy Day Foundation Professional Award co-sponsored by the Northern California Grant Makers and Association of Fund Raising Executives in 2006. She was also recognized as the 2006 San Francisco Boy Scouts of America's Whitney M. Young Community Leader.

Ms. Watson's dedication to improving the lives of children, youth and families through economic development is evident from her countless community affiliations and activities. Whether serving as a liaison to the United Way World Wide Income Advisory Group, creating the Earn It! Keep It! Save It! Campaign, EKS, to provide free tax preparation for eligible EITC tax filers, or serving as Board President of the Oakland Emiliano Zapata Street

Academy, Ms. Watson has donated her time to lead bold initiatives for the benefit of her community. She has truly created pathways out of poverty.

On behalf of the residents of California's 9th Congressional District, Ms. Carole M. Watson, I salute you for three decades of outstanding service in assisting families to achieve financial stability and secure future success. I congratulate and thank you for your unparalleled service to our community. You have touched many lives in profound ways throughout your career, and we wish you and your family continued prosperity and happiness as you transition to this exciting new chapter of life.

A TRIBUTE TO FELICIA LEMONS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Felicia Lemons.

Felicia Lemons is a Human Rights Specialist for the New York City Commission on Human Rights. She spent her formative years growing up in Linden Plaza, Brooklyn, New York. Her family then moved to Cambria Heights, Queens where she expanded upon the value of family and love of community. Both her parents, Hank and Sadie Lemons emphasized the importance of education, social justice and helping one's neighbor.

During a bible study meeting at the House of the Lord Church in Brooklyn, the Rev. Dr. Herbert Daughtry approached Felicia with an opportunity to work in his outreach ministry. He recruited her to advocate for formerly incarcerated women, as well as minister the gospel of Jesus Christ to the community at large. While under the mentorship of Pastor Daughtry, she trained in all matters of social justice, gender discrimination and serviced the "least of these" in the neighborhood.

Also while in training, Felicia attended Long Island University, Brooklyn Campus. Felicia was on the Dean's List for seven consecutive semesters and is a member of the Alpha Chi Honor Society. Graduating Magna Cum Laude, she earned a Bachelor of Fine Arts Degree.

From Long Island University under the advice of Pastor Daughtry and Rev. Dr. Syl Shannon, National Convention Chaplain for Alpha Phi Alpha, Felicia pursued a Masters in Divinity Degree from Duke University. While working on her Masters, she served marginalized communities as a volunteer for Center for community Help in Durham, North Carolina.

Felicia returned to New York to work for Commissioner Patricia Gatling at the NYC Commission on Human Rights. Serving as a Human Rights Specialist, she directs her talent and passion to educated and advocate for people transitioning back into the community from prison. In doing so, she works closely with organizations such as Alpha School Project in Brooklyn, Women's Prison Association, Young Women's Leadership program of August Martin High School, New York State Division of Parole, as well as Community Liaison for the Commission on Human Rights.

From this work, she has coauthored "Turning the Game Around," a comprehensive resource guide to Employment discrimination under the Human Rights Law for returning citizens of incarceration who desire to have a successful transition in New York City. Felicia continues to persist in her work. She believes to leave one person behind of a million under her watch, is to lose the battle at large.

Mr. Speaker, I would like to recognize Mrs. Lemons for her extraordinary accomplishments and her spirit which reflect the best our nation has to offer.

REINTRODUCTION OF THE HURRICANE RESEARCH INITIATIVE ACT OF 2011

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. HASTINGS of Florida. Mr. Speaker, June first marked the official start of the 2011 hurricane season. As we prepare for this upcoming season, I am proud to reintroduce the Hurricane Research Initiative Act of 2011.

I cannot help but recall the devastation left in the wake of hurricanes that have hit my home State of Florida, such as Andrew, Ivan, Jeanne, and Katrina. These storms were some of the worst any of us had ever seen. We can all remember the haunting images of our coastal communities from Florida to Louisiana left in utter destruction. It is easy to picture the faces of those who were most affected, and to remember the stories told by survivors. Even today, the impact of these disasters are still being felt in many communities along the Gulf Coast region.

The damage from these storms affects us all. Hurricane damage has cost our Nation an average of \$35.8 billion in economic losses per year since 2001. Between 2002 and 2007, we experienced over \$180 billion in losses due to hurricanes.

As a nation, we have been caught off-guard by these storms. In the past, we were not ready for the destructive forces that came our way. We could not anticipate the extent to which these storms would change our coastal towns and cities. In short, we were unprepared.

Looking back, it is easy to see why. In recent years, we have allowed hurricane research to lapse. It is a failure that must be addressed. Every year, we pay the price in environmental damage, fiscal devastation, and human lives.

More research must be done on these storm systems. Therefore, I am proud to reintroduce the Hurricane Research Initiative Act of 2011, which authorizes critical hurricane research funding to help our scientists study and better understand how hurricanes form and intensify, research that will help us prepare for many hurricane seasons to come.

The legislation also provides for enhancing early warning systems, infrastructure durability standards, and severe weather tracking and prediction capabilities. A National Infrastructure Database will be established under this legislation in order to develop standards and

create public policy to better understand hurricanes and tropical storms.

This version of the bill also restores funding to perform a necessary update to our Nation's Joint Polar Satellite System, funds that were cut in the Republican budget for Fiscal Year 2011. The Continuing Resolution eliminated the means to perform this necessary update. Satellites are designed with a limited lifespan. When the end of that lifespan is reached, our ability to track severe weather systems such as hurricanes and blizzards also ends. By restoring funding for the JPSS, this bill ensures the continuation of our ability to forecast and track severe weather systems before they happen.

Mr. Speaker, we have an opportunity to close the gap in hurricane research funding. Correcting this lack of scientific research is imperative and will help us to preserve our environment, protect our property, and save lives. I urge my colleagues to support this critically important legislation.

A TRIBUTE TO CHRISTOPHER BANKS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Christopher Banks.

Christopher Banks is the Executive Director and CEO of the East New York United Concerned Citizens, Inc. Born twenty-seven years ago in Brooklyn, NY to immigrant parents from Trinidad and Tobago, his first-hand witness to the struggles of disenfranchised individuals in his community greatly influenced his dedication to public service and advocacy.

Mr. Banks attended the New York City High School for Leadership and Public Service, and CUNY John Jay College of Criminal Justice where he pursued a degree in political science. He founded the East New York United Concerned Citizens, Inc. making his dream of creating a social service and non-profit organization come true.

Over the past ten years, Mr. Banks has focused his advocacy on the areas of youth, seniors, block associations and tenant associations to provide services to the East New York community. He has worked in partnership with organizations such as NYC Citizens Committee, East New York Development Corporation, Linden Houses Tenant Association, Emerald Green Tenants Association, The Justice Fund, The East New York Council for the Aging, the National Association of Black Business and Professional Women's Brooklyn Club, and a host of other organizations.

Mr. Banks was appointed to Community Board #5, serving as one of the youngest members in the capacity of Executive Board Member and Chair of the Transportation Committee. He also served as Co-Chair of the Youth Services Committee, Co-Chair of the Aging Committee and Public Safety Committee. He is currently President of his Block Association, has previously served as President of the Black Business Professional Women's Youth Club and as an Advisory Member

of the Pink House Cornerstone Program. Additionally, Mr. Banks has worked for organizations over the past eight years such as the Italian American Civil Rights League and The Federation of Multicultural Programs, and has served as an Adolescent Services liaison for the Youth Services Department. Mr. Banks is a proud member of Changing Lives Christian Center.

He is an innovative, charismatic and dynamic young man, on a mission to empower and change the dynamics of his community and the world at large.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GRAVES of Missouri. Mr. Speaker, on rollcall No. 439, the Kind Amendment to H.R. 2112, I voted "aye" when I intended to vote "nay."

A TRIBUTE TO ALAN D. COHEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Alan D. Cohen.

Alan was born and raised in Brooklyn, New York. He is one of four siblings and is a proud graduate of the New York City school system. He received his bachelor's degree from Brooklyn College and holds a master's of Science, Special Education from New York University. He is a Cahn Fellow at Columbia University.

Alan has 34 years of educational experience having filled many roles as a teacher, administrator and principal for the New York City Department of Education. He is currently a Network Leader providing support and supervision for principals in 32 New York City schools and prior to that completed seven years as principal of P.S. 69 in the Bronx. In the past he has had various responsibilities in the New York City system, including teaching, mentoring teachers and aspiring principals, high school admissions and supervising student support services. He also implemented a Reggio Emilia inspired early childhood program and spent time in Italy studying as a member of the North American Reggio Emilia Alliance and International Association Friends of Reggio Children.

Recently, he has spent his summers as a group leader at the Principal's Center Summer Institute of the Harvard Graduate School of Education. He also serves as an advisory board member at the Principal's Center. He is also the recipient of the 2007 Time Warner Principals of Excellence Award and the 2006 Outstanding Educator of the Year Award from Education Update.

Alan's focus is on enhancing a dynamic child-centered curriculum, fostering professional development and creating a strong sense of community. He will be returning to

his passion as a building principal in September, at the Portledge School in Locust Valley, New York. Alan is the ideal educator to build on the traditions and foundations and has the professional background and the enthusiasm to establish Portledge as a leader in early childhood and elementary education.

Alan looks forward to a long future of educating the children who will be our leaders of tomorrow.

Mr. Speaker, I would like to recognize Mr. Alan D. Cohen for his extraordinary accomplishments and his spirit which reflect the best our nation has to offer.

RECOGNIZING 2011 APPOINTEES TO THE UNITED STATES SERVICE ACADEMIES

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. NORTON. Mr. Speaker, I rise to recognize my 2011 appointees to the United States Service Academies, an outstanding group of young Washingtonians who have a combination of academic and athletic prowess, dedication, and leadership, as they leave their families to embark on their new lives in service to the nation: William Westbrook Moore, Atticus Lee Sawatzki, William Guy Merkle, and James David Rice.

William Westbrook Moore is my appointee to the United States Military Academy. He graduated from the Potomac School, where he was a varsity athlete and founder of the school's chess club. Atticus Lee Sawatzki departs for the United States Merchant Marine Academy. He is an alumnus of St. Anselm's Abby School, was a lifeguard for the D.C. Department of Parks and Recreation and is an active parishioner at St. Paul's Episcopal Church, K Street. William Guy Merkle, whom I have twice had the pleasure of nominating to the United States Air Force Academy, is an alumnus of St. Anselm's Abby School. Bill is a thespian, crack shot, and an Elder in the Church of Jesus Christ of Latter-day Saints. He returns to the Air Force Academy after completing his two year mission for his church in Japan. James David Rice leaves for the United States Naval Academy Prep School. He graduated from The Bullis School, where he was both a varsity athlete and an honors student.

Mr. Speaker, I ask my colleagues to join me in thanking these young men in advance for their service, in wishing them success, and in offering them the hearty congratulations of the House of Representatives.

CONGRATULATING SOUTHERN METHODIST UNIVERSITY PRESI- DENT R. GERALD TURNER

HON. EDDIE BERNICE JOHNSON

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate

Southern Methodist University (SMU) President R. Gerald Turner for receiving a quadrangle on the SMU Campus named in his honor. This week current and former members of the SMU board of trustees approved the naming of the R. Gerald Turner Centennial Quadrangle. This project is currently under construction and will be complete in the fall so SMU students, faculty and campus visitors can enjoy this gathering place for many years to come.

SMU is currently celebrating its Centennial Celebration, and I commend President Turner on his accomplishments and vision for the century ahead. I am a proud alumnus of SMU, and have greatly appreciated President Turner's service and leadership. He and his wife Gail Turner have made tremendous contributions to the university and this honor is well deserved.

SMU has made amazing strides over the past century, rising from a small rural college to an internationally renowned university. From its founding in 1911 till today, SMU has graduated more than 100,000 alumni. The outstanding achievement and leadership of those alumni serves as a testament to SMU's tradition of success. With seven different schools, SMU ranks as one of the best universities in the nation. The Cox School of Business routinely ranks in the top 25 business schools in the United States. In addition to twelve alumni who are past and present Members of the U.S. Congress, SMU has graduated such notable individuals as: John Tyson, CEO of Tyson Foods; former First Lady, Laura Bush; Lamar Hunt, founder of the American Football League; Harriet Miers, former White House Counsel and Supreme Court nominee; James Cronin, Nobel Prize winning physicist; Mary Ellen Weber, NASA astronaut; and Karen Hughes, former Under Secretary of State.

For these well-known alumni, myself, and thousands of former and current students, SMU holds a special place in our hearts. There is a strong sense of pride amongst the SMU community, and the values we learned in school have stayed with us throughout our lives. We were and always will be SMU Mustangs.

With an eye towards the next generation, SMU is not only celebrating the past, but planning for the future. This Centennial Celebration will serve as a time to ensure the next hundred years are even more successful than the first one hundred. I am confident that under President Turner's leadership, SMU will continue to thrive as a center of excellence not only for Dallas, but for the world.

A TRIBUTE TO ROBERT E. CORNEGY, JR.

HON. EDOLPHUS TOWNS

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Robert E. Cornegy, Jr.

Robert E. Cornegy, Jr. is the son of the late Reverend Dr. Robert E. Cornegy, Sr., Pastor of the Mount Calvary Baptist Church in Bedford-Stuyvesant, Brooklyn, and (the late) Ellen

Journey Cornegy. Both of his parents were active members of the church for a quarter of a century, and it is their spirit of servant leadership that continues to inspire and guide him. Rob is married to his beautiful wife Michelle, and he is the father of six wonderful children (Robert E. Cornegy III, Nicholas Ethan, Nia Imani, Nala Catherine Ellen, Noah and N'Kosi).

As a dedicated and passionate community advocate, Rob recognized the needs of the community and used his own funds to purchase and rehabilitate a brownstone where he created "The Cornegy Residence": an 18-bed shelter for men suffering from substance abuse and mental health related issues.

Rob has a long history of service implementation and delivery focusing on mental health, substance abuse, and homelessness. He gained valuable hands-on experience by implementing an innovative service-delivery program that increased the number of inmates serviced dramatically while working at the Rikers Island Prison Complex. Rob holds a Professional Certificate in the treatment of individuals suffering from substance abuse issues; earned a Bachelor's degree in Organizational Management and holds a Master's degree in Organizational Leadership from Mercy College. He is currently a member of Cornerstone Baptist Church and is the former Director of the Christopher Wallace memorial foundation and Director of the Regional Resource Prevention Center for the Children's Aid society.

Rob is also an adjunct professor of Marketing at Brooklyn College. Rob is a community organizer, advocate, and political activist with more than 20 years experience working in underserved communities around New York. He has also worked in various high-capacity political roles ranging from Campaign Manager to Chief of Staff for numerous elected officials in the New York State Assembly and Senate. In 2009 Robert ran for City Council for the 36th District serving Bedford Stuyvesant and Crown Heights. Currently, Rob is State Committeeman/District Leader of the 56th Assembly District serving Bedford Stuyvesant, Crown Heights and parts of Bushwick.

Mr. Speaker, I would like to recognize Mr. Cornegy for his extraordinary accomplishments and his spirit that reflect the best our Nation has to offer.

A TRIBUTE TO ISRAEL VELAZQUEZ

HON. EDOLPHUS TOWNS

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Israel Velazquez.

As founder and President of Velazquez Associates, Inc., and its subsidiary Velazquez Accounting Services, a New York based accounting and nonprofit development consulting firm that bears his name, Israel Velazquez has worked tirelessly to develop partnerships with community leaders, development corporations, and other public and private partners.

For the past thirty years, Mr. Velazquez, known as "Izzy" to many, has assembled public and private partnerships in the areas of

local community issues, affordable housing and economic development projects in urban cities throughout the United States of America and in several Caribbean islands.

Mr. Velazquez holds a Master's in Taxation from Long Island University in Brooklyn, NY and a Bachelor of Science in Accounting and Mass Communications from C.U.N.Y., Hunter College. In 2009, Mr. Velazquez was designated an adjunct Professor in the Gates Foundation and Warren Buffett Enterprises Fellows Program.

Mr. Speaker, I urge my colleagues to join me in celebrating Mr. Velazquez's extraordinary achievements.

**LIBERTY HIGH SCHOOL GIRLS
VARSITY SOCCER TEAM**

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize the outstanding achievement of the Liberty Lady Jays Varsity Soccer team on defeating Ursuline Academy, by a score of 2-1, to win the Class 3 State Championship for the second straight season.

The Lady Jays finished their incredible season by posting a strong record of 27-3, while scoring a total of 147 points and only allowing 29 points. In the Championship game, they finished spectacularly by scoring the winning goal with one second left on the clock of the first overtime period. The dedication and teamwork displayed by the Lady Jays is impressive and evident in their success.

I want to recognize the great leadership of the team, including Head Coach Tom Rottjakob and the work of his assistant coaches. I also want to recognize the work of the school administrators, Superintendent Mike Brewer, Principal April Adams, and Athletic Director Jason Cahill, as additional keys to success.

Mr. Speaker, I ask that you join me in congratulating the achievement of the Liberty Lady Jays Varsity Soccer Team on winning their second consecutive State Championship. It is an honor to represent this team in Congress.

**THE STATE OF TEXAS HOUSE OF
REPRESENTATIVES**

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. CONAWAY. Mr. Speaker, I submit the following:

H.R. No. 1694, RESOLUTION

Whereas, On September 11, 2001, Osama bin Laden, a sworn enemy of the United States of America, coordinated a series of monstrous and cowardly terrorist attacks that resulted in the tragic loss of 2,977 innocent lives, leading to an engagement in a war on terrorism across many fronts; and

Whereas, On May 1, 2011, after nearly 10 years of bin Laden's evasion of military and

intelligence forces seeking his capture, President Barack Obama declared to the nation and the world that bin Laden had finally been killed, and that "Justice has been done,"; and

Whereas, The president's patience, leadership, wisdom, and determination have led directly to the demise of the most wanted man in the world and have hardened this nation's resolve to defeat the forces of malevolent fanaticism, and by destroying the mastermind behind the worst terrorist attack on American soil he has struck a significant and historic blow against Al Qaeda; and

Whereas, Following the death of the perpetrator of the attacks, the family members and friends of those who lost their lives in the attacks on September 11 are able to achieve a greater sense of closure; and

Whereas, After months of meetings of the National Security Council, led by President Obama, who directed intelligence officials to zero in on bin Laden's whereabouts, intelligence officials devised and carefully carried out a clandestine operation, which had frequently been rehearsed in an effort to minimize casualties, both civilian and military; and

Whereas, As commander-in-chief of our great nation, he boldly gave the final authorization to commence the operation to brave and highly trained members of our nation's armed services; and

Whereas, Upon hearing the news of bin Laden's elimination, in an impressive show of unity and in defiance of the fanatics who still today seek to destroy our free way of life, jubilant citizens expressed pride in our nation and our president by spontaneously celebrating the news in cities across the country, singing "The Star Spangled Banner" and loudly chanting "U-S-A," and former presidents Bill Clinton and George W. Bush have offered him their congratulations; and

Whereas, Domestically, he has acted with both initiative and organizational acumen toward the precautionary defense of our citizens and has successfully prevented a terrorist attack on American soil during his service to our nation as president; and

Whereas, Internationally, he has wisely exercised the use of diplomacy to nurture collaborative relationships with other nations, which has helped improve the freedom and safety of the world's people; and

Whereas, President George W. Bush had the near universal support of the freedom-loving peoples and countries of the world after the attacks on September 11, 2001, when he famously pledged to defend freedom, against fear, saying "We will not tire, we will not falter, and we will not fail," and President Obama had the strength and wherewithal to see that pledge through to fulfillment; and

Whereas, Legislators in Texas reaffirm the solemn creed that we are one nation, under God, indivisible, with liberty and justice for all, who stand strongly behind the president with respect to these several issues as he confronts the grave problems of national and international security; now, therefore, be it

Resolved, That the House of Representatives of the 82nd Legislature of the State of Texas hereby congratulate President Obama on his proven and successful policies in the war on terrorism and in homeland security; and, be it further

Resolved, That the House of Representatives of the 82nd Legislature of the State of Texas hereby commend the intelligence personnel who diligently and quietly toiled for years to uncover the whereabouts of bin

Laden and whose achievement, while historic, may never be fully known to the public; and, be it further

Resolved, That the House of Representatives of the 82nd Legislature of the State of Texas hereby commend the members of the armed forces who successfully and heroically carried out an incredibly sensitive mission with no military losses and with a minimal loss of civilian lives; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the United States Congress, to the governor of Texas, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

JOE STRAUS,

Speaker of the House.

I certify that H.R. No. 1694 was adopted by the House on May 2, 2011, by a non-record vote.

ROBERT HANEY,

Chief Clerk of the House.

HONORING RYAN WIST

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ryan Wist. Ryan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and earning the most prestigious award of Eagle Scout.

Ryan has been very active with his troop, participating in many scout activities. Over the many years Ryan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ryan has contributed to his community through his Eagle Scout project. Ryan constructed extra storage space in the basement of the Dillingham-Lewis Museum in Blue Springs, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Ryan Wist for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SOUTHWEST AIRLINES TURNS 40

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is my pleasure to congratulate Southwest Airlines on the 40th anniversary of the airline's first passenger flight on June 18th, 1971.

I also commend Herb Kelleher and Rollin King who came up with a vision for a low cost and quick airline. Together they came up with

the idea of Southwest Airlines in 1967. Unfortunately, Southwest was forced to hold off on its plans as it was being held in litigation for three and a half years.

And on June 18, 1971, Southwest Airlines started service among Dallas, Houston and San Antonio with three Boeing 737s. Right from the start, Kelleher and Southwest emphasized the business philosophy of taking care of employees first, and they will take care of your customers.

In 1973, when Southwest ran into some financial difficulties, they had the choice of either letting go of some of their employees or selling one of their planes. They sold the plane and kept their employees.

Kelleher infused Southwest's culture with his personal values—humbleness, warmth, sincerity and a care and service of people. If you treat people with respect, they will feel valued and add their own personality to whatever they do. If you empower people at all levels of the organization to be able to make decisions, you'll make leaders everywhere. It's about putting the team first and serving the greater good.

In May 2008, Kelleher stepped down as the airline's Chairman, but stayed on as an adviser and employee. Kelleher, who turned 80 this year, is chairman emeritus.

Mr. Speaker, as a Member of the House Transportation Subcommittee on Aviation and a senior Texan on the House Transportation and Infrastructure Committee, I am pleased to recognize Southwest Airlines' great contribution to the transportation industry.

HONORING KYLE DOWELL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kyle Dowell. Kyle is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Kyle has contributed to his community through his Eagle Scout project. Kyle constructed 15 duck nest boxes for the Jackson County, Missouri, Department of Parks and Recreation.

Mr. Speaker, I proudly ask you to join me in commending Kyle Dowell for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATIONS TO THE BRAZOSWOOD BUCCANEERS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. PAUL. Mr. Speaker, on Saturday, June 11, 2011, the Brazoswood Buccaneers baseball team won the title of Texas 5-A State Champions at the Dell Diamond in Round Rock, TX. It is with great pleasure that I extend my congratulations to the players and coaches of the Brazoswood Buccaneers baseball team on their outstanding victory.

The Brazoswood Buccaneers baseball team finished the playoffs with an undefeated 12–0 record, which put their season-ending winning streak at fourteen. Their hard work and dedication to the sport was rewarded with Brazoswood's third State Championship. Winning this title is not only a major accomplishment for the Buccaneers, but also for Houston 5A baseball. The Buccaneers' have brought the championship back to the Greater Houston area for the first time in three seasons. The 2011 Buccaneers are part of proud tradition in the Houston area as Houston 5A teams have won seventeen out of thirty State Championships.

Mr. Speaker, my grandson Michael Pyeatt is a member of this team. I am extremely proud of my grandson and his teammates' accomplishments, and inspired by their steadfast efforts to achieve their goal. It is therefore my pleasure to once again extend my congratulations to the players and coaches of the Brazoswood Buccaneers baseball team on the occasion of being named the Texas State 5–A Champions.

HONORING HAYDEN WHITE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Hayden White. Hayden is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and earning the most prestigious award of Eagle Scout.

Hayden has been very active with his troop, participating in many scout activities. Over the many years Hayden has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Hayden has contributed to his community through his Eagle Scout project. Hayden renovated and constructed extra storage space in the basement of the Dillingham-Lewis Museum in Blue Springs, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Hayden White for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE SERVICE OF COLONEL KEITH A. LANDRY

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. YARMUTH. Mr. Speaker, I rise today to recognize the exemplary service of Colonel Keith A. Landry. This month, Colonel Landry will end his tenure as Commander of the Louisville District of the Army Corps of Engineers after establishing a record of service that has helped strengthen and protect our community. While he may be leaving Louisville, his service and contributions will be visible for decades to come.

Born in North Carolina and hailing from Beaufort, South Carolina, Colonel Landry was commissioned in the Corps of Engineers upon graduation from the United States Military Academy at West Point in 1985. From there, he embarked on a career driven by his dedication to service and country that has taken him around the world and back. After completing combat tours during both Operations Desert Storm and Iraqi Freedom, Colonel Landry began his command in Louisville in 2008, leading the District's significant engineering achievements to include over a billion dollars worth of military construction, the inspection of hundreds of miles of levee, and operation and maintenance of reservoirs, locks, and dams.

Since arriving in Louisville, Colonel Landry has worked to ensure that "River City" is not just our nickname, but a source of pride. His committed leadership helped shepherd the McAlpine Locks and Dam expansion project to completion, ensuring that Louisville would continue to benefit from the billions of dollars of cargo transported up and down the Ohio River year after year. And thanks to his expertise and guidance, the Ohio River has not had an unexpected closure to commercial navigation for more than a day during his command—an extraordinary feat, given extreme weather and flooding that we experienced during that time.

Through his 26 years of service to our nation—and counting—Colonel Landry's work has not just helped improve our infrastructure and safeguard our communities, but it has contributed to our economy and the strength of our nation. We in Louisville are grateful for the time he has dedicated to our city, and will surely miss his expertise, commitment, and leadership.

I am proud to join all of our community in thanking him for his outstanding service, dedication, hard work, and faithfulness to our nation. And I urge all of my colleagues to join me in wishing the best to a true public servant, Colonel Keith Landry, and his family in this next chapter of their lives.

INTRODUCING A RESOLUTION AUTHORIZING THE LIMITED USE OF FORCE IN SUPPORT OF THE NATO MISSION IN LIBYA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise to introduce legislation authorizing the limited use of United States forces in support of the NATO mission in Libya. This resolution is a companion to a Senate joint resolution introduced today by Senators JOHN KERRY, JOHN MCCAIN, BENJAMIN CARDIN, and RICHARD DURBIN.

Since Libyan dictator Muammar Qaddafi responded to peaceful demonstrations by attacking Libya's own citizens, the United States has been actively engaged with our international allies in thwarting the ability of the Qaddafi regime to visit violence, murder, and destruction on the people of Libya. This past February, the United States imposed economic sanctions on Libya and froze the assets of its leadership, promising to hold Qaddafi, his family, and the government of Libya accountable for its human rights abuses. Qaddafi responded by increasing his assaults on civilians. As Libyan forces approached the city of Benghazi, in which Qaddafi vowed to show "no mercy" to opposition forces which had captured the city, the United Nations Security Council passed Resolution 1793, mandating "all necessary measures" to protect civilians in Libya, implementing a "no-fly zone", and enforcing an arms embargo. On March 19, the United States Armed Forces and our coalition partners launched Operation Odyssey Dawn in an effort to enforce the Security Council resolution. That mission has since come under NATO command and is now called Operation Unified Protector.

Mr. Speaker, there can be no question that the United States is engaged in hostilities in Libya. Our Armed Forces have assisted in combat operations including providing intelligence, aerial refueling, targeting, and other aspects of NATO's daily bombardment of Libyan forces loyal to Qaddafi. The President engaged in these hostilities without an authorization from Congress, and has anyway exceeded the 60-day War Powers limitation on the use of force without congressional consent. It is high time that Congress asserts its authority and engages proactively with the administration on this most serious question of war.

But the solution, Mr. Speaker, is not to simply cut off funds. Instead, Congress must limit and closely monitor the President's commitment of forces. This resolution authorizes the use of force in Libya for one year from the date of enactment, limiting the President's ability to engage our Armed Forces indefinitely. This resolution bans the use of ground forces and requires the President to continually report to Congress on the progress of our military operations, the plans to achieve our stated goals, and the changing situation on the ground. We must also make an effort to put Libya's frozen assets to good use, returning funds to the Libyan people and using some of that money to offset the cost of NATO's operations.

It is too late to debate whether we should be involved or not: we already are. What we must do is ensure that the legislative and executive branches are working in harmony to maintain a military commitment that is limited and brief, and that best serves the people of Libya. I urge my colleagues to support this resolution.

DEDICATION OF N.C. VETERANS PARK

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. MCINTYRE. Mr. Speaker, today citizens and communities all across the United States join together to celebrate our nation's 235th birthday. In doing so, we rejoice in the moment, reflect on the past, and recommit ourselves to a brighter future for our wonderful nation.

One very special celebration is taking place today in Fayetteville, North Carolina, that deserves the special recognition of the U.S. Congress—the dedication of the North Carolina Veterans Park.

Fayetteville, and all of North Carolina, have a long and historic commitment to the men and women who have protected our country's freedoms. From Cherry Point Air Station to Charlotte Air National Guard, from Camp Lejeune to U.S. Coast Guard Air Station Elizabeth City, from Fort Bragg and Pope Army Air Field to New River Air Station and Seymour Johnson Air Force Base, from the Military Ocean Terminal at Sunny Point to the Oak Island and Wrightsville Beach Coast Guard Stations, North Carolina has opened its hearts and hands to support those who have made so many sacrifices and opportunities for all of us.

Embracing the military and its veterans have earned North Carolina the distinction as the "most military friendly state" and home to one of the largest percentages of veterans in America. Ensuring that our veterans' service and sacrifice are never forgotten will be the legacy of the North Carolina Veterans Park.

This multi-dimensional park will capture the commitment, courage, and country-first attitude that shines through the veterans of our nation. And in doing so, it will be a legacy that generations and generations can learn how the actions of a few saved so many.

I want to share the words of our 16th President, Abraham Lincoln, who once said, "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations."

The North Carolina Veterans Park will be another chapter in our state's and nation's efforts to honor those who have served and lived with great distinction.

Mr. Speaker, in closing, the North Carolina Veterans Park storyline states:

From the soils of North Carolina,

You left your families and homes
With purpose to serve your country.
You are our veterans.
This is your place to reflect on and
Share your experiences.
To feel pride in your service,
Bond with fellow veterans, and heal.
Here, may you find your support and inspiration
To live your lives today.
The people of North Carolina
Honor your service and welcome you home.

TRIBUTE TO AL LIPSCOMB

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on Saturday, June 18, 2011, the people of Dallas, Texas and the United States suffered a great loss with the passing of Al Lipscomb. Al Lipscomb was a strong community leader, businessman and a devoted public servant. He was never afraid of controversy; he was a true advocate for peace, racial justice, and social equality. He was 86 years old.

Mr. Lipscomb was born in East Dallas. He was educated in the Dallas public schools, attending Booker T. Washington High School and graduating from Lincoln High. He joined the Army Air Force in California with the military police in 1943. He returned to Dallas in 1950, married and became the head waiter in the executive dining room of the First National Bank. He was reprimanded by his boss after going to the courthouse to watch Thurgood Marshall file a Dallas school desegregation case.

In 1966, he became a neighborhood organizer for the Dallas Community Action Agency. He was also an organizer for the Dallas chapter of Dr. King's Southern Christian Leadership Conference.

Al Lipscomb is known for filing a groundbreaking lawsuit that forced Dallas to elect council members by individual districts. He served on the city council for 15 years and was the first black person to run for Dallas mayor.

In 1972, Mr. Lipscomb opened the South Dallas Information Center on Pennsylvania Avenue, where he handled a constant stream of phone calls and questions from passersby seeking assistance. The center was supported by donations. He also kept a high profile by making the rounds at public meetings, asking tough questions, and offering suggestions.

In 1984, he was elected to the City Council and became a vocal critic of the Dallas Police Department's treatment of minorities. And in the late 1980s, Mr. Lipscomb and Ms. Diane Ragsdale—the only black members of the council—drew national media attention and local death threats. Despite the hostilities toward him, he remained both a critic and a skeptic of the city he loved. "I see a great change," he said. "I see a great change, a change for the better."

Al was a man of great commitment. He provided tremendous support for me as a public official. I am deeply grateful for his counsel, support, assistance, and unquestionable trusted friendship.

I remember him as being extremely affable, charismatic, and passionate about the needs of the community. For all of us he was as one of the most accessible elected officials, always available to listen and reach out to us in addressing complex issues in a hands-on and collaborative fashion.

Today, Texas's 30th Congressional District salutes and honors Al Lipscomb. We thank Mr. Lipscomb's wife, Lovie, his children, and his grandchildren for sharing his exuberant and compassionate spirit with us. His family was always supportive and understanding of his commitment. His fight for justice and equality should not, can not, and will not be forgotten.

HONORING NATHAN CHARLES
DARRAH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan Charles Darrah. Nathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has contributed to his community through his Eagle Scout project. Nathan reclaimed and built over a mile of hiking trail around Lake Jacomo in Jackson County, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Nathan Charles Darrah for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE DEDICATED
SERVICE OF LIEUTENANT GEN-
ERAL DONALD C. WURSTER,
UNITED STATES AIR FORCE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the service of Lieutenant General Donald C. Wurster upon his retirement from the United States Air Force.

For over 38 years of service to our nation, Lieutenant General Donald Wurster lived the core values of Integrity First, Service before Self, and Excellence in All We Do. On June 24, 2011 General Wurster relinquishes command of Air Force Special Operations Command and leaves behind a hallmark of accomplishments generated through his leadership of some of America's finest men and women.

Since his graduation from the United States Air Force Academy, he has been a part of

some of the most dynamic changes in airpower's history. Along the way, General Wurster's vision and leadership helped usher in some of the most unique warfighting capabilities in the Air Force. From counter-insurgency leadership to building aviation programs that provided national power any time, any place, his legacy will remain one of steadfast dedication.

As a tip-of-the-spear helicopter pilot, General Wurster amassed more than 4,000 flying hours, including assignments in both rescue and special operations. During his career, he commanded special operations units at the squadron, group, wing, joint task force, sub-unified command, and finally Air Force major command level where he led over 16,000 personnel executing missions across the globe in support of national interests and objectives.

Throughout his career, his wife Ronda has been there every step of the way. For over the three and a half decades, Ronda supported her husband, their growing family, and the fellow men and women who have chosen to wear the uniform as protectors of our nation's freedom. She has been there in times of celebration for graduations, promotions, and unit gatherings, as well as during the difficult times when someone has been lost or injured in the line of duty.

Let it be recognized that in a time of persistent combat and other military operations, the United States Air Force had the right guy, in the right place, at the right time. Furthermore, his leadership and framework for success has helped build a strong following of talented warriors ready to protect our nation.

Mr. Speaker, on behalf of the United States Congress, I am honored to congratulate General Wurster on his retirement. My wife Vicki and I wish him and Ronda all the best for continued success.

AGE NOT AN ISSUE FOR
BASEBALL'S JACK MCKEON

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. COBLE. Mr. Speaker, many senior citizens who travel to Florida are doing so to enjoy the retired life after years of working while filling their days with hours spent on the beach. Jack McKeon, from the Sixth District of North Carolina, crushes this stereotype as he begins his second term as manager of baseball's Florida Marlins.

McKeon has the full support of his family to leave his home in the town of Elon to return to the world of professional baseball, a move that makes him the second-oldest manager in history. This calculated return comes with pressure as McKeon led the Marlins to the 2003 World Series championship. His age is sometimes criticized, but the 80-year-old McKeon said, "I look at it this way—why should experience get penalized? I've managed since I was 14 years old. I'll probably manage until I'm 95."

Marlins president of baseball operations, Larry Beinfest, said, "It's good to see [McKeon] back. He never really left. We turn

to him to help us at a very difficult time." The Florida Marlins seem to be in need of McKeon after a recent 10-game losing streak and the resignation of former manager Edwin Rodriguez. McKeon is passionate and optimistic about his return and has high hopes for the coming season. "I don't need this job," McKeon said, "but I love it."

From one octogenarian to another, and on behalf of the citizens of the Sixth District of North Carolina, we congratulate Jack McKeon on resuming his duties as manager of the Florida Marlins and wish him the best of luck for the remainder of this season and for however long he wishes to manage. We know that whenever he retires for good, we are sure that it will be in the Sixth District of North Carolina.

A SALUTE TO MAYOR KYLE R.
HASTINGS AND THE RESIDENTS
OF ORLAND HILLS, ILLINOIS ON
THE OCCASION OF THE 50TH AN-
NIVERSARY CELEBRATION, JUNE
24-26, 2011

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. RUSH. Mr. Speaker, it is my great privilege to rise today to mark the 50th Anniversary of the founding of the Village of Orland Hills, Illinois. Orland Hills is nestled in the southwest corner of Cook County in the 1st Congressional District. Its growth speaks to the dynamic and dedicated leaders who have built Orland Hills with an eye towards the connectedness that is the true definition of community. At a time when social networking via technology has increasingly replaced face to face interaction, the real life network that exists among the residents of Orland Hills should be seen as a model for us all.

Originally founded on June 30, 1961 as the Village of Westhaven, residents held their first Village Board Meeting on August 3, 1961. A president, Raymond Pecor, was elected. Shortly afterwards, the village annexed 10 acres at the southeast corner of 167th Street and 94th Avenue. A Zoning Commission was formed and a Planning Commission was appointed to prepare a zoning ordinance and a zoning district map. Over the years, as the village's population continued to grow, annexations of adjacent land took Westhaven south to 171st Street. In 1970, the U.S. Census Bureau set the population at 470. Today the name is Orland Hills and the population is more than 7,000 and growing. During difficult economic times, village leaders found a way to build roads, schools, churches, shopping centers and beautiful homes. Racial and ethnic diversity occurred on its own as people found themselves feeling welcomed, accepted and at home with others who shared the American dream of building community through determination and hard work.

As the village continued to grow its reputation as a family friendly community with modest to low property taxes also grew. The village began to celebrate itself. In 1993 the first Orland Hills Jamboree became a success. That same year, it's fair to say another very

important event took place. A man who, over the years has grown to be a very dear friend of mine, Kyle R. Hastings, was elected to serve as the Mayor of Orland Hills.

As history would have it, 1993 was also the year I was first sworn in as the U.S. Representative for Illinois' First Congressional District. And, while there are many things I could say to describe the leadership that Mayor Hastings has brought to this thriving community his own words best describe his dedication to public service. In an interview he gave to the Chicago Tribune in May 2004 Mayor Hastings said "I'm like the DePaul Basketball Coach Ray Meyer of mayors. If someone needs something, I'm there to help 'em, and we're always winning."

In that same story, the newspaper reported that under Mayor Hastings' leadership, the village had balanced its budget for 10 consecutive years. It built lighted ballfields, greatly expanded its recreational programs and resurfaced about half its streets. Orland Hills also spent more than \$4.5 million building a village government complex, a public works facility and a recreation/senior center without issuing bonds or increasing property taxes. The report also noted Hastings' ability to attract a Wal-Mart and other small businesses to a strip mall, a decision that, today, continues to bring tax revenue and jobs into the Orland Hills community.

Mr. Speaker, I must also take a moment to highlight the Village's Administrator, John A. Daly, whose effective leadership played a decisive role in securing a \$6,000 Local Tourism

Grant from the Chicago Southland Convention & Visitors Bureau.

Mr. Speaker, for all these reasons and more, it is my sincere honor to enter into the Congressional Record this heartfelt tribute to the residents of Orland Hills, their Honorable Mayor Kyle R. Hastings, the trustees and appointed leadership of Administrator John A. Daly, and the Chairman of the 50th Anniversary Committee, an Orland Hills Trustee and the Mayor's son, Kyle R. Hastings II. I also want to pay tribute to the thousands of Orland Hills residents who spend significant social capital every day to make their village a true social network . . . a real place to live and work and raise families.

At a time when so much of our nation is beset with tough budgets or less than stellar policy and political leaders, the Village of Orland Hills has much to celebrate. I am deeply proud to serve the interests of this thriving community and I pray for the good health and prosperity of its citizens—and good weather this weekend—as thousand assemble to take part in a festive atmosphere of family, food and fun from June 24 through 26, at Kelly Park at 16675 S. Haven Avenue in Orland Hills. It will be a true American celebration, not of bricks and mortar but of the power of people and the spirit of sharing that makes our nation great and makes Orland Hills a place of pride for us all.

May God continue to bless and keep this community, the state of Illinois and our nation. Amen.

INTRODUCTION OF BILLS TO HELP THE UNEMPLOYED

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 21, 2011

Mr. PAUL. Mr. Speaker, today I am introducing two pieces of legislation to help the increasing number of Americans who, because of the Government-created recession, have lost their jobs. The first piece of legislation, the Unemployed Tax Relief, makes a laid-off worker's last paycheck tax free.

The second bill, the Unemployment Assistance Act, allows the unemployed to make penalty-free withdrawals from accounts such as Roth IRAs or 401(k)s, to cover routine living expenses, health care expenses, or to help pay for education and job training. Those who make these penalty-free withdrawals while unemployed will be able to replenish their accounts once they have started a new job.

Mr. Speaker, while we may disagree on the best solutions to the economic crisis gripping the Nation, I hope my colleagues will at least agree on these common-sense measures and cosponsor the Unemployed Tax Relief Act and the Unemployment Assistance Act.

SENATE—Wednesday, June 22, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

O God our help in ages past, our hope for years to come, help us to appreciate all that has gone on before us, all those who have given their lives for the sake of freedom, and all the sacrifices that have been made to keep America strong. Strengthen us to find ways to join this fraternity of patriots who more than self their country loved.

Today, empower our Senators to experience a fresh regenerating touch of Your power: Where there is sorrow, let there be joy; where there is despair, hope; where there is weakness, strength; where there is anxiety, peace; where there is sin, forgiveness. Teach us how to be stewards of power and yet custodians of peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 22, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following any leader remarks, the Senate will be in morning business until 11 a.m., with the majority controlling the first half and the Republicans controlling the final half.

Following morning business, the Senate will resume consideration of the motion to proceed to S. 679, the Presidential Appointment Efficiency and Streamlining Act.

We are working on an agreement to begin consideration of this bill and will notify Senators when votes are scheduled.

ORDER OF PROCEDURE

I would ask unanimous consent that the time not end at 11 a.m. on the majority and minority, that they each have a full half hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BIPARTISANSHIP

Mr. REID. Madam President, yesterday my friends, the chairman of the Foreign Relations Committee and the ranking member of the Armed Services Committee, submitted a resolution supporting the U.S. involvement in the NATO action in Libya.

I commend my friends who have submitted a strong bipartisan resolution with an impressive list of cosponsors, including Senators MCCAIN, LEVIN, DURBIN, KYL, FEINSTEIN, GRAHAM, LIEBERMAN, BLUNT, CARDIN, and others. This should have overwhelming support, and I am confident it will.

Some Republicans in the House of Representatives and on the campaign trail have expressed concern over our involvement in this conflict. They have clearly decided to use the War Powers Resolution as a political bludgeon to pursue a partisan agenda.

But I also believe there is a larger question we must each ask ourselves as Senators as we consider this military action: Was our participation in the international effort to stop mass murder and chaos in Libya a just decision? I am confident it was.

Muammar Qadhafi's repressive dictatorship is a threat to the region and to U.S. national security. Our support of this mission is crucial for our NATO alliance that is leading this mission and for the people of Libya who lived far too long under Qadhafi's brutal regime.

I thank the Senator from Massachusetts and the senior Senator from Arizona for beginning to deliberate. These two senior Senators have begun a deliberate, bipartisan discussion of this

important matter in the Senate. Working together, this bipartisan group of Senators has made a clear statement to our allies, to the world, to the Libyan people, and to Qadhafi that we support the people's action in Libya.

The Senate is truly at its best when bipartisan lawmakers work together. That is why it is so unfortunate that yesterday Republicans were unwilling to join us in our efforts to create jobs for Americans who need them so very badly. For the fourth time this year, my Republican colleagues stalled a jobs bill that could have put hundreds of thousands of Americans to work now.

This was the second jobs bill Republicans have killed by piling on unrelated amendments—the EDA bill that I just referred to, almost 100 amendments, none of which related to the legislation at hand. Two more jobs bills passed the Senate but are wasting away in the House. All four of these bills are commonsense efforts to spur innovation, investment, and hiring by private companies. All four had a proven track record of creating jobs. The message the Republicans have sent is clear: They care more about partisan politics than they do about putting Americans back to work.

Later today, Democrats will talk about our plan to reduce the jobs deficit, a problem just as critical to Americans as our budget deficit. We hope our Republican colleagues will join us to tackle the problem. So far, they have put politics first.

I don't know what it will take for Republicans to get the message that people in Nevada and across the country care more about jobs than any other issue. It is the most important issue on which Congress should focus. Instead, Republicans are focused on the one thing Americans don't want to change: ending Medicare as we know it. It is wrong that Republicans are trying to end Medicare as we know it. The American public does not support this.

The vast majority of Americans say they oppose the Republican plan to balance the budget on the backs of seniors by killing Medicare. The number amongst seniors and Independents is sky high in opposition to the Republican plan to change Medicare as we know it. There is no mystery to why they oppose it. The Republican plan to end Medicare would put insurance company bureaucrats between seniors and their doctors. It would raise drug prices from day one. It would increase the cost of cancer screenings and treatments for 7 million seniors and do a lot more damage to our Medicare recipients.

Seniors cannot afford this dangerous plan nor can America. The Senate can't afford to waste any more time. It is our job to create jobs. It is time for Republicans to leave Medicare alone and let us get back to work creating jobs.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half.

Under a subsequent order, each side will have the full 45 minutes.

The Senator from Iowa.

AUSTERITY DISCONNECT

Mr. HARKIN. Madam President, I wish to pick up a little bit again in my remarks on what the majority leader was just talking about; that is, the lack of focus on jobs in this country.

I am disturbed by the growing disconnect between Washington's obsession with austerity and retrenchment and cutting and slashing and the disconnect from that with the dramatically different needs, priorities, and anxieties of ordinary working Americans. The so-called chattering class here in Washington has persuaded itself that the biggest issue is the budget deficit. But Americans outside the Beltway are most concerned with a far more urgent deficit, the jobs deficit, and their concerns are well founded.

Our Nation remains deeply mired in the most protracted period of joblessness since the Great Depression. Real unemployment is close to 16 percent. Tens of millions of people who are employed are increasingly anxious about being able to hold on to their jobs and to make ends meet.

The American people get it. They want to get this economy moving again, and they know the best way to reduce the budget deficit is to help 25 million unemployed Americans get good, middle-class jobs and become taxpayers once again. With the private sector engine sputtering, there is an absolutely critical role for the Federal Government in creating demand and preventing a double-dip recession.

We have to wonder, is Washington listening to working middle-class

Americans? Is Washington listening to the legions of unemployed and the underemployed who are desperate for solutions to their plight? Sadly, I think the answer is, no, Washington is not listening.

Many of our political leaders are treating the jobs crisis as yesterday's news. They are putting deficit reduction above all else. They are demanding extraordinary—in fact, unprecedented—cuts to government funding and government investment. It is akin to a bidding war, driven by the hysteria of the auction rather than the value of the lot: Let's cut \$1 trillion. No, \$1.5 trillion here. No, I have \$2 trillion over here. How about \$4 trillion? It is akin to a bidding war to see how much we can cut government funding and investment.

I have to ask, has Washington lost its mind? Don't we realize these Draconian cuts are the economic equivalent of applying leeches and draining blood from a sick patient? Don't we realize this will make both the jobs deficit and the budget deficit far worse?

Of course, we must act aggressively to bring deficits under control. But we have to do this in ways that continue to create more jobs while also improving the long-term competitiveness of the American economy.

We have reached the point of maximum danger in the fragile economic recovery. We are at the point of maximum danger. Employment growth is weak and threatens to stall out altogether. Businesses remain reluctant to invest and hire for the simple reason that there is not sufficient demand for goods and services. All those unemployed and underemployed people are only spending enough to make ends meet. If they are getting unemployment compensation, they are barely making ends meet. There is no excess money. The middle class is tapped out, with stagnant incomes, insecure jobs, high levels of mortgage, and high levels of consumer debt. The threat of a double-dip recession is far too real, and the fear of more unemployment also hangs right over tomorrow's horizon.

In this context, to insist that we slash Federal funding by trillions of dollars is beyond foolish. It is government malpractice. It flies in the face of everything we know and have learned about how economies work.

Two weeks ago, Federal Reserve Chairman Bernanke stated the obvious. He warned us:

A sharp fiscal consolidation focused on the very near term could be self-defeating if it were to undercut the still-fragile economy.

Again I ask, is anyone listening? The alarm bells are ringing all over America.

Recently, the Federal Reserve Bank of New York published an online article about what it called "the mistake of 1937." What is that all about? The New York Fed was referring to the pre-

mature fiscal and monetary pullback in 1937 just as the economy was beginning to get its legs to get out of the Depression. That premature retrenchment was a historic mistake. It killed the recovery then in progress and sent us back into the Great Depression for another almost 4 years until it was finally ended with the stimulative spending of World War II.

Paul Krugman, the Nobel Prize-winning economist, says that in important ways we have already repeated the mistake of 1937. We have taken our eyes off of what should be our No. 1 priority—creating jobs—and we have pivoted to an obsession—again I repeat, an obsession—with deep, short-term budget cuts which by their very nature will destroy jobs and weaken the economy.

Let me cite another glaring example of the disconnect between Washington and the rest of the country. Here in Washington Republicans assert that the Recovery Act was a failure. Why do they claim that? Because they claim President Obama promised the Recovery Act would reduce unemployment to 8 percent and because that has not happened, it was a failure. We have researched this. The Republican talking point on this President Obama promise has no basis in fact. Independent fact checkers in the media have tried to find such a promise or a statement by President Obama, and they have come up empty.

I say again to my Republican friends, if you have some proof of President Obama saying the Recovery Act would reduce unemployment to 8 percent, please bring it forward. All we have found in checking this was an illustrative table from a report that was published—are you ready for this?—before President Obama took office, speculating that some future stimulus program might reduce unemployment to 8 percent depending on how big the stimulus was.

Those same fact checkers found that President Obama did promise one thing of the Recovery Act: He said it would prevent a new Great Depression and prevent unemployment rates of 12 or 13 percent. That did happen.

Fortunately, ordinary Americans have a better understanding of the Recovery Act. They know hundreds of billions of dollars in middle-class tax cuts in the Recovery Act gave them a modest but a significant boost in income. They know that because of the Recovery Act's assistance to the States, many tens of thousands of teachers, police officers, and other essential employees were able to keep their jobs. They have seen countless highway and other infrastructure projects funded by the Recovery Act. All of these have either preserved jobs or created new and more jobs. They provided significant benefits for our people, including better roads, better bridges, better schools, and other critical infrastructure for the future of our country.

Thanks in large part to the Recovery Act, we have gone from losing 700,000 jobs a month in late 2008 when President Obama took office to adding new jobs now for 16 consecutive months building the infrastructure of America. I know a little bit about this. If you go over to my office, you will see hanging on my wall in my office my father's WPA card. To all of you young people who do not know what WPA stands for, it stands for the Works Projects Administration. It started under Franklin Roosevelt during the Great Depression to hire people who were unemployed to work on infrastructure projects.

I know my father worked on three of those projects. One was Lake Ahquabi near Indianola, IA, which is still a State park and recreational area enjoyed by people all year-round, especially in the summertime. Another was a high school in Indianola, still in use, built by WPA. The other was the Maffitt Reservoir built by the WPA for a holding of the city of Des Moines reservoir. All three were built by the WPA, still in use today. We can see countless examples of this all over America. We have schools in Iowa which have been modified and upgraded but still were built by the WPA. That is true all over the country.

What happened is they built an infrastructure that helped the private sector be more efficient and more productive and make lives better for our people. We need to do that again, and we need to invest all over America. The Recovery Act started that, but now we know it was not enough and it was not long enough. Just as in 1937, we are about to repeat that same mistake. If we had kept the stimulus going through 1937 and 1938, we would not have fallen back as we did at that time.

The nonpartisan Congressional Budget Office estimates that through the end of 2010 the Recovery Act had raised the gross domestic product by as much as 3.5 percent and increased the number of employed Americans by as many as 3.3 million people—employed in the public sector but also in the private sector.

Business columnists and pundits have no doubt that the Recovery Act has boosted the economy. You can go to CNBC or Bloomberg on cable TV. In recent months, it has almost become a cliché for commentators to say this: Sure the economy is growing again, but this is largely because of the Recovery Act and the easing by the Federal Reserve. As those things wind down, the economy will be in danger once again.

OK, it seems to me, then, that we do not want to wind them down. Why wind them down and throw us into a tailspin again? These business pundits are correct. The shot in the arm provided by the Recovery Act is now winding down. It threatens our fragile recovery. In the absence of Federal assistance,

many States are making deep budget cuts or laying off their employees. In Texas, Governor Perry has proposed to cut education funding by a staggering \$10 billion. In New York City, Mayor Bloomberg has proposed laying off 6,000 teachers. Total State and local government layoffs just in the last 6 months have been nearly 350,000—350,000 people who were working no longer work. They are laid off. Where will the demand be for goods and services from the private sector from all these laid off individuals? Now, if the Federal Government follows suit, after what is happening in our States, with these massive short-term spending cuts, the prospect of a more severe recession will be very real, and we will go off that cliff.

So I reject the false choice between addressing the budget deficit and addressing the job deficit. We can and must do both. As I said earlier, the budget deficit is in large part caused because of the high jobs deficit. High unemployment over the last 3 years has ballooned the deficit by hundreds of billions of dollars because tax revenues have fallen. Federal spending has increased for things such as food stamps, nutrition assistance, unemployment benefits, Medicaid. How often do we hear that Medicaid spending is skyrocketing? You know, before you get Medicaid, you have to fall under certain poverty guidelines. The reason Medicaid is going up is because people are not working. People are not working because there aren't any jobs. And there aren't any jobs because the Federal Government will not prime the pump, because the Federal Government—now we are being told we must cut back with huge cuts, tremendous cuts that will further make more people get laid off and will further make the problem even worse than it is now.

The smartest approach is to take measures to sharply reduce the deficits in the medium and long term but to invest in job creation in the short term. We have it backward. Washington now has it backward. My Republican friends have it backward. They are going to slash and cut, and that is going to push us into another recession. Better we invest in the infrastructure and keep new jobs and more jobs out there that will create the pent-up demand we need for goods and services. That will help us reduce the deficit in the medium and the long term.

We have to do it right, a balanced way—some spending cuts, revenue increases. People say: How can we invest, Senator HARKIN, in all these roads and new schools and new infrastructure, new energy systems—how can we do that when we are broke? Will we just have to borrow more money from China, go further into debt, put more debt on our kids and grandkids' heads?

I thoroughly reject the premise under which the Ryan budget and the Repub-

lican budget is based. It is based on the premise that we are broke, that we are poor, that we can't afford to have teachers and we can't afford to have more medical personnel out there taking care of our elderly, that we can't afford more roads and bridges and sewer and water systems and better school facilities and better technology and new energy systems—we can't afford to do that because we are broke. I reject that. We are not broke. We are not poor.

The United States of America is the richest nation in the history of mankind. We are the richest nation on the face of the Earth. We have the highest per capita income of any major nation in the world. So one has to ask the question, if we are so rich, why are we so broke? Why are we so poor? The reason is because the system is broken.

This really started with the massive tax cuts enacted under the George W. Bush administration in 2001. Need I remind anyone that we had 3 straight years of budget surplus? CBO said that if we kept on the track we were on, we would pay off the national debt by 2010. But as soon as President Bush was in office, Republicans took control of both the House and the Senate and gave massive tax cuts mostly to the wealthy in our country. That, plus two unpaid-for wars and an unpaid-for Medicare benefit, put us into the greatest deficit and biggest debt we have ever had as a nation.

If 50 percent of the problem we have with the deficit was made because of the tax cuts that mostly went to the wealthy, then we have to think seriously—no, I will rephrase that. We don't have to think seriously; we must act decisively to raise revenues so we do not have to borrow more money. There are revenues there to be had. A few people made a lot of money in the last 10 years. I don't think it is untoward to ask them to perhaps help rebuild America. The private sector companies, I am told, are sitting on about \$2 trillion in cash, and they will not invest it. There is money there. Our tax system—our system is screwed up. So we need both—yes, to make targeted cuts in certain programs. We can do that. But we also need to raise the revenues necessary to invest in putting people to work and rebuilding the infrastructure of this country.

Republicans are saying we need more tax breaks for the wealthy. If working people and the middle class are taking a hit in tough times, it should not be to pay for more tax breaks for the wealthy. As our leader just said, after weeks of debate, Republicans blocked passage of a bipartisan small business bill, and just this week they killed the Economic Development Administration development bill with a proven record of job creation. The key to renewing America and restoring our economy is to revitalize the middle

class. That means investing in education, innovation, the infrastructure, boasting American competitiveness in a highly competitive global marketplace. How do we do both? We do it by making certain targeted cuts but raising revenues by raising revenues. I would have to add, one of those ways we have to think about cutting is, why we are continuing to spend billions of dollars and losing American lives in Afghanistan? What are we still doing in Iraq? I saw a recent report that said we have spent over \$87 billion in Iraq. What do we have to show for it? Higher gasoline prices than ever before and a country that is still torn apart by internal strife.

If we want to move ahead and create these jobs, it means a level playing field, fair taxation, an empowered workforce, a strong ladder of opportunity to give every American a shot at the middle class.

With the fragile economic recovery, we should not reduce fiscal support for job creation at this time. Deficit reduction efforts can start but sequenced in. When the economy is recovering, that is when they start taking place. Now is the time to invest in job creation. We need to keep our priorities straight. The greatest challenge right now is not the budget deficit. The greatest challenge is the jobs deficit. The greatest challenge is the erosion of the middle class, which is under siege in America. The middle class is being dismantled every day. People are losing their savings, their health care, their pensions and, in many cases, even their homes. These proposed gradual budget cuts, drastic budget cuts will destroy jobs and further damage the economy. The people, the middle class of America, have every reason to believe they are losing the American dream not just for themselves but for their children.

Instead of the Republican budget, which is being sold through fear and fatalism, we need a budget that reflects the hopes and aspirations of the American people. We need a budget that will invest to create jobs, that will bring future deficits under control as more people come to work, as fewer people need Medicaid, as fewer and fewer people need food stamps, as fewer and fewer people need unemployment compensation when they begin working and becoming taxpayers again. It is up to the Federal Government to take this step, and we should not be afraid to do so. It must be bold. It cannot be tinkering around the edges. It must be something that is big and that is bold and that will jump-start our economy. That is our No. 1 priority. I hope we can do this so it will not happen that we go into another Great Depression or what happened in the late 1930s; that we had to depend upon another war to stimulate Government spending and put people back to work. God help us if that is the only thing we can look forward to, to

get our economy going again. We should have learned from the past, taken those lessons from the past and take the steps necessary right now to invest in jobs, to rebuild the middle class of America, and to have a fair taxation system so those people at the top who make so much—and I don't begrudge people making money, but I do begrudge if they are not paying their fair share in revenues to this country. That is our challenge. I hope Congress is up to meeting that challenge. The middle class is the backbone of America, and it is time this Congress showed the backbone to stick up for them.

I yield the floor.

Madam President, how much time is remaining on our side?

The ACTING PRESIDENT pro tempore. Nineteen minutes.

Mr. HARKIN. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, how much time do we have remaining now?

The ACTING PRESIDENT pro tempore. Eighteen minutes.

NEW NLRB RULES

Mr. HARKIN. Madam President, I also wanted to speak about the new National Labor Relations Board rules that came out just yesterday. It also has a lot to do with the middle class in America and what happens to the middle class.

In 1912, women went on strike at a textile plant in Lawrence, MA. They inspired the Nation when they walked the picket lines with signs that said: "We want bread, but we want roses too." Well, what did they mean by that? They meant they wanted jobs, but they didn't want just bear subsistence and slave jobs. As you know, many women died in the terrible triangle shirtwaist textile plant fire. They wanted jobs, but they wanted jobs that paid a living wage. They wanted jobs that did not work people 12, 18 hours a day, 6 or 7 days a week. Those words helped to shape the character of the country we created, a shared prosperity for the American people.

Almost 100 years later, we face the same fundamental question about what kind of country we want to be. When we imagine the America of our dreams or our children and grandchildren, is bread just good enough for the middle class or should we have some roses too?

Republicans portray our country as poor and broke, and they have used

that as an excuse to rationalize an unprecedented attack on the middle class. But, the reality is we are the wealthiest Nation in history. It is just more and more of our country's wealth is being concentrated at the top.

Certainly, the American people do not begrudge the rich their good fortune and success. But they do resent it when the wealthy and the powerful manipulate the political system to reap huge advantages at the expense of working people. Today, unfortunately, more and more people sense in their hearts that the rules of the game have been rigged in favor of CEOs and big corporations, and nowhere is this more apparent than the process by which workers form a union or, I should say, by which process workers are blocked from forming a union.

As it now stands, the union election process is a never-ending, bitter struggle marred by corporate intimidation and frivolous lawsuits. Workers have to walk through broken glass on their hands and knees to get the same basic rights that every wealthy CEO has the right to have the terms of their employment set out in an enforceable contract. Right now, CEO's bargain extremely generous salaries and golden-parachute retirements, but millions of hardworking Americans don't have a way to guarantee from week to week that they will have enough hours to feed their family or that their health benefits won't be cut without notice.

So the rules promulgated by the NLRB yesterday try to right this and to make it a fair and equitable process so people can form a union. The proposed rules are very modest. What it does is cut down on the number of frivolous lawsuits and removes unnecessary delays that prevent workers from getting a vote in elections. Sometimes it takes months and, in some cases, years before workers even get a chance to vote on whether or not they want to form a union. All the while, people are harassed and intimidated. These workers know first hand that justice delayed is justice denied. That is not the American way. Workers deserve a fair shake and a fair election. If people want to form a union, they deserve that right to do so.

The steps they took are common sense. It removes unnecessary delays, cuts down on frivolous legal challenges, gives workers the right to a fair up-or-down vote, in a reasonable period of time. These new rules do not encourage unionization, and they do not discourage it. They just give workers the ability to say yes or no. Again, what they seek is valid.

The current system is broken. If a party takes advantage of every opportunity for delay, the average time before workers can vote is 198 days, and, as I have said, it has taken 13 years before people were allowed to vote in a union election. A study by the Center

for Economic Policy Research found, among workers who openly advocate for a union during an election campaign, one in five is fired. Madam President, 9 out of 10 employers require their employees to attend meetings on work time to hear anti-union presentations. Workers are required to attend 10 anti-union meetings. Well, it is time to right this imbalance.

That is what the NLRB did—not tilt it one way or another but to give workers a fair right to have an election. The rules apply to secret ballot elections, but make modest changes to not to have it dragged out for years and years with frivolous lawsuits while preserving employer's due process rights. The new rules standardize time lines for union elections so that both sides have a fair chance to make their case and then employees have the right to a timely vote. They ensure that employers and employees have a level playing field, where corporate executives and rank-and-file workers alike have an equal chance to make their case for or against the union. That is all it is. It is nothing more, nothing less than that. This is a fair set of rules.

I am sure we are going to hear from the business community about this, saying this is meddling and this is going to tilt toward the unions. No, it doesn't. For far too long it has been tilted on the side of the employer and against the unions. Now we bring it back to the middle, where we say we are neither pro nor against, but we are going to let workers have the right to say whether they want to form a union. Some workplaces will choose a union, some will not. But protecting the right of workers to make that choice brings some balance and fairness to the system, so the deck isn't always stacked in favor of the wealthy and the powerful.

America's future depends on the middle class having not just bread, but roses too, just as was the case 99 years ago. Our government faces a clear choice: do we stand for seemingly endless corporate power, or do we stand for the basic rights of working people? Republicans keep pushing for special favors for the wealthy and big corporations, claiming this will create jobs and economic prosperity. Instead, over the last decade, it has brought us high unemployment and the worst economic downturn since the Great Depression. The problem with trick down economics is that it failed to trickle down. Wealth has been increasingly concentrated at the top.

There is a better way. Quality jobs that pay a living wage, provide health insurance and a secure retirement are the foundation of a strong middle class. Having a strong middle class that can afford to buy quality products made in America is the recipe for our economic renewal.

I compliment the NLRB. I know I have heard there will be some chal-

lenges to it on the floor of the Senate. I hope reason will prevail and the Senate will once again stand for the inherent right of people to be able to organize and bargain collectively for their wages, hours, and conditions of employment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

EDA

Mr. DURBIN. Madam President, there was a vote yesterday on the Senate floor about a bill that was pending. It goes directly to the topic just raised by the Senator from Iowa. It was the Economic Development Revitalization Act. The EDA is an agency created almost a half century ago to create incentives for businesses to build, expand, and locate in places across America where there is high unemployment. It has been a success in Illinois and almost every other State.

For every \$1 the Federal Government puts on the table, it generates \$7 in economic activity. There is not a lot to go around, so they pick those projects that are the most promising, and it is a good agency. It is an agency that has enjoyed wide bipartisan support. Yet, when it came time yesterday to vote on whether we go ahead and pass the bill to reauthorize the agency, unfortunately, we could not find 60 Senators on the floor to vote yes. So the bill languishes and basically was pulled from the calendar.

It is the second time this year, when we face this recession and high unemployment, the Senate has refused to take up a bill that literally will help businesses create jobs across America. It does not make sense, does it, that when we have so many people out of work, we cannot even agree on a bill to create jobs and help business. It does not make sense, unless the premise of this debate is understood.

The Republican minority leader, Senator McCONNELL, said his highest legislative priority this session was to make sure President Obama is a one-term President. It is that guiding force that led to the vote yesterday. It is that guiding force that has stopped us from passing meaningful legislation when it comes to unemployment in America, time and again. You see, if we are destined and determined to stop this President and frustrate any efforts to build jobs, then the Senate will continue to languish.

How does this work? It works because when bills come to the floor, brought by the majority leader, HARRY REID, Senators from the other side of the aisle start a steady stream procession to this desk to file amendment after amendment, until we had literally 100 amendments filed to the Economic Development Administration bill. You say: Well, maybe this bill needed some work.

The amendments had little or nothing to do with the bill. They are about everything under the Sun—every issue a Senator can dream up or that his or her staff thinks might be interesting. Believe me, 100 is a modest number. We could certainly, our staff people and others, come up with hundreds more. But at the end of the day we still would not pass the Economic Development Revitalization Act. We would not help businesses locate, expand, and create jobs, and we will still continue to languish with millions of Americans unemployed.

I think it is time for us to face reality. The reality we face is that America has two deficits. The one we talk about a lot is the budget deficit, and it is serious. I was on the deficit commission, the Bowles-Simpson Commission. We looked at it long and hard and realized it is unsustainable for America to borrow 40 cents for every dollar it spends in Washington. We can't continue to do this. The debt of our Nation is growing dramatically, and we have to bring it to a stop. That means cutting spending and raising revenue. Those are the only two ways to reduce the deficit, and we have to do both. That is what the Bowles-Simpson Commission said—and I voted for it—a bipartisan vote for the Commission to move forward on the deficit. But they said something else: Don't do this too quickly; don't do it precipitously; be careful that we don't kill off the recovery we are engaged in.

The Bowles-Simpson Commission basically said to wait a year. Make a plan, make a commitment, but say for this year we are going to get America back to work. The Bowles-Simpson Commission knew—and we all know—we can't balance America's budget with 14 million people out of work. These are folks who should be earning a paycheck and paying taxes but instead are home looking for work, searching the Internet, searching the classifieds, and drawing benefits from the government instead of paying taxes. So as long as 14 million Americans are in that position, then, sadly, we are going to have a deficit that is aggravated rather than one that is cured.

So the Bowles-Simpson Commission said don't move too quickly to kill programs that make a difference. They are right. I happen to think they were right in many other respects.

When we deal with our budget deficit, let's be honest about it. It is going to take sacrifice from everybody. Maybe some of the poorest among us cannot sacrifice any more. I understand that. But for most of us a little change in our lifestyle, a little change in the government benefits we might be receiving or the taxes we might be paying is not too high a price or too much to ask to put this economy on the right track.

I think a lot about sacrifices being made by Americans, and the first people who come to mind are our men and women in uniform who are serving around the world. I think about the sacrifice they have volunteered to make every single day. They are willing to risk and, in many cases, give their lives for this Nation. If they are willing to make that kind of sacrifice, can we honestly say with a straight face we can make no sacrifice to make America stronger? I think we can. I think we should. I think we ought to come together in a bipartisan fashion.

I am frustrated by the fact that for the last 5 months I have been meeting with a bipartisan group of Senators and we have come up with the basic outline of an approach which would dramatically reduce America's deficit in a balanced and fair way. It would put everything on the table. Let me underline the word "everything." Many of my colleagues don't want everything on the table. On this side of the aisle they don't want to talk about our entitlement programs. On the other side of the aisle they don't want to talk about revenue. I understand that, but we both have to give a little for the good of this country. But after 5 months of long, tortured negotiation; after what I consider to be a successful effort—95 percent successful—in producing a plan for deficit reduction, I am sorry to report we are just not ready to let the world in on what we have been doing. I wish we would.

I am prepared, and I hope other colleagues will be too, to come to the floor and to lay this out and say: If this helps—if this helps our country, if this helps Congress, if it helps the President, if it helps those who are working with Vice President BIDEN—then here is our offering. Here is our best effort. It is not perfect, and it won't be the end product. But for goodness' sakes, the time is over for talking behind closed doors. I appeal to all of my colleagues who believe we should come forward with this Gang of 6—now down to Gang of 5—proposal, to let it be known: Come to the floor, talk to our colleagues, let us break this logjam which has stopped us from bringing these ideas forward.

I want to keep my good faith with those who are engaged in this effort. I am not going to stand here and describe in any detail what we have been doing. I will, however, tell my colleagues I have reached a level of frustration. After all this work and all this time, all this effort and all the political courage I have seen exhibited behind closed doors, we need to step forward and say something publicly. We need to do it in a fashion that gives some guidance to those who are making critical decisions.

Let's not reach the point where we literally test the creditworthiness of the United States of America by refus-

ing to extend the debt ceiling. That is a bill which goes largely unnoticed each year. It is when America renews its mortgage. It comes due August 2 this year. If we don't do it, I can tell my colleagues what is going to happen. My projections are not based on any great expertise I have but on what has been told to me by the Chairman of the Federal Reserve, by the Secretary of the Treasury, by the President.

Here is what will happen: If the United States does not show we are ready to pay our debts in a timely fashion, what is going to happen automatically is that interest rates will rise. The Federal Reserve is supposed to report this week that they are going to keep interest rates low because they want America's economy to recover. We can spoil this party in a hurry if we get engaged in a political cat fight between the House and the Senate and both political parties and do not extend the debt ceiling. Failure to extend the debt ceiling or creating uncertainty about its extension will raise interest rates. Who will pay the price? Americans across the board.

When we want to buy a car, we will pay a higher interest rate. When we want to buy a home, we will pay a higher interest rate. If we want to start a business and expand and hire more people, if we can borrow money, it will be at a higher interest rate. This will slow down our recovery at a time when we need just the opposite.

So let me suggest that those who believe, as I do—and I think I have put up my beliefs for display when it comes to this deficit—that we need a bipartisan approach that is serious, for goodness' sakes, let's not bargain with the debt ceiling. Let's do what is right for America in a bipartisan fashion and then stand up together and accept the responsibility of governing, the responsibility of reaching a decision and moving forward.

When we see a bill such as the Economic Development Administration bill die on the Senate floor, as we did last night, it is a reminder of how partisanship run amok can hurt us when America needs leadership the most. To put 100 amendments on the floor to a bill as simple as this—it used to pass with a voice vote—is an indication there are some in the Senate who want to accomplish absolutely nothing except partisan debate. That is not good for this country. If the best thing we can do at the end of the day, after all 100 Senators come filing through the door, is to pass some resolution extolling the virtue of someone across America—if that is the best we can do—maybe we don't deserve these paychecks we are being sent. Maybe it is time for the American people to demand an accounting of those elected to office.

We have to be ready to not only make the speeches and make the polit-

ical points, but we have to stand and make a difference. That means standing together. It means taking a risk of putting everything on the table and getting America moving. If we can get this deficit resolved, we can convince people across this country and around the world we are serious about it and we are going to launch an economic recovery that will create jobs and help businesses and make us a stronger nation and give our kids a chance. The alternative is unacceptable.

Today, I hope my colleagues—if they believe we should move forward on a bipartisan basis to deal with this deficit and to put everything on the table now and get down to business—will come to the floor and say as much.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Madam President, I understand I have 10 minutes to speak; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. CORKER. If the Chair will show me the courtesy of letting me know if I happen to get within 2 minutes of that.

The ACTING PRESIDENT pro tempore. The Chair will.

Mr. CORKER. Madam President, I rise to speak on the same topic the Senator from Illinois was speaking about; that is, the discussions taking place right now around the debt ceiling vote and what kind of arrangement or what kind of agreement can take place. These are called the Blair House negotiations. They are happening between the Vice President of the United States—the actual President of the Senate when he is here—and leaders on both the Republican and Democratic side of the House and Senate.

What I wish to speak about today stems from reading some of the public comments. I am concerned the type of deal they may be trying to seek is not something many of us in this body would even agree to if they reached it, meaning it is far more modest than I think most of us have been looking at. It is my understanding they are going to be meeting all week. It is my understanding they had hoped to reach an agreement by next week. So my reason for coming to the floor is to ask the Vice President and those others who are involved in this to publicly tell us by the end of next week what deal it is they are trying to accomplish and in what timeframe.

I think all of us are frustrated. We work in the Senate, and as the Senator from Illinois was just mentioning, we have done absolutely nothing in this body this year—nothing. We have voted on a few noncontroversial judges—maybe we have done slightly more than that, but almost nothing—while our country languishes, worrying about what we are going to do with these

budget debates. As a matter of fact, we haven't passed a budget now in something like 770 days.

So here we are shelling out taxpayer money each year—\$3.5 trillion, \$3.7 trillion—and we don't have a budget, which is about as irresponsible as one can be.

Actually, there are groups working on other solutions. I think it would be good for this body to know what kind of arrangement is being looked at, what kind of goals are trying to be achieved, and in what timeframe they are going to be achieved so that people will know with some degree of certainty whether there is going to be something achieved to which we would agree.

Let me give an example. One of the things I have heard is, we are going to have the same amount of debt limit extension as we do in reductions, meaning we will have \$2.4 trillion in debt ceiling additions and \$2.4 trillion in cuts. The problem is, the debt extension is over an 18-month period and the cuts are over a 10-year period. So we can see there is a vast discrepancy in what is taking place. The semantics may sound good, but the result, candidly, is not near what I believe the American people would like to see, nor what I believe financial markets would like to see. So if our goal is something we know on the front end is not even acceptable to this body, it seems to me it is not rational for us to be sitting here waiting on this group at the Blair House to make a deal we all know is not good enough.

So I hope by the end of next week this group who is negotiating will come forth and tell us what it is they are trying to achieve, the likelihood of achieving it, and in what timeframe.

I am also hearing there are discussions that we do not believe we will reach a deal by the August recess. There have been some public comments about short-term extensions. I cannot imagine going home to the people of Tennessee for recess on August 6 and telling them: We are on August recess, and I am here to tell you we haven't done a thing—not one thing—to reach a deal on how many cuts are going to take place in spending relative to our debt ceiling extension. But I am here in Tennessee to tell you that we are on recess, and we have accomplished nothing.

I cannot imagine us doing that as a body.

The other thing I am hearing is we may be looking at a short-term extension to move beyond the August recess, to get us back into this fall. Maybe that is a way of dealing with this issue. But, again, if we adopt a short-term extension to try to give us time to reach a deal we all know is unacceptable on the front end, why would we give a short-term extension? So it just seems to me the most responsible happening

would be for negotiators on both sides to tell this body—this body which has done nothing of importance this year—maybe a few minor things, not much; We spent no time dealing with serious issues; no time dealing with a budget; no time trying to deal publicly with the issues of deficit reduction—to let us know where they are.

It seems to me a number of people in this body are getting very restless. They see what is happening. We have seen this movie before where we bump up against a deadline and we have to make a decision up or down because "it is going to create havoc in the marketplace." It seems to me, again, the responsible thing for the Blair House group to do is to let us know where they are at the end of this next week so if Members of this body wanted to figure out a different route to go because they thought the route that was being taken was not acceptable, not good enough—as a matter of fact, I noticed yesterday where the chairman of the Budget Committee on the other side of the aisle has said the things he has heard are not good enough for him. I can tell my colleagues they are not good enough for me. So the goal we are trying to achieve is not something I would even agree to.

So maybe if we cannot get some degree of clarity as to what is happening at the Blair House and some degree of update, maybe there is some other route we should take or maybe the market should know well in advance that this body does not have the discipline, does not have the ability, does not have the courage to deal with what we know is an upcoming calamity—a calamity that is either going to occur because we cannot reach agreement and we do not raise the debt ceiling or a calamity that occurs a little bit down the road because we have not shown the fiscal discipline in this body to put our house in order, knowing that at some point in time the markets will run from us, interest rates will rise, people will no longer be willing to loan us money because we have shown how irresponsible we are and we have a calamity on that end.

So let me restate, I am 58 years old. I came to this body to solve problems. If there is going to be a calamity, I want the calamity to occur while I am here so I can deal with it and take responsibility for it versus kicking the can down the road for somebody else to have to deal with the fact that we as a body are irresponsible.

In closing, Madam President, thank you for the time. I implore the folks who are meeting behind closed doors—implore them—to come forward and to outline the goals they are trying to achieve and when they think they are going to achieve them so all of us who are sitting around here cooling our heels, doing nothing—doing almost nothing of importance for this coun-

try—the Senator from Illinois talked about the EDA bill. We all knew it was not going to pass. Everybody knew that. Everybody knew that bill was offered on the floor to kill time, to make it look as though the Senate was doing something. That is all it was for. Everybody knew that. Everybody working up front knew that. The pages knew that. Everybody knew that. So for people to come down here and act as if it is a shock that cloture was not achieved on EDA when we knew it was here just for a filler is kind of surprising. We knew what it was about.

So I would like for us to get on with dealing with the most important issue our country has to deal with; that is, the huge amount of deficit spending, where every day we are spending \$4.1 billion we do not have. Every day we are borrowing 40 cents of that from other folks. Every day we are causing this country, because of that, to be in decline—hopefully, we will rectify that, but to be in decline, lowering the standard of living of all Americans because we in this body do not show the capability, the will, the desire to solve that problem.

I am hoping—I am hoping—the Blair House negotiations yield a result. I really do. That is why I think all of us are being patient as they meet in private, sharing no details about what they are doing. But at the end of this week, the end of this work period, I think it is time they come forth to give us a status as to where they are so that if there are other routes that ought to be taken, people have the ability to do that.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SOCIAL SECURITY

Mrs. HUTCHISON. Madam President, I rise today to discuss Social Security and its future.

This is certainly an issue that affects all Americans, and now is the time we can address it in a way that will not be horribly obtrusive to the people who will be on Social Security in 25 years, when it just hits the bottom and we have stark realities that are going to hurt people. We can avoid that.

Last Thursday, I introduced, with Senator JON KYL as an original cosponsor, S. 1213, the Defend and Save Social Security Act, a bill that will secure Social Security for the next 75 years without raising taxes and without cutting core benefits to anyone.

Madam President, 28 years ago this past April, Congress and President Reagan came together in a bipartisan manner and acted decisively to address Social Security's finances to save the program for retirees. The men and women of that Congress, working with President Reagan, did it because at that time the program's expenditures had begun exceeding revenues in 1975. By mid-1982, the Social Security trustees warned:

Social Security will be unable to make benefit payments on time beginning in the latter half of 1982.

So the President and the Congress, in a bipartisan effort, started on a glide-path of raising the retirement age to meet the current actuarial tables.

Today, we are in roughly the same place. This spring, the trustees estimated that the Social Security trust fund reserves will be depleted in 2036, which is 25 years away. We have a little more time than President Reagan and Congress had back in 1982. The trustees today estimate that at that point in time, payroll tax revenue to the Social Security trust fund will only be able to pay out 77 percent of benefits to beneficiaries. In today's dollars, that would mean a cut in benefits of 23 percent, or \$271 a month average, in core benefit cuts if we do not do anything.

Last year, just to give you the numbers, 157 million American workers paid Social Security payroll taxes, totaling about \$637 billion in revenues.

However, a total of \$702 billion in benefits was paid to the approximately 54 million beneficiaries. These numbers are clear. The amount of Social Security benefits being paid out now exceeds the revenues that Social Security is collecting. The trustees, when they gave their report a month or so ago, said that to increase the assets you could increase taxes right now. The payroll taxes on employees and employers could go from 12.4 percent to 14.5 percent right now during this jobless economic situation. I would not vote to raise taxes on our Social Security payers now or our employers. It would be unthinkable.

The other thing suggested by the trustees that would meet this shortfall is that you can have a cut in benefits right now. An immediate cut of \$150 a month from core benefits would do it.

Well, what kind of option is that? It is no option. We are not going to do that. Everyone knows we are not going to do that. We are not going to raise payroll taxes and we are not going to cut core benefits now. We have more time today than the "race against the clock" that occurred in 1983. We have the option for 25 years of doing something that would have a gradual reform to shore up Social Security and give future retirees sufficient time to prepare for the modest changes in raising the retirement age.

If we wait, we have a 23-percent cut in core benefits. So it is imperative for

Social Security's financial future that we join together again in a bipartisan effort to stabilize Social Security and ensure that full benefits are paid out for the next 75 years. We can do it if we do not delay.

In 1935, when Social Security was established, there were 40 workers supporting each retiree. Twenty years later, in 1955, the ratio was nine workers supporting one retiree. Today, there are three workers supporting one retiree. In tandem with these rapidly changing and troubling demographics is the fact that we also must start taking the necessary steps to pay down—not add to—our national debt.

We know Vice President BIDEN, along with members of the House and Senate, is negotiating. As we speak, the staffs are working and the Members have been meeting. They are negotiating to try to do some kind of spending cuts before the debt ceiling is reached. The \$14 trillion debt ceiling will be reached around the first of August of this year. So now the Vice President and the group from the House and Senate are meeting to try to cut spending, because we are not going to raise the debt ceiling unless there is real reform. A number of us on both sides of the aisle have agreed, we have got to have spending reforms so we do not have to raise the debt ceiling again beyond \$14 trillion.

Now is the time we can address the issue of the debt and do it in a responsible way, because if we just use discretionary spending for the reforms needed, we will never get there. We will never have enough cuts in discretionary spending. Why is that? It is because discretionary spending is less than 50 percent of the spending of our government. It is the mandatory spending that is the vast majority of the spending.

Discretionary spending is in the 40-percent range—60 percent is mandatory. So we cannot get to responsible budgetary cuts without looking at the entitlements. Now, what kind of entitlements do we have to work with? Medicare, Medicaid, and Social Security. I think we can do a lot to reform Medicare. But it is complicated, and it will take time. It will take time to work out all of the pieces because so many people are dependent on Medicare. It is the people who use Medicare, and it is the providers who provide it, and it is the insurance companies that augment and supplement it, so there are a lot of moving parts in Medicare which we need to address.

But what can we do between now and August 2 that would make a real difference, that would put us on a more responsible path, and begin to make the reforms that would allow a responsible lifting of the debt ceiling, knowing that we are going to cut those deficits so we will not have to do this again, hopefully ever.

That is where Social Security comes in. My Defend and Save Social Security

Act, which Senator JON KYL and I are sponsoring, will do the following: It will raise the age gradually. Under my bill, with Senator KYL, anyone who is currently 58 years old or older will not be affected at all by the gradual increase of the retirement age. For everyone else, the normal retirement age and the early retirement age would increase by 3 months each year starting in 2016. The normal retirement age would reach 67 by 2019. Keep in mind that we are already on the glide path to go to 67. That is what President Reagan and the previous Congress did, and that was done with the Greenspan commission's input later. So with that trajectory, we will go to the 67 age. My bill takes us to 67 in 2019. We would already be going in that direction anyway. It then goes, by 2023, to age 68, and by 2027 to 69. The early retirement age would gradually increase to 63 by 2019 and, by 2023, 64. So you have 3 months per year added to the retirement age. It is a very gradual increase, to 69 or 64.

The second part is the COLA. We do not cut core benefits at all. But the cost-of-living increase is meant to hedge against rising inflation. When inflation gets above 1 percent, then you need, in my opinion, to start helping people with COLAs. Under my plan, we would have COLAs after inflation is over 1 percent. The average COLA has been 2.2 percent. The rate of inflation has been about 2.2 percent over the last 10 years. So the average COLA would, under my bill, start after 1 percent. If it is 2 percent, you would get a 1-percent COLA. I believe that a 1-percent reduction in the COLA, not for benefits, would be preferable to the drastic cuts in core benefits that will evolve if we do not do something now.

In today's dollars, a 1-percent cost increase that you would get in a COLA is about \$11. So you would not get \$11 of increase, but you would get your core COLA. Then after 1 percent, you would get the regular COLA that would be expected. So my bill will generate cashflow for Social Security, maintain a positive balance for the trust fund over the next 75 years.

Social Security's deficits would be eliminated under my bill. We had the Social Security Administration look at our proposal and give us all of our numbers. According to the Chief Actuary, my proposal would achieve, in the next 10 years, \$416 billion in deficit reduction.

What that means is, in perspective for what we are dealing with in the budget talks for the debt ceiling lift, we are talking about a 10-year window. Within that 10-year budget window, we could take out \$416 billion in deficit reduction, along with the spending cuts in discretionary spending that are part of any kind of reform. So we can address a responsible cut in the mandatory spending over the 10-year period

with these very gradual and small adjustments, and help in our deficit reduction, which we have to do if we are going to achieve the reductions that must be done. Every year we wait, we are going to have to shave more off the COLAs or the age.

There are some proposals out there that take the age to 70, and maybe over the next 25 years that will be part of our actuarial table, because today the average lifespan is 77, so people are wanting to work longer. They are healthier longer. A lot of people are trying to keep working longer. I think more and more of the companies and employers want that experience, want the experienced people to stay longer. So it is part of our actuarial adjustment that we should be making.

Over the next 25 years, we would be going into the long-term adjustments that are necessary. If we look, say, out until 2085, we will take \$7.2 trillion off the Social Security requirements. So now you are talking about fiscal responsibility looking at both sides of our spending equation, mandatory as well as discretionary, which gives us a real chance to make a difference and to say this Congress, hopefully working with this President, because it has to be bipartisan—we cannot pass a bill the President will not sign.

The Democrats are in the majority in the Senate. Republicans are in the majority in the House. So this is going to take some compromising. The Republicans do not control the Senate, and the Democrats do not control the House. And the Republicans do not control the White House. So it is not as though we are able to say: My way or the highway. You cannot do it, and neither can the President. So we have got to come together if we are going to make the very tough choices that will get our fiscal house in order for future retirees to have the cushion that Social Security would be—it is supposed to be a safety net—to talk another day. But we need a better retirement option for our retirees as well, so they can save more in IRAs. Because Social Security is not supposed to be a pension plan. It is a safety net. It is a supplement. So if we can solve this, the next thing we ought to be doing is adding more options for people to save. We have done some of that with the bill I sponsored with Senator BARBARA MIKULSKI, the Democrat from Maryland, with spousal IRAs.

We have increased the amount you can save and that a stay-at-home spouse can save, and we have made some major good moves in the right direction. But that is different from what we are talking about today, which is Social Security.

I have written a letter to the Vice President. I have asked him to put Social Security on the agenda, because when we finish all of these discussions, they are going to come back with cuts

in discretionary spending, but it cannot be enough when it is less than 40 percent of our spending. We have to look at entitlements if we are going to be responsible.

Since I have filed my bill last week, and have had the opportunity with the Heritage Foundation and the media to talk about my plan, we are getting some good support. Of course, we are getting the people who say: No cuts, no way, no how. We expect that. But it is burying your head in the sand if you say: No way, no how.

So we are getting some support. The founder of the Association of Mature American Citizens, Dan Weber, who on their Web site says they now have 160,000 members—the fastest growing organization for older Americans in our country—has stated his support for my proposal. They see changes have to be made. They have even gone a step further and talked about private accounts, which I certainly support, but it is not in my plan.

I appreciate the Association of Mature American Citizens being willing to do what is right for their constituents, their retirees, but also for the long-term, to say we know that if we are going to have a responsible approach, entitlements must be on the table. And Social Security is one that we can do, if it is bipartisan, together.

My plan will address the issue now, with no tax increases and no cuts in core benefits. It will have the gradual rise in the retirement age, affecting no one before the year 2016 and after that just 3 months a year in added age to be eligible for Social Security. The cost-of-living adjustment would be adjusted 1 percent down, and after 1 percent inflation, then you would have the cost-of-living adjustment as well but no cuts in core benefits. The amendments of the past—in 1983—the amendments that have put us back on track with actuarial tables in the past can be done again.

It is my great hope that we can step up to the plate, as those who came before us did, and do the right thing for the long term and burst the bubble that we can reform spending only addressing the discretionary side. It is a myth. Anyone who tells you with a straight face “I am not going to look at the entitlements” is not being a responsible steward of our problem. That is what we were elected to do, and I hope we can put together a bipartisan coalition, working with the President, to do it.

Madam President, I ask unanimous consent to have printed in the RECORD the Association of Mature American Citizens article by Dan Weber.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 20, 2011]

WHILE AARP WAFFLES AMAC PROPOSES CHANGE IN SOCIAL SECURITY

(By Daniel C. Weber)

According to the Wall Street Journal AARP has decided to accept some changes in Social Security to assure that it will continue to be financially stable. However as soon as the story came out and was broadly circulated its C.E.O., A. Barry Rand issued a statement saying AARP has not changed its position on being against changes in Social Security.

But, Mr. Rand in his statement said their position is “that any changes would be phased in slowly, over time and would not affect any current or near term beneficiaries”.

In response, Dan Weber, president of AMAC, the Association of Mature American Citizens, said “that sure sounds like he is in favor of making changes to me”.

AMAC, which bills itself as the conservative alternative to AARP is the fastest growing organization for older Americans according to Weber.

“We have over 160,000 paid members and are growing stronger each day.” Weber said, “And while AARP is waffling AMAC has proposed serious changes in Social Security that will stabilize Social Security and allow people to have more money when they are retired than the present system.”

Weber explained the AMAC proposal was to incorporate the change recommended by Texas Senator Kay Bailey Hutchison and others, to raise the age when a recipient would receive their full benefit from age 66 to age 69. The new age would start to be implemented in 2013 and won't be fully phased in until 2018.

The key difference between their suggested changes and ours is that we would also incorporate the mandatory offering of a new “Social Security IRA” to anyone who would be affected by the change in age. The SS IRA would be tax deductible, payroll deducted and put into an individual IRA owned by the wage earner. The funds invested would not be accessible until either age 62 or Security 65. It could be started with as little as \$5 per week and be put into a plan offered by the same companies that presently offer IRAs and 401ks.

Fifty percent or more of the funds would have to be invested in guaranteed interest accounts so the person would be guaranteed to have gains in at least half of their funds.

Weber said “It is unfair to force Americans to continue to work until age 69, especially those who work in occupations that require physical labor. People who are farmers, construction workers, laborers, skilled tradesmen such as carpenters, plumbers, electricians, masons and other workers have punished their bodies after years of labor suffer from various ailments that white collar workers generally avoid.

They should be able to stop working at a lower age and the SS IRA would allow anyone to do that.

At the same time, extending the full age to 69 would make Social Security stable for many years in the future. Weber ended by saying “It is time for the political leaders of both parties to have courage, and stand up to solve this problem by adopting the AMAC plan.”

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

EXTENSION OF MORNING
BUSINESS

Mr. CONRAD. Madam President, I ask unanimous consent that morning business be extended until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Madam President, I am going to put in a quorum call at this moment, but then I am going to ask to be given time to speak on a dire emergency facing my State.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Madam President, I ask unanimous consent to use such time as I might consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NORTH DAKOTA FLOODING

Mr. CONRAD. Madam President, the city of Minot, ND, in my home state, is facing a dire emergency. Minot and other communities on the Souris River in my home State are facing a flood of epic proportion. We have a wall of water heading toward the city. I am told the sirens have just sounded in that town alerting people to evacuate.

This is the headline this morning from that town's major newspaper. The headline reads: "Projection: Devastation. Minot residents evacuate as historic rise in the Souris River approaches."

This flood is a result of overly wet conditions for an extended period of time, a record snowmelt, combined with record rainfall in the basin above the city. We are now told that perhaps a third of the city will be underwater, and unprecedented rains have filled upstream reservoirs to capacity, leading to a dramatic change in the forecast in 48 hours.

On Saturday, we were told we could expect the river level to reach elevation 1,555 feet in the city. On Monday, we were told 1,566 feet—an 11-foot increase in 48 hours. The result is the defenses that have been built up over an extended period of time, that gave us about 3 feet of freeboard, are absolutely incapable of dealing with a flood of this magnitude and a rise happening this rapidly.

This is the headline from yesterday in the Minot Daily News, which kind of summed it all up: "It's a sad day. Crest could be 10 feet higher than June 1."

It is staggering to understand what is happening here. There are four reservoirs above the city of Minot, all of them filled to capacity. In fact, we have been told the floodgates of the major reservoir in Canada are wide open. They cannot control the flow of water. Whatever comes in is going out because they have lost the ability to meter out the water more slowly.

This is what we are seeing happen all over Minot as crews rush in to try and provide secondary defenses, to protect as much of the city's critical infrastructure as possible—schools, water treatment facilities, other critical infrastructure—that is going to be necessary to be able to continue to fight this flood menace.

This was the headline in the Bismarck Tribune: "Crisis to the North. Souris Floods Force 11,000 Residents From Minot." It is a town of 40,000. So when you have 11,000 people forced to flee, that has a devastating impact.

This is the headline, again, from the Minot Daily News of June 20, on Monday: "Water Woes Continue. People in danger zones advised to be prepared to evacuate." And as I have said, that evacuation is occurring as I speak.

The Fargo Forum, which is the biggest newspaper in our State, had this headline: "11,000 Forced Out. Rising Souris moves up evacuation time. Residents in heart of city work fast to save what they can."

My own cousin and her family have a home that is in danger. They have moved everything from the basement to the first floor. Now they say they will have 7 feet of water on the first floor of their house. This is happening to people throughout the Minot community.

These pictures that ran in the newspapers tell the story in a powerful and clear way. What we have is somebody trying to go into a neighborhood. You can see there is a police vehicle, because they are under mandatory evacuation. This person tried to get over to perhaps rescue a pet or take care of some last-minute business; maybe turn off the gas. And there he is, stuck in the water, as these floodwaters rise, and rise very rapidly.

This picture also gives a perspective on what we are confronting. Here is the dike, levee, that has just been raised, and you can see there is maybe 2 or 3 feet of freeboard there. But what is coming is 10 more feet of water, so there is absolutely no way these dikes can possibly hold. There is no way they can protect the city. These dikes are going to overtop, and thousands of residents will be displaced.

This picture shows another shot. In this place, they didn't have the dikes covered by plastic. You can see a couple of feet of freeboard there. All these houses are at risk as this wall of water comes our way.

This is another shot showing a house, and you can see they have the main

dike and they have also built a secondary dike to protect their home. All these efforts will prove to be for naught because of this unprecedented wall of water. In fact, this is five feet higher than in all of recorded history. That is what is happening to this community of Minot, ND—home to 40,000 people, home to one of the major Air Force bases of the United States, home of the Minuteman missiles, and home of the B-52 bombers. Minot, ND, the fourth largest city in my State, is about to experience the greatest devastation in the history of the town—a flood worse than the 1969 flood by many feet, and that flood was a modern-day record to that point, the 1969 flood.

This chart shows the evacuation zones. This gives you some sense of how major the relocation of people is out of this city. These are the evacuation zones 1 through 8 that go right on the edge of the river, and you can see all of these people under mandatory evacuation.

They are going to have to leave, and they are going to have to leave very quickly.

Madam President, I would like to end as I began, by showing the headline this morning in the Minot Daily News. "Projection: Devastation."

There is no way around it. There is absolutely no way to respond when the flood forecast changes this rapidly and the water is coming this quickly. The result is these people are going to face high water not for just a day or two. Typically in a flood, the water comes and the water goes. In this circumstance, the water is coming and it is not leaving anytime soon. They have told us as recently as yesterday that we could expect high water until the middle of July. Can you imagine, to have your house under water from late June to the middle of July, the devastation that will result.

So this headline, "Projection: Devastation," says it very well. That is what we are faced with in this community.

The bottom line is, we are going to need help. And we are certainly getting it. We deeply appreciate the efforts of the Corps of Engineers, FEMA, and all of the other Federal agencies that are helping. The National Guard, certainly hundreds of troops there are doing a fantastic job of patrolling these dikes, of helping people move, of making certain that people get out of harm's way because job number 1 is protecting people's lives. We also have an obligation to do everything we can to protect as much of the property as is humanly possible. We very much appreciate the assistance the Red Cross is giving.

I just met with General Kowalski of the U.S. Air Force, a three-star general who has as part of his command the Minot Air Force Base. I called the Secretary of the Air Force yesterday and the Chief of Staff of the Air Force the

day before and asked them to be alert to the need for that base to help us because there is so much they can provide in assistance, being out of harm's way. The base is 12 miles north of the town.

General Kowalski came to me this morning to deliver the message that the U.S. Air Force is prepared to help in every way possible. We deeply appreciate that commitment and that support. We remember very well in 1997, when we had record floods in Grand Forks, ND—that is home to one of the other major Air Force bases of the United States—the extraordinary support and help they provided to us at that time.

The final board I will show is the headline from the Minot Daily News of June 21: "It's a sad day." It is indeed a sad day. But the people of North Dakota are tough, they are resilient, and they are going to come back. I have every confidence that we will rebuild this town. It will be a tough slog, but the people of North Dakota are equal to it, and we deeply appreciate the help we are getting from people all across America.

I have seen America at its best in a time of crisis. When people are down, when they are hurt, when they are devastated by natural disaster, the people of the United States rally and help out.

That is the ethic of my State. When a farmer gets sick and can't harvest his crop, the neighbors pitch in. When a barn burns down, the neighbors pitch in. That is the best of community spirit. That is the best of America. We are going to be relying on that generosity of spirit in the days ahead.

Madam President, I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Washington.

MILITARY SUPPORT

Mrs. MURRAY. Madam President, we are going to hear tonight from President Obama about his plans for changes to troop levels in Afghanistan.

Last week I joined with a bipartisan group of my Senate colleagues on a letter to the President urging him to begin a sizeable and sustained reduction in troop levels, and I hope he takes the opportunity to do that tonight. But with all the talk about troop levels, I want to make sure we remember this isn't just about numbers. It is about real people with real families, men and women who are fighting to defend our country and are

depending on us to do the right thing for them now and when they come home.

As chairman of the Senate Veterans' Affairs Committee, I have an inside look into something that too often doesn't make the front pages: the unseen costs of war, the costs that come after our men and women take off that uniform.

We all hear about how expensive war is while we are fighting it. But for so many of our servicemembers what happens on the battlefield is just the beginning.

We are seeing suicide rates that are much higher among Active-Duty servicemembers and veterans than among civilians. We are finding they are having trouble accessing the mental health care so many of them desperately need. We are watching as these men and women are sent out on tour after tour. Too often they are having a tough time finding a job when they come home. We owe it to them and their families to do everything we can to get them the support and services they need.

Far too many of our servicemembers have sacrificed life and limb overseas, and we must honor them and their sacrifices by making sure we take care of them and their caregivers not just today, not just when they come home, but for a lifetime. This is going to be expensive, and I am going to fight to make sure it happens. I think it ought to be considered as we think now about the war in Afghanistan.

The enemy we face is real. The Taliban and al-Qaida have demonstrated through their actions and their words they mean us great harm. I was sitting in the Capitol on September 11, 2001, when I saw the smoke rising from the Pentagon. It is a moment and a day I will never forget.

As Americans, we know what this enemy is capable of, and we need to do everything we can to make sure something like that never, ever happens again. That is why I believe American forces need to be prepared to fight terror and terrorists wherever they may be.

After September 11, Afghanistan was providing safe haven for them, and we are absolutely right to go in and take them out. But we know terrorism isn't a country; it is a network and a threat that exists around the world. We have seen that our terrorist enemies are not tied to a specific location. They are not bound by lines on a map. They are in Afghanistan, but they are also in Yemen, in Iraq, in Pakistan, and elsewhere. In fact, our top target in the war against terrorism, Osama bin Laden, was just killed in a brave operation in a safe house in Pakistan.

It is absolutely critical we have a military that is prepared to take on our threats wherever they may be. So as we consider the wars we are fighting

now in Afghanistan and in Iraq, we need to make sure we aren't overextending the servicemembers we are counting on; that we continue to have the financial resources available to defend ourselves against the very real threat of terrorism that continues to exist; and that the costs and resources of boots on the ground for years on end doesn't inhibit our ability to go after terrorists wherever they are. We need to know our military and intelligence operations are nimble and have the resources they need to keep our Nation safe from all threats.

We have been fighting in Afghanistan for 10 years. I voted for that war. It was the right thing to do. Our brave men and women in uniform have done everything we have asked of them, including finding Osama bin Laden. But we need to make sure today that our strategies are adapted to meet the threats of today. Leaving large levels of troops in Afghanistan is not the best use of our resources, especially in these tough economic times. It is time to re-deploy, rebuild our military, and focus on the broader war on terror.

I am hopeful President Obama will make an announcement tonight that reflects those current realities, and I am going to keep working with this administration, the Pentagon, the Department of Veterans Affairs, and all others so that as we fight to keep America safe and to take care of our servicemembers coming home, we do it right.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011

Mr. REID. Madam President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to Calendar No. 75 be vitiated and the Senate adopt the motion to proceed to Calendar No. 75, S. 679, the Presidential Appointment Efficiency and Streamlining Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Will the clerk report the bill, please.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 679) to reduce the number of executive positions subject to Senate confirmation.

The Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Appointment Efficiency and Streamlining Act of 2011".

SEC. 2. PRESIDENTIAL APPOINTMENTS NOT SUBJECT TO SENATE APPROVAL.

(a) AGRICULTURE.—

(1) ASSISTANT SECRETARY OF AGRICULTURE FOR CONGRESSIONAL RELATIONS AND ASSISTANT SECRETARY OF AGRICULTURE FOR ADMINISTRATION.—Section 218(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918(b)) is amended—

(A) by striking "subsection (a)" and inserting "subsection (a)(3)";

(B) by striking subsection (c); and

(C) by redesignating subsection (d) as subsection (c).

(2) RURAL UTILITIES SERVICE ADMINISTRATOR.—Section 232(b)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6942(b)(1)) is amended—

(A) by striking ", by and with the advice and consent of the Senate";

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2).

(3) COMMODITY CREDIT CORPORATION.—Section 9(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714g(a)) is amended in the third sentence by striking "by and with the advice and consent of the Senate".

(b) COMMERCE.—

(1) ASSISTANT SECRETARY FOR LEGISLATIVE AFFAIRS.—The provisions of the Act entitled "An Act to provide for the appointment of one additional Assistant Secretary of Commerce, and for other purposes", approved July 15, 1947 (15 U.S.C. 1505), section 304 of title III of the Departments of State, Justice, and Commerce and the United States Information Agency Appropriation Act, 1955 (15 U.S.C. 1506), and the Act entitled "An Act to authorize an additional Assistant Secretary of Commerce", approved February 16, 1962 (15 U.S.C. 1507), that require the advice and consent of the Senate shall not apply with respect to the appointment of the Assistant Secretary for Congressional Relations.

(2) CHIEF SCIENTIST; NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Section 2(d) of Reorganization Plan No. 4 of 1970 (5 U.S.C. App. 1) is amended by striking ", by and with the advice and consent of the Senate,".

(c) DEPARTMENT OF DEFENSE.—

(1) ASSISTANT SECRETARIES OF DEFENSE FOR LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS, AND NETWORKS AND INFORMATION INTEGRATION.—Section 138(a) of title 10, United States Code, as amended by section 901(b)(4)(A) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, is further amended by striking paragraph (2) and inserting the following:

"(2)(A) Except as provided in subparagraph (B), the Assistant Secretaries of Defense shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(B) The Assistant Secretary of Defense referred to in subsection (b)(5), the Assistant Sec-

retary of Defense for Public Affairs, and the Assistant Secretary of Defense for Networks and Information Integration shall each be appointed from civilian life by the President."

(2) COMPTROLLER OF THE ARMY.—

(A) IN GENERAL.—Section 3016 of title 10, United States Code, is amended—

(i) by striking the section heading and inserting the following:

"§3016. Assistant Secretaries of the Army; Comptroller of the Army";

(ii) in subsection (a), by striking "five" and inserting "four";

(iii) in subsection (b)—

(I) by striking paragraph (4); and

(II) by redesignating paragraph (5) as paragraph (4); and

(iv) by adding at the end the following:

"(c) There is a Comptroller of the Army, who shall be appointed from civilian life by the President. The Comptroller shall perform such duties and exercise such powers as the Secretary of the Army may prescribe. The Comptroller shall have as his principal responsibility the exercise of the comptroller functions of the Department of the Army, including financial management functions. The Comptroller shall be responsible for all financial management activities and operations of the Department of the Army and shall advise the Secretary of the Army on financial management."

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) TABLE OF SECTIONS.—The table of sections for chapter 303 of title 10, United States Code, is amended by striking the item relating to section 3016 and inserting the following:

"3016. Assistant Secretaries of the Army; Comptroller of the Army."

(ii) FINANCIAL MANAGEMENT.—Section 3022 of title 10, United States Code, is amended—

(I) in subsection (a), by striking "Assistant Secretary of the Army for Financial Management" and inserting "Comptroller of the Army"; and

(II) in subsection (d), by striking "Assistant Secretary of the Army for Financial Management" and inserting "Comptroller of the Army".

(3) COMPTROLLER OF THE NAVY.—

(A) IN GENERAL.—Section 5016 of title 10, United States Code, is amended—

(i) by striking the section heading and inserting the following:

"§5016. Assistant Secretaries of the Navy; Comptroller of the Navy";

(ii) in subsection (a), by striking "four" and inserting "three";

(iii) in subsection (b)—

(I) by striking paragraph (3); and

(II) by redesignating paragraph (4) as paragraph (3); and

(iv) by adding at the end the following:

"(c) There is a Comptroller of the Navy, who shall be appointed from civilian life by the President. The Comptroller shall perform such duties and exercise such powers as the Secretary of the Navy may prescribe. The Comptroller shall have as his principal responsibility the exercise of the comptroller functions of the Department of the Navy, including financial management functions. The Comptroller shall be responsible for all financial management activities and operations of the Department of the Navy and shall advise the Secretary of the Navy on financial management."

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) TABLE OF SECTIONS.—The table of sections for chapter 503 of title 10, United States Code, is amended by striking the item relating to section 5016 and inserting the following:

"5016. Assistant Secretaries of the Navy; Comptroller of the Navy."

(ii) FINANCIAL MANAGEMENT.—Section 5025 of title 10, United States Code, is amended—

(I) in subsection (a), by striking "Assistant Secretary of the Navy for Financial Management" and inserting "Comptroller of the Navy"; and

(II) in subsection (d), by striking "Assistant Secretary of the Navy for Financial Management" and inserting "Comptroller of the Navy".

(4) COMPTROLLER OF THE AIR FORCE.—

(A) IN GENERAL.—Section 8016 of title 10, United States Code, is amended—

(i) by striking the section heading and inserting the following:

"§8016. Assistant Secretaries of the Air Force; Comptroller of the Air Force";

(ii) in subsection (a), by striking "four" and inserting "three";

(iii) in subsection (b)—

(I) by striking paragraph (3); and

(II) by redesignating paragraph (4) as paragraph (3); and

(iv) by adding at the end the following:

"(c) There is a Comptroller of the Air Force, who shall be appointed from civilian life by the President. The Comptroller shall perform such duties and exercise such powers as the Secretary of the Air Force may prescribe. The Comptroller shall have as his principal responsibility the exercise of the comptroller functions of the Department of the Air Force, including financial management functions. The Comptroller shall be responsible for all financial management activities and operations of the Department of the Air Force and shall advise the Secretary of the Air Force on financial management."

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) TABLE OF SECTIONS.—The table of sections for chapter 803 of title 10, United States Code, is amended by striking the item relating to section 8016 and inserting the following:

"8016. Assistant Secretaries of the Air Force; Comptroller of the Air Force."

(ii) FINANCIAL MANAGEMENT.—Section 8022 of title 10, United States Code, is amended—

(I) in subsection (a), by striking "Assistant Secretary of the Air Force for Financial Management" and inserting "Comptroller of the Air Force"; and

(II) in subsection (d), by striking "Assistant Secretary of the Air Force for Financial Management" and inserting "Comptroller of the Air Force".

(5) TECHNICAL AND CONFORMING AMENDMENTS RELATING TO LEVEL IV POSITIONS ON THE EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended as follows—

(A) by striking the item relating to Assistant Secretaries of the Air Force (4) and inserting the following:

"Assistant Secretaries of the Air Force (3)";

(B) by striking the item relating to Assistant Secretaries of the Army (5) and inserting the following:

"Assistant Secretaries of the Army (4)";

(C) by striking the item relating to Assistant Secretaries of the Navy (4) and inserting the following:

"Assistant Secretaries of the Navy (3)"; and

(D) by inserting at the end the following:

"Comptroller of the Air Force

"Comptroller of the Army

"Comptroller of the Navy".

(6) INAPPLICABILITY TO CERTAIN INDIVIDUALS SERVING ON DATE OF ENACTMENT.—

(A) IN GENERAL.—Notwithstanding the amendments made by this subsection, the individual serving in a position described in subparagraph (B) on the date of enactment of this Act may continue to serve in such position as if such amendments had not been enacted.

(B) POSITIONS.—The positions specified in this subparagraph are the following:

(i) The Assistant Secretary of the Army for Financial Management.

(ii) The Assistant Secretary of the Navy for Financial Management.

(iii) The Assistant Secretary of the Air Force for Financial Management.

(7) MEMBERS OF NATIONAL SECURITY EDUCATION BOARD.—Section 803(b)(7) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1903(b)(7)) is amended by striking “by and with the advice and consent of the Senate.”.

(8) DIRECTOR, OFFICE OF SELECTIVE SERVICE RECORDS.—The first section of the Act entitled “An Act to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes”, approved March 31, 1947 (50 U.S.C. 321; 61 Stat. 31) is amended by striking “, by and with the advice and consent of the Senate”.

(d) DEPARTMENT OF EDUCATION.—

(1) ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS AND ASSISTANT SECRETARY FOR MANAGEMENT.—Section 202(e) of the Department of Education Organization Act (20 U.S.C. 3412(e)) is amended by inserting after the first sentence the following: “Notwithstanding the previous sentence, the appointments of individuals to serve as the Assistant Secretary for Legislation and Congressional Affairs and the Assistant Secretary for Management shall not be subject to the advice and consent of the Senate.”.

(2) COMMISSIONER, REHABILITATION SERVICES ADMINISTRATION.—Section 3(a) of the Rehabilitation Act of 1973 (29 U.S.C. 702(a)) is amended by striking “by and with the advice and consent of the Senate”.

(3) COMMISSIONER, EDUCATION STATISTICS.—Section 117(b) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9517(b)) is amended by striking “, by and with the advice and consent of the Senate.”.

(e) DEPARTMENT OF ENERGY.—Section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7133(a)) is amended in the first sentence by striking “Senate,” and inserting “Senate (except that the Assistant Secretary for Congressional and Intergovernmental Affairs of the Department may be appointed by the President without the advice and consent of the Senate)”.

(f) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) ASSISTANT SECRETARY FOR PUBLIC AFFAIRS.—Notwithstanding any other provision of law, the appointment of an individual to serve as the Assistant Secretary for Public Affairs within the Department of Health and Human Services shall not be subject to the advice and consent of the Senate.

(2) ASSISTANT SECRETARY FOR LEGISLATION.—Notwithstanding any other provision of law, the appointment of an individual to serve as the Assistant Secretary for Legislation within the Department of Health and Human Services shall not be subject to the advice and consent of the Senate.

(3) COMMISSIONER, ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES.—Section 915(b)(2) of the Claude Pepper Young Americans Act of 1990 (42 U.S.C. 12311(b)(2)) is amended by striking “, by and with the advice and consent of the Senate”.

(4) COMMISSIONER, ADMINISTRATION FOR NATIVE AMERICANS.—Section 803B(c) of the Native American Programs Act of 1974 (42 U.S.C. 2991b-2(c)) is amended by striking “, by and with the advice and consent of the Senate”.

(g) DEPARTMENT OF HOMELAND SECURITY.—

(1) DIRECTOR OF THE OFFICE FOR DOMESTIC PREPAREDNESS; ASSISTANT ADMINISTRATOR OF

THE FEDERAL EMERGENCY MANAGEMENT AGENCY, GRANT PROGRAMS.—Section 430(b) of the Homeland Security Act of 2002 (6 U.S.C. 238(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(2) ADMINISTRATOR OF THE UNITED STATES FIRE ADMINISTRATION.—Section 5(b) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2204(b)) is amended by striking “, by and with the advice and consent of the Senate.”.

(3) DIRECTOR OF THE OFFICE OF COUNTER-NARCOTICS ENFORCEMENT.—Section 878(a) of the Homeland Security Act of 2002 (6 U.S.C. 458(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(4) CHIEF MEDICAL OFFICER.—Section 516(a) of the Homeland Security Act of 2002 (6 U.S.C. 321e(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(h) HOUSING AND URBAN DEVELOPMENT; ASSISTANT SECRETARY FOR CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS, AND ASSISTANT SECRETARY FOR PUBLIC AFFAIRS.—Section 4(a) of the Department of Housing and Urban Development Act (42 U.S.C. 3533(a)) is amended—

(1) by inserting “(1)” after “(a)”;

(2) by striking “eight” and inserting “6”; and

(3) by adding at the end the following:

“(2) There shall be in the Department an Assistant Secretary for Congressional and Intergovernmental Relations, and an Assistant Secretary for Public Affairs, each of whom shall be appointed by the President and shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.”.

(i) DEPARTMENT OF JUSTICE.—

(1) ASSISTANT ATTORNEY GENERAL, LEGISLATIVE AFFAIRS.—

(A) IN GENERAL.—Chapter 31 of title 28, United States Code, is amended—

(i) in section 506, by striking “11 Assistant Attorneys General” and inserting “10 Assistant Attorneys General”; and

(ii) by inserting after section 507A the following:

“§507B. Assistant Attorney General for Legislative Affairs

“The President shall appoint an Assistant Attorney General for Legislative Affairs to assist the Attorney General in the performance of the duties of the Attorney General.”.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 31 of title 28, United States Code, is amended by inserting after the item relating to section 507A the following:

“§507B. Assistant Attorney General for Legislative Affairs.”.

(2) DIRECTOR, BUREAU OF JUSTICE STATISTICS.—Section 302(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(3) DIRECTOR, BUREAU OF JUSTICE ASSISTANCE.—Section 401(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(4) DIRECTOR, NATIONAL INSTITUTE OF JUSTICE.—Section 202(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3722(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(5) ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.—Section 201(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(6) DIRECTOR, OFFICE FOR VICTIMS OF CRIME.—Section 1411(b) of the Victims of Crime Act of 1984 (42 U.S.C. 10605(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(j) DEPARTMENT OF LABOR.—

(1) ASSISTANT SECRETARIES FOR ADMINISTRATION AND MANAGEMENT, CONGRESSIONAL AFFAIRS, AND PUBLIC AFFAIRS.—Notwithstanding section 2 of the Act of April 17, 1946 (29 U.S.C. 553), the appointment of individuals to serve as the Assistant Secretary for Administration and Management, the Assistant Secretary for Congressional Affairs, and the Assistant Secretary for Public Affairs within the Department of Labor, shall not be subject to the advice and consent of the Senate.

(2) DIRECTOR OF THE WOMEN'S BUREAU.—Section 2 of the Act of June 5, 1920 (29 U.S.C. 12) is amended by striking “, by and with the advice and consent of the Senate”.

(k) DEPARTMENT OF STATE; ASSISTANT SECRETARY FOR LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS, ASSISTANT SECRETARY FOR PUBLIC AFFAIRS, AND ASSISTANT SECRETARY FOR ADMINISTRATION.—Section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)) is amended—

(1) by striking “, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and”; and

(2) by adding at the end the following: “Each Assistant Secretary of State shall be appointed by the President, by and with the advice and consent of the Senate, except that the appointments of the Assistant Secretary for Legislative and Intergovernmental Affairs, the Assistant Secretary for Public Affairs, and the Assistant Secretary for Administration shall not be subject to the advice and consent of the Senate.”.

(l) DEPARTMENT OF TRANSPORTATION.—

(1) ASSISTANT SECRETARIES.—Section 102(e) of title 49, United States Code, is amended—

(A) by striking “(e) THE DEPARTMENT” and all that follows through “An Assistant Secretary” and inserting the following:

“(e) ASSISTANT SECRETARIES; GENERAL COUNSEL.—

“(1) APPOINTMENT.—The Department has 5 Assistant Secretaries and a General Counsel, including—

“(A) an Assistant Secretary for Aviation and International Affairs and an Assistant Secretary for Transportation Policy, who shall each be appointed by the President, with the advice and consent of the Senate;

“(B) an Assistant Secretary for Budget and Programs and Chief Financial Officer and an Assistant Secretary for Governmental Affairs, who shall each be appointed by the President;

“(C) an Assistant Secretary for Administration, who shall be appointed in the competitive service by the Secretary, with the approval of the President; and

“(D) a General Counsel, who shall be appointed by the President, with the advice and consent of the Senate.

“(2) DUTIES AND POWERS.—The officers set forth in paragraph (1) shall carry out duties and powers prescribed by the Secretary. An Assistant Secretary”.

(2) DEPUTY ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION.—Section 106 of title 49, United States Code, is amended—

(A) in subsection (b), by striking “The Administration has a Deputy Administrator. They are appointed” and inserting “, who shall be appointed”; and

(B) in subsection (d)(1), by striking “The Deputy Administrator must” and inserting “The Administration has a Deputy Administrator, who shall be appointed by the President. In making an appointment, the President shall consider the fitness of the appointee to efficiently carry out the duties and powers of the office. The Deputy Administrator shall”.

(m) DEPARTMENT OF THE TREASURY.—

(1) ASSISTANT SECRETARIES FOR LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS, AND MANAGEMENT.—

Section 301(e) of title 31, United States Code, is amended—

(A) by striking “10 Assistant Secretaries” and inserting “7 Assistant Secretaries”; and

(B) by inserting “The Department shall have 3 Assistant Secretaries not subject to the advice and consent of the Senate who shall be the Assistant Secretary for Legislative Affairs, the Assistant Secretary for Public Affairs, and the Assistant Secretary for Management.” after the first sentence.

(2) TREASURER OF THE UNITED STATES.—Section 301(d) of title 31, United States Code, is amended—

(A) by striking “2 Deputy Under Secretaries, and a Treasurer of the United States” and inserting “and 2 Deputy Under Secretaries”, and

(B) by inserting “and a Treasurer of the United States appointed by the President” after “Fiscal Assistant Secretary appointed by the Secretary”.

(3) DIRECTOR OF THE MINT.—Section 304(b)(1) of title 31, United States Code, is amended—

(A) by striking “, by and with the advice and consent of the Senate”; and

(B) by striking “On removal, the President shall send a message to the Senate giving the reasons for removal.”.

(n) DEPARTMENT OF VETERANS AFFAIRS.—Section 308(a) of title 38, United States Code, is amended—

(1) by striking “There shall” and inserting “(1) There shall”;

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by striking “Each Assistant” and all that follows through the period at the end; and

(3) by adding at the end the following new paragraphs:

“(2) Except as provided in paragraph (3), each Assistant Secretary appointed under paragraph (1) shall be appointed by the President, by and with the advice and consent of the Senate.

“(3) The following Assistant Secretaries may be appointed without the advice and consent of the Senate:

“(A) The Assistant Secretary for Management.

“(B) The Assistant Secretary for Human Resources and Administration.

“(C) The Assistant Secretary for Public and Intergovernmental Affairs.

“(D) The Assistant Secretary for Congressional and Legislative Affairs.

“(E) The Assistant Secretary for Operations, Security and Preparedness.”.

(o) APPALACHIAN REGIONAL COMMISSION; ALTERNATE FEDERAL CO-CHAIRMAN.—Section 14301(b)(1) of title 40, United States Code, is amended by striking “by and with the advice and consent of the Senate”.

(p) COUNCIL OF ECONOMIC ADVISERS, MEMBERS.—Section 10 of the Employment Act of 1946 (15 U.S.C. 1023) is amended by striking subsection (a) and inserting the following:

“(a) CREATION; COMPOSITION; QUALIFICATIONS; CHAIRMAN AND VICE CHAIRMAN.—

“(1) CREATION.—There is created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the ‘Council’).

“(2) COMPOSITION.—The Council shall be composed of three members, of whom—

“(A) 1 shall be the chairman who shall be appointed by the President by and with the advice and consent of the Senate; and

“(B) 2 shall be appointed by the President.

“(3) QUALIFICATIONS.—Each member shall be a person who, as a result of training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend na-

tional economic policy to promote full employment, production, and purchasing power under free competitive enterprise.

“(4) VICE CHAIRMAN.—The President shall designate 1 of the members of the Council as vice chairman, who shall act as chairman in the absence of the chairman.”.

(q) CORPORATION FOR NATIONAL AND COMMUNITY SERVICE; MANAGING DIRECTOR.—Section 194(a)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(a)(1)) is amended by striking “, by and with the advice and consent of the Senate”.

(r) NATIONAL COUNCIL ON DISABILITY MEMBERS, INCLUDING CHAIRPERSON.—Section 400(a)(1)(A) of the Rehabilitation Act of 1973 (29 U.S.C. 780(a)(1)(A)) is amended by striking “, by and with the advice and consent of the Senate”.

(s) NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES; NATIONAL MUSEUM AND LIBRARY SERVICES BOARD; MEMBERS.—Section 207(b)(1) of the Museum and Library Services Act (20 U.S.C. 9105a(b)(1)) is amended—

(1) in subparagraph (D), by striking “, by and with the advice and consent of the Senate”; and

(2) in subparagraph (E), by striking “, by and with the advice and consent of the Senate”.

(t) NATIONAL SCIENCE FOUNDATION; BOARD MEMBERS.—Section 4(a) of the National Science Foundation Act of 1950 (42 U.S.C. 1863(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(u) OFFICE OF MANAGEMENT AND BUDGET; CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT.—Section 504(b) of title 31, United States Code, is amended by striking “, by and with the advice and consent of the Senate”.

(v) OFFICE OF NATIONAL DRUG CONTROL POLICY; DEPUTY DIRECTORS.—Section 704(a)(1) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(a)(1)) is amended to read as follows:

“(1) IN GENERAL.—

“(A) DIRECTOR.—The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President.

“(B) DEPUTY DIRECTORS.—The Deputy Director of National Drug Control Policy, Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, and the Deputy Director for State and Local Affairs shall each be appointed by the President and serve at the pleasure of the President.

“(C) DEPUTY DIRECTOR FOR DEMAND REDUCTION.—In appointing the Deputy Director for Demand Reduction under this paragraph, the President shall take into consideration the scientific, educational, or professional background of the individual, and whether the individual has experience in the fields of substance abuse prevention, education, or treatment.”.

(w) OFFICE OF NAVAJO AND HOPI RELOCATION; COMMISSIONER.—Section 12(b)(1) of Public Law 93–531 (25 U.S.C. 640d–11(b)(1)) is amended by striking “by and with the advice and consent of the Senate”.

(x) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) ASSISTANT ADMINISTRATOR FOR LEGISLATIVE AND PUBLIC AFFAIRS.—Notwithstanding section 624(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)), the appointment by the President of the Assistant Administrator for Legislative and Public Affairs at the United States Agency for International Development shall not be subject to the advice and consent of the Senate.

(2) ASSISTANT ADMINISTRATOR FOR MANAGEMENT.—Notwithstanding section 624(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)), the appointment by the President of the Assistant Administrator for Management at the United States Agency for International De-

velopment shall not be subject to the advice and consent of the Senate.

(y) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION FUND; ADMINISTRATOR.—Section 104(b)(1) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(b)(1)) is amended by striking “, by and with the advice and consent of the Senate”.

(z) DEPARTMENT OF TRANSPORTATION; ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION; ADMINISTRATOR.—Subsection (a) of section 2 of the Act of May 13, 1954, referred to as the Saint Lawrence Seaway Act (33 U.S.C. 982(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(aa) MISSISSIPPI RIVER COMMISSION; COMMISSIONER.—Section 2 of the Act of June 28, 1879 (33 U.S.C. 642), is amended in the first sentence by striking “, by and with the advice and consent of the Senate”.

(bb) GOVERNOR AND ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK.—

(1) IN GENERAL.—Section 1333(a) of the African Development Bank Act (22 U.S.C. 290i–1(a)) is amended by striking “, by and with” and all that follows through “Bank” and inserting “shall appoint a Governor and an Alternate Governor”.

(2) CONFORMING AMENDMENTS.—Section 1334 of such Act (22 U.S.C. 290i–2) is amended—

(A) by striking “The Director or Alternate Director” and inserting the following:

“(b) The Director or Alternate Director”; and

(B) by inserting before subsection (b), as redesignated, the following:

“(a) The President, by and with the advice and consent of the Senate, shall appoint a Director of the Bank.”.

(cc) GOVERNOR AND ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK.—Section 3(a) of the Asian Development Bank Act (22 U.S.C. 285a(a)) is amended by striking “, by and with” and all that follows through the end period and inserting “shall appoint—”

“(1) a Governor of the Bank and an alternate for the Governor; and

“(2) by and with the advice and consent of the Senate, a Director of the Bank.”.

(dd) GOVERNORS AND ALTERNATE GOVERNORS OF THE INTERNATIONAL MONETARY FUND AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.—Section 3 of the Bretton Woods Agreements Act (22 U.S.C. 286a) is amended—

(1) in subsection (a), by striking “, by and with the advice and consent of the Senate, shall appoint a governor of the Fund who shall also serve as governor of the Bank, and an executive director” and inserting “shall appoint a governor of the Fund who shall also serve as governor of the Bank and, by and with the advice and consent of the Senate, an executive director”; and

(2) in subsection (b), by striking “, by and with the advice and consent of the Senate,” the first place it appears.

(ee) GOVERNOR AND ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND.—Section 203(a) of the African Development Fund Act (22 U.S.C. 290g–1(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(ff) NATIONAL BOARD FOR EDUCATION SCIENCES; MEMBERS.—Section 116(c)(1) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9516(c)(1)) is amended by striking “, by and with the advice and consent of the Senate”.

(gg) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD; MEMBERS.—Section 242(e)(1)(A) of the Adult Education and Family Literacy Act (20 U.S.C. 9252(e)(1)(A)) is amended by striking “with the advice and consent of the Senate”.

(hh) INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT; MEMBER, BOARD OF TRUSTEES.—Section

1505 of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act (20 U.S.C. 4412(a)(1)(A)) is amended by striking “by and with the advice and consent of the Senate”.

(ii) **FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS.**—Section 106(b)(1) of the Alaska Natural Gas Pipeline Act (division C of Public Law 108–324; 15 U.S.C. 720d(b)(1)) is amended by striking “, by and with the advice and consent of the Senate,”.

(jj) **PUBLIC HEALTH SERVICE COMMISSIONED OFFICER CORPS.**—

(1) **APPOINTMENT.**—Section 203(a)(3) of the Public Health Service Act (42 U.S.C. 204(a)(3)) is amended by striking “with the advice and consent of the Senate”.

(2) **PROMOTIONS.**—Section 210(a) of the Public Health Service Act (42 U.S.C. 211(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(kk) **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS.**—

(1) **APPOINTMENTS AND PROMOTIONS TO PERMANENT GRADES.**—Section 226 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3026) is amended by striking “, by and with the advice and consent of the Senate”.

(2) **POSITIONS OF IMPORTANCE AND RESPONSIBILITY.**—Section 228(d)(1) of such Act (33 U.S.C. 3028(d)(1)) is amended by striking “, by and with the advice and consent of the Senate”.

(3) **TEMPORARY APPOINTMENTS AND PROMOTIONS GENERALLY.**—Section 229 of such Act (33 U.S.C. 3029) is amended—

(A) by striking “alone” each place it appears; and

(B) in subsection (a), in the second sentence, by striking “unless the Senate sooner gives its advice and consent to the appointment”.

(ll) **CHIEF FINANCIAL OFFICER POSITIONS.**—Section 901 of title 31, United States Code, is amended—

(1) in subsection(a)(1), by striking subparagraphs (A) and (B) and inserting the following: “(A) be appointed by the President; or

“(B) be designated by the President, in consultation with the head of the agency, from among officials of the agency who are required by law to be appointed by the President, whether or not by and with the advice and consent of the Senate;”;

(2) in subsection (b)(1), striking subparagraph (Q); and

(3) in subsection (b)(2), inserting at the end: “(H) The National Aeronautics and Space Administration.”.

SEC. 3. APPOINTMENT OF THE DIRECTOR OF THE CENSUS.

(a) **IN GENERAL.**—Section 21 of the title 13, United States Code, is amended to read as follows:

“§21. Director of the Census; duties

“(a) **APPOINTMENT.**—

“(1) **IN GENERAL.**—The Bureau shall be headed by a Director of the Census, appointed by the President, by and with the advice and consent of the Senate, without regard to political affiliation.

“(2) **QUALIFICATIONS.**—Such appointment shall be made from individuals who have a demonstrated ability in managing large organizations and experience in the collection, analysis, and use of statistical data.

“(b) **TERM OF OFFICE.**—

“(1) **IN GENERAL.**—The term of office of the Director shall be 5 years, and shall begin on January 1, 2012, and every fifth year thereafter. An individual may not serve more than 2 full terms as Director.

“(2) **VACANCIES.**—Any individual appointed to fill a vacancy in such position, occurring before

the expiration of the term for which such individual’s predecessor was appointed, shall be appointed for the remainder of that term. The Director may serve after the end of the Director’s term until reappointed or until a successor has been appointed, but in no event longer than 1 year after the end of such term.

“(3) **REMOVAL.**—An individual serving as Director may be removed from office by the President. The President shall communicate in writing the reasons for any such removal to both Houses of Congress not later than 60 days before the removal.

“(c) **DUTIES.**—The Director shall perform such duties as may be imposed upon the Director by law, regulations, or orders of the Secretary.”.

(b) **TRANSITION RULES.**—

(1) **APPOINTMENT OF INITIAL DIRECTOR.**—The initial Director of the Bureau of the Census shall be appointed in accordance with the provisions of section 21(a) of title 13, United States Code, as amended by subsection (a).

(2) **INTERIM ROLE OF CURRENT DIRECTOR OF THE CENSUS AFTER DATE OF ENACTMENT.**—If, as of January 1, 2012, the initial Director of the Bureau of the Census has not taken office, the officer serving on December 31, 2011, as Director of the Census (or Acting Director of the Census, if applicable) in the Department of Commerce—

(A) shall serve as the Director of the Bureau of the Census; and

(B) shall assume the powers and duties of such Director for one term beginning January 1, 2012, as described in section 21(b) of such title, as so amended.

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—Not later than January 1, 2012, the Secretary of Commerce, in consultation with the Director of the Census, shall submit to each House of the Congress draft legislation containing any technical and conforming amendments to title 13, United States Code, and any other provisions which may be necessary to carry out the purposes of this section.

SEC. 4. WORKING GROUP ON STREAMLINING PAPERWORK FOR EXECUTIVE NOMINATIONS.

(a) **ESTABLISHMENT.**—There is established the Working Group on Streamlining Paperwork for Executive Nominations (in this section referred to as the “Working Group”).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Working Group shall be composed of—

(A) the chairperson who shall be—

(i) except as provided under clause (ii), the Director of the Office of Presidential Personnel; or

(ii) a Federal officer designated by the President;

(B) representatives designated by the President from—

(i) the Office of Personnel Management;

(ii) the Office of Government Ethics; and

(iii) the Federal Bureau of Investigation; and

(C) individuals appointed by the chairperson of the Working Group who have experience and expertise relating to the Working Group, including—

(i) individuals from other relevant Federal agencies; and

(ii) individuals with relevant experience from previous presidential administrations.

(c) **STREAMLINING OF PAPERWORK REQUIRED FOR EXECUTIVE NOMINATIONS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Working Group shall conduct a study and submit a report on the streamlining of paperwork required for executive nominations to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Rules and Administration of the Senate.

(2) **CONSULTATION WITH COMMITTEES OF THE SENATE.**—In conducting the study under this section, the Working Group shall consult with the chairperson and ranking member of the committees referred to under paragraph (1) (B) and (C).

(3) **CONTENTS.**—

(A) **IN GENERAL.**—The report submitted under this section shall include—

(i) recommendations for the streamlining of paperwork required for executive nominations; and

(ii) a detailed plan for the creation and implementation of an electronic system for collecting and distributing background information from potential and actual Presidential nominees for positions which require appointment by and with the advice and consent of the Senate.

(B) **ELECTRONIC SYSTEM.**—The electronic system described under subparagraph (A)(ii) shall—

(i) provide for—

(I) less burden on potential nominees for positions which require appointment by and with the advice and consent of the Senate;

(II) faster delivery of background information to Congress, the White House, the Federal Bureau of Investigation, Diplomatic Security, and the Office of Government Ethics; and

(III) fewer errors of omission; and

(ii) ensure the existence and operation of a single, searchable form which shall be known as a “Smart Form” and shall—

(I) be free to a nominee and easy to use;

(II) make it possible for the nominee to answer all vetting questions one way, at a single time;

(III) secure the information provided by a nominee;

(IV) allow for multiple submissions over time, but always in the format requested by the vetting agency or entity;

(V) be compatible across different computer platforms;

(VI) make it possible to easily add, modify, or subtract vetting questions;

(VII) allow error checking; and

(VIII) allow the user to track the progress of a nominee in providing the required information.

(d) **REVIEW OF BACKGROUND INVESTIGATION REQUIREMENTS.**—

(1) **IN GENERAL.**—The Working Group shall conduct a review of the impact of background investigation requirements on the appointments process.

(2) **CONDUCT OF REVIEW.**—In conducting the review, the Working Group shall—

(A) assess the feasibility of using personnel other than Federal Bureau of Investigation personnel, in appropriate circumstances, to conduct background investigations of individuals under consideration for positions appointed by the President, by and with the advice and consent of the Senate; and

(B) consider the extent to which the scope of the background investigation conducted for an individual under consideration for a position appointed by the President, by and with the advice and consent of the Senate, should be varied depending on the nature of the position for which the individual is being considered.

(3) **REPORT.**—Not later than 270 days after the date of enactment of this Act, the Working Group shall submit a report of the findings of the review under this subsection to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Rules and Administration of the Senate.

(e) **PERSONNEL MATTERS.**—

(1) **COMPENSATION OF MEMBERS.**—

(A) **FEDERAL OFFICERS AND EMPLOYEES.**—Each member of the Working Group who is a

Federal officer or employee shall serve without compensation in addition to that received for their services as a Federal officer or employee.

(B) **MEMBERS NOT FEDERAL OFFICERS AND EMPLOYEES.**—Each member of the Working Group who is not a Federal officer or employee shall not be compensated for services performed for the Working Group.

(2) **TRAVEL EXPENSES.**—The members of the Working Group shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Working Group.

(3) **STAFF.**—

(A) **IN GENERAL.**—The President may designate Federal officers and employees to provide support services for the Working Group.

(B) **DETAIL OF FEDERAL EMPLOYEES.**—Any Federal employee may be detailed to the Working Group without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(f) **NON-APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Working Group established under this section.

(g) **TERMINATION OF THE WORKING GROUP.**—The Working Group shall terminate 60 days after the date on which the Working Group submits the latter of the 2 reports under this section.

SEC. 5. EFFECTIVE DATE.

(a) **PRESIDENTIAL APPOINTMENTS NOT SUBJECT TO SENATE APPROVAL.**—The amendments made by section 2 shall take effect 60 days after the date of enactment of this Act and apply to appointments made on and after that effective date, including any nomination pending in the Senate on that date.

(b) **DIRECTOR OF THE CENSUS AND WORKING GROUP.**—The provisions of sections 3 and 4 (including any amendments made by those sections) shall take effect on the date of enactment of this Act.

Mr. REID. Madam President, I ask unanimous consent that the committee substitute amendment be agreed to and considered original text for the purpose of further amendment; that there be a period of debate only on the bill until 3 p.m. today; that following the debate-only time, it be in order for any Senator to call up any relevant filed amendment, including a managers' amendment to be offered by Senators ALEXANDER and SCHUMER; that no amendment offered to the bill be divisible; further, that in addition to relevant amendments offered to the bill, the amendments listed here also be in order: Vitter, relating to czars; DeMint, which relates to IMF bailouts; and Coburn, which relates to duplications; further, that the DeMint and Vitter amendments be subject to a 60-vote threshold and the Coburn amendment be subject to a two-thirds vote threshold; that upon the disposition of the amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended; that the vote on passage be subject to a 60-vote threshold; and that if the bill does not achieve that threshold, the bill be returned to the calendar; that upon disposition of this matter, the Senate proceed to the im-

mediate consideration of Calendar No. 45, S. Res. 116, a resolution providing for expedited consideration of certain nominations; that only relevant amendments be in order; and that upon disposition of the amendments to the resolution, the Senate proceed to vote on the adoption of the resolution, as amended, if amended.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Madam President, this means Senators will not need to obtain unanimous consent prior to setting aside the pending amendments for amendments to be called up.

I would also say—I wanted to hold up saying anything about this until we got this agreement—the work done on this bill by Senators SCHUMER and ALEXANDER has been work that has been ongoing for years and took their partnership, working together as the two men who run the Rules Committee, to move this forward. It has been very hard to get from here to there. I have every bit of confidence that we are going to move forward and do, for the first time in decades, a streamlining of how Presidential nominations are approved. This is good. This is what we talked about doing at the beginning of this year, and we need to continue doing that.

I also express my appreciation to the chairman and ranking member of the Homeland Security Committee, Senators LIEBERMAN and COLLINS, for doing additional hard work in sorting through what the committees should do in approving nominations. They have done a good job because virtually every committee chair says: Are you sure you want to do all these? If we were back where we had been in years past, we would wind up getting nothing done because the chairs simply thought they needed to have a hand in everything that went on with all these nominations. Senators LIEBERMAN and COLLINS did a good job getting us to this point.

When this is done, we will move to some rules changes that Senators SCHUMER and ALEXANDER have approved.

I see my friend, the Senator from Tennessee, on the floor. Again, as he does on virtually everything—he is a very thoughtful person—he is always trying to work for the betterment of this body. I am grateful he and Senator SCHUMER have been able to do the good work they have on this legislation.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the majority leader and the Republican leader, Senator MCCONNELL, for the way they worked on this legislation. Not just on this bill, but when they were the respective whips of their parties several years ago, each of them working on trying to help im-

prove the Senate's ability to do its oversight by doing a better job with our advice-and-consent responsibility. That is one of our better known responsibilities. It is a constitutional responsibility. It is in Article II, Section 2. But as a part of that advice-and-consent responsibility, the Senate has the opportunity to define which other positions the President may appoint. That is what this is about.

Senator COLLINS and Senator LIEBERMAN have also worked for many years, and they will be here in a few minutes to open the debate. Senator SCHUMER and I will come to the floor about at 2:40 and make our statements on behalf of the Rules Committee.

I thank the majority leader and Republican leader for doing this because this is not the most glamorous piece of legislation. What I am about to say is not so glamorous either. But this bill has come to the floor by unanimous consent. That means there were 100 Members of this body who could have objected, and none have.

I thank the Senators—many of whom have very different views on this bill—for agreeing to this agreement by which we are proceeding. We are not proceeding under a cloture vote; we are proceeding the way the Senate really ought to work day-in and day-out. Members have the opportunity to offer relevant amendments. I am sure many will. I thank the Republican leader and the majority leader for their forbearance in that way. We have to have an element of trust for each other.

I am going to do my best to make sure the relevant amendments that come before us, Democratic or Republican, are voted on.

I thank all those involved. I hope Senators will be preparing their relevant amendments if they are not already filed and were not already enumerated in the agreement.

I will refrain from making my remarks until my colleague, Senator SCHUMER, the chairman of the Rules Committee, comes to the floor at 2:40. We will await the arrival of Senator COLLINS and Senator LIEBERMAN, who are the chairman and ranking member of the committee that reported the bill to the Senate.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, it is my honor now to rise as chairman of the Homeland Security and Governmental Affairs Committee to speak on

behalf of S. 679, the Presidential Appointment Efficiency and Streamlining Act of 2011, and I do so with great gratitude toward Senator ALEXANDER, who is now on the Senate floor, Senator SCHUMER, and others who worked together to clear away procedural obstacles to focus on this piece of legislation.

This is a noble effort that has been tried before and failed, but I am confident this time, with the support of our leaders—really our bipartisan leadership, Senator REID, Senator MCCONNELL, Senator ALEXANDER, Senator SCHUMER, not to mention Senator COLLINS and me—we are going to, in our committee role, get this passed. This is a bipartisan effort to solve a problem, or at least help solve part of a problem, that has been growing for a long time in Washington in our government—certainly since the Kennedy administration—which is, it takes too long for an incoming President and a sitting President to get their team in place, and there are too many vacancies throughout the course of an administration, as I will indicate during my remarks.

The average is 25 percent, one-quarter of the positions in the administration, are empty at any one time because of the length of the process, the delays that occur in the executive branch, the White House, and in the Senate, and this is a direct attempt to try to lessen that problem. One of my favorite descriptions of our current nomination and confirmation process—I have used this so often I forgot who said it; the gentleman in the chair might have said it—described the current confirmation and nomination process as “nasty and brutish without being short.” So, hopefully, this will make the process at least less nasty and brutish and shorter as well.

Mr. President, 100 days into President Obama’s administration only 14 percent of the full-time Senate-confirmed positions had been filled—only 14 percent. After 18 months, 25 percent of key policymaking positions were still vacant. This is not an unusual circumstance. Presidents Clinton and George W. Bush faced similar difficulties. It is a problem that does have, however, a serious national and economic security implication because crucial offices go unfilled for months and months.

President Bush actually did not have his national security team, including critical subcabinet officials, confirmed and on the job until at least 6 months after he took office. The 9/11 Commission pointed out how dangerous this was and recommended steps to speed up the process for national security appointments, some of which were adopted as part of the 9/11 Commission Act of 2004.

At the height of the financial crisis, which we are still working our way out of, Secretary of the Treasury Geithner

was actually home alone, with no other Senate-confirmed positions at the Treasury Department filled for over 3 months. That is an outrageous result.

So what would the bill before the Senate now do? It would eliminate the need for Senate confirmation for about 200 positions out of about 1,200 that now need Senate confirmation. Of these 200 positions, most of them are in the areas of legislative and public affairs, internal management positions, such as, chief financial officers who report to others up the chain of command, directors, commissioners, or administrators at or below the Assistant Secretary level who, again, will report to another Senate-confirmed official, and the members of a number of part-time advisory boards which, under the current state of the law, have to go through full vetting and then full Senate consideration and confirmation.

The proposal before us is not by any means a radical proposal. Removing these positions from the need for Senate confirmation would free up both the Senate and future administrations to concentrate more fully on the nominations for those key positions where public policy is made. I want to note, again, the bipartisan nature of these proposals.

In January, Majority Leader REID and Minority Leader MCCONNELL decided the nomination and confirmation process had become too slow and cumbersome. That was in January of this year. They established a working group on executive nominations and asked leaders SCHUMER and ALEXANDER to be in charge of that. Chairman and ranking member, respectively, of the Rules Committee, Senator COLLINS and I were also privileged to be part of that group as chair and ranking member of the Homeland Security and Governmental Affairs Committee.

The reforms proposed by Senators SCHUMER and ALEXANDER in our group have really been carefully crafted, and I cannot thank them enough for both their legislative intellectual work on this but also for sticking with it right to this moment. They introduced their legislation on March 30; that is, SCHUMER and ALEXANDER, with a bipartisan group of 15 cosponsors. On April 13, our Homeland Security and Governmental Affairs Committee, again, on a bipartisan vote, reported the bill favorably to the Senate.

Senators SCHUMER and ALEXANDER are also proposing an important Senate Resolution, S. Res. 116, that would streamline the confirmation process for approximately 200 other Presidential appointments that receive Senate confirmation by allowing their nominations to bypass the committee process and come directly to the Senate floor as long as no Senator objects. This is an important companion proposal.

So if all goes well, we will have 400 of the current 1,200 positions—that is

about one-third of the current nominations requiring full Senate consideration, Senate proposal, committee consideration, et cetera—to be in a different status. These 200 positions that will be the subject of S. Res. 116 come from 30 bipartisan Federal advisory groups and councils, such as the Social Security Advisory Board and the IRS Advisory Board.

This is the way the Senate should work. A problem is identified, both sides of the aisle work together to craft a solution, then bring it to the floor for debate. Hopefully, it is a model for what we can and should do in a lot of other areas that are pressing not just on the Senate but on the country and the people of the country.

On March 2, Senator COLLINS and I—just speaking a bit more in detail—held a hearing which we called “Eliminating the Bottlenecks: Streamlining the Nominations Process.” We heard from a group of former executives, really White House officials, both parties, and from some experts in the private sector. They made a compelling case for change, and here is some of what we learned.

When President Kennedy entered office in 1961, there were 850 Senate-confirmed positions that the President had to fill. By the time President George W. Bush took office, that had increased to 1,143. When President Obama was sworn in just 8 years later, that was already up to 1,215. Not surprisingly, with more positions it takes longer to fill them. The delay is not, fortunately, at the Cabinet level. Between 1987 and 2005, it took Presidents an average of only 17 days from the time of a vacancy to nominate a Cabinet Secretary, and the Senate took an average of just 16 days to confirm the nominee. But it is at the critical subcabinet level where things slow to a crawl.

It took Presidents an average of 95 days—that is, of course, more than 3 months—to nominate Deputy Cabinet Secretaries, and the Senate took 62 days to confirm them, another 2 months. Now we are up to more than 5 months for Deputy Cabinet Members which are critical to the functioning of their departments. Noncabinet agency heads waited an average of 173 days for nomination and 63 additional days for confirmation. So we are up to over 230 days, over 7 months, approaching 8 months. Noncabinet agency deputy heads fared even worse, an average of 301 days before nomination and 82 days before confirmation. That is more than a year to go through this process while those offices are effectively unfilled, and the people’s business is not being done.

Part of the problem is a large number of appointments that need to be made at the outset of an administration can overwhelm the resources available within the executive branch and the Senate to review and vet these nominees. So eliminating the requirement

for Senate confirmation for nonpolicy-making or lower level positions should allow an incoming administration and the Senate, as well as the FBI and the Office of Government Ethics, which do the vetting, to focus on more important policymaking positions, speeding up the process.

Other problems contributing to the delay are the numerous duplicative and time-consuming forms that potential nominees are required to fill out. Most nominees actually submit to at least four reviews, each represented by a separate packet of government forms, including a White House personnel data statement, questionnaires from the FBI, Office of Government Ethics, and at least one questionnaire from the Senate committee of jurisdiction.

There is a very interesting study done by Professor Terry Sullivan at the University of North Carolina that found half the questions asked in those four reviews for each nominee are redundant. They are repetitive. This act would establish, therefore, an executive branch working group to study and report to the President and the Congress the best ways to streamline all this paperwork, along with a detailed plan for creating and implementing a smart reform. An example would be an electronic system for collecting and distributing background information for nominees requiring Senate confirmation. With a "smart form" such as this, a nominee could answer a question once and the information would be filled in for all of the relevant forms.

The need for reforms in the Federal appointments process is not a new topic. Over the past three decades, an abundance of commissions, think tanks, good government groups, and individual academics have turned their sights on this problem.

I will not list them all, but here are just a few: the National Academy of Public Administration in 1983 and 1985; the President's Commission on the Federal Appointments Process in 1990; the Twentieth Century Fund in 1996; the Brookings Institution's Presidential Appointee Initiative, cochaired by former Senator Nancy Kassebaum and former Director of the Office of Management and Budget Franklin Raines in 2001; and the bipartisan National Commission on the Public Service, headed by Paul Volcker, in 1989 and 2003.

The Senate has looked into making changes as well. In 2001, our committee—then called the Governmental Affairs Committee and chaired by former Senator Fred Thompson—held a 2-day hearing titled "The State of the Presidential Appointment Process," which looked at many of the ideas we are considering today.

The committee also reported out a bill—"The Presidential Appointments Improvement Act of 2002"—that sought to make modest improvements to the

appointments process, including streamlining financial disclosure requirements. But the full Senate never considered it.

Then, as I mentioned, Congress passed the 2004 Intelligence Reform and Terrorism Prevention Act, which included some improvements to help speed up the consideration of critical members of a new President's national security team.

Now it is time to take a modest next step. We have reasonable, bipartisan legislation in front of us and it is time—in fact, past time—to act.

Now let me address the question that seems to be of concern to some of our colleagues, which is: Is the Senate, in limiting by 200, and in some sense limiting another 200, giving away its power to advise and consent? I say the answer is a resounding no, and I wish to explain why. Let me read directly from article 2 of the Constitution:

[The President] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by Law.

This part of the quote is crucial:

But the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The very first Congress, in which, of course, many of the Framers of our Constitution sat, did precisely what they authorized in the Constitution when they created the State Department, which was then called the Department of Foreign Affairs. The Secretary—a man by the name of Thomas Jefferson—was subject to Senate confirmation, but the legislation creating the Department also called for the hiring of a "chief clerk" who would be second in command—essentially the deputy. That position was not subject to confirmation and Jefferson hired a man named Henry Remsen, who had held the same job under the previous Articles of Confederation.

So right from the beginning—from the Founding Fathers, the drafters of the Constitution—it was clear they understood there had to be limits on the number of offices the Senate would be called on to advise and consent to.

Incidentally, I think it is also worth noting that in that first Congress, on a single day in 1789, the Senate took up 102 nominations sent to it by President Washington 2 days earlier and approved them all but one. Needless to say, President Washington complained about the one nominee whom the Senate did not confirm. But Washington, obviously acknowledged as the Father of our Country, was unique, and no President—appropriately, I would say—has received exactly that kind of deference since. The nominations process

can be a rough and tumble one, and that is to be expected under our separation of powers.

This legislation, however, I wish to emphasize, does nothing to change that. In fact, I would argue this legislation enhances the Senate's authority regarding advice and consent by enabling us to focus our energies on the qualifications of those who would shape national policy. If we don't fix this system, which almost everybody regards as broken, I think we risk what has already begun to happen, which is that some of our Nation's most talented people will simply not accept nominations for these important positions because of the time involved, the redundancy involved, and they will go unfilled.

There has been a lot of work done to support this effort, some of which was done by some of our former colleagues, including Senator Bill Frist and Chuck Robb and former White House officials Clay Johnson from the Bush administration and Mack McLarty from the Clinton administration. For the past year, the four of them have headed up a bipartisan commission to reform the Federal appointments process and they have all endorsed this bill as well as S. Res. 116, and so too has the Partnership for Public Service.

I know there is a natural tendency—notwithstanding all the reasons everybody understands to limit the number of nominees that come before the Senate for advice and consent—when we come to that moment where individual chairs of committees and ranking members don't want to yield what seems to be any authority. But, honestly, this is not an authority worth fighting to retain, and it works against the general functioning of the Senate, against the functioning of our government and, in my opinion, actually undercuts the vitality of the advice and consent clause.

I call on my fellow chairmen, ranking members, and of course all of our colleagues on both sides of the aisle to vote yes on this legislation so future Presidents can recruit the best nominees to serve us and the Senate can make sure it does its full job under the advice and consent clause to investigate and confirm them before they take office and deal with the Nation's business.

As always, I have been privileged on the committee to be working with Senator COLLINS as my ranking member, and I yield to her at this time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I am delighted to join with the chairman of the Homeland Security Committee, my dear friend Senator LIEBERMAN, in rising today in support of the Presidential Appointment Efficiency and Streamlining Act of 2011.

First, let me join Senator LIEBERMAN in commending Senators SCHUMER and ALEXANDER for their leadership on this bill. Senator ALEXANDER, in particular, has worked so hard on this issue. In fact, I am convinced we would not be where we are today without his persistent leadership. He deserves great credit for his patience and his dogged determination to bring this bill and this issue to the floor. Senators REID and MCCONNELL also deserve great credit. They made the commitment in January to make reform of the nominations process a priority.

Finally, I wish to recognize Senator LIEBERMAN, the chairman of the committee, on which I have the privilege of being the ranking member. He and I have also been part of what has truly been a bipartisan effort to craft this bill. It is an effort we need to see more often in this Senate if we are to tackle and actually solve the many problems facing our Nation.

This bill before us addresses shortcomings in the process of confirming Presidential appointees without diminishing the constitutional roles of the President or of the Senate. The fact is this is a very modest bill that takes limited but much needed steps to reform the confirmation process. When we look at the full-time positions that now require Senate confirmation, this bill would eliminate only approximately 85 full-time positions, a truly modest number. These positions were selected because either they do not have significant policymaking authority or funding responsibilities or report directly to a Senate-confirmed official.

To be clear, not included in these numbers are almost 3,000 officer corps positions that would no longer require Senate confirmation under this bill. But let me quickly explain exactly what those officer positions are, because when many people hear the words "officer positions," they are going to think the Department of Defense and that would raise the issue of civilian control of the military. Let me say these are not military or Department of Defense positions. Rather, they are members of the Public Health Service and the National Oceanic and Atmospheric Administration Corps of the Department of Commerce.

Apart from these officer corps positions, more than 83 percent of all currently confirmed positions and more than 90 percent of all the full-time positions will continue to require Senate approval under this bill. Let me emphasize that again because, unfortu-

nately, there is some misinformation about this bill. More than 90 percent of the full-time positions in the Federal Government that have required Senate confirmation will continue to require Senate approval under our bill. Furthermore, nothing in this bill limits the ability of Congress to create new Senate-confirmed positions in the future. It may be that there is a new department created someday or a new position that is very important. The Senate can choose to exercise its will to make those new positions subject to Senate confirmation.

The companion standing order reported by the Rules Committee proposes that some additional 240 positions go through a new expedited confirmation process. Although that resolution is not now before us, it will be, I hope, shortly after we conclude our work on this bill. So I wish to explain briefly what the process would be under that resolution.

That expedited process would still require nominees to respond to all committee questionnaires and would still provide the opportunity for closer scrutiny of a nominee if requested by a single Senator—any Senator. The confirmation process must be thorough enough for the Senate to exercise its constitutional duty, but it should not be so onerous as to deter qualified people from public service, particularly when they are being asked to serve as a part-time member of an advisory board.

A letter from three of our former colleagues, one House Member and two Senators, put it well. The bipartisan Policy Center in endorsing this bill sent us a letter that is signed by former Congressmen and Secretary of Agriculture Dan Glickman, Senator Pete Domenici, and Senator Trent Lott, who of course served as the majority leader of the Senate. Here is what they said, and here is what we heard over and over at the hearing Senator LIEBERMAN and I conducted before our committee. This is the bipartisan Policy Center's conclusion:

Many public spirited people are discouraged from serving in appointed office because of the length and the extreme adversarial nature of the confirmation process.

This is an issue the Committee on Homeland Security and Governmental Affairs has been working to address for a long time. In fact, in 2001, when Senator Fred Thompson chaired the committee, we held two hearings focusing on the state of the Presidential appointment process. As a result of those hearings, the committee reported favorably reform legislation. A few of the provisions of that bill were later incorporated into the Intelligence Reform and Terrorism Prevention Act of 2004, which I, along with Senator LIEBERMAN, authored.

Let me give our colleagues some more background, some of which has

been covered by the chairman of the committee but I think is important to repeat to counter some misimpressions about this bill that somehow it undermines our constitutional obligations. In fact, the Constitution, in the appointments clause, makes the appointment of senior Federal executive officers a joint responsibility of the President and the Senate. The President determines who in his judgment is best qualified to serve in the most senior and critical positions across the executive branch of our government. Then we, the Senate, exercise our independent judgment to determine if these nominees have the necessary qualifications and character to serve our Nation in these important positions of public trust. But at the same time, the Constitution envisions the appointment of lesser officers by the President alone. Specifically, the Constitution provides that "Congress may by Law vest the Appointment of such inferior officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments." So that process is spelled out in the Constitution.

The National Commission on the Public Service, commonly known as the Volcker Commission, gathered some very illuminating statistics. They differ a bit from some of the statistics the chairman has given because he is using CRS, but what they show is the enormous increase in the number of positions that are now subject to Senate confirmation and approval.

When President Kennedy came to office, he had just 286 positions to fill that had the titles of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator. But using those titles, there were only 286 when President Kennedy assumed office. By the end of the Clinton administration, there were 914 positions with those titles. Today, according to the Congressional Research Service, there are between 1,200 and 1,400 positions in total that are appointed by the President that require the advice and consent of the Senate. Too often, that large number of positions requiring confirmation leads to long delays in vetting, nominating, and confirming these appointees.

I would also point out that there is a great expense that goes along with this process. Having an FBI background check is expensive. Having our congressional investigators do their own vetting process is expensive. And many a nominee will tell you how expensive it is for the nominee to go through this process. The result of the length of this process is that administrations can go for months without key officials in these many agencies. That is why you will find there is bipartisan support from previous administrations urging us to finally tackle this issue.

The 9/11 Commission found that "[a]t the sub-cabinet level, there were significant delays in the confirmation of

key officials, particularly at the Department of Defense," in 2001. It was not until 6 months after President Bush took office that he had his national security team in place. Our enemies take note of that fact. That is what the 9/11 Commission found. And it creates a national security vulnerability that terrorists can and have exploited. We have seen that in the United States, we have seen that in Madrid, that when there is a change in administration, it is a particularly difficult time, particularly if we do not have our appointees in place.

As I have mentioned, Senators SCHUMER and ALEXANDER have been the bipartisan authors of this bill, which has been cosponsored not only by Senator LIEBERMAN and myself but by members of the leadership of the Senate on both sides of the aisle. But I believe, of all members of the working group, Senator ALEXANDER may have the best perspective. In fact, I believe he does have the best perspective because he is one of the few Members of the Senate who have served as a Cabinet Secretary and as a Senator. He has endured the nominations process himself, and I am sure he will explain what he went through in his comments later, but he will talk about how long it was, that it was 9 months before he had a chief financial officer. It took him 6 months, I believe, to be confirmed, and he could not get his team in place because the process was so bogged down.

The nominations reform bill we take up today removes only 203 positions out of an estimated 1,200 to 1,400 from the Senate confirmation requirement, and most of those positions are part-time advisory board members. I would ask my colleagues, should the Senate really spend its time and its resources confirming 10 part-time members of the National Institute for Literacy Advisory Board? I am not in any way denigrating the work of this board or the people who are willing to serve on it. I am just suggesting that I do not think that board requires our confirmation. What about the National Board of Education Sciences or the National Museum and Library Sciences Board, which has 20 part-time members, all of whom have to be confirmed by the Senate?

Again, I would point out there is a cost involved for my colleagues, and that involves everyone here who is concerned about the amount of money we are spending in the Federal Government. There is a cost to an FBI background investigation. There is a cost to having a sufficient number of staff to go out and do the kinds of background checks and vetting that we do. There is a cost to the nominees involved, who have to fill out all these forms, who have to be very careful that they are divesting themselves of certain assets. And it makes sense for the Office of Government Ethics, which already has

a system in place to check for those kinds of conflicts, to not have its work duplicated, and that is what happens now far too often.

This legislation will free the Senate and enable us to focus on those nominees whose jobs are absolutely critical to our Nation, who do have significant policy responsibility, who do have significant control over Federal funds, and that will make a difference. It will also enable the Senate to spend more time on the critical work of how can we best create more jobs in this country, how can we reduce our unsustainable \$14 trillion debt, how can we strengthen our homeland security, and how can we conduct more effective oversight of the executive branch. Isn't it a better use of our time to be holding oversight hearings to examine the enormous duplication the Government Accountability Office has found across government that wastes hundreds of millions, perhaps billions of taxpayer dollars, rather than spending our time worrying about the confirmation of 20 part-time members of the National Museum and Library Services Board?

Over the years, our committee has continued to hear from experts on the executive nominations process. In April of this year, we received a letter from the bipartisan Commission to Reform the Federal Appointments Process, which is chaired by our former colleagues, Senators Frist and Robb, as well as we have heard from the former Director of Presidential Personnel for the Bush administration, Clay Johnson, and the former Chief of Staff for the Clinton administration, Mack McLarty. They wrote—and I think this puts it well—that "[m]ost everyone agrees the federal appointments process is broken." They underscored that the bill before us will help the next administration "to put in place very early in its first year the . . . people that the new Department heads need to get off to a fast start . . . working effectively with Congress."

I hope we can agree to undertake the modest reforms we have included in this bill. I hope we do not let this legislation and the Rules Committee resolution get caught up in the turf battles and the power struggles that too often sink good government initiatives in this body. This bill is a step in the right direction and a step we should take together by an overwhelming margin.

Mr. President, I ask unanimous consent, if they have not already been printed in the RECORD, that letters endorsing the bill from the Bipartisan Policy Center, the Partnership for Public Service, Senator Fred Thompson, former Defense Secretary Frank Carlucci, and former Senators Bill Frist and Chuck Robb be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BIPARTISAN POLICY CENTER,

Washington, DC, June 21, 2011.

Re S. 679 and S. Res. 116—Support.

TO LEGISLATIVE DIRECTORS: As former senators and presidential appointees of both parties, we fully support the Senate's efforts to improve the nomination and confirmation process by reducing the number of political appointees who require senate confirmation, forming a commission to make recommendations for a more efficient financial disclosure and background check process, and streamlining the senate confirmation process for nominees to advisory boards and commissions.

The problem and the solution are truly bipartisan. Presidents of both parties and senates controlled by both parties have seen the increasing difficulties in the presidential appointment and senate confirmation process. With each recent presidency, the length of time to select, nominate and confirm appointees has lengthened. [Many public spirited people are discouraged from serving in appointive office because of the length and extreme adversarial nature of the process.]

In S. 679 and S. Res. 116, the Senate proposes modest improvements in the system. These bills will not alter the fundamental character of the appointment and confirmation process. The president will continue to make nominations and the senate will exercise its advise and consent role for hundreds of appointments. But for some lower level nominees, the senate confirmation process will be eliminated or streamlined and the financial disclosure and background check process will be simplified and improved.

Beyond these immediate measures, we hope that in the future the Senate will continue to work to improve the confirmation process by coordinating senate committee financial disclosure forms with executive branch disclosure forms. And we encourage consultation between the executive and legislative branches to find ways to limit the use of the recess appointment power.

S. 679 and S. Res. 116 are small and important steps in the right direction. We encourage the Senate to pass these two measures.

Best Regards,

SECRETARY DAN GLICKMAN,
Senior Fellow, BPC.
SENATOR PETE DOMENICI,
Senior Fellow, BPC.
SENATOR TRENT LOTT,
Senior Fellow, BPC.

PARTNERSHIP FOR PUBLIC SERVICE,

Washington, DC, June 20, 2011.

Hon. JOSEPH LIEBERMAN,
Hart Senate Office Building, Washington, DC.

Hon. SUSAN COLLINS,
Dirksen Senate Office Building, Washington, DC.

DEAR SENATORS LIEBERMAN AND COLLINS: I commend you, as Chairman and Ranking Member of the Homeland Security and Governmental Affairs Committee, for your leadership in moving forward legislation to streamline the presidential appointments process. S. 679, the Presidential Appointment Efficiency and Streamlining Act, and S. Res. 116 will contribute to better, more effective government by reducing the number of presidential appointees subject to Senate confirmation and doing much to fix a broken nominations process that takes too long, is too complex and discourages some of our nation's best talent from serving.

This legislation is urgently needed, and I applaud you for your efforts to ensure our federal government has the right talent in place to face our nation's many challenges.

The Partnership for Public Service strongly supports S. 679 and S. Res. 116 and urges their swift passage.

Very best wishes.

Sincerely,

MAX STIER,
President and CEO.

HERMITAGE, TN, April 12, 2011.

Hon. JOSEPH LIEBERMAN,
Chairman, Committee on Homeland Security
and Governmental Affairs, U.S. Senate,
Washington, DC.

Hon. SUSAN COLLINS,
Ranking Republican Member, Committee on
Homeland Security and Governmental Af-
fairs, U.S. Senate, Washington, DC.

DEAR JOE AND SUSAN: In 2001, when I was Chairman of the Senate Committee on Governmental Affairs, we held hearings reviewing the nominations process and potential options for reforms. President George W. Bush had been in office 10 months and only about 60 percent of the government's top political jobs had been filled—which created national security concerns.

That's why I want to commend you for your work on the Presidential Appointment Efficiency and Streamlining Act of 2011 which would eliminate the need for Senate confirmation of approximately 200 relatively low level positions. We tried to fix this problem when I was chairman, and it still needs to be done.

My experience was that our confirmation process led to substantial delay and extraordinary expense for nominees as they are vetted beyond what is necessary even for the least sensitive positions. I believe that this will result in an increasingly narrow pool of potential public servants who are more likely to be wealthy, and already live in the Washington, DC, area.

In 1960, President Kennedy had 286 positions to fill in the ranks of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator and by the end of the Clinton Administration there were 914 positions with these titles. Reform would not diminish oversight. It would make oversight more effective.

Comprehensive reforms throughout the presidential appointment process are needed so that the Senate can spend its time focusing on senior nominations and on major priorities such as national defense and tackling our budget problems.

The Senate should take its advice and consent powers seriously, but the number of nominations have grown and expanded over time—much like the rest of the federal government. I hope your committee will take quick action on this legislation and send the bill to the full Senate for its consideration.

Sincerely,

U.S. SENATOR FRED THOMPSON.

FRANK C. CARLUCCI,
McLean, VA, June 1, 2011.

Hon. HARRY REID,
U.S. Senate, Hart Senate Office Bldg., Wash-
ington, DC.

Hon. MITCH MCCONNELL,
U.S. Senate, Russell Senate Office Bldg., Wash-
ington, DC.

Hon. CHARLES SCHUMER,
U.S. Senate, Hart Senate Office Bldg., Wash-
ington, DC.

Hon. LAMAR ALEXANDER,
U.S. Senate, Dirksen Senate Office Bldg., Wash-
ington, DC.

DEAR SENATORS REID, MCCONNELL, SCHUMER AND ALEXANDER: I am writing to commend you for your leadership and bipartisan

approach to tackling one of the great challenges facing our government—presidential appointments and nominations reform. There is little dispute that the current nominations process has grown too cumbersome and complicated, and the number of political appointees is too large. S. 679, the Presidential Appointment Efficiency and Streamlining Act, and S. Res. 116 are a promising show of progress, and I encourage all Senators to support this bipartisan legislation.

As former Secretary of Defense (under President Reagan), I know the importance of having high quality leaders in place within an agency. Leaving positions vacant indefinitely as appointees wait to be confirmed is not smart management, and is frankly a threat to our national security. We need strong leaders installed quickly in agencies to ensure our government is ready to meet the many challenges it faces. S. 679 and S. Res. 116 together present a common-sense solution that preserves the important role of the Senate in confirming key nominees, but unburdens the process by relieving the advice and consent requirement for less critical positions.

Congress would be wise to act now, before the politics of the next election cycle get in the way of practical reforms to improve the efficiency and effectiveness of our federal government. I urge the Senate to swiftly pass both S. 679 and S. Res. 116 to ensure our government has its senior leaders in place within agencies to carry out critical missions.

Sincerely,

FRANK CARLUCCI.

JUNE 17, 2011.

Senator SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: We write today to encourage your support for the Presidential Appointment Efficiency and Streamlining Act of 2011 (S. 679). Having served in the Senate and participated in this process firsthand, we believe this bill would constructively improve the federal appointments process, which we all know is broken.

We believe that this bill will dramatically improve government operations, especially in the first months of a new administration. S. 679 will make it possible for a new administration to more quickly put into place the roughly 70 vital communication and operations personnel needed by department heads to effectively work and communicate with Congress, the public, and federal employees. S. 679 will create more time and capacity for the Senate within an administration's early months to confirm or deny the appointment of senior-most, operational and policy-making officials, whose qualifications clearly warrant Senate scrutiny.

Importantly, S. 679 will create a working group to develop a specific plan to improve the efficiency, manner and speed with which background data are collected from potential nominees. The goal is to streamline and better coordinate the now cumbersome process whereby the FBI, Office of Government Ethics, and the Senate receive and consider a nominees' information; vetting would begin sooner, critical especially in the first few months of a new administration. Furthermore, the unnecessary and duplicative data-gathering burden on the individual nominee can be reduced significantly. The Executive Branch will similarly develop a plan to accelerate the process by which they receive nominees' background information, so that nominees can be submitted for Senate approval in a more timely fashion.

We believe the Act does not diminish the institutional influence or Constitutional duties of the Senate, as it will retain the power to advise on and consent to the appointment of some 1200 policy-making and senior officials, including those officials to whom the subject positions of S. 679 report. Through the use of hearings, reports to congress, Inspector General and GAO reports, the Senate will continue to hold responsible offices accountable for performance expectations, regardless of whether or not the appointed individuals in those offices are confirmed by the Senate. The Senate will still maintain the high performance standards sought for all government functions and programs.

Moreover, in no way does the Act diminish the stature of appointed positions that will no longer require Senate confirmation, a process which we all know makes it more difficult to attract highly qualified candidates. Currently a number of comparable positions are Senate confirmed in one agency, yet not in another. We believe there is no evidence to suggest those appointees requiring Senate confirmation are more qualified and talented than those having the same job at other agencies only not requiring Senate confirmation.

It is noteworthy that leaders from both parties have come together to develop this legislation to improve the working of the Senate confirmation process and markedly improve government operations, especially in the first year of a new administration. We highly encourage you to join Senators Reid, McConnell, Schumer, Alexander, Lieberman and Collins to pass S. 679 to make the Senate confirmation process more effective.

Respectfully yours,

WILLIAM H. FRIST, M.D.
CHARLES S. ROBB.

Ms. COLLINS. I thank my colleagues.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the distinguished Senators from Maine and Connecticut not just for their comments today but for their work for nearly a decade on this issue. This is hard, slogging work in the Senate. It is not easy to do. As I mentioned earlier, it is not one bit glamorous, but it helps make the Senate a more effective institution. If we are more effective, then we can deal better with our debt, then we can deal better with Libya, then we can deal better with creating jobs, then we can earn more respect from the people who elect us. So I thank them for their leadership.

I thank Senator MCCONNELL and Senator REID for creating the environment in which this can happen.

I thank all my colleagues, many of whom did not exercise all their rights, and allowed the bill to come to the floor in this agreement by unanimous consent. We have not had this privilege very often in the Senate. It is a good way for the Senate to work. It is the right way for the Senate to work. What it means is, over the next day or two, however long it takes, Senators may bring their relevant amendments to the floor and they may call them up without asking unanimous consent to set aside a pending amendment.

Then we will have a debate, and then we will vote on them. When we are

through voting, we will vote on the bill. I would encourage my colleagues to prepare to bring their amendments to the floor. I am going to defer my remarks until this afternoon, when Senator SCHUMER, the chairman of the Rules Committee, will come to the floor at 2:40. I will speak following him. We will talk about the resolution, which is the other half of the bill.

But this is legislation about making Senate oversight, as Senator LIEBERMAN said, more effective, not less effective. It is about putting a stop to the trivializing of our constitutional duty for advice and consent. It is about ending the phenomenon of innocent until nominated, which is what happens to distinguished citizens of this country who are asked to serve in the Federal Government and, to their great horror, discover they are heading through a maze of conflicting forms and questionnaires, until finally they are dragged before a tribunal in the Senate and caught in an inadvertent error and made out to be a criminal, when they thought they were an upstanding citizen, having served in their hometowns for a long time.

We should stop that business, and every administration in recent years has asked us to do it. So this is the right thing to do. It is a modest step but an important step. It is a signal that we can do our business well, that we can treat American citizens with respect, that we can focus our attention where it needs to be focused and not focus our attention where it is not.

Senator COLLINS mentioned there are several thousand public health officers and others who are now confirmed by the Senate. That is the rough equivalent of confirming forest rangers or staff members of the Senate or agricultural extension officers. I mean, they are all valuable positions, but did our Founders expect that we would be sending the FBI to ask whether they lived beyond their means before they took their job and then conduct diligent inquiries there and before some committee of the Senate?

Well, of course not. So we are going to end up with about 1,200 nominations from the President, to whom we need to devote advice and consent. One indication of why it is so necessary to do this is, nobody can tell us how many Presidential appointments there are that need advice and consent. The Congressional Research Service at first said 1,200, and then when our staffs began looking at it, it is more like 1,400.

In the last Congress, how many of these important advice-and-consent positions actually deserved a rollcall vote? Three percent. So we only had time to give a rollcall vote to 3 percent of the men and women whom we have decided need the extraordinary constitutional process of advice and consent. We need to elevate the advice-

and-consent process back to where it ought to be, do our jobs correctly, treat people who are nominated by the President with dignity and hope the President can staff his government appropriately so we do not have to. As Senator COLLINS said, it has been 6 months while we wait to get the President's defense team in place.

That is partly the President's own fault, but it is partly our fault, and we need to work together. We have a process in this bill where we will work together to try to speed that up. So I am glad I had the opportunity to hear Senator LIEBERMAN and Senator COLLINS. This is not the first time they have tried to do this. But they will succeed in doing this because they have broad bipartisan support and an era of cooperation within the Senate.

We will have some debate. We still have some disagreements about which positions should be in and which positions should be out. That is why we have relevant amendments. That is why we bring them up. That is why we vote on them. That is why we will eventually come to a final result on the bill.

I thank them for their leadership, for their eloquence, and for their public spiritedness.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank our friend and colleague from Tennessee for his statement and even more for the hard work he has done, along with Senator SCHUMER—the hard work, the steadfast work, without which we would not be on the floor right now.

Senator COLLINS and I both agree this is one of those rare cases where I would not say we gave up, but we were beginning to grow pessimistic about our capability to achieve these reforms. It is unusual for us because we are usually so stubbornly persistent.

But Senator ALEXANDER and Senator SCHUMER, working with the encouragement and blessing of the two leaders, Senators REID and MCCONNELL, have put us in a position to get this done. It would be a real step forward. So I thank the Senator. Obviously, the work begins now.

The floor is open for debate, as of 3 o'clock, for amendment. If either of my colleagues do not have anything more to say, I would suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

NORTH DAKOTA FLOODING

Mr. HOEVEN. Mr. President, I rise today to call attention to my home

State of North Dakota where we have terrible flooding occurring. We have flooding today on the Souris River and the community of Minot is now in the process of evacuating more than 11,000 people from their homes. In truth, we have had tremendous challenges with flooding all spring, throughout the State of North Dakota—the Red River Valley, Cheyenne River Valley, James River Valley around Devil's Lake, the Missouri River, Bismarck, Mandan area, up and down Missouri, all the points throughout western North Dakota and today it is in north central North Dakota. The Souris River is flooding, not only in the community of Minot but also in communities upstream to the north, small communities, counties, rural areas, and downstream as well, creating real hardship for citizens.

Even as I speak, more than 11,000 people are leaving their homes in and around the community of Minot. The Minot community is something over 40,000 people, so somewhere between a third and a fourth of our citizens in that community and the region will be displaced from their homes and their businesses. Our thoughts and our prayers go out to all of them.

At the same time we must do all we can to help them, both now at this time of need but also in the days coming as we go forward. Minot and the region have been in this flood fight for some time. In fact, together with the Corps of Engineers, with the National Guard, with local contractors, with the local officials, State support, the Federal agencies, the citizens have been fighting a battle against flooding for months this spring. They have built up their defenses. They have built levees along the river, the Souris River that flows through the Minot community and through the region. They built those levees up to an elevation of 1556. They built levees and dikes along the river.

In addition, years ago the community in fact levied a sales tax on itself to help build dams in Canada, Rafferty Dam and Alameda Dam, to try to have permanent flood control in place. This is a community and this is a region of our State that has worked very hard, using its own local dollars along with State and Federal sources, to build permanent flood protection—dams in Canada, as well as levees along the river.

Those defenses have stood for more than 30 years and protected the community and the region from flooding but this time they are not enough. As I say, the elevation is about 1556 on those levees along the river and it looks as though the crest will be 1563, 7 to maybe 10 feet higher than the levees provide defense. That means people have to leave their homes and their businesses and their property.

Ironically, 3 weeks ago with the projections that we had at that time,

roughly 10,000 to 11,000 people were forced to leave their homes at that time. But fortunately the crest came in lower than was projected and, with the work they were able to do on the levees, raising the levees yet again, they were able to keep the water within the banks of the Souris River so people were able to return to their homes and their property was not damaged. But unfortunately that is not the case now. Already the water is rising to the very tops of the levees and, as I say, the crest is projected to be well above those levees.

The first priority must be to keep people safe, to protect lives and protect people. The mayor, Mayor Zimbelman, is working with local officials and our Governor, Governor Jack Dalrymple. The National Guard is there. On the order of 500 National Guardsmen are helping with this evacuation process. Local law enforcement, fire emergency responders, they are all engaged. We truly appreciate their help and their efforts.

Minot Air Force base, a major Air Force base for our Nation, is located right near the community. I think there are on the order of 12,000 more people who live at that Air Force base. Some of the air men and women who are stationed at the base of course live in the community. Those men and women of the Air Force are helping the community. Minot Air Force base is providing a place for shelter for our citizens and providing help. I have spoken with the Air Force officials and we truly appreciate their help with manpower, with transportation, and with shelter.

Also Minot State University, our local university, is providing shelter for people who need it in the community. We have the relief organizations there as well, the Red Cross, the Salvation Army, and others.

Of course, in addition to all of that, we have citizens helping each other. That is truly the North Dakota way and they are doing a fine job. As a matter of fact, in the recent evacuation I mentioned several weeks ago, even though more than 10,000 people were evacuated, very few ended up staying in the shelters because friends and family, caring people in the community and in the region, provided a place for so many to stay. Of course, we know that will happen again as people open their homes to help others in a time of need. But clearly more help will be needed and help with recovery will be needed as well. That means Homeland Security, that means FEMA, that means the other Federal agencies as well. Many homes and many businesses will be flooded and those homes and businesses will be likely in floodwaters until into July. That assistance will be very much needed, very much required.

That means programs such as public assistance and individual assistance

through FEMA to help with public infrastructure that is damaged, to help individual homeowners with damage to their homes, will be necessary, along with flood insurance, SBA disaster assistance for businesses—because this flood is right through the very central part of the community so it affects not just homes and property but many businesses as well. Of course, it will affect public infrastructure.

To that end, I am already meeting with the Director of FEMA Craig Fugate this afternoon. We must be committed to that process, to help all we can, both in this flood fight and in the ensuing recovery.

It has been a real challenge this year. As you look around the country, look around our State, the flooding I described, not just here in Minot but throughout the State, and as you look around the country with flooding up and down the Missouri, up and down the Mississippi, and you look at the tornadoes and now look at fires occurring in the Southwest—this has been a tough year. It is a challenging year. So we need to pull together and we need to help each other. I know we will, because that is the American way. That is the way we have always done it and I know we will be there to help each other, to help our citizens in Minot, in the Minot region, throughout the State of North Dakota, but in other places around the country as well. As I say, that is the American way. We will prevail in this endeavor.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I know the issue before us is to change the way the nominations are handled. I wish to express my appreciation for that act and ask my colleagues to support it. A number of the nominations come through the Health, Education, Labor, and Pensions Committee. I have been the chairman of that committee, and am now the ranking member. There have been times when nearly 350 appointments have come through at one time, none of which are accompanied by any paperwork. This situation relates to the Public Health Service Corps nominees, which the Committee is required to report and confirm. However, there is no way to check on any of them because HELP Committee rules specifically state that routine paperwork does not need to be filed for these nominees. So it is a waste of time to take these nominees through the committee process and then to the floor. This bill would eliminate that need.

Now, under the proposal, there are about 250 positions where any Senator can call for a nominee to go through regular order. So for these nominees, anybody who has a concern about a nominee the President appoints has the leverage to be able to take a look at that person, to voice their comments, and to have it considered in the regular order.

I do see a great capability for us to be more productive under this new system, and that is what I would like to see. I would like to ask everybody to support the bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, first, I rise in support of S. 679, a bipartisan effort that will streamline Presidential appointments and reduce the number of Senate confirmations for certain types of positions, and I urge my colleagues to support this bill.

First, I want to praise my colleague and friend, Senator ALEXANDER, who has been a leading, if not the leading, force in this effort. We have worked together well in a bipartisan way to try to come up with a proposal that meets the agreement of the Chamber. He has done a great job, and it has been a pleasure, I would say to my friend from Tennessee, to work with him, as it always is.

I also want to thank, of course, Senator REID, who has encouraged us to get involved in this process and has been right there with us all the way, as well as Republican Leader MCCONNELL, who, again, has from the beginning been on our side and agreed that this is a worthwhile endeavor.

So we formed a bipartisan working group at the behest of Senator REID and Senator MCCONNELL to try to figure out how to try to reduce the number of Presidential appointments that require Senate confirmation and to create new procedures to improve the pace of confirmation for executive branch nominees, as part of an overall reform of the Senate rules.

Senators ALEXANDER, LIEBERMAN, COLLINS and I, in conjunction with the leaders, worked closely to develop this bill and the accompanying resolution, which we will turn to immediately after the bill, to improve how the Senate deals with executive nominations.

Throughout this entire process, we have partnered with folks from both sides of the aisle, and many have significantly contributed to this process. This package is an essential piece of the bipartisan rules reform we began at

the start of Congress, and Senators LIEBERMAN and COLLINS have had a lot of experience in this regard. They have tried it before, and their advice to us has been invaluable as well.

The Senate was designed to be a thoughtful and deliberative body. But the confirmation process is often slowed to a near standstill. This legislation will clear some of the more noncontroversial positions so the Senate can focus on its constitutional advise and consent power as it was intended, to confirm the most important positions.

The bill is not intended to take away or diminish the Senate's advise and consent power. The power will remain and still be used for the confirmation of senior policymaking appointments. The purpose of this legislation is to help the Senate function better and more efficiently.

Rather than spending time in committee and on the floor confirming nominees who have part-time appointments, nonpolicymaking responsibilities, or who directly report to Senate-confirmed individuals, we can alleviate ourselves of this burden and make these individuals nonconfirmable.

With that said, I recognize that some of our chairmen would like to see certain positions remain confirmable. We are continuing to work with them on their concerns, and we want to be flexible. We will be working with some of those Senators from both sides of the aisle who have voiced some objections and think the list is too large.

However, we also want to avoid the hollowing out of this bill so it no longer represents real reform. Over the past few decades, hundreds of these positions have been created which have contributed to a clogging of the Senate and a delay in getting good mid-level candidates in place to help the government function effectively.

The bill will eliminate from Senate confirmation 200 executive nomination positions. It covers several categories of positions, including legislative and public affairs positions, information technology administrators, internal management and administrative positions, and deputies or nonpolicy-related assistant secretaries who report to individuals who are Senate confirmable.

Additionally, we have removed thousands of positions from the Public Health Service Officer Corps and the National Oceanic and Atmospheric Administration Officer Corps from the confirmation process. These positions are noncontroversial and their removal will further prevent the possibility of gridlock. Removing those positions from the Senate confirmation process will allow a new administration to be set up with more efficiency and speed, thus making government work better for the people.

The public should not be harmed because we are not able to get qualified

people confirmed in a timely manner. The bill will also create a working group that will provide recommendations to the President and the Senate to further improve the confirmation process. The group will focus on offering guidance on the paperwork process for nominees through examining the creation of a single searchable electronic smart form and will also conduct a review of the current background investigation requirements.

In conclusion, this will help make the confirmation process less tedious for nominees by preventing them from having to submit the same information in several different forms to several entities. The bill was successfully passed by the Homeland Security and Government Affairs Committee, and S. Res. 116, which we will turn to immediately after this bill, was marked up in the Rules Committee unanimously.

We are confident that this bill, in conjunction with the resolution, will eliminate many of the delays in the current confirmation process. In conclusion, these delays are very detrimental to the efficient operation of government and to the efforts to recruit the most qualified people to these Federal jobs.

The public deserves a focus of our deliberation on confirming the most important positions and not to hold up those generally noncontroversial positions which more closely resemble appointments that are currently made without Senate approval.

I yield the floor, and I know my colleague, Senator ALEXANDER will speak next.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I congratulate Senator SCHUMER for his diligent work on this effort to help the Senate do a better job with its responsibilities of advice and consent.

As the chairman of the Rules Committee, he and I have been working together at the direction of Senator REID and Senator MCCONNELL to come up with a consensus about how to do this. Our colleagues, all 100, have agreed that we can move on to the bill and debate any relevant amendment, which has not happened very often around here, and is exactly the way the Senate ought to work.

So I thank Senator SCHUMER for taking on this difficult task. It is not a glamorous task, but it is one that hopefully will make the Senate more effective. If we are more effective, we can do a better job of dealing with the debt, of helping to make it easier and cheaper to create private sector jobs, of coming up with an energy policy that helps us find more American energy and use less, and regain respect from the American people who have given us the privilege of serving here.

I start this discussion with our Constitution, which, as the late Senator

Byrd used to suggest, we should all carry around with us. Perhaps the most celebrated constitutional duty of the United States Senate is our responsibility to provide advice and consent. It is in article II, section 2, of the Constitution. It talks about the President there, but it says: "He shall nominate, and by and with the Advice and Consent of the Senate" and among other things—to appoint a number of people. But it also says:

... the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

So this discussion is about that part of our constitutional responsibility, deciding what inferior officers should be vested—the appointment of which should be vested in the President alone or in heads of departments. I will talk more about that in a moment. But there are really three major goals of this legislation.

One is to stop the trivializing of the constitutional duty of advice and consent. We are providing our advice and consent on so many Presidential nominations that the President is not able to spend as much time as he should on getting them to us rapidly.

It is slowing down the organization of government. We, in turn, are not able to spend as much time as we should reviewing the qualifications of the important officers of the government that the President needs to appoint, and we are not serving ourselves well. We are trivializing the constitutional duty of advice and consent.

The second thing we are doing—and in this, the Executive, the President and the Congress, are equally to blame—is creating an environment that I would describe as being "innocent until nominated" in which we take some self-respecting U.S. citizen, and the President invites them to come take a position in the Federal Government of honor and dignity, and suddenly they find themselves immersed in a series of duplicative interrogations from all directions in which they must fill out forms that define words such as "income" in different ways, all of which is designed to lead them before a committee, not to really assess their qualifications but to see if they can be trapped and turned into an apparent criminal. In other words, they are innocent until nominated.

Every former administration's officials in recent memory have come to us and said we need to work together. No. 1, we need to stop the trivializing of the Senate's advice and consent responsibility; No. 2, we need to do something about this environment of innocent until nominated.

Finally, this legislation—which, as I said, has been moved to the floor for debate with the consent of all 100 Members of the Senate—is really the third

step in the discussion that began in January about what steps we can take to make the Senate a more effective place. One step was to get rid of secret holds. Another step was to limit the reading of the minutes as a dilatory tactic.

This is the third step, appointed by the majority leader, Senator REID, and the Republican leader, Senator MCCONNELL. They asked Senator SCHUMER and I to form a working group. We have come forward with a bill and a resolution, which we will debate today and tomorrow—until we finish—and it will streamline executive nominations and hopefully give us a chance to do more oversight on the positions that need the oversight and not waste our time with positions that don't. At the same time, it will make it easier for the next President to staff his or her government promptly so that they can deal with questions of war and the economy as they come up and not have to wait 6 months or 9 months after they have taken office to deal with those questions. And it will make it more inviting for good citizens of this country to accept a President's invitation to come serve in the Federal Government.

As I mentioned, this came about earlier this year when we were about to have a showdown over the filibuster. The Senator from Oregon was part of that debate. I hope he feels some credit for moving this discussion to where it is today. This is not all that the Senator from Oregon or the Senator from New Mexico or others want, but I think what we quickly learn in the Senate is that a few small steps in the right direction is one good way to get where you want to go. This will be a third step.

Basically, this is what we will be doing. We are affecting about 451 Presidential appointments. This represents about one-third of all Senate-confirmed positions. That sounds like a lot, and it is a lot. Let me qualify it in this way. Here is what has happened over the last several years.

In 1960, President Kennedy had to fill 286 positions in the ranks of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator.

By the time President Clinton came into office, there were 914 positions with those titles. That is according to the Volcker Commission Report, which recommended the kinds of things we are considering today.

Since then, CRS has counted more than 1,200 Presidential appointments requiring the advice and consent of the Senate, and our staffs on the Rules Committee and the Homeland Security Committee found more than 1,400. So we are in the embarrassing position of having to answer the question—if somebody were to say: Here is this enormously important position of the Senate, this constitutional duty to pro-

vide advice and consent, and how many Presidential appointments are subject to advice and consent? The answer would be that we don't know. CRS says it is 1,200. Our staffs say it is 1,410.

Another indication that we are not giving them sufficient attention—at least to the ones we should—is the number of rollcall votes on Presidential appointments requiring advice and consent. You would think that if a Presidential appointment were important enough to require a full FBI check, which is very expensive, time consuming, and takes several months; and then a nomination by the President and all of the vetting that goes with that; and then the work of the White House personnel office and all the time spent with that; and then it comes to the Senate and goes to our committees, and our committees have their own questionnaire and their own investigator and their own schedule for hearings and their own schedule for voting, and then they report it to the floor—you would think if it were important enough to go through all of that in order to get our advice and consent, we would take time to vote on it, would you not? Well, in the last Congress, this Senate voted on 3 percent of the nominations that require advice and consent. That is one indication that we are doing too many—we are trivializing the duty. So not only do we not know how many there are—we think, now that our staffs have worked through this, there are about 1,410—97 percent of them are not important enough to vote on; we just pass them by unanimous consent.

As Senator ENZI said earlier today in another setting, and I don't think he minds my bringing this up, sometimes we approve these nominations in blocks—280 at a time—without knowing anything about them. So we are pretending we are giving advice and consent when we are not.

An example of that would be the positions of the several thousand members of the Public Health Service Officer Corps and the National Oceanic Atmospheric Administration Officer Corps. They are all subject to advice and consent. They come through in the box loads. They are all very valuable public servants, I am sure, but to subject the Public Health Service Officer Corps and the National Oceanic Administration Officer Corps to a full Senate advice and consent would be the approximate equivalent of requiring advice and consent of agricultural extension officers or forest rangers or members of the Senate staff. They all have important jobs, but they are not supposed to rise to the level of advice and consent, which is why the U.S. Constitution specifically said that we should select "inferior officers," in its words, whom the President himself—the President alone—or heads of departments may appoint.

Now, what is an "inferior officer"? Well, words have meaning, and Justice Scalia gave a definition to the words "inferior officer" in the case of *Edmund v. United States* in 1997. Justice Scalia said:

We think it is evident that inferior officers are officers whose work is directed and supervised at some level by others who were appointed by the Presidential nomination with the advice and consent of the Senate.

That makes pretty good sense. If you are working for someone who is appointed by the President and subject to the advice and consent of the Senate, then you are accountable to the Senate and the people of the United States through your superior. That makes you an inferior officer. You may be important, but you are subordinate to someone else whose appointment was subject to advice and consent.

Here is what we have done in the legislation.

First, we have a bill from the Homeland Security Committee, and then we have a resolution that comes from our Rules Committee. Of the 451 positions that are affected, in addition to the thousands of members of the officer corps I mentioned, 248 are part-time board and commission positions that could be expedited and would keep their advice and consent rolls and remain Senate-confirmed. I will talk more about that in a minute. Then 118 other part-time board and commission positions will no longer require Senate confirmation. And then 85 positions that are full-time would not require advice and consent for confirmation.

After all is said and done, when you include the fact that 248 positions we affected are merely expedited and still subject to advice and consent if a single U.S. Senator says it is necessary—they are still subject to it under any event and to the full investigation if a single Senator says it is necessary—we will still have more than 1,200 Senate-confirmed executive branch nominations. So, as Senator COLLINS said on the floor today, after this is done, if our bill and resolution are passed, more than 90 percent of the full-time positions that now are subject to advice and consent will still be subject to it, as will more than 85 percent of the part-time positions.

Why is it important that we have so many positions that are subject to advice and consent? One could argue, why don't you narrow it simply to the Cabinet members or the Cabinet members and their deputies? Why slow the President down in his work by requiring so many to come over, because even after we are through this, after everything Senators SCHUMER, COLLINS, LIEBERMAN, and I recommended to the Senate was adopted, the Senate will have 1,200 persons it could put through this gauntlet of advice and consent and make its point.

Many Senators choose to use these confirmation proceedings to exercise

our prerogative as elected Members of Congress to get information, to assert our views or to influence the direction of government. For example, Senator MCCONNELL has been holding President Obama's trade nominees until President Obama sends his free-trade agreements to Congress. Senator GRASSLEY and Senator CHAMBLISS held up the Solicitor General's nomination because it had been 2 years and their request for documents from the Department of Justice had not been forthcoming. After they held up the Solicitor General's nomination in the advice and consent process, they got their documents.

I suggest that having 1,200 opportunities to hold a Presidential nominee hostage is enough for any Senator to work his or her will in order to make a point and that to go beyond that is to begin to trivialize the whole process.

As I mentioned earlier, our legislation has two parts. In the first part—the part we are debating now, the bill—there are approximately 200 positions that now are subject to Presidential confirmation that would not be subject to Presidential confirmation. These would be 85 full-time positions, including legislative affairs and public affairs positions, chief financial officers, information technology positions, and others. These are all important positions, but let's think of it this way:

I was once a Cabinet member. It took me about 3 months—well, 4 or 5, from December through March—after I was announced and confirmed by the Senate, and then I had the opportunity to ask the President to send to the Senate all of the subordinate officials who required Senate confirmation. That means the President had to vet those people. That means the Senate had to go through its whole process, once information got here, and vet those people. It had to schedule a hearing. It had to report out the name. That had to come to the Senate. That had to be voted on on the floor.

So there I was, sitting—confirmed in March or April, after I had been announced in December as the President's Education Secretary—but it took me until toward the end of the year to get most of the President's team in place in the Department of Education. Who does that serve? Who does that serve well? Wouldn't it be better if I could appoint my own legislative affairs officer who could then come up and deal with Congress from April on instead of having to wait until later?

This is important for citizens to know. If you are in a position subject to advice and consent, you are not to go to the Department until you are confirmed or you will not be confirmed because it would be considered to be an insult to the Senate. So you have Cabinet members, particularly at the beginning of an administration, sitting there

almost alone, without any new members of the President's team to help them implement policy.

That affects the voters in a bad way. Let's say all the voters in a country get upset with President Obama and elect a Republican President whose job it is to bring the deficit down. Let us pose a hypothetical. In comes the new Republican President and it takes 2 or 3 months to confirm the Secretaries of the Treasury, the Office of Management and Budget, and then with other key people it might take 6 or 8 months. The people of this country are saying: Wait, I voted in November and here we are coming into the next summer and the government still isn't formed and the deficit is still bad. I am very frustrated with my government.

This legislation is set to deal with that. The bill itself takes about 200 positions and removes advice and consent, with 118 of those being part-time advisory commission members.

The second part of the bill we will be discussing takes 248 nominations and expedites them. These are all part time. This might be the Goldwater Scholarship Foundation or the National Council on the Arts. What it does is create a new procedure in the Senate, where the President's nomination simply comes to the desk—the President has already vetted this person; the person has to answer the questions of the relevant committee in the Senate—and unless some Senator objects, once that is done, the vote can come to the floor within 10 days. Yet, if one Senator objects, all 248 of those nominations can go through the full process. So with those we believe we are, at least, speeding up things.

To summarize, for 451 nominations in this bill, we take about 118 part-time positions and remove them from advice and consent. These include, for example, 15 members of the National Board of Education Sciences, 20 members of the National Museum and Library Services Board, and 7 Commissioners of the Mississippi River Commission.

I am sure the National Museum and Library Services part-time advisory board does good work for us and for this country, but is it necessary for the Senate to spend its time providing advice and consent on these part-time advisory members of the National Museum and Library Services Board when we ought to be reducing the debt, inquiring into the policies of a Cabinet member or working on some other legislation?

Then, in the resolution, 248 part-time positions are expedited. As I mentioned earlier, nearly 3,000 members of the Public Health Service Corps are taken out of the process of advice and consent.

Let me speak for just a moment about the other part of the legislation. I talked about how the bill and the resolution will take 451 of approximately

1,410 Presidential nominees subject to advice and consent and take about half of those and expedite them and take the other half and take away the advice and consent requirement, leaving 1,200 persons whose nominations actually require advice and consent. What happens to those persons? Let me give an example, and it is a personal example I have repeated on the Senate floor before.

In December of 1990, President Bush announced in the White House that he was going to nominate me to be the U.S. Education Secretary. I was excited about that. I was then the President of the University of Tennessee. I sold my house, my wife and I packed up, and we moved our children to schools in Washington. I came up here prepared to serve and help the President be the education President, but I forgot about Senate confirmation. I should have known. I should have known because I used to work in the Senate years ago. But I forgot about the Senate confirmation and all its splendor. So when I got up here, I was, after a while, summoned before the Health, Education, Labor, and Pensions Committee—on which I now serve—and with my family sitting there, the Senator from Ohio, the late Senator Metzenbaum, said: Well, Governor Alexander, I have heard some very disturbing things about you, but I don't think I will bring them up here.

Well, Senator Kassebaum from Kansas turned around and said: Howard, you did just bring it up so why don't you go ahead and talk about it. I said: Senator, if you have heard any disturbing things, I would like to know about them because I would like to answer the question. But he decided not to do that, and in his wisdom—and it was his right—Senator Metzenbaum held my nomination up for 3½ months. I didn't know what to do about that so I went around and finally saw Senator Warren Rudman of New Hampshire and told him the story of what had happened. I said: What is your advice? He said: Keep your mouth shut. You have no cards to play. I said: What do you mean? He said: Let me tell you my story. He said President Ford had nominated him to be on—I think it was the Federal Trade Commission in the 1970s. Warren Rudman was then the attorney general of New Hampshire, a well-respected citizen. The Senator from New Hampshire put a secret hold on Warren Rudman's nomination and so days and weeks went by and no action was taken in the Senate on the attorney general of New Hampshire. He was greatly embarrassed by the whole thing. I said: Well, what did you finally do? He said: Well, I asked the President to withdraw my name. I said: Is that the end of the story? He said: No. I then ran against the so-and-so in the next election and beat him, and that is how I got in the Senate.

Well, not every citizen can run for the Senate and defeat the Senator who they think doesn't treat them fairly in the confirmation process. But there is a lot about the confirmation process that can be fixed and still leave all of us with the right to hold up, to vote against, and to defeat 1,200 different nominations by the President.

Take, for example, what happened in President Obama's first year. According to news accounts, in March of 2009, there were key vacant positions at the Treasury Department—an Assistant Secretary for Tax Policy, the Deputy Assistant Secretary for Tax Policy, the Deputy Assistant Secretary for Tax Analysis, the Deputy Assistant Secretary for Tax, Trade and Tariff Policy, and the Deputy Assistant Secretary for International Tax Affairs. The first choice for Deputy Secretary of the Treasury withdrew her name from consideration 4 months after the President's selection in the biggest economic crisis we had had since the Great Depression.

According to one news source, the list of vacancies on the Treasury Department Web site showed:

The Main Treasury building is a lonely place, conjuring up visions of Geithner signing dollar bills one by one . . . watering the plants, and answering the phones when he is not crafting a bank rescue plan.

Of course, there are other career employees available—at least one hold-over Assistant Secretary and various Czars in the White House. This kind of delay actually encourages the unhealthy appointment of Czars in the White House because the President can just do that, but even one of the Czars expressed concern about the slow filling up of the Treasury Department.

Of course, whether you are a Republican or a Democrat and voted for President Obama or not, you certainly don't want a President whose Treasury Secretary isn't equipped to deal with the biggest economic crisis since the Great Depression.

The President brought some of this difficulty on himself, and our legislation recognizes that—not just this President but previous Presidents and the next President. Part of the President's difficulty in filling jobs—and this is one that has afflicted every President since Watergate—is the maze of investigations and forms that prospective senior officials must complete and the risk they run of then being trapped and humiliated and disqualified by an unintentional and harmless mistake.

I voted against Secretary Geithner's nomination because I thought it was a bad example for the man in charge of collecting taxes not to have paid them, and I didn't think his excuse for not paying them was plausible. But that doesn't mean I think that every minor tax discrepancy in our Byzantine Tax Code—that reaches 3.7 million words

and is badly in need of reform—should disqualify any citizen for public office. I think very few Americans with complex tax forms can make their way through our maze of investigations and come out without a single change in what they did.

Take the case of the former mayor of Dallas, Ron Kirk. He was President Obama's nominee to be the U.S. Trade Representative. Headlines in the newspaper said Kirk paid back taxes. Why? Primarily because he had failed to list his income and then take a charitable deduction on speaking fees he gave away to charity. Let me say that again. He failed to list his income and then take a charitable deduction on speaking fees he gave away to charity.

Common sense suggests Mr. Kirk and his tax adviser did what was appropriate. After all, he didn't keep the money. The IRS apparently has a more convoluted rule for dealing with such things. In any event, the matter is so trivial as to be irrelevant to his suitability to be the Trade Representative.

Tax audits are only the beginning. There is an FBI full field investigation. Should we be having FBI field investigations for part-time advisory board members on the Museum Library Corporation? Instead of investigating terrorists or catching bank robbers, should we be paying FBI agents to go out and ask your neighbors: Does he or she live beyond their means—all this in order to serve on a part-time advisory board for the Federal Government?

Then there is the Federal financial disclosures, the White House questionnaire, and of course the questions from the confirming Senate committee. All these are different, and the definitions they ask for are different. An unsuspecting nominee, as I mentioned earlier, might actually fill out a form that says what is your income in the same way each time, but the question might have been different each time. It is easy to make a mistake. Then, when you finally appear before the confirming committee, you are innocent until nominated.

Washington, DC, has become the only place where you should hire a lawyer, an accountant and an ethics officer before you find a house and put your child in school. The motto around here has become “innocent until nominated.” Every legal counsel in the White House since President Nixon agrees with what I have just said.

In the name of effective government, this process ought to be changed. There are some limits as to what we can do in the Senate. We have to respect separation of powers. In the end, the President has to conduct his own vetting process and, in the end, the Senate must conduct its own investigations. But we might work together to look at possible ways of reducing burdens and delays in the appointment process, and that is what the executive branch

working group provided for in our legislation says. It will be chaired by the Director of the Office of Presidential Personnel, and members would include representatives from the Office of Personnel Management, the Office of Government Ethics, the FBI, individuals appointed by the chair who have experience and expertise, individuals from other agencies, and other individuals from previous administrations, and they would report to us in 90 days on a smart form. A smart form would simply be a single form that would make it possible for a nominee to answer duplicative vetting questions one time.

That makes pretty good common sense. Why can't the government do that? It would submit those findings within 90 days to the President for his consideration and to our relevant Senate committees for our consideration.

In addition, Senator COLLINS has asked the working group within the next 270 days to take a look at the background investigations. A big part of the delay in forming a government is the President's own background investigations.

We wish to know if somebody used to be a member of al-Qaida or has some other serious problem before they come into a government, but there are gradations of that. Whether you are Secretary of the Treasury or a member of the part-time advisory board might have a little different level of vetting, I would think. But in any event, Senator COLLINS wants the working group to report back to the President and to us the feasibility, in appropriate circumstances, of using non-FBI personnel to conduct background investigations for Senate-confirmed positions.

These will simply be reports, an effort between the Senate and the Executive to take a look at streamlining the process so that we can staff the government more quickly, so we can stop wasting so much time here in duplicative ways, so we can stop the expense of that wasted time, and so we can treat with respect the men and women any President invites to become a member of the administration.

Since our bill was first drafted, we have made a number of changes in response to suggestions by our colleagues both on the Democrat and Republican sides of the aisle. I suspect that is one reason why all 100 Senators have agreed to allow this bill to come to the floor and to be debated with any relevant amendment, because we are open to that. We have made some changes.

For example, I mentioned the 248 expedited part-time appointments. The concern was that while there is a Democratic President, there is a requirement in the law that a minority of those appointees be Republican members of the part-time advisory board. Well, what if a Democratic President said, I am going to appoint

Republican members who I define as Republicans? We Republicans didn't like that very much. The Democrats wouldn't like it very much if they were on the other side of the fence in another administration. So the solution was this expedited process whereby we can send those 248 nominations through the Senate much more quickly; and if a single Senator thinks the President is playing games with minority nominations, he or she can insist that the nominee go through the whole advice and consent process. In fact, for any reason a single Senator can do that.

Another change we have made is to say all relevant amendments are open for debate and for voting. I am hopeful my colleagues will bring some of those to the floor this afternoon and we will begin to debate them, perhaps to vote on them today; if not vote on them today, start voting on them tomorrow.

We have also agreed that Senator DEMINT, Senator VITTER, and Senator COBURN can each offer a specific amendment. I know Senator SCHUMER has been meeting with Democratic Senators, just as I have been meeting with Republican Senators, to see if there are any other changes. We will have the amendments. I may oppose them all, I may support them all, but at least we will be doing what the Senate ought to do, which is to bring them up. If they are good amendments and the majority of us agree or 60 of us agree, then we will change the bill and eventually vote on them.

Senator COLLINS mentioned earlier the amount of support we have gotten from outside groups who worked on this, and especially from those who once served in the Senate or once served in the White House in positions that had to do with personnel. My work with the White House goes back a long time. I was a young staff aide in the Nixon administration and I was a Cabinet member in the first Bush administration. So I know a lot of the men and women who have been the general counsels to Presidents, who have been the personnel directors who watched the process closely.

I think it was Boyden Gray who was counsel of the first President Bush who gave me the phrase "innocent until nominated." But every single one of those men and women—I don't know of one, without exception, who doesn't think the system is broken, who doesn't think we are trivializing the advice and consent process of the Senate, who doesn't think we are doing a great disservice to our country and to individuals when we allow this "innocent until nominated" syndrome to persevere, and they have watched over the last 10 years as very good Senators have tried to change this without success.

Senator REID and Senator MCCONNELL, when they were whips, tried to

do it, and they didn't succeed. Senator LIEBERMAN and Senator COLLINS tried a few years ago. They didn't succeed. Senator Thompson tried to do it when he was chairman of the Homeland Security Committee, and he got a few changes made but not very many. It is only this year in response to our general discussion about how to make the Senate a more effective place, and because of the strong support of Senator REID and Senator MCCONNELL, and because of the battle scars Senator LIEBERMAN and Senator COLLINS have, having tried before and their willingness to try again, that we have gotten to this place. I think we will get to where we need to go, but I want to make sure that in this debate we don't succumb to the desire to say, oh, well, my committee wants to have this person go through the process of advice and consent for the prestige of it.

I think it is more important for a new Cabinet member to have an appointee who can serve the President and serve the country and do his or her job, and then let the Secretary and the Deputy Secretary and the Under Secretary be the ones who are accountable to the President. At least that is the recommendation of former Senator Fred Thompson who was chairman of the Committee on Governmental Affairs. That is the recommendation of a task force formed by the Aspen Institute, which included Senator Bill Frist, our former majority leader, Chuck Robb, a Democratic Senator, Clay Johnson, who was George W. Bush's Director of Presidential Personnel, Mack McLarty, who was the White House Chief of Staff for Bill Clinton. They all said this urgently needs to be done.

Frank Carlucci, the former Secretary of Defense, weighed in with his support. The Bipartisan Policy Center, including former Secretary of Agriculture Dan Glickman, a Democrat, Trent Lott, our former whip and majority leader, Pete Domenici, our former Senator, and Dirk Kempthorne, former Governor, Cabinet member, and Senator, all urged us to do this.

Senator COLLINS asked that all these letters of support be placed in the RECORD, and so I will not.

I would simply conclude by saying there has been a little information around that somehow this is legislation to reduce oversight. This is legislation to make oversight more effective. If we were to propose using advice and consent for every Senate staff member, for every agricultural extension servicemember, and every forest ranger, that would be less oversight because we wouldn't have time to do anything. That, in effect, is what we are doing now with advice and consent by the bucketload of officer corps members and of part-time advisory commission members whom the President can vet and appoint, and all of whom report to somebody over whom we do have advice and consent control.

I look forward to this discussion and this debate. I am very grateful to my Republican colleagues, some of whom have questions about the bill, who have allowed the bill to come forward in the way the Senate should operate. Senators can bring their relevant amendments to the floor as long as they and the Parliamentarian agree they are relevant. They can call it up, we will debate it, and we will either vote on it then or set a time for a vote in the near future.

I expect there to be several amendments. I would urge Senators to come to the floor, and hope at the end of the day that we complete these modest but important steps toward making the Senate more effective by reducing the trivializing of advice and consent, our constitutional duty, and by reducing the syndrome that Presidential nominees are innocent until nominated.

Mr. President, I thank the Chair.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. DEMINT. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 501

Mr. DEMINT. Mr. President, I would like to call up three amendments and speak on them at another time. First, I would like to call up amendment No. 501.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 501.

Mr. DEMINT. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, and to rescind related appropriated amounts)

On page 63, strike lines 3 through 18, and insert the following:

(dd) REPEAL OF AUTHORITY TO PROVIDE CERTAIN LOANS TO THE INTERNATIONAL MONETARY FUND, THE INCREASE IN THE UNITED STATES QUOTA, AND CERTAIN OTHER AUTHORITIES, AND RESCISSION OF RELATED APPROPRIATED AMOUNTS.—

(1) REPEAL OF AUTHORITIES.—The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended—

(A) in section 17—

(i) in subsection (a)—

(I) by striking "(1) In order" and inserting "In order"; and

(II) by striking paragraphs (2), (3), and (4); and

(ii) in subsection (b)—
(I) by striking “(1) For the purpose” and inserting “For the purpose”;

(II) by striking “subsection (a)(1)” and inserting “subsection (a)”;

(III) by striking paragraph (2);

(B) by striking sections 64, 65, 66, and 67; and

(C) by redesignating section 68 as section 64.

(2) RESCISSION OF AMOUNTS.—

(A) IN GENERAL.—The unobligated balance of the amounts specified in subparagraph (B)—

(i) is rescinded;

(ii) shall be deposited in the General Fund of the Treasury to be dedicated for the sole purpose of deficit reduction; and

(iii) may not be used as an offset for other spending increases or revenue reductions.

(B) AMOUNTS SPECIFIED.—The amounts specified in this paragraph are the amounts appropriated under the heading “UNITED STATES QUOTA, INTERNATIONAL MONETARY FUND”, and under the heading “LOANS TO INTERNATIONAL MONETARY FUND”, under the heading “INTERNATIONAL MONETARY PROGRAMS” under the heading “INTERNATIONAL ASSISTANCE PROGRAMS” in title XIV of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1916).

AMENDMENT NO. 510

Mr. DEMINT. Mr. President, I call up amendment No. 510.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 510.

Mr. DEMINT. I ask unanimous consent further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provision relating to the Director, Bureau of Justice Statistics)

On page 50, strike lines 19 through 23.

AMENDMENT NO. 511

Mr. DEMINT. Mr. President, I call up amendment No. 511.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 511.

Mr. DEMINT. I ask further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To enhance accountability and transparency among various Executive agencies)

On page 36, lines 7 and 8, strike “ASSISTANT SECRETARY OF AGRICULTURE FOR CONGRESSIONAL RELATIONS AND”.

On page 36, line 14, insert “(a)(1) or” after “subsection”.

On page 37, beginning on line 7, strike all through line 20.

On page 38, lines 2 and 3, strike “ASSISTANT SECRETARIES OF DEFENSE FOR LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS, AND” and insert “ASSISTANT SECRETARY OF DEFENSE FOR”.

On page 38, line 14 through line 16, strike “Assistant Secretary of Defense referred to in subsection (b)(5), the Assistant Secretary of Defense for Public Affairs, and the”.

On page 38, line 17, strike “each”.

On page 46, lines 7 and 8, strike “ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS AND”.

On page 46, lines 14 and 15, strike “Assistant Secretary for Legislation and Congressional Affairs and the”.

On page 47, strike lines 3 through 9.

On page 47, strike lines 12 through 23.

On page 49, strike lines 7 through 21.

On page 49, beginning on line 23, strike all through page 50, line 18.

On page 50, strike the item between lines 18 and 19.

On page 51, line 20 through line 22, strike “ASSISTANT SECRETARIES FOR ADMINISTRATION AND MANAGEMENT, CONGRESSIONAL AFFAIRS, AND PUBLIC AFFAIRS” and insert “ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT”.

On page 51, beginning on line 25 through page 52, line 2, strike “, the Assistant Secretary for Congressional Affairs, and the Assistant Secretary for Public Affairs”.

On page 52, line 9 through line 11, strike “ASSISTANT SECRETARY FOR LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS, ASSISTANT SECRETARY FOR PUBLIC AFFAIRS, AND”.

On page 52, line 21 through line 24, strike “Assistant Secretary for Legislative and Intergovernmental Affairs, the Assistant Secretary for Public Affairs, and the”.

On page 53, lines 17 and 18, strike “and an Assistant Secretary for Governmental Affairs”.

On page 54, lines 24 and 25, strike “ASSISTANT SECRETARIES FOR LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS, AND” and insert “ASSISTANT SECRETARY FOR”.

On page 55, line 4, strike “7” and insert “9”.

On page 55, line 6, strike “3 Assistant Secretaries” and insert “1 Assistant Secretary”.

On page 55, strike lines 8 through 9.

On page 57, strike lines 1 through 4.

On page 60, beginning on line 22, strike all through page 61, line 4.

Mr. DEMINT. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 499

Mr. VITTER. Mr. President, I call up and would make pending amendment No. 499, which is part of the agreement in terms of the debate on this bill.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER], for himself, Mr. PAUL, Mr. HELLER and Mr. GRASSLEY, proposes an amendment numbered 499.

Mr. VITTER. I ask unanimous consent further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To end the appointments of presidential czars who have not been subject to the advice and consent of the Senate and to prohibit funds for any salaries and expenses for appointed czars)

On page 75, between lines 20 and 21, insert the following:

SEC. 5. PROHIBITION OF FUNDS FOR OFFICES HEADED BY CZARS.

(a) DEFINITION.—In this section, the term “Czar”—

(1) means the head of any task force, council, policy office, or similar office established by or at the direction of the President who—

(A) is appointed to such position (other than on an interim basis) without the advice and consent of the Senate;

(B) is excepted from the competitive service by reason of such position’s confidential, policy-determining, policy-making, or policy-advocating character; and

(C) performs or delegates functions which (but for the establishment of such task force, council, policy office, or similar office) would be performed or delegated by an individual in a position that the President appoints by and with the advice and consent of the Senate; and

(2) does not include—

(A) any individual who, before the date of the enactment of this Act, was serving in the position of Assistant Secretary, or an equivalent position, that requires confirmation by and with the advice and consent of the Senate, or a designee; or

(B) the Assistant to the President for National Security Affairs.

(b) PROHIBITION OF FUNDS.—Appropriated funds may not be used to pay for any salaries or expenses of any task force, council, policy office within the Executive Office of the President, or similar office—

(1) that is established by or at the direction of the President; and

(2) the head of which is a Czar.

Mr. VITTER. Mr. President, I thank Senators PAUL and HELLER and GRASSLEY for cosponsoring this amendment, which is about czars—this administration, any administration, usurping the appropriate role and authority of the Senate in the advice and consent process. This is, obviously, directly relevant to this legislation.

As we debate this legislation designed to reduce the number of positions in the government that require Senate confirmation, we should also ensure that the Senate’s role is not eroded by unconfirmed Federal czars in very significant positions which should be subject to advice and consent. That is what my amendment is about. That is what my amendment would correct.

This amendment would ensure that any administration—not just this one, any administration, Republican, Democrat, other—is prevented from using so-called czars for similar positions to perform duties that are the responsibility of those positions subject to confirmation by prohibiting funding of those so-called czar positions. Specifically, the amendment would prohibit funding for these czar positions.

The amendment does not unduly restrict Presidential advisory staff. We all agree the President is entitled to direct advisers. Instead, it focuses on

“the head of any task force, council, policy office or similar office established by or at the direction of the President.” It is aimed squarely at positions created in order to circumvent the advice and consent role of the Senate. Unfortunately, that is exactly what has happened at greatly increasing frequency over the last several years.

It also carves out of the prohibition and allows two things: No. 1, any individuals who are serving in the position of Assistant Secretary or the equivalent position that requires Senate confirmation, that situation is living by the normal, appropriate advice and consent requirement. It also carves out the assistant to the President for National Security Affairs, and we include this carve-out simply to ensure that national security concerns are not impacted.

As a result of these carefully crafted exemptions, my amendment would not remove the President's ability to have advisory staff and keeps the focus on the intended targets and the real abuses—czars created to circumvent the scrutiny of the Senate and the advice and consent and the confirmation process.

Under the current administration, we have seen dramatic increases in this practice—in the amount of power given to these so-called czars appointed directly by the President and not subject to advice and consent and confirmation by the Senate.

Politico has written that President Obama “is taking the notion of a powerful White House staff to new heights” and he is creating “perhaps the most powerful staff in modern history.”

President Obama has created many of these new czar positions. Some include a climate czar, a health care czar, a pay czar, and more.

The power of implementing policy and directing Federal agencies was never meant to be put in these czar positions, subject only to the control of the President. That was always meant to be put in high-level administration positions, subject to the advice and consent role of the Senate and subject to Senate confirmation.

So in this bill, which is all about advice and consent and which is all about the confirmation process, we should certainly address the single biggest problem with that process in the eyes of the American people, which is recent administrations—particularly the current administration—just doing a straight end run around the Constitution, trying to ignore the genius of the Constitution, trying to ignore one of the fundamental balances created by the Constitution through Senate confirmation.

With that in mind, I urge all my colleagues, Democratic and Republican, to support this Vitter amendment. This isn't an amendment against the Obama

administration; this is an amendment for the advice and consent role of the Senate. This is an amendment in support of balance of powers. This is an amendment to preserve the significance of the confirmation process. Every Member of this Senate should be for that, no matter whose administration it is. Unfortunately, this czar practice has reached new heights recently, which is all the more reason we need to act. But we need to act to preserve and defend the Constitution, to preserve and defend the appropriate role of the Senate under the Constitution, advice and consent and confirmation.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENUMERATED POWERS ACT OF 2011

Mr. COBURN. Madam President, in a few minutes, I will offer an amendment, but first I wish to speak about a bill that myself and 26 other Senators have introduced today, and it is called The Enumerated Powers Act. Our Founding Fathers understood the only way to preserve our freedom for future generations was to limit Federal authority. They understood the tendency of government to seize increasing power, and thus they created protections in our Constitution for posterity.

Earlier this year, newly elected and returning Members of the Senate took an oath to support and defend the Constitution of the United States. In my case, that oath never mentioned the State of Oklahoma or any other State an individual Senator might represent. Rather, the oath each of us took was to uphold the Constitution for the betterment of the country as a whole.

Yet every day, Members of Congress ignore their oath and the protective principles embodied in the Constitution, trampling both the freedom and the prosperity of the American people. This has never been as evident as in the congressional spending spree we have seen over the last 3½ to 4 years.

At the beginning of the 111th Congress, our national debt stood at \$10.6 trillion. Today it is over \$14.4 trillion, an increase of nearly \$4 trillion in the last 3-plus years. How did we get there? How did we get into such deep debt? How did we shackle our children and grandchildren to an increasing deficit and an inevitable decreased standard of living? It doesn't lie with any President having done that. Where it lies is with the Congress of the United States.

Today, along with the Senator from Kentucky, Dr. RAND PAUL, and 23 other cosponsors, I am introducing the Enumerated Powers Act. This legislation ensures Members of Congress truly follow article I, section 8 of the Constitution. That section plainly lists the enumerated powers given to Congress, of which there are 18, and they are very well defined.

One of the major reasons why we are facing such tough economic times and such tough fiscal challenges is because Congress routinely in the recent past has ignored this aspect of the Constitution. Until we reconnect Congress with its limited and enumerated powers, we will never put our Nation back on a sustainable basis.

James Madison stated in Federalist 51:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself.

Clearly, we have a government administered by men over men, and the government has failed to control itself. The best way for the Federal Government to appropriately restrain itself is for Congress to abide by the enumerated powers of the Constitution.

The Supreme Court noted at the beginning of the 21st century:

Every law enacted by Congress must be based on one or more of its powers enumerated in the Constitution. “The powers of the legislature are defined and limited; and that those limits may not be mistaken or forgotten, the constitution is written.”

In an 1831 letter, James Madison also stated:

With respect to the words “general welfare”—

Which is what is so often used to justify new government programs—

I have always regarded them as qualified by the detail of [enumerated] powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creators.

Moreover, the 10th amendment states:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In other words, everything outside of those 18 enumerated powers are reserved for the States and the people. They are not ours to deal with.

Our Founding Fathers intended for the Federal Government to be one of limited powers that cannot encroach on the powers reserved to the States or to the people. What this bill does is highlight the importance of those principles embodied in our Constitution and gives Members of Congress a new procedural tool to stop unconstitutional legislation.

A former Representative from Arizona, Congressman John Shadegg, took

the lead on this issue starting in 1994, and introduced it every year up until he left Congress this last year. I joined Representative Shadegg in offering this bill, starting in the 110th Congress, and again in the 111th. Today I am delighted, along with these 24 cosponsors—and many other Republicans joining me—to reintroduce an updated version of this important legislation.

The Enumerated Powers Act requires each act of Congress, bill, and resolution to contain a concise explanation of the specific authority in the Constitution under which the measure would be enacted. It also states Members cannot merely mindlessly invoke subsections of article I, section 8, such as the Commerce, General Welfare, or Necessary and Proper Clauses to meet that test.

The goal of this legislation is to ensure Congress is accountable to the American people for its actions. The very least we can do—if we are going to violate article I, section 8—is explain our constitutional basis to the American people for that.

With a sufficient two-thirds vote of the Senate, a point of order raised against a bill for failure to cite specific constitutional authority for the legislation can still be overcome. However, the Enumerated Powers Act requires both Houses of Congress to debate that point of order. The American people need to see the transparency when we violate the Constitution and what our basis is for doing that.

As I mentioned earlier, as Members of the Senate, we have each taken an oath to uphold the Constitution, not to put our individual States first. If each of us abides by that oath, we will improve our country as a whole. For Oklahoma, Kentucky, Maine, or any other State to fare well in our country, they cannot do so if the country as a whole is not faring well.

AMENDMENT NO. 500

Madam President, let me take a moment and use as an example one of the reasons I would like the Enumerated Powers Act passed, but also why I am going to discuss the amendment I have at the desk.

Here is what we know right now from the first third of the Federal Government that was studied by the Government Accountability Office. They just looked at the first third of the Federal Government. We asked them in the last debt limit increase to give us the list of duplications of programs that do essentially the same thing across that first third. We will get the next third about 6 months from now, and the final third a year from then.

But what you see and what they came up with is we have more than 100 different Federal programs for surface transportation. That is 100 sets of agencies. That is 100 sets of bureaucracies. That is mindless and thousands upon hundreds of thousands of rules

and regulations just on surface transportation. Nobody in Congress knew we had 100 agencies.

Teacher quality. We have 82 separate teacher quality programs across 6 different government agencies. One question is whether that is a responsibility of the Federal Government under the Enumerated Powers Act. But to have 82?

Or how about economic development. Eighty-eight programs, eighty of which are under four different agencies. We just had a bill on the floor, the Economic Development Act, and it is one of 80 programs run by those four agencies. None of them have metrics to see if they are effective. They have anecdotal evidence, but there are no metrics to see if they are. Again, 88 sets of bureaucracies within all these agencies—duplication after duplication after duplication.

Transportation assistance. Eighty different programs.

Financial literacy. A government that is \$14 trillion in debt, running a \$1.6 trillion deficit, has no business telling anybody about financial literacy. Yet we have 56 programs across multiple agencies teaching the American people about financial literacy. I think the source of that wisdom is somewhat questionable.

We have 47 different job training programs that cost \$18 billion a year, run across 9 different agencies. Not one of them has a metric, and all but 3 duplicate what the other 44 are doing. Why would we do that? Why would we have all that?

Homeless prevention and assistance. We have 20 programs out of the Federal Government for homeless prevention and assistance.

Food for the hungry. We have 18 separate programs.

Disaster response and preparedness through FEMA. We have 17 different programs.

So the point is, we got there for two reasons. No. 1, we did not look at the enumerated powers; and, No. 2, too often we are trying to fix a problem with great intent, with the right heart, even when it is constitutional and would meet the demands of article I, section 8, and we have no idea what else is out there, so when we see a problem, rather than go see what we are doing now, we create a new program.

I would ask consideration of my amendment, which is amendment No. 500, which is an amendment to change the Standing Rules of the Senate. What it does is it mandates a rule in the Senate that every report that comes to the Senate on every bill or joint resolution shall contain “an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program,

office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or [duplication]. . . .” and “an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”

So it is a rule change. The reason I bring it to this bill is because this is a bill for rule changes. It requires 67 votes for this to pass. I understand we have heard some concerns from the Congressional Research Service. But with the work the Government Accountability Office has done, and will do, it will be very easy for them to look at the results of the Government Accountability Office and their list of duplications. It is very straightforward. It is less than 100 pages. They can see, and then they can advise the Congress on what we have.

If we cannot depend on the Congressional Research Service to tell us where we have multiple programs when that is available from the Government Accountability Office, and list what their intentions and what their budgets are, then we need to relook at the congressional office and what it does.

They do great work for me. We ask them for things all the time, and they do great. This is something they can accomplish. It is going to get easier as we go forward. But without this knowledge of what we are already doing, we will never solve our problems.

I know my chairman has some concerns with this initiative in terms of how it might affect this bill, but I plan on going right back to the Congressional Research Service to have a discussion with them after I have been on the floor. But if we cannot do this, we cannot do anything. If we cannot change the rules so we actually know what we are doing, so we can actually know if a new bill duplicates something that is already operating, when we have this tremendous list—and this shown on the chart is just a small set of the list. I picked some of the obvious ones. There are hundreds of thousands of duplicate programs in the Federal Government, wasting billions if not trillions of dollars every year. So if we cannot do something like this, then what can we do to solve our problems?

Knowledge is power. Not knowing what programs are intended to do now before we create another new program to me is the height of insanity. We should be aggressively asking for as much information as we can get, so we know what we are doing when we pass new pieces of legislation.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I am not going to take long at this point. I absolutely support the policy

behind the amendment offered by my friend and colleague Senator COBURN. In fact, I am a cosponsor of a stand-alone bill he has on this issue. My concern is that it is a rules change, and the bill before us is not a rules change. It is not a resolution. It is not a rules change. It is legislation.

Coming up after this bill is the second half of the nominations reform package, and that is a rules change that is coming from the Rules Committee.

My suggestion to my colleague and friend from Oklahoma is that his amendment would be better directed to the second half than to this bill. But, again, I am a cosponsor of his stand-alone bill, so it is not that I object to the policy.

I would note for the information of my colleagues, the Congressional Research Service does have concerns about whether it has the resources and the ability to carry out the task the Senator would assign it.

From my many years of working both with GAO and CRS, this sounds to me like a job for GAO, which has the auditors and the experience to do this kind of review and, indeed, has already started due to the good Senator's far-sighted amendment which became law to identify duplication.

The PRESIDING OFFICER (Mr. BINGAMAN). The Senator from Oklahoma.

Mr. COBURN. Mr. President, I will call up my amendment No. 500. I also tell the Senator from Maine, I will very much consider her recommendation in terms of trying to put it on the second half of this. But I wish to call it up now, and then maybe ask that we withdraw it.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself, Mr. MCCAIN, Mr. BURR, and Mr. PAUL, proposes an amendment numbered 500.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prevent the creation of duplicative and overlapping Federal programs)

At the appropriate place, insert the following:

AMENDMENT TO THE STANDING RULES OF THE SENATE.

Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”;

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

“(c) Each such report shall also contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal pro-

gram, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIBYA

Mr. KERRY. Mr. President, yesterday Senator MCCAIN and I introduced a resolution with respect to our engagement in a support role in Libya. I think the majority leader is making a determination about exactly when the Senate might consider this. But a number of colleagues on our side have sort of expressed some questions about it, and because of those questions, I thought it was important that we clarify for the record, as Senators consider this over the course of the next days, the answers to their questions.

With that in mind, I am happy to engage in a colloquy now with both the Senator from California, Mrs. BOXER, and the Senator from Illinois, Mr. DURBIN. I think Senator BOXER wishes to lead off.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, is it in order for me to ask some questions of the distinguished chairman of the Foreign Relations Committee at this time?

The PRESIDING OFFICER. Without objection, the Senators may engage in a colloquy.

Mrs. BOXER. I want to say to my chairman, whom I sit next to on the Foreign Relations Committee, how much I admire his work in the arena of foreign policy, and everything he has given to become one of the most informed human beings on the planet in terms of the challenges this country faces.

I want to thank him so much for his hard work on a resolution regarding Libya. I also want to make sure today, by asking him a couple of questions, that the clear intent of this resolution, S. J. Res. 20 regarding our engagement in Libya, is that it does not authorize whatsoever, any troops on the ground, any boots on the ground, any ground

forces of America in Libya. So I am going to ask him a couple of questions, and assuming those questions are answered the way I hope they will be, I will be much at peace with this resolution.

My understanding from reading this resolution is that while it does not explicitly prohibit the use of U.S. ground forces in Libya, it also does nothing to authorize the use of U.S. ground forces in Libya. Is that correct?

Mr. KERRY. Mr. President, I would say to the Senator from California, first of all, I am very appreciative for her generous comments at the beginning of this colloquy. I thank her. I thank her for her support and involvement on the committee, which is critical.

Secondly, I fully understand and am very sympathetic with the concerns of a lot of Senators, given our engagement in Afghanistan, Pakistan, the Middle East, Yemen, Africa, and elsewhere. People are deeply concerned about the question of where we are heading. So I would answer her question very directly with respect to the authorization. Unequivocally, this resolution does not authorize ground troops with respect to Libya operations. There is no affirmative language in this resolution authorizing the use of U.S. ground forces.

Mrs. BOXER. I thank the Senator. I also wish to ask this: Although there is no authorization in this resolution for the use of ground forces in Libya, for which I am pleased, are there any circumstances where ground forces could be deployed?

Mr. KERRY. Mr. President, the resolution states that Congress opposes the use of forces on the ground in Libya, except in the exceptional case where they might be needed for the immediate personal defense of U.S. government officials or for rescuing a member of the NATO forces from imminent danger. Those are the only circumstances in which it might be contemplated.

The intent of this resolution is to authorize only the very limited mission—the continuation of the very limited mission—in Libya that is a support role, and that does not include the use of U.S. ground forces.

Mrs. BOXER. I have two more questions. If the President decides to change the mission and order the use of U.S. ground forces for reasons other than the circumstances previously mentioned, does the chairman agree that nothing in this resolution would authorize him to take that step?

Mr. KERRY. I agree.

Mrs. BOXER. It is my understanding that the authorization provided for under this resolution would expire 1 year after its enactment; is that correct?

Mr. KERRY. Mr. President, the Senator from California is correct.

Mrs. BOXER. I want to say thank you very much to Chairman JOHN KERRY for his work on this. I also want to thank the others who helped work on it. I know other Senators did, in addition to Senator MCCAIN. On our side, I know Senator DURBIN, Senator CARDIN, and others had a lot to say. This is important. I so appreciate the Senator's willingness and his staff's willingness to work with us, because words matter, intent matters, and I think we have cleared it up. I am feeling a lot better about this resolution.

I yield back my time to Senator KERRY.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, first let me thank my colleague from California, Senator BOXER. I want to associate myself with her remarks and her colloquy with Senator KERRY, because I believe we are making a clear record in the debate of this important resolution relative to America's role in Libya. The pointed questions asked by Senator BOXER and the responses given by Senator KERRY are consistent with what he has described to me as the legislative intent of this resolution.

I am a newcomer to the Senate Foreign Relations Committee. This is my first year serving. I sit way at the end of the table, even though I have been around Congress for a number of years. I want to salute the chairman of that committee. I do not think the American people can appreciate the hard work Senator KERRY puts into that committee and to his responsibilities with this administration. It is an indication of the trust which he has earned with the President and the Secretary of State that he has been called on often to visit important places around the world at very critical moments to represent the United States and the Congress.

The trip he made to Pakistan a few weeks ago could not have come at a more important moment. He returned to not only brief the administration but also his colleagues in Congress. I know he will be taking other journeys in his capacity with the Senate Foreign Relations Committee. I want to tell him how much I appreciate it, as all Americans should. I also want to tell him how much I appreciate the effort he put into this resolution relative to our assistance to NATO in Libya.

If you look back in terms of this debate on the floor of the Senate, you realize it goes back to the origins of America, when the Founding Fathers sat down and defined what this Congress had the power to do. I do not think they wasted words. Those who will look at article I, section 8, clause 11, will see that Congress is given the authority to declare war. It is one of the most awesome responsibilities given to Congress. But it was clearly given to Congress so, the Founding Fa-

thers said, we would represent the feelings of the people of America, the people whose children, sons and daughters, and husband and wives would be called into combat, and we would make the decision: Will this America go to war?

The President as Commander in Chief certainly has authority to defend America and Americans, but when it came to involvement in war, Congress was given the constitutional responsibility.

Throughout history, many Presidents have honored that clause and have come to Congress asking for the authority to proceed to war. Probably one of the most notable and historic was Franklin Roosevelt who came the day after Pearl Harbor, in December of 1941, hobbled up to the rostrum in the House of Representatives, and declared "a day that would live in infamy" and asked for a declaration of war against those who had attacked the United States. It was a clear exercise of constitutional responsibility given to Congress and exercised accordingly.

After that, though, there was a long period of uncertainty. The so-called Korean conflict, where two of my brothers served in the U.S. Navy, was characterized as a "police action," some action that was inspired and authorized by the United Nations. Many men and women died in that conflict, but it was not an official declaration of war that led to it.

Then came the war in Vietnam, where Senator KERRY served with such distinction in the U.S. Navy, literally risking his life in a conflict where there was no official declaration of war. The controversy that came out of that Vietnam conflict led to proposed legislation called the War Powers Act. The War Powers Act set out to describe in statute what we believe the Constitution said in its clear language. That is, at some point, a President must step forward and say to Congress: We need your authority to go forward with this conflict involving hostilities.

There have been debates back and forth about whether it was to be applied. Some Presidents came here asking for authority. President George Herbert Walker Bush did before our invasion of Kuwait. George W. Bush did before the invasions of Iraq and Afghanistan. But there were exceptions also—in Panama, Grenada, Bosnia, and other places.

This has been an ongoing battle between the White House—or executive branch—and the Congress about when the President, as Commander in Chief, has to come to Congress and ask for a declaration of war. It has become even more complicated because war has changed. There was a time in history when the onset of war was very visible: the marching of troops, the weighing of anchors, planes lifting off in flight. You knew a war was underway. Now we live in a different age—an age of no-fly

zones, embargoes, predatory drones, and cyber security. The definition of war is one we need to look at in this new context.

I have felt from the beginning that President Obama handled this right in Libya. Senator KERRY and others, like me, were privy to early conversations before the decision was made, when the President briefed us on what we were setting out to do—stop Qadhafi from massacring his own individual citizens in that country, particularly as he said he will march into Benghazi and kill the people of Libya like rats in the street. President Obama said to us: We cannot let this massacre of innocent people continue.

But the President went on to say that the United States will play a specific and limited role in this conflict. First, we come to it at the invitation of the Arab League. This is significant because before the United States gets involved in anything of a military nature in a Muslim nation, we are looking for at least an invitation or cooperation from Arab nations. In this case, the President had it. Then, he went on to say we will use the NATO alliance in Europe to initiate this action, and we will support this. We may play a larger role in the beginning of the conflict but a more diminished role as it continues.

The President went on to say there will be no ground troops from the United States committed to Libya. That was the early briefing. Of course, it has gone on for several months and the question is where it goes from here.

I salute Senator KERRY. He has used the War Powers Act to authorize what the President is doing in Libya. That way there is no question about the authority of the President to go forward, and he has done more. Chairman KERRY has reached out, in a bipartisan fashion, to bring in Senators MCCAIN, KYL, GRAHAM, and others from the Republican side of the aisle, in a bipartisan approval of what we are doing in Libya.

I think this is consistent with the Constitution, with the War Powers Act, and with the finest traditions of the Senate, where we can fight like cats and dogs night and day on many things, but when it comes to the use of our military and our commitment to the men and women in uniform, we do our very best to come together in a bipartisan fashion.

What Senator KERRY offers is consistent with that. The answers he gave earlier to the questions by Senator BOXER satisfy my concerns that there is no authorization in this resolution for the use of ground troops, other than in the specific example given by Senator KERRY when it comes to rescuing government officials and military personnel of the NATO alliance. He goes on to say, in answers to Senator BOXER, that if this President wanted to

use ground troops, it would take an additional passage of legislation authorizing the President to do so.

For the record, President Obama has been clear in his statements. On March 18, he said:

I also want to be clear about what we will not be doing. The United States is not going to deploy ground troops into Libya.

On March 28, he reiterated that point in an address to America when he said:

I said that America's role would be limited; that we would not put ground troops into Libya; that we would focus our unique capabilities on the front end of the operation and that we would transfer responsibility to our allies and partners. Tonight, we are fulfilling that pledge.

Finally, the administration's communication with Congress last week summarizes the President's clear public statements against the deployment of U.S. ground troops. That report, entitled "United States Activities in Libya," reads, in part:

As President Obama has clearly stated, our contributions do not include deploying U.S. military ground forces into Libya, with the exception of personnel recovery operations as may be necessary.

I will close by thanking Senator KERRY for those direct answers to Senator BOXER, and I will make one last point before I yield the floor. First, I thank my colleague from Maryland, Senator CARDIN, who has led the way. I was happy to partner with him in this effort to use the War Powers Act for approval of this action.

There are rumors afloat on Capitol Hill that some on the other side of the Rotunda are going to try to stop funding for our military operations that are supportive of the NATO alliance in Libya. I sincerely hope that does not occur. If that occurs, it will, unfortunately, give hope to this dictator, Qadhafi, that he can somehow survive. It will, unfortunately, undermine the efforts of innocent people in Libya from risking their lives to end his administration and bring a new day to that poor, beleaguered country.

Finally, it would strike a blow at the NATO alliance, which is critically important for the security of America, Europe, and the world. So I hope the House will follow suit, in a bipartisan fashion, and follow this resolution Senator KERRY has authored and brought others together on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I wish to begin by thanking the Senator from Illinois, and I thank him for his generous comments. Much more important to this effort, I thank him for the serious and entirely appropriate consideration he has given this very important issue. He has been a leader in our caucus on making certain the Constitution, which he read from and cited, has been properly adhered to and lived up to by

this body, which is our solemn responsibility. After all, we all take an oath when we are sworn in to promise to uphold it. That is first and foremost.

This tension that has existed, as he rightly points out, going back to the Vietnam war, is real. President after President has declared that they simply believe the law is unconstitutional, and they don't follow it. President Obama, to his credit, has not asserted that. He has, in fact, written a letter to the Congress in which he said he would not assert that but, rather, he asked us for the appropriate authorization. He did that, I might add, before the 60 days that expired. So it is up to us to be responsible and to do our duty.

I thank Senator DURBIN for the careful way in which he has taken the past slippages or problems, whether inadvertent or advertent, that have followed the War Powers Act through its history, and we have either seen the law not applied or simply ignored. He has been diligent in insisting we have a responsibility we need to live up to. Together with Senator CARDIN, they have been important voices in helping to structure this resolution and together with Senator MCCAIN, Senator GRAHAM, Senator KYL, and others on the other side of the aisle who have been equally committed to making certain we live up to our responsibilities. This has been a bipartisan effort. That is when the Senate works best. That is when our foreign policy, I might add, is strongest.

I hope the Senate will have some impact, perhaps, on the thinking in the House. But no matter what, I hope the Senate will have its opportunity to be able to be heard with respect to this issue.

In response to the remarks of the Senator from Illinois, I wish to make it clear that I agree with the statements he has made. It is the clear understanding of the Senate, based on the President's repeated statements, as reflected in the resolution, that U.S. operatives, with respect to Libya operations, will not involve the introduction of ground troops, with the very narrow exception that I cited earlier to the Senator from California with respect to rescue or grievous, immediate danger to American Government officials—not military but government officials. That language is very carefully structured in the resolution, where in section 2(a) it says:

The President is authorized to continue [by virtue of raising the word "continue," we are embracing the current status] the limited use of the United States Armed Forces in Libya, in support of U.S. national security policy interests, as part of the NATO mission to enforce United Nations Security Council resolution 1973, as requested by the Transitional National Council, the Gulf Cooperation Council, and the Arab League.

This resolution simply authorizes the President to continue the limited support operations in which we are cur-

rently engaged in Libya. I think the resolution is explicit about what it entails, just as I think it is explicit about what it does not entail.

The second to last whereas clause quotes the President in his letter to the Senate leadership on May 20 as describing exactly what we are doing in Libya: "Since April 4, U.S. participation has consisted of: (1) Non-kinetic support to the NATO-led operation, including intelligence, logistical support, and search and rescue assistance; (2) aircraft that have assisted in the suppression and destruction of air defenses in support of the no-fly zone; and (3) since April 23, precision strikes by unmanned aerial vehicles against a limited set of clearly defined targets in support of the NATO-led coalition's efforts;"

Listen to those words: Non-kinetic support of the NATO operation and support of the no-fly zone. Folks, we are not in the lead here—we are playing a supporting role to the NATO mission that is being led by the British and French.

And there is obviously no mention of ground troops in that description of the U.S. role, because the President has been crystal clear that there are not—and will not—be U.S. ground troops deployed in Libya.

But just so there is not the shadow of doubt on this point, the resolution quotes the President from his March 18 address as saying that: The United States "is not going to deploy ground troops into Libya."

And the Senator from Illinois rightly points out, the President made the same point in an address to the Nation on March 28, saying that "we would not put ground troops into Libya."

Finally, the materials provided by the administration last week unequivocally reiterated this position, saying "As President Obama has clearly stated, our contributions do not include deploying U.S. military ground forces into Libya, with the exception of personnel recovery operations as may be necessary."

So I think it should be absolutely clear to Senators that is the limited use of U.S. Armed Forces—with no involvement of ground troops, except in clearly defined circumstances—that the President authorized to continue under this resolution. And moreover, it should be absolutely clear that the President has no intention whatsoever of putting ground troops into Libya.

But in fact, the resolution actually goes further in reinforcing this point in section 3, which is entitled: Opposition, to the Use of United States Ground Troops. It reads:

(a) Consistent with the policy and statements of the President of the United States, the Senate does not support deploying, establishing or maintaining the presence of units and members of the United States Armed Forces on the ground in Libya unless the purpose of the presence is limited to the

immediate personal defense of United States Government officials (including diplomatic representatives) or to rescuing members of NATO forces from imminent danger.

So I appreciate the opportunity to make sure Senators are clear on my understanding of what is being authorized here.

Unless the Senator has additional questions, I think we are crystal clear about what the resolution says.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I wish to join in the comments of Senator DURBIN and Senator KERRY. First—and I think Senator KERRY will agree—Senator DURBIN may be a new member of the Foreign Relations Committee, but he is one of the most thoughtful Members of the Senate on foreign policy issues and many other issues. He has been extremely helpful in working our way through what is the proper responsibility of the Senate and the Congress relating to the deployment of our troops.

I concur completely in Senator DURBIN's comments about Senator KERRY. We are proud of the work Senator KERRY does. He has traveled around the world representing our Nation and advancing the cause and issues of freedom and democracy, giving hope to so many people. We have seen the universality of democratic aspirations springing up around the world. They look to the United States as a facilitator to make those aspirations real. He has been an incredible voice in their hopes. We thank him for the personal commitment he has made.

I thank Senator KERRY and Senator DURBIN for their colloquy on this issue. I join in their view that we have a responsibility to act whenever our military is placed in harm's way, when the President commits our troops. I think we have a responsibility to act under the War Powers Act. I understand there may be different views about this. But I think most of us agree there is a responsibility for us to pass the resolution.

I think the resolution brought forward by Senator KERRY clearly complies with that responsibility, first and foremost, making it clear we are acting under the authority given to us by the War Powers Act.

Second, I appreciate the clarification the Senator made on the record about how this resolution limits the authority of the President, consistent with the current mission, which I think is very important. I agree with Senator DURBIN that President Obama did the right thing in calling on our military to join the international community. This was a matter in which there was a clear will internationally to stop the atrocities being committed by Qadhafi on his own innocent people. The U.N. Security Council acted by resolution. Many other countries stepped forward,

and NATO was prepared to take the lead. The United States was not going to have to take the lead. It is required of us to give some air support, which we are, in fact, doing.

I think the President did the right thing. We want to make sure our resolution not only complies with the War Powers Act but makes it clear—and it is consistent on the authority given under the U.N. Resolution—that we are limiting our involvement. Senator KERRY has made that point very clear. It is limited in time, limited to the fact that U.S. ground troops cannot be deployed, except for the limited causes Senator KERRY pointed out. It is clear our authorization is consistent with the NATO mission to enforce Security Council Resolution 1973, as requested by the Transitional National Council. We have made it clear it is continuing the current mission, it is limited in time, it is limited in scope, and it is the right and responsible thing for us to do as Members of the Senate.

I thank Senator KERRY and Senator DURBIN for taking the time to explain the intent of the legislation. I think we could not be more clear. The President has been very clear, as it relates to the use of ground troops, and the Senate is very clear that ground troops cannot be interjected into this conflict under the authorization we are given.

With that, Mr. President, I yield to Senator KERRY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Chair and, for the purpose of my colleagues, I will say we will wrap up very quickly.

Again, I think I said it earlier, but I want to thank the Senator from Maryland, whose thoughtful involvement in this and his leadership in the caucus has been critical to helping us build a consensus. He heads up our Helsinki Commission, travels himself significantly in the cause of human rights and carrying America's flag with respect to that, and I think he does a superb job. So I am grateful to him for his cosponsorship together with Senator DURBIN in this initiative, and my hope is the Senate will be able to proceed to this relatively rapidly.

Mr. President, I yield the floor.

Mr. HATCH. Mr. President, when Thomas Jefferson wrote the Declaration of Independence, he produced an argumentative masterpiece. He announced to a candid world that all people—regardless of their circumstances—are created free and equal in their natural God-given rights to life, liberty, and the pursuit of happiness.

After announcing these fundamental principles, this great lawyer then turned to proving his case—that King George III and Parliament had violated these principles so repeatedly, and so extensively, that Americans were justi-

fied in a revolution that would secure us as a free nation committed to the principles of the Declaration.

Though it does not compare to the ringing rhetoric of the philosophical commitment to rights in the Declaration, we should not forget Jefferson's listing of the colonists' grievances—the long train of abuses that justified our revolution against King George.

Among those grievances, Jefferson and the Second Continental Congress claimed that the King “has erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.” Since 1776, even before our Constitution was conceived of, much less written, Americans have resented their subjugation to unelected and unaccountable bureaucrats. Americans strove to establish an accountable government that left them free to build their own families and livelihoods.

King George had fair warning. A government that views the people as a draft horse to be exploited for power and resources will be bucked off, and that is what the colonists did.

Following the Revolution, our Founding Fathers sought to construct a government consistent with the principles of the Declaration of Independence. In an effort to keep their new republic accountable to the people, and to provide for the balance of powers between our three branches of government, our forefathers were careful in their assignment of powers regarding executive branch personnel in article II, Section 2 of our Constitution. In speaking of the powers of the President, that section reads in part, “he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law.”

Let me repeat that.

By and with the advice and consent of the Senate.

In our country, the people are sovereign, and that sovereignty is reflected in the accountability of executive branch officials not only to the President but to the people's elected representatives in Congress.

Even with these constitutional safeguards, we have met with only mixed success in making sure that government officials are accountable to the people. In remarks originally delivered in 1980, former-Senator James L. Buckley—who also went on to be one of our Nation's great appellate court judges here on the DC Circuit—issued the following lament about the growing power of government bureaucrats. “We have, in short, managed to vest these individuals with a degree of authority over others that the Founders of the

Republic went to great pains to prevent anyone from acquiring.”

Things have only gotten worse since Senator Buckley gave that warning, and I think that in no small measure this growing lack of accountability is reflected in citizens’ growing despair, and occasional anger, about the responsiveness of their government.

That is why I am very surprised that this body is considering legislation that would further eliminate the accountability of roughly 200 powerful executive branch positions.

I can tell you that I am hearing from my constituents on this. For them, this is more than an academic separation of powers, or checks and balances, issue, where Congress further delegates authority to the executive branch. For them, it is another example of Congress permitting the government bureaucracy to operate with less and less public accountability.

Quite simply, the Federal Government is massive.

And for all of the increases in its size since the founding, for all of the traditional powers of the States that it has displaced, the increases of the last few years stand out as historic.

Congress passed a \$1 trillion stimulus, on a largely partisan basis.

It has passed Dodd-Frank, massively burdening our financial and banking sectors with new government mandates.

And the icing on the cake was ObamaCare, a \$2.6 trillion spending bill that has resulted in tens of thousands of pages of regulations drafted secretly by unaccountable Washington bureaucrats.

And in this environment, we are urging legislation that would decrease oversight of the executive branch?

With a national debt of more than \$14 trillion and deficits that have topped \$1 trillion in each of the last 3 years, we are ready to give the President greater discretion?

We are going to give the administration more freedom to act without the oversight of the people’s elected representatives?

It is little wonder that the American people are increasingly concluding that no matter what they say or do, Washington won’t listen to them.

Commensurate with the increase in the size of government is the employment by the executive branch of unelected and unconfirmed special assistants and advisers with substantial power. These positions are commonly referred to as czars. President Obama is not the first President to appoint these so-called czars, but over the past few years their numbers seems to have increased. In a 2009 Washington Post editorial, current House Majority Leader ERIC CANTOR discussed his concerns with the administration’s reliance on 32 identified czars who have not been examined by the legislative branch.

The legislation before us will only increase the number of executive branch staff that are beyond the scope of effective congressional oversight.

I appreciate the arguments of my colleagues who are promoting this legislation, but I respectfully disagree with their conclusions. Proponents believe that many of the positions where advice and consent is eliminated do not exercise a substantive policy role, have responsibilities that are managerial in nature, or have responsibilities that overlap or are duplicative of those of another confirmed officeholder. I am not able to speak on behalf of other committees, but as ranking member of the Finance Committee I can say that the Finance Committee was not consulted on this legislation until less than a week before the Committee on Homeland Security and Government Reform reported its bill.

I am concerned that, though well-intentioned, the architects of this bill did not have the detailed knowledge of the positions being impacted to determine fully the appropriateness of advice and consent. A list of the positions that was circulated by the Rules Committee prior to the Homeland Security markup actually misidentified several Finance Committee nominees as falling within the jurisdiction of the Committee on Health, Education, Labor, and Pensions, and to my knowledge an updated list has not been made available.

Chairman BAUCUS and I sent a letter to the leadership of the Homeland Security Committee before their markup, and I will ask that the letter be printed in the RECORD. That letter discusses the impact of this legislation on seven positions currently subject to the Finance Committee’s jurisdiction, and we both oppose this bill’s removal of our constitutional power of advice and consent with respect to these nominees.

However, the fundamental matter of accountability that we raise in that letter is an issue far broader than the Finance Committee’s jurisdiction. I would like to highlight the position of Assistant Secretary for Legislation, and Assistant Secretary for Public Affairs at the Department of Health and Human Services. In light of the controversial passage, and now implementation, of ObamaCare, does it really make sense to relinquish direct oversight over the Assistant Secretary of Legislation, a position which, according to the HHS Web page, “is responsible for the development and implementation of the Department’s legislative agenda”? Regardless of how one voted on the passage of the health care law, does anyone in this body really think that it makes sense for Congress to deliberately minimize oversight of its implementation?

Additionally, I know some Members of this body have been concerned with how HHS has publicly discussed health

care reform and have taken issue with the accuracy of information provided to the public. Regardless of whether this applies to any particular Senators, don’t all of us want to ensure that HHS provides accurate and substantive information to the public regarding health reform?

The Constitution in general terms provides Congress with the vital function of exercising oversight over the executive branch to ensure that our laws are carried out appropriately.

Let me put that another way.

The people, in ratifying their Constitution, gave to their elected representatives in Congress the solemn duty of supervising the administration of the law.

And the constitutional power that guarantees this critical responsibility is the power of Senate confirmation.

Some justify the legislation before us on the grounds that the Senate takes too long to process nominations for various reasons. I’m not here to say that these claims are totally without merit.

However, I am confident that eliminating the constitutional requirement for advice and consent for hundreds of positions is the wrong solution. Any issues with the nomination process could and should be handled at the committee level, if not by the Senate as a whole, through the rules adopted by this Chamber. If some of us believe that we could carry out our responsibilities better, I am open to those ideas. However, I do believe that each Senate Committee should be able to determine how that committee will handle nominees, and then reexamine that decision as time passes. Enacting this legislation would significantly diminish, if not completely destroy, the possibility for reexamination of our decisions. If we surrender our jurisdiction over hundreds of executive branch positions and turn them into czars, that decision will likely be permanent.

The choice we have to make now is whether we will abdicate part of our constitutional responsibilities or give ourselves the opportunity to examine how we exercise those responsibilities. Will we share in the madness of King George?

Or will we follow the trail blazed by our forefathers, like Thomas Jefferson?

I think it is critical that we recommit ourselves to a government of the people, one that guarantees the representative character of executive branch officials.

For that reason, I will be voting against cloture on the motion to proceed to this bill, and I urge my colleagues to do the same.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, April 13, 2011.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security
and Government Affairs, Dirksen Senate Of-
fice Building, Washington, DC.

Hon. SUSAN M. COLLINS,
Ranking Member, Committee on Homeland Se-
curity and Government Affairs, Dirksen
Senate Office Building, Washington, DC.

DEAR CHAIRMAN LIEBERMAN AND RANKING
MEMBER COLLINS: We are writing to express
our concerns with S. 679, the Presidential
Appointment Efficiency and Streamlining
Act of 2011, which we understand the Com-
mittee on Homeland Security and Govern-
ment Affairs will consider at a business
meeting on April 13. We understand that if
enacted, this bill would eliminate the re-
quirement of Senate confirmation for seven
positions appointed by the President that
fall within the jurisdiction of the Senate
Committee on Finance (Finance Committee).
We respectfully request that S. 679 be amend-
ed to remove reference to these seven posi-
tions, which are: (1) the Deputy Under Se-
cretary/Assistant Secretary for Legislative
Affairs, Department of Treasury; (2) the As-
sistant Secretary for Public Affairs and Di-
rector of Policy Planning, Department of
Treasury; (3) the Assistant Secretary for
Management and Chief Financial Officer, De-
partment of Treasury; (4) the Treasurer of
the United States; (5) the Assistant Sec-
retary for Public Affairs, Department of
Health and Human Services (HHS); (6) the
Assistant Secretary for Legislation, Depart-
ment of HHS; and (7) the Commissioner, Ad-
ministration for Children, Youth, and Fam-
ilies at HHS.

While we fully support the bill's goal of en-
suring timely confirmation of qualified Pres-
idential nominees, we believe that the seven
positions described above fulfill important
policy roles that warrant continued Senate
confirmation of nominees chosen to fulfill
those roles. And maintaining Senate advice
and consent for the seven nominees listed
above is important to ensure that the Fi-
nance Committee can continue to exercise
its robust oversight of two cabinet agencies
that directly impact the lives of hundreds of
millions of Americans.

The Treasury Department is responsible
for implementing numerous economic pro-
grams and collecting revenues on behalf of
the United States. HHS is responsible for ad-
ministering several health-related programs
for millions of Americans. Exempting the
seven positions covered by S. 679 from Sen-
ate confirmation would make it more dif-
ficult to exercise effective oversight over the
Treasury Department and HHS for the rea-
sons we describe below.

First, the Assistant Secretaries of Treas-
ury and HHS for Legislative Affairs advise
the Secretaries of these agencies on Congres-
sional input to help formulate policy for
their respective agencies. These Assistant
Secretaries serve as Congress' conduit to the
Treasury Department and HHS. And they are
the primary point of contact for Congres-
sional Members and staff, collect Congres-
sional inquiries, and coordinate agency re-
sponses. As such, Congress has a direct inter-
est in ensuring that the nominees who fulfill
these roles remain accountable to not only
the Secretaries of the Treasury and HHS, but
also to Congress.

Second, the Assistant Secretaries of Treas-
ury and HHS for Public Affairs are respon-
sible for communicating to the media and
the public information about the myriad

policies and programs implemented by these
agencies. It is imperative that these Assis-
tant Secretaries carry out this role in an ob-
jective and transparent manner that ade-
quately provides essential information to the
public. Given the importance of the media in
communicating policy options and shaping
public opinion, it is appropriate for the Sen-
ate to continue to provide its advice and con-
sent on this position.

Third, the job description of the Assistant
Secretary of Treasury for Management and
Chief Financial Officer notes that the posi-
tion "is the principal policy advisor to the
Secretary and Deputy Secretary on the de-
velopment and execution of the budget for
the Department of the Treasury and the in-
ternal management of the Department and
its bureaus." Although it may appear that
the Assistant Secretary for Management has
responsibility for matters that impact only
the inner workings of the Treasury Depart-
ment, this responsibility inherently impacts
critical policy decisions. For example, just
last week the Assistant Secretary for Man-
agement was involved in determining how
Treasury would continue essential opera-
tions, including the administration of tax
collection and tax refunds, in the event of a
government shutdown. These decisions im-
mediately impact Treasury's most vital
functions and the Senate should continue to
confirm a position that carries out this sub-
stantive role.

Fourth, the Treasurer of the United States
also "serves as a senior advisor and rep-
resentative of the Treasury on behalf of the
Secretary in the areas of community devel-
opment and public engagement." The Treas-
urer has effective oversight over the U.S.
Mint which creates U.S. coins and the Bu-
reau of Engraving and Printing, which prints
U.S. currency. And the Treasurer advises the
Secretary on important policy decisions such
as when the United States should print a new
currency. As such, the Treasurer plays a po-
licy role that warrants Senate confirmation.

Fifth, S. 679 removes the requirement for
Senate confirmation from the Commissioner
of the Administration on Children, Youth
and Families (Commissioner) at HHS. Al-
though the Commissioner is overseen by the
Assistant Secretary of HHS for Children and
Families, the Commissioner has direct re-
sponsibility for policies and programs deal-
ing with child welfare. These programs are
critical not only to Members of the Finance
Committee, but also to Members of the Sen-
ate as whole. The Members of the Senate
have an interest in confirming a position
that oversees substantive policy programs
affecting millions of American children.

For the reasons discussed above, we hope
that you will modify any product reported
by your Committee such that the seven posi-
tions that fall within the jurisdiction Fi-
nance Committee are not implicated. If you
have any further questions pertaining to this
issue, we are ready to help you in any way
possible.

Sincerely,

MAX BAUCUS,
Chairman.
ORRIN G. HATCH,
Ranking Member.

The PRESIDING OFFICER (Mr.
WHITEHOUSE). The Senator from Ohio.

AMENDMENT NO. 509

Mr. PORTMAN. Mr. President, I ask
unanimous consent to set aside the
pending amendment and call up
amendment No. 509.

The PRESIDING OFFICER. Without
objection, it is so ordered.

The clerk will report the amendment.
The legislative clerk read as follows:

The Senator from Ohio [Mr. PORTMAN], for
himself, Mr. UDALL of New Mexico, and Mr.
CORNIN, proposes an amendment numbered
509.

Mr. PORTMAN. Mr. President, I ask
unanimous consent that the reading of
the amendment be dispensed with.

The PRESIDING OFFICER. Without
objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that the provisions re-
lating to the Assistant Secretary (Comp-
troller) of the Navy, the Assistant Sec-
retary (Comptroller) of the Army, and the
Assistant Secretary (Comptroller) of the
Air Force, the chief financial officer posi-
tions, and the Controller of the Office of
Management and Budget shall not take ef-
fect)

On page 76, after line 6, add the following:

(c) PROVISIONS NOT TAKING EFFECT.—Not-
withstanding any other provision of this Act,
the amendments made by section 2(c)(2)
through (6), (u), and (ll) shall not take effect.

Mr. PORTMAN. Mr. President, I rise
today to offer amendment No. 509 to
the underlying bill, S. 679, which is the
Presidential Appointment Efficiency and
Streamlining Act of 2011. I am
pleased to have Senator TOM UDALL
and other cosponsors of this bipartisan
amendment.

The aim of the amendment is very
simple and straightforward. It would
preserve the Senate-confirmed status
of our Nation's major chief financial
officers. I appreciate very much the
thoughtful efforts behind the under-
lying legislation that is before us
today. I want to particularly commend
my colleague, Senator COLLINS, who is
on the Senate floor, Senator LIEBER-
MAN, as well as Senator ALEXANDER and
Senator SCHUMER, for their hard work
in being sure the nomination process is
streamlined. Having been through the
process twice myself, it could use some
streamlining, and I know they will con-
tinue in their efforts to reduce even
more some of the barriers to public
service so many people feel, and I look
forward to working with them.

Having said that, in terms of the spe-
cific issue of the chief financial offi-
cers, I think it would be a mistake to
take them out of the confirmation
process and a very unwise thing to do
at this point in our Nation's history
when we are facing such serious finan-
cial challenges. These are, after all, the
chief financial management people and
the chief budget people in our agencies
and departments. We need them right
now to be at the highest level possible.

Some of my colleagues will recall the
Chief Financial Officers Act of 1990 cre-
ated or consolidated the financial or
executive positions across 23 Federal
agencies. It specifically requires Sen-
ate confirmation for the 16 most impor-
tant departmental CFO positions, as
well as for the Controller of the Office
of Federal Financial Management in
the Office of Management and Budget.

As Director of the Office of Management and Budget, I worked closely with that individual. It also, by separate law, requires Senate confirmation of the Assistant Secretaries of the Army, Navy, and Air Force who serve as Comptrollers for those military services.

In its current form, the legislation before us today would eliminate the statutory requirement that those positions be Senate confirmed. The basic principle behind the CFO Act of 1990 is that an agency's top financial officer should be a key influential figure in the agency's top management. I believe that principle is more true and urgent today than ever.

With our Federal deficits expected to reach over \$1.4 trillion this year, diligent and skillful stewardship of taxpayer dollars is more critical than ever, and these CFOs are at the front lines of that effort. The nominations reform bill now pending would weaken the institutional accountability that is currently in law by denying the Senate a say and by lowering the stature of these individuals in their departments. The practical importance of Senate confirmation is that it gives individuals the stature and credibility they often need to do their jobs effectively.

I don't believe we want to have a situation in which, for example, the Energy Department's Assistant Secretary for Electricity Delivery and Energy Reliability is a Senate-confirmed appointee. Yet the CFO down the hall—who is supposed to be working with this person on his budget, and, frankly, directing this person in terms of financial management—is not a Senate-confirmed individual or the Interior Assistant Secretary for Water and Science would be a Senate-confirmed appointee but not the Interior CFO down the hall.

When I served as the Director of OMB, I made it a point to meet regularly and personally with the CFOs of our major Cabinet departments. Their roles are critical, and we should be empowering those individuals and giving them not less but more responsibility. These officials do one of the most important jobs in our government. They are responsible for ensuring the integrity of multibillion-dollar agency budgets.

I have spoken to CFOs about this amendment, and they make some very good points. In fact, earlier today I spoke to the CFO of one of the major Cabinet agencies, and he was passionate and very articulate in talking about this issue. As he told me, by law, CFOs oversee the financial management activities relating to all the programs and operations of their agencies, but they also play a lead role in preparing the agency budgets and presenting and explaining those budgets to the Congress. Often this is a more political or strategic role than many

realize. During program execution, they are responsible for cost management and auditing to detect and eliminate wasteful spending, and they are closely involved in determining which programs are effective and which programs should be terminated—a tough decision in an agency. You want to be sure that person has the stature to make that argument and to be heard.

These duties are at the heart of sound financial management but also budget policy and strategy, and I believe we should seek to strengthen these positions not weaken them, particularly given the situation we are in with our fiscal problems.

I urge my colleagues to support this amendment, which simply preserves the stature of chief financial officers within Federal agencies and the accountability that is made possible through Senate advice and consent.

Mr. President, I see one of my colleagues on the Senate floor, and so I yield the floor and again urge support of this amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. I ask unanimous consent to speak for up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND OPINION

Mr. BARRASSO. I come to the floor, as I have each week since the health care law was signed, with a doctor's second opinion about the health care law because it does seem that each week there is more information that comes out about this health care law that is bothersome to the people of this great country. The more they learn about it, the more concerned they are. And, as NANCY PELOSI said last year: First, you must pass it before you get to find out what is in it. Well, the people of this country continue to learn what is in this health care law, and they continue to be opposed to it.

Last Friday, the administration released another round of waivers from the President's health care law. They issued waivers to another 117,000 people, a total of 62 new waivers, which brings the total waivers to well over 1,400 covering 3.2 million individuals. What does that mean if they have a waiver? That means they don't have to live under the specifics of the law the President signed.

Over 49 percent of these waivers have gone to union employees, to people who get their insurance through union plans. These are many of the people who actually lobbied to support the health care law. So isn't it interesting that these are the same people who have come out and, after they have read it and found out what is in it, have said: We don't want this to apply to us. And it is interesting because that many union members have gotten these waivers when the number of people in this country who work as members of the union is actually a much smaller percentage.

But then let's not forget how the President said in a radio interview while the 2010 elections were going on that he would remember and would reward our friends, he said, and punish our enemies. Well, by issuing these waivers each month, this administration has reminded the American people how flawed the President's health care law is. Waivers have turned into a nightmare for this administration.

In May, I explained that the waiver recipients got a waiver for 1 year, and they would have to then apply again for a waiver year after year, all the way through 2014 when ObamaCare fully kicks in. We just learned last Friday that the administration is switching course. In fact, the Centers for Medicare and Medicaid Services just announced that employers and unions, even those with the 1-year waivers, must now apply again by September of this year for a long-term waiver to take them all the way to 2014. It seems to me this new scheme is designed so the administration can dodge issuing more waivers leading up to the 2012 Presidential election so the American people aren't reminded month after month of the significant flaws of the health care law. It is clear that continuing to issue waivers in 2012 was going to be an embarrassment for the President.

It is also clear that this new change in policy means that even the administration admits that the new health care law does not work. The President promised—promised all of us in Congress—that if we like the health insurance plan we have we can keep it. But what he meant was that to keep the coverage that we have today we will need a waiver from Washington mandates. We will need to get permission from the Obama administration to keep the insurance we like.

Companies and businesses across the country must apply before September if they want to avoid the health care law's crushing costs. In my opinion, I think we are going to see a tidal wave of waivers before this deadline in September. In fact, I predict that 5 million people will eventually have to get waivers from this top-down government mandate. There is going to be increased demand for waivers as more

and more people see that they will lose what they have today. As business owners look into this and see how the health care law will cause their cost of providing insurance to go up over the next 2 years, they are going to be lining up for waivers over the next few months. Once again, we are witnessing the horrible economic impacts of this new law.

I also want to talk for a minute about what happens after this September deadline, after the door closes on waivers. Let's take a look at the economy—9.1 percent unemployment and job creators sitting on the sidelines due to the significant expenses of trying to open a business. Hard-working Americans who want to start a new business are going to be forced to choose between two less desirable choices. No. 1, they can offer high-cost, government-approved health insurance, making it much more expensive for them to try to open a new business and hire workers or, No. 2, they will not offer any health coverage because they cannot afford the health care law's out-of-touch and expensive insurance mandates.

With the skyrocketing debt we are facing in this country and 9.1 percent unemployment, this administration's signature piece of legislation, the President's health care law, discourages America's best and brightest from starting new businesses and providing for their employees. That is what the President's health care law does. It stifles innovation, strangles the free market, and saddles the American people with more debt.

Once again, this is another example of how the President's health care policies are making things worse. His policies are making the economy in America worse. His policies are making the standard of living in America worse. His policies are making health care in America worse. And his policies are making America's debt worse.

Just this week we learned of another enormously expensive error in the law. This has to be what NANCY PELOSI meant when she said: First, you have to pass the bill before you find out what's in it. It turns out now the President's health care law will let several million middle-class people get insurance meant for people with low income. It would allow 3 million, by the estimates—3 million members of the middle class to receive Medicaid. The Associated Press reported that this would be like letting middle-class families get food stamps. The Medicare Chief Actuary, Richard Foster, said the situation keeps him up at night.

This health care law is not fixable. This health care law is bad for patients, it is bad for providers—the nurses and doctors who take care of those patients—and it is terrible for the taxpayers of this country. This health care law needs to be repealed

and replaced. That is why I come to the Senate floor week after week with a doctor's second opinion about the President's health care law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 504

Mr. CORNYN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 504. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 504.

Mr. CORNYN. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provisions relating to the Comptroller of the Army, the Comptroller of the Navy, and the Comptroller of the Air Force)

On page 38, line 19, strike all through page 45, line 16.

Mr. CORNYN. Mr. President, I congratulate Senators SCHUMER and ALEXANDER and COLLINS and others for working through this bipartisan legislation. It is nice to actually have a piece of legislation we can work on together, in this case to help streamline the appointment process for some of these lower level positions. I congratulate them for their work.

I do, however, have an amendment that I think makes an important correction. I have discussed this with both Senator ALEXANDER and others. I think they understand and they tend to agree that this amendment is important.

Under this bill, the Presidential Appointment Efficiency and Streamlining Act of 2011, three important Presidential appointments within the Department of Defense that are currently Senate-confirmed positions would no longer be subject to Senate confirmation. These positions within our military departments are aimed at a very important goal; that is, to attain better stewardship of taxpayer dollars by our military. I am talking about specifically the Assistant Secretaries of Financial Management for the Army, the Navy, and the Air Force.

It is no secret that during these tough budgetary times, when 43 cents out of every dollar that the Federal Government spends is borrowed money, and we are looking at an impending debt ceiling vote sometime probably in July where we are going to be asked to vote to increase the debt ceiling because we have maxed out the Nation's credit card, there is no doubt in my mind we are going to be looking at all sources for budgetary cuts and elimination of waste and overspending. I do

not suggest for a minute the Department of Defense should be exempt from that kind of scrutiny. In fact, I think it should be scrutinized. But it is important, if we are going to make sure that every dollar of taxpayer money being spent by the Department of Defense for our security is being spent efficiently and well, that the best way we can do that is assure that professionals who are skilled in financial management at the various departments of the Navy, Army, and Air Force are in place and subject to appropriate oversight by the Senate.

These officials oversee financial management processes that involve more than \$300 billion in taxpayer money. These are, in fact, the budgets of the military services themselves. None of the military services are currently able to render a clean audit opinion, something that Congress has said must change and will change by the year 2017. But we have been working on the sad reality that, frankly, the Department of Defense has been spending so much money that it doesn't even know where all the money is. We need to change that. We need to increase transparency and accountability.

The only way we are going to be able to do that and to put them in a position to produce that clean financial audit is by making sure that the correct type of professionals, well-qualified professionals, are in place.

Under the fiscal year 2000 Defense authorization bill, the Department of Defense is going to be required to produce those auditable financial statements no later than September 30, 2017. I think most people are going to be shocked to find out that the Department of Defense cannot do that today, but in fact that is the sad reality. Yet it is my understanding the Department of Defense is not currently on track to meet this requirement of the law despite the fact that we are 6 years away from that deadline. Removing the officials in charge of accomplishing this objective from Senate oversight would make it even less likely to happen.

In accordance with the Chief Financial Officer and Federal Financial Reform Act of 1990, the so-called CFO Act, these three Assistant Secretaries have been designated as the chief financial officers for their respective branches of the military service. As such, this law invests them with certain financial management functions.

These Secretaries formulate, submit, and defend the budgets of these military branches to Congress. They also oversee the proper and effective use of appropriated funds to accomplish missions and provide timely, accurate, and reliable financial information to enable leaders to incorporate cost considerations into their decisionmaking and provide reporting to Congress on the use of appropriated resources.

This is a high standard and, unfortunately, one that is not being met

today, but one that Congress must, in the exercise of our stewardship over tax dollars and making sure that every dollar is spent efficiently in a non-wasteful way—this is a high standard we must insist is met.

I believe removing these key positions from the Senate confirmation process will inadvertently undermine the effort to reform financial management at the Department of Defense. I am not alone. We received informal comments from the Department of Defense Comptroller saying that while they agree in principle with S. 679, this underlying legislation with which I also agree in principle goes too far by eroding the status and ability of these financial managers to manage these dollars.

I ask unanimous consent that the comments received from the DOD Comptroller be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. Let me conclude by saying these three Assistant Secretaries should remain Senate-confirmed, Presidential appointees. I ask my colleagues to support my amendment to ensure they remain Senate confirmable and subject to robust and much needed congressional oversight.

EXHIBIT 1

DOD FEEDBACK ON SCHUMER-ALEXANDER BILL (S. 679)

(From DoD Comptroller Office)

The Department of Defense believes that it would be appropriate to reduce the number of government positions subject to Senate confirmation. We therefore agree in principle with Senate Bill 679, which makes such reductions.

We disagree, however, with the provision of S. 679 which eliminates Senate confirmation for the Assistant Secretaries (Financial Management and Comptroller) in the Departments of the Army, Navy, and Air Force. By downgrading these financial management positions, we believe that S. 679 will erode civilian control of the military with regard to resources. Each of the military departments manages huge amounts of federal dollars, ranging from \$166 billion to \$216 billion in FY 2012. These sums far exceed the funding for any non-defense federal agency. In the military services, these dollars are managed by the most senior military officers, and the Service Secretaries need to have a Senate-confirmed political appointee to provide appropriate civilian control. This legislation would be a significant step back from the landmark Goldwater-Nichols legislation, which sought to increase civilian control of the military.

We also believe that downgrading these three Assistant Secretary positions is inappropriate in view of the focus being placed on improving financial management and achieving auditable financial statements. Congress has established a deadline for achieving auditable financials in each military department and has indicated a strong desire to have the departments comply. The three departmental Assistant Secretaries have the lead responsibility for this challenging task. Downgrading the positions may well slow

down efforts to achieve auditable financial statements, an outcome that seems to contradict Congressional priorities.

Overall, the Assistant Secretaries have substantial policy making authority over key aspects of defense financial management. For all these reasons, we believe that the three Assistant Secretaries should remain as Senate-confirmed political appointees.

Mr. CORNYN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that at 11:30 a.m. tomorrow, Thursday, June 23, the Senate resume consideration of S. 679; that the Vitter amendment No. 499 regarding czars and the DeMint amendment No. 510 regarding Bureau of Justice Statistics be debated concurrently; that there be up to 30 minutes of debate with Senators VITTER, DEMINT, REID or designee and MCCONNELL or designee, each controlling 7½ minutes; that upon the use or yielding back of time the Senate proceed to vote in relation to the Vitter amendment and the DeMint amendment in that order; that there be no amendments, motions, or points of order in order to either amendment prior to the votes other than budget points of order on each and the applicable motions to waive; further, that the motions to reconsider be considered made and laid upon the table; finally, that provisions of the previous order regarding amendments remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

HONORING OUR ARMED FORCES

SPECIALIST MICHAEL B. COOK

Mrs. SHAHEEN. Mr. President, it is with a heavy heart that I rise today to honor the life of SPC Michael B. Cook, who died on June 6, 2011, from injuries sustained from indirect rocket fire in Baghdad, Iraq, while supporting Operation New Dawn. He gave his life in service to his country on his 27th birthday. Michael was assigned to the B Battery, 1st Battalion, 7th Field Artillery Regiment, 1st Infantry Division, based at Fort Riley, KS.

Growing up in the towns of Pelham and Salem, NH, Michael graduated from Salem High School in 2003. He enlisted as a way to pay for his education and serve his country. Like so many brave sons and daughters of New Hampshire, Michael sought to serve his

country and did so with honor. Tragically, Michael is the fifth Salem High School graduate killed in action in the war on terror, and the third from his class.

Michael is remembered by his family as a devoted father and son. Friends described him as hardworking and dedicated to the service of others. It was therefore no surprise when he answered the call to serve his country and protect his fellow Americans.

While no words can diminish the loss of this brave New Hampshire son, I hope his family can find comfort in knowing that all Americans appreciate and respect his heroic service and sacrifice.

Michael is survived by his wife Samantha and their two children, Hailee and Michael at Fort Riley, KS, and his parents Patti and Michael B. Cook Sr., and his siblings Lucas and Kimberly of Salem, NH. He also leaves behind a caring extended family and many dear friends. He will be missed by all.

I ask my colleagues and all Americans to join me in honoring the life, service, and sacrifice of SPC Michael B. Cook.

JUNE 22, 2009, METRORAIL TRAGEDY

Mr. CARDIN. Mr. President, 2 years ago today the Washington Metropolitan Area Transit Authority experienced the most tragic metrorail accident the Greater Washington region has ever seen. With time, the wounds of this tragedy's survivors continue to heal, but the loss and pain will never be forgotten. My heart goes out to the families and loved ones of those who lost their lives in the tragic collision of two Metro trains on the Red Line at the Fort Totten metrorail station. My deepest sympathies remain with their families and friends whose lives will forever be affected having lost someone dear to them in this tragedy.

Last summer, the National Transportation Safety Board, NTSB, and the Federal Transit Administration, FTA, concluded their investigations into the crash. The investigations revealed many troubling findings with the operation, maintenance, and management of the metrorail system, not the least of which is that the June 22, 2009, crash was entirely preventable and resulted from systemic failures to address ongoing track signal problems and a work culture that ignored safety.

For several years WMATA failed to respond to or take adequate operational safety measures in response to repeated signal failures along the section of track where the accident occurred. During WMATA's efforts to fix the problem, Metro refused to heed warnings from the signal manufacturers about using third-party components to repair failed track signal

equipment and in doing so prolonged and exacerbated the signal relay problems on the track.

These findings coupled with an extensive Federal Transit Administration safety audit that revealed several shocking systemwide safety lapses, which include systemic failures to notify train operators about the presence of track maintenance workers on the right-of-way in tunnels throughout the system, helped shed light on the inexcusable and tragic series of accidents that have taken 12 lives and injured more than 80 people in the last year.

I am pleased to say that under new leadership in the general manager and CEO position as well as the placement of several new members of the board of directors that Metro is working hard to resolve the safety issues that were becoming commonplace in the headlines of area newspapers. Metro's new comprehensive safety plan outlines a number of procedures that are being put in place to improve worker training and safety preparedness and a zero tolerance policy for texting and cell phone use by vehicle operators. According to the general manager, every Metro employee, including himself, has gone through the safety training program. Management is clearly making an effort to establish a culture of safety that has been absent at Metro for many years. These are important steps in the right direction but developing safety measures for employees to follow is just one piece of making Metro safer for years to come.

There are, however, encouraging and lasting developments at Metro to improve safety. A year ago, the Metro board of directors announced that it was placing an order for 428 new 7000 Series railcars. These new safer railcars are in the prototype development phase and when the order is fulfilled, all of the remaining 1000 series that have been in use since the system opened in 1976 will finally be replaced. The 1000 series cars have always presented a safety hazard and it is the 1000 series cars that buckled and sheared apart on June 22, 2009, compounding the seriousness and costliness of the Red Line crash. Retiring and replacing these cars is a major step in the right direction towards improving the safety of the system.

It is also worth noting that for the first time Metrorail cars will be built here in the United States at a rail car manufacturing facility in Lincoln, NE.

Still, funding shortfalls hinder Metro's ability to make lasting infrastructure repairs and replacements throughout the system. I have visited the Shady Grove Station and witnessed firsthand how they literally are using wood planks and iron rods to prop up crumbling station platforms. Metro is forced to make improvised accommodations to keep the system running in the safest way possible on a diminished budget.

Seeing these unaddressed safety issues firsthand, combined with each passing revelation of management missteps and safety lapses, has grown my frustration with how Metro handles safety issues, but has also hardened my resolve to improve Metro safety.

On this somber day of remembrance we as Federal policymakers and the Washington Metropolitan Area Transit Authority need to take inspiration from this tragedy and remember our responsibility to work to improve the safety of the transit system that serves Greater Washington area residents, tens of thousands of Federal workers, and members of the staff of nearly every Senator in this body every day.

Last year's Metro tragedy has caused many of us, including the President, to address the safety crisis that looms at transit authorities across the country. I am confident that we will find a way forward through: increased Federal regulatory authority and oversight, as called for by the Federal Transit Administration; and increased openness and transparency at WMATA.

While the FTA has an established national transit safety program and is responsible for setting minimum program safety requirements for the States, the FTA is prohibited by law from establishing enforceable national safety standards, requiring Federal inspections, or dictating operating practices. In response to this lapse in public safety policy, last Congress Senators DODD, MENENDEZ, MIKULSKI, and I introduced legislation requiring the Transportation Secretary to establish and implement a comprehensive transit public transportation safety program. Our legislation from last year would have given the FTA the ability to take decisive actions such as conducting inspections, investigations, audits, and examinations of federally funded public transportation systems.

It makes sense for public transit systems that receive Federal funding to meet Federal safety requirements set by the FTA. It makes even more sense to grant FTA a degree of Federal authority to establish safety guidance over WMATA given Metro's unique relationship to the Federal Government.

The Washington metrorail system is the second busiest subway system in America, carrying as many as 1 million passengers a day. It carries the equivalent of the combined subway ridership of BART in San Francisco, MARTA in Atlanta, and SEPTA in Philadelphia each day.

Every workday, Metro provides tens of thousands of Federal employees rides to work. During peak ridership, more than 40 percent of riders on Metro are Federal employees and 10 percent of the overall ridership serves Congress and the Pentagon alone. Metrorail's alignment was designed to serve the Federal Government, with more than half of the system's stations located at

or near Federal buildings. GSA has also established guidance that requires all new Federal facilities in the Greater Washington area be metrorail accessible.

Traffic congestion in the DC metropolitan area is tied with Chicago for the worst in the Nation. Some may wonder how, or even if, Washington could function without Metro. Sure enough, in the winter of 2010 we learned that the Federal Government, in fact, cannot function without Metro. The Office of Personnel Management based its decision to shut down the Federal Government on WMATA's inability to operate above ground rail lines during the February snowstorms. This not only points out the Federal Government's reliance on Metro, but also highlights Metro's lack of resources to operate under weather conditions that other city transit systems like Chicago, New York, or Boston manage to do so.

More than three decades after the first trains started running, the system is showing severe signs of its age. Sixty percent of the Metrorail system is more than 20 years old. The costs of operations, maintenance, and rehabilitation are tremendous.

It is not just the responsibility of the local jurisdictions that are served by Metro—Maryland, Virginia, and Washington, DC—but it is also a Federal responsibility.

Just like I believe that the Federal Government has a role in ensuring the safety of Metro for its riders and employees, I also believe the Federal Government has a responsibility to help fund the safe operation of the system since Metro provides the Federal Government and its employees vital transportation service.

I was proud to work alongside Senator BARBARA MIKULSKI and Senator JIM WEBB and former Senator John Warner to pass the Federal Rail Safety Improvement Act, which was signed into law in October 2008. This law authorizes \$1.5 billion over 10 years in Federal funds for Metro's governing Washington Metropolitan Area Transportation Authority, matched dollar for dollar by the local jurisdictions, for capital improvements. This arrangement will finally provide Metro with the dedicated funding the system needs.

President Obama's fiscal year 2011 and 2012 budget requests to Congress included \$150 million for Metro. This builds on the substantial down payment Senators MIKULSKI, WEBB, MARK WARNER, and I were able to secure for Metro in fiscal year 2010, and with the intrepid support of Chairmen MURRAY and INOUE we were able to secure this essential funding for Metro again in fiscal year 2011.

While these are important investments, it is not nearly enough to fulfill all of Metrorail's obligations. Metro

maintains a list of ready-to-go projects totaling about \$530 million and \$11 billion in capital funding needs over the next decade.

Federal Transit Administrator Peter Rogoff, in testimony before the House Oversight and Government Reform Committee, made special note of the fact that WMATA does not have a dedicated revenue stream, rather it relies heavily on congressional appropriations which can fluctuate from year to year.

Fortunately, Congress has taken an important step forward to remedy this situation. The Senate recently passed a new Metro Compact further advancing the final step in authorizing a 10-year \$1.5 billion authorization providing Metro with a dedicated funding stream to ensure the safe and efficient operation of the system.

For years, while Metro was a relatively new transit system, Metro was the epitome of safe, reliable, and modern public transit. After 35 years of operation, the results of placing disproportionate resources towards expanding the system rather than attending to growing repairs and maintenance needs of the existing infrastructure, Metro's age is beginning to take its toll on the safe operation and functionality of the system.

I am hopeful that with the opportunities we have to establish better and more consistent funding for Metro, improved and enforceable Federal safety requirements for transit systems across the country, and the establishment of firm, accountable, and transparent leadership at WMATA we will restore the public standing and reputation of "America's Subway System" as one of the safest and most reliable transit systems in the country.

I find it unacceptable that the transit system in our Nation's Capital does not have enough resources to improve safety and upgrade its aging infrastructure.

I would again like to extend my deepest sympathies to all those who were affected by this horrific accident, especially to the families and loved ones of those who have been killed on Metro. I hope my colleagues will join together with me in working to ensure that this body is doing everything it can to prevent similar tragedies in the future.

JOINT COMMITTEE ON THE LIBRARY RULES OF PROCEDURE

Mr. SCHUMER. Mr. President, on May 22, 2011, the Joint Committee on the Library organized, elected a chairman, a vice chairman, and adopted its rules for the 112th Congress. Members of the Joint Committee on the Library elected Senator CHARLES E. SCHUMER as chairman and Congressman GREGG HARPER as vice chairman. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unani-

mous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY—112TH CONGRESS

TITLE I—MEETINGS OF THE COMMITTEE

1. Regular meetings may be called by the chairman, with the concurrence of the vice-chairman, as may be deemed necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personnel or internal staff management or procedures;

(C) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under the provisions of law or Government regulation. (Paragraph 5(b) of rule XXVI of the Standing Rules of the Senate.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members at least 3 days in advance. In addition, the committee staff will email or telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of committee business will normally be sent to all members of the committee by the staff direc-

tor at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the chairman waived such a requirement for good cause.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, 4 members of the committee shall constitute a quorum.

2. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 members of the committee shall constitute a quorum for the purpose of taking testimony; provided, however, once a quorum is established, any one member can continue to take such testimony.

3. Under no circumstance may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the members present so demand, a recorded vote will be taken on any question by rollcall.

3. The results of the rollcall votes taken in any meeting upon a measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor and the votes cast in opposition to each measure and amendment by each member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matters shall require the concurrence of a majority of the members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a member's position on the question and then only in those instances when the absentee committee member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

TITLE IV—DELEGATION AND AUTHORITY TO THE CHAIRMAN AND VICE CHAIRMAN

1. The chairman and vice chairman are authorized to sign all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf on all routine business.

2. The chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

CONGRATULATING SLOVENIA ON ITS TWENTIETH ANNIVERSARY

Mr. HARKIN. Mr. President, I have come to the floor today to speak on S. Res. 212, congratulating the people and Government of Slovenia on the 20th anniversary of their nation's independence. I am pleased that the Senate

passed this resolution yesterday by unanimous consent and I am grateful to my colleagues Senators SHAHEEN, KLOBUCHAR, BARRASSO, BROWN of Ohio and PORTMAN for joining with me in submitting this resolution.

As many of my colleagues know, the Republic of Slovenia holds a very special place in my heart. Ninety years ago, my mother came to America from the village of Suha in what is now Slovenia.

The modern Republic of Slovenia is only 20 years old. But more than 1,000 years ago, in what is now the Slovenian state of Carinthia, there was a duke who later served as one of Thomas Jefferson's inspirations for American democracy. What inspired President Jefferson? It was the tradition that the dukes of Carinthia could take office only after being questioned by a simple peasant to test their worthiness. If the peasant was satisfied with the answers, then he gently slapped the duke as a symbol of accountability to the people. Imagine that: people slapping around politicians in a democracy!

I have been tremendously impressed by the great strides Slovenia has made since breaking away from Yugoslavia two decades ago. In this short period of time, Slovenia has become one of the world's most successful democracies, which I witnessed firsthand during a visit 5 years ago.

Slovenia is what you might call an "overachiever" among new nations. In a short period of time, it has gained entry into NATO and the European Union. Indeed, it has already held the rotating Presidency of the EU. Slovenia has built the most successful economy in Central and Eastern Europe and has been a force for stability and democratic reform in the Balkans.

On a personal note, I am especially grateful for the Republic of Slovenia's outstanding leadership in the campaign to rid the world of landmines and to assist the victims, especially children. This is a humanitarian mission of profound importance—a mission that I have worked on, with many of my colleagues, including Senator KLOBUCHAR and former Senator Voinovich, to secure support from the U.S. Congress.

The world looks at Slovenia's success, and wonders: How could a nation of just 2 million people accomplish so much in such a short period of time? As an American, I know the answer.

Bear in mind that, when Jefferson wrote the Declaration of Independence, America was also a nation of just 2 million people. Like Americans in 1776, Slovenians in 1991 dared to break away from a much larger and more powerful mother country. Like Americans, Slovenians paid in blood for their freedom. Like Americans, Slovenians demanded a democratic course for their new country.

Nine decades ago, my mother left Slovenia—a Slovenia that was improv-

erished, ruled by autocrats, and dominated by foreign powers; a nation that sent forth immigrants desperate to find a better life. Today, a free, prosperous, and democratic Slovenia sends forth global leaders and humanitarians who are helping to build a better world.

This is a magnificent achievement—a testament to the vision, courage, and talents of the Slovenian people. On this proud anniversary, I join with all of my colleagues here in the Senate in saluting our friend and ally, the Republic of Slovenia.

10TH ANNIVERSARY OF THE OHIO RIVER WAY PADDLEFEST

Mr. PORTMAN. Mr. President, I rise today to recognize the Ohio River Way, a nonprofit, volunteer-led organization working to promote, protect and celebrate the natural beauty and recreational benefits of the Ohio River.

This year is the 10th anniversary of the Annual Ohio River Way Paddlefest, the largest paddling event in the country. Each year, Paddlefest attracts more than 2,000 paddlers to Cincinnati to canoe and kayak down the Ohio River and enjoy the gorgeous natural resources in Southwest Ohio. I have been a regular participant in the canoe races as part of Paddlefest and plan to participate again this year.

Due in no small part to the efforts of the Ohio River Way and the widespread popularity of Paddlefest, Greater Cincinnati has been designated as the Paddling Capital of the United States. Cincinnati enjoys a great selection of paddling-friendly waterways including the Ohio, Great Miami, Little Miami, Whitewater and Licking Rivers as well as the Four Mile, Caesar, Stonelick, O'Bannon, Indian and White Oak Creeks. Additionally, Cincinnati is home to the largest number of paddling-access points with more than 25 places to launch canoes and kayaks.

I congratulate the Ohio River Way on the 10th anniversary of Paddlefest and thank Paddlefest chair Brewster Rhodes and the hardworking volunteers of the Ohio River Way for the tireless work they do each year to ensure that Paddlefest is an enjoyable experience for all participants.

TRIBUTE TO WILLIAM HAWKINS

Mr. FRANKEN. Mr. President, I would like to honor a leader from my home State of Minnesota, William A. Hawkins. Bill, who is retiring with distinction as the chairman and CEO of Medtronic, has achieved great professional success through his dedication to and advancement of life-saving innovations. Approximately every 4 seconds, the life of someone somewhere in the world is improved by a Medtronic product or therapy.

Medical technology is an important solution to our Nation's health care

challenges. Under Bill's leadership, Medtronic has helped to maintain Minnesota's world leadership in medical innovation.

Bill has nearly 35 years of career experience in the medical device industry, serving in leadership positions at Novoste Corporation, American Home Products, Johnson and Johnson, Guidant Corporation, and Eli Lilly. He began his medical technology career with Carolina Medical Electronics in 1977. While reflecting on his career at Medtronic, he recently said, "I have seen many product launches—from the ear thermometer to the automatic external defibrillator."

He joined Medtronic in 2002 as senior vice president and president of the company's vascular business before serving as corporate president and chief operating officer. Bill Hawkins was named chief executive officer of Medtronic in 2007 and assumed the additional role of chairman in 2008.

Under his guidance, Medtronic's capacity to serve patients extended further to provide an array of diagnostic, preventive, and chronic disease management solutions. With a breadth and depth of expertise across more than 30 major chronic conditions, he recognized the unique position to play a larger role in the health care industry.

In March of 2010, Bill received the Biomedical Engineering Society's Distinguished Achievement Award. This award is given to recognize those that have made great contributions to the field of biomedical engineering and bioengineering.

Mr. Hawkins serves on the Board of Visitors for the Duke University School of Engineering and the Board of Directors for the Guthrie Theater and the University of Minnesota Foundation.

I ask my colleagues to join me, his friends, family, and colleagues in commending Bill Hawkins on his numerous achievements and wishing him well as he begins a new journey.

Congratulations, Bill.

ADDITIONAL STATEMENTS

TRIBUTE TO MARC MILANI

• Mr. RUBIO. Mr. President, today I recognize Marc Milani, a spring intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Marc is a graduate of Christopher Columbus High School in Miami, FL. Currently, he is a sophomore pursuing a major in philosophy at Dartmouth College. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Marc for all

the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO OLIVIA VOLSLOW

● Mr. RUBIO. Mr. President, today I recognize Olivia Voslow, a spring intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Olivia is a graduate of the Holton-Arms School in Bethesda, MD. Currently, Olivia is preparing to enter into her freshman year at Middlebury College. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Olivia for all the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:21 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 771. An act to designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the "Schertz Veterans Post Office".

H.R. 1632. An act to designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the "Sergeant Chris Davis Post Office".

The message also announced that the House has passed the following bills, without amendment:

S. 349. An act to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

S. 655. An act to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 771. An act to designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the "Schertz Veterans Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1632. An act to designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the "Sergeant Chris Davis Post Office"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2231. A communication from the Deputy Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Non-competitive Non-Formula Federal Assistance Programs—Specific Administrative Provisions for the Beginning Farmer and Rancher Development Program" (RIN0524-AA59) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2232. A communication from the Deputy Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Non-competitive Non-Formula Federal Assistance Programs—Administrative Provisions for Biomass Research and Development Initiative" (RIN0524-AA61) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2233. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rule Amending CFR Part 588; Final Rule Removing Parts 585-587 from 31 CFR Chapter V" (31 CFR Parts 588, 585-587) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2234. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alphabetical Listing of Blocked Persons, Blocked Vessels, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Global Terrorists, Foreign Terrorist Organizations..." (31 CFR Chapter V) received in the Office of the President of the Senate on June 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2235. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC-2236. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (163); Amdt. No. 3428" (RIN2120-AA65) received in the Office of the President of the Senate on June 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2237. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the review of all complaints received by air carriers alleging discrimination on the basis of disability; to the Committee on Commerce, Science, and Transportation.

EC-2238. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Draft Safety Evaluation for Westinghouse Electric Company..." received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2239. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the Republic of Korea for the manufacture, assembly, test, support, repair, overhaul, and sale of T-62T-46LC-2A auxiliary power units for T-50 aircraft in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2240. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011-0090-2011-0102); to the Committee on Foreign Relations.

EC-2241. A communication from the Acting Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Maintenance of Incombustible Content of Rock Dust in Underground Coal Mines" (RIN1219-AB76) received in the Office of the President of the Senate on June 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-2242. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2243. A communication from the Assistant Secretary, Indian Affairs, Department of the Interior, transmitting, pursuant to law, a report relative to the Contract Support Costs of Self-Determination Awards to Congress; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 618. A bill to promote the strengthening of the private sector in Egypt and Tunisia (Rept. No. 112-25).

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. 1253. An original bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. No. 112-26).

S. 1254. An original bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 1255. An original bill to authorize appropriations for fiscal year 2012 for military construction, and for other purposes.

S. 1256. An original bill to authorize appropriations for fiscal year 2012 for defense activities of the Department of Energy, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INOUE (for himself, Mr. BLUNT, Mr. REID, and Mr. AKAKA):

S. 1244. A bill to provide for preferential duty treatment to certain apparel articles of the Philippines; to the Committee on Finance.

By Mr. BLUNT (for himself and Mr. LEVIN):

S. 1245. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia; to the Committee on Foreign Relations.

By Mr. COBURN (for himself and Mrs. SHAHEEN):

S. 1246. A bill to reduce the number of non-essential new vehicles purchased and leased by the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER:

S. 1247. A bill to develop and recruit new, high-value jobs to the United States, to encourage the repatriation of jobs that have been off-shored to other countries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COBURN (for himself, Mr. PAUL, Mr. BARRASSO, Mr. BLUNT, Mr. BURR, Mr. CORKER, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. KYL, Mr. LEE, Mr. MCCAIN, Mr. RISCHE, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, and Mr. WICKER):

S. 1248. A bill to prohibit the consideration of any bill by Congress unless the authority provided by the Constitution of the United States for the legislation can be determined and is clearly specified; to the Committee on Rules and Administration.

By Mr. UDALL of Colorado (for himself, Mr. RISCHE, Mr. TESTER, and Mr. BENNET):

S. 1249. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself, Mr. ALEXANDER, Ms. MIKULSKI, Mr. KIRK, and Ms. LANDRIEU):

S. 1250. A bill to create and expand innovative teacher and principal preparation programs known as teacher and principal preparation academies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mr. COBURN, Mr. BENNET, Mr. ENZI, Mr. CORKER, Mr. BROWN of Massachusetts, Ms. KLOBUCHAR, and Mr. THUNE):

S. 1251. A bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs; to the Committee on Finance.

By Ms. MIKULSKI (for herself and Mrs. GILLIBRAND):

S. 1252. A bill to promote the economic self-sufficiency of low-income women through their increased participation in high-wage, high-demand occupations where they currently represent 25 percent or less of the workforce; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN:

S. 1253. An original bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. LEVIN:

S. 1254. An original bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. LEVIN:

S. 1255. An original bill to authorize appropriations for fiscal year 2012 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. LEVIN:

S. 1256. A bill to authorize appropriations for fiscal year 2012 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. BINGAMAN (for himself and Mrs. HUTCHISON):

S. 1257. A bill to establish grant programs to improve the health of border area residents and for all hazards preparedness in the border area including bioterrorism and infectious disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. LEAHY, Mr. DURBIN, Mr. SCHUMER, Mr. KERRY, Mrs. MURRAY, and Mrs. GILLIBRAND):

S. 1258. A bill to provide for comprehensive immigration reform, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Mr. BOOZMAN):

S. 1259. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to prohibit the provision of peacekeeping operations assistance to governments of countries that recruit and use child soldiers; to the Committee on Foreign Relations.

By Mr. AKAKA:

S. 1260. A bill to require financial literacy and economic education counseling for student borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself, Mr. BLUMENTHAL, and Mr. HELLER):

S. 1261. A bill to amend title 5, United States Code, to deny retirement benefits accrued by an individual as a Member of Congress if such individual is convicted of certain offenses; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself, Mr. WHITEHOUSE, and Mr. LEVIN):

S.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 155

At the request of Mr. KOHL, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 155, a bill to amend the Internal Revenue Code of 1986 to provide an enhanced credit for research and development by companies that manufacture products in the United States.

S. 201

At the request of Mr. CARPER, his name was withdrawn as a cosponsor of S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 202

At the request of Mr. PAUL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 260

At the request of Mr. NELSON of Florida, the names of the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 312

At the request of Mrs. HUTCHISON, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 312, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 438

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 438, a bill to amend the Public Health Service Act to improve women's health by prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 506

At the request of Mr. CASEY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 534

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 545

At the request of Mr. UDALL of Colorado, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 545, a bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to strengthen the quality control measures in place for part B lung disease claims and part E processes with independent reviews.

S. 547

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 547, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 678

At the request of Mr. KOHL, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 678, a bill to increase the penalties for economic espionage.

S. 705

At the request of Mr. CARPER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 733

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 733, a bill to amend part B of title XVIII of the Social Security Act to exclude customary prompt pay discounts from manufacturers to wholesalers from the average sales price for drugs and biologicals under Medicare.

S. 815

At the request of Ms. SNOWE, the name of the Senator from Washington

(Ms. CANTWELL) was added as a cosponsor of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

S. 876

At the request of Mr. LAUTENBERG, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 876, a bill to amend title 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 948

At the request of Mr. MERKLEY, the names of the Senator from Delaware (Mr. COONS) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 948, a bill to promote the deployment of plug-in electric drive vehicles, and for other purposes.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 957

At the request of Mr. BOOZMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 957, a bill to amend title 38, United States Code, to improve the provision of rehabilitative services for veterans with traumatic brain injury, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Florida (Mr. NELSON), the Senator from North Dakota (Mr. CONRAD) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S.

1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

At the request of Mr. THUNE, his name was added as a cosponsor of S. 1048, supra.

S. 1131

At the request of Mrs. HAGAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1131, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 1189

At the request of Mr. PORTMAN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1200

At the request of Mr. SANDERS, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1200, a bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S. 1241

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1241, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of

laws requiring the involvement of parents in abortion decisions.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 20

At the request of Mr. FRANKEN, his name was added as a cosponsor of S.J. Res. 20, a joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Rhode Island (Mr. REED), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 213

At the request of Mr. DEMINT, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 213, a resolution commending and expressing thanks to professionals of the intelligence community.

AMENDMENT NO. 468

At the request of Mrs. HUTCHISON, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 468 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUE (for himself, Mr. BLUNT, Mr. REID, and Mr. AKAKA):

S. 1244. A bill to provide for preferential duty treatment to certain apparel articles of the Philippines; to the Committee on Finance.

Mr. INOUE. Mr. President, I am pleased to introduce legislation today, cosponsored by my colleagues Senator REID of Nevada, Senator BLUNT of Missouri, and Senator AKAKA of Hawaii, that will provide duty-free treatment to U.S. imports of finished Philippine apparel in return for purchasing and using fabrics and yarns made in the United States. This bill will promptly create an incentivized export market for our shrinking textile industry, and create new jobs.

The Philippine apparel industry estimates that U.S. fabric sales spurred by the SAVE Act could reach potentially hundreds of millions of dollars and translate into upwards of 2,000 additional jobs in the United States fabric mill sector. With almost 99 percent of the U.S. apparel market now served by imports, U.S. textile manufacturers are reliant on export markets for their survival.

The SAVE Act is patterned after the Dominican Republic, Central America Free Trade Agreement, or CAFTA, which permits tariff-free import of apparel assembled in those countries in return for using cotton and manmade fiber fabrics still made in the United States. The SAVE Act will provide our textile companies with a new opportunity to export fabrics into the dynamic Asian market.

The Philippine apparel manufacturing industry is well established and known for its quality needlework and high-end fashion. It has been supplying top American brands and U.S. retailers for decades. With the growth of China in apparel production and the end of the quota system, Philippine apparel exports to the United States have dropped by 50 percent in the last five years. The Philippine apparel sector is in critical decline, with employment dropping by 75 percent since 2003.

The Philippines has been, arguably, our closest and most steadfast friend in Southeast Asia. They were our protectorate and strategic partner from the Spanish-American War through World War II. 10,000 American and Filipino servicemen died together in the infamous Bataan Death March after our forces were overwhelmed by the Japanese Army in 1942. More than 100,000 Filipinos then volunteered to fight alongside the United States and under U.S. command.

More recently, the United States and the Philippines have partnered in successful efforts to combat terrorists in and around their islands. Campaigns by the Armed Forces of the Philippines, trained in counterterrorism by U.S. troops, resulted in the deaths of the Abu Sayyaf leader and his deputy in 2006, as well as two other leaders in 2010.

Our close partnership deserves to be mutually rewarding on an economic level. The SAVE Act would represent the first trade initiative with the Philippines in nearly four decades. Unlike other countries in the region, the United States and the Philippines share a balanced trade relationship. The SAVE Act would continue to build on this positive trade relationship and strengthen our economic ties with the Philippines by helping each other reestablish competitive textile industries.

The SAVE Act would also allow duty-free treatment for a limited range of apparel not using U.S. fabrics so Philippine manufacturers can offer a complementary product line to U.S. brands and retailers. This category of apparel, which includes certain lines of coats, dresses, skirts, blouses, and infants' wear, will not contain any components that could have been made in the United States. These lines of apparel also will not compete against imports from third countries using U.S. components.

With the Republic of the Philippines as a partner, we can expect proper customs enforcement. We believe the enforcement provisions of the SAVE Act are more rigorous than any comparable bill. At our request, Customs and Border Patrol, CBP, conducted an informal technical review of the SAVE bill. With their recommendations included, CBP concluded that the SAVE Act can be administered and enforced. The Philippine Department of Trade and Industry then reviewed and agreed to all the enforcement provisions.

This bill will provide our manufacturers with new export markets and provide mutual benefits to a long-standing and erstwhile friend in Southeast Asia. The Philippines, in my view, should never be relegated to secondary consideration even as our focus shifts from one priority to another.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Save Our Industries Act of 2011" or the "SAVE Act".

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The United States and the Republic of the Philippines (in this Act referred to as the "Philippines"), a former colony, share deep historical and cultural ties. The Philippines holds enduring political and security significance to the United States. The 2 countries have partnered very successfully in combating terrorism in Southeast Asia.

(2) The United States and the Philippines maintain a fair trading relationship that should be expanded to the mutual benefit of both countries. In 2010, United States exports

to the Philippines were valued at \$7,375,000,000, and United States imports from the Philippines were valued at \$7,960,000,000.

(3) United States textile exports to the Philippines were valued at just over \$48,000,000 in 2010, consisting mostly of industrial, specialty, broadwoven, and nonwoven fabrics. The potential for export growth in this area can sustain and create thousands of jobs.

(4) The Philippines' textile and apparel industries, like that of their counterparts in the United States, share the same challenges and risks stemming from the end of the textile and apparel quota system and from the end of United States safe-guards that continued to control apparel imports from the People's Republic of China until January 1, 2009.

(5) The United States apparel fabrics industry is heavily dependent on sewing outside the United States, and, for the first time, United States textile manufacturers would have a program that utilizes sewing done in an Asian country. In contrast, most sewing of United States fabric occurs in the Western Hemisphere, with about two-thirds of United States fabric exports presently going to countries that are parties to the North American Free Trade Agreement and the Dominican Republic-Central America-United States Free Trade Agreement. Increased demand for United States fabric in Asia will increase opportunities for the United States industry.

(6) Apparel producers in the Western Hemisphere are excellent at making basic garments such as T-shirts and standard 5-pocket jeans. However, the needle capability does not exist to make high fashion, more sophisticated garments such as embroidered T-shirts and fashion jeans with embellishments. Such apparel manufacturing is done almost exclusively in Asia.

(7) A program that provides preferential duty treatment for certain apparel articles of the Philippines will provide a strong incentive for Philippine apparel manufacturers to use United States fabrics, which will open new opportunities for the United States textile industry and increase opportunities for United States yarn manufacturers. At the same time, the United States would be provided a more diverse range of sourcing opportunities.

(b) **PURPOSES.**—The purposes of this Act are—

(1) to encourage higher levels of trade in textiles and apparel between the United States and the Philippines and enhance the commercial well-being of their respective industries in times of global economic hardship;

(2) to enhance and broaden the economic, security, and political ties between the United States and the Philippines;

(3) to stimulate economic activity and development throughout the Philippines, including regions such as Manila and Mindanao; and

(4) to provide a stepping stone to an eventual free trade agreement between the United States and the Philippines, either bilaterally or as part of a regional agreement.

SEC. 3. DEFINITIONS.

In this Act:

(1) **CLASSIFICATION UNDER THE HTS.**—The term “classification under the HTS” means, with respect to an article, the 6-digit subheading or 10-digit statistical reporting number under which the article is classified in the HTS.

(2) **DOBBY WOVEN FABRIC.**—The term “dobby woven fabric” means fabric, other than jacquard fabric, woven with the use of a dobbie

attachment that raises or lowers the warp threads during the weaving process to create patterns including, stripes, and checks and similar designs.

(3) **ENTERED.**—The term “entered” means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(4) **HTS.**—The term “HTS” means the Harmonized Tariff Schedule of the United States.

(5) **KNIT-TO-SHAPE.**—An article is “knit-to-shape” if 50 percent or more of the exterior surface area of the article is formed by major parts that have been knitted or crocheted directly to the shape used in the article, with no consideration being given to patch pockets, appliques, or the like. Minor cutting, trimming, or sewing of those major parts shall not affect the determination of whether an article is “knit-to-shape”.

(6) **WHOLLY ASSEMBLED.**—An article is “wholly assembled” in the Philippines or the United States if—

(A) all components of the article pre-existed in essentially the same condition as the components exist in the finished article and the components were combined to form the finished article in the Philippines or the United States; and

(B) the article is comprised of at least 2 components.

(7) **WHOLLY FORMED.**—A yarn is “wholly formed in the United States” if all of the yarn forming and finishing operations, starting with the extrusion of filaments, strips, film, or sheet, and including slitting a film or sheet into strip, or the spinning of all fibers into yarn, or both, and ending with a finished yarn or plied yarn, takes place in the United States.

SEC. 4. TRADE BENEFITS.

(a) **ELIGIBLE APPAREL ARTICLE.**—For purposes of this section, an eligible apparel article is any one of the following:

(1) Men's and boys' cotton shirts, T-shirts and tank tops (other than underwear T-shirts and tank tops), pullovers, sweatshirts, tops, and similar articles classifiable under subheading 6105.10, 6105.90, 6109.10, 6110.20, 6110.90, 6112.11, or 6114.20 of the HTS.

(2) Women's and girls' cotton shirts, blouses, T-shirts and tank tops (other than underwear T-shirts and tank tops), pullovers, sweatshirts, tops, and similar articles classifiable under subheading 6106.10, 6106.90, 6109.10, 6110.20, 6110.90, 6112.11, 6114.20, or 6117.90 of the HTS.

(3) Men's and boys' cotton trousers, breeches, and shorts classifiable under subheading 6103.10, 6103.42, 6103.49, 6112.11, 6113.00, 6203.19, 6203.42, 6203.49, 6210.40, 6211.20, 6211.32 of the HTS.

(4) Women's and girls' cotton trousers, breeches, and shorts classifiable under subheading 6104.19, 6104.62, 6104.69, 6112.11, 6113.00, 6117.90, 6204.12, 6204.19, 6204.62, 6204.69, 6210.50, 6211.20, 6211.42, or 6217.90 of the HTS.

(5) Men's and boys' cotton underpants, briefs, underwear-type T-shirts and singlets, thermal undershirts, other undershirts, and similar articles classifiable under subheading 6107.11, 6109.10, 6207.11, or 6207.91 of the HTS.

(6) Men's and boys' manmade fiber underpants, briefs, underwear-type T-shirts and singlets, thermal undershirts, other undershirts, and similar articles classifiable under subheading 6107.12, 6109.90, 6207.19, or 6207.99 of the HTS.

(7) Men's and boys' manmade fiber shirts, T-shirts and tank tops (other than underwear T-shirts and tank tops), pullovers, sweatshirts, tops, and similar articles classifiable under subheading 6105.20, 6105.90, 6110.30, 6110.90, 6112.12, 6112.19, or 6114.30 of the HTS.

(8) Women's and girls' manmade fiber shirts, blouses, T-shirts and tank tops (other than underwear T-shirts and tank tops), pullovers, sweatshirts, tops, and similar articles classifiable under subheading 6106.20, 6106.90, 6110.30, 6110.90, 6112.12, 6112.19, 6114.30, or 6117.90 of the HTS.

(9) Men's and boys' manmade fiber trousers, breeches, and shorts classifiable under subheading 6103.43, 6103.49, 6112.12, 6112.19, 6112.20, 6113.00, 6203.43, 6203.49, 6210.40, 6211.20, or 6211.33 of the HTS.

(10) Women's and girls' manmade fiber trousers, breeches, and shorts classifiable under subheading 6104.63, 6104.69, 6112.12, 6112.19, 6112.20, 6113.00, 6117.90, 6204.63, 6204.69, 6210.50, 6211.20, 6211.43, or 6217.90 of the HTS.

(11) Men's and boys' manmade fiber shirts classifiable under subheading 6205.30, 6205.90, or 6211.33 of the HTS.

(12) Cotton brassieres and other body support garments classifiable under subheading 6212.10, 6212.20, or 6212.30 of the HTS.

(13) Manmade fiber brassieres and other body support garments classifiable under subheading 6212.10, 6212.20, or 6212.30 of the HTS.

(14) Manmade fiber swimwear classifiable under subheading 6112.31, 6112.41, 6211.11, or 6211.12 of the HTS.

(15) Cotton swimwear classifiable under subheading 6112.39, 6112.49, 6211.11, or 6211.12 of the HTS.

(16) Men's and boys' manmade fiber coats, overcoats, carcoats, capes, cloaks, anoraks (including ski-jackets), windbreakers, padded sleeveless jackets with attachments for sleeves, and similar articles classifiable under subheading 6101.30, 6101.90, 6112.12, 6112.19, 6112.20, or 6113.00 of the HTS.

(17) Women's and girls' manmade fiber coats, overcoats, carcoats, capes, cloaks, anoraks (including ski-jackets), windbreakers, padded sleeveless jackets with attachments for sleeves, and similar articles classifiable under subheading 6102.30, 6102.90, 6104.33, 6104.39, 6112.12, 6112.19, 6112.20, 6113.00, or 6117.90 of the HTS.

(18) Gloves, mittens, and mitts of manmade fibers classifiable under subheading 6116.10, 6116.93, 6116.99, or 6216.00 of the HTS.

(b) **DUTY-FREE TREATMENT FOR CERTAIN ELIGIBLE APPAREL ARTICLES.**—

(1) **DUTY-FREE TREATMENT.**—Subject to paragraphs (2) and (3), an eligible apparel article shall enter the United States free of duty if the article is wholly assembled in the United States or the Philippines, or both, and if the component determining the article's classification under the HTS consists entirely of—

(A) fabric cut in the United States or the Philippines, or both, from fabric wholly formed in the United States from yarns wholly formed in the United States;

(B) components knit-to-shape in the United States from yarns wholly formed in the United States; or

(C) any combination of fabric or components knit-to-shape described in subparagraphs (A) and (B).

(2) **DYEING, PRINTING, OR FINISHING.**—An apparel article described in paragraph (1) shall be ineligible for duty-free treatment under such paragraph if any component determining the article's classification under the HTS comprises any fabric, fabric component, or component knit-to-shape in the United States that was dyed, printed, or finished at any place other than in the United States.

(3) OTHER PROCESSES.—An apparel article described in paragraph (1) shall not be disqualified from eligibility for duty-free treatment under such paragraph because it undergoes stone-washing, enzyme-washing, acid-washing, permapressing, oven baking, bleaching, garment-dyeing, screen printing, or other similar processes in either the United States or the Philippines.

(C) KNIT-TO-SHAPE APPAREL ARTICLES.—A knit-to-shape apparel article shall enter the United States free of duty if it is wholly assembled in the Philippines and if the component determining the article's classification under the HTS consists entirely of components knit-to-shape in the Philippines from yarns wholly formed in the United States.

(d) DE MINIMIS RULES.—

(1) IN GENERAL.—An article that would otherwise be ineligible for preferential treatment under this section because the article contains fibers or yarns not wholly formed in the United States or in the Philippines shall not be ineligible for such treatment if the total weight of all such fibers or yarns is not more than 10 percent of the total weight of the article.

(2) ELASTOMERIC YARNS.—Notwithstanding paragraph (1), an article described in subsection (b) or (c) that contains elastomeric yarns in the component of the article that determines the article's classification under the HTS shall be eligible for duty-free treatment under this section only if such elastomeric yarns are wholly formed in the United States or the Philippines.

(3) DIRECT SHIPMENT.—Any apparel article described in subsection (b) or (c) is an eligible article only if it is imported directly into the United States from the Philippines.

(e) SINGLE TRANSFORMATION RULES.—Any of the following apparel articles that are cut and wholly assembled, or knit-to-shape, in the Philippines from any combination of fabrics, fabric components, components knit-to-shape, or yarns and are imported directly into the United States from the Philippines shall enter the United States free of duty, without regard to the source of the fabric, fabric components, components knit-to-shape, or yarns from which the articles are made:

(1) Except for brassieres classified in subheading 6212.10 of the HTS, any apparel article that is of a type listed in chapter rule 3(a), 4(a), or 5(a) for chapter 62 of the HTS, as such chapter rule is contained in paragraph 9 of section A of the Annex to Proclamation 8213 of the President of December 20, 2007, (as amended by Proclamation 8272 of June 30, 2008, or any subsequent proclamation by the President).

(2) Any article not described in paragraph (1) that is any of the following:

(A) Baby garments, clothing accessories, and headwear classifiable under subheading 6111.20, 6111.30, 6111.90, 6209.20, 6209.30, 6209.90, or 6505.90 of the HTS.

(B) Women's and girls' cotton coats, overcoats, carcoats, capes, cloaks, anoraks (including ski-jackets), windbreakers, padded sleeveless jackets with attachments for sleeves, and similar articles classifiable under subheading 6102.20, 6102.90, 6104.19, 6104.32, 6104.39, 6112.11, 6113.00, 6117.90, 6202.12, 6202.19, 6202.92, 6202.99, 6204.12, 6204.19, 6204.32, 6204.39, 6210.30, 6210.50, 6211.20, 6211.42, or 6217.90 of the HTS.

(C) Cotton dresses classifiable under subheading 6104.42, 6104.49, 6204.42, or 6204.49 of the HTS.

(D) Manmade fiber dresses classifiable under subheading 6104.43, 6104.44, 6104.49, 6204.43, 6204.44, or 6204.49 of the HTS.

(E) Men's and boys' cotton shirts classifiable under statistical reporting number 6205.20.1000, 6205.20.2021, 6205.20.2026, 6205.20.2031, 6205.20.2061, 6205.20.2076, 6205.90, or 6211.32 of the HTS.

(F) Men's and boys' cotton shirts not containing dobby woven fabric classifiable under statistical reporting number 6205.20.2003, 6205.20.2016, 6205.20.2051, 6205.20.2066 of the HTS.

(G) Manmade fiber pajamas and sleepwear classifiable under subheading 6107.22, 6107.99, 6108.32, 6207.22, 6207.99, or 6208.22 of the HTS.

(H) Women's and girls' wool coats, overcoats, carcoats, capes, cloaks, anoraks (including ski-jackets), windbreakers, padded sleeveless jackets with attachments for sleeves, and similar articles classifiable under subheading 6102.10, 6102.30, 6102.90, 6104.31, 6104.33, 6104.39, 6117.90, 6202.11, 6202.13, 6202.19, 6202.91, 6202.93, 6202.99, 6204.31, 6204.33, 6204.39, 6211.20, 6211.41, or 6117.90 of the HTS.

(I) Women's and girls' wool trousers, breeches, and shorts classifiable under subheading 6104.61, 6104.63, 6104.69, 6117.90, 6204.61, 6204.63, 6204.69, 6211.20, 6211.41, or 6217.90 of the HTS.

(J) Women's and girls' cotton shirts and blouses classifiable under subheading 6206.10, 6206.30, 6206.90, 6211.42, or 6217.90 of the HTS.

(K) Women's and girls' manmade fiber shirts, blouses, shirt-blouses, sleeveless tank styles, and similar upper body garments classifiable under subheading 6206.10, 6206.40, 6206.90, 6211.43, or 6217.90 of the HTS.

(L) Women's and girls' manmade fiber coats, jackets, carcoats, capes, cloaks, anoraks (including ski-jackets), windbreakers, padded sleeveless jackets with attachments for sleeves, and similar articles classifiable under subheading 6202.13, 6202.19, 6202.93, 6202.99, 6204.33, 6204.39, 6210.30, 6210.50, 6211.20, 6211.43, or 6217.90 of the HTS.

(M) Cotton skirts classifiable under subheading 6104.19, 6104.52, 6104.59, 6204.12, 6204.19, 6204.52, or 6204.59 of the HTS.

(N) Manmade fiber skirts classifiable under subheading 6104.53, 6104.59, 6204.53, or 6204.59 of the HTS.

(O) Men's and boys' manmade fiber coats, overcoats, carcoats, capes, cloaks, anoraks (including ski-jackets), windbreakers, padded sleeveless jackets with attachments for sleeves, and similar articles classifiable under subheading 6201.13, 6201.19, 6201.93, 6201.99, 6210.20, 6210.40, 6211.20, or 6211.33 of the HTS.

(P) Women's and girls' manmade fiber slips, petticoats, briefs, panties, and underwear classifiable under subheading 6108.11, 6108.22, 6108.92, 6109.90, 6208.11, or 6208.92 of the HTS.

(Q) Gloves, mittens, and mitts of cotton classifiable under subheading 6116.10, 6116.92, 6116.99, or 6216.00 of the HTS.

(R) Other men's or boys' garments classifiable under statistical reporting number 6211.32.0081 of the HTS.

(f) REVIEW AND REPORT.—

(1) IN GENERAL.—The Comptroller General of the United States shall, not later than 3 years after the date of the enactment of this Act, and every 3 years thereafter, review the effectiveness of this section in supporting the use of United States fabrics and make recommendations necessary to improve or expand the provisions of this section to ensure support for the use of United States fabrics.

(2) RECOMMENDATIONS.—After the second review required under paragraph (1), the Comptroller General shall make a determination regarding whether this section is effective in supporting the use of United

States fabrics and recommend to Congress whether or not this section should be renewed.

(g) ENFORCEMENT.—Preferential treatment under this section shall not be provided to textile and apparel articles that are imported from the Philippines unless the President certifies to Congress that the Philippines is meeting the following conditions:

(1) A valid original textile visa issued by the Philippines is provided to U.S. Customs and Border Protection with respect to any article for which preferential treatment is claimed. The visa issued is in the standard 9-digit format required under the Electronic Visa Information System (ELVIS) and meets all reporting requirements of ELVIS.

(2) The Philippines is implementing the Electronic Visa Information System (ELVIS) to assist in the prevention of transshipment of apparel articles and the use of counterfeit documents relating to the importation of apparel articles into the United States.

(3) The Philippines is enforcing the Memorandum of Understanding between the United States of America and the Republic of the Philippines Concerning Cooperation in Trade in Textile and Apparel Goods, signed on August 23, 2006.

(4) The Philippines agrees to provide, on a timely basis at the request of U.S. Customs and Border Protection, and consistently with the manner in which the records are kept in the Philippines, a report on exports from the Philippines of apparel articles eligible for preferential treatment under this section, and on imports into the Philippines of yarns, fabrics, fabric components, or components knit-to-shape that are wholly formed in the United States.

(5) The Philippines agrees to cooperate fully with the United States to address and take action necessary to prevent circumvention as provided in Article 5 of the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

(6) The Philippines agrees to require Philippines producers and exporters of articles eligible for preferential treatment under this section to maintain, for at least 5 years after the date of export, complete records of the production and the export of such articles, including records of yarns, fabrics, fabric components, and components knit-to-shape and used in the production of such articles.

(7) The Philippines agrees to provide, on a timely basis, at the request of U.S. Customs and Border Protection, documentation establishing the country of origin of articles eligible for preferential treatment under this section, as used by that country in implementing an effective visa system.

(8) The Philippines is to establish, within 60 days after the date of the President's certification under this paragraph, procedures that allow the Office of Textiles and Apparel of the Department of Commerce (OTEXA) to obtain information when fabric wholly formed in the United States is exported to the Philippines to allow for monitoring and verification before the imports of apparel articles containing the fabric for which preferential treatment is sought under this section reach the United States. The information provided upon export of the fabrics shall include, among other things, the name of the importer of the fabric in the Philippines, the 8-digit HTS subheading covering the apparel articles to be made from the fabric, and the quantity of the apparel articles to be made from the fabric for importation into the United States.

(9) The Philippines has enacted legislation or promulgated regulations to allow for the

seizure of merchandise physically transiting the territory of the Philippines and that appears to be destined for the United States in circumvention of the provisions of this Act.

(h) CUSTOMS PROCEDURES.—

(1) IN GENERAL.—

(A) PENALTIES FOR EXPORTERS.—If the President determines, based on sufficient evidence, that an exporter has engaged in transshipments as defined in paragraph (2), then the President shall deny for a period of 5 years all benefits under this section to such exporter, any successor of such exporter, and any other entity owned or operated by the principal of the exporter.

(B) PENALTIES FOR IMPORTERS.—If the President determines, based on sufficient evidence, that an importer has engaged in transshipments as defined in paragraph (2), then the President shall deny for a period of 5 years all benefits under this section to such importer, any successor of such importer, or any entity owned or operated by the principal of the importer.

(2) DEFINITION OF TRANSHIPMENT.—For purposes of paragraph (1) and subsection (g), transshipment has occurred when preferential treatment for an apparel article under this section has been claimed on the basis of material false information concerning the country of origin, manufacture, processing, cutting, or assembly of the article or of any fabric, fabric component, or component knit-to-shape from which the apparel article was cut and assembled. For purposes of this paragraph, false information is material if disclosure of the true information would have meant that the article is or was ineligible for preferential treatment under this section.

(i) PROCLAMATION AUTHORITY.—The President shall issue a proclamation to carry out this section not later than 60 days after the date of the enactment of this Act. The President shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in preparing such proclamation.

SEC. 5. EFFECTIVE DATE.

This Act shall apply to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date on which the President issues the proclamation required by section 4(i).

SEC. 6. TERMINATION.

(a) IN GENERAL.—The preferential duty treatment provided under this Act shall remain in effect for a period of 7 years beginning on the effective date provided for in section 5.

(b) GSP ELIGIBILITY.—The preferential duty treatment provided under this Act shall terminate if and when the Philippines becomes ineligible for designation as a beneficiary developing country under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.).

By Mr. BLUNT (for himself and Mr. LEVIN):

S. 1245. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia; to the Committee on Foreign Relations.

Mr. BLUNT. Mr. President, I am pleased to join my friend Senator CARL LEVIN in introducing this legislation to create a new U.S. Department of State special envoy for religious minorities in the Middle East.

As we observe the political upheavals occurring throughout the region, we

need to remember that this region is the birthplace of three of the world's major religions. I am particularly interested in ensuring that the shrinking minority of Christians in places like Egypt, Iraq, the West Bank, and Afghanistan receive adequate attention by our foreign emissaries.

I expect this bill to encourage the State Department to redouble its efforts to call attention to all religious minorities and demonstrate to leaders in the region that the United States takes religious freedom seriously. I am hopeful that as change takes place in many of these countries, they will look to the United States as a model of religious tolerance and freedom.

I thank my friends in the House of Representatives, FRANK WOLF, ANNA ESHOO, JOE PITTS, and many others, for their efforts on this bill's House companion, which was introduced earlier this year.

I look forward to working with my colleagues on both sides of the Capitol and with the Administration to enact this important legislation.

Mr. LEVIN. Mr. President, today Senator BLUNT and I have introduced the Near East and South Central Asia Religious Freedom Act of 2011. The purpose of this legislation is to establish within the State Department a special envoy to promote freedom of worship for religious minorities in this important region of the world.

It is a tragic fact that in many of the nations of the Near East and South Central Asia, this universal human right, the freedom to worship in keeping with one's conscience, is in doubt. I would point my colleagues to the State Department's most recent Report on International Religious Freedom, published late last year. The report concludes, among other things, that: in Iran, "government respect for religious freedom in the country continued to deteriorate"; in Iraq, "violence conducted by terrorists, extremists, and criminal gangs restricted the free exercise of religion and posed a significant threat to the country's vulnerable religious minorities"; in Afghanistan, respect for the rights of religious minorities deteriorated; in Pakistan organized violence against religious minorities had increased; and in Tajikistan the government passed new laws restricting religious practice.

The legislation we introduce today seeks to combat such abuses by placing a high-level official within the State Department to focus the Nation's diplomatic efforts on promoting freedom of worship. The special envoy would be tasked with promoting religious freedom within the Near East and South Central Asia; monitoring and combating intolerance and incitements to violence against religious minorities within the region; and working with the region's governments to address laws and practices that infringe on religious freedom.

It is in the interest of the United States to promote freedom of worship and the rights of religious minorities around the world, and especially in nations where those freedoms are under threat. Such violence is a threat to regional stability in a part of the world where U.S. interests are great. Moreover, our support for these universal human values affirms the principles upon which our own Nation was founded.

I thank my colleague from Missouri for joining with me in introducing this important legislation. I urge my colleagues to support our efforts to protect the lives and freedoms of religious minorities, and to promote the universal values upon which our Nation is built.

By Mr. UDALL of Colorado (for himself, Mr. RISCH, Mr. TESTER, and Mr. BENNET):

S. 1249. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Environment and Public Works.

Mr. UDALL of Colorado. Mr. President, today I am introducing the Target Practice and Marksmanship Training Support Act with the support of Senators RISCH, TESTER, and BENNET. I thank my colleagues for joining me in this bipartisan effort.

This bill would provide funding flexibility to the states to help construct and maintain needed public shooting ranges, designated areas where people can sharpen their marksmanship skills and safely enjoy recreational shooting.

For a variety of reasons, the number of places where people can safely engage in recreational shooting and target practicing has steadily dwindled. This includes areas on our public lands. In an effort to establish, maintain and promote safe and established areas for such activities, this legislation would allow States to allocate a greater proportion of their Federal wildlife funds for these purposes.

Currently, states are allocated funds for a variety of wildlife purposes under the Pittman-Robertson Wildlife Restoration Act. This act established an excise tax on sporting equipment and ammunition that is used to fund many state activities, including wildlife restoration and hunter education and safety programs. Pittman-Robertson funds can also be used for the development and maintenance of shooting ranges. However, the Pittman-Robertson Wildlife Restoration Act contains certain restrictions on the use of Pittman-Robertson funds that limit their effectiveness for establishing and maintaining shooting ranges.

The Target Practice and Marksmanship Training Support Act would amend the Pittman-Robertson Wildlife Restoration Act to adjust certain funding limitations so that States have

greater flexibility over the use of funds available for the creation and maintenance of shooting ranges.

To be clear, the bill would not allocate any new funding to the construction of shooting ranges, it would not raise any fees or taxes, nor would it require States to apply their allocated Pittman-Robertson funds to shooting ranges. Instead, by reducing the amount of other funds States would have to raise and allowing States to “bank” Pittman-Robertson funds for 5 years for shooting ranges, the bill gives States greater flexibility to use their existing Pittman-Robertson funds as they think best. Also as a result of this bill, States will be able to extend their existing license fee revenue and other State-generated funds on other important programs, such as wildlife habitat conservation.

Hunting and recreational shooting are an integral part of the Colorado way of life, activities that also are appropriate where not prohibited on our public lands. This bill is designed to improve the quality of the recreational shooting experience by promoting safe, designated places to shoot. In addition to the improvements this bill contains, it is my hope that the public land management agencies will continue to work with the States, sportsmen and women, the recreational shooting interests, local communities, and others so that these opportunities are safe and available.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Target Practice and Marksmanship Training Support Act”.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—
(1) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(2) in recent years preceding the date of enactment of this Act, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(5) Federal law in effect on the date of enactment of this Act, including the Pittman-

Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this Act is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 3. DEFINITION OF PUBLIC TARGET RANGE.

In this Act, the term “public target range” means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 4. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) the term ‘public target range’ means a specific location that—

“(A) is identified by a governmental agency for recreational shooting;

“(B) is open to the public;

“(C) may be supervised; and

“(D) may accommodate archery or rifle, pistol, or shotgun shooting.”.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking “(b) Each State” and inserting the following:

“(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), each State”;

(2) in paragraph (1) (as so designated), by striking “construction, operation,” and inserting “operation”;

(3) in the second sentence, by striking “The non-Federal share” and inserting the following:

“(3) NON-FEDERAL SHARE.—The non-Federal share”;

(4) in the third sentence, by striking “The Secretary” and inserting the following:

“(4) REGULATIONS.—The Secretary”; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

“(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.”.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h-1) is amended—

(1) in subsection (a), by adding at the end the following:

“(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for

that fiscal year, for acquiring land for, expanding, or constructing a public target range.”;

(2) by striking subsection (b) and inserting the following:

“(b) COST SHARING.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

“(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.”; and

(3) in subsection (c)(1)—

(A) by striking “Amounts made” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made”; and

(B) by adding at the end the following:

“(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.”.

SEC. 5. LIMITS ON LIABILITY.

(a) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the “Federal Tort Claims Act”), any action by an agent or employee of the United States to manage or allow the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(b) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for any injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(1) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(2) located on Federal land.

SEC. 6. SENSE OF CONGRESS REGARDING CO-OPERATION.

It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

By Mr. BINGAMAN (for himself and Mrs. HUTCHISON):

S. 1257. A bill establish grant programs to improve the health of border area residents and for all hazards preparedness in the border area including bioterrorism and infectious disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Border Health Security Act of 2011.

This legislation is designed to make several important changes to current

law to address pressing public health challenges along the U.S.-Mexico border.

In 1993, along with Senators HUTCHISON and MCCAIN, I introduced the original United States-Mexico Border Health Commission Act. With the support of Members from both chambers, and from both parties, we passed this landmark legislation, which was signed into law in 1994 by President Clinton. I was gratified when the bi-national agreement to establish the Commission was signed in 2000. And, I have monitored with interest the important work of the U.S.-Mexico Border Health Commission in the years since.

As the Commission enters its second decade, the problems it seeks to deal with are no less pressing than those we originally set out to tackle with the Border Health Commission Act.

Health disparities and chronic diseases for the over 14 million people who live in the border region, comprised of two sovereign nations, 25 Native American tribes, and four states in the United States and six states in Mexico, remain at unacceptable levels, far outpacing rates in most of the United States. Far too many border residents remain uninsured. Texas and New Mexico, for instance, rank first and fifth, respectively, in the percentage of residents who are uninsured. Many who live in the region still do not have access to adequate primary, preventive, and specialty care. If the border region were considered a state, it would rank at or near the bottom on many key health indicators, such as rates of tuberculosis, hepatitis, diabetes, and access to health professionals. Compounding all these problems are high rates of poverty; three of the ten poorest counties in the United States are located in the border area.

In addition, communicable diseases that can easily travel across borders, such as tuberculosis and H1N1, strain our border's public health systems. Amplifying our public health surveillance efforts at our border can help mitigate the impact of such diseases, as well as other bio-security threats, in the rest of the nation.

I believe, just as I did when I introduced the original legislation, that the public health problems the border region faces are truly bi-national in nature. As such, they demand a truly bi-national public health architecture. Over the last 11 years, the U.S.-Mexico Border Health Commission has provided this structure as it worked to address these issues. It has had a number of successes, including notable conferences and reports on infectious disease surveillance, childhood obesity, and tuberculosis, developed jointly by both its U.S. and Mexican members. Its programs were particularly helpful as we coordinated our response to the H1N1 pandemic in 2009.

Still, the public health challenges in the border remain great. As the Com-

mission enters into its second decade, this bipartisan legislation will strengthen the capacity of the Commission and authorize appropriate federal resources for its important work.

The legislation does this in several ways. First, through a new grant program, it authorizes additional funding to improve the infrastructure, access, and the delivery of health care services along the entire U.S.-Mexico border.

These grants would be flexible and allow the individual communities to establish their own priorities with which to spend these funds for the following range of purposes: maternal and child health, primary care and preventive health, public health and public health infrastructure, health promotion, oral health, behavioral and mental health, substance abuse, health conditions that have a high prevalence in the border region, medical and health services research, community health workers or promotoras, health care infrastructure, including planning and construction grants, health disparities, environmental health, health education, and research.

Second, it authorizes new, funding for the successful Early Warning Infectious Disease Surveillance, EWIDS, program in the U.S.-Mexico border region. EWIDS is designed to bolster preparedness for bioterrorism and infectious disease. The legislation also establishes a health alert network to identify and communicate information quickly to health providers about emerging health care threats. It requires the Department of Health and Human Services and the Department of Homeland Security to coordinate this system.

Third, it strengthens the capacity of the U.S.-Mexico Border Health Commission by undertaking several key organizational reforms.

Finally, the legislation encourages more coordination, recommendations, and study of these complex border health challenges. The bill affirms the need for integrated efforts across national, federal, state and local agencies to properly address border health issues. It specifies that recommendations and advice on how to improve border health will be communicated to Congress. Further, the legislation authorizes two key studies conducted by the Institute of Medicine: the first on bi-national health infrastructure and a second on health insurance coverage for border residents. A total of \$31 million is authorized to carry out the act.

Without the changes and resources this legislation envisions, border residents will continue to lag behind the United States in many key indicators of good public health. Without this bill, both of our countries will be less prepared when the next bi-national health security threat hits.

I would like to thank Senator HUTCHISON, who was an original co-

sponsor of the U.S.-Mexico Border Health Commission legislation, Public Law 103-400, that we passed in 1994 and is the lead cosponsor of this legislation today. She has also been the lead Senator in getting funding for the U.S.-Mexico Border Health Commission since its inception.

I urge the adoption of this bipartisan legislation by this Congress.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Border Health Security Act of 2011".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States-Mexico border is an interdependent and dynamic region of 14,538,209 people with significant and unique public health challenges.

(2) These challenges include low rates of health insurance coverage, poor access to health care services, and high rates of dangerous diseases, such as tuberculosis, diabetes, and obesity.

(3) As the 2009 novel influenza A (H1N1) outbreak illustrates, diseases do not respect international boundaries, therefore, a strong public health effort at and along the U.S.-Mexico border is crucial to not only protect and improve the health of Americans but also to help secure the country against bio-security threats.

(4) For 11 years, the United States-Mexico Border Health Commission has served as a crucial bi-national institution to address these unique and truly cross-border health issues.

(5) Two initiatives resulting from the United States-Mexico Border Health Commission's work speak to the importance of an infrastructure that facilitates cross border communication at the ground level. First, the Early Warning Infectious Disease Surveillance (EWIDS), started in 2004, surveys infectious diseases passing among border States allowing for early detection and intervention. Second, the Ventanillas de Salud program, allows Mexican consulates, in collaboration with United States non-profit health organizations, to provide information and education to Mexican citizens living and working in the United States through a combination of Mexican state funds and private grants. This program reaches an estimated 1,500,000 people in the United States.

(6) As the United States-Mexico Border Health Commission enters its second decade, and as these issues grow in number and complexity, the Commission requires additional resources and modifications which will allow it to provide stronger leadership to optimize health and quality of life along the United States-Mexico border.

SEC. 3. UNITED STATES-MEXICO BORDER HEALTH COMMISSION ACT AMENDMENTS.

The United States-Mexico Border Health Commission Act (22 U.S.C. 290n et seq.) is amended—

(1) in section 3—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(3) to serve as an independent and objective body to both recommend and implement initiatives that solve border health issues”;

(2) in section 5—

(A) in subsection (b), by striking “should be the leader” and inserting “shall be the Chair”; and

(B) by adding at the end the following:

“(d) PROVIDING ADVICE AND RECOMMENDATIONS TO CONGRESS.—A member of the Commission may at any time provide advice or recommendations to Congress concerning issues that are considered by the Commission. Such advice or recommendations may be provided whether or not a request for such is made by a member of Congress and regardless of whether the member or individual is authorized to provide such advice or recommendations by the Commission or any other Federal official.”;

(3) by redesignating section 8 as section 13; (4) by striking section 7 and inserting the following:

“SEC. 7. BORDER HEALTH GRANTS.

“(a) ELIGIBLE ENTITY DEFINED.—In this section, the term ‘eligible entity’ means a State, public institution of higher education, local government, Indian tribe, tribal organization, urban Indian organization, non-profit health organization, trauma center, or community health center receiving assistance under section 330 of the Public Health Service Act (42 U.S.C. 254b), that is located in the border area.

“(b) AUTHORIZATION.—From amounts appropriated under section 12, the Secretary, acting through the Commissioners, shall award grants to eligible entities to address priorities and recommendations outlined by the Commission’s Strategic and Operational Plans, as authorized under section 9, to improve the health of border area residents.

“(c) APPLICATION.—An eligible entity that desires a grant under subsection (b) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(d) USE OF FUNDS.—An eligible entity that receives a grant under subsection (b) shall use the grant funds for—

“(1) programs relating to—

“(A) maternal and child health;

“(B) primary care and preventative health;

“(C) infectious disease testing and monitoring;

“(D) public health and public health infrastructure;

“(E) health promotion;

“(F) oral health;

“(G) behavioral and mental health;

“(H) substance abuse;

“(I) health conditions that have a high prevalence in the border area;

“(J) medical and health services research;

“(K) workforce training and development;

“(L) community health workers or promotoras;

“(M) health care infrastructure problems in the border area (including planning and construction grants);

“(N) health disparities in the border area;

“(O) environmental health;

“(P) health education;

“(Q) outreach and enrollment services with respect to Federal programs (including programs authorized under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 and 1397aa));

“(R) trauma care;

“(S) health research with an emphasis on infectious disease;

“(T) epidemiology and health research;

“(U) cross-border health surveillance coordinated with Mexican Health Authorities;

“(V) obesity, particularly childhood obesity;

“(W) crisis communication, domestic violence, substance abuse, health literacy, and cancer; or

“(X) community-based participatory research on border health issues; or

“(2) other programs determined appropriate by the Secretary.

“(e) SUPPLEMENT, NOT SUPPLANT.—Amounts provided to an eligible entity awarded a grant under subsection (b) shall be used to supplement and not supplant other funds available to the eligible entity to carry out the activities described in subsection (d).

“SEC. 8. GRANTS FOR EARLY WARNING INFECTIOUS DISEASE SURVEILLANCE (EWIDS) PROJECTS IN THE BORDER AREA.

“(a) ELIGIBLE ENTITY DEFINED.—In this section, the term ‘eligible entity’ means a State, local government, Indian tribe, tribal organization, urban Indian organization, trauma centers, regional trauma center coordinating entity, or public health entity.

“(b) AUTHORIZATION.—From funds appropriated under section 12, the Secretary shall award grants under the Early Warning Infectious Disease Surveillance (EWIDS) project to eligible entities for infectious disease surveillance activities in the border area.

“(c) APPLICATION.—An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(d) USES OF FUNDS.—An eligible entity that receives a grant under subsection (b) shall use the grant funds to, in coordination with State and local all hazards programs—

“(1) develop and implement infectious disease surveillance plans and readiness assessments and purchase items necessary for such plans;

“(2) coordinate infectious disease surveillance planning in the region with appropriate United States-based agencies and organizations as well as appropriate authorities in Mexico or Canada;

“(3) improve infrastructure, including surge capacity, syndromic surveillance, laboratory capacity, and isolation/decontamination capacity;

“(4) create a health alert network, including risk communication and information dissemination;

“(5) educate and train clinicians, epidemiologists, laboratories, and emergency personnel;

“(6) implement electronic data systems to coordinate the triage, transportation, and treatment of multi-casualty incident victims;

“(7) provide infectious disease testing in the border area; and

“(8) carry out such other activities identified by the Secretary, the United States-Mexico Border Health Commission, State and local public health offices, and border health offices at the United States-Mexico or United States-Canada borders.

“SEC. 9. PLANS, REPORTS, AUDITS, AND BY-LAWS.

“(a) STRATEGIC PLAN.—

“(1) IN GENERAL.—Not later than 5 years after the date of enactment of this section, and every 5 years thereafter, the Commission (including the participation of members of both the United States and Mexican sec-

tions) shall prepare a binational strategic plan to guide the operations of the Commission and submit such plan to the Secretary and Congress (and the Mexican legislature).

“(2) REQUIREMENTS.—The binational strategic plan under paragraph (1) shall include—

“(A) health-related priority areas determined most important by the full membership of the Commission;

“(B) recommendations for goals, objectives, strategies and actions designed to address such priority areas; and

“(C) a proposed evaluation framework with output and outcome indicators appropriate to gauge progress toward meeting the objectives and priorities of the Commission.

“(b) WORK PLAN.—Not later than January 1, 2012 and every other January 1 thereafter, the Commission shall develop and approve an operational work plan and budget based on the strategic plan under subsection (a). At the end of each such work plan cycle, the Government Accountability Office shall conduct an evaluation of the activities conducted by the Commission based on output and outcome indicators included in the strategic plan. The evaluation shall include a request for written evaluations from the commissioners about barriers and facilitators to executing successfully the Commission work plan.

“(c) BIENNIAL REPORTING.—The Commission shall issue a biannual report to the Secretary which provides independent policy recommendations related to border health issues. Not later than 3 months following receipt of each such biannual report, the Secretary shall provide the report and any studies or other material produced independently by the Commission to Congress.

“(d) AUDITS.—The Secretary shall annually prepare an audited financial report to account for all appropriated assets expended by the Commission to address both the strategic and operational work plans for the year involved.

“(e) BY-LAWS.—Not less than 6 months after the date of enactment of this section, the Commission shall develop and approve bylaws to provide fully for compliance with the requirements of this section.

“(f) TRANSMITTAL TO CONGRESS.—The Commission shall submit copies of the work plan and by-laws to Congress. The Government Accountability Office shall submit a copy of the evaluation to Congress.

“SEC. 10. BINATIONAL HEALTH INFRASTRUCTURE AND HEALTH INSURANCE.

“(a) IN GENERAL.—The Secretary shall enter into a contract with the Institute of Medicine for the conduct of a study concerning binational health infrastructure (including trauma and emergency care) and health insurance efforts. In conducting such study, the Institute shall solicit input from border health experts and health insurance issuers.

“(b) REPORT.—Not later than 1 year after the date on which the Secretary enters into the contract under subsection (a), the Institute of Medicine shall submit to the Secretary and the appropriate committees of Congress a report concerning the study conducted under such contract. Such report shall include the recommendations of the Institute on ways to establish, expand, or improve binational health infrastructure and health insurance efforts.

“SEC. 11. COORDINATION.

“(a) IN GENERAL.—To the extent practicable and appropriate, plans, systems and activities to be funded (or supported) under this Act for all hazard preparedness, and general border health, should be coordinated

with Federal, State, and local authorities in Mexico and the United States.

“(b) COORDINATION OF HEALTH SERVICES AND SURVEILLANCE.—The Secretary may coordinate with the Secretary of Homeland Security in establishing a health alert system that—

“(1) alerts clinicians and public health officials of emerging disease clusters and syndromes along the border area; and

“(2) is alerted to signs of health threats, disasters of mass scale, or bioterrorism along the border area.

“SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated to carry out this Act \$31,000,000 for fiscal year 2012 and each succeeding year subject to the availability of appropriations for such purpose. Of the amount appropriated for each fiscal year, at least \$1,000,000 shall be made available to fund operationally-feasible functions and activities with respect to Mexico. The remaining funds shall be allocated for the administration of United States activities under this Act, border health activities under cooperative agreements with the border health offices of the States of California, Arizona, New Mexico, and Texas, the border health and EWIDS grant programs, and the Institute of Medicine and Government Accountability Office reports.”; and

(5) in section 13 (as so redesignated)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (2), the following:

“(3) INDIANS; INDIAN TRIBE; TRIBAL ORGANIZATION; URBAN INDIAN ORGANIZATION.—The terms ‘Indian’, ‘Indian tribe’, ‘tribal organization’, and ‘urban Indian organization’ have the meanings given such terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).”.

By Mr. DURBIN (for himself and Mr. BOOZMAN):

S. 1259. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to prohibit the provision of peacekeeping operations assistance to governments of countries that recruit and use child soldiers; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Trafficking Victims Enhanced Protection Act of 2011”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) There are as many as 300,000 child soldiers in use by state-run armies, paramilitaries, and guerilla groups in roughly 21 countries around the world and in almost every region of the world.

(2) The 2010 Trafficking in Persons Report defines a child soldier as any person under 18 years of age who directly takes part in hostilities, has been compulsorily or voluntarily recruited as a member of a government's armed forces, or has been recruited or used in hostilities by armed forces distinct from the armed forces of a state.

(3) Children are used as soldiers, combatants, spies, scouts, decoys, guards, cooks, human mine detectors, and even sex slaves, robbing them of their childhood. Children are forced to join such groups physically, economically, or socially, or lured with promises of food, money, or security.

(4) Exploitation of these children leaves them stigmatized and traumatized. Children also suffer higher mortality, disease, and injury rates in combat situations than adults, putting their health and lives at risk.

(5) The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110-457) prohibits the provision of International Military Education and Training (IMET) and Foreign Military Funds (FMF) assistance to countries found to use child soldiers.

(6) The first report required under WTVFPA, published in 2010, identified 6 countries found to use child soldiers: Burma, Somalia, the Democratic Republic of Congo (DRC), Sudan, Yemen, and Chad.

(7) On October 25, 2010, President Barack Obama exercised his waiver authority for 4 of the 6 countries to include the Democratic Republic of Congo (DRC), Sudan, Yemen, and Chad, which allowed the United States Government to provide both IMET and FMF funding to these countries.

(8) United States peacekeeping funds that were not restricted in the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 have been provided to Somalia, despite the use of child soldiers in that country and United States efforts to halt such practices.

SEC. 3. PROHIBITION ON PROVISION OF PEACEKEEPING OPERATIONS ASSISTANCE TO CERTAIN GOVERNMENTS.

Section 404(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c-1(a)) is amended by striking “section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)” and inserting “section 516, 541, or 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, or 2348)”.

By Mr. AKAKA:

S. 1260. A bill to require financial literacy and economic education counseling for student borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “College Literacy in Finance and Economics Act of 2011” or the “College LIFE Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Student borrowing is widespread in higher education, and more than \$100,000,000,000 in Federal education loans are originated each year. In 2008, 62 percent of recipients of a baccalaureate degree graduated with student debt.

(2) Forty-eight percent of students at 4-year public institutions of higher education borrow money to pay for college, as do 57

percent of students at 4-year private institutions of higher education, and 96 percent of students at for-profit institutions of higher education.

(3) In 2008, 92 percent of Black students, 85 percent of Hispanic students, 85 percent of American Indian/Alaska Native students, 82 percent of multi-racial students, 80 percent of Native Hawaiian/Pacific Islander students, 77 percent of White students, and 68 percent of Asian students received financial aid.

(4) Students depart from institutions of higher education with significant debt. In 2008, the average student loan debt among graduates of institutions of higher education was \$23,186, and 1 in 10 recipients of a baccalaureate degree graduated at least \$40,000 in debt. In 2008, 57 percent of recipients of a baccalaureate degree from a for-profit institution of higher education owed more than \$30,000, and the median amount of debt was \$32,700. Since 2003, the average cumulative debt among students at institutions of higher education has increased by 5.6 percent each year.

(5) Students enrolled in for-profit institutions of higher education account for 47 percent of all student loan defaults, despite representing approximately 10 percent of all students enrolled in institutions of higher education. Since 2003, the national cohort default rate has increased from 4.5 percent to 7 percent.

(6) Students rely on access to credit. Fifty-six percent of dependent students at institutions of higher education had a credit card in their own name in 2004. The average credit card balance among such students who were carrying a balance on their cards was \$2,000.

(7) According to the National Foundation for Credit Counseling, the majority of adults (56 percent of adults in the United States, or 127,000,000 people) do not have a budget or keep close track of expenses or spending.

(8) According to a 2009 National Bankruptcy Research Center study, consumers who received financial education through pre-bankruptcy counseling had 27.5 percent fewer delinquent accounts and remained current on their accounts for 29 percent longer.

(9) According to the Financial Industry Regulatory Authority Investor Education Foundation, less than one-third of young adults (ages 18 to 29) set aside emergency savings to weather unexpected financial challenges.

(10) According to a Jumpstart Coalition for Personal Financial Literacy survey, 62 percent of high school students cannot pass a basic personal finance exam, and financial literacy scores among future higher education students are low.

(11) According to research by the National Endowment for Financial Education and the University of Arizona, schools are the institutions that students trust most to help increase their knowledge of personal finance.

SEC. 3. FINANCIAL LITERACY COUNSELING.

Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended by adding at the end the following:

“(n) FINANCIAL LITERACY COUNSELING.—

“(1) IN GENERAL.—Each eligible institution shall provide financial literacy counseling to student borrowers in accordance with the requirements of this subsection, through—

“(A) financial aid offices;

“(B) an employee or group of employees designated under subsection (c); or

“(C) a partnership with a nonprofit organization that has substantial experience developing or administering financial literacy and economic education curricula, which may include an organization that has received

grant funding under the Excellence in Economic Education Act of 2001 (20 U.S.C. 7267 et seq.).

“(2) ENTRANCE AND EXIT COUNSELING REQUIRED.—

“(A) IN GENERAL.—Financial literacy counseling, as required under this subsection, shall be provided to student borrowers on the following 2 occasions:

“(i) ENTRANCE COUNSELING.—Such counseling shall be provided not later than 45 days after the first disbursement of a borrower's first loan that is made, insured, or guaranteed under part B, made under part D, or made under part E. Financial literacy counseling on this occasion may be provided in conjunction with the entrance counseling described in subsection (1), if the financial literacy counseling component is provided in accordance with the requirements of subparagraph (C).

“(ii) EXIT COUNSELING.—Such financial literacy counseling shall be provided, in addition to the financial literacy counseling provided under clause (i), prior to the completion of the course of study for which the borrower enrolled at the institution or at the time of departure from such institution, to each borrower of a loan that is made, insured, or guaranteed under part B, made under part D, or made under part E. Financial literacy counseling on this occasion may be provided in conjunction with the exit counseling described in subsection (b), if the financial literacy counseling component is provided in accordance with the requirements of subparagraph (C).

“(B) EXCEPTIONS.—The requirements of subparagraph (A) shall not apply to borrowers of—

“(i) a loan made, insured, or guaranteed pursuant to section 428C;

“(ii) a loan made, insured, or guaranteed on behalf of a student pursuant to section 428B; or

“(iii) a loan made under part D that is a Federal Direct Consolidation Loan or a Federal Direct PLUS loan made on behalf of a student.

“(C) MINIMUM COUNSELING REQUIREMENTS.—Such financial literacy counseling shall include a total of not less than 4 hours of counseling on the occasion described in subparagraph (A)(i), and an additional period of not less than 4 hours of counseling on the occasion described in subparagraph (A)(ii). A total of not more than 2 hours of counseling for each of the occasions described in subparagraph (A) shall be provided electronically.

“(D) EARLY DEPARTURE.—Notwithstanding subparagraph (C), if a borrower leaves an eligible institution without the prior knowledge of such institution, the institution shall attempt to provide the information required under this subsection to the student in writing.

“(3) INFORMATION TO BE PROVIDED.—Financial literacy counseling, as required under this subsection, shall include information on the Financial Education Core Competencies as determined by the Financial Literacy and Education Commission established under title V of the Fair and Accurate Credit Transactions Act of 2003 (20 U.S.C. 9701 et seq.).

“(4) USE OF INTERACTIVE PROGRAMS.—The Secretary may encourage institutions to carry out the requirements of this subsection through the use of interactive programs that test the borrower's understanding of the financial literacy information provided through counseling under this subsection, using simple and understandable language and clear formatting.

“(5) MODEL FINANCIAL LITERACY COUNSELING CURRICULUM.—Not later than 1 year after the date of enactment of the College Literacy in Finance and Economics Act of 2011, the Secretary shall develop a curriculum in accordance with the requirements of paragraph (3), which eligible institutions may use to fulfill the requirements of this subsection. In developing such curriculum, the Secretary may consult with members of the Financial Literacy and Education Commission.”

AMENDMENTS SUBMITTED AND PROPOSED

SA 499. Mr. VITTER (for himself, Mr. PAUL, Mr. HELLER, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation.

SA 500. Mr. COBURN (for himself, Mr. MCCAIN, Mr. BURR, Mr. PAUL, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 679, supra.

SA 501. Mr. DEMINT (for himself, Mr. CORNYN, Mr. VITTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 679, supra.

SA 502. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 503. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 504. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 679, supra.

SA 505. Mr. GRASSLEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 506. Mr. GRASSLEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 507. Mr. GRASSLEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 508. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 509. Mr. PORTMAN (for himself, Mr. UDALL of New Mexico, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 679, supra.

SA 510. Mr. DEMINT proposed an amendment to the bill S. 679, supra.

SA 511. Mr. DEMINT proposed an amendment to the bill S. 679, supra.

SA 512. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 499. Mr. VITTER (for himself, Mr. PAUL, Mr. HELLER, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 75, between lines 20 and 21, insert the following:

SEC. 5. PROHIBITION OF FUNDS FOR OFFICES HEADED BY CZARS.

(a) DEFINITION.—In this section, the term “Czar”—

(1) means the head of any task force, council, policy office, or similar office established by or at the direction of the President who—

(A) is appointed to such position (other than on an interim basis) without the advice and consent of the Senate;

(B) is excepted from the competitive service by reason of such position's confidential, policy-determining, policy-making, or policy-advocating character; and

(C) performs or delegates functions which (but for the establishment of such task force, council, policy office, or similar office) would be performed or delegated by an individual in a position that the President appoints by and with the advice and consent of the Senate; and

(2) does not include—

(A) any individual who, before the date of the enactment of this Act, was serving in the position of Assistant Secretary, or an equivalent position, that requires confirmation by and with the advice and consent of the Senate, or a designee; or

(B) the Assistant to the President for National Security Affairs.

(b) PROHIBITION OF FUNDS.—Appropriated funds may not be used to pay for any salaries or expenses of any task force, council, policy office within the Executive Office of the President, or similar office—

(1) that is established by or at the direction of the President; and

(2) the head of which is a Czar.

SA 500. Mr. COBURN (for himself, Mr. MCCAIN, Mr. BURR, Mr. PAUL, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

At the appropriate place, insert the following:

SEC. ____ AMENDMENT TO THE STANDING RULES OF THE SENATE.

Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”;

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

“(c) Each such report shall also contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

SA 501. Mr. DEMINT (for himself, Mr. CORNYN, Mr. VITTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 63, strike lines 3 through 18, and insert the following:

(dd) REPEAL OF AUTHORITY TO PROVIDE CERTAIN LOANS TO THE INTERNATIONAL MONETARY FUND, THE INCREASE IN THE UNITED

STATES QUOTA, AND CERTAIN OTHER AUTHORITIES, AND RESCISSION OF RELATED APPROPRIATED AMOUNTS.—

(1) REPEAL OF AUTHORITIES.—The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended—

(A) in section 17—
(i) in subsection (a)—
(I) by striking “(1) In order” and inserting “In order”; and
(II) by striking paragraphs (2), (3), and (4); and
(ii) in subsection (b)—

(I) by striking “(1) For the purpose” and inserting “For the purpose”;
(II) by striking “subsection (a)(1)” and inserting “subsection (a)”; and
(III) by striking paragraph (2);

(B) by striking sections 64, 65, 66, and 67; and
(C) by redesignating section 68 as section 64.

(2) RESCISSION OF AMOUNTS.—

(A) IN GENERAL.—The unobligated balance of the amounts specified in subparagraph (B)—

(i) is rescinded;
(ii) shall be deposited in the General Fund of the Treasury to be dedicated for the sole purpose of deficit reduction; and
(iii) may not be used as an offset for other spending increases or revenue reductions.

(B) AMOUNTS SPECIFIED.—The amounts specified in this paragraph are the amounts appropriated under the heading “UNITED STATES QUOTA, INTERNATIONAL MONETARY FUND”, and under the heading “LOANS TO INTERNATIONAL MONETARY FUND”, under the heading “INTERNATIONAL MONETARY PROGRAMS” under the heading “INTERNATIONAL ASSISTANCE PROGRAMS” in title XIV of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1916).

SA 502. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 55, strike lines 12 through 22.

SA 503. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 55, line 23, strike all through page 56, line 5.

SA 504. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 38, line 19, strike all through page 45, line 16.

SA 505. Mr. GRASSLEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 49, line 22, strike all through page 51, line 18.

On page 59, line 16, strike all through page 60, line 15.

SA 506. Mr. GRASSLEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 49, line 22, strike all through page 51, line 18.

SA 507. Mr. GRASSLEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 59, line 16, strike all through page 60, line 15.

SA 508. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 38, strike line 2 and all that follows through page 46, line 5, and insert the following:

(1) ASSISTANT SECRETARIES OF DEFENSE.—

(A) IN GENERAL.—Section 138(a)(1) of title 10, United States Code, is amended by striking “16” and inserting “15”.

(B) ADMINISTRATION OF REDUCTION.—The Assistant Secretary of Defense position eliminated in accordance with the reduction in numbers required by the amendment made by subparagraph (A) shall be the Assistant Secretary of Defense for Networks and Information Integration.

(2) MEMBERS OF NATIONAL SECURITY EDUCATION BOARD.—Section 803(b)(7) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1903(b)(7)) is amended by striking “by and with the advice and consent of the Senate.”

(3) DIRECTOR, OFFICE OF SELECTIVE SERVICE RECORDS.—The first section of the Act entitled “An Act to establish an Office of Selective Service Records to liquidate the Selective Service System following the termination of its functions on March 31, 1947, and to preserve and service the Selective Service records, and for other purposes”, approved March 31, 1947 (50 U.S.C. 321; 61 Stat. 31), is amended by striking “, by and with the advice and consent of the Senate”.

SA 509. Mr. PORTMAN (for himself, Mr. UDALL of New Mexico, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 76, after line 6, add the following:

(c) PROVISIONS NOT TAKING EFFECT.—Notwithstanding any other provision of this Act, the amendments made by section 2(c)(2) through (6), (u), and (ll) shall not take effect.

SA 510. Mr. DEMINT proposed an amendment to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 50, strike lines 19 through 23.

SA 511. Mr. DEMINT proposed an amendment to the bill S. 679, to reduce

the number of executive positions subject to Senate confirmation; as follows:

On page 36, lines 7 and 8, strike “ASSISTANT SECRETARY OF AGRICULTURE FOR CONGRESSIONAL RELATIONS AND”.

On page 36, line 14, insert “(a)(1) or” after “subsection”.

On page 37, beginning on line 7, strike all through line 20.

On page 38, lines 2 and 3, strike “ASSISTANT SECRETARIES OF DEFENSE FOR LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS, AND” and insert “ASSISTANT SECRETARY OF DEFENSE FOR”.

On page 38, line 14 through line 16, strike “Assistant Secretary of Defense referred to in subsection (b)(5), the Assistant Secretary of Defense for Public Affairs, and the”.

On page 38, line 17, strike “each”.

On page 46, lines 7 and 8, strike “ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS AND”.

On page 46, lines 14 and 15, strike “Assistant Secretary for Legislation and Congressional Affairs and the”.

On page 47, strike lines 3 through 9.

On page 47, strike lines 12 through 23.

On page 49, strike lines 7 through 21.

On page 49, beginning on line 23, strike all through page 50, line 18.

On page 50, strike the item between lines 18 and 19.

On page 51, line 20 through line 22, strike “ASSISTANT SECRETARIES FOR ADMINISTRATION AND MANAGEMENT, CONGRESSIONAL AFFAIRS, AND PUBLIC AFFAIRS” and insert “ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT”.

On page 51, beginning on line 25 through page 52, line 2, strike “, the Assistant Secretary for Congressional Affairs, and the Assistant Secretary for Public Affairs”.

On page 52, line 9 through line 11, strike “ASSISTANT SECRETARY FOR LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS, ASSISTANT SECRETARY FOR PUBLIC AFFAIRS, AND”.

On page 52, line 21 through line 24, strike “Assistant Secretary for Legislative and Intergovernmental Affairs, the Assistant Secretary for Public Affairs, and the”.

On page 53, lines 17 and 18, strike “and an Assistant Secretary for Governmental Affairs”.

On page 54, lines 24 and 25, strike “ASSISTANT SECRETARIES FOR LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS, AND” and insert “ASSISTANT SECRETARY FOR”.

On page 55, line 4, strike “7” and insert “9”.

On page 55, line 6, strike “3 Assistant Secretaries” and insert “1 Assistant Secretary”.

On page 55, strike lines 8 through 9.

On page 57, strike lines 1 through 4.

On page 60, beginning on line 22, strike all through page 61, line 4.

SA 512. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 48, strike lines 4 through 9.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on June 29, 2011, at 10 a.m. to conduct a

mark-up of the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. ___, the Workforce Investment Act Reauthorization of 2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224-5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 22, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled "Preserving Integrity, Preventing Overpayments, and Eliminating Fraud in the Unemployment Insurance System."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 22, 2011, at 9:30 a.m., to conduct a hearing entitled "See Something, Say Something, Do Something: Next Steps for Securing Rail and Transit."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 22, 2011, at 1:30 p.m., to conduct a hearing entitled "Transforming Lives Through Diabetes Research."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 22, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of Intellectual Property Law Enforcement Efforts."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 22, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Eric Dodd, Emily Messerly, and Courtney Greenley of my staff be granted floor privileges for the duration of today's proceedings.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent that Marie Gorence and Ben Scuderi, of Senator BINGAMAN's office, be given the privileges of the floor for the pendency of S. 679, the Presidential Appointment Efficiency and Streamlining Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I ask unanimous consent that Shane Knisley, a Department of Defense detailee, have the privilege of the floor throughout this discussion.

I think all of us understand how valuable our detailees from the Department of Defense are in the work we do. Particularly in this matter, it has been helpful to me to have his sage advice. I appreciate that he is in our office and has been a valuable member of our team on this issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent my Navy Fellow, LT Maxwell Keith, be granted the privilege of the floor for the remainder of this legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that at a time to be determined by the majority and Republican leaders, the Senate proceed to executive session to consider en bloc the following nominations: Calendar Nos. 62, 110, 145; that there be 2 hours for debate concurrently on the nominations equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements relating to the nominations be printed in the RECORD and the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JUNE 23, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow, Thursday, June 23, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be deemed approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11:30 a.m. with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of S. 679, the Presidential Appointment Efficiency and Streamlining Act, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be two rollcall votes at approximately noon in relation to the Vitter amendment No. 499 and the DeMint amendment No. 510. We hope to set up some other votes tomorrow morning for tomorrow afternoon.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:24 p.m., adjourned until Thursday, June 23, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

BRIAN T. BAENIG, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE KRYSTA HARDEN.

DEPARTMENT OF STATE

MARY BETH LEONARD, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

THE JUDICIARY

MARGARET BARTLEY, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS, VICE A NEW POSITION CREATED BY PUBLIC LAW 110-389, APPROVED OCTOBER 10, 2008.

GLORIA WILSON SHELTON, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS, VICE A NEW POSITION CREATED BY PUBLIC LAW 110-389, APPROVED OCTOBER 10, 2008.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

THOMAS B. MURPHREE

THE FOLLOWING NAMED OFFICERS FOR A REGULAR ARMY APPOINTMENT IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 531:

To be major

PEDRO T. RAGA
TIMOTHY R. SHAFFER
MATTHEW H. VINNING

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

TROY D. CARR

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

DAWN C. ALLEN
JEREMY D. BARNES
MICHAEL BETSCH
CHARLES G. BIRCHFIELD
JASON B. BLACKMON
BRIAN BOURGEOIS
MICHAEL D. BROWN
JOSEPH L. CALDWELL
JOHN G. CULPEPPER
JASON A. DAVY
JOSEPH M. EDELEN
GERALD W. ELDER
JEFFREY P. HARVEY

RYAN C. HEINEMAN
HOMER F. HENSY
KIMBERLY E. JONES
DANIEL W. LANDI
BRETT C. LEFEVER
NICHOLAS T. MENZEL
JUSTIN M. NOVAK
KENNETH C. PACKARD
STEVEN C. PUSKAS
HARRELL D. REYNOLDS III
GARY A. RONEY
MICHAEL G. ROOT
MARK R. SANDERS
SCOTT P. SEDDON
ERIN E. SHERRY
JEREAD L. SINES
TIMOTHY S. SULICK
PATRICK E. TEMBREULL
JENNIFER L. TIETZ

HOUSE OF REPRESENTATIVES—Wednesday, June 22, 2011

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 22, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:20 a.m.

THREE OF THE TOP PERFORMING MIDDLE GRADES SCHOOLS IN THE COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week, three middle schools located in Pennsylvania's Fifth Congressional District—Mount Nittany Middle School in State College, Park Forest Middle School in State College, and Titusville Middle School in Titusville—have been named three of the top performing middle grades schools in the country by the National Forum to Accelerate Middle Grades Reform. I rise today to recognize and congratulate these three schools for this noteworthy achievement.

The National Forum to Accelerate Middle Grades Reform is an alliance of more than 70 educators, researchers, and officers of national associations and foundations dedicated to improving schools for young adolescents across the country. Every year, the forum, through their Schools to Watch program, identifies schools across the United States for their high performance.

The forum's members believe that three things are true of high-performing middle grades schools: They are academically excellent; developmentally responsive schools that are sensitive to the unique developmental challenges of early adolescents; and socially equitable, schools that are democratic and fair, providing every student with high-quality teachers, resources, and supports.

Later this week, these three schools will be recognized with 97 other high-performing schools from across the Nation during the forum's annual conference. I am proud to represent these incredible teachers, administrators, and students. These outstanding efforts deserve recognition, and I want to congratulate all of you for this awesome achievement.

PROTECT OUR WORKERS FROM EXPLOITATION AND RETALIATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. I rise today to announce the introduction of legislation that will finally provide protection to immigrant workers from exploitation, the Protect Our Workers from Exploitation and Retaliation Act, the POWER Act.

Too often, unscrupulous employers threaten or retaliate against workers who complain about illegal working conditions. Today, employers can use a worker's immigration status and threaten them so that they will fear reporting them to the authorities. The abuse of these vulnerable workers undermines working conditions and wages for all U.S. workers.

The POWER Act protects these workers. Under current law, the U visa provides temporary status for immigrants who are victims of crimes, including domestic violence and rape. The POWER Act ensures that this visa protection is also provided to these workers who risk everything by reporting to authorities the employers who break the law by committing serious labor violations.

Today, such workers are silent out of fear, but silence can mean the difference between life and death. Take the case of Mr. Asuncion Valdivia, a farmworker who came from Mexico seeking a better life. One day, during the hot summer months, he picked grapes for 10 hours straight in 105 degree temperatures. Then he fell over, unconscious and ill. Instead of calling

an ambulance, Giumarra Vineyards told his son to drive Mr. Valdivia home. On his way home, the father started foaming at the mouth and died of a heat stroke. A son had to witness his father die, a preventable death, at the age of 53.

After hearing about this tragedy, I had to act. For 15 years, the farmworker advocates had petitioned Cal OSHA for minimal health protections for the workers who perished and died working in heat, but they were always ignored. So I carried a bill in the California legislature that required that farmworkers and all outdoor workers have basic protections from the heat: water, shade, and rest periods. It passed and became the first law of its kind in the Nation.

A decade after that law, I am in Congress. And while some farms obey the heat protections, others are flagrantly violating it. The POWER Act will stop these violations. It would have let someone like Asuncion go to the authorities without fear of retaliation. It would have let him continue to work while he cooperated with Cal OSHA to take Giumarra to court and would have ensured that Giumarra treated all their workers fairly from then on. And I hope that because of the POWER Act, a son will never have to watch a father die in this way again.

The POWER Act will bring abused workers out of the shadows. It will give employees the courage to stand up to the world's biggest and strongest companies. The POWER Act will fundamentally change the very structure of workers' rights in this country. It supports every honest, hardworking employee across the country, protecting them. It's time that exploited workers were able to come out of the shadows, leave cruel conditions, and find jobs where they are treated with the dignity and respect that every employee in America deserves. It's time for the POWER Act.

RUSSIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

Mr. DREIER. Mr. Speaker, in August of 2008, Russia and the Republic of Georgia engaged in what author Ronald Asmus called "A Little War That Shook the World." And, Mr. Speaker, it did shake the world. For all of post-Soviet Russia's anti-democratic crack-downs, its aggressive and bellicose actions toward former Soviet states, it

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

was still a shock to see Russian tanks roll across the border of a sovereign, democratic country. The military conflict lasted 5 days; and a shaken world moved on, soon forgetting the shock and outrage of what happened.

But for the people of the Republic of Georgia, this conflict goes on nearly 3 years later. They live with the tragic consequences that follow any armed conflict, including thousands of displaced persons and significant economic hardships. Beyond the human cost, they face a long-term strategic challenge of an occupying force in the regions of Abkhazia and South Ossetia where Russia continues to violate the terms of the ceasefire to which it agreed.

As occupiers, they violate the sovereignty and territorial integrity of an independent democratic state, one that has chosen a path toward integration with Euro-Atlantic institutions and, more important, one that has chosen integration with Euro-Atlantic values of democracy, human rights, and the rule of law.

Russia's recalcitrance has left the region in a bitter stalemate as it flouts international norms and its own commitments. Within the context of this stalemate, the temperature has seemed to cool, with bitter hardship and frustrations supplanting heated military conflict.

But that cooling temperature is perhaps a very dangerous illusion. While the fear of overt military action may be waning, more subversive—but just as potentially deadly—action is taking place. Since 2009, the Republic of Georgia has experienced 12 acts or attempted acts of terrorism within its borders, which the Georgians believe are linked to Russian forces.

One such bombing, on September 22, 2010, took place right near the U.S. Embassy in Tbilisi. Two thwarted attacks took place just this month. One improvised explosive device was intercepted on June 2, two days before several colleagues and I arrived in Tbilisi. Another was intercepted on June 6 while we were still there.

□ 0940

We had the opportunity to discuss with President Saakashvili at length the nature of these attacks and attempted attacks. He and his administration are increasingly concerned about what they perceive to be a systematic effort to target the Georgian people and undermine their progress toward a peaceful, stable, democratic and independent nation. The intended targets of recent bombing attempts seem to suggest an increased focus on civilian casualties, which is particularly troubling.

As investigations proceed to determine the exact origin and intent of these bombings, it is more important than ever that we stand with our Georgian friends; that we stand with their right to sovereignty and territorial integrity; that we stand with their efforts to build a stronger democracy. In fact, the purpose of my recent trip to Tbilisi was to continue the work of the House Democracy Partnership, which has a longstanding program with the Georgian legislature.

My co-chairman, DAVID PRICE, and I have led a number of delegations to Tbilisi and hosted many Georgian legislators in Washington in order to provide training and support as they build their legislative institutions.

It is important to work with new and reemerging democracies as they grow and develop, but it is all the more essential for us to support those who are under attack for the very reason that they have chosen their democratic path.

The Obama administration has attempted to reset relations with Russia for a number of pragmatic and strategic reasons. I believe they were right to do so. But it is important to differentiate those relationships which are important for inescapable geopolitical considerations, and those which are based on shared values and goals. As a major international player and a permanent member of the United Nations Security Council, we must engage constructively with Russia, but that does not mean we must turn a blind eye to its tactics or strategic aims towards the former Soviet sphere. To the contrary, we must engage with eyes wide open.

Georgia is not the only state to have emerged from the Soviet orbit with democratic intentions, only to face deliberate, significant pressures and obstacles from Moscow. The nature of our engagement with Russia will get more scrutiny than ever as Moscow moves toward entry into the World Trade Organization. Bringing them into a rules-based trading system will help us deal with the challenges that we face, but we cannot lose our resolve to address these challenges, or lose sight of the fact that the fate of democracy in the post-Soviet world is one of them. Those who are working diligently against great odds to build democratic institutions must know that the American people stand with them.

TAX LOOPHOLES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, in their agitation over the debt, our Republican friends have obstinately focused on program cuts alone, ignoring the harm to American families and the economic recovery. Their mindless slashing of the budget is costing jobs, while damaging communities. Yesterday's news about EPA cuts hurting local efforts at clean air and clean water is another example.

More than a quarter of the deficit growth since 2001 resulted from the economic downturn which reduced tax revenues and increased programmatic spending. You spend more on unemployment when more people are unemployed.

Our focus should be on job creation, which reduces unemployment costs and increases tax revenue. However, in their first 6 months in the majority, the Republicans have not passed any legislation to create jobs.

The government's budget is often compared to a household budget, but every family knows that expenses are just one side of the equation. How many Americans, in tough times, take on second or even third jobs to increase their income because some expenses just can't be cut?

As a Nation, we have the ability to increase our revenues, our income. An obvious place to look for additional income is closing tax loopholes and ending unnecessary subsidies, for example, for large oil companies would be one of the best places to start.

Tax incentives are intended to help businesses create vital American jobs or develop technologies to improve our way of life. We as Democrats support those tax incentives that increase domestic manufacturing and other American businesses which create jobs and aid the economic recovery. These tax breaks promote our national economic priorities and put people back to work.

But when a company's profits are \$10.65 billion in just 3 months, such as ExxonMobil's were earlier this year, who can reasonably argue that that company needs expensive incentives to stay in business and make money?

The 10 most egregious tax loopholes enjoyed by the large oil companies have helped the five largest companies make a combined profit of nearly \$1 trillion over the last decade.

The billions we spend every year on subsidies for the largest oil and gas companies are not moving us any closer to energy independence or a clean energy economy. The subsidies are not necessary and they're not useful for our economy.

In 2010, nearly 60 percent of big oil companies' profits went to stock buybacks and dividends, not job creation. With oil produced at \$11 a barrel, and sold for \$100, tax breaks for oil companies are simply wasteful hand-outs, transferring money from working families to corporate stockholders. The difference over what was sold for an average barrel of oil, \$72 average production price; average production cost, \$11.

No American family should be giving up their dinner to donate money to the millionaire next door. Removing these tax incentives will save taxpayers \$40 billion over the next 5 years with only

minimal impact in the profit, not in their operations. Cutting subsidies will not raise oil prices, which are set in a global market that this year will be in the range of \$2 trillion to \$3 trillion.

Subsidies in the Tax Code, instead, should be directed toward emerging technologies like wind and solar. That's where the real jobs are. A University of Massachusetts study found that incentives for clean energy create two to four times more direct and indirect jobs compared to investments in oil and gas production.

Another obvious place to cut is the ethanol tax credit. We don't need to subsidize something that industry is mandated to buy.

We cannot ask children and seniors to bear the brunt of sacrifice while we are simply giving more money to large corporate interests that don't need it. We must make tough choices to ensure we leave a sound economy to the next generation, but we have to make those choices wisely so we leave a Nation that is competitive, prosperous, healthy, and educated.

CONGRATULATING NEW JERSEY'S TOP RANKING PUBLIC SCHOOLS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, I rise today to congratulate eight outstanding public high schools in New Jersey's Seventh Congressional District that were recently recognized by *Newsweek Magazine* as among the top 500 public high schools in America for 2011.

In all, New Jersey claimed 36 high schools of *Newsweek's* top 500. In the Seventh Congressional District in New Jersey, that I have the honor of representing, I congratulate the Academy For Allied Health Sciences in Scotch Plains; the Union County Magnet High School, also in Scotch Plains; Watchung Hills Regional High School in Warren; Governor Livingston High School in Berkeley Heights; Westfield High School in Westfield; the Academy for Information Technology, also in Scotch Plains; Cranford High School in Cranford; and Jonathan Dayton High School in Springfield.

Newsweek contacted more than 1,100 high schools across the country and reviewed their graduation and college matriculation rates, SAT and Advanced Placement test scores and other information, as well as the school's ability to turn out college-ready and life-ready students.

□ 0950

I congratulate all of the students, teachers, administrators, parents, and other property taxpayers who help make New Jersey's Seventh Congressional District the home to so many of the top-performing high schools in the

Nation. When it comes to the best education in the country, New Jersey's public school system makes the grade.

WE NEED A FAIR, BALANCED BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Mr. Speaker, we are some 3 years into the worst recession since the Great Depression. I have heard repeated claims that these are times that call for courageous leadership and bold decisions. Well, there certainly has been no lack of audacity during recent talks on the budget.

I'm joining my colleagues on the Budget Committee here today to ask, on behalf of my constituents in New York's 21st Congressional District, for less hubris and more humility from some of our Nation's leaders as we attempt to solve a problem that impacts the lives and livelihoods of our families, our friends, our neighbors, and our constituents.

I have but two requests: first, that any budget agreement must not hurt our economy further. In 2008, the financial crisis brought this Nation to its knees. It was a crisis of our own making; and though we must not dwell on blame, we must learn from this experience to avoid the mistakes of the past.

Is there no way to encourage business growth, small and large, without wasting \$130 billion a year on tax giveaways and without gutting programs that educate our workforce? I refuse to believe that there is no smart solution to this problem. My constituents refuse to believe it. We have learned our lesson, and we know better.

Second, any budget agreement must take a balanced approach. It is the height of arrogance to sit down at a negotiating table to solve a fiscal crisis and declare an \$800 billion question off limits. Federal Government subsidies for some of the most profitable corporations on Earth, oil tax breaks that trace their roots to policy decisions made nearly 100 years ago must be on the table. Tax breaks for the wealthiest 2 percent of America must be on the table. Tax earmarks for corporate jets, for snow globes, for golf bags, these must be on the table.

America is watching. America is waiting for us to wake up, eat our Wheaties, and flex the powerful muscle of human reason to get this country on a sustainable path. Sustainability means cutting spending where it is not needed and where it offers no common good. It means cutting tax kickbacks where they are not needed. It means protecting the present and the future of Medicare in a form that provides more than a coupon to our seniors and more than an unsympathetic "so be it" to proud men and women who lost their jobs through no fault of their

own. It means knowing that the Big Five oil companies can stand on their own two feet. It means playing for the same team, putting everything on the table and winning this one not for our campaigns, but for our constituents.

If I might refer to this chart using data from OMB and the Ways and Means Committee, my Republican colleagues have shown the so-called "courage" to ask America's seniors to make yet another great sacrifice for their country—giving up their hard-earned, guaranteed Medicare benefits in favor of a voucher. This will lead to thousands of dollars in new out-of-pocket expenses each year.

Certainly the \$165 billion in cuts is rivaled by the \$131 billion yearly giveaways, that \$165-billion-a-year question from the Republican budget that is on the table in these talks. I do not like it. I will not vote for it. I will fight it every time it comes to this floor for a vote, but it is on the table. It is being discussed and debated, fought for and against in a process that makes our democracy run as it was intended to. But again, we will fight any cuts and any end to Medicare.

But there's another line on this chart, and that's this \$131-billion-per-year question of giving tax breaks to wealthy special interests. Look, the two of them are comparable, giving oil companies more subsidies versus taking away Medicare. This is the question of using taxpayer-subsidized support from the Federal Government to add a few extra billion to the Herculean profits of some of the world's wealthiest corporations.

The Big Five oil companies have pocketed almost \$1 trillion in profits in the past 10 years. In the midst of our recession, they are doing just fine. They have told us, We don't need the tax breaks. So why would my colleague from Virginia, the Republican majority leader, declare that tax reform—like cutting the \$20 billion in subsidies that these companies will receive in the next 10 years—is off the table? Why are tax write-off earmarks for corporate jets off the table? Why are hundreds of billions of dollars in tax breaks for millionaires and billionaires off the table? Why are we talking about cutting programs for nursing homes and preschools, for local cops and firefighters, for retirement security and the future of renewable energy? Why are we talking about cutting these programs without asking the Big Five oil companies to stand on their own two feet?

I have watched programs that my constituents rely on end up utterly decimated on the floor of this House this year. And yet I come before you today not asking for less sacrifice, but for more. I'm asking for those at the top to bear their fair share of both the burden and the potential triumph of this historic moment.

Again, I must merely ask for a little humility as we attempt to solve a challenge that no one woman or one man among us should attempt to tackle—or scuttle—alone. Nothing is off the table, and nothing is more important than getting every single American who wants to do a hard day's work for a fair wage back on the job site. Any budget agreement must take this balanced approach and must not hurt our economy further.

BRING THE TROOPS HOME

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, Monday I had the honor and the humbling experience of visiting Walter Reed Hospital. I met three young men that all three have lost both legs above the knees. And actually, one of them I engaged about Afghanistan, and he, with his wife there with him, believes that we have done just about all we can do, and certainly he has done more than that: he has given his legs for this country.

That leads me to wanting to read just a paragraph of an editorial by Eugene Robinson that was in the North Carolina papers, and the title of his column is "Afghan Strategy: Lets Go." And I will read the last paragraph of his column:

"We wanted to depose the Taliban regime, and we did. We wanted to install a new government that answers to its constituents at the polls, and we did. We wanted to smash al Qaeda's infrastructure of training camps and safe havens, and we did. We wanted to kill or capture Osama bin Laden, and we did. Even so, say the hawks, we have to stay in Afghanistan because of the dangerous instability across the border in nuclear-armed Pakistan. But does anyone believe the war in Afghanistan has made Pakistan more stable?"

Mr. Robinson, you're right, it is not more stable because we are in Afghanistan. Perhaps it is useful to have a United States military presence in the region. This could be accomplished, however, with a lot fewer than 100,000 troops; and they would not be scattered across the Afghan countryside engaged in a dubious attempt at nation-building. The threat from Afghanistan is gone. Bring the troops home.

Mr. Speaker, I don't know what the President will say tonight, and I wish the President well. But Mr. Gates has been saying all weekend—and he did testify before the Armed Services Committee in February and said it would be the latter part of 2014, maybe 2015, before we start bringing a substantial number of our troops home.

Mr. Speaker, I say to the House of Representatives, both parties, let's come together and join in the McGovern-Jones bill, and let's start bringing

our troops home and say to the President we don't need to be there until 2014-2015. As Eugene Robinson says, we're not going to change anything. History has proven you will never change Afghanistan. They don't want to change themselves. Quite frankly, the Taliban are Afghan people; it's a civil war.

And, Mr. Speaker, as I have done before, I have the poster that has a flag-draped coffin being carried by the Air Force at Dover Air Force Base. Mr. President, you're a very smart man. You can call the shots on this war in Afghanistan. Say to the American people tonight that we will be home before 2014-2015.

Mr. Speaker, I say in closing, may God bless our men and women in uniform. May God bless the families of our men and women in uniform. May God, in his loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq. And I ask God to bless the House and the Senate, that we will do what is right in the eyes of God for his people here in America. And I ask God to give wisdom, strength, and courage to the President of the United States, that he will do what is right in the eyes of God for his people.

And I close three times: God please, God please, God please continue to bless America.

□ 1000

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

NOT SIZABLE, SWIFT OR SIGNIFICANT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, tonight the President of the United States has an opportunity to show the bold leadership that the American people are crying out for regarding Afghanistan. Tonight he will announce how many troops will be redeployed out of Afghanistan. This must not be, as early reports are indicating, a token withdrawal, bringing only as few as 5,000 troops home now and 5,000 troops home by the end of the year, because that number falls tragically and painfully short of what the national security and moral decency demands.

There are many interpretations, Mr. Speaker, of "sizable, swift or significant" as the requests have been for him in his drawdown, but none of those interpretations go so low as 5,000 now and 5,000 by the end of the year. "Sizable, swift or significant" is not what

5,000 troops would accomplish. Ten thousand troops doesn't even bring us to where we were before the surge.

That is not a new way forward in Afghanistan. We were promised a new way forward in Afghanistan, and it is going to take 18 months just to get even that much done. How many times are we going to move the goalposts? Anything less than a major shift in Afghanistan policy will be a huge disappointment to the Americans who are paying for it in blood and treasure.

Clear, strong majorities of our country believe it is time we finally end this awful foreign policy blunder. This is not a partisan stance. You just heard Congressman WALTER JONES from North Carolina. This is common sense. Several Republicans in this body oppose this war. Even some of the Republicans running for President have expressed concern about continuing the military occupation much longer.

It is simply not acceptable to ask for more patience and more time for this strategy to work. You mean 10 years isn't enough? How many families were missing a seat at the table on Father's Day this weekend because we kept giving this dreadful policy one more chance?

Afghanistan casualties are on the rise, Mr. Speaker, with 2011 on pace to be the deadliest year yet and 43 percent of fatalities having occurred since the surge began a year and a half ago. How many more people have to die, Mr. Speaker, both U.S. servicemembers and Afghan citizens, before we say enough? How many more lives have to be destroyed? How many more young Americans have to leave limbs behind in Afghanistan? How many more have to come home ravaged by post-traumatic stress? And how many more billions in taxpayer money do we have to waste for the privilege of having our people killed and our global credibility destroyed? For pennies on the dollar, we could fight terrorism the right way, with a civilian surge that emphasizes humanitarian and political aid and reconciliation.

Mr. Speaker, it continues to pain me that we have to scratch and claw for every single dollar of Federal investment in the American people. One child nutrition program last week was held out there as an example of what we don't need—but we do. Also we are scratching to support health care, education, even support for veterans, but we still continue to waste \$10 billion a month in Afghanistan. In the time I take to give this speech, roughly \$1 million will fly out of the Treasury to pay for this war.

Mr. Speaker, I implore the President to listen to the American people. Tonight is a moment where he can make history. End the war. Bring our troops home.

URGING THE SENATE TO PASS THE FISCAL YEAR 2012 DHS AP- PROPRIATIONS BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CARTER) for 5 minutes.

Mr. CARTER. Mr. Speaker, I rise today to urge the Democrat leadership in the Senate to immediately take up the fiscal year 2012 Department of Homeland Security appropriations bill which was passed by this House on June 2. With the 10th anniversary of the tragic attacks of September 11 rapidly approaching, the proliferation of violence along the southern border and natural disasters, it is irresponsible for Senate Democrats to hold up this bill any longer.

The House-passed bill included \$1 billion in supplemental funding for FEMA disaster relief programs that is available immediately upon passage. These funds are desperately needed to respond to natural disasters that have swept the country, including the wildfires which have devastated my home State of Texas.

The House-passed bill uses taxpayer dollars wisely, cutting \$1.1 billion from fiscal year 2011 levels while at the same time ensuring all frontline defenders, including the Border Patrol, Coast Guard and Secret Service, are fully funded. In delaying action on this bill, the Democratic leadership in the Senate is putting the security of American citizens at risk and disaster relief on hold. Any further delay is unacceptable.

I urge my Senate colleagues to make the passage of the FY 2012 DHS appropriations bill a top priority.

THE FAILED DRUG WAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. POLIS) for 5 minutes.

Mr. POLIS. Mr. Speaker, 40 years ago this month, President Nixon launched the war on drugs. Four decades later, I've asked through New Media for Americans to share with me their thoughts on what I believe to be a major public policy failure. Just listen to this story of Neil from Baltimore that Law Enforcement Against Prohibition shared with me.

Late in the evening on October 30, 2000, Neil was awoken by the ringing of a telephone. As the commander of training for the Baltimore Police Department, late night calls were not unusual, but this call was different. He was told that one of his officers had been shot and taken to the hospital.

The officer was a corporal and a 15-year veteran and undercover narcotics agent for the Maryland State Police. He was assigned to a drug enforcement task force and on that night was making his final drug buy in Washington, D.C., from a mid-level drug dealer when the dealer decided he wanted both the

drugs and the money for himself. He returned to the car the officer was driving, paused for a moment, and shot the police officer at point-blank range in the side of the head.

Arriving at the hospital among the scores of family and friends, Neil was guided into the room where the officer laid with his head bandaged and bloodied. Neil had to face the officer's wife and children and explain why their caretaker was no longer with him.

Neil finished his story by writing, "When the people are gone and quiet comes, so does the question: Why? Initially thinking of the covert operation, you rehash the event. How could this happen? What went wrong? What was the protocol? But then I realized that the questions I was asking dealt only with the symptoms of a much larger problem, the war on drugs—the broken policy of drug prohibition."

Every comprehensive objective government study over the last four decades has recommended that adults should not be criminalized for using marijuana, and medical science tells us that by any reasonable health standard marijuana is comparable to alcohol. It is less addictive, less toxic, and, unlike alcohol, marijuana does not make users aggressive and violent.

□ 1010

We also know that criminalization comes at a very high cost. Each year, more arrests are made for marijuana possession than for all violent crimes combined. Marijuana arrests in the U.S. average 850,000 a year. That's one every 37 seconds; and 89 percent of those are just for possession, not sale or manufacture. Marijuana prohibition is even having a negative impact on our national parks and forests. We have Mexican drug cartels growing millions of plants on Federal land.

We've been down this prohibition path with alcohol, and it failed. It increased crime and violence. Crime bosses got rich, murder rates skyrocketed, the prisons filled, and deaths from tainted booze soared. We're seeing the same results today from marijuana prohibition. Prohibition does not stop people from using marijuana. In fact, marijuana is the largest cash crop in the country. It just gives criminals and violent gangs an exclusive franchise on marijuana sales. It drains resources from law enforcement that would be better spent fighting violent crime. It makes it harder to keep marijuana away from children.

So what have we learned in four decades of the failed drug war? It's this: The biggest part of the harm involving marijuana is caused by the criminalization of marijuana. And it's time to bring it to an end.

Let me end with a story of Brian from DuPage, whose son was caught up in the senseless criminalization of marijuana. When Brian's son was in

eighth grade, an incident at school led to the discovery of a small amount of marijuana. Charges were brought. He was sentenced to community service. But the real tragedy followed. As a result of the incident, Brian's son was expelled and barred from reentering any school in the district. He was forced into a school for delinquents where he was grouped with kids who had committed violent crimes. He was basically treated like a criminal. Needless to say, his education suffered immensely.

Here's what Brian, the father, had to say about his son's experience: "Did doing this teach my son a lesson? It did not help him. It harmed him. It disrupted his academic achievement. The school district's solution to finding a small bag of marijuana was to expel four students. No education. No counseling. No help. Just kick them out and wash their hands of the whole thing."

Using marijuana is harmful. Smoking is harmful. Drinking is harmful. In fact, I applaud the FDA's new highlighting of the dangers of smoking and encourage similar efforts to discourage marijuana, which are impossible under the current criminalization regime. The war on drugs hurts America, wastes billions of dollars of taxpayer money, fosters drug-related violence, and does nothing to help Americans who are confronting serious addiction or serious health issues.

After 40 years, it's time Congress put an end to the drug war's 40-year failure.

PRINCIPLES FOR ANY BUDGET AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. HONDA) for 5 minutes.

Mr. HONDA. I rise today to urge the President and this Congress to listen to the American people when negotiating a budget agreement. As much as the politicians argue, they don't seem to hear the good sense of the American people. The many closed-door meetings in Washington to decide America's future are filled instead with esoteric and magical formulas purporting to close the deficit. One group wants budget caps. Another wants trigger clauses. A third wants simplistic rules.

None of these will work. These are gimmicks, not governing. Governing is about making choices, setting priorities, and following through. Governing is also about ensuring that the interests and values of the American people are at the negotiating table. If not, any new deal will benefit only the rich and powerful or simply postpone any real decisions until after 2012. Either way, America will lose.

A budget deal needs to be publicly debated and needs to reflect the true values and the views of the American people. One group in Congress gets this. The Congressional Progressive Caucus

has heard the message of the American people who want to cut the deficit without cutting into America's future and without destroying America's sense of fairness. Ask the public what they want and they will tell you.

Let us defend our health programs for the elderly and the poor, Medicare and Medicaid. Let us hold to our intergenerational promise of Social Security. Let us invest in education, research and development, and fix our crumbling infrastructure. Let us bring our men and women home from Iraq and Afghanistan and save at least \$150 billion a year, not to mention the lives saved as well. Let us rebuild America.

Any budget agreement must not hurt the economy. America is making economic progress, but many families are still struggling. And we must do more to create jobs. Any budget agreement must raise revenue. Americans know it. It would be irresponsible, unwise, and unfair to reduce the deficit and debt while leaving tax breaks for big corporations and millionaires in place. A fair budget will not emerge from behind closed doors. We need an open budget process, one that keeps the interests and the bottom majority of the American people front and center.

The Congressional Progressive Caucus wants to bring the people's budget to the forefront of publicly held negotiations as well as a budget plan that would truly put the American Dream back within the reach for the majority of the Americans.

A LOOK BACK AT RECOVERY SUMMER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. PAULSEN) for 5 minutes.

Mr. PAULSEN. One year ago last week, the White House proclaimed that the summer of 2010 would officially be known as "The Summer of Recovery." Now, 52 weeks later, unemployment remains painfully high at 9.1 percent, the housing crisis has not improved, and nearly 14 million Americans are out of work.

As I travel my district in Minnesota, from Bloomington to Wayzata to Coon Rapids, I hear from Minnesotans and small business owners that are understandably concerned. My constituents were told that a trillion-dollar stimulus package would keep unemployment below 8 percent. They were clearly sold a bill of goods, as unemployment has now been above 8 percent for more than 2 years straight.

House Republicans do have a plan to jump-start our economy and actually create jobs. Our plan takes commonsense steps to reducing regulatory burdens that actually will help small businesses, that will help entrepreneurs. It actually takes commonsense steps to fix an out-of-date Tax Code so our em-

ployers are more competitive around the world. We also take steps to pass the three pending free trade agreements with Colombia, Panama, and South Korea that would create up to 250,000 new jobs through new sales to new customers. Also, we will maximize domestic energy production by reducing our dependence on foreign oil and also lowering gas prices.

Finally, Mr. Speaker, and most important, by paying down our unsustainable debt burden and starting to live within our means, we will make the steps necessary to enact commonsense pro-growth strategies that can create certainty in the business environment that will actually grow our economy and create jobs and put America back to work.

BALANCING THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Wisconsin (Ms. MOORE) for 5 minutes.

Ms. MOORE. I can tell you that one of the most heartbreaking experiences that I have had as a Member of Congress is to watch this Congress attempt to balance the deficit and the budget on the backs of infants, on the backs of children who need their educational opportunity, and on the backs of seniors. We have seen gargantuan efforts to cut Medicare, the main program to prevent poverty for our seniors; Medicaid; the Women, Infants, and Children program; nutrition programs for children; efforts to decimate educational opportunities for young people, while we refuse to end tax breaks for Big Oil.

The Big Five companies made nearly a trillion dollars—\$1 trillion—in profits in the last decade, and yet we continue to insist on providing tax breaks for these profitable companies. Every year, we provide subsidies to oil companies that they pocket.

In addition to that, Mr. Speaker, we are cutting food from babies. I saw numerous, numerous amendments to cut moneys for lactating moms, pregnant women, and newborn babies, while we refuse to end the tax breaks for millionaires. We cannot afford another \$800 billion in tax cuts for the top 2 percent in our country. This is backwards. This is un-American.

I join my Democratic colleagues from the House Budget Committee to express—in no uncertain terms—the basic principles we are fighting for in this budget agreement. I also want to state my support for my colleagues from the House of Representatives who are working hard to negotiate an agreement that demonstrates both decency and fairness.

I have had the honor of serving on the Budget Committee for two-and-a-half years, and I have learned a thing or two through my service. I also brought my own budgetary expertise to the table—as a former legislator for the State of Wisconsin, as a former community leader, and as a former (and current!) head of household. I know—and all of us here

know, though we are not all admitting it—the fundamental truth that any budget agreement must take a balanced, reasonable approach towards deficit reduction. We cannot simply slash spending while preserving every nickel and dime of tax breaks for giant corporations and multi-millionaires.

As we stand here today, the leaders from both parties, and their staff, are working round-the-clock to chart our path forward. The American people have expressed their concern about our national debt and deficit, and the Congress has responded. We are on the brink of making new and historic policy changes that will be very difficult to un-do. We have the unique opportunity to make the right choice to end a wide array of gratuitous tax loopholes that will save billions upon billions of dollars—and in the end, will help us to preserve the priorities that are so crucial for Wisconsin's Fourth District, and for people all across this country.

We have the opportunity to choose to trim down the debt by cutting tax subsidies for oil companies—instead of cutting nutrition programs for Women, Infants, and Children, WIC.

We have the opportunity to choose to reduce the deficit by cutting ethanol subsidies—instead of cutting Medicare.

This is nothing short of an historic moment in time. We cannot turn our backs on these opportunities.

My Democratic colleagues at the budget negotiation table have assured us many times that revenue-raisers must be part of the solution. Unfortunately, their Republican counterparts have not offered us similar reassurance.

We're already in desperate need of a just and decent tax code that actually requires our Nation's most successful, wealthy people to pay their fair share.

We recently learned that one of the largest U.S. corporations, General Electric, paid no federal taxes in 2010. GE claimed a \$3.2 billion tax benefit on reported worldwide profits of \$14.2 billion, including \$5.1 billion from its operations in the United States.

And that's just one example. Other corporations are able to pick from a long menu of tax breaks that allow them to reap profits while shipping jobs overseas.

We just celebrated the 10-year anniversary of the Bush tax cuts—so we have timely, concrete data showing us what happens when you slash income tax rates. Then-President Bush promised that his tax cuts would "starve the beast," reducing revenues and thus forcing members of Congress to reduce the size of the Federal Government. He claimed that low taxes would stimulate the economy, and increase the prosperity of our Nation. He vowed that tax breaks would create jobs and generate wealth for all.

Well, we now know the truth: Most of the benefits accrued to the rich. The tax cuts didn't spur job growth. During the 2001 to 2007 business cycle, America's economy enjoyed the slowest rate of jobs growth on record since World War II—a rate that was just one-fifth the pace of what we saw in the 1990s. High-wage earners' income increased, but inequality just got worse. Government didn't get smaller: in fact, we saw massive expansion, in the form of new programs like Medicare Part D, and two new wars.

In addition to the cautionary tale of the Bush years—what we've seen over the past 30 years is that lower marginal tax rates have not led to particularly impressive economic growth, labor markets or revenues. Growth was actually more impressive back when marginal tax rates were higher.

The verdict is in. We need to reform our tax code now, for the sake of fairness, and for the sake of our economy. We cannot continue to fight tooth and nail for special interests, for the sake of justifying unprecedented cuts to everything from education to health care to infrastructure to public safety. We cannot protect the wealthy few at the expense of tens of millions of low-income and working-class families.

There is no excuse for this. We can, and we must, do better.

We all know we'll have to make hard choices to come to an agreement. But my Democratic colleagues also know that we must do all we can to preserve our economic progress, create jobs, and preserve programs that serve struggling families. We must reduce the deficit—but we must do it while adhering to basic principles of fairness and morality.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11:30 a.m. today.

Accordingly (at 10 o'clock and 19 minutes a.m.), the House stood in recess until 11:30 a.m.

□ 1130

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 11:30 a.m.

PRAYER

Reverend Dr. Joe Pool, First United Methodist Church, Rockwall, Texas, offered the following prayer:

Loving God, creator of all things, author of all life, and giver of all grace, You have brought us to this time through the blessings of Your hand, and we remember that we do not work alone, serve without Your spirit, or act without Your guidance.

Open Your heart to us as we depend on You for wisdom beyond ourselves, discernment that fulfills the cry of need, and strength for the challenges we face.

May we be about Your work of justice and mercy, security and peace, comfort and provision. Forgive us our shortcomings. Create in us Your will and way. Write these upon our hearts so that we might serve You as we serve Your people.

We invoke the recognition of Your sustaining and guiding presence at today's session and beyond. Accomplish in us the work of Your hands. May we be worthy of all that is entrusted to us this day.

In Your most holy name we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. COBLE) come forward and lead the House in the Pledge of Allegiance.

Mr. COBLE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNIZING GUEST CHAPLAIN DR. JOE POOL

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. HALL) is recognized for 1 minute.

There was no objection.

Mr. HALL. Mr. Speaker, I am honored today to again recognize our guest chaplain, Reverend Dr. Joe C. Pool, pastor of my home church, my home town, First United Methodist Church of Rockwall, Texas.

Reverend Pool's ministry spans more than 30 years in north Texas and includes serving as associate pastor in Dallas and as pastor in Irving and Gainesville prior to serving in my home town of Rockwall.

Reverend Pool earned a bachelor of arts degree from Southwestern University in Georgetown, Texas, and earned both a master of theology degree and a doctor of ministry degree from Perkins School of Theology at Southern Methodist University. He has been a long-time member of the executive board and the Mentor Pastor Program at Perkins.

Over the past quarter of a century, Reverend Pool has led mission trips to the Appalachian region, Mexico, and the Navajo Nation. He has been involved in hurricane recovery and rebuilding efforts throughout Texas and Louisiana through Hurricanes Andrew, Katrina, and Rita. Active in community service, he was selected as an Outstanding Young Man of America three times and also was selected for inclusion in Who's Who in America.

Reverend Pool is blessed by his wife, Becky, and their three children—Candace, Corey, and Amanda. And Rockwall is in turn blessed by this minister and his family. Reverend Pool is known as a wonderful preacher, a great teacher, a close friend of mine and friend of many, and may God continue to bless his life and his ministry for many years to come.

I'd be remiss if I didn't also tell you—or perhaps warn you—that he and PETE SESSIONS were roommates at the university.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

AGE NOT AN ISSUE FOR BASEBALL'S JACK McKEON

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, Jack McKeon resides in Elon, North Carolina. And in 2003, he became the oldest manager to win a World Series championship, having defeated the New York Yankees. Jack was recently recalled by the Florida Marlins and now finds himself in the Marlin wheelhouse again, this time as the second oldest manager to manage a Major League team.

Jack responded when people questioned his age. He said, "Experience should not be penalized." And Trader Jack further said, "I'll probably be managing when I'm 95."

From one octogenarian to another, on behalf of the citizens of the Sixth District of North Carolina, we extend hearty good wishes to Jack McKeon for the remainder of this season and until he is 95 years of age.

PRESIDENTIAL SCHOLARS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize and honor Emily Gordon and Dylan Burke, young advocates in the fight to cure type 1 diabetes.

Emily and Dylan are making a significant impact on the research for diabetes, and their work will benefit future generations. That's because they are both delegates representing Rhode Island in the Juvenile Diabetes Research Foundation's Children's Congress gathered here in Washington this week, and they are with us on the floor today.

Emily, of Lincoln, Rhode Island, and Dylan, of Newport, Rhode Island, are working to raise public awareness of the critical need for diabetes research to eliminate this disease. Diagnosed at 17 months old, Emily has known diabetes for most of her life and doesn't view herself as different from other children. And Dylan has seen firsthand some of the complications of type 1 diabetes since his father also has the disease.

The work that Emily and Dylan are performing during the Children's Congress is critical to the nearly 26 million Americans who have diabetes. I commend and congratulate them for overcoming great obstacles to work towards a cure that will improve and save lives in generations to come.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members not to address guests on the floor of the House.

STIMULUS FAILURE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, some may wonder why the nearly \$1 trillion in government stimulus spending failed to hold down unemployment or reinvigorate our economy. Phillip Greenspun, owner and operator of a helicopter company in Boston, understands why government doesn't efficiently spend the public's money. In a June 16 blog post, he relates his maddening experiences with Federal bureaucracy.

As the manager of his company, he must administer a random drug test to employees. As the only employee, he must surprise himself with a drug test. As the manager, he must take a course on giving drug tests. As the only employee, he must take a course on his rights regarding drug tests. Mr. Greenspun notes that all of these requirements and steps don't just cost him money, but cost the Federal Government since FAA employees must ensure all of these requirements are met. It's just a small illustration of how the government manages to make the simple complex and hurt both businesses and taxpayers. It's just another reason why we need a smaller, less expensive Federal Government so that our private sector can grow again.

BIPARTISAN EFFORT TO REPEAL CLEAN WATER ACT

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, up to today, I was concerned that my friends on the Republican side were only trying to defeat great Democratic programs of the 20th century. Medicare, which will be celebrating its 46th birthday next month, is one of the great laws that have been passed in this House, and yet it's in danger. Medicare as we know it is in danger.

Social Security passed in the thirties, one of the great social advances of the 20th century under President Franklin Roosevelt, but also endan-

gered—all Democratic activities and Democratic Congresses. But today I saw there was a bipartisan effort to destroy the work of the 20th century. In the Transportation Committee, a bill coming to this floor is going to try to end the Clean Water Act. So it's bipartisan.

Richard Nixon passed the Clean Water Act. I'm a history buff, and I think Richard Nixon should be known not just for Watergate, but for clean water. I hope they don't repeal Richard Nixon's signature achievement, the Clean Water Act.

□ 1140

TIME TO MOVE FORWARD ON FREE TRADE AGREEMENTS

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute.)

Mr. BUCHANAN. Mr. Speaker, international competitiveness is critical to revitalizing America's economy. That is why it is so imperative that we move forward three free trade agreements with Colombia, Panama, and South Korea. Passage of these FTAs will not only improve our relationship with these countries but will also create new trade and jobs for America.

Make no mistake—creating jobs and growing the economy are the most important issue today facing America. The U.S. International Trade Commission reported that passage of these free trade agreements could create as many as 250,000 American jobs. In Florida, we have 14 deepwater seaports that generate over \$65 billion in economic value to the State. These trade agreements will only enhance that figure.

It is time that we get serious and start competing in the global marketplace. That time is right now.

RESPECTING SENIORS

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Mr. Speaker, our seniors need Medicare. As we prepare to celebrate its 46th anniversary next month, history shows Medicare has been one of the most successful health care programs in our Nation. Seniors rely on it. But my Republican colleagues, sadly, want to end Medicare as we know it.

Missouri's own Harry Truman conceived of Medicare and was the recipient of the first Medicare card in 1965 as it was signed into law by LBJ. At the time, 40 percent of American seniors over 65 lived at or below the poverty level. Now, more than 40 million seniors in America are enrolled in Medicare, including 1 million Missourians, and the poverty rate for seniors has dropped to only 10 percent.

The Republican plan is to reopen the doughnut hole, double seniors' medical

expenses, and give insurance companies the power to ration care. We cannot let this happen. Everyone agrees we must make serious cuts to lower our debt, but we have to take a balanced approach that doesn't threaten the fragile recovery or scapegoat American seniors.

I ask my colleagues to set our differences aside and have a serious conversation about our debt that respects what seniors need and deserve.

FINDING A CURE FOR DUCHENNE MUSCULAR DYSTROPHY

(Mr. RUNYAN asked and was given permission to address the House for 1 minute.)

Mr. RUNYAN. Mr. Speaker, I rise today to raise awareness about Duchenne muscular dystrophy. Duchenne is a progressive muscle disorder for which there is no cure and affects boys disproportionately. According to Parent Project Muscular Dystrophy, the disease affects approximately one in 3,500 live male births. Conditions of the disease include deterioration of the muscle tissue, abnormal bone development, paralysis, and eventually death.

Earlier this year, my office was contacted by several families from my district whose young sons are living with Duchenne disease. Duchenne takes lives too quickly, but, due in large part to the research developments, there are three signs of hope.

Over the last 5 years, Congress has appropriated \$175 million to NIH for Duchenne efforts. In 2010, the NIH awarded three grants specifically to New Jersey institutions totaling \$874,000. Two of the grants were awarded to the University of Medicine and Dentistry of New Jersey to explore treatments for congenital diseases, and the third went to TRIM-edicine for research of protein therapies for muscular dystrophy.

I hope these and other innovations bring us closer to finding the answers that we need to help and even cure Duchenne muscular dystrophy.

REDIRECTING RESOURCES FROM AFGHANISTAN TO AMERICA

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Speaker, it is time for us, this Congress, to begin withdrawing both our troops and our tax dollars from Afghanistan. For now, it is important to still train the Afghan National Army, but we don't have to spend \$100 billion a year and keep over 100,000 troops in Afghanistan to help keep stability in that country.

We need to cut back our borrowing and our spending in Afghanistan in

order to cut our debt and our deficit right here. But equally important, let's take that money that was slated for Afghanistan, and it is our tax dollars in the first place, and let's redirect it to the United States to protect Americans here at home with stronger homeland security. And all of the money we have spent in Afghanistan repairing bridges and roads and building schools and businesses, let's redirect this economic aid to the United States, because we need jobs here. Redirect our tax dollars from Afghanistan to help Americans and put them back to work.

HONORING THE LIFE OF ARMY PRIVATE FIRST CLASS MICHAEL C. OLIVIERI OF HOMER GLEN, ILLINOIS

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, it is with a heavy heart that I rise today to honor the life of an American soldier from Homer Glen, Illinois, who made the ultimate sacrifice in the service of his country.

Private First Class Michael C. Olivieri was a dedicated soldier serving his first tour of duty in Baghdad where he was helping to train and support the Iraqi police. On June 6, his base came under attack, resulting in the death of five soldiers, including Michael.

Last week would have marked Michael's first wedding anniversary, which he had hoped to celebrate during a scheduled visit home. During that same visit, he was to attend his sister's wedding.

Mr. Speaker, Michael was a caring husband, a loving son and grandson, a beloved sibling, and a dear friend to countless members of the Homer Glen community. A 2002 graduate of Lockport Township High School, Michael attended Southern Illinois University and went on to enlist in the U.S. Army, where his talents and leadership were on full display.

Often playing the guitar for his buddies in the field, Michael was well known for lifting the spirits of his fellow soldiers, and he will be missed dearly by those who knew and loved him.

Today I would like to offer my heartfelt condolences to his wife, Sharon; his parents, Michael and Jody; his sisters, Abby and Ashley, his brother, Joe; and his grandparents, Joseph and Adelaide Olivieri and Dorothy Riegel.

Private Michael C. Olivieri was a great man, a distinguished soldier, and a true American hero.

INVESTING IN THE FUTURE

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Last December, with one vote, Congress voted to add \$400 billion to this year's deficit by extending all the Bush tax cuts and adding a new Social Security tax holiday. The premise was this would put America back to work. Well, guess what? It hasn't worked—borrowed money, a consumption-driven economy is anemic at best. Now the Republicans and President Obama want to double down. They want to expand and continue the Social Security tax holiday at a cost of 220 billion borrowed dollars.

How about instead of more tax cuts, instead of reducing investment in infrastructure, how about \$220 billion of real investment in our crumbling national infrastructure? We could put 7.5 million people to work, not just in construction, in engineering, in small businesses and manufacturing, and add \$1.5 trillion to our economy.

The choice is clear: more failed policies of the past or investment in the future.

ACTION NEEDED ON THE DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2012

(Mr. ADERHOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADERHOLT. Mr. Speaker, I rise today to ask one simple question to the other Chamber across the Capitol: Where is their appropriation bill for the Department of Homeland Security for FY 2012?

On June 3, some 19 days ago, the House passed its version of the FY12 appropriation bill for the Department of Homeland Security, a bill that not only invokes fiscal discipline and needed oversight, but one that ensures that our frontline security and personnel and homeland security programs are adequately funded for the coming fiscal year. In addition, the House-passed bill includes \$1 billion in supplemental funding for FEMA's disaster relief efforts that is available immediately upon enactment. Unfortunately, as of today, we have seen absolutely no action from the other body. There is no plan, no leadership, and no commitment to fiscal discipline, security, or disaster relief.

The Democrat leadership in the other body was not elected to wait. That is not what the American people elected them to do. Waiting only puts our security and disaster relief on hold.

SAYING NO TO REPUBLICAN THREATS ON THE BUDGET

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, we are now less than 6 weeks away from a magical date, August 2. That is the day

when the Secretary of Treasury said we will essentially have to foreclose on the United States of America. We will begin paying China before we pay our troops. That is right. That is the day we run out of tricks to avoid raising the debt ceiling in this country.

Just Sunday, my senior Senator, the minority leader of the Senate, said on CBS News that he was actually threatening basically to derail whatever deal comes on raising the debt ceiling if we don't do a deal on entitlements. It is an interesting threat, and I would like to point out what Ezra Klein wrote in The Washington Post. He said:

"But what, specifically, is the threat here? That Republicans will endanger the economy and run a campaign demanding deep Medicare cuts necessitated by an unrelenting hostility to tax increases on the richest Americans in an election year? That's not a credible threat. At some point, Democrats need to begin saying no to this stuff, and now's as good a time as any."

I say no.

□ 1150

HOMELAND SECURITY APPROPRIATIONS BILL

(Mr. DENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENT. I too rise today to urge the Senate to take up this year's Homeland Security appropriations bill. The Senate has a bad habit of waiting to do just about anything. It's bad enough that the Senate has refused to even take up a budget. It's been hundreds of days before they considered to do one. But now they're derelict in their duties by failing to deal with the Homeland Security appropriations bill. We need to fund ICE, we need to fund CBP, we need to fund the Coast Guard, and many other critical functions of this Department. Of course, FEMA has great needs right now with the floods in Missouri, and elsewhere, and all the tragedies we've seen with the tornadoes across the country. It's important now that we get this funding, which was appropriated out of the House, through the Senate.

Mr. Speaker, with the 10th anniversary of 9/11 and those horrific attacks just weeks away and disasters occurring all over the country, I certainly urge today that the Senate move forward. There can be no further delay. The motto of the Senate simply can't be: do nothing, do nothing, do nothing; start slow and then wind down from there.

That's what we seem to be getting. But not on this bill. Move the House appropriations bill on Homeland Security immediately.

ONGOING VIOLENCE IN SYRIA

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, I rise today to express my growing concern regarding the events unfolding in Syria. President Assad has repeatedly refused to usher in democratic reforms for his people and instead has chosen to continue his indiscriminate killings of innocent men, women, and children. His ruthless campaign of brutality has now shifted to northern Syria, where Syrian security forces led by President Assad's brother have instilled fear in the residents. Many of those innocently protesting for reform and freedom have been gunned down and many more have fled their homes, leaving all belongings and possessions behind.

With a complete ban on the entry of foreign journalists into the country, it is nearly impossible to determine just how dire the circumstances are. However, with the thousands of Syrians fleeing the violence into nearby Turkey, it is clear that conditions both in Syria and on the Turkish-Syrian border are deteriorating.

I therefore urge President Assad to allow humanitarian aid groups access into Syria. By refusing entry, President Assad has forced his own people to not only live under deplorable conditions but he has forced them to live in a constant state of fear. Aid groups must be allowed in to provide the vital care. If the Syrian regime has any compassion, it will do so.

HAPPY 100TH BIRTHDAY TO EDNA YODER

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Today, I rise for a very special tribute to a strong, wonderful, and sweet woman who has played a remarkable role in my life and all those who know her. Edna Yoder, my grandmother, will be celebrating her centennial birthday next week on June 28. Edna reflects the heart and soul of our American rural heritage, and she embodies the prairie spirit that is the bedrock of our Nation's values.

Born in 1911 and raised on a Kansas farm, she and my grandfather, like so many other Americans, carved a way of life out of the Kansas prairie through hard work, determination, and strong heartland values. Each time I step on the floor of the United States House, I strive to honor these principles that my grandmother and her generation have taught us.

Mr. Speaker, join me in wishing my grandmother Edna Yoder a happy 100th birthday.

DEFINITION OF MEDICARE

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. There's been a lot of discussion in the House about how best to characterize the Republican plan to eliminate Medicare. I want to start with the definition. The Oxford English Dictionary definition of Medicare: a Federal system of health insurance for people over 65 years of age and for certain younger people with disabilities. So, again, a Federal system of health insurance.

If you replace a Federal system of health insurance with a Federal system of assistance or a voucher or helping to pay part of the cost, you don't have anything that meets the definition of what we know as Medicare. Maybe they want to call it "Medi-Assist." Maybe they want to call it "Medi-Voucher." Maybe it covers part of the cost of care for some people. Maybe it costs a lot less than it really costs to get health care insurance for others. In fact, according to nonpartisan estimates, the average senior will have to pay \$6,000 more for health care by the time the Republican budget is fully implemented. But whatever it is, it ain't Medicare.

Medicare is very simple. The American people truly understand what Medicare is. We all have family that rely on Medicare. Lord knows, we need to improve Medicare to help make sure it's sustainable for the next generation. Ending Medicare is not an improvement.

FOLLOW HOUSE RULES

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, shortly, the House will begin its consideration of the so-called "patent reform" bill.

At last night's meeting of the Rules Committee, when the debate on the rule within the committee wrapped up, the chairman chastised the Judiciary Committee for voting out a bill in violation of House rules, and specifically the House CutGo rules. However, the Rules Committee also voted a waiver that allows the CutGo rules to be ignored. That waiver is described by its supporters as a technical correction. This technical correction involves \$700 million, hardly something that is technical.

It seems to me that the best thing that should have been done was that the Rules Committee ordered the bill re-referred to the Judiciary Committee so the Judiciary Committee could do it right in conformity with the House rules, like the gentleman from Michigan (Mr. CONYERS) did when he was the

chair and which I did when I was the chair. We ought to know this when we're debating it.

TIME TO "CUT AND GROW" IN ORDER TO CREATE JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the unemployment rate for the month of May was 9.1 percent. This marks the 28th consecutive month that unemployment has been at 8 percent or above. The President said unemployment would never reach 8 percent with his economic policies, which have sadly failed. Tragically, almost 14 million Americans are unemployed and looking for a job. The average job seeker in America has been unemployed for almost 40 weeks—almost 10 months.

This administration and its job-killing policies continue to spend and borrow money at a reckless rate without understanding a basic and fundamental principle: when the Federal Government borrows money wildly, it takes it away from the private sector's ability to create jobs. The House Republicans have solutions to promote jobs with the "cut and grow" congressional plan. First, you cut spending and then small businesses add jobs. This is the best way for families to get back on the path to prosperity.

In conclusion, God bless our troops and we will never forget September the 11th in the global war on terrorism.

PROVIDING FOR CONSIDERATION OF H.R. 2021, JOBS AND ENERGY PERMITTING ACT OF 2011, AND PROVIDING FOR CONSIDERATION OF H.R. 1249, AMERICA INVENTS ACT

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 316 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 316

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of

the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. An initial period of general debate shall be confined to the question of the constitutionality of the bill and shall not exceed 20 minutes equally divided and controlled by Representative Smith of Texas and Representative Kaptur of Ohio or their respective designees. A subsequent period of general debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Upon receipt of a message from the Senate transmitting H.R. 1249 with a Senate amendment or amendments thereto, it shall be in order to consider in the House without intervention of any point of order a single motion offered by the chair of the Committee on the Judiciary or his designee that the House disagree to the Senate amendment or amendments and request or agree to a conference with the Senate thereon. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

□ 1200

POINT OF ORDER

Mr. GARAMENDI. Mr. Speaker, I raise a point of order against House Resolution 316 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from California makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule and the gentleman from California and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Speaker, I raise this point of order not necessarily out of concern for the unmet, unfunded mandates, although there are many in H.R. 2021, the Jobs and Energy Permitting Act of 2011; I raise the point of order because it is one of the very few vehicles we have, given the House rule, by which we can actually talk about what is in this bill, and there are plenty of problems in this bill. I also note that the resolution includes H.R. 1249, which talks about patents, because that also violates the House's CutGo rule.

Let me speak to H.R. 2021, the Jobs and Energy Permitting Act of 2011, which is actually better noted as the "bad lung, emphysema and cancer act of 2011."

This bill gives offshore oil companies a pass to pollute by exempting the offshore drilling companies from applying the pollution controls to vessels, which account for up to 98 percent of the air pollution from offshore drilling. I suppose, if you're in the Gulf of Mexico and the wind is blowing towards the shore, you would care about this; but in California, the wind almost always blows onto the shore, and the offshore

drilling and the additional pollution that would be allowed because of this is a serious problem for California.

It poses a health risk. Smoke, fumes, dust, ash, black carbon—all of these things—blow onto the shore in southern California where we already have quite enough air pollution without this additional amount.

Local communities do have a right—and should—even though this bill would tend to limit it, to go to the EPA. It cuts the review time in half, thereby denying local communities the full opportunity to express their concerns about the additional pollution.

It eliminates third-party expert decision-making by the Environmental Appeals Board—finally, 20 years of the Environmental Appeals Board, created under the George W. Bush EPA, and it eliminates that.

There are many, many problems here, and I would like to raise them all by including the patents in this.

I would like to now yield 3 minutes to my colleague from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, the base bill is estimated to have a discretionary cost of \$446 million over the next 5 years, \$1.1 billion over the next 10 years. The manager's amendment violates the new CutGo rules by undoing the anti-fee diversion language, which eliminates a procedure that would have decreased the budget deficit by \$717 million over 5 years. This violates the CutGo rules that the majority put in place.

I would note also that the rule and the manager's amendment have many other problems. I am very disappointed that having worked on the patent reform measure since 1997 that we are yanking defeat from the jaws of victory here today. The rule does not permit the consideration of Mr. CONYERS' amendment, which was focused on this fee matter that corrects the violation of the rule. It also does not permit the consideration of the grace period preservation and prior art clarification that is essential to small inventors. If we are going to go to the first-to-file system, we need to make sure that we protect prior user rights and that we protect the grace period that has been with our system for so long or else we are going to disempower small innovators. That is simply wrong.

This is a bill that had in the past gained nearly unanimous support when Mr. SENSENBRENNER was chair and when Mr. CONYERS was chair. I am distressed to report today that I cannot support this measure after working on it since 1997. Not only does it violate the rules, but it costs the Treasury, and it will disempower small innovative inventors. So this is wrong, and the amendments that could have been put in order to correct them were not permitted. I think this is really quite a

shame, and I would urge that the measure not be brought up and, as Mr. SENSENBRENNER has suggested, that it be sent back to the Judiciary Committee for further work.

□ 1210

Mr. GARAMENDI. May I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from California has 5 minutes remaining.

Mr. GARAMENDI. I now yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I rise in support of the move by the gentleman from California (Mr. GARAMENDI) to delay consideration of this rule, and I want to talk about the patent bill specifically.

The Rules Committee granted a waiver of CutGo rules to this bill so that it would not be subject to a point of order. I believe in the CutGo rules, and I'm told by the supporters of this bill that this waiver is just technical because the committee violated the rules in turning discretionary spending into mandatory spending.

As we have just heard, this technical waiver involves \$717 million. It is hardly technical; and in fact, at the end of the Rules Committee's consideration of this resolution last night, the chairman of the Rules Committee admonished the chairman of the Judiciary Committee, the gentleman from Texas (Mr. SMITH), that he should not be reporting out legislation that violates House rules.

Now, rather than giving the Judiciary Committee a get-out-of-jail-free card with a \$717 million technical waiver, we should send this bill back to the Judiciary Committee so that they can fix up their own mess rather than having the House or the Rules Committee do it.

Now, making a motion to send the bill back to the Judiciary Committee is not in order because I looked into that. The only way we can get this legislation fixed up, without a \$717 million technical waiver of CutGo rules, is to support the motion that the gentleman from California (Mr. GARAMENDI) is making, and I go across the aisle by agreeing that he is on the right track on this, and I hope that he is supported.

Mr. GARAMENDI. I thank the gentleman.

I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I rise in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 10 minutes.

Mr. NUGENT. I reserve the balance of my time.

Mr. GARAMENDI. Well, I think he tossed it back to me, Mr. Speaker; so let me go ahead and finish this up.

Mr. SENSENBRENNER accurately talked about the way in which this particular resolution and the underlying bill on the patent bill violates the House rule that was written not more than 5½ months ago. Why would we want to violate the rules that we put in place to prevent excessive Federal spending? Doesn't make sense to me. So I agree with Mr. SENSENBRENNER: send this thing back. It's a violation of the rule, and I would ask for a ruling on that from the Chair.

The other point that I'd like to make is a similar point with regard to the offshore oil drilling bill which really does present a very serious problem for California. All of the offshore drilling in California—and it's very extensive. It's the second largest year for offshore drilling in the United States—is immediately off the southern California coast where we have very serious air pollution problems, some of the worst in the Nation.

All of those offshore drilling platforms pollute, air pollution of many different kinds causing potential harm to the citizens of southern California. Those onshore winds bring those pollutants onto the shore and cause additional air pollution problems which then require, under this bill, that the local communities take additional action to reduce the pollutants that are generated onshore, creating a very serious economic problem.

In addition, the bill requires that any legal issue raised has to be taken up in the district court here in Washington, D.C. By my calculation, that's nearly 3,000 miles away from where the problem exists, that is, southern California, placing an incredible burden upon them and an unfunded mandate that they have to then come out of their own budgets to come to Washington, D.C., to take up any legal issue that is raised, an unfunded mandate clearly in violation of the Rules of the House.

And, therefore, a point of order is in order, and I would hope that the Speaker would so rule.

There are many, many problems beyond that with regard to air pollution and the like. I will let those go.

I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, the question before the House is, Should the House now consider H. Res. 316? While the resolution waives all points of order against consideration of the bill, the committee is not aware of any points of order. The waiver is prophylactic in nature.

The Congressional Budget Office believes that H.R. 1249 would impose both intergovernmental and private sector mandates as defined by the Unfunded Mandates Reform Act on certain patent applications and other entities and would also be preempted from the authority of State courts to hear certain patent cases.

However, based upon information from the Patent and Trademark Office,

the Congressional Budget Office estimates that the costs of complying with those mandates to State, local, and tribal governments would fall far below the annual threshold established by the Unfunded Mandates Reform Act. Because the costs of complying with the mandates fall below the annual threshold, the waiver is prophylactic in nature.

In order to allow the House to continue its scheduled business of the day, I urge Members to vote "yes" on the question of consideration of the resolution.

I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from California has 30 seconds remaining.

Mr. GARAMENDI. I will ask for a vote, but I now yield the balance of my time to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, a \$717 million CutGo waiver is not prophylactic in nature. It's whether we are going to abide by our CutGo rules or whether we won't; and the way we enforce the CutGo rules is by delaying consideration of this legislation, sending the patent bill back to committee, and letting the committee spend some time complying with the rules of the House of Representatives. This is a terrible precedent to set. Don't set it now.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUGENT. Mr. Speaker, what's amazing about this is that we're going to stop the debate on the House floor about very important legislation that needs to move forward, both of those pieces of legislation. And so we need to have open debate on the House floor with opposing viewpoints, with the ability to have amendments added on the floor, which we have allowed in this rule.

With that, Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me say that we obviously are dealing with an irregular development that took place in the Judiciary Committee, that being the notion of believing somehow that they could appropriate dollars.

We know full well that the Judiciary Committee cannot engage in the appropriations process itself, and so all that this provision that we are pursuing does is allows us to take from mandatory back to discretionary spending without any cost whatsoever. The power will fall with this institution, with the first branch of government, which is exactly where it should be.

And everyone, Mr. Speaker, talks about the concerns that we have over mandatory spending. Both Democrats and Republicans alike have made it clear that if we don't deal with the

issue of mandatory spending we're not going to successfully address the economic and budget challenges that we face.

So all this provision does is it allows us to deal with what was an irregular development that took place in the Judiciary Committee, and it is for that reason that I support my friend from Florida's effort.

Mr. SENSENBRENNER. Will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Can the gentleman from California please explain to the House how we're going to cut spending by violating our CutGo rules with a \$717 million waiver when the gentleman from California has already chastised the Judiciary Committee for violating the rules?

□ 1220

Mr. DREIER. Let me just say that this has absolutely no effect whatsoever on the actual spending level. By the way, the Congressional Budget Office is not able to take in the mix the details of this extraordinary development that took place in the Judiciary Committee. And so there is not going to be any cost.

This is a provision which clearly will allow us, as my friend from Florida has said, to proceed with a very important debate and to rectify a mistake that was made there.

I thank my friend for yielding.

Mr. NUGENT. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GARAMENDI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 215, nays 189, answered “present” 1, not voting 26, as follows:

[Roll No. 463]

YEAS—215

Adams	Broun (GA)	Culberson
Aderholt	Buchanan	Davis (KY)
Akin	Bucshon	Denham
Amash	Buerkle	Dent
Austria	Burgess	DesJarlais
Bachmann	Calvert	Diaz-Balart
Barletta	Camp	Dold
Bartlett	Campbell	Donnelly (IN)
Barton (TX)	Canseco	Dreier
Bass (NH)	Cantor	Duncan (SC)
Benishke	Capito	Duncan (TN)
Berg	Carter	Ellmers
Biggart	Cassidy	Emerson
Bilbray	Chabot	Farenthold
Bilirakis	Chaffetz	Fincher
Bishop (UT)	Coble	Fitzpatrick
Black	Coffman (CO)	Flake
Blackburn	Cole	Fleischmann
Bonner	Conaway	Fleming
Bono Mack	Cravaack	Flores
Boustany	Crawford	Forbes
Brooks	Crenshaw	Fortenberry

Foxx	Latham	Ribble
Frelinghuysen	LaTourette	Rigell
Galleghy	Latta	Rivera
Gardner	Lewis (CA)	Roby
Garrett	LoBiondo	Roe (TN)
Gerlach	Long	Rogers (AL)
Gibbs	Lucas	Rogers (KY)
Gibson	Luetkemeyer	Rogers (MI)
Goodlatte	Lungren, Daniel	Rooney
Gosar	E.	Ros-Lehtinen
Gowdy	Mack	Roskam
Granger	Marchant	Ross (FL)
Graves (GA)	Marino	Royce
Graves (MO)	McCarthy (CA)	Runyan
Green, Gene	McCaul	Ryan (WI)
Griffin (AR)	McClintock	Scalise
Griffith (VA)	McCotter	Schilling
Grimm	McHenry	Schmidt
Guinta	McKeon	Schweikert
Guthrie	McKinley	Scott (SC)
Hall	McMorris	Scott, Austin
Hanna	Rodgers	Sessions
Harper	Meehan	Shuster
Harris	Mica	Simpson
Hartzler	Miller (FL)	Smith (NE)
Hastings (WA)	Miller (MI)	Smith (NJ)
Hayworth	Miller, Gary	Smith (TX)
Heck	Murphy (PA)	Smith (WA)
Hensarling	Neugebauer	Southerland
Herger	Noem	Stearns
Herrera Beutler	Nugent	Stutzman
Huelskamp	Nunes	Sullivan
Huizenga (MI)	Nunnelee	Thompson (PA)
Hultgren	Olson	Thornberry
Hunter	Palazzo	Tipton
Hurt	Paul	Turner
Issa	Paulsen	Upton
Jenkins	Pearce	Walberg
Johnson (OH)	Pence	Walden
Johnson, Sam	Peters	Webster
Jones	Pitts	West
Jordan	Platts	Westmoreland
Kelly	Poe (TX)	Wilson (SC)
Kingston	Pompeo	Wittman
Kinzinger (IL)	Posey	Wolf
Kline	Price (GA)	Womack
Labrador	Quayle	Woodall
Lamborn	Reed	Yoder
Lance	Rehberg	Young (IN)
Landry	Reichert	
Lankford	Renacci	

NAYS—189

Ackerman	Crowley	Jackson (IL)
Altmire	Cuellar	Jackson Lee
Andrews	Cummings	(TX)
Baca	Davis (CA)	Johnson (GA)
Baldwin	Davis (IL)	Johnson, E. B.
Barrow	DeFazio	Kaptur
Bass (CA)	DeGette	Keating
Becerra	DeLauro	Kildee
Berkley	Deutch	Kind
Berman	Dicks	King (IA)
Bishop (GA)	Dingell	Kissell
Bishop (NY)	Doggett	Kucinich
Blumenauer	Doyle	Langevin
Boren	Edwards	Larsen (WA)
Boswell	Ellison	Larson (CT)
Brady (PA)	Eshoo	Lee (CA)
Braley (IA)	Farr	Levin
Brown (FL)	Fattah	Lewis (GA)
Butterfield	Filner	Lipinski
Capps	Frank (MA)	Loeback
Capuano	Franks (AZ)	Loftgren, Zoe
Cardoza	Fudge	Lowey
Carnahan	Garamendi	Lujan
Carney	Gonzalez	Lynch
Carson (IN)	Green, Al	Maloney
Castor (FL)	Grijalva	Manzullo
Chandler	Gutierrez	Markey
Chu	Hanabusa	Matheson
Cicilline	Hastings (FL)	Matsui
Clarke (MI)	Heinrich	McCarthy (NY)
Clarke (NY)	Higgins	McCollum
Clay	Himes	McDermott
Cleaver	Hinche	McGovern
Clyburn	Hinojosa	McIntyre
Cohen	Hirono	McNerney
Connolly (VA)	Hochul	Meeks
Conyers	Holden	Michaud
Cooper	Holt	Miller (NC)
Costa	Honda	Miller, George
Costello	Hoyer	Moore
Courtney	Inslee	Moran
Critz	Israel	Murphy (CT)

Nadler	Rothman (NJ)	Stark
Napolitano	Roybal-Allard	Sutton
Neal	Ruppersberger	Terry
Oliver	Rush	Thompson (CA)
Owens	Ryan (OH)	Thompson (MS)
Pallone	Sanchez, Linda	Tierney
Pascarella	T.	Tonko
Pastor (AZ)	Sanchez, Loretta	Tsongas
Payne	Sarbanes	Van Hollen
Pelosi	Schakowsky	Velázquez
Peterson	Schiff	Visclosky
Petri	Schrader	Walz (MN)
Pingree (ME)	Schwartz	Wasserman
Polis	Scott (VA)	Schultz
Price (NC)	Sensenbrenner	Waters
Quigley	Serrano	Watt
Rahall	Sewell	Waxman
Reyes	Sherman	Welch
Richardson	Shuler	Wilson (FL)
Richmond	Sires	Woolsey
Rohrabacher	Slaughter	Wu
Ross (AR)	Speier	Yarmuth

ANSWERED “PRESENT”—1

Johnson (IL)

NOT VOTING—26

Alexander	King (NY)	Shimkus
Bachus	Lummis	Stivers
Brady (TX)	Mulvaney	Tiberi
Burton (IN)	Myrick	Towns
Duffy	Perlmutter	Walsh (IL)
Engel	Rangel	Whitfield
Giffords	Rokita	Young (AK)
Gingrey (GA)	Schock	Young (FL)
Gohmert	Scott, David	

□ 1249

Messrs. TERRY, WELCH, and CONYERS changed their vote from “yea” to “nay.”

Messrs. LANDRY, RYAN of Wisconsin, MICA, HALL, and CULBERSON changed their vote from “nay” to “yea.”

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Roll-call vote 463, On Question of Consideration of the Resolution—H. Res. 316, Providing for consideration of the bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities, and providing for consideration of the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform—I would have voted “aye.”

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. House Resolution 316 provides a structured rule for consideration of both H.R. 1249 and H.R. 2021. The rule provides for ample debate on both of these bills and gives Members of both the minority and the majority the opportunity to participate in the debate.

Mr. Speaker, I rise today in support of H. Res. 316. As I said before, this rule provides for consideration of two different bills: H.R. 1249, the America Invents Act, and H.R. 2021, the Jobs and Energy Permitting Act of 2011. Although these bills share one rule, the House will have opportunity to consider these pieces of legislation separately, and the rule ensures that we'll have full, transparent debate on both of these bills.

Article I, section 8 of the Constitution delegates Congress the exclusive authority over U.S. patent law. However, Congress has not enacted a comprehensive patent reform for nearly 60 years, since the Patent Act of 1952.

The America Invents Act makes significant substantive, procedural, and technical changes to current U.S. patent law that is designed to put American inventors on a level playing field with their global competitors.

I've heard from my colleagues on both sides of the aisle about concerns they have with the America Invents Act. In fact, I have some of those same concerns myself. As colleagues on the other side of the aisle, and some on this side of the aisle, are going to point out, this rule waives CutGo.

Quite frankly, Mr. Speaker, I hate that we have to waive CutGo to bring this legislation to the House floor. However, I need to stress to Members on both sides of the aisle that even though this rule may waive CutGo, it does not increase the budget or its deficit.

The Judiciary Committee wrote a bill that violated the House rule by appropriating when it moved patent fees from discretionary spending to mandatory spending. The manager's amendment fixes the Judiciary Committee's violation of those House rules. The manager's amendment does this at the insistence of the Rules Committee and the leadership.

This is the right thing to do. The Constitution makes it clear that the power of the purse must stay in Congress, and I believe abdication of agency funding to PTO would have clearly violated the Constitution.

However, by moving money back to discretionary spending, Chairman SMITH's manager's amendment does, through a technicality, violate CutGo. Again, let me remind my colleagues that while the manager's amendment does require a technical waiver of CutGo, this does not increase the deficit. Let me say it again. This does not increase the deficit.

In fact, Budget Committee Chairman RYAN supports this solution because, one, the manager's amendment ensures that the funding for PTO stays on the discretionary side where it is subject to appropriation, budget enforcement, and oversight. Two, this is the only technical waiver of the CutGo rule because the provisions of the manager's amendment were not included in the reported bill.

As I said before, I don't like it that we need to waive CutGo. However, it is the right thing to do so we can ensure, institutionally, that the power of the purse continues to lie with Congress, where our Founding Fathers intended it to be.

Additionally, I'm proud to say this is the first time ever, the first time ever this rule actually specifically designates 20 minutes for debate devoted exclusively to the constitutionality concerning H.R. 1249.

We opened the 112th Congress by reading the U.S. Constitution. As a member of the Constitution Caucus, I believe we can't let the conversation end there. Therefore, I'm proud of this rule, which continues to reflect Congress' commitment to our Nation's foundation, the Constitution.

But this rule isn't just for H.R. 1249; it's also for H.R. 2021, the Jobs and Energy Permitting Act.

Mr. Speaker, I strongly support this legislation. The U.S. Geological Survey estimates that Alaska's Beaufort and Chukchi Seas contain 27.9 billion—that's with a "b"—barrels of oil and 122 trillion cubic feet of natural gas. These resources, if developed, could produce up to 1 million barrels of oil per day for domestic energy consumption.

However, while companies may have drilling leases to these lands, they continue to be mired in redtape and bureaucratic delays related to the Clean Air Act. This bill helps cut through these delays.

H.R. 2021 eliminates the permitting back-and-forth that occurs between the Environmental Protection Agency and its Environmental Appeals Board. Rather than having exploration air permits repeatedly approved and then rescinded by the EPA and its review board, under H.R. 2021, the EPA will be required to take final action, either granting or denying the permit, within 6 months.

Mr. Speaker, the American people are tired of the EPA keeping us from taking advantage of our own natural resources. We're the only country in the world that does that.

And, Mr. Speaker, the Obama administration has put their green agenda and EPA bureaucracy over American jobs and the ability for our energy security. H.R. 2021 helps bring an end to those irresponsible policies.

I encourage my colleagues to vote "yes" on the rule.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank my friend from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, patents are one of the most critical components that drive American innovation, drive our economy, drive invention and innovation. Regrettably, for a variety of reasons, the bill that this rule makes in order fails to ensure that the Patent Office has the resources it needs to process patent applications in a timely manner.

Now, I am grateful that this rule allows discussion of a number of important amendments, including my amendment, but there are a number of underlying flaws in the manager's amendment to this bill.

Inventors, innovators, and job creation should not be on hold due to delays in patent approval. I'm an inventor of several patents, and I can tell you that the quickest one that I received took over 5 years until it was granted. By the time it was granted, I had actually sold the company and was no longer involved in the sector.

The Internet and the information economy move at a speed and a different timeframe than our current patent review process operates under. Yet, this legislation, in its current form, with the manager's amendment, might actually serve to ensure that those delays continue because of a squabble between factions on the majority side.

Rather than resolve these differences to the benefit of American inventors, instead, the baby has been split, a decision that would cause King Solomon great reticence. The bad news for any American innovator pursuing a patent, as well as for the employees that new businesses might support, is that we fail to resolve some of the most pressing issues within the patent and trademark administration through this law.

The issue is that H.R. 1249 changes what I would consider one of the most important aspects of patent reform. And while there are very legitimate and important policy discussions on the aspect of patent reform, an equally, if not more important issue is adequate funding for the U.S. Patent and Trademark Office to ensure the speedy approval of applications so that they're relevant and reviewed and granted in a timeframe consistent with the needs of the private sector.

The PTO needs to be able to charge fees sufficient to recover the cost of its services and use those fees to pay for providing those services.

□ 1300

Now the PTO has a backlog of more than 700,000 patent applications, and it takes on average—well, my wonderful documentation from my staff says 2 to 3 years for a patent to get to be approved or rejected. I have never had one reviewed in anything close to that

time. Maybe they just see my name on it and they put it under a pile of notes and they take 5 or 6 years. But if we don't increase the resources of the PTO, there is no way the PTO could expand the number of highly qualified examiners to actually reduce patent review time and put it on a timeframe consistent with the needs of the private sector, protecting innovation.

It's crucial that the fees generated are made available to the PTO so they can run in an efficient manner and protect American innovation here and abroad. The fees should not be held hostage to political squabbling here in this body every year on appropriations bills, every year on the budget debate. The price to American innovation is one that is too steep to pay to make that beholden to our very important political discussions that we have every year, but one that inventors need predictability and companies need predictability when deciding how much to invest in R&D and deciding how to pursue patents with their invention.

I understand that some on the other side might be satisfied with the current manager's amendment language, but the worry is that the Patent and Trademark Office cannot actually use the patent fees to search, examine, and grant patents where warranted. So I would ask: What's the point?

Patent reform is not traditionally—nor is it today, nor should it be—a Democratic or Republican issue. It's a nonpartisan issue. High-quality patents, as mentioned in the United States Constitution, are crucial to our economy getting back on track and moving forward.

President Obama issued a challenge in the State of the Union address to outinnovate, outbuild, and outeducate the world. And having a patent and trademark system that we can be proud of is an important part of American competitiveness and a mark that we fail to reach with this bill and the manager's amendment.

Contrary to the belief of some, America still does invent, build, and sell our goods and services throughout the world. In fact, one of America's main competitive advantages is in the information economy, the intellectual economy, the creative economy, the very types of economic innovations that we rely on patent trademark and copyright to protect. And yet, if we fail to improve the quality of our patent application system, including rapid and high-quality review, we risk losing our leadership in innovation.

I think this Congress needs to rise beyond the petty squabbling over committee jurisdiction, over trying to bind future Congresses, over budget and appropriations debates. We really need to rise beyond that and come up with a patent bill that we can all be proud of that leaves American innovation in good stead.

Now, Mr. Speaker, this rule also calls for the consideration of H.R. 2021, that is called the Jobs and Energy Permitting Act. The proponents of this bill continue to push a false narrative sprinkled with outrage based not on facts but on sound bites. They somehow want to convince the American people that President Obama is single-handedly shutting down oil drilling when, in fact, he has granted more permits than his predecessor. We've heard this broken record from my colleagues over and over again. And as simplistic and dramatic as the story is, the fact is that it's simply not true.

The American people know that prices at the pump—and that has caused difficulty for a lot of American families—have nothing to do with drilling here or now. Not only is there a lag effect in the 5- to 10-year timeframe, but, in fact, the domestic part of that equation in terms of reflecting gas prices is *di minimus*. The U.S. simply doesn't have enough oil to feed our addiction to oil, and gas prices are controlled by international markets and international supply and demand.

Despite the close relationship between the oil industry and the Bush administration, the Obama administration is allowing more drilling than the Bush administration did—much to the chagrin of some Members of the Democratic Caucus. The Obama administration approved more leases in 2010 than the Bush administration did in 7 out of 8 years of its Presidency.

In addition to more drilling, we are producing more oil, yet gasoline prices continue to go up—again, gasoline prices, international markets, supply and demand, separate from the long-term issues of drilling in this country.

The United States produces 9.7 million barrels of oil per day, and that's the most oil that we've produced in 20 years. We are just behind Saudi Arabia and Russia as the world's top producer. We have been raising production steadily since 2005—and that's a trend that I think we will be able to continue—and yet over this same period, oil hit a record high of \$147 a barrel in 2008 during our period of production rise.

We need a real solution, not simply a solution that is focused on a 2012 election, on policy decrying President Obama's policies. We need a real solution to help end our Nation's reliance on fossil fuels and reduce our demand as well as supplement the energy supply with renewable energy sources.

Again and again, Republicans are proving that their energy platform isn't "all of the above" that common sense would dictate but, rather, "oil above all," "drill, baby, drill."

Mr. Speaker, this rule and the underlying bills are bad policy. I think we need an open discussion of these issues rather than trying to split the baby in half, pleasing no one; and on the energy issue, rather than giving a sound

bite approach, to really require a comprehensive national energy strategy, including "all of the above."

Mr. Speaker, I reserve the balance of my time.

Mr. NUGENT. I appreciate the comments of my good friend from Colorado. We want to make sure that innovators like him don't have to wait 5 years to get something to market.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman for the recognition.

I rise in support of this rule to bring more American energy online.

This is a bipartisan bill, H.R. 2021, and it deserves debate on the floor today. Everybody in this Chamber ought to vote for this rule if they care about our gas prices, about our national security, about our energy security, and about job creation.

This bill has the potential to create tens of thousands of jobs annually, over \$100 billion in payroll over the next 50 years, and 1 million barrels of oil a day. That's nearly enough oil to replace our imports from Saudi Arabia.

This bill would reduce our dependence on Middle East oil significantly, and that ought to be our goal. Foreign nations—some of which have serious animosity towards the United States—are in control of the vast majority of oil that we use day in and day out. Is dependency on these foreign countries not one of the biggest threats that our country faces today? It's a scary reality that this bill directly addresses.

The energy security bill will streamline the process of offshore permitting. Current impediments have delayed development of the Beaufort and Chukchi Seas for over 5 years. These are areas that have already been approved for drilling. The revenues for the leases have already been collected by the Federal Government, and yet over 5 years drilling is yet to occur.

The bill will make a number of minor changes. First, it will clarify that a drilling vessel is stationary when drilling begins and, therefore, should only be regulated as a stationary source at that point. It clarifies that service ships are not stationary sources by the simple virtue of the fact that they do not stop to drill. They are mobile sources regulated, as such, under title II of the Clean Air Act.

Third, the bill clarifies that emission impacts are measured onshore, where the public resides.

Lastly, the bill eliminates the needless delays, the constant ping-pong between the EPA and the Environmental Appeals Board when it comes to exploration clean air permits. And it requires final agency action to take place in 6 months, to give them an up-or-down approval—denial of proof within 6 months.

Alaska holds tremendous potential, and this bipartisan bill achieves great

things by allowing a responsible and efficient process to take place.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the ranking member of the Judiciary Committee, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank JARED POLIS, who is a brilliant former member of the Judiciary Committee, and we miss him very much.

Ladies and gentlemen, the reason these two bills are put together is very easy to fathom, that is that we have started off by, for the first time in the 112th Congress, violating the CutGo rule, formerly known as the pay-as-you-go rule, and we're trying to mask it by talking about how wonderful the second bill, the Jobs and Energy Permitting Act, H.R. 2021, is. But it's not going to work, friends, because we know why we're trying to play down the patent bill that the rule is originally committed to.

□ 1310

It is because there are growing numbers of Members that are not only going to vote "no" on the rule, but they are going to vote "no" on the bill since for the first time since January that this CutGo rule was instituted, which prohibits consideration of a bill that has the net effect of increasing spending within a 5-year window, it is waived. In other words, you can't pass a bill that will increase spending without providing an offset.

There is no offset. That is understood. But here is what the Congressional Budget Office said, that this bill will increase direct spending by \$1.1 billion over the 2012-2021 period. It will increase it by \$140 million by establishing a new procedure post-grant review. It will increase it by \$750 million, because they establish a procedure that would allow patent holders to request the PTO to review an existing patent. It will increase it by \$251 million by allowing inter partes reexamination, that is, to make it tougher and longer for a small inventor to be able to get his patent secured.

So please vote "no" on this rule for the reason that it violates the pay-as-you-go, now known as the cut-and-go rule.

Mr. NUGENT. Mr. Speaker, it is amazing when you hear the arguments in regards to CutGo that our friends are raising today; but in the 111th Congress, PAYGO was the flavor of the week, and that was violated eight times. And of those eight times, it actually increased, increased spending, and added to our deficit, each and every one of those.

This waiver of CutGo does neither. It merely is a technical ability for us to hear those two underlying pieces of legislation so we can have open debate on the House floor and have the amendment process be intact.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 45 seconds to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentleman.

I say to the gentleman, Mr. NUGENT, the Congressional Budget Office sent us and you a letter saying it would increase direct spending by a total of \$1.1 billion. That is not even a small increase. And, by the way, the fact that somebody else waived the pay-as-you-go rule doesn't give you the right to waive cut-as-you-go. This is outrageous that this would be allowed in the first 6 months of the year, and it has never been waived before in the 112th Congress. And he says it is not going to cost us very much, or nothing.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that their remarks should be directed to the Chair and not to others in the second person.

Mr. NUGENT. Mr. Speaker, just as a response, the letter that we have from the Congressional Budget Office of May 26 talks about "CBO estimates enacting the bill would reduce net direct spending by \$725 million." So I am not sure if we have the same letter. But this is the letter that I referred to, Mr. Speaker, and I suggest those on the other side of the aisle may look at the same letter.

I reserve the balance of my time.

Mr. POLIS. To be clear, the gentleman from Florida refers to a letter that was regarding the initial bill. The manager's amendment actually changes the equation the gentleman indicated and renders that side letter inaccurate relating to the manager's amendment, which, if adopted under this rule, will then be part of the bill.

I yield 2 minutes to the gentleman from New York (Mr. TONKO), a member of the Budget Committee.

Mr. TONKO. I thank my colleague, the gentleman from Colorado.

Mr. Speaker, I rise in opposition to this rule on this historic day in the 112th Congress.

Six months. That's it. Six months. It took less than 6 months for the Republican majority to come to the floor of this House and break their most treasured promise to the American people, a promise made in writing to the rules of the House of Representatives. Today, by waiving the House CutGo rule, my colleagues across the aisle are giving up on their foundational principle of deficit reduction—no new spending without offsets.

Don't take my word for it. The Congressional Budget Office clearly states that the manager's amendment, as we just heard, to the base bill, H.R. 1249, breaks the rules of the House. So the majority has written a new one-time rule that breaks their most fundamental promise to America, that this Congress will not enact a dime of new spending without cutting spending

from another area of our Federal budget.

This bill is going to increase discretionary spending by nearly half a billion dollars with no offset to cover that new spending. From my seat on the Budget Committee, I have watched how fiercely they have clung to this promise; and though I disagree with many of their choices and cuts, this is truly a new low. It is a historic breakdown that only took 6 months to arrive.

Though America is watching and waiting for a solution, a jobs bill, for instance, to our Nation's fiscal and economic crisis, Republicans began the year by saying that half the budget question was off the table. For instance, questions like \$800 billion were spent on tax breaks for the wealthy, or like tens of billions in subsidies and deliberate loopholes for some of the wealthiest corporations on Earth.

CutGo doesn't lay down any rules about tax expenditures. We could entirely stop collecting taxes and let the budget and the economy collapse tomorrow, and that would abide by CutGo.

Again, this rule only deals with spending without finding the roughly half a billion dollars' worth of offsets to pay for the bill. Not surprisingly, this rule has lasted us only 6 months. I would ask my Republican colleagues, what will the next 6 months bring and the next 6 months after that?

Mr. NUGENT. Mr. Speaker, the manager's amendment fixes a rules violation. It requires a technical waiver of CutGo to move the patent fees back to the discretionary side. Those fees were going to be put into mandatory spending. Now it is back to discretionary.

Of course the discretionary spending went up, but think about this: the fees that are utilized to pay for this come from those that actually apply for patents. The money is going to be utilized to make sure that folks like Mr. POLIS don't have to wait 5 years. These are dollars collected for specific reasons. The reason is to allow us to become innovators again, to allow us to compete with China.

We need to do things in America to make us stronger; and while people might rail against the CutGo waiver, let's talk about the real issues that face America, and that is energy, in regards to finding more energy, bringing it to market, whether it is oil or natural gas. Those are the issues that are up. And it is about invention. It is about allowing the Patent and Trademark Office to actually get back to work and do the right things and have some ability to look forward in regards to what they can do in regards to moving forward the process.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to yield 1½ minutes to the ranking member of the Rules Committee, the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I do appreciate my friend from Colorado for yielding me time.

Mr. Speaker, with this rule today, the Republicans waive their so-called CutGo rule to protect a Republican manager's amendment to the patent reform bill. Nonpartisan experts at the Congressional Budget Office said, "We estimate that amendment," No. 15, Smith, the manager's amendment, "would significantly increase direct spending, would not affect revenues."

I think, if I understand correctly, it adds about \$140 million in spending.

□ 1320

By reclassifying the fees and spending by the PTO as discretionary, amendment 15 would eliminate \$712 million in savings that are scored in the original bill.

Republicans have repeatedly characterized this waiver as "technical." They may think the waiver is technical, but for \$712 million to be tossed around does not sound technical to me or to most Americans, I'd wager. We think it's real money.

It was our Speaker, Mr. BOEHNER, who complained that the previous Democratic majority frequently waived pay-as-you-go to meet its needs. When the Republicans eliminated the PAYGO rule and replaced it with their CutGo rule, BOEHNER complained that, "We routinely waive the Budget Act's requirements to serve our purposes." Today, it is the internal squabbling of the House Republican Conference whose purposes are being served by a waiver of CutGo.

They go on to say the manager's amendment is important enough to waive CutGo because it preserves congressional oversight of the Patent Office.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman 45 additional seconds.

Ms. SLAUGHTER. This is simply not accurate. The CutGo violation in the manager's amendment—the provision that increases direct spending by \$712 million—would simply remove from the bill a provision that was going to ensure the Patent Office was fully funded.

If I didn't already have enough complaints against this manager's amendment, I want to call attention to the House that after 13 years of work we finally got genetic nondiscrimination passed in this Congress so that people could feel free to have genetic tests. This manager's amendment for the first time talks about the patenting of human genes. That must never, ever happen.

Mr. NUGENT. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman from Colorado (Mr. POLIS) for yielding, and rise against this rule and the underlying bill.

The bill is unconstitutional. It will stifle American job creation; cripple American innovation; it throws out 220 years of patent protections for individual inventors; and it violates the CutGo rules, increasing our deficit by over \$1 billion. This bill should never have been brought to the floor. Not only is it chock full of special interest legislation for large banks and a handful of corporate interests, what we are voting on today makes a mockery of the openness that the Republican leadership promised in legislative procedures. The bill has gone through a lot of iterations, without sunlight, since it was first reported out of committee. The Congressional Budget Office's score on this latest version of the bill that just came out last night shows that it violates the CutGo rules. That's right. It increases the deficit every year between now and 2021.

Just last week, we couldn't find enough money to provide hungry American children with food. But for some reason, the Republican leadership believes it's appropriate to add hundreds of millions of dollars in costs to the taxpayers and more regulations at the Patent Office. That's the non-partisan CBO's number, by the way. Meanwhile, the bill takes away patent and intellectual property rights of individual inventors.

This is not the bill passed by the Senate. This is not the bill that passed out of the Judiciary Committee. As the details of what we are actually being asked to vote on leaks out, more people, including now those who actually work in the Patent Office, oppose the bill. Importantly, the bill removes the requirement that only first inventors may receive a patent and it creates the monopoly nightmare that the Founders of our Constitution intended to prevent.

The first-to-file patent system will lead the Federal Government to create commercial monopolies and more regulations—exactly what Jefferson, Madison, and other Founders opposed. As opposed to securing to first inventors their property rights, the bill will merely secure unreserved rights to the first to file a patent. The first one to run over to the Patent Office might get the patent. That is not what is enshrined in our Constitution. The authentic, first inventor must not be stripped of their rights.

The very first right in our Constitution, even before the Bill of Rights, is the right to your intellectual property.

Vote "no" on the rule and the bill.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Cali-

fornia (Mr. ROHRBACHER), a champion of individual inventors.

Mr. ROHRBACHER. I rise in opposition to the rule.

The CBO says the manager's amendment to this bill, H.R. 1249, would significantly increase direct spending. According to the CBO, over a 10-year period, H.R. 1249 would incur significant new deficit spending. For example, switching to first-to-file would increase costs by \$18 million; the new post-grant review in this bill would cost \$140 million; amending the inter partes reexamination would increase direct spending by \$250 million. This is all annually. The new supplemental review would increase direct spending by \$758 billion. That's a \$1.1 billion increase in spending. Yet we as Republicans promised that if there would be this increase in spending, we would cut spending in a proportionate share. We made that the rule of how we're going to do business. This rule supersedes that promise. We should not be going back on our promise to the American people to act responsibly.

This bill will lay the foundation not only for weaker patent protection for American inventors but it will also knock the legs out from us finally being responsible in our spending patterns. This bill is not about making the Patent Office more efficient. That's what we keep hearing. It is about harmonizing American patent laws with those of Europe. And in Europe and Asia they do not have strong patent protection for their people. What that means is weaker patent protection for Americans. That is what they're trying to achieve. And who's going to be strengthened by this? Multinational corporations who don't care about the United States.

The Hoover Institution just did a major study showing that the patent bill demonstrably is a plus for large corporations who have created no jobs and hurts all the little guys and the small guys and the startups who have created all the jobs. This is an anti-jobs bill. It should be defeated.

Mr. NUGENT. Mr. Speaker, I listened to the arguments. The key to this is allowing this bill to go forward. The key to this is allowing amendments to come to the floor and have open debate. Even Mr. ROHRBACHER has some amendments that are going to be coming to this floor to have debate in regards to the merits; debate in regards to what is the will of the House. That's the reason we have the time set aside on each of these bills, so those that are opposed to it can be heard and those that have amendments that want to modify what the underlying legislation is can be heard. And issues about constitutionality. That's why this rule sets aside specific time to talk about the constitutionality of the America Invents Act. That's the beauty of this

building that we're in and the organization and the institution that we represent, is the ability to have open debate, both sides of the aisle. It doesn't matter. It's about open debate and about changing and allowing us to hear differing opinions and different views.

So I respect those on the other side of the aisle. I respect those Members within the Republican side of the aisle. I respect the difference of opinion. That's what families are all about, so we can have an open discussion and exchange. That's what this rule does. It allows us to hear on both of these bills an open and frank discussion about the merits of each, the merits of any amendments as to how we want to change or modify.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. I thank my colleague from Colorado.

Mr. Speaker, I rise to oppose the rule. When the Republicans last fall traveled around the country asking the American people to return this House to their control, they promised two things. One, they were going to create jobs. Secondly, they were going to promote fiscal responsibility and try to reduce the deficit and reduce the debt. Well, on the first score, it's been 6 months and we haven't seen the first item of job-creating legislation. On the second item, we should have known better. We should have known better than to trust them to actually try and rein in the deficit.

Today, with the rule under consideration, the Republican majority is proposing to waive the very rules they wrote to supposedly cut spending.

□ 1330

The GOP proposed the CutGo rule last year, saying it was part of their plan to rein in spending; and now, just a few short months later, they're violating their own rules. We heard the gentleman from Florida actually concede that they're violating their own rules. That is award-winning hypocrisy, but it's not surprising because, as has been mentioned, the Speaker of the House said last year, We routinely waive the Budget Act's requirements to serve our purposes.

Maybe we could excuse that if they were, say, proposing legislation to create jobs, but we know that isn't happening. In fact, the underlying bill does exactly the opposite.

It stifles innovation and entrepreneurship. The surplus fees that are collected by the Patent and Trademark Office could be used to protect patents and to process new ones so that there are new inventions, new innovations coming to market, creating jobs; but the Republican majority wants to take those funds and put them into the general kitty where they can spend it on

other things like—who knows?—more tax breaks for the rich or maybe Big Oil companies.

Only time will tell that.

But now, for today, it is best advised to reject this rule and to not allow the Republicans to get away with violating their own CutGo rules and then to pass this legislation that would stifle innovation in America.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I rise today as a proud member of the Rules Committee. I appreciate my colleague on the Rules Committee for yielding to me.

It's not lightly that I come down to the floor today, because I've only been on the job here 5 months. Mr. Speaker, you know that I'm one of the new guys here in Congress, and I came down to the House floor because I thought this is where deliberation went on. I thought this is where folks had candid conversations about how to improve a bill. I see my colleague Mr. POLIS there at the table. We've made a lot of amendments available, not just on the patent bill, but on the EPA bill as well.

So when I come to the floor and hear folks talking about CutGo, I wonder what happened to the serious conversations that we were going to have here on the floor. I wonder where the seriousness about improving the bills that are coming to the floor went because, as you know, Mr. Speaker, this CutGo issue is one that was created solely because the way the bill was reported out of committee and the way the manager's amendment impacted it created a technical CutGo violation.

A technical CutGo violation. Ask the freshman Member of Congress, and I'll tell you that there is a technical CutGo violation in the manager's amendment.

Does it spend \$1? Does it spend \$1 that the Federal Government wasn't going to spend anyway? No. Does it cost the American taxpayer \$1? The answer is "no."

Mr. CONYERS. Will the gentleman yield?

Mr. WOODALL. I am happy to yield to the gentleman from Michigan (Mr. CONYERS), the ranking member.

Mr. CONYERS. This would spend \$1.1 billion. That's not technical, my friend. It would spend \$1.1 billion.

Mr. WOODALL. I reclaim my time.

That's what troubles me as a freshman because I know, Mr. Speaker, that the distinguished Member knows that had the committee reported this bill out the way the manager's amendment crafts this bill there would be no CutGo violation whatsoever. Hear that. Had the committee reported this bill out the way we're bringing this bill to the floor, there would have been no CutGo violation whatsoever. Yet we are raising this issue on the floor of the House as if there is some big backroom deal going on.

That's frustrating to me as a freshman Member, Mr. Speaker, because there is no backroom deal. This is the most open House of Representatives that I've seen in my lifetime. This is the most open Rules Committee that I've seen in my lifetime. This is the most open process in the people's House that I have seen in my lifetime. Yet, for reasons that I cannot suppose, folks make this case as if there are nefarious things going on in the backroom.

I say to my colleagues and I say to you, Mr. Speaker, that the American people have a distrust of Washington, D.C., and I will tell you that that distrust is well earned. That distrust is well earned, and that's why there are 96 new people here this time around. Folks, let's not suggest that there is something going on when there's not. Let's be honest when there are problems, and let's be honest when we're doing it right; and Mr. Speaker, we're doing it right today.

Mr. POLIS. I've been advised by some of our advisers on our side that, in fact, this would have been a CutGo violation even if this had been an amendment in committee.

This is a serious discussion. When we're talking about CutGo, it's a serious issue. I think this Congress on both sides of the aisle have come here to balance the budget, to restore fiscal discipline to our country; and setting the precedent of a CutGo violation so early in the term really calls into question what a "rule of the House" even means if it is to be so casually disregarded.

I yield 45 seconds to the ranking member of the Judiciary Committee, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentleman for yielding.

I just wanted my dear friend—and I recognize he has only been here 5 months—to realize that this is not a technical CutGo violation. This is a \$1.1 billion violation. That's real money that we're going to have to get from somewhere else, and we're waiving CutGo for the first time in the 112th Congress.

I am appealing to Republicans and Democrats, Mr. Speaker, to join with us against this outrageous and costly and blatant violation of the House rules that they wrote.

Mr. NUGENT. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule.

I realize that we are dealing with a somewhat unprecedented situation here; but I've got to say that, as I listen to the characterization being put forward by my colleagues on the other side of the aisle as to this so-called CutGo waiver, they appear to be way off base.

I have no idea, Mr. Speaker, what this \$1.1 billion figure is. I've been asking my staff members since I heard the distinguished former chair of the committee, the ranking member, throw this figure out, and they said, We have no idea where this \$1.1 billion figure has come from.

If he wants to explain that to me, I am happy to yield to my friend, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Yes. The letter to the distinguished chair of the Rules Committee came from the Congressional Budget Office, and I would be pleased to quote it to you. The \$1.1 billion is an accumulation of several other costs that they reported.

Mr. DREIER. I reclaim my time.

Let me say, I asked my staff where this \$1.1 billion figure came from. My staff members are right here on the floor, and they said they don't know where the basis of this \$1.1 billion figure comes from. Mr. Speaker, what happened in the Judiciary Committee was unfortunate. It was an unfortunate development that took place because the Judiciary Committee proceeded to do something that they should not do, which is they began appropriating.

All we are doing with this provision that we have in place is simply saying that the power should, in fact, lie with the House Appropriations Committee and that it should not be mandatory spending that does not provide the first branch of government, the legislative branch, with the adequate oversight.

Now, as I walked into the Chamber, my friend from Kentucky was saying that this bill is not focused on job creation and economic growth when, in fact, we know that encouraging creativity and innovation is about our creating good jobs right here in the United States of America. Mr. Speaker, the American people get it. They realize that if we were to take our time and energy and focus on job creation and economic growth we would be able to improve the standard of living and quality of life for the American people. Unfortunately, we've not been vigorously pursuing those.

I think that one of the most important things that we can do is to open up new markets around the world for U.S. goods and services and for our kind of innovation that is developing. We at this moment are waiting for three trade agreements that have been languishing over the past 4 years. Unfortunately, this House in the last 4 years has failed to consider them. They would create good union and nonunion jobs for the American worker.

□ 1340

Good jobs for union and nonunion members would be created if we were to pursue that kind of policy.

Now, those agreements are pending. We've gotten a positive indication that

the administration is going to be sending those to us. We need to move on those as quickly as possible. As we look at those market-opening opportunities, having the kind of innovative ideas that will be able to take place, creating new products is going to be wonderful because we'll have new markets for those products around the world.

And so that's why, again, Mr. Speaker, here we are under a process that allowed an amendment by my friend from Michigan, the distinguished ranking member of the Committee on the Judiciary, to be made in order; my friend from Colorado from Boulder, Colorado (Mr. POLIS), I'm very happy that we were able to make his amendment in order. Ms. JACKSON LEE was here just a few minutes ago. She withdrew an amendment that she offered before the Rules Committee, and a similar amendment was offered by my colleague from California (Ms. ESHOO). We chose to make that amendment in order, which is virtually identical to the one that my friend from Houston offered.

And so as my friend from Lawrenceville, Georgia, my Rules Committee colleague, said, Mr. Speaker, here we are. We've made 15 amendments in order for considering allowing virtually every idea to be considered. My friend from California (Mr. ROHRABACHER) has his amendment made in order. And so the idea of somehow criticizing the Rules Committee and the action that we've taken is just way off base.

There were 15 amendments that are made in order under this bill; 10 amendments have been made in order for the Energy and Commerce legislation that's come before us.

Mr. CONYERS. Will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank you, my friend.

We are not criticizing the Rules Committee. The CutGo violation, which you have not even seen the CBO letter that described the \$1.1 billion—

Mr. DREIER. If I can reclaim my time, Mr. Speaker, let me just say that I asked my staff about this, and they were unaware of exactly where this \$1.1 billion figure came from. And so in light of that, it seems to me that we are in a position where we need to proceed with this very important work, and we're trying our doggonedest to make it happen.

We're going to allow proposals from Messrs. ROHRABACHER, CONYERS, and POLIS and others to be considered, and that's why it's important that we pass this rule. If we don't pass this rule, we won't have the opportunity for the Rohrabacher, Conyers, and Polis ideas to be considered here on the House floor.

And so let me thank my friend for yielding. I know he has other speakers. And with that, I'm going to urge support of the rule.

Mr. POLIS. I think some of the frustration here, Mr. Speaker, is that the work product of the committee is being disregarded in favor of a rule that provides for a manager's amendment that fundamentally alters the character of the bill in a way that many Members of both parties have quite a few problems with.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas, a member of the Judiciary Committee, Ms. JACKSON LEE

Ms. JACKSON LEE of Texas. I thank the Speaker and thank the gentleman, and I appreciate the generosity of the Rules chairman on the number of occasions that I have sought to both represent my constituents at the Rules Committee and to represent issues that are of concern to America.

Let me just say that I believe in efficiency of time, but I am struck by a rule that has two major legislative initiatives that require the deliberation and the thoughtfulness of Members of Congress. I believe the rule is not necessarily a place to express one's opposition or support, but I do believe it's important procedurally to discuss a number of issues.

The legislation that deals with the EPA, H.R. 2021, in and of itself would warrant an opportunity for full discussion, and I offered a number of amendments that I thought were quite productive, and those amendments would have provided some reasonable thought about the EAB. It would have provided a review period, and one in particular that the gentleman mentioned was the opportunity to file your cases in local courts.

I'm glad that we'll have the general discussion on the floor. Far be it from me to suggest that is not a good thing, but I do want to say that I had a very strong amendment that was not included in the Rule; the Amendment was originally withdrawn but resubmitted so we did have an opportunity to correct a letter that we had sent, but I'm glad for the debate in the form of another amendment just like mine regarding local federal courts being allowed to hear these matters.

Mr. CONYERS. Will the gentlewoman yield?

Ms. JACKSON LEE of Texas. I yield to the gentleman from Michigan.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Mr. CONYERS. The reason that both these bills were combined is that they're trying to mask all the defects in the patent bill, and that's why they put this great new jobs, supposedly, creating bill together.

Ms. JACKSON LEE of Texas. Well, reclaiming my time, whatever the reason was, we both agree we needed to have more time for the rules debate.

And I will now move to the patent bill. And as I said, I will not discuss the pros and cons of this legislation, but I will say to you—and I see the gentleman rising over here maybe trying to correct something that was said. There's no reason to correct anything other than the fact that we had a number of amendments that we offered and we would hope that we would have had an open rule.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. POLIS. I yield the gentlewoman an additional 15 seconds.

Ms. JACKSON LEE of Texas. Thank you very much.

On the patent bill in particular, two amendments that would have been vital were to announce that this was not an undue taking of property, to indicate to those who are concerned about this issue, because I think the bill does have the ability to create jobs, and lastly is the point of being able to give small businesses an 18-month period for disclosure when many small businesses have to secure funding from other places and the secret of their invention is exposed.

This Amendment would have added protection to small businesses and improved the debate, nevertheless I look forward to the debate, but I hope we will not have this kind of rule in the future.

Mr. Speaker, before I discuss Amendments I offered, I would like to note my support for the first to file system in H.R. 1249. I believe it to be a positive step toward improving the efficiency and effectiveness of our IP system. However, I am not deaf to some of the criticisms that it has received from various interests, and I believe it is imperative that this bill be a real jobs creator for small and large inventors and businesses.

The amendments I am offering today are not controversial. They simply tighten up the language of the existing provisions of the bill, and add checks to ensure that the bill, if it becomes law, is fulfilling its intended purposes.

AMENDMENTS CONCERNING SMALL BUSINESSES, MINORITY-AND WOMAN-OWNED BUSINESSES, AND, HBCU'S

AMENDMENT #26 AND #22—INCLUSION OF MINORITY-AND WOMAN-OWNED BUSINESSES

H.R. 1249, the "American Invents Act," addresses one of the concerns with the current patent system—the high fees associated with filing patent applications and the burden they impose on small businesses and not-for-profit entities wishing to secure patent protection.

It addresses this concern by giving a 50 percent discount on all USPTO fees to "small entities" and "micro entities."

My first amendment (Amendment #26) amends the definition of "small entities" for the purposes of receiving the fee discount to include language that ensures that minority-owned and woman-owned businesses are included.

My second amendment (Amendment #22), much like my first amendment, includes minority-owned and woman-owned businesses in the definition of "micro entity" for purposes of receiving the fee discounts afforded to these types of entities.

While I am sure it was the intent behind this section to extend protection for all small businesses, my amendments simply reassure inclusion of minority-owned and woman-owned businesses.

The U.S. Department of Commerce defines small businesses as a business which employs less than 500 employees. According to the Department of Commerce, in 2006 there were 6 million small employers—representing around 99.7 percent of the nation's employers and 50.2 percent of its private-sector employment. The proposed patent reform will ensure that small businesses are not treated at a disadvantage. It has great potential to create job growth, and in turn spur economic development for our country.

There were 386,422 small employers in Texas in 2006, accounting for 98.7 percent of the state's employers and 46.8 percent of its private-sector employment. Since small businesses make up such a large portion of our employer network, it is important to understand how they will be impacted as a result of patent reform.

Women and minority owned businesses generate billions of dollars and employ millions of people.

There are 5.8 million minority owned businesses in the United States, representing a significant aspect of our economy. In 2007, minority owned businesses employed nearly 6 million Americans and generated \$1 trillion dollars in economic output.

Women owned businesses have increased 20 percent since 2002, and currently total close to 8 million. These organizations make up more than half of all businesses in health care and social assistance.

My home city of Houston, Texas is home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

AMENDMENT #29—HBCU'S AND HISPANIC SERVING INSTITUTIONS

One of the positive attributes of this bill is that it extends fee discounts to colleges and universities that engage in research and seek patent protection of their work.

H.R. 1249 does this by giving fee discounts to "public institutions of higher education."

For purposes of this section, my amendment includes in the definition of "small entities" Historically Black Colleges and Universities, HBCU's.

Generally speaking, HBCU's should be considered "public institutions of higher education," however, in a few instances where schools receive alternative means of funding, there is a risk that minority serving institutions could be overlooked.

My amendment simply ensures that the intended goal of the language in this bill is actually achieved—that ALL colleges and universities, including Historically Black Colleges and Universities and Hispanic Serving Institutions, receive fee discounts to keep the patent system accessible.

Our Nation's colleges and universities are responsible for a vast amount of valuable research.

HBCUs are a source of accomplishment and great pride for the African American community as well as the entire Nation. The Higher Education Act of 1965, as amended, defines an HBCU as: "... any historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary [of Education] to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation." HBCUs offer all students, regardless of race, an opportunity to develop their skills and talents.

Secretary of Education Arne Duncan said, "HBCUs play an essential role in helping our Nation boost college completion rates and achieve the President's goal for America to again have the highest percentage of college graduates in the world by 2020."

At present, HBCUs award just over 36,000 undergraduate degrees a year. More than 80 percent of those degrees, about 31,500 degrees, are baccalaureate degrees.

HBCUs currently award about 15 percent of all undergraduate degrees nationwide for African-American students.

The completion gap in high-demand fields in science, technology, engineering and math is particularly troubling. Nationwide, nearly 70 percent of white students in STEM fields complete their degrees, compared with just 42 percent of African-American students.

AMENDMENT #27—SENSE OF CONGRESS PROTECTING RIGHTS OF SMALL BUSINESSES AND INVENTORS

We must always be mindful of the importance of ensuring that small companies have the same opportunities to innovate and have their inventions patented and that the laws will continue to protect their valuable intellectual property.

Therefore, I am offering an amendment that expresses the sense of Congress that the patent system should promote industries to continue to develop new technologies that spur growth and create jobs across the country, which includes protecting the rights of small businesses and inventors from predatory behavior that could result in the cutting off of innovation.

The role of venture capital is very important in the patent debate, as is preserving the collaboration that now occurs between small firms and universities. We must ensure that whatever improvements we make to the patent laws are not done at the expense of innovators and to innovation. The legislation before us, while not perfect, does a surprisingly good job at striking the right balance.

Several studies, including those by the National Academy of Sciences and the Federal Trade Commission, recommended reform of the patent system to address what they thought were deficiencies in how patents are currently issued.

The U.S. Department of Commerce defines small businesses as businesses which employ less than 500 employees.

According to the Department of Commerce, in 2006 there were 6 million small employers representing around 99.7 percent of the Nation's employers and 50.2 percent of its private-sector employment.

In 2002 the percentage of women who owned their business was 28 percent while black owned was around 5 percent. Between 2007 and 2008 the percent change for black females who were self employed went down 2.5 percent while the number for men went down 1.5 percent.

Small business is thriving in my home state of Texas as well. There were 386,422 small employers in Texas in 2006, accounting for 98.7 percent of the state's employers and 46.8 percent of its private-sector employment.

In 2009, there were about 468,000 small women-owned small businesses compared to over 1 million owned by men.

88,000 small business owners are black, 77,000 are Asian, 319,000 are Hispanic, 16,000 are Native Americans.

Since small businesses make up such a large portion of our employer network, it is important to understand how they will be impacted as a result of patent reform.

AMENDMENT #23—EXTENSION OF THE DISCLOSURE PERIOD FOR SMALL BUSINESSES

My amendment addresses the section of this bill which deals with the disclosure period, also known as the grace period. In its current state, H.R. 1249 includes a one-year grace period for inventors who make disclosures about their inventions before they apply for an actual patent.

My amendment extends that grace period for small business from one year to eighteen months.

When small businesses are attempting to develop an invention, oftentimes it is necessary for them to make disclosures to outside entities because, due to a lack of resources, they need to outsource the effort needed to bring an invention to market.

For small businesses outsourcing their development, the one-year grace period may not be an adequate amount of time.

Whenever an inventor makes the first public disclosure of an invention, then—as to whatever the inventor disclosed publicly—the disclosing inventor is guaranteed the right to patent the invention if a patent is sought during the 1-year “grace period” after the first public disclosure, even if during this “grace period” someone else (e.g., another inventor) either publishes its own independent work on the invention or seeks its own patent on the invention based on its independent work.

Prior art is created when a disclosure is made available to the public. However, the “grace period” operates so that an inventor's own disclosure (or the disclosure by someone else that represents nothing more than the inventor's own work itself) is excluded as prior art to the extent of any of these inventor-originated disclosures made one year or less before the inventor seeks a patent. In short, inventors have one year from when they make their work public to seek patents.

AMENDMENTS ADDRESSING SECTION 18 (TRANSITIONAL REVIEW PROCESS FOR BUSINESS METHOD PATENTS)

AMENDMENT #25—SUNSET OF BUSINESS METHOD PATENTS REVIEW PROGRAM

Though I am generally supportive of this bill, Section 18, which creates a transitional review program for business method patents, has come under criticism.

There has been a lot of inconsistency in the status of the law surrounding business method patents over the years.

Historically, business methods and systems to implement those methods were not patentable, but in the 1998 *State Street v. Signature Financial Group* ruling, that all changed.

After that ruling, there was an explosion of applications for business method patents, and many were issued. However, many of these patents are of poor quality.

Many business methods are facially obvious, whereas patentable inventions are supposed to be novel and non-obvious.

They also lack prior art. It is very difficult to determine which business methods are simply common practice in different industries, but simply have been properly documented.

The difficulties associated with issuing business method patents coupled with the lack of resources within the USPTO lead to issuance of many weak business method patents, some of which probably should not have been awards. Thus, a slew of litigation followed.

This section, though controversial because it targets a specific type of patent, is intended to iron out the inconsistency in issuance of these types of patents and the many different rulings that flowed from mountains of litigation.

While I believe it is important to achieve consistency, I also think the necessity of this process is finite. Currently, the provision sunsets in 10 years, however, that period is too long in my opinion.

Given the concerns associated with this section and the limited relevance of this provision, I have proposed an amendment that would make this provision sunset in 5 years.

AMENDMENT #24—REQUIRING DEPARTMENTAL DETERMINATION THAT THERE IS NO “UNLAWFUL TAKING OF PROPERTY”

As I mentioned previously, Section 18 of this bill has been subject to criticisms, most notably the fact that the transitional review program is creates may cause some patents to be taken away, which may lead to a potential violation of the “takings clause” in the U.S. Constitution.

Patents, though intangible, are considered property and they are valuable—some extremely valuable and a source of great wealth to their owners. A process that could strip a patent owner of their property without just compensation comes dangerously close to an unlawful taking, in my opinion.

This is of great concern to me, and therefore I am offering an amendment to address the constitutionality issue of this provision.

My amendment requires the Director of the U.S. Patent and Trademark Office, within a year of enactment of this bill, to make a determination of whether the provisions of this section could create a condition that could be considered an unlawful taking of property under the “takings clause” found in the Fifth Amendment of the Constitution. The Director would need to report to Congress the underlying reasoning for his determination.

While there may be a valid intent and purpose behind the provisions in section 18 of this bill, no purpose is so great that it warrants a violation of the Constitution.

My amendment will help ensure that the Constitution is upheld and adhered to, a goal that we all, regardless of party affiliation, should wholly support.

AMENDMENT #28—SENSE OF CONGRESS—NO VIOLATION OF THE TAKINGS CLAUSE

The Constitution is the law of land, a body of law that we as lawmakers respect, and that

the American people value as the cornerstone of democracy.

Because some of the opponents of this bill have raised Constitutional concerns with specific provisions in the bill, I am offering an amendment that reaffirms our commitment to the Constitution.

My amendment is simple. It states that it is the sense of Congress that none of the provisions of this bill should constitute an unconstitutional taking of property under the fifth Amendment to the Constitution.

Mr. NUGENT. Mr. Speaker, just as a clarification, the Rules Committee has the obligation to make sure that they move this through the House so it can come up, so these bills can come up. It's not about combining two bills; it's about a rule that allows two bills to be heard separately. That's all this does.

With that, Mr. Speaker, I yield 3 minutes to gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I do not commonly talk on rules. Usually I come for the substance of the underlying bill, and I will be speaking later on the underlying bill, on the Judiciary's patent reform bill, but I would like to speak not only to the fairness of the rule and the appropriateness and the reason for passage but also perhaps clarify something related to the underlying bill in the case of Judiciary.

First of all, I'm delighted, delighted to see that we are reducing the amount of time for passage of a rule when they are like.

My colleagues on the other side of the aisle certainly know that at the beginning of every Congress, once every 2 years, we pass a massive rules package that every suspension and every other bill is essentially brought under. A rules package is nothing but a slight addition to the overall set of rules of the House, and if we do not produce one, then we operate under the rules of the House. So I'm delighted to see that we are using floor time more efficiently.

As to the question of the costs related to the upcoming bill on patent reform, I find something really amazing that I think all the Members should be aware of, Mr. Speaker, and that is this is a piece of legislation that has already passed by 95-5 out of the Senate. This is a piece of legislation that the ranking member and I have worked on for my entire 11 years here. This is a piece of legislation that every one of us has had input into and found ways to come together so that we had a 10:1 ratio when we passed it out of committee.

And when it comes to the costs, the American people, Mr. Speaker, have to understand this is simply talking about the exclusive fees that both Republicans and Democrats on the committee have demanded be used only for the patent office work and not be diverted. So, even if at some point we have to admonish the appropriators to

stay within a number, we're only talking about how much of the money that the men and women who apply for patents, the men and women who invent, contribute for the purpose of having that passed.

So although people will pass dollars around, let's understand these are not tax dollars. These are dollars contributed with an application for a patent or for the extension, continuation of a patent. These are fees that inventors pay in order to have their inventions considered and retained, and nothing should be more sacred to Republicans and Democrats than making sure that those funds collected by these people are used there.

Mr. CONYERS. Will the gentleman yield?

Mr. ISSA. I yield to the gentleman from Michigan.

□ 1350

Mr. CONYERS. I thank the distinguished member of the Judiciary Committee and the chair of Oversight and Government Reform.

The Congressional Budget Office sent the letter, Mr. ISSA, about the manager's amendment, which had nothing to do with the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUGENT. I yield the gentleman an additional 30 seconds.

Mr. ISSA. Reclaiming that 30 seconds, I fully understand my colleague's statement about the CBO scoring question, but understand, Mr. Speaker, that subject to appropriations, no money will be spent except money contributed in fees by those folks.

So whatever we must do in enactment of this law over time, we will do, but let's understand, we're not talking about the normal budget situation, where clearly any dollars that CBO is referring to are the dollars contributed by the men and women who invent things.

So I think we really have to look at that and say, We know they're entitled to 100 cents on the dollar. That's all we're doing regardless of scoring.

Mr. POLIS. I want to point out that the vote my friend from California referenced on the committee by a 10-1 margin is a completely different bill and finance mechanism than is contemplated under the manager's amendment to this bill. This manager's amendment has not been seen or voted on by any of the committees of jurisdiction and is a major break from precedents on this issue.

I would now yield 2 minutes to the gentleman from California (Mr. SCHIFF), a member of the Appropriations Committee.

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise to raise my concerns about H.R. 1249 and the rule and in particular the manager's amendment.

America's uniquely innovative culture is the source of our economic strength, and I have long supported fundamental reforms to our patent system that would reduce the patent backlog, increase the quality of patents, and ensure that the patent system is not abused in ways that threaten innovation.

One of the best things in the bill up until now has been a provision to attack the backlog by devoting all of the fees gathered in the patent process to the Patent Office. We are asking the stakeholders of invention to pay higher fees to reduce the backlog. How can we ask them to do that if we are going to divert the fees they pay to paying general government expenses?

The provision in the underlying bill would have ended that practice, would have ended fee diversion, a diversion that has cost the invention community and our economy over a billion dollars in diverted funds. Unfortunately, the manager's amendment would severely undercut and really do away with that principle. I know as an appropriator I'm not supposed to be saying this. As a former member of the Judiciary Committee, however, I am, and that is, we should not be diverting these fees. We should not be diverting fees that need to be used to take down that backlog, to make sure that inventors can quickly patent their products and take them to market. This is part of our competitive economic advantage.

And so I was very enthusiastic about that part of the bill. Concerned about others, concerned about moving to first-to-file, which I will talk about later, but now I am doubly concerned because I think the most constructive part of the bill has been seriously diminished.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I welcome my colleague's comments. However, I think the gentleman has a misunderstanding about the content of that provision. The provision in the manager's bill states that no moneys can be diverted from the fee collections. All of the fees have to stay with the Patent Office. It has to be reprogrammed.

Mr. SCHIFF. If I can reclaim my time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SCHIFF. May I have an additional 15 seconds?

Mr. POLIS. I would express my hope to the gentleman from Florida that this discussion might continue on his time. We are down to our last minute and a half on this side.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding, and I rise in sup-

port of the rule but also in support of the manager's amendment.

I think the gentleman from Kentucky, the chairman of one of the two committees that you have referred to here, is absolutely right, that these funds are sequestered and cannot be used for any other purpose. The Appropriations Committee may not appropriate all of the funds at one time, but they can only hold those funds in trust for the Patent Office. And then the Patent Office as they identify needs that need to be worked on will come to the appropriators, will come to you and your committee, and get approval for them. That maintains congressional oversight of the Patent Office. This is supported by the Commissioner of the Patent Office.

Mr. SCHIFF. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from California.

Mr. SCHIFF. Thank you, and I will be very brief.

If the funds that are sequestered—first of all, it requires another act of Congress to appropriate those sequestered funds back to the Patent Office. If it was never the intention to divert those, then why change the bill?

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. GOODLATTE. I would be happy to yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The gentleman may not be aware, but we have long had a practice on the Appropriations Committee of reprogramming funds within an agency's budget. All of the agencies have problems during the year where they need to change moneys from one particular account to another. That's fine. But they have to come to the Appropriations Committee for a reprogramming request. It's routine, it's considered normal, and it does not require an act of Congress. It's simply the signature of the chairman and the ranking Democrat of the Appropriations Committee, and the moneys are transferred.

When the Patent Office collects fees that exceed its appropriated level, that amount of money is placed in a sort of escrow account, just for their purposes, just for their use. If they see the need for more funds, they simply send up another reprogramming request, and the moneys can be transferred from the escrow account to the Patent Office. It's a standard procedure.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. POLIS. I yield 30 seconds to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman.

The only concluding point I want to make is the funds that are held in the escrow account, if the Congress subsequently decides because of budgetary

problems they have a better use for those funds, they want to be used for something else, to pay down something else, there's nothing that precludes the Congress from reallocating those funds. The patent community, the inventor community, still has to come hat in hand to the Appropriations Committee and say, Please give us the money you put in escrow.

There's no need to set up this account if we simply take this step in the underlying bill which would end diversion once and for all.

Mr. NUGENT. I yield 30 seconds to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. The gentleman is not correct. This provision in the manager's amendment precludes the expenditure of this escrow account for any purpose other than Patent Office. It's in the manager's amendment, and the gentleman will have a chance to vote on it.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, appropriations are at the discretion of Congress every year. For that reason and others, I urge my colleagues to oppose this rule and the underlying bills. Patent reform is critical, it's important, and it's the right way to go, but this bill and the manager's amendment and the rule are the wrong approach.

If we defeat the previous question, I will offer an amendment to the rule to remove the \$712 million plus CutGo waiver for amendments to H.R. 1249.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question, because while it has shortcomings, at least the CutGo rule provides some checks on increasing spending. By waiving CutGo today, this Congress might risk demonstrating how little we care about fiscal discipline.

In order to get patent reform right, I urge a "no" vote on the rule and the bill.

I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, I support this rule and encourage my colleagues to support it as well.

I don't like the idea that we have to waive CutGo any more than anyone else in this Chamber; however, if we want to maintain Congress's constitutional ability to appropriate funds, it is necessary.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 316 OFFERED BY
MR. POLIS OF COLORADO

Page 4, line 16, before the period insert the following: "except those arising under clause 10 of rule XXI".

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous

question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion for the previous question will be followed by 5-minute votes on adoption of House Resolution 316, if ordered; and the motion to suspend the rules and pass H.R. 672.

The vote was taken by electronic device, and there were—ayes 230, noes 184, not voting 17, as follows:

[Roll No. 464]

AYES—230

Adams	Denham	Heck
Aderholt	Dent	Hensarling
Akin	DesJarlais	Herger
Alexander	Diaz-Balart	Herrera Beutler
Altmire	Dold	Huelskamp
Amash	Donnelly (IN)	Huizenga (MI)
Austria	Dreier	Hultgren
Bachmann	Duffy	Hunter
Bachus	Duncan (SC)	Hurt
Barletta	Duncan (TN)	Issa
Bartlett	Ellmers	Jenkins
Barton (TX)	Emerson	Johnson (IL)
Bass (NH)	Farenthold	Johnson (OH)
Benishek	Fincher	Johnson, Sam
Berg	Fitzpatrick	Jones
Biggart	Flake	Jordan
Biliray	Fleischmann	Kelly
Bilirakis	Fleming	King (IA)
Black	Flores	King (NY)
Blackburn	Forbes	Kingston
Bonner	Fortenberry	Kinzinger (IL)
Bono Mack	Fox	Kline
Boustany	Franks (AZ)	Labrador
Brady (TX)	Frelinghuysen	Lamborn
Brooks	Galleghy	Lance
Buchanan	Gardner	Landry
Bucshon	Garrett	Lankford
Buerkle	Gerlach	Latham
Burgess	Gibbs	LaTourette
Burton (IN)	Gibson	Latta
Calvert	Gingrey (GA)	Lewis (CA)
Camp	Goodlatte	LoBiondo
Campbell	Gosar	Long
Canseco	Gowdy	Luetkemeyer
Cantor	Granger	Lunnen, Daniel
Capito	Graves (GA)	E.
Carter	Graves (MO)	Mack
Cassidy	Griffith (AR)	Manzullo
Chabot	Griffith (VA)	Marchant
Chaffetz	Grimm	Marino
Coble	Guinta	McCarthy (CA)
Coffman (CO)	Guthrie	McCauley
Cole	Hall	McClintock
Conaway	Hanna	McCotter
Cravaack	Harper	McKeon
Crawford	Harris	McKinley
Crenshaw	Hartzler	McMorris
Culberson	Hastings (WA)	Rodgers
Davis (KY)	Hayworth	Meehan

Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

NOES—184

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez

Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell

Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—17

Bishop (UT)
Braley (IA)
Broun (GA)
Davis (CA)
Giffords
Gohmert
Hinchey
Hirono
Johnson (GA)
Lucas
Lummis
McHenry

Nunnelee
Paulsen
Stivers
Thornberry
Young (AK)

□ 1423

Mrs. MALONEY, and Messrs. VAN HOLLEN, BERMAN, and CARNEY changed their vote from “aye” to “no.”

Mr. HALL changed his vote from “no” to “aye.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mrs. DAVIS of California. Madam Speaker, on rollcall No. 464, had I been present, I would have voted “no.”

(By unanimous consent, Mr. HOYER was allowed to speak out of order.)

COMMEMORATING THE 20,000TH VOTE OF THE
HONORABLE NORM DICKS

Mr. HOYER. Madam Speaker, ladies and gentlemen of the House, I rise to call the attention of my colleagues to a milestone that one of our Members has now reached, a very significant milestone. One of my best friends in the House, who I served with on the Appropriations Committee for many years, and who greeted me when I first came to the Congress, my friend, Congressman NORM DICKS, has just recently cast his 20,000th vote in the House of Representatives. And I personally think almost every one of them was correct.

Madam Speaker, it is a testament to his distinguished record of service in this Chamber, which began on January 3, 1977, at the start of the 85th Congress. Since that date, our colleague, NORM DICKS has continued to represent the people of the Sixth Congressional District of Washington, the cities of Bremerton and Tacoma, as well as the Olympic Peninsula, as he has worked his way up to the top of the leadership of the House Appropriations Committee. As some of you know, I refer to him as the Chairman in waiting.

The expertise he has developed on defense and natural resource issues throughout those years on the committee is well known.

Madam Speaker, as I indicated, NORM DICKS now serves as our ranking Democratic Member on the Appropriations Committee, and serves with the distinguished chairman, HAL ROGERS from Kentucky.

I believe I can speak for all of us, all of our Members today, in congratulating NORM on reaching this important milestone. And I think I can also say for both sides of the aisle, NORM DICKS is one of those Members who reaches across the aisle and tries to make policy in a positive way.

NORM DICKS, I think, is an example for all of us. He's become one of the few Members of the House who has had the determination and endurance to remain engaged in the people's business

for so long here in the House of Representatives.

NORM, we congratulate you, not only on your 20,000th vote, but on the quality of service you have given to this House, to this country, and to your district and Washington State. Congratulations.

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. NUGENT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 186, not voting 6, as follows:

[Roll No. 465]

AYES—239

Adams	Dold	Kelly
Aderholt	Donnelly (IN)	King (IA)
Akin	Dreier	King (NY)
Alexander	Duffy	Kingston
Altmire	Duncan (SC)	Kinzinger (IL)
Amash	Duncan (TN)	Kissell
Austria	Ellmers	Kline
Bachmann	Emerson	Labrador
Bachus	Farenthold	Lamborn
Barletta	Fincher	Lance
Barton (TX)	Fitzpatrick	Landry
Bass (NH)	Flake	Lankford
Benishek	Fleischmann	Latham
Berg	Fleming	LaTourette
Biggart	Flores	Latta
Bilbray	Forbes	Lewis (CA)
Bilirakis	Fortenberry	LoBiondo
Bishop (UT)	Fox	Long
Black	Franks (AZ)	Lucas
Blackburn	Frelinghuysen	Luetkemeyer
Bonner	Gallegly	Lungren, Daniel
Bono Mack	Gardner	E.
Boren	Garrett	Mack
Boustany	Gerlach	Marchant
Brady (TX)	Gibbs	Marino
Brooks	Goodlatte	McCarthy (CA)
Broun (GA)	Gosar	McCaul
Buchanan	Gowdy	McClintock
Bucshon	Granger	McCotter
Buerkle	Graves (GA)	McHenry
Burgess	Graves (MO)	McKeon
Burton (IN)	Green, Gene	McKinley
Calvert	Griffin (AR)	McMorris
Camp	Griffith (VA)	Rodgers
Campbell	Grimm	Meehan
Canseco	Guinta	Mica
Cantor	Guthrie	Miller (FL)
Capito	Hall	Miller (MI)
Carney	Hanna	Miller, Gary
Carter	Harper	Mulvaney
Cassidy	Harris	Murphy (PA)
Chabot	Hartzler	Myrick
Chaffetz	Hastings (WA)	Neugebauer
Chandler	Hayworth	Noem
Coble	Heck	Nugent
Coffman (CO)	Hensarling	Nunes
Cole	Herger	Nunnelee
Conaway	Herrera Beutler	Olson
Costa	Huelskamp	Owens
Cravaack	Huizenga (MI)	Palazzo
Crawford	Hultgren	Paulsen
Crenshaw	Hunter	Pearce
Culberson	Hurt	Pence
Davis (KY)	Issa	Petri
DeFazio	Jenkins	Pitts
Denham	Johnson (IL)	Platts
Dent	Johnson (OH)	Poe (TX)
DesJarlais	Johnson, Sam	Pompeo
Diaz-Balart	Jordan	Posey

Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan

NOES—186

Ackerman
Andrews
Baca
Baldwin
Barrow
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al

NOT VOTING—6

Giffords
Gingrey (GA)

Gohmert
Lummis

Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Stivers
Young (AK)

So the resolution was agreed to.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

ELECTION SUPPORT CONSOLIDATION AND EFFICIENCY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 672) to terminate the Election Assistance Commission, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 187, not voting 9, as follows:

[Roll No. 466]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)

Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed

Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)

Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thompson (PA)

NAYS—187

Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Richardson
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Neal
Oliver
Pallone

NOT VOTING—9

Farr
Giffords
Kissell

Lummis
Moore
Murphy (CT)

Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

□ 1444

So (two-thirds not being in the affirmative) the motion was rejected.

□ 1437

Mr. ROHRBACHER changed his vote from “no” to “aye.”

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 2021.

The SPEAKER pro tempore (Mr. GARDNER). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

JOBS AND ENERGY PERMITTING ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 316 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2021.

□ 1445

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activity, with Mrs. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Madam Chair, as we prepare to take up an important piece of legislation today, H.R. 2021, I would like to yield such time as he may consume to the chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. I want to thank the gentleman from Colorado, CORY GARDNER, the sponsor of this legislation; and the gentleman from Kentucky, ED WHITFIELD, the chairman of the Energy and Power Subcommittee, for moving this legislation along.

Madam Chair, the purpose of this bill is real simple. It is to streamline the permit process to allow us more domestic production of oil and gas. In this country, we consume about 19 million barrels a day of oil and we produce about 7 million, and the exploration on the Outer Continental Shelf has been delayed for years because of a broken bureaucracy. The regional EPA, they are going to approve exploration air permits, only to have them challenged again by EPA's Environmental Appeals Board. It has been a never-ending circuit of approvals, appeals and re-applications, and it has stalled exploration for nearly 5 years.

So what does that mean? It means that these resources, which perhaps contain as much as 28 billion—yes, that's billion—barrels of oil and 122 trillion cubic feet of natural gas, have been stalled.

We know that if production is allowed here, safe production, we could produce perhaps as much as 1 million barrels a day from these sites, and it would add about 54,000 American jobs. Yet 5 years after the original lease sales, not a single test well has been drilled, not a single barrel of domestic oil has been brought to market to reduce our reliance on Middle East oil, and not a single job has been created to develop the resources because the bureaucracy is standing in the way of exploration.

This legislation changes that, and I would urge my colleagues to support this sensible, bipartisan legislation to streamline the permitting process and finally allow us to explore and develop the vast resources of our Nation. This bill was approved by the Energy and Commerce Committee with a strong bipartisan vote, and I look forward to the same result today.

Mr. WAXMAN. Madam Chair, I yield myself 5 minutes.

I rise in opposition to this legislation. The legislation is not about creating jobs. It is not about lowering gasoline prices. It is a giveaway to the oil industry that will increase pollution along our coasts.

This legislation's supporters have promoted it as a narrow bill designed to address specific problems that Shell has faced in obtaining a clean air permit for exploratory drilling off the coast of Alaska.

□ 1450

This legislation will have wide-ranging impacts beyond the Arctic Ocean. The States of California and Delaware have grave concerns about the impact of this bill on their ability to protect public health and welfare from air pollution. In fact, this bill could affect every State on the Atlantic and Pacific Coasts.

I agree that the provisions of the Clean Air Act that apply to the Outer Continental Shelf will have some ambiguities that could use clarification, but this legislation takes the wrong approach. Each of the so-called clarifications in this bill would have the effect of allowing more pollution and providing less public health protection for the nearby communities and limiting participation of affected stakeholders in the permitting process.

The Republicans say that it shouldn't take 5 years to get a permit, and I agree with them. But the truth is it has not taken 5 years for Shell to get a permit. Shell has pulled permit applications and modified its proposed operations on numerous occasions. Each time, EPA has had to adjust its assess-

ment of the potential impacts on air quality and public health. This is what EPA is supposed to do. No one should want EPA to take a one-size-fits-all approach to permitting these major sources of pollution.

There are many flaws in the legislation. It allows huge increases in air pollution from oil and gas drilling activities by moving the point of measurement from the drill ship to the shore. It threatens the ability of California and other States to regulate the emissions of support vessels. And it sets an arbitrary deadline of 6 months for final agency action on every offshore exploratory drilling permit, no matter the size or complexity of the proposed operations. The EPA Assistant Administrator for Air and Radiation testified before the Energy and Commerce Committee that 6 months is too short to allow for adequate technical analysis, public participation, and administrative review. Witnesses for the States of California and Delaware agree this wouldn't work for their State programs. Yet these concerns have been ignored.

The legislation eliminates the Environmental Appeals Board from the permitting process, even though it is a cheaper, faster, and more expert substitute for judicial review. And it requires all challenges to air permits to be raised before the Federal Court of Appeals in Washington, D.C., thousands of miles away from the affected communities.

Claims that this legislation will reduce gas prices or the budget deficit are nonsense. They have no substantiation. There are sensible improvements we could make, but we aren't making them. Instead, this bill waives environmental requirements and short-circuits permitting reviews at the expense of public health.

The administration opposes H.R. 2021 because it would curtail the authority of EPA to help ensure that domestic oil production on the Outer Continental Shelf proceeds safely, responsibly, and with opportunities for efficient stakeholder input. I agree with them.

I urge my colleagues to oppose H.R. 2021.

I reserve the balance of my time.

Mr. WHITFIELD. At this time, Madam Chair, I yield 5 minutes to the author of this bill, the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the chairman of the subcommittee that brought this bill before the body today, and I thank the chairman, Mr. UPTON, for his work on this piece of legislation. Energy security, job creation, working to reduce the pain at the pump, that is what H.R. 2021 is about, the Jobs and Energy Permitting Act of 2011. I thank the chairman for bringing it to the floor today.

This is an important bill for our country and a step in the right direction when it comes to weaning ourselves off of foreign, Middle Eastern

oil. It allows us to utilize the resources that we have in our own backyard—American energy for American jobs—responsibly and environmentally friendly.

Gas prices are fluctuating near historic levels that can send our economy into yet another recession. Millions of Americans are out of work. The unemployment rate has ticked back above 9 percent. Unrest in the Middle East has highlighted our vulnerabilities that stem from dependence on oil half a world away and from many countries that seek to do us harm. In the face of seemingly intractable problems, it is our duty as elected representatives of the people of this country to pursue solutions that benefit our neighbors and our Nation as a whole. One such solution is unlocking America's vast energy potential. The Jobs and Energy Permitting Act is a bipartisan approach—a bipartisan bill—to bring a massive domestic resource online and create tens of thousands of jobs.

I am delighted to have my friend and colleague from Texas (Mr. GENE GREEN) as the coauthor of this legislation.

In this bill, we move in a nimble and elegant manner to tie the loose ends in EPA's permitting process and the Clean Air Act, itself, to expedite decisions on EPA's issued air permits for offshore oil exploration. The needless red tape inherent in EPA's current permitting process has blocked access to a truly enormous reserve, a reserve in our own backyard, Alaska's Beaufort and Chukchi Seas.

Taken together, we have been told that upwards of 1 million barrels of oil a day can be brought online as a result of the responsible development of these resources, entirely offsetting our imports from Saudi Arabia. Doing so will create and sustain over 50,000 jobs as massive projects get underway to bring this resource to American consumers. Such a vast amount of oil will not only reduce prices at the pump in the future, as testimony was given before the Energy and Commerce Committee, but keep us more secure by eliminating imports from hostile regimes abroad.

For these reasons, the President agrees that we should be moving forward with permitting exploration off Alaska's coast. This bipartisan bill is the most efficient way to get the job done.

Through two exhaustive hearings on this bill, we heard testimony from numerous stakeholders and citizens of Alaska. We believe we have created a solution that balances both environmental protection with public priorities, a balance that does not exist with current EPA procedures.

During our subcommittee and full committee markups we debated numerous amendments, giving members the opportunity to propose substantive changes to the underlying bill. I'm glad

that we had a very serious and thought-provoking discussion on this bill during those meetings, and I look forward to the debate today.

The Jobs and Energy Permitting Act is a serious bill with serious implications for our economy and our energy security. I am delighted to be here today working with my Democratic colleague to move forward with an effective solution to regulatory problems experienced in Alaska and Alaska's offshore areas.

Mr. WAXMAN. Madam Chair, I am pleased to yield 5 minutes to our Democratic leader in the energy area, the ranking member of the Energy Subcommittee, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the ranking member from the full committee, my friend from California (Mr. WAXMAN), for yielding this time.

Madam Chair, I'm not opposed to drilling in Alaska and I'm not opposed to streamlining the permitting process in a sensible and thoughtful manner, but I do object to cutting out input and participation from the very communities that would be most affected by this process or preempting States' authority in order to expedite the permitting process for one single company.

Unfortunately, many of the less affluent communities who are ultimately being adversely affected by this permitting process do not have the resources of the oil industry to lobby Congress on their own behalf, and so it's up to us, those Members who represent those same people, to come to this floor to represent them.

While this bill will benefit Shell, the repercussions and consequences, both intended and unintended, will have a much greater impact on many stakeholders.

If the majority had been willing to work with our side on this bill, as we offered on many occasions we wanted to—we begged, we pleaded, we almost crawled to try to get bipartisan participation on this bill—if they had been willing to work together, we could have crafted a bipartisan piece of legislation that could move through the House and the Senate and ultimately become law.

□ 1500

However, this bill does not take into account some of the very real concerns that the minority has outlined to the majority on several occasions.

In fact, yesterday, the White House issued a statement opposing this bill because "H.R. 2021 would curtail the authority of the Environmental Protection Agency under the Clean Air Act to help ensure that domestic oil production on the Outer Continental Shelf proceeds safely, responsibly, and with opportunities for efficient stakeholder input. H.R. 2021 would limit existing EPA authority to protect human

health and the environment. H.R. 2021 would increase Federal court litigation and deprive citizens of an important avenue for challenging government action that affects local public health."

Madam Chair, this bill is certainly not about creating jobs, and it's certainly not about lowering gasoline prices. It is a giveaway—a blatant giveaway, an unadulterated giveaway—to the oil industry that will increase pollution along our coasts. In fact, as the administration has pointed out, 70 percent of the offshore leases that oil companies currently possess are not even at this very moment in production. Again, 70 percent of the offshore leases that oil companies own are not now in production, and 29 million acres of onshore permits, as we speak, aren't being developed. So it is unnecessary for Congress to intervene by sacrificing public participation and air quality protections for the sake of expediency on behalf of Shell, as this bill does.

Madam Chair, I hope—I sincerely hope—that we can find bipartisan support for the amendments that will be offered today, including my own, which will simply allow the EPA administrator to provide additional 30-day extensions if the same administrator determines that such time is necessary to provide adequate time for public participation and sufficient involvement by affected States.

Mr. WHITFIELD. Madam Chair, I might just add here that the University of Alaska did a study on this legislation in oil and gas development in Alaska's arctic seas, and they concluded that the full development there would create 54,000 jobs.

At this time, I yield 3 minutes to the chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Madam Chairwoman, Shell Oil Company has spent 5 years of time and \$3 billion trying to drill one well in the Arctic Ocean—5 years and \$3 billion. In that time period, worldwide and in other areas of the Outer Continental Shelf of the world, they have drilled and received permits for over 200 wells—200 and the rest of the world "zero"—in the Arctic Ocean.

All this bill does is set up a fair procedure so that any company that wishes to drill a well—and the Environmental Protection Agency, the EPA, should probably be renamed under the Obama administration the "energy prohibition administration"—can go through the permitting process and get a decision within an adequate time period.

Our friends in Russia are drilling wells in the territorial waters in the Arctic Ocean up there. Our friends in Norway are drilling wells in the Arctic Ocean in their territorial waters. We in the United States, because of bureaucratic foot-dragging at the EPA, are refusing to even let one well be drilled.

This bill changes that. It sets timetables. It sets standards. It determines where you measure the emissions. There will be some emissions when you drill a few wells in the Arctic Ocean, but they're not going to be extensive. This bill says that you determine the emissions at the shoreline, which in the case of this particular well is about 80 miles away, and you measure it there. Madam Chairwoman, there will be more emissions created from the EPA agency heads and staff assistants in their driving up to Capitol Hill to testify than there probably will be from the service supply ships that go out to service the handful of wells that will be drilled.

This is a commonsense bill. It doesn't change the underlying statutory language at all in terms of standards. It does set timetables. It does define where you measure the pollution, and it does require that you actually make a decision. It is a good bill, H.R. 2021. In blackjack, if you get a 20, that's almost a sure winner. If you get a 21, it's a sure winner. This bill is a sure winner, H.R. 2021. Please vote for it.

Mr. WAXMAN. Madam Chair, I am pleased to yield 4 minutes to a very important member of our committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the ranking member very much for yielding.

The underlying legislation represents another attempt by the Republicans to gut the Clean Air Act. Shell Oil spent years changing its mind about how it wanted to drill, what ship it wanted to use and even which of the arctic seas it planned to drill in. They, themselves, dragged out this process interminably.

This legislation prevents EPA from requiring emissions reductions from all drilling support vessels, from ice-breakers to the drilling ship, itself, as part of the air permitting process. What that means is that—listen to this number—up to 98 percent of the total air emissions associated with Arctic Outer Continental Shelf drilling could not be regulated by EPA under the permitting process. So hear that again. Their bill says that EPA cannot regulate 98 percent of the emissions.

That's not reasonable. That's not a compromise. That's not balance.

EPA has informed Congressman WAXMAN that, as part of its permit negotiations, Shell has actually agreed to add technology to one of its icebreakers to reduce the icebreaker's NO_x emissions by 96 percent—to reduce them by 96 percent—and particulate emissions reduced by 82 percent. Shell has already agreed to use a cleaner burning fuel than what would otherwise be required by law. Shell agreed to take these measures so that it could receive its permit from EPA, and the net effect of all the measures Shell has agreed to take will reduce the NO_x emissions for the entire drilling project by 72 per-

cent. But under this bill, EPA would no longer have the ability to require or to request measures such as these because the bill says that EPA can't require reductions in emissions from mobile sources using its stationary source air permitting authority.

Several weeks ago, Bob Meyers, who led EPA's Air Office during the Bush administration, pointed out at the Energy and Power Subcommittee hearing, that, in fact, EPA can regulate ice-breakers and other support vessels under title II of the Clean Air Act. He said that this is why these mobile sources' emissions could be exempted from being regulated as part of the stationary source air permitting process. That all sounds so reasonable, but what these guys are saying is maybe you shouldn't be regulated as both a mobile source and a stationary source under the Clean Air Act.

□ 1510

But there's just one problem. Shell's air permit says that all of its ice-breakers and other support vessels are foreign-flagged so they can't be regulated under title II of the Clean Air Act in the first place. And even if they were American vessels, they're all too old to have been subject to the most stringent Clean Air Act or international emissions requirements.

So what they're saying is for all intents and purposes, they're neither mobile nor are they stationary so they're not regulated at all. It's like being a carnivorous vegetarian, or you know, Chevy Chase nightlife. There is no such thing. You know, you have got to have it be one or the other; you've got to pick one or the other here. And you can't wind up nothing being required from them.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman 1 additional minute.

Mr. MARKEY. I thank the gentleman.

So while Republicans say that this bill just keeps the ice-breakers and the ice-breaker part of the Clean Air Act, the reality is that it effectively puts EPA's ability to reduce emissions from these sources on ice.

My amendment to remedy the problem by ensuring that these vessels met the most stringent mobile source standards so that we would realize some emissions reductions from them was rejected by the majority in the committee. So instead of what the majority claims they want to do, which was to ensure that these vessels were not regulated as both mobile source and stationary source under the Clean Air Act, what this bill does is ensure that the emissions from these vessels aren't regulated at all. That's their goal, that 98 percent of emissions will go unregulated, and I don't think there's anyone listening to this debate

that thinks that that's a good thing for the public health of our country.

I urge opposition to this bill.

Mr. WHITFIELD. I might remind our friend from Massachusetts that EPA actually approved the drilling permit, the exploratory drilling permit for Shell, in this case, on three separate occasions; but the delay has been the appeals by the opposing party to the Environmental Appeals Board, which is not even in the clean air statute. So this bill is simply designed to speed up the process and give people an adequate time to oppose the exploratory permitting.

At this time, I yield 3 minutes to the gentleman from Nebraska (Mr. TERRY), who's a member of the Energy and Commerce Committee.

Mr. TERRY. Madam Chairman, Mr. GARDNER's bill addresses this country's need on energy and power. Mr. GARDNER's bill prevents the government from going out of its way to stop the private sector from creating jobs. This job alone in the Chukchi Sea will create 54,000 jobs sustained over 50 years. The economic report from Northern Economics and the University of Alaska I will submit for the RECORD.

And with 1 million barrels per day going to our country's need of about 19 million barrels per day makes us more energy secure. So what we hear from the EPA and the minority is they will do everything they can to stop fossil fuels even though this is a fossil fuel economy. Yes, we need all of the above, but to stop all fossil fuels creates national insecurity, making us more dependent on foreign oil, sending more of our financial resources and jobs overseas; and that's what we need to stop, and that's what this bill takes a large step towards doing.

Now, the EPA has made it impossible for new exploration off the coast of Alaska by continually changing the rules. The EPA has even testified before our committee that there is no anticipated human health risk at issue, and we've still been waiting 6 years and counting for this permit to be issued.

Let's make it clear: Bureaucratic delays are blocking energy development. While the EPA's regional office has granted air permits to allow this deep sea drilling, the process has repeatedly been stalled when the administrator's Environmental Appeals Board rejects the permits already granted. Yes, it gets to Washington; they stop it. And this process repeats itself. We'll have a bill maybe in a couple of weeks where the EPA's done the same thing, where they change the rules to stop a project.

The Federal Government's inability to issue viable permits to drill offshore Alaska is keeping resources and domestic jobs from the American people. The Gardner bill, H.R. 2021, aims to eliminate the uncertainty and confusion that has delayed oil exploration in deep

sea Alaskan Outer Continental Shelf, and I hope my colleagues will support this bill.

ECONOMIC REPORT OVERVIEW

Potential National-Level Benefits of Oil and Gas Development in the Beaufort Sea and Chukchi Sea

A new study on potential national-level benefits of Alaska Arctic OCS development, by Northern Economics and the University of Alaska Anchorage's Institute of Social and Economic Research, builds on a previous study of potential state-level benefits using the same methodology and assumptions. Both reports are available for download from www.northerneconomics.com.

CREATES SIGNIFICANT ECONOMIC EFFECTS

Development of new oil and gas fields in the Beaufort and Chukchi Seas resulting in production of nearly 10 billion barrels of oil and 15 trillion cubic feet of natural gas over the next 50 years could create significant economic effects nationwide.

54,700 NEW JOBS

An estimated annual average of 54,700 new jobs that would be created by OCS-related development are sustained for 50 years. The total ramps up to 68,600 during production and 91,500 at peak employment. These direct and indirect jobs would be created both in Alaska and the rest of the United States.

\$145 BILLION PAYROLL

An estimated \$63 billion in payroll would be paid to employees in Alaska as a result of OCS oil and gas development and another \$82 billion in payroll would be paid to employees in the rest of the United States. The sustained job creation increases income and further stimulates domestic economic activity.

\$193 BILLION GOVERNMENT REVENUE

Federal, state, and local governments would all realize substantial revenue from OCS oil and gas development, with the base case totaling \$193 billion:

- \$167 billion to the federal government
- \$15 billion to the State of Alaska
- \$4 billion to local Alaska governments
- \$7 billion to other state governments

SENSITIVITY CASES ARE ALL HIGHER

The study's base case assumed long-term average prices through the year 2030 of \$65 per barrel (bbl) for oil and \$6.40 per million Btu (mmBtu) for natural gas. The estimated total government revenue increases if energy prices remain higher in the future.

Total Government Revenue

(Dollars in billions)

Base Case (\$65/bbl, \$6.40/mmBtu)	\$193
Case 1 (\$80/bbl, \$7.80/mmBtu)	214
Case 2 (\$100/bbl, \$9.80/mmBtu)	263
Case 3 (\$120/bbl, \$11.80/mmBtu)	312

IMPLICATIONS OF THE STUDY

Critical Infrastructure Protection

The Trans-Alaska Pipeline System (TAPS) delivers approximately 14% of domestic oil production to refineries on the West Coast and has been identified as critical infrastructure for national security. Built at a cost of \$8 billion in 1977, TAPS throughput has fallen from 2.1 million barrels per day in 1988 to less than 650,000 barrels per day as North Slope oil fields age. Without additional oil development, the TAPS is anticipated to encounter operating difficulty below about 500,000 barrels per day and shut down when it reaches 200,000 barrels per day. Alaska OCS development can help extend the operating life of this critical infrastructure.

Moreover, Arctic OCS development maximizes the value of Alaska's and the Nation's oil and gas resources. Much of the expected incremental revenue from OCS development for the State of Alaska (55%) comes from enhancement of existing onshore North Slope production, in both volume and value. This results from reduced transportation costs (from infrastructure operating at capacity), and from expanded infrastructure enabling development of small satellite fields. OCS development will also enhance the probability of an Alaska gas pipeline due to increased certainty in the available gas resource base.

U.S. Energy Production and National Security

Domestic energy production is important for the security and prosperity of the United States. The money spent on domestic energy cycles through in the U.S. economy, thereby increasing domestic economic activity and jobs; while money spent on imported energy leaves the U.S. economy.

The majority (77%) of world oil reserves are owned or controlled by national governments; only 23% are accessible for private sector investment. The United States currently imports over 60% of the crude oil we use. Arctic offshore development could cut this by about 9% for a period of 35 years. Increasing domestic energy production would improve the nation's trade balance.

Potential Benefits Delayed

When the first study of state-level economic impacts was written in 2009, first oil was anticipated in 2019 and first gas in 2029 for the Beaufort Sea (2022, 2036 for the Chukchi Sea). This timeline assumed no major regulatory impediments or delays." However, exploration has been slowed, thus delaying the potential benefits of OCS oil and gas development.

SOURCES

Northern Economics, Inc. (NEI) and Institute of Social and Economic Research (ISER) Potential National-Level Benefits of Alaska OCS Development.

NEI and ISER. Economic Analysis of Future Offshore Oil and Gas Development: Beaufort Sea, Chukchi Sea, and North Aleutian Basin.

Canadian Association of Petroleum Producers, www.capp.ca.

Shell Exploration and Production. Calculated from TAPS throughput data and EIA Annual Energy Outlook data for domestic oil production.

US Energy Information Administration Annual Energy Outlook 2010.

Minerals Management Service. 2006 Oil and Gas Assessment: Beaufort Sea Planning Area (Alaska) and Chukchi Sea Planning Province Summaries.

Mr. WAXMAN. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Thank you, Madam Chair, and I rise today to support H.R. 2021, the Jobs and Energy Permitting Act; and I want to thank our Energy and Commerce ranking member for providing time.

Representing a heavily industrialized area that's naturally sensitive to air quality issues, I appreciate how the EPA's enactment of Clean Air Act provisions has positively attributed to our goal of cleaner air. For that reason, I have remained hopeful that EPA's administrative air permitting barriers to exploring Alaska's Outer Continental

Shelf would be addressed, but they haven't. As such, we continue to see air permits for offshore exploration wells perpetually go back and forth between the producer, the EPA, the Environmental Appeals Board, with no movement towards a final decision.

That's why I am an original cosponsor of the Jobs and Energy Permitting Act, which would rectify several of those process questions so that we can safely and responsibly produce our natural resources in the Arctic Ocean. The EPA needs to have a permit approval system in place that is predictable, workable, and understandable.

When I hear that in the last 5 years Shell has drilled over 400 exploration wells worldwide while waiting for one single permit for Alaska, something's definitely wrong with the process.

While the opponents of this legislation are saying that this bill guts the Clean Air Act, that's just not true, because all this bill does is match EPA's Outer Continental Shelf permitting process with the air permitting process employed by the Department of the Interior in the Gulf of Mexico, a Clean Air Act air permitting process that has been successfully used for decades.

By doing so, we can rest assured that we have a strong, offshore air permitting process, but that these projects are not left in limbo like we have seen with the Environmental Appeals Board in recent years.

I also want to remind my colleagues that this bill just addresses permits for exploration wells where activity typically only lasts for a few days, not production wells where activities last for months.

I have long been a supporter of safe and responsible drilling on the Outer Continental Shelf as these resources are a vital source of energy for the United States. With skyrocketing fuel costs, it is imperative for the U.S. to diversify our energy sources by exploring this area, and this bill is the first step in that process.

I strongly encourage my colleagues to support the bill.

Mr. WHITFIELD. Madam Chair, I might just also remind everyone that this 5-year, 6-year period for this permit was for only an exploratory permit, not even a production permit.

I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Madam Chairman, I rise in strong support of H.R. 2021 and appreciate Mr. GARDNER bringing this to our attention.

You know, this is not a bill about Shell Oil Company. This is about a system that is broken. Shell Oil Company has been trying for almost 5 years to get a permit and still doesn't get the answer. In the meantime, they've drilled over 400 exploratory wells around the world, but they can't drill in the United States.

I've recently spent time at gas stations talking to people, their frustration over our gas prices is why are they

so high here, why are the prices going up. This bill answers why they're going up. We have a government that has a war on American jobs and a war on American energy. We have a war on Western jobs because oil production is concentrated in the West.

Every time a drill bit is stopped by its own actions, the price of gas will go incrementally up by just multiple percentages of very small amounts. But when it's stopped by bureaucratic action, then the market's going to assess that a government is going to be unfriendly to future production and the price begins to escalate because people get out of dollars and out of other investments into this because they know the price of gas and oil are going to go up because they can see the bureaucratic delays being played out.

So understand that when we have high gas prices in this country it is because the government is making them high. It's making them high by moratoriums. It's making them high by delaying tactics in our administration's responses to these things like this permit.

□ 1520

The gentleman from Colorado's bill simply says we're going to simply unravel one piece of the delays that have been happening. It's a well-thought-out bill, it's a well-thought-out process, and it's one which will result in lower prices for American consumers. There's absolutely no health hazard. Lisa Jackson herself has said that. They're going to give the permits.

What we're doing today is passing a bill that won't help Shell at all, that will help future producers to understand that they can get regulatory certainty, that they can get answers when they're asking questions of the government. It's a reasonable request and one which we should do.

Mr. WAXMAN. Madam Chair, I yield myself 1 minute to correct some of the statements that have been made that I don't think are accurate.

Lisa Jackson, the head of the Environmental Protection Agency, said if they got a permit that was approved by the EPA, there would be no adverse environmental impact, but what the proponents of this bill are trying to do is to circumvent the EPA action and to have Congress shorten the ability of the EPA to act. There will be pollution problems. States will not be able to control the pollution off their coasts. That is why California and Delaware have expressed such great concern, but other States are going to be in the same situation.

This bill does not deal with just the problem in Alaska. It tries to circumvent the orderly procedure by which those who are trying to get permits will come in and submit their permit and show that they're justified, unlike the situation with Shell, where

they submitted a permit, pulled it back, submitted another one and pulled it back.

At this time I would like to yield 4 minutes to the gentlewoman from California (Mrs. CAPPS), a member of the Energy and Commerce Committee.

Mrs. CAPPS. I thank my colleague for yielding.

Madam Chair, I rise in strong opposition to H.R. 2021, the so-called Jobs and Energy Permitting Act.

I oppose this legislation for several reasons.

First, it gives oil companies a pass to pollute. It exempts offshore drilling companies from applying pollution control technologies to vessels like crew and supply boats, which actually account for most of the air pollution from drilling off my congressional district's coast. It also opens up a loophole for drill ships to pollute with no limits while the ship moves into place. And, instead of measuring pollution at the source, itself, H.R. 2021 allows oil companies to measure the impacts at the shore, with net results of more air pollution overall.

Second, H.R. 2021 does away with proven processes that provide an expert, efficient, and impartial review of air permitting decisions. I would note that in 20 years, the Santa Barbara Air Pollution Control District has never denied an offshore drilling permit, and there is more drilling off my district than just about anywhere in this country. The local air permitting review process works. We don't need to change it.

In addition, this bill's provision to remove all appellate action to Washington, D.C., is wholly unfair. This limits the rights of my constituents to participate in very important matters affecting their health. It forces cash-strapped local governments to travel thousands of miles to defend their permitting decisions, placing a serious burden on local taxpayers.

Finally, and perhaps most importantly to my constituents, H.R. 2021 poses real health risks to the communities surrounding offshore drilling by weakening local air quality standards. Pollution from the nearly two dozen oil platforms and the vessels that supply them in the Santa Barbara Channel includes high levels of airborne pollutants. These pollutants can cause severe lung problems and other major health issues. That's why our State adopted rules to strengthen air quality standards and help protect coastal residents from this pollution. It makes no sense to block these rules that will help my community clean up its air.

In sum, Madam Chair, H.R. 2021 is a bad bill.

Let me also address a theme that's been repeated on the other side. Supporters of this bill continue to parrot the Shell Oil talking point that it has taken them 5 years to get a Clean Air

Act permit for their proposed drilling in the Arctic Ocean. They cite this 5-year delay as the justification for this legislation. This claim might make a nice sound-bite, but it is based on a fundamental misunderstanding of the facts.

Here are the facts. First, Shell has pulled its permit applications, modified its proposed operations, and changed its target drilling sites on numerous occasions over the past few years. Shell pulled the permit application for drilling in the Beaufort Sea for 2 years until going back to EPA with a brand new request in 2010. Every time Shell changed its plans, EPA had to adjust its assessment of the potential impacts on air quality and public health. That's what we expect EPA to do. No one wants EPA to take a one-size-fits-all approach to permitting these major sources of pollution.

Second, Shell delayed final EPA action on its air permit for drilling in the Chukchi Sea by submitting insufficient permit applications. That's Shell's fault, not EPA's.

Finally, EPA has prioritized Shell's permit applications and finalized them quickly. The two Shell permits at issue were proposed and finalized within 3 to 4 months of receiving completed applications. Both went from submission of a completed application to a decision by the Environmental Appeals Board within 1 year. EPA now says it is on track to finalize Shell's revised permits by the end of this summer.

If this bill is about addressing Shell's so-called 5-year permitting delay, then I see no basis for this legislation. The truth is that this bill isn't about expediting the permit process. It's about rolling back air quality protections. This bill will create more problems than it purports to solve because it will allow oil companies to pollute more offshore and cut concerned stakeholders out of the very process itself.

I urge my colleagues to oppose this bill.

Mr. WHITFIELD. Madam Chair, I would also like to clarify that this bill does not change the Clean Air Act in any way as it relates to monitoring stationary sources or mobile sources. I wanted to point that out.

Second of all, the gentlelady from California mentioned additional drilling going on in the Pacific region. The government records show that since 1994, not one exploratory permit has been issued. There are production wells out there, but not one new exploratory permit since 1994.

I would now like to yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Madam Chairman, I rise today in strong support of H.R. 2021, the Jobs and Energy Permitting Act of 2011.

Every generation has an opportunity to excel in one area. Every 10 years or

so, a country decides whether they're going to be a recipient of something or whether they're going to be a world leader.

For too long, the United States of America has accepted that we are going to be a net importer of energy, that we are always going to be energy dependent, that we are always going to be reliant on foreign sources of energy.

Ladies and gentlemen, two of Alaska's arctic seas contain up to 27.9 billion barrels of oil and 122 trillion cubic feet of natural gas. This could deliver up to 1 million barrels of oil a day, beginning the process of getting us unaddicted to foreign oil, beginning the process of bringing us energy security, and getting America back to work.

We have an opportunity here in the United States to get people back to work, but it is being limited and hamstrung by bureaucrats in Washington, D.C., and by those with a political agenda.

We have the equivalent of a pile of cash under our mattress, but we're taking out loans from the Mafia to care for our energy needs. It is high time that we stand up and say we have resources in the United States, and we're not going to allow political agendas to drive us to continued energy dependence, and we're going to stand up and say produce it here in the United States of America and do it now.

The American people, Madam Chairman, are beginning to understand that this administration and its agencies are having real consequences and real impacts on the unemployment rate, on the joblessness, and on the price we are paying for a barrel of oil and a gallon of gasoline, because every dollar that a gallon of gasoline increases, it is a regressive tax on Americans. Meanwhile, we sit around and we argue while bureaucrats in Washington, D.C., have their way.

Mr. WAXMAN. Madam Chair, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my colleague.

Madam Chairman, the legislation before us would repeal pollution standards for ships and oil rigs located offshore anywhere in America. It appears to be based on the belief that as a general principle, air does not move. This legislation endangers air quality from Alaska to Virginia while offering another token of appreciation to the oil companies that were so generous in creating a new majority in the 112th Congress.

□ 1530

The premise of this bill is that pollution generated offshore doesn't matter because it will not affect any humans onshore or humans working offshore. And I know that those of us who represent littoral States are most reassured by our colleagues from Colorado,

Kentucky, and Nebraska in reassuring us that we won't negatively be affected by this legislation.

Based on the content of this bill, apparently the majority believes that individuals employed on offshore oil rigs and ship servicing rigs do not breathe while they're working offshore. This bill would deregulate ongoing oil drilling in Alaska and prospective oil drilling off the coast of Virginia and all other coastal States. The majority is attempting to pass yet another bill to sacrifice the health and economic livelihoods of American citizens to pad the pocketbooks of Big Oil.

This legislation, which presupposes that air does not move, is as dangerous as the previous Republican oil bills which denied the existence of global warming and enacted wholesale repeals of the few safety and environmental safeguards that still protect coastal communities from oil drilling.

We keep hearing from across the aisle that this legislation will create 50,000 jobs. My friends, don't be misinformed. The study they referred to is a Shell Oil-funded study that simply estimates how many jobs could be created, all things being equal, like no pollution regulation, by offshore oil drilling in Alaska. Today's debate is not about whether to drill; it's about whether we will allow a massive increase in pollution when we do it. It is a false choice, and I urge my colleagues in the House to reject it.

Mr. WHITFIELD. Madam Chair, my friends on the other side of the aisle would make it appear that we are abandoning all environmental protections, and I would say that under this bill, there are still five opportunities for public comment. The NEPA process is not changed in any way.

At this time I would like to yield 2 minutes to the gentleman from Texas (Mr. OLSON), a member of the Energy and Commerce Committee.

Mr. OLSON. I thank my colleague from Kentucky for giving me this time.

Madam Chairman, I rise in strong support of H.R. 2021, the Jobs and Energy Permitting Act. This bill will help clarify and improve EPA's decision-making in air permitting off the coast of Alaska and restore much needed certainty to that regulatory process.

Estimates show that the Chukchi and Beaufort Seas have the potential to produce up to 1 million barrels of oil per day while creating over 54,000 American jobs. It is unacceptable that the bureaucratic permitting process has caused delays for 5 years and continues to block American energy resources from being developed. This bill would hold the administration accountable for its actions and provide the certainty so desperately needed by the private sector to grow jobs and get our economy back on track.

At a time of record high gas prices, we should be committed to developing

American energy resources, reducing our dependence on Middle Eastern sources of energy, and providing good-paying American jobs. Let's put America back to work. I urge my colleagues to vote "yes" on this bill.

Mr. WAXMAN. I reserve the balance of my time.

Mr. WHITFIELD. I yield myself 5 minutes.

I would like to say that the American people expect the Congress to provide opportunities for us to fully explore our natural resources. This is a very modest bill that only changes one very small part of the Clean Air Act. It relates explicitly only to exploratory drilling permits, and it changes only appeals to the Environmental Appeals Board. The Environmental Appeals Board is not even in the statute of the Clean Air Act; it was put in by regulation.

And what's happening here in the one issue that we're talking about today, the EPA has approved this drilling permit on three separate occasions, yet it's been appealed to the Environmental Appeals Board, and it's tied up and tied up and they will not make a final decision. And if you cannot exhaust your administrative remedies, you cannot even go to the court system. So this legislation simply expedites the process without removing protections for people concerned about the environment, as we all are. And I wanted to make that comment.

I would also at this point like to yield 2 minutes to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman from Kentucky.

We've heard all kinds of arguments today, red herrings that would make the Fulton Fish Market proud of this debate.

This bill is not about jobs, my colleagues on the other side of this debate said. This bill is not about pain at the pump, my colleagues on the other side of the aisle said. This bill won't create jobs, I've heard in the arguments today. That it is a massive excuse for people to do incredible things to the environment, unthought-of things. Again, red herrings that the American people are tired of.

The American people are asking for jobs. They are asking for relief at the pump. This bill is nothing more than creating economic opportunity for not only people in Alaska but throughout this country with the creation of 50,000 jobs. When we access our resources, evidently, there are some who believe it doesn't create jobs. When we create 1 million barrels of oil a day coming into our supplies, apparently that doesn't create jobs. When we build operations for our workers in the north shore of Alaska, the supply facilities in the lower 48 States, apparently that doesn't create jobs.

Apparently we don't lose jobs when people are beginning to pay nearly \$4 a

gallon for the price of gas. That seems to be the argument that I hear against this bill.

My constituents are paying \$3.50, \$3.60 for a price per gallon of gas. And apparently, as energy prices increase, some believe that doesn't cut jobs, that doesn't hurt our economy. I have heard time and time again, through testimony before the Energy and Commerce Committee, through town meetings, constituent calls and letters, they are tired of paying \$50, \$60 every time they fill up the tank with gas. They are tired of paying their hard-earned money for rising gas prices because this Congress has failed to pass energy policies that rein in the bureaucrats and regulators.

We have an opportunity with H.R. 2021 to create jobs, to create opportunities for energy security in this country. And I would remind my colleagues that these permits, the rights to explore have already been leased, paid for. I ask that Members support this bill, and I ask for a "yes" vote.

Mr. WAXMAN. Madam Chair, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Madam Chair, I want to, first of all, say that this bill will not create jobs. This bill is not meant to create jobs. If the drilling is to create jobs, those jobs would be created regardless of whether this bill passes or not.

This bill's supporters also claim that it will lower gasoline prices, that it will reduce the budget deficit, and that it will cut unemployment. Well, they might as well have said that it would cure the common cold as well.

This bill is a solution in search of a problem.

This bill was written by Shell, for Shell, to address its frustrations with the permitting process in Alaska, a frustration that it was responsible for, Shell, itself. Ironically, the EPA has said on many occasions that it is working overtime to finalize Shell's permits by the end of this summer.

This bill won't get a drop of oil to American markets for American consumers one millisecond faster.

□ 1540

Shell told the Energy and Commerce Committee they won't be able to produce oil from its Arctic operations for at least 10 years, at least another decade. Even if this bill increased the rate of offshore production, new drilling is unlikely to affect world oil prices.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman 30 additional seconds.

Mr. RUSH. In 2009 the Energy Information Administration looked at the difference between allowing full offshore drilling and restricting offshore drilling. The EIA found that there

would be no impact on gasoline prices from full drilling in 2020, and only a slight impact by 2030, with gas prices falling by a mere 3 cents a gallon.

Mr. WHITFIELD. I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Madam Chair, I rise in strong support of the Jobs and Energy Permitting Act of 2011. If you want to talk about a jobs bill, you want to talk about a bill that will actually allow us to decrease our dependence on Middle Eastern oil, this is it.

Now, some of my colleagues on the other side say, oh, it's going to take 10 years to get that oil. The reason it's going to take 10 years is because for the last 4 years they've been trying to get their permit to go and drill where there's known oil, known reserves and the EPA's been combining with these radical environmentalist groups to block them. And so what they're saying is, those people don't want the energy in America. They want to go to places like Brazil, they want to go to Egypt, they want to go to some of these other Middle Eastern countries, many of whom don't like us, and get the oil there. But when we find known reserves in America, they are using our own Federal regulators to block American energy.

So what we're saying is, let's pass the piece of legislation that's here on the floor now that's going to allow us to utilize our own American energy. This one find alone up in Beaufort and Chukchi Sea in Alaska, this one known reserve right here that we have the ability to put online is going to bring in a million barrels of oil a day. That's American energy. That's not oil that's going to be imported on tankers where 70 percent of your spills occur from Middle Eastern countries, where the billions of dollars we're sending them are going to countries who don't like us. That's American jobs, over 50,000 jobs that can be created by getting these bureaucratic hurdles out of the way.

They've got to follow all the rules. They've got to play by the rules, but you can't keep using these bureaucratic agencies combining up with radical environmentalist groups who don't want any American energy to be used to block production of American energy. That's what this bill does. It creates American jobs. It allows us to say, okay, a million barrels a day we no longer have to import from Middle Eastern countries.

So anybody that pays lip service and says they want to reduce our dependence on foreign oil, if they oppose this bill, then they're supporting foreign oil because this bill says a million less barrels of oil we have to bring in from these other countries because we have got it in America.

We want to bring in our own oil. We want to create American jobs, and we

want to lower the price of gasoline at the pump. This is how you do it. This is how you put more oil through that Alaskan pipeline, which is getting ready to dry up because they won't let them explore for energy in America. Let's explore for energy and create jobs.

Mr. WAXMAN. Madam Chair, I just want to take issue with the statements that have been made over and over again that this drilling in Alaska by Shell Oil will relieve our dependence on foreign oil.

Let's look at the facts. This country consumes 25 percent of the world's oil. All the oil reserves in the United States amount to 2 percent. We are not going to reduce our dependence on foreign oil by producing more oil. We don't have enough oil to produce to satisfy our demand.

Now, that doesn't mean we shouldn't produce more domestic oil. And I want us to produce more domestic oil.

The gentleman from Louisiana said let's play by the rules and not let these radical environmentalist groups stop the permit. Well, I don't even know what he's talking about, and he may not know what he's talking about when he talks about radical environmental groups. There's no radical or other environmental groups that are opposing this drilling in Alaska. The people who are seeking the permit have put it in and pulled it back, and they've spent this additional time keeping EPA from acting on their permit.

Now, there's been talk about this Environmental Appeals Board, that it's not in the Clean Air Act. Well, the Clean Air Act provides that administrator shall set up an energy board to review the environmental issues.

Play by the rules? The Republicans want to repeal the rules. They don't want this appeals board, which has been in creation since President George H.W. Bush, which has worked well. They don't want them to review the application. They want to change the rules.

Now, let me tell you what it does in California. And my colleagues from California, Democratic and Republican, you don't know what your districts are going to be yet, so pay attention because our State is going to be hurt.

According to the State of California, which opposes this bill, in addition to increasing pollution, this legislation preempts local control and review. The bill short-circuits California's existing effective delegated permitting process, greatly increasing the likelihood of litigation, and removes all proceedings to Washington, D.C., imposing a substantial burden on the State and local governments and effectively disenfranchising local stakeholders.

Now, we hear so much from the Republican side of the aisle: Why should we have Washington make the decisions? Instead, what they're trying to

do is keep California from making its own decisions.

Well, what does California have to do with drilling off the coast of Alaska? Nothing, except in this bill they drafted it in a way that prevents California and Delaware and Virginia and other States from taking charge of what is known within their purview.

Let's let Shell get a permit under the regular procedures. If they need some help in clarifying ambiguity, we're glad to work on it.

But Republicans want to repeal the laws that protect the public interest and environmental protection just to give Shell a special break. It's not going to reduce our dependence on foreign oil. We won't even see that oil for another decade. It's a giveaway to Shell Oil, and they're using this as an excuse to repeal protections for other areas to control their own pollution sources.

So I would urge my colleagues to vote against this bill. It is a power grab, and the bureaucrats, the radical bureaucrats on the Republican side have come up with this bill; and they're trying to impose it on the whole country to help the oil companies.

I don't think that it's worthy of our support, and I urge my colleagues to vote against it.

I yield back the balance of my time.

Mr. WHITFIELD. I yield myself 3 minutes.

The gentleman, in his statement, noted that we consume 25 percent of the world's oil, but we possess only 2 percent of the world's reserves. And that's precisely why we're trying to pass this bill, because oil resources can only be counted as proven reserves if they've been fully explored, and we have not had the opportunity to fully explore.

And so why should we continue to be dependent on foreign oil when we have not been able to even explore because we have a bureaucratic agency at EPA, the purpose of which is to deny the opportunity to fully explore?

This is modest legislation. It simply clarifies that if you have a ship, that ship is going to be treated as a mobile source. If you have a drilling platform, that's going to be treated as a stationary source.

If you're drilling, we're going to look at the ambient air quality impact onshore, not offshore. And then we're just going to ask the EPA to eliminate the Environmental Appeals Board for exploratory permits only, nothing else, and to make a decision within 6 months after the completed application is there.

□ 1550

I think that this graph adequately demonstrates what our problem is here in America. This is the Trans-Alaska Pipeline. In 1985 we were moving 2.1

million barrels a day through that pipeline. Today, we're down below 600,000 barrels a day. So if we have the reserves, the American people are simply asking us to restore some balance in these Federal agencies. We want to protect the environment, but we also want an opportunity to explore and use our own oil resources, and we have reason to believe that they are abundant.

I want to thank Mr. GARDNER for his leadership on this issue. And I would urge everyone in this body, just like we had five Democrats in committee who voted for this bill, I think it's imperative for the American people that we do so, and I would urge that we adopt H.R. 2021.

Mr. BLUMENAUER. Madam Chair, I rise in opposition to H.R. 2021, which undercuts Clean Air Act standards and would allow large oil companies to circumvent air pollution regulations. I strongly believe that America needs to ensure our energy security and reduce our dependence on imported oil, but this bill is not the way to accomplish this goal. I support safe and responsible resource extraction and further developing our renewable energy capacity. But energy independence will not be secured by curtailing the authority of the Environmental Protection Agency (EPA) under the Clean Air Act to protect the nation's air quality standards.

H.R. 2021 would severely limit the EPA's authority to protect human health and the environment. It would allow companies to waive permit reviews by the Environmental Review Board and would exempt them from requirements to use pollution control technologies, despite the ready availability of these technologies. Removing these controls would allow damaging pollutants to be released into the air, including nitrogen dioxide, particles, and sulfur dioxide, which would have significant health, environment, and climate impacts. The regulations to prevent this pollution are reasonable, commonsense provisions, yet this bill would undercut them, allowing widespread damage to human health and the environment for benefit of few wealthy companies. The health and environmental damage would be seen on all coasts where drilling takes place.

According to some estimates, Shell's proposed 2010 drilling plan for the Arctic alone would have released as much particulate matter as 825,000 additional cars on the roads, traveling 12,000 miles each. This is only a single company's plan for a single drilling location; the full ramifications of this bill across all companies and all regions would be immense and disastrous.

H.R. 2021 would also increase Federal court litigation, taking authority from local courts and giving it to the D.C. Court of Appeals. This replaces an established, inexpensive process for citizen challenges to government actions with a longer, more expensive review process by a court that may not be familiar with the local coastal and air quality conditions.

In the wake of the Deepwater Horizon disaster, Federal policy should be more diligent than ever in pursuing safeguards and regulations that make sure that such costly, destructive events are made less frequent, rather

than commonplace. Stripping out the environmental protections that we already have is irresponsible and it puts not only the Oregon coast, but communities from Alaska to California and from Maine to Florida at unnecessary risk. H.R. 2021 does nothing to secure a clean, safe path toward energy security. I oppose this legislation.

Mr. MORAN. Madam Chair, I rise in opposition to the Jobs and Energy Permitting Act. The duplicitous nature of the title itself should be sufficient reason to oppose it. This bill should actually be called the Shell Oil Exemption Act, because that is the intent and the effect of this legislation. Operating on the myth that the State and Federal Clean Air Act permits are blocking oil industry efforts to drill offshore, the legislation would grant them generous exemptions at the expense of the public's health and at needless harm to the environment.

Shell, the world's second largest oil company, can't seem to get its act together. Rather than admit to its feckless effort to drill offshore in Alaska and invest in pollution control technology, it has invested in the political process to buy some regulatory relief. I guess it's cheaper. But claims it makes that its Clean Air Act permits have taken five years is simply false.

EPA Assistant Administrator Gina McCarthy affirmed that and I quote, "every time Shell has applied for a permit, a permit has been issued by the agency within 3 to 6 months of that permit application being complete." She also noted that Shell "has consistently revised the request, changed the project, changed what sea they want to drill in." Shell also pulled its application to drill in the Beaufort Sea for two years and submitted an incomplete application.

There is no rational reason why Shell or any other oil company should be able to exempt their offshore operations from the Clean Air Act. Operations in the Gulf of Mexico aren't exempt.

This proposal also affects the environment in areas other than Alaska including my home state of Virginia and other areas where future drilling may occur like California, and Florida that unlike Alaska face more serious challenges of bringing their non-attainment areas into compliance with the Clean Air Act.

It's my understanding that exploration drilling can result in the release of as much particulate as 825,000 carts traveling 12,000 miles; as much CO₂ as the annual household emissions of 21,000 people; more than 1000 tons of NO₂, a pollutant associated with respiratory illness; and more than 57 tons of particulate matter (PM)_{2.5}, a pollutant linked to respiratory illness and climate change.

Exempting offshore drilling would mean that other, land-based businesses would be subject to additional reductions to offset the pollution generated offshore.

Madam Chair, this bill is bad news for the public's health, the environment and for businesses.

I urge my colleagues to oppose this legislation.

Mr. FARR. Madam Chair, I rise in strong opposition to H.R. 2021, the Jobs and Energy Permitting Act. Since the beginning of the 112th Congress, my Republican colleagues

have been relentless in their attempts to weaken offshore drilling regulations and to preserve wasteful and unnecessary subsidies to the most profitable oil corporations in the world. While Americans are facing serious pain at the pump, in the first quarter of 2011, the five biggest oil companies have made a total combined profit of \$35 billion. Yet, as these companies break record profits, the Republican leadership insists that we continue to hand these companies billions of taxpayer dollars in subsidies.

H.R. 2021 is just another blatant attack on human health and the environment in an attempt to shield outrageous Big Oil profits. This bill seeks to evade Clean Air Act standards intended to protect our air and health by allowing the oil companies to pollute as much as they want from their offshore operations. Secondly, this anti-environment piece of legislation would block the right of California and other states to enforce more rigorous emissions standards on vessels servicing an offshore operation. It seems ironic that my colleagues who are arguing against big government now want to take away states' rights to protect their residents from dirty local air.

I strongly support the need to reduce America's dependence on foreign oil. However, H.R. 2021 is not the answer. I am extremely disappointed that my Republican colleagues continue to dismiss renewable sources of energy as part of the solution. The renewable energy sector has the potential to support hundred of thousands of jobs while reducing greenhouse gas emissions. The number of jobs in the solar industry, for example, doubled from 2009 to 2010. However, in the Fiscal Year 2012 Energy and Water Subcommittee Appropriations bill, Republicans have proposed draconian cuts to programs that focus on energy efficiency research and renewable sources of energy such as solar and wind. The proposed cut of \$1.895 billion to the Department of Energy's Energy Efficiency and Renewable Energy program is simply unacceptable. These cuts to alternative energy programs and the numerous pro-Big Oil bills, such as H.R. 2021, that have been introduced in the 112th Congress indicate that the Republicans do not support a comprehensive solution to rising gas prices, ending America's foreign dependence on oil, and creating jobs.

My fellow Democrats attempted to improve H.R. 2021 by offering ten different amendments, but the Republicans rejected each and every one, including an amendment that would maintain California's ability to set its own emissions standards. Unfortunately this Republican desired top-down approach will degrade air quality along the coast of California, causing health costs to soar with increasing incidence of respiratory illnesses.

Madam Chair, the quality of the air we breathe and the health of my constituents is of utmost importance. For this reason, I do not support this legislation, and I voted "no" on H.R. 2021.

Ms. RICHARDSON. Madam Chair, I rise in opposition to H.R. 2021, the incorrectly named Jobs and Energy Permitting Act of 2011, which, aside from creating no jobs, merely permits major offshore oil companies to skirt reasonable clean-air standards, leading to greater health hazards and a poisoned envi-

ronment for my constituents in California and others living on America's coastlines.

Under the Clean Air Act of 1990, large, offshore projects that emit more than 250 tons of an air pollutant are subject to pre-construction air pollution permits, just like any on-shore installation, such as a factory. Oil rigs and their support ships are subject to regulations based on the amount of pollution they distribute into the air and the surrounding ocean.

H.R. 2021 declares that pollution regulations shall apply "solely with respect to the impacts in the corresponding onshore area." This means that the ocean and all the area from the oil rig to the breakers will not be properly taken into account when a company prepares its environmental impact reports. Near-shore areas with extensive human activity such as fishing and boating sites will not matter. Companies will be regulated according to how much they pollute at long distances, allowing them to pump more toxins into the air.

We all know that air pollution contributes to adverse health effects and environmental degradation. Nowhere is this more obvious than in my home state of California where toxic air pollution is consistently linked to cancer and birth defects. According to the Environmental Protection Agency, the City of Los Angeles, where my 37th Congressional District is located, has some of the highest levels of cancer-related toxic air pollutants in the country. The Clean Air Act itself was a direct response to the issues of air quality in major American cities such as Los Angeles, and I cannot support a bill that undoes efforts which have improved the quality of life for so many of my constituents.

As a member of the Committee on Transportation and Infrastructure representing a major port city, I authored the Diesel Emissions Reduction Act, DERA, of 2010, which was passed in the 111th Congress. DERA provides economic incentives to retrofit commercial diesel engines, making them cleaner and more efficient without threatening trade. Instead of letting offshore drillers pollute more, we should focus on technologies and procedures that lessen their environmental impact.

I believe that, in the wake of the Deepwater Horizon disaster, offshore oil drillers should be held to the highest standards. To this end, I will soon introduce the Securing Health for Ocean Resources and Environment, SHORE, Act, which will ensure that offshore drilling operations prepare comprehensive disaster mitigation and clean-up plans before they ever begin operations.

Under H.R. 2021, the weak regulations the Republicans are attempting to establish would not even be in effect until "the period between when drilling commences at a location and when drilling ends at that location." Support vessels, which produce the majority of emissions at these sites, would not have to apply any pollution controls or be factored into environmental impact statements. These provisions will effectively prevent the EPA and state authorities from addressing serious sources of pollution from offshore oil and gas sites.

In addition to recklessly cutting critical safeguards to air pollutants, this legislation will remove any authority for EPA's Environmental Appeals Board to review permit decisions for

offshore exploration activities. Stakeholders who wish to challenge an EPA permit would have to do so through costly litigation through the DC Circuit Court of Appeals. Furthermore, it cuts down the time allotted for public review and places similar time constraints on state and local hearing boards.

In summary, this destructive bill would remove basic safeguards to toxic pollutants and restrict procedures used to challenge oil companies who drill in sensitive areas. There are similar operations going on just off shore from my district, and I cannot tell my constituents that I sat idly by while Congress allowed more toxic substances to fill our air and threaten our environment. I urge my colleagues to vote for the health of the American people and oppose this legislation.

Mr. VAN HOLLEN. Madam Chair, I rise in strong opposition to the Jobs and Permitting Act.

This legislation has nothing to do with lowering the price of gasoline—and even less to do with jobs. Instead, H.R. 2021 simply proposes to exempt significant offshore drilling activities from the Clean Air Act while eliminating or truncating appropriate permit review. Additionally, contrary to proponents' focus on Alaska, today's legislation threatens onshore air quality up and down the east and west coasts, including my home state of Maryland.

Madam Chair, the current majority is somehow under the impression that you can't have jobs unless you have dirty air. The forty year history of the Clean Air Act proves beyond a shadow of a doubt that this simply isn't true. Rather than rolling back the clock on our environmental laws, we should be accelerating the deployment of clean energy technologies that will create jobs, grow our economy and make our nation more secure.

Mr. HOLT. Madam Chair, I voted against H.R. 2021, the so-called Jobs and Energy Permitting Act. H.R. 2021 is the latest piece of legislation from the Majority that puts Big Oil before public welfare.

H.R. 2021 is yet another attack on the Clean Air Act. This harmful legislation would revoke Clean Air Act protections mandating that oil companies use pollution control technology for vessels used in offshore drilling. H.R. 2021 would allow oil companies to measure pollutants and toxics generated from offshore drilling rigs at onshore locations, effectively allowing for offshore sources to generate larger and larger amounts of toxic air pollution.

While these permitting loopholes present clear dangers to public health and welfare, perhaps the most egregious affront to the Clean Air Act is the provision in H.R. 2021 that eliminates the Environmental Appeals Board at EPA. This board provides those citizens directly affected by coastal air pollution access to an impartial review of permitting decisions. To be clear, this misguided legislation puts oil companies before the health of the American public.

For 40 years, the Clean Air Act has been successful in reducing emissions into the atmosphere of pollutants and chemicals that kill people and endanger public health. Its success is due, in large part, to being enacted and strengthened based on the best science to find the most effective ways to remove the worst pollutants from our air. The Clean Air

Act should not be undercut to benefit large oil companies.

If enacted into law, this bill would have far reaching consequences and damage public health in the Arctic, Atlantic, Pacific, and Gulf Coasts. The world's most profitable oil companies should be held to the highest public health and environmental safety standards, not given a free pass to generate toxic air pollution. I urge my colleagues to vote against this harmful and reckless legislation.

Ms. LEE. Madam Chair, I rise in strong opposition to H.R. 2021.

By overriding offshore air pollution rules H.R. 2021 dirties our coasts and oceans, endangers the health of our citizens and constituents, and keeps us trapped in the quagmire of the 20th century energy economy when we should be pressing towards the 21st.

I am distressed that many of my colleagues, while consistently touting an increased role for local and state government, want to completely overrun existing state health and environmental regulations. As the California Air Resources Board expressed in testimony, this bill will "quash local control, impose tremendous new costs on state and local government and taxpayers, and disenfranchise community groups and local stakeholders."

Let us not lose sight of the fact that the Clean Air Act is first and foremost about public health and protecting our citizens from dangerous pollution that directly threatens their health. Turning again to testimony from the California Air Resources Board, which is supported by the Boards of other states, this bill will severely limit existing protections for public health in coastal states. I would particularly note that, as allowed for in section three, ships involved in drilling activities would not have to use emissions control technology, even though these ships already comprise the vast proportion of pollution from drilling operations.

Section two of this bill demands that the pollution being disgorged by offshore drilling projects be measured at the point of its impact with the shoreline. What some of my distinguished colleagues appear to have forgotten is that we in the coastal states actually engage in activities that extend past the shore.

Let's forget for a moment the enormous implications that this measure has for climate change and environmental degradation. What section two essentially states is that the health and safety of our fishermen, boaters, and the workers engaging in the very projects that are the topic of the present debate are inconsequential. I oppose this bill so strongly because these are the people who deserve and need to be protected.

For these reasons, I offer my complete support to my colleague from California, Representative SPEIER, one of the many Members here today whose constituents will suffer directly under this provision. Her amendment to cut section two from this bill represents at least a small step toward limiting the appalling health and environmental consequences of H.R. 2021, and I support that amendment unconditionally.

My district is home to the Port of Oakland, the fourth busiest container port in the United States. Large container ships like the ones we're talking about here produce enormous amounts of pollution, and when loading and

unloading at ports and docks can contribute drastic health consequences for the surrounding communities. These communities, like West Oakland in my district, are often home to poor communities and people of color, groups that remain under-represented in this body. Sacrificing their health and the health of coastal communities all around this country to increase the profits of big polluters like Shell Oil Company is flat-out wrong. I do not and will not support it.

This bill would allow the world's largest oil companies to circumvent pollution standards that have protected our air and health for decades. Rolling back environmental protections hurts my constituents, and it hurts Americans all around the country.

H.R. 2021 is bad for our health, bad for our environment, and bad for our country. I stand firmly with my colleagues in opposing this bill.

Mr. WHITFIELD. Madam Chair, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule.

The text of the bill is as follows

H.R. 2021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jobs and Energy Permitting Act of 2011".

SEC. 2. AIR QUALITY MEASUREMENT.

Section 328(a)(1) of the Clean Air Act (42 U.S.C. 7627(a)(1)) is amended by inserting before the period at the end of the second sentence the following: ", except that any air quality impact of any OCS source shall be measured or modeled, as appropriate, and determined solely with respect to the impacts in the corresponding onshore area".

SEC. 3. OCS SOURCE.

Section 328(a)(4)(C) of the Clean Air Act (42 U.S.C. 7627(a)(4)(C)) is amended in the matter following clause (iii) by striking "shall be considered direct emissions from the OCS source" and inserting "shall be considered direct emissions from the OCS source but shall not be subject to any emission control requirement applicable to the source under subpart 1 of part C of title I of this Act. For platform or drill ship exploration, an OCS source is established at the point in time when drilling commences at a location and ceases to exist when drilling activity ends at such location or is temporarily interrupted because the platform or drill ship relocates for weather or other reasons."

SEC. 4. PERMITS.

(a) PERMITS.—Section 328 of the Clean Air Act (42 U.S.C. 7627) is amended by adding at the end thereof the following:

"(d) PERMIT APPLICATION.—In the case of a completed application for a permit under this Act for platform or drill ship exploration for an OCS source—

"(1) final agency action (including any reconsideration of the issuance or denial of such permit) shall be taken not later than 6 months after the date of filing such completed application;

"(2) the Environmental Appeals Board of the Environmental Protection Agency shall have no authority to consider any matter regarding the consideration, issuance, or denial of such permit;

"(3) no administrative stay of the effectiveness of such permit may extend beyond the date that is 6 months after the date of filing such completed application;

"(4) such final agency action shall be considered to be nationally applicable under section 307(b); and

"(5) judicial review of such final agency action shall be available only in accordance with such section 307(b) without additional administrative review or adjudication."

(b) CONFORMING AMENDMENT.—Section 328(a)(4) of the Clean Air Act (42 U.S.C. 7627(a)(4)) is amended by striking "For purposes of subsections (a) and (b)" and inserting "For purposes of subsections (a), (b), and (d)".

The CHAIR. No amendment to the bill is in order except those printed in part A of House Report 112-111. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. SPEIER

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112-111.

Ms. SPEIER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2 (and redesignate the subsequent sections accordingly).

The CHAIR. Pursuant to House Resolution 316, the gentleman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. SPEIER. Madam Chair, I rise today in support of my amendment which strikes section 2 of the bill.

Section 2 of this bill would amend the Clean Air Act to force emissions from any offshore source to be measured only at the corresponding onshore location. Yes, you heard me correctly, the bill demonstrates willful ignorance of the fact that pollution is also harmful over water, not just on land. This dirty air loophole is so big you can float a Deepwater Horizon-sized oil rig through it.

I know our philosophies differ here, but the fact is that even if we produced every drop of recoverable oil offshore today, it would only last us for 3 years at our current consumption rate. Then we would be right back where we started from without having reduced our demand on oil, except we would be about billions of dollars poorer after subsidizing the oil companies to turn the rest of offshore USA into the Gulf of Mexico. That does not sound like a deficit-cutting, jobs-creating proposal to me.

H.R. 2021 purports to simply reduce the amount of time it takes to get a

permit to drill, but it also gives Big Oil a free pass on having to properly account for the toxic pollution it releases on the Outer Continental Shelf. It moves the geographic point where emissions are measured from offshore, near the drilling location, to an onshore point many miles away.

This change would clearly weaken public health protection for oil workers—are we interested in them?—fishermen—are we interested in them?—recreational boaters, not to mention all those who do business or make a living in our coastal communities. Apparently, it's the old out-of-sight, out-of-mind approach; what you can't see won't hurt you. After the BP oil spill just last year, such an approach should be dismissed as reckless.

One year ago today, oil was gushing into the gulf and toxic emissions were streaming into the air. But if this bill passes, the same level of Clean Air Act protections that gulf oil workers, fishermen, and coastal residents relied on to fight BP for damages would no longer apply in the gulf or anywhere else.

Let's be clear. In this bill, the rules don't apply to Shell. Shell wants to drill in the Arctic Ocean off Alaska without monitoring at the source. I get it. We all get it. But that isn't prudent; that isn't fair; that isn't safe.

Here are the facts this bill would cover up:

Shell's plans to drill for oil in the Arctic would dump as much particulate matter into the air as over 825,000 cars traveling 12,000 miles; as much CO₂ as the annual household emissions of 21,000 people; and more than 1,000 times of NO₂, a noxious pollutant that causes respiratory illness. This is according to Shell's own permit applications. The pollution may be emitted from rigs or vessels far offshore, but the effects are felt miles away by native populations with vibrant fishing communities by the coast.

If Shell Oil or any other company wants to do business on the Outer Continental Shelf, they need to demonstrate that they can meet standards set forth in the Clean Air Act. I mean, that's just fundamental. Instead, they have succeeded in getting Republicans here in Congress to waste taxpayers' time by pushing bills granting them exemptions from the rules at the expense of public health and the environment. In fact, by creating this loophole, H.R. 2021 would actually further complicate the permitting process and increase expenses for all parties involved.

The California Air Resources Board, which oversees oil and gas permitting in my State, testified on this very point in committee. This bill, they said, will require more time and expense to properly model onshore emission impacts. Districts may incur added cost and delay to deploy an ade-

quate onshore monitoring network and obtain data sufficient to establish a baseline—costs that will be passed on to the permit applicants.

As a "jobs and energy permitting" measure, therefore, this bill would fail on both counts while doing real harm to air quality in California and many of the 20 other coastal States. It will certainly achieve the goal of increasing oil company profits at the cost of everyone else.

I respectfully urge my colleagues to vote for this amendment and oppose this dirty air loophole.

Madam Chair, I yield back the balance of my time.

Mr. WHITFIELD. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Madam Chair, I would like to quote from Lisa Jackson, who was talking explicitly about the permitting issue here. She said: I believe that the analysis clearly shows that there is no public health concern here. And that's why EPA, on three separate occasions, approved this air quality permit, but on the appeal process it was denied by the Environmental Appeals Board.

Now, if you look at the legislative history of the Clean Air Act, it is very clear in that legislative history that, as it pertains to Outer Continental Shelf sources, they were concerned about the impact onshore and the ability of onshore to attain and maintain their Clean Air National Ambient Air Quality standard requirements.

And so all this legislation does is to clarify that point. We're not changing the ambient air quality standards. We're not changing the way they monitor stationary sources. We're not changing the way they monitor mobile sources. We're simply clarifying that that was the legislative history, that was the intent, and the full range of environmental protections are still in place.

So I believe that this amendment is not necessary. We already have adequate monitoring in place.

Madam Chair, may I inquire as to the time remaining.

The CHAIR. The gentleman from Kentucky has 1½ minutes remaining.

Mr. WHITFIELD. I yield the balance of my time, in opposition, to the gentleman from Colorado (Mr. GARDNER).

The CHAIR. The gentleman from Colorado is recognized for 1½ minutes.

Mr. GARDNER. I thank the gentleman from Kentucky.

The issue that we are discussing here was actually brought up in debate at the time of the conference committee, this very language, the very title that we are discussing. I will read some language from the conference committee report.

Of primary concern is the fact that OCS air pollution is causing or contrib-

uting to the violation of Federal and State ambient air quality standards in some coastal regions.

□ 1600

We are dealing with onshore. The debate is on onshore. The debate at the time was over onshore regulations, on coastal regulations.

In addition, the testimony before the House Energy and Commerce Committee focused on this language in the regulations dealing with the rational relationship to the attainment and maintenance of Federal and State ambient air quality standards and the requirements of the PSD program, and that the rule is not used for the purpose of preventing exploration and development of the OCS, going directly—directly—to the interpretation that the focus on OCS requirements, as the regulations themselves state, is onshore, that the onshore air quality represents a rational relationship between OCS sources and obtaining and maintaining air quality standards.

California, this was the language, this was the conversation. The debate took place during the very conference committee about coastal regions, about onshore regulations.

I thank the gentleman for yielding. Mr. WHITFIELD. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Ms. SPEIER).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. SPEIER. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HASTINGS OF FLORIDA

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112-111.

Mr. HASTINGS of Florida. Madam Chair, I offer an amendment to the bill.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 19, strike "but shall not be subject" and insert "and shall be subject".

The CHAIR. Pursuant to House Resolution 316, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Chair, in the past I have made the statement regarding offshore drilling as a native Floridian that I will be the last person standing opposed. But it would seem to me there is ever-mounting evidence that Republicans are willing to expand offshore drilling regardless of cost to the environment.

This particular iteration of what I describe as a near-criminal energy policy takes the form of a sellout of hard-working Americans' right to breathe clean air. In particular, this bill excludes Shell Oil's icebreaker ships in the Arctic from regulation under the Clean Air Act.

Shell has and will continue to argue that since its icebreakers are regulated under title II of the Clean Air Act, the vessels don't also need to be regulated under title I. Yet the fact is that Shell's ships would not be regulated under title II due to the fact that they are foreign-flagged and predate the effective date of the regulations.

Shell is asking Congress, and Republicans are obliging, to create a legal loophole so that Shell, their company, can pollute with impunity and not be bothered by complying with environmental regulations designed to minimize our desecration of the Earth.

This loophole would create a dream scenario for Shell and the rest of the oil industry, currently taking in record profits as gas prices soar for the average American family. For its 2010 drilling operations, it was not the amount of emissions from the drill ship itself that triggered the application of the Clean Air Act regulations to Shell's operations, but the emissions from Shell's icebreakers.

The exploration drilling proposed by Shell, as has been noted, would release particulate matter well in excess of 800,000 cars traveling 12,000 miles. These kinds of support vessels are responsible for up to 98 percent of the air pollution from drilling outfits, and Republicans are asking Congress to close our eyes to this matter.

My amendment would bring the oil companies' dreamworld crashing down around them. My amendment eliminates the loophole created in this bill, giving EPA the authority to regulate the support vessels and the emission sources that they are.

I was in the Rules Committee. I heard this argument about 5 years and Shell, and I also heard my colleague Mr. RUSH clearly explain that Shell filled out applications that were not fully filled out, and then when they were sent back at some point they even pulled their application before sending it back incomplete. Now, you can't have it both ways.

But, more important, I would ask every speaker that speaks in favor of this measure, tell the American public today how much this is going to reduce the cost of gasoline today, tomorrow, or next week, or next year.

The fact is, Hilda Solis, the Labor Secretary, did something today about the next iteration of jobs. She announced grants for different segments of this country in the amount of \$38 million in grants for the Green Jobs Innovation Fund program. That is where our head needs to be. Our heart may

still be in the need to use fossil fuels, but this measure isn't going to make one whit of a difference with reference to the cost of gas.

I reserve the balance of my time.

Mr. GARDNER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. CULBERSON). The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. I rise in opposition to the amendment, which mixes two basic concepts of stationary title I issues and mobile title II sources. What we are talking about here is something akin to requiring the employee of a factory to overhaul his engine simply because he parks next to the factory. It is requiring a re-engining of service vessels simply because they happen to be in the area of a stationary source.

So basically what we are talking about in the bill is saying that once a drilling ship starts to drill, that is when it becomes stationary. To require the vessels that service that drill ship, to require them to be stationary would be like requiring the UPS truck to fall under the same regulations as the factory that it is delivering to, or treating an emissions testing facility like it has wheels and ought to be moving around to everybody else because it is testing the emissions of a stationary source. So I rise to oppose this amendment, again, because of issues it is trying to deal with, mixing stationary and mobile sources.

The issue of foreign-flagged ships is dealt with in international law under our treaties that we have in this country. It is dealt with in the MARPOL Treaty. If we want to increase those regulations on U.S. vessels, Congress can do that. However, to increase regulations on service vessels only because they were hired to service an OCS vehicle makes no sense.

It was said in debate earlier too, I believe it was said we are not going to reduce our dependence on foreign oil by producing more oil. I guess that argument means the same thing as we are not going to have more food by producing more food; we are not going to have more appliances in this country by producing more appliances. The arguments we have heard against this bill are off point, off subject, and are simply on claims that don't make any sense.

So when it comes to this particular amendment, delivery trucks aren't regulated as stationary sources, nor should the service vessels to a stationary source, the drilling ship, as will be considered once this legislation becomes law.

I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Chair, I am prepared to yield back the balance of my time and ask for a record vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112-111.

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 9, insert the following (and redesignate the subsequent paragraphs accordingly):

“(1) such completed application shall include data on oil subsidies provided by the Federal Government to the applicant;

□ 1610

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, oil companies, of course, benefit from significant subsidies. This amendment would require that applicant oil companies for permits to drill would disclose as part of their application the taxpayer-provided subsidies that they enjoy. They would make that specific as to the leases for which they're seeking permission to drill.

Now, we've had a long debate, Mr. Chairman, in this body about the wisdom of subsidies to oil companies and we have a strong contingent in this body that favors those subsidies, making arguments that it's good for the economy, good for producing energy, and beneficial to the taxpayer. We have many in this body, myself among them, who believe that these subsidies are too rich and they're unnecessary.

When oil company profits are a trillion dollars in the past year, when the price of oil has been hovering between \$95 and \$113 a barrel, when the companies have enjoyed record profits this year, the question arises by me and by many as to whether or not it makes sense to ask the taxpayers to reach into their pockets and to provide subsidies to a mature industry—an important industry, but a mature industry and a very profitable industry with a very high-priced product where they can generate and are succeeding in generating significant profits for that industry.

This is not about whether they're doing good or they're doing bad—we have oil companies that are doing their

job—but it is about whether taxpayers should be, at the very minimum, made explicitly aware as to how much it is they're being asked to subsidize oil companies when they seek these leases.

One of the challenges we have that has been a major point by the new majority is that we have a budget deficit and we've got to control spending. Spending is both on the direct appropriations side and what's called here the tax expenditure side. I think our constituents would know that as tax breaks. Why not take every action we can when it comes to spending and it comes to tax breaks to mobilize the awareness of the American people so they know what it is we're spending their money on, whether it's for a spending program or a tax break subsidy.

So this is about disclosure. It's about unleashing the power of knowledge, making it available to the American people so they can tell their representatives, You know what? We think that subsidy is a pretty good idea, or, You know what? We don't have to continue to be shelling out money for that subsidy. We want to go in a new direction.

So, Mr. Chairman, my amendment is about empowering the democratic objectives of this country.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. I rise in opposition to the Welch amendment and in strong support of H.R. 2021, the Jobs and Energy Permitting Act, a piece of legislation that would create jobs in America and American energy for American consumers.

The Welch amendment requires a company applying for a permit to provide data on "oil subsidies provided by the Federal Government." Mr. Chairman, this is an absolute red herring. There's no definition of "oil subsidy." That's intentional. The gentleman who proffered this amendment is an attorney. He ought to know better. I don't know what oil subsidies to which he's referring.

Section 199, manufacturing deduction, which goes to all businesses whether they produce oil or otherwise, so long as they're engaged in manufacturing. Maybe he's referring to the writing off of intangible drilling costs and claiming tax credits for employing American workers. If those qualify as American Government giveaways, that should absolutely be something that I would think that he would support. These folks are paying royalty taxes and giving great revenue to the United States Treasury.

This piece of legislation, without this amendment, will create many jobs and revenue for the United States Treasury.

What Mr. WELCH is really interested in, Mr. Chairman, what this amendment really does is it attempts to punish oil companies for producing American energy and American jobs. This piece of legislation, H.R. 2021, will do just that, and this amendment attempts to stop it.

If there were subsidies that applied only to the oil industry or specifically benefited folks who purchased traditional oil and petroleum, I'd be the first to rise and say, You're right; that's a subsidy. We ought to get rid of it. But that's not what this amendment attempts to do. Rather, this amendment attempts to stop a piece of legislation that will create energy; will lower the price of gasoline for American consumers; will, again, add jobs all over our country; and, once again, provide American energy so that American consumers may benefit.

I'd like to urge all of my colleagues to oppose the Welch amendment and support the underlying Jobs and Energy Permitting Act.

With that, I yield back the balance of my time.

Mr. WELCH. I would just say this to my colleague: You and I disagree, obviously, on the subsidies. We don't disagree that the oil industry does provide good jobs to a lot of American families and a product that we need to keep our economy going. But there's a reasonable basis for disagreement about whether a particular subsidy has outlived its useful life. It is real money out of the pocket of the taxpayer.

While the suggestion is made that it would be tough to figure out what the subsidies are, these companies that enjoy these subsidies have accountants who scour the Tax Code to make certain that every legally available subsidy is one that they, in fact, do take. They actually owe that due diligence and that effort to their shareholders to make certain that they get maximum value for the shareholders, and that includes paying not a nickel more in taxes than they're legally required to pay by the rules that this House of Representatives sets.

So this is not about whether you're for or against the tax subsidies as they exist—we disagree on that—but it is about saying to the American taxpayer, when the company is filling out this application, after they've done their tax filings, which they do every year, they can specify what the benefit is they are getting courtesy of the United States taxpayer. That's really what this is about.

What is the problem with letting people know how their money is being spent?

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WELCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 112–111.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 9, insert the following (and redesignate the subsequent paragraphs accordingly):

“(1) such completed application shall include data on bonuses provided to the executives of the applicant from the most recent quarter;

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. I yield myself such time as I may consume.

I rise to urge my colleagues to support my amendment to H.R. 2021.

As constituents see soaring gas prices, soaring oil prices, oil companies have revealed record profits. The top five multinational oil companies earned over a trillion dollars in the past decade. In my district, where jobs and commerce depends on a coastal marine and tourism economy, I have constituents that are paying up to \$4.50 a gallon. These oil firms, these conglomerates, are eating up more and more of our constituents' paychecks.

And where is it going? Only a small portion—some estimate as little as 7 percent—are reinvested back into the economy to pay for efficiencies and research into alternatives to oil. Rather, oil companies are providing bumps for stockholders and high bonuses to their company executives—a pat on the back for high prices at the pump. Remember that up to 90 percent of the tax subsidy money given to executives and companies by the taxpayers went to buybacks for preferred stock purchases.

My amendment would provide transparency to the U.S. taxpayer.

□ 1620

The amendment requires that all completed permit applications include data on executive bonuses distributed by the applicant company in the most recent quarter.

In May I offered a similar amendment to H.R. 1231, which would have required the Secretary to make available to the public data on executive bonuses for any company that is given a drilling lease, and it received at that time

186 votes. We have an opportunity now to successfully pass this amendment, and the time is now to hold the largest oil companies accountable. I urge my colleagues to support this important amendment in order to provide transparency to the American taxpayer.

I reserve the balance of my time.

Mr. GARDNER. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Mr. Chairman, once again, we are faced with the question of whether we want to focus on the issues that this bill is intending to address—the issue of job creation, the issue of energy security—and whether or not we are going to take advantage of the resources that we have in our own backyard, which is American energy for the American people.

This amendment presents, once again, one more distraction from the very purpose of this bill. It is a distraction for our colleagues. I understand that they want to oppose this bill, but I believe they ought to oppose the bill on its merits. If they want to oppose the bill, vote “no” on the bill. If they want to offer constructive amendments, then introduce amendments to try to improve the bill, but presenting red herring amendments in amendment after amendment ought to be defeated.

Aside from the distraction that this amendment creates, there is no real need for this amendment from a practical perspective. If an interested person wants to know the amounts of bonuses paid to an oil company executive, the information is available. As it is a publicly owned company, it's already available. I don't believe we require bonus disclosure when environmental groups apply for grants. When a staffer helps out on a particular piece of legislation when we introduce the bill, I don't believe that we have disclosure on a bonus to a staffer. Again, this is a red herring on a bill that focuses on jobs and job creation.

I reserve the balance of my time.

Mr. KEATING. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Massachusetts has 3 minutes remaining.

Mr. KEATING. I think the point is that environmental groups, marine jobs groups and groups that depend on tourism in my district don't have shareholders. They aren't the beneficiaries of this. The purpose of this amendment is to find out who really benefits.

If you represent a district like mine, there is a great risk in this—a risk in jobs, a risk in commerce, a risk that is irreparable, a risk that is one that should be taken very seriously. If one is taking that very seriously, one has to look at who, indeed, is benefiting by this. It's clear, given some of the other

alternatives that are there right now, that the people at the pump are not benefiting by this. The people in my district who are depending on jobs that could be risked as a result of failures from this drilling have a great deal to risk. It is not a red herring. In fact, if you're going to apply any kind of fish analogies, another important industry in my area, the fishing industry, is one that is assuming this risk as well. Now, all of these risks are there. Who is benefiting by this risk?

The purpose of this amendment is to tell the public who, indeed, benefits by it. It is the executives who are getting these large bonuses, because this is about profits, and the profits go to those executives. They aren't there to help reduce costs for the people at the pump, and they certainly aren't there to help the people in my district who are bearing all the risk of this type of drilling.

I yield back the balance of my time.

Mr. GARDNER. Who benefits from this bill? The American people benefit from this bill.

In testimony before the House Energy and Commerce Committee, it was made very clear that the west coast could import less oil because of the development of the Chukchi and Beaufort Seas. Testimony was received before the House Energy and Commerce Committee that this could reduce the price of gasoline when we create more supplies, particularly for areas along the west coast, because of the presence of the Beaufort and Chukchi Sea reserve. So the American people are the beneficiaries of increased American production.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. KEATING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. RUSH

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 112-111.

Mr. RUSH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 13, insert before the semicolon “, except that the Administrator may provide additional 30-day extensions if the Administrator determines that such time is necessary to meet the requirements of this section, to provide adequate time for public participation, or to ensure sufficient involvement by one or more affected States”.

Page 4, beginning at line 18, strike paragraph (3) and insert the following:

“(3) no administrative stay of the effectiveness of such permit may extend beyond the deadline for final agency action under paragraph (1);

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. I yield myself such time as I may consume.

Mr. Chairman, the amendment I am offering today would strengthen this bill by ensuring that we maintain an opportunity for State and community input even as we seek to streamline the permitting process, as this bill attempts to do.

My amendment would simply allow the EPA administrator to provide additional 30-day extensions if the administrator determines that such time is necessary to provide adequate time for public participation and sufficient involvement by affected States. Mr. Chairman, input by those most affected by drilling is a vital and necessary part of the permitting process.

There was a time not too long ago when my Republican colleagues valued local participation and States' rights; and now that they are in the majority, they are attempting to strip away the power of States and the power of local communities to even participate in the decisions that will affect them the most.

As Representative of the people, I do not believe that it makes sense for us to legislate away the ability of our citizens to comment on drilling decisions that will impact their health, impact their livelihoods, impact their well-being. I also don't think that our constituents will buy into the argument put forth by my colleagues on the other side of the aisle that we must make it easier for all companies to drill and also take away the public's ability to comment, even while they say this is for the public's own benefit. It's ludicrous.

This bill's supporters have said that this is a narrow bill designed to address problems Shell Oil Company has faced in obtaining a Clean Air Act permit for exploratory drilling off the coast of Alaska; but in fact, this legislation will impact every State on the Atlantic and Pacific coasts. The States of California and Delaware testified before the Energy and Commerce Committee that they have grave concerns about the impact of this bill on their ability to protect public health and welfare from air pollution.

I truly believe, Mr. Chairman, that it is imperative that the States and the local communities that will be most affected participate in the process of awarding permits, and this amendment would ensure that adequate time is given for that purpose. I don't believe

that we should ever sacrifice the interests of the American public in order to expedite the interests of oil companies, so I hope that all of my colleagues will join me in supporting my amendment.

□ 1630

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, I've had the opportunity to serve many years with the gentleman from Illinois, who's the ranking member of this subcommittee, and have a great deal of respect and admiration for him. But I would point out to him that this legislation does not in any way curtail, stop, impose the opportunity for anyone to express opposition or comment about a permit. We do not in any way change the comment period that EPA has to determine if they're going to issue, in this case, an exploratory permit.

We do not in any way change the National Environmental Policy Act that provides four additional opportunities for communities, local, State, individuals, environmental groups to comment on an exploration permit. There are today five opportunities for people to comment about air permits. After this bill is passed, there will still be five opportunities for entities to comment.

Today, individuals and entities can file a lawsuit against the EPA and their actions. After this bill is passed, they can still file a lawsuit.

This amendment basically gives the EPA Administrator the opportunity to grant 30-day extensions on final agency action as the Administrator deems it necessary; but it's not limited to one 30-day period, two 30-day periods or three 30-day periods. In fact, it could go on ad infinitum, and that's the whole reason we have the bill here today, because I don't care what company it is out there trying to explore to determine if the oil is there, if you cannot even get an administrative decision, as in the case in point it has taken 4 or 5 years and there's still no decision, you can never get to the court system.

So this bill is a commonsense bill that provides some balance, some checkpoints at EPA so that we have the maximum opportunity to explore, to determine how much oil we have off the coast of Alaska. And I might say, in the hearings Alaska government authorities came up and pleaded for us to do something to help get a decision from EPA.

So I would oppose this amendment.

I reserve the balance of my time.

Mr. RUSH. Mr. Chairman, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from Illinois has 1 minute remaining.

Mr. RUSH. Thank you, Mr. Chairman.

Let us not be bamboozled by this argument that my friend on the other side is trying to perpetuate on the American people. There is one problem with this bill—well, there are actually two problems with this bill.

One problem is that it gives the EPA and State permitting authorities just 6 months, 6 lousy months, to finalize an air permit for offshore exploratory drilling, which is not enough time to perform an adequate technical review while allowing for adequate public participation.

Number two, it preempts State authority. It preempts the right of the State of California, the State of Delaware, and other States with designated authority to impose more stringent emission controls on vessels servicing an offshore drilling operation.

Mr. Chair, this amendment attempts to cure a very serious problem with this bill.

With that, I yield back the balance of my time.

Mr. WHITFIELD. How much time do I have remaining?

The Acting CHAIR. The gentleman from Kentucky has 2 minutes remaining.

Mr. WHITFIELD. I yield myself 2 minutes.

To close this debate, I would simply say that we think 6 months is totally adequate to make some decisions about air quality permits for exploratory purposes only, and I would remind everyone here that EPA had a 60-day comment period for its utility MACT regulation that was a 1,000-page regulation imposed by EPA's own estimate of \$10 billion on the American people and increased electricity costs, if it goes into effect, by 4 or 5 percent, and they did that in 60 days.

Certainly, the 6 months that we give in this bill for an air quality permit for drilling purposes alone is adequate, and I would respectfully request that we oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RUSH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RUSH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112-111.

Mr. QUIGLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows

Page 4, beginning on line 14, strike paragraph (2) and redesignate the subsequent paragraphs accordingly.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, I rise today in support of my amendment to H.R. 2021, a bill that curtails the EPA's authority under the Clean Air Act to regulate pollution from offshore oil drilling and to limit the public's participation in decisions that directly affect our health.

My amendment strikes the text which strips the ability of the Environmental Appeals Board to remand or deny the issuance of clean air permits for offshore energy exploration and extraction. Quite simply, this amendment allows the EAB to operate as it does today, saving taxpayer dollars and keeping unnecessary litigation out of the courts and in a place where unbiased and apolitical judges can make sound decisions with input from local constituencies who are most affected.

It's worth noting that the EAB was established under George H.W. Bush, created in recognition of increasing levels of appeals from permit decisions and civil penalty decisions. Further, three of the four sitting judges were appointed by Republican administrations. The judges who sit on the EAB are not political appointees. They are critical EPA officials whose terms do not end at the end of an administration.

The board takes approximately 5 months on the average from the time a petition is filed to receive and review briefs, hold oral arguments, and render a comprehensive written decision in a prevention of significant deterioration air permit case. Federal court review would likely take at least three or four times as long. Only four of the board's 100-plus air permit decisions have ever been appealed to a Federal court, and none of the board's air permit decisions have ever been overturned.

The EAB is cost-effective and efficient and has proven to be the fastest, cheapest way to achieve a final permit. I ask my colleagues to support this amendment to allow the EAB to continue to serve to protect the public health, to keep unnecessary lawsuits from the court system, and to take into account local community input.

I reserve the balance of my time.

Mr. GARDNER. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Thank you, Mr. Chairman.

So my colleagues can understand what this bill is about, this does not repeal the ability of the Environmental Appeals Board to hear issues relating to production, production permits. This simply addresses the issue at hand of whether or not the Environmental Appeals Board can be used as a stalling period for exploratory permits.

□ 1640

Let me say it again. Exploratory permits are for a very limited duration. We're talking an activity that may last 30 to 45 days.

Unfortunately, what has happened, the EAB, which is by all accounts litigation with judges in robes in Washington, D.C., that are appointed lifetime bureaucrats, unaccountable, created by the administration, the EAB would still be able to hear appeals related to production. They will not be a part or allowed to delay exploratory permits. Why? Because we believe exploration of our resources is important, that it should not be delayed for 5 years.

In the time that it has taken to reach this point, 400 wells have been drilled by the lessee around the world. That's job creation, but certainly not in the United States. That's energy production, but certainly not in the United States. This bill presents a solution, an up-or-down, yes-or-no answer to a permit within 6 months, without going to the EAB for a ping-pong delay back and forth, EPA, EAB, delay after delay, and says we are going to focus on an issue of national importance, developing our resources, getting exploration performed, so that we can indeed make sure that we are heading down the path toward energy security.

With that, I reserve the balance of my time.

Mr. QUIGLEY. Mr. Chairman, the numbers speak for themselves. What we're talking about with this legislation is really just two permits that folks were concerned about. The reality of the matter is the average is 5 months.

Now, I understand what we're talking about is with just exploration, but we would like to get this right and not have amnesia about what happens when we get this wrong, because that's not just job-killing, it's ecosystem-killing. It destroys an entire region. There's a lot at stake here.

These aren't unaccountable people. They're appointed by administrations, created by a Republican administration, three of the four appointed by Republican administrations. It is in fact, in a sense, the executive branch. And while the executive can't do all this, it's delegated to appropriate authorities to make sound, apolitical decisions that affect communities not just for

months or years but conceivably for generations. There's a lot at stake.

This is a simple amendment to deal with a critical problem, and I encourage my colleagues to support it.

I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, I guess I'm getting confused by some of the arguments I'm hearing against this bill, because I hear that 6 months isn't enough time even though the average permitting time is 5 months, some will say. I hear that this is only dealing with two permits, although I hear that California, Delaware, and Massachusetts are at risk with this legislation. I hear the argument that some say this is ecosystem-destroying.

Let me read a quote from Lisa Jackson, the administrator of the EPA, testifying before the United States Senate:

"I believe that the analysis will clearly show that there is no public health concern here."

"I believe that the analysis will clearly show that there is no public health concern here."

Gina McCarthy, the assistant administrator of the EPA, did not rebut this testimony that was given by the administrator herself, Lisa Jackson, before the Senate. Gina McCarthy didn't refute it before the Energy and Commerce Committee.

The arguments seem to be confusing and grasping for straws. This is about energy security, about economic opportunity and making sure that we can deliver energy that's produced right here in the United States.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. QUIGLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. ESHOO

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112-111.

Ms. ESHOO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, insert "and" after the semicolon.

Page 4, beginning on line 22, strike paragraph (4) and redesignate the subsequent paragraph accordingly.

Page 5, line 2, strike "such".

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. ESHOO. Thank you, Mr. Chairman.

This bill, H.R. 2021, contains a rather extraordinary provision. It says that any appeal of an exploration permit decision can only be heard by the D.C. Circuit Court of Appeals. This is a fundamental change to longstanding law and precedent governing the venue for judicial review of challenges to EPA action.

Over 40 years ago when Congress adopted the Clean Air Act in 1970 and established venue for judicial review, Congress made a very sensible distinction. That distinction was that local and regional EPA actions would be reviewed in the U.S. Court of Appeals for the appropriate circuit. Nationally applicable actions would be reviewed in the D.C. Circuit Court of Appeals.

This distinction has worked well for the past 40 years. If a major new industrial source will have significant local air pollution impacts, nearby communities will want to weigh in. Local businesses will want to ensure that a new source doesn't force more stringent cleanup requirements for existing sources. State and local authorities will have views. And the industrial source itself may disagree with EPA's decision. All of these stakeholders may want to appeal EPA's decision. Under the Clean Air Act, they can do so in the nearest court of appeals, without traveling to Washington, D.C. And for permits issued by States or localities, the decision is reviewed by State courts.

But this bill creates a new regime for exploration permits. In fact, under this bill, even for an exploration permit issued by a State or local permitting agency, all appeals would have to go to the Federal court here in Washington, D.C.

Many of my colleagues on the other side of the aisle like to criticize centralized government; bash Washington, D.C.; Washington, D.C. lawyers. They extol the virtues of local control. They cite the 10th Amendment. But this legislation centralizes control in Washington, D.C. In fact, it's a boon for Washington, D.C. lawyers.

This provision makes it far more difficult for regular folks to appeal a decision that can directly affect them. It took one of our Energy and Commerce Committee witnesses from the North Slope of Alaska 16 hours to travel to Washington, D.C., at a cost of at least \$1,000 for that ticket.

This provision forces State and local authorities to fly to Washington, D.C. to defend a challenged permit decision. That's a huge burden in terms of money, and particularly so in these tough economic times.

The premise of this bill is that the oil industry needs faster permit decisions. Moving review from one Federal circuit court to another does not expedite

permit decisions, and the committee that I'm a part of received no testimony identifying any actual problems with review in the relevant circuit courts.

I encourage Members to support this amendment, which would preserve local control, which would preserve community participation and really speaks to some fiscal common sense.

With that, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, our friend from California's amendment sort of makes a lot of sense. There are a couple of issues that I would like to point out about it.

First of all, under her proposal, you would appeal the decision of the EPA at the local district court, wherever the project might be, let's say California. So you go through that appeals process through the U.S. District Court, and then if you don't like that decision, then you have to go to the U.S. Circuit Court of Appeals.

□ 1650

Well, today, if our bill did not pass, anyone could appeal a decision of the Environmental Protection Agency to the Environmental Appeals Board, which is located in Washington, D.C. So, today, any appeals to that board have to come to Washington, D.C., and it really is a judicial hearing. There are lawyers. There are judges. There is evidence. And so, today, that's the case.

Our bill simply says that in order to curtail the length of time it takes to receive or to even get a decision for an exploratory permit only, nothing else—we're not changing any other aspect of the EPA or Clean Air Act. We're simply saying, for this one purpose, we want a decision within 6 months, yes or no, so that the administrative decisions are exhausted. And then once the decision is made by the EPA, any party can go to the D.C. Circuit Court of Appeals. They don't even have to go through that extra layer at the Federal court but go right to the district court of appeals here in Washington, D.C.

So this legislation does not in any way change the venue. As I said, if we did nothing, as it is today, if they appeal to the Environmental Appeals Board, they come to Washington, D.C., to have the hearing. So I have been sympathetic to her desire to save people money, not require them to come all the way to Washington, but that's the way the law is today.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. ESHOO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESHOO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 8 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112-111.

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 8, strike "subsections (a), (b), and (d)" and insert "subsections (a), (b), (d), and (e)".

Page 5, after line 8, add the following new section:

SEC. 5. STATE AUTHORITY.

Section 328 of the Clean Air Act (42 U.S.C. 7627) is further amended by adding at the end the following:

"(e) STATE AUTHORITY.—Any State with delegated authority to implement and enforce this section may impose any standard, limitation, or requirement relating to emissions of air pollutants from an OCS source if such standard, limitation, or requirement is no less stringent than the standards, limitations, or requirements established by the Administrator pursuant to this section."

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. I yield myself such time as I may consume.

Mr. Chairman, this amendment that I'm offering with Representatives CARNEY and CASTOR addresses one of several concerns we have about this bill: its harmful impact on State programs that today are working to issue permits while protecting local air quality.

Last month, the Energy and Power Subcommittee heard testimony from officials of the States of Delaware and California. Both expressed serious concerns about the impact of this bill on local air quality. The Delaware Department of Natural Resources has this to say about the legislation: "The constraints placed on States' rights and authorities will adversely affect our State's ability to protect public health and welfare from the harmful effects of air pollution." The California Air Resources Board also testified that this measure "could have far-reaching, unintended consequences on public health."

California and its local air districts in some cases require emission controls that go beyond Federal law, and that is to address our unique pollution problems. For example, emissions from commercial harbor craft and ocean-going vessels represent the largest source of smog-forming air pollution in

the entire Santa Barbara County. These emissions account for over 40 percent of our local air pollution. In response, the California Air Resources Board adopted rules to help coastal areas like California come into attainment with ozone and particulate matter air quality standards. But H.R. 2021 would nullify some of these State requirements, and it would increase pollution by preventing our local air quality district from incorporating them into their air permits for offshore drilling production and processing.

It's very critical to our local air quality and to public health that emissions from these marine vessels and offshore drilling are subject to commonsense regulations, and that is why this simple amendment is before us today. It says that if a State with delegated authority wants to enact more stringent air quality protections for offshore drilling, it can continue to do so.

Mr. Chairman, this is about giving flexibility to our local air quality districts so that they can apply the technologies that work best for them—they've been doing so for 20 years—so they can continue their work protecting our air quality and the health of our communities. This amendment says that a one-size-fits-all approach that comes from Washington politicians and giant multinational oil companies is the wrong approach.

I urge my colleagues to support this straightforward amendment. It's common sense. It will allow State and local air districts to continue to do their job to protect the air quality of coastal communities like the central coast of California—nothing more, and nothing less.

I reserve the balance of my time.

Mr. GARDNER. I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Mr. Chairman, I thank the gentlelady from California for being a part of this debate today.

We had, I believe, this amendment or a similar amendment in committee. We discussed this amendment. As I mentioned, we've had two separate committee hearings on this particular piece of legislation. We had a markup where a number of amendments were offered. A tremendous amount of debate took place, and I believe debate took place on this very amendment.

One of the concerns I have with this amendment is the practical impact it would have in what could best be described as a balkanization in the regulation of Federal waters, creating a patchwork quilt, so to speak, of regulations as it applies to the Federal areas in the OCS. The amendment allows States to promulgate any regulation for the OCS as long as it can be deemed no less stringent. This will result in

chaotic regulation of Federal waters, many of which may conflict with interstate commerce.

But perhaps even more important is the dramatic expansion of State jurisdiction that this amendment would have. And this was also an issue that was discussed back and forth during our markups both at the subcommittee level and at the full committee level, whether or not this would create challenges for the expansion of State jurisdiction.

The current law only allows for the delegation of the exact authorities of the administrator and not the flexibility to create the State's own laws to implement the act. I think that's one of the distinctions that we have sort of walked over during this debate.

It's also important to recognize that the Federal OCS is different from onshore State borders, where the States do have this type of flexibility in setting their State implementation plans. We talked in committee, once again, about the Submerged Lands Act and the Outer Continental Shelf Lands Act. They were enacted for this very reason: to federalize and provide harmony in the offshore.

So State regulations of the OCS will be used, I believe, unfortunately, by those who would try to obstruct and stop domestic energy production. The policy of this bill, of the Jobs and Energy Permitting Act, is to provide a clear process so that resources can be explored, and I am afraid this amendment would cause the opposite.

The Jobs and Energy Permitting Act is a bill that was brought forward because of significant delay in a bureaucratic process through an Environmental Appeals Board that was not created by Congress but was created as an administrative construct; something that was designed, I'm sure, with good intentions. But unfortunately, in its applicability, in the way it is working, the way people have used it, it is now being part of a great delay.

In the time that it has taken for the EAB to work on this bill, 5 years, the company that has the lease in the Beaufort-Chukchi Sea area right now has drilled over 400 wells around the world, not in the United States, not creating U.S. jobs here, not creating U.S. energy, but working abroad.

□ 1700

And if we are going to set this country on a path toward energy security, I've said it before and will continue to say it, if we are going to set this country on a path to energy security, then we have to recognize the national importance of allowing exploration to occur, exploration permits activities that will take 30 to 45 days.

Mr. WHITFIELD. Will the gentleman yield?

Mr. GARDNER. I yield to the gentleman from Kentucky.

Mr. WHITFIELD. I would like to make one additional comment. I think you have a very good point on the balkanization. We have these Federal waters, the Outer Continental Shelf. We have a lot of oil reserves, and we're trying to explore, trying to produce more oil. And if this amendment is adopted, different States can have different rules, so that would complicate things.

And we already have a situation where we have different agencies of the Federal Government issuing these permits. In some areas we have the Department of the Interior. In other areas we have EPA. If you take that, on top of the balkanization, it's going to take a lot longer than 5 years. We may never get a permit.

I thank the gentleman for yielding.

Mr. GARDNER. I thank the gentleman from Kentucky.

Reclaiming my time, it's frustrating too because we continue to hear statements from the administration, from others who wish to pursue a vibrant energy policy for our country that they too agree that we need expanded resource development in the United States, expanded U.S. energy opportunities. But it's almost like lip-synching. They are talking about it, but not actually doing it. And, unfortunately, what we are seeing is conversations by the administration without the action to back up that conversation.

I yield back the balance of my time.

Mrs. CAPPS. Mr. Chairman, I yield myself 30 seconds to respond to my colleague from Colorado, the author of the bill.

Section 328 of the Clean Air Act is what is at issue here today in this amendment. It was created more than 20 years ago, largely at the insistence of California officials. In fact, my Republican predecessor, Congressman Lagomarsino, introduced this legislation because residents were unhappy about uncontrolled air pollution from offshore drilling, as well as local industry and business groups who were upset that offshore sources were basically free to pollute, while onshore sources bore the burden of heavier regulation to try to make up for the degraded air quality. Only two States now have this permission.

I yield the balance of my time to my colleague from Delaware (Mr. CARNEY).

The Acting CHAIR. The gentleman is recognized for 1½ minutes.

Mr. CARNEY. Mr. Chair, I rise in support of this amendment, and I will submit this letter from the Delaware Department of Natural Resources for the RECORD.

While I oppose the underlying bill, I will only speak to this amendment. It addresses what I think is a nonpartisan issue and, frankly, it appeals to States' rights, which my Republican friends typically support.

Delaware is in nonattainment with Federal clean air standards, mainly due to emissions that come from outside our State borders. In order to comply with Federal law and protect public health, Delaware has the ability to implement pollution control strategies beyond EPA's requirements.

Last year Delaware was given Clean Air Act authority for the Outer Continental Shelf, meaning that the State, rather than EPA, regulates emissions there. Delegated authority is working. The one OCS permit requested of Delaware was granted within weeks, not months. Disputes go through a quick administrative review, rather than costly litigation. It does not mean a delay, as my Republican colleague alleged.

In fact, this delegated authority is working so well that other States are actively looking into it. Maryland, Virginia and Alaska have each asked Delaware for its documents on delegated authority.

A one-size-fits-all approach like H.R. 2021 is not in the best interest of our States. Our amendment simply preserves delegated authority to the States that want it, enabling our States to oversee pollution control as they see fit. This is not balkanization; it's common sense.

I urge my colleagues to preserve States rights by supporting this amendment.

STATE OF DELAWARE,
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL,
Dover, DE, June 21, 2011.

Hon. JOHN C. CARNEY,
United States Representative,
Washington, DC.

DEAR CONGRESSMAN CARNEY: I write to you today to express State of Delaware's opposition to H.R. 2021, the Jobs and Energy Permitting Act of 2011. Our concerns with this bill are outlined below:

(1) The proposed bill will impede states' authority to regulate emissions and create unnecessary burdens on state agencies;

(2) By restricting the consideration of air quality impacts solely to an onshore location in the corresponding onshore area, the proposed bill does not sufficiently protect human health and the environment;

(3) The proposed bill shields a potentially significant portion of emissions from OCS activities from emission control requirements; and

(4) The proposed bill subverts our state's established procedures for due process and replaces them with a potentially cumbersome and costly judicial review.

Delaware's air quality is so severely impacted by transported air pollution from the Southwest and the West that Delaware can no longer produce a plan to meet the National Ambient Air Quality Standards for ozone even if it eliminated all in-state emissions. This bill will open a new Eastern front in the assault on our air quality and at the same time removes available and much needed tools to address these emissions. Delaware's citizens and those living on the East coast deserve clean air and need the continued protection afforded them by the Clean Air Act.

I urge you to reject this bill.

Sincerely,

COLLIN P. O'MARA,
Secretary.

Ms. RICHARDSON. Mr. Chair, I rise in strong support of the Capps amendment to H.R. 2021.

I thank my colleague, the gentlelady from California for bringing this amendment to the floor.

The Capps amendment corrects a glaring flaw in this legislation by maintaining the rights of states who have already been delegated authority to continue to regulate and monitor air pollution from offshore oil and gas operations that will ultimately affect their residents.

H.R. 2021 seeks to degrade state permitting powers by cutting time frames, restricting citizen engagement, and shifting responsibilities back to the Environmental Protection Agency.

I find it interesting that some of my colleagues who campaign on small government have decided to fight regulation by stripping authority from local agencies and handing it over to a federal bureaucracy!

Under the Clean Air Act, states have the right to issue permits and regulate emissions according to their own criteria, which either meet or exceed national standards.

States and localities should take the lead in regulating pollution because they are most responsive to the concerns of their citizens and familiar with the dynamics at work on the ground.

In my home state of California, cities such as Los Angeles, where my 37th Congressional District is located, have struggled with air pollution for decades.

Thanks to the efforts of state regulatory agencies, such as the California Air Resources Board, the region has seen a marked improvement in air quality and other environmental indicators. The number of air quality alerts has fallen from over 200 per year in the 1970s to less than 10 per year today.

For 17 years, the Air Resources Board has regulated and monitored oil and gas operations near my district. The standards they employ were developed over nearly 5 decades of experience, and, most importantly, they remain directly accountable to the people and communities of California.

Mr. Chair, I believe that if a state invests time and money towards establishing high standards and creating innovative solutions to a problem, they ought to enjoy the full support of the law.

I urge my colleagues to support the Capps amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. HOCHUL

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 112-111.

Ms. HOCHUL. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, after line 8, add the following new subsection:

(c) REPORTING.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit to Congress a report that details how the amendments made by this Act are projected to increase oil and gas production and lower energy prices for consumers.

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from New York (Ms. HOCHUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. HOCHUL. Mr. Chair, I stand here today to ask one simple question: How will the Jobs and Energy Permitting Act of 2011 reduce the cost of gasoline for consumers?

I think this is a fair question, one that my colleagues on both sides of the aisle should want the answer to.

The price of gasoline is soaring in our country, and across the Nation Americans are paying too much at the pump. The average gasoline right now is \$3.63, up over a dollar from a year ago. Diesel, which our struggling farmers have to pay, has gone up a dollar per gallon in the same timeframe.

However, as I've stated on this floor before, the people in my district are paying much more than that. In the past, western New Yorkers have paid some of the highest gas prices in this Nation. Rising fuel prices have hurt our small businesses. They hurt our farms, and they hurt our families at a time when money is far too scarce. And that is why we must know how the Jobs and Energy Permitting Act of 2011 will increase oil and gas production, and we need to know that this will decrease the cost of energy for our consumers.

Under this bill, American people are supposed to put their trust in the same oil companies that have consistently betrayed that trust. They tell us we need to drill more, and they tell us they need to get more permits on an expedited basis in order to do so.

Well, I agree. I agree we need to reduce our dependency on foreign oil. But I'm asking for the proper oversight. How do we know that the permits we're issuing so oil companies can drill in our waters will result in that production of oil and gas? How do we know they simply won't secure permits and not choose to drill to keep oil and gas off the market, or even worse, just to drive up the price of oil by manipulating supply?

The amendment I'm offering today is quite simple and straightforward. In one line it gives the EPA administrator

60 days to submit a report dealing with how this bill will increase oil and gas production, while lowering the price of energy for consumers. It has nothing to do with the merits of the bill, which I'm not weighing in on at this time. But I think that asking for a report within 2 months of passing this act is not unreasonable, which is why I ask all my colleagues to join with me today in supporting this amendment.

Today the people back home in my district and all across this Nation are still fed up with high gas prices, and they want to know what we are going to do about these problems. This amendment, in a bipartisan way, can be a step toward finding that solution.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

□ 1710

Mr. WHITFIELD. We certainly want to thank the gentlelady from New York for introducing this amendment.

To answer the question about how is this bill going to help oil prices and provide more oil for the marketplace, obviously it can't do it overnight. But the reason that we're here is because it has taken EPA 5 years and they still have not even rendered a decision on a simple exploratory drill permit request, which is not even a long-term activity. It's simply to explore to determine is oil there and can we use it.

Now, in America we're using around 20 million barrels of oil a day, and the vast majority of that is being imported into the U.S. from other sources. And so all we're attempting to do in this bill—we're not changing any aspect of the Clean Air Act, we're not changing mobile source rules, stationary source rules, national ambient air quality standards. We're not changing that. We're not changing the Environmental Appeals Board from hearing appeals on any other permit other than an exploratory permit, and that's all this bill does.

And we want to do it because we're trying to find additional oil in America, and we know we have it. And we also know that if we have more oil, obviously we can't get it produced tomorrow. We've been trying 5 years just to get the permit, and we don't have that yet. But we want any company to have the ability to go out and drill and to get an expedited answer from EPA. We're not even directing EPA to approve the permit. We're simply saying make a decision. And then if the other side does not like the decision, they have an opportunity to go to court. Under the way it's operating today, we can't get a final decision to even go to court. So here we are in limbo.

I might also say that on the gentlelady's amendment, she does not give

any time for this report to be issued. And knowing EPA's track record, we could be here 10 years waiting for a report.

But more important than that, EPA really does not perform economic analyses of energy markets. The Energy Information Administration does that. They have the modeling to do it, they have the technicians to do it, they have the information to do it. EPA really does not even do a very good job on their regulations of thinking about the impact on jobs in America.

So I understand the gentlelady's intent; I think it's a very good intent. But as I said, one of the real weaknesses here is she doesn't even set a timeline for this.

Mr. Chairman, I yield the balance of my time to the gentleman from Colorado (Mr. GARDNER.)

The Acting CHAIR. The gentleman is recognized for 1½ minutes.

Mr. GARDNER. I thank the gentleman from Kentucky.

This issue of studies, this issue of blue ribbon commissions, it doesn't address the actual fact that price is very much dependent on supply. That's the testimony that we have received. If we have 1 million barrels of oil coming into this country from our own resources, American resources, we know from testimony at the hearing that it will impact price, testimony at the hearing that said the west coast of this United States would have to import less, that it would reduce the price at the pump in California.

We don't have time to create commissions that don't actually relieve the American consumers' pain at the pump. They're paying for it now. I too represent farmers, businesses that are paying \$3.50 a gallon—they were paying higher just a few weeks ago—and none of them have come to me and said, you know, I wish you could study whether or not high prices are impacting me or not. I wish you could study whether American production will actually reduce the price at the pump because they know intuitively that increased supply—American energy resources, when we develop them, will add to our supply, and it's a function of supply and demand.

We have the opportunity in this country to create American jobs. I ask for a "no" vote on this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. HOCHUL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. HOCHUL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. SCHRADER

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 112-111.

Mr. SCHRADER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, insert the following:
SEC. 5. PROHIBITION AGAINST DRILLING OFF THE COAST OF OREGON.

No permit may be issued under the Clean Air Act (42 U.S.C. 7401 et seq.) for an Outer Continental Shelf source (as defined in section 328(a)(4) of such Act (42 U.S.C. 7627(a)(4))) in connection with drilling for oil or natural gas off the coast of Oregon.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Oregon (Mr. SCHRADER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. SCHRADER. Mr. Chairman, I rise in strong support of this amendment, co-sponsored by the coastal members of the Oregon delegation. This amendment is very simple; it protects 63 miles of fragile Oregon coastline and many of the communities that depend on its health.

This amendment would prevent any permits required under the Clean Air Act for oil or natural gas drilling on the Outer Continental Shelf off the coast of Oregon. It respects Oregon State's right to decide what is best for its coast without Federal interference.

Our Oregon coastal communities depend on the health and natural vitality of the Pacific Ocean. They already face tremendous pressure both in the fishing arena and in our tourism economy. They cannot afford an environmental catastrophe like Deepwater Horizon.

While Oregon has operated under a congressionally supported moratorium on drilling since 1982, this had expired in 2008. Oregon's citizens and its businesses deserve certainty to be able to invest in our fishing and tourism infrastructure.

We respect other States' rights to do what they need to do and suggest what they want. Oregon is leading the way in renewables. We have a State energy portfolio that highlights hydro, solar, wind, wave, biomass, and waste-to-energy technologies, not oil or coal.

Mr. Chairman, I yield 1 minute to my colleague from the north coast of Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I rise today in strong support of this amendment to prohibit oil and gas drilling off the Oregon coast.

As an Oregonian, I question why we would risk our pristine coast to support an energy industry of the last century rather than of the next century, why we would subject our fisheries and visitor-based coastal economy to the dangers of a BP-style disaster in Oregon waters.

We should focus on generating local jobs, not profits for far-off oil companies. We could create these local jobs by investing in the energy industries of the next century that are uniquely suited to the Oregon coast—waste energy and next-generation offshore wind. Oregon can be the Saudi Arabia of renewable wave energy. Wave energy depends on two things, big waves and seabed contours suited to exploit those waves; and Oregon has both. Oregon is the best place in the world where these two factors come together.

As for wind energy, next-generation technology will allow floating wind farms to be operated 100 miles offshore. These are the jobs of the future. These are the technology and the energy of the future.

Mr. GARDNER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Mr. Chairman, I would like to point out that you have to get an air permit for the energy production that my colleague was just discussing. You have to get an air permit for the offshore wind development, for the wave development. So I believe opposition to this bill actually hurts the very projects that he is promoting.

And so, again, I rise in opposition to this amendment because it basically puts this country in a situation where you can go get a lease, you can achieve an energy lease, but you can't then get a permit for it. So does that create additional liability for this country? Are we going to end up entering into an area where we can get sued because we've issued a lease but then said you can't get a clean air permit—not only for oil and gas development, but for the very projects that my colleague was addressing?

So here we are in a situation that gets back to the fundamental question at issue: Are we going to allow a bureaucratically created board in Washington, D.C., wearing robes and hearing basic judicial proceedings—are we going to allow them to stall an issue of national importance?

□ 1720

Five years it has taken. Five years it has taken in this one particular instance. Access to Federal offshore areas is not determined by the EPA-issued air permits. It is determined by the President of the United States when through the Department of the Interior lease sales are or are not held for Federal lands and waters.

This is once again an attempt to shut off exploration activity in the Pacific. The matter is not to be decided through air permits. It is to be decided when and if lease sales are proposed for those waters. If lease sales are proposed in the future, Oregon's interests

and concerns will no doubt be represented by our colleagues who are proposing this amendment, by the opportunities that remain to debate and provide comment through the NEPA process, through the leasing process.

There are five opportunities for public comment to be provided on exploration activity, 30 to 45 days' worth of activity. There are five opportunities for the public to comment.

We have got to get this country into a position where we recognize that it is a good thing for American-produced energy to have opportunities to be developed.

We heard testimony from the State of Alaska. This bill has bipartisan support. It is an effort to say, you know what, we have resources and reserves. We have facilities like the Trans-Alaska pipeline that right now has 650,000 barrels of oil going through a day when it was designed to bring in 2 million barrels of oil a day. If it gets any lower, it is going to create mechanical problems transporting the oil. If it gets below 200,000 barrels a day, it will be decommissioned, torn apart. The potential to bring 2.1 million barrels of oil a day into this country will be gone if the Trans-Alaska pipeline is removed.

The Jobs and Energy Permitting Act, H.R. 2021, gives this body the chance to say we are going to utilize our resources in a responsible manner. We are going to tell the EPA that they have got 6 months to do the analysis. Approve it or don't approve it, but make a decision because the American people deserve a decision.

I reserve the balance of my time.

Mr. SCHRADER. Mr. Chairman, I yield 1 minute to the Congressman from southern Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

You are either for States' rights or you're not. It seems on the other side of the aisle, when it is convenient to their agenda, they are for States' rights. But when it is not convenient to their agenda or their generous campaign contributors, the oil and gas industry, they are not for States' rights.

My State voted, the legislature, just last year for a 10-year moratorium on their lands as an expression of interest not only to ban the leasing of the lands within the coastal waters, but beyond that. We are serious about protecting our fisheries, we are serious about our very profitable tourism industry, and, yes, we are serious about wind and wave development. The gentleman made no sense. He said somehow this would preclude wind and wave development. Not at all. You don't need a clean air permit for something that doesn't potentially pollute the air.

So at this point I would just suggest that let's be consistent. If the State of Alaska wishes to push ahead, the gentleman from Alaska has the bill before

us. The Republican Party controls the House. Great. He also had a rule that people from local districts and local States, the gentleman from Alaska, get to have their prerogative. This is our prerogative, representing the people of the State of Oregon.

Mr. GARDNER. May I inquire how much time remains.

The Acting CHAIR. The gentleman from Colorado has 1 minute remaining, and the gentleman from Oregon has 1½ minutes remaining.

Mr. GARDNER. I continue to reserve the balance of my time.

Mr. SCHRADER. I yield 1 minute to the Congressman from the largest port in our great State, Congressman EARL BLUMENAUER.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this. I appreciate all my colleagues who represent the Oregon coast for bringing this forward. Now, my district may not actually touch the Oregon coast, but my constituents and I spend time there, value its beauty, the ecosystem, and the economic benefits it brings to the United States. The underlying bill could bring all of these at risk, allowing expedited drilling for offshore drilling, a process that is expedited for those who would drill, but a process that is much worse for citizens who may object.

We need to continue to respect the wishes of Oregonians to keep oil rigs off our shores, prohibiting sources from obtaining permits to drill off the coast of Oregon. This amendment is an appropriate safeguard to protect our coastal environment and communities.

Mr. GARDNER. Mr. Chairman, just to clarify a point when I was seeking the opportunity to ask the gentleman to yield, section 328 applies to any offshore project authorized under the Outer Continental Shelf Lands Act. So under the OCSLA, all offshore energy projects must have a permit.

I reserve the balance of my time.

Mr. SCHRADER. How much time do I have remaining?

The Acting CHAIR. The gentleman from Oregon has 30 seconds remaining.

Mr. SCHRADER. Mr. Chair, Oregonians don't want or need drilling off our coast. This amendment is supported by all three Members of the entire Oregon coastline and our State legislature. We respect, and I hope this body would respect, Oregonians' right to determine their own destiny. We are not talking about Alaska, we are talking about the State of Oregon, and we are only talking about oil and natural gas permits.

House Members representing this coast are very passionate about its health and future vitality. We urge this body to pass this amendment and respect Oregon's destiny.

I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, again, I oppose the amendment. We have an

opportunity with the Jobs and Energy Permitting Act to get this country on a path toward a secure energy future. It is a matter of national interest. It is not just a matter of Oregon or just a matter of Colorado or just a matter of Alaska. Everyone who is suffering through the pain at the pump realizes that the resources we have been blessed with in this country, when used responsibly, can be used for the benefit of our country and the benefit of all.

The 112th Congress has continued to focus on job creation, just like the Jobs and Energy Permitting Act, job creation and long-term economic well-being. It was said before, somebody on the other side said we are not going to reduce our dependence on foreign oil by producing more oil. That doesn't make any sense at all.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. SCHRADER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHRADER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 112-111 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. SPEIER of California.

Amendment No. 2 by Mr. HASTINGS of Florida.

Amendment No. 3 by Mr. WELCH of Vermont.

Amendment No. 4 by Mr. KEATING of Massachusetts.

Amendment No. 5 by Mr. RUSH of Illinois.

Amendment No. 6 by Mr. QUIGLEY of Illinois.

Amendment No. 7 by Ms. ESHOO of California.

Amendment No. 8 by Mrs. CAPPS of California.

Amendment No. 9 by Ms. HOCHUL of New York.

Amendment No. 10 by Mr. SCHRADER of Oregon.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. SPEIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SPEIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 248, not voting 7, as follows:

[Roll No. 467]

AYES—176

Ackerman	Hastings (FL)	Pastor (AZ)
Andrews	Heinrich	Payne
Baldwin	Higgins	Pelosi
Bass (CA)	Himes	Perlmutter
Becerra	Hinchey	Peters
Berkley	Hinojosa	Peterson
Berman	Hirono	Pingree (ME)
Bishop (NY)	Hochul	Polis
Blumenauer	Holt	Price (NC)
Boswell	Honda	Quigley
Brady (PA)	Hoyer	Rahall
Braley (IA)	Inslee	Rangel
Brown (FL)	Israel	Reichert
Butterfield	Jackson (IL)	Richardson
Capps	Jackson Lee	Richmond
Capuano	(TX)	Rothman (NJ)
Cardoza	Johnson (GA)	Roybal-Allard
Carnahan	Johnson, E. B.	Ruppersberger
Carney	Jones	Rush
Carson (IN)	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda
Chandler	Kildee	T.
Chu	Kind	Sánchez, Loretta
Ciicilline	Kissell	Sarbanes
Clarke (MI)	Kucinich	Schakowsky
Clarke (NY)	Langevin	Schiff
Clay	Larsen (WA)	Schrader
Cleaver	Larson (CT)	Schwartz
Clyburn	Lee (CA)	Scott (VA)
Cohen	Levin	Scott, David
Connolly (VA)	Lewis (GA)	Serrano
Conyers	Lipinski	Sewell
Cooper	Loeb sack	Sherman
Courtney	Lofgren, Zoe	Shuler
Critz	Lowe y	Sires
Crowley	Luján	Slaughter
Cummings	Lynch	Smith (WA)
Davis (CA)	Maloney	Speier
Davis (IL)	Markey	Sutton
DeFazio	Matsui	Thompson (CA)
DeGette	McCarthy (NY)	Thompson (MS)
DeLauro	McCollum	Tierney
Deutch	McDermott	Tonko
Dicks	McGovern	Towns
Dingell	McIntyre	Tsongas
Doggett	McNerney	Van Hollen
Doyle	Meeks	Velázquez
Edwards	Michaud	Visclosky
Ellison	Miller (NC)	Walz (MN)
Engel	Miller, George	Wasserman
Eshoo	Moore	Schultz
Farr	Moran	Waters
Fattah	Murphy (CT)	Watt
Filner	Nadler	Waxman
Frank (MA)	Napolitano	Welch
Fudge	Neal	Wilson (FL)
Garamendi	Oliver	Woolsey
Grijalva	Owens	Wu
Gutierrez	Pallone	Yarmuth
Hanabusa	Pascarell	

NOES—248

Adams	Bilbray	Campbell
Aderholt	Bilirakis	Canseco
Akin	Bishop (GA)	Cantor
Alexander	Bishop (UT)	Capito
Altmire	Black	Carter
Amash	Bonner	Cassidy
Austria	Bono Mack	Chabot
Baca	Boren	Chaffetz
Bachmann	Brady (TX)	Coble
Bachus	Brooks	Coffman (CO)
Barletta	Broun (GA)	Cole
Barrow	Buchanan	Conaway
Bartlett	Bucshon	Costa
Barton (TX)	Buerkle	Costello
Bass (NH)	Burgess	Cravaack
Benishkek	Burton (IN)	Crawford
Berg	Calvert	Crenshaw
Biggert	Camp	Cuellar

Culberson	Johnson (IL)	Reed
Davis (KY)	Johnson (OH)	Rehberg
Denham	Johnson, Sam	Renacci
Dent	Jordan	Reyes
DesJarlais	Kelly	Ribble
Diaz-Balart	King (IA)	Rigell
Dold	King (NY)	Rivera
Donnelly (IN)	Kingston	Roby
Dreier	Kinzing (IL)	Roe (TN)
Duffy	Kline	Rogers (AL)
Duncan (SC)	Labrador	Rogers (KY)
Duncan (TN)	Lamborn	Rogers (MI)
Ellmers	Lance	Rohrabacher
Emerson	Landry	Rokita
Farenthold	Lankford	Rooney
Fincher	Latham	Ros-Lehtinen
Fitzpatrick	LaTourette	Roskam
Flake	Latta	Ross (AR)
Fleischmann	Lewis (CA)	Ross (FL)
Fleming	LoBiondo	Royce
Flores	Long	Runyan
Forbes	Lucas	Ryan (WI)
Fortenberry	Luetkemeyer	Scalise
Fox	Lungren, Daniel	Schilling
Franks (AZ)	E.	Schmidt
Frelinghuysen	Mack	Schock
Gallegly	Manzullo	Schweikert
Gardner	Marchant	Scott (SC)
Garrett	Marino	Scott, Austin
Gerlach	Matheson	Sensenbrenner
Gibbs	McCarthy (CA)	Sessions
Gibson	McCaul	Shimkus
Gohmert	McClintock	Shuster
Gonzalez	McCotter	Simpson
Goodlatte	McHenry	Smith (NE)
Gosar	McKeon	Smith (NJ)
Gowdy	McKinley	Smith (TX)
Granger	McMorris	Southerland
Graves (GA)	Rodgers	Stark
Graves (MO)	Meehan	Stearns
Green, Al	Mica	Stutzman
Green, Gene	Miller (FL)	Sullivan
Griffin (AR)	Miller (MI)	Terry
Griffith (VA)	Miller, Gary	Thompson (PA)
Grimm	Mulvaney	Thornberry
Guinta	Murphy (PA)	Tiberi
Guithrie	Myrick	Tipton
Hall	Neugebauer	Turner
Hanna	Noem	Upton
Harper	Nugent	Walberg
Harris	Nunes	Walden
Hartzler	Nunnelee	Walsh (IL)
Hastings (WA)	Olson	Webster
Hayworth	Palazzo	West
Heck	Paul	Westmoreland
Hensarling	Paulsen	Whitfield
Herger	Pearce	Wilson (SC)
Herrera Beutler	Pence	Wittman
Holden	Petri	Wolf
Huelskamp	Pitts	Womack
Huizenga (MI)	Platts	Woodall
Hultgren	Poe (TX)	Yoder
Hunter	Pompeo	Young (FL)
Hurt	Posey	Young (IN)
Issa	Price (GA)	
Jenkins	Quayle	

NOT VOTING—7

Blackburn	Gingrey (GA)	Young (AK)
Boustany	Lummis	
Giffords	Stivers	

□ 1759

Mr. LUETKEMEYER, Ms. FOXX, Messrs. DOLD, BACA, and STARK changed their vote from “aye” to “no.”

Mr. CLARKE of Michigan changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 254, not voting 10, as follows:

[Roll No. 468]

AYES—167

Ackerman	Heinrich	Pallone
Andrews	Higgins	Pascarell
Baldwin	Himes	Payne
Bass (CA)	Hinchey	Pelosi
Becerra	Hirono	Peters
Berkley	Hochul	Pingree (ME)
Berman	Holden	Polis
Bishop (NY)	Holt	Price (NC)
Blumenauer	Honda	Quigley
Brady (PA)	Hoyer	Rahall
Brown (FL)	Inslee	Rangel
Butterfield	Israel	Richardson
Capps	Jackson (IL)	Rothman (NJ)
Capuano	Jackson Lee	Roybal-Allard
Carnahan	(TX)	Ruppersberger
Carney	Johnson (GA)	Rush
Carson (IN)	Johnson (IL)	Ryan (OH)
Castor (FL)	Johnson, E. B.	Sánchez, Linda
Chu	Kaptur	T.
Ciicilline	Keating	Sánchez, Loretta
Clarke (MI)	Kildee	Sarbanes
Clarke (NY)	Kind	Schakowsky
Clay	Kissell	Schiff
Cleaver	Kucinich	Schrader
Clyburn	Langevin	Schwartz
Cohen	Larsen (WA)	Scott (VA)
Connolly (VA)	Larson (CT)	Scott, David
Conyers	Lee (CA)	Serrano
Costello	Levin	Sewell
Courtney	Lewis (GA)	Sherman
Critz	Lipinski	Shuler
Crowley	Loeb sack	Sires
Cummings	Lofgren, Zoe	Slaughter
Davis (CA)	Lowe y	Smith (WA)
Davis (IL)	Luján	Speier
DeFazio	Lynch	Stark
DeGette	Maloney	Sutton
DeLauro	Markey	Thompson (MS)
Deutch	Matsui	Tierney
Dicks	McCarthy (NY)	Tonko
Dingell	McCollum	Towns
Doggett	McDermott	Tsongas
Doyle	McGovern	Van Hollen
Edwards	McIntyre	Velázquez
Ellison	McNerney	Visclosky
Engel	Meeks	Walz (MN)
Eshoo	Michaud	Wasserman
Farr	Miller (NC)	Schultz
Fattah	Miller, George	Waters
Filner	Moore	Watt
Frank (MA)	Moran	Waxman
Fudge	Murphy (CT)	Welch
Garamendi	Nadler	Wilson (FL)
Grijalva	Napolitano	Woolsey
Gutierrez	Neal	Wu
Hanabusa	Oliver	Yarmuth
Hastings (FL)	Owens	

NOES—254

Adams	Berg	Buerkle
Aderholt	Biggert	Burgess
Akin	Bilbray	Burton (IN)
Alexander	Bilirakis	Calvert
Altmire	Bishop (GA)	Camp
Amash	Bishop (UT)	Campbell
Austria	Black	Canseco
Baca	Blackburn	Cantor
Bachmann	Bonner	Capito
Bachus	Bono Mack	Cardoza
Barletta	Boren	Carter
Barrow	Boswell	Cassidy
Bartlett	Brady (TX)	Chabot
Barton (TX)	Broun (GA)	Chaffetz
Bass (NH)	Buchanan	Chandler
Benishkek	Bucshon	Coble

Coffman (CO) Hultgren
 Cole Hunter
 Conaway Hurt
 Cooper Issa
 Costa Jenkins
 Cravaack Johnson (OH)
 Crawford Johnson, Sam
 Crenshaw Jones
 Cuellar Jordan
 Culberson Kelly
 Davis (KY) King (IA)
 Denham King (NY)
 Dent Kingston
 DesJarlais Kinzinger (IL)
 Diaz-Balart Kline
 Dold Lamborn
 Donnelly (IN) Lance
 Dreier Landry
 Duffy Lankford
 Duncan (SC) Latham
 Duncan (TN) LaTourette
 Ellmers Latta
 Emerson Lewis (CA)
 Farenthold LoBiondo
 Fincher Long
 Fitzpatrick Lucas
 Flake Luetkemeyer
 Fleischmann Lungren, Daniel
 Fleming E.
 Flores Mack
 Forbes Manzullo
 Fortenberry Marchant
 Foxx Marino
 Franks (AZ) Matheson
 Frelinghuysen McCarthy (CA)
 Gallegly McCaul
 Gardner McClintock
 Garrett McCotter
 Gerlach McHenry
 Gibbs McKeon
 Gibson McKinley
 Gohmert McMorris
 Gonzalez Rodgers
 Goodlatte Meehan
 Gosar Mica
 Gowdy Miller (FL)
 Granger Miller (MI)
 Graves (GA) Miller, Gary
 Graves (MO) Mulvaney
 Green, Al Murphy (PA)
 Green, Gene Myrick
 Griffin (AR) Neugebauer
 Griffith (VA) Noem
 Grimm Nugent
 Guinta Nunes
 Guthrie Nunnelee
 Hall Olson
 Hanna Palazzo
 Harper Pastor (AZ)
 Harris Paulsen
 Hartzler Pearce
 Hastings (WA) Pence
 Hayworth Perlmutter
 Heck Peterson
 Hensarling Petri
 Herger Pitts
 Herrera Beutler Platts
 Hinojosa Poe (TX)
 Huelskamp Pompeo
 Huizenga (MI) Posey

NOT VOTING—10

Boustany Gingrey (GA) Stivers
 Braley (IA) Labrador Young (AK)
 Brooks Lummis
 Giffords Paul

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. GRAVES of Georgia) (during the vote). There are 2 minutes remaining in this vote.

□ 1806

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. WELCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. WELCH) on which further proceedings were

Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stutzman
 Sullivan
 Terry
 Thompson (CA)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Noem
 Turner
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (FL)
 Young (IN)

postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 238, not voting 10, as follows:

[Roll No. 469]

AYES—183

Ackerman Gutierrez
 Andrews Hanabusa
 Baca Hanna
 Baldwin Harris
 Bass (CA) Hastings (FL)
 Becerra Heinrich
 Berkley Higgins
 Berman Himes
 Bishop (GA) Hinchey
 Bishop (NY) Hiron
 Blumenauer Hochul
 Boswell Holden
 Brady (PA) Holt
 Braley (IA) Honda
 Brown (FL) Hoyer
 Butterfield Inslee
 Capps Israel
 Capuano Jackson (IL)
 Carnahan Johnson (GA)
 Carney Johnson, E. B.
 Carson (IN) Jones
 Castor (FL) Kaptur
 Chandler Keating
 Chu Kildee
 Cicilline Kind
 Clarke (MI) Kissell
 Clarke (NY) Langevin
 Clay Larson (CT)
 Cleaver Lee (CA)
 Clyburn Levin
 Cohen Lewis (GA)
 Connolly (VA) Lipinski
 Conyers LoBiondo
 Cooper Loebsock
 Costello Lofgren, Zoe
 Courtney Lowey
 Crowley Lujan
 Cummings Lynch
 Davis (CA) Maloney
 Davis (IL) Markey
 DeFazio Matsui
 DeGette McCarthy (NY)
 DeLauro McCollum
 McDermott Tierney
 Dicks McGovern
 Dingell McIntyre
 Dold McNerney
 Donnelly (IN) Meeks
 Doyle Michaud
 Edwards Miller (NC)
 Ellison Miller, George
 Engel Moore
 Eshoo Moran
 Farr Murphy (CT)
 Fattah Nadler
 Filner Napolitano
 Frank (MA) Neal
 Fudge Oliver
 Garamendi Owens
 Gibson Pallone
 Green, Al Pascrell
 Grijalva Pastor (AZ)

NOES—238

Adams Barletta
 Aderholt Barrow
 Akin Bartlett
 Alexander Barton (TX)
 Altmire Bass (NH)
 Amash Benishek
 Austria Berg
 Bachmann Biggert
 Bachus Bilbray

Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Cardoza
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Costa
 Cravaack
 Crawford
 Crenshaw
 Critz
 Cuellar
 Culberson
 Davis (KY)
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall

NOT VOTING—10

Doggett Kucinich Westmoreland
 Giffords Lummis Young (AK)
 Gingrey (GA) Paul
 Hurt Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). Two minutes remain in this vote.

□ 1813

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. KEATING

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. KEATING) on which further proceedings

were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 258, not voting 6, as follows:

[Roll No. 470]

AYES—167

Ackerman	Graves (MO)	Pascrell
Andrews	Green, Al	Pastor (AZ)
Baca	Grijalva	Payne
Baldwin	Gutierrez	Pelosi
Bass (CA)	Hanabusa	Perlmutter
Becerra	Hastings (FL)	Peters
Berkley	Heinrich	Pingree (ME)
Berman	Higgins	Polis
Bishop (GA)	Hinchey	Price (NC)
Bishop (NY)	Hirono	Quigley
Blumenauer	Holden	Rahall
Boswell	Holt	Rangel
Brady (PA)	Honda	Richardson
Braley (IA)	Hoyer	Rothman (NJ)
Brown (FL)	Inslee	Roybal-Allard
Butterfield	Israel	Rush
Capps	Jackson (IL)	Ryan (OH)
Capuano	Johnson (GA)	Sánchez, Linda T.
Carnahan	Johnson, E. B.	Sanchez, Loretta
Carson (IN)	Jones	Sarbanes
Castor (FL)	Kaptur	Schakowsky
Chu	Keating	Schiff
Cicilline	Kildee	Schilling
Clarke (MI)	Kind	Schrader
Clarke (NY)	Kissell	Schwartz
Clay	Kucinich	Scott (VA)
Cleaver	Langevin	Scott, David
Clyburn	Larson (CT)	Serrano
Cohen	Lee (CA)	Sewell
Connolly (VA)	Levin	Sherman
Conyers	Lewis (GA)	Sires
Costello	Loeb sack	Slaughter
Courtney	Lofgren, Zoe	Speier
Crowley	Lowe y	Stark
Cummings	Luján	Sutton
Davis (CA)	Lynch	Thompson (CA)
Davis (IL)	Maloney	Thompson (MS)
DeFazio	Markey	Tierney
DeGette	Matsui	Tonko
DeLauro	McCarthy (NY)	Towns
Dent	McCollum	Tsongas
Deutch	McDermott	Van Hollen
Dicks	McGovern	Velázquez
Dingell	McIntyre	Visclosky
Doggett	McNerney	Walz (MN)
Dold	Meeks	Wasserman
Doyle	Michaud	Schultz
Edwards	Miller (NC)	Waters
Ellison	Miller, George	Waxman
Engel	Moore	Welch
Eshoo	Moran	Wilson (FL)
Farr	Murphy (CT)	Woolsey
Fattah	Nadler	Wu
Filner	Napolitano	Yarmuth
Frank (MA)	Neal	
Fudge	Olver	
Garamendi	Pallone	

NOES—258

Adams	Benish ek	Broun (GA)
Aderholt	Berg	Buchanan
Akin	Biggert	Bucshon
Alexander	Bilbray	Buerkle
Altmire	Bilirakis	Burgess
Amash	Bishop (UT)	Burton (IN)
Austria	Black	Calvert
Bachmann	Blackburn	Camp
Bachus	Bonner	Campbell
Barletta	Bono Mack	Canseco
Barrow	Boren	Cantor
Bartlett	Boustany	Capito
Barton (TX)	Brady (TX)	Cardoza
Bass (NH)	Brooks	Carney

Carter	Huelskamp	Platts
Cassidy	Huizenga (MI)	Poe (TX)
Chabot	Hultgren	Pompeo
Chaffetz	Hunter	Posey
Chandler	Hurt	Price (GA)
Coble	Issa	Quayle
Coffman (CO)	Jackson Lee	Reed
Cole	(TX)	Rehberg
Conaway	Jenkins	Reichert
Cooper	Johnson (IL)	Renacci
Costa	Johnson (OH)	Reyes
Cravaack	Johnson, Sam	Ribble
Crawford	Jordan	Richmond
Crenshaw	Kelly	Rigell
Cuellar	King (IA)	Rivera
Culberson	King (NY)	Roby
Davis (KY)	Kingston	Roe (TN)
Denham	Kinzing er (IL)	Rogers (AL)
DesJarlais	Kline	Rogers (KY)
Diaz-Balart	Labrador	Rogers (MI)
Donnelly (IN)	Lamborn	Rohrabacher
Dreier	Lance	Rokita
Duffy	Landry	Rooney
Duncan (SC)	Lankford	Ros-Lehtinen
Duncan (TN)	Larsen (WA)	Roskam
Ellmers	Latham	Ross (AR)
Emerson	LaTourette	Ross (FL)
Farenthold	Latta	Royce
Fincher	Lewis (CA)	Runyan
Fitzpatrick	Lipinski	Ruppersberger
Flake	LoBiondo	Ryan (WI)
Fleischmann	Long	Scalise
Fleming	Lucas	Schmidt
Flores	Luetkemeyer	Schock
Forbes	Lungren, Daniel E.	Schweikert
Fortenberry	Mack	Scott (SC)
Fox x	Manzullo	Scott, Austin
Franks (AZ)	Marchant	Sensenbrenner
Frelinghuysen	Marino	Sessions
Galleghy	Matheson	Shimkus
Gardner	McCarthy (CA)	Shuler
Garrett	McCaul	Shuster
Gerlach	McClintock	Simpson
Gibbs	McCotter	Smith (NE)
Gibson	McHenry	Smith (NJ)
Gohmert	McKeon	Smith (TX)
Gonzalez	McKinley	Smith (WA)
Goodlatte	McMorris	Southerland
Gosar	Rodgers	Stearns
Gowdy	Meehan	Stutzman
Granger	Mica	Sullivan
Graves (GA)	Miller (FL)	Terry
Green, Gene	Miller (MI)	Thompson (CA)
Griffin (AR)	Miller, Gary	Thompson (PA)
Griffith (VA)	Mulvaney	Thornberry
Grimm	Murphy (PA)	Tiberi
Guinta	Myrick	Tipton
Guthrie	Neugebauer	Turner
Hall	Noem	Upton
Hanna	Nugent	Walberg
Harper	Nunes	Walden
Harris	Nunnelee	Walsh (IL)
Hartzler	Olson	Webster
Hastings (WA)	Owens	West
Hayworth	Palazzo	Westmoreland
Heck	Paul	Whitfield
Hensarling	Paulsen	Wilson (SC)
Herger	Pearce	Wittman
Herrera Beutler	Pence	Wolf
Himes	Peterson	Womack
Hinojosa	Petri	Woodall
Hochul	Pitts	Yoder
		Young (IN)

NOT VOTING—6

Giffords Lummis Watt
Gingrey (GA) Stivers Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
Two minutes remain in this vote.

□ 1820

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RUSH
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

poned and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 253, not voting 6, as follows:

[Roll No. 471]

AYES—172

Ackerman	Hanabusa	Pascrell
Andrews	Hastings (FL)	Pastor (AZ)
Baca	Heinrich	Payne
Baldwin	Higgins	Peters
Bass (CA)	Himes	Pingree (ME)
Becerra	Hinchey	Polis
Berkley	Hirono	Price (NC)
Berman	Hochul	Quigley
Bishop (GA)	Holt	Rahall
Bishop (NY)	Honda	Rangel
Blumenauer	Hoyer	Reyes
Brady (PA)	Inslee	Richardson
Braley (IA)	Israel	Richmond
Brown (FL)	Jackson (IL)	Rothman (NJ)
Butterfield	Jackson Lee	Roybal-Allard
Capps	(TX)	Ruppersberger
Capuano	Johnson (GA)	Rush
Carnahan	Johnson, E. B.	Ryan (OH)
Carney	Jones	Sánchez, Linda T.
Carson (IN)	Kaptur	Sanchez, Loretta
Castor (FL)	Keating	Sarbanes
Chu	Kildee	Schakowsky
Cicilline	Kind	Schiff
Clarke (MI)	Kissell	Schrader
Clarke (NY)	Kucinich	Schwartz
Clay	Langevin	Scott (VA)
Cleaver	Larsen (WA)	Scott, David
Clyburn	Larson (CT)	Serrano
Cohen	Lee (CA)	Sewell
Connolly (VA)	Levin	Sherman
Conyers	Lewis (GA)	Sires
Cooper	Lipinski	Slaughter
Costello	Loeb sack	Smith (WA)
Courtney	Lofgren, Zoe	Speier
Crowley	Lowe y	Stark
Cummings	Luján	Sutton
Davis (CA)	Lynch	Thompson (CA)
Davis (IL)	Maloney	Thompson (MS)
DeFazio	Markey	Tierney
DeGette	Matsui	Tonko
DeLauro	McCarthy (NY)	Towns
Dent	McCollum	Tsongas
Deutch	McDermott	Van Hollen
Dicks	McGovern	Velázquez
Dingell	McIntyre	Visclosky
Doggett	McNerney	Walz (MN)
Doyle	Meeks	Wasserman
Edwards	Michaud	Schultz
Ellison	Miller (NC)	Waters
Engel	Miller, George	Watt
Eshoo	Moore	Waxman
Farr	Moran	Welch
Fattah	Murphy (CT)	Wilson (FL)
Filner	Nadler	Woolsey
Frank (MA)	Napolitano	Wu
Fudge	Neal	Yarmuth
Garamendi	Olver	
Gonzalez	Owens	
Grijalva	Pallone	
Gutierrez		

NOES—253

Adams	Barton (TX)	Boren
Aderholt	Bass (NH)	Boswell
Akin	Benish ek	Boustany
Alexander	Berg	Brady (TX)
Altmire	Biggert	Brooks
Amash	Bilbray	Broun (GA)
Austria	Bilirakis	Buchanan
Bachmann	Bishop (UT)	Bucshon
Bachus	Black	Buerkle
Barletta	Blackburn	Burgess
Barrow	Bonner	Burton (IN)
Bartlett	Bono Mack	Calvert

Camp	Hayworth	Peterson
Campbell	Heck	Petri
Canseco	Hensarling	Pitts
Cantor	Herger	Platts
Capito	Herrera Beutler	Poe (TX)
Cardoza	Hinojosa	Pompeo
Carter	Holden	Posey
Cassidy	Huelskamp	Price (GA)
Chabot	Huizenga (MI)	Quayle
Chaffetz	Hultgren	Reed
Chandler	Hunter	Rehberg
Coble	Hurt	Reichert
Coffman (CO)	Issa	Renacci
Cole	Jenkins	Ribble
Conaway	Johnson (IL)	Rigell
Costa	Johnson (OH)	Rivera
Cravaack	Johnson, Sam	Roby
Crawford	Jordan	Roe (TN)
Crenshaw	Kelly	Rogers (AL)
Critz	King (IA)	Rogers (KY)
Cuellar	King (NY)	Rogers (MI)
Culberson	Kingston	Rohrabacher
Davis (KY)	Kinzinger (IL)	Rokita
Denham	Kline	Rooney
Dent	Labrador	Ros-Lehtinen
DesJarlais	Lamborn	Roskam
Diaz-Balart	Lance	Ross (AR)
Dold	Landry	Ross (FL)
Donnelly (IN)	Lankford	Royce
Dreier	Latham	Runyan
Duffy	LaTourette	Ryan (WI)
Duncan (SC)	Latta	Scalise
Duncan (TN)	Lewis (CA)	Schilling
Ellmers	LoBiondo	Schmidt
Emerson	Long	Schock
Farenthold	Lucas	Schweikert
Fincher	Luetkemeyer	Scott (SC)
Fitzpatrick	Lungren, Daniel	Scott, Austin
Flake	E.	Sensenbrenner
Fleischmann	Mack	Sessions
Fleming	Manzullo	Shimkus
Flores	Marchant	Shuler
Forbes	Marino	Shuster
Fortenberry	Matheson	Simpson
Fox	McCarthy (CA)	Smith (NE)
Franks (AZ)	McCaul	Smith (NJ)
Frelinghuysen	McClintock	Smith (TX)
Gallely	McCotter	Southerland
Gardner	McHenry	Stearns
Garrett	McKeon	Stutzman
Gerlach	McKinley	Sullivan
Gibbs	McMorris	Terry
Gibson	Rodgers	Thompson (PA)
Gohmert	Meehan	Thornberry
Goodlatte	Mica	Tipton
Gosar	Miller (FL)	Turner
Gowdy	Miller (MI)	Upton
Granger	Miller, Gary	Walberg
Graves (GA)	Mulvaney	Walden
Graves (MO)	Murphy (PA)	Walsh (IL)
Green, Al	Myrick	Webster
Green, Gene	Neugebauer	West
Griffin (AR)	Noem	Westmoreland
Griffith (VA)	Nugent	Whitfield
Grimm	Nunes	Wilson (SC)
Guinta	Nunnelee	Wittman
Guthrie	Olson	Wolf
Hall	Palazzo	Womack
Hanna	Paul	Woodall
Harper	Paulsen	Yoder
Harris	Pearce	Young (FL)
Hartzler	Pence	Young (IN)
Hastings (WA)	Perlmutter	

NOT VOTING—6

Giffords	Lummis	Stivers
Gingrey (GA)	Pelosi	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
Two minutes remain in this vote.

□ 1826

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. QUIGLEY

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Illinois (Mr. QUIGLEY)
on which further proceedings were

postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 173, noes 251,
not voting 7, as follows:

[Roll No. 472]

AYES—173

Ackerman	Hastings (FL)	Pastor (AZ)
Andrews	Hayworth	Payne
Baca	Heinrich	Perlmutter
Baldwin	Higgins	Peters
Bass (CA)	Himes	Pingree (ME)
Becerra	Hinche	Polis
Berkley	Hirono	Price (NC)
Berman	Hochul	Quigley
Bishop (NY)	Holt	Rahall
Blumenauer	Honda	Rangel
Brady (PA)	Hoyer	Reichert
Braley (IA)	Inslee	Richardson
Brown (FL)	Israel	Richmond
Butterfield	Jackson (IL)	Rothman (NJ)
Capps	Johnson (GA)	Roybal-Allard
Capuano	Johnson (IL)	Ruppersberger
Carnahan	Johnson, E. B.	Rush
Carney	Jones	Ryan (OH)
Carson (IN)	Kaptur	Sánchez, Linda
Castor (FL)	Keating	T.
Chu	Kildee	Sanchez, Loretta
Cicilline	Kind	Sarbanes
Clarke (MI)	Kissell	Schakowsky
Clarke (NY)	Kucinich	Schiff
Clay	Langevin	Schrader
Cleaver	Larsen (WA)	Schwartz
Clyburn	Larson (CT)	Scott (VA)
Cohen	Lee (CA)	Scott, David
Connolly (VA)	Levin	Serrano
Conyers	Lewis (GA)	Sewell
Cooper	Lipinski	Sherman
Costello	Loeb	Sires
Courtney	Loeb	Slaughter
Critz	Lofgren, Zoe	Smith (WA)
Crowley	Lowe	Speier
Cummings	Lujan	Stark
Davis (CA)	Lynch	Sutton
Davis (IL)	Maloney	Thompson (CA)
DeFazio	Markey	Thompson (MS)
DeGette	Matsui	Tierney
DeLauro	McCarthy (NY)	Tonko
Deutch	McCollum	Towns
Dicks	McDermott	Tsongas
Dingell	McGovern	Van Hollen
Doggett	McIntyre	Velázquez
Doyle	McNerney	Visclosky
Edwards	Meeks	Walz (MN)
Ellison	Michaud	Wasserman
Engel	Miller (NC)	Schultz
Eshoo	Miller, George	Waters
Farr	Moore	Watt
Fattah	Moran	Waxman
Filner	Murphy (CT)	Welch
Frank (MA)	Nadler	Wilson (FL)
Fudge	Napolitano	Woolsey
Garamendi	Neal	Wu
Grijalva	Olver	Yarmuth
Gutierrez	Owens	
Hanabusa	Pallone	
	Pascrell	

NOES—251

Adams	Barton (TX)	Bono Mack
Aderholt	Bass (NH)	Boren
Akin	Benish	Boswell
Alexander	Berg	Boustany
Altmire	Biggart	Brady (TX)
Amash	Bilbray	Brooks
Austria	Bilirakis	Broun (GA)
Bachmann	Bishop (GA)	Buchanan
Bachus	Bishop (UT)	Bucshon
Barletta	Black	Buerkle
Barrow	Blackburn	Burgess
Bartlett	Bonner	Burton (IN)

Calvert	Hastings (WA)	Peterson
Camp	Heck	Petri
Campbell	Hensarling	Pitts
Canseco	Herger	Platts
Cantor	Herrera Beutler	Poe (TX)
Capito	Hinojosa	Pompeo
Cardoza	Holden	Posey
Carter	Huelskamp	Price (GA)
Cassidy	Huizenga (MI)	Quayle
Chabot	Hultgren	Reed
Chaffetz	Hunter	Rehberg
Chandler	Hurt	Renacci
Coble	Issa	Reyes
Coffman (CO)	Jackson Lee	Ribble
Cole	(TX)	Rigell
Conaway	Jenkins	Rivera
Costa	Johnson (OH)	Roby
Cravaack	Johnson, Sam	Roe (TN)
Crawford	Jordan	Rogers (AL)
Crenshaw	Kelly	Rogers (KY)
Cuellar	King (IA)	Rogers (MI)
Culberson	King (NY)	Rohrabacher
Davis (KY)	Kingston	Rokita
Denham	Kinzinger (IL)	Rooney
Dent	Kline	Ros-Lehtinen
DesJarlais	Labrador	Roskam
Diaz-Balart	Lamborn	Ross (AR)
Dold	Lance	Ross (FL)
Donnelly (IN)	Landry	Royce
Dreier	Lankford	Runyan
Duffy	Latham	Ryan (WI)
Duncan (SC)	LaTourette	Scalise
Duncan (TN)	Latta	Schilling
Ellmers	Lewis (CA)	Schmidt
Emerson	LoBiondo	Schock
Farenthold	Long	Schweikert
Fincher	Lucas	Scott (SC)
Fitzpatrick	Luetkemeyer	Scott, Austin
Flake	Lungren, Daniel	Sensenbrenner
Fleischmann	E.	Sessions
Fleming	Mack	Shimkus
Flores	Manzullo	Shuler
Forbes	Marchant	Shuster
Fortenberry	Marino	Simpson
Fox	Matheson	Smith (NE)
Franks (AZ)	McCarthy (CA)	Smith (NJ)
Frelinghuysen	McCaul	Smith (TX)
Gallely	McClintock	Southerland
Gardner	McCotter	Stearns
Garrett	McHenry	Stutzman
Gerlach	McKeon	Sullivan
Gibbs	McKinley	Terry
Gibson	McMorris	Thompson (PA)
Gohmert	Rodgers	Thornberry
Goodlatte	Meehan	Tipton
Gosar	Mica	Turner
Gowdy	Miller (FL)	Upton
Granger	Miller (MI)	Walberg
Graves (GA)	Miller, Gary	Walden
Graves (MO)	Mulvaney	Walsh (IL)
Green, Al	Murphy (PA)	Webster
Green, Gene	Myrick	West
Griffin (AR)	Neugebauer	Westmoreland
Griffith (VA)	Noem	Whitfield
Grimm	Nugent	Wilson (SC)
Guinta	Nunes	Wittman
Guthrie	Nunnelee	Wolf
Hall	Olson	Womack
Hanna	Palazzo	Woodall
Harper	Paul	Yoder
Harris	Paulsen	Young (FL)
Hartzler	Pearce	Young (IN)
Hastings (WA)	Pence	

NOT VOTING—7

Giffords	Pelosi	Young (AK)
Gingrey (GA)	Stivers	
Lummis	Tiberi	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining in this
vote.

□ 1832

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. ESHOO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from California (Ms.

ESHOO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 240, not voting 8, as follows:

[Roll No. 473]

AYES—183

Ackerman	Gonzalez	Olver
Altmire	Green, Al	Pallone
Andrews	Green, Gene	Pascarell
Baca	Grijalva	Pastor (AZ)
Baldwin	Gutierrez	Paul
Bartlett	Hanabusa	Payne
Bass (CA)	Hanna	Perlmutter
Becerra	Hastings (FL)	Peters
Berkley	Heinrich	Pingree (ME)
Berman	Higgins	Polis
Bishop (NY)	Himes	Price (NC)
Blumenauer	Hinchey	Quigley
Brady (PA)	Hirono	Rahall
Braley (IA)	Hochul	Rangel
Brown (FL)	Holt	Reyes
Capps	Honda	Richardson
Capuano	Hoyer	Richmond
Cardoza	Inslee	Rothman (NJ)
Carnahan	Israel	Roybal-Allard
Carney	Jackson (IL)	Ruppersberger
Carson (IN)	Jackson Lee	Rush
Cassidy	(TX)	Ryan (OH)
Castor (FL)	Johnson (GA)	Sánchez, Linda
Chandler	Johnson (IL)	T.
Chu	Johnson, E. B.	Sanchez, Loretta
Cicilline	Jones	Sarbanes
Clarke (MI)	Kaptur	Schakowsky
Clarke (NY)	Keating	Schiff
Clay	Kildee	Schrader
Cleaver	Kind	Schwartz
Clyburn	Kissell	Scott (VA)
Cohen	Kucinich	Scott, David
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sewell
Cooper	Larson (CT)	Sherman
Costello	Lee (CA)	Shuler
Courtney	Levin	Sires
Critz	Lewis (GA)	Slaughter
Crowley	Lipinski	Smith (WA)
Cuellar	Loeback	Speier
Cummings	Lofgren, Zoe	Stark
Davis (CA)	Lowey	Sutton
Davis (IL)	Luján	Thompson (CA)
DeFazio	Lynch	Thompson (MS)
DeGette	Maloney	Tierney
DeLauro	Markey	Tonko
Deutch	Matsui	Towns
Dicks	McCarthy (NY)	Tsongas
Dingell	McCollum	Van Hollen
Doggett	McDermott	Velázquez
Donnelly (IN)	McGovern	Visclosky
Doyle	McIntyre	Walz (MN)
Edwards	McNerney	Wasserman
Ellison	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Waxman
Fattah	Moran	Welch
Filner	Murphy (CT)	Wilson (FL)
Frank (MA)	Nadler	Woolsey
Fudge	Napolitano	Wu
Garamendi	Neal	Yarmuth

NOES—240

Adams	Bachus	Biggert
Aderholt	Barletta	Bilbray
Akin	Barrow	Bilirakis
Alexander	Barton (TX)	Bishop (GA)
Amash	Bass (NH)	Bishop (UT)
Austria	Benishek	Black
Bachmann	Berg	Blackburn

Bonner	Harper	Pence
Bono Mack	Harris	Peterson
Boren	Hartzler	Petri
Boswell	Hastings (WA)	Pitts
Boustany	Hayworth	Platts
Brady (TX)	Heck	Poe (TX)
Brooks	Hensarling	Pompeo
Broun (GA)	Herger	Posney
Buchanan	Herrera Beutler	Price (GA)
Bucshon	Hinojosa	Quayle
Buerkle	Holden	Reed
Burgess	Huelskamp	Rehberg
Burton (IN)	Huizenga (MI)	Reichert
Calvert	Hultgren	Renacci
Camp	Hunter	Ribble
Campbell	Hurt	Rigell
Canseco	Issa	Rivera
Cantor	Jenkins	Roby
Capito	Johnson (OH)	Roe (TN)
Carter	Johnson, Sam	Rogers (AL)
Chabot	Jordan	Rogers (KY)
Chaffetz	Kelly	Rogers (MI)
Coble	King (IA)	Rohrabacher
Coffman (CO)	King (NY)	Rokita
Cole	Kingston	Rooney
Conaway	Kinzinger (IL)	Ros-Lehtinen
Costa	Kline	Roskam
Cravaack	Labrador	Ross (AR)
Crawford	Lamborn	Ross (FL)
Crenshaw	Lance	Royce
Culberson	Landry	Runyan
Davis (KY)	Lankford	Ryan (WI)
Denham	Latham	Scalise
Dent	LaTourrette	Schilling
DesJarlais	Latta	Schmidt
Diaz-Balart	Lewis (CA)	Schock
Dold	LoBiondo	Schweikert
Dreier	Long	Scott (SC)
Duffy	Lucas	Scott, Austin
Duncan (SC)	Luetkemeyer	Sensenbrenner
Duncan (TN)	Lungren, Daniel	Sessions
Elmers	E.	Shimkus
Emerson	Mack	Shuster
Farenthold	Manzullo	Simpson
Fincher	Marchant	Smith (NE)
Fitzpatrick	Marino	Smith (NJ)
Flake	Matheson	Smith (TX)
Fleischmann	McCarthy (CA)	Southerland
Fleming	McCaul	Stearns
Flores	McClintock	Stutzman
Forbes	McCotter	Sullivan
Fortenberry	McHenry	Terry
Fox	McKeon	Thompson (PA)
Franks (AZ)	McKinley	Thornberry
Frelinghuysen	McMorris	Tiberi
Gallegly	Rodgers	Tipton
Gardner	Meehan	Turner
Garrett	Mica	Upton
Gerlach	Miller (FL)	Walberg
Gibbs	Miller (MI)	Walden
Gibson	Miller, Gary	Walsh (IL)
Gohmert	Mulvaney	Webster
Goodlatte	Murphy (PA)	West
Gosar	Myrick	Westmoreland
Gowdy	Neugebauer	Whitfield
Granger	Noem	Wilson (SC)
Graves (GA)	Nugent	Wittman
Graves (MO)	Nunes	Wolf
Griffin (AR)	Nunnelee	Womack
Griffith (VA)	Olson	Woodall
Grimm	Owens	Yoder
Guinta	Palazzo	Young (FL)
Guthrie	Paulsen	Young (IN)
Hall	Pearce	

NOT VOTING—8

Butterfield	Lummis	Stivers
Giffords	Meeks	Young (AK)
Gingrey (GA)	Pelosi	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1838

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MRS. CAPPS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentlewoman from California (Mrs. CAPPS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 242, not voting 9, as follows:

[Roll No. 474]

AYES—180

Ackerman	Gonzalez	Pallone
Andrews	Grijalva	Pascarell
Baca	Gutierrez	Pastor (AZ)
Baldwin	Hanabusa	Paul
Bass (CA)	Hastings (FL)	Payne
Becerra	Hayworth	Perlmutter
Berkley	Heinrich	Peters
Berman	Herrera Beutler	Pingree (ME)
Bilirakis	Higgins	Polis
Bishop (GA)	Himes	Price (NC)
Bishop (NY)	Hinchey	Quigley
Blumenauer	Hirono	Rahall
Brady (PA)	Hochul	Rangel
Braley (IA)	Holt	Reichert
Brown (FL)	Honda	Reyes
Capps	Hoyer	Richardson
Cardoza	Inslee	Rothman (NJ)
Carnahan	Israel	Roybal-Allard
Carney	Jackson (IL)	Ruppersberger
Carson (IN)	Jackson Lee	Rush
Cassidy	(TX)	Ryan (OH)
Castor (FL)	Johnson (GA)	Sánchez, Linda
Chandler	Johnson, E. B.	T.
Chu	Jones	Sanchez, Loretta
Cicilline	Kaptur	Sarbanes
Clarke (MI)	Keating	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kind	Schrader
Cleaver	Kissell	Schwartz
Clyburn	Kucinich	Scott (VA)
Coble	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly (VA)	Larson (CT)	Sewell
Conyers	Lee (CA)	Sherman
Costello	Levin	Sires
Courtney	Lewis (GA)	Slaughter
Critz	Lipinski	Smith (WA)
Crowley	Loeback	Speier
Cuellar	Lofgren, Zoe	Stark
Cummings	Lowey	Sutton
Davis (CA)	Luján	Thompson (CA)
Davis (IL)	Maloney	Thompson (MS)
DeFazio	Markey	Tierney
DeGette	Matsui	Tonko
DeLauro	McCarthy (NY)	Towns
Deutch	McCollum	Tsongas
Dicks	McDermott	Van Hollen
Dingell	McGovern	Velázquez
Doggett	McIntyre	Visclosky
Doyle	McNerney	Walz (MN)
Edwards	Meeks	Wasserman
Ellison	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Waxman
Fattah	Moran	Welch
Filner	Murphy (CT)	Wilson (FL)
Frank (MA)	Nadler	Woolsey
Fudge	Napolitano	Wu
Garamendi	Neal	Yarmuth
Gibson	Oliver	Young (FL)

NOES—242

Adams	Bachmann	Benishek
Aderholt	Bachus	Berg
Akin	Barletta	Biggert
Alexander	Barrow	Bilbray
Altmire	Bartlett	Bishop (UT)
Amash	Barton (TX)	Black
Austria	Bass (NH)	Blackburn

Bonner	Hall	Pence
Bono Mack	Hanna	Peterson
Boren	Harper	Petri
Boswell	Harris	Pitts
Boustany	Hartzler	Platts
Brady (TX)	Hastings (WA)	Poe (TX)
Brooks	Heck	Pompeo
Broun (GA)	Hensarling	Posey
Bucshon	Herger	Price (GA)
Buerkle	Hinojosa	Quayle
Burgess	Holden	Reed
Burton (IN)	Huelskamp	Rehberg
Calvert	Huizenga (MI)	Renacci
Camp	Hultgren	Ribble
Campbell	Hunter	Richmond
Canseco	Hurt	Rigell
Cantor	Issa	Rivera
Capito	Jenkins	Roby
Carter	Johnson (IL)	Roe (TN)
Cassidy	Johnson (OH)	Rogers (AL)
Chabot	Johnson, Sam	Rogers (KY)
Chaffetz	Jordan	Rogers (MI)
Chandler	Kelly	Rohrabacher
Coffman (CO)	King (IA)	Rokita
Cole	King (NY)	Rooney
Conaway	Kingston	Ros-Lehtinen
Cooper	Kinzinger (IL)	Roskam
Costa	Kline	Ross (AR)
Cravaack	Labrador	Ross (FL)
Crawford	Lamborn	Royce
Crenshaw	Lance	Runyan
Culberson	Landry	Ryan (WI)
Davis (KY)	Lankford	Scalise
Denham	Latham	Schilling
Dent	LaTourette	Schmidt
DesJarlais	Latta	Schock
Diaz-Balart	Lewis (CA)	Schweikert
Dold	LoBiondo	Scott (SC)
Donnelly (IN)	Long	Scott, Austin
Dreier	Lucas	Sensenbrenner
Duffy	Luetkemeyer	Sessions
Duncan (SC)	Lungren, Daniel	Shimkus
Duncan (TN)	E.	Shuler
Ellmers	Mack	Shuster
Emerson	Manzullo	Simpson
Farenthold	Marchant	Smith (NE)
Fincher	Marino	Smith (TX)
Fitzpatrick	Matheson	Southerland
Flake	McCarthy (CA)	Stearns
Fleischmann	McCaul	Stutzman
Fleming	McClintock	Sullivan
Flores	McCotter	Terry
Forbes	McHenry	Thompson (PA)
Fortenberry	McKeon	Thornberry
Fox	McKinley	Tiberi
Franks (AZ)	McMorris	Tipton
Frelinghuysen	Rodgers	Turner
Gallegly	Meehan	Upton
Gardner	Mica	Walberg
Garrett	Miller (FL)	Walden
Gerlach	Miller (MI)	Walsh (IL)
Gibbs	Miller, Gary	Webster
Gohmert	Mulvaney	Westmoreland
Goodlatte	Murphy (PA)	Whitfield
Gosar	Myrick	Wilson (SC)
Gowdy	Neugebauer	Wittman
Graves (GA)	Noem	Wolf
Graves (MO)	Nugent	Womack
Green, Al	Nunes	Woodall
Green, Gene	Nunnelee	Yoder
Griffin (AR)	Olson	Young (FL)
Griffith (VA)	Owens	Young (IN)
Grimm	Palazzo	
Guinta	Paulsen	
Guthrie	Pearce	

NOT VOTING—9

Capuano	Granger	Pelosi
Giffords	Lummis	Stivers
Gingrey (GA)	Lynch	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
Two minutes remain in this vote.

□ 1845

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MS. HOCHUL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentlewoman from New York (Ms. HOCHUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 238, not voting 7, as follows:

[Roll No. 475]

AYES—186

Ackerman	Gibson	Neal
Andrews	Green, Al	Oliver
Baca	Grijalva	Owens
Baldwin	Gutierrez	Pallone
Barrow	Hanabusa	Pascarell
Bass (CA)	Hanna	Pastor (AZ)
Becerra	Hastings (FL)	Payne
Berkley	Heinrich	Perlmutter
Berman	Higgins	Peters
Bishop (GA)	Himes	Pingree (ME)
Bishop (NY)	Hinchee	Polis
Blumenauer	Hirono	Price (NC)
Boswell	Hochul	Quigley
Brady (PA)	Holden	Rahall
Brady (IA)	Holt	Rangel
Brown (FL)	Honda	Reyes
Butterfield	Hoyer	Richardson
Capps	Inslee	Richmond
Capuano	Israel	Rothman (NJ)
Carnahan	Jackson (IL)	Roybal-Allard
Carney	Jackson Lee	Ruppersberger
Carson (IN)	(TX)	Rush
Castor (FL)	Johnson (GA)	Ryan (OH)
Chu	Johnson (IL)	Sánchez, Linda
Cicilline	Johnson, E. B.	T.
Clarke (MI)	Jones	Sanchez, Loretta
Clarke (NY)	Kaptur	Sarbanes
Clay	Keating	Schakowsky
Cleaver	Kildee	Schiff
Clyburn	Kind	Schrader
Coble	Kissell	Schwartz
Coffman (CO)	Kucinich	Scott (VA)
Cohen	Langevin	Scott, David
Connolly (VA)	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell
Cooper	Lee (CA)	Sherman
Costello	Levin	Sires
Courtney	Lewis (GA)	Slaughter
Critz	Lipinski	Smith (NJ)
Crowley	LoBiondo	Smith (WA)
Cuellar	Loebasack	Speier
Cummings	Lofgren, Zoe	Stark
Davis (CA)	Lowey	Sutton
Davis (IL)	Luján	Thompson (CA)
DeFazio	Lynch	Thompson (MS)
DeGette	Maloney	Tierney
DeLauro	Markey	Tonko
Deutch	Matsui	Towns
Dicks	McCarthy (NY)	Tsongas
Dingell	McCollum	Van Hollen
Doggett	McDermott	Velázquez
Donnelly (IN)	McGovern	Visclosky
Doyle	McIntyre	Walz (MN)
Edwards	McNerney	Wasserman
Ellison	Meeks	Schultz
Engel	Michaud	Waters
Eshoo	Miller (NC)	Watt
Farr	Miller, George	Waxman
Fattah	Moore	Welch
Filner	Moran	Wilson (FL)
Frank (MA)	Murphy (CT)	Woolsey
Fudge	Nadler	Wu
Garamendi	Napolitano	Yarmuth

NOES—238

Adams	Amash	Bartlett
Aderholt	Austria	Barton (TX)
Akin	Bachmann	Bass (NH)
Alexander	Bachus	Benishke
Altmire	Barletta	Berg

Biggert	Griffith (VA)	Paulsen
Billray	Grimm	Pearce
Billrakis	Guinta	Pence
Bishop (UT)	Guthrie	Peterson
Black	Hall	Petri
Blackburn	Harper	Pitts
Bonner	Harris	Platts
Bono Mack	Hartzler	Poe (TX)
Boren	Hastings (WA)	Pompeo
Boustany	Hayworth	Posey
Brady (TX)	Heck	Price (GA)
Brooks	Hensarling	Quayle
Broun (GA)	Herger	Reed
Buchanan	Herrera Beutler	Rehberg
Bucshon	Hinojosa	Reichert
Buerkle	Huelskamp	Renacci
Burgess	Huizenga (MI)	Ribble
Burton (IN)	Hultgren	Rigell
Calvert	Hunter	Rivera
Camp	Hurt	Roby
Campbell	Issa	Roe (TN)
Canseco	Jenkins	Rogers (AL)
Cantor	Johnson (OH)	Rogers (KY)
Capito	Johnson, Sam	Rogers (MI)
Cardoza	Jordan	Rohrabacher
Carter	Kelly	Rokita
Cassidy	King (IA)	Rooney
Chabot	King (NY)	Ros-Lehtinen
Chaffetz	Kingston	Roskam
Chandler	Kinzinger (IL)	Ross (AR)
Cole	Kline	Ross (FL)
Conaway	Labrador	Royce
Costa	Lamborn	Runyan
Cravaack	Lance	Ryan (WI)
Crawford	Landry	Scalise
Crenshaw	Lankford	Schilling
Culberson	Latham	Schmidt
Davis (KY)	LaTourette	Schock
Denham	Latta	Schweikert
Dent	Lewis (CA)	Scott (SC)
DesJarlais	Long	Scott, Austin
Diaz-Balart	Lucas	Sensenbrenner
Dold	Luetkemeyer	Sessions
Dreier	Lungren, Daniel	Shimkus
Duffy	E.	Shuler
Duncan (SC)	Mack	Shuster
Duncan (TN)	Manzullo	Simpson
Ellmers	Marchant	Smith (NE)
Emerson	Marino	Smith (TX)
Farenthold	Matheson	Southerland
Fincher	McCarthy (CA)	Stearns
Fitzpatrick	McCaul	Stutzman
Flake	McClintock	Sullivan
Fleischmann	McCotter	Terry
Fleming	McHenry	Thompson (PA)
Flores	McKeon	Thornberry
Forbes	McKinley	Tiberi
Fortenberry	McMorris	Tipton
Fox	Rodgers	Turner
Franks (AZ)	Meehan	Upton
Frelinghuysen	Mica	Walberg
Gallegly	Miller (FL)	Walden
Gardner	Miller (MI)	Walsh (IL)
Garrett	Miller, Gary	Webster
Gerlach	Mulvaney	West
Gibbs	Murphy (PA)	Westmoreland
Gohmert	Myrick	Whitfield
Gonzalez	Neugebauer	Wilson (SC)
Goodlatte	Noem	Wittman
Gosar	Nugent	Wolf
Gowdy	Nunes	Womack
Graves (GA)	Nunnelee	Woodall
Graves (MO)	Olson	Yoder
Green, Gene	Palazzo	Young (FL)
Griffin (AR)	Paul	Young (IN)

NOT VOTING—7

Giffords	Lummis	Young (AK)
Gingrey (GA)	Pelosi	
Granger	Stivers	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining in this vote.

□ 1851

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. SCHRADER

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Oregon (Mr. SCHRAEDER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 262, not voting 9, as follows:

[Roll No. 476]

AYES—160

Ackerman	Gutierrez	Pallone
Andrews	Hanabusa	Pascarell
Baldwin	Hastings (FL)	Pastor (AZ)
Bass (CA)	Heinrich	Payne
Becerra	Herrera Beutler	Pingree (ME)
Berkley	Higgins	Polis
Berman	Hinche	Price (NC)
Bishop (NY)	Hinojosa	Quigley
Blumenauer	Hirono	Rahall
Brady (PA)	Holt	Rangel
Braley (IA)	Honda	Reichert
Brown (FL)	Inslee	Richardson
Butterfield	Israel	Rothman (NJ)
Capps	Johnson (GA)	Roybal-Allard
Capuano	Johnson, E. B.	Ruppersberger
Cardoza	Jones	Ryan (OH)
Carnahan	Kaptur	Sánchez, Linda
Carney	Keating	T.
Castor (FL)	Kildee	Sanchez, Loretta
Chu	Kind	Sarbanes
Cicilline	Kissell	Schakowsky
Clarke (MI)	Kucinich	Schiff
Clarke (NY)	Langevin	Schrader
Clay	Larsen (WA)	Schwartz
Cleaver	Larson (CT)	Scott (VA)
Clyburn	Lee (CA)	Scott, David
Coble	Levin	Serrano
Cohen	Lewis (GA)	Sewell
Connolly (VA)	Lipinski	Sherman
Conyers	Loeb	Sires
Courtney	Lofgren, Zoe	Slaughter
Crowley	Lowey	Smith (WA)
Cummings	Lujan	Speier
Davis (CA)	Lynch	Stark
Davis (IL)	Maloney	Sutton
DeFazio	Markey	Thompson (CA)
DeGette	Matsui	Thompson (MS)
DeLauro	McCarthy (NY)	Tierney
Deutch	McCollum	Tonko
Dicks	McDermott	Towns
Dingell	McGovern	Tsongas
Doggett	McIntyre	Van Hollen
Doyle	McNerney	Velázquez
Edwards	Meeks	Wasserman
Ellison	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Waxman
Fattah	Moran	Welch
Filner	Murphy (CT)	Wilson (FL)
Frank (MA)	Nadler	Woolsey
Fudge	Napolitano	Wu
Garamendi	Neal	Yarmuth
Grijalva	Oliver	

NOES—262

Adams	Barton (TX)	Boren
Aderholt	Bass (NH)	Boswell
Akin	Benish	Boustany
Alexander	Berg	Brady (TX)
Altmire	Biggart	Brooks
Amash	Bilbray	Brown (GA)
Austria	Bilirakis	Buchanan
Baca	Bishop (GA)	Bucshon
Bachmann	Bishop (UT)	Buerkle
Bachus	Black	Burgess
Barletta	Blackburn	Burton (IN)
Barrow	Bonner	Calvert
Bartlett	Bono Mack	Camp

Campbell	Himes	Pitts
Canseco	Hochul	Platts
Cantor	Holden	Poe (TX)
Capito	Hoyer	Pompeo
Carter	Huelskamp	Posey
Cassidy	Huizenga (MI)	Price (GA)
Chabot	Hultgren	Quayle
Chaffetz	Hunter	Reed
Chandler	Hurt	Rehberg
Coffman (CO)	Issa	Renacci
Cole	Jackson Lee	Reyes
Conaway	(TX)	Ribble
Cooper	Jenkins	Richmond
Costa	Johnson (IL)	Rigell
Costello	Johnson (OH)	Rivera
Cravaack	Johnson, Sam	Roby
Crawford	Jordan	Roe (TN)
Crenshaw	Kelly	Rogers (AL)
Critz	King (IA)	Rogers (KY)
Cuellar	King (NY)	Rogers (MI)
Culberson	Kingston	Rohrabacher
Davis (KY)	Kinzing (IL)	Rokita
Denham	Kline	Rooney
Dent	Labrador	Ros-Lehtinen
DesJarlais	Lamborn	Roskam
Diaz-Balart	Lance	Ross (AR)
Dold	Landry	Ross (FL)
Donnelly (IN)	Lankford	Royce
Dreier	Latham	Runyan
Duffy	LaTourette	Ryan (WI)
Duncan (SC)	Latta	Scalise
Duncan (TN)	Lewis (CA)	Schilling
Ellmers	LoBiondo	Schmidt
Emerson	Long	Schock
Farenthold	Lucas	Schweikert
Fincher	Luetkemeyer	Scott (SC)
Fitzpatrick	Lungren, Daniel	Scott, Austin
Flake	E.	Sensenbrenner
Fleischmann	Mack	Sessions
Fleming	Manzullo	Shimkus
Flores	Marchant	Shuler
Forbes	Marino	Shuster
Fortenberry	Matheson	Simpson
Fox	McCarthy (CA)	Smith (NE)
Franks (AZ)	McCaul	Smith (NJ)
Frelinghuysen	McClintock	Smith (TX)
Galleghy	McCotter	Southerland
Gardner	McHenry	Stearns
Garrett	McKeon	Stutzman
Gerlach	McKinley	Sullivan
Gibbs	McMorris	Terry
Gibson	Rodgers	Thompson (PA)
Gohmert	Meehan	Thornberry
Gonzalez	Mica	Tiberi
Goodlatte	Miller (FL)	Tipton
Gosar	Miller (MI)	Turner
Gowdy	Miller, Gary	Upton
Graves (GA)	Mulvaney	Visclosky
Graves (MO)	Murphy (PA)	Walberg
Green, Al	Myrick	Walden
Green, Gene	Neugebauer	Walsh (IL)
Griffin (AR)	Noem	Walsh (MN)
Griffith (VA)	Nugent	Webster
Grimm	Nunes	West
Guinta	Nunnelee	Westmoreland
Guthrie	Olson	Whitfield
Hall	Owens	Wilson (SC)
Hanna	Palazzo	Wittman
Harper	Paul	Wolf
Harris	Paulsen	Womack
Hartzler	Pearce	Woodall
Hastings (WA)	Pence	Yoder
Hayworth	Perlmutter	Young (FL)
Heck	Peters	Young (IN)
Hensarling	Peterson	
Herger	Petri	

NOT VOTING—9

Carson (IN)	Granger	Pelosi
Giffords	Jackson (IL)	Stivers
Gingrey (GA)	Lummis	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. LATHAM) (during the vote). There are 2 minutes remaining in this vote.

□ 1858

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Georgia) having assumed the chair, Mr. LATHAM, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities, and, pursuant to House Resolution 316, reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KEATING. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KEATING. I am opposed to it in its current form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Keating moves to recommit the bill H.R. 2021 to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with the following amendment:

After subsection (d) of section 328 of the Clean Air Act, as proposed to be added by section 4 of the bill, insert the following:

“(e) DETERMINATION OF LOWER GAS PRICES AT THE PUMP.—In conducting analyses relating to requirements for pollution controls pursuant to this section, the Administrator shall determine whether the controls under review will result in lower gasoline prices in the United States, including the retail price charged at service stations.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts is recognized for 5 minutes in support of his motion.

Mr. KEATING. Mr. Speaker, I rise to offer this final amendment that I believe will greatly increase economic and job safeguards for the American people.

Simply put, the underlying legislation is about risk versus reward. We know what the reward is: trillions of dollars of profit over the last decade for oil companies and preferred stock buybacks and bonuses for executives. We know what the proponents of this bill say the reward will be: lower gas prices at the pump.

Now, what is the risk that we're looking at?

The risk is existing jobs: existing jobs in the marine industry, the fishing industry, the tourism industry—industries that are among the most job-producing in my State and in the States of so many other people in this Chamber.

My amendment requires the administrator to determine whether or not this

will lower gas prices for American citizens. I believe we need a safeguard for the American public, who should not bear the burden of the risk with no guarantee of the reward. I'm sure the many small businesses in the gulf and in my district which rely on the marine economies and tourism would agree with this. This final amendment is a commonsense compromise, and regardless of how the Members feel about the underlying legislation, this is something that we should all be able to support.

When I offered my amendment earlier, my colleague from across the aisle said it was irrelevant because it dealt with exposing executive bonuses and that it, thus, did not deal with the heart of what this bill is supposed to do, which, according to him, was to increase domestic oil production that would translate into decreased gas prices at the pump. Now, if it's not for lower gas prices for consumers, then the only rationale for this must be that it's for higher profits for oil companies. All day, proponents have said the reason for the bill is to lower gas prices.

This amendment, simply put, asks them to mean what they say. I ask all of my colleagues to please support this final amendment.

Mr. Speaker, I yield back the balance of my time.

Mr. GARDNER. I rise in opposition to the gentleman's motion.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Energy security and job creation, that's what the Jobs and Energy Permitting Act is about. The amendment, the motion to recommit that has been offered, is something that we talked about today: whether or not a study actually results in lower prices at the pump.

Colleagues, I don't think our constituents will appreciate it if we put a big sign on the pump at the gas station that reads "you're going to pay \$3.50 a gallon for gas; you're going to pay \$4 a gallon for gas" while we study it, while a blue ribbon commission proceeds.

This bill will allow our domestic resources to be accessed in a responsible manner, in a timely manner to help relieve the price at the pump. Americans are tired of overregulation. Americans are tired of job-killing regulations. Americans are tired of the pain at the pump that they face each and every day. This bill presents an opportunity to create 54,000 jobs. In the time that it has taken to get a permit approved in the Chukchi and Beaufort Seas, 400 wells have been drilled around the world. They created jobs in other countries; they created energy in other countries, but they didn't do it in our own backyard. This is our opportunity to get American resources online in a responsible manner.

This amendment is one more stall, one more study, one more way to tell

the American people that we're not interested in helping relieve the pain at the pump. We're going to study it. We're going to commission it. Then we're not going to do anything. This is 54,000 jobs and 1 million barrels of oil a day brought online from Alaska, creating jobs not just there but throughout the 48 States.

The other day, I heard people talking about making it in America. "Make It in America." Do you know what we need to make it in America? We need an energy policy that allows an abundant, affordable energy resource. To make it in America, we need opportunities to secure policies that don't overregulate and kill jobs. If you want to make it in America, reject this motion to recommit; develop American resources; put America back to work; and vote "yes" on the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KEATING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 177, noes 245, not voting 9, as follows:

[Roll No. 477]

AYES—177

Ackerman	Courtney	Hochul
Altmire	Critz	Holden
Andrews	Crowley	Holt
Baca	Cuellar	Honda
Baldwin	Cummings	Hoyer
Barrow	Davis (CA)	Inslee
Bass (CA)	Davis (IL)	Israel
Becerra	DeFazio	Jackson (IL)
Berkley	DeGette	Jackson Lee
Berman	DeLauro	(TX)
Bishop (GA)	Deutch	Johnson (GA)
Bishop (NY)	Dingell	Johnson, E. B.
Blumenauer	Doggett	Kaptur
Brady (PA)	Doyle	Keating
Braley (IA)	Edwards	Kildee
Brown (FL)	Ellison	Kind
Butterfield	Engel	Kissell
Capps	Eshoo	Kucinich
Capuano	Farr	Langevin
Carnahan	Fattah	Larsen (WA)
Carney	Filner	Larson (CT)
Carson (IN)	Frank (MA)	Lee (CA)
Castor (FL)	Fudge	Levin
Chu	Garamendi	Lewis (GA)
Ciilline	Green, Al	Lipinski
Clarke (MI)	Grijalva	Loeb sack
Clarke (NY)	Gutierrez	Lofgren, Zoe
Clay	Hanabusa	Lowey
Cleaver	Hastings (FL)	Lujan
Clyburn	Heinrich	Lynch
Cohen	Higgins	Maloney
Connolly (VA)	Himes	Markey
Conyers	Hinchey	Matsui
Cooper	Hinojosa	McCarthy (NY)
Costello	Hirono	McCollum

McDermott	Rahall	Slaughter
McGovern	Rangel	Smith (WA)
McIntyre	Reyes	Speier
McNerney	Richardson	Stark
Meeks	Richmond	Sutton
Michaud	Rothman (NJ)	Thompson (CA)
Miller (NC)	Roybal-Allard	Thompson (MS)
Miller, George	Ruppersberger	Tierney
Moore	Rush	Tonko
Moran	Ryan (OH)	Towns
Murphy (CT)	Sánchez, Linda	Tsongas
Nadler	T.	Van Hollen
Napolitano	Sanchez, Loretta	Velázquez
Neal	Sarbanes	Visclosky
Olver	Schakowsky	Walz (MN)
Pallone	Schiff	Wasserman
Pascarell	Schrader	Schultz
Pastor (AZ)	Schwartz	Waters
Payne	Scott (VA)	Watt
Perlmutter	Scott, David	Waxman
Peters	Serrano	Welch
Pingree (ME)	Sewell	Wilson (FL)
Polis	Sherman	Woolsey
Price (NC)	Shuler	Wu
Quigley	Sires	Yarmuth

NOES—245

Adams	Fincher	Long
Aderholt	Fitzpatrick	Lucas
Akin	Flake	Luetkemeyer
Alexander	Fleischmann	Lungren, Daniel
Amash	Fleming	E.
Austria	Flores	Mack
Bachmann	Forbes	Manzullo
Bachus	Fortenberry	Marchant
Barletta	Fox	Marino
Bartlett	Franks (AZ)	Matheson
Barton (TX)	Frelinghuysen	McCarthy (CA)
Bass (NH)	Gallely	McCaul
Benishak	Gardner	McClintock
Berg	Garrett	McCotter
Biggert	Gerlach	McHenry
Billbray	Gibbs	McKeon
Billirakis	Gibson	McKinley
Bishop (UT)	Gohmert	McMorris
Black	Gonzalez	Rodgers
Blackburn	Goodlatte	Meehan
Bonner	Gosar	Mica
Bono Mack	Gowdy	Miller (FL)
Boren	Graves (GA)	Miller (MI)
Boswell	Graves (MO)	Miller, Gary
Boustany	Green, Gene	Mulvaney
Brady (TX)	Griffin (AR)	Murphy (PA)
Brooks	Griffith (VA)	Myrick
Brown (GA)	Grimm	Neugebauer
Buchanan	Guinta	Noem
Bucshon	Guthrie	Nugent
Buerkle	Hall	Nunes
Burgess	Hanna	Nunnelee
Burton (IN)	Harper	Olson
Calvert	Harris	Owens
Camp	Hartzler	Palazzo
Campbell	Hastings (WA)	Paul
Canseco	Hayworth	Paulsen
Cantor	Heck	Pearce
Capito	Hensarling	Pence
Cardoza	Herger	Peterson
Carter	Herrera Beutler	Petri
Cassidy	Huelskamp	Pitts
Chabot	Huizenga (MI)	Platts
Chaffetz	Hultgren	Poe (TX)
Chandler	Hunter	Pompeo
Coble	Hurt	Posey
Coffman (CO)	Issa	Price (GA)
Cole	Jenkins	Quayle
Conaway	Johnson (IL)	Reed
Costa	Johnson (OH)	Rehberg
Cravaack	Johnson, Sam	Reichert
Crawford	Jones	Renacci
Crenshaw	Jordan	Ribble
Culberson	Kelly	Rigell
Davis (KY)	King (IA)	Rivera
Denham	King (NY)	Roby
Dent	Kingston	Roe (TN)
DesJarlais	Kinzinger (IL)	Rogers (AL)
Diaz-Balart	Kline	Rogers (KY)
Dold	Labrador	Rogers (MI)
Donnelly (IN)	Lamborn	Rohrabacher
Dreier	Lance	Rokita
Duffy	Lankford	Rooney
Duncan (SC)	Latham	Ros-Lehtinen
Duncan (TN)	LaTourette	Roskam
Ellmers	Latta	Ross (AR)
Emerson	Lewis (CA)	Ross (FL)
Farenthold	LoBiondo	Royce

Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)

Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden

NOT VOTING—9

Dicks
Giffords
Gingrey (GA)

Granger
Landry
Lummis

Pelosi
Stivers
Young (AK)

□ 1923

Mr. OWENS changed his vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WAXMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 166, not voting 12, as follows:

[Roll No. 478]

AYES—253

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza

Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critt
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs

Gibson
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)

Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Ackerman
Andrews
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)

Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmuter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise

NOES—166

Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George

Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)

Wasserman
Schultz
Waters
Watt
Waxman

Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Carson (IN)
Cole
Dicks
Giffords

Gingrey (GA)
Granger
Lummis
Moore

Murphy (PA)
Pelosi
Stivers
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1930

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. LANDRY. Mr. Speaker, on rollcall No. 477 I was unavoidably detained. Had I been present, I would have voted “no.”

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore (Mr. BROUN of Georgia) laid before the House the following resignation as a member of the Committee on Armed Services:

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, DC, June 22, 2011.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER, I am writing to notify you of my resignation from the Armed Services Committee, effective June 22, 2011. I look forward to continuing to serve the Tampa Bay area and the State of Florida from the Energy and Commerce and Budget Committees in the 112th Congress.

Sincerely,

KATHY CASTOR,
United States Representative,
Florida District 11.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 321

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON ENERGY AND COMMERCE.—Ms. Castor of Florida.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 112-113) on the resolution (H. Res. 320) providing for consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. PITTS. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 1380, the New Alternative Transportation to Give Americans Solutions Act of 2011.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 1249.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMERICA INVENTS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 316 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1249.

□ 1933

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform, with Mr. GRAVES of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

An initial period of general debate shall be confined to the question of the constitutionality of the bill and shall

not exceed 20 minutes equally divided and controlled by the gentleman from Texas (Mr. SMITH) and the gentleman from Ohio (Ms. KAPTUR) or their designees.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Chairman, individuals who raise questions about the constitutionality of this legislation perhaps should review the Constitution itself. The Constitution expressly grants Congress the authority to "promote the progress of science and useful arts." That is precisely what this bill does. H.R. 1249 improves the patent system, ensuring the protection and promotion of intellectual property that spurs economic growth and generates jobs.

The bill's inclusion of a move to a first-inventor-to-file system is absolutely consistent with the Constitution's requirement that patents be awarded to the "inventor."

A recent letter by professors of law from across the country—from universities including Emory, Indiana, Washington University in St. Louis, Missouri, NYU, New Hampshire, Wisconsin, Albany, Stanford, Chicago, Georgia, Richmond, Vanderbilt, and Washington—states that claims of unconstitutionality "cannot be squared with well-accepted and longstanding rules of current patent law." And former Attorney General Michael B. Mukasey has said that the provision is both "constitutional and wise."

In a letter to PTO Director David Kappos, General Mukasey stated that the bill's constitutionality is assured because it "leaves unchanged the existing requirement that a patent issue only to one who 'invents or discovers.'"

Also, this provision actually returns us to a system that our Founders created and used themselves. Early American patent law, that of our Founders' generation, did not concern itself with who was the first-to-invent. The U.S. operated under a first-inventor-to-register, which is a system very similar to the first-inventor-to-file.

It wasn't until the 1870s, when the courts created interference proceedings, that our patent system began to consider who was the first-to-invent an invention. These interference proceedings disadvantaged independent inventors and small businesses. Over time, interference proceedings have become a costly litigation tactic that has forced some manufacturers to take the path of least resistance and move operations and jobs overseas rather than risk millions or billions of dollars in capital investment. The America Invents Act does away with interference proceedings and includes a provision to address prior user rights without jeopardizing American businesses and jobs.

Opponents of the first-inventor-to-file system claim that it may disadvan-

tage independent inventors who cannot file quickly enough. But the current system lulls inventors into a false sense of security based on the belief that they can readily and easily rely on being the first-to-invent. Inventors forget that, to have any hope of winning an interference proceeding, they must comply with complex legal procedures and then spend over \$500,000 to try to prove that they were the first-to-invent.

In the last 7 years, under the current system of interference proceedings, only one independent inventor out of 3 million patent applications has proved an earlier date of invention over the inventor who filed first, one out of 3 million. In fact, the current patent system's costly and complex legal environment is what truly disadvantages independent inventors, who often lose their patent rights because they can't afford the legal battle over ownership.

The America Invents Act reduces frivolous litigation over weak or overbroad patents by establishing a pilot program to review a limited group of business method patents that never should have been awarded in the first place. Section 18 deals with mistakes that occurred following an activist judicial decision that created a new class of patents called business method patents in the late 1990s. The PTO was ill equipped to handle the flood of business method patent applications.

Few examiners had the necessary background and education to understand the inventions, and the PTO lacked information regarding prior art. As a result, the PTO issued some weak patents that have led to frivolous lawsuits. The pilot program allows the PTO to reexamine a limited group of questionable business method patents, and it is supported by the PTO.

Former 10th Circuit Federal Appeals Court Judge Michael McConnell sent me a constitutional analysis of the bill's reexamination proceedings. He stated that "there is nothing novel or unprecedented, much less unconstitutional, about the procedures proposed in sections 6 and 18. The application of these new reexamination procedures to existing patents is not a taking or otherwise a violation of the Constitution."

Supporters of this bill understand that if America's inventors are forced to waste time with frivolous litigation, they won't have time for innovation. That's why the U.S. Chamber of Commerce, National Association of Manufacturers, PhRMA, BIO, the Information Technology Industry Council, American Bar Association, Small Business & Entrepreneurship Council, Independent Community Bankers of America, Credit Union National Association, Financial Services Roundtable, American Insurance Association, Property

Casualty Insurers Association of America, the Securities Industry and Financial Markets Association, the American Institute of CPAs, industry leaders, the Coalition for 21st Century Patent Reform, the Coalition for Patent Fairness, independent inventors, and all six major university associations all support H.R. 1249.

To quote the Chamber of Commerce: "This legislation is crucial for American economic growth, jobs, and the future of U.S. competitiveness."

We can no longer allow our economy and job creators to be held hostage to legal maneuvers and the judicial lottery.

□ 1940

American inventors have led the world for centuries in new innovations, from Benjamin Franklin and Thomas Edison to the Wright Brothers and Henry Ford. But if we want to continue as leaders in the global economy, we must encourage the innovators of today to develop the technologies of tomorrow.

This bill holds true to the Constitution, our Founders and our promise to future generations that America will continue to lead the world as a fountain for discovery, innovation and economic growth.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. I yield myself such time as I may consume.

Mr. Chairman, if this bill is passed into law, it will violate the first right explicitly named in our Constitution, the intellectual property clause. This bill makes a total mockery of article 1, section 8, clause 8, which requires Congress to secure for inventors the exclusive right to their respective writings and discovery.

Supporters of this bill say it is an attempt to modernize our patent system. What they really mean is that this bill Europeanizes our patent system by granting the rights to an invention to whoever wins the race to the Patent Office.

The Supreme Court has been consistent on this issue throughout our history. First inventors have the exclusive constitutional right to their inventions. This right extends to every citizen, not just those with deep pockets and large legal teams. A politicized patent system will further entrench those very powerful interests with deep pockets and lots of lobbying offices over on K Street.

Claiming to be an inventor is not the same thing as being that inventor, the person who actually made the discovery. A patent should be challenged in court, not in the U.S. Patent Office.

Since the first Congress, which included 55 delegates to the Constitutional Convention, our nation has recognized that you are the owner of your own ideas and innovations. This bill

throws that out the window and replaces it with a system that legalizes a rather clever form of intellectual property theft.

I assure you of one thing: If this bill mistakenly passes, this debate will not be over. We will see it head straight to the courts with extended litigation for years to come, along with complete uncertainty to our markets, killing jobs and killing innovation.

I urge my colleagues to vote "no" on H.R. 1249.

I yield 3 minutes to the former chairman of the Judiciary Committee, our esteemed colleague from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, in the first day of this session we all took an oath to preserve and protect and defend the Constitution of the United States against all enemies, foreign and domestic. And a day or two later, for the first time in history, we read the Constitution on the floor from beginning to end.

We changed the rules to have a constitutional debate when the constitutionality of legislation before us was in question. And this is the first time in the history of the United States House of Representatives when a question serious enough to have a constitutional debate is being debated on the floor for 20 minutes.

Unlike what my friend from Texas (Mr. SMITH) has said, this bill is unconstitutional, and voting for this bill will violate one's oath of office. And here is why.

The intellectual property clause of the Constitution gives the protection to the first-to-invent, and what happens later in the Patent Office only protects that right. It doesn't denigrate the right, and the right is given to the person who is first-to-invent. If someone who was the first-to-invent ends up losing the race to the Patent Office, this bill takes away a property right, and that violates the Fifth Amendment.

Now, inventor means first inventor in the Constitution. And earlier this month, in *Stanford University v. Roche*, the Chief Justice has said, since 1790 the patent law has operated on the premise that in an invention, the rights belong to the inventor. And since the founding of our Republic, that has been the law.

Even in the beginning of our Republic, the 1793 act created an interference provision and set up an administrative procedure to resolve competing claims for the same invention. The Patent Board rejected the proposal that the patent should be awarded to the first person to file an application. And Thomas Jefferson served on that Patent Board that rejected first-to-file.

Secondly, early Supreme Court decisions confirm that patents must be granted to inventors, not when they file, but when they invent it. And that

began in 1813 with Chief Justice Marshall, reaffirmed in 1829, and last month in *Stanford v. Roche* in the Supreme Court of the United States.

I think it is clear from all of the precedents that a first-to-invent and a first-to-file provision is unconstitutional because it adds a layer of compliance in winning the race to the Patent Office for someone who already has that right.

Let's vote "no" to uphold our oaths of office under the Constitution of the United States.

Mr. SMITH of Texas. Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, since the founding of the Republic, our patent system has been based on the premise that an inventor is entitled to a patent for their work, and not simply the first person to file a patent application. Indeed, article 1, section 8, clause 8 of the Constitution specifically states that to promote the progress of science and useful arts, Congress shall have the power to secure to authors and inventors the exclusive right to their respective writings and discoveries. Nowhere does it say filers have that right. Under no rule of construction or interpretation can this clause mean anything other than what it says.

And Mr. Chairman, I find it comforting to know that certainly I'm not alone in my concern over the constitutionality over first-to-file. None other than Chief Justice of the United States Supreme Court John Roberts recently wrote in an opinion, joined by six of his fellow Supreme Court justices that, "Since 1790, the patent law has operated on the premise that rights in an invention belong to the inventor."

Mr. SMITH of Texas. It is nice to be able to yield 1 minute to the gentleman from New York (Mr. NADLER), who is the ranking member of the Constitution Subcommittee of the Judiciary Committee.

Mr. NADLER. Mr. Chairman, some have argued that the first-to-file provision in this bill violates the constitutional provision giving Congress the power to promote the progress of science and useful arts by securing for limited times for authors and inventors the exclusive rights to their respective writings and discoveries.

The first key point to note is that the text does not define inventor. Under H.R. 1249, one still has to be an inventor to be awarded the patent, as the Constitution requires. Indeed, former Bush administration Attorney General Michael Mukasey noted in a May 2011 letter to Patent Office Director David Kappos that "the second inventor is no less an inventor for having invented second." And former Attorney General Mukasey correctly points out that the Constitution grants Congress the power to "promote the progress of

the science and useful arts” but does not say how it can or should do so. Congress deciding that awarding patents to inventors who are the first-to-file is consistent with that constitutional power.

The Patent Act of 1793 makes no mention of needing to be the first-to-invent. A patent was valid as long as the invention was not an invention already in the public domain or derived from another person. It was not until 1870 that there was a specific process put in place to even determine who the first-to-invent was.

The bottom line is that this bill is a clear exercise of Congress’ constitutional power to secure patent rights to inventors.

□ 1950

Ms. KAPTUR. Mr. Chairman, may I inquire as to my remaining time, please.

The CHAIR. The gentlewoman from Ohio has 4 minutes remaining.

Ms. KAPTUR. I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. Mr. Chairman, as founder and chairman of the Constitution Caucus, I applaud the opportunity to debate the constitutionality of this bill. This is the first of what I hope will be many more instances to discuss the constitutionality of legislation considered on this floor.

What this bill does is change the U.S. patent system from one which allows the moment of invention to determine who is entitled to a patent to one which confers this power to a government agency. Such a change would violate the intellectual property clause of the Constitution. Why is that? Because the Founders rejected the idea that rights are bestowed to the people by the government in favor of the revolutionary principle that men are born with natural rights.

Our Constitution instituted a government that secures only these natural and preexisting rights. So inventions created by the fruits of intellectual labor are the property of the inventor. These and only these first and true inventors then are entitled to public protection of their rightful property. To remain true to the principles of liberty, we must preserve a system that protects the true and first inventor.

Mr. SMITH of Texas. Mr. Chairman, may I inquire as to how much time remains on each side.

The CHAIR. The gentleman from Texas has 2½ minutes remaining, and the gentlewoman from Ohio has 3 minutes remaining.

Mr. SMITH of Texas. I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), who is the chairman of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. GOODLATTE. I also very much appreciate this debate on the constitu-

tionality of this issue. I had the honor of leading the reading of the Constitution on the second day of this new Congress.

I want to make it very clear because there’s a lot of confusion on the part of a lot of people who think this is a first-to-file—even if you’re not the inventor—gets the patent. That is most assuredly not the case. This is first-inventor-to-file. You must be a bona fide inventor to qualify for this.

Our Constitution grants exclusive rights to inventors. Now, in point of fact, when our Constitution was first adopted and our Patent Office was established, there was no interference provision, and it was 80 years later before that took place. In fact, in at least one case patents were granted to more than one inventor. So the issue here I think is not at all well-founded.

This is clearly constitutional. We have submitted and we will make part of the RECORD writings by 20 constitutional law professors—Attorney General Mukasey who has noted this as well. The Constitution grants Congress the authority to award inventors the exclusive rights to their inventions; however, the Constitution leaves to Congress how to settle disputes between two individuals who claim to have invented a certain idea.

Article I, section 8, of the Constitution declares that patent rights are to be granted in order to “promote the progress of science and useful arts.” A first-inventor-to-file system ensures this by awarding patent protections to the first actual inventor to disclose and make productive use of its patent.

Our Nation has adopted different standards for settling these issues in the past. Currently, we have a first-to-invent standard. The reality is that a first-to-invent standard subjects small businesses and individual inventors who have filed for patent protection to surprise and costly litigation in what are called interference actions to determine who invented the idea first. This is a better idea, and this is a constitutional idea.

We can make this process much easier by awarding a patent to the first inventor to make use of his invention by seeking patent protection. This will reward the inventor who is making productive use of his patent and will discourage individuals from sitting idly on their ideas.

Let us make clear—switching to First-Inventor-to-File does not allow a subsequent party to steal an invention. It requires that a subsequent inventor had to have come up with the idea independently and separately.

Switching to a First-Inventor-to-File system fits squarely within the plain meaning of the Constitution and will reward inventors who are working to launch our nation into the next level of innovation and job creation.

Ms. KAPTUR. I yield 1 minute to my distinguished colleague and cosponsor in opposition to this bill, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, our Constitution was designed and written to protect inventors, not filers. The words are very clear. “Inventor” is in the Constitution, “filers” is not in the Constitution. So why are we having this dispute about the constitutionality of this provision which is very clearly in the Constitution?

Are there all sorts of problems that we have people fighting as to who really invented something? No, we don’t have a lot of problems. The reason why we have to change this is to harmonize our law, American patent law, with Europe. There are opponents that stated this over and over again in the early part of this debate, that the purpose was harmonizing American law with the rest of the world. Well, American law has always been stronger; we’ve had the strongest patent protection in the world. So what does harmonize mean? It means weakening our constitutionally protected patent rights.

The purpose of the bill is to weaken a constitutionally protected right that has been in place since the founding of our country. It should be rejected.

Ms. KAPTUR. I would like to inquire as to the remaining time on both sides, please.

The CHAIR. The gentlewoman from Ohio has 2 minutes remaining; the gentleman from Texas has 30 seconds remaining.

Ms. KAPTUR. Mr. Chairman, this bill is unconstitutional. It will stifle American job creation, cripple American innovation. It throws out over 220 years of patent protections for individual inventors and violates the CutGo rules, increasing our deficit by over \$1 billion by 2021.

The proponents claim that the bill is constitutional because it contains the word “inventor” and leaves in place the existing statutory language awarding patents to those who invent or discover. But adding a word to the title of a bill cannot paper over its constitutional flaws. The bill denies a patent to the actual inventor simply because he or she files second, and therefore it is unconstitutional.

Earlier this month, in a decision issued on June 6, the Supreme Court reaffirmed that since 1790, the patent law has operated on the premise that the rights in an invention belong to the inventor. Chief Justice John Marshall explained in 1813 that the Constitution and law, taken together, give to the inventor from the moment of invention an inchoate property therein which is completed by suing out a patent. And in 1829, the Supreme Court held that under the Constitution the right is created by the invention and not by the patent. And a New York district judge stated in 1826 that it is very true that the right to a patent belongs to him who is the first inventor.

If this very flawed bill passes, I guarantee you it is going to be tied up in

litigation for years to come. With the job situation being what it is, with our need for innovation in this economy, the last thing we should do is try to undermine a system that works. More patents are filed in this country than anyplace else in the world. It is dependable. And it is the first right, even before the Bill of Rights, contained in our Constitution.

We should stand for what is in the Constitution and not try to undermine it for any interest that comes before the Members of this Congress.

Mr. Chairman, I yield back the balance of my time and I ask my colleagues to vote against this bill. Support our own Constitution and the very successful record we've had of American innovation.

Mr. SMITH of Texas. I yield myself the balance of my time.

Mr. Chairman, I know my colleagues know a lot about this subject, but I don't think they know more than the Founders themselves. The Founders, including those who wrote the Constitution, operated under a first-to-register patent system starting in 1790. This is a very similar system to the first-inventor-to-file provision in the bill. So if the Founders liked the concept and thought it was constitutional, so should Members of Congress.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. All time for debate on the question of the constitutionality of the bill has expired.

A subsequent period of general debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Chairman, the foresight of the Founders in creating an intellectual property system in the Constitution demonstrates their understanding of how patent rights benefit the American people. Technological innovation from our intellectual property is linked to three-quarters of America's economic growth, and American IP industries account for over one-half of all of our exports. These industries also provide millions of Americans with well-paying jobs.

□ 2000

Our patent laws, which provide a time-limited monopoly to inventors in exchange for their creative talent, helped create this prosperity.

The last major patent reform was nearly 60 years ago. During this time we have seen tremendous technological

advancements, going from computers the size of a closet to the use of wireless technology in the palm of your hand. But we cannot protect the technologies of today with the tools of the past.

The current patent system is outdated and dragged down by frivolous lawsuits and uncertainty regarding patent ownership. Unwarranted lawsuits that typically cost \$5 million to defend prevent legitimate inventors and industrious companies from creating products and generating jobs. And while America's innovators are forced to spend time and resources defending their patents, our competitors are busy developing new products that expand their businesses and their economies.

According to a recent media report, China is expected to surpass the United States for the first time this year as the world's leading patent publisher. The more time we waste on frivolous litigation, the less time we have for innovation.

Another problem with the patent system is the lack of resources available to the PTO. The average wait time for a patent approval is 3 years or more. These are products and innovations that will create jobs and save lives. Inadequately funding the PTO harms inventors and small businesses.

The bill allows the Director to adjust the fee schedule with appropriate congressional oversight and prevents Congress from spending agency funds on unrelated programs. This will enable the PTO to become more efficient and productive, reducing the wait time for patent approval. Patent quality will improve on the front end, which will reduce litigation on the back end.

The patent system envisioned by our Founders focused on granting a patent to the first inventor who registered their invention. This is similar to the first-inventor-to-file provision in H.R. 1249. This improvement makes our system similar to the international standard that other countries use, only it is better. We retain both a 1-year grace period that protects universities and small inventors before they file, as well as the CREATE Act, which ensures collaborative research does not constitute prior art that defeats patentability.

There are some who think this bill hurts small businesses and independent inventors, but they are wrong. It ensures that independent inventors are able to compete with larger companies, both here and abroad. American inventors seeking protection here in the United States will have taken the first step toward protecting their patent rights around the world.

The bill also makes the small business ombudsman at the PTO permanent. That means that small businesses will always have a champion at the PTO looking out for their interests and helping them as they secure patents for

their inventions. This bill protects small businesses and independent inventors by reducing fees for both.

This bill represents a fair compromise and creates a better patent system than exists today for inventors and innovative industries.

Patents are important to the United States and the world. For example, during the War of 1812, American troops burned the Canadian town of York, known today as Toronto. In retaliation, the British marched on Washington in the summer of 1814 to put the capital city to the torch.

Dr. William Thorton, the Superintendent of the Patent Office, delivered an impassioned speech to the British officer commanding 150 Redcoats who were tasked to burn Blodgett's Hotel, where the Patent Office was located. Thorton argued that the patent models stored in the building were valuable to all mankind and could never be replaced. He declared that anyone who destroyed them would be condemned by future generations, as were the Turks who burned the library in Alexandria. The British officer relented and Blodgett's Hotel was spared, making it the only major public building in Washington not burned that day.

American inventors have led the world in innovation and new technologies for centuries, from Benjamin Franklin and Thomas Edison to the Wright Brothers and Henry Ford. But if we want to foster future creativity, we must do more to encourage today's inventors. Now is the time to act.

I urge the House to support the America Invents Act.

Mr. Chairman, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume to oppose H.R. 1249.

I have worked on the patent reform effort since 1997 and am disappointed that here today I am unable to support the bill as it exists. I did vote to report this bill out of our Judiciary Committee, but since that time we have seen two unfortunate things occur that have made this bill simply not viable. The first, and exceedingly important, is the protections for patent fees, so that all the fees would stay in the office, have been removed. The regular appropriations process will allow for fee diversions in the future.

It has been the policy of the House, for example, not to divert fees from the Office. However, fees continue to be diverted. In fact, in the CR approved by the House this year, we diverted between \$85 million and \$100 million in fees from the Patent Office, and that is under the existing prohibition. So that is a major reason why the bill is defective.

I would note also that if we are moving to a first-to-file system, there has to be robust protection for prior user rights, including prior user rights in

the grace period that exists under current law. Sadly, those protections are missing in this bill. The manager's amendment talks about disclosures only. It is a shame that other prior art, such as trade secrets and the like, would not receive the same protection.

So I would urge that the bill, unfortunately, cannot be supported. I intend to oppose it, as well as the manager's amendment.

I yield such time as he may consume to the honorable gentleman from North Carolina (Mr. WATT), the distinguished ranking member of the Intellectual Property Subcommittee.

Mr. WATT. I thank the gentlewoman for yielding time.

As the gentlewoman has indicated, I am the ranking member of the Subcommittee on Intellectual Property of Judiciary, and I too supported reporting the bill favorably to the House floor. The problem is that the bill we may end up debating is not the bill that we reported favorably from the Judiciary Committee, and there are reasons for that. I understand what those reasons are, but if the amendment that is being offered as the manager's amendment passes, it will put us in a position where substantial people who supported the bill will be unable to do so.

Here is the equation. One of the primary purposes for which there was a strong alliance of people and groups and interests supporting patent reform was that in the past fees that have been paid to the Patent and Trademark Office have gone through the appropriations process, and over the last 10 years almost \$800,000 of those fees have been diverted to other purposes, other than the use of the Patent and Trademark Office. The effect of that is that there has been a hidden tax on innovation in our country.

The United States Senate passed a bill that would end that diversion. They passed it by a vote of 85-4. We passed a bill out of our Judiciary Committee that would end that diversion, and all of a sudden we come to the floor and a manager's amendment is being offered that, if it is not defeated, will undermine that unifying thing that has held the groups together and allowed people to support the bill. So I have to be in a position where I am strongly opposing the manager's amendment to this bill.

I don't think the groups out there support it. It is not often that I come to the floor and say I am speaking for the U.S. Chamber of Commerce. The Chamber of Commerce would like for the diversion of fees to stop.

□ 2010

It's not often that I come to the floor and say that I'm speaking, I think, for the United States Senate. They've already passed a bill that would stop the diversion of fees. It's not often that I

come to the floor standing up for the bill that came out of our committee against forces that have taken it over and are putting forward a manager's amendment that we simply cannot support.

Now, I understand how we got here. The appropriators would like to continue to control the process. They said, Well, we are going to object to this, and we will raise a point of order. And they came up with language that professes to solve the problem. The problem is that that raised another point of order because the Congressional Budget Office said, Well, if you do it that way, you are going to put yourself in a situation where we have to score this bill in a different way. So then the leadership on the chairman's side said, Okay, well, we can waive that rule. And I'm saying, Well, if you can waive the rule, you are the people who have been so much worried about the deficit, if you can waive the rule that gets around worrying about the deficit, why couldn't you waive the rule that allows us to take up the bill that we passed out of committee?

So I need to be addressing my Republican colleagues here. If they want to start this process over, the way to start the process over is to vote against the manager's amendment. That's the simple way to do it. At that point we can get back, hopefully, to a bill that does clearly not divert fees and that the whole population of supporters has said we would support.

That's where I am, Mr. Chairman. I don't want to belabor this. I don't want to take away time from other people who want to speak. But it's not the bill itself that came out of committee that's the problem. If we pass the manager's amendment, we've got a problem here. We could tinker around the edges of the bill that came out of the committee, and we could solve the minor concerns that we've got there. But there's no way to tinker around the edges of this diversion issue. Either you support diversion of money, or you don't support diversion of money.

I think it's time for us to stop this hidden tax that we have imposed on innovation in this country. The only way to do that is to defeat the manager's amendment.

Mr. SMITH of Texas. Madam Chair, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE), the chairman of the Courts, Commercial, and Administrative Law Enforcement Subcommittee of the Judiciary Committee.

Mr. COBLE. I thank the gentleman from Texas. And I say to my friend from North Carolina, it was my belief that diversion had ended. But let me make my statement, and maybe we can get to this subsequently.

A robust patent system, Madam Chairman, is critical to a strong, developed economy. And H.R. 1249, in my

opinion, serves that goal by ending diversion of user fees to other agencies. Ending diversion is essential to a robust and strong patent system, it seems to me. This is not a new concept. It's been a controversial issue for many years; but we're at a point where if something isn't done, the office is going to be overwhelmed.

When someone asks why I support patent reform, I respond, The answer is simple, two words: backlog and pendency. The number of pending applications, I am told, is around 700,000, and the average time for an application to be reviewed is 30 months. This is unacceptable. The number of pending claims should be approximately 300,000 and the pendency time period should be approximately 20 months, or 10 months less than what it is now. Patents provide innovative and economic incentives for creators. If our patent system loses its efficacy, those incentives will become diluted. The dilution begins very simply when inventors decide to find other forms of protection for their ideas or begin marketing their ideas independently to avoid the cost and sometimes hassle of filing for patent protection.

Reducing the backlog and pendency rate depends on the office's ability to improve the performance of examiners and to provide additional examiners. Enacting H.R. 1249, in my opinion, Mr. Chairman, and ending diversion will provide that needed certainty for the office to begin making the changes to meet these goals.

I urge Members to vote in favor of the bill.

Ms. ZOE LOFGREN of California. Madam Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentlelady for yielding to me. I will place in the RECORD dozens and dozens of organizations that oppose this bill. They oppose the manager's amendment. And what is amazing about these groups is they range the vast ideological spectrum from liberal to conservative to moderate. And they all represent people—thousands and thousands of people—such as the American Bar Association, the Eagle Forum, the American Civil Rights Union, the Christian Coalition, the Family Research Council Action, Friends of the Earth, National Association of Realtors, Innovation Alliance. If one looks across this list, they have deep concerns about this bill and oppose it.

The following groups oppose H.R. 1249 or specific provisions of it or the Manager's Amendment: U.S. Business and Industry Council; National Association of Realtors; Innovation Alliance, American Bar Association; American Medical Association; ACLU; Breast Cancer Action; US-Israel Science & Technology Foundation (Sections 3 and 5); Public Citizen (Section 16); American Association for Justice (Section 16); Joan Claybrook, President Emeritus, Public Citizen; National Consumers League; Trading

Technologies; Patent Office Professional Association (POPA); Generic Pharmaceutical Association (Section 12); Eagle Forum; Intellectual Ventures (Section 18); Data Treasury (Section 18).

Angel Venture Forum; BlueTree Allied Angels; Huntsville Angel Network; Private Investors in Entrepreneurial Endeavors; Institute of Electrical and Electronic Engineers (IEEE-USA); Wisconsin Alumni Research Foundation; Brigham Young University; University of Kentucky; Hispanic Leadership Fund; American Innovators for Patent Reform; National Association of Patent Practitioners (NAPP); National Small Business Association; IPAdvocate.org; National Association of Seed & Venture Funds; National Congress of Inventor Organizations; Inventors Network of the Capital Area; Professional Inventors Alliance USA; Public Patent Foundation; Edwin Meese, III, Former Attorney General of the United States; Let Freedom Ring.

American Conservative Union; Southern Baptist Ethics and Religious Liberty Convention; 60 Plus; Tradition, Family, Property; Gun Owners of America; Council for America; American Civil Rights Union; Christian Coalition; Patriotic Veterans, Inc.; Center for Security Policy; Family PAC Federal; Liberty Central; Americans for Sovereignty; Association of Christian Schools International; Conservative Inclusion Coalition; Oregon Health & Science University; North Dakota State University; South Dakota University; University of Akron Research Foundation; University of New Hampshire.

University of New Mexico; University of Utah; University of Wyoming; Utah Valley University; Weber State University; WeReadTheConstitution.com; Family Research Council Action; Friends of the Earth; National Women's Health Network; Our Bodies Ourselves; Center for Genetics and Society; International Center for Technology Assessment; Southern Baptist Ethics & Religious Liberty Commission; United Methodist Church—General Board of Church and Society; American Society for Clinical Pathology; American Society for Investigational Pathology; Association for Molecular Pathology; College of American Pathologists; Association of Pathology Chairs.

Mr. SMITH of Texas. Madam Chair, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE), who is the chairman of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman for yielding and for his leadership on this issue, and I rise in strong support of H.R. 1249.

For the better part of the past decade, Congress has been working to update our patent laws to ensure that the incentives our Framers envisioned when they wrote article I, section 8, of our Constitution remain meaningful and effective. The U.S. patent system must work efficiently if America is to remain the world leader in innovation. It is only right that as more and more inventions with increasing complexity emerge, we examine our Nation's patent laws to ensure that they still work efficiently and that they still encourage and not discourage innovation.

The core principles that have guided our efforts have been to ensure that

quality patents are issued by the PTO in the first place and to ensure that our patent enforcement laws and procedures do not create incentives for opportunists with invalid claims to exploit while maintaining strong laws that allow legitimate patent owners to enforce their patents effectively. H.R. 1249 addresses these principles.

With regard to ensuring the issuance of quality patents, this legislation allows third parties to submit evidence of prior art during the examination process, which will help ensure examiners have the full record before them when making decisions. In addition, after the PTO issues a patent, this legislation creates a new post-grant opposition system in which third parties can raise objections to a patent immediately after its issuance, which will both help screen out bad patents while bolstering valid ones.

□ 2020

Furthermore, the bill contains a provision on fee diversion where any fees that are collected but not appropriated to the PTO will be placed in a special fund to be used only by the PTO for operations. This solves the fee diversion issue, and it assures that the problem that we have had in the past will not take place in the future; but at the same time it also assures that the Congress will continue its oversight authority because the Patent Office will have to come to the Congress, to the Appropriations Committee, to justify those expenditures. They can't be spent on anything else, but they have to be justified to the Congress before the funds are appropriated. These funds will still be subject to appropriation but will be set aside to only fund the PTO. With a backlog of almost a million patent applications and many waiting 3 years to get an initial action on their patent applications, this agreement could not come at a more crucial time. We have been trying for 10 years, by the way, and this is the closest we have ever come.

In addition to these patent quality improvements, H.R. 1249 also includes provisions to ensure that patent litigation benefits those with valid claims but not those opportunists who seek to abuse the litigation process. Many innovative companies, including those in the technology and other sectors, have been forced to defend against patent infringement lawsuits of questionable legitimacy. When such a defendant company truly believes that the patent being asserted is invalid, it is important for it to have an avenue to request the PTO to take another look at the patent in order to better inform the district court of the patent's validity. This legislation retains an inter partes re-exam process, which allows innovators to challenge the validity of a patent when they are sued for patent infringement.

In addition, the bill allows the Patent and Trademark Office to reexamine some of the most questionable business method patents, which opportunists have used for years to extort money from legitimate businesses. By allowing the PTO to take another look at these patents, we help ensure that invalid patents will not be used by aggressive trial lawyers to game the system.

The bill also ensures that abusive false markings litigation is put to an end. Current law allows private individuals to sue companies on behalf of the government to recover statutory damages in false markings cases. After a court decision 2 years ago that liberalized the false markings damages awards, a cottage industry has sprung up, and false markings claims have risen exponentially. H.R. 1249 maintains the government's ability to bring these actions but limits private lawsuits to those who have actually suffered competitive harm. This will discourage opportunistic lawyers from pursuing these cases.

The bill also restricts joinder rules for patent litigation. Specifically, it restricts joinder of defendants to cases arising out of the same facts and transactions, which ends the abusive practice of treating as codefendants parties who make completely different products and have no relation to each other.

Furthermore, the bill addresses the problem of tax strategy patents. Unbelievably, tax strategy patents grant monopolies on particular ways that individual taxpayers can comply with the Tax Code.

The Acting CHAIR (Ms. Foxx). The time of the gentleman has expired.

Mr. SMITH of Texas. I yield the gentleman an additional 30 seconds.

Mr. GOODLATTE. Over 140 tax strategy patents have already been issued, and more applications are pending. Tax strategy patents have the potential to affect tens of millions of everyday taxpayers, many who do not even realize that these patents exist. The Tax Code is already complicated enough without also expecting taxpayers and their advisers to become ongoing experts in patent law.

Scores, hundreds of organizations in fact, support these reforms. It is important that this House supports the manager's amendment; and by the way, the United States Chamber of Commerce supports the manager's amendment and the bill.

That is why I worked to include in H.R. 1249 a provision to ban tax strategy patents. H.R. 1249 contains such a provision which deems tax strategies insufficient to differentiate a claimed invention from the prior art. This will help ensure that no more tax strategy patents are granted by the PTO.

Importantly, the House worked hard to find a compromise that will ensure

Americans have equal access to the best methods of complying with the Tax Code while also preserving the ability of U.S. technology companies to develop innovative tax preparation and financial management software solutions. I believe the language in H.R. 1249 strikes the right balance.

By giving the necessary tools to the Patent Office to issue strong patents and by enacting litigation reforms, we will help to inject certainty about the patents that emerge from this process—patents rights that are more certain to attract more investment capital. This will allow independent inventors, as well as small, medium and large-sized enterprises to grow our economy and create jobs.

Ms. ZOE LOFGREN of California. Madam Chair, may I inquire as to how much time remains?

The Acting CHAIR. The gentlewoman from California has 20 minutes remaining, and the gentleman from Texas has 17½ minutes remaining.

Ms. ZOE LOFGREN of California. At this point, I would be honored to yield 3 minutes to the gentlelady from Texas, a member of the Judiciary Committee, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the distinguished Member from California.

To my colleagues on the floor, this has to be, could have been or hopefully can be one of the greatest opportunities for bipartisanship that we have seen in any number of years. That was the process that was proceeded under on the Judiciary Committee, though obviously there are always disagreements; but the whole idea of our debate and the support of the present underlying legislation without the manager's amendment was to, in fact, create jobs.

In the committee, a number of my amendments were accepted, but in particular, the focus of converting from a first-inventor-to-use system to a first-inventor-to-file was thought to promote the progress of science by securing for a limited time to inventors the exclusive right for their discoveries and to provide inventors with greater certainty regarding the scope of protections granted by these exclusive rights.

Further, this new system was to be, or should be, able to harmonize the United States patent registration system with similar systems used by nearly all other countries with whom the United States conducts trade. This was to shine the light and open the door on American genius.

In addition, so many of us have waited so long to be able to give the resources to the PTO in order for it to do its job. We were aghast in hearings to hear that there is a 7,000-application backlog, so I rise as well to express enormous concern with the manager's amendment, which, as the PTO direc-

tor has indicated, Dave Kappos, every time we do not process a PTO, or a patent, for some genius here in the United States, for some hardworking inventor, every patent that sits on the shelf at the PTO office is taking away an American job, and that job is not being created. As well, it is denying a product from going to the market, and it is someone's life that is not being saved, and our country ceases to grow.

We need jobs in this country. We need a Patent Office that is going to expedite and move forward. We don't need discussions about lawyers fighting lawyers or trial lawyers. This is not a case of anti-lawyer legislation. We hope that some of the small businesses and large companies have their lawyers fighting to preserve and protect their patents. This bill will give them the opportunity to have that protection, but I am disappointed that all of a sudden the manager's amendment changed around and took an enormous amount of those fees and invested them elsewhere instead of helping our small businesses. I am also disappointed that we don't recognize that a bill that helps big businesses can help small businesses as well, so I had offered an amendment that would extend the grace period while the small business is working to fund its patent.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. ZOE LOFGREN of California. I yield the gentlewoman an additional 15 seconds.

Ms. JACKSON LEE of Texas. The period is now a year—I'd indicated 18 months—because small businesses have to reach to others to help fund their inventions, and they let their secrets out of the bag. Eighteen months protects their disclosures for a period of time for them to be able to move forward.

Lastly, I had a sunset provision that would help small businesses as well as relates to the sunset of the business method patents review.

This could be a good bill. I hope that we can correct it, and I ask my colleagues to consider correcting this bill.

Madam Chair, I rise in support of H.R. 1249, "America Invents Act." However I am concerned over the drastic fee charges that were made in the new Manager's Amendment completely contrary to our agreement in the House Judiciary markup—it takes enormous amounts of money from the work of the PTO. As a Senior member of the Judiciary Committee and a member of the Subcommittee on Intellectual Property, Competition and the Internet, I am proud to support this legislation because in many ways the current patent system is flawed, outdated, and in need of modernization.

The Judiciary Committee labored long and hard to produce legislation that reforms the American patent system so that it continues to foster innovation and be the jet fuel of the American economy and remains the envy of the world. This legislation incorporates amendments that I offered during the full committee

markup as it recognizes the importance of converting from a first-inventor-to-use system to a first-inventor-to-file will promote the progress of science by securing for a limited time to inventors the exclusive rights to their discoveries and provide inventors with greater certainty regarding the scope of protections granted by these exclusive rights. Further, this new system will harmonize the United States patent registration system with similar systems used by nearly all other countries with whom the United States conducts trade. This legislation will continue to ensure that the United States is at the helm of innovation.

Our Nation's Founders recognized the integral role the patent system would play in the growth of our nation. Within our Constitution, they explicitly granted Congress with the power to issue patents. The Founders were supporting a fundamental part of the American dream which is to live in a free land where ideas can be shared thereby leading to the individual ingenuity, invention, and innovation.

Madam Chair, Article I, Section 8, clause 8 of the Constitution confers upon the Congress the power:

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

In order to fulfill the Constitution's mandate, we must examine the patent system periodically. The legislation before us represents the first comprehensive review of the patent system in more than a generation. It is right and good and necessary that the Congress now reexamine the patent system to determine whether there may be flaws in its operation that may hamper innovation, including the problems described as decreased patent quality, prevalence of subjective elements in patent practice, patent abuse, and lack of meaningful alternatives to the patent litigation process.

On the other hand, we must always be mindful of the importance of ensuring that small companies have the same opportunities to innovate and have their inventions patented and that the laws will continue to protect their valuable intellectual property.

The role of venture capital is very important in the patent debate, as is preserving the collaboration that now occurs between small firms and universities. We must ensure that whatever improvements we make to the patent laws are not done so at the expense of innovators and to innovation. The legislation before us, while not perfect, does a surprisingly good job at striking the right balance.

From small towns to big cities, our country is filled with talent and genius. As it stands, the United States has four times as many patent applications filed here per year than in Europe. The United States Patent and Trademark office must have the tools to meet this demand. Failing to change the patent system as we know it will deny the men and women from around our nation fair and equal access to a streamlined and effective patent system.

The current system has a backlog of hundreds of thousands of patents, nearly 700,000 applications are waiting to be reviewed. The USPTO is currently reviewing applications from 2007/2008, and using the fees received from the most recent patent applications to do

so due to limitations in the current system under which the USPTO is funded. This has caused inventors and business creators to wait on average three years prior to receiving a determination on whether or not their patents are valid.

Without that determination it is nearly impossible for a small business to receive the necessary venture capital. That's a three-year waiting period for struggling small businesses; this is a three-year gap filled with financial uncertainty which leads to a three-year delay in job creation. Only 4 out of ten applications, or 42 percent, of patent applications are approved. It is vital to have approval prior to attaining financing because there is a 58 percent chance that a patent will not be approved. Given our current economic environment, a three year backlog is too long for any individual to wait to build a business which will create new jobs, especially at a time when jobs are sorely needed by many right now. Patent reform is the key to economic change that could lead to untapped job growth.

Since the creation of the USPTO in 1790 it has issued 7,752,677 patents and many of those patents have resulted in the creation of new jobs. In 2010, 121,179 patents granted by the USPTO originated in the United States of those granted 8,027 went to applicants in Texas. Imagine how many jobs could be created if there were not a 700,000 patent application backlog.

Our current system is outdated and the backlog makes it evident that our system is in serious need of change. Patent reform must reflect the major advances in our society over the last 50 years. Since the last major patent reform how we live has been transformed by a variety of inventions such as the home computer, ATM, video games, cellular phones and mobile devices, and life saving technologies like the artificial heart, all of which have been invented since any major reform of our patent system.

Madam Chair, patent reform is a complex issue but one thing is clear the innovation ecosystem we create and sustain today will produce tomorrow's technological breakthroughs. That ecosystem is comprised of many different operating models. It is for that reason that we evaluated competing patent reform proposals thoroughly to ensure that sweeping changes in one part of the system do not result in unintended consequences to other important parts.

Let me discuss briefly some of the more significant features of this legislation, which I will urge all members to support. H.R. 1249 converts the U.S. patent system from a first-to-invent system to a first inventor-to-file system. The U.S. is alone in granting priority to the first inventor as opposed to the first inventor to file a patent. H.R. 1249 will inject needed clarity and certainty into the system. While cognizant of the enormity of the change that a "first inventor-to-file" system may have on many small inventors and universities, a study regarding first-to-file will be conducted by the Small Business Administration and the United States Patent Office to identify any negative impact this change may have on these inventors.

Furthermore, H.R. 1249 adjusts the fee structure which funds the USPTO, giving them

greater control over the fees they collect for patent services and enabling the USPTO to improve its efficiency and review more patents at a greater speed. Currently, the USPTO is funded solely by the fees it receives from its users. However, not all the fees collected are available for use by the USPTO because Congress appropriates a specific amount, and any fees above the appropriated amount are used for other non-USPTO purposes. Under H.R. 1249, the USPTO will have greater control over the use of the fees it receives, giving them greater flexibility to make necessary improvements to the patent system.

SMALL BUSINESS FACTS

Several studies, including those by the National Academy of Sciences and the Federal Trade Commission, recommended reform of the patent system to address what they thought were deficiencies in how patents are currently issued.

The U.S. Department of Commerce defines small businesses as businesses which employ less than 500 employees. According to the Department of Commerce in 2006 there were 6 million small employers representing around 99.7% of the nation's employers and 50.2% of its private-sector employment. In 2002 the percentage of women who owned their business was 28% while black owned was around 5%. Between 2007 and 2008 the percent change for black females who were self employed went down 2.5% while the number for men went down 1.5%.

There were 386,422 small employers in Texas in 2006, accounting for 98.7% of the state's employers and 46.8% of its private-sector employment. Since small businesses make up such a large portion of our employer network, it is important to understand how they will be impacted as a result of patent reform.

In 2009, there were about 468,000 small women-owned small businesses compared to over 1 million owned by men

The number of small employers in Texas was 386,422 in 2006, accounting for 98.7% of the state's employers and 46.8% of its private-sector employment, 88,000 small business owners are black, 77,000 are Asian, 319,000 are Hispanic, 16,000 are Native Americans.

SMALL BUSINESSES AND JOB CREATION

Small Businesses:

Represent 99.7 percent of all employer firms.

Employ just over half of all private sector employees.

Generated 64 percent of net new jobs over the past 15 years.

Create more than half of the nonfarm private gross domestic product (GDP).

Hire 40 percent of high tech workers (such as scientists, engineers, and computer programmers).

Made up 97.3 percent of all identified exporters and produced 30.2 percent of the known export value in FY 2007.

Produce 13 times more patents per employee than large patenting firms; these patents are twice as likely as large firm patents to be among the one percent most cited.

Creativity and technological change are the engines for our economic growth. In our current economic climate, patents spur innovation and lay the foundation for future growth, by

assuring inventors that they will receive the rewards for their effort. I urge all members to join me in supporting passage of this landmark legislation.

Mr. SMITH of Texas. Madam Chair, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), who is the senior member of the Constitution Subcommittee and a senior member of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. CHABOT. I first want to thank Chairman SMITH and Chairman GOODLATTE for their leadership in getting us to the point that we are on this important legislation here this evening.

Section 8, clause 8 of the Constitution states that the Congress shall have power to "promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." The Constitution clearly grants Congress the authority to grant patent rights to inventors, and it defers to the discretion of Congress how best to procedurally award these rights to the inventor.

I rise in support of H.R. 1249, the America Invents Act. The first-inventor-to-file provision shifts us to a system used by all other modern, industrial nations. This system would end the need for expensive discovery and litigation over priority dates and would put an end to expensive interference proceedings that small entities overwhelmingly lose.

This provision also ensures that inventors can establish priority dates by filing simple and inexpensive provisional applications. This is a much needed change, which former U.S. Attorney General Michael Mukasey indicated would be both constitutional and wise. Congress has the right, in fact the duty, to protect those who invent or discover.

□ 2030

Through in-depth studies conducted by former U.S. PTO commissioners, the first-to-file system has been found to be faster and cheaper in resolving disputes among inventors. The current system creates an environment for exorbitantly expensive litigation. It has also become cost prohibitive for small businesses and independent inventors to fight the claims filed by larger corporations which can cost over half a million dollars just to litigate.

In the past 7 years, only one independent inventor out of 3 million patent applications filed has successfully proved an earlier date of invention over the inventor who filed first. However, with the new first-inventor-to-file system, a bold timeline of filing dates will allow these small businesses and independent inventors to more easily defend and settle their disputes over the rightful patent holder.

Lastly, the Supreme Court has never held that first-to-file is an unconstitutional procedure. We are now simply

returning to the system that our Founders originally established. It is a commonsense procedure that will spur more rapid innovation, yield new jobs, and stimulate the economy; and I think as we all know if we ever needed to get this economy moving and get America back to work, we're in that time right now.

Ms. ZOE LOFGREN of California. I yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Madam Chair, in my office there are two photographs, one with me and Edwards Deming and the other of Dr. Ray Damadian, who is the inventor of the MRI. Dr. Damadian visited our office, and I said, What's wrong with this bill? He said, Everything. He said, If this bill were law when I invented the MRI, today we would not have the MRI.

There are a lot of problems with this bill. This is my fourth patent fight with my esteemed colleague from Texas, but we do agree on most issues; but now we have two persons who simply disagree on policy.

Back in 2004 when I chaired the Small Business Committee, I was instrumental in putting in a fixed-fee structure for small businesses; and to do that, I had stricken from the bill the authority of the PTO Director to set fees. This new bill gives to the PTO Director the ability to set fees, even though the initial filing fees for small businesses have been lowered. The problem is that the PTO can come in and simply raise fees to so-call "manage their operations."

In fact, two reports, "The 21st Century Strategic Plan" filed in June of 2002 by the U.S. PTO, said fees were based upon a highly progressive system aimed at strictly limiting applications containing very high numbers of claims and also the same thing in 2007. Their idea of decreasing claims in the patent office is to raise fees. Obviously, who's that going to hurt? It's going to be the little guy, and that's why it's one of many reasons I oppose this bill. But we should not delegate the authority that Congress has to set fees in one of the few constitutional functions that we have in this body over to somebody who has already stated that he's going to raise fees.

You raise fees, guess who gets hurt—the future Ray Damadian, the little inventor, the people who invent things in this country, the true creators of jobs.

Madam Chair, I rise in strong opposition to this anti-innovation bill. I believe this bill will stifle job creation and is unconstitutional.

Over the past 40 years, the value of corporations has shifted from tangible assets, such as real estate and machinery, to intellectual property. During this same time period, the primary source of all net new job creation has come from start-up small companies.

However, since the first major change to our patent system in 1994 that altered the length of the patent from 17 years from award to 20

years from filing, the number of patent awards from start-ups and small, individual inventors has dropped dramatically. Patents awarded to start-up firms decreased from 30 percent of all awards in 1993 to 18 percent in 2009. Patents awarded to small inventors dropped from 12 percent in 1993 to 5 percent in 2009.

Why? America has slowly shifted towards a European-style patent system, which gives more opportunities to challenge a patent, resulting in delays in receiving approval for granting a patent, thus shortening the length of the exclusive use of the patent. Now, the average wait is three years. This bill would finalize the shift towards a European-style patent system through changing from a "first-to-invent" to "first-to-file" system; establishing a new set of "prior use" rights; and adopting a third European-style "post-grant" challenge.

This bill would prompt a litigation boom, primarily inside the administrative review processes at the U.S. Patent and Trademark Office. In Europe, five percent of patents are challenged. In the United States, only 1.5 percent of patents are challenged in court, contrary to the misinformation from the other side of this debate that there is a litigation boom in patent cases. Japan dropped post-grant review in 2004 because it consumed 20 percent of their patent office resources. Canada saw a one-third increase in patent applications and clogged up its system when it shifted to "first-to-file." Commenting on similar legislation in 2007, a former senior judge and Deputy Director of the IP Division of the Beijing High People's Court said the bill "will weaken the right of patentees greatly, increase their burden, and reduce the remedies for infringement . . . the bill favors infringers and burdens patentees . . . It is not bad news for developing countries which have lower technological development and relatively fewer patents." That is why entrepreneurial organizations such as the National Small Business Association (NSBA) and the Angel Venture Forum oppose H.R. 1249.

Second, I believe the bill is unconstitutional on several grounds. First, H.R. 1249 shifts from a "first-to-invent" system to "first-to-file." However, Article 1, Section 8 states that the Congress shall have power "to promote the progress of science . . . by securing for limited times to . . . inventors the exclusive rights to their respective . . . discoveries."

The First Congress included 23 of the 55 delegates to the Constitutional Convention. Three other delegates served in the Executive Branch, including President George Washington. When examining the 1790 Patent Act, we know the intent of the Founding Fathers in patent law—the legislation clearly states that the patent goes to the "first and true" inventor.

This was recently reaffirmed in a June 6, 2011, Supreme Court decision written by Chief Justice John Roberts in *Stanford v. Roche*, in which he said that "(s)ince 1790, the patent law has operated on the premise that rights in an invention belong to the inventor . . . Although much in intellectual property has changed in the 220 years since the first Patent Act, the basic idea that inventors have the right to patent their inventions has not."

In addition, two constitutional scholars specializing in patent law ranging the political spectrum agree that moving to a first to file

system is unconstitutional. Jonathan Massey, former law clerk to Supreme Court Justice William Brennan and who represented former Vice President Al Gore in *Bush v. Gore* said, "Our nation's founders understood that technological progress depends on securing patent rights to genuine inventors, to enable them to profit from their talents, investment, and effort . . . If the bill's provisions had been law in the 20th Century, the Wright Brothers would have been denied a patent for the airplane."

Adam Mossoff, Professor of Law at George Mason University and Chairman of the Intellectual Property Committee of the conservative Federalist Society said, "In shifting from a first-to-invent to a first-to-file system, the America Invents Act contradicts both the text and the historical understanding of the Copyright and Patent Clause in the Constitution." But more importantly, of the only nine peer-reviewed law journal articles on the subject of patent reform, all have concluded that adopting a "first-to-file" system is unconstitutional. So, if this bill becomes law, it will be tied up in litigation, further delaying innovation, until the Supreme Court rules on its constitutionality.

Section 18 of H.R. 1249 also creates a special class of patents in the financial services sector subject to their own distinctive post-grant administrative review and would apply retroactively to already existing patents. Governmental abrogation of patent rights represents a "taking" of property and therefore triggers Fifth Amendment obligations to pay "just compensation." Section 18 would shift the cost of patent infringement from financial services firms to the U.S. Treasury. Finally, the "prior use" provision in H.R. 1249 violates the "exclusive" use provision guaranteed to inventors under the Constitution.

Thus, because this bill will hurt jobs and is unconstitutional, I urge my colleagues to oppose the bill. The manager's amendment does not fix any of the problems with the bill; in fact, it further compounds the problems with the bill. The first step to fixing our patent system is to fix the PTO. This manager's amendment would still allow patent fee diversion to take despite promises made in recent days. Permitting the PTO to retain its fees will allow the agency to hire more examiners and modernize its information technology infrastructure to reduce the massive backlog of pending patent applications. That's real patent reform; not this bill.

Mr. SMITH of Texas. Madam Chair, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS) for purposes of a colloquy.

Mr. BASS of New Hampshire. I thank the chairman.

I want to discuss some important legislative history of a critical piece of this bill, in particular, sections 102(a) and (b) and how those two sections will work together. I think we can agree that it is important that we set down a definitive legislative history of those sections to ensure clarity in our meaning.

Mr. SMITH of Texas. I want to respond to the gentleman from New Hampshire and say that one key issue for clarification is the interplay between actions under section 102(a) and

actions under section 102(b). We intend for there to be an identity between 102(a) and 102(b). If an inventor's action is such that it triggers one of the bars under 102(a), then it inherently triggers the grace period subsection 102(b).

Mr. BASS of New Hampshire. I believe that the chairman is correct. The legislation intends parallelism between the treatment of an inventor's actions under 102(a) and 102(b). In this way, small inventors and others will not accidentally stumble into a bar by their pre-filing actions. Such inventors will still have to be diligent and file within the grace period if they trigger 102(a); but if an inventor triggers 102(a) with respect to an invention, then he or she has inherently also triggered the grace period under 102(b).

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Texas. I yield myself 30 seconds.

Madam Chair, contrary to current precedent, in order to trigger the bar in the new 102(a) in our legislation, an action must make the patented subject matter "available to the public" before the effective filing date. Additionally, subsection 102(b)(1)(B) is designed to make a very strong grace period for inventors that have made a disclosure that satisfies 102(b). Inventors who have made such disclosures are protected during the grace period not only from their own disclosure but from other prior art from anyone that follows their disclosure. This is an important protection we offer in our bill.

Ms. ZOE LOFGREN of California. Madam Chairwoman, I yield 2 minutes to my colleague from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Thank you very much, and I hope everyone is paying attention to what this is all about tonight.

First of all, we have DAN LUNGREN, one of our Members who is a former Attorney General of California, along with JIM SENSENBRENNER and JOHN CONYERS both the former chairmen of the Judiciary Committees, all of them adamant that this bill is unconstitutional. And now we have a discussion and we have a lot of people talking about backlogs and what's wrong with the efficiency of the patent system or the patent office as if that's what this is all about.

It is not what this is all about. This, again, has been designed, this is a patent fight that's been going on 20 years. Basically, you have some very large multinational corporations who are trying to harmonize American patent law with the rest of the world, even though American patent law has been stronger than the rest of the world throughout our Republic's history. You weaken the patent protection of the American people; you are weakening their constitutional protections in the name of harmonizing it with Europe. Is

that what we want to do? I don't think so. That will have dramatic impact on our country.

Hoover Institution, one of the most highly respected think-tanks in the United States, had four of their scholars go after this bill; and here's three of the points they've made, through the many points, that said thumbs down on this America Invents Act. It is better called the patent rip-off bill. Here's what Hoover Institution said: the America Invents Act will protect large, entrenched companies at the expense of market challenging competitors. Read that: overseas multinational corporations. They also said, The bill wreaks havoc on property rights, and predictable property rights are essential for economic growth.

This bill is a job killer, and the jobs that will be killed are in the United States of America, not the multinational corporation.

The Acting CHAIR. The time of the gentleman has expired.

Ms. ZOE LOFGREN of California. I yield the gentleman an additional 30 seconds.

Mr. ROHRABACHER. These multinational corporations, they're creating jobs overseas. They don't care if the jobs are lost here. The America Invents Act—here's Hoover Institution again—the America Invents Act would inject massive uncertainty into the patent system.

We have had the strongest patent system in the world, and it has yielded us prosperity and security as a people. We do not need to change the fundamentals of this system and to harmonize with weaker systems throughout the world.

I call for the people to vote against this patent rip-off bill.

Mr. SMITH of Texas. Madam Chair, I yield 2 minutes to the gentleman from Arizona (Mr. QUAYLE), who is also the vice chairman of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. QUAYLE. I thank the gentleman for yielding.

Madam Chair, I rise in support of H.R. 1249, and one of the reasons I do is because it encourages innovation and entrepreneurship by reducing costly litigation within our patent system. Innovation is the key to America's immediate and future economic growth; and right now, many American innovators are being held back by an onerous and backlogged patent system. In order to unleash their job-creating potential, we must reform this system which hasn't been reformed in almost 60 years.

□ 2040

One way this bill tackles patent reform is by creating a business method patent pilot program in which administrative patent judges will review the validity of these patents if a challenger

presents evidence showing that a patent is more likely than not invalid.

Business method patents were not patentable until the late 1990s and have resulted in frivolous lawsuits which have cost between \$5 million to \$10 million per patent.

These types of patents cover a "method of doing or conducting business" which includes printing ads at the bottom of a billing statement, ordering something online but picking it up in person, tax strategies, or getting a text when your credit card gets swiped.

The tort abuse created by these patents has become legendary. Section 18 of this bill has broad bipartisan support in the Senate and is an alternative to costly litigation that will save 90 percent of the costs incurred in civil litigation.

I support Chairman SMITH's work in creating a less costly, more efficient alternative to this abusive litigation and oppose any effort to strike section 18. As part of the Republican Conference's overall effort to spur job creation and economic growth, I urge passage of this important legislation.

Ms. ZOE LOFGREN of California. Madam Chairman, I yield myself such time as I may consume.

I want to talk a little bit about the manager's amendment under this general debate time because there is a very constrained amount of time for that discussion.

I want to touch on two things in particular. First is the fee issue. I know that there's been discussion that somehow the fees won't be diverted under the manager's amendment, and I just think that is not a credible argument.

I remember back in the year 2000 when we were promised that the fees would not be diverted by the appropriators, but then subsequent to that, there was diversion. And the truth is that so long as this is part of the appropriations process, the fees can, and I predict will be, diverted just as they were diverted during the adoption of the CR this year. The PTO estimates an \$85 million to \$100 million diversion of fees in the CR that was adopted earlier this year. That conceptually is really just a special tax on innovators. If you raise the fees and you divert it for general purposes, that's just a special tax on inventors, and I just think it's wrong and I cannot support it.

I want to talk also, my colleague, Mr. WATT, said that other than the fee bill, we could resolve the issues, and I think we could have but we're not. There are two issues that I want to address and they are really closely related, and they're complicated but they're important.

Under our laws, an idea must be new, useful, and nonobvious in order to receive patent protection, and this is evaluated in comparison to what's known as prior art. That's the state of

knowledge that exists prior to an invention. If an idea already exists in the prior art, you can't get a patent. Under current law, a variety of different things create prior art, such as descriptions of an idea in previous patents, printed publications, as well as public uses or sales. But current law has what's known as the grace period, which provides 1 year for an inventor to file a patent application after certain activities that would otherwise create patent-defeating prior art.

So, for example, if an inventor published an article announcing a new invention, he or she would have a year under this grace period to file a patent application for it, and this is a very important provision of patent law. It's pretty unique, actually, to the United States. The PTO director, David Kappos, referred to this grace period as "the gold standard of best practices."

As we move into the first-to-file system as is proposed in this bill, it is absolutely essential that the revised grace period extend to everything that is prior art under today's rules. Unfortunately, that is not the case in the manager's amendment. The grace period would protect, and this is a direct quote, "only disclosures." Well, what would that not protect? Trade secrets. Offers for sale that are not public. You could have entrepreneurs who start an invention and start a small business who won't be able to get a patent for their invention under the grace period, and entrepreneurs might then be forced to delay bringing their products to market, which would slow growth. This needs to be addressed, not in a colloquy but in language, and we agreed in the committee when we stripped out language that didn't fix this that we would fix the 102(a) and (b) problem in legislation. There was a colloquy on the Senate floor similar to one that has just taken place, but we know that the language of the bill needs to reflect the intent. Judges look to the statute first and foremost to determine its meaning, and the legislative history is not always included.

So the ambiguity that's in the measure is troublesome. And although we prepared an amendment to delineate it, it has not been put in order, and, therefore, this remedy cannot be brought forth, and small inventors and even big ones may have a problem.

We now have our iPads on the floor, and while I was sitting here, I got an email from the general counsel of a technology company. I won't read the whole thing, but here is what this general counsel said:

"The prior use rights clause as written will be a direct giveaway to foreign competitors, especially those from countries where trade secret test is rampant."

What we're saying to American companies is that if you have a trade secret that you want to protect under the

grace period prior art rules, you're out of luck. You are quite potentially out of luck. You'll either have to disclose that trade secret, and we know that there are serious concerns in doing that. We don't want to get into maligning countries around the world, but there are some that do not have the respect for intellectual property that we have. Or else we will say to that inventor or company that you can't use your own invention that you have devised without being held up for licensing fees with somebody who got to the office before you did.

This is a big problem that is not resolved. Even if the manager's amendment is defeated, this problem will remain in the bill. It is an impediment to innovation and an impediment to making first-to-file work. If we're going to have first-to-file, and I can accept that, it must have robust, broad, rigorous protection under the grace period with a broad definition of a prior art that is protected. That is just deficient in this bill.

This is, I know, down in the weeds. It's a little bit nerdy. We've spent many years talking about this in the Judiciary Committee. I'm just so regretful that this bill after so many years has gone sideways in the last 2 days and is something that we cannot embrace and celebrate.

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I yield 2 minutes to the gentleman from Arkansas (Mr. GRIFFIN), who is also a member of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. GRIFFIN of Arkansas. Thank you, Mr. Chairman.

Madam Chairman, I rise today in strong support of H.R. 1249, the America Invents Act, and I urge my colleagues to support it.

Make no mistake, the America Invents Act is a jobs bill. At no cost to taxpayers, this legislation builds on what we as Americans do best: We innovate. Bolstering American innovation will create jobs at a time when we need it most.

The America Invents Act ends fee diversion and switches the U.S. to a first-inventor-to-file system. These changes will streamline the patent application process to help American innovators bring their inventions to market. Each new commercialized invention has the potential to create American jobs. This is a jobs bill.

A provision that I worked on included in the bill would make permanent the Patent and Trademark Office's ombudsman program for small business concerns. This program will provide support and services for independent inventors who may not have the resources to obtain legal counsel for guidance on obtaining a patent. This provision ensures that the small guys will always have a champion at

the PTO to help them navigate the process.

□ 2050

In addition, the America Invents Act finally puts an end to fee diversion, a practice that has siphoned almost \$1 billion in fees from the PTO over the past 20 years. Too many patent applications have sat untouched for years because the PTO does not have the resources it needs to review them in a timely manner. Ending fee diversion will expedite the review and unleash their potential to create American jobs.

This bill is endorsed by the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Small Business & Entrepreneurship Council. I urge my colleagues to support this jobs bill.

Ms. ZOE LOFGREN of California. I continue to reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), as I mentioned awhile ago, the chairman of the Intellectual Property Subcommittee of the Judiciary.

Mr. GOODLATTE. Madam Chairman, it was mentioned earlier by one of those speaking in opposition to the bill that the National Association of Realtors was opposed to this legislation. And we will make available for the RECORD a letter that we received, dated 2 days ago, from the National Association of Realtors: "On behalf of the 1.1 million members of the National Association of Realtors, we are pleased to support H.R. 1249, the America Invents Act." It goes on to explain in great detail why they, along with literally hundreds of other organizations, support this legislation. That includes the United States Chamber of Commerce, the National Association of Manufacturers, and the Retail Federation of America. There is a whole host of organizations and individual companies, both large and small, who support the legislation because they know that this is what is vital for job creation in this country.

We need to have reform of our patent laws because, unfortunately in recent years, countries like China have overtaken us in the productivity of their patent office. And the fact of the matter is, unless we change our patent laws, we are going to continue to be at a disadvantage. And the advantages that we've had in the past are no longer available to us because, quite frankly, the complexity of inventions has increased; and more and more, we find ourselves in a situation where the laws that we operate under today, which were last updated in 1952, need to be updated to address a lot of the abuses that you've heard described here this evening.

We also need to pass this legislation to make sure that the fee diversion,

that, as has been noted, has kept nearly \$1 billion from going to the operation of the Patent Office to work down the 3-year 1 million patent backlog, also can be addressed. And we also need to recognize that this legislation, in addition to being a jobs bill, as recognized by all of these many, many, many companies and associations of various trade groups, it is also major litigation reform.

It cuts out the abuses with tax strategy patents and other business method types of patents, where individuals do not produce anything other than lie in wait for somebody else to come up with a similar idea and then come forward and say, Hey, that was really my idea, and now you pay me a lot of money. They aren't creating jobs. They, in fact, are causing jobs to leave this country.

So there are many reasons to support this legislation, and I would urge my colleagues to do so. We have not yet come to the manager's amendment, but it provides a critical component to making sure that fee diversion does not occur.

NATIONAL ASSOCIATION
OF REALTORS,
Washington, DC, June 20, 2011.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.1 million members of the National Association of REALTORS® (NAR), we are pleased to support H.R. 1249, the America Invents Act. NAR's support, however, is predicated upon the retention of important anti-fee diversion provisions contained in section 22 of the bill. NAR believes it is critically important that the U.S. Patent Trademark Office have access to all user fees paid to the agency by patent and trademark applicants. Without this reform, delays in processing patent applications will continue to undermine American innovation and stymie the nation's economy.

NAR, whose members identify themselves as REALTORS®, represents a wide variety of real estate industry professionals. REALTORS® have been early adopters of technology and are industry innovators who understand that consumers today are seeking real estate information and services that are fast, convenient and comprehensive. Increasingly, technology innovations are driving the delivery of real estate services and the future of REALTORS® businesses.

The nation's patent law system faces many of the same issues but has not kept pace. It has been more than 50 years since the patent system's last major overhaul. Modernization is critically needed to improve the quality of issued patents, reduce the burden of unnecessary litigation on businesses and refocus the nation's efforts on innovation and job creation.

As technology users, NAR and several of its members currently find themselves facing onerous patent infringement litigation over questionable patents launched by patent holding companies and other non-practicing entities. Without needed reforms that assure that asserted patent rights are legitimate, the ability of businesses owned by REALTORS®, many of which are small businesses, to grow, innovate and better serve modern consumers will be put at risk. For this reason, NAR supports reforms such as

expanded post-grant review and prior user rights.

The America Invents Act contains needed reforms geared towards improving patent quality. NAR supports greater transparency in the patent application process including creating a mechanism to allow practitioners with the expertise and knowledge to review and comment on the appropriateness of a patent application prior to the issuance of the patent and the creation of a streamlined and more effective process for challenging a patent outside of the judicial system. Finally, it is critically important that the U.S. Patent Trademark Office have access to all user fees paid to the agency by patent and trademark applicants. Without this reform, delays in processing patent applications will continue to undermine American innovation.

The National Association of REALTORS® supports H.R. 1249 with the section 22 anti-fee diversion provisions. We urge the House to pass this much needed legislation with these critical provisions.

Sincerely,

RON PHIPPS,
2011 President.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume.

I want to get back to the original reason why we've worked so hard on this bill, only to be here at the end of this process with a bill that we can't support. We started with hearings in the 1990s with the Federal Trade Commission and the National Academy of Science. And one of the things they pointed out was that there are more patents than there are inventions. We started focusing in on the abuse of litigation that occurred as well as the needs of the office.

My colleague is correct: The Patent Office has a tremendous backlog, and that is a serious concern for inventors and really for the country. The examiners have such an enormous backlog, they can't spend sufficient time reviewing the applicants. This has led to a flood of poor-quality patents that were issued over the last decade and a half that I think—and most believe—should have been denied by the office. These dubious patents do significant damage to particular industries, like the information technology industry, as they can be used by nonpracticing entities to demand rents from legitimate businesses and to interfere with the development of legitimate products. Now, I don't blame the examiners at the PTO. They are working hard, but they don't have enough time to give each application the consideration it deserves.

A bill, as approved by the Judiciary Committee, would have helped remedy this problem by making sure—a lot of people don't realize that the Patent Office doesn't get any taxpayer money. The Patent Office is entirely supported by fees submitted by inventors. So keeping all of those fees that the inventors are paying in the office so that the patents can properly be dealt with in a timely fashion was a key component of this measure. Unfortunately,

under the manager's amendment, that strong protection is simply gone.

And I know, as I said in the past, we've had unanimous votes in the Judiciary Committee. We've had promises never to do it again; but the diversions have continued, and it is clear that they will continue under the manager's amendment provision because it allows the regular process to continue as it has in the past.

I have not submitted lists of letters of who's in favor, who's opposed to this bill. It's my understanding that the Realtors Association is, in fact, opposed to the manager's amendment; but we're not going to vote on these amendments tonight. We're rolling these votes until tomorrow. So we will research that, and we will find the truth of where they are and make that information available to the Members because certainly Realtors are a very valuable part of our Nation's economy.

I want to talk a little bit as well about whether we can fix the defect on prior art by an amendment that will be offered later in the week by the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. ROHRBACHER). They propose that the first-to-file patent system that is being promoted to harmonize our system with other countries would not go into effect until the grace period, which is the critical part of the patent system, actually is fixed and harmonized.

If the manager's amendment is passed, the fatal defect of defining the prior art is disclosures, I don't believe can be fully remedied by this amendment, although I think that this amendment is a good one, and I intend to support it. So I think it's very important that the manager's amendment be defeated. I would hope that if that happens, that we might have a chance to step back and to fully examine where we are in terms of the prior user rights and the grace period because, as the patent commissioner had said, this is the gold standard, the United States has had the gold standard in patents with this grace period. It would be a shame not just for the Congress but for our country and our future as innovators to lose this genius part of our patent system.

I reserve the balance of my time.

□ 2100

Mr. SMITH of Texas. Madam Chair, I yield 2½ minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Madam Chairman, the gentlewoman has expressed concern about the fee diversion provision in the manager's amendment. I think it is actually a very good provision; and it will, for the first time, end fee diversion at the Patent and Trademark Office by statute. It accomplishes both our overarching policy goals and maintains congressional oversight.

For the first time, we are establishing an exclusive PTO reserve fund

that will collect all excess PTO fees and bring an end to fee diversion. It's been expressed on the other side of the aisle that maybe with the authority to set fees that is granted for a limited period of time in this bill, there will be an abuse in the Patent Office. But it can't be abused very much because the fees will still be subject to appropriations here in the Congress. They can't spend them on other things. They can't divert them, but they can put them in escrow, and they can require the PTO to come in and justify those fees before they're authorized. There will be no incentive to have excess fees if there can't be excess expenditures because of congressional oversight.

Patent reform has been a long road; and with the inclusion of this provision, we have ensured that all funds collected by the PTO will remain available to them and may not be diverted to any other use.

Ending fee diversion has been an important goal for all of us; and as we crafted legislation, our ultimate policy goal was to ensure that PTO funds are not diverted for other uses, such as earmarks or for other agencies.

Working with leadership and the Appropriations Committee, we developed a compromise provision that accomplishes our shared policy goal through a statutorily created PTO reserve fund.

This compromise was carefully brokered by leadership to ensure that it aligned with House rules and did not include mandatory spending that would have resulted in a score. Just a few months ago, including a provision like this one would have been unheard of, and no such provision has been included in patent bills considered by previous Congresses.

All excess fees that the PTO collects will be deposited into the PTO reserve fund and amounts in the fund "shall be made available until expended only for obligation and expenditure by the Office."

This compromise provision also ensures that the Appropriations and Judiciary Committees will continue to have oversight over the PTO. Though PTO remains within the appropriations process, the appropriators no longer have an incentive to divert fees. In other words, because excess fees are made available to the PTO, there will be no scoring advantage to the Appropriations Committee to decrease the appropriations, and this will not impact their 302(b) allocation for Commerce, Justice, State appropriations.

I urge my colleagues to support the manager's amendment.

By creating the Reserve Fund, we have walled-off PTO funds from diversion. All the excess fees are collected and deposited into the Fund and are made available in Appropriations Acts and cannot be "diverted" to other non-PTO purposes.

PTO funding would still be provided in Appropriations Acts, but the language carried in

those Acts will appropriate excess fee collections and provide a clear and easy mechanism for PTO to request access to those funds.

By giving USPTO access to all its funds, the Manager's Amendment supports the USPTO's efforts to improve patent quality and reduce the backlog of patent applications. To carry out the new mandates of the legislation and reduce delays in the patent application process, the USPTO must be able to use all the fees it collects.

The language in the Manager's Amendment reflects the intent of the Judiciary Committee, the Appropriations Committee and House leadership to end fee diversion. USPTO is 100% funded by fees paid by inventors and trademark filers who are entitled to receive the services they are paying for. The language makes clear the intention not only to appropriate to the USPTO at least the level requested for the fiscal year but also to appropriate to the USPTO any fees collected in excess of such appropriation.

Providing USPTO access to all fees collected means providing access at all points during that year, including in case of a continuing resolution. Access also means that reprogramming requests will be acted on within a reasonable time period and on a reasonable basis. It means that future appropriations will continue to use language that guarantees USPTO access to all of its fee collections.

Appropriations Chairman ROGERS is committed to this agreement and to ending fee diversion at the PTO, and I appreciate his efforts.

This provision represents a sea change of improvement over the current system and I urge all Members to strongly support this end to fee diversion at the PTO. This amendment, including the commitment from Chairman ROGERS to Leadership ensures that all the user fees that the PTO collects will be available to the PTO so that they can get to work to reduce patent pendency and the backlog, and issue strong patents.

Ms. ZOE LOFGREN of California. May I inquire how much time remains.

The Acting CHAIR. The gentlewoman from California has 15 seconds remaining.

Ms. ZOE LOFGREN of California. Well, I will use those 15 seconds, Madam Chair, by saying just a few things. First, the litigation reform mentioned is really to retroactively undo a case that was fairly and squarely won in the courts.

Number two, that section 18 is basically just a giveaway to the banks. There's some good things in this bill. The post-grant review, overall it does more harm than good.

I yield back the balance of my time.

Mr. SMITH of Texas. I yield myself the balance of the time.

Madam Chair, in closing, I want to thank the patent principles who devoted so much time, energy and intellect to this project. We've worked together for the common goal of comprehensive patent reform for the better part of 6 years.

While some of us still have differences over individual items, I want

these Members to know that I appreciate their contributions to the project. This includes, among many others, Mr. GOODLATTE, Mr. WATT, Mr. ISSA, and Mr. BERMAN.

In the Senate we've worked closely with Senators LEAHY, GRASSLEY, KYL, HATCH and others; and I want to thank them as well.

Also, we would not be at this point tonight without the support of Commerce Secretary Locke and PTO Director Kappos.

Our country needs this bill. We can't thrive in the 21st century using a 20th-century patent system. At a time when the economy remains fragile and unemployment is unacceptably high, we must include the patent system and the PTO, an agency that has been called an essential driver of a pro-growth job-creating agenda.

This bill will catapult us into a new era of innovation and enhanced consumer choice. I urge my colleagues to support H.R. 1249.

Mrs. CHRISTENSEN. Madam Chair, I rise today to express my strong support for H.R. 1249—a smart bill that fixes an anomaly in the patent law by addressing the confusion around the deadline for filing patent term extensions. This bill—which has broad bipartisan support in both chambers—will ensure that if the FDA notifies a company after normal business hours that its drug has been approved, then the time that the company has to file a patent term extension application does not begin to run until the next business day.

I support this bill not only because it protects the rights of patent holders, but also because it will help inspire greater investments in the development of new drugs that not only could save millions of lives, but also could play a pivotal role in reducing racial and ethnic health disparities. Take, for example, a blood thinning drug that was proven very effective in treating and preventing stroke—the third leading cause of death in the nation, and a cause of death from which African American men are 52% more likely to die than white men, and African American women are 36% more likely to die than white women.

But for an unintentional one-day filing delay, the developer of this drug would have been entitled to secure a patent term restoration. And, with that term restoration, the company would have been positioned to invest the additional resources to qualify the drug for the treatment and prevention of stroke and for expanded use in heart surgeries. This medical advancement would undoubtedly have saved countless lives and improved the health and wellbeing of tens of thousands of Americans.

Absent the correction provided by this bill, however, none of what could have—and should have—happened ever did happen, and, as a result, a great medical advancement never came to fruition. This bill would ensure that the situation that occurred with the promising blood thinning drug does not happen again. And, this bill fixes an anomaly that not only jeopardizes the development of life-saving drugs, but also jeopardizes the health and wellness of innocent, hardworking Americans. I urge all of my colleagues to be a key part of

the solution to this problem by supporting this bill.

Ms. PELOSI. Madam Chair, I rise in opposition to this patent reform bill, misnamed the America Invents Act.

It had been our hope that we would be voting on a patent bill that encourages entrepreneurship, protects intellectual property rights, and sends a message abroad that strengthens patent rights at home. The bill before us fails on all these scores.

Instead, by favoring large international companies, we have before us a missed opportunity to encourage entrepreneurship. It is a missed opportunity to strengthen intellectual property rights here at home.

For these and other reasons, I urge my colleagues to vote no on the Manager's amendment, yes on the Boren-Sensenbrenner-Waters-Schock amendment, and no on the final passage of this disappointing bill. Let's go back to the drawing board for a real bill to keep America number one.

Ms. WASSERMAN SCHULTZ. Madam Chair, today I rise in support of H.R. 1249, the America Invents Act.

This vital reform to our nation's patent system would help spur innovation, foster competition, and create and support American jobs.

Democrats in Congress have urged our colleagues across the aisle to bring legislation to the Floor and today we have an opportunity to support legislation to create jobs and support our recovering economy.

That is why this legislation is a priority of the Obama Administration—the bill represents a significant step in the right direction toward American job growth and is crucial to winning the future through innovation.

I urge my colleagues to support this bill's benefits for American inventors, manufacturers, and jobs.

I also urge my colleagues to support this bill because it includes a provision that will help engender much-needed patient protection and choice for patients undergoing genetic diagnostic tests.

As many, of you know, several years ago, I was diagnosed with breast cancer.

Through genetic testing, I discovered that I am a carrier of the BRCA-2 gene mutation, which drastically increased my lifetime risk of ovarian cancer and recurring breast cancer.

As a result, I made the life-altering decision to have seven major surgeries—a double mastectomy and an oophorectomy—from a single administration of a single test.

You see, there is only one test on the market for this mutation.

The maker of this test not only has a patent on the gene itself; they also have an exclusive license for limited laboratories to administer the test.

Like genetic tests for colon cancer, Parkinson's disease, Alzheimer's disease, stroke, and many other genetic disorders, there is no way to get a truly independent second opinion.

In approximately 20 percent of all genetic tests, only one laboratory can perform the test due to patent exclusivity for the diagnostic testing, and often the actual human gene being tested.

Just imagine: Your genes hold the key to your survival; having major, body-altering sur-

gery or treatment could save you life; but the test results fail to give you certainty.

The America Invents Act begins to address this problem.

A provision in the Manager's amendment simply directs a study by the U.S. Patent and Trademark Office on ways to remove barriers for patient access to second opinions on genetic testing on patented genes.

Such a study would address questions about the current effects such patents have on patient outcomes and how best to provide truly independent, confirmatory tests.

Given ongoing court cases on the issue of gene patents, let me be clear: the study's focus on second opinion genetic testing is not intended to express any opinion by Congress regarding the validity of gene patents.

By allowing clinical laboratories to confirm the presence or absence of a gene mutation found in a diagnostic test, we can help Americans access the second opinions they truly deserve.

I know first-hand the stress of wanting a second opinion—but being unable to get it.

With so much at stake, it is incredibly important that we give everyone in this situation as much certainty as we possibly can.

We owe that much to those whose lives are in the balance.

Mr. GALLEGLY. Madam Chair, I rise in strong support of this bill. First, I would like to recognize Chairman SMITH's extraordinary work on behalf of American inventors. This bill is a well-crafted compromise that will streamline the patent process, while improving the quality of patents.

Although I do not support every single provision of this legislation, it is critical that the House of Representatives pass H.R. 1249.

I am especially pleased that Chairman SMITH included a provision that helps many businesses in the United States, including several in my district, who have been forced to spend time and money to defend themselves against so-called "false marking" lawsuits.

By law, patent holders are required to place the patent number on their products. The problem is that after the patent expires, it may be very costly for a business to recall their products to change the label. Unfortunately, several law firms have discovered that suing these manufacturers can be lucrative, and we have seen a sharp increase in the number of these nuisance lawsuits.

This bill includes a commonsense solution that will stop these lawsuits and allow employers to devote resources to developing new products and creating jobs.

I urge my colleagues to support this important legislation.

Mr. PENCE. Madam Chair, I rise in support of H.R. 1249, the America Invents Act, which is a carefully-crafted compromise that will modernize our nation's patent laws to allow for greater innovation, economic growth and job creation.

Years of hard work have gone into this bill. I would like to congratulate and thank Chairman SMITH and Rep. GOODLATTE for their leadership and diligence.

The Constitution vests in Article I, Section 8, clause 8, the power to Congress to "promote the Progress of Science and useful Arts, by securing for limited Times to . . . Inventors the exclusive Right to their . . . Discoveries."

Our patent laws were written nearly sixty years ago, and it is time to update them to account for changes in our modern economy. It is Congress's power and responsibility to do so, especially with the problems that are evident with the patent system today.

And not doing so will cost our country even more jobs. Patent reform is about jobs because intellectual property, like other forms of private property, is a pillar of economic prosperity. Part of creating a pro-growth environment in this country includes modernizing our patent laws.

I have heard about the need for modernization from countless Hoosier business leaders, patent holders and entrepreneurs. Indiana has a long tradition of leadership in the life sciences and medical industry. Indiana also has a robust university research system, growing tech industry and, of course, a manufacturing industry that grows more high-tech with each passing year.

These and many other sectors of the Hoosier economy will benefit from the reforms in this bill. When inventors and entrepreneurs are able to protect their inventions and speed them to market, it creates jobs not only for researchers and inventors, but also for factory workers, distributors, sales associates, and marketing teams to name a few.

This bill will ensure that newly-issued patents will be strong, high-quality patents that have gone through rigorous review. It will modernize the U.S. Patent and Trademark Office to reduce the current backlog of more than 700,000 patent applications, and it will ensure that the PTO, with proper congressional oversight, is able to retain the fees it collects to fund its operations. Finally, this patent reform bill will go a long way towards eliminating the lawsuit abuse that has become so prevalent in recent years.

Of personal interest to me, I am pleased that the bill before us incorporates the changes to best mode that I obtained during the 2007 patent reform debate and floor vote.

American patent law currently requires that a patent application "set forth the best mode contemplated by the inventor of carrying out his invention" at the time the application is filed. But providing the best mode is not a requirement in Europe, Japan or the rest of the world and it has become a vehicle for lawsuit abuse.

In my view, the best mode requirement of American law imposes extraordinary and unnecessary costs on inventors. I have maintained since 2007 that best mode should be repealed in full, and I would continue to support a full repeal if possible today.

But, at the very least, I am pleased that the bill before us, like my amendments from 2007, only retains best mode as a specifications requirement for obtaining a patent. Once the examiner is satisfied that the best mode has been disclosed, the issue is settled forever. Going forward, best mode cannot be used as a legal defense to infringement in patent litigation or a basis for a post-grant review proceeding.

The America Invents Act will enable America to continue to be the world's leader in innovation. It will lay the groundwork for intellectual property protection that will help grow our economy and create jobs both in the Hoosier state and across the nation.

After so many years, I am encouraged that we are on the cusp of passing this bill out of the Congress and sending it to the president. I urge my colleagues to support the America Invents Act today.

Mr. SMITH of New Jersey. Madam Chair, for over two decades, USPTO has had an internal policy that human beings at any stage of development are not patentable subject matter under 35 U.S.C. Section 101. I commend Chairman LAMAR SMITH for including in the manager's amendment to H.R. 1249, the America Invents Act, a provision that will codify an existing pro-life policy rider included in the CJS Appropriations bill since FY2004. This amendment, commonly known as the Weldon amendment, ensures the U.S. Patent and Trade Office, USPTO, does not issue patents that are directed to or encompassing a human organism.

Codifying the Weldon amendment simply continues to put the weight of law behind the USPTO policy.

This amendment and USPTO policy reflect a commonsense understanding that no member of the human species is an "invention," or property to be licensed for financial gain. Patents on human organisms commodify life and allow profiteers to financially gain from the biology and life of another human person.

Codifying a ban on patenting of humans would not violate international obligations under the TRIPs agreement with the WTO, in which member countries can exclude from patentability subject matter to prevent commercial exploitation which is "necessary to protect ordre public or morality, [and] to protect human, animal or plant life." (The Agreement on Trade-Related Aspects of Intellectual Property Rights, Article 27, Section 5).

Even the European Union prevents patents on human embryos on the basis of morality and public order without conflicting with the TRIPs agreement. (See Guidelines for Substantive Examination. European Patent Office. Part C, Chapter IV, Section 4.5, iii (Rule 28c))

4.5 Biotechnological inventions

In the area of biotechnological inventions, the following list of exceptions to patentability under Art. 53(a) is laid down in Rule 28. The list is illustrative and non-exhaustive and is to be seen as giving concrete form to the concept of "ordre public" and "morality" in this technical field. Under Art. 53(a), in conjunction with Rule 28, European patents are not to be granted in respect of biotechnological inventions which concern:

(iii) uses of human embryos for industrial or commercial purposes; The exclusion of the uses of human embryos for industrial or commercial purposes does not affect inventions for therapeutic or diagnostic purposes which are applied to the human embryo and are useful to it (EU Dir.98/44/EC, rec. 42).

I also submit into the RECORD items from previous debate on the Weldon amendment that will add further clarification to the intent of this important provision.

SPEECH OF HON. DAVE WELDON OF FLORIDA IN THE HOUSE OF REPRESENTATIVES, JULY 22, 2003

H. Admt. 286

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004—(House of Representatives—July 22, 2003)

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WELDON of Florida:

None of the funds appropriated or otherwise made available under by the act may be used to issue patents on claims directed to or encompassing a human organism.

Mr. WELDON of Florida. Mr. Chairman, technology proceeds at a rapid rate, bringing great benefits to humankind from treatments of disease to greater wealth and greater knowledge of our world. However, sometimes technology can be used to undermine what is meant to be human, including the exploitation of human nature for the purpose of financial gain.

Several weeks ago, at a meeting of the European Society of Human Reproduction and Embryology in Madrid, Spain, it was reported that scientists had created the first male-female hybrid human embryos. The researchers transplanted cells from male embryos into female embryos and allowed them to grow for 6 days. This research was universally condemned as unnecessary and unethical.

Reuters reported that one member of the European Society condemned this research, saying there are very good reasons why this type of research is generally rejected by the international research community. Furthermore, the scientists who created these shemale embryos reportedly want to patent this research.

It is important that we, as a civilized society, draw the line where some rogue scientists fail to exercise restraint. Just because something can be done does not mean that it should be done. A patent on such human organisms would last for 20 years. We should not allow such researchers to gain financially by granting them an exclusive right to practice such ghoulish research.

Long-standing American patent and trademark policy states that human beings at any stage of development are not patentable, subject to matters under 35 U.S.C. section 101. Though current policy would not issue patents on human embryos, Congress has remained silent on this subject. Though this amendment would not actually ban this practice, it is about time that Congress should simply reaffirm current U.S. patent policy and ensure there is not financial gain or ownership of human beings by those who engage in these activities.

This amendment simply mirrors the current patent policy concerning patenting humans. The Patent Office has, since 1980, issued hundreds of patents on living subject matter, from microorganisms to nonhuman animals. It does not issue patents on human beings nor should it. Congress should reaffirm this policy, and this amendment simply accomplishes this by restricting funds for issuing patents on human embryos, human organisms.

Congress should speak out, and I encourage my colleagues to support this amendment.

I would like to add, Mr. Chairman, that this has no bearing on stem cell research or patenting genes, it only affects patenting human organisms, human embryos, human fetuses or human beings.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding to me.

I think I heard the gentleman say this, but I want it repeated again so it is clear. Is the gentleman saying that this amendment would not interfere in any way with any existing patents with respect to stem cells?

Mr. WELDON of Florida. Reclaiming my time, Mr. Chairman, I would respond that, no, it would not. And I recognize that there are many institutions, particularly in Wisconsin, that have extensive patents on human genes, human stem cells. This would not affect any of those current existing patents.

The Patent Office policy is not to issue these patents, and there never has been one. The Congress has been silent on this issue. I am trying to put us on record that we support the Patent Office in this position that human life in any form should not be patentable.

Mr. OBEY. I appreciate the gentleman's clarification.

Mr. WELDON of Florida. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. TERRY). The question is on the amendment offered by the gentleman from Florida (Mr. WELDON). The amendment was agreed to.

SPEECH OF HON. DAVE WELDON OF FLORIDA IN THE HOUSE OF REPRESENTATIVES WEDNESDAY, NOVEMBER 5, 2003

Mr. WELDON of Florida. Mr. Speaker, this summer I introduced an amendment that provides congressional support for the current federal policy against patenting humans. It was approved by the House of Representatives without objection on July 22, 2003 as Sec. 801 of the Commerce/Justice/State appropriations bill.

Since that time, the Biotechnology Industry Organization (BIO) has launched a lobbying campaign against the amendment, and has now enlisted the political aid of the broader "Coalition for the Advancement of Medical Research" (CAMR), an umbrella organization of groups supporting human cloning for research purposes.

BIO and CAMR claim to support the current policy of the U.S. Patent and Trademark Office (USPTO) against patenting human beings. However, they oppose this amendment, saying it would have a far broader scope—potentially prohibiting patents on stem cell lines, procedures for creating human embryos, prosthetic devices, and in short almost any drug or product that might be used in or for human beings.

The absurdity of these claims is apparent when one compares the language of the amendment with the language of the current USPTO policy that these groups claim to support.

The House-approved amendment reads:

"None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism."

The current USPTO policy is set forth in two internal documents:

U.S. Patent and Trademark Office, "Notice: Animals—Patentability," 1077 Official Gazette U.S. Pat. and Trademark Off. 8 (April 21, 1987):

"The Patent and Trademark Office now considers non-naturally occurring non-human multicellular living organisms, including animals, to be patentable subject matter within the scope of 35 U.S.C. 101. . . . A claim directed to or including within its scope a human being will not be considered patentable subject matter under 35 U.S.C.

101. The grant of a limited, but exclusive property right in a human being is prohibited by the Constitution. Accordingly, it is suggested that any claim directed to a non-plant multicellular organism which would include a human being within its scope include the limitation 'non-human' to avoid this ground of rejection."

(This notice responded to the Supreme Court's 1980 decision in *Chakrabarty* concluding that a modified "microorganism," a bacterium, could be patented, and a subsequent decision by the USPTO's own Board of Appeals in *Ex parte Allen* that a multicellular organism such as a modified oyster is therefore patentable as well. The USPTO sought to ensure that these policy conclusions would not be misconstrued as allowing a patent on a human organism.)

U.S. Patent and Trademark Office, Manual of Patent Examining Procedure (Revised February 2003), Sec. 2105: "Patentable Subject Matter—Living Subject Matter":

"If the broadest reasonable interpretation of the claimed invention as a whole encompasses a human being, then a rejection under 35 U.S.C. 101 must be made indicating that the claimed invention is directed to non-statutory subject matter."

In other words, the USPTO clearly distinguishes between organisms that are nonhuman and therefore are patentable and those organisms that are human and therefore not patentable subject matter.

As a USPTO official testified recently to the President's Council on Bioethics:

"When a patent claim includes or covers a human being, the USPTO rejects the claim on the grounds that it is directed to non-statutory subject matter. When examining a patent application, a patent examiner must construe the claim presented as broadly as is reasonable in light of the application's specification. If the examiner determines that a claim is directed to a human being at any stage of development as a product, the examiner rejects the claims on the grounds that it includes non-statutory subject matter and provides the applicant with an explanation. The examiner will typically advise the applicant that a claim amendment adding the qualifier, nonhuman, is needed, pursuant to the instructions of MPEP 2105. The MPEP does not expressly address claims directed to a human embryo. In practice, examiners treat such claims as directed to a human being and reject the claims as directed to non-statutory subject matter." (Testimony of Karen Hauda on behalf of USPTO to the President's Council on Bioethics, June 20, 2002, <http://bioethicsprint.bioethics.gov/transcripts/jun02/june21session5.html>)

Current USPTO policy, then, is that any claim that can reasonably be interpreted as "directed to" or "encompassing" a human being, and any claim reaching beyond "nonhuman" organisms to cover human organisms (including human embryos), must be rejected. My amendment simply restates this policy, providing congressional support so that federal courts will not invalidate the USPTO policy as going beyond the policy of Congress (as they invalidated the earlier USPTO policy against patenting living organisms in general). Literally the only difference between my amendment and some of these USPTO documents is that the amendment uses the term "human organism," while the USPTO usually speaks of the non-patentability of (anything that can be broadly construed as) a "human being." But "human organism" is more politically neutral and more precise, having a long history of clear interpretation in federal law.

Since 1996, Congress has annually approved a rider to the Labor/HHS appropriations bill that prohibits federal funding of research in which human embryos are created or destroyed—and this rider defines a human embryo as a "human organism" not already protected by older federal regulations on fetal research. In December 1998 testimony before the Senate Appropriations Subcommittee on Labor/HHS/Education, a wide array of expert witnesses—including NIH Director Harold Varmus and the head of a leading company in BIO—testified that this rider does not forbid funding research on embryonic stem cells, because a human embryo is an "organism" but a stem cell clearly is not (see S. Hrg. 105-939, December 2, 1998). That same conclusion was later reached by HHS general counsel Harriet Rabb, in arguing that the Clinton administration's guidelines on stem cell research were in accord with statutory law; this same legal opinion was accepted by the Bush administration when it issued its more limited guidelines for funding stem cell research (Legal memorandum of HHS general counsel Harriet S. Rabb, "Federal Funding for Research Involving Human Pluripotent Stem Cells," January 15, 1999). To argue now that a ban on patenting "human organisms" somehow bans patenting of stem cells or stem cell lines would run counter to five years of legal history, and would undermine the legal validity of any federal funding for embryonic stem cell research.

BIO also claims that the amendment raises new and difficult questions about "mixing" animal and human species. What about an animal that is modified to include a few human genes so it can produce a human protein or antibody? What about a human/animal "chimera" (an embryo that is half human, half animal)? The fact is, these questions are not new. The USPTO has already granted patents on the former (see U.S. patent nos. 5,625,126 and 5,602,306). It has also thus far rejected patents on the latter, the half-human embryo (see *Biotechnology Law Report*, July–August 1998, p. 256), because the latter can broadly but reasonably be construed as a human organism. The Weldon amendment does nothing to change this, but leaves the USPTO free to address new or borderline issues on the same case-by-case basis as it already does.

In short, my amendment has exactly the same scope as the current USPTO policy, and cannot be charged with the radical expansions of policy that BIO and its allies claim. In reality, BIO opposes this amendment because it opposes the current USPTO policy as well, and has a better chance of nullifying this policy in court (or having courts reinterpret it into uselessness) if it lacks explicit support in statutory law.

This goal is apparent from BIO's own "fact sheet" opposing the amendment (see www.bio.org/ip/cloningfactsheet.asp). There BIO argues that human beings should be patentable, if they arise from anything other than "conventional reproduction" or have any "physical characteristics resulting from human intervention." In other words, humans should be seen as "inventions" and thus be patentable on exactly the same grounds as animals are now.

The logic of this argument reaches beyond the human embryo, because an embryo who resulted from reproductive technology or received any physical or genetic modification presumably remains just as invented throughout his or her existence, no matter what stage of development he or she reaches.

BIO's stated support for reducing members of the human species to patentable commod-

ities makes the passage of my amendment more urgently necessary than ever.

SPEECH OF HON. DAVE WELDON OF FLORIDA IN THE HOUSE OF REPRESENTATIVES FRIDAY, NOVEMBER 21, 2003

AMENDMENT TO SUPPORT CURRENT U.S. PATENT AND TRADEMARK OFFICE POLICY AGAINST PATENTING HUMAN ORGANISMS—(EXTENSIONS OF REMARKS—NOVEMBER 22, 2003).

Mr. WELDON of Florida. Mr. Speaker, this summer I introduced an amendment that provides congressional support for the current U.S. Patent and Trademark Office policy against patenting human organisms, including human embryos and fetuses. This amendment was approved by the House of Representatives with bipartisan support on July 22, 2003, as Sec. 801 of the Commerce/Justice/State appropriations bill.

On November 5th of this year, I submitted to the Congressional Record an analysis of my amendment that offers a more complete elaboration of what I stated on July 22nd, namely, that this amendment "has no bearing on stem cell research or patenting genes, it only affects patenting human organisms, human embryos, human fetuses or human beings."

However, some have continued to misrepresent my amendment by claiming it would also prohibit patent claims directed to methods to produce human organisms. Moreover, some incorrectly claim that my amendment would prohibit patents on claims directed to subject matter other than human organisms. This is simply untrue.

What I want to point out is that the U.S. Patent Office has already issued patents on genes, stem cells, animals with human genes, and a host of non-biologic products used by humans, but it has not issued patents on claims directed to human organisms, including human embryos and fetuses. My amendment would not affect the former, but would simply affirm the latter. This position is reaffirmed in the following U.S. Patent Office letter of November 20, 2003.

I submit to the RECORD a letter from James Rogan, Undersecretary and Director of the U.S. Patent office, that supports the enactment of my amendment because it "is fully consistent with our policy."

U.S. PATENT AND TRADEMARK OFFICE,
November 20, 2003.

Hon. TED STEVENS,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to present the Administration's position on the Weldon amendment adopted by the House during consideration of H.R. 2799, the Commerce-Justice-State Appropriations bill FY 2004, and the effect it would have on the United States Patent and Trademark Office (USPTO) policy on patenting living subject matter. For the reasons outlined below, we view the Weldon amendment as fully consistent with USPTO's policy on the non-patentability of human life-forms.

The Weldon Amendment would prohibit the U.S. Patent and Trademark Office from issuing any patent "on claims directed to or encompassing a human organism." The USPTO understands the Weldon Amendment to provide unequivocal congressional backing for the long-standing USPTO policy of refusing to grant any patent containing a claim that encompasses any member of the species *Homo sapiens* at any stage of development. It has long been USPTO practice to reject any claim in a patent application that encompasses a human life-form at any stage of development, including a human embryo

or human fetus; hence claims directed to living "organisms" are to be rejected unless they include the adjective "nonhuman."

The USPTO's policy of rejecting patent application claims that encompass human lifeforms, which the Weldon Amendment elevates to an unequivocal congressional prohibition, applies regardless of the manner and mechanism used to bring a human organism into existence (e.g., somatic cell nuclear transfer, in vitro fertilization, parthenogenesis). If a patent examiner determines that a claim is directed to a human life-form at any stage of development, the claim is rejected as non-statutory subject matter and will not be issued in a patent as such.

As indicated in Representative WELDON's remarks in the Congressional Record of November 5, 2003 the referenced language precludes the patenting of human organisms, including human embryos. He further indicated that the amendment has "exactly the same scope as the current USPTO policy," which assures that any claim that can be broadly construed as a human being, including a human embryo or fetus, is not patentable subject matter. Therefore, our understanding of the plain language of the Weldon Amendment is fully consistent with the detailed statements that the author of the amendment, Representative Weldon, has made in the Congressional Record regarding the meaning and intent of his amendment.

Given that the scope of Representative WELDON's amendment does not alter the USPTO policy on the non-patentability of human life-forms at any stage of development and is fully consistent with our policy, we support its enactment.

With best personal regards, I remain

Sincerely,

JAMES E. ROGAN,
Under Secretary and Director.

SPEECH OF HON. DAVE WELDON OF FLORIDA IN THE HOUSE OF REPRESENTATIVES MONDAY, DECEMBER 8, 2003

CONFERENCE REPORT ON H.R. 2673, CONSOLIDATED APPROPRIATIONS ACT, 2004—(HOUSE OF REPRESENTATIVES—DECEMBER 8, 2003)

Mr. WELDON of Florida. Mr. Speaker, on July 22, 2003, I introduced an amendment to provide congressional support for the current U.S. Patent and Trademark Office (USPTO) policy and practice against approving patent claims directed to human organisms, including human embryos and human fetuses. The House of Representatives approved the amendment without objection on July 22, 2003, as section 801 of the Fiscal Year 2004 Commerce/Justice/State Appropriations Bill. The amendment, now included in the Omnibus appropriations bill as section 634 of H.R. 2673, reads as follows: "None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism."

The current Patent Office policy is that "non-human organisms, including animals" are patentable subject matter under 35 U.S.C. 101, but that human organisms, including human embryos and human fetuses, are not patentable. Therefore, any claim directed to a living organism must include the qualification "non-human" to avoid rejection. This amendment provides unequivocal congressional support for this current practice of the U.S. patent office.

House and Senate appropriators agreed on report language in the manager's statement on section 634. The statement reads: "The conferees have included a provision prohibiting funds to process patents of human or-

ganisms. The conferees concur with the intent of this provision as expressed in the colloquy between the provision's sponsor in the House and the ranking minority member of the House Committee on Appropriations as occurred on July 22, 2003, with respect to any existing patents on stem cells."

The manager's statement refers to my discussion with Chairman DAVID OBEY, when I explained that the amendment "only affects patenting human organisms, human embryos, human fetuses or human beings." In response to Chairman OBEY's inquiry, I pointed out that there are existing patents on stem cells, and that this amendment would not affect such patents.

Here I wish to elaborate further on the exact scope of this amendment. The amendment applies to patents on claims directed to or encompassing a human organism at any stage of development, including a human embryo, fetus, infant, child, adolescent, or adult, regardless of whether the organism was produced by technological methods (including, but not limited to, in vitro fertilization, somatic cell nuclear transfer, or parthenogenesis). This amendment applies to patents on human organisms regardless of where the organism is located, including, but not limited to, a laboratory or a human, animal, or artificial uterus.

Some have questioned whether the term "organism" could include "stem cells". The answer is no. While stem cells can be found in human organisms (at every stage of development), they are not themselves human organisms. This was considered the "key question" by Senator HARKIN at a December 2, 1998 hearing before the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education regarding embryonic stem cell research. Dr. Harold Varmus, then director of the NIH testified "that pluripotent stem cells are not organisms and are not embryos. . . . "Senator HARKIN noted: "I asked all of the scientists who were here before the question of whether or not these stem cells are organisms. And I believe the record will show they all said no, it is not an organism." Dr. Thomas Okarma of the Geron Corporation stated: "My view is that these cells are clearly not organisms . . . in fact as we have said, are not the cellular equivalent of an embryo." Dr. Arthur Caplan agreed with this distinction, saying that a stem cell is "absolutely not an organism." There was a unanimous consensus on this point at the 1998 hearing, among witnesses who disagreed on many other moral and policy issues related to stem cell research.

The term "human organism" includes an organism of the human species that incorporates one or more genes taken from a nonhuman organism. It includes a human-animal hybrid organism (such as a human-animal hybrid organism formed by fertilizing a nonhuman egg with human sperm or a human egg with non-human sperm, or by combining a comparable number of cells taken respectively from human and non-human embryos). However, it does not include a non-human organism incorporating one or more genes taken from a human organism (such as a transgenic plant or animal). In this respect, as well, my amendment simply provides congressional support for the Patent Office's current policy and practice.

This amendment should not be construed to affect claims directed to or encompassing subject matter other than human organisms, including but not limited to claims directed to or encompassing the following: cells, tissues, organs, or other bodily components

that are not themselves human organisms (including, but not limited to, stem cells, stem cell lines, genes, and living or synthetic organs); hormones, proteins or other substances produced by human organisms; methods for creating, modifying, or treating human organisms, including but not limited to methods for creating human embryos through in vitro fertilization, somatic cell nuclear transfer, or parthenogenesis; drugs or devices (including prosthetic devices) which may be used in or on human organisms.

Jamed Rogan, undersecretary of the U.S. Patent and Trademark Office, has stated in a November 20, 2003, letter to Senate appropriators: "The USPTO understands the Weldon Amendment to provide unequivocal congressional backing for the long-standing USPTO policy of refusing to grant any patent containing a claim that encompasses any member of the species *Homo sapiens* at any stage of development . . . including a human embryo or human fetus. . . . The USPTO's policy of rejecting patent application claims that encompass human lifeforms, which the Weldon Amendment elevates to an unequivocal congressional prohibition, applies regardless of the manner and mechanism used to bring a human organism into existence (e.g., somatic cell nuclear transfer, in vitro fertilization, parthenogenesis)." Undersecretary Rogan concludes: "Given that the scope of Representative WELDON's amendment . . . is full consistent with our policy, we support its enactment."

The advance of biotechnology provides enormous potential for developing innovative science and therapies for a host of medical needs. However, it is inappropriate to turn nascent individuals of the human species into profitable commodities to be owned, licensed, marketed and sold.

Congressional action is needed not to change the Patent Office's current policy and practice, but precisely to uphold it against any threat of legal challenge. A previous Patent Office policy against patenting living organisms in general was invalidated by the U.S. Supreme Court in 1980, on the grounds that the policy has no explicit support from Congress. In an age when the irresponsible use of biotechnology threatens to make humans themselves into items of property, of manufacture and commerce, Congress cannot let this happen again in the case of human organisms.

I urge my colleagues to support this Omnibus in defense of this important provision against human patenting.

Mr. SMITH of Texas. Madam Chair, I submit: (1) Manager's Statement on Supplemental Examination; (2) Manager's Statement on Genetic Test Study proposed in the Managers; (3) Statement on the codification of the Weldon amendment; (4) Statement on the business method patent transitional program; (5) Statement on the PTO fee compromise provision in the Manager's amendment; (6) November 2003 letter on the Weldon amendment from PTO Director James Rogan; (7) Information on the Weldon amendment from the Family Research Council.

CHAIRMAN'S FLOOR REMARKS/MANAGER'S STATEMENT: SUPPLEMENTAL EXAMINATION IN H.R. 1249

Mr. Speaker, this bill also contains a very important new administrative proceeding available to patent owners, to help improve the quality of issued patents. This new "Supplemental Examination" procedure encourages the voluntary and proactive disclosure

of information that may be relevant to patent prosecution for the Office to consider, reconsider, or correct. The voluntary disclosure by patentees serves to strengthen valid patents, while narrowing or eliminating patents or claims that should not have been issued. Both of these outcomes promote investment in innovation by removing uncertainty about the scope, validity or enforceability of patents, and thus the use of this new proceeding by patent owners is to be encouraged.

Subparagraph (C) relating to Supplemental Examination is intended to address the circumstance where, during the course of a supplemental examination or reexamination proceeding ordered under this section, a court or administrative agency advises the PTO that it has made a determination that a fraud on the Office may have been committed in connection with the patent that is the subject of the supplemental examination. In such a circumstance, subparagraph (C) provides that, in addition to any other actions the Director is authorized to take, including the cancellation of any claims found to be invalid under section 307 as a result of the reexamination ordered under this section, the Director shall also refer the matter to the Attorney General. As such, this provision is not intended to impose any obligation on the PTO beyond those it already undertakes, or require it to investigate or prosecute any such potential fraud. Subparagraph (C) is neither an investigative nor an adjudicative provision, and, as such, is not intended to expand the authority or obligation of the PTO to investigate or adjudicate allegations of fraud lodged by private parties.

Further, any referral under this subsection is not meant to relieve the Director from his obligation to conclude the supplemental examination or reexamination proceeding ordered under this section. It is important for the process to proceed through conclusion of reexamination, so that any claims that are invalid can be properly cancelled.

The decision to make referrals under subsection (c) is not meant to be delegated to examiners or other agents of the PTO, but rather is a determination that should only be made by the Director himself or herself.

Supplemental Examination has the potential to play a powerful role in improving patent quality and boosting investment in innovation, economic growth, and job creation. The Director should implement this new authority in a way that maximizes this potential.

GENETIC TEST STUDY IN MANAGER'S AMENDMENT (DWS)

Mr. Speaker, Section 27 of H.R. 1249 requires the Director of the U.S. Patent and Trademark Office to conduct a study on the availability of confirmatory genetic diagnostic testing services in the domestic market, and whether changes to existing patent law are necessary to promote such availability more effectively. Consistent with current law, the genetic inventions that form the basis for such diagnostic tests are eligible for patenting, and may be exclusively licensed by such patent holders for genetic diagnostic purposes.

This study is intended to provide unbiased, reliable, and empirical information about the existing availability of independent confirmatory genetic diagnostic testing services, as well as patient demand for such testing services, in situations where genetic diagnostic tests are indeed patented and exclusively licensed. Nothing in this section shall

be construed as undermining existing patent law in this regard.

This study is intended to include, but is not limited to, several specific aspects of this issue. Paragraph (1) of subsection (b) requires an assessment of whether the existing level of availability of confirmatory genetic diagnostic testing has an impact on the ability of medical professionals to provide the appropriate standard of medical care to recipients of genetic diagnostic testing, and includes an assessment of the role that patents play in innovation, quality of services, and investment in the genetic diagnostic marketplace. The assessment required by this paragraph also should include empirical information about the extent to which patents have actually been enforced or asserted against the unauthorized practice of confirmatory genetic diagnostic tests, and a comparison of the availability of and demand for confirmatory testing in situations where genetic tests are not patented or are non-exclusively licensed. Paragraph (2) requires the Director to assess the effects of independent, unauthorized confirmatory genetic testing on patent holders or exclusively licensed test providers. The Committee urges the Director to include in this assessment the possible effects of allowing confirmatory testing on authorized providers of non-exclusively licensed genetic diagnostic tests as well, given that such authorized providers may already provide confirmatory testing services. Paragraph (3) requires an evaluation of the impact of patents and exclusive licensing of genetic diagnostic tests on the practice of medicine, including, but not limited to, the ability of medical professionals to interpret test results, and the ability of licensed or unlicensed test providers to provide confirmatory genetic diagnostic tests. The Director's assessment should also include information on the frequency at which confirmatory genetic diagnostic testing currently is performed by medical professionals in instances where an absence of patent protection or non-exclusive licensing permits multiple independent test providers. Paragraph (4) requires an assessment of the role that cost and insurance coverage have on access to and provision of confirmatory genetic diagnostic tests today, whether patented or not or exclusively licensed or not, and should include an assessment of whether private and public payors cover such costs and are likely to cover the costs of any expansion of confirmatory testing."

Additional Legislative History for the Second Opinion Confirmation Test Study in Managers (H.R. 1249): Additional Information for the Record:

"Section 27 requires USPTO to conduct a study on the impact that a lack of independent second opinion testing has on providing medical care to patients and recipients of genetic diagnostic testing, the effect that providing such tests would have on patent holders of exclusive genetic tests, the impact the current exclusive licensing and patents on genetic testing activity has on the practice of medicine, and the role that cost and insurance coverage have on access to genetic diagnostic tests. Nothing in Section 27 shall be construed to reflect any expression by the Congress with respect to the patentability or non-patentability of genetic material or with respect to the validity or invalidity of patents on genetic material."

THE WELDON AMENDMENT

"None of the funds appropriated or otherwise made available by this act may be used

to issue patents on claims directed to or encompassing a human organism."

Legislative History:

The legislation prohibits the use of appropriated funds by the Patent and Trademark Office to issue certain types of claims presented in patent applications. The types of patent claims subject to the prohibition are limited precisely to those that the Patent and Trademark Office, pursuant to its policies, has indicated may not be granted (see M.P.E.P 1st rev. 2105). Specifically, this section operates to prohibit the use of appropriated funds to issue a patent containing claim that encompasses a human individual.

The Committee recognizes that the economic viability of the biotechnology industry requires that patents be available for the full spectrum of innovation that may be subject to commercialization. The legislation, accordingly does not limit patent eligibility for any type of biotechnology invention that may be commercialized in the United States. The Committee also recognizes that continued innovation in the biomedical and biotechnological fields will lead to new kinds of inventions, and it expects that the overwhelming majority of such inventions will not raise any of the concerns that the present legislation addresses. In particular, nothing in this section should be construed to limit the ability of the PTO to issue a patent containing claims directed to or encompassing:

1. any chemical compound or composition, whether obtained from animals or human beings or produced synthetically, and whether identical to or distinct from a chemical structure as found in an animal or human being, including but not limited to nucleic acids, polypeptides, proteins, antibodies and hormones;

2. cells, tissue, organs or other bodily components produced through human intervention, whether obtained from animals, human beings, or other sources; including but not limited to stem cells, stem cell derived tissues, stem cell lines, and viable synthetic organs;

3. methods for creating, modifying, or treating human organisms, including but not limited to methods for creating embryos through in vitro fertilization, methods of somatic cell nuclear transfer, medical or genetic therapies, methods for enhancing fertility, and methods for implanting embryos;

4. a nonhuman organism incorporating one or more genes taken from a human organism, including but not limited to a transgenic plant or animal, or animal models used for scientific research.

As the legislation addresses only the authority of the PTO to expend funds appropriated by this Act, it concerns patents that may issue on applications filed on or after the date of the legislation. The legislation does not create a claim or give rise to any cause of action to limit the rights associated with, or the enforceability of any patent duly granted by the PTO.

SECTION 18 (H.R. 1249)—BUSINESS METHOD PATENT TRANSITIONAL PROGRAM

The proceeding would create a cheap and speedy alternative to litigation—allowing parties to resolve these disputes rather than spend millions of dollars that litigation now costs. In the process, the proceeding would also prevent nuisance or extortion litigation settlements.

Business methods were generally not patentable in the United States before the late 1990s, and generally are not patentable elsewhere in the world, but the Federal Circuit

(in what was an activist decision) created a new class of patents in its 1998 State Street decision.

In its 2010 decision in *Bilski v. Kappos*, the U.S. Supreme Court clamped down on the patenting of business methods and other patents of poor quality.

It is likely that most if not all the business method patents that were issued after State Street are now invalid under *Bilski*. There is no sense in allowing expensive litigation over patents that are no longer valid.

This provision is strongly supported by community banks, credit unions and other institutions that are an important source of lending to homeowners and small businesses. Money spent litigating over invalid business-method patents, or paying nuisance settlements, cannot be loaned to Americans to purchase new homes and start new businesses.

Resolving the validity of these patents in civil litigation typically costs about \$5-to-\$10 million per patent. Resolving the validity of these patents through the bill's administrative proceeding costs much less.

Moreover, the proceeding allows business-method patents to be reviewed by the experts at the Patent Office under the correct (*Bilski*) standard.

To use this proceeding, a challenger must make an up-front showing to the PTO of evidence that the business-method patent is more likely than not invalid. This is a high standard. Only the worst patents, which probably never should have been issued, will be eligible for review in this proceeding.

Additionally any argument about this provision and Constitutionality is simply a red herring. Congress has the authority to create administrative proceedings to review the validity of existing patents. We have done it before and we will be doing it in the future.

This issue has been litigated and rejected by the courts, when Congress created *ex parte* reexam in 1980. *Ex parte* reexam was applied to all existing patents when that system was created. In *Patlex Corp. v. Mossinghoff*, the Federal Circuit rejected the argument that applying a new system of administrative review to existing patents is a taking. The same logic applies to this provision.

Never in the history of U.S. patent law has it been held, after a patent claim was determined to be invalid because it covered unprotectable subject matter, that the owner of the patent was nevertheless entitled to compensation on the basis of that invalid claim.

This section only creates a new mechanism for reviewing the validity of business-method patents. It does not alter the substantive law governing the validity of those patents. Under settled precedent, the transitional review program is absolutely constitutional.

It is wrong and offensive for this provision to be referred to as a bail-out. The program does not give one cent to any private party and the costs of the proceeding are required to be fully recouped through the fee charged for initiating the proceeding. It is a necessary program to allow the PTO to fix mistakes that occurred in light of an activist judicial decision in the 1998 State Street decision that created this new patentable subject matter without Congress' approval.

This bill will provide the patent office with a fast, precise vehicle to review low quality business method patents, which the Supreme Court has acknowledged are often abstract and overly broad.

And it bears repeating that defendants cannot even start this program unless they

can persuade a panel of judges at the outset of the proceeding that it is more likely than not that the patent is invalid. This is a high threshold, which requires the challenger to present his best evidence and arguments at the outset. Very few patents that undergo this review are likely to be valid patents.

Specifically, the bill's provision applies to patents that describe a series of steps used to conduct every day business applications in the financial products and retail service space. These are patents that can be and have been asserted against all types of businesses—from community banks and credit unions to retailers like Walmart, Bed Bath & Beyond, Best Buy, J.C. Penney, Staples and Office Max to other companies like Dr. Pepper Snapple Group, UPS, Hilton, AT&T, Facebook, Frito-Lay, Google, Marriott, Walt Disney, Delta Airlines and YouTube.

This provision is not tied to one industry or sector of the economy—it affects everyone. For example, this program would allow the Patent Office to decide whether to review patents for business methods related to:

Printing ads at the bottom of billing statements

Buying something online and picking it up in the store

Re-ordering checks online

Converting a IRA to a Roth IRA

Getting a text message when you use your credit card

Those who argue that this provision is a Wall Street bailout are just plain wrong. This is about questionable patents and the frivolous litigation that results from them. This provision is important legal reform, supported by the U.S. Chamber of Commerce and is important for American job creators.

PTO FEE DIVERSION COMPROMISE (H.R. 1249 MANAGERS)

By giving USPTO access to all its funds, the Manager's Amendment supports the USPTO's efforts to improve patent quality and reduce the backlog of patent applications. To carry out the new mandates of the legislation and reduce delays in the patent application process, the USPTO must be able to use all the fees it collects.

The language in the Manager's Amendment reflects the intent of the Judiciary Committee, the Appropriations Committee, and House leadership to end fee diversion. USPTO is 100% funded by fees paid by inventors and trademark filers who are entitled to receive the services they are paying for. The language makes clear the intention not only to appropriate to the USPTO at least the level requested for the fiscal year but also to appropriate to the USPTO any fees collected in excess of such appropriation.

Providing USPTO access to all fees collected means providing access at all points during that year, including in case of a continuing resolution. Access also means that reprogramming requests will be acted on within a reasonable time period and on a reasonable basis. It means that future appropriations will continue to use language that guarantees USPTO access to all of its fee collections.

UNITED STATES PATENT AND TRADEMARK OFFICE, UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE,

Alexandria, VA.

Hon. TED STEVENS,

Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to present the Administration's

position on the Weldon amendment adopted by the House during consideration of H.R. 2799, the Commerce-Justice-State Appropriations bill FY 2004, and the effect it would have on the United States Patent and Trademark Office (USPTO) policy on patenting living subject matter. For the reasons outlined below, we view the Weldon amendment as fully consistent with USPTO's policy on the non-patentability of human life-forms.

The Weldon Amendment would prohibit the U.S. Patent and Trademark Office from issuing any patent "on claims directed to or encompassing a human organism." The USPTO understands the Weldon Amendment to provide unequivocal congressional backing for the long-standing USPTO policy of refusing to grant any patent containing a claim that encompasses any member of the species *Homo sapiens* at any stage of development. It has long been USPTO practice to reject any claim in a patent application that encompasses a human life-form at any stage of development, including a human embryo or human fetus; hence claims directed to living "organisms" are to be rejected unless they include the adjective "nonhuman."

The USPTO's policy of rejecting patent application claims that encompass human life-forms, which the Weldon Amendment elevates to an unequivocal congressional prohibition, applies regardless of the manner and mechanism used to bring a human organism into existence (e.g., somatic cell nuclear transfer, in vitro fertilization, parthenogenesis). If a patent examiner determines that a claim is directed to a human life-form at any stage of development, the claim is rejected as non-statutory subject matter and will not be issued in a patent as such.

As indicated in Representative Weldon's remarks in the Congressional Record of November 5, 2003, the referenced language precludes the patenting of human organisms, including human embryos. He further indicated that the amendment has "exactly the same scope as the current USPTO policy," which assures that any claim that can be broadly construed as a human being, including a human embryo or fetus, is not patentable subject matter. Therefore, our understanding of the plain language of the Weldon Amendment is fully consistent with the detailed statements that the author of the amendment, Representative Weldon, has made in the Congressional Record regarding the meaning and intent of his amendment.

Given that the scope of Representative Weldon's amendment does not alter the USPTO policy on the non-patentability of human life-forms at any stage of development and is fully consistent with our policy, we support its enactment.

With best personal regards, I remain

Sincerely,

JAMES E. ROGAN,
Under Secretary and Director.

FRC ACTION,
FAMILY RESEARCH COUNCIL.

CODIFY THE WELDON BAN ON PATENTING HUMANS

CURRENT WELDON PATENT BAN ON HUMANS

The Weldon Amendment is contained in the annual Commerce, Justice and Science Appropriations bills (CJS) and prevents the patenting of humans. Congress has passed it each year since 2004, and it was included most recently as part of the FY2010 Omnibus (Section 518, Title V, Division B, of the FY2010 Consolidated Appropriations Act, 2010 (H.R. 3288, P.L. 111-117)) and extended by the FY2011 Omnibus spending bill (Department of Defense and Full-Year Continuing Appropriations Act, 2011 (H.R. 1473, P.L. 112-10)).

Weldon Amendment, Section 518: "None of the friends appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism."

CODIFY THE WELDON AMENDMENT—ADD IT TO PATENT REFORM LEGISLATION

Congress has each year since 2004 passed the Weldon Amendment to prevent any profiting from patents on humans. The Weldon Amendment restricts funds under the Commerce, Justice, Science Appropriations bill from being used by the U.S. Patent and Trademark Office (USPTO) to issue patents directed to "human organisms."

The America Invents Act (H.R. 1249) may authorize the USPTO to pay for the issuance of patents with "user fees" instead of with Congressionally appropriated funds. If this funding mechanism becomes law, the Weldon Amendment restriction would not apply since it only covers funds appropriated under the CJS bill. The USPTO could, thereby, issue patents directed to human beings with non-appropriated funds.

Patenting human beings at any stage of development would overturn the long-standing USPTO policy against issuing such patents. As the Quigg Memo stated in 1987 (see below) a grant of a property right in a human being is unconstitutional, and patents on humans are grounds for rejection.

The Weldon restriction can be codified by adding a provision to the America Invents Act to ensure that human beings are not patentable subject matter.

Codifying a ban on patenting of humans would not violate international obligations under the TRIPs agreement with the WTO. The European Union prevents patents on human embryos on the ground that doing so would violate the public order and morality, an exception the TRIPs agreement specifically allows under Article 27, Section 5.

WHAT THE WELDON PATENT AMENDMENT DOES AND DOES NOT AFFECT

The Weldon Amendment does prevent the USPTO from patenting humans at any stage of development, including embryos or fetuses, by preventing patents on claims directed to "human organisms."

The Weldon Amendment's use of the term "human organism" does include human embryos, human fetuses, human-animal chimeras, "she-male" human embryos, or human embryos created with genetic material from more than one embryo.

The Weldon Amendment's use of "human organism" does not include the process of creating human embryos, such as human cloning, nor does it include non-human organisms, e.g., animals.

Then Undersecretary James Rogan wrote to Senate Appropriators on November 20, 2003 stating that the Weldon Amendment gave congressional backing to long-standing USPTO policy against patenting humans stating:

"The Weldon Amendment would prohibit the U.S. Patent and Trademark Office from issuing any patent 'on claims directed to or encompassing a human organism.' The USPTO understands the Weldon Amendment to provide unequivocal congressional backing for the long-standing USPTO policy of refusing to grant any patent containing a claim that encompasses any member of the species *Homo sapiens* at any stage of development. It has long been USPTO practice to reject any claim in a patent application that encompasses a human life-form at any stage of development, including a human embryo or human fetus; hence claims directed to liv-

ing 'organisms' are to be rejected unless they include the adjective 'nonhuman.'"

Secretary Rogan concluded: "The USPTO's policy of rejecting patent application claims that encompass human life-forms, which the Weldon Amendment elevates to an unequivocal congressional prohibition, applies regardless of the manner and mechanism used to bring a human organism into existence (e.g., somatic cell nuclear transfer, in vitro fertilization, parthenogenesis). If a patent examiner determines that a claim is directed to a human life-form at any stage of development, the claim is rejected as non-statutory subject matter and will not be issued in a patent as such."

The Weldon Amendment does not prevent patents on human cells, genes, or other tissues obtained from human embryos or human bodies.

Rep. Dave Weldon submitted a statement to the Congressional Record on December 8, 2003 clarifying that the Weldon Amendment would not prevent patents for non-human organisms even with some human genes. Nor would it affect patents for human cells, tissues or body parts, or for methods of creating human embryos.

Rep. Weldon stated: "This amendment should not be construed to affect claims directed to or encompassing subject matter other than human organisms, including but not limited to claims directed to or encompassing the following: cells, tissues, organs, or other bodily components that are not themselves human organisms (including, but not limited to, stem cells, stem cell lines, genes, and living or synthetic organs); hormones, proteins or other substances produced by human organisms; methods for creating, modifying, or treating human organisms, including but not limited to methods for creating human embryos through in vitro fertilization, somatic cell nuclear transfer, or parthenogenesis; drugs or devices (including prosthetic devices) which may be used in or on human organisms."

The Weldon amendment does not ban human stem cell patents, including patents on human embryonic stem cells. "Stem cells" are not "organisms."

On December 2, 1998, several scientists supportive of federal funding of human embryonic stem cell research testified before the Senate Subcommittee on Labor, Health and Human Services, and Education Committee on Appropriations that "stem cells" are not "human organisms." When asked, Dr. James Thomson who first obtained human embryonic stem cells, and has patents on those stem cell lines, responded: "They are not organisms and they are not embryos."

Despite claims in 2003 that the Weldon amendment in 2003 would ban stem cell patents, the USPTO has maintained several embryonic stem cell patents issued previously. The USPTO has also issued several new patents on human embryonic stem cells since 2003, and has issued roughly 300 new patents on pluripotent stout cells. The Weldon amendment only affects patents on human organisms. (Note, the EU recently reaffirmed its rejection of patents on embryonic stem cells, yet, the Weldon amendment does not follow suit).

HISTORY AND BACKGROUND

Longstanding United States Patent and Trademark Office (USPTO) policy states that human beings at any stage of development are not patentable subject matter under 35 U.S.C. Section 101. In 1980, the U.S. Supreme Court in *Diamond v Chakrabarty* expanded the scope of patentable subject matter claiming Congress intended statutory

subject matter to "include anything under the sun that is made by man." The USPTO eventually issued patents directed to non-human organisms, including animals. However, the USPTO rejected patents on humans (see below).

However, as early as 2003 U.S. researchers announced that they created human male-female embryos and reportedly wanted to patent this research (<http://www.thenewatlantis.com/publications/my-mother-the-embryo>). The researchers transplanted cells from male embryos into female embryos and allowed them to grow for six days.

Because of the possibility of court challenges to USPTO policy, Rep. Dave Weldon offered an amendment on July 22, 2003 to the CJS Appropriations bill to prevent funding for patents directed to "human organisms."

The Weldon amendment was adopted by voice vote, and was included as Section 634, Title VI of Division B, in the Consolidated Appropriations Act, 2004 (P.L. 108-199). The accompanying report language clarified its scope: "The conferees have included a provision prohibiting funds to process patents of human organisms. The conferees concur with the intent of this provision as expressed in the colloquy between the provisions sponsor in the House and the ranking minority member of the House Committee on Appropriations as occurred on July 22, 2003, with respect to any existing patents on stem cells." (Conference Report 108-401).

The Weldon amendment has been included each year in the CJS appropriations bill since 2004 and reflected the USPTO policy against patenting humans as outlined in 3 USPTO official documents.

First, the USPTO published the "Quigg memo" in its Official Gazette on January 5, 1993, which was written in 1917 stating: "The Patent and Trademark Office now considers nonnaturally occurring non-human multicellular living organisms, including animals, to be patentable subject matter within the scope of 35 U.S.C. 101. . . . A claim directed to or including within its scope a human being will not be considered patentable subject matter under 35 U.S.C. 101." Furthermore, it "suggests" that that any claim directed to "a non-plant multicellular organism which would include a human being within its scope include the limitation 'non-human' to avoid this ground of rejection."

Second, the USPTO policy is also contained in an official media advisory issued on April 2, 1998 in response to news about a patent application directed to a human/non-human chimera. USPTO claimed that patents "inventions directed to human/non-human chimera could, under certain circumstances, not be patentable because, among other things, they would fail to meet the public policy and morality aspects of the utility requirement."

Third, the USPTO policy is contained in the Manual of Patent Examining Procedure (MPEP) section 2105 under "Patentable Subject Matter." The MPEP states that the USPTO "would now consider nonnaturally occurring, nonhuman multicellular living organisms, including animals, to be patentable subject matter within the scope of 35 U.S.C. 101. If the broadest reasonable interpretation of the claimed invention as a whole encompasses a human being, then a rejection under 35 U.S.C. 101 must be made indicating that the claimed invention is directed to non-statutory subject matter."

Ms. HIRONO. Madam Chair, I rise today in reluctant opposition to H.R. 1249, the America Invents Act.

In Hawaii, independent inventors and small businesses are at the forefront of the innovation that we need to strengthen our state's economic future. Year after year, small businesses have been responsible for the majority of net job growth nationwide. Congress must modernize and fully fund the U.S. Patent and Trademark Office (PTO) to address the massive application backlog that stifles innovation and job creation.

However, I have heard from independent inventors and small businesses in Hawaii who express grave concerns about H.R. 1249. This bill's shift to a "first inventor to file" system could create a "race to file," allowing large corporations to use early and repeat filings to threaten independent inventors' and small businesses' rights.

Further, to speed up patent processing and job creation, the PTO must be able to use inventors' application fees for their intended use: processing patents. The PTO receives no taxpayer money, and is funded entirely by fees. I voted against the manager's amendment that diverts these user fees to the vagaries of the annual congressional budget process.

I also have concerns about Section 18 of the bill. This section establishes an administrative review process for financially related business method patents whose validity has been questioned. This review process is retroactive, and even previously awarded patents whose validity had been upheld by federal courts would be subject to challenge. This is unfair to inventors, who would have to defend themselves again for patents they have already been awarded and already defended in court.

Innovation and technology development is essential to growing Hawaii's economy of the future. For this reason, I support patent reform but cannot support the bill before us today.

Mr. WEST. Madam Chair, the most sweeping patent reform legislation that has come before the House of Representatives in over half a century, the America Invents Act, H.R. 1249, makes significant substantive, procedural, and technical changes to current United States patent law.

Article I, Section 8 gives the United States Congress the power to "promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

Congress passed the first patent law just one year after ratifying the Constitution when it enacted the Patent Act of 1790. The law granted patent applicants the "sole and exclusive right and liberty of making, constructing, using and vending to others to be used" of his or her invention, clearly maintaining the intentions of patent protections the Framers had when they drafted Article I, Section 8, Clause 8 of the Constitution, commonly referred to as the Intellectual Property Clause.

Before discussing the ramifications of the America Invents Act, it is important for the American people to understand the reasoning behind the Intellectual Property Clause of the Constitution. The Framers recognized that a crucial component for success of the newly formed United States was economic strength and security, and they knew that American ingenuity and innovation was key to economic success.

Thus, for more than 200 years, American patent law has used a first to invent system that addresses the circumstances when two or more persons independently develop identical or similar inventions at approximately the same time. When more than one patent application is filed at the Patent and Trademark Office (PTO) claiming the same invention, the patent is awarded to the applicant who was the first inventor, even if the inventor was not the first person to file a patent application at the PTO.

Section 3 of H.R. 1249 would change this established system for determining which inventor obtains patent protection to a "first inventor to file" system. Under this new "first inventor to file" system, the law would not recognize the patent of an individual who did not file an invention first even if he or she was the first to complete an invention.

Proponents of Section 3 will argue that the United States is the only patent-issuing nation that does not employ a "first inventor to file" system, and that making this change will simplify the process for acquiring patent rights.

However, I believe that Section 3 on its face is unconstitutional. Over 200 years of evidenced-based, legal determination as to who is the true inventor of an invention should not be overturned because the rest of the world does it, or to make it easier for government bureaucrats to resolve patent disputes.

The United States is the greatest Nation on the face of the earth not because we conform our ways to the rest of the world, but instead because we operate in a way that makes the rest of the world want to follow our example.

Finally, and most importantly, I believe that awarding a patent to an individual who simply files before the inventor, violates the Framers' intent laid out in the Intellectual Property Clause. There can be no such thing as a "first inventor to file" since there can only be one inventor. Small inventors—the backbone of the American spirit of innovation—who do not have the funding or the legal staff to race to the PTO to file a patent will without question lose inventions to well-funded and well-staffed corporations.

I also have constitutional concerns with Section 18 of H.R. 1249. Section 18 of the America Invents Act would create a new Transitional Review proceeding at the Patent and Trademark Office that would only apply to "business method patents" dealing with data processing in the financial services industry. The Transitional Review would be available only to banks sued for patent infringement—even if the patent has already been upheld as valid by the PTO in a reexamination, or upheld by a federal court jury and/or judge in a trial. This new review process would ultimately lead to a delay, via a stay, of court proceedings that would interrupt inventors from capitalizing on their patents.

Constitutional scholars Richard Epstein and Jonathan Massey have concluded that Section 18 language constitutes a government taking by allowing banks to challenge all business method patents—even those that have been reexamined and affirmed by the PTO and upheld by a jury in federal court.

The House Judiciary Committee's consideration of H.R. 1249 proceeded rapidly. The committee held a hearing focused primarily on

the broader patent provisions of the bill, and only the banking industry was invited to testify with regard to Section 18. Furthermore, there have been no hearings specifically relating to the implications of Section 18.

I have met with and spoken to a number of individuals representing both sides of this issue in order to fully understand the intent of H.R. 1249, as well as both its intended and unintended consequences. I have spoken to Director Kappos of the Patent and Trademark Office, and more importantly I have spoken with constituents in the 22nd Congressional District of Florida who are inventors that have received patents who would be adversely affected by certain provisions of this bill.

Madam Chair, I voted against H.R. 1249 because I believe that the major sections I have outlined raise serious Constitutional questions. Section 3 clearly violates the intent of our Framers when they drafted the Intellectual Property Clause. Section 18 opens the door for the Executive Branch to overturn the Judicial Branch, a clear violation of the separation of powers laid out by the United States Constitution.

As a 22-year Army combat veteran, and now as a Member of the House of Representatives, I swore an oath to protect and defend the Constitution. Voting in favor of passage of H.R. 1249 I believe goes against this very sacred oath I took, both as a young Second Lieutenant over 25 years ago, and as a Congressman in this body earlier this year.

Mr. BLUMENAUER. Madam Chair, I rise in support of H.R. 1249, which will help America maintain its distinction as the most innovative country in the world. For too long, independent inventors, small businesses, and America's leading universities and technology companies have been mired in a convoluted patent process that has stifled innovation and job creation. H.R. 1249 streamlines and clarifies the patent process, giving inventors and investors the certainty they need to expand their businesses and grow the economy.

This legislation also gives the United States Patent and Trademark Office the tools it needs to process the hundreds of thousands of applications it receives every year, increasing their ability to adjust its fees to reflect the actual costs of the services it provides, to fast-track patent applications, and to expand opportunities for post-grant review of patents. I remain deeply concerned that, under the manager's amendment, the Patent and Trademark Office will have fewer resources to pursue these objectives, a change which risks squandering the very opportunities created by the remainder of the legislation.

Innovative stakeholders in my district have voiced concerns that the legislation's expansion of the defense of "prior user rights" will weaken their ability to protect their patentable innovations and give rise to widespread trade secret litigation, particularly for those areas of research the blend federal investment and private investment. I look forward to working with my colleagues to ensure these concerns are addressed, so that America's finest universities and research centers can continue their role as global leaders of innovation.

H.R. 1249 is a strong step toward protecting the administration of our system of intellectual property rights. This is a worthy bipartisan accomplishment. I am concerned that some of

my colleagues have championed this bill as the ultimate job-creator and that once it passes, they will forget about the millions of Americans that are still struggling to find work. Patent reform is important, but what out-of-work Americans need most are jobs. I urge my colleagues to build on this bipartisan momentum and work together to rebuild and renew America's infrastructure, the most efficient way to create jobs and strengthen our economy.

Mr. HOYER. Madam Chair, I rise in support of this legislation. I am a strong supporter, as many of you know, of what we call our Make It In America agenda. Make It In America simply means we are going to provide jobs, we are going to provide opportunities, and we are going to build the manufacturing sector of our economy. In order to do that we also need to enhance the inventive, innovative, and development phases of our economy. This bill, I think, will facilitate this.

I congratulate the gentlelady from California for this amendment as well, which I think improves this bill. I rise in strong support and urge my colleagues to support this piece of legislation. I congratulate all of those who have worked on this legislation. It is obviously not perfect, but then again, no piece of legislation that we adopt is perfect. It is, however, a significant step forward to make sure that America remains the inventive, innovative development capital of the world. In order to do that we need to manufacture goods here in America—manufacture the goods that we invent, innovate, and develop here, because if we continue to take them to scale overseas, then the inventors, innovators, and developers will themselves move overseas.

So I thank Mr. SMITH, Mr. WATT, Ms. LOFGREN, and the others who have worked so hard on this legislation, who have dedicated themselves to trying to make sure that we have a context and environment in America which will facilitate the innovative sector of our economy.

Mr. VAN HOLLEN. Madam Chair, America's patent system and the protection of intellectual property is an important source of innovation and national strength for our country. For that reason, any patent reform proposal must be judged based on its ability to improve patent quality, reduce the current backlog and provide patent holders greater certainty with respect to their patent rights. On that score, I believe the America Invents Act, on balance, achieves that objective.

In particular, our office received a number of calls regarding the proposed change to a first-inventor-to-file system. A variety of stakeholders—from the U.S. Patent Office to large multinational companies to biotech firms and angel investors in my district to the academic research community to independent inventors on both sides of this issue—weighed in with their respective points of view. In the final analysis, I concluded that the first-inventor-to-file standard in today's legislation will provide greater certainty for innovators, produce stronger patents and enhance our nation's economic competitiveness.

Mr. WAXMAN. Madam Chair, it is with great frustration that I rise in opposition to H.R. 1249, the America Invents Act.

Our nation's patent system is the backbone of our knowledge-based economy and the

well-spring of our most competitive industries. Since the era of the Founding Fathers, the patent system has evolved on the principle that individuals are entitled and encouraged to claim ownership of their thoughts and discoveries. For this reason we continue to be a world leader in innovation, producing some of the greatest scientific advances of the modern era and serving as a robust market for all around in the world who want to invest in or introduce the next "big idea."

The objective of patent reform is to improve patent quality, reduce uncertainty and modernize a Patent and Trademark Office (PTO) mired in inefficiencies and delays. Regrettably, this bill as amended fails to achieve these critical goals.

On the issue of patent quality, I am deeply disappointed that Section 12 of the bill introduces a new supplemental examination procedure permitting patent holders a second chance to correct or revise information that was inaccurate or omitted at the time the patent was filed. The provision also prohibits any information provided in a reexamination proceeding from being used as evidence that a patent holder committed inequitable conduct and deliberately filed a patent application that was misleading or deceptive.

Effectively, this amounts to a "get out of jail free card" for any company fearful of having their patent invalidated because they deceived the PTO. Furthermore, nothing in the bill would stop a patent holder from seeking a supplemental examination with information that wasn't even available at the time the patent was originally filed. What is to stop a drug company from submitting new clinical studies conducted after the patent was filed to shore up questionable claims in an original application? And what is to stop a company from cutting corners on a patent application when they know they can just fix it later?

If this bill is enacted into law, I am hopeful that the PTO will, at a minimum, adopt reasonable limitations on this procedure such as prohibiting reexamination of information that didn't exist at the time of the original filing. It is essential that the agency carefully police what stands to be an abusive practice.

On the issue of certainty, I am concerned that this bill fails to offer greater clarity of the protection available to inventors during the "grace period," or the one year period an inventor has to file a patent application after disclosing or publishing information about the invention. This time is critical for small inventors to conduct market research, pitch their ideas to investors, and raise sufficient capital to file a quality patent application. As our system shifts from a first-inventor-to-file to a first-to-file paradigm, small inventors face an increased risk that someone will hear their idea and race ahead of them to file a patent or use their own pitch materials against them to claim there is prior art undermining the patent application.

Which brings me to the issue of modernization. This legislation is a leap of faith. It represents a dramatic transformation of the patent system and introduces a host of new mechanisms for pre-grant submissions, post-grant challenges, and revamped derivation proceedings at an agency already mired in backlogs. Rather than giving the PTO the resources it needs to implement these sweeping

changes, the Republican leadership has refused to let the agency collect and allocate the fees paid by patent filers. Instead, the agency must remain at the mercy of the appropriations committee for annual allocations.

It's one thing to ask inventors to take a leap of faith on the bold restructuring of our patent system. But now they are being asked to take another leap of faith that appropriators won't fall back on their long history of poaching patent fee revenues for other uses.

Congress can do better and inventors deserve better. If this legislation passes the House, I am hopeful we will have an opportunity to fix these problems in negotiations with the Senate.

Mr. SMITH of Texas. Madam Chair, H.R. 1249 makes a significant change to the system by which patents are filed and granted in the United States. Moving to a first-inventor-to-file system will modernize and harmonize our patent system with our international trading partners. In so doing, we recognize that we are also modifying other parts of our patent system as part of this change.

One key part of the transition that has already been recognized by the House Judiciary Committee is the necessary inclusion of prior user rights under the new first-inventor-to-file system. The inclusion of prior user rights is essential to ensure that those who have invented and used a technology but choose not to disclose that technology—generally to ensure that they not disclose their trade secrets to foreign competitors—are provided a defense against someone who later patents the technology. Even as we make this change, we recognize that uncertainty remains as to the appropriate scope of the prior-user-rights defense and how best to provide protections for America's most innovative companies.

H.R. 1249 takes steps to explore these issues, including requiring an important PTO study of prior user rights and whether we should expand the defense created by the America Invents Act. One important area of focus will be how we protect those who make substantial investments in the development and preparation of proprietary technologies. For example, in the semiconductor industry, the design of a state of the art processor takes roughly three years from the high-level specification to the production of the first silicon, at a cost of billions of dollars. Inventions such as these, which are present throughout our economy, should be protected. I should also note that parties who commercialize a product will still be able to assert a defense of prior art invalidation. Upon release of the forthcoming PTO report, we may introduce legislation that implements its conclusions and refines the nature and scope of the prior-user rights defense. This will ensure that our most innovative companies who hold many of the keys to U.S. economic competitiveness are provided sufficient prior user right protections to put them on an even competitive field internationally.

Mr. SMITH of Texas. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in

the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “America Invents Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. First inventor to file.
- Sec. 4. Inventor’s oath or declaration.
- Sec. 5. Defense to infringement based on earlier inventor.
- Sec. 6. Post-grant review proceedings.
- Sec. 7. Patent Trial and Appeal Board.
- Sec. 8. Preissuance submissions by third parties.
- Sec. 9. Venue.
- Sec. 10. Fee setting authority.
- Sec. 11. Fees for patent services.
- Sec. 12. Supplemental examination.
- Sec. 13. Funding agreements.
- Sec. 14. Tax strategies deemed within the prior art.
- Sec. 15. Best mode requirement.
- Sec. 16. Marking.
- Sec. 17. Advice of counsel.
- Sec. 18. Transitional program for covered business method patents.
- Sec. 19. Jurisdiction and procedural matters.
- Sec. 20. Technical amendments.
- Sec. 21. Travel expenses and payment of administrative judges.
- Sec. 22. Patent and Trademark Office funding.
- Sec. 23. Satellite offices.
- Sec. 24. Designation of Detroit satellite office.
- Sec. 25. Patent Ombudsman Program for small business concerns.
- Sec. 26. Priority examination for technologies important to American competitiveness.
- Sec. 27. Calculation of 60-day period for application of patent term extension.
- Sec. 28. Study on implementation.
- Sec. 29. Pro bono program.
- Sec. 30. Effective date.
- Sec. 31. Budgetary effects.

SEC. 2. DEFINITIONS.

In this Act:

(1) **DIRECTOR.**—The term “Director” means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(2) **OFFICE.**—The term “Office” means the United States Patent and Trademark Office.

(3) **PATENT PUBLIC ADVISORY COMMITTEE.**—The term “Patent Public Advisory Committee” means the Patent Public Advisory Committee established under section 5(a)(1) of title 35, United States Code.

(4) **TRADEMARK ACT OF 1946.**—The term “Trademark Act of 1946” means the Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 5, 1946 (15 U.S.C. 1051 et seq.) (commonly referred to as the “Trademark Act of 1946” or the “Lanham Act”).

(5) **TRADEMARK PUBLIC ADVISORY COMMITTEE.**—The term “Trademark Public Advisory Committee” means the Trademark Public Advisory Committee established under section 5(a)(1) of title 35, United States Code.

SEC. 3. FIRST INVENTOR TO FILE.

(a) **DEFINITIONS.**—Section 100 of title 35, United States Code, is amended—

(1) in subsection (e), by striking “or inter partes reexamination under section 311”; and

(2) by adding at the end the following: “(f) The term ‘inventor’ means the individual or, if a joint invention, the individuals collectively who invented or discovered the subject matter of the invention.

“(g) The terms ‘joint inventor’ and ‘co-inventor’ mean any 1 of the individuals who invented or discovered the subject matter of a joint invention.

“(h) The term ‘joint research agreement’ means a written contract, grant, or cooperative agreement entered into by 2 or more persons or entities for the performance of experimental, developmental, or research work in the field of the claimed invention.

“(i)(1) The term ‘effective filing date’ for a claimed invention in a patent or application for patent means—

“(A) if subparagraph (B) does not apply, the actual filing date of the patent or the application for the patent containing a claim to the invention; or

“(B) the filing date of the earliest application for which the patent or application is entitled, as to such invention, to a right of priority under section 119, 365(a), or 365(b) or to the benefit of an earlier filing date under section 120, 121, or 365(c).

“(2) The effective filing date for a claimed invention in an application for reissue or reissued patent shall be determined by deeming the claim to the invention to have been contained in the patent for which reissue was sought.

“(j) The term ‘claimed invention’ means the subject matter defined by a claim in a patent or an application for a patent.”

(b) **CONDITIONS FOR PATENTABILITY.**—

(1) **IN GENERAL.**—Section 102 of title 35, United States Code, is amended to read as follows:

“§ 102. Conditions for patentability; novelty

“(a) **NOVELTY; PRIOR ART.**—A person shall be entitled to a patent unless—

“(1) the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or

“(2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention.

“(b) **EXCEPTIONS.**—

“(1) **DISCLOSURES MADE 1 YEAR OR LESS BEFORE THE EFFECTIVE FILING DATE OF THE CLAIMED INVENTION.**—A disclosure made 1 year or less before the effective filing date of a claimed invention shall not be prior art to the claimed invention under subsection (a)(1) if—

“(A) the disclosure was made by the inventor or joint inventor or by another who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor; or

“(B) the subject matter disclosed had, before such disclosure, been publicly disclosed by the inventor or a joint inventor or another who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor.

“(2) **DISCLOSURES APPEARING IN APPLICATIONS AND PATENTS.**—A disclosure shall not be prior art to a claimed invention under subsection (a)(2) if—

“(A) the subject matter disclosed was obtained directly or indirectly from the inventor or a joint inventor; or

“(B) the subject matter disclosed had, before such subject matter was effectively filed under

subsection (a)(2), been publicly disclosed by the inventor or a joint inventor or another who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor; or

“(C) the subject matter disclosed and the claimed invention, not later than the effective filing date of the claimed invention, were owned by the same person or subject to an obligation of assignment to the same person.

“(c) **COMMON OWNERSHIP UNDER JOINT RESEARCH AGREEMENTS.**—Subject matter disclosed and a claimed invention shall be deemed to have been owned by the same person or subject to an obligation of assignment to the same person in applying the provisions of subsection (b)(2)(C) if—

“(1) the subject matter disclosed was developed and the claimed invention was made by, or on behalf of, 1 or more parties to a joint research agreement that was in effect on or before the effective filing date of the claimed invention; or

“(2) the claimed invention was made as a result of activities undertaken within the scope of the joint research agreement; and

“(3) the application for patent for the claimed invention discloses or is amended to disclose the names of the parties to the joint research agreement.

“(d) **PATENTS AND PUBLISHED APPLICATIONS EFFECTIVE AS PRIOR ART.**—For purposes of determining whether a patent or application for patent is prior art to a claimed invention under subsection (a)(2), such patent or application shall be considered to have been effectively filed, with respect to any subject matter described in the patent or application—

“(1) if paragraph (2) does not apply, as of the actual filing date of the patent or the application for patent; or

“(2) if the patent or application for patent is entitled to claim a right of priority under section 119, 365(a), or 365(b), or to claim the benefit of an earlier filing date under section 120, 121, or 365(c), based upon 1 or more prior filed applications for patent, as of the filing date of the earliest such application that describes the subject matter.”

(2) **CONTINUITY OF INTENT UNDER THE CREATE ACT.**—The enactment of section 102(c) of title 35, United States Code, under paragraph (1) of this subsection is done with the same intent to promote joint research activities that was expressed, including in the legislative history, through the enactment of the Cooperative Research and Technology Enhancement Act of 2004 (Public Law 108-453; the “CREATE Act”), the amendments of which are stricken by subsection (c) of this section. The United States Patent and Trademark Office shall administer section 102(c) of title 35, United States Code, in a manner consistent with the legislative history of the CREATE Act that was relevant to its administration by the United States Patent and Trademark Office.

(3) **CONFORMING AMENDMENT.**—The item relating to section 102 in the table of sections for chapter 10 of title 35, United States Code, is amended to read as follows:

“102. Conditions for patentability; novelty.”

(c) **CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER.**—Section 103 of title 35, United States Code, is amended to read as follows:

“§ 103. Conditions for patentability; non-obvious subject matter

“A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date

of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.”.

(d) **REPEAL OF REQUIREMENTS FOR INVENTIONS MADE ABROAD.**—Section 104 of title 35, United States Code, and the item relating to that section in the table of sections for chapter 10 of title 35, United States Code, are repealed.

(e) **REPEAL OF STATUTORY INVENTION REGISTRATION.**—

(1) **IN GENERAL.**—Section 157 of title 35, United States Code, and the item relating to that section in the table of sections for chapter 14 of title 35, United States Code, are repealed.

(2) **REMOVAL OF CROSS REFERENCES.**—Section 111(b)(8) of title 35, United States Code, is amended by striking “sections 115, 131, 135, and 157” and inserting “sections 131 and 135”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect upon the expiration of the 18-month period beginning on the date of the enactment of this Act, and shall apply to any request for a statutory invention registration filed on or after that effective date.

(f) **EARLIER FILING DATE FOR INVENTOR AND JOINT INVENTOR.**—Section 120 of title 35, United States Code, is amended by striking “which is filed by an inventor or inventors named” and inserting “which names an inventor or joint inventor”.

(g) **CONFORMING AMENDMENTS.**—

(1) **RIGHT OF PRIORITY.**—Section 172 of title 35, United States Code, is amended by striking “and the time specified in section 102(d)”.

(2) **LIMITATION ON REMEDIES.**—Section 287(c)(4) of title 35, United States Code, is amended by striking “the earliest effective filing date of which is prior to” and inserting “which has an effective filing date before”.

(3) **INTERNATIONAL APPLICATION DESIGNATING THE UNITED STATES: EFFECT.**—Section 363 of title 35, United States Code, is amended by striking “except as otherwise provided in section 102(e) of this title”.

(4) **PUBLICATION OF INTERNATIONAL APPLICATION: EFFECT.**—Section 374 of title 35, United States Code, is amended by striking “sections 102(e) and 154(d)” and inserting “section 154(d)”.

(5) **PATENT ISSUED ON INTERNATIONAL APPLICATION: EFFECT.**—The second sentence of section 375(a) of title 35, United States Code, is amended by striking “Subject to section 102(e) of this title, such” and inserting “Such”.

(6) **LIMIT ON RIGHT OF PRIORITY.**—Section 119(a) of title 35, United States Code, is amended by striking “; but no patent shall be granted” and all that follows through “one year prior to such filing”.

(7) **INVENTIONS MADE WITH FEDERAL ASSISTANCE.**—Section 202(c) of title 35, United States Code, is amended—

(A) in paragraph (2)—

(i) by striking “publication, on sale, or public use,” and all that follows through “obtained in the United States” and inserting “the 1-year period referred to in section 102(b) would end before the end of that 2-year period”; and

(ii) by striking “prior to the end of the statutory” and inserting “before the end of that 1-year”; and

(B) in paragraph (3), by striking “any statutory bar date that may occur under this title due to publication, on sale, or public use” and inserting “the expiration of the 1-year period referred to in section 102(b)”.

(h) **DERIVED PATENTS.**—

(1) **IN GENERAL.**—Section 291 of title 35, United States Code, is amended to read as follows:

“§291. Derived Patents

“(a) **IN GENERAL.**—The owner of a patent may have relief by civil action against the owner of

another patent that claims the same invention and has an earlier effective filing date, if the invention claimed in such other patent was derived from the inventor of the invention claimed in the patent owned by the person seeking relief under this section.

“(b) **FILING LIMITATION.**—An action under this section may be filed only before the end of the 1-year period beginning on the date of the issuance of the first patent containing a claim to the allegedly derived invention and naming an individual alleged to have derived such invention as the inventor or joint inventor.”.

(2) **CONFORMING AMENDMENT.**—The item relating to section 291 in the table of sections for chapter 29 of title 35, United States Code, is amended to read as follows:

“291. Derived patents.”.

(i) **DERIVATION PROCEEDINGS.**—Section 135 of title 35, United States Code, is amended to read as follows:

“§135. Derivation proceedings

“(a) **INSTITUTION OF PROCEEDING.**—An applicant for patent may file a petition to institute a derivation proceeding in the Office. The petition shall set forth with particularity the basis for finding that an inventor named in an earlier application derived the claimed invention from an inventor named in the petitioner’s application and, without authorization, the earlier application claiming such invention was filed. Any such petition may be filed only within the 1-year period beginning on the date of the first publication of a claim to an invention that is the same or substantially the same as the earlier application’s claim to the invention, shall be made under oath, and shall be supported by substantial evidence. Whenever the Director determines that a petition filed under this subsection demonstrates that the standards for instituting a derivation proceeding are met, the Director may institute a derivation proceeding. The determination by the Director whether to institute a derivation proceeding shall be final and nonappealable.

“(b) **DETERMINATION BY PATENT TRIAL AND APPEAL BOARD.**—In a derivation proceeding instituted under subsection (a), the Patent Trial and Appeal Board shall determine whether an inventor named in the earlier application derived the claimed invention from an inventor named in the petitioner’s application and, without authorization, the earlier application claiming such invention was filed. The Director shall prescribe regulations setting forth standards for the conduct of derivation proceedings.

“(c) **DEFERRAL OF DECISION.**—The Patent Trial and Appeal Board may defer action on a petition for a derivation proceeding until the expiration of the 3-month period beginning on the date on which the Director issues a patent that includes the claimed invention that is the subject of the petition. The Patent Trial and Appeal Board also may defer action on a petition for a derivation proceeding, or stay the proceeding after it has been instituted, until the termination of a proceeding under chapter 30, 31, or 32 involving the patent of the earlier applicant.

“(d) **EFFECT OF FINAL DECISION.**—The final decision of the Patent Trial and Appeal Board, if adverse to claims in an application for patent, shall constitute the final refusal by the Office on those claims. The final decision of the Patent Trial and Appeal Board, if adverse to claims in a patent, shall, if no appeal or other review of the decision has been or can be taken or had, constitute cancellation of those claims, and notice of such cancellation shall be endorsed on copies of the patent distributed after such cancellation.

“(e) **SETTLEMENT.**—Parties to a proceeding instituted under subsection (a) may terminate the

proceeding by filing a written statement reflecting the agreement of the parties as to the correct inventors of the claimed invention in dispute. Unless the Patent Trial and Appeal Board finds the agreement to be inconsistent with the evidence of record, if any, it shall take action consistent with the agreement. Any written settlement or understanding of the parties shall be filed with the Director. At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents or applications, and shall be made available only to Government agencies on written request, or to any person on a showing of good cause.

“(f) **ARBITRATION.**—Parties to a proceeding instituted under subsection (a) may, within such time as may be specified by the Director by regulation, determine such contest or any aspect thereof by arbitration. Such arbitration shall be governed by the provisions of title 9, to the extent such title is not inconsistent with this section. The parties shall give notice of any arbitration award to the Director, and such award shall, as between the parties to the arbitration, be dispositive of the issues to which it relates. The arbitration award shall be unenforceable until such notice is given. Nothing in this subsection shall preclude the Director from determining the patentability of the claimed inventions involved in the proceeding.”.

(j) **ELIMINATION OF REFERENCES TO INTERFERENCES.**—(1) Sections 134, 145, 146, 154, and 305 of title 35, United States Code, are each amended by striking “Board of Patent Appeals and Interferences” each place it appears and inserting “Patent Trial and Appeal Board”.

(2)(A) Section 146 of title 35, United States Code, is amended—

(i) by striking “an interference” and inserting “a derivation proceeding”; and

(ii) by striking “the interference” and inserting “the derivation proceeding”.

(B) The subparagraph heading for section 154(b)(1)(C) of title 35, United States Code, is amended to read as follows:

“(C) **GARANTEE OF ADJUSTMENTS FOR DELAYS DUE TO DERIVATION PROCEEDINGS, SECRECY ORDERS, AND APPEALS.**—”.

(3) The section heading for section 134 of title 35, United States Code, is amended to read as follows:

“§134. Appeal to the Patent Trial and Appeal Board”.

(4) The section heading for section 146 of title 35, United States Code, is amended to read as follows:

“§146. Civil action in case of derivation proceeding”.

(5) The items relating to sections 134 and 135 in the table of sections for chapter 12 of title 35, United States Code, are amended to read as follows:

“134. Appeal to the Patent Trial and Appeal Board.

“135. Derivation proceedings.”.

(6) The item relating to section 146 in the table of sections for chapter 13 of title 35, United States Code, is amended to read as follows:

“146. Civil action in case of derivation proceeding.”.

(k) **STATUTE OF LIMITATIONS.**—

(1) **IN GENERAL.**—Section 32 of title 35, United States Code, is amended by inserting between the third and fourth sentences the following: “A proceeding under this section shall be commenced not later than the earlier of either the date that is 10 years after the date on which the misconduct forming the basis for the proceeding occurred, or 1 year after the date on which the misconduct forming the basis for the proceeding

is made known to an officer or employee of the Office as prescribed in the regulations established under section 2(b)(2)(D).”.

(2) **REPORT TO CONGRESS.**—The Director shall provide on a biennial basis to the Judiciary Committees of the Senate and House of Representatives a report providing a short description of incidents made known to an officer or employee of the Office as prescribed in the regulations established under section 2(b)(2)(D) of title 35, United States Code, that reflect substantial evidence of misconduct before the Office but for which the Office was barred from commencing a proceeding under section 32 of title 35, United States Code, by the time limitation established by the fourth sentence of that section.

(3) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall apply in any case in which the time period for instituting a proceeding under section 32 of title 35, United States Code, had not lapsed before the date of the enactment of this Act.

(1) **SMALL BUSINESS STUDY.**—

(1) **DEFINITIONS.**—In this subsection—

(A) the term “Chief Counsel” means the Chief Counsel for Advocacy of the Small Business Administration;

(B) the term “General Counsel” means the General Counsel of the United States Patent and Trademark Office; and

(C) the term “small business concern” has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(2) **STUDY.**—

(A) **IN GENERAL.**—The Chief Counsel, in consultation with the General Counsel, shall conduct a study of the effects of eliminating the use of dates of invention in determining whether an applicant is entitled to a patent under title 35, United States Code.

(B) **AREAS OF STUDY.**—The study conducted under subparagraph (A) shall include examination of the effects of eliminating the use of invention dates, including examining—

(i) how the change would affect the ability of small business concerns to obtain patents and their costs of obtaining patents;

(ii) whether the change would create, mitigate, or exacerbate any disadvantages for applicants for patents that are small business concerns relative to applicants for patents that are not small business concerns, and whether the change would create any advantages for applicants for patents that are small business concerns relative to applicants for patents that are not small business concerns;

(iii) the cost savings and other potential benefits to small business concerns of the change; and

(iv) the feasibility and costs and benefits to small business concerns of alternative means of determining whether an applicant is entitled to a patent under title 35, United States Code.

(3) **REPORT.**—Not later than the date that is 1 year after the date of the enactment of this Act, the Chief Counsel shall submit to the Committee on Small Business and Entrepreneurship and the Committee on the Judiciary of the Senate and the Committee on Small Business and the Committee on the Judiciary of the House of Representatives a report on the results of the study under paragraph (2).

(m) **REPORT ON PRIOR USER RIGHTS.**—

(1) **IN GENERAL.**—Not later than the end of the 4-month period beginning on the date of the enactment of this Act, the Director shall report, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives, the findings and recommendations of the Director on the operation of prior user rights in selected countries in the industrialized world. The report shall include the following:

(A) A comparison between patent laws of the United States and the laws of other industri-

alized countries, including members of the European Union and Japan, Canada, and Australia.

(B) An analysis of the effect of prior user rights on innovation rates in the selected countries.

(C) An analysis of the correlation, if any, between prior user rights and start-up enterprises and the ability to attract venture capital to start new companies.

(D) An analysis of the effect of prior user rights, if any, on small businesses, universities, and individual inventors.

(E) An analysis of legal and constitutional issues, if any, that arise from placing trade secret law in patent law.

(F) An analysis of whether the change to a first-to-file patent system creates a particular need for prior user rights.

(2) **CONSULTATION WITH OTHER AGENCIES.**—In preparing the report required under paragraph (1), the Director shall consult with the United States Trade Representative, the Secretary of State, and the Attorney General.

(n) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, the amendments made by this section shall take effect upon the expiration of the 18-month period beginning on the date of the enactment of this Act, and shall apply to any application for patent, and to any patent issuing thereon, that contains or contained at any time—

(A) a claim to a claimed invention that has an effective filing date as defined in section 100(i) of title 35, United States Code, that is on or after the effective date described in this paragraph; or

(B) a specific reference under section 120, 121, or 365(c) of title 35, United States Code, to any patent or application that contains or contained at any time such a claim.

(2) **INTERFERING PATENTS.**—The provisions of sections 102(g), 135, and 291 of title 35, United States Code, as in effect on the day before the effective date set forth in paragraph (1) of this subsection, shall apply to each claim of an application for patent, and any patent issued thereon, for which the amendments made by this section also apply, if such application or patent contains or contained at any time—

(A) a claim to an invention having an effective filing date as defined in section 100(i) of title 35, United States Code, that occurs before the effective date set forth in paragraph (1) of this subsection; or

(B) a specific reference under section 120, 121, or 365(c) of title 35, United States Code, to any patent or application that contains or contained at any time such a claim.

(o) **STUDY OF PATENT LITIGATION.**—

(1) **GAO STUDY.**—The Comptroller General of the United States shall conduct a study of the consequences of litigation by non-practicing entities, or by patent assertion entities, related to patent claims made under title 35, United States Code, and regulations authorized by that title.

(2) **CONTENTS OF STUDY.**—The study conducted under this subsection shall include the following:

(A) The annual volume of litigation described in paragraph (1) over the 20-year period ending on the date of the enactment of this Act.

(B) The volume of cases comprising such litigation that are found to be without merit after judicial review.

(C) The impacts of such litigation on the time required to resolve patent claims.

(D) The estimated costs, including the estimated cost of defense, associated with such litigation for patent holders, patent licensors, patent licensees, and inventors, and for users of alternate or competing innovations.

(E) The economic impact of such litigation on the economy of the United States, including the

impact on inventors, job creation, employers, employees, and consumers.

(F) The benefit to commerce, if any, supplied by non-practicing entities or patent assertion entities that prosecute such litigation.

(3) **REPORT TO CONGRESS.**—The Comptroller General shall, not later than the date that is 1 year after the date of the enactment of this Act, submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the results of the study required under this subsection, including recommendations for any changes to laws and regulations that will minimize any negative impact of patent litigation that was the subject of such study.

(p) **SENSE OF CONGRESS.**—It is the sense of the Congress that converting the United States patent registration system from “first inventor to use” to a system of “first inventor to file” will promote the progress of science by securing for limited times to inventors the exclusive rights to their discoveries and provide inventors with greater certainty regarding the scope of protection granted by the exclusive rights to their discoveries.

(q) **SENSE OF CONGRESS.**—It is the sense of the Congress that converting the United States patent registration system from “first inventor to use” to a system of “first inventor to file” will harmonize the United States patent registration system with the patent registration systems commonly used in nearly all other countries throughout the world with whom the United States conducts trade and thereby promote a greater sense of international uniformity and certainty in the procedures used for securing the exclusive rights of inventors to their discoveries.

SEC. 4. INVENTOR'S OATH OR DECLARATION.

(a) **INVENTOR'S OATH OR DECLARATION.**—

(1) **IN GENERAL.**—Section 115 of title 35, United States Code, is amended to read as follows:

“§ 115. Inventor's oath or declaration

“(a) **NAMING THE INVENTOR; INVENTOR'S OATH OR DECLARATION.**—An application for patent that is filed under section 111(a) or commences the national stage under section 371 shall include, or be amended to include, the name of the inventor for any invention claimed in the application. Except as otherwise provided in this section, each individual who is the inventor or a joint inventor of a claimed invention in an application for patent shall execute an oath or declaration in connection with the application.

“(b) **REQUIRED STATEMENTS.**—An oath or declaration under subsection (a) shall contain statements that—

“(1) the application was made or was authorized to be made by the affiant or declarant; and

“(2) such individual believes himself or herself to be the original inventor or an original joint inventor of a claimed invention in the application.

“(c) **ADDITIONAL REQUIREMENTS.**—The Director may specify additional information relating to the inventor and the invention that is required to be included in an oath or declaration under subsection (a).

“(d) **SUBSTITUTE STATEMENT.**—

“(1) **IN GENERAL.**—In lieu of executing an oath or declaration under subsection (a), the applicant for patent may provide a substitute statement under the circumstances described in paragraph (2) and such additional circumstances that the Director may specify by regulation.

“(2) **PERMITTED CIRCUMSTANCES.**—A substitute statement under paragraph (1) is permitted with respect to any individual who—

“(A) is unable to file the oath or declaration under subsection (a) because the individual—

“(i) is deceased;

“(ii) is under legal incapacity; or

“(iii) cannot be found or reached after diligent effort; or

“(B) is under an obligation to assign the invention but has refused to make the oath or declaration required under subsection (a).”

“(3) CONTENTS.—A substitute statement under this subsection shall—

“(A) identify the individual with respect to whom the statement applies;

“(B) set forth the circumstances representing the permitted basis for the filing of the substitute statement in lieu of the oath or declaration under subsection (a); and

“(C) contain any additional information, including any showing, required by the Director.

“(e) MAKING REQUIRED STATEMENTS IN ASSIGNMENT OF RECORD.—An individual who is under an obligation of assignment of an application for patent may include the required statements under subsections (b) and (c) in the assignment executed by the individual, in lieu of filing such statements separately.

“(f) TIME FOR FILING.—A notice of allowance under section 151 may be provided to an applicant for patent only if the applicant for patent has filed each required oath or declaration under subsection (a) or has filed a substitute statement under subsection (d) or recorded an assignment meeting the requirements of subsection (e).

“(g) EARLIER-FILED APPLICATION CONTAINING REQUIRED STATEMENTS OR SUBSTITUTE STATEMENT.—

“(1) EXCEPTION.—The requirements under this section shall not apply to an individual with respect to an application for patent in which the individual is named as the inventor or a joint inventor and who claims the benefit under section 120, 121, or 365(c) of the filing of an earlier-filed application, if—

“(A) an oath or declaration meeting the requirements of subsection (a) was executed by the individual and was filed in connection with the earlier-filed application;

“(B) a substitute statement meeting the requirements of subsection (d) was filed in connection with the earlier filed application with respect to the individual; or

“(C) an assignment meeting the requirements of subsection (e) was executed with respect to the earlier-filed application by the individual and was recorded in connection with the earlier-filed application.

“(2) COPIES OF OATHS, DECLARATIONS, STATEMENTS, OR ASSIGNMENTS.—Notwithstanding paragraph (1), the Director may require that a copy of the executed oath or declaration, the substitute statement, or the assignment filed in connection with the earlier-filed application be included in the later-filed application.

“(h) SUPPLEMENTAL AND CORRECTED STATEMENTS; FILING ADDITIONAL STATEMENTS.—

“(1) IN GENERAL.—Any person making a statement required under this section may withdraw, replace, or otherwise correct the statement at any time. If a change is made in the naming of the inventor requiring the filing of 1 or more additional statements under this section, the Director shall establish regulations under which such additional statements may be filed.

“(2) SUPPLEMENTAL STATEMENTS NOT REQUIRED.—If an individual has executed an oath or declaration meeting the requirements of subsection (a) or an assignment meeting the requirements of subsection (e) with respect to an application for patent, the Director may not thereafter require that individual to make any additional oath, declaration, or other statement equivalent to those required by this section in connection with the application for patent or any patent issuing thereon.

“(3) SAVINGS CLAUSE.—A patent shall not be invalid or unenforceable based upon the failure to comply with a requirement under this section if the failure is remedied as provided under paragraph (1).

“(i) ACKNOWLEDGMENT OF PENALTIES.—Any declaration or statement filed pursuant to this section shall contain an acknowledgment that any willful false statement made in such declaration or statement is punishable under section 1001 of title 18 by fine or imprisonment of not more than 5 years, or both.”

(2) RELATIONSHIP TO DIVISIONAL APPLICATIONS.—Section 121 of title 35, United States Code, is amended by striking “If a divisional application” and all that follows through “inventor.”

(3) REQUIREMENTS FOR NONPROVISIONAL APPLICATIONS.—Section 111(a) of title 35, United States Code, is amended—

(A) in paragraph (2)(C), by striking “by the applicant” and inserting “or declaration”;

(B) in the heading for paragraph (3), by inserting “OR DECLARATION” after “AND OATH”; and

(C) by inserting “or declaration” after “and oath” each place it appears.

(4) CONFORMING AMENDMENT.—The item relating to section 115 in the table of sections for chapter 11 of title 35, United States Code, is amended to read as follows:

“115. Inventor's oath or declaration.”

(b) FILING BY OTHER THAN INVENTOR.—

(1) IN GENERAL.—Section 118 of title 35, United States Code, is amended to read as follows:

“§ 118. Filing by other than inventor

“A person to whom the inventor has assigned or is under an obligation to assign the invention may make an application for patent. A person who otherwise shows sufficient proprietary interest in the matter may make an application for patent on behalf of and as agent for the inventor on proof of the pertinent facts and a showing that such action is appropriate to preserve the rights of the parties. If the Director grants a patent on an application filed under this section by a person other than the inventor, the patent shall be granted to the real party in interest and upon such notice to the inventor as the Director considers to be sufficient.”

(2) CONFORMING AMENDMENT.—Section 251 of title 35, United States Code, is amended in the third undesignated paragraph by inserting “or the application for the original patent was filed by the assignee of the entire interest” after “claims of the original patent”.

(c) SPECIFICATION.—Section 112 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph—

(A) by striking “The specification” and inserting “(a) IN GENERAL.—The specification”; and

(B) by striking “of carrying out his invention” and inserting “or joint inventor of carrying out the invention”;

(2) in the second undesignated paragraph—

(A) by striking “The specification” and inserting “(b) CONCLUSION.—The specification”; and

(B) by striking “applicant regards as his invention” and inserting “inventor or a joint inventor regards as the invention”;

(3) in the third undesignated paragraph, by striking “A claim” and inserting “(c) FORM.—A claim”;

(4) in the fourth undesignated paragraph, by striking “Subject to the following paragraph,” and inserting “(d) REFERENCE IN DEPENDENT FORMS.—Subject to subsection (e).”;

(5) in the fifth undesignated paragraph, by striking “A claim” and inserting “(e) REFERENCE IN MULTIPLE DEPENDENT FORM.—A claim”; and

(6) in the last undesignated paragraph, by striking “An element” and inserting “(f) ELEMENT IN CLAIM FOR A COMBINATION.—An element”.

(d) CONFORMING AMENDMENTS.—

(1) Sections 111(b)(1)(A) of title 35, United States Code, is amended by striking “the first paragraph of section 112 of this title” and inserting “section 112(a)”.

(2) Section 111(b)(2) of title 35, United States Code, is amended by striking “the second through fifth paragraphs of section 112,” and inserting “subsections (b) through (e) of section 112.”

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to any patent application that is filed on or after that effective date.

SEC. 5. DEFENSE TO INFRINGEMENT BASED ON EARLIER INVENTOR.

Section 273 of title 35, United States Code, is amended as follows:

(1) Subsection (a) is amended—

(A) in paragraph (1)—

(i) by striking “use of a method in” and inserting “use of the subject matter of a patent in”; and

(ii) by adding “and” after the semicolon;

(B) in paragraph (2), by striking the semicolon at the end of subparagraph (B) and inserting a period; and

(C) by striking paragraphs (3) and (4).

(2) Subsection (b) is amended—

(A) in paragraph (1)—

(i) by striking “for a method”; and

(ii) by striking “at least 1 year” and all that follows through the end and inserting “and commercially used the subject matter at least 1 year before the effective filing date of the claimed invention that is the subject matter of the patent.”;

(B) in paragraph (2), by striking “patented method” and inserting “patented process”;

(C) in paragraph (3)—

(i) by striking subparagraph (A);

(ii) by striking subparagraph (B) and inserting the following:

“(A) DERIVATION AND PRIOR DISCLOSURE TO THE PUBLIC.—A person may not assert the defense under this section if—

“(i) the subject matter on which the defense is based was derived from the patentee or persons in privity with the patentee; or

“(ii) the claimed invention that is the subject of the defense was disclosed to the public in a manner that qualified for the exception from the prior art under section 102(b) and the commercialization date relied upon under paragraph (1) of this subsection for establishing entitlement to the defense is less than 1 year before the date of such disclosure to the public.”;

(iii) by redesignating subparagraph (C) as subparagraph (B); and

(iv) by adding at the end the following:

“(C) FUNDING.—

“(i) DEFENSE NOT AVAILABLE IN CERTAIN CASES.—A person may not assert the defense under this section if the subject matter of the patent on which the defense is based was developed pursuant to a funding agreement under chapter 18 or by a nonprofit institution of higher education, or a technology transfer organization affiliated with such an institution, that did not receive funding from a private business enterprise in support of that development.

“(ii) DEFINITIONS.—In this subparagraph—

“(I) the term ‘institution of higher education’ has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); and

“(II) the term ‘technology transfer organization’ means an organization the primary purpose of which is to facilitate the commercialization of technologies developed by one or more institutions of higher education.”; and

(D) by amending paragraph (6) to read as follows:

“(6) PERSONAL DEFENSE.—

“(A) IN GENERAL.—The defense under this section may be asserted only by the person who performed or caused the performance of the acts necessary to establish the defense, as well as any other entity that controls, is controlled by, or is under common control with such person, and, except for any transfer to the patent owner, the right to assert the defense shall not be licensed or assigned or transferred to another person except as an ancillary and subordinate part of a good faith assignment or transfer for other reasons of the entire enterprise or line of business to which the defense relates.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), any person may, on the person's own behalf, assert a defense based on the exhaustion of rights provided under paragraph (2), including any necessary elements thereof.”

SEC. 6. POST-GRANT REVIEW PROCEEDINGS.

(a) INTER PARTES REVIEW.—Chapter 31 of title 35, United States Code, is amended to read as follows:

“CHAPTER 31—INTER PARTES REVIEW

“Sec.

“311. Inter partes review.

“312. Petitions.

“313. Preliminary response to petition.

“314. Institution of inter partes review.

“315. Relation to other proceedings or actions.

“316. Conduct of inter partes review.

“317. Settlement.

“318. Decision of the Board.

“319. Appeal.

“§311. Inter partes review

“(a) IN GENERAL.—Subject to the provisions of this chapter, a person who is not the owner of a patent may file with the Office a petition to institute an inter partes review of the patent. The Director shall establish, by regulation, fees to be paid by the person requesting the review, in such amounts as the Director determines to be reasonable, considering the aggregate costs of the review.

“(b) SCOPE.—A petitioner in an inter partes review may request to cancel as unpatentable 1 or more claims of a patent only on a ground that could be raised under section 102 or 103 and only on the basis of prior art consisting of patents or printed publications.

“(c) FILING DEADLINE.—A petition for inter partes review shall be filed after the later of either—

“(1) the date that is 1 year after the grant of a patent or issuance of a reissue of a patent; or

“(2) if a post-grant review is instituted under chapter 32, the date of the termination of such post-grant review.

“§312. Petitions

“(a) REQUIREMENTS OF PETITION.—A petition filed under section 311 may be considered only if—

“(1) the petition is accompanied by payment of the fee established by the Director under section 311;

“(2) the petition identifies all real parties in interest;

“(3) the petition identifies, in writing and with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim, including—

“(A) copies of patents and printed publications that the petitioner relies upon in support of the petition; and

“(B) affidavits or declarations of supporting evidence and opinions, if the petitioner relies on expert opinions;

“(4) the petition provides such other information as the Director may require by regulation; and

“(5) the petitioner provides copies of any of the documents required under paragraphs (2),

(3), and (4) to the patent owner or, if applicable, the designated representative of the patent owner.

“(b) PUBLIC AVAILABILITY.—As soon as practicable after the receipt of a petition under section 311, the Director shall make the petition available to the public.

“§313. Preliminary response to petition

“If an inter partes review petition is filed under section 311, the patent owner shall have the right to file a preliminary response to the petition, within a time period set by the Director, that sets forth reasons why no inter partes review should be instituted based upon the failure of the petition to meet any requirement of this chapter.

“§314. Institution of inter partes review

“(a) THRESHOLD.—The Director may not authorize an inter partes review to commence unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

“(b) TIMING.—The Director shall determine whether to institute an inter partes review under this chapter pursuant to a petition filed under section 311 within 3 months after—

“(1) receiving a preliminary response to the petition under section 313; or

“(2) if no such preliminary response is filed, the last date on which such response may be filed.

“(c) NOTICE.—The Director shall notify the petitioner and patent owner, in writing, of the Director's determination under subsection (a), and shall make such notice available to the public as soon as is practicable. Such notice shall include the date on which the review shall commence.

“(d) NO APPEAL.—The determination by the Director whether to institute an inter partes review under this section shall be final and non-appealable.

“§315. Relation to other proceedings or actions

“(a) INFRINGER'S CIVIL ACTION.—

“(1) INTER PARTES REVIEW BARRED BY CIVIL ACTION.—An inter partes review may not be instituted if, before the date on which the petition for such a review is filed, the petitioner, real party in interest, or privy of the petitioner filed a civil action challenging the validity of a claim of the patent.

“(2) STAY OF CIVIL ACTION.—If the petitioner, real party in interest, or privy of the petitioner files a civil action challenging the validity of a claim of the patent on or after the date on which the petitioner files a petition for inter partes review of the patent, that civil action shall be automatically stayed until either—

“(A) the patent owner moves the court to lift the stay;

“(B) the patent owner files a civil action or counterclaim alleging that the petitioner, real party in interest, or privy of the petitioner has infringed the patent; or

“(C) the petitioner, real party in interest, or privy of the petitioner moves the court to dismiss the civil action.

“(3) TREATMENT OF COUNTERCLAIM.—A counterclaim challenging the validity of a claim of a patent does not constitute a civil action challenging the validity of a claim of a patent for purposes of this subsection.

“(b) PATENT OWNER'S ACTION.—An inter partes review may not be instituted if the petition requesting the proceeding is filed more than 1 year after the date on which the petitioner, real party in interest, or privy of the petitioner is served with a complaint alleging infringement of the patent. The time limitation set forth in

the preceding sentence shall not apply to a request for joinder under subsection (c).

“(c) JOINDER.—If the Director institutes an inter partes review, the Director, in his or her discretion, may join as a party to that inter partes review any person who properly files a petition under section 311 that the Director, after receiving a preliminary response under section 313 or the expiration of the time for filing such a response, determines warrants the institution of an inter partes review under section 314.

“(d) MULTIPLE PROCEEDINGS.—Notwithstanding sections 135(a), 251, and 252, and chapter 30, during the pendency of an inter partes review, if another proceeding or matter involving the patent is before the Office, the Director may determine the manner in which the inter partes review or other proceeding or matter may proceed, including providing for stay, transfer, consolidation, or termination of any such matter or proceeding.

“(e) ESTOPPEL.—

“(1) PROCEEDINGS BEFORE THE OFFICE.—The petitioner in an inter partes review of a claim in a patent under this chapter that results in a final written decision under section 318(a), or the real party in interest or privy of the petitioner, may not request or maintain a proceeding before the Office with respect to that claim on any ground that the petitioner raised or reasonably could have raised during that inter partes review.

“(2) CIVIL ACTIONS AND OTHER PROCEEDINGS.—The petitioner in an inter partes review of a claim in a patent under this chapter that results in a final written decision under section 318(a), or the real party in interest or privy of the petitioner, may not assert either in a civil action arising in whole or in part under section 1338 of title 28 or in a proceeding before the International Trade Commission under section 337 of the Tariff Act of 1930 that the claim is invalid on any ground that the petitioner raised or reasonably could have raised during that inter partes review.

“§316. Conduct of inter partes review

“(a) REGULATIONS.—The Director shall prescribe regulations—

“(1) providing that the file of any proceeding under this chapter shall be made available to the public, except that any petition or document filed with the intent that it be sealed shall, if accompanied by a motion to seal, be treated as sealed pending the outcome of the ruling on the motion;

“(2) setting forth the standards for the showing of sufficient grounds to institute a review under section 314(a);

“(3) establishing procedures for the submission of supplemental information after the petition is filed;

“(4) establishing and governing inter partes review under this chapter and the relationship of such review to other proceedings under this title;

“(5) setting forth standards and procedures for discovery of relevant evidence, including that such discovery shall be limited to—

“(A) the deposition of witnesses submitting affidavits or declarations; and

“(B) what is otherwise necessary in the interest of justice;

“(6) prescribing sanctions for abuse of discovery, abuse of process, or any other improper use of the proceeding, such as to harass or to cause unnecessary delay or an unnecessary increase in the cost of the proceeding;

“(7) providing for protective orders governing the exchange and submission of confidential information;

“(8) providing for the filing by the patent owner of a response to the petition under section 313 after an inter partes review has been instituted, and requiring that the patent owner

file with such response, through affidavits or declarations, any additional factual evidence and expert opinions on which the patent owner relies in support of the response;

“(9) setting forth standards and procedures for allowing the patent owner to move to amend the patent under subsection (d) to cancel a challenged claim or propose a reasonable number of substitute claims, and ensuring that any information submitted by the patent owner in support of any amendment entered under subsection (d) is made available to the public as part of the prosecution history of the patent;

“(10) providing either party with the right to an oral hearing as part of the proceeding;

“(11) requiring that the final determination in an inter partes review be issued not later than 1 year after the date on which the Director notices the institution of a review under this chapter, except that the Director may, for good cause shown, extend the 1-year period by not more than 6 months, and may adjust the time periods in this paragraph in the case of joinder under section 315(c);

“(12) setting a time period for requesting joinder under section 315(c); and

“(13) providing the petitioner with at least 1 opportunity to file written comments within a time period established by the Director.

“(b) CONSIDERATIONS.—In prescribing regulations under this section, the Director shall consider the effect of any such regulation on the economy, the integrity of the patent system, the efficient administration of the Office, and the ability of the Office to timely complete proceedings instituted under this chapter.

“(c) PATENT TRIAL AND APPEAL BOARD.—The Patent Trial and Appeal Board shall, in accordance with section 6, conduct each inter partes review instituted under this chapter.

“(d) AMENDMENT OF THE PATENT.—

“(1) IN GENERAL.—During an inter partes review instituted under this chapter, the patent owner may file 1 motion to amend the patent in 1 or more of the following ways:

“(A) Cancel any challenged patent claim.

“(B) For each challenged claim, propose a reasonable number of substitute claims.

“(2) ADDITIONAL MOTIONS.—Additional motions to amend may be permitted upon the joint request of the petitioner and the patent owner to materially advance the settlement of a proceeding under section 317, or as permitted by regulations prescribed by the Director.

“(3) SCOPE OF CLAIMS.—An amendment under this subsection may not enlarge the scope of the claims of the patent or introduce new matter.

“(e) EVIDENTIARY STANDARDS.—In an inter partes review instituted under this chapter, the petitioner shall have the burden of proving a proposition of unpatentability by a preponderance of the evidence.

“§317. Settlement

“(a) IN GENERAL.—An inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed. If the inter partes review is terminated with respect to a petitioner under this section, no estoppel under section 315(e) shall attach to the petitioner, or to the real party in interest or privy of the petitioner, on the basis of that petitioner's institution of that inter partes review. If no petitioner remains in the inter partes review, the Office may terminate the review or proceed to a final written decision under section 318(a).

“(b) AGREEMENTS IN WRITING.—Any agreement or understanding between the patent owner and a petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of an inter

partes review under this section shall be in writing and a true copy of such agreement or understanding shall be filed in the Office before the termination of the inter partes review as between the parties. At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

“§318. Decision of the Board

“(a) FINAL WRITTEN DECISION.—If an inter partes review is instituted and not dismissed under this chapter, the Patent Trial and Appeal Board shall issue a final written decision with respect to the patentability of any patent claim challenged by the petitioner and any new claim added under section 316(d).

“(b) CERTIFICATE.—If the Patent Trial and Appeal Board issues a final written decision under subsection (a) and the time for appeal has expired or any appeal has terminated, the Director shall issue and publish a certificate canceling any claim of the patent finally determined to be unpatentable, confirming any claim of the patent determined to be patentable, and incorporating in the patent by operation of the certificate any new or amended claim determined to be patentable.

“(c) AMENDED OR NEW CLAIM.—Any proposed amended or new claim determined to be patentable and incorporated into a patent following an inter partes review under this chapter shall have the same effect as that specified in section 252 for reissued patents on the right of any person who made, purchased, or used within the United States, or imported into the United States, anything patented by such proposed amended or new claim, or who made substantial preparation therefor, before the issuance of a certificate under subsection (b).

“(d) DATA ON LENGTH OF REVIEW.—The Office shall make available to the public data describing the length of time between the institution of, and the issuance of a final written decision under subsection (a) for, each inter partes review.

“§319. Appeal

“A party dissatisfied with the final written decision of the Patent Trial and Appeal Board under section 318(a) may appeal the decision pursuant to sections 141 through 144. Any party to the inter partes review shall have the right to be a party to the appeal.”

(b) CONFORMING AMENDMENT.—The table of chapters for part III of title 35, United States Code, is amended by striking the item relating to chapter 31 and inserting the following:

“31. Inter Partes Review 311”.

(c) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—The Director shall, not later than the date that is 1 year after the date of the enactment of this Act, issue regulations to carry out chapter 31 of title 35, United States Code, as amended by subsection (a) of this section.

(2) APPLICABILITY.—

(A) IN GENERAL.—The amendments made by subsection (a) shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to any patent issued before, on, or after that effective date.

(B) GRADUATED IMPLEMENTATION.—The Director may impose a limit on the number of inter partes reviews that may be instituted under chapter 31 of title 35, United States Code, during each of the first 4 1-year periods in which the amendments made by subsection (a) are in effect, if such number in each year equals or exceeds the number of inter partes reexaminations

that are ordered under chapter 31 of title 35, United States Code, in the last fiscal year ending before the effective date of the amendments made by subsection (a).

(d) POST-GRANT REVIEW.—Part III of title 35, United States Code, is amended by adding at the end the following:

“CHAPTER 32—POST-GRANT REVIEW

“Sec.

“321. Post-grant review.

“322. Petitions.

“323. Preliminary response to petition.

“324. Institution of post-grant review.

“325. Relation to other proceedings or actions.

“326. Conduct of post-grant review.

“327. Settlement.

“328. Decision of the Board.

“329. Appeal.

“§321. Post-grant review

“(a) IN GENERAL.—Subject to the provisions of this chapter, a person who is not the patent owner may file with the Office a petition to institute a post-grant review of a patent. The Director shall establish, by regulation, fees to be paid by the person requesting the review, in such amounts as the Director determines to be reasonable, considering the aggregate costs of the post-grant review.

“(b) SCOPE.—A petitioner in a post-grant review may request to cancel as unpatentable 1 or more claims of a patent on any ground that could be raised under paragraph (2) or (3) of section 282(b) (relating to invalidity of the patent or any claim).

“(c) FILING DEADLINE.—A petition for a post-grant review may only be filed not later than the date that is 1 year after the date of the grant of the patent or of the issuance of a reissue patent (as the case may be).

“§322. Petitions

“(a) REQUIREMENTS OF PETITION.—A petition filed under section 321 may be considered only if—

“(1) the petition is accompanied by payment of the fee established by the Director under section 321;

“(2) the petition identifies all real parties in interest;

“(3) the petition identifies, in writing and with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim, including—

“(A) copies of patents and printed publications that the petitioner relies upon in support of the petition; and

“(B) affidavits or declarations of supporting evidence and opinions, if the petitioner relies on other factual evidence or on expert opinions;

“(4) the petition provides such other information as the Director may require by regulation; and

“(5) the petitioner provides copies of any of the documents required under paragraphs (2), (3), and (4) to the patent owner or, if applicable, the designated representative of the patent owner.

“(b) PUBLIC AVAILABILITY.—As soon as practicable after the receipt of a petition under section 321, the Director shall make the petition available to the public.

“§323. Preliminary response to petition

“If a post-grant review petition is filed under section 321, the patent owner shall have the right to file a preliminary response to the petition, within a time period set by the Director, that sets forth reasons why no post-grant review should be instituted based upon the failure of the petition to meet any requirement of this chapter.

“§324. Institution of post-grant review

“(a) THRESHOLD.—The Director may not authorize a post-grant review to commence unless

the Director determines that the information presented in the petition filed under section 321, if such information is not rebutted, would demonstrate that it is more likely than not that at least 1 of the claims challenged in the petition is unpatentable.

“(b) **ADDITIONAL GROUNDS.**—The determination required under subsection (a) may also be satisfied by a showing that the petition raises a novel or unsettled legal question that is important to other patents or patent applications.

“(c) **TIMING.**—The Director shall determine whether to institute a post-grant review under this chapter pursuant to a petition filed under section 321 within 3 months after—

“(1) receiving a preliminary response to the petition under section 323; or

“(2) if no such preliminary response is filed, the last date on which such response may be filed.

“(d) **NOTICE.**—The Director shall notify the petitioner and patent owner, in writing, of the Director's determination under subsection (a) or (b), and shall make such notice available to the public as soon as is practicable. The Director shall make each notice of the institution of a post-grant review available to the public. Such notice shall include the date on which the review shall commence.

“(e) **NO APPEAL.**—The determination by the Director whether to institute a post-grant review under this section shall be final and nonappealable.

“§325. Relation to other proceedings or actions

“(a) **INFRINGEMENT'S CIVIL ACTION.**—

“(1) **POST-GRANT REVIEW BARRED BY CIVIL ACTION.**—A post-grant review may not be instituted under this chapter if, before the date on which the petition for such a review is filed, the petitioner, real party in interest, or privy of the petitioner filed a civil action challenging the validity of a claim of the patent.

“(2) **STAY OF CIVIL ACTION.**—If the petitioner, real party in interest, or privy of the petitioner files a civil action challenging the validity of a claim of the patent on or after the date on which the petitioner files a petition for post-grant review of the patent, that civil action shall be automatically stayed until either—

“(A) the patent owner moves the court to lift the stay;

“(B) the patent owner files a civil action or counterclaim alleging that the petitioner, real party in interest, or privy of the petitioner has infringed the patent; or

“(C) the petitioner, real party in interest, or privy of the petitioner moves the court to dismiss the civil action.

“(3) **TREATMENT OF COUNTERCLAIM.**—A counterclaim challenging the validity of a claim of a patent does not constitute a civil action challenging the validity of a claim of a patent for purposes of this subsection.

“(b) **PRELIMINARY INJUNCTIONS.**—If a civil action alleging infringement of a patent is filed within 3 months after the date on which the patent is granted, the court may not stay its consideration of the patent owner's motion for a preliminary injunction against infringement of the patent on the basis that a petition for post-grant review has been filed under this chapter or that such a post-grant review has been instituted under this chapter.

“(c) **JOINDER.**—If more than 1 petition for a post-grant review under this chapter is properly filed against the same patent and the Director determines that more than 1 of these petitions warrants the institution of a post-grant review under section 324, the Director may consolidate such reviews into a single post-grant review.

“(d) **MULTIPLE PROCEEDINGS.**—Notwithstanding sections 135(a), 251, and 252, and chapter 30, during the pendency of any post-grant

review under this chapter, if another proceeding or matter involving the patent is before the Office, the Director may determine the manner in which the post-grant review or other proceeding or matter may proceed, including providing for the stay, transfer, consolidation, or termination of any such matter or proceeding. In determining whether to institute or order a proceeding under this chapter, chapter 30, or chapter 31, the Director may take into account whether, and reject the petition or request because, the same or substantially the same prior art or arguments previously were presented to the Office.

“(e) **ESTOPPEL.**—

“(1) **PROCEEDINGS BEFORE THE OFFICE.**—The petitioner in a post-grant review of a claim in a patent under this chapter that results in a final written decision under section 328(a), or the real party in interest or privy of the petitioner, may not request or maintain a proceeding before the Office with respect to that claim on any ground that the petitioner raised or reasonably could have raised during that post-grant review.

“(2) **CIVIL ACTIONS AND OTHER PROCEEDINGS.**—The petitioner in a post-grant review of a claim in a patent under this chapter that results in a final written decision under section 328(a), or the real party in interest or privy of the petitioner, may not assert either in a civil action arising in whole or in part under section 1338 of title 28 or in a proceeding before the International Trade Commission under section 337 of the Tariff Act of 1930 that the claim is invalid on any ground that the petitioner raised or reasonably could have raised during that post-grant review.

“(f) **REISSUE PATENTS.**—A post-grant review may not be instituted under this chapter if the petition requests cancellation of a claim in a reissue patent that is identical to or narrower than a claim in the original patent from which the reissue patent was issued, and the time limitations in section 321(c) would bar filing a petition for a post-grant review for such original patent.

“§326. Conduct of post-grant review

“(a) **REGULATIONS.**—The Director shall prescribe regulations—

“(1) providing that the file of any proceeding under this chapter shall be made available to the public, except that any petition or document filed with the intent that it be sealed shall, if accompanied by a motion to seal, be treated as sealed pending the outcome of the ruling on the motion;

“(2) setting forth the standards for the showing of sufficient grounds to institute a review under subsections (a) and (b) of section 324;

“(3) establishing procedures for the submission of supplemental information after the petition is filed;

“(4) establishing and governing a post-grant review under this chapter and the relationship of such review to other proceedings under this title;

“(5) setting forth standards and procedures for discovery of relevant evidence, including that such discovery shall be limited to evidence directly related to factual assertions advanced by either party in the proceeding;

“(6) prescribing sanctions for abuse of discovery, abuse of process, or any other improper use of the proceeding, such as to harass or to cause unnecessary delay or an unnecessary increase in the cost of the proceeding;

“(7) providing for protective orders governing the exchange and submission of confidential information;

“(8) providing for the filing by the patent owner of a response to the petition under section 323 after a post-grant review has been instituted, and requiring that the patent owner file with such response, through affidavits or dec-

larations, any additional factual evidence and expert opinions on which the patent owner relies in support of the response;

“(9) setting forth standards and procedures for allowing the patent owner to move to amend the patent under subsection (d) to cancel a challenged claim or propose a reasonable number of substitute claims, and ensuring that any information submitted by the patent owner in support of any amendment entered under subsection (d) is made available to the public as part of the prosecution history of the patent;

“(10) providing either party with the right to an oral hearing as part of the proceeding; and

“(11) requiring that the final determination in any post-grant review be issued not later than 1 year after the date on which the Director notifies the institution of a proceeding under this chapter, except that the Director may, for good cause shown, extend the 1-year period by not more than 6 months, and may adjust the time periods in this paragraph in the case of joinder under section 325(c).

“(b) **CONSIDERATIONS.**—In prescribing regulations under this section, the Director shall consider the effect of any such regulation on the economy, the integrity of the patent system, the efficient administration of the Office, and the ability of the Office to timely complete proceedings instituted under this chapter.

“(c) **PATENT TRIAL AND APPEAL BOARD.**—The Patent Trial and Appeal Board shall, in accordance with section 6, conduct each post-grant review instituted under this chapter.

“(d) **AMENDMENT OF THE PATENT.**—

“(1) **IN GENERAL.**—During a post-grant review instituted under this chapter, the patent owner may file 1 motion to amend the patent in 1 or more of the following ways:

“(A) Cancel any challenged patent claim.

“(B) For each challenged claim, propose a reasonable number of substitute claims.

“(2) **ADDITIONAL MOTIONS.**—Additional motions to amend may be permitted upon the joint request of the petitioner and the patent owner to materially advance the settlement of a proceeding under section 327, or upon the request of the patent owner for good cause shown.

“(3) **SCOPE OF CLAIMS.**—An amendment under this subsection may not enlarge the scope of the claims of the patent or introduce new matter.

“(e) **EVIDENTIARY STANDARDS.**—In a post-grant review instituted under this chapter, the petitioner shall have the burden of proving a proposition of unpatentability by a preponderance of the evidence.

“§327. Settlement

“(a) **IN GENERAL.**—A post-grant review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed. If the post-grant review is terminated with respect to a petitioner under this section, no estoppel under section 325(e) shall attach to the petitioner, or to the real party in interest or privy of the petitioner, on the basis of that petitioner's institution of that post-grant review. If no petitioner remains in the post-grant review, the Office may terminate the post-grant review or proceed to a final written decision under section 328(a).

“(b) **AGREEMENTS IN WRITING.**—Any agreement or understanding between the patent owner and a petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of a post-grant review under this section shall be in writing, and a true copy of such agreement or understanding shall be filed in the Office before the termination of the post-grant review as between the parties. At the request of a party to

the proceeding, the agreement or understanding shall be treated as business confidential information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

“§328. Decision of the Board

“(a) FINAL WRITTEN DECISION.—If a post-grant review is instituted and not dismissed under this chapter, the Patent Trial and Appeal Board shall issue a final written decision with respect to the patentability of any patent claim challenged by the petitioner and any new claim added under section 326(d).

“(b) CERTIFICATE.—If the Patent Trial and Appeal Board issues a final written decision under subsection (a) and the time for appeal has expired or any appeal has terminated, the Director shall issue and publish a certificate canceling any claim of the patent finally determined to be unpatentable, confirming any claim of the patent determined to be patentable, and incorporating in the patent by operation of the certificate any new or amended claim determined to be patentable.

“(c) AMENDED OR NEW CLAIM.—Any proposed amended or new claim determined to be patentable and incorporated into a patent following a post-grant review under this chapter shall have the same effect as that specified in section 252 of this title for reissued patents on the right of any person who made, purchased, or used within the United States, or imported into the United States, anything patented by such proposed amended or new claim, or who made substantial preparation therefor, before the issuance of a certificate under subsection (b).

“(d) DATA ON LENGTH OF REVIEW.—The Office shall make available to the public data describing the length of time between the institution of, and the issuance of a final written decision under subsection (a) for, each post-grant review.

“§329. Appeal

“A party dissatisfied with the final written decision of the Patent Trial and Appeal Board under section 328(a) may appeal the decision pursuant to sections 141 through 144. Any party to the post-grant review shall have the right to be a party to the appeal.”.

(e) CONFORMING AMENDMENT.—The table of chapters for part III of title 35, United States Code, is amended by adding at the end the following:

“32. Post-Grant Review 321”.

(f) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—The Director shall, not later than the date that is 1 year after the date of the enactment of this Act, issue regulations to carry out chapter 32 of title 35, United States Code, as added by subsection (d) of this section.

(2) APPLICABILITY.—

(A) IN GENERAL.—The amendments made by subsection (d) shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and, except as provided in section 18 and in paragraph (3), shall apply to any patent that is described in section 3(n)(1).

(B) LIMITATION.—The Director may impose a limit on the number of post-grant reviews that may be instituted under chapter 32 of title 35, United States Code, during each of the first 4 1-year periods in which the amendments made by subsection (d) are in effect.

(3) PENDING INTERFERENCES.—

(A) PROCEDURES IN GENERAL.—The Director shall determine, and include in the regulations issued under paragraph (1), the procedures under which an interference commenced before the effective date set forth in paragraph (2)(A) is to proceed, including whether such interference—

(i) is to be dismissed without prejudice to the filing of a petition for a post-grant review under chapter 32 of title 35, United States Code; or

(ii) is to proceed as if this Act had not been enacted.

(B) PROCEEDINGS BY PATENT TRIAL AND APPEAL BOARD.—For purposes of an interference that is commenced before the effective date set forth in paragraph (2)(A), the Director may deem the Patent Trial and Appeal Board to be the Board of Patent Appeals and Interferences, and may allow the Patent Trial and Appeal Board to conduct any further proceedings in that interference.

(C) APPEALS.—The authorization to appeal or have remedy from derivation proceedings in sections 141(d) and 146 of title 35, United States Code, as amended by this Act, and the jurisdiction to entertain appeals from derivation proceedings in section 1295(a)(4)(A) of title 28, United States Code, as amended by this Act, shall be deemed to extend to any final decision in an interference that is commenced before the effective date set forth in paragraph (2)(A) of this subsection and that is not dismissed pursuant to this paragraph.

(g) CITATION OF PRIOR ART AND WRITTEN STATEMENTS.—

(1) IN GENERAL.—Section 301 of title 35, United States Code, is amended to read as follows:

“§301. Citation of prior art and written statements

“(a) IN GENERAL.—Any person at any time may cite to the Office in writing—

“(1) prior art consisting of patents or printed publications which that person believes to have a bearing on the patentability of any claim of a particular patent; or

“(2) statements of the patent owner filed in a proceeding before a Federal court or the Office in which the patent owner took a position on the scope of any claim of a particular patent.

“(b) OFFICIAL FILE.—If the person citing prior art or written statements pursuant to subsection (a) explains in writing the pertinence and manner of applying the prior art or written statements to at least 1 claim of the patent, the citation of the prior art or written statements and the explanation thereof shall become a part of the official file of the patent.

“(c) ADDITIONAL INFORMATION.—A party that submits a written statement pursuant to subsection (a)(2) shall include any other documents, pleadings, or evidence from the proceeding in which the statement was filed that addresses the written statement.

“(d) LIMITATIONS.—A written statement submitted pursuant to subsection (a)(2), and additional information submitted pursuant to subsection (c), shall not be considered by the Office for any purpose other than to determine the proper meaning of a patent claim in a proceeding that is ordered or instituted pursuant to section 304, 314, or 324. If any such written statement or additional information is subject to an applicable protective order, such statement or information shall be redacted to exclude information that is subject to that order.

“(e) CONFIDENTIALITY.—Upon the written request of the person citing prior art or written statements pursuant to subsection (a), that person's identity shall be excluded from the patent file and kept confidential.”.

(2) CONFORMING AMENDMENT.—The item relating to section 301 in the table of sections for chapter 30 of title 35, United States Code, is amended to read as follows:

“301. Citation of prior art and written statements.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall

apply to any patent issued before, on, or after that effective date.

(h) REEXAMINATION.—

(1) DETERMINATION BY DIRECTOR.—

(A) IN GENERAL.—Section 303(a) of title 35, United States Code, is amended by striking “section 301 of this title” and inserting “section 301 or 302”.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to any patent issued before, on, or after that effective date.

(2) APPEAL.—

(A) IN GENERAL.—Section 306 of title 35, United States Code, is amended by striking “145” and inserting “144”.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall take effect on the date of the enactment of this Act and shall apply to any appeal of a reexamination before the Board of Patent Appeals and Interferences or the Patent Trial and Appeal Board that is pending on, or brought on or after, the date of the enactment of this Act.

SEC. 7. PATENT TRIAL AND APPEAL BOARD.

(a) COMPOSITION AND DUTIES.—

(1) IN GENERAL.—Section 6 of title 35, United States Code, is amended to read as follows:

“§6. Patent Trial and Appeal Board

“(a) IN GENERAL.—There shall be in the Office a Patent Trial and Appeal Board. The Director, the Deputy Director, the Commissioner for Patents, the Commissioner for Trademarks, and the administrative patent judges shall constitute the Patent Trial and Appeal Board. The administrative patent judges shall be persons of competent legal knowledge and scientific ability who are appointed by the Secretary, in consultation with the Director. Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to the Board of Patent Appeals and Interferences is deemed to refer to the Patent Trial and Appeal Board.

“(b) DUTIES.—The Patent Trial and Appeal Board shall—

“(1) on written appeal of an applicant, review adverse decisions of examiners upon applications for patents pursuant to section 134(a);

“(2) review appeals of reexaminations pursuant to section 134(b);

“(3) conduct derivation proceedings pursuant to section 135; and

“(4) conduct inter partes reviews and post-grant reviews pursuant to chapters 31 and 32.

“(c) 3-MEMBER PANELS.—Each appeal, derivation proceeding, post-grant review, and inter partes review shall be heard by at least 3 members of the Patent Trial and Appeal Board, who shall be designated by the Director. Only the Patent Trial and Appeal Board may grant rehearings.

“(d) TREATMENT OF PRIOR APPOINTMENTS.—The Secretary of Commerce may, in the Secretary's discretion, deem the appointment of an administrative patent judge who, before the date of the enactment of this subsection, held office pursuant to an appointment by the Director to take effect on the date on which the Director initially appointed the administrative patent judge. It shall be a defense to a challenge to the appointment of an administrative patent judge on the basis of the judge's having been originally appointed by the Director that the administrative patent judge so appointed was acting as a de facto officer.”.

(2) CONFORMING AMENDMENT.—The item relating to section 6 in the table of sections for chapter 1 of title 35, United States Code, is amended to read as follows:

“6. Patent Trial and Appeal Board.”.

(b) **ADMINISTRATIVE APPEALS.**—Section 134 of title 35, United States Code, is amended—

(1) in subsection (b), by striking “any reexamination proceeding” and inserting “a reexamination”; and

(2) by striking subsection (c).

(c) **CIRCUIT APPEALS.**—

(1) **IN GENERAL.**—Section 141 of title 35, United States Code, is amended to read as follows:

“§ 141. Appeal to Court of Appeals for the Federal Circuit

“(a) **EXAMINATIONS.**—An applicant who is dissatisfied with the final decision in an appeal to the Patent Trial and Appeal Board under section 134(a) may appeal the Board’s decision to the United States Court of Appeals for the Federal Circuit. By filing such an appeal, the applicant waives his or her right to proceed under section 145.

“(b) **REEXAMINATIONS.**—A patent owner who is dissatisfied with the final decision in an appeal of a reexamination to the Patent Trial and Appeal Board under section 134(b) may appeal the Board’s decision only to the United States Court of Appeals for the Federal Circuit.

“(c) **POST-GRANT AND INTER PARTES REVIEWS.**—A party to an inter partes review or a post-grant review who is dissatisfied with the final written decision of the Patent Trial and Appeal Board under section 318(a) or 328(a) (as the case may be) may appeal the Board’s decision only to the United States Court of Appeals for the Federal Circuit.

“(d) **DERIVATION PROCEEDINGS.**—A party to a derivation proceeding who is dissatisfied with the final decision of the Patent Trial and Appeal Board in the proceeding may appeal the decision to the United States Court of Appeals for the Federal Circuit, but such appeal shall be dismissed if any adverse party to such derivation proceeding, within 20 days after the appellant has filed notice of appeal in accordance with section 142, files notice with the Director that the party elects to have all further proceedings conducted as provided in section 146. If the appellant does not, within 30 days after the filing of such notice by the adverse party, file a civil action under section 146, the Board’s decision shall govern the further proceedings in the case.”.

(2) **JURISDICTION.**—Section 1295(a)(4)(A) of title 28, United States Code, is amended to read as follows:

“(A) the Patent Trial and Appeal Board of the United States Patent and Trademark Office with respect to a patent application, derivation proceeding, reexamination, post-grant review, or inter partes review under title 35, at the instance of a party who exercised that party’s right to participate in the applicable proceeding before or appeal to the Board, except that an applicant or a party to a derivation proceeding may also have remedy by civil action pursuant to section 145 or 146 of title 35; an appeal under this subparagraph of a decision of the Board with respect to an application or derivation proceeding shall waive the right of such applicant or party to proceed under section 145 or 146 of title 35.”.

(3) **PROCEEDINGS ON APPEAL.**—Section 143 of title 35, United States Code, is amended—

(A) by striking the third sentence and inserting the following: “In an *ex parte* case, the Director shall submit to the court in writing the grounds for the decision of the Patent and Trademark Office, addressing all of the issues raised in the appeal. The Director shall have the right to intervene in an appeal from a decision entered by the Patent Trial and Appeal Board in a derivation proceeding under section 135 or in an inter partes or post-grant review under chapter 31 or 32.”; and

(B) by striking the last sentence.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect upon the expira-

tion of the 1-year period beginning on the date of the enactment of this Act and shall apply to proceedings commenced on or after that effective date, except that—

(1) the extension of jurisdiction to the United States Court of Appeals for the Federal Circuit to entertain appeals of decisions of the Patent Trial and Appeal Board in reexaminations under the amendment made by subsection (c)(2) shall be deemed to take effect on the date of the enactment of this Act and shall extend to any decision of the Board of Patent Appeals and Interferences with respect to a reexamination that is entered before, on, or after the date of the enactment of this Act;

(2) the provisions of sections 6, 134, and 141 of title 35, United States Code, as in effect on the day before the effective date of the amendments made by this section shall continue to apply to inter partes reexaminations that are requested under section 311 of such title before such effective date;

(3) the Patent Trial and Appeal Board may be deemed to be the Board of Patent Appeals and Interferences for purposes of appeals of inter partes reexaminations that are requested under section 311 of title 35, United States Code, before the effective date of the amendments made by this section; and

(4) the Director’s right under the fourth sentence of section 143 of title 35, United States Code, as amended by subsection (c)(3) of this section, to intervene in an appeal from a decision entered by the Patent Trial and Appeal Board shall be deemed to extend to inter partes reexaminations that are requested under section 311 of such title before the effective date of the amendments made by this section.

SEC. 8. PREISSUANCE SUBMISSIONS BY THIRD PARTIES.

(a) **IN GENERAL.**—Section 122 of title 35, United States Code, is amended by adding at the end the following:

“(e) **PREISSUANCE SUBMISSIONS BY THIRD PARTIES.**—

“(1) **IN GENERAL.**—Any third party may submit for consideration and inclusion in the record of a patent application, any patent, published patent application, or other printed publication of potential relevance to the examination of the application, if such submission is made in writing before the earlier of—

“(A) the date a notice of allowance under section 151 is given or mailed in the application for patent; or

“(B) the later of—

“(i) 6 months after the date on which the application for patent is first published under section 122 by the Office, or

“(ii) the date of the first rejection under section 132 of any claim by the examiner during the examination of the application for patent.

“(2) **OTHER REQUIREMENTS.**—Any submission under paragraph (1) shall—

“(A) set forth a concise description of the asserted relevance of each submitted document;

“(B) be accompanied by such fee as the Director may prescribe; and

“(C) include a statement by the person making such submission affirming that the submission was made in compliance with this section.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to any patent application filed before, on, or after that effective date.

SEC. 9. VENUE.

(a) **TECHNICAL AMENDMENTS RELATING TO VENUE.**—Sections 32, 145, 146, 154(b)(4)(A), and 293 of title 35, United States Code, and section 21(b)(4) of the Trademark Act of 1946 (15 U.S.C. 1071(b)(4)), are each amended by striking

“United States District Court for the District of Columbia” each place that term appears and inserting “United States District Court for the Eastern District of Virginia”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to any civil action commenced on or after that date.

SEC. 10. FEE SETTING AUTHORITY.

(a) **FEE SETTING.**—

(1) **IN GENERAL.**—The Director may set or adjust by rule any fee established, authorized, or charged under title 35, United States Code, or the Trademark Act of 1946 (15 U.S.C. 1051 et seq.), for any services performed by or materials furnished by, the Office, subject to paragraph (2).

(2) **FEES TO RECOVER COSTS.**—Fees may be set or adjusted under paragraph (1) only to recover the aggregate estimated costs to the Office for processing, activities, services, and materials relating to patents (in the case of patent fees) and trademarks (in the case of trademark fees), including administrative costs of the Office with respect to such patent or trademark fees (as the case may be).

(b) **SMALL AND MICRO ENTITIES.**—The fees set or adjusted under subsection (a) for filing, searching, examining, issuing, appealing, and maintaining patent applications and patents shall be reduced by 50 percent with respect to the application of such fees to any small entity that qualifies for reduced fees under section 41(h)(1) of title 35, United States Code, and shall be reduced by 75 percent with respect to the application of such fees to any micro entity as defined in section 123 of that title (as added by subsection (g) of this section).

(c) **REDUCTION OF FEES IN CERTAIN FISCAL YEARS.**—In each fiscal year, the Director—

(1) shall consult with the Patent Public Advisory Committee and the Trademark Public Advisory Committee on the advisability of reducing any fees described in subsection (a); and

(2) after the consultation required under paragraph (1), may reduce such fees.

(d) **ROLE OF THE PUBLIC ADVISORY COMMITTEE.**—The Director shall—

(1) not less than 45 days before publishing any proposed fee under subsection (a) in the Federal Register, submit the proposed fee to the Patent Public Advisory Committee or the Trademark Public Advisory Committee, or both, as appropriate;

(2)(A) provide the relevant advisory committee described in paragraph (1) a 30-day period following the submission of any proposed fee, in which to deliberate, consider, and comment on such proposal;

(B) require that, during that 30-day period, the relevant advisory committee hold a public hearing relating to such proposal; and

(C) assist the relevant advisory committee in carrying out that public hearing, including by offering the use of the resources of the Office to notify and promote the hearing to the public and interested stakeholders;

(3) require the relevant advisory committee to make available to the public a written report setting forth in detail the comments, advice, and recommendations of the committee regarding the proposed fee; and

(4) consider and analyze any comments, advice, or recommendations received from the relevant advisory committee before setting or adjusting (as the case may be) the fee.

(e) **PUBLICATION IN THE FEDERAL REGISTER.**—

(1) **PUBLICATION AND RATIONALE.**—The Director shall—

(A) publish any proposed fee change under this section in the Federal Register;

(B) include, in such publication, the specific rationale and purpose for the proposal, including the possible expectations or benefits resulting from the proposed change; and

(C) notify, through the Chair and Ranking Member of the Committees on the Judiciary of the Senate and the House of Representatives, the Congress of the proposed change not later than the date on which the proposed change is published under subparagraph (A).

(2) **PUBLIC COMMENT PERIOD.**—The Director shall, in the publication under paragraph (1), provide the public a period of not less than 45 days in which to submit comments on the proposed change in fees.

(3) **PUBLICATION OF FINAL RULE.**—The final rule setting or adjusting a fee under this section shall be published in the Federal Register and in the Official Gazette of the Patent and Trademark Office.

(4) **CONGRESSIONAL COMMENT PERIOD.**—A fee set or adjusted under subsection (a) may not become effective—

(A) before the end of the 45-day period beginning on the day after the date on which the Director publishes the final rule adjusting or setting the fee under paragraph (3); or

(B) if a law is enacted disapproving such fee.

(5) **RULE OF CONSTRUCTION.**—Rules prescribed under this section shall not diminish—

(A) the rights of an applicant for a patent under title 35, United States Code, or for a mark under the Trademark Act of 1946; or

(B) any rights under a ratified treaty.

(f) **RETENTION OF AUTHORITY.**—The Director retains the authority under subsection (a) to set or adjust fees only during such period as the Patent and Trademark Office remains an agency within the Department of Commerce.

(g) **MICRO ENTITY DEFINED.**—

(1) **IN GENERAL.**—Chapter 11 of title 35, United States Code, is amended by adding at the end the following new section:

“§ 123. Micro entity defined

“(a) **IN GENERAL.**—For purposes of this title, the term ‘micro entity’ means an applicant who makes a certification that the applicant—

“(1) qualifies as a small entity, as defined in regulations issued by the Director;

“(2) has not been named as an inventor on more than 4 previously filed patent applications, other than applications filed in another country, provisional applications under section 111(b), or international applications filed under the treaty defined in section 351(a) for which the basic national fee under section 41(a) was not paid;

“(3) did not, in the calendar year preceding the calendar year in which the examination fee for the application is being paid, have a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding 3 times the median household income for that preceding calendar year, as reported by the Bureau of the Census; and

“(4) has not assigned, granted, or conveyed, and is not under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the examination fee for the application is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding 3 times the median household income for that preceding calendar year, as reported by the Bureau of the Census.

“(b) **APPLICATIONS RESULTING FROM PRIOR EMPLOYMENT.**—An applicant is not considered to be named on a previously filed application for purposes of subsection (a)(2) if the applicant has assigned, or is under an obligation by contract or law to assign, all ownership rights in the application as the result of the applicant's previous employment.

“(c) **FOREIGN CURRENCY EXCHANGE RATE.**—If an applicant's or entity's gross income in the preceding calendar year is not in United States

dollars, the average currency exchange rate, as reported by the Internal Revenue Service, during that calendar year shall be used to determine whether the applicant's or entity's gross income exceeds the threshold specified in paragraphs (3) or (4) of subsection (a).

“(d) **PUBLIC INSTITUTIONS OF HIGHER EDUCATION.**—

“(1) **IN GENERAL.**—For purposes of this section, a micro entity shall include an applicant who certifies that—

“(A) the applicant's employer, from which the applicant obtains the majority of the applicant's income, is an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), that is a public institution; or

“(B) the applicant has assigned, granted, conveyed, or is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the particular application to such public institution.

“(2) **DIRECTOR'S AUTHORITY.**—The Director may, in the Director's discretion, impose income limits, annual filing limits, or other limits on who may qualify as a micro entity pursuant to this subsection if the Director determines that such additional limits are reasonably necessary to avoid an undue impact on other patent applicants or owners or are otherwise reasonably necessary and appropriate. At least 3 months before any limits proposed to be imposed pursuant to this paragraph take effect, the Director shall inform the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate of any such proposed limits.”.

(2) **CONFORMING AMENDMENT.**—Chapter 11 of title 35, United States Code, is amended by adding at the end the following new item:

“123. Micro entity defined.”.

(h) **ELECTRONIC FILING INCENTIVE.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this section, a fee of \$400 shall be established for each application for an original patent, except for a design, plant, or provisional application, that is not filed by electronic means as prescribed by the Director. The fee established by this subsection shall be reduced by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code. All fees paid under this subsection shall be deposited in the Treasury as an offsetting receipt that shall not be available for obligation or expenditure.

(2) **EFFECTIVE DATE.**—This subsection shall take effect upon the expiration of the 60-day period beginning on the date of the enactment of this Act.

(i) **EFFECTIVE DATE; SUNSET.**—

(1) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) **SUNSET.**—The authority of the Director to set or adjust any fee under subsection (a) shall terminate upon the expiration of the 6-year period beginning on the date of the enactment of this Act.

SEC. 11. FEES FOR PATENT SERVICES.

(a) **GENERAL PATENT SERVICES.**—Subsections (a) and (b) of section 41 of title 35, United States Code, are amended to read as follows:

“(a) **GENERAL FEES.**—The Director shall charge the following fees:

“(1) **FILING AND BASIC NATIONAL FEES.**—

“(A) On filing each application for an original patent, except for design, plant, or provisional applications, \$330.

“(B) On filing each application for an original design patent, \$220.

“(C) On filing each application for an original plant patent, \$220.

“(D) On filing each provisional application for an original patent, \$220.

“(E) On filing each application for the reissue of a patent, \$330.

“(F) The basic national fee for each international application filed under the treaty defined in section 351(a) entering the national stage under section 371, \$330.

“(G) In addition, excluding any sequence listing or computer program listing filed in an electronic medium as prescribed by the Director, for any application the specification and drawings of which exceed 100 sheets of paper (or equivalent as prescribed by the Director if filed in an electronic medium), \$270 for each additional 50 sheets of paper (or equivalent as prescribed by the Director if filed in an electronic medium) or fraction thereof.

“(2) **EXCESS CLAIMS FEES.**—

“(A) **IN GENERAL.**—In addition to the fee specified in paragraph (1)—

“(i) on filing or on presentation at any other time, \$220 for each claim in independent form in excess of 3;

“(ii) on filing or on presentation at any other time, \$52 for each claim (whether dependent or independent) in excess of 20; and

“(iii) for each application containing a multiple dependent claim, \$390.

“(B) **MULTIPLE DEPENDENT CLAIMS.**—For the purpose of computing fees under subparagraph (A), a multiple dependent claim referred to in section 112 or any claim depending therefrom shall be considered as separate dependent claims in accordance with the number of claims to which reference is made.

“(C) **REFUNDS; ERRORS IN PAYMENT.**—The Director may by regulation provide for a refund of any part of the fee specified in subparagraph (A) for any claim that is canceled before an examination on the merits, as prescribed by the Director, has been made of the application under section 131. Errors in payment of the additional fees under this paragraph may be rectified in accordance with regulations prescribed by the Director.

“(3) **EXAMINATION FEES.**—

“(A) **IN GENERAL.**—

“(i) For examination of each application for an original patent, except for design, plant, provisional, or international applications, \$220.

“(ii) For examination of each application for an original design patent, \$140.

“(iii) For examination of each application for an original plant patent, \$170.

“(iv) For examination of the national stage of each international application, \$220.

“(v) For examination of each application for the reissue of a patent, \$650.

“(B) **APPLICABILITY OF OTHER FEE PROVISIONS.**—The provisions of paragraphs (3) and (4) of section 111(a) relating to the payment of the fee for filing the application shall apply to the payment of the fee specified in subparagraph (A) with respect to an application filed under section 111(a). The provisions of section 371(d) relating to the payment of the national fee shall apply to the payment of the fee specified in subparagraph (A) with respect to an international application.

“(4) **ISSUE FEES.**—

“(A) For issuing each original patent, except for design or plant patents, \$1,510.

“(B) For issuing each original design patent, \$860.

“(C) For issuing each original plant patent, \$1,190.

“(D) For issuing each reissue patent, \$1,510.

“(5) **DISCLAIMER FEE.**—On filing each disclaimer, \$140.

“(6) **APPEAL FEES.**—

“(A) On filing an appeal from the examiner to the Patent Trial and Appeal Board, \$540.

“(B) In addition, on filing a brief in support of the appeal, \$540, and on requesting an oral hearing in the appeal before the Patent Trial and Appeal Board, \$1,080.

“(7) **REVIVAL FEES.**—On filing each petition for the revival of an unintentionally abandoned application for a patent, for the unintentionally delayed payment of the fee for issuing each patent, or for an unintentionally delayed response by the patent owner in any reexamination proceeding, \$1,620, unless the petition is filed under section 133 or 151, in which case the fee shall be \$540.

“(8) **EXTENSION FEES.**—For petitions for 1-month extensions of time to take actions required by the Director in an application—

“(A) on filing a first petition, \$130;

“(B) on filing a second petition, \$360; and

“(C) on filing a third or subsequent petition, \$620.

“(b) **MAINTENANCE FEES.**—

“(1) **IN GENERAL.**—The Director shall charge the following fees for maintaining in force all patents based on applications filed on or after December 12, 1980:

“(A) Three years and 6 months after grant, \$980.

“(B) Seven years and 6 months after grant, \$2,480.

“(C) Eleven years and 6 months after grant, \$4,110.

“(2) **GRACE PERIOD; SURCHARGE.**—Unless payment of the applicable maintenance fee under paragraph (1) is received in the Office on or before the date the fee is due or within a grace period of 6 months thereafter, the patent shall expire as of the end of such grace period. The Director may require the payment of a surcharge as a condition of accepting within such 6-month grace period the payment of an applicable maintenance fee.

“(3) **NO MAINTENANCE FEE FOR DESIGN OR PLANT PATENT.**—No fee may be established for maintaining a design or plant patent in force.”.

(b) **DELAYS IN PAYMENT.**—Subsection (c) of section 41 of title 35, United States Code, is amended—

(1) by striking “(c)(1) The Director” and inserting:

“(c) **DELAYS IN PAYMENT OF MAINTENANCE FEES.**—

“(1) **ACCEPTANCE.**—The Director”; and

(2) by striking “(2) A patent” and inserting:

“(2) **EFFECT ON RIGHTS OF OTHERS.**—A patent”.

(c) **PATENT SEARCH FEES.**—Subsection (d) of section 41 of title 35, United States Code, is amended to read as follows:

“(d) **PATENT SEARCH AND OTHER FEES.**—

“(1) **PATENT SEARCH FEES.**—

“(A) **IN GENERAL.**—The Director shall charge the fees specified under subparagraph (B) for the search of each application for a patent, except for provisional applications. The Director shall adjust the fees charged under this paragraph to ensure that the fees recover an amount not to exceed the estimated average cost to the Office of searching applications for patent either by acquiring a search report from a qualified search authority, or by causing a search by Office personnel to be made, of each application for patent.

“(B) **SPECIFIC FEES.**—The fees referred to in subparagraph (A) are—

“(i) \$540 for each application for an original patent, except for design, plant, provisional, or international applications;

“(ii) \$100 for each application for an original design patent;

“(iii) \$330 for each application for an original plant patent;

“(iv) \$540 for the national stage of each international application; and

“(v) \$540 for each application for the reissue of a patent.

“(C) **APPLICABILITY OF OTHER PROVISIONS.**—The provisions of paragraphs (3) and (4) of section 111(a) relating to the payment of the fee for

filing the application shall apply to the payment of the fee specified in this paragraph with respect to an application filed under section 111(a). The provisions of section 371(d) relating to the payment of the national fee shall apply to the payment of the fee specified in this paragraph with respect to an international application.

“(D) **REFUNDS.**—The Director may by regulation provide for a refund of any part of the fee specified in this paragraph for any applicant who files a written declaration of express abandonment as prescribed by the Director before an examination has been made of the application under section 131.

“(E) **APPLICATIONS SUBJECT TO SECRECY ORDER.**—A search of an application that is the subject of a secrecy order under section 181 or otherwise involves classified information may be conducted only by Office personnel.

“(F) **CONFLICTS OF INTEREST.**—A qualified search authority that is a commercial entity may not conduct a search of a patent application if the entity has any direct or indirect financial interest in any patent or in any pending or imminent application for patent filed or to be filed in the Office.

“(2) **OTHER FEES.**—

“(A) **IN GENERAL.**—The Director shall establish fees for all other processing, services, or materials relating to patents not specified in this section to recover the estimated average cost to the Office of such processing, services, or materials, except that the Director shall charge the following fees for the following services:

“(i) For recording a document affecting title, \$40 per property.

“(ii) For each photocopy, \$.25 per page.

“(iii) For each black and white copy of a patent, \$3.

“(B) **COPIES FOR LIBRARIES.**—The yearly fee for providing a library specified in section 12 with uncertified printed copies of the specifications and drawings for all patents in that year shall be \$50.”.

(d) **FEES FOR SMALL ENTITIES.**—Subsection (h) of section 41 of title 35, United States Code, is amended to read as follows:

“(h) **FEES FOR SMALL ENTITIES.**—

“(1) **REDUCTIONS IN FEES.**—Subject to paragraph (3), fees charged under subsections (a), (b), and (d)(1) shall be reduced by 50 percent with respect to their application to any small business concern as defined under section 3 of the Small Business Act, and to any independent inventor or nonprofit organization as defined in regulations issued by the Director.

“(2) **SURCHARGES AND OTHER FEES.**—With respect to its application to any entity described in paragraph (1), any surcharge or fee charged under subsection (c) or (d) shall not be higher than the surcharge or fee required of any other entity under the same or substantially similar circumstances.

“(3) **REDUCTION FOR ELECTRONIC FILING.**—The fee charged under subsection (a)(1)(A) shall be reduced by 75 percent with respect to its application to any entity to which paragraph (1) applies, if the application is filed by electronic means as prescribed by the Director.”.

(e) **TECHNICAL AMENDMENTS.**—Section 41 of title 35, United States Code, is amended—

(1) in subsection (e), in the first sentence, by striking “The Director” and inserting “WAIVER OF FEES; COPIES REGARDING NOTICE.—The Director”;

(2) in subsection (f), by striking “The fees” and inserting “ADJUSTMENT OF FEES.—The fees”;

(3) by repealing subsection (g); and

(4) in subsection (i)—

(A) by striking “(i)(1) The Director” and inserting the following:

“(i) **ELECTRONIC PATENT AND TRADEMARK DATA.**—

“(1) **MAINTENANCE OF COLLECTIONS.**—The Director”;

(B) by striking “(2) The Director” and inserting the following:

“(2) **AVAILABILITY OF AUTOMATED SEARCH SYSTEMS.**—The Director”;

(C) by striking “(3) The Director” and inserting the following:

“(3) **ACCESS FEES.**—The Director”;

(D) by striking “(4) The Director” and inserting the following:

“(4) **ANNUAL REPORT TO CONGRESS.**—The Director”.

(f) **ADJUSTMENT OF TRADEMARK FEES.**—Section 802(a) of division B of the Consolidated Appropriations Act, 2005 (Public Law 108-447) is amended—

(1) in the first sentence, by striking “During fiscal years 2005, 2006, and 2007,” and inserting “Until such time as the Director sets or adjusts the fees otherwise,”; and

(2) in the second sentence, by striking “During fiscal years 2005, 2006, and 2007, the” and inserting “The”.

(g) **EFFECTIVE DATE, APPLICABILITY, AND TRANSITION PROVISIONS.**—Section 803(a) of division B of the Consolidated Appropriations Act, 2005 (Public Law 108-447) is amended by striking “and shall apply only with respect to the remaining portion of fiscal year 2005 and fiscal year 2006”.

(h) **REDUCTION IN FEES FOR SMALL ENTITY PATENTS.**—The Director shall reduce fees for providing prioritized examination of utility and plant patent applications by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code, so long as the fees of the prioritized examination program are set to recover the estimated cost of the program.

(i) **EFFECTIVE DATE.**—Except as provided in subsection (h), this section and the amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 12. SUPPLEMENTAL EXAMINATION.

(a) **IN GENERAL.**—Chapter 25 of title 35, United States Code, is amended by adding at the end the following:

“§257. Supplemental examinations to consider, reconsider, or correct information

“(a) **REQUEST FOR SUPPLEMENTAL EXAMINATION.**—A patent owner may request supplemental examination of a patent in the Office to consider, reconsider, or correct information believed to be relevant to the patent, in accordance with such requirements as the Director may establish. Within 3 months after the date a request for supplemental examination meeting the requirements of this section is received, the Director shall conduct the supplemental examination and shall conclude such examination by issuing a certificate indicating whether the information presented in the request raises a substantial new question of patentability.

“(b) **REEXAMINATION ORDERED.**—If the certificate issued under subsection (a) indicates that a substantial new question of patentability is raised by 1 or more items of information in the request, the Director shall order reexamination of the patent. The reexamination shall be conducted according to procedures established by chapter 30, except that the patent owner shall not have the right to file a statement pursuant to section 304. During the reexamination, the Director shall address each substantial new question of patentability identified during the supplemental examination, notwithstanding the limitations in chapter 30 relating to patents and printed publication or any other provision of such chapter.

“(c) **EFFECT.**—

“(1) **IN GENERAL.**—A patent shall not be held unenforceable on the basis of conduct relating to information that had not been considered,

was inadequately considered, or was incorrect in a prior examination of the patent if the information was considered, reconsidered, or corrected during a supplemental examination of the patent. The making of a request under subsection (a), or the absence thereof, shall not be relevant to enforceability of the patent under section 282.

“(2) EXCEPTIONS.—

“(A) PRIOR ALLEGATIONS.—Paragraph (1) shall not apply to an allegation pled with particularity in a civil action, or set forth with particularity in a notice received by the patent owner under section 505(j)(2)(B)(iv)(II) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(2)(B)(iv)(II)), before the date of a supplemental examination request under subsection (a) to consider, reconsider, or correct information forming the basis for the allegation.

“(B) PATENT ENFORCEMENT ACTIONS.—In an action brought under section 337(a) of the Tariff Act of 1930 (19 U.S.C. 1337(a)), or section 281 of this title, paragraph (1) shall not apply to any defense raised in the action that is based upon information that was considered, reconsidered, or corrected pursuant to a supplemental examination request under subsection (a), unless the supplemental examination, and any reexamination ordered pursuant to the request, are concluded before the date on which the action is brought.

“(C) FRAUD.—No supplemental examination may be commenced by the Director on, and any pending supplemental examination shall be immediately terminated regarding, an application or patent in connection with which fraud on the Office was practiced or attempted. If the Director determines that such a fraud on the Office was practiced or attempted, the Director shall also refer the matter to the Attorney General for such action as the Attorney General may deem appropriate.

“(d) FEES AND REGULATIONS.—

“(1) FEES.—The Director shall, by regulation, establish fees for the submission of a request for supplemental examination of a patent, and to consider each item of information submitted in the request. If reexamination is ordered under subsection (b), fees established and applicable to *ex parte* reexamination proceedings under chapter 30 shall be paid, in addition to fees applicable to supplemental examination.

“(2) REGULATIONS.—The Director shall issue regulations governing the form, content, and other requirements of requests for supplemental examination, and establishing procedures for reviewing information submitted in such requests.

“(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

“(1) to preclude the imposition of sanctions based upon criminal or antitrust laws (including section 1001(a) of title 18, the first section of the Clayton Act, and section 5 of the Federal Trade Commission Act to the extent that section relates to unfair methods of competition);

“(2) to limit the authority of the Director to investigate issues of possible misconduct and impose sanctions for misconduct in connection with matters or proceedings before the Office; or

“(3) to limit the authority of the Director to issue regulations under chapter 3 relating to sanctions for misconduct by representatives practicing before the Office.”

(b) CONFORMING AMENDMENT.—The table of sections for chapter 25 of title 35, United States Code, is amended by adding at the end the following new item:

“257. Supplemental examinations to consider, reconsider, or correct information.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to

any patent issued before, on, or after that effective date.

SEC. 13. FUNDING AGREEMENTS.

(a) IN GENERAL.—Section 202(c)(7)(E)(i) of title 35, United States Code, is amended—

(1) by striking “75 percent” and inserting “15 percent”;

(2) by striking “25 percent” and inserting “85 percent”; and

(3) by striking “as described above in this clause (D);” and inserting “described above in this clause.”

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to any patent issued before, on, or after that date.

SEC. 14. TAX STRATEGIES DEEMED WITHIN THE PRIOR ART.

(a) IN GENERAL.—For purposes of evaluating an invention under section 102 or 103 of title 35, United States Code, any strategy for reducing, avoiding, or deferring tax liability, whether known or unknown at the time of the invention or application for patent, shall be deemed insufficient to differentiate a claimed invention from the prior art.

(b) DEFINITION.—For purposes of this section, the term “tax liability” refers to any liability for a tax under any Federal, State, or local law, or the law of any foreign jurisdiction, including any statute, rule, regulation, or ordinance that levies, imposes, or assesses such tax liability.

(c) EXCLUSIONS.—This section does not apply to that part of an invention that—

(1) is a method, apparatus, technology, computer program product, or system, that is used solely for preparing a tax or information return or other tax filing, including one that records, transmits, transfers, or organizes data related to such filing; or

(2) is a method, apparatus, technology, computer program product, or system used solely for financial management, to the extent that it is severable from any tax strategy or does not limit the use of any tax strategy by any taxpayer or tax advisor.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to imply that other business methods are patentable or that other business method patents are valid.

(e) EFFECTIVE DATE; APPLICABILITY.—This section shall take effect on the date of the enactment of this Act and shall apply to any patent application that is pending on, or filed on or after, that date, and to any patent that is issued on or after that date.

SEC. 15. BEST MODE REQUIREMENT.

(a) IN GENERAL.—Section 282 of title 35, United States Code, is amended in the second undesignated paragraph by striking paragraph (3) and inserting the following:

“(3) Invalidity of the patent or any claim in suit for failure to comply with—

“(A) any requirement of section 112, except that the failure to disclose the best mode shall not be a basis on which any claim of a patent may be canceled or held invalid or otherwise unenforceable; or

“(B) any requirement of section 251.”

(b) CONFORMING AMENDMENT.—Sections 119(e)(1) and 120 of title 35, United States Code, are each amended by striking “the first paragraph of section 112 of this title” and inserting “section 112(a) (other than the requirement to disclose the best mode)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the date of the enactment of this Act and shall apply to proceedings commenced on or after that date.

SEC. 16. MARKING.

(a) VIRTUAL MARKING.—

(1) IN GENERAL.—Section 287(a) of title 35, United States Code, is amended by striking “or when,” and inserting “or by fixing thereon the

word ‘patent’ or the abbreviation ‘pat.’ together with an address of a posting on the Internet, accessible to the public without charge for accessing the address, that associates the patented article with the number of the patent, or when.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to any case that is pending on, or commenced on or after, the date of the enactment of this Act.

(3) REPORT.—Not later than the date that is 3 years after the date of the enactment of this Act, the Director shall submit a report to Congress that provides—

(A) an analysis of the effectiveness of “virtual marking”, as provided in the amendment made by paragraph (1) of this subsection, as an alternative to the physical marking of articles;

(B) an analysis of whether such virtual marking has limited or improved the ability of the general public to access information about patents;

(C) an analysis of the legal issues, if any, that arise from such virtual marking; and

(D) an analysis of the deficiencies, if any, of such virtual marking.

(b) FALSE MARKING.—

(1) CIVIL PENALTY.—Section 292(a) of title 35, United States Code, is amended by adding at the end the following: “Only the United States may sue for the penalty authorized by this subsection.”.

(2) CIVIL ACTION FOR DAMAGES.—Subsection (b) of section 292 of title 35, United States Code, is amended to read as follows:

“(b) A person who has suffered a competitive injury as a result of a violation of this section may file a civil action in a district court of the United States for recovery of damages adequate to compensate for the injury.”

(3) EXPIRED PATENTS.—Section 292 of title 35, United States Code, is amended by adding at the end the following:

“(c) Whoever engages in an activity under subsection (a) for which liability would otherwise be imposed shall not be liable for such activity—

“(1) that is engaged in during the 3-year period beginning on the date on which the patent at issue expires; or

“(2) that is engaged in after the end of that 3-year period if the word ‘expired’ is placed before the word ‘patent’, ‘patented’, the abbreviation ‘pat’, or the patent number, either on the article or through a posting on the Internet, as provided in section 287(a).”

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to any case that is pending on, or commenced on or after, the date of the enactment of this Act.

SEC. 17. ADVICE OF COUNSEL.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by adding at the end the following:

“§298. Advice of counsel

“The failure of an infringer to obtain the advice of counsel with respect to any allegedly infringed patent, or the failure of the infringer to present such advice to the court or jury, may not be used to prove that the accused infringer willfully infringed the patent or that the infringer intended to induce infringement of the patent.”

(b) CONFORMING AMENDMENT.—The table of sections for chapter 29 of title 35, United States Code, is amended by adding at the end the following:

“298. Advice of counsel.”

SEC. 18. TRANSITIONAL PROGRAM FOR COVERED BUSINESS METHOD PATENTS.

(a) TRANSITIONAL PROGRAM.—

(1) ESTABLISHMENT.—Not later than the date that is 1 year after the date of the enactment of this Act, the Director shall issue regulations establishing and implementing a transitional post-

grant review proceeding for review of the validity of covered business method patents. The transitional proceeding implemented pursuant to this subsection shall be regarded as, and shall employ the standards and procedures of, a post-grant review under chapter 32 of title 35, United States Code, subject to the following:

(A) Section 321(c) of title 35, United States Code, and subsections (b), (e)(2), and (f) of section 325 of such title shall not apply to a transitional proceeding.

(B) A person may not file a petition for a transitional proceeding with respect to a covered business method patent unless the person or the person's real party in interest has been sued for infringement of the patent or has been charged with infringement under that patent.

(C) A petitioner in a transitional proceeding who challenges the validity of 1 or more claims in a covered business method patent on a ground raised under section 102 or 103 of title 35, United States Code, as in effect on the day before the effective date set forth in section 3(n)(1), may support such ground only on the basis of—

(i) prior art that is described by section 102(a) of such title of such title (as in effect on the day before such effective date); or

(ii) prior art that—

(I) discloses the invention more than 1 year before the date of the application for patent in the United States; and

(II) would be described by section 102(a) of such title (as in effect on the day before the effective date set forth in section 3(n)(1)) if the disclosure had been made by another before the invention thereof by the applicant for patent.

(D) The petitioner in a transitional proceeding, or the petitioner's real party in interest, may not assert, either in a civil action arising in whole or in part under section 1338 of title 28, United States Code, or in a proceeding before the International Trade Commission under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), that a claim in a patent is invalid on any ground that the petitioner raised during a transitional proceeding that resulted in a final written decision.

(E) The Director may institute a transitional proceeding only for a patent that is a covered business method patent.

(2) **EFFECTIVE DATE.**—The regulations issued under paragraph (1) shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to any covered business method patent issued before, on, or after that effective date, except that the regulations shall not apply to a patent described in section 6(f)(2)(A) of this Act during the period in which a petition for post-grant review of that patent would satisfy the requirements of section 321(c) of title 35, United States Code.

(3) **SUNSET.**—

(A) **IN GENERAL.**—This subsection, and the regulations issued under this subsection, are repealed effective upon the expiration of the 10-year period beginning on the date that the regulations issued under to paragraph (1) take effect.

(B) **APPLICABILITY.**—Notwithstanding subparagraph (A), this subsection and the regulations issued under this subsection shall continue to apply, after the date of the repeal under subparagraph (A), to any petition for a transitional proceeding that is filed before the date of such repeal.

(b) **REQUEST FOR STAY.**—

(1) **IN GENERAL.**—If a party seeks a stay of a civil action alleging infringement of a patent under section 281 of title 35, United States Code, relating to a transitional proceeding for that patent, the court shall decide whether to enter a stay based on—

(A) whether a stay, or the denial thereof, will simplify the issues in question and streamline the trial;

(B) whether discovery is complete and whether a trial date has been set;

(C) whether a stay, or the denial thereof, would unduly prejudice the nonmoving party or present a clear tactical advantage for the moving party; and

(D) whether a stay, or the denial thereof, will reduce the burden of litigation on the parties and on the court.

(2) **REVIEW.**—A party may take an immediate interlocutory appeal from a district court's decision under paragraph (1). The United States Court of Appeals for the Federal Circuit shall review the district court's decision to ensure consistent application of established precedent, and such review may be de novo.

(c) **ATM EXEMPTION FOR VENUE PURPOSES.**—In an action for infringement under section 281 of title 35, United States Code, of a covered business method patent, an automated teller machine shall not be deemed to be a regular and established place of business for purposes of section 1400(b) of title 28, United States Code.

(d) **DEFINITION.**—

(1) **IN GENERAL.**—For purposes of this section, the term “covered business method patent” means a patent that claims a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service, except that the term does not include patents for technological inventions.

(2) **REGULATIONS.**—To assist in implementing the transitional proceeding authorized by this subsection, the Director shall issue regulations for determining whether a patent is for a technological invention.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as amending or interpreting categories of patent-eligible subject matter set forth under section 101 of title 35, United States Code.

SEC. 19. JURISDICTION AND PROCEDURAL MATTERS.

(a) **STATE COURT JURISDICTION.**—Section 1338(a) of title 28, United States Code, is amended by striking the second sentence and inserting the following: “No State court shall have jurisdiction over any claim for relief arising under any Act of Congress relating to patents, plant variety protection, or copyrights. For purposes of this subsection, the term ‘State’ includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.”

(b) **COURT OF APPEALS FOR THE FEDERAL CIRCUIT.**—Section 1295(a)(1) of title 28, United States Code, is amended to read as follows:

“(1) of an appeal from a final decision of a district court of the United States, the District Court of Guam, the District Court of the Virgin Islands, or the District Court of the Northern Mariana Islands, in any civil action arising under, or in any civil action in which a party has asserted a compulsory counterclaim arising under, any Act of Congress relating to patents or plant variety protection;”

(c) **REMOVAL.**—

(1) **IN GENERAL.**—Chapter 89 of title 28, United States Code, is amended by adding at the end the following new section:

“§ 1454. Patent, plant variety protection, and copyright cases

“(a) **IN GENERAL.**—A civil action in which any party asserts a claim for relief arising under any Act of Congress relating to patents, plant variety protection, or copyrights may be removed to the district court of the United States for the district and division embracing the place where the action is pending.

“(b) **SPECIAL RULES.**—The removal of an action under this section shall be made in accordance with section 1446, except that if the removal is based solely on this section—

“(1) the action may be removed by any party; and

“(2) the time limitations contained in section 1446(b) may be extended at any time for cause shown.

“(c) **CLARIFICATION OF JURISDICTION IN CERTAIN CASES.**—The court to which a civil action is removed under this section is not precluded from hearing and determining any claim in the civil action because the State court from which the civil action is removed did not have jurisdiction over that claim.

“(d) **REMAND.**—If a civil action is removed solely under this section, the district court—

“(1) shall remand all claims that are neither a basis for removal under subsection (a) nor within the original or supplemental jurisdiction of the district court under any Act of Congress; and

“(2) may, under the circumstances specified in section 1367(c), remand any claims within the supplemental jurisdiction of the district court under section 1367.”

(2) **CONFORMING AMENDMENT.**—The table of sections for chapter 89 of title 28, United States Code, is amended by adding at the end the following new item:

“1454. Patent, plant variety protection, and copyright cases.”

(d) **TRANSFER BY COURT OF APPEALS FOR THE FEDERAL CIRCUIT.**—

(1) **IN GENERAL.**—Chapter 99 of title 28, United States Code, is amended by adding at the end the following new section:

“§ 1632. Transfer by the Court of Appeals for the Federal Circuit

“When a case is appealed to the Court of Appeals for the Federal Circuit under section 1295(a)(1), and no claim for relief arising under any Act of Congress relating to patents or plant variety protection is the subject of the appeal by any party, the Court of Appeals for the Federal Circuit shall transfer the appeal to the court of appeals for the regional circuit embracing the district from which the appeal has been taken.”

(2) **CONFORMING AMENDMENT.**—The table of sections for chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

“1632. Transfer by the Court of Appeals for the Federal Circuit.”

(e) **PROCEDURAL MATTERS IN PATENT CASES.**—

(1) **JOINDER OF PARTIES AND STAY OF ACTIONS.**—Chapter 29 of title 35, United States Code, as amended by this Act, is further amended by adding at the end the following new section:

“§ 299. Joinder of parties

“(a) **JOINDER OF ACCUSED INFRINGERS.**—In any civil action arising under any Act of Congress relating to patents, other than an action or trial in which an act of infringement under section 271(e)(2) has been pled, parties that are accused infringers may be joined in one action as defendants or counterclaim defendants only if—

“(1) any right to relief is asserted against the parties jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences relating to the making, using, importing into the United States, offering for sale, or selling of the same accused product or process; and

“(2) questions of fact common to all defendants or counterclaim defendants will arise in the action.

“(b) **ALLEGATIONS INSUFFICIENT FOR JOINER.**—For purposes of this subsection, accused

infringers may not be joined in one action or trial as defendants or counterclaim defendants based solely on allegations that they each have infringed the patent or patents in suit.”.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 29 of title 35, United States Code, as amended by this Act, is further amended by adding at the end the following new item: “299. Joinder of parties.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to any civil action commenced on or after the date of the enactment of this Act.

SEC. 20. TECHNICAL AMENDMENTS.

(a) JOINT INVENTIONS.—Section 116 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph, by striking “When” and inserting “(a) JOINT INVENTIONS.—When”;

(2) in the second undesignated paragraph, by striking “If a joint inventor” and inserting “(b) OMITTED INVENTOR.—If a joint inventor”;

(3) in the third undesignated paragraph—
(A) by striking “Whenever” and inserting “(c) CORRECTION OF ERRORS IN APPLICATION.—Whenever”;

(B) by striking “and such error arose without any deceptive intention on his part”.

(b) FILING OF APPLICATION IN FOREIGN COUNTRY.—Section 184 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph—
(A) by striking “Except when” and inserting “(a) FILING IN FOREIGN COUNTRY.—Except when”;

(B) by striking “and without deceptive intention”;

(2) in the second undesignated paragraph, by striking “The term” and inserting “(b) APPLICATION.—The term”;

(3) in the third undesignated paragraph, by striking “The scope” and inserting “(c) SUBSEQUENT MODIFICATIONS, AMENDMENTS, AND SUPPLEMENTS.—The scope”.

(c) FILING WITHOUT A LICENSE.—Section 185 of title 35, United States Code, is amended by striking “and without deceptive intent”.

(d) REISSUE OF DEFECTIVE PATENTS.—Section 251 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph—
(A) by striking “Whenever” and inserting “(a) IN GENERAL.—Whenever”;

(B) by striking “without any deceptive intention”;

(2) in the second undesignated paragraph, by striking “The Director” and inserting “(b) MULTIPLE REISSUED PATENTS.—The Director”;

(3) in the third undesignated paragraph, by striking “The provisions” and inserting “(c) APPLICABILITY OF THIS TITLE.—The provisions”;

(4) in the last undesignated paragraph, by striking “No reissued patent” and inserting “(d) REISSUE PATENT ENLARGING SCOPE OF CLAIMS.—No reissued patent”.

(e) EFFECT OF REISSUE.—Section 253 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph, by striking “Whenever, without any deceptive intention,” and inserting “(a) IN GENERAL.—Whenever”;

(2) in the second undesignated paragraph, by striking “In like manner” and inserting “(b) ADDITIONAL DISCLAIMER OR DEDICATION.—In the manner set forth in subsection (a).”.

(f) CORRECTION OF NAMED INVENTOR.—Section 256 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph—
(A) by striking “Whenever” and inserting “(a) CORRECTION.—Whenever”;

(B) by striking “and such error arose without any deceptive intention on his part”;

(2) in the second undesignated paragraph, by striking “The error” and inserting “(b) PATENT VALID IF ERROR CORRECTED.—The error”.

(g) PRESUMPTION OF VALIDITY.—Section 282 of title 35, United States Code, is amended—

(1) in the first undesignated paragraph—
(A) by striking “A patent” and inserting “(a) IN GENERAL.—A patent”;

(B) by striking the third sentence;

(2) in the second undesignated paragraph—
(A) by striking “The following” and inserting “(b) DEFENSES.—The following”;

(B) in paragraph (1), by striking “unforceability,” and inserting “unenforceability.”; and

(C) in paragraph (2), by striking “patentability,” and inserting “patentability.”;

(3) in the third undesignated paragraph—
(A) by striking “In actions involving the validity or infringement of a patent” and inserting “(c) NOTICE OF ACTIONS; ACTIONS DURING EXTENSION OF PATENT TERM.—In an action involving the validity or infringement of patent, the party asserting infringement shall identify, in the pleadings or otherwise in writing to the adverse party, all of its real parties in interest, and”;

(B) by striking “Claims Court” and inserting “Court of Federal Claims”.

(h) ACTION FOR INFRINGEMENT.—Section 288 of title 35, United States Code, is amended by striking “, without deceptive intention,”.

(i) REVISER’S NOTES.—

(1) Section 3(e)(2) of title 35, United States Code, is amended by striking “this Act,” and inserting “that Act.”.

(2) Section 202 of title 35, United States Code, is amended—

(A) in subsection (b)(3), by striking “the section 203(b)” and inserting “section 203(b)”;

(B) in subsection (c)(7)(D), by striking “except where it proves” and all that follows through “small business firms; and” and inserting: “except where it is determined to be infeasible following a reasonable inquiry, a preference in the licensing of subject inventions shall be given to small business firms; and”.

(3) Section 209(d)(1) of title 35, United States Code, is amended by striking “nontransferrable” and inserting “nontransferable”.

(4) Section 287(c)(2)(G) of title 35, United States Code, is amended by striking “any state” and inserting “any State”.

(5) Section 371(b) of title 35, United States Code, is amended by striking “of the treaty” and inserting “of the treaty.”.

(j) UNNECESSARY REFERENCES.—

(1) IN GENERAL.—Title 35, United States Code, is amended by striking “of this title” each place that term appears.

(2) EXCEPTION.—The amendment made by paragraph (1) shall not apply to the use of such term in the following sections of title 35, United States Code:

(A) Section 1(c).

(B) Section 101.

(C) Subsections (a) and (b) of section 105.

(D) The first instance of the use of such term in section 111(b)(8).

(E) Section 161.

(F) Section 164.

(G) Section 171.

(H) Section 251(c), as so designated by this section.

(I) Section 261.

(J) Subsections (g) and (h) of section 271.

(K) Section 287(b)(1).

(L) Section 289.

(M) The first instance of the use of such term in section 375(a).

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to proceedings commenced on or after that effective date.

SEC. 21. TRAVEL EXPENSES AND PAYMENT OF ADMINISTRATIVE JUDGES.

(a) AUTHORITY TO COVER CERTAIN TRAVEL RELATED EXPENSES.—Section 2(b)(11) of title 35, United States Code, is amended by inserting “, and the Office is authorized to expend funds to cover the subsistence expenses and travel-related expenses, including per diem, lodging costs, and transportation costs, of persons attending such programs who are not Federal employees” after “world”.

(b) PAYMENT OF ADMINISTRATIVE JUDGES.—Section 3(b) of title 35, United States Code, is amended by adding at the end the following:

“(6) ADMINISTRATIVE PATENT JUDGES AND ADMINISTRATIVE TRADEMARK JUDGES.—The Director may fix the rate of basic pay for the administrative patent judges appointed pursuant to section 6 and the administrative trademark judges appointed pursuant to section 17 of the Trademark Act of 1946 (15 U.S.C. 1067) at not greater than the rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5. The payment of a rate of basic pay under this paragraph shall not be subject to the pay limitation under section 5306(e) or 5373 of title 5.”.

SEC. 22. PATENT AND TRADEMARK OFFICE FUNDING.

(a) DEFINITION.—In this section, the term “Fund” means the United States Patent and Trademark Office Public Enterprise Fund established under subsection (c).

(b) FUNDING.—

(1) IN GENERAL.—Section 42 of title 35, United States Code, is amended—

(A) in subsection (b), by striking “Patent and Trademark Office Appropriation Account” and inserting “United States Patent and Trademark Office Public Enterprise Fund”;

(B) in subsection (c), in the first sentence—
(i) by striking “To the extent” and all that follows through “fees” and inserting “Fees”;

and

(ii) by striking “shall be collected by and shall be available to the Director” and inserting “shall be collected by the Director and shall be available until expended”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the later of—

(A) October 1, 2011; or

(B) the first day of the first fiscal year that begins after the date of the enactment of this Act.

(c) USPTO REVOLVING FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund to be known as the “United States Patent and Trademark Office Public Enterprise Fund”. Any amounts in the Fund shall be available for use by the Director without fiscal year limitation.

(2) DERIVATION OF RESOURCES.—There shall be deposited into the Fund and recorded as offsetting receipts, on and after the effective date set forth in subsection (b)(2)—

(A) any fees collected under sections 41, 42, and 376 of title 35, United States Code, except that—

(i) notwithstanding any other provision of law, if such fees are collected by, and payable to, the Director, the Director shall transfer such amounts to the Fund; and

(ii) no funds collected pursuant to section 10(h) of this Act or section 1(a)(2) of Public Law 111-45 shall be deposited in the Fund; and

(B) any fees collected under section 31 of the Trademark Act of 1946 (15 U.S.C. 1113).

(3) EXPENSES.—Amounts deposited into the Fund under paragraph (2) shall be available, without fiscal year limitation, to cover—

(A) all expenses to the extent consistent with the limitation on the use of fees set forth in section 42(c) of title 35, United States Code, including all administrative and operating expenses,

determined in the discretion of the Director to be ordinary and reasonable, incurred by the Director for the continued operation of all services, programs, activities, and duties of the Office relating to patents and trademarks, as such services, programs, activities, and duties are described under—

- (i) title 35, United States Code; and
- (ii) the Trademark Act of 1946; and

(B) all expenses incurred pursuant to any obligation, representation, or other commitment of the Office.

(d) **ANNUAL REPORT.**—Not later than 60 days after the end of each fiscal year, the Director shall submit a report to Congress which shall—

(1) summarize the operations of the Office for the preceding fiscal year, including financial details and staff levels broken down by each major activity of the Office;

(2) detail the operating plan of the Office, including specific expense and staff needs for the upcoming fiscal year;

(3) describe the long-term modernization plans of the Office;

(4) set forth details of any progress towards such modernization plans made in the previous fiscal year; and

(5) include the results of the most recent audit carried out under subsection (f).

(e) **ANNUAL SPENDING PLAN.**—

(1) **IN GENERAL.**—Not later than 30 days after the beginning of each fiscal year, the Director shall notify the Committees on Appropriations of both Houses of Congress of the plan for the obligation and expenditure of the total amount of the funds for that fiscal year in accordance with section 605 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2334).

(2) **CONTENTS.**—Each plan under paragraph (1) shall—

(A) summarize the operations of the Office for the current fiscal year, including financial details and staff levels with respect to major activities; and

(B) detail the operating plan of the Office, including specific expense and staff needs, for the current fiscal year.

(f) **AUDIT.**—The Director shall, on an annual basis, provide for an independent audit of the financial statements of the Office. Such audit shall be conducted in accordance with generally acceptable accounting procedures.

(g) **BUDGET.**—The Director shall prepare and submit each year to the President a business-type budget for the Fund in a manner, and before a date, as the President prescribes by regulation for the Federal budget.

SEC. 23. SATELLITE OFFICES.

(a) **ESTABLISHMENT.**—Subject to available resources, the Director shall, by not later than the date that is 3 years after the date of the enactment of this Act, establish 3 or more satellite offices in the United States to carry out the responsibilities of the Office.

(b) **PURPOSES.**—The purposes of the satellite offices established under subsection (a) are to—

- (1) increase outreach activities to better connect patent filers and innovators with the Office;
- (2) enhance patent examiner retention;
- (3) improve recruitment of patent examiners;
- (4) decrease the number of patent applications waiting for examination; and
- (5) improve the quality of patent examination.

(c) **REQUIRED CONSIDERATIONS.**—

(1) **IN GENERAL.**—In selecting the location of each satellite office to be established under subsection (a), the Director—

(A) shall ensure geographic diversity among the offices, including by ensuring that such offices are established in different States and regions throughout the Nation;

(B) may rely upon any previous evaluations by the Office of potential locales for satellite of-

fices, including any evaluations prepared as part of the Office's Nationwide Workforce Program that resulted in the 2010 selection of Detroit, Michigan, as the first satellite office of the Office.

(2) **OPEN SELECTION PROCESS.**—Nothing in paragraph (1) shall constrain the Office to only consider its evaluations in selecting the Detroit, Michigan, satellite office.

(d) **REPORT TO CONGRESS.**—Not later than the end of the third fiscal year that begins after the date of the enactment of this Act, the Director shall submit a report to Congress on—

(1) the rationale of the Director in selecting the location of any satellite office required under subsection (a);

(2) the progress of the Director in establishing all such satellite offices; and

(3) whether the operation of existing satellite offices is achieving the purposes under subsection (b).

SEC. 24. DESIGNATION OF DETROIT SATELLITE OFFICE.

(a) **DESIGNATION.**—The satellite office of the United States Patent and Trademark Office to be located in Detroit, Michigan, shall be known and designated as the “Elijah J. McCoy United States Patent and Trademark Office”.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the satellite office of the United States Patent and Trademark Office to be located in Detroit, Michigan, referred to in subsection (a) shall be deemed to be a reference to the “Elijah J. McCoy United States Patent and Trademark Office”.

SEC. 25. PATENT OMBUDSMAN PROGRAM FOR SMALL BUSINESS CONCERNS.

Using available resources, the Director shall establish and maintain in the Office a Patent Ombudsman Program. The duties of the Program's staff shall include providing support and services relating to patent filings to small business concerns.

SEC. 26. PRIORITY EXAMINATION FOR TECHNOLOGIES IMPORTANT TO AMERICAN COMPETITIVENESS.

Section 2(b)(2) of title 35, United States Code, is amended—

(1) in subparagraph (E), by striking “and” after the semicolon;

(2) in subparagraph (F), by inserting “and” after the semicolon; and

(3) by adding at the end the following:

“(G) may, subject to any conditions prescribed by the Director and at the request of the patent applicant, provide for prioritization of examination of applications for products, processes, or technologies that are important to the national economy or national competitiveness without recovering the aggregate extra cost of providing such prioritization, notwithstanding section 41 or any other provision of law;”.

SEC. 27. CALCULATION OF 60-DAY PERIOD FOR APPLICATION OF PATENT TERM EXTENSION.

(a) **IN GENERAL.**—Section 156(d)(1) of title 35, United States Code, is amended by adding at the end the following flush sentence:

“For purposes of determining the date on which a product receives permission under the second sentence of this paragraph, if such permission is transmitted after 4:30 P.M., Eastern Time, on a business day, or is transmitted on a day that is not a business day, the product shall be deemed to receive such permission on the next business day. For purposes of the preceding sentence, the term ‘business day’ means any Monday, Tuesday, Wednesday, Thursday, or Friday, excluding any legal holiday under section 6103 of title 5.”.

(b) **APPLICABILITY.**—The amendment made by subsection (a) shall apply to any application for extension of a patent term under section 156 of

title 35, United States Code, that is pending on, that is filed after, or as to which a decision regarding the application is subject to judicial review on, the date of the enactment of this Act.

SEC. 28. STUDY ON IMPLEMENTATION.

(a) **PTO STUDY.**—The Director shall conduct a study on the manner in which this Act and the amendments made by this Act are being implemented by the Office, and on such other aspects of the patent policies and practices of the Federal Government with respect to patent rights, innovation in the United States, competitiveness of United States markets, access by small businesses to capital for investment, and such other issues, as the Director considers appropriate.

(b) **REPORT TO CONGRESS.**—The Director shall, not later than the date that is 4 years after the date of the enactment of this Act, submit to the Committees on the Judiciary of the House of Representatives and the Senate a report on the results of the study conducted under subsection (a), including recommendations for any changes to laws and regulations that the Director considers appropriate.

SEC. 29. PRO BONO PROGRAM.

(a) **IN GENERAL.**—The Director shall work with and support intellectual property law associations across the country in the establishment of pro bono programs designed to assist financially under-resourced independent inventors and small businesses.

(b) **EFFECTIVE DATE.**—This section shall take effect on the date of the enactment of this Act.

SEC. 30. EFFECTIVE DATE.

Except as otherwise provided in this Act, the provisions of this Act shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act and shall apply to any patent issued on or after that effective date.

SEC. 31. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The Acting CHAIR. No amendment to the committee amendment is in order except those printed in part B of House Report 112–111. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112–111.

Mr. SMITH of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 5, strike “America Invents Act” and insert “Leahy-Smith America Invents Act”.

Page 4, lines 10 and 22, strike “5(a)(1)” and insert “5(a)”.

Page 16, line 1, insert after the period the following: "In appropriate circumstances, the Patent Trial and Appeal Board may correct the naming of the inventor in any application or patent at issue."

Page 25, strike line 13 and all that follows through page 27, line 2, and redesignate the succeeding subsections accordingly.

Page 27, line 4, strike "registration".

Page 27, line 5, strike "inventor to use" and insert "to invent".

Page 27, line 6, insert "and the useful arts" after "science".

Page 27, line 9, strike "granted by the" and insert "provided by the grant of".

Page 27, line 12, strike "registration".

Page 27, line 13, strike "inventor to use" and insert "to invent".

Page 27, lines 14 and 15, strike "harmonize the United States patent registration system with the patent registration systems" and insert "improve the United States patent system and promote harmonization of the United States patent system with the patent systems".

Page 27, line 18, strike "a greater sense of" and insert "greater".

Page 36, strike line 10 and all that follows through page 40, line 5, and insert the following (and conform the table of contents) accordingly:

SEC. 5. DEFENSE TO INFRINGEMENT BASED ON PRIOR COMMERCIAL USE.

(a) IN GENERAL.—Section 273 of title 35, United States Code, is amended to read as follows:

"§273. Defense to infringement based on prior commercial use

"(a) IN GENERAL.—A person shall be entitled to a defense under section 282(b) with respect to subject matter consisting of a process, or consisting of a machine, manufacture, or composition of matter used in a manufacturing or other commercial process, that would otherwise infringe a claimed invention being asserted against the person if—

"(1) such person, acting in good faith, commercially used the subject matter in the United States, either in connection with an internal commercial use or an actual arm's length sale or other arm's length commercial transfer of a useful end result of such commercial use; and

"(2) such commercial use occurred at least 1 year before the earlier of either—

"(A) the effective filing date of the claimed invention; or

"(B) the date on which the claimed invention was disclosed to the public in a manner that qualified for the exception from prior art under section 102(b).

"(b) BURDEN OF PROOF.—A person asserting a defense under this section shall have the burden of establishing the defense by clear and convincing evidence.

"(c) ADDITIONAL COMMERCIAL USES.—

"(1) PREMARKETING REGULATORY REVIEW.—Subject matter for which commercial marketing or use is subject to a premarketing regulatory review period during which the safety or efficacy of the subject matter is established, including any period specified in section 156(g), shall be deemed to be commercially used for purposes of subsection (a)(1) during such regulatory review period.

"(2) NONPROFIT LABORATORY USE.—A use of subject matter by a nonprofit research laboratory or other nonprofit entity, such as a university or hospital, for which the public is the intended beneficiary, shall be deemed to be a commercial use for purposes of subsection (a)(1), except that a defense under this section may be asserted pursuant to this paragraph only for continued and non-

commercial use by and in the laboratory or other nonprofit entity.

"(d) EXHAUSTION OF RIGHTS.—Notwithstanding subsection (e)(1), the sale or other disposition of a useful end result by a person entitled to assert a defense under this section in connection with a patent with respect to that useful end result shall exhaust the patent owner's rights under the patent to the extent that such rights would have been exhausted had such sale or other disposition been made by the patent owner.

"(e) LIMITATIONS AND EXCEPTIONS.—

"(1) PERSONAL DEFENSE.—

"(A) IN GENERAL.—A defense under this section may be asserted only by the person who performed or directed the performance of the commercial use described in subsection (a), or by an entity that controls, is controlled by, or is under common control with such person.

"(B) TRANSFER OF RIGHT.—Except for any transfer to the patent owner, the right to assert a defense under this section shall not be licensed or assigned or transferred to another person except as an ancillary and subordinate part of a good-faith assignment or transfer for other reasons of the entire enterprise or line of business to which the defense relates.

"(C) RESTRICTION ON SITES.—A defense under this section, when acquired by a person as part of an assignment or transfer described in subparagraph (B), may only be asserted for uses at sites where the subject matter that would otherwise infringe a claimed invention is in use before the later of the effective filing date of the claimed invention or the date of the assignment or transfer of such enterprise or line of business.

"(2) DERIVATION.—A person may not assert a defense under this section if the subject matter on which the defense is based was derived from the patentee or persons in privity with the patentee.

"(3) NOT A GENERAL LICENSE.—The defense asserted by a person under this section is not a general license under all claims of the patent at issue, but extends only to the specific subject matter for which it has been established that a commercial use that qualifies under this section occurred, except that the defense shall also extend to variations in the quantity or volume of use of the claimed subject matter, and to improvements in the claimed subject matter that do not infringe additional specifically claimed subject matter of the patent.

"(4) ABANDONMENT OF USE.—A person who has abandoned commercial use (that qualifies under this section) of subject matter may not rely on activities performed before the date of such abandonment in establishing a defense under this section with respect to actions taken on or after the date of such abandonment.

"(5) UNIVERSITY EXCEPTION.—

"(A) IN GENERAL.—A person commercially using subject matter to which subsection (a) applies may not assert a defense under this section if the claimed invention with respect to which the defense is asserted was, at the time the invention was made, owned or subject to an obligation of assignment to either an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), or a technology transfer organization whose primary purpose is to facilitate the commercialization of technologies developed by one or more such institutions of higher education.

"(B) EXCEPTION.—Subparagraph (A) shall not apply if any of the activities required to

reduce to practice the subject matter of the claimed invention could not have been undertaken using funds provided by the Federal Government.

"(f) UNREASONABLE ASSERTION OF DEFENSE.—If the defense under this section is pleaded by a person who is found to infringe the patent and who subsequently fails to demonstrate a reasonable basis for asserting the defense, the court shall find the case exceptional for the purpose of awarding attorney fees under section 285.

"(g) INVALIDITY.—A patent shall not be deemed to be invalid under section 102 or 103 solely because a defense is raised or established under this section."

(b) CONFORMING AMENDMENT.—The item relating to section 273 in the table of sections for chapter 28 of title 35, United States Code, is amended to read as follows:

"273. Defense to infringement based on prior commercial use."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any patent issued on or after the date of the enactment of this Act.

Page 41, line 5, strike "1 year" and insert "9 months".

Page 42, line 22, strike "commence" and insert "be instituted".

Page 43, line 24, and page 44, line 1, strike "petitioner, real party in interest, or privy of the petitioner" and insert "petitioner or real party in interest".

Page 44, lines 3 and 4, strike "petitioner, real party in interest, or privy of the petitioner" and insert "petitioner or real party in interest".

Page 44, lines 13 and 14, strike "petitioner, real party in interest, or privy of the petitioner" and insert "petitioner or real party in interest".

Page 44, lines 16 and 17, strike "petitioner, real party in interest, or privy of the petitioner" and insert "petitioner or real party in interest".

Page 52, line 10, strike "AMENDED OR NEW CLAIM" and insert "INTERVENING RIGHTS".

Page 54, insert the following after line 10:

(3) TRANSITION.—

(A) IN GENERAL.—Chapter 31 of title 35, United States Code, is amended—

(i) in section 312—

(I) in subsection (a)—

(aa) in the first sentence, by striking "a substantial new question of patentability affecting any claim of the patent concerned is raised by the request," and inserting "the information presented in the request shows that there is a reasonable likelihood that the requester would prevail with respect to at least 1 of the claims challenged in the request,"; and

(bb) in the second sentence, by striking "The existence of a substantial new question of patentability" and inserting "A showing that there is a reasonable likelihood that the requester would prevail with respect to at least 1 of the claims challenged in the request"; and

(II) in subsection (c), in the second sentence, by striking "no substantial new question of patentability has been raised," and inserting "the showing required by subsection (a) has not been made,"; and

(ii) in section 313, by striking "a substantial new question of patentability affecting a claim of the patent is raised" and inserting "it has been shown that there is a reasonable likelihood that the requester would prevail with respect to at least 1 of the claims challenged in the request".

(B) APPLICATION.—The amendments made by this paragraph—

(i) shall take effect on the date of the enactment of this Act; and

(ii) shall apply to requests for inter partes reexamination that are filed on or after such date of enactment, but before the effective date set forth in paragraph (2)(A) of this subsection.

(C) CONTINUED APPLICABILITY OF PRIOR PROVISIONS.—The provisions of chapter 31 of title 35, United States Code, as amended by this paragraph, shall continue to apply to requests for inter partes reexamination that are filed before the effective date set forth in paragraph (2)(A) as if subsection (a) had not been enacted.

Page 54, line 17, strike “patent owner” and insert “owner of a patent”.

Page 54, line 18, strike “of a” and insert “of the”.

Page 55, line 10, strike “1 year” and insert “9 months”.

Page 57, line 3, strike “commence” and insert “be instituted”.

Page 57, line 25, strike “The” and all that follows through “public.” on page 58, line 1.

Page 58, lines 11 and 12, strike “petitioner, real party in interest, or privy of the petitioner” and insert “petitioner or real party in interest”.

Page 58, lines 15 and 16, strike “petitioner, real party in interest, or privy of the petitioner” and insert “petitioner or real party in interest”.

Page 58, line 25 and page 59, line 1, strike “petitioner, real party in interest, or privy of the petitioner” and insert “petitioner or real party in interest”.

Page 59, lines 3 and 4, strike “petitioner, real party in interest, or privy of the petitioner” and insert “petitioner or real party in interest”.

Page 63, line 15, strike “and”.

Page 63, line 23, strike the period and insert “; and”.

Page 63, insert the following after line 23: “(12) providing the petitioner with at least 1 opportunity to file written comments within a time period established by the Director.”.

Page 66, line 24, strike “AMENDED OR NEW CLAIM” and insert “INTERVENING RIGHTS”.

Page 68, line 10, strike “to any patent that is” and insert “only to patents”.

Page 78, insert the following after line 1 and redesignate the succeeding subsection accordingly:

(d) CONFORMING AMENDMENTS.—

(1) ATOMIC ENERGY ACT OF 1954.—Section 152 of the Atomic Energy Act of 1954 (42 U.S.C. 2182) is amended in the third undesignated paragraph—

(A) by striking “Board of Patent Appeals and Interferences” each place it appears and inserting “Patent Trial and Appeal Board”; and

(B) by inserting “and derivation” after “established for interference”.

(2) TITLE 51.—Section 20135 of title 51, United States Code, is amended—

(A) in subsections (e) and (f), by striking “Board of Patent Appeals and Interferences” each place it appears and inserting “Patent Trial and Appeal Board”; and

(B) in subsection (e), by inserting “and derivation” after “established for interference”.

Page 86, lines 11 and 12, strike “examination fee for the application” and insert “applicable fee”.

Page 86, line 15, insert “most recently” after “as”.

Page 86, line 22, strike “examination fee for the application” and insert “applicable fee”.

Page 87, line 1, insert “most recently” after “as”.

Page 87, strike line 18 and all that follows through page 88, line 8, and insert the following:

“(d) INSTITUTIONS OF HIGHER EDUCATION.—For purposes of this section, a micro entity shall include an applicant who certifies that—

“(1) the applicant’s employer, from which the applicant obtains the majority of the applicant’s income, is an institution of higher education as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); or

“(2) the applicant has assigned, granted, conveyed, or is under an obligation by contract or law, to assign, grant, or convey, a license or other ownership interest in the particular applications to such an institution of higher education.

Page 88, line 9, strike “(2) DIRECTOR’S AUTHORITY.—The Director” and insert “(e) DIRECTOR’S AUTHORITY.—In addition to the limits imposed by this section, the Director”.

Page 88, move the text of lines 9 through 21 2 ems to the left.

Page 88, line 12, strike “subsection” and insert “section”.

Page 88, line 18, strike “paragraph” and insert “section”.

Page 89, line 2, strike “a fee” and insert “an additional fee”.

Page 89, line 17, strike “This” and insert “Except as provided in subsection (h), this”.

Page 89, line 22, strike “6-year” and insert “7-year”.

Page 89, add the following after line 23:

(3) PRIOR REGULATIONS NOT AFFECTED.—The termination of authority under this subsection shall not affect any regulations issued under this section before the effective date of such termination or any rulemaking proceeding for the issuance of regulations under this section that is pending on such date.

Page 96, line 15, strike “either” and all that follows through “patent” on line 19 and inserting “by Office personnel”.

Page 98, strike lines 3 through 14.

Page 102, insert the following after line 7 and redesignate the succeeding subsection accordingly:

(i) APPROPRIATION ACCOUNT TRANSITION FEES.—

(1) SURCHARGE.—

(A) IN GENERAL.—There shall be a surcharge of 15 percent, rounded by standard arithmetic rules, on all fees charged or authorized by subsections (a), (b), and (d)(1) of section 41, and section 132(b), of title 35, United States Code. Any surcharge imposed under this subsection is, and shall be construed to be, separate from and in addition to any other surcharge imposed under this Act or any other provision of law.

(B) DEPOSIT OF AMOUNTS.—Amounts collected pursuant to the surcharge imposed under subparagraph (A) shall be credited to the United States Patent and Trademark Appropriation Account, shall remain available until expended, and may be used only for the purposes specified in section 42(c)(3)(A) of title 35, United States Code.

(2) EFFECTIVE DATE AND TERMINATION OF SURCHARGE.—The surcharge provided for in paragraph (1)—

(A) shall take effect on the date that is 10 days after the date of the enactment of this Act; and

(B) shall terminate, with respect to a fee to which paragraph (1)(A) applies, on the effective date of the setting or adjustment of that fee pursuant to the exercise of the authority under section 10 for the first time with respect to that fee.

Page 102, strike lines 1 through 7 and insert the following:

(h) PRIORITIZED EXAMINATION FEE.—

(1) IN GENERAL.—

(A) FEE.—

(i) PRIORITIZED EXAMINATION FEE.—A fee of \$4,800 shall be established for filing a request, pursuant to section 2(b)(2)(G) of title 35, United States Code, for prioritized examination of a nonprovisional application for an original utility or plant patent.

(ii) ADDITIONAL FEES.—In addition to the prioritized examination fee under clause (i), the fees due on an application for which prioritized examination is being sought are the filing, search, and examination fees (including any applicable excess claims and application size fees), processing fee, and publication fee for that application.

(B) REGULATIONS; LIMITATIONS.—

(i) REGULATIONS.—The Director may by regulation prescribe conditions for acceptance of a request under subparagraph (A) and a limit on the number of filings for prioritized examination that may be accepted.

(ii) LIMITATION ON CLAIMS.—Until regulations are prescribed under clause (i), no application for which prioritized examination is requested may contain or be amended to contain more than 4 independent claims or more than 30 total claims.

(iii) LIMITATION ON TOTAL NUMBER OF REQUESTS.—The Director may not accept in any fiscal year more than 10,000 requests for prioritization until regulations are prescribed under this subparagraph setting another limit.

(2) REDUCTION IN FEES FOR SMALL ENTITIES.—The Director shall reduce fees for providing prioritized examination of nonprovisional applications for original utility and plant patents by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code.

(3) DEPOSIT OF FEES.—All fees paid under this subsection shall be credited to the United States Patent and Trademark Office Appropriation Account, shall remain available until expended, and may be used only for the purposes specified in section 42(c)(3)(A) of title 35, United States Code.

(4) EFFECTIVE DATE AND TERMINATION.—

(A) EFFECTIVE DATE.—This subsection shall take effect on the date that is 10 days after the date of the enactment of this Act.

(B) TERMINATION.—The fee imposed under paragraph (1)(A)(i), and the reduced fee under paragraph (2), shall terminate on the effective date of the setting or adjustment of the fee under paragraph (1)(A)(i) pursuant to the exercise of the authority under section 10 for the first time with respect to that fee.

Page 102, lines 8 and 9, strike “Except as provided in subsection (h),” and insert “Except as otherwise provided in this section,”.

Page 105, strike lines 1 through 11.

Page 105, add the following after line 25 and redesignate the succeeding subsection accordingly:

“(e) FRAUD.—If the Director becomes aware, during the course of a supplemental examination or reexamination proceeding ordered under this section, that a material fraud on the Office may have been committed in connection with the patent that is the subject of the supplemental examination, then in addition to any other actions the Director is authorized to take, including the cancellation of any claims found to be invalid under section 307 as a result of a reexamination ordered under this section, the Director shall also refer the matter to the Attorney General for such further action as

the Attorney General may deem appropriate. Any such referral shall be treated as confidential, shall not be included in the file of the patent, and shall not be disclosed to the public unless the United States charges a person with a criminal offense in connection with such referral.

Page 111, strike lines 13 through 24 and insert the following:

“(c) The marking of a product, in a manner described in subsection (a), with matter relating to a patent that covered that product but has expired is not a violation of this section.”

Page 112, line 2, strike “any case that is” and insert “all cases, without exception, that are”.

Page 113, line 13, insert “or privy” after “interest”.

Page 114, lines 15 and 16, strike “The petitioner in a transitional proceeding,” and insert the following: “The petitioner in a transitional proceeding that results in a final written decision under section 328(a) of title 35, United States Code, with respect to a claim in a covered business method patent.”

Page 114, line 22, strike “a claim in a patent” and insert “the claim”.

Page 114, lines 23-25, strike “a transitional proceeding that resulted in a final decision” and insert “that transitional proceeding”.

Page 115, line 18, strike “10-” and insert “8-”.

Page 120, strike line 17 and all that follows through the matter following line 10 on page 121 and redesignate succeeding subsections accordingly.

Page 121, line 17, strike “In any” and insert “With respect to any”.

Page 121, line 22, insert “, or have their actions consolidated for trial,” after “defendants”.

Page 122, line 9, strike “or trial”.

Page 122, line 10, insert “, or have their actions consolidated for trial,” after “defendants”.

Page 122, line 11, strike the quotation marks and second period.

Page 122, insert the following after line 11: “(c) WAIVER.—A party that is an accused infringer may waive the limitations set forth in this section with respect to that party.”

Page 126, line 13, strike “patent,” and all that follows through the first appearance of “and” on line 17 and insert “a patent.”

Page 128, insert the following after line 23 and redesignate the succeeding subsection accordingly:

(k) ADDITIONAL TECHNICAL AMENDMENTS.—Sections 155 and 155A of title 35, United States Code, and the items relating to those sections in the table of sections for chapter 14 of such title, are repealed.

Page 130, strike line 3 and all that follows through page 134, line 17, and insert the following:

SEC. 22. PATENT AND TRADEMARK OFFICE FUNDING.

(a) IN GENERAL.—Section 42(c) of title 35, United States Code, is amended—

(1) by striking “(c)” and inserting “(c)(1)”;

(2) in the first sentence, by striking “shall be available” and inserting “shall, subject to paragraph (3), be available”;

(3) by striking the second sentence; and

(4) by adding at the end the following:

“(2) There is established in the Treasury a Patent and Trademark Fee Reserve Fund. If fee collections by the Patent and Trademark Office for a fiscal year exceed the amount appropriated to the Office for that fiscal year, fees collected in excess of the appropriated amount shall be deposited in the Patent and Trademark Fee Reserve Fund. To the extent

and in the amounts provided in appropriations Acts, amounts in the Fund shall be made available until expended only for obligation and expenditure by the Office in accordance with paragraph (3).

“(3)(A) Any fees that are collected under sections 41, 42, and 376, and any surcharges on such fees, may only be used for expenses of the Office relating to the processing of patent applications and for other activities, services, and materials relating to patents and to cover a share of the administrative costs of the Office relating to patents.

“(B) Any fees that are collected under section 31 of the Trademark Act of 1946, and any surcharges on such fees, may only be used for expenses of the Office relating to the processing of trademark registrations and for other activities, services, and materials relating to trademarks and to cover a share of the administrative costs of the Office relating to trademarks.”

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2011.

Page 137, strike lines 1 through 7 and redesignate the succeeding sections (and conform the table of contents accordingly).

Page 137, lines 8 and 9, strike “TECHNOLOGIES IMPORTANT TO AMERICAN COMPETITIVENESS” and insert “IMPORTANT TECHNOLOGIES” (and conform the table of contents accordingly).

Page 138, strike lines 1 through 21 and redesignate succeeding sections (and conform the table of contents accordingly).

Page 139, insert the following after line 12 and redesignate the succeeding sections (and conform the table of contents accordingly):

SEC. 27. STUDY ON GENETIC TESTING.

(a) IN GENERAL.—The Director shall conduct a study on effective ways to provide independent, confirming genetic diagnostic test activity where gene patents and exclusive licensing for primary genetic diagnostic tests exist.

(b) ITEMS INCLUDED IN STUDY.—The study shall include an examination of at least the following:

(1) The impact that the current lack of independent second opinion testing has had on the ability to provide the highest level of medical care to patients and recipients of genetic diagnostic testing, and on inhibiting innovation to existing testing and diagnoses.

(2) The effect that providing independent second opinion genetic diagnostic testing would have on the existing patent and license holders of an exclusive genetic test.

(3) The impact that current exclusive licensing and patents on genetic testing activity has on the practice of medicine, including but not limited to: the interpretation of testing results and performance of testing procedures.

(4) The role that cost and insurance coverage have on access to and provision of genetic diagnostic tests.

(c) CONFIRMING GENETIC DIAGNOSTIC TEST ACTIVITY DEFINED.—For purposes of this section, the term “confirming genetic diagnostic test activity” means the performance of a genetic diagnostic test, by a genetic diagnostic test provider, on an individual solely for the purpose of providing the individual with an independent confirmation of results obtained from another test provider’s prior performance of the test on the individual.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the Director shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the findings of the study and provide

recommendations for establishing the availability of such independent confirming genetic diagnostic test activity.

SEC. 28. PATENT OMBUDSMAN PROGRAM FOR SMALL BUSINESS CONCERNS.

Using available resources, the Director shall establish and maintain in the Office a Patent Ombudsman Program. The duties of the Program’s staff shall include providing support and services relating to patent filings to small business concerns and independent inventors.

Page 139, insert the following after line 20 and redesignate the succeeding sections (and conform the table of contents accordingly):

SEC. 30. LIMITATION ON ISSUANCE OF PATENTS.

(a) LIMITATION.—Notwithstanding any other provision of law, no patent may issue on a claim directed to or encompassing a human organism.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsection (a) shall apply to any application for patent that is pending on, or filed on or after, the date of the enactment of this Act.

(2) PRIOR APPLICATIONS.—Subsection (a) shall not affect the validity of any patent issued on an application to which paragraph (1) does not apply.

SEC. 31. STUDY OF PATENT LITIGATION.

(a) GAO STUDY.—The Comptroller General of the United States shall conduct a study of the consequences of litigation by non-practicing entities, or by patent assertion entities, related to patent claims made under title 35, United States Code, and regulations authorized by that title.

(b) CONTENTS OF STUDY.—The study conducted under this section shall include the following:

(1) The annual volume of litigation described in subsection (a) over the 20-year period ending on the date of the enactment of this Act.

(2) The volume of cases comprising such litigation that are found to be without merit after judicial review.

(3) The impacts of such litigation on the time required to resolve patent claims.

(4) The estimated costs, including the estimated cost of defense, associated with such litigation for patent holders, patent licensors, patent licensees, and inventors, and for users of alternate or competing innovations.

(5) The economic impact of such litigation on the economy of the United States, including the impact on inventors, job creation, employers, employees, and consumers.

(6) The benefit to commerce, if any, supplied by non-practicing entities or patent assertion entities that prosecute such litigation.

(c) REPORT TO CONGRESS.—The Comptroller General shall, not later than the date that is 1 year after the date of the enactment of this Act, submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the results of the study required under this section, including recommendations for any changes to laws and regulations that will minimize any negative impact of patent litigation that was the subject of such study.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Texas (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Madam Chair, the manager's amendment consists of numerous technical edits and other improvements to the bill. Some of the highlights include the following provisions:

Expansion and clarification of prior-user rights under section 273 of the Patent Act.

Institutions of higher education qualify for "micro-entity" status when paying fees. In other words, an inventor who works for a university or who assigns or conveys an invention to a university qualifies for lower micro-entity fee status.

Consolidation of numerous PTO reporting requirements.

Inclusion of "Weldon amendment" language that forbids the patenting of inventions "directed to or encompassing a human organism." This language has been part of the CJS appropriations legislation for years. It's directed as preventing the PTO from approving inventions related to human cloning.

And deletion of a provision that provides special treatment to one company that wants to get additional patent term protection from the PTO.

These and other changes in the manager's amendment smooth out a few rough edges and improve the overall bill.

I reserve the balance of my time.

Mr. WATT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. WATT. I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Madam Chair, this manager's amendment is substantive. It contains provisions that should not be buried in a manager's amendment, and it should be defeated.

First of all, it does maintain the fee diversion. It maintains the fee diversion because of an alleged lock box. We've heard about this before, and I have in my hand the CONGRESSIONAL RECORD of June 23, 2000, where the chairman, at the time, of the State, Justice, Commerce Subcommittee stated that the fees that are generated by the Patent Office are not to be used by any other agency or any other purpose. They remain in that account to be used in succeeding years. We are not siphoning off Patent Office fees for other expenditures.

Well, guess what? It happened. And it's happened in the last 10 to 12 years to the tune of \$1 billion. And this is exactly the same promise that they're making now. Fool us once, shame on them. Fool us twice, shame on us.

Now, this change relative to the reported bill to what is in the manager's amendment is the thing that is subject to the waiver of CutGo to the tune of \$717 million over the next 5 years. The proponents of this amendment say this is a mere technical waiver of CutGo.

□ 2110

\$717 million is no mere technical waiver of CutGo.

If you believe in CutGo, you've got to vote down the manager's amendment where this change was protected by the waiver granted for the Rules Committee. The amendment is substantive, it ought to be defeated.

Mr. SMITH of Texas. Madam Chair, I continue to reserve the balance of my time.

Mr. WATT. I yield myself the balance of my time.

Let me first say I agree with Mr. SENSENBRENNER. The Rules Committee says that this is a technical amendment, that it would make technical edits and a few necessary changes to more substantive issues. This is a very substantive manager's amendment; there is no question about that.

There are many good parts to this bill, and a broad coalition of people supported the bill which was reported out of committee. But the one and only necessary part of the bill is the ability to give the Patent and Trademark Office its full funding. That was the whole purpose for which we started off this process.

This whole reform process was conceived to address poor-quality patents and to reduce the backlog of patent applications, which now exceeds a 700,000 backlog of patent applications. And the reason it exceeds 700,000 is because the Patent and Trademark Office has not had the money because their fees that they have been charging have been diverted to the general fund. Without a clear path to access its own collection of fees, the PTO cannot properly plan or implement the other changes in the bill and fulfill its primary function of reducing the backlog and examining patent applications.

The compromise that this manager's amendment proposes has been described by a patent news blog as, it says, It's still Lucy—that's the appropriators—holding the football that it will never let Charlie Brown have. That's really what we see here.

This is a mirage, a promise that they are going to do something that, if they just did it in the bill the way we reported the bill out of the committee, you wouldn't need this subterfuge. There is no reason to be doing this. The Senate reported it out clean, no diversion, 95-4 they voted it out of the Senate.

I don't even know why we're here debating this at this point. If we believe that the one primary purpose of patent reform is to deal with the fee diversion, then we need to deal with that first, and that's exactly what we did in the Judiciary Committee.

I don't know why I'm here defending what we, on a broad, bipartisan basis, reported out of our committee. It ought to be the chairman of the committee that's defending what we re-

ported out of the committee. Yet we are here, instead of defending what we reported out of the committee, the manager's amendment waters it down and makes it ineffective, and that's not what we should be doing here.

Now they said they got these letters of support, but the letters came supporting what came out of the committee, not the manager's amendment. The manager's amendment is going to destroy what came out of the committee. It is inconsistent with what came out of the committee.

So we've got to defeat the manager's amendment and go back to the bill that came out of the Judiciary Committee, and that's what I'm advocating.

Mr. SMITH of Texas. I yield myself the balance of my time.

Madam Chair, let me address some of the criticisms that have been made about the manager's amendment. There are some who want to make more changes to the business method patent provision in the bill. This topic is the primary reason the Judiciary Committee launched patent reform back in 2005.

In response to a number of poor-quality, business-method patents issued over the past decade, the bill creates a transitional program within PTO to evaluate these patents using the best prior art available. Bad patents will be weeded out, but good ones will become gold-plated based on their enhanced legal integrity.

There are others who have sought changes to the prior art provisions in the First-Inventor-to-File section. The language in our bill which replicates that in the Senate version has drawn support from a large cross-range of industries and investors.

Some colleagues have complained during this debate about the treatment of PTO funding in the manager's amendment. The bill that the House Judiciary Committee reported would allow the PTO to keep all the revenue it raises without having to request funding through the normal appropriations process. This is treated as mandatory spending and scored savings in excess of \$700 million.

Because of concerns raised by the Appropriations Committee members, we worked with them to develop a compromise that eliminates fee diversion while permitting the appropriators to retain oversight through the traditional appropriations process. The manager's amendment accomplishes this goal, but it means that the mandatory spending provisions of the revolving fund become discretionary spending under the reserved fund. Because this change is contrary to CutGo requirements, we need a waiver for consideration of H.R. 1249.

I want to emphasize that the bill includes user fees paid by inventors and trademark filers to the PTO in return

for services. This isn't the same thing as using tax revenue from the general treasury to fund the agency, so I am not sure that the CutGo rules even apply.

Very importantly, there is no impact on the deficit. The manager's amendment is constitutionally sound, improves the base text of the bill, and incorporates a funding agreement approved by the leadership to get this bill to the floor. It's important to pass it and then move on to the other amendments.

I urge my colleagues to vote "aye" on the amendment.

Mr. RYAN of Wisconsin. Madam Chair, I rise today to provide an explanation of my support for a waiver of the Cut-go point of order on the Manager's Amendment to H.R. 1249, the America Invents Act. No matter how well-crafted a budget enforcement tool may be it can never be immune from all unintended consequences.

There are two reasons I support this waiver. First, the violation arises from an anomaly associated with converting this program from discretionary to mandatory. Second, the Manager's Amendment does not cause an increase in direct spending relative to current law.

With respect to the first point, CBO currently records PTO fee collections on an annual basis with the enactment of the relevant appropriations bill. As a result, CBO shows no deficit impact from PTO for fiscal years after FY 2011 if the funding and fee collections remain subject to the appropriations process—what we call "discretionary spending."

The reported bill would have provided permanent authority to the PTO to collect fees and spend the fee collections. We call spending that is provided through permanent law "mandatory spending." CBO estimated this permanent authority for FY 2012–2021 would reduce mandatory spending by \$712 million. The savings, however, are the result of CBO's estimate that the agency will not be able to spend the fees as quickly as they are collected, not from spending reduction.

This should be obvious because the whole rationale of this bill was to ensure the expenditure of all PTO fee collections. If the reported bill was mandating that all PTO collections be spent, how can it produce budgetary savings? It doesn't. The only savings are paper savings, resulting from an accounting change and not an actual reduction in spending.

The Cut-go rule was designed to prevent the total amount of mandatory spending in the Federal Budget from increasing by requiring a corresponding spending reduction for any proposal to increase direct spending, and not offset with an increase in revenue as was common practice under Pay-Go.

Ironically, the Manager's Amendment would prevent a discretionary program from turning into mandatory spending, but because Cut-go is measured relative to the reported bill and not to the baseline, it triggers a Cut-go violation. Cut-go was not intended to favor mandatory spending over discretionary spending.

With respect to the second point, the Manager's Amendment maintains the same basic fee and spending structure as the underlying

legislation but keeps the program discretionary. CBO estimates the bill, with the Manager's Amendment, would decrease the deficit by \$5 million over ten years, unrelated to the PTO classification. The Committee could have avoided a Cut-go point of order if it reported out a separate bill that reflected the Manager's Amendment.

I do not take waiving budget points of order lightly, but in this case it is justified.

Mr. MORAN. Madam Chair, I rise today to express my concerns about the Manager's Amendment to the America Invents Act, H.R. 1249.

Specifically, I am troubled by language in the amendment that would weaken the ability of the U.S. Patent and Trademark Office to retain the fees it collects from inventors for use in improving the patent application process.

As reported by the Judiciary Committee, Section 22 of the underlying bill would establish a revolving fund at Treasury to collect all user fees from USPTO and restrict their use to only funding USPTO activities.

This section was necessary because Congress has habitually underfunded the Patent Office, siphoning more than \$875 million over the past two decades from fees collected from inventors to fund other discretionary programs.

This fee diversion has severely hampered the ability of USPTO to promptly process patent applications, leading to a current backlog of 1.2 million applications and an average pendency time of 3 years.

This is entirely unacceptable and a direct result of our decision not to provide full funding to the USPTO. Delays in processing patent applications drive up the costs and risks for inventors, harm our nation's global competitiveness, and literally stall the creation of jobs.

While I appreciate the efforts of Director Kappos over the past two years to reduce this backlog, USPTO will not be fully successful in this goal unless they are provided with the proper resources...resources, remember, they collect from the users of Patent Office services.

That is why I have concerns about a provision in the manager's amendment that would undermine this dedicated funding source, instead leaving USPTO funding up to annual appropriations.

While the amendment creates a specific fund for USPTO fees and contains promises that this funding will be made available only for activities at the patent office, there is no guarantee this pledge will be honored in subsequent Congresses.

I am concerned this modified language does not give USPTO the predictability in funding and access to fees that are necessary to ensure it best serves the innovation community.

Now, I understand USPTO has reluctantly agreed to support this compromise language, and I therefore plan to support the Manager's Amendment.

But we cannot let jurisdictional concerns here in Congress undermine the efficient functioning of the patent process.

I encourage my colleagues to support the Manager's Amendment as a necessary compromise to move this legislation forward, but I plan to remain vigilant on this matter to ensure the promises made in this Manager's Amendment are kept and that USPTO has ready access to the fees it collects.

Mr. SMITH of Texas. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. SMITH of Texas. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. SMITH of Texas. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOODLATTE) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform, had come to no resolution thereon.

□ 2120

AMERICAN INVOLVEMENT IN LIBYA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Indiana (Mr. BURTON) is recognized for half the time before 10 p.m. as the designee of the majority leader.

Mr. BURTON of Indiana. Mr. Speaker, I am not going to take all of the time that is allocated for my Special Order tonight, but I did want to talk about the problem that we are facing in Libya right now.

The President of the United States has the authority under the Constitution to be the Commander in Chief in the event that we have to go into a military conflict. What the President does not have the right to do is to take us into a military conflict without consulting with the Congress of the United States, unless there is an imminent threat to the United States or an attack on the United States.

The Constitution is pretty clear on this subject. Unfortunately, during the Nixon administration there was some question about whether or not President Nixon exceeded his authority, so the Congress of the United States passed what was called the War Powers Act. The War Powers Act was designed to clarify very clearly for President Nixon and all future presidents the authority granted them under the Constitution in the event that there was to be a conflict.

The President vetoed that bill because he thought it was an infringement. I am talking about President Nixon now. He vetoed that bill because

he thought it was an infringement of the constitutional powers of the President. The Congress overwhelmingly overrode the President's veto, and so the War Powers Act became law.

Now, there has been a lot of question from some of my colleagues about the constitutionality of the War Powers Act. I have heard some of my friends in the other body say it is not constitutional. I have heard friends of mine within the House of Representatives say that the War Powers Act is not constitutional. The fact of the matter is it has never been tested in court. It has never gone to the U.S. Supreme Court and, as a result, the War Powers Act is the law of the land. It is the law of the United States of America, and it is intended, as I said before, to clarify the constitutional powers of the President of the United States where war is concerned.

Now, the President of the United States, Mr. Obama, decided that we ought to go into Libya for humanitarian purposes. There is nothing in the Constitution or the War Powers Act that gives him the authority to do that unless he has the express approval and support of the Congress of the United States.

When President Bush was the President and he went into Iraq, he first consulted with the Congress. When he went into Afghanistan, he first consulted with Congress. But President Obama said because of the time elements and the time concerns about the humanitarian problems in Libya, that he had to act expeditiously, and he did not have the time to consult with Congress.

Well, for 2 weeks or thereabouts he had time to consult with the French, the English, the United Nations, NATO, and the Arab league, but he did not have the time to come and talk to the Congress of the United States. So I think that was a red herring. I think the President did have the time, but he chose to move of his own volition into Libya and to put the United States in effect at war again. They say it is not a war, but it is a war. They said it was a NATO operation, but if you look at the facts, you find that the United States is carrying the vast amount of the burden of this war.

Let me give you some figures. These figures are a couple of weeks old, so they could be a little outdated.

First of all, of the number of personnel that has been involved in the Libyan conflict, there are about almost 13,000 military personnel that have been involved. Of that 13,000, 8,500 of them are American military. That is over two-thirds.

When you talk about the number of aircraft involved, there is a total of 309, but 153 of those aircraft are United States aircraft.

When you talk about the number of sorties being flown, that is, military

actions taken by aircraft, there have been 5,857 sorties, and over 2,000 of those are with American pilots and American planes. That is almost 35 percent.

Then when you talk about the number of cruise missiles that have been fired, the total is about 246, and of the 246, over 90 percent are America's, 228.

So the President has taken us into war in Libya for humanitarian purposes, he said, without consulting with the Congress of the United States, which in my opinion is a direct violation of the Constitution of the United States and the War Powers Act, and we have spent well over \$1 billion conducting this war. They say it is NATO's war. We heard the other day that our NATO allies are running short on ammunition and other military equipment, and they are asking the United States to shoulder more of the burden.

One of my colleagues from Virginia, who sits in the Chair tonight, brought up today that many of the countries in Europe, many of the countries in NATO haven't been paying their fair share of the NATO burden, and it has been falling upon the United States to carry out these NATO operations. That just isn't right.

So this isn't a NATO war, in my opinion. This is an American war, and the President has taken us into this conflict without any consultation with the Congress of the United States.

We have talked about this in our conference, and I won't go into all the details of our conference because I think some of that, if not classified, is something that shouldn't be talked about in the public domain. But what I would say tonight is that we need to send a very strong message to the President that we don't want him to do this again.

Many, myself included, believe we ought to give him a timeline within which to withdraw forces from Libya. I am talking about the people flying the military aircraft, the people on the ships offshore, the classified security people that are inside Libya. They say there are no boots on the ground. I guarantee you there are intelligence officers on the ground directing some of the fire from the air and some of the missile targets.

The cruise missiles that are costing over \$1 million per copy, we shouldn't be paying for those with taxpayer money to the tune of, I don't know how many million, but over \$1 billion total for the military expenditures, at a time when this country is \$1.5 trillion short this fiscal year in money to pay for the country's expenses and over \$14 trillion in debt.

This is not the time during the history of the United States that we ought to be looking for a war. There is no question probably that there are humanitarian problems in Libya, but there are also humanitarian problems

in the Ivory Coast and Syria and many other countries, and if you are looking for a war of opportunity, I am sure the President can find a lot of places to send our troops.

But the Congress of the United States I do not believe would have given him the authority to go into Libya unless it was a direct threat to the United States. So what did he do? He did it without consulting with Congress; not the Senate, not the House, not with any of us.

Now that we are in there, many people in the Congress feel like we can't summarily withdraw because we will be leaving our allies, the French and the English and others in NATO there, to carry the ball. But as one of my colleagues said today, when we take the oath of allegiance to the Constitution, we don't take the oath of allegiance to NATO. We don't take the oath of allegiance to any other country. It is to the Constitution of the United States, and the Constitution says the President does not have the authority to declare war and go into a combat situation without consulting with Congress.

I am very confident that all of the people in this country, if consulted, would overwhelmingly say the President should not have done that, and he didn't have the authority to do that. Now, I know tomorrow or Friday we are going to have some legislation on the floor that will say very clearly to the President that not only he shouldn't have done that, that it wasn't constitutional, but that he shouldn't do it again.

That is the thing that I am concerned about. The legislation that we are going to have on the floor will confront the President on his ability or his authority to go ahead and do what he did in Libya, but it doesn't say anything about any future expeditions that he may want to undertake.

□ 2130

I really hope that during the debate that takes place tomorrow or on Friday that we make it very clear to the White House and to the President and to anybody at the White House that may be listening to this Special Order tonight that we do not want the President—and if I were talking to him, I would say, Mr. President, we do not want you to take us into a military conflict without consulting with the Congress and without consulting with the American people because the American people and Congress have a right to be involved in the decision-making process. Once a war is started, you're the Commander in Chief and you must do whatever has to be done to win that conflict. But you do not have the authority, Mr. President, if I were talking to him, under the Constitution or the War Powers Act. And Friday or tomorrow we need to make that very clear to him so that he doesn't do it again.

There are problems right now in Syria, and a lot of people say there's humanitarian tragedies that are taking place. But that is not a direct threat to the United States. It's not an attack on the United States. And the Congress of the United States should be involved in the decisionmaking process if we were to do something like go into Syria.

And so I hope the President and the White House is getting this message tonight. They may say, Well, that's just DAN BURTON talking on the floor in a Special Order. But I have talked to my colleagues on both sides of the aisle, and I think overwhelmingly they do not agree with what the President has done; and overwhelmingly in the Senate I don't believe they support what the President has done in Libya. And I think very clearly they don't want this to happen again.

I believe that most of the Members of both the House and the Senate would like to see us extricate ourselves from Libya as quickly as possible.

With that, Madam Speaker, I would like to say that I have a letter to the editor that I wrote that was in The Wall Street Journal that I will put in the RECORD, as well as the statistical data that I just mentioned.

[From the Wall Street Journal, June 11, 2011]

THE GOP IS RIGHT TO CHALLENGE OBAMA ON WAR IN LIBYA

I am disappointed by your editorial "The Kucinich Republicans" (June 6) questioning the House of Representatives' rebuke of President Obama's actions in Libya. I cannot speak for my colleagues, but my opposition to President Obama's actions is motivated by the Constitution.

President Obama has the authority to manage a war but not the power to start a war. Article 1, Section 8 of the Constitution gives Congress the power to declare war, and the War Powers Resolution was enacted to fulfill that intent, unless there is: "(1) a declaration of war, (2) specific authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces." None of these conditions existed with Libya.

Instead, the president argues he couldn't consult with Congress because immediate action was needed to protect civilians from massacre. If true, a surgical engagement in Libya might be justified. But the president's claim is false. He spent one month consulting with NATO, the Arab League and the U.N. Security Council. This fact is inescapable. The president sought permission from foreign leaders but not the U.S. Congress. Yet Congress is expected to pay for his folly even as we strive to cut spending to avoid defaulting on debts.

On September 11, 2001, our nation was attacked. President George W. Bush still sought authorization from Congress before going into Afghanistan. Similarly, President Bush sought congressional authorization before invading Iraq. President Bush respected the authority of Congress and the limitations of the Constitution. President Obama does not.

The Constitution is not a list of suggestions; it is the law of the land. If members of Congress do not stand up for Congress's right to declare war, as enumerated in the Constitution, who will?

REP. DAN BURTON (R., Ind.),
Indianapolis.

NATO OPERATIONS IN LIBYA BY COUNTRY

Country	No. of personnel	No. of aircraft	Est No. of sorties flown, from beg of war until 5 May 2011	No. of cruise missiles fired	Main air base
Belgium	170	6	60		Araxos base in south-western Greece.
Bulgaria	160	0	0		
Canada	560	11	358		Trapani-Birgi and Sigonella.
Denmark	120	4	161	0	Sigonella, Sicily.
France	800	29	1,200		currently operating from French Air Bases of Avord, Nancy, St. Dizier, Dijon and Istres, as well as Evreux and Orleans for planes engaged in logistics.
Greece		0	0	0	Aktion and Andravida military air fields in Crete.
Italy		12	600		Gioia del Colle, Trapani, Sigonella, Decimomannu, Amendola, Aviano, Pantelleria.
Jordan	30	12			Cerenecia, Libya.
Netherlands	200	7			sardinian base, decimomannu.
Norway	140	6	100		Souda Bay, Crete.
Qatar	60	8			Souda Bay, Crete.
Romania	205				
Spain	500	7			
Sweden	122	8	78	0	Sigonella.
Turkey		6			Sigonella Air Base in Italy.
UAE	35	12			Decimomannu, Sardinia.
UK	1300	28	1,300	18	Gioia del Colle, Italy and RAF Akrotiri, Cyprus.
US	8507	153	2,000	228	
TOTALS	12,909	309	5,857	246	

With that, Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GINGREY of Georgia (at the request of Mr. CANTOR) for today from 3:30 p.m. and for the balance of the week on account of a death in the family.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 349. An act to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

S. 655. An act to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

ADJOURNMENT

Mr. BURTON of Indiana. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 23, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2126. A letter from the Under Secretary, Department of Defense, transmitting a report presenting the specific amount of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center (FFRDC) during FY 2012, pursuant to Public Law 112-10, section 8026(e); to the Committee on Armed Services.

2127. A letter from the Secretary, Department of Health and Human Services, transmitting Report to Congress: 2006 National

Estimates of the Number of Boarder Babies, Abandoned Infants, Discarded Infants and Infant Homicides; to the Committee on Education and the Workforce.

2128. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Reclassification of the Topical Oxygen Chamber for Extremities; Correction [Docket No.: FDA-2006-N-0045; Formerly Docket No. 2006N-0109] received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2129. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Determination of Attainment for the 1997 8-Hour Ozone Standard: States of Missouri and Illinois [EPA-R07-OAR-2010-0416; FRL-9317-4] received June 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2130. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho [EPA-R10-OAR-2007-0406; FRL-9316-7] received June 6,

2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2131. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oregon; Interstate Transport of Pollution; Significant Contribution to Nonattainment and Interference with Maintenance Requirements [EPA-R10-OAR-2011-0003; FRL-9316-9] received June 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2132. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions and Additions to Motor Vehicle Fuel Economy Label [EPA-HQ-OAR-2009-0865; FRL-9315-1; NHTSA-2010-0087] (RIN: 2060-AQ09; RIN: 2127-AK73) received June 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2133. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Jurisdictional Separations and Referral to the Federal-State Joint Board [CC Docket No.: 80-286] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2134. A letter from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Natural Gas Pipelines; Project Cost and Annual Limits [Docket No.: RM81-19-000] received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2135. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Administrative Practices in Radiation Surveys and Monitoring, Regulatory Guide 8.2, Revision 1 received May 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2136. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2137. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2138. A letter from the Chairman, Merit Systems Protection Board, transmitting a report entitled "Women in the Federal Government: Ambitions and Achievements"; to the Committee on Oversight and Government Reform.

2139. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2010, pursuant to 5 U.S.C. 7201(e); to the Committee on Oversight and Government Reform.

2140. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Wyoming Regulatory Program [STATS No.: WY-038-FOR; Docket ID: OSM-2009-0012] received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2141. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department

of the Interior, transmitting the Department's final rule — Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2011 Season [Docket No.: FWS-R9-MB-2010-0082] (RIN: 1018-AX30) received June 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2142. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassification of the Tulotoma Snail from Endangered to Threatened [Docket No.: FWS-R4-ES-2008-0119] (RIN: 1018-AX01) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2143. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Revised Designation of Critical Habitat for *Astragalus jaegerianus* (Land Mountain milk-vetch) [Docket No.: FWS-R8-ES-2009-0078] (RIN: 1018-AW53) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2144. A letter from the Acting Chief, Branch of Listing, USFWS, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Roswell Springsnail, Koster's Springsnail, Noel's Amphipod, and Pecos Assimineia [Docket No.: FWS-R2-ES-2009-0014] (RIN: 1018-AW50) received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2145. A letter from the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto required to be filed by Members of the House with the Clerk of the House of Representatives, pursuant to Rule XXVI, clause 1, of the House Rules; (H. Doc. No. 112-38); to the Committee on Ethics and ordered to be printed.

2146. A letter from the Clerk of the House of Representatives, transmitting annual compilation of financial disclosure statements of the members of the Office of Congressional Ethics; (H. Doc. No. 112-39); to the Committee on Ethics and ordered to be printed.

2147. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to List of User Fee Airports; Addition of Dallas Love Field Municipal Airport, Dallas Texas (CBP Dec. 11-13) received May 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2148. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Regulations Governing Practice Before the Internal Revenue Service [TD 9527] (RIN: 1545-BH01) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2149. A letter from the Inspector General, Department of Health and Human Services, transmitting a report entitled "Part D Plans Generally Include Drugs Commonly Used By Dual Eligibles"; jointly to the Committees on Energy and Commerce and Ways and Means.

2150. A letter from the Director, Federal Bureau of Investigation, Department of Justice, transmitting a letter regarding the funding of the Foreign Intelligence Surveillance Act; jointly to the Committees on the

Judiciary and Intelligence (Permanent Select).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALL: Committee on Science, Space, and Technology. First Semiannual Report of Activities (Rept. 112-112). Referred to the Committee of the Whole House on the State of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 320. Resolution providing for consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-113). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. PASCRELL, Mr. KING of New York, Mr. REICHERT, Mr. HOYER, Mr. LATOURETTE, Mr. ANDREWS, Mr. CRITZ, Mr. WU, Mr. LUJAN, Mr. LIPINSKI, Mr. CLARKE of Michigan, Mr. SARBANES, Mr. MICHAUD, and Mr. GRIMM):

H.R. 2269. A bill to amend sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN:

H.R. 2270. A bill to amend section 1605A of title 28, United States Code, to provide that the statute of limitations must be raised as an affirmative defense; to the Committee on the Judiciary.

By Mr. ROYCE (for himself and Mr. CONNOLLY of Virginia):

H.R. 2271. A bill to prohibit the awarding of contracts by the Federal Government to Chinese entities until the People's Republic of China signs the WTO Agreement on Government Procurement; to the Committee on Oversight and Government Reform.

By Mr. YARMUTH (for himself, Mr. POLIS, Ms. BERKLEY, Mr. SABLON, Mr. BRADY of Pennsylvania, Mr. GRIMALVA, Mr. CONNOLLY of Virginia, Mr. BERMAN, Mr. COHEN, and Ms. HIRONO):

H.R. 2272. A bill to establish a comprehensive literacy program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCKINLEY (for himself, Mr. WHITFIELD, Mr. RAHALL, Mrs. CAPITO, Mrs. MYRICK, Mr. OLSON, Mrs. LUMMIS, Mr. ROSS of Florida, Mr. BARTON of Texas, Mr. JOHNSON of Ohio, Mr. PITTS, Mr. ROGERS of Kentucky, Mrs. McMORRIS RODGERS, Mr. WOMACK, Mr. SULLIVAN, Mr. PALAZZO, and Mr. BUCSHON):

H.R. 2273. A bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the

proper management and disposal, of materials generated by the combustion of coal and other fossil fuels; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:

H.R. 2274. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs and the Secretary of Defense to submit to Congress annual reports on the Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina (for himself and Mr. COBLE):

H.R. 2275. A bill to support innovation and research in the United States textile and fiber products industry; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WASSERMAN SCHULTZ:

H.R. 2276. A bill to require the Director of the United States Patent and Trademark Office to conduct a study on effective ways to provide confirming genetic diagnostic test activity where gene patents and exclusive licensing exist, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. BERKLEY, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. REYES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. AL GREEN of Texas, Mr. HINOJOSA, Mr. GONZALEZ, Mr. CUELLAR, Mr. GRIJALVA, and Mr. HASTINGS of Florida):

H.R. 2277. A bill to extend through the end of fiscal year 2011 the authority to make supplemental grants for population increases in certain States under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 2278. A bill to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law; to the Committee on Armed Services.

By Mr. MICA (for himself, Mr. CAMP, and Mr. PETRI):

H.R. 2279. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE:

H.R. 2280. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation

of income of controlled foreign corporations attributable to imported property; to the Committee on Ways and Means.

By Ms. ESHOO:

H.R. 2281. A bill to require accurate disclosures to consumers of the terms and conditions of 4G service and other advanced wireless mobile broadband service; to the Committee on Energy and Commerce.

By Mr. FALEOMAVAEGA (for himself, Ms. NORTON, Mr. PIERLUISI, Ms. BORDALLO, Mr. SABLON, and Mrs. CHRISTENSEN):

H.R. 2282. A bill to require the Secretary of the Interior to ensure that the flags of the several States, the District of Columbia, and the territories of the United States encircle the Washington Monument; to the Committee on Natural Resources.

By Mr. GOHMERT (for himself, Mr. PITTS, Mrs. SCHMIDT, Mr. MANZULLO, and Mr. WEST):

H.R. 2283. A bill to restrict funds for operations in Libya, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas (for himself, Mr. THOMPSON of California, Mr. LATOURETTE, and Mr. TERRY):

H.R. 2284. A bill to prohibit the export from the United States of certain electronic waste, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 2285. A bill to amend the War Powers Resolution to require the President to develop a post-deployment strategy when introducing the United States Armed Forces into hostilities, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HERGER (for himself and Mr. THOMPSON of California):

H.R. 2286. A bill to amend the Internal Revenue Code of 1986 to provide tax credit parity for electricity produced from renewable resources; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 2287. A bill to assess the impact of the North American Free Trade Agreement (NAFTA), to require further negotiation of certain provisions of the NAFTA, and to provide for the withdrawal from the NAFTA unless certain conditions are met; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself, Mr. JONES, and Mr. DOYLE):

H.R. 2288. A bill to amend title 10, United States Code, to provide for certain treatment of autism under TRICARE; to the Committee on Armed Services.

By Mr. LATTA:

H.R. 2289. A bill to amend the Communications Act of 1934 to reform the Federal Communications Commission by requiring an analysis of benefits and costs during the rule making process; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 2290. A bill to amend title II of the Social Security Act to credit prospectively individuals serving as caregivers of dependent relatives with deemed wages for up to five

years of such service; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2291. A bill to amend title II of the Social Security Act to repeal the 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2292. A bill to amend title II of the Social Security Act to eliminate the two-year waiting period for divorced spouse's benefits following the divorce; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2293. A bill to amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2294. A bill to amend title II of the Social Security Act to provide for increases in widow's and widower's insurance benefits by reason of delayed retirement; to the Committee on Ways and Means.

By Mr. MCKEON (for himself, Mr. GUTHRIE, Mr. ROE of Tennessee, and Mr. THOMPSON of Pennsylvania):

H.R. 2295. A bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st Century; to the Committee on Education and the Workforce.

By Mr. MICHAUD (for himself, Mr. HINCHEY, Ms. PINGREE of Maine, and Mr. JACKSON of Illinois):

H.R. 2296. A bill to establish an America Rx program to establish fairer pricing for prescription drugs for individuals without access to prescription drugs at discounted prices; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 2297. A bill to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. REYES (for himself, Mr. GENE GREEN of Texas, Mr. FILNER, Mr. CUELLAR, Mr. GRIJALVA, and Mr. HINOJOSA):

H.R. 2298. A bill to establish grant programs to improve the health of border area residents and for all hazards preparedness in the border area including bioterrorism and infectious disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. KING of Iowa, Mr. BILIRAKIS, Mrs. SCHMIDT, Mr. BARTLETT, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. BRADY of Texas, Mr. PETERSON, Mr. BUCHANAN, Mr. SMITH of New Jersey, Mr. CULBERSON, Mr. MCCAUL, Mr. ADERHOLT, Mr. AKIN, Mr. FORTENBERRY, Mr. JONES, Mr. MICA, Mr. POSEY, Mr. MCCOTTER, Mr. OLSON, Mr. PITTS, Mrs. HARTZLER, Mr. HENSARLING, Mr. RIVERA, Mr. NEUGEBAUER, Mr. LIPINSKI, Mr. WEST, Mr. DANIEL E. LUNGREN of California, Mr. SOUTHERLAND, Mrs. BACHMANN, Mr. DAVIS of Kentucky, Mr. CANSECO, Mr. JORDAN, Mr. SHUSTER, Mr. DIAZ-BALART, Mr. CARTER, Mr. FLEMING,

Mrs. BLACKBURN, Mr. SMITH of Texas, Mr. TERRY, Mr. WOLF, Mr. CRENSHAW, Mr. PENCE, Mr. ROGERS of Michigan, Mr. LAMBORN, Mr. LATOURETTE, Mr. GARRETT, Mr. KINZINGER of Illinois, Mr. CRAWFORD, Mr. SULLIVAN, Mr. TIBERI, Mr. ROSKAM, Mr. DONNELLY of Indiana, Mr. SCALISE, Ms. FOXX, Mrs. MILLER of Michigan, Mr. SENSENBRENNER, Mr. SHIMKUS, Mr. COFFMAN of Colorado, Mr. BACHUS, Mr. CHABOT, Ms. BUERKLE, Mr. HUIZENGA of Michigan, Mr. JOHNSON of Ohio, Mrs. BLACK, Mr. BURTON of Indiana, Mr. GOWDY, Mr. WILSON of South Carolina, Mr. YOUNG of Florida, Mr. LATTI, Mrs. ADAMS, Mr. DESJARLAIS, Mr. BENISHEK, Mr. FINCHER, Mr. CONAWAY, Mrs. MCMORRIS RODGERS, Mr. ROGERS of Kentucky, Mrs. ELLMERS, Mr. AUSTRIA, Mr. FARENTHOLD, Mr. HERGER, Mr. BARLETTA, Mr. MANZULLO, Mr. KING of New York, Mr. MILLER of Florida, and Mr. STEARNS):

H.R. 2299. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. STUTZMAN:

H.R. 2300. A bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team; to the Committee on Veterans' Affairs.

By Mr. STUTZMAN:

H.R. 2301. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to make payments to educational institutions under the Post-9/11 Educational Assistance Program at the end of a quarter, semester, or term, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. STUTZMAN:

H.R. 2302. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. COHEN, Ms. JACKSON LEE of Texas, Mr. CARSON of Indiana, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. SCOTT of Virginia, Mr. FRANK of Massachusetts, and Mr. FILNER):

H.R. 2303. A bill to concentrate Federal resources aimed at the prosecution of drug offenses on those offenses that are major; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WITTMAN (for himself, Mr. MILLER of Florida, Mr. ROSS of Arkansas, Mr. LATTI, Mr. SHULER, Mr. LANDRY, Mr. SOUTHERLAND, Mr. CASIDY, Mr. BOUSTANY, Mr. HEINRICH, Mr. BOREN, Mr. HUNTER, Mr. GUINTA, Mr. FLEMING, Mr. BONNER, Mr. RIGELL, Mr. DUNCAN of South Carolina, and Mr. HARRIS):

H.R. 2304. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 to provide the necessary scientific information to properly implement annual catch limits, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Florida:

H.J. Res. 68. A joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mrs. BIGGERT, Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. SARBANES, Mr. ANDREWS, Mr. BACA, Ms. BALDWIN, Ms. BASS of California, Mr. BISHOP of New York, Ms. BROWN of Florida, Mr. BUTTERFIELD, Ms. CASTOR of Florida, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLYBURN, Mr. COHEN, Mr. CONYERS, Mr. COOPER, Mr. CROWLEY, Mr. CUELLAR, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURIO, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Mr. ENGEL, Mr. FARR, Mr. FATTAH, Mr. GONZALEZ, Mr. GRIJALVA, Ms. HANABUSA, Mr. HINCHAY, Mr. HINOJOSA, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. LANGEVIN, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. MARKEY, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Mr. MILLER of North Carolina, Mr. NADLER, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PASCRELL, Mr. POLIS, Mr. REYES, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUPERSBERGER, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SANCHEZ of California, Mr. DAVID SCOTT of Georgia, Ms. SEWELL, Mr. STARK, Ms. SUTTON, Mr. THOMPSON of Mississippi, Mr. TONKO, Ms. TSONGAS, Mr. WATT, Mr. WELCH, Ms. WILSON of Florida, Ms. WOOLSEY, Mr. ACKERMAN, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Mr. CARSON of Indiana, Ms. CHU, Mr. CICILLINE, Mr. CLAY, Mr. CONNOLLY of Virginia, Mr. COSTA, Mr. COSTELLO, Mr. COURTNEY, Mr. CUMMINGS, Mr. DEFazio, Mr. DEUTCH, Mr. DOYLE, Mr. ELLISON, Ms. ESHOO, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HIMES, Ms. HOCHUL, Mr. HOLDEN, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. KEATING, Mr. KIND, Mr. KUCINICH, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LOEBSACK, Ms. ZOE LOFGREN of California, Mr. LYNCH, Ms. MATSUI, Mrs. MCCARTHY of New York, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. OLIVER, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PETERS, Mr. PETERSON, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SHERMAN, Mr. SMITH of Washington, Ms. SPEIER, Mr. THOMPSON of California,

Mr. TIERNEY, Mr. TOWNS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WU, and Mr. YARMUTH):

H.J. Res. 69. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LARSON of Connecticut:

H. Res. 321. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. BRADY of Pennsylvania (for himself and Mr. GERLACH):

H. Res. 322. A resolution recognizing the National Center for the American Revolution for its role in telling the story of the American Revolution and its continuing impact on struggles for freedom, self-government, and the rule of law throughout the world and encouraging the Center in its efforts to build a new Museum of the American Revolution; to the Committee on Natural Resources.

By Mr. DAVIS of Illinois:

H. Res. 323. A resolution observing the historical significance of Juneteenth Independence Day; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Ms. MCCOLLUM, Mr. COHEN, Mr. FALOMAYAGA, Mr. FILNER, Mr. ISRAEL, Mr. AL GREEN of Texas, Mr. BILBRAY, Mr. HINCHAY, Mr. NADLER, Mr. CICILLINE, Mr. YOUNG of Florida, Mr. MORAN, Mr. PLATTS, and Mrs. DAVIS of California):

H. Res. 324. A resolution welcoming and commending the Government of Japan for extending an official apology to all United States former prisoners of war from the Pacific War and moving forward in planning to invite surviving members to Japan; to the Committee on Foreign Affairs.

By Mr. LATOURETTE:

H. Res. 325. A resolution congratulating Hungary on the series of events commemorating the centennial anniversary of former U.S. President Ronald Reagan and welcoming the establishment of the Hungarian Freedom Dinner and the Hungarian Freedom Award to celebrate the lasting idea of freedom and the principle of responsible liberty cherished by Hungary and the United States alike; to the Committee on Foreign Affairs.

By Ms. WATERS:

H. Res. 326. A resolution honoring Bishop Noel Jones for his 17 years of service to the City of Refuge Church; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

67. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 7 urging the Department of Energy and the Nuclear Regulatory Commission to establish a permanent repository for high-level nuclear waste; to the Committee on Energy and Commerce.

68. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution 5 that recognizes every Sunday, so long as it does not conflict with person beliefs, as "Cooking with Kids Day"; to the Committee on Energy and Commerce.

69. Also, a memorial of the Senate of the State of New Hampshire, relative to Senate Resolution 10 declaring that the death of Osama bin Laden represents a measure of justice and relief for the families and friends of the nearly 3,000 people who lost their lives on September 11, 2001; jointly to the Committees on Armed Services and Intelligence (Permanent Select).

70. Also, a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 6 urging the Congress to adopt legislation prohibiting the EPA from unilaterally regulating greenhouse gas emissions; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 2269.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. ROS-LEHTINEN:

H.R. 2270.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ROYCE:

H.R. 2271.

Congress has the power to enact this legislation pursuant to the following:

"Article I, section 8, clauses 3 and 18 of the Constitution."

By Mr. YARMUTH:

H.R. 2272.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution.

By Mr. MCKINLEY:

H.R. 2273.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BILIRAKIS:

H.R. 2274.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. PRICE of North Carolina:

H.R. 2275.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation under Article I, Section 8, clause 3 of the United States Constitution, "to regulate Commerce with foreign Nations, and among the several States, and with the Indian

Tribes." This authority is consistent with the bill's goal of promoting growth, innovation and research in the United States textile and fiber products industry.

By Ms. WASSERMAN SCHULTZ:

H.R. 2276.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. DOGGETT:

H.R. 2277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution that grants Congress the authority, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. ROONEY:

H.R. 2278.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 11 through 13, relating to Congress' authority to declare war, raise and support armies, and provide and maintain a Navy, respectively.

By Mr. MICA:

H.R. 2279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. CICILLINE:

H.R. 2280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. ESHOO:

H.R. 2281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper.

Article IV, Section 3: "... Congress shall have the power to dispose of and make all needful Rules and Regulations respecting the ... property belonging to the United States."

By Mr. FALEOMAVAEGA:

H.R. 2282.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2—The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. GOHMERT:

H.R. 2283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

"The Congress shall have Power to ... provide for the common Defense and general Welfare a the United States ..."

Article I, Section 8, Clause 11.

"The Congress shall have power ... To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water."

Article I, Section 8, Clause 12.

"The Congress shall have power ... To raise and support Armies ..."

Article I, Section 8, Clause 18.

"Congress shall have the power ... [t]o make all Laws which shall be necessary and

proper for carrying into Execution ... all other Powers vested by this Constitution in the Government of the United States."

By Mr. GENE GREEN of Texas:

H.R. 2284.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Art. I, §8, cl. 3) of the United States Constitution.

By Mr. HASTINGS of Florida:

H.R. 2285.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. HERGER:

H.R. 2286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Ms. KAPTUR:

H.R. 2287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. and Article I, Section 8, Clause 18.

By Mr. LARSON of Connecticut:

H.R. 2288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. LATTA:

H.R. 2289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power ... "to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes."

By Mrs. LOWEY:

H.R. 2290.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mrs. LOWEY:

H.R. 2291.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mrs. LOWEY:

H.R. 2292.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mrs. LOWEY:

H.R. 2293.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mrs. LOWEY:

H.R. 2294.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. McKEON:

H.R. 2295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution, which states "The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States;"

By Mr. MICHAUD:

H.R. 2296.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 3 of Section 8 of Article 1 of the United States Constitution.

By Ms. NORTON:

H.R. 2297.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. REYES:

H.R. 2298.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

Text:

Article I, Section 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the

Government of the United States, or in any Department or Officer thereof.

By Ms. ROS-LEHTINEN:

H.R. 2299.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. STUTZMAN:

H.R. 2300.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. XXX is provided by Article I, section 8 of the Constitution of the United States.

By Mr. STUTZMAN:

H.R. 2301.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. XXX is provided by Article I, section 8 of the Constitution of the United States.

By Mr. STUTZMAN:

H.R. 2302.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. XXX is provided by Article I, section 8 of the Constitution of the United States.

By Ms. WATERS:

H.R. 2303.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3
The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 9

The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court.

Article III, Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Article III, Section 2

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the Supreme Court shall have original Jurisdiction. In all other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Article IV, Section 1

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records, and Proceedings shall be proved, and the Effect thereof.

Article I, Section 9, Clause 2

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WITTMAN:

H.R. 2304.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. HASTINGS of Florida:

H.J. Res. 68.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 11 through 13, relating to Congress' authority to declare war, raise and support armies, and provide and maintain a Navy, respectively.

By Mrs. MALONEY:

H.J. Res. 69.

Congress has the power to enact this legislation pursuant to the following:

Article V—Amendment.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. BERG.

H.R. 23: Mr. PLATTS.

H.R. 27: Mr. WALDEN.

H.R. 298: Mr. HALL, Mr. HINOJOSA, and Mr. BARTON of Texas.

H.R. 300: Mr. COHEN.

H.R. 389: Mr. GOSAR.

H.R. 402: Mr. BISHOP of New York, Mr. HIGGINS, and Mr. DICKS.

H.R. 420: Mr. MCKINLEY, Mr. COSTELLO, and Mr. FINCHER.

H.R. 421: Mr. COBLE.

H.R. 436: Mr. AUSTRIA, Mr. BILIRAKIS, Mr. JONES, Mr. CRENSHAW, and Mr. SOUTHERLAND.

H.R. 459: Mr. WELCH and Mr. BONNER.

H.R. 547: Mr. GOODLATTE.

H.R. 605: Mr. LATHAM, Ms. BROWN of Florida, Mr. DAVIS of Kentucky, and Mr. WOMACK.

H.R. 645: Mrs. SCHMIDT, Ms. BUERKLE, Mr. HULTGREN, and Mr. COSTELLO.

H.R. 676: Mrs. LOWEY and Mr. FALEOMAVAEGA.

H.R. 711: Mr. DAVIS of Illinois.

H.R. 719: Mr. HECK, Mrs. MYRICK, Ms. HIRONO, Mr. WU, and Mr. ROSS of Arkansas.

H.R. 721: Mr. GARY G. MILLER of California, Mr. BROOKS, Mr. BARTLETT, Mr. NUNNELEE, Mr. STIVERS, Mr. BRALEY of Iowa, Mr. KING of Iowa, and Mr. PETERSON.

H.R. 735: Mr. MCCLINTOCK.

H.R. 743: Mr. WEST.

H.R. 750: Mr. LONG and Mr. FLAKE.

H.R. 756: Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. TONKO, and Mr. CAPUANO.

H.R. 763: Mr. WALDEN.

H.R. 774: Mr. TOWNS.

H.R. 812: Mr. BLUMENAUER.

H.R. 831: Ms. ZOE LOFGREN of California.

H.R. 835: Mr. MEEHAN.

H.R. 860: Mr. WALBERG, Mr. CARNAHAN, Mr. WELCH, Mr. MURPHY of Pennsylvania, Mr. OLSON, and Mr. LYNCH.

H.R. 905: Mr. MARINO.

H.R. 912: Mr. ROTHMAN of New Jersey and Ms. MCCOLLUM.

H.R. 942: Mr. SAM JOHNSON of Texas.

H.R. 952: Mr. LIPINSKI.

H.R. 975: Mr. QUIGLEY.
 H.R. 1041: Mr. GRAVES of Georgia.
 H.R. 1058: Mr. MCCOTTER.
 H.R. 1063: Mr. TIBERI and Mr. BRALEY of Iowa.
 H.R. 1084: Mr. CAPUANO, Mr. RANGEL, and Mr. JACKSON of Illinois.
 H.R. 1173: Mr. FLEMING, Mr. LAMBORN, and Mr. ISSA.
 H.R. 1188: Mr. YOUNG of Indiana, Mr. GRIJALVA, and Mr. MICHAUD.
 H.R. 1195: Mr. POSEY and Mr. LATTI.
 H.R. 1200: Ms. LEE of California.
 H.R. 1206: Mr. CONAWAY and Mr. POE of Texas.
 H.R. 1234: Mr. RANGEL.
 H.R. 1256: Mr. FRANK of Massachusetts.
 H.R. 1259: Mr. SCALISE, Mr. JOHNSON of Ohio, Mr. SCOTT of South Carolina, and Mr. NEUGEBAUER.
 H.R. 1262: Mr. RUSH.
 H.R. 1324: Mr. ROSS of Florida.
 H.R. 1358: Mr. CRENSHAW.
 H.R. 1370: Mr. POSEY, Mr. SHULER, Mr. FRANKS of Arizona, and Mr. BISHOP of Utah.
 H.R. 1375: Mrs. MCCARTHY of New York, Mr. CLEAVER, Mr. DOGGETT, Mr. RANGEL, Mr. MEEKS, Mr. BUTTERFIELD, Mr. FATTAH, and Mr. BRALEY of Iowa.
 H.R. 1394: Mr. BISHOP of Georgia, Mr. DAVID SCOTT of Georgia, Mr. TIERNEY, Ms. FUDGE, and Mr. CONYERS.
 H.R. 1416: Mr. LATHAM.
 H.R. 1418: Ms. RICHARDSON, Ms. WOOLSEY, Mrs. MILLER of Michigan, Mr. HONDA, and Mr. WU.
 H.R. 1456: Ms. LEE of California, Ms. SCHAKOWSKY, and Ms. BORDALLO.
 H.R. 1488: Mr. WU, Mr. BRADY of Pennsylvania, and Mr. FARR.
 H.R. 1489: Ms. LEE of California and Mr. COFFMAN of Colorado.
 H.R. 1505: Mr. JOHNSON of Ohio and Mr. POSEY.
 H.R. 1543: Mr. LARSEN of Washington.
 H.R. 1561: Ms. RICHARDSON.
 H.R. 1564: Mr. ROTHMAN of New Jersey.
 H.R. 1574: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1588: Mr. BOUSTANY.
 H.R. 1620: Mr. BRALEY of Iowa.
 H.R. 1639: Mr. WU and Mr. MICA.
 H.R. 1645: Mr. CONNOLLY of Virginia and Mr. SABLON.
 H.R. 1656: Mr. MURPHY of Connecticut.
 H.R. 1683: Mr. JOHNSON of Ohio.
 H.R. 1735: Mr. LUJÁN, Ms. NORTON, and Ms. DELAURO.
 H.R. 1739: Mr. PETRI.
 H.R. 1742: Mr. BOSWELL, Mr. KISSELL, Mr. RYAN of Ohio, and Mr. WITTMAN.
 H.R. 1744: Mr. CHAFFETZ.
 H.R. 1749: Mr. MCGOVERN.
 H.R. 1750: Mr. LAMBORN, Mr. FLEMING, Mr. THORNBERRY, Mr. ROGERS of Alabama, Mr. RIGELL, Mr. BROOKS, Mr. FRANKS of Arizona, and Mr. AUSTIN, SCOTT of Georgia.
 H.R. 1755: Mr. OLSON.
 H.R. 1792: Mr. PAUL, Mr. MICHAUD, and Mr. COSTELLO.
 H.R. 1845: Mr. SESSIONS and Mr. WEST.
 H.R. 1856: Mr. PITTS.
 H.R. 1864: Mr. ROONEY and Mr. JORDAN.
 H.R. 1880: Mr. HINCHEY.
 H.R. 1897: Mr. ELLISON, Mr. TURNER, Mr. KISSELL, Mr. CARTER, Mr. SESSIONS, Mr. ROTHMAN of New Jersey, and Mr. BISHOP of New York.
 H.R. 1912: Mr. MCGOVERN.
 H.R. 1941: Mr. MURPHY of Pennsylvania.
 H.R. 1946: Mr. JONES.
 H.R. 1980: Mr. FORBES, Mr. MICHAUD, Mr. SIMPSON, Mr. DANIEL E. LUNGREN of California, Mr. CARTER, and Mr. CANSECO.

H.R. 2005: Mr. STIVERS, Mr. SIRE, Mr. ROTHMAN of New Jersey, Mr. ELLISON, Mr. RICHMOND, Ms. LEE of California, Mr. BISHOP of Georgia, Mr. BURTON of Indiana, Mr. PAYNE, Mr. RUSH, Ms. BASS of California, Ms. EDWARDS, Ms. RICHARDSON, Mr. HASTINGS of Florida, Mr. MEEKS, Mr. LEWIS of Georgia, Mr. CLEAVER, Ms. NORTON, Mrs. CHRISTENSEN, and Mr. RANGEL.
 H.R. 2010: Mr. GOSAR and Mr. SESSIONS.
 H.R. 2014: Mr. GALLEGLY, Mr. SHULER, and Mr. CRITZ.
 H.R. 2016: Ms. DELAURO, Mr. MORAN, Mr. ROTHMAN of New Jersey, and Mr. MICHAUD.
 H.R. 2018: Mr. HULTGREEN.
 H.R. 2020: Mrs. CAPPS, Mrs. BLACKBURN, Mr. GONZÁLEZ, Mr. BOSWELL, Mrs. MILLER of Michigan, Ms. CASTOR of Florida, Mrs. ELLMERS, Mr. PASCRELL, and Mr. OLVER.
 H.R. 2030: Ms. RICHARDSON, Mr. GARAMENDI, and Mrs. NAPOLITANO.
 H.R. 2032: Mr. NEAL, Mr. RANGEL, Ms. SLAUGHTER, Mr. COBLE, Ms. CLARKE of New York, and Mr. CAPUANO.
 H.R. 2036: Mr. BARTON of Texas and Mr. ROGERS of Kentucky.
 H.R. 2068: Mr. BARTON of Texas.
 H.R. 2082: Mr. PAUL.
 H.R. 2104: Mr. WITTMAN.
 H.R. 2115: Ms. SCHAKOWSKY.
 H.R. 2146: Mr. KELLY.
 H.R. 2150: Mr. RIVERA and Mr. LANDRY.
 H.R. 2152: Ms. SCHAKOWSKY and Mr. BISHOP of Georgia.
 H.R. 2164: Mr. WEST and Mr. WOMACK.
 H.R. 2170: Mr. MCCLINTOCK, Mr. LANDRY, and Mr. DUNCAN of South Carolina.
 H.R. 2171: Mr. DUNCAN of South Carolina.
 H.R. 2173: Mr. LANDRY and Mr. DUNCAN of South Carolina.
 H.R. 2190: Mr. HINCHEY.
 H.R. 2193: Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Mr. RICHMOND, Ms. NORTON, and Mr. JOHNSON of Georgia.
 H.R. 2194: Ms. NORTON.
 H.R. 2198: Mr. PENCE.
 H.R. 2206: Mr. PAUL.
 H.R. 2214: Mr. PLATTS.
 H.R. 2215: Ms. BERKLEY, Mr. ROTHMAN of New Jersey, Mr. BURTON of Indiana, and Mr. GRIMM.
 H.R. 2218: Mr. GOWDY.
 H.R. 2236: Mr. MICHAUD and Mr. YOUNG of Indiana.
 H.R. 2238: Mr. LATHAM, Mr. BOSWELL, and Mr. BRALEY of Iowa.
 H.R. 2248: Mr. OWENS.
 H.R. 2250: Mr. KINZINGER of Illinois, Mr. HERGER, Mr. BOREN, Mr. HOLDEN, and Mr. RIBBLE.
 H.R. 2259: Mr. FINCHER, Mr. GRIFFIN of Arkansas, Mr. WEST, Mr. RIBBLE, Mr. CHAFFETZ, and Mr. LONG.
 H.R. 2268: Mr. PETRI, Mr. WITTMAN, Mr. GOHMERT, and Mr. COBLE.
 H.J. Res. 47: Mr. MICHAUD and Mr. JACKSON of Illinois.
 H. Con. Res. 25: Mr. WOLF and Mrs. EMERSON.
 H. Con. Res. 38: Mr. SOUTHERLAND.
 H. Con. Res. 60: Mr. BERMAN, Mr. JONES, Mr. CARDOZA, Mr. LUTKEMEYER, Mr. WOLF, and Mr. KLINE.
 H. Res. 25: Mr. GOHMERT.
 H. Res. 134: Mr. BILIRAKIS, Mr. FITZPATRICK, and Mr. LUTKEMEYER.
 H. Res. 137: Mr. RICHMOND.
 H. Res. 220: Mr. FARR, Mr. CALVERT, Mr. ADERHOLT, Mr. CONNOLLY of Virginia, and Mr. COHEN.
 H. Res. 228: Mr. PITTS.
 H. Res. 295: Mr. YOUNG of Florida, Mr. ANDREWS, and Mr. BISHOP of Georgia.
 H. Res. 304: Mr. CARDOZA, Mr. POLIS, Mr. CALVERT, Mr. ISRAEL, Mr. DOGGETT, Mr.

BRADY of Pennsylvania, Mr. PERLMUTTER, Mr. GARDNER, Mr. FILNER, Mr. MARKEY, Mr. NADLER, and Ms. BASS of California.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. PITTS.

PETITIONS, ETC.

Under clause 3 of rule XII,
 12. The SPEAKER presented a petition of the City of Santa Fe, New Mexico, relative to Resolution No. 2011-29 requesting that the Postal Service issue a commemorative stamp honoring the Sesquicentennial anniversary of the Battle of Glorieta Pass; which was referred to the Committee on Oversight and Government Reform.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: Mr. SHERMAN

AMENDMENT No. 8: At the end of the bill, before the short title, insert the following:

SEC. ____ None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

H.R. 2219

OFFERED BY: Mr. BLUMENAUER

AMENDMENT No. 9: Page 9, line 6, after the dollar amount, insert "(reduced by \$15,000,000)".

Page 31, line 17, after the dollar amount, insert "(increased by \$15,000,000)".

H.R. 2219

OFFERED BY: Mr. BLUMENAUER

AMENDMENT No. 10: Page 127, line 18, after the dollar amount, insert "(reduced by \$15,000,000) (increased by \$15,000,000)".

H.R. 2219

OFFERED BY: Mrs. CHRISTENSEN

AMENDMENT No. 11: Page 124, after line 23, insert the following:

SEC. ____ The Secretary of Defense, in coordination with the Secretary of Health and Human Services and the Secretary of Veterans Affairs, shall develop a lung cancer mortality reduction program for members of the Armed Forces and veterans whose smoking history and exposure to carcinogens during active duty service has increased their risk for lung cancer and shall implement a program of coordinated care for members of the Armed Forces and veterans diagnosed with lung cancer.

H.R. 2219

OFFERED BY: Mr. COLE

AMENDMENT No. 12: At the end of the bill (before the short title), add the following:

SEC. ____ None of the funds made available by this Act may be used by the Department of Defense for the use of military force in or against Libya until such a time that the President formally requests and receives from Congress an authorization for the use of military force in or against Libya.

H.R. 2219

OFFERED BY: Mr. COLE

AMENDMENT No. 13: At the end of the bill (before the short title), add the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Defense to furnish military equipment, military training or advice, or other support for military activities, to any group or individual, not part of a country's armed forces, for the purpose of assisting that group or individual in carrying out military activities in or against Libya.

H.R. 2219

OFFERED BY: MR. BERMAN

AMENDMENT NO. 14: AT THE END OF THE BILL (BEFORE THE SHORT TITLE), ADD THE FOLLOWING:

SEC. _____. (a) None of the funds made available by this Act may be obligated or expended for assistance for the benefit of a Hezbollah-dependent Government of Lebanon, including assistance provided pursuant to section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456).

(b) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if the Secretary of Defense determines and certifies in writing to the appropriate congressional committees that such waiver is vital to the national security interests of the United States.

(c)(1) Not more than 15 days after the exercise of any waiver under subsection (b), the Secretary of Defense shall submit to the appropriate congressional committees a report describing—

(A) the vital national security interests requiring the waiver; and

(B) a description of the potential impact of the waiver on United States regional interests.

(2) The report required under paragraph (1) may include a classified annex.

(d) In this section—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the term “Hezbollah-dependent Government of Lebanon” means—

(A) a Lebanese government in which Hezbollah is the majority element in a governing coalition;

(B) a Lebanese government in which Hezbollah is the architect or primary forger of the governing coalition; or

(C) a Lebanese government which depends on Hezbollah, even from outside that government, for its parliamentary majority.

H.R. 2219

OFFERED BY: MR. QUAYLE

AMENDMENT NO. 15: PAGE 12, LINE 17, INSERT AFTER THE DOLLAR AMOUNT THE FOLLOWING: “(INCREASED BY \$144,000,000)”.

Page 31, line 17, insert after the dollar amount the following: “(reduced by \$144,000,000)”.

H.R. 2219

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to make a contribution to the military budget of the North Atlantic Treaty Organization in excess of \$408,100,000.

H.R. 2219

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 17: At the end of the bill (before the short title), add the following:

SEC. _____. None of the funds made available by this Act may be used to directly or indirectly support operations in Libya.

H.R. 2219

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for a military mission of the Armed Forces may be diverted from such military mission to achieve non-mission related objectives for members of the Armed Forces serving in combat zones.

H.R. 2219

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to perform (or to permit the performance of) a marriage or civil union ceremony that does not comply with the definition of marriage in section 7 of title 1, United States Code (the Defense of Marriage Act) or to permit the use of a military installation or other land under the jurisdiction of the Department of Defense as the site of a marriage or civil union ceremony that does not comply with the definition of marriage in such section.

H.R. 2219

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 20: Page 35, line 15, after the dollar amount insert the following: “(reduced by \$51,865,000)”.

H.R. 2219

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 21: Page 30, line 18, after the dollar amount insert “(reduced by \$9,140,000)”.

Page 31, line 17, after the dollar amount insert “(increased by \$9,140,000)”.

H.R. 2219

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 22: Page 31, line 6, after the dollar amount insert “(reduced by \$4,424,000)”.

Page 31, line 17, after the dollar amount insert “(increased by \$4,424,000)”.

H.R. 2219

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 23: Page 9, line 6, after the dollar amount insert “(reduced by \$216,556,400)”.

Page 161, line 12, after the dollar amount insert “(increased by \$216,556,400)”.

H.R. 2219

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 24: Page 30, line 11, after the dollar amount insert “(reduced by \$25,798,000)”.

Page 161, line 12, after the dollar amount insert “(increased by \$25,798,000)”.

H.R. 2219

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 25: Page 30, line 11, after the dollar amount insert “(reduced by \$22,796,000)”.

Page 161, line 12, after the dollar amount insert “(increased by \$22,796,000)”.

H.R. 2219

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 26: Page 30, line 18, after the dollar amount insert “(reduced by \$21,714,000)”.

Page 161, line 12, after the dollar amount insert “(increased by \$21,714,000)”.

H.R. 2219

OFFERED BY: MRS. MILLER OF MICHIGAN

AMENDMENT NO. 27: Page 12, line 17, insert after the dollar amount the following: “(increased by \$144,000,000)”.

Page 31, line 17, insert after the dollar amount the following: “(reduced by \$144,000,000)”.

H.R. 2219

OFFERED BY: MRS. MILLER OF MICHIGAN

AMENDMENT NO. 28: Page 8, line 2, insert after the dollar amount the following: “(reduced by \$449,901,000)”.

Page 161, line 12, insert after the dollar amount the following: “(increased by \$449,901,000)”.

H.R. 2219

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 29: At the end of the bill (before the short title), add the following:

SEC. _____. None of the funds made available by this Act may be used for military operations against Libya.

H.R. 2219

OFFERED BY: MR. FLORES

AMENDMENT NO. 30: At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

EXTENSIONS OF REMARKS

STUDENT FEELINGS ABOUT THE UNITED STATES

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. DUNCAN of Tennessee. Mr. Speaker, I recently hosted at the Capitol a group of extraordinary students from Heritage Middle School located in my District in Maryville, Tennessee.

The very first time I visited the U.S. Capitol was as part of a school trip, and I know how impressionable such an experience can be to young people.

Following their visit, the students were asked by their teacher, Patricia Russell, to write a report on how their feelings about the Nation have changed since visiting Washington.

I encourage my colleagues and other readers of the RECORD to read these very impressive essays.

“FREEDOM IS NOT FREE”

(By Lindsey Basham)

It always pains me to see people talk about how hard they have it. But in reality, a homeless person in America would be a middle-classed person in a third-world country. We take for granted all that we have, and the most important thing would be freedom. The only reason we have this freedom is because of our soldiers sacrificing their lives for ours. But where would we be without a leader? My personal favorite President is Abraham Lincoln because he was the only president out of sixteen at the time to do something about the most remorseful action America ever did—slavery. Because of these two reasons, I liked the Lincoln Memorial, Vietnam Memorial, and WWII Memorial the best.

There are many people who would rather others like them instead of sticking out of the crowd, but those people do not have what it takes to run one of the most powerful countries in the world. President Abraham Lincoln did though, and one of the noblest things this man ever did was create the Emancipation Proclamation. Even against half the country, he freed the slaves of the south once and for all. He said that a house divided against itself will not stand, yet he took an enormous risk with the Proclamation making the southern states angry. Lincoln believed that owning another human being went against the Declaration of Independence and he was not going to sit back and watch inhumanity happen to such innocence. Sadly, the sixteenth president of the United States was assassinated in a movie theater by a man named John Wilkes Booth. Even so, the legend of this famous president lives on in one of my favorite memorials in the USA Capitol today.

Small children learn to count to one hundred, but many times they will trip up on the numbers afterward. Later on, they will have the skill to make to one thousand, but then

again, they might mess up on their correct numbers after that high number. At around the age of ten, a person can count as high as he or she wishes, but the problem is patience. Even the most patient person will get bored after around ten thousand. The number 58,267 may seem like an ordinary, random number—a number higher than most of us are willing to count—but that number is the exact number of people who are commemorated on the Vietnam Memorial. That is a number that makes me appreciate being an American because I think about those people who fought for what we all take advantage of. The moment that precious freedom is taken away from us, we will regret being so easy going about it. “Freedom is not free” as said on the Korean War Memorial, is very scary at how true that statement is. Tens of thousands of people have died in each and every war our nation has endured and they knew what was bound to happen. It is only common sense that these people would be honored.

Four-thousand stars all representing one-hundred soldiers is one of the key things I saw at the World War II Memorial. On the day the Japanese planes flew over Pearl Harbor, Hawaii, was a devastating day in American history. This was the day our country was launched into the Second World War. So many, many people fought and died during the years that followed the day of Pearl Harbor. As every war is, this war was as bloody as any and it makes me feel that there is a place for every single one of us. Some were destined to make that journey for the rest of us. And for all we know, a person who nobody has ever heard of could have cost us the winning of the war. Every person who is honored in those fountains and stars had a big role in a big part of history and deserve to be in one of the major memorials in Washington, D.C.

After all I have seen, I have come to appreciate the delicate balance of power and freedom our country has perfected. But I will always remember that freedom is not free, and sometimes it takes a noble person to stand up for man's natural born freedom, and sometimes it takes more. Sometimes many lives are lost and much blood is shed on the soil. But, even though we are sometimes forced to do this, that does not mean we cannot commemorate these brave men, women, and—in my opinion—the best president this country has seen yet. Therefore, it seemed necessary to create the Lincoln Memorial, Vietnam Memorial, and World War II Memorial. I have come to love this country even more so than I already did.

DC TRIP ESSAY

(By Mackenzie Kindig)

“How has your appreciation of your American Heritage increased by taking this trip?” Many answers fill my mind as I read this question, and many experiences come to mind as well. But three places that have made me appreciate my country more is the Holocaust Museum, the Capitol Building, and Mt. Vernon.

The Holocaust Museum is truly a moving place to visit. Considering the Holocaust is my favorite period in history to learn about,

I truly appreciated this museum and its contents. Reading and seeing all the exhibits at this museum made me realize how lucky I am to be an American. While a few times I cried, I was recognizing how well off we all are to be living in the United States. All of those 11 million people suffered, but we learned from it. I know our country and government would never let something that horrible happen to their American citizens. Also, the Holocaust is a very important topic to history, and this museum portrays it perfectly and is a great learning experience, especially to 8th graders.

The Capitol Building was among the first places we visited. The beautiful architecture is just a plus, and meeting so many important people that work for the country is truly an honor. Seeing the Capitol Building and knowing more in depth how our government works has increased my appreciation for our country, because I know in places like Egypt and Iraq they are not nearly as lucky as us to have a well organized government. I enjoyed meeting Representative Duncan and knowing the people of east Tennessee are in good hands. As well as the government, the Capitol Building contains beautiful paintings and honorable sculptures from all states.

Mt. Vernon was home to our first president, which alone is a great honor to be able to visit. But also it was built in the 1700s. I love the architecture and layout of the house, as well as the estate itself with the gardens and slave quarters. George Washington was an amazing president, and to be allowed to step into his personal home that he actually lived in is breathtaking. Mt. Vernon not only increased my appreciation of our country, but also our technology and government. Experiencing George Washington's burial site brought tears to my eyes, because I feel closer to him in a way of seeing his home. I appreciate Mr. Washington because he was our first president, and a very amazing one at that. Mt. Vernon also shows Americans how citizens lived in the 1700s, and I believe that is a tremendously important experience.

Washington DC has increased my appreciation of being an American citizen because of the Holocaust Museum, the Capitol Building, and Mt. Vernon. DC is a very educational trip that I believe everyone should experience at least once.

DC ESSAY

(By Garrett Headrick)

After going on the trip to Washington DC my appreciation of my American heritage has increased. The World War II, Vietnam War, and Lincoln memorial has made an impact on me the most.

Firstly, I was moved by the World War II memorial. After visiting the memorial and seeing all of the gold stars on the wall representing the people who have died for us. The people who have fought for us in World War II do not get enough credit for what they did for their country. It is hard to imagine what our country would be like without the freedom we have now. This is why the World War II memorial has increased appreciation of my American heritage.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Secondly, the Vietnam War memorial made me think more about what the soldiers have done for our country. While at the memorial it was quiet. Nobody dared to talk higher than a whisper. The respect to the Vietnam War memorial amazed me. I would like to know more about the memorial.

Lastly, to imagine standing in one of the greatest president's memorial is amazing. If one was to think on what Lincoln did for America is mind boggling. If it was not for Lincoln there would be a Union and a Confederate still today. To make a memorial for him, I think, is definitely necessary. The Lincoln memorial was very fascinating.

In conclusion, my appreciation for my American heritage has increased after going to Washington, DC. The World War II, Vietnam War, and Lincoln memorial are very interesting.

DC ESSAY

(By Kayla Kirkland)

Seeing Washington, DC isn't just understanding and appreciating our heritage, it also makes you proud. My conclusion of this is thanks to being able to go inside the Capitol building, seeing the memorials of our heroes, and going through the Holocaust Museum.

Being able to go into the Capitol building is more than words. I did not fully understand how much our government is ran by the people until we were able to go in there. Meeting John Duncan was an honor. It was neat how he would take time out of his day to meet the people he represents. The input we have is real, it is seeing our future and past evolve together.

Next, walking through our heroes memorials was inspirational. I saw that people died fighting and making this country free. My personal favorite was the World War II Memorial. The stars in the water were in awe. Every star was for one hundred souls and human beings that defend our land to insure our future.

Third of all, two words . . . Holocaust Museum. People do not understand how good Americans have it. We could be in a government with a dictator whom murders millions of innocent people. We are not though. This is because our founding fathers did not want that, and some of them died to insure us "We Are America." We, our Country, has it more than better compared to other countries.

I give thanks of being able to go inside the capitol building, see the memorials of our heroes, and go through the Holocaust Museum. ". . . And so my fellow Americans, Ask what your country can do for you; Ask what you can do for your country."

DC ESSAY

(By Michaela Hearon)

My trip to Washington DC has increased my appreciation of my American heritage because of the monuments, the American History Museum, and Arlington National Cemetery

First, the monuments made me appreciate living in America. They recognize all the people that served in the different wars and some of our past presidents. The two monuments that really touched me were the Vietnam Memorial and the Korean War Memorial. The Vietnam Memorial was very sad seeing all the names of the people who had died. I personally can't imagine losing one of my loved ones in a war. The Korean War Memorial showed the emotions of the men in that war. They did a great job making both of these memorials; I will never forget them.

Secondly, the American History Museum made me appreciate my American heritage. This museum showed all kinds of things that have happened in America. I loved seeing the section about the different wars, the section of all our presidents, and the first ladies dresses. The section of the wars showed some cool objects from the wars, my favorite was seeing all the original guns and swords. The President section had facts about all of our presidents, my favorite president is Ronald Reagan. The first ladies dresses were beautiful and I like how they have those their so the public can see them. I enjoyed the American History Museum; it made me appreciate my American heritage.

Thirdly, The Arlington National Cemetery made me thankful for all of the men and women that gave their lives in the wars. There are so many people that are buried there that gave their lives for Americas freedoms. That makes me thankful for them to have enough courage to fight for what they believe in. We Americans are so blessed to live in the greatest country in the world. So, we need to remember the ones that gave their lives, and the ones that have served and are still serving. The Arlington National Cemetery made me thankful for all the ones that have and are still serving in the wars.

In Conclusion, my trip to Washington DC has increased my appreciation of my American heritage because of the monuments, the American History Museum, and Arlington National Cemetery. I am so blessed and proud to live in the United States of America.

HONORING THE 100TH ANNIVERSARY OF LOCAL 702 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in honoring the 100th anniversary of Local 702 of the International Brotherhood of Electrical Workers (IBEW), headquartered in West Frankfort, Illinois.

In 1911, the labor movement in the United States was in a period of rapid growth. Our economy was beginning its shift from agriculture to manufacturing and more of the population was becoming concentrated in metropolitan areas. The Triangle Shirtwaist Factory fire, in 1911, tragically exposed unsafe working conditions and provided fuel for the rise of organized labor. Also in 1911, a small group of electrical workers near Herrin, Illinois, petitioned the International Brotherhood of Electrical Workers for a charter.

The founders of Local 702 wanted the pay and working conditions of those in the electrical trade to be commensurate with those of other skilled craftsmen and they knew the only way to accomplish this was to organize. They quickly began the task of working with area utility companies, and the first recorded bargaining contract was dated January 31, 1917, with the Central Illinois Public Service Company.

During the Great Depression, as our Nation struggled with record levels of unemployment,

many members of Local 702 were out of work for prolonged periods. In a display of solidarity, the working members of Local 702 accepted an assessment on their wages that provided relief funding for their unemployed brothers. Loans from Local 702 provided a critical lifeline during the 1930's and some are still being retired today.

IBEW Local 702 considers itself to be a progressive, active local. From its founding as a bargaining unit for electrical workers, Local 702 has expanded to represent workers in many different fields, including manufacturing, instrument technicians, broadcast engineers, and nursing. While the primary focus of the local is the representation of its members, they are also vested in being a positive influence within their communities.

Mr. Speaker, I ask my colleagues to join me in congratulating the leadership and members of Local 702 of the International Brotherhood of Electrical Workers as they celebrate their 100th Anniversary and to wish them continued success in the future.

HONORING THE PELICAN CHAPTER OF ASSOCIATED BUILDERS AND CONTRACTORS

HON. BILL CASSIDY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. CASSIDY. Mr. Speaker, I rise today in honor of the Pelican Chapter of Associated Builders and Contractors, located in the City of Baton Rouge in Louisiana's Sixth Congressional District. It gives me great pleasure to announce that the Pelican Chapter of Associated Builders and Contractors has voluntarily constructed two new restroom facilities for the Istrouma Area Council of the Boy Scouts of America to celebrate 100 Years of Scouting.

The facilities were constructed at the Avondale Scout Retreat in Clinton, La. to help improve the experiences of the 11,000 plus youths served by the Istrouma Area Council each year. Under the direction of leading contractor, The Lemoine Company, numerous volunteers from their company and other members of the ABC, the Pelican Chapter has dedicated countless hours and numerous resources to building these facilities, which were completed in October. Each facility encompasses over 1,550 sq. ft. and features modern appliances, providing a critical improvement to the comfort and convenience offered to campers.

The Istrouma Area Council is the largest Boy Scout Council in the state of Louisiana, serving a 13 Parish area and providing nearly \$2 million of free services to the community. By providing leadership training and advancement programs, the Istrouma Area Council of the Boy Scouts of America has helped build the future leaders of this nation for nearly a century, and continues to serve the state of Louisiana. I can only hope that these new facilities that were made possible by the generosity of the ABC Pelican Chapter will allow the Istrouma Area Council to continue their legacy of stewardship for another 100 successful years.

LINDA LOPEZ CONGRESSIONAL
RECOGNITION**HON. DENNIS A. CARDOZA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. CARDOZA. Mr. Speaker, I rise today to honor the dedication and hard work of Ms. Linda Lopez of Merced, California. Not only is Ms. Lopez a treasured member of my staff, she is a tireless advocate and community leader in the 18th Congressional District.

Born in New Mexico, Linda moved to California's Central Valley in 1955 where she attended public school in Madera and then later college at Stanford University. She has been involved in civil rights and social justice work for over 40 years and is considered among the influential Latinos in the Central Valley.

Linda's civic participation includes serving on the City of Merced's Redevelopment Agency Gateway Projects Citizen's Advisory Committee, City of Merced's Planning Commission, several City of Merced Ad Hoc Committees including Open Space and Parks, South Merced Specific Plan, CP-42 Park Project, Wastewater Advisory Committee. She has also served on the San Joaquin Valley Partnership Telecommunications Committee and the California State Advisory Board for Transportation Planning and Environmental Justice.

Linda Lopez is also an alumnae of the Great Valley Center's IDEAL inaugural class, Hispanas Organized for Political Equality and Leadership Merced. Linda was named the 1998-99 Hispanic Woman of the Year by the Hispanic Chamber of Commerce.

Linda has held numerous positions in the community that include the Central Valley Opportunity Center, TV Guide Magazine, the National Park Service and worked with a variety of research companies. She is also a former employee of the Great Valley Center's Central Valley Digital Network working to introduce/enhance technology capacity in the Central Valley communities from Marysville to Bakersfield.

Linda has served as a Constituent Services Representative in my Merced District office since 2006 where she has worked hundreds of cases in her years of service. Linda prided herself on giving her time and energy to everyone that comes into my office seeking assistance. It was not unusual for Linda to work late nights and weekends to meet the needs of the constituents or schedule home visits for the elderly to assist them on matters for which they needed assistance. Linda's compassion is a hallmark for the work she does and it shows to not only the constituents but to the community at large. As a member of my staff, Linda has served as Field Representative where she would provide me updates and serves as my eyes and ears in the community.

Linda's passion for helping people and making a difference sets her apart from others. She offers to everyone she meets, kindness and compassion. Often times, Linda's relationship with other community members evolves into that of a mentorship, where Linda guides and mentors other aspiring community activists to find the passion and desire in themselves to serve the public.

In addition to her work as a public servant, Linda has her beautiful family for which she is so proud that include Ken, Emily and Jessica. Linda Lopez has made Merced, California a better place to live, work and raise our families. I am very proud to call her a member of Team Cardoza and more proud to call her a part of my family. Her compassion, leadership and dedication will serve our community and its children for many years to come.

Mr. Speaker, thank you for the opportunity to recognize this fine individual for her work and tireless efforts.

**HONORING MR. NICHOLAS
BOCCIERI****HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. RYAN of Ohio. Mr. Speaker, today I rise to extend my deepest sympathies to our former colleague, the Honorable John Bocciari and his family. On Saturday, June 11th, Mr. Bocciari's father, Nicholas Bocciari passed away at the age of 72.

Born in Youngstown, Ohio, on July 9, 1938, "Nick" or better known to some as "Jim", was truly a leader in our community. After graduating from Youngstown Ursuline High School in 1956, he attended St. Mary's Seminary in Cincinnati for two years. After receiving a bachelor's degree from Youngstown State University, Nick went on to teach Latin, Spanish, Italian and English at Poland, Hubbard, and Lowellville High Schools in the Mahoning Valley for 30 years.

Married to Rosemary Filisky on August 14, 1965, the couple was blessed with three sons including our former colleague John along with brothers Gregory and Nick. They helped provide a life filled with joy, laughter and love, and the fantastic gift of nine grandchildren.

Nick was ordained as a Deacon in the Catholic Church in January of 1998. As an active member of the parish, St. Anthony of Padua in Youngstown, Nick served as the Director of Youth Ministry and taught marriage preparation and confirmation formation classes.

Please join me in extending our most sincere and heartfelt sympathies to the Bocciari family.

**HONORING THE LIFE OF "MISS
PEACHES," ANNABEL GRINER
ALDERMAN****HON. JACK KINGSTON**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. KINGSTON. Mr. Speaker, I rise to commemorate the passing of Mrs. Annabel Griner Alderman, also known as "Miss Peaches." Mrs. Alderman was a beloved novelist, poet, talk radio show host, newspaper columnist and native of Nashville, Georgia.

Mrs. Alderman spent the majority of her life in Nashville where she became a political ac-

tivist through writing and performing. She appeared as a political comic under the name "Miss Peaches," a self proclaimed nickname that would serve as the moniker for her alter ego as she performed concerts and monologues with her piano playing brother, Geunie Griner.

Known for her creativity, Miss Annabel lived a colorful life and ingratiated herself in her community. Even as a child, she was very creative and talented, and wrote the song "Willacoochee Callin' Moody Field" after a chance meeting at a phone booth. Miss Annabel and her mother stopped to make a phone call in Ray City when she was just a girl and while they were waiting on the person inside the phone booth, she overheard the lady speaking to someone at Moody Air Force Base. She went home and wrote the song that she would later perform with her brother. This would be only the beginning of the pair's singing career; they also recorded comedy and gospel material through RCA with Mrs. Alderman acting as lyricist and lead singer.

As much as she enjoyed performing, Miss Annabel also enjoyed writing and would go on to give herself another nickname, that of "wordsmith." During the 1930s and 1940s, Ward Law Starling was one of the biggest newspaper publishers in the state of Georgia, with the Nashville Herald being part of his empire. However, after his untimely death, Miss Annabel swooped in to keep the paper running and once again paired up with her brother Geunie to successfully run the paper for a number of years.

Mrs. Alderman graduated from the Georgia Regional Police Academy in 1983 and became an investigator with her family's law firm in Nashville. However, she continued to write, publishing a book of poetry, "Lost Loves Don't Count" in 1996. Then in 1999 she wrote her first novel, "Family Man," which was nominated for several literary awards. During this time Ms. Alderman also penned a political column, "About Right Now" for the Valdosta Daily Times and was named Berrien County Republican Woman of the Year. Numerous poems, essays and short stories also followed and were published in Georgia magazines such as Valdosta Magazine, Flint River Review, Kennesaw State University's Golden Age of Poetry and Mercer University's Crossroads magazine.

The south has many colorful characters in its history but in Berrien County, there will only ever be one "Miss Peaches." I rise today to commemorate Mrs. Annabel Alderman as an enduring part of the history of South Georgia. May the Lord bless her family and her memory.

**HONORING ARMY SPECIALIST
ROBERT L. VOAKES, JR.****HON. DAN BENISHEK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. BENISHEK. Mr. Speaker, Northern Michigan mourns the loss of Army Specialist Robert L. Voakes, Jr., 21, from L'Anse. Robert, who was posthumously promoted from private first class, was killed during an insurgent

attack in Lagham Province, Afghanistan. Robert was just three months into a 15-month Operation Enduring Freedom deployment in Afghanistan.

Robert graduated in 2009 from Baraga High School and enlisted in the military that November. He went to basic training at Fort Leonard Wood in Missouri and was then stationed at Joint Base Elmendorf-Richardson in Alaska. Robert was in the 164th Military Police Company, 793rd Military Police Battalion, 3rd Maneuver Enhancement Brigade.

Robert enjoyed sports, particularly basketball, and was a proud and active member of the Keweenaw Bay Indian Community. He is remembered as a quiet, thoughtful young man with an excellent sense of humor.

While Robert could have stayed in L'Anse, he chose instead to serve the cause of freedom and defend America's liberty in a distant country. Robert's deeds and daring will forever be illustrative of the selflessness and bravery that lives in Northern Michigan's young people. I can find no words that can express my gratitude for Robert's service or for the sympathy I feel for his many loved ones whose lives have been shattered by this loss.

To Robert's family, I can offer only the hope that you may be comforted by the kind providence of the Almighty, and the knowledge that so many in our area are praying for you more than they have ever prayed for themselves. I am well aware that my words will not soften your overwhelming grief, but in the words of President Lincoln, "May God give you that consolation which is beyond all earthly power."

On behalf of the First District of Michigan, I would like to express my profound sadness for the loss of such a noble young man as Robert Voakes. Northern Michigan has certainly lost one of its finest, and his memory and service will not be forgotten.

HONORING THE LIVES OF JOSH BURCH AND BRETT FULTON—FLORIDA DIVISION OF FORESTRY FIREFIGHTERS

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. CRENSHAW. Mr. Speaker, I rise to pay tribute to two Florida Division of Forestry firefighters who perished in the line of duty on June 20 while fighting the Blue Ribbon Wildfire in Hamilton County, Florida.

On Monday, June 20, Josh Burch, 31, of Lake City, Florida, and Brett Fulton, 52, of White Springs, Florida, paid the ultimate price for our safety, giving up their lives for our protection. Our hearts and prayers go out to their families and loved ones as we remember the invaluable work that they and their fellow firefighters perform each and every day.

The Blue Ribbon fire has burned across hundreds of thousands of acres in Northeast Florida and taken the lives of two courageous and dedicated firefighters and family men. Let us honor Josh and Brett and never forget their sacrifice to Florida and the nation.

KENNETH RILEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kenneth Riley, a Staff Sergeant in the Army retiring following more than 30 years of military service. He joined the Army in 1976 through the delayed entry program, and after high-school graduation in June 1977 he was called to active duty. After finishing basic training at Fort Leonard Wood, Missouri, he was deployed to Karlsruhe, Germany until October of 1979.

Upon returning Mr. Riley was stationed at Fort Riley, Kansas. After serving 6 years of active duty, he was discharged in June of 1980 at which time he entered the Army Reserves. Mr. Riley served in Operation Iraqi Freedom from 2003–2004, 2005–2006, and 2009–2010, eventually retiring in November of 2010.

Mr. Riley has been married to Mrs. Helen Riley for 32 years. They have two children, Tabitha Brown and Tanya Riley. Mr. Riley has 6 grandchildren with another on the way.

Mr. Speaker, I proudly ask you to join me in recognizing Kenneth Riley, a true patriot that has dedicated a major portion of his life to serve his nation. It is truly an honor to serve Mr. Riley in the United States Congress.

CONGRATULATING MATTHEW TIMMER FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Matthew Timmer for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Matthew has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

SUDAN: HANGING IN THE BALANCE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. WOLF. Mr. Speaker, I rise today with a great sense of urgency to call attention to the unfolding nightmare taking place in Sudan right at this very moment.

I submit for the RECORD an article today from the New York Times describing the heinous actions taken by the Sudanese Army

against their own people. The article quotes an American official as saying that without mediation, "you're going to have massive destruction and death in central Sudan, and no one seems able to do anything about it."

Indeed, no one seems to be doing anything about it.

Have we forgotten the tragic history of Rwanda? Of Darfur? Are the Nuba people destined to the same grim fate? Have we learned nothing from these previous mass annihilations of people?

The New York Times reports that, "United Nations officials in Southern Kordofan, the state that includes the Nuba Mountains, estimate that dozens have been killed in aerial bombings in the past two weeks and maybe dozens more in extrajudicial killings. Nuban officials put the civilian death toll in the hundreds."

The story continues, "Sudanese soldiers are planting land mines in several towns, United Nations officials said, and possibly digging mass graves. Many people in the mountains are Christian, and church officials say Christians have been attacked and churches burned."

The Times piece echoes reports I heard last week from a young man who was a former intern in my congressional office. He has been living and working in Sudan for the past two years and is in continuous touch with people on the ground in Sudan, including in areas that have been virtually cut off from the outside world.

In the face of this tragedy, the administration is AWOL. The press is hardly covering the story. Congress is barely engaged.

What more will it take?

Time is running short and the situation is grim. The world must not continue to turn a blind eye to slaughter.

[From the New York Times, June 20, 2011]

AS SECESSION NEARS, SUDAN STEPS UP DRIVE TO STOP REBELS

(By Jeffrey Gettleman)

NAIROBI, KENYA.—The Sudanese Army and its allied militias have gone on an unsparing rampage to crush rebel fighters in the Nuba Mountains of central Sudan, bombing thatched-roofed villages, executing elders, burning churches and pitching another region of the country into crisis, according to United Nations officials and villagers who have escaped.

"The market was burning," said Salah Kaka, a mother of four who trekked for days with thousands of others to a mushrooming refugee camp after her husband disappeared during an air raid. "I dug ditches in the ground and hid the children."

Tens of thousands of rebel fighters have refused the government's threat to disarm, digging into the craggy hillsides. They are demanding political reform and autonomy, a familiar refrain in Sudan's marginalized hinterlands that has set off insurgencies in Darfur in the west, as well as eastern and southern Sudan.

"This is going to spread like wildfire," said an American official who was not authorized to speak publicly. Without mediation, "you're going to have massive destruction and death in central Sudan, and no one seems able to do anything about it."

The Sudanese Army has sealed off the area and threatened to shoot down United Nations helicopters. Sudan's forces detained

four United Nations peacekeepers and subjected them to "a mock firing squad," the organization said Monday, calling the intimidation part of a strategy to make it nearly impossible for aid agencies and monitors to work in the region.

It seems that the Sudanese government, facing upheaval on several fronts, especially with the southern third of the country preparing to declare independence next month, is determined to suppress the rebels and prevent them from encouraging other restive areas to rise up.

Even after the southerners secede, countless fault lines remain in northern Sudan. Non-Arab people in the Nuba Mountains, Darfur, Blue Nile State, Kasala—and all the way down the Nile to Egypt—have long been chafing against an increasingly isolated government dominated by a small group of Arabs and led by President Omar Hassan al-Bashir, a war crimes suspect indicted by the International Criminal Court.

"Bashir is facing enormous pressure," said E. J. Hogendoorn, a program director at the International Crisis Group. "There are a number of areas that could rebel again," he said, and the offensive in the Nuba Mountains "may actually exacerbate resentment and inadvertently unite armed opposition movements."

United Nations officials in Southern Kordofan, the state that includes the Nuba Mountains, estimate that dozens have been killed in aerial bombings in the past two weeks and maybe dozens more in extrajudicial killings. Nuban officials put the civilian death toll in the hundreds.

Sudanese soldiers are planting land mines in several towns, United Nations officials said, and possibly digging mass graves. Many people in the mountains are Christian, and church officials say Christians have been attacked and churches burned.

"So many people have been made to leave their homes," said Ali Shamilla, liaison officer for the Nuba Relief, Rehabilitation and Development Organization. "Many are living in caves."

Witnesses said government soldiers were shooting "the black people," a reference to Nubans, who are often darker skinned than the Arab-dominated military. Human rights groups worry that this could begin a new round of ethnic cleansing, given the wholesale destruction of communities that has been part of how war is fought in Sudan.

Hundreds of thousands died in Darfur after the government razed villages and armed militias to throttle rebels there, leading to genocide charges against Mr. Bashir. Millions died in the decades of civil war between north and south, under many of the same tactics.

The same thing happened in Nuba. In the mid-1980s, southern rebels opened bases in the Nuba Mountains. Residents who had long felt discriminated against by the Arab rulers of Sudan joined the southerners in droves.

The rulers responded by arming Arab militias—just as it would in Darfur—and setting them loose on impoverished villagers. Tens of thousands of civilians were killed and villagers were incarcerated in "peace camps," forced to convert to Islam. Entire villages were wiped out.

"Nuba were often just shot on sight by Khartoum forces, no questions asked," said Roger P. Winter, a former State Department official, who testified Thursday during a Congressional hearing on Sudan's future. "Today, again, Nuba are positioned for liquidation by Khartoum forces."

This may sound hyperbolic. But as Julie Flint, an author who first visited the Nuba

area in 1992, argued, some of the same men responsible for earlier atrocities in Nuba are in charge once again, including Ahmed Haroun, the Southern Kordofan governor, indicted by the International Criminal Court for crimes against humanity connected to Darfur.

"A new war in Nuba threatens to be a replay of Darfur," Ms. Flint said.

The Sudanese government does not deny bombing Nuban villages, arguing that the Nuba militia were supposed to disarm but did not. One Sudanese official said the war could go on "for some years." Nuban militia leaders have vowed to fight until there is "regime change" in Khartoum or autonomy for Nuba.

Under the accords that set in motion the south's secession, Nubans were supposed to hold "popular consultations" to determine their future, but that has not happened. Now that the south is on the verge of realizing its hard-fought goal—independence many Nubans feel their demands have been deferred.

In the north, oil had helped buy friends and woo enemies, but huge economic uncertainties loom. The south has most of the oil, and in any deal before the south splits off, the north will almost certainly get less than it used to.

Already, riots have broken out in central Sudan's Arab heartland, as Mr. Bashir has warned of austerity measures. Many analysts say the recent military activity along the north-south border, including the north's seizure of the disputed Abyei area and its push in the Nuba Mountains, is part of a hard-knuckled negotiation to secure more oil revenue.

Southern Sudan's leaders are reluctant to go to war over Nuba, but the southern-allied militiamen in Nuba are part of the overall southern military command, so the south could be dragged into the conflict.

During a recent meeting, the top Nuban militia commander, Abdel Aziz al-Hilu, said that before any cease-fire he would have to inform "Chairman Salva," meaning southern Sudan's president, Salva Kiir. Mr. Abdel Aziz also said that if things don't change, "fires will just break out everywhere, here, in Blue Nile, in Darfur," according to someone at the meeting.

"We, the people of Sudan, are ready to remove them," vowed Mr. Abdel Aziz, the person said. "We have guns."

Josh Kron contributed reporting from Parieng, Sudan.

INTRODUCTION OF FIRE GRANTS REAUTHORIZATION ACT OF 2011

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to introduce legislation to support our Nation's first responders. The Fire Grants Reauthorization Act of 2011 reauthorizes two programs—the Assistance for Firefighters Grant, AFG, Program and the Staffing for Adequate Fire and Emergency Response, SAFER, program—that were created to help local fire departments across the country maintain and increase their capabilities to do all that is asked of them, including fighting fires and responding to medical emergencies and disasters.

Maintaining the equipment, training, and personnel to safely and swiftly respond to calls for assistance is increasingly difficult. Fire departments around the country have been forced to lay off firefighters and do without needed equipment and training. The fire grant programs have played an important role in helping local fire departments overcome some of these challenges, providing over \$6 billion in assistance since 2000. These grants have been essential to maintaining public safety in many communities.

Fire is a serious problem in the United States, killing over 3,000 people a year—a rate higher than all other industrialized countries. In addition, approximately 20,000 people are injured, over 100 firefighters are killed in the line of duty, and \$10 billion in property is lost each year due to fire. Statistics show that minorities and low-income Americans are disproportionately the victims of fires. In addition to providing the resources necessary to ensure our fire departments have the equipment and personnel they need, the AFG program supports fire prevention and safety activities to help reduce the numbers of death, injury, and loss.

The bill I am introducing today is nearly identical to the bill that moved through the Science and Technology Committee and then passed the House by an overwhelmingly bipartisan vote last Congress.

The good news is that, even in these times of increasing partisanship, this common sense bill has once again garnered widespread support. I am pleased to be joined by the bipartisan co-chairs of the Congressional Fire Services Caucus in introducing the Fire Grants Reauthorization Act, along with other members from both sides of the aisle who have long supported these important programs.

We need to ensure that our firefighters and emergency medical personnel have the tools that they need to protect us. This legislation will do just that.

As the Ranking Member of the House Science, Space, and Technology Committee, which has jurisdiction over these programs, I look forward to working with my colleagues to put this important bill on the fast track and ensure that these critical programs are reauthorized as expeditiously as possible.

CONGRATULATING CHRISTOPHER ERBE FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Christopher Erbe for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Christopher has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

IN RECOGNITION OF NAVESINK
HOOK AND LADDER COMPANY
NUMBER 1

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Navesink Hook and Ladder Company #1 of Middletown, New Jersey, as its members gather to celebrate its 125th Anniversary. Since its founding in 1886, Navesink Hook and Ladder Company has faithfully protected the local residents, businesses and visitors of the Township. Their honorable and courageous actions are undoubtedly deserving of this body's recognition.

The Navesink Hook and Ladder Company was founded on May 1, 1886 and remains an all-volunteer organization. Throughout their rich history, the members of this fire company have exemplified their unwavering dedication and service toward members of the community. They have risked their lives to respond to various emergencies involving fire, carbon monoxide, motor vehicle accidents and other various rescues. Their responsibilities have begun to expand beyond the borders of Middletown and have also assisted neighboring towns including Highlands, Rumson, Fair Haven, Keansburg, Sea Bright and Atlantic Highlands. Navesink Hook and Ladder Company promotes a proud and longstanding history of valor and sacrifice. Their heroic actions while serving their community is a testament to the selfless actions of the members to protect and serve the residents of Middletown. The members of this fire company continue to exemplify their unwavering dedication and service for their fellow citizens and community.

Mr. Speaker, please join me in honoring Navesink Hook and Ladder Company #2 on its 125th Anniversary and thanking the men and women who have served and protected the Township of Middletown.

HONORING THE LIFE OF REV. BEN
COX, SR., ORIGINAL FREEDOM
RIDER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize the life of a trailblazer and humanitarian, Reverend Ben Elton Cox, Sr. Reverend Cox's life mission was to fight for the equal rights of blacks in southern states where Jim Crow laws and intimidation tactics hindered and denied blacks the right to beaches, hotels, schools, restaurants, and jobs that whites enjoyed. Though confronted with hatred, violence and blatant racial discrimination, Reverend Cox's courageous acts and unyielding belief in equality for all people subsequently effected change across this country.

Reverend Cox was a fervent community activist and devoted NAACP member. He was not only a leader of the Freedom Rides in Lit-

tle Rock, but was one of the original 13 Riders on the first Congress of Racial Equality Freedom Ride in 1961. His role during the movement helped amplify the voice of oppressed blacks in the south and shape future civil rights policy in the United States that would advance the rights and freedoms of African Americans.

Family, friends, and freedom riders described Reverend Cox as one of the young Americans who repeatedly exhibited courage and bravery in the cause of Civil Rights. Ben Cox and 12 others faced violent opposition and discord from Klansmen and angry mobs during the Freedom Rides traveling throughout the south. In his own words, Reverend Cox said he'd been in 37 states for civil rights and in jail 17 times and that his life had been threatened 87 times in writing. Sacrificing their safety and endangering the lives of their families—harassed, jailed and brutally beaten by their detractors, Reverend Cox and the Freedom Riders were on the "front line" of a civil war and remained steadfast in the fight against racism, discrimination and inequality in the segregated south and around the country. Ben Cox embodied courage and was a champion of the struggle for human rights.

Again, I ask that my colleagues please join me in saluting the life and legacy of Civil Rights leader and Freedom Rider Rev. Benjamin "Elton" Cox, Sr.

IN RECOGNITION OF THE SERVANT
CHURCH OF SAINT ALEXANDER'S
50TH ANNIVERSARY SERVING
THE COMMUNITIES OF SOUTH-
EAST MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. PETERS. Mr. Speaker, I rise today to recognize the parishioners of the Servant Church of St. Alexander on the occasion of the 50th Anniversary of service to the residents of Southeast Michigan.

Originally named the Church of St. Alexander, the Parish was founded on June 21, 1961 at 27835 Shiawassee Road in Farmington Hills, where it remains to this very day. Founded with 600 participating families, the Church has experienced both times of trial and prosperity in its life, but has always remained strong with dedicated parishioners who have worked hard to strengthen their community. St. Alexander has been led by four different pastors during its 50 years in Farmington Hills and under the leadership of the Reverend Robert McGrath. St. Alexander has continued to flourish and bring in congregants from well beyond its own parish, with almost half of its members coming from outside the Parish.

The hallmark of St. Alexander is its service programs—first fully realized under Reverend James Wright, who served as pastor for 25 years and weaved service into the very fabric of the Servant Church of St. Alexander. Under his leadership St. Alexander launched its food pantry which has operated for over 25 years and fed nearly 2,600 hungry families in 2010

alone. In addition, the Church also collects and distributes food baskets on Easter, Thanksgiving and Christmas to assist families in need during the holidays.

While St. Alexander's food pantry and holiday food drives deeply impact many in our community, it is not the full extent of the charitable work in which the Church and its parishioners are engaged. Every spring the parish puts together teams that support Rebuilding Oakland County, a program that assists low income home owners with much needed renovations and improvements across Oakland County. The parishioners of St. Alexander also support annual blood drives and even take a percentage of the Church's weekend collections and send them to the local chapter of the St. Vincent de Paul Society, an organization that provides service to individuals and families in need.

Mr. Speaker, I ask my colleagues to join me today in celebrating the 50th Anniversary of the Servant Church of St. Alexander and the remarkable impact its parishioners have had on so many residents in our Southeast Michigan community. The parishioners' commitment to serving our community is truly a most valued virtue at a time when so many families in Michigan are struggling. I congratulate the parishioners and leaders of St. Alexander on achieving this great milestone and wish them many more years of fellowship and productive service to our community.

THE BROUGHTON HIGH SCHOOL
BAND OF RALEIGH, NC HEADS
BACK TO THE TOURNAMENT OF
ROSES PARADE

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize the Broughton High School Band of Raleigh, North Carolina and Band Director Mr. Jeffrey "JR" Richardson.

The Needham B. Broughton High School in Raleigh will be representing North Carolina and the Mid-Atlantic States for the 2012 Tournament of Roses Parade. In an almost unheard of occurrence, the Broughton Band has been invited back after their successful 2008 Parade showing. Being invited back after only 4 years is a great accomplishment considering that most bands, if ever asked back, are usually asked back many years later. The Broughton Band was one of three bands that made it through the entire 6 mile parade in 2008 without one student having to leave the parade route early; the only other two bands were the Marine Band and the Virginia Military Institute Band. The students of the Broughton High School Band have not only worked very hard to be invited back to the Tournament of Roses Parade, but they have also raised the money to pay their own way to California.

I am very pleased to recognize the Broughton High School Band of Raleigh, North Carolina for this prestigious invite. I wish them the best as they continue their preparation for this exciting event. An event of this magnitude is certainly something in which the school, the

students, and the state of North Carolina can have great pride.

CONGRATULATING SKYLER JAMES REESE FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Skyler James Reese for achieving the rank of Eagle Scout.

As the son of a retired Air Force officer, Skyler showed his determination to achieve the rank of Eagle Scout by continuing his scouting in five different states where he had to prove himself each time. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Skyler has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING SENIOR OFFICER JOHNNY JONES OF THE GRAPEVINE POLICE DEPARTMENT FOR 31 YEARS OF SERVICE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. MARCHANT. Mr. Speaker, it gives me great honor to rise today to recognize Senior Officer Johnny Jones of the Grapevine Police Department. Mr. Jones is a dedicated public servant who is retiring after 31 years of remarkable service to the Grapevine community.

Mr. Jones was born in Denton, Texas, spending his childhood and youth growing up in Grapevine. Soon after graduating from Grapevine High School, Mr. Jones took a position on June 19, 1980 with the Grapevine Police Department as a dispatcher. On June 16, 1981, upon completing the police academy, Mr. Jones was appointed to the Grapevine Police Department. Since then, Mr. Jones has attained the highest level of law enforcement certification as a Texas Peace Officer and Master Peace Officer by the Texas Commission on Law Enforcement Officer Standards and Education. A critical member of the Grapevine Police Department, Mr. Jones has served in various roles. These include the positions of dispatcher, patrol officer, motorcycle officer, detective, and crime prevention officer.

In 1998, Mr. Jones left the police department to join the City of Grapevine's Information Technology Department as a customer service manager. One year later, Mr. Jones returned to the police force with added skills and expertise. Not long after returning to the police force he became a Certified Forensic Computer Examiner, one of only approximately 700 in the world. Mr. Jones has used

his expert knowledge and skills in forensic computer examination to aid the Grapevine Police Department in capturing numerous online sexual predators and other felons.

Over the course of his 31-year career, Mr. Jones has remained committed to the service and protection of the City of Grapevine and its residents. I ask all of my colleagues to join me in recognizing Senior Officer Jones for his distinguished career with the Grapevine Police Department.

AWARENESS OF DUCHENNE MUSCULAR DYSTROPHY

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. RUNYAN. Mr. Speaker, I rise today to raise awareness about Duchenne muscular dystrophy.

Duchenne is a progressive muscle disorder for which there is no cure and affects boys disproportionately. According to Parent Project Muscular Dystrophy, the disease affects approximately 1 in 3,500 live male births. Conditions of the disease include deterioration of the muscle tissue, abnormal bone development, paralysis and eventually death.

Earlier this year, my office was contacted by several families from my district whose young sons are living with Duchenne.

Duchenne takes lives too quickly, but due in large part to research developments, there are signs of hope.

Over the last five years, Congress has appropriated \$157 million to the National Institutes of Health for Duchenne efforts. In 2010, the NIH awarded three grants specifically to New Jersey institutions totaling \$874,000.

Two of the grants were awarded to the University of Medicine and Dentistry of New Jersey, to explore treatments for congenital diseases, and the third went to TRIM-Edicine, for research of protein therapies for muscular dystrophy.

I hope these and other innovations bring us closer to finding the answers that we need to help and even cure Duchenne MD.

HONORING THE ONE HUNDRED YEAR ANNIVERSARY OF THE BROOKLAWN VOLUNTEER FIRE COMPANY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor the Brooklawn Fire Company for its 100 years of service to the citizens of Brooklawn. The brave men of the Brooklawn Fire Company have consistently displayed true heroism and commitment throughout the past century. I thank them for their service.

Founded in 1911, the Brooklawn Fire Company was originally two separate departments. After the Broadway Fire Company and Brooklawn Volunteer Company had served the

area for a number of years, the two companies merged in order to increase efficiency and enhance coverage. On January 27, 1942, the two became the Brooklawn Volunteer Fire Company. Throughout this process, serving the community was always the top priority. To this day, the men of the Brooklawn Fire Company are active public servants and dedicated members of the community, sponsoring local events and fostering a sense of safety in the Borough of Brooklawn.

With 2 stations, 25 active members, and 15 inactive members, the Brooklawn Fire Company is committed to the community. As volunteers, these citizen fire fighters are often wrongly overlooked. They have dedicated their time and energy to uphold a simple promise: to answer the call of duty whenever the fire alarm rings. Their sense of community reaches far beyond the borders of Brooklawn. When neighboring towns call for help, the Brooklawn Fire Company stands ready to serve. Today, I honor these men for continuing and keeping a century long tradition of service alive and thriving. Their heroism and sacrifice are exemplary for the Borough of Brooklawn and the entire South Jersey community.

CONGRATULATING STEPHEN PHILIP SLADE FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Stephen Philip Slade for achieving the rank of Eagle Scout.

Stephen showed his dedication to his community and to scouting by fixing and painting a rusted swing set for a local school in Merritt Island, Florida. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Stephen has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING DON MASSEY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to honor the extraordinary life of Don Massey and to mourn him upon his passing at the age of 83.

Born in Lawrenceburg, Tennessee on April 28, 1928 to Samuel Henry and Ila Marie Massey, Don became enamored of the automobile business when, at the age of 14, he took a summer job as a porter at a Jacksonville, Florida Dodge dealership. Ten years later Don, now married to his beloved Joyce, had

moved to Michigan with \$300.00 and a love of cars. Employed at a used Desoto/Plymouth dealership in Wayne, this natural salesman moved on to Paul McGlone Chevrolet where he advanced to the position of General Manager within two years. Under his direction, McGlone became the number one Chevrolet dealership in the world from 1958 until 1960.

Deteriorating health and a stern warning from his doctor dictated Don make drastic changes to his heavy workload and, in 1960, he felt he had no choice but to retire. After several months, Mr. Massey felt well enough to begin a new venture and opened a very successful used car lot of his own in 1961. Five years later, Don again retired, selling the lot, and moved to Plymouth, Michigan. Boredom quickly set in and Don bought "a little store that sold a couple hundred Oldsmobiles and fifty-sixty Cadillacs a year." He intended to work half days. A New Year's Day 1967 blizzard dropped several feet of snow and while digging out to inventory his stock, the indomitable Don sold seven cars. In a short time Don Massey Cadillac would become the top Cadillac dealer in the world, a title it would hold consistently.

A legendary salesman, Don believed in acquainting himself with his customers. His friendly approach brought him many a friend and sold many a car. In 1981, Don Massey acquired the second of his many dealerships when he purchased Capitol Cadillac located in Lansing, Michigan. Over the next decade he expanded his successful Southern charm to Colorado, Tennessee, Florida, North Carolina, Kentucky, California and Texas. When General Motors launched its Saturn brand, Massey opened the first of three Saturn dealerships in the Detroit area in 1990. Although he sold every brand under the General Motors umbrella, Don Massey became known as "The Cadillac King".

Don Massey believed in his employees and promoted from within. His distinctive Southern drawl was recognizable in radio commercials for his dealerships. While he was never one to micromanage his businesses, he always left an imprint of his unassuming, personable style, and was an active member of his community. He co-sponsored the Plymouth Ice Sculpture contest, held an open barbecue on the 4th of July and donated the lights to the Plymouth baseball park bearing his name. He wanted his wife Joyce to be remembered. Massey built a wing on the Colorado hospital she was treated in after a debilitating car accident and named it after her. Don partnered with the St. Joseph Mercy Health System to establish the Joyce M. Massey Traumatic Brain Injury Day Treatment Center. A beautiful garden at Madonna University, in my hometown of Livonia, also bears the late Joyce Massey's name.

As Don was nearing 70, offers to buy the colossal Massey conglomerate began. In 1998, he sold his three Saturn dealerships to General Motors. The next year GM bought his Ann Arbor Cadillac showroom but an offer to purchase the rest of the Massey holdings was rejected. Don sold his portfolio of sixteen dealerships in 2002 but he remained the voice of the dealership which still bears his name. One enduring piece of advice he shared, "Keep both feet firmly on the ground and don't over-extend yourself—socially or financially."

Sadly, on June 10, 2011, Don passed from this earthly world to his eternal reward. Reuniting in eternity with his beloved wife Joyce, daughter Joellen and brothers Tom and Sam Henry, Don is survived by his children Donald Jr. and Brenda, brother Bobby and sister Ruth.

Mr. Speaker, Don Massey will be long remembered as a dedicated husband, legendary businessman, philanthropist, community leader and above all as a friend. Don was a man who deeply treasured his family, friends, community and his country. Today, as we bid Don Massey farewell, I ask my colleagues to join me in mourning his passing and honoring his unwavering patriotism and legendary service to our community and our country.

OPPOSITION TO GENE PATENTING

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Ms. SLAUGHTER. Mr. Speaker, I rise today in opposition to gene patenting. The sequencing of the human genome was the most momentous medical achievement in this century, with unparalleled implications for patients and our economy. And we cannot squander that success by patenting genes.

The Human Genome Project has helped our economy to grow by \$796 billion. Today, 310,000 American jobs are linked to the sequencing of the Human Genome. Furthermore, personalized medicine has transformed the way doctors care for patients. According to the American Medical Association, more than 1,200 genetic tests can be used today to help diagnose and treat over 1,000 different diseases. Personalized medicine helps to provide safer, more cost-effective medicine.

Yet, to fully realize the potential of personalized medicine, we must ensure that our laws and policies keep pace with our science. Today as we consider the patent bill, I would like to clarify the intersection between genes and patents.

Many of us carry within us genes that predispose us to illnesses or influence the effectiveness of medications. These genes are natural products—not inventions. And as natural products, they should not be patented. It's this simple: just as a kidney cannot be patented, genetic sequences should not be patented.

Unfortunately, 20 percent of our genes have already been claimed as intellectual property. For several decades, the U.S. government issued patents on genes. Thankfully the Department of Justice recognized this clear overreach on the part of the United States Patent and Trademark Office—and moved to correct this mistake.

On October 29, 2010, the United States Department of Justice filed an amicus brief in which they explained: "the unique chain of chemical base pairs that induces a human cell to express a BRCA protein is not a 'human-made invention.' Nor is the fact that particular natural mutations in that unique chain increase a woman's chance of contracting breast or ovarian cancer. Indeed, the relationship between a naturally occurring nucleotide se-

quence and the molecule it expresses in a human cell—that is, the relationship between genotype and phenotype—is simply a law of nature. The chemical structure of native human genes is a product of nature, and it is no less a product of nature when that structure is 'isolated' from its natural environment than are cotton fibers that have been separated from cotton seeds or coal that has been extracted from the earth."

The United States Department of Justice has come to the inevitable conclusion that genes are natural products, and not fit for patenting. And last year, a federal court in New York came to the same conclusion.

Not only is the issuance of patents on genes wrong, contrary to common sense, and in violation of Congressional intent, but it also damages human health. Gene patents have cut off access to important tests. For example, the company that owns sole rights to the BRCA1 and BRCA2 sequences—which determines hereditary risk factors around breast and ovarian cancer—charges between \$3,000 and \$4,000 for a single test. Other laboratories have offered to perform the test for several hundred dollars, but are not able to do so because of the patent on those particular genetic sequences. And the information provided by this test is critical for medical decision-making: Up to 85 percent of those individuals who possess these genetic sequences will be diagnosed with breast cancer at some point in their life. By granting a monopoly, we risk placing these genetic tests out of reach for patients.

Furthermore, gene patents stop innovation in their tracks. They prevent anyone outside of the patent holder from studying the gene sequence under patent. As Dr. Stieglitz of Columbia, a Nobel Prize winning economist, wrote, "Our genetic makeup is far too complicated for a single entity to hold the keys to any given gene and to be able to choose when, if ever, to share." We threaten scientific advancement, if we do not allow scientists to untangle the manifold implications of specific gene sequences. We can not reap the full benefits of personalized medicine if researchers must go to hundreds of different patent holders to analyze one patient's genome.

The battle to keep policy and science marching hand in hand has been a long one, and I worked for dozens of years to ensure that the nation's laws support genetics policy.

In 1995, I introduced legislation, entitled the Genetic Information Nondiscrimination Act (GINA), in order to prevent genetic discrimination. For personalized medicine to flourish, patients needed to be able to get genetic tests without the fear that it would endanger their employment or their health insurance. Thirteen years after I first introduced GINA, it was passed into law. GINA is one of the nation's great civil rights laws, which has helped open the door to personalized medicine.

By passing GINA in 2008, the U.S. Congress showed itself to be at the forefront of genetics policy. I expect no less of our government when it comes to gene patenting. Today, the Patent Office has the opportunity to institute evidence-based policy and end the patenting of genes, and it must do so.

RECOGNIZING PRINCIPAL RICHARD JONES' DECADES OF SERVICE TO OUR COMMUNITY AS A LEADER IN EDUCATION

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. PETERS. Mr. Speaker I rise today to recognize Mr. Richard Jones, the distinguished principal of North Farmington High School, on the occasion of his retirement after nearly 25 years of service to the families and students of Farmington Hills, Michigan through his work as an educator, administrator and community leader.

Mr. Richard Jones started his career in education nearly four decades ago and has been part of the Farmington Hills school district family for the last quarter of a century. He thrived as an English teacher and also a football and tennis coach, creating a comfortable learning environment where students were able to succeed and flourish. After many years in the classroom and on the field, he was made principal of the high school in 1998.

As principal, Mr. Jones treated every student, parent and teacher with dignity and respect. He is someone the students trusted and the teachers looked to for advice. His main goal was always to have a school unified by a message of tolerance and acceptance. During his time as principal he implemented many innovative school-wide programs on issues ranging from civil rights to energy conservation. One of his hallmark initiatives was to build a student body that turned "awareness into activism." In 2009, he dedicated the school-year to learning about genocide, which enabled powerful levels of student activism to aid the cause in Darfur. Teaming up with Danbury High School in Connecticut, the student body was able to raise \$100,000 to help build schools in Sudan.

I was proud to welcome Principal Jones to Washington when he was formally recognized as Michigan's Principal of the Year in 2009, an award that was well deserved for an educator that has poured so much of his time, energy and heart into his students, teachers and the community as a whole. Principal Jones' dedication to the school has earned him numerous other awards for his diligence and interactive teaching methods. He has also earned teacher of the year honors four times, the "Great Seal of Michigan" award and the Chair Award from the Farmington Multicultural Multiracial Council. He has been recognized countless times for his unwavering focus on the education and moral growth of his students. In 2009, Principal Jones was also presented with the "Anne Frank Outstanding Educator Award," for his initiatives to educate his students on standing up for what is right.

Mr. Speaker, as a parent of public school students, I am proud to know such an outstanding and dedicated educator and it is my privilege to honor his work to improve the quality of education in Michigan. I know that I stand with many in saying Rick is a great leader, teacher and friend. I ask my colleagues to join me today as I honor Mr. Richard Jones for his lifetime commitment to edu-

cating and nurturing the development of thousands of students, on the occasion of his retirement from North Farmington High School.

CONGRATULATING CHRISTIAN SVETICS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Christian Svetics for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Christian has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

REAL MEN COOK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. DAVIS of Illinois. Mr. Speaker, Sunday, Father's Day, June 19, 2011, Real Men Cook was once again presented by the nonprofit, Real Men Charities, Inc. for the 22nd consecutive year. Real Men Cook is the largest national service day event on Father's Day in the United States, demonstrating that real men are nurturing: providing sustenance, care, love, and work to build healthy families and communities.

It all began when Kofi Moyo and Yvette Moyo were joined by 10 women and 100 men in 1989 to create a commonsense way to increase male involvement, and to celebrate and demonstrate the rewards of family and community service.

Real Men Cook family celebrations are the nation's longest-running urban Father's Day family event, featuring male volunteers from neighborhoods in Atlanta, Chicago, Dallas, Houston, Los Angeles, Memphis, New Orleans, New York, Philadelphia, and Washington, DC, raising funds, and devoting time and resources to cook and serve samples of their favorite dishes to help nonprofit organizations.

Real Men Cook has transformed Father's Day globally into an exciting and highly anticipated day, growing the tradition of individual and group service and family celebrations around food. Real Men Cook turns the spotlight on the bonus fathers and father-figures who step in when biological fathers are not involved in the lives of children, and encourages the celebration of those men.

Real Men Cook generates national media attention each Father's Day, recognizing fathers and father-figures beyond grandfathers and uncles to coaches, ministers, teachers, neighbors and any man who has donated time

and talent to help children and Real Men Cook events have been responsible for raising more than \$1 million for the Boys & Girls Clubs, Community Mental Health Council, the South Side YMCA, foundations, museums and family service organizations. In addition, Real Men Cook, through Real Men Charities, presents a Health & Wellness Pavilion in several cities on Father's Day, providing free health screenings, nutritional education, and fresh fruits and vegetables.

This year, Real Men Cook is co-sponsored by Verizon, K&G Fashion Superstore, Illinois Lottery, Moo & Oink, Provident Hospital of Cook County, the Urban Health Initiative of the University of Chicago Medical Centers, Blue Cross/Blue Shield of Illinois, and the Illinois Department of Children and Family Services.

I take special pride and satisfaction from my own longtime participation in Real Men Cook and I would encourage all Americans to follow this family tradition of volunteerism, family and community contribution on this Father's Day and Father's Days to come.

EQUAL RIGHTS AMENDMENT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. MALONEY. Mr. Speaker, nearly 40 years have passed since the Congress passed the Equal Rights Amendment (also known as the Women's Equality Amendment). This historic Constitutional Amendment was intended to ensure equality for women and men in all areas of society.

The 27th amendment to the Constitution, which concerns Congressional pay raises, was accepted after a 203 year ratification period. When Congress passed the ERA in 1972, it provided that the measure had to be ratified by the necessary number of states (38) within 7 years. This was later extended to the still tight deadline of 10 years, but unfortunately the ERA was just three states shy of full ratification when the deadline passed in 1982. We believe Congress should give the states another chance.

In the past several decades, women have made extraordinary strides toward achieving equality—but this progress is not irreversible. Without the ERA, women have often been denied the ability to seek justice when they have experienced discrimination. The Supreme Court decision in the Virginia Military Institute case (Virginia v. United States) helped clarify that gender "classifications may not be used . . . to create or perpetuate the legal, social, and economic inferiority of women." However, laws can still perpetuate gender classifications that keep women from achieving their full potential. Passage of the ERA is the Constitutional affirmation of the Supreme Court decision.

Our democracy rests on the principle of "liberty and justice for all." We need the ERA to ensure that this concept applies equal to women. I am pleased to introduce this bill with 158 bipartisan original cosponsors and urge my colleagues to support it.

REMEMBERING LEROY NESBIT, JR.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. KILDEE. Mr. Speaker, it is with great sadness that I rise today to pay tribute to a dear friend, Leroy Nesbit, Jr. Leroy passed away on Monday, June 20th.

When I was a teacher at Flint Central High School, Leroy was a student there. My wife, Gayle, had Leroy as a student in her French class. Even in those early days, we could see his potential for leadership and vision, and Leroy lived up to his full potential. He went on to earn his Associates Degree in Business from Baker Business University, a Bachelor of Science Degree in Business Administration from Ferris State College, and a Masters Degree in Administration from Central Michigan University. He started working for AC Spark Plug as an auditor and worked his way up to a position on General Motors Government Relations Staff.

As an active volunteer in the credit union movement, Leroy served on the Dort Federal Credit Union Board of Directors since 1975. He held several leadership positions at Dort Federal Credit Union and he was active with credit unions on a national level. He served as the National President of the Council of GM Credit Unions, Chief Coordinator of the Combined Council of Automotive Credit Unions, he was active with the Michigan Credit Union League and the African-American Credit Union Coalition.

Leroy served as Chairman of the Flint Area Convention and Visitors Bureau, past Polemarch of Kappa Alpha Psi Fraternity, Chairman of the Northern Province Senior Kappa Affairs Committee and Northern Province Achievement Committee. He was a member of the Michigan Travel Commission, a board member of the Flint Disability Network, and 3rd Vice President of the Mariah Consulting Group in Washington DC. He was awarded the General Motors Chairman's Award for Excellence in Community Affairs, the Michigan Credit Union League Hall of Fame—Distinguished Service Award, and the Robert L. Gordon Achievement Award from Kappa Alpha Psi Fraternity, Inc.

A devout Christian, Leroy accepted Christ as his personal Savior and worshiped with the Macedonia Missionary Baptist Church where he is a former member of the Highlight Gospel Chorus and the Progressive Laymen. He leaves behind another church family to treasure his memory, the Mt. Olive Missionary Baptist Church.

Mr. Speaker, I ask the House of Representatives to join me in expressing condolences to Leroy's wife Gwendolyn, and his daughter, Jacqueline, his relatives, friends, and the many persons Leroy touched over the years. I have known Leroy since he was a child, watched him grow into an exemplary man, and valued his advice and his friendship. Leroy Nesbit, Jr. is a shining example of a man with the aptitude to excel and the vision to turn his dreams into reality. I will deeply miss him, his wisdom, and his enthusiasm for life.

A TRIBUTE TO THOMAS B. SCHREIBEL

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. SENSENBRENNER. Mr. Speaker, I rise today in honor of one of my longest-serving staff, Thomas B. Schreiber. Tom has been by my side for the past 27 years, serving in several roles, including my Chief of Staff for the past 10 years. While Tom's work ethic and guidance have earned him the title Chief of Staff, his loyalty, sense of humor and dedication have earned him the additional titles—friend, family and my peer.

Tom is a natural leader who has demonstrated his capabilities by setting examples and providing sound guidance and mentorship. For the past 27 years, Tom has worked with scores of interns, staffers and Members of Congress. No matter the person, he would treat everyone the same. He would avail himself to his colleagues to work through challenges when they needed his astute judgment or spend precious time with aspiring young staffers who knew that Tom's unique characteristics and insight would aid them in their own lives. Tom has also provided guidance to my colleagues in the House of Representatives who recognized that his expertise and experience in many areas have no equivalent. Throughout his career, Tom has turned many such working relationships into lasting friendships.

Tom's commitment to public service and Wisconsin's Fifth Congressional District has served our country well. As the Chairman of the House Committee on the Judiciary, I relied on Tom's depth of knowledge, counsel and political sense as I shepherded numerous bills through the House of Representatives. Tom was with me when the USA PATRIOT Act, Voting Rights Act, the Americans with Disabilities Amendments Act and the REAL ID Act were passed by Congress and presented to the President for his signature. These, and many other laws I worked on, have made America safer, guaranteed the rights of the disabled, and protected the right to vote. Upon leaving this institution, Tom should know that he played a significant role in these important pieces of legislation.

Tom's departure from the U.S. House of Representatives will leave a void. He has been a rock that I have relied on throughout much of my tenure in Congress. Tom leaves behind a legacy of leadership and dedication that will be a saving grace to my staff, and indeed this institution, long into the future. His example will serve as a beacon of light to all those on Capitol Hill who wish to serve this nation and her people. I hope that future leaders in Congress will be as blessed as I have been.

Please join me in wishing Tom, his wife Dana, and son Brent, all of the best as Tom leaves Congress for new challenges and opportunities. On behalf of my family, the House of Representatives and my staff, I thank Tom for his service to this nation and her people, and congratulate him on a job well done.

CONGRATULATING MASON DOWDY FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Mason Dowdy for achieving the rank of Eagle Scout.

For his Eagle Scout project, Mason provided trail markers for a youth ranch to help hundreds of young adults who re-enact a pioneer lifestyle. Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Mason has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING THE CITY OF SOUTH BEND, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. DONNELLY of Indiana. Mr. Speaker, I rise today to honor the City of South Bend, Indiana, which was named a 2011 All-America City Award winner. South Bend received the honor for a second time, having previously won the award in 1967. The city was also a finalist in 2009.

South Bend was one of ten cities receiving the honor, after a delegation from the city told their stories of successful change, innovation and community pride. Highlights included the revitalization of the Northeast Neighborhood, a \$215 million mixed-use development and new housing partnership between Indiana University and the University of Notre Dame, the redevelopment of a former hospital site, and the dedication of the Indiana University-South Bend Civil Rights Heritage Center. In addition, South Bend was honored for 212 Degrees Stars, a program in which teens influence their peers to stay in school and strive for excellence.

The All-America City competition was created in 1949 by the National Civic League (NCL), which is a non-partisan, non-profit organization that focuses on building healthy and prosperous communities. The competition recognizes cities for civic achievements. A national panel of jurors who are local government, business and nonprofit experts, recognizes the cities that effectively engage their residents, demonstrate environmental stewardship, and encourage job creation.

Once again, I offer my congratulations to Mayor Stephen Lueke, the members of the delegation team, the citizens of this fine city, and all those who have supported South Bend on the road to becoming an All-America City.

A TRIBUTE TO "KID" KELLY
COLOME

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize "Kid" Kelly Colome.

Kelly Colome was born in Rio Piedras, Puerto Rico to hard working parents who traveled from Dominican Republic in search of a better life. His father, who had a partial college education, took a job as a cook to support his young family. Kelly's mother was a hard working Christian mother who always made sure to take her four children to school, church, and family activities despite her constant suffering from chronic asthma since childhood. Kelly learned the value of hard work and efforts from having to go to school with his older brother at the age of 3. He fought and worked hard with his mother on progressing and skipping a grade to attend the same school as his brother.

In 1988, his parents moved with the family of six to Washington Heights, New York, where his father found a good art school for his son Kelly to continue his education and love for art and design.

In 1990, Kelly was accepted to the High School of Art and Design without having taken any formal art classes. He joined the high school baseball team and began practicing the sport of boxing simultaneously. He was able to pay for his boxing membership costs with his part time Saturday job at Isabella Geriatric Center on the Meals on Wheels neighborhood elderly meals program. Later that year, he continued practicing only boxing because he was more passionate towards this sport and the personal challenges involved with practicing the sport.

In 1994, he graduated from high school at the age of sixteen. He studied advertising design at New York City College of Technology while practicing boxing, working part time, and still finding time to socialize with family and friends. In 1997, he obtained an Associate's degree and in 2001, he earned a Bachelors of Technology in Communications Design.

The birth of his first child in 1999 helped him mature as a young man and he obtained a fulltime job as a dietary worker at the senior citizens center where he had been employed for almost ten years.

Mr. Speaker, I would like to recognize Mr. Colome for his extraordinary accomplishments and spirit which reflect the best our nation has to offer.

HONORING THE MERLO STATION
HIGH SCHOOL GAY STRAIGHT
ALLIANCE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. BLUMENAUER. Mr. Speaker, today, I want to take a moment to honor the incredible work of the Merlo Station High School Gay

Straight Alliance. I had the opportunity to present these aspiring young citizens with the Portland Pride Youth Award and want to share with my colleagues how inspired I am by their dedication and accomplishments.

After organizing just last year, the student-led force has been instrumental in addressing homophobia at Merlo Station High School, in the Beaverton School District and in the broader community. Among many other examples of outreach, the Gay Straight Alliance has organized student groups to march in last year's Pride Parade and AIDS Walk, created a 2-day all-school event for National Coming Out Day, and encouraged students to take ownership of their language by developing a "No Bigoted Speech" pledge.

As we continue to debate many of the current GLBT-related pieces of legislation facing the 112th Congress, from the Student and Employee Non Discrimination Acts to the Safe Schools Improvement Act, I encourage my colleagues to remember these passionate students at Merlo Station High School.

I am inspired by this on-the-ground student organizing and will continue championing legislation to advocate for full equality for everyone, regardless of their gender expression or sexual orientation, because it is the right thing to do.

HONORING R.G. SHIPLEY ON THE
OCCASION OF HIS 99TH BIRTHDAY

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Ms. FOXX. Mr. Speaker, I rise today to honor a great North Carolinian, farmer and agricultural expert, Mr. R.G. Shipley, on the occasion of his 99th Birthday.

Mr. Shipley is a standard-bearer for agriculture in the High Country of North Carolina and has for years served faithfully on the Watauga County Farm Bureau Board of Directors.

Of course, when we say, "served for years," most people assume five or maybe ten years. In fact, Mr. Shipley has faithfully worked with the Watauga County Farm Bureau since its inception in the 1930's. That is a remarkable testament to his dedication to furthering the cause of local agriculture.

R.G. Shipley also taught agriculture as a local high school teacher at Cove Creek High School for many years. During his many years instructing students in agricultural studies he touched countless young lives. Among them was my husband, Tom Foxx, who sat under Mr. Shipley's tutelage as a high school student.

He is truly a remarkable member of the Watauga County community. Even as he approaches his centennial birthday, R.G. Shipley remains active in the agricultural community. In honor of his long agricultural service to the area, an endowment fund has been established in his family's name to support local agriculture.

Mr. Speaker, I am honored to represent constituents like Mr. Shipley in Congress. As he turns 99 years old in the coming week I

want to wish him many more years of vibrant life and thank him for his tireless community involvement over the past many decades.

A TRIBUTE TO MARTIN STROMAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Martin Stroman.

Elder Martin Stroman has been a member of the St. Paul Community Baptist Church since November 1997. He joined after being convicted by the revolutionary and biblical based theology of the Rev. Dr. Johnny Ray Youngblood.

He has been active in a host of ministries. He has been working in the field of addiction treatment for the past nineteen years. He has been exposed to various treatment modalities. Some of them had a religious perspective, others have been spiritually based and many are clinically driven.

Elder Stroman's professional profile is as follow: educator, trainer, motivator, administrator, program developer, advisor, adjunct professor, entrepreneur and twenty year background in chemical dependency and substance abuse treatment.

Elder Stroman has a Bachelors of Science Degree in Human Services along with many Certificates and Citations relating to his field of work. He is affiliated with the Bedford-Stuyvesant Alcoholism Treatment Center Community Advisory Board as well as Kingsborough.

With the joint 350 CASAC Certificate Program the mission statement reads: "Educated communities, save communities. Our commitment is to provide education and training to improve the quality of life in our community and the world. Educated providers, empower educated clients. We are dedicated to changing client thinking and believing."

Mr. Speaker, I would like to recognize Mr. Stroman for his extraordinary accomplishments and spirit which reflect the best our nation has to offer.

HONORING LANCE CORPORAL
NICHOLAS "NIC" S. O'BRIEN

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mrs. MYRICK. Mr. Speaker, I submit the following poem in honor of Lance Corporal Nicholas "Nic" O'Brien.

OUR BLESSED SON

In honor of Lance Corporal Nicholas "Nic" S. O'Brien, an American hero, who gave that last full measure. The United States Marines 1st Bat., 5th Marine Reg., 1st Marine Expeditionary Force.

On June 9, 2011, in Afghanistan, Lance Corporal Nicholas "Nic" S. O'Brien of Gaston County gave that last full measure in devotion to his country. As we lay his fine body down to rest in Arlington National Cemetery, our prayers and thoughts go out to him

and his loved ones. May God Bless them all. I ask that this poem penned in his honor by Albert Caswell be placed in the RECORD.

OUR BLESSED SON

Nic, You . . .
 You, Our Blessed Son . . .
 Nic, America's bravest of all ones!
 Rest now, as thy will be done!
 As your fine soul, as up to heaven has so
 flown . . .
 As up to our Lord, as an Angel . . . as now
 where you so belong!
 All In The Army of Our Lord, who has now
 come home!
 To fight the darkness, as over our world you
 so watch . . . so roam . . .
 To watch over us, as thy will be done . . .
 And as we lay your most sacred body down
 to rest . . .
 You Nic, are but one of America's very best!
 Her Blessed Son!
 Your loving parents' and family's, divine
 one!
 As a brave heart who once stood!
 All in his most magnificent shades of green,
 turning evil into good!
 As a United States Marine, all in your most
 golden sheen with all you could!
 Of selfless sacrifice, you most brilliant . . .
 most brilliant of all lights!
 As an American Treasure, who but gave That
 Last Full Measure!
 All for what is true and what is right, all for
 that old Red, White, and Blue . . .
 As now our tears roll down our trembling
 cheeks, when thinking of you we so
 weep . . .
 Our Most Blessed Son, this most beautiful of
 all ones . . . as for you our heart's ache
 so deep!
 Hooo . . . rah! You United States Marine, as
 up in Heaven you are now so seen!
 All for your loss, all in our pain we now so
 weep . . . at but the cost to freedom to
 so keep!
 And at night, as you lay your head down to
 sleep . . .
 Across North Carolina, but comes a gentle
 rain so very deep . . .
 Are but our Lord's tears, from up in Heaven
 . . . for all of your souls to so keep . . .
 To ease your pain, now so carried within you
 so very deep . . .
 Until, up in Heaven once again you all shall
 meet . . .
 As our Lord weeps, knowing of your fine
 son's life . . . as for what he did so for-
 sake!
 But, for the greater good . . . in all that he
 so could, take this with you as you
 wake!
 Moments, are all we have!
 To grab hearts! To turn the good into the
 bad!
 To make a difference with in all! As your
 fine Son had!
 To Heaven to seek!
 Rest my Son!
 You most beautiful Irish one, Lance Corporal
 O'Brien!
 As when we think of you, Irish eyes are smil-
 ing!
 For we will hear you on the wind . . . your
 footsteps up in Heaven time and
 again . . .
 And feel you next to us as we sleep . . .
 Until, one fine day . . . all up in Heaven,
 once again we shall all so meet!
 And we won't have to cry anymore . . .
 You, Our Most Blessed of All Son's!
 Your Family's, and America's Most Heroic of
 All Ones!
 As we lay your fine body down to rest!

Lord, take America's son . . . her very Best
 . . . he's your's!
 Amen!

THE LINKS INCORPORATED'S
 DADE COUNTY CHAPTER 25TH
 ANNIVERSARY

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Ms. WILSON of Florida. Mr. Speaker, I rise today in support of The Links Incorporated's Dade County Chapter. On June 18, 2011, The Links Incorporated will celebrate its 25th anniversary at the InterContinental Hotel in Miami, Florida.

A group of trailblazers seeking to better their community came together on a beautiful Sunday on June 1, 1986, at Miami's Pavilion Hotel, now the Intercontinental Hotel, to launch their beloved Chapter, officially. The Dade County Chapter has continued to fulfill its mission and has grown tremendously.

The Links, Incorporated is an organization of accomplished, dedicated women who are active in the community. The Links members are newsmakers, role models, mentors, activists and volunteers who work toward the realization of making the name "Links" not only a chain of friendship, but also a chain of purposeful service.

Among its many accomplishments, the Dade County Chapter has established many programs accessible to all the members in its community. In addition, it has managed to serve and empower Miami-Dade's most underserved, women and children, with unprecedented dedication. Impressively, The Dade County Chapter of Links Inc. has amassed over 100,000 hours of community service.

Spanning the last 25 years, The Links of Miami-Dade has provided educational assistance to students at middle school, high school, and collegiate levels in all areas of study including the arts.

Mr. Speaker and colleagues, please join me as I honor The Dade County Chapter of The Links, Incorporated. Today I pay tribute to The Link's History and applaud their current undertaking to secure a bright and prosperous future for African-Americans of Miami-Dade county, the nation, and the world.

REMEMBERING AND HONORING
 THE LIFE OF VINCENT LEO
 DIANA, SR.

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to pay tribute to Vincent Leo Diana, Sr., an accomplished attorney, loving husband, veteran, and dear friend. Vincent, a resident of Manchester, Connecticut, passed away on May 27 at the age of 81.

Vinny was a proud Connecticut resident with deep roots in the community. Born in Man-

chester in 1930, he went to the Nathan Hale School, graduated from Manchester High in 1948, and from Hartford's Trinity College in 1952. After Trinity, he went on to attend law school and was admitted to the Connecticut Bar in 1955. For the next two years, Vinny was on active duty in the U.S. Air Force, entering as a Second Lieutenant. He served his country and as a Judge Advocate, spending most of his time in Tokyo, Japan. When Vinny left the Air Force as a Captain, he returned to practicing law.

A talented and accomplished attorney, Vinny was a man of character and one who used his skills for good outside of his law office at Diana, Conti, & Tunila. Vinny served as a Master and Trial Referee for the Superior Court and was a member of Hartford County's Legal Aid Board. He was also active in the Hartford Country Bar Association, where he was a Director for 25 years. In 2005, Vinny was honored by the Manchester and Hartford Bar Associations for his 50 years of service in the region. On this point I can personally attest to his finely honed legal skills, diligent representation of his clients, and his ethical standards. As a young attorney years ago, I watched Vinny in court handle his advocacy with skill and compassion. He was one of the giants of the Bar in Hartford and Tolland Counties in Connecticut.

Vinny cared very much about his friends and colleagues in Manchester, demonstrating this commitment through leadership of important causes and organizations in town. He was Chairman of the Board for Dyslexic Children, a director of the Girl Scout Committee, and an instrumental player in getting fluoride added to the Manchester water system. He helped young people learn practical management skills as President of the Manchester Jaycees, ensured opportunity for local students as a founding member of his town's Scholarship Foundation, and even chaired the reunion committee for Manchester High's Class of 1948. He was a lifelong Republican and member of Manchester's Republican Town Committee for 50 years.

Vinny was also a spiritual man who, as one might expect, put in many years of faithful service to his parish. In 2009, Hartford's Archbishop, Henry J. Mansell, awarded him the St. Joseph Archdiocesan Medal of Appreciation for his work.

With all the dedication and devotion Vinny put into each aspect of his life, he saved most of it for his loving wife Gloria, his seven children, and 22 grandchildren. I know of few men who gave as much to their country, profession, congregation, community and family as Vinny did. His lifetime of service will live on for generations in the countless people he helped along the way. I ask my colleagues to join me in mourning the loss and celebrating the life of Vincent Leo Diana, Sr.

A TRIBUTE TO NORMA BANG

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Norma Bang.

Norma is a native New Yorker, born and raised in Red Hook, Brooklyn. She graduated from John Jay High School in Park Slope Brooklyn, New York in 1978.

Norma has worked in various positions throughout her career including seven years working in New York's Garment center, two years working on Wall Street in Bank Operations, and twelve years as a Facilities Manager for a large non-profit organization, Homes for the Homeless.

Norma joined Related Companies in December 2002 as a Property Manager of Gateway Center in East New York, Brooklyn. Norma's successful operations of Gateway Center and her excellent relationship with the tenants and the local community is a valuable contribution to Related's development efforts in the New York area.

Norma currently resides in Queens, New York along with her husband of twenty years, Kenneth and three children Brian & Brandon ages seventeen and Nia age twenty.

Mr. Speaker, I would like to recognize Mrs. Bang for her extraordinary accomplishments and her spirit which reflect the best our nation has to offer.

RECOGNIZING THE 450TH ANNIVERSARY OF THE LATVIAN JEWISH COMMUNITY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. ACKERMAN. Mr. Speaker, I rise today in celebration and recognition of the 450th Anniversary of the Latvian Jewish community. Since the late 1500s, the Jewish people of Latvia have demonstrated incredible perseverance and courage through inconceivable trials and persecutions. As we reflect on this milestone anniversary, let us remember their history and celebrate their future.

The first Jewish settlements in Latvia appeared in the late 16th century. Through steady immigration, expansion, and steadfast resilience, the community grew and spread across the country. As the Jewish population expanded, they contributed immeasurably to the economic, industrial, and cultural development of Latvia. These accomplishments came despite frequently being forced to cope with anti-Semitic laws and cultural prejudice. By the late 1930s, approximately 93,000 Latvian Jews were living and prospering in the country.

In the summer of 1941, Nazi troops occupied Latvia. Within days of the occupation, the Nazis issued special decrees restricting Jewish rights and establishing ghettos. Jews from surrounding countries were forcibly transported to Latvian camps. Tens of thousands were murdered.

By the conclusion of World War II, tragically, only 14,000 Latvian Jews remained. In the years after, Jews from surrounding regions relocated in Latvia—rebuilding their community to more than 36,000 people. In the aftermath of the greatest evil ever perpetrated against a people, the Latvian Jews marched on—restoring their culture and society, fighting against

the oppression of Soviet rule. Latvia became one of the centers of Zionist dissidence and Jewish national movements in the Soviet Union. Jewish activists struggled for the right to immigrate to Israel and to openly honor the memory of Holocaust victims. Thousands emigrated to Israel, the United States and Western Europe.

Today, the Latvian Jewish community of 13,000 is experiencing a rebirth. On this, their 450th anniversary, the Jews of Latvia can look back on their history with a solemn pride. Having suffered through terrible hardship, the Latvian Jewry is rebuilding its religious and social life—revitalizing the community's enduring spirit.

I would like to extend special recognition to the Latvian Council of Jewish Communities and the United States Commission for the Preservation of America's Heritage Abroad for organizing the extremely successful memorial project at Riga, Latvia's oldest Jewish cemetery. Under the leadership and guidance of Chairman Warren Miller and Commissioner Lee Seeman, the memorial at the Old Jewish Cemetery reminds the world of the tragedy of the Jews killed during World War II and asks us to strive for a better future. I am proud to celebrate the Latvian Jewish community's historic anniversary. I ask all my colleagues to join me in recognizing their past perseverance and achievements, and in extending our sincere best wishes for their future success and prosperity.

IN HONOR OF CAPTAIN JAMES R. KNAPP COMMANDING OFFICER, NAVAL AIR STATION, LEMOORE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to Captain James R. Knapp upon his retirement from the United States Navy.

Captain Knapp is the Commanding Officer at Naval Air Station, Lemoore (NAS Lemoore). He has served the United States Navy with distinguished service during the 27 years of his naval career. His devotion to the Navy and the Nation is inspiring.

My initial experience with Captain Knapp began in 2008, when his service commenced as Commanding Officer for Naval Air Station Lemoore, which is located in my 20th Congressional District in Kings County, California. From our initial meeting, a great working relationship was formed. Whether we needed clarification on a question or a follow up on issues regarding the base, the Captain was always professional, knowledgeable, courteous and helpful.

Captain Knapp attended Texas A&M University and was a member of the Fighting Texas Aggie Corps of Cadets. He graduated in 1984 with a Bachelor of Arts in History. Captain Knapp was commissioned as an Ensign for the Naval Reserve Officers Training Corps (NROTC) program and completed advance flight training in 1986, receiving his orders to the "Rough Raiders" of VFA-125 for F/A-18 FRS training. His naval career was commen-

surate with his education, earning his Master's degree in National Security and Strategic Studies at the Naval War College in Newport, Rhode Island. He has over 3,500 flight hours in the F/A-18A-E series and 1,258 arrested landings on 11 different flight decks, six of which remain in active service. Furthermore, Captain Knapp participated in the USS Nimitz (CVN-68) Operation "Iraqi Freedom" 2003 deployment. Prior to his serving as Commanding Officer at NAS Lemoore, Captain Knapp served as Chief of Staff of Strategy, Plans and Assessment Directorate of the Multi-National Force-Iraq in Baghdad, Iraq.

In his illustrious career, Captain Knapp received many awards which include the Bronze Star, Meritorious Service Medal (3 awards), Air Medal (2 awards), Navy Commendation Medal (4 awards), Navy Achievement Medal (2 awards), and Sea Service Deployment Ribbon (8 awards).

It is fitting that the President of the United States has presented Captain James R. Knapp with the Legion of Merit for his outstanding leadership. I ask that excerpts from the Citation be printed in the RECORD:

For exceptionally meritorious conduct in the performance of outstanding service as Commanding Officer, Naval Air Station Lemoore, California from September 2008 to June 2011. Captain Knapp's tenure as Commanding Officer of the world's largest Naval Air Station was exemplified by visionary leadership, mission accomplishment, and an unrelenting drive to improve the lives of Sailors and their families. Despite fiscal restraints and ever-changing requirements, his proactive engagement across the spectrum of strategic imperatives at Naval Air Station, Lemoore resulted in sustained five-star support to Commander Strike Fighter Wing Pacific, which has significantly contributed to the lethality of the U.S. Pacific Fleet. His tremendous foresight and business acumen prevented airfield encroachment and his direct involvement in water usage issues in the western San Joaquin Valley instilled new hope for local farmers and the regional economy. His personal involvement in the local community was highlighted by the establishment of a perennial Community Relations Program which contributed over 11,000 man-hours towards numerous noteworthy projects, further strengthening the relationship between the air station and the local community. Additionally, his overwhelming concern for his sailors was demonstrated by personally performing over 320 Career Development Boards, directly contributing to the professional, financial and personal growth of each Sailor in his command. Captain Knapp's superior performance of duties highlights the culmination of 27 years of honorable and dedicated service. By his dynamic direction, keen judgment and loyal devotion to duty, Captain Knapp reflected great credit upon himself and upheld the highest traditions of the United States Naval Service.

Captain Knapp is a man of outstanding character and we will remain grateful for his unwavering dedication and exceptional insight during his career at NAS Lemoore and to our country. On behalf of the United States Congress, I wish to express my sincere gratitude for his hard work, selfless service, and dedication to the United States Navy. I want to personally wish Captain Knapp much continued success and my best wishes to his wife, Nancy and his children; daughter, Lauren,

sons, Will and Ryan, as they embark on their new endeavors.

A TRIBUTE TO PASTOR GRAYLING
FERRAND

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Pastor Grayling Ferrand.

Pastor Ferrand serves on Friends of Recovery, a statewide grass root advocacy board because of his passion and firsthand knowledge of those impacted or affected by the disease of addiction. He is committed towards reducing the adverse effects of alcoholism and drug addiction via advocating for better prevention, treatment and recovery services in the New York State area and abroad.

He was born in Harlem, New York and is the eldest son of eight siblings. He joined in matrimony with Talisa S. Ferrand and together they have one daughter and five grandchildren.

Pastor Ferrand earned a Masters Degree and received an Honorary Doctorate Degree from the Bible Faith School on May 18, 2008. He worked at Reality House Inc, obtained his CASAC, and became part of the NYS OASAS faculty helping individuals facing drug and alcohol addiction. He also worked as a Program Director in other treatment programs. In 2010 he received a Human Services Board Certified Practitioner certification. He is the author of three books entitled: "We Fall Down But We Get Up" (the Prodigal Son), Life After Death (The Do's & Don'ts) and Nos Caemos Pero Nos Levantamos (El Hijo Prodigio).

Pastor Ferrand's Christian journey was influenced by many of the socio-cultural and political dynamics impacting society during the time of the Civil Rights Movements and Black Panthers. He was also raised in the Baptist faith.

In 1999 Pastor Ferrand began attending the Temple of Blessings C.O.G.I.C. under the leadership of Pastor David Grayson Jr. where he became an armor bearer and then a Deacon.

In September 2000, Pastor Ferrand was ordained by Overseer Frieda Harrison of the Jehovah Jireh Ministries. He and his wife then organized the "Reaching Across the World Ministries, Inc. (RAWM)", with the mission of providing human services that are geared toward reducing social ills impacting humanity.

Pastor Ferrand expanded services at RAWM's to include a 350 Hour Educational Training Program, licensed by the NYS Office of Alcoholism & Substance Abuse Services, the North Carolina Substance Abuse Professional Practice Board and the National Association of Alcoholism and Drug Abuse Counselors. He continues to provide annual summer youth employment, counseling, self help groups, job interviewing skills, college internships for undergraduates and graduates as well as a host of other human services. As a result of his servitude, he has received numerous proclamations and other accolades.

Mr. Speaker, I would like to recognize Pastor Grayling Ferrand for his extraordinary ac-

complishments and his spirit which reflect the best our nation has to offer.

HONORING ROBERT DUNCAN

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. ROKITA. Mr. Speaker, I rise today to recognize a true model Hoosier and American upon his retirement.

For nearly 40 years, Mr. Robert Duncan has been the backbone of aviation law in Indiana. As a leader in the aviation community, Mr. Duncan has helped author, advocated for and implemented the most innovative aviation policy in the country for the State of Indiana and the Indianapolis Airport Authority (IAA). Mr. Duncan has played a pivotal role in the growth of the Indianapolis Airport, and ultimately, central Indiana and the country. The special attention Mr. Duncan has paid to successfully balancing the growth of our Indiana's main International Airport, with the protection of the rights of private citizens a high priority, is a model for economic growth and personal freedom in any industry. His efforts are a part of Indiana's Comeback story.

More specifically, Mr. Duncan was the lead negotiator on all central Indiana aviation-related land acquisition during his years of service to Indiana. Notably, the expansion of the airport, as well as land acquisitions for the smaller community airports nearby, has enabled the growth that the IAA has contributed to the Hoosier state. In addition, Mr. Duncan was directly responsible for the placement of a United States Postal Service hub with the IAA. With the establishment of this hub, it laid the groundwork that would attract other private sector package carriers and logistics companies that now operate in Indianapolis and nearby communities. The economic impact these expansions have had is immeasurable. I see the fruits of Bob's efforts everyday in West Central Indiana.

With a long list of accolades for his years of leadership, Mr. Duncan has been named the Indiana Aviation Man of the Year, as well as receiving a Special Recognition Award from the Aviation Association of Indiana. Throughout his career, Mr. Duncan has made it a habit to assist other airports with legal matters, at no cost, aiding growth and demonstrating the dedication and passion he has with the aviation community throughout the state, to the benefit of all Hoosiers and travelers to and from our state.

Mr. Duncan also routinely volunteers his time for charitable efforts, both in aviation and in his local community. From his efforts with the Brownsburg Public Library to his coaching of basketball and softball, Mr. Duncan has the heart of a true public servant. Additionally, Mr. Duncan has routinely flown charitable Angel Flights throughout the country, to aide those in need of transportation for medical treatment without the means to travel. I am particularly familiar with this type of program, and Bob and I have piloted several Angel Flights together.

As a graduate of Hanover College and Indiana University's School of Law, Bob contrib-

utes back to the education of others interested in aviation and aviation law. Bob is a supervising private flight instructor, as well as an adjunct professor in aviation law at Indiana University's School of Law, Indianapolis.

Hoosiers especially, and Americans, are lucky to have benefited from the years of dedicated service in planning and abundant expertise provided by Mr. Duncan for nearly four decades. His volunteerism is an added classic Hoosier trait. Bob has exemplified the essence of Hoosier values with his commonsense leadership and dedication to the betterment of our great state. For his efforts and ethics, I am proud to commend this Hoosier, Robert Duncan, upon his pending retirement.

INTRODUCTION OF THE BILL TO
DEVELOP THE SOUTHWEST WA-
TERFRONT IN THE DISTRICT OF
COLUMBIA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Ms. NORTON. Mr. Speaker, today I rise to introduce an essential bill for the redevelopment of the Southwest Waterfront in the District of Columbia. The bill transfers unencumbered ownership of the Southwest Waterfront from the federal government to the District. Although the District has owned the Waterfront since the 1960s, the land has been encumbered by restrictions put in place by Congress before the District got home rule; a time when development by the city was not contemplated. My bill updates outdated legislation and allows for the highest and best use of the land.

The bill would amend the D.C. Code to allow the District to transfer the property by quitclaim deed, to update the site description of the land to conform with its current configuration, to allow for the sale of condominiums on the land, to remove references to an urban renewal plan that has expired, to remove references to the District of Columbia Redevelopment Land Agency, which no longer exists, and to expand the permissible uses for the Fish Market in order to allow the sale of other foods, beverages, produce, and flowers.

The District of Columbia has created a 21st-century vision for the Southwest Waterfront and is actively engaged in a revitalization and redevelopment that will draw visitors down 10th street from the National Mall. However, as was typical for District land before home rule, the original law restricts the use of the land along the waterfront to lease-only arrangements, driving down the useful value of the land and making it impossible to replace antiquated structures with new buildings for new uses. The restrictions on the land serve no federal purpose and seriously limit needed revenue for the city. Federal officials have been consulted on the transfer and have no objection to it.

The federal government has no interest in the waterfront land other than the Maine Lobsterman Memorial and the Titanic Memorial, which have been carved out of the transfer. Because of the current restrictions on the

land, part of the waterfront is an underused eyesore. However, the redevelopment will bring 2.5 million square feet of mixed-use development to the waterfront, including public and private docks, restaurants, office buildings and residences, providing jobs and local revenue at a time when they are most needed.

This is a noncontroversial bill that removes out-of-date laws and involves no cost to the federal government. I urge my colleagues to support the bill.

RECOGNIZING FAIRFAX COUNTY
PARK AUTHORITY'S RECEIPT OF
THE GOLD MEDAL AWARD

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. MORAN. Mr. Speaker, I rise today to recognize the Fairfax County Park Authority of their receipt of the 2010 National Gold Medal Award for Excellence in Park and Recreation Management. This prestigious award is the park and recreation industry's highest honor.

The Fairfax County Park Authority was commended for its outstanding performance in all categories. The American Academy for Park and Recreation Administration, in partnership with the National Recreation and Parks Association (NRPA), presented the award to the Fairfax County Park Authority at the NRPA Annual Congress & Exposition in Minneapolis, Minnesota. Now a three-time Gold Medal Award recipient and a finalist for several years, the Fairfax County Park Authority has demonstrated excellence in long-range planning, resource management, volunteerism, environmental stewardship, program development, professional development, and agency recognition.

The Fairfax County Park Authority serves a population of more than one million residents, which places the Park Authority in the Class I category, the tier for park agencies that serve a population of 250,000 and over. The Park Authority hosts a myriad of annual events, and operates indoor and outdoor athletic and recreation facilities, historic sites, and natural areas.

I would like to commend the Fairfax County Park Authority for the exceptional service it provides to the citizens of Fairfax County and the entire Commonwealth. Their hard work and dedication has improved the quality of life for so many.

REV. DR. ANTHONY M. GRAHAM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today in support of Rev. Dr. Anthony M. Graham.

At the age of twelve, Anthony Graham was inspired to join the ministry. It was at that time that he began preaching in his local assembly. At the age of seventeen, he graduated from Andrew Jackson High School and entered the

United States Army. After six years in the military, serving in Washington State and Korea; he enrolled in York College, where he met his lovely wife Leslie-Ann. They have been married for 20 years with three children, Amara, Anthony Jr., and Amira. Dr. Graham is listed in Who's Who in American Universities & Colleges. He graduated with a B.S. in accounting from York College, a M.B.A. from St. John's University, a Doctor of Ministry from Bakke Graduate University and a PhD from Georgetown Wesleyan University.

Dr. Graham, who was selected as the Claude A. Ries Pastor of the Year for 2005 by Houghton College, is a tenured High School teacher in the New York Public School System. He is an accomplished pastor, teacher, and conference speaker.

Dr. Graham serves as Senior pastor of the New Hope Family Worship Center, an inner-city multicultural ministry. This church was planted twenty years ago and started with twelve members. It now has a weekly average attendance of 500 people. New Hope has several ministries, including an after-school program, computer literacy program, G.E.D. program, compassion Ministries (providing food and clothing to the needy).

In his district he is also recognized as a leader. He was elected on four occasions as a delegate to General Conference for his district, has served as Chairman of the Metropolitan Zone for five years and has been a member of the District Board of Administration for fourteen years. He has traveled and ministered in several parts of the world, including Australia, Barbados, Canada, China, Colombia, South America, England, Guyana, Jamaica, India, Korea, Russia, St. Thomas, Trinidad & Tobago, and in many parts of the United States. He frequently ministers in the areas of revival, Christian development, financial stewardship, team building and principles for success in life.

Mr. Speaker, I urge my colleagues to join me in recognizing the accomplishments of Rev. Dr. Anthony M. Graham.

HONORING THE LATE LAURENCE
BUTLER "LARRY" DILLARD

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor and remember Laurence Butler "Larry" Dillard, my longtime Communications Director, trusted advisor and childhood friend. Larry passed away unexpectedly on April 20, 2011.

Larry was born on June 8, 1951 in Newport News, Virginia. He attended Hampton High School and Hampton Institute (now Hampton University). He went on to earn his degree in Mass Communications from Virginia Commonwealth University, where he became the proud charter member of the Eta Xi Chapter of Kappa Alpha Psi Fraternity, Inc.

I have known Larry since Little League Baseball. We grew up in St. Augustine's Episcopal Church in Newport News and he later covered me as a reporter for WRIC-Channel 8

in Richmond when I served in the Virginia House of Delegates.

A decade before joining my congressional office in Washington, Larry's first stint on Capitol Hill was with another Virginian, Republican Congressman Tom Bliley of Richmond. A few years later, Larry worked for the Republican National Committee and Senator John Warner's reelection campaign.

Larry must have had a political change of heart or he simply wanted to help an old friend because he joined my campaign staff in when I first ran for Congress in 1992. After the election, he joined my congressional office and became one of my most trusted advisors, Communications Director, and Capitol Hill scheduler. For eighteen and a half years, the many people who have interacted with my office got to know Larry very well. He made every visitor feel as if they were the most important person to ever visit my office, especially the shipbuilders. As one of several members of his family who worked at the Newport News Shipyard, he was always a perfect host for shipyard workers when they visited Washington. Additionally, Larry was affectionately known as the "Mayor of Capitol Hill." From congressional staff to Members of Congress to the many support personnel on Capitol Hill, everyone came to know and love Larry because Larry truly cared about them. Hundreds of Hill staff and young people have been touched by Larry's mentorship and advice. He embodied the true meaning of a Virginia gentleman.

Larry helped me accomplish a lot for my constituents and his fellow Virginians. He helped secure funding for Hampton University's Proton Cancer Center and fought for justice for America's black farmers. He was a historian and was famous for his tours of the Capitol. He was also an enthusiastic advocate for the recognition of the 14 African Americans who were awarded Medals of Honor at New Market Heights in Henrico, Virginia during the Civil War. Larry was also very active with the African American Civil War Memorial and Museum in Washington.

There are no words to describe the profound loss and sorrow that pervades all those who had the good fortune to know Larry. He will be remembered as a tireless worker, devoted friend, brother, father, husband and mentor to many. Larry was a passionate history buff, avid Yankees fan, fountain of knowledge, skillful diplomat and the consummate spokesperson.

Larry passed away doing what he loved the most—touring one of his favorite historic Civil War sites, Fort Monroe. I was on that tour with Senator MARK WARNER. We got the official presentation in the front of bus, but everybody in the back of the bus got the real scoop from Larry Dillard. He will be thought about often and sorely missed.

My deepest sympathies and prayers are with his wife Sherry, his son Brandon, his brother Randy and the entire Dillard family.

INTRODUCING THE POST-DEPLOYMENT STRATEGY ACT OF 2011

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Post-Deployment Strategy Act of 2011, which would amend the War Powers Resolution to require the President to develop a post-deployment strategy when introducing our United States Armed Forces into combat operations.

Going to war is one of the most important decisions a government can make. From the sheer magnitude of financial burden to the devastating effects of loss of life, war is among our nation's costliest undertaking. This is why it is crucial to develop a set of objectives and a clear plan of action prior to engaging in a conflict. Currently, the President is not required to have such a plan in place before sending our men and women in uniform into combat.

Estimates put the direct and indirect cost of the Iraq War at a staggering \$3 trillion, with over 4,000 American lives lost and over 33,000 soldiers wounded. Our U.S. debt increased from \$6.4 trillion in March 2003 to \$10 trillion in the pre-financial crisis months of 2008, and the war in Iraq is directly responsible for at least a quarter of that sum. While there are many contrasting perspectives on U.S. involvement in Iraq, all can agree that having established a clear and informed plan for the country's occupation and stabilization prior to the invasion would have helped to decrease the loss of life, injuries as well as the wasteful use of resources.

This legislation will require the President to submit a post-deployment strategy to Congress not later than 48 hours after introducing our military into combat operations. This plan will articulate the interests of the United States, define the goals and objectives of the operation, and lay out a strategy for success.

Establishing a clear and informed plan for a country's occupation prior to introducing Armed Forces will help better allocate resources, and decrease the loss of life and the cost of conflicts. It is crucial to have the tools and resources in place to ensure the stabilization of conflict areas, and the safe return of our troops. It is both unacceptable and irresponsible to send our loved ones to war without a long-term plan of action.

Mr. Speaker, as instability escalates in the Middle East and with U.S. military operations in Libya underway, the need for a clear post-deployment strategy is greater than ever. We owe our soldiers, their families, and the taxpayers clear justification for sending our Armed Forces into combat. I urge my colleagues to support this important legislation.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Ms. WASSERMAN SCHULTZ. Mr. Speaker, on June 13, 2011, I missed the following roll-

call votes because I was unavoidably detained out of town: rollcall vote No. 413—on agreeing to the LaTourette amendment; rollcall vote No. 414—on agreeing to the Amash amendment; rollcall vote No. 415—on agreeing to the Sherman amendment; and rollcall vote No. 416—on retaining Title II (Department of Veterans Affairs). All of these rollcall votes were on amendments to H.R. 2055, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

If present, I would have voted "aye" on rollcall Nos. 413 and 416, and "nay" on rollcall Nos. 414 and 415.

MR. SANTOS CRESPO**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Santos Crespo.

Santos Crespo, a Bronx native, started in the labor movement in 1975 when he and other co-workers helped to organize the Substance Abuse Counselors in the New York City Board of Education. He would be elected shop steward in his district after they became members of the New York City Board of Education Employees Local 372, District Council 37, AFSCME, and served for over 10 years as its Executive Vice President.

Today, he is presently the President of the largest municipal employees union in New York City, District Council 37, AFSCME, and the President of the largest local union within DC 37, representing over 26,000 employees within the New York City Department of Education, Local 372.

Santos is also a founding member and currently the chairperson of the DC 37 Latino Heritage Committee, served for 6 years as President of the New York City Chapter of the Labor Council for Latin American Advancement (LCLAA), a member of the New York City Hispanic Labor Committee and he also serves on LCLAA National Executive Board. He is a member of the New York City Chapter of Coalition of Black Trade Unionist (CBTU) and a former Teaching Fellow for the Organizing Institute of the AFL-CIO. Santos has received numerous awards; Humanitarian Assistance Award for his assistance during the recovery efforts at the World Trade Center tragedy, The New York Daily News Viva New York as a 2004 Latino Influential, The New York Dominican Officers Organization for Outstanding Service in the Labor Movement and the New York LCLAA Labor Award, The New York Hispanic Labor Committee Friamberra Labor Award and The New York State Puerto Rican/Hispanic Legislative Task Force Somo El Futuro Labor Award, and the 111th Congress paid tribute to his leadership and commitment in the labor community by entering his accomplishments into the records of the House.

Mr. Speaker, I urge my colleagues to join me in celebrating Mr. Crespo's extraordinary achievements

HONORING COLONEL FRANK K. BROOKS' 30 YEARS OF SERVICE IN THE UNITED STATES AIR FORCE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. MORAN. Mr. Speaker, I rise today to recognize and pay tribute to Colonel Frank K. Brooks for his 30 years of exceptional service and dedication to the United States Air Force. He retired from active duty on May 31, 2011.

Colonel Brooks was born in New Roads, Louisiana. He was commissioned as a second Lieutenant in the Air Force in 1981, upon his graduation from the United States Air Force Academy. In 1982, he completed his Master of Science in Information Systems at Washington University in St. Louis, MO. Following graduate school, his operational assignments included duties as a Computer Program Design Engineer at Scott Air Force Base, Illinois and as the Chief of the Data Systems Branch for the Secretary of the Air Force Special Projects Office.

Over the past two years, Colonel Brooks has served as the Chief Information Officer of Joint Force Headquarters National Capital Region, United States Northern Command, where he was responsible for the coordination of interoperable emergency communications with defense mission partners in the National Capital Region. His efforts have provided for robust and reliable command and control systems to enable defense support to civil authorities. He has integrated cyberspace operations and planning into the JFHQ-NCR mission, making it one of the first domestic commands to integrate full-spectrum information operations in the Air Force. His thoughtful management, aggressive integration of emerging technologies, and active engagement with interagency partners has made the National Capital Region safer and better prepared to respond to any emergency. His adherence to the highest standards of professional conduct is a credit to all that wear the uniform of the United States Air Force.

Prior to his current assignment, Colonel Brooks served as the Deputy Chief, United States Military Training Mission, Riyadh, Royal Kingdom of Saudi Arabia. On behalf of the Department of the Air Force, he managed the exchange of critical military information systems and communications technologies with the military forces of Saudi Arabia.

Colonel Brooks has served in a variety of staff and leadership positions both stateside and overseas. He has served in a variety of operational and staff positions in the communications and space career fields, including one group command, five squadron commands, Secretary of Defense Fellowship (Netscape/AOL), Education with Industry (Boeing), Air Force Communications Agency, National Reconnaissance Office, the Joint Staff and special operations, as well as director of communications and information systems for two major commands.

I would like to give my sincere thanks to Frank, his wife Penelope, and their daughters Lauren and Nicole for their unwavering support of our country and the freedom we hold

so dear. We congratulate Colonel Brooks on the completion of an exemplary active-duty career and wish him well in the next phase of his life.

TRIBUTE TO NATIONAL VOICES
FOR EQUALITY EDUCATION AND
ENLIGHTENMENT

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Ms. WILSON of Florida. Mr. Speaker, I rise today to pay tribute to the extraordinary efforts of National Voices for Equality Education and Enlightenment (NVEEE) in providing support services to youth and families affected by bullying, violence, and suicide through preventative education and communication.

Jowharah Sanders, founder of National Voices for Equality Education and Enlightenment; says, "Bullying is not just an action; it is inaction as well". I agree wholeheartedly. Fortunately, Ms. Sanders understands that we will have to work together from the ground up to defeat bullying at every level.

Sanders, a drum major for the voiceless and victimized, founded NVEEE in October 2009. Driven by a personal mission, Sanders sought to help those who have been affected by bullying, violence, victimization, and abuse in their lives, to prevent it from happening to as many children and families as she can, and to show them that they are not alone—even when they feel the most disempowered. Sanders challenged friends and colleagues to join the struggle for peace and equality, and ultimately to be the change they want to see in the world.

National Voices for Equality Education and Enlightenment has been a pioneer in the eradication of bullying. In Florida alone, NVEEE has reached more than 750 students through the "Not on My Watch Bullying and Prevention Workshop", which features workshops led by NVEEE's Teen Mentors and Peace Ambassadors. This campaign increases awareness of the violence surrounding youth and young adults, and empowers students and communities to take action by refusing to be bystanders. In March 2011 this workshop became accessible to educational institutions across the nation.

Mr. Speaker and colleagues, please join me as I honor the National Voices for Equality Education and Enlightenment for their stance against bullying. The exemplary dedication demonstrated to this cause is to be commended and I give her my full support.

IN RECOGNITION OF THE NEW
JERSEY CULTURE CHANGE COL-
LABORATIVE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. PALLONE. Mr. Speaker, I rise today to applaud the work of the New Jersey Culture

Change Collaborative. Since its founding just last year, the coalition of non-profit organizations, retirement communities, and government bodies has worked to promote dignified long-term health care for senior citizens. This week, the coalition is holding "Culture Change: New Choices for the Elderly," an event dedicated to the sharing of ideas for the improvement of health care for the elderly. I would like to draw attention to the New Jersey Culture Change Collaborative and formally thank the group for its beneficial—and necessary—work.

The New Jersey Culture Change Collaborative is a network of professional organizations that is working across the state to improve health care for the elderly. Members of the coalition are the Health Care Association of New Jersey, Green Hill Inc., Healthcare Quality Strategies Inc., Leading Age New Jersey, New Jersey Hospital Association, the New Jersey Department of Health and Senior Services, and Van Dyk Health Care. Each member organization provides a unique perspective on aging and health care issues, and, together, the New Jersey Culture Change Collaborative has the potential to make a real transformation in the way that senior citizens receive long-term health care. Although it is a nascent movement, I have full confidence that it will improve the lives of New Jersey residents by working for more benevolent and patient-centered health care policies. In that light, I would like to request that the week of June 19 be designated National Nursing Home Culture Change Week.

Mr. Speaker, please join me in honoring the New Jersey Culture Change Collaborative on its founding. I would also like to congratulate the coalition for the statewide learning session it is holding this week. The work of the New Jersey Culture Change Collaborative is essential to promoting healthy lifestyles and improving long-term care.

SGT. FRANCISCO ESTRADA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. TOWNS. Mr. Speaker, I rise today in honor of Sergeant Francisco Estrada.

Sgt. Estrada was born on February 8, 1960 in Ponce, Puerto Rico. His father, too, was a policeman and he grew up hearing stories of his father's bravery and dignity while on patrol. These stories inspired him to protect and serve his community.

With the help and support of fellow officer Sgt. Victor Perez, Sgt. Estrada worked with the Coney Island community of Searise Towers as a Peace Officer from 1987 to 1992. Afterwards, he became a New York City Hospital Police Officer for Bellevue Hospital. Shortly after in January 1993, he was diagnosed with diabetes. After taking medical leave, the Sergeant gained a civil service position at Woodhull Hospital Police Department. In May 2001, Estrada was given a certificate of appreciation from the New York City Detectives Endowment Association for assisting the NYPD with the Brooklyn Strangler case. After

finally achieving the rank of Sergeant in 2002, Estrada finally had the opportunity to teach other officers the skills he acquired. With undying support of his wonderful wife and family and driven by the love of his city, the Sergeant served proudly in New York City for thirty years. In 2009, with much consideration and remorse, Sgt. Estrada retired, citing the medical strain caused by his diabetes.

Mr. Speaker, I urge my colleagues to join me in recognizing Sergeant Estrada for fighting both crime and disease with nobility and professionalism.

HONORING MR. LOU VIVERITO, A
DEDICATED PUBLIC SERVANT
FOR 42 YEARS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to honor a public servant and a good friend, Lou Viverito. After 16 years of service in the Illinois State Senate, Mayor Brady and the citizens of Bedford Park will name 73rd Street at Central Avenue after Mr. Viverito. Such an honor is an appropriate recognition for a champion for his constituents, as Mr. Viverito has been for the last 42 years.

After serving bravely in the Korean War and receiving multiple decorations, Mr. Viverito began his political career in 1965. He was elected as Stickney Township Democratic Committeeman in 1970 and quickly stood out as a force in local politics. Since 1973, Mr. Viverito has served as President of Stickney's Public Health District where he has made some of his greatest contributions. Thousands of people receive health care through Stickney's high quality facilities every year. As a landmark of his life's work, a brand new clinic, completely paid for, will open later this month in large part due to the efforts of Mr. Viverito.

In 1994, he was elected as an Illinois State Senator and served until his retirement this year. Mr. Viverito's distinguished career in the Illinois State Senate was characterized by dedicated service and several honorable distinctions. He served as Minority Whip for the Senate Democratic Caucus and as Assistant Majority Leader and was a leader on healthcare issues in Illinois for years.

Beyond his service in Illinois' legislative body, Mr. Viverito has held several other public positions, including Stickney Township Supervisor, Commissioner of the Metropolitan Sanitary District of Greater Chicago, and Member of the Cook County Zoning Board of Appeals. Mr. Viverito is well-known in Chicago due to his civic participation, and his work ethic and infectious smile have made him a beloved member of the Chicago community. He resides with his wife, Carolyn, in the City of Burbank. He also has three grown children and five grandsons.

At tomorrow's ceremony, Mayor Brady of Bedford Park will properly honor Mr. Viverito by renaming a street and holding a reception for him. Please join me in honoring Mr. Viverito as a public servant whose deeds will

be remembered for years to come throughout Chicago and Illinois. May he enjoy tomorrow's ceremony in his honor and may he enjoy a long and fulfilling retirement.

HONORING ARMANDO PEREZ
ROURA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. DIAZ-BALART. Mr. Speaker, I rise today to recognize the work and accomplishments of a distinguished radio journalist and community activist of South Florida, Armando Perez Roura.

Armando Perez Roura is a highly recognized and admired member within the communications arena. Born and educated in Cuba, Mr. Perez Roura became President of the National Broadcast College of Cuba at a very young age. Aside from being a grand communicator, Mr. Perez Roura is known for combating the Castro dictatorship from the moment they kidnapped Cuba in 1959.

In 1969, he was forced to flee from his native land. The United States welcomed him upon his arrival. Since then, Mr. Perez Roura has contributed tremendously to the community of South Florida and has worked unremittingly for the liberty of Cuba. He is Founder and President of "La Unidad Cubana," an anti-Castro coalition encompassing various organizations. Due to his profound knowledge and expertise, Mr. Perez Roura has been a political advisor to various countries.

Mr. Perez Roura, with his unique style, has relentlessly condemned each of the crimes committed by the Castro regime and raised awareness on their efforts to spread terrorism around the world. He has kept the memory of all those who have been victimized by the regime alive in our hearts.

Mr. Perez Roura embodies the American dream and is testament of what can be accomplished through hard work and dedication. Breaking through both language and culture barriers Mr. Perez Roura has become one of the most listened to radio personalities in Miami. Having received a Bachelor in Political Science, Mr. Perez Roura serves as a docent and mentor to many journalists, political leaders, and activists.

He is the pioneer of Spanish Radio and TV, which further exemplifies his exceptional work as a journalist. Mr. Perez Roura is the Founder and Director of Radio Mambi one of the most famous radio stations in South Florida. He produces, hosts and co-hosts various talk shows, Noticieros, En Caliente, La Noticia y Usted and Mesa Redonda. He also produces a daily editorial Toma Nota and regularly writes for *Diario las Americas* and *El Semanario Libre*. Throughout the years, Mr. Perez Roura's work has received various awards.

Mr. Speaker, I ask my colleagues to join me in congratulating the voice of Cuban exiles, my dear friend, Mr. Armando Perez Roura. He has defended democratic principles, Republican ideals and Cuba's freedom. In the words

of Jose Marti, apostle of the liberty of Cuba, "Honrar, honra."

HONORING ST. CLETUS PARISH OF
LA GRANGE, ILLINOIS ON ITS
60TH ANNIVERSARY AS A FAITH-
BASED COMMUNITY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 22, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to honor St. Cletus Parish on its 60th anniversary as a community of faith in La Grange, Illinois. I express my admiration and appreciation of St. Cletus' commitment to upholding the values and practices of the Roman Catholic Church and its congregation's devotion to charity and spiritual development. On July 3rd, St. Cletus Church will celebrate 60 years of spiritual guidance and compassionate service to the 3rd District and the Chicago-area community.

A part of the Archdiocese of Chicago, St. Cletus offers ten masses weekly in addition to formal education through its school, religious education, and youth and Hispanic ministries. Each Christmas season, St. Cletus reaches out to the less fortunate in its inter-city sharing parish, St. Agatha's, and to other needy families. Through the parish's Advent Giving Tree, St. Cletus parishioners generously donate food and gift baskets to brighten the Christmas season for hundreds of needy families. St. Cletus' commitment to service extends beyond the holiday season as well. The St. Cletus Food Pantry distributes bags of groceries provided by parishioners to hundreds of less fortunate families in local communities. Through these services, the St. Cletus community upholds the Catholic ideals of love, sacrifice, and charity.

Because many of the original members of St. Cletus were returning World War II veterans, the parish has always been strongly patriotic. The Parish honors veterans from all over the area every year on July 4th with a special Mass which I am proud to participate in.

From its campus in La Grange, St. Cletus fosters a community of compassionate believers and followers of Jesus Christ, welcoming all to join its family of faith. I am proud to honor St. Cletus' commitment to providing spiritual nourishment through worship, the celebration of the sacraments, education, and service to the 3rd District of Illinois. I congratulate St. Cletus' pastor, Father Clark, and the entire parish community, and I know St. Cletus will continue to be a valuable spiritual asset to La Grange and the Chicago region for years to come.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference.

This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 23, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 28

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of General James D. Thurman, USA, for reappointment to the grade of general and to be Commander, United Nations Command, Combined Forces Command, and United States Forces Korea, Vice Admiral William H. McRaven, USN, to be admiral and Commander, United States Special Operations Command, and Lieutenant General John R. Allen, USMC, to be general and Commander, International Security Assistance Force, and United States Forces, Afghanistan.

SD-G50

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine housing finance reform, focusing on access to the secondary market for small financial institutions.

SD-538

Finance

To hold hearings to examine complexity and the tax gap, focusing on making tax compliance easier and collecting what's due.

SD-215

Foreign Relations

To hold hearings to examine Libya and war powers.

SD-419

Judiciary

Immigration, Refugees and Border Security Subcommittee

To hold hearings to examine the "Development, Relief and Education for Alien Minors (DREAM) Act".

SD-226

Environment and Public Works

Water and Wildlife Subcommittee

To hold hearings to examine the status of the Deepwater Horizon Natural Resource Damage Assessment.

SD-406

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold closed hearings to examine proposed budget estimates for fiscal year 2012 for national and military intelligence programs.

SVC-217

2:30 p.m.

Foreign Relations

Business meeting to consider S.J. Res. 20, authorizing the limited use of the

SH-219

SENATE—Thursday, June 23, 2011

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Eternal Savior, creator of the world, give us this day a sense of Your majesty. Fill our lawmakers with faith in Your power to help them solve the pressing problems of our time. Lord, enable them to meet their responsibilities with courage and optimism, looking always to You as a guardian and guide. When life's pressures overwhelm, give them patience and the joy of experiencing Your peace and love.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 23, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

KENTUCKY STORMS

Mr. MCCONNELL. Mr. President, people in my hometown of Louisville, KY, are still recovering this morning from a series of storms and possible tornadoes last night that inflicted considerable damage across the city, including at the historic Churchill Downs racetrack, home of the Kentucky Derby.

More than 600 Louisvillians were without power this morning after thousands lost power yesterday. The storms did their worst at Churchill Downs in South Louisville, where there were reports of funnel clouds, and some barns were destroyed, sending many horses running loose. In many parts of the city, there were downed power lines. The storms also did considerable damage near my alma mater, the University of Louisville, and in the Jeffersontown area.

The National Weather Service plans to be in Louisville today to survey the damage and determine if the city was indeed struck by tornadoes. The town is bracing itself for another round of severe weather with severe thunderstorms, high winds, and even hail in the forecast for today.

Luckily, it appears so far that only property was damaged and no lives were lost or people injured. The horses are all OK too, for that matter, which is extremely important to us in Kentucky.

We are thinking of those who have been affected by these storms and will continue to keep a close eye on the city of Louisville and make sure the people have everything they need to clean up and rebuild.

DEBT LIMIT

Mr. President, this morning I would like to address what I view as a worrisome development in connection with the ongoing debt limit talks, but first I think it is important to remind ourselves what the purpose of these talks is.

From the very beginning, the goal has been clear: to come up with a serious and significant plan for reducing the deficit as a condition for any agreement to raise the limit. Without such a plan, we are told, America could very quickly face an economic calamity of historic proportions, at a time when millions of Americans are still trying to recover from the last one.

As one of the major credit agencies recently put it:

The rating outlook [of the U.S.] will depend on the outcome of negotiations on deficit reduction . . . a credible agreement on substantial deficit reduction would support a continued stable outlook; lack of such an agreement would prompt Moody's to change its outlook to negative on the AAA rating.

This is serious stuff, and many of us have been hoping for and working toward a serious bipartisan solution, a plan that would convince the American people, the markets, and the world that America is capable of getting its fiscal house in order. Let's be clear about something else: We all know what such a plan would look like. Everyone, including the President, knows we cannot rein in our debt without a reform of long-term entitlements. It cannot be done. And everyone knows any serious plan would have to be in the trillions to get the job done. That is why even the Democratic chairman of the Budget Committee said this week that he wouldn't even support a plan that proposed to cut less than \$4 trillion over the next 10 years. That is also why it is so concerning to many of us that some have begun to suggest a different goal for these talks.

Over the past several days, some have suggested in various news stories that the real goal of these talks is to devise a plan that satisfies one side by reducing the debt and satisfies the other side by raising taxes. The suggestion here is that all this is all just some quid pro quo exercise between the two parties. This is a dangerous trend, and it is wrong. It is important that we dispel it.

The central issue in these talks, as every serious person knows, is our Nation's massive deficit and debt and the disastrous long-term consequences for jobs and the economy that would result if we do absolutely nothing about it. We have this problem for one very understandable reason: The government spends too much. The way to solve it is to spend less.

It is mystifying, really, that at the eleventh hour some would now propose tax hikes as a condition to any agreement. It is mystifying not only because of the absurdity of proposing a tax hike as a way to help the economy and create jobs, it is mystifying above all because we know quite well that a tax hike would never make it through Congress, not because of Republican opposition but because of Republican and Democratic opposition. We have already had the votes to prove it. Six months ago, Democrats couldn't even muster enough votes to pass a tax hike on upper income Americans when they

had 59 seats in the Senate, a 40-seat majority in the House, and a Democrat in the White House. They couldn't get that done 6 months ago. Less than 2 weeks later, right after that effort to raise taxes, which they couldn't get done, they voted almost 4 to 1 in favor of keeping the current tax rates in place. That was when the Democrats had a huge majority in the Senate, a huge majority in the House, and a President of the United States. They couldn't raise taxes.

So there is one of two things going on here: Either someone on the other side has forgotten that there is strong bipartisan opposition in Congress to raising taxes or someone involved is acting in bad faith. We have known from the beginning that tax hikes would be a poison pill to any deficit reduction proposal. Those who are proposing them now either know this or they need to realize it very quickly.

That is to say nothing of those who are now proposing more spending as a solution to our debt crisis. This isn't just mystifying, it is absolutely farcical. Most Americans had to wonder if they were dreaming this morning when they saw this headline: "Democrats Call for New Spending in U.S. Debt Deal." It is unbelievable. More spending as a solution to the debt crisis? What planet are they on?

All of which gets at the larger issue in this whole debate, and here I am referring to the continuing silence of the one person who matters most to its outcome.

For weeks, lawmakers have worked around the clock to hammer out a plan that would help us avert a crisis we all know is coming. Do you remember what Admiral Mullen, the Chairman of the Joint Chiefs of Staff, said when asked what our biggest national security threat was? He said: Our debt. Erskine Bowles, Bill Clinton's Chief of Staff, Cochairman of the deficit reduction commission, called it the most predictable crisis in American history. We all know this crisis is coming, knowing at some point the President will have to sign on to some solution. So it is worth asking, where in the world has President Obama been for the last month? Where is he? What does he propose? What is he willing to do to reduce the debt and to avoid this crisis that is building on his watch? He is the one in charge. I think most Americans think it is about time he started acting like it.

It is not enough for the President to step in front of a microphone every once in a while and say a few words that somebody hands him to say about the jobs situation and our economy. Americans want to see that he is actually doing something about it. What they see instead is more bad economic news every day, a gathering crisis that threatens to make current problems even worse, and a President who is ei-

ther unwilling or unable to recognize that our Nation's economy is in very serious trouble. He is the President. He needs to lead. He needs to show that he recognizes the problem. He needs to do something about it. We are not in the majority. We can't sign anything into law. That is the President's job. That is his job. Yet, until now, he has stood in the background. He has acted as if it is not his problem. Well, it is his problem. This is his problem to solve. America is waiting.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business until 11:30 today, with the majority controlling the first half and the Republicans controlling the final half. Following morning business, the Senate will resume consideration of the Presidential Appointment Efficiency and Streamlining Act, with 30 minutes of debate on the Vitter amendment regarding czars and the DeMint amendment regarding Bureau of Justice Statistics. At approximately 12 p.m. there will be two rollcall votes in relation to the Vitter and DeMint amendments. We are looking at that now.

A number of Senators have a problem with two votes. We may only have one. We don't have that worked out yet, but we will notify all Senators when we do. We are going to very likely have a number of rollcall votes right after the noon hour today, starting around 2 o'clock. Other votes are expected.

THE DEBT

Mr. REID. Mr. President, for the last month or 6 weeks the Vice President of the United States, JOE BIDEN, who served in this body for 36 years, has been assigned by the President of the United States to work with people who have been assigned by me, Senator MCCONNELL, the minority leader in the House, and the Speaker to meet with Senator BIDEN to work out problems that we have facing our country with this huge debt. Senator BIDEN has been working very hard. There have been numerous meetings with this group of people that we assigned. Progress is being made. Whether it is enough progress remains to be seen.

The President of the United States gets up early every morning, gets an intelligence report about what is going on around the world—there are a lot of things going on around the world that

he has to keep his eye on, and that is an understatement. We have had many issues come about this last month on which he has had to focus. No one can suggest in any way the President is not engaged in what is going on in the country. He is briefed at least once a day by the Vice President as to these negotiations. Following that, almost every day he meets with his advisers as to what should be the next step.

I think it is unfair to say things such as, "Where is the President?" I think it is fair to take a little look at history. When George Bush became President, following that time of 8 years of President Clinton, he was given reports at his desk in the White House that showed there was about a \$7 trillion surplus over the next 10 years. We had developed, during the years of President Clinton, a number of procedures. One was the pay-go rules. We made sure if there was a new program that we couldn't pay for, we would take some money from another program, take the money we used for that and use it to take care of the new program. It was a time of economic vibrancy in this country that we have never seen before.

President Bush got rid of the pay-go rules and decided to do something unique. He decided to do everything on credit—two unfunded wars that are now approaching \$2 trillion in cost, none of which is paid for, money we borrowed from Saudi Arabia and China and other countries—and then we gave President Bush's huge tax cuts that have been deemed by most all writers around America and around the country to be unfair.

Warren Buffett, who some believe is the richest man in the world, said it is unfair that he pays less taxes percentage-wise than his secretary. So this \$7 trillion surplus we had over 10 years, the Bush administration wiped that out with all these wars unpaid for and all these tax and other actions that were taken.

When President Obama became President, there had been 8 million jobs lost, and he found himself in a big hole. I think one of the things we should do is stop denigrating the economy of our country. Is it vibrant and strong? Of course not, but it is improving. It is getting better—not fast enough, not good enough, but it is improving.

So I say to my friend, my counterpart, the Republican leader, who says the only place we can solve the problems of this country is just to basically cut domestic programs significantly, we know we are going to have to do a better job of balancing the budget because of the cards that were given to President Obama. We are going to be doing our very best to do that. But the one interesting point my friend failed to mention as he talked about the Bowles-Simpson debt reduction program is they said, among other things:

Of course, we have to make significant cuts in domestic discretionary spending, in defense, in mandatory programs. They looked at some of the work we needed to do with entitlements. But they also said there had to be something done with revenue. My friend ignores what they said about that.

They also said; that is, Bowles-Simpson, together with the people who were on that Commission—and I made a number of appointments to that Commission—they said: Yes, we need to do some cutting, but these next few years we have to spend some money to create jobs. We hear not a word from my Republican colleagues about creating jobs.

The House of Representatives, all they do is flex their muscles on things they want to eliminate. But the one thing they do not talk about is creating jobs—not a word.

This week my Republican colleagues killed their fourth jobs bill this year. The Economic Development Administration reauthorization was common-sense legislation with a proven track record of spurring innovation and hiring by private companies because for every dollar we spent as a government, \$7 came back in return from the private sector. They killed our fourth jobs bill this year. It seems Republicans don't care about putting Americans back to work. They don't even pay lip service to the issue.

Americans have said they care more about creating jobs than anything else. In fact, yesterday the junior Senator from Tennessee, a Republican, said right here on the Senate floor that this effort to create and protect, as we did the last few years, 314,000 jobs was "nothing of importance." That is a direct quote. I am confident the 14 million Americans out of work today, including many from Tennessee and every other State in our country, would disagree with the Senator from Tennessee.

He also went on to say, this junior Senator from Tennessee—I repeat, who is a Republican—he went on to say that this worthy legislation, our fourth jobs bill of this Congress, was nothing more than an attempt to "kill time." He said it is an attempt to kill time. He went on also, I repeat, to say it was unimportant.

Republicans may consider job creation a waste of time, but Democrats disagree and Americans disagree—Democrats, Republicans, and Independents alike. We are not going to stop fighting to get Americans back to work until we get our economy back on track. We cannot solve our problems without jobs creation. Congress has no more important task than creating jobs. There is no better way for us to spend our time, there is no issue more important than job development. This legislation, which, again, would have

supported 314,000 jobs, as it did in the last 5 years, is an important part of that effort.

But don't take my word for it. The junior Senator from Tennessee said this about the Economic Development Administration 2 years ago. This is what he said prior to his saying that it was a waste of time, prior to his saying that it was not of importance. Here is what he said. This is a direct quote, less than 2 years ago:

In the midst of an economic crisis, projects like these are just the kinds of things that will renew confidence and reinvigorate private investment in the area.

That is what he said. He said "EDA funds protect jobs and support economic growth." Why, then, didn't he vote that way? No wonder the junior Republican Senator from Tennessee had such high praise for the program. EDA investments over the last 5 years will support an estimated 7,000 jobs in Tennessee. But in spite of his previous support, he voted to kill this worthy legislation anyway. And he is not the only Republican whose words don't match their actions.

His counterpart, the senior Senator from Tennessee, also a Republican, also supported EDA and those 7,000 jobs once. He did it before. He said an EDA grant would "bring a much needed boost to the local economy." Just a few days ago he voted to kill the program.

Last month, the junior Senator from Texas, also a Republican, said an EDA grant in his State would "pave the way for the creation of new jobs." He said it would "strengthen the region's economy." EDA investments from the last 5 years are expected to support more than 18,000 jobs in Texas. Yet he voted to kill the program.

The senior Republican Senator from Oklahoma said he has "long been a supporter of EDA programs." That is a direct quote. EDA investments from the last 5 years are expected to support more than 5,000 jobs in Oklahoma. He is such a big supporter he was an original cosponsor of the legislation, but he voted to kill it.

These are only 3 of 23 Republican Senators who lauded the importance of this legislation and then voted against it.

Nevada has been hit harder by this terrible recession than any other State. EDA investments from the last 5 years are responsible for creating almost 5,000 jobs in Nevada. The legislation Republicans killed this week could have created hundreds of thousands more jobs all across America. I take it very seriously when a Republican Senator says putting thousands of people to work is a waste of time. The real waste of time is this endless obstructionism by Republican Senators. They waste the Senate's time when they put partisan politics ahead of our economic recovery.

Americans have told us time and time again, putting 14 million people back to work is their No. 1 priority. Democrats share that priority. Obviously, the Republicans do not. Their goal is to change Medicare as we know it, to end it. Believe me, thousands of Nevadans who are working today because of EDA don't think our efforts to create jobs are nothing of importance, as the junior Senator from Tennessee said. In fact, we have heard from out-of-work people in Nevada and every other State in this great country that there is absolutely nothing more important than job creation.

Would the Chair now announce morning business, please.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Hawaii is recognized.

Mr. AKAKA. I thank the Chair.

(The remarks of Mr. AKAKA pertaining to the introduction of S. 1262 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

COLLEGE LIFE ACT

Mr. AKAKA. Mr. President, yesterday I introduced the College Literacy in Finance and Economics Act—the College LIFE Act. This bill is a response to the dire need in our country for greater financial literacy among young adults.

To be financially literate is to possess one of the most empowering life skills that an individual can have. Those who have a sound understanding of personal finance and economics are better prepared for the many pivotal moments that they encounter in life where decisions about money must be made. Sound decisionmaking in those instances separate the financially literate from the financially illiterate. Those who effectively evaluate their financial choices, wisely manage their personal finances, and budget and save live more financially stable and secure lives. Those who make poor decisions about money live without financial certainty and become vulnerable to anticonsumer business practices and unscrupulous lenders.

Financial independence begins during or immediately after college for many of us and brings with it new opportunities and challenges. Before we buy a home, put a child through school, or retire, we make choices about purchasing a car, buying with credit in lieu of cash, and balancing our “wants” and “needs” while struggling to extract rent out of our first few paychecks. From that point on, financial choices increase in cost and magnitude. Financial decisions made and habits developed as young adults dictate whether we go through life on sound financial footing and are prepared for unforeseen financial obstacles.

Given the tremendous importance of early adulthood financial choices and actions, it is extremely troubling how unprepared young adults are for these challenges. Too few students have opportunities to learn about personal finance or economics before they enter college. The Council for Economic Education's most recent Survey of the States found that only 21 States require students to take a class in economics as a requirement for graduation and only 13 require a course in personal finance. Parents, moreover, are often unreliable sources of financial education because many are financially illiterate themselves. For example, the National Foundation for Credit Counseling's fifth annual Financial Literacy Survey found that 76 percent of adults recognized that they could benefit from the advice of a financial professional regarding everyday financial questions.

Even as we acknowledge widespread financial illiteracy among young adults, we allow students in higher education to take on alarming levels of debt during college. Borrowing to pay for school has become the norm. Two out of every three undergraduates receive some type of financial aid. At for-profit colleges, 96 percent of students borrow to pay for school. These trends have led to over \$100 billion in Federal educational loans being originated each year. When these borrowers graduate, they do so with significant student loan debt, with the median over \$23,000. The Department of Education estimates that over 36 million Americans have outstanding Federal student loan debt that, when combined, totals over \$740 billion. And yet, because of the steep upward trend in college tuition, which in the last decade has risen each year by 5.6 percent beyond inflation, students commonly rely on credit cards on top of their student loans to pay their way through college. Even as far back as 7 years ago, 56 percent of dependent students had a credit card in their own name.

The consequences of this culture of borrowing in higher education are clear and concerning. The most recent cohort default rate, CDR, on Federal student loans was 7 percent, indicating

that large numbers of young adults are failing to effectively manage their debt. The average CDR for proprietary colleges alone is 22.3 percent. Meanwhile, the average student credit card balance rose from around \$1,400 in 2002 to \$2,000 today. Given what we know about student financial literacy and capability, this is not surprising. For example, a Charles Schwab study in 2007 found that only 45 percent of teens know how to use a credit card and even fewer—just 26 percent—understand credit card fees and the concept of interest.

The increase in Federal educational lending and student debt can be interpreted positively. I am happy to see young people continuing on to college in numbers that I would never have imagined when I graduated from the University of Hawaii in 1952. For our best and brightest, college continues to be a stepping stone on their paths to becoming future leaders. For millions of others today, however, college simply and rightfully represents an opportunity for better lives for themselves and their families. But, the ever-rising cost of education is a reality that we must address. We are allowing—and even encouraging—students to become borrowers and consumers. It is our responsibility, therefore, to ensure that these young adults have the knowledge, skills, and capability to manage the consequences that come with their financial decisions. Unfortunately, we are not doing enough.

The College LIFE Act begins to address this clear and urgent void in early adulthood financial literacy and economic education. It would provide financial literacy counseling to all university-level students who take out federal educational loans when they begin and leave school. First receipt of a student loan and departure from school are two prime teachable moments in the lives of young adults. In addition, they are two opportunities for individuals to learn the importance of responsible financial behavior without those lessons coming at their own expense.

Financial literacy counseling under the College LIFE Act would teach the financial education core competencies—earning, spending, saving, borrowing, and protection—developed by the Financial Literacy and Education Commission. Existing loan counseling already provides student borrowers with valuable information about the terms, features, and common pitfalls of educational loans. This financial literacy counseling would complement existing activities, and the College LIFE Act specifies that financial literacy loan counseling may be provided in conjunction with current counseling requirements.

I thank my colleague in the House of Representatives, Congresswoman SHEILA JACKSON LEE of Texas, for joining

me as the House sponsor of this bill. I also thank my colleague from Iowa, Senator HARKIN, who chairs the Committee on Health, Education, Labor, and Pensions, for lending his expertise to this bill in the areas of financial literacy and student debt in higher education, including at for-profit colleges.

I will continue to work with my colleagues to enact the College LIFE Act. I call on them to join me in support of this legislation and other efforts to improve financial literacy in America.

Thank you, Mr. President.

The ACTING PRESIDENT *pro tempore*. The Senator from Colorado is recognized.

THE BUDGET

Mr. BENNET. Mr. President, I rise today to implore my colleagues and to implore the negotiators who are working on this budget issue to come to a comprehensive solution that meaningfully addresses our deficit and our debt.

If all you knew about our politics was what you see on the television at night, you would think we were committed to an endless stream of invective, of name-calling, of division, that we had absolutely no interest or desire to solve the Nation's problems or solve the Nation's challenges, and you would be right to sort of give up all hope we could actually honor the heritage of our parents and our grandparents and make sure we are not the first generation of Americans to leave less opportunity, not more, to our kids and our grandkids. That is what you might think if all you knew about our country was what you saw on the TV at night.

Fortunately, I have had the privilege, as has everybody in this body, to travel my State and to learn that actually the American people are nowhere near as divided as Washington, DC, or as what you see on television at night. In fact, we share an awful lot in common in my State of Colorado whether we are Republicans, Democrats, or Independents, and part of that is because we are coming out of the worst recession since the Great Depression.

By the end of the discussion I was having during the campaign over the last couple of years, there were about four things people thought might be good ideas. They thought it would be good to have an economy in this country where median family income was rising instead of falling, that we were creating jobs in the United States rather than shipping them overseas. They thought it would be a good idea if our energy would not require us to send billions of dollars a week to the Persian Gulf to buy oil. They thought it would be a good idea—and as a former school superintendent, I agree with them—to educate our kids for the 21st century. They thought it would be a good idea if we were actually willing to

make hard choices to deal with our debt and our deficit.

There is a lot of disagreement around here that I do not really understand, but in Colorado, the way they would like us to do that is to see a comprehensive plan that materially addresses the problem. They know we cannot solve it overnight, but they would like to see us materially address the problem. They want to know we are all in it together. They are not interested in the Washington game of whose ox is going to get gored; they want to know we are all in this together, that all of us have something to contribute to solving this problem. They emphatically want it to be bipartisan, which is good because we have a divided Congress now, and it needs to be bipartisan to get this work done. The reason is that they do not trust either party's go-it-alone strategy. I think they are right to believe we are better off compromising on a set of comprehensive proposals than continuing to fight.

I would add a corollary to it, which is that whatever we do, we better satisfy the capital markets that their paper is worth what they paid for it. If they are not satisfied, we are going to be in an interest rate environment that is going to make all of the discussions we have had about cuts seem trivial in terms of the effect on the deficit and debt.

Then I come here, and we have these phony conversations about solving the problem. We had a discussion, you will remember, about whether we ought to shut the government down. And I did the math on the bid ask spread that divided the two parties over whether we are going to shut the government down, and that math equalled about 4 cents on the \$20 meal at Applebee's. It would be like you and me, Mr. President, fighting over that 4 cents because we couldn't figure out how to pay the bill. It would be like the city of Alamosa in my State, in the San Luis Valley, where my predecessor, Ken Salazar, came from—it would be like the mayor saying: We can't agree on \$27,000, so we are going to shut the government down, we are not going to pick up your trash, we are not going to educate your kids. The American people should know that is what that debate was about. Now we come to the debt ceiling debate where people are saying: We are not going to vote to raise the debt ceiling.

Somebody in a townhall meeting said to me: MICHAEL, don't you know my neighbor and I are having to figure out how to pay as we go? We have to figure out how to pull in our purse strings to make sure we can afford to do what we need to do? I said: I absolutely agree with you. He said: Why aren't you guys showing the same restraint? And I said: We need to show the same restraint, but that is not about the debt ceiling. The debt ceiling is about bills we have

already incurred; it is not about cutting up your credit card. It would be great if it were. That is not what it is about. It is about saying: I have a cable bill this month, and I am just not going to pay it. I got my mortgage this month, but I am just not going to pay it.

That is not fiscally responsible. In fact, do you know what happens to people who do that? Their interest rates go up because lenders say to you: You are not a good risk because you didn't pay your mortgage on time. You are not a good risk because you didn't pay your cable bill on time. That is what our lenders are going to say to the Federal Government of the United States if we are willing to jeopardize the full faith and credit of the United States. It is fiscally and politically irresponsible for us to do that.

In this context, we are having a debate about dealing with the fact that we now have a \$1.5 trillion deficit and a \$15 trillion debt.

By the way, I would say on the debt ceiling that at least this Senator would settle for raising it just the amount the Ryan plan would increase our debt. I would be happy with the Ryan plan, which is the House Republican plan, to raise the debt by about \$5.4 trillion. Everybody over there voted for it. A lot of people here voted for it implicitly; therefore, they are suggesting the debt ceiling ought to be raised by at least that amount, and I would be happy to support that and cosponsor that. But what I want us to do is come together in a comprehensive way.

Mr. President, MIKE JOHANNIS from Nebraska and I circulated a letter on March 15. I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, March 15, 2011.

President BARACK OBAMA,

The White House,

Washington, DC.

DEAR PRESIDENT OBAMA: As the Administration continues to work with Congressional leadership regarding our current budget situation, we write to inform you that we believe comprehensive deficit reduction measures are imperative and to ask you to support a broad approach to solving the problem.

As you know, a bipartisan group of Senators has been working to craft a comprehensive deficit reduction package based upon the recommendations of the Fiscal Commission. While we may not agree with every aspect of the Commission's recommendations, we believe that its work represents an important foundation to achieve meaningful progress on our debt. The Commission's work also underscored the scope and breadth of our nation's long-term fiscal challenges.

Beyond FY2011 funding decisions, we urge you to engage in a broader discussion about a comprehensive deficit reduction package. Specifically, we hope that the discussion will include discretionary spending cuts, entitlement changes and tax reform.

By approaching these negotiations comprehensively, with a strong signal of support from you, we believe that we can achieve consensus on these important fiscal issues. This would send a powerful message to Americans that Washington can work together to tackle this critical issue.

Thank you for your attention to this matter.

Sincerely,

MICHAEL F. BENNET.

MIKE JOHANNIS.

Mr. BENNET. We sent it around to people, and it was a letter to the President that in part said:

Specifically, we hope that the discussion will include discretionary spending cuts, entitlement changes and tax reform.

A comprehensive plan. Sixty-four Senators signed that letter—more than a majority of the Senate. It is more than the 60-vote threshold necessary to pass legislation around here—a majority of Republicans and a majority of Democrats recognizing what is blindingly obvious to the American people, which is that we need a comprehensive plan because the math does not work otherwise. And we need people of good will to come together and say: We understand we are not going to be able to solve this problem if we continue to fight with each other. We are not going to be able to solve this problem if we continue to pretend there are some magical mathematics out there that allows us to solve the debt crisis based on political ideology rather than our working together.

People ask me sometimes what they can do to help with this discussion. What I say to them is they ought to be holding the people in this body to the same standard they hold our local officials back in Colorado—that mayor in Alamosa or a superintendent in Denver—who never in their wildest dreams would think they were going to phony up the math and go back to people and say: Sorry, we could not make it work, so we are going to shut down or, sorry, we could not make it work, so we are going to destroy our credit rating, so you end up spending more money on interest instead of on the services you care about.

Our job is to fix this problem. It is not going to be easy. It is going to take people on both sides of the aisle to think differently about what is possible. My own view is the Deficit and Debt Commission gave us a roadmap here. It was a bipartisan group. The final result got the vote of DICK DURBIN, one of the most liberal members of the Democratic Party, and one of the most conservative members of the Republican Party, TOM COBURN, who signed onto a plan that said: Let's take a quarter of it from discretionary spending, let's take a quarter of it from entitlements, let's take a quarter of it from interest savings, and let's get a quarter from tax reform. That sounds about right to me.

If we could produce a plan here that satisfied the test I mentioned earlier, I

could go back to the townhalls in Colorado, and I guarantee you what people would say is: Thank you for finally working together. Thank you for producing something that is credible. Let's now move on to the other business in this country to make sure we can compete and win in the 21st century.

I would say I hope, to the extent anybody is listening to the floor today, they would think again about the importance of using this moment to try to create a comprehensive plan, to try to figure out what the compromises are. I for one am happy to work with anybody on either side of the aisle to make sure we get this done.

I see the chairman of our Budget Committee is in the Chamber. I thank him for his efforts on the Deficit Commission, and also for the work he has been doing with the Gang of Six—the Gang of Five, trying, month after month after month, for the last 18 months, to produce a comprehensive plan that actually addresses the problems.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank the Senator from Colorado for his remarks and for his leadership. He has been right on point with respect to what has to be done in this country to get the debt threat under control.

Make no mistake, we do face a debt threat of ominous proportions.

Yesterday, the Congressional Budget Office again warned us: "Debt crisis looms absent major policy changes."

You go to the end of this article that was from the Associated Press, by Mr. Andrew Taylor, a respected writer, and it says:

CBO says the debt increases the probability of a fiscal crisis in which investors lose faith in U.S. bonds and force policymakers to make drastic spending cuts or tax hikes.

That is where we are headed if we do not respond. And it is going to require a bipartisan response with Republicans and Democrats, because Republicans control the House of Representatives, Democrats control the Senate, and there is a Democratic White House.

So when Republicans—as I just heard on this floor—blame it all on the President, that is not going to work. That is not going to work, because Republicans can block anything in this Chamber, and Republicans control the House of Representatives. So guess what. They are going to have to join Democrats and be responsible. And being responsible means doing some things that are tough.

Republicans and Democrats are going to have to do some things that are tough. Why? Because we are borrowing 40 cents of every dollar we spend. That cannot be continued much longer.

If you look at the historic relationship between spending and revenue, here it is, as shown on this chart, going back to 1950. The red line is the spending line. The green line is the revenue line. What you see is spending as a share of national income is the highest it has been in 60 years. Revenue is the lowest it has been in 60 years.

When I hear my Republican friends say this is just a spending problem, they have it half right. It is in part a spending problem. Spending is the highest it has been in 60 years—or very close to it. But revenue is the lowest it has been in 60 years. So let's get real. Let's get honest. This is a spending problem and a revenue problem. It is the difference between the two that leads to record deficits and a debt that is spiraling out of control.

Here is what the head of our Armed Forces—Admiral Mike Mullen, the Chairman of the Joint Chiefs of Staff—said last year at about this time:

Our national debt is our biggest national security threat.

Colleagues, are you listening? Are you listening? We are moving at warp speed toward a fiscal crisis. Nobody can tell us when it will happen. What everyone is telling us is that it will happen.

Here is where we are, as shown on this chart. This is the gross debt of the United States. We are now, at the end of this year, going to be over 100 percent of our gross domestic product. That is going to be the gross debt of the United States—all the bills we owe. The black line shown on the chart is the 90-percent threshold line. Why does that matter? Because we have just had the definitive economic study done on deficits and debt and economic growth. It was done by Professor Carmen Reinhart at the University of Maryland—she is no longer there; she was at the University of Maryland—and Professor Ken Rogoff at Harvard. Here is what they concluded:

We examine the experience of 44 countries spanning up to two centuries of data on central government debt, inflation and growth. Our main finding is that across both advanced countries and emerging markets, high debt/GDP levels (90 percent and above) are associated with notably lower growth outcomes [for the future].

This is not just about numbers on a page. This is about the future economic prospects of our Nation. A failure to act will consign us to a more limited future. Fewer jobs, less economic growth, less economic activity, a weaker position for the United States in the world—that is where we are headed.

We have been warned repeatedly. Quoting from the Wall Street Journal: "S&P"—the major rating agency—"Signals Top Credit Rating Is in Danger, Stoking Political Battle on Deficit." "U.S. Warned on Debt Load." So nobody in this Chamber, nobody across the Capitol in the House of Representa-

tives, can claim they did not know what was coming. We have been warned, and we have been warned repeatedly.

What happens if we do not act and there is a reaction in the interest rate environment for the U.S. debt? I would remind my colleagues, a 1-percentage point increase in interest rates will add \$1.3 trillion to the debt over the next 10 years. A 1-percentage point change in interest rates will add \$1.3 trillion to the debt over the next 10 years.

People say: Well, we are not going to extend the debt, we are not going to extend the debt limit of the United States. Do you know what happens? The creditors say: Oh, really? Well, we are not going to lend you more money then. Do you know what happens then? Interest rates go up in order to attract other lenders. And what happens? Every 1-percentage point increase in the interest rates adds \$1.3 trillion to the debt in just 10 years.

Here are the remarks of 10 of the previous chairs of the President's Council of Economic Advisers. Headline: "Unsustainable Budget Threatens Nation." This is their conclusion, the top economic advisers to former Presidents, Democrats and Republicans. The previous 10 unanimously said this:

There are many issues on which we don't agree. Yet we find ourselves in remarkable unanimity about the long-run federal budget deficit: It is a severe threat that calls for serious and prompt attention. . . . We all strongly support prompt consideration of the Fiscal Commission's proposals. The unsustainable long-run budget outlook is a growing threat to our well-being. Further stalemate and inaction would be irresponsible.

I served on that commission. There were 18 of us. Eleven of us agreed to the recommendations—five Democrats, five Republicans, and one Independent. That proposal would reduce the debt from what it would otherwise be by \$4 trillion. Mr. President, 5 Democrats, 5 Republicans, and 1 Independent—11 of the 18 agreed to support the recommendations. We cut spending. We cut domestic nondefense spending. We cut defense spending. We took on the entitlements. And, yes, we raised revenue by \$1 trillion over the next 10 years—not by raising tax rates. In fact, we cut tax rates. But we still got more revenue because we expanded the tax base by reducing tax expenditures that are now running \$1.1 trillion a year.

Over the next 10 years, the tax expenditures of this country are going to be \$15 trillion. Let me repeat that. The tax expenditures in this country over the next 10 years—special loopholes, deductions, exclusions, all the gimmicks that are in the Code—\$15 trillion.

Not only did the Fiscal Commission come up with a recommendation of about \$4 trillion, almost every other group that has made a recommendation has called for debt reduction of

about \$4 trillion over the next 10 years from what it would otherwise be: the Fiscal Commission, the Bipartisan Policy Center, the American Enterprise Institute, the Center for American Progress, the Heritage Foundation, the Roosevelt Institute—all of them saying we need to get this debt down.

Here is where we are headed, according to the Congressional Budget Office. This is not the gross debt. This is the publicly held debt. It is headed for 233 percent of the gross domestic product of the country if we fail to act. If, instead, we would adopt the commission proposal, you can see, as shown on this chart, we would actually work the debt down, the publicly held debt, to 30 percent of GDP.

Every part of the budget has to be scrutinized and has to generate savings. Here is what has happened to defense spending since 1997. It has gone straight up, from \$254 billion a year to \$688 billion a year.

Secretary of Defense Gates said this:

[T]he budget of the Pentagon almost doubled during the last decade. But our capabilities didn't particularly expand. A lot of that money went into infrastructure and overhead and, frankly, I think a culture that had an open checkbook.

I think he got it right. When we look at this growing debt, where did it come from? The Washington Post had this report on May 1:

The biggest culprit, by far, has been an erosion of tax revenue triggered largely by two recessions and multiple rounds of tax cuts. Together, the economy and the tax bills enacted under former president George W. Bush, and to a lesser extent by President Obama, wiped out \$6.3 trillion in anticipated revenue. That's nearly half of the \$12.7 trillion swing from projected surpluses to real debt.

If we look back on the five times we have balanced the budget in the last 40 years, revenue has been close to 20 percent of GDP: 19.7 in 1969; 19.9 in 1998; 19.8 in 1999; 20.6 in 2000; 19.5 in 2001. Where is revenue today? It is 14.8 percent of GDP. And our friends across the aisle say it is only a spending problem. Let's get real. It is a spending problem and it is a revenue problem. Let's be honest with the American people.

Martin Feldstein, the distinguished conservative economist, said this:

Cutting tax expenditures is really the best way to reduce government spending . . . [E]liminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

Mr. Bernanke, the Chairman of the Federal Reserve, has said this, and I will conclude on this point:

Acting now to develop a credible program to reduce future deficits would not only en-

hance economic growth and stability in the long run, but could also yield substantial near-term benefits in terms of lower long-term interest rates and increased consumer and business confidence.

This is a defining moment for our country. We can either continue to run head-long toward a debt crisis, or we can join together, Republicans and Democrats, in a comprehensive plan to get our debt under control. That will require a comprehensive plan, one that addresses spending—spending must be reduced. But it needs to be reduced when this economy is stronger. That is what every one of the bipartisan commissions has concluded. Yes, spending has to be cut, but not right this minute. It has to be part of a plan that assures it will be cut, and it has to be every part of spending: domestic discretionary spending, defense spending—yes, the entitlements have to be right-sized and we have to have the additional revenue given the fact, the simple fact, that revenue is the lowest it has been in 60 years as a share of our GDP, far lower than it has been in every one of the 5 years we have balanced the budget out of the last 40.

I urge my colleagues on both sides, now is the time for principled compromise. Now is the time to come together to put in place a plan that deals with this debt threat, fundamentally and assuredly. We have that opportunity. We should not let this opportunity slip by.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, as we all know, the most important issues that are facing our country today are the economy, job creation, the national debt, and excessive government spending. One of the things that is having a huge effect on job creation and the economy right now is regulation.

The administration continues to overreach and overstep in the implementation of dozens of new regulations, be it the EPA regulating greenhouse gases, or the DOT's recent proposal that would require commercial drivers' licenses for farmers who drive tractors.

These oversteps have real consequences in the form of jobs. Take, for instance, Mr. Thomas Clements from Youngsville, LA, who is testifying today in front of the Senate Health, Education, Labor and Pensions Committee. Mr. Clements is a small business owner since 2008. He owns Oilfield CMC Machining with his wife. They produce metal parts and systems for offshore oil rigs.

His run-in with our overreaching administration started after the tragic 2010 BP oilspill with the President's decision in May of 2010 to enact a 6-month moratorium on new oil drilling in the gulf. His business continues to struggle today because of the Department of the Interior's decision to slow walk new drilling permits. Before these actions, he had a thriving small business that not only provided for his family but also for his employees.

Today, they are barely staying afloat, and will likely close unless the administration changes course and actually begins taking steps toward recovery instead of continued rhetoric.

Another big drag on the economy is the amount of spending and debt. Yesterday the Congressional Budget Office released their long-term budget outlook. This was certainly sobering reading. They pointed out that under the alternative fiscal scenario, in 2024, interest costs, Social Security, and major health spending would exceed all of the revenue coming into the government.

The need for action is clear. The Congressional Budget Office states that these levels of debt will cause incomes to be between 7 percent and 18 percent lower in 2035 than they would be otherwise.

Another study by economists Reinhart and Rogoff found that countries with a debt-to-GDP level that is greater than 90 percent—I would emphasize that we are currently at 95 percent—but that countries with a debt-to-GDP level greater than 90 percent grow at 1 percentage point less than they would otherwise. In other words, when you are carrying this kind of a debt load, 90 percent debt to GDP, for a sustained period of time, you are bleeding about 1 percent of economic growth every single year.

As we know from the President's own economic advisers, a 1-percent reduction—1-percent drop in growth—translates into about 1 million lost jobs. One of the places we see that has been hard hit in our country by the downturn is the State of Ohio. My colleague from Ohio Senator PORTMAN is here. I would be interested perhaps in hearing from him on whether he has seen the evidence of the recovery that was promised by the administration or does his economy in Ohio still reflect an economy that is held back by excessive regulation, debt and spending. I would be interested in the perspective of the Senator from Ohio on that particular subject.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. PORTMAN. First of all, I thank my colleague from South Dakota for coming to the floor today to talk about the economy and jobs. It is clearly a top issue on the minds of folks in Ohio. And, no, the Ohio economy is still hurting. We are not creating the jobs we hoped to create.

If you look at it nationally, there are now 14 million Americans who are out of work, and more than 1 million want to work but have given up looking for work. So when you look at what is going on out there, you add the 8.5 million Americans who are getting by with part-time jobs—even though they would like to work full time—that is about 23 million Americans suffering from a lack of the full-time job they want. This unemployment issue continues to be the No. 1 issue in Ohio and nationally. We have got to address it.

You talked a little bit today about some of the ways that we need to approach it, including the regulatory overreach and its impact on jobs and small businesses. But let me talk about even a deeper concern in Ohio. That is the length of time people have been out of work. The average unemployment now is 40 weeks. That is about 9 months. It is 9 months of stress, 9 months of uncertainty, 9 months of wondering how to make ends meet. This is, I am told, the worst statistic in terms of length of being unemployed that we have had since the records were kept. So it is not just about these terrible unemployment numbers, it is the fact that when have you been out that long, you lose some of your job skills, you have a gap in your resume, and it is harder to get a job. This is not what was promised, by the way.

If you look at what the President and his economists promised when the stimulus was passed, they said that unemployment today would be about 6.7 percent. Instead, it is over 9 percent—9.1 percent. So it has not worked. The President has called it a bump in the road. Unfortunately, I think it is a lot more than that.

The Chairman of the Federal Reserve talked about this yesterday, that he was very concerned now about some of the economic projections. He thinks we are not in as good a shape as even the projections—which were not very optimistic—show. There was 1.8 percent growth in the first quarter. At this point in the last deep recession we had, the growth was 7 percent.

This chart is interesting because it shows Federal spending as a percent of the economy, which as we all know has gone up significantly, and part of that is because of the stimulus package and then the unemployment rate. Unfortunately, when you look at this, there has not been an increase in spending and a decrease in unemployment. There has been an increase in spending and an increase in unemployment. So this simple notion that you cannot spend your way to prosperity, which is a commonsense notion that most Americans agree with, has been proven to be true.

Unfortunately, the stimulus package did not lead to the kind of progress the President and his team predicted. We are all paying the price for it. So, in-

stead, we need to approach it in a different way.

Again, as Senator THUNE mentioned earlier, part of the answer to this is dealing with the regulations, dealing with our tax system, dealing with these high energy costs, dealing with the high health care costs, which do impact employment, getting the economy back on track through smart pro-growth policies.

I know the Senator from South Dakota has done a lot of thinking about how do we get out of this mess we are in, instead of the spending. But I do not know if the Senator has any thoughts about what the debt and the spending is doing to our economy. He mentioned the Rogoff and Reinhart study showing that our economy would be growing much faster than it is now but for this big overhang of spending and deficit and debt.

I wonder if the Senator has additional thoughts.

Mr. THUNE. I appreciate my colleague's observations regarding his State, which is a pivotal State when it comes to whether we are going to see the economy recover. It is a State that feels the impact right away when you have a down economy and job losses and all of the negative things that go with that. So I appreciate his perspective on it. Obviously, I wish I could say this administration's policies have made the situation better. Unfortunately, the evidence overwhelmingly points to the President and his policies making this situation worse—much worse. For example, the Senator mentioned nondefense discretionary spending, which is the part of spending that the President has to sign into law every year. It went up 4.1 percent. That is astounding when you consider inflation was about 2 percent over that time. Government spending was growing 10 times the rate of inflation.

What is even more amazing, this doesn't include the increases in discretionary spending attributed to stimulus. That was supposed to have brought the unemployment rate down to 6.7 percent. Clearly, we are over 9 percent today.

There is no correlation between additional spending and job creation. We have clearly demonstrated that. That spending level doesn't include spending on the "Cash for Clunkers" program, which was supposed to create jobs. It doesn't include "un-offset" increases in spending on mandatory programs that are signed into law, such as additional unemployment insurance, Medicaid, or trade adjustment assistance. It doesn't include the spending increases the President fought for but has been unsuccessful in passing.

Because of this exorbitant spending, we are at a point where 40 cents out of every dollar the Federal Government spends is borrowed. While most people would look at this situation and say it

is time to do something about it to improve the situation, the President clearly punted over the medium and long term, and his proposed budget makes the situation even worse. In fact, his proposed fiscal 2012 budget would spend \$46 trillion over a 10-year time period, add \$9.47 trillion to the debt, and raise taxes by \$1.6 trillion. So their prescription continues to be more spending, more borrowing, and higher taxes.

The question is, is this helping or hurting our economy? If you look at a recent Bloomberg poll, it found 65 percent of Americans think the debt is a major reason why our unemployment rate is so high. The answer from the American people is clear.

I guess what I say to my colleague from Ohio—and he and I have worked together on ideas on how to get the economy going again and create an environment conducive to job growth—is that, clearly, getting spending under control here is a huge factor. As he pointed out, there is lots of research out there that demonstrates connectivity between spending and debt and the economy. I simply add that ratings agencies, such as Standard & Poor's and Moody's, all gave a negative assessment to our credit rating; and if that led to a downgrade in our credit rating, it would reflect much higher interest rates for another negative impact.

Spending and debt have a profound negative impact on our ability to grow the economy and create jobs. The Senator from Ohio has been a great leader getting out there in talking about solutions that would lead to job creation. I am interested in hearing about some of what we might be able to do that is clearly not being done today and, frankly, what I hope is contrary to the policies put forward by this administration, which are costing jobs.

Mr. PORTMAN. That is right. There are a number of things that can be done. There is no reason it can't be done on a bipartisan basis.

I left a hearing in the Government Affairs Committee, where we talked about regulations and their impact on the economy. Today, the cost of regulations to the economy—in particular, small businesses—is about \$1.75 trillion. That is more than the IRS collects in income taxes. There were both Democrats and Republicans talking about proposals and who are concerned about the administration's continued regulations. The President said some of the right things, but there are more regulations that have a bigger impact.

In Washington, it is tough to get this under control without changing the law, in my view. We need to have a better process in the agencies to force them to look at cost-benefit analyses and force them to use the least-cost burdensome alternatives. I talked about legislation in that area today, as

did Democrats and Republicans alike. There are things we have to do. Regarding the Senator's point about the impact of the debt and deficit on the job front, the Senator is right. The poll he talked about indicated that 65 percent of Americans think the debt and deficit is a major factor in high unemployment. They are right. The study the Senator talked about said if the debt gets past 90 percent, it will cost our economy about a million jobs. We are now at about 100 percent, and it will be 105 percent in 2012—next year.

This is what is happening. We are going into that period where our debt is bigger than our whole economy. This study, by the way, is based on looking at countries all around the world, which will have gone through this experience, including countries in Europe that are going through it now, and seeing what the impact is on jobs.

There are solutions. We talked about regulations. That is one of them. My hope is that this Senate can vote on sensible regulatory reform—and soon. The story the Senator told earlier about the oil and gas industry, we should display that all over. The recent proposed regulations from the EPA on emissions from powerplants in terms of mercury—all of us want clean air. We know you have to have regulations, but the question is, how do you regulate? These are very onerous and will have a big impact on my State. There is a study out saying it is going to result in thousands of jobs being lost, and a few powerplants being shut down, and electricity costs increasing 10, 15 percent in our State. We cannot afford that.

But there is more than that. There is the Tax Code. We should, again, as a body, and the House and the administration should reform our Tax Code to make it simpler and more pro-growth. It can be done. Economists across the spectrum say this current code is a mess. It doesn't work because you are encouraging businesses to make investments and allocate resources based on Tax Code-motivated interests rather than business reasons. Getting rid of these preferences and clearing out the Code, as happened in 1986, you could get more economic growth through the Tax Code reform.

I think the time is here, and the President's fiscal commission recommended this when they said, how do you look at the next 20, 30 years and come up with a way to deal with the deficit and debt? Economic growth needs to be part of it. And part of it was tax reform, and making our workforce more competitive.

Today, we do spend money at the Federal level on workforce development. Yet it is not spent very efficiently. There are some organizations that do it better than others. We should take their best practices and apply them generally. There are nine different agencies and departments en-

gaged in looking at how to improve our workforce through the 21st century. It is a Federal program that, when connected with businesses, works; when it is not, it doesn't work well. There are opportunities to reform that program. It should be bipartisan.

I hear from communities and businesses what is working and what is not working. Flexibility is the key. There is a lot of redtape and bureaucracy. We need to enforce our trade agreements and the international rules. Enforcement is critical. But we need to open markets to our products. Every country is engaged in opening markets for their products, workers, and service providers. We need to be more aggressive in forcing other countries to open our markets to them. If we don't, we don't have access to 95 percent of the consumers in the world. The President has said that if you were to pass these three trade agreements out there, you would create over 250,000 new jobs. Think about that. That is something we ought to do. Again it is bipartisan.

Somehow we cannot seem to get these three relatively small trade agreements that we have already done through the process. We need to do that right now, because of this economic crisis we face of unemployment and long-term unemployment. This would help, in combination with a more competitive workforce.

On energy, another part of our seven-point plan—and this is a jobs plan to get us back—we have to use our own resources. There is natural gas in places such as Ohio, and South Dakota and North Dakota have a lot of natural gas. We have the technology. Let's use it. We may have the greatest resources of natural gas in the world, based on geological finds. We need to use that now, and we can help us get less dependent on foreign oil.

Finally, health care costs. We talked about this earlier. There are some commonsense things we can do now to get health care costs down, including stopping frivolous lawsuits, which we all pay for, through sensible medical malpractice reform. Some States do it well. It should be done on a national level to get the costs down. We should allow people to buy insurance across State lines. Several insurance companies could compete for the business. This would help get spending under control. We should reform the Tax Code, have regulatory relief, a more competitive workforce, increase jobs through exports, enforce the trade agreements, power America's economy with our own energy, and have sensible solutions to getting costs of health care down, which will help create jobs. All of these things are proposals the Senator has been working on, and I appreciate that.

I ask the Senator a question. If the Senator is focused on getting at this issue, does he think we have a problem

on the debt and deficit because of the lack of revenue through taxation or is it through overspending? Does he have any thoughts or suggestions as to how we deal with that?

Mr. THUNE. I appreciate that. That was a great description by the Senator. The Senator from Ohio hit upon all the relevant issues, if we are going to get the economy going, creating jobs again—talking about getting trade deals done, and energy policy that relies upon American energy production, keeping taxes and regulations low, common sense when it comes to energy regulations, and getting spending and debt under control. Those are all part of a solution that will grow the economy.

What I say to my colleague with regard to the issue of taxing and spending is that a lot of people believe somehow we can get additional revenues and raise taxes and solve these problems. Clearly, that would be very counter to growing the economy and creating jobs. I think it would be harmful, if anything. If we look at taxes as a way to deal with the deficit and debt issue, frankly, I think most Americans believe—and I believe they are right—this is overwhelmingly a spending issue.

If you look at our 40-year average spending, up until 2008 it was 20.6 percent of our GDP. The budget would have to spend about 24.3 percent of GDP. If you look at what we need to focus on, I say to my colleague from Ohio, it is clearly in the area of spending and debt control and dealing with that issue as opposed to the issue of revenue. I look forward to working with him on these issues. I hope we can put policies into place that will grow the economy and get people in this country back to work.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 2½ minutes.

Mr. ISAKSON. Mr. President, I ask unanimous consent that that be extended by 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACTIONS, NOT WORDS

Mr. ISAKSON. Mr. President, I come to the floor to talk about jobs, and also to talk about an admonition I got from my father when I was growing up: Judge a man by his actions, not his words.

I intend to apply that, as well. We should all be judged by our actions, not just our words. I am very disappointed in what this administration is doing now. On the one hand, they are talking about jobs being the most important thing America needs. Yet every single action of the agencies is a job killer.

Here is an example: The most recent nominee to be the new Commerce Secretary of the United States is a former director of the Boeing Aircraft Company. That aircraft corporation is now under a suit from the interim general counsel of the NLRB to stop them from opening a new plant that will employ 1,000 people in the State of South Carolina, alleging they built the plant there to strike back at the unions in Washington State, when in fact the Dreamliner, their main airliner, which they have tremendous orders for, is being built in Washington, but they had to expand another plant to meet the demand for orders. They decided, in the interest of the company, to have one on the east coast and one on the west coast. They weren't retaliating. They were trying to create jobs for a great American product. The NLRB wants to stop 1,000 jobs from being created on an allegation that it is some type of retribution. That is dead wrong.

The NLRB this week came out with a new admonition. That is, they are going to change election rules so new elections, instead of being required to take 38 to 42 days, can have quickie union elections in 10 to 12 days, making it much more difficult for management to react to a union vote or a union movement.

All these things are job creators. I am not here to demagogue unions or to demagogue this President for that matter. I just think fair is fair. If you say you want to create jobs, don't stop job creation. If you say you want the economy to recover, do those things necessary to empower business.

Let me take another example; that is, the National Mediation Board. The National Mediation Board is the agency that regulates employment from the standpoint of airlines and railroads and transportation entities. The NMB is 75 years old. For 75 years, their rule on a union election in a covered company is that 51 percent of the number of people employed who would be unionized had to vote in order for a union to become established.

Summarily, 11 days after their appointment under the new administration, that 75-year-old rule was struck to become only a simple majority of the number of people who vote, regardless of how many people are going to be covered in employment. Now, that was specifically targeted at Delta Airlines—an Atlanta company that became the largest airline in the world after buying Northwest and merging the two.

Northwest had union flight attendants, Delta did not. Delta's flight attendants had twice in the last decade rejected unionization in a vote of 50 percent plus 1 of all employees covered. The change in this rule was specifically targeted to try to force Delta to go from a nonunion shop in their flight at-

tendants to a union shop. But even after an aggressive change in law and by the unions, the flight attendants still voted—under the new rule, which is much easier—not to unionize.

Still not satisfied, the National Mediation Board has now filed an action against Delta alleging improper activities. I find this very ironic since in the FAA conference committee, which I am a part of today, we are trying to get a chance for airlines and those covered to be able to have a legal action against a ruling of the NMB if they suspect the NMB ruled unfairly. The NMB has rejected that entirely, the leadership of this body has rejected it entirely, and that conference report languishes—all over an issue that would create jobs, but instead they want to retard jobs.

My message in coming to the floor is very simple. Actions count, words don't matter, simply talking about creating jobs don't mean a thing if we are taking actions that stymie business or punish people from making investments that bring about employment.

It is time for this President, it is time for each of us in the Senate, it is time for this administration, and it is time for the Congress to do what the American people have done: put our shoulder to the grindstone and do those things that bring American business back, our economy back, and bring jobs back to the greatest country on the face of this Earth—the United States of America.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 679, which the clerk will report.

The bill clerk read as follows:

A bill (S. 679) to reduce the number of executive positions subject to Senate confirmation.

Pending:

DeMint amendment No. 501, to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, and rescind related appropriated amounts;

DeMint amendment No. 510, to strike the provision relating to the Director, Bureau of Justice Statistics;

DeMint amendment No. 511, to enhance accountability and transparency among various Executive agencies;

Vitter amendment No. 499, to end the appointments of Presidential czars who have not been subject to the advice and consent of the Senate and to prohibit funds for any salaries and expenses for appointed czars;

Coburn amendment No. 500, to prevent the creation of duplicative and overlapping Federal programs;

Portman amendment No. 509, to provide that the provisions relating to the Assistant Secretary (Comptroller) of the Navy, the Assistant Secretary (Comptroller) of the Army, and the Assistant Secretary (Comptroller) of the Air Force, the chief financial officer positions, and the Controller of the Office of Management and Budget shall not take effect;

Cornyn amendment No. 504, to strike the provisions relating to the Comptroller of the Army, the Comptroller of the Navy, and the Comptroller of the Air Force.

The PRESIDING OFFICER. Under the previous order, there will be up to 30 minutes of debate, with the Senator from Louisiana, the Senator from South Carolina, the Senator from Nevada, or his designee, and the Senator from Kentucky, or his designee, each controlling 7½ minutes.

The Senator from Louisiana is recognized.

AMENDMENT NO. 499

Mr. VITTER. Mr. President, I would like to close on my czar amendment and encourage strong bipartisan support.

Mr. President, we have a bill before us about the Senate advice and consent process—the Senate confirmation process—and I think it would be a tragedy to consider any bill on that subject and not, in fact, address the biggest issue, the biggest problem with that process that exists now—certainly also in the eyes of the American people—and that is the abuse by the Executive, over several administrations but culminating in this administration, of appointing so-called czars as an end run around the U.S. Constitution, as an end run around the powers of the Senate and the balance of power of advice and consent and confirmation.

My amendment would fix that. It would defund czars and their offices. It is carefully crafted, it is carefully defined, and it would say we are not going to allow these czars to operate when they are essentially taking the place and the function of what should be a Senate-confirmed position. Again, the language is careful. It is carefully thought out, it is carefully crafted, and there are exceptions in the language which are important, so I commend all my colleagues to look at that. But the main point is simple and clear and important: We shouldn't allow any Executive, any administration, to end-run the U.S. Constitution, to end-run the Senate's important and appropriate role of confirmation, or advice and consent.

So I encourage all of my colleagues to support this amendment.

In closing, I thank several Members who have cosponsored the amendment—Senators PAUL and HELLER and GRASSLEY—and I also thank very much Senator COLLINS, who has been a leader on this effort and has freestanding legislation on the topic which I support. We have and will continue to consult on this issue until we properly get the job done.

Mr. President, I reserve the remainder of my time.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum call be equally allocated to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEMINT. Mr. President I ask that the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

Mr. DEMINT. I would like to speak on my amendment which will be voted on in a few minutes.

AMENDMENT NO. 510

This amendment would strike the Director of the Bureau of Justice Statistics from the list of the Senate-confirmed positions that would be removed from the confirmation process. I wish to explain why this is important because this seems to be something that maybe would not be important to pull out from this long list of nominees who no longer need be confirmed. It is very important that this particular position, this nominee for this position, be vetted and confirmed by the Senate.

It is often said statistics don't lie; people do. Particularly in this business, we have seen one set of statistics be interpreted and publicized in totally different ways, and that is why this position is so important. The role they have is critical. In a democracy and in a free country, one of the most important aspects to protect against is that risk of the government becoming a propaganda machine.

I wish to read what this particular position does: The Bureau of Justice Statistics collects, analyzes, publishes, and disseminates information on crime, criminal offenders, crime victims, and criminal justice operations.

It is very important. This information is acted on by local, State, and Federal officials. Lots of our laws are shaped and based on this information. Statistics are only as valuable as the reputation of the statistician, and that is what this position is.

Every Member of this body knows how to write a question so you get the answer you want. If we are going to have a Bureau of Justice Statistics, don't we want the public to have some

level of trust in the data they publish? If we just put some political hack in this position—as, unfortunately, has happened over administrations of both parties, not necessarily for this position but we know in some positions—it would totally discredit what this person does. So do we want the public to think they are cooking the books to promote policy ends on issues such as gun control, hate crimes, racial profiling, immigration, drug policy, and so forth? If we cannot absolutely trust the impartiality of the management of the Bureau, we should abolish it and give the money back to the taxpayers.

We know we are \$14 trillion in debt. Our Nation is on the brink of financial collapse. My constituents have no interest in borrowing money from the Chinese to fund the Bureau to compile crime statistics if we can't trust the numbers. If there is even a hint of bias of a political agenda or of the head of this Bureau being friendly to the perspective of whatever party is in the White House, then we should abolish the agency.

In the past, those on the right have been suspicious that the Bureau of Justice Statistics has had a bias against gun rights and against the first amendment. Whether that is true, who knows. BJS statistics are used to form policy decisions. If the agency becomes a tool of the party in power, that will no longer be the case.

When James Lynch, the nominee for the Director of the Bureau of Justice Statistics, was asked in his confirmation hearing what the biggest challenge for the Bureau of Justice Statistics moving forward was, he responded: "I think the biggest challenges of the Bureau of Justice Statistics moving forward are the perennial challenges to a statistical agency; that is to say, to maintain its credibility as an independent Federal statistical agency."

It is important we hear that. It is important Americans hear that, and we will not have that opportunity if this position is no longer confirmed.

It is not often that you hear a nominee suggest that the No. 1 challenge he faces in assuming a position is to maintain the credibility and independence of the agency he is about to run. But, as Dr. Lynch said, that is the nature of a statistical agency, and it is precisely the reason why we should not remove this position from the confirmation process.

The questions at the live hearing and the submitted written questions appropriately focused almost exclusively on this issue of credibility, independence, and accountability.

How do we protect the Director from political influence and tampering by the executive? There was discussion about ways to restructure the office to make it more independent and further reinforce its independent roll. There

was discussion of moving the director to a 6-year term to further reinforce his independence, a proposal that the nominee supports. Of course, a 6-year term would imply Senate confirmation.

In every way possible, the committee and nominee discussed ways to solidify the independence of the position and protect it from political influence. In the context of these discussions, it was once suggested that we remove the position from the confirmation process.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DEMINT. Mr. President, I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEMINT. With all the nominees who are confirmed in the Senate with no debate or vote, it would seem the confirmation process is serving a purpose.

First, there are things that happen behind the scenes to vet and review these nominees and their backgrounds. Unfortunately, as we have seen, the President, in some cases, with what we call czars in other positions and recess appointments, has sidestepped that. That has reduced the credibility in these positions, but let me just focus again on this one position.

We never want the American Government to be accused of being a propaganda machine, as we see from governments all over the world. This one area of statistics, where they are disseminating information all over the country that so many respond to, needs to be credible and independent. I encourage my colleagues to keep this one position in the confirmation process so we will have an opportunity to make sure that, regardless of which party is in power, we have a credible, independent voice dealing with these statistics.

I thank the President for yielding me a little more time. I yield back.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 499

Mr. VITTER. Mr. President, I ask unanimous consent that Senator BARRASSO be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I just wish to indicate my support for the amendment offered by the Senator from Louisiana.

Although it is drafted a little differently than I would have done it, it does address a real problem; that is, when the President—this President or any President—creates a new position within the White House that is duplicative of a Cabinet member's responsibilities, the result is we lose our ability to exercise accountability for the policies that individual comes up with. Let me give you a specific example.

EPA is a Senate-Presidential appointee, Senate-confirmed position, the Administrator of the EPA. Yet President Obama created a position within the White House where there is essentially an environmental czar, and this individual—Carol Browner, who has since left, actually negotiated a deal with the automobile industry having to do with emissions. Well, the problem with that is, it is circumventing Congress's ability to hold accountable the person who is involved in making and coordinating that policy.

What the Senator from Louisiana is trying to get at is the creation of these unaccountable czars within the White House who are doing the job that is supposed to be done by a Cabinet official, by a Presidentially appointed, Senate-confirmed official.

So I support the amendment.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from New York is recognized.

Mr. SCHUMER. Mr. President, before I get into the substance of my remarks, I ask unanimous consent that notwithstanding the previous order, the vote in relation to the Vitter amendment No. 499 occur at 12:30 and the vote in relation to the DeMint amendment No. 510 occur at 2 p.m., with the remaining provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. Mr. President, I want to make sure this has been cleared with the Senator from South Carolina?

Mr. SCHUMER. It has.

Ms. COLLINS. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, it is our intention to work on setting up additional votes this afternoon following the vote on the DeMint amendment No. 510.

Mr. President, I rise in strong opposition to the amendment offered by my colleague from Louisiana, Senator VITTER. As you know, the underlying bill is the product of a bipartisan gentlemen's agreement reached earlier this year that seeks to streamline and otherwise improve the efficiency of the Senate's confirmation process. The Senator from Maine, the Senator from Tennessee, the Senator from Connecticut, and myself, as well as the leaders, Leader REID and Leader MCCONNELL, have been heavily involved in this process.

The amendment offered by Mr. VITTER runs counter to the spirit of comity behind this important bill. It is a poison pill designed to handcuff the President's ability to assemble a team of topflight advisers and aides. The amendment is nothing new. It has been introduced several times in several iterations.

Now is the time to move forward. It is one of those moments when we can

bridge the partisan divide and make the Senate a more efficient body. It is not the time or place to relitigate old and, frankly, silly political battles about so-called czars.

It is our constitutionally mandated duty as Senators to ensure that the most important positions in government are confirmed in a timely manner. With the underlying bill, we finally begin to break the logjam that holds up senior positions by taking midlevel, nonpolicy positions off the docket.

I oppose the amendment and urge my colleagues to vote against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 510

Mr. SCHUMER. Mr. President, I also rise now because of the change in the time schedule to speak against the amendment offered by Mr. DEMINT. Like the Vitter amendment, this amendment is opposed to the great spirit of comity behind the underlying bill.

I would like to remind my colleague from South Carolina that the bipartisan working group labored over every decision we made. Far from lifting our index fingers to the wind, we carefully debated the nuances of the changes that were ultimately proposed.

The change the Senator from South Carolina finds fault with involves the Bureau of Justice Statistics. Let me tell you about this position. The Director of the Bureau of Justice Statistics reports to the Senate-confirmed Assistant Attorney General for the Office of Justice Programs, who then reports to the Senate-confirmed Associate Attorney General, who then reports to the Senate-confirmed Deputy Attorney General, who—you guessed it—reports to the Attorney General, also confirmed. How much more oversight do we need for one man? Is four levels of congressional oversight not enough?

It is clear to me that this amendment is really designed to hamper our goal of improving the way the Senate functions. After all, there are four similar positions at the Department of Justice with parallel lines of reporting that we plan to remove from Senate confirmation, but the Senator from South Carolina does not take aim at those. Simply put, this is a prime example of the type of amendment that slows the Senate down, the type of amendment that is really aimed at preventing the passage of this bill.

The number of Senate-confirmed positions has increased by hundreds over the last few decades. As you know, this proliferation has slowed the confirmation process to a near standstill. What used to be a flowing, functioning faucet now trickles.

This position is one of those midlevel positions that should be removed to free up our process so we can focus our time on the positions that are more senior, that do not report to so many other levels of Senate-confirmed positions. Removing Senate confirmation for this position does not in any way weaken our constitutional advice and consent power or give any extra power to the President. This power was given to us to be used to confirm the most senior policymaking positions, and the President has power to appoint his midlevel and lower level appointees.

I oppose this amendment, which will be voted on after our respective lunches, and urge my colleagues to join me in voting against it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. I ask unanimous consent to speak in morning business for no more than 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CURRENCY MANIPULATION

Mr. BROWN of Ohio. Mr. President, last week Minority Leader PELOSI and some of her colleagues signaled their intention to introduce a discharge resolution for a vote on H.R. 639, the Currency Reform for Fair Trade Act. I applaud those in this body and in the House of Representatives who want to push on currency reform and encourage the Speaker and House leadership to support this position.

Similar legislation to this passed overwhelmingly with strong bipartisanship in the last Congress. Senator SNOWE from Maine and I introduced that legislation in the Senate. It would strengthen countervailing duty laws to consider undervalued currency as an unfair subsidy in determining duty rates.

What does that mean? What that means is that in essence we have lost jobs in this country because too often the playing field in our trade relationship with the People's Republic of China is simply not level. We know that China in far too many cases subsidizes energy. We know they subsidize land. We know they subsidize capital. We know they subsidize production in various ways. We also know in terms of currency that China does not play fairly.

When an industry such as the coated-paper industry in Hamilton, OH, in southwest Ohio, north of Cincinnati, or the aluminum industry in western Ohio, in Sidney, or the steel industry in Lorain, OH—when an industry petitions the International Trade Commission for relief against unfair subsidies, currency manipulation would be part of that investigation. That bill would make sure that happens. It is simple, it is straightforward, and it is achievable. It sends a signal to our trading partners that we will not accept unfair advantage over American workers and American businesses. I can't count the number of times—I know that in North Carolina the Presiding Officer has seen the same situation in textiles and other industries—where, simply put, American workers have trouble competing and American businesses have trouble selling their products because of unfair trade advantages that countries and companies in those countries have inflicted on the United States.

Don't forget the stakes. We are all concerned about the budget deficit, to be sure, and we heard Senator CONRAD earlier talking about that in a convincing and persuasive way. Cut the budget. Set it up long term, medium term. Don't do it right now, as Chairman Bernanke, a Republican appointee, says. That will cost us jobs. But build in deficit reductions. Think about the budget deficit, but don't forget the trade deficit.

Over the last 10 years, particularly since most favored nation with China and NAFTA and the Bush administration's trade agenda on CAFTA and the other trade agreements and lack of enforcement on those trade agreements, we have seen job losses because of those trade agreements.

President Bush once said that \$1 billion in trade surplus or trade deficit translates into 13,000 jobs. Why is that? If you have a budget surplus of \$1 billion, you have 13,000 more jobs in your country. If you have a trade deficit of \$1 billion, you have 13,000 fewer. The reason is clear: If you have a \$1 billion trade deficit, it means you are buying \$1 billion worth of goods more from country X—China, let's say—than you are selling to China. That means \$1 billion worth of more production is taking place in China than in the United States. That is OK, but when the numbers are hundreds of billions of dollars—our trade deficit is fluctuating between \$400 and \$750 billion, between \$1 billion a day and \$2 billion a day—that is real jobs. Multiply those job numbers—13,000 for \$1 billion—and you see the kind of job losses we have in the United States of America, especially in manufacturing, hitting those communities such as Lorain or Mansfield or Springfield or Dayton or Youngstown or Cleveland or cities in western New York, in Syracuse or Rochester or cities in North Carolina.

You can see what it has done in small towns and urban areas alike to our job growth.

In April 2011, our total trade deficit in that month alone was \$54 billion. Our trade deficit with China in that month alone was \$21 billion.

Paul Krugman, a columnist with the New York Times, said:

If you want a trade policy that helps employment, it has to be a policy that induces other countries to run bigger deficits or smaller surpluses. A countervailing duty on Chinese exports would be job creating; a deal with South Korea, not.

I am not here today to argue or debate or even be critical of the free-trade agreement with South Korea. I think it is a bad idea. I hear the promises of administration after administration. This administration at least has not overpromised, as the Bush and Clinton administrations did, on the creation of jobs and trade, but we know that every time there is a trade agreement, the trade deficit goes up and job loss accelerates, especially in manufacturing.

The point is that one major thing we can do about this is what the House of Representatives is trying to do; that is, pass the Currency Reform for Fair Trade Act. It will simply mean that China and the United States are on a more even, more level playing field, a more even relationship. It will save and help to increase manufacturing jobs. We know manufacturing jobs are a ticket to the middle class.

In Germany, 20 percent of its workforce is in manufacturing. Only 10 percent of our workforce is in manufacturing. Germany has higher unionization rates, higher wages, and a trade surplus.

The United States has, as I pointed out, almost a \$1 billion-a-day trade deficit with China—somewhat less than that; not much—and up to a \$2 billion-a-day trade deficit with the world as a whole. Clearly our trade policy is not working. Currency reform is one major step in fixing that. It is something that I hope this Senate takes up sooner rather than later and that the House of Representatives does the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question occurs on agreeing to amendment No. 499, offered by the Senator from Louisiana, Mr. VITTER.

Ms. COLLINS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—47

Alexander	Graham	McConnell
Ayotte	Grassley	Murkowski
Barrasso	Hatch	Nelson (NE)
Blunt	Heller	Paul
Brown (MA)	Hoeven	Portman
Burr	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kirk	Snowe
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Lugar	Vitter
DeMint	Manchin	Wicker
Enzi	McCain	

NAYS—51

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Boozman Moran

The PRESIDING OFFICER. On this vote the yeas are 47, the nays are 51. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

The Senator from Pennsylvania.

AMENDMENT NO. 514

Mr. TOOMEY. Madam President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 514.

Mr. TOOMEY. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provision relating to the Governors and alternate governors of the International Monetary Fund and the International Bank for Reconstruction and Development)

On page 63, strike lines 3 through 18.

Mr. TOOMEY. Madam President, I ask unanimous consent to add Senator VITTER as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. I rise to offer an amendment to retain the Senate confirmation process for two positions: the position of Governor and Alternate Governor of the IMF and the International Bank for Reconstruction and Development.

The Board of Governors at the IMF is the highest level of governance of the IMF. Currently, the Governor and the Alternative Governor are both subject to Senate confirmation. This bill would change that. This bill would remove them from the Senate confirmation process.

I think I understand the rationale behind that thinking. It is probably because, by custom, the United States has appointed the Secretary of the Treasury as the Governor designate to the IMF and the Chairman of the Federal Reserve as the Alternate Governor. So since those folks have already been through a Senate confirmation process, no doubt the thought was that we did not need to have a separate one.

Here is the reason for my amendment; that is, the decision to appoint these two individuals to these two posts has been by custom, and there is nothing in statute or otherwise that requires the President to appoint these two individuals. The President—any future President—could choose to nominate anyone he or she may like. I think it is very important in that event the Senate would continue to have the oversight that comes with the advice and consent that my amendment would retain.

The truth is, the United States is the largest lender to the IMF, and right now the IMF is in the process of using U.S. taxpayer dollars to bail out Greece and perhaps other countries. At a time when Greece and Europe are virtually drowning in debt, I do not think the Senate should be conceding its confirmation authority and potentially thereby reducing its oversight over the key IMF officials responsible for overseeing tens of billions of U.S. taxpayer dollars.

I think we all know, the United States does not even have its own fiscal house in order.

Yet here we are giving over \$100 billion to the IMF for them to, in turn, lend money to insolvent governments. That doesn't make sense to me. We are running a \$1.5 trillion deficit, nearly 10 percent of our entire economy. Our debt is at 69 percent of our GDP and rising rapidly. It seems to me that American taxpayers should not be asked to bail out European governments that clearly haven't been able to get their act together. But recently, we

actually expanded the liability U.S. taxpayers have to the IMF.

Let me comment for a minute specifically on this idea of bailing out Greece because I think it is a very bad idea. Greek debt exceeds 150 percent of their total economy now. The Brookings Institute estimates that bribery and corruption alone amount to 8 percent of GDP annually. The Greek workforce has a very low productivity rate. There is a very low percentage of their population engaged in the workforce. By any measure, this is an economy that is in a downward spiral.

Despite that and despite a \$160 billion bailout last May, in 2011, the Greek Government decided to increase its total expenditures. While running this staggering and unsustainable government, their government's decision was to increase spending. The fact is, unfortunately, no loan, no matter how large, no matter from where it comes, is going to solve Greece's problems. It is not that Greece has a problem with liquidity; their problem is solvency. Greece is insolvent. It cannot, and therefore will not, repay all its debt.

The danger is going down this road and having the IMF and other multinationals lending money to Greece now, and we are effectively replacing the existing loans made by private banks—essentially European banks—with taxpayer dollars provided by these big institutions.

Essentially, the Greek Government is going to default on the debt. The only question is, Upon whose debt? Will it be that of the private banks that lent them the money, as I believe it ought to be—those are the people who made the imprudent decision when they extended money to a fundamentally insolvent government—or will it be taxpayer-funded institutions because those institutions have taken out the debt of the private banks?

I am afraid that is where we are heading, and that will include U.S. taxpayer dollars. I think it is a big mistake. It is also an unusual transaction for IMF, primarily for two reasons. It is unusual to lend money to developed economies. Usually, this kind of program goes to developing nations. But it is even more unusual in the magnitude, the sheer scale of this.

In 2010, the IMF bailout of Greece was more than 3,000 percent of Greece's IMF quota. Typically, the size of loans such as this is no more than 200 to 600 percent of a nation's quota. This was 3,000 percent.

One of the biggest problems with going down this road of having multinational institutions bailing out insolvent countries is the moral hazard. There are a number of countries around Europe that are in substantial trouble, with varying degrees of fiscal problems, and some are teetering on the edge of insolvency. What is the message we are sending to those gov-

ernments if multinationals come in and bail out Greece? The message is: Don't make the tough decisions now and impose the kinds of austerity you need because someday somebody will come along and bail you out of this problem. That is a very bad policy.

Most of all, we ought not to be putting U.S. taxpayers in this position of taking on this liability, which I am afraid is not going to be repaid. The reality is, Congress has very limited oversight over IMF, by design—very limited authority. One of the few checks we do have is the ability to provide or to withhold our consent with respect to those who are nominated to that powerful governing board. I don't think, at a time when the IMF is going out putting tens of billions of U.S. taxpayer dollars at risk, bailing out irresponsible and insolvent foreign countries—at a time such as this, I don't think we should be doing anything to relinquish that authority we have, to diminish the opportunity we would have to provide that advice and consent.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized for the purpose of speaking as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIBYA AND AFGHANISTAN

Mr. MCCAIN. Mr. President, I speak today on a day that appears to be positioned between two very consequential decisions.

Yesterday, the President announced his plan to draw down U.S. forces in Afghanistan, pledging to pull out 10,000 troops this year and the remaining 23,000 surge forces by September of 2012.

Tomorrow, the House of Representatives will likely vote on a measure to limit the use of U.S. funding for U.S. military operations in Libya to only "nonkinetic activities"—in other words, noncombat activities—meaning no limited strike missions to suppress air defenses or predator strikes against Qadhafi forces, which we are doing very little of already. The only military actions for which the Commander in Chief could commit our Armed Forces would be supporting missions from search and rescue to aerial refueling to intelligence.

Those are the provisions in what is very likely to be voted on and passed by the House of Representatives tomorrow.

Some may not see a connection between these decisions, but the connection is profound. We are having a profound debate in this country right now that I suspect will continue for some time. Critical questions are being asked and discussed: How should we in the United States define our national interests? What is the proper role for America in the world? How do we balance our commitments abroad and the global demands for U.S. leadership with an American public that is justifiably war weary after a decade of conflict and that is rightly concerned with our unsustainable levels of government spending and national debt?

These are vital questions. They will determine the future of our Nation and, indeed, the future of the world. Reasonable Americans can disagree over what the right answers are. Although our disagreements may be heated and passionate, we should always remember that we are all Americans, that we are all patriotic, and that we all want to do what is best for the Nation we love.

The discussions we are now having over Libya and Afghanistan go right to the heart of this broader debate, and this is where we see the real practical impact of the decisions all of us in public life must make and be accountable for. We are all trying to define America's interests and role in the world, to separate that which we can and must do from that which is beyond our capacity and our benefit to try to accomplish. We are all striving for a balanced approach to America's interests abroad, and it is for that reason I am very concerned about both the President's decision on Afghanistan and the House's pending vote on Libya.

I agree with the President that, thanks especially to the sacrifice and courage of our fighting men and women, we are making amazing progress in Afghanistan. This progress is real and it is remarkable. But as our commanders on the ground all point out, it is also fragile and reversible. Our commanders also say what will be decisive is the fighting season next year—the warmer spring and summer months—when the insurgency historically picks up its operations after resting and regrouping a bit during the colder months. This will be our opportunity to consolidate our gains in southern Afghanistan and begin transitioning more and more of that fight to our Afghan friends, while increasing numbers of U.S. forces shift their main effort to eastern Afghanistan where the Haqqani network, al-Qaida, and other regional militant groups are still present and operating actively.

The reason our commanders had to take this sequential approach is because they did not get all the forces they requested in 2009—40,000 troops as opposed to the 33,000 the President

gave them. What this means in practice is that our commanders in Afghanistan still need next year's fighting season to deal the same crushing blow to al-Qaida and the Taliban in the east as our forces have dealt them in the south. However, under the President's plan, which calls for having all of our surge units out of Afghanistan by September, those troops will begin flowing out of Afghanistan right at the time the Taliban, al-Qaida, and their allies begin stepping up their operations, especially in eastern Afghanistan.

This is the irony of it all. The President's decision in December 2009 had the effect of making this war longer and costlier by forcing our commanders to tackle our enemies in southern and eastern Afghanistan sequentially over 2 years rather than simultaneously in one decisive action over 1 year. Now, just at the moment when our troops could finish our main objective and begin ending our combat operations in a responsible way, just when they are 1 year away from turning over a battered and broken enemy in both southern and eastern Afghanistan to our Afghan partners, the President has now decided to deny them the forces our commanders believe they need to accomplish their objective.

I hope I am wrong, I hope the President is right, that this decision will not endanger the hard-won gains our troops have made with the decisive progress they still need to make next year. I hope that proves correct. But I am very concerned the President's decision poses an unnecessary risk to the progress we have made thus far to our mission and to our men and women in uniform.

Our troops are not exhausted. They are excited that after 10 years we finally have a winning strategy that is turning this war around. Anyone who says that our troops are exhausted should go out and talk to them. They want to stay at this until the job is done. We have sacrificed too much. America has a vital national interest in succeeding in Afghanistan. After all that we have given to this mission, the money we have committed to it, the decade we have devoted to it, and the precious lives we have lost throughout it, why would we do anything now that puts our mission at greater risk of failure?

I would offer the same counsel to my Republican friends in the House with regard to our mission in Libya. I know my colleagues in Congress are angry with the administration and its Libya policy, and they have every right to be. From the disrespect and disregard the administration has shown Congress, to their bizarre assertion we are not really engaged in the hostilities in Libya, to the lack of resolve with which they have prosecuted this fight and made the public case for it, the administration has done an unfortunate amount

to earn the ire of Congress. But we can't forget the main point: In the midst of the most ground-breaking geopolitical event in two decades, at least, as peaceful protests for democracy were sweeping the Middle East, with Qadhafi's forces to strike at the gates of Benghazi, and with Arabs and Muslims in Libya and across the region pleading for the U.S. military to stop the bloodshed, the United States and our allies took action and prevented the massacre that Qadhafi had promised to commit in a city of 700,000 people.

By doing so, they began creating conditions that are increasing the pressure on Qadhafi to give up power. Yes, the progress toward this goal has been slower than many had hoped, and the administration is doing less to achieve it than I and others would like. But here are the facts: We are succeeding in Libya. Qadhafi is going to fall. It is just a matter of time.

So I would ask my colleagues: Is this the time for Congress to turn against this policy? Is this the time to ride to the rescue of an anti-American tyrant, when the writing is on the wall that he is collapsing?

Is this the time for Congress to declare to the world and to Qadhafi and his inner circle, to Qadhafi's opponents who are fighting for their freedom, and to our NATO allies who are carrying a far heavier burden in this conflict than we are, is this the time for America to tell all of these people that our heart is not in this and that we won't see this mission through; that we will abandon our best friends and allies on a whim?

This all comes back to how we, as Americans, define our national interests and act on them. We can all agree that none of us are averse to doing what is necessary to defend America and our allies when we face a clear threat in the world.

In that way, we are like any other nation in history. But what sets us apart from those other nations, what makes us exceptional, what makes us the United States of America is that we define our interests more broadly than that. Our interests also encompass the fact that we are the leader of the free world; that the circle of nations that want us to play that role is growing, not diminishing; and that this position of leadership also confers responsibilities that are greater than our own immediate and material self-interests. It is the responsibility we have to the universal ideals of freedom and justice and human rights, of which our Nation is both the greatest embodiment and the greatest champion in human history.

That is not to say we can or should be involved everywhere. That is not to say we must act wherever and whenever our ideals are threatened. This is not to say military action is always the right answer, nor is this a recipe

for endless conflict and commitment. America is powerful, but we are not omnipotent. We must make hard choices about where to spend our blood and treasure.

There will be more occasions than not when we will choose not to intervene, either because our interests do not warrant it or because we don't have the capacity to do so or because greater American involvement will not improve the situation. When we choose not to intervene forcefully in places where the cause of justice is calling out to us, be it Sudan or the Congo or Syria or countless other places where I and others have argued against intervention, we will be assailed as hypocritical and inconsistent. That is unfair, but it is nothing new for America.

What we can never forget is that our Nation's interests are forever colored by our values. America has always believed that the success of freedom and democracy in other lands does not just make our world more just; it makes it a safer, more secure, and better place for Americans and our children.

We can never afford to define our interests so narrowly that we would have sat back as an anti-American tyrant slaughtered his own people, thereby destroying one of the most historic attempts by millions of Arabs and Muslims to build better and more stable governments. That would have served neither our moral nor our strategic interests. Similarly, once we are engaged in a fight, as we are now in Libya and Afghanistan, and when we still have a clear path to succeed, as we do in both countries, it is in our moral and strategic interests to finish the job even if it is difficult and costly and unpopular. Failure is the only cost we truly cannot afford.

America cannot make the world perfect, but we can make it better, freer, more just, more prosperous. That is what has always made us an exceptional nation. That is what has always been the greatest source of our national security. That is what has always made us America. And that is how we must remain.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD: the Wall Street Journal article from this morning entitled "Libya and Republicans," the Washington Post editorial from this morning entitled "End of a Surge," and the Wall Street Journal article entitled "Unplugging the Afghan Surge."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 23, 2011]

END OF A SURGE

THE MISMATCH BETWEEN PRESIDENT OBAMA'S STRATEGY AND HIS TROOP WITHDRAWAL TIMETABLE

President Obama failed to offer a convincing military or strategic rationale for the troop withdrawals from Afghanistan that

he announced Wednesday night. In several ways, they are at odds with the strategy adopted by NATO, which aims to turn over the war to the Afghan army by the end of 2014. For that plan to succeed, military commanders believe that U.S. and allied forces must hold the areas in southern Afghanistan that have been cleared of the Taliban through this summer's fighting season as well as that of 2012. They also must sweep eastern provinces that have not yet been reached by the counterinsurgency campaign.

By withdrawing 5,000 U.S. troops this summer and another 5,000 by the end of the year, Mr. Obama will make those tasks harder. By setting September 2012 as a deadline for withdrawing all of the 33,000 reinforcements he ordered in late 2009, the President risks undermining not only the war on the ground but also the effort to draw elements of the Taliban into a political settlement; the militants may prefer to wait out a retreating enemy. It also may be harder to gain cooperation from Pakistan, whose willingness to break with the Taliban is linked to its perception of U.S. determination to remain engaged in the region. U.S. allies, which have committed 40,000 troops to the 2014 plan, may revise their own exit strategies.

An accelerated withdrawal of American forces would make more sense if Mr. Obama had decided to abandon the modified counterinsurgency plan he adopted at the end of 2009, which was later expanded and endorsed by NATO. Vice President Biden, among others, has pressed for a more limited counterterrorism strategy focused on combating al-Qaeda. But Mr. Obama offered no indication in Wednesday's speech that he has altered his objectives. Instead, he argued that the reduction is possible because "we are achieving our goals. . . . We are starting this drawdown from a position of strength."

Mr. Obama correctly pointed out that the killing of Osama bin Laden and operations in Pakistan have weakened al-Qaeda and limited its ability to attack the United States. But a Taliban resurgence in Afghanistan, which Mr. Obama's withdrawals risk, would be deeply destabilizing for a region that includes nuclear-armed Pakistan and India. If the Afghan government or army crumbles, there would be a considerable chance that the United States would lose the bases it now uses for drone attacks against al-Qaeda.

Perhaps the best justification for Mr. Obama's decision is U.S. domestic opinion. As senior administration officials have pointed out, Americans have grown weary of the war; polls show that a majority support a rapid withdrawal of U.S. forces, and that view is increasingly reflected in Congress and even among Republican presidential candidates. Many in Congress cite the cost of the war—though the few billion dollars saved through a faster withdrawal will have little impact on a deficit measured in trillions.

By announcing these pullouts, Mr. Obama may ease some of the political pressure while still allowing his commanders enough forces to complete the 2014 transition plan. The president's supporters point out that at the end of 2012, there will still be twice as many U.S. troops in Afghanistan—68,000—as when Mr. Obama took office. We hope those prove sufficient. But Mr. Obama's withdrawal decision, with no clear basis in strategy, increases the risk of failure.

[From the Wall Street Journal, June 23, 2011]

LIBYA AND REPUBLICANS

CUTTING OFF FUNDS IS WHAT DEMOCRATS DO TO GOP PRESIDENTS

Back in the day—this would be March 7, 2011—Newt Gingrich offered a compelling case for intervening militarily in Libya:

"Exercise a no-fly zone this evening," he told Fox News Channel. "Communicate to the Libyan military that Gadhafi is gone. . . . Provide help to the rebels to replace him. I mean, the idea that we're confused about a man who has been an anti-American dictator since 1969 just tells you how inept this Administration is. . . . We don't need to have the United Nations. All we have to say is that we think slaughtering your own citizens is unacceptable."

Mr. Gingrich has since, er, clarified his position, so that today the former Speaker is one of several prominent Republicans, along with fellow Presidential candidates Michele Bachmann and Jon Huntsman, opposing President Obama for doing most of what he advised a few months ago. Add the House vote expected Friday seeking to limit funding for the Libya effort, and we are witnessing at the very least some unsightly political opportunism, if not yet the rebirth of pre-Eisenhower GOP isolationism.

We understand the argument—we've made it often ourselves—that Mr. Obama has prosecuted the Libya campaign half-heartedly. The major part of the U.S. combat mission lasted days and has been over for months. The U.S. is supplying logistical help to NATO, but the alliance hasn't been able to dislodge Moammar Gadhafi. U.S. aid to the Libyan rebels has been of the "non-lethal" variant—mainly MRE rations—when what they most need are guns and munitions.

About a dozen countries, most recently Germany, have formally recognized the Benghazi-based Transitional National Council as Libya's legitimate government. But the U.S. hasn't done so, and only now is Congress advancing the legislation that would allow Gadhafi's frozen assets to be sent to Libya's people in the form of humanitarian aid. The evidence we've seen does not suggest, beyond isolated examples, that the rebels are linked to al-Qaeda, while Gadhafi's record in promoting terrorism is clear.

But all of this is an argument for prodding Mr. Obama to win the wars he starts, not to cut off funding and guarantee defeat. It is also an opportunity for Republicans to point out that Gadhafi has the blood of hundreds of Americans on his hands, and that to allow him to remain in power would give the vindictive tyrant a chance to strike back. It would also likely mean the collapse of NATO as a credible military alliance. These are the kind of U.S. security interests that Republicans have defended as a core party principle for decades.

Instead on Libya, Republicans are wrapping themselves in the 1973 War Powers Resolution, a Watergate-era law the constitutionality of which no President has recognized, and which Mr. Gingrich rightly attempted to have repealed in the 1990s, saying at the time that "I want to strengthen the current Democratic President because he is the President of the United States."

Trying to defund U.S. military operations has been the habit of Democrats in Congress going back to the Vietnam era, to no good end. In 1975, they slashed support for our allies in South Vietnam, signaling to the North that it was open season to invade. Saigon fell, and a generation of detention and murder descended on Southeast Asia.

In the 1980s, Democrats cut off funds for the contra rebels in Nicaragua, delaying their liberation from Communist Sandinista rule. And most recently, they tried to shut down the war in Iraq, emboldening the terrorist insurgents until the GOP-backed surge defeated them. Is this the kind of example that Republicans want to follow?

It's true that the Senate probably won't join any fund cut-off, and Mr. Obama can veto the bill. In that sense the House vote is purely symbolic—and even more politically cynical. But such nuances will be missed in Tripoli, where the Gadhafi family will take it as a sign to hold out longer. There's a reason the dictator sent a thank-you missive to Speaker John Boehner after the House Libya vote three weeks ago.

For half a century, and especially since Vietnam, the Republican Party has stood for a strong national defense and the projection of military power to defend U.S. interests and to spread freedom around the world. Running to the left of Nancy Pelosi and John Kerry is not the way to win elections, much less to enhance America's security.

[From the Wall Street Journal, June 23, 2011]

UNPLUGGING THE AFGHAN SURGE

PRESIDENT OBAMA DECLARES VICTORY BEFORE IT'S BEEN ACHIEVED

President Obama delivered a remarkable speech last night, essentially unplugging the Afghanistan troop surge he proposed only 18 months ago and doing so before its goals have been achieved. We half expected to see a "mission accomplished" banner somewhere in the background.

Not long ago, Secretary of Defense Robert Gates spoke about only a token drawdown this year, but he's now on his way out of the Pentagon. This time Mr. Obama overruled his military advisers and sided instead with Vice President Joe Biden and his political generals who have their eye on the mission of re-election. His real generals, the ones in the field, will now have to scramble to fulfill their counterinsurgency mission, if that is still possible.

Mr. Obama said the U.S. will start to remove troops next month, returning 10,000, or three or four brigades, by the end of the year. The entire 33,000-soldier Obama surge will be gone by next summer, and withdrawals will continue "at a steady pace" after that. So the full surge force will have been in Afghanistan for only a single fighting season, and even the remaining 68,000 troops are heading out. Mr. Obama reiterated NATO's previously agreed on date of 2014 for the full transfer of combat operations to Afghan forces, but that date now seems notional.

The President rightly pointed to the coalition progress against the Taliban in Helmand and Kandahar provinces in the south, in building up an Afghan army and eliminating terrorist sanctuaries in Pakistan. But the military knows these gains are tentative, and it pressed the White House to keep all the fighting brigades in Afghanistan to press the advantage. We don't envy the task of Lt. General John Allen, who is taking over the Afghan command this summer from General David Petraeus. He'll now have to take the battle to the remaining Taliban strongholds in the east, while protecting the gains made in the south and elsewhere, even as he also manages the withdrawals. The expanding Afghan forces will be able to fill in only some of the gaps, and the U.S. troops who remain will be exposed to greater risks. The burden of long deployments is hard on the troops, but those we talk to would rather finish the job than leave too soon and risk having their sacrifice washed away in a Taliban resurgence.

In justifying the withdrawal, Mr. Obama repeatedly stressed the damage we've done to al Qaeda. Yet most of those successes have been mounted from Afghanistan, including the killing of Osama bin Laden. Mr.

Obama stressed that he'll continue to press Pakistan to cooperate in attacking terrorist havens, but his accelerated withdrawal schedule will make that persuasion harder. The Pakistan military will now almost surely not act against the Afghan Taliban. The Pakistanis will press instead for a "reconciliation" between the Afghan government and Taliban leaders, who will be the most relieved by last night's speech.

The President wanted to accentuate the progress of the surge last night to explain his decision to short-circuit it. But the real message was political and could not have been clearer: "America," he said, "it is time to focus on nation building here at home." And "the tide of war is receding."

Mr. Obama was laying out his re-election theme as a Commander in Chief who ended George W. Bush's wars and brought the troops home from Iraq and Afghanistan. He could bring the troops home from Iraq because Mr. Bush had already won the surge before Mr. Obama took office. Let's hope America's generals can still conjure a similar success from Afghanistan, despite a pre-empted surge and a Presidential march to the exits.

Mr. MCCAIN. I note my friend from South Carolina here today. The Senator from South Carolina, as many of us know, is a reserve colonel—a terrible mistake by the promotion boards—in the U.S. Air Force JAG Corps. He has spent more time in Afghanistan than any Member of Congress, including more than most Members of Congress combined. He has observed closely in Afghanistan the surge, its success, its impediments. I ask unanimous consent to engage in colloquy with the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I wonder if my friend saw General Keene, the architect of the surge in Iraq, on one of the networks this morning describing his views on the President's decision concerning drawing down our troops from Afghanistan.

Mr. GRAHAM. I did. And if I could respond to my colleague about his statement on the floor, I would like to associate myself with it. I thought it was a very well articulated statement about the times in which we live.

For about 18 months, we have had additional military capacity that was never known to Afghanistan, all because of President Obama's decision to send 33,000 troops at General Petraeus' request. Now, the request was for 40,000, but at the time, I said: I do appreciate President Obama giving the commander the resources that could do the job, but you have to do it differently.

General Keene is the architect of counterinsurgency. He is a mentor of General Petraeus. He and General Petraeus and others came up with the strategy that succeeded in Iraq. Here is what has happened, from my point of view.

I go about every 3 months. About 2 years ago, I was very afraid we were going to lose.

How could the Taliban come back with about 100,000 NATO forces in Afghanistan? The truth was that the rules of engagement for NATO really were law enforcement rules. The NATO forces could not engage the enemy in an effective way.

We were looking at this from the eyes of a law enforcement activity, and the number of American forces was about 30,000. That wasn't enough to help build the Afghan Army, train and equip the Afghan Army, control the population, provide safety, and give governance a chance to flourish through better security. That is why we needed more troops.

To all the commanders before General Petraeus, you were holding Afghanistan together, in many ways with duct tape.

I believe Iraq is a pivotal moment in the war on terror, but it is a fair observation to make that because of the war in Iraq, resources were taken away from Afghanistan. The truth is that even though we have been there almost 10 years, we really have only been there with the capacity to bring about change for the last 18 months.

So what has happened in the last 18 months? The 30,000 surge forces were sent to the southern part of Afghanistan. This really is a Pashtun civil war. It is a fight between the Taliban, a radical element of the Pashtun community, and a majority of Pashtuns and other Afghans who want a different way.

Kandahar is in the south. It is the spiritual home of Mullah Omar. That is the place he lived, and there is an American operating base within a mile of his compound. You can get up on the roof of a prison there, and you can see Mullah Omar's compound. So the argument is, if we can win in the south, we can win anywhere. So we took 30,000 troops into the southern part of Afghanistan, and we broke the enemy's back. We have allowed the Afghan Army and security forces to develop.

In September 2009, there were 800 people a month joining the Afghan Army and 2,000 a month leaving. I am not very good at math, but that is not a way to build an army. From December 2009 to the present, we have been recruiting 6,000 a month in the army, 3,000 in the police. What happened? Better pay and a sense that we were going to win. So in 17 months, we have built up the Afghan security forces by 90,000. We will have 305,000 by the end of this year.

What is the problem with the President's drawdown of forces? Why can't you do it with the numbers we have? Counterinsurgency is a very labor-intensive operation. Its goal is to provide population security and focus on training by fighting with a unit. Instead of training them during the day and hoping they do well at night, you literally go out and live with the police and the

army. It is a very labor-intensive activity, but it is the best way to provide training and build capacity.

Here is the problem. The surge forces under President Obama's withdrawal plan are now going to compromise next summer. Drawing 10,000 down this year is going to make it hard to finish out the fighting season we are engaged in now.

But here is General Allen's dilemma. Because we had 30, not 40, we couldn't go to RC-East, where the Haqqani Network exists, and fight the Taliban in the south at the same time. So we took our full force of the surge and put it against the Taliban in the south. We broke their back. We have been holding RC-East, and the game plan was to take those surge forces out of the south and go to RC-East next summer and deliver a decisive blow to the Haqqani Network. That way, the two forces undermining Afghanistan would be put at bay.

Because of the President's decision and the rejection of General Petraeus' advice, come next summer the surge forces will be all gone by September, and General Allen is in a box. How does he hang on to the security gains in RC-South? Because the enemy's will has been broken, they have been put on their knees, but they are not yet defeated because they can go across the border to Pakistan. So next summer, the surge forces we were going to have available for General Allen are going to be gone, and RC-East cannot be engaged in the same fashion as RC-South.

What does that all matter? That means one of the enemies of the Afghan people is getting a reprieve and the ability to develop security forces all over the country so that when we leave, they can fight and win has been compromised. Counterinsurgency requires math. You need a certain amount of soldiers against the enemy.

I was asked last night: There are only 50 al-Qaida. Why do you need so many troops? One Navy SEAL could defeat 50 al-Qaida.

Those who suggest that simplistic formula don't understand what we are trying to do. We are trying to take a country that has been beaten down and involved in civil war for 30 years and provide better governance through better security.

The way you beat the Taliban is you go and take them on with an overwhelming show of force. You inspire the local population to come your way and get off the sidelines because they don't want the Taliban to win, but they are afraid that at the end of the day we are going to leave and the Taliban will take over. Because of this surge, the people in the south jumped our way. And this is what is so heartbreaking. We are on the verge of being able in two summers to deliver decisive blows to two enemies of ours and the Afghan people—the radical element of the

Taliban and the Haqqani Network in the east. But because of this adjustment in strategy, I think we now have lost capability, and General Allen is going to have a much more difficult job.

Things to watch.

Mr. MCCAIN. According to the Washington Post this morning, the editorial "End Of A Surge. The mismatch between President Obama's strategy and his troop withdrawal timetable":

Mr. Obama's withdrawal decision, with no clear basis in strategy, increases the risk of failure.

The only other issue—and I think the Senator from South Carolina is very well qualified to describe it—I hear over and over, especially from those who are opposed to our involvement in this conflict, the troops are exhausted, the troops are exhausted. Yet General Keene, this morning on one of the news channels, said: They are not exhausted. They are exhilarated because they are winning. They know they have sacrificed so many of their comrades, killed and wounded. They are not exhausted. But they certainly, certainly don't want to come home in defeat, something that I saw a long time ago.

Mr. GRAHAM. That is a very good question. Who are these people and what makes them tick? Why would people who could leave by just not re-enlisting keep going back to Iraq and Afghanistan? My view of our forces is that they see the face of the enemy, they believe they have a strategy that is working, and they don't want their kids to go back. So when you use the troops as a reason to shortcut this war, I don't think you are really listening to what they say and what they do. If they were exhausted and hopeless, they would change careers.

I have never seen Afghanistan change as much as I have in the last year, and my fear is that the successes we have achieved are going to be compromised for no good reason. Both of us believe that you could, at the end of 2012, if you do this right, remove all of the surge forces. But what we have been trying to argue to the President and anyone else who will listen is that this fighting season and the next fighting season are the best chance we will have in our lifetime to bring about permanent, sustainable change. And I think General Petraeus has been trying to tell the country and the President: Give General Allen the ability to take the fight to the east like we did to the south.

From the troops' point of view, the reason they go to Afghanistan and Iraq over and over is they understand this enemy better than you and I. They see what the enemy is capable of doing. They saw it in Anbar, where children were killed in front of their parents by al-Qaida. They see what happens when the Taliban hangs a 9-year-old boy because they believe he is providing information to the coalition forces.

I think our troops understand the danger America faces, to the point that they are willing to leave their families time and time again to protect all of us back here at home.

If you do not believe Afghanistan matters, then I think you are going to be in for a rude awakening. If it goes bad in Afghanistan, if the Taliban can survive and wait us out and they begin to reemerge, a lot of people who helped us, I say to Senator MCCAIN, are going to get killed. And when America goes off to some future conflict to help the oppressed, we are going to be seen as an unreliable ally and our enemies are going to be stronger.

One final thought. This is a consequential week. The negotiations dealing with our national debt have broken down. My colleagues in the House, whom I respect, are about to vote to cut off funding, which will send a signal to Muammar Qaddafi that I think is unhealthy. At the end of the day, the decisions we make here in Congress are going to affect our Nation long after you and I leave this body. Qaddafi is on the ropes. NATO has limited capacity, but if the American Congress tells Qaddafi we are out of the fight, I am afraid that is going to give him a sense of hope he does not have today.

What does it matter if he stays? I think logically you can expect, if he outlasts NATO, the Arab spring is over. We can't go into Syria, but he will take it out on his people. I think it will affect the price of oil. That will be the end of NATO, because with NATO taking on Qaddafi and losing, it is going to be very hard for that organization to go off to another war and be taken seriously.

I hope we can survive this week, that cooler heads will prevail. I am going to tell Mike Mullen, when you come to get confirmed for this job, please let us know if you are having to make hard decisions because of a lack of resources. Give the President that information and let Congress know so we can adjust the strategy. I hope the President is right and that we are both wrong. But General Keene and General Petraeus have come up with a strategy that I think, given time and patience, will work. This new strategy is something that is untested, that is unnecessarily risky.

The way to keep America safe, Ronald Reagan said, the way to prevent a war—he said: When people who love freedom are strong, not weak, that is the best way to prevent war.

Mr. MCCAIN. Can I say in summary—and I thank the Senator from Connecticut for his forbearance—I agree with the Senator from South Carolina, obviously. I say to my friends on the other side of the Capitol, although it may fall on deaf ears at this moment, I hope they know that we understand their frustration about the President's

failure to recognize the War Powers Act exists, and the failure of the administration to consult and brief Members of Congress on the situation in Libya, about many aspects of the way this conflict has been conducted where America is "leading from behind."

But I want to repeat what the Senator from South Carolina said: This could mean the end of NATO. If NATO cannot defeat a third-rate military power, then NATO is probably going to go out of business. If we do not succeed in Libya and oust Qadafi, as is the President's policy, you will see a center for terrorist activities, you will see a return of al-Qaida to Libya—certainly a dramatically increased influence. And, frankly, it will send a message to the world that even though we say about a dictator and a brutal killer and murderer such as Qadafi that it is our policy that he be removed from power, we are either unwilling or unable to do so.

I again caution my colleagues on the other side of the aisle, I hope they would not do anything that would enhance the ability of this brutal dictator to remain in power and continue to perpetrate the murders and crimes for which he is so well known.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

GASOLINE PRICES

Mr. BLUMENTHAL. Mr. President, I am honored to follow that very articulate colloquy between my colleagues from Arizona and South Carolina and certainly draw inspiration from what they have outlined in that colloquy, the consequences internationally and at home in this very important week. I rise to call attention to developments in an area that is among those consequences—the price of gasoline, the supply of fuel internationally and at home.

I rise to commend the President of the United States for releasing today some 30 million barrels of oil over the next 30 days, which already has brought down the price of oil by about \$5 per barrel on the New York Mercantile Exchange. This consequence certainly cannot be the end of the campaign that we must continue to wage. I commend the President for heeding the calls from myself and my colleagues to address the pain felt across Connecticut and the country as prices remain too high, at close to \$4 a gallon. The drop we have seen today should be followed by additional reductions. That can happen only if the administration and this body continue to campaign to achieve those lower prices.

This development follows the decision by the Federal Trade Commission to conduct an investigation, again heeding calls from me and my colleagues, that a searching, penetrating, comprehensive investigation is necessary to forestall and prevent manipu-

lation and speculation on the markets. We have seen over these months that supply and demand is not the cause of increases in the price of oil internationally or here at home. It is directly and substantially a consequence of speculation by traders and the hedge funds, as well as potentially illegal manipulation.

The FTC investigation is in response to those calls we have made, based on what we have seen in those markets. Clearly the FTC is reacting, for example, to the fact that U.S. refiners' margins have increased more than 90 percent since the beginning of 2011. Over that same period of time the amount of capacity has been reduced by 7 percent. It is 81.7 percent over this same period of time, a 7-percent reduction from the same period in 2010. Those indicia of potential forces in the market that have nothing to do with supply and demand are certainly more than sufficient basis for the FTC investigation. Combined with the release of product from the Strategic Petroleum Reserve, they have helped to bring down prices.

But the campaign must continue. We must deter speculation and illegal manipulation. We must send a message to those speculators and manipulators who are on the wrong side of these markets, who are on the wrong side of history: You will lose and you will lose big time. This kind of message is what is necessary to protect Connecticut and national consumers. We have seen in Connecticut that the price is still above \$4 on average in many places.

This issue is not just one that affects consumers, it is an economic issue with broad and far-reaching ramifications. It affects small business people who have to drive their cars to get to work, to deliver product, to arrive at places where they are working and spending time. It has ripple effects throughout our economy. It is crushing to families and small businesses.

The rise in prices in this country for fuel and gasoline has been crushing families and small businesses. It had ramifications throughout the economy that these two steps, release of product through the Strategic Petroleum Reserve and the FTC investigation, will help to counter.

More is necessary—stronger enforcement and regulatory steps to stop and prevent abusive speculation and manipulation. I will be announcing a number of proposals for my part that I hope will be followed in the next days and weeks.

These two steps are important, but they must be followed by others, they must be the beginning, not the end, of a comprehensive strategy to bring down the price of fuel—not just gasoline but soon heating oil—for Connecticut families as well as consumers across the country. This pattern must continue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 510

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 510.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER (Mr. SANDERS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 57, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS — 41

Ayotte	Graham	McConnell
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Brown (MA)	Heller	Risch
Burr	Hoeben	Roberts
Chambliss	Hutchison	Rubio
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Snowe
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
DeMint	Lugar	Wicker
Enzi	McCain	

NAYS — 57

Akaka	Gillibrand	Murkowski
Alexander	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Inouye	Nelson (FL)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Klobuchar	Reid
Boxer	Kohl	Rockefeller
Brown (OH)	Kyl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING — 2

Boozman Moran

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 57. The amendment is rejected.

The Senator from Delaware.

AMENDMENT NO. 517

Mr. CARPER. Mr. President, I would like to take a few minutes, if I could, just to speak on—

Mr. REID. Would the Senator from Delaware yield?

Mr. CARPER. I would be happy to yield.

Mr. REID. Mr. President, we are trying to arrive at an end to this legislation. We are not there yet. We hope

there will be no more votes today. We feel positive there will not be, but we are not ready to make that decision right now. We should within the next hour.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I would like to begin my remarks this afternoon by congratulating several of our colleagues who have worked long and hard on this legislation, and their staffs who have worked equally long and hard: Senator SCHUMER and Senator ALEXANDER; I see Senator COLLINS is on the floor; Senator LIEBERMAN; our leaders, Democrat and Republican leaders, Senator REID and Senator MCCONNELL.

Anyone watching this debate from across America on C-SPAN might be wondering why is this important? Why are they doing this? Why are we spending several days, literally, in session in the Senate to focus on a nominations bill? Why? For those folks who might be wondering why, let me just offer these thoughts.

This administration has been in office for roughly 2½ years now. If we look throughout the Federal Government, the executive branch of the government, most of the positions that require Presidential nominations and Senate confirmation have now been filled. But a number, including a number that are in highly important, highly critical positions, have not been. Until fairly recently this administration looked like what I describe as “executive branch Swiss cheese.”

People sometimes wonder why the Federal Government in Washington does not work better and maybe why does it not work as well as our States. I want to take a moment, if I can, to compare the approach we used in Delaware. I know Senator ALEXANDER is a former Governor. It is probably the approach they use in Tennessee, to fill key leadership positions in the executive branch of those State governments.

In my State, for example, the Governor nominates people to serve as cabinet secretaries in a dozen or so different departments. Those nominations have to be confirmed before the senate. They hold hearings and generally report those nominations favorably. In fact, in my 8 years as Governor, we never had the senate fail to report and to vote for one of our nominees for an executive branch department—for example, secretary of transportation, secretary of education, those kinds of appointments. Within those various departments of State government, the division directors are appointed by the Governor without confirmation by the senate. The rest of our line departments within State government in Delaware are not appointed by the Governor; they are literally chosen through the merit system and report

up the chain of command through the director of the division to the secretary of the department. That is the way it works.

I remember when I was about to be sworn in as Governor. I met with the senate—it was a Democrat majority at the time—and they were interested in knowing who I was going to nominate to different positions. I explained who we had in mind. They said: We do not know some of those people. Some of them are from other States. We are not sure that we ought to be confirming them.

I asked them: Look, why don't we make a deal. Give me the team I feel that as Governor I am entitled to have, make sure they are honorable people, smart people, that sort of thing. But at the end of the day, let me have my team and go forward and try to govern in partnership with the legislative branch, and judge us in the end on how we perform.

To their credit, that is what the State senate decided to do. That is the way we operated for 8 years. They were 9 very good years. I was fortunate to be Governor at the same time that Bill Clinton was President, and we managed to balance our budget for 8 years in a row. We actually cut taxes 7 years in a row. We got ourselves a AAA credit rating for the first time in State history and still have it. That is the way we operated.

It does not look that way or operate that way here, and there are a number of reasons this administration, the last administration, and I suspect the one before that, a year or 2 years even into those administrations, the executive branch—if we look through the senior ranks of the leadership of the various departments—looked too much like executive branch Swiss cheese.

Senator ALEXANDER and Senator SCHUMER, to their credit, are trying to change that. I commend them for their efforts. I think it is enormously important.

If you are trying to be the President and lead this country, you need your team. It is important that they be capable people, honorable people. But at the end of the day, a President of either party needs a good team, a strong team, filled sooner rather than later.

There are a number of reasons it is so difficult to get many of these vacancies filled. One of them is a reluctance on the part of some people to go through the process, the confirmation process. It takes forever in some cases. These nominees are asked to bare, not their souls but largely bare their lives to go through a process where they can be maybe not crucified but certainly exposed to anything they have ever done wrong in their lives. None of us is perfect.

I think that in itself deters people from wanting to go through this process. I was once nominated when I was

Governor to serve on the Amtrak board by President Clinton. I remember how long it took just to fill out the paperwork—one set of paperwork for the executive branch, a totally different set of paperwork for the legislative branch.

I remember saying to my wife, after spending a weekend just to fill out the paperwork: I am not sure it is really worth doing all of this. I am really not sure it is worth it. I am sure for other folks who go through this process they probably reach the same conclusion at least once during the time they go through the paperwork.

We need to have not separate questionnaires, we need to synchronize, homogenize at least the paperwork, and hopefully put it in an electronic form so we can do it electronically—those nominees can do it electronically one time and be done with it and send it off to the right folks to look at.

One of the reasons we go slowly is—I will share with you—I was riding in Afghanistan or Pakistan, one of those countries a couple of months ago, riding around with a codel on a bus going from place to place. One of the folks on the bus said they were looking for somebody to put a hold on a nomination in order to get some leverage on something that Senator was trying to get from the administration—that is with a Democratic President and a Republican Senator. But I want to tell you, that conversation could have happened 4 years ago with a Democratic Senator and a Republican President. A lot of folks have used for years the ability to put a hold, to stop a nomination from moving forward, in order to gain some kind of political advantage, which has nothing to do maybe with the nominee or the nominee's ability to serve.

The other point I want to make—I shared this with some of our colleagues in our caucus, the Senate Democratic caucus, the other day. I talked to my colleagues about the work of the Government Accountability Office, GAO. Every year they publish, as most of us know, something called a High Risk List. And a high risk is just a whole lot of initiatives or problems that exist throughout the Federal Government that either are costing us a lot of money or are going to cost us a lot of money unless we do something different.

One of the top items on the GAO's High Risk List for years now has been major weapons systems cost overruns. In 2000, GAO determined that major weapons systems cost overruns—Department of Defense—was \$42 billion. That is a lot of money.

They update that list every year. They updated it for 2010 not long ago, and they concluded that major weapons systems cost overruns in 2010 had gone from \$42 billion—10 years ago—to \$402 billion in 2010.

I chair a subcommittee called Federal Financial Management, part of

Homeland Security Government Affairs. We have held a number of hearings in recent years to try to figure out how we can get better results for less money—how we get better results for taxpayers for less money or better results for maybe not much more money.

As we drilled down on major weapons systems cost overruns, here is one of the things we found out. Through testimony offered by a fellow from—one of the top three people in acquisition in the Department of Defense, a fellow named Jim Finley, who reported to John Young, the top acquisition guy in the last administration, who reported to Bob Gates, the Secretary.

We brought in Jim Finley for testimony on major weapons systems cost overruns. Again, this is Secretary Gates, John Young, top acquisition guy at the Pentagon, and then Jim Finley. We asked Mr. Finley—I asked him a question: How long have you been in your job?

He told me how many months he had served in his job.

I asked him what kind of turnover he got from his predecessor.

He said: My predecessor left 18 months before I was confirmed for this position.

So I said: You mean, for like 18 months, there was no confirmed person in your position for acquisition to oversee the major weapons systems?

I said: How many direct reports did you have once you got into your job—how many folks were directly reporting to you?

He said: There are six direct reports to me in that job but only two of them were filled.

Just think about that. Here we are, the Department of Defense, hundreds of billions of dollars of weapons systems to oversee in acquisitions, and arguably the No. 2 person in acquisitions in the Department of Defense, that position was vacant for 18 months—18 months.

When he finally got confirmed, of the six direct reports, only two were filled. No wonder we have these huge weapons systems cost overruns—and it is not just an isolated incident. We brought in Jim Finley's counterpart today in this administration, a fellow named Frank Kendall. Good man. He testified earlier this year. Again, it is Bob Gates, the Secretary. Now it is Ashton Carter who is the top acquisition person in DOD. Then we have Frank Kendall.

I said to Mr. Kendall: How long have you been in the job?

He told me how many months.

I said: What kind of turnover did you get from your predecessor?

He said: My predecessor left 15 months before I got here.

My friends, I do not know how good we all are at connecting the dots, but when we have one of the top two people at the Department of Defense respon-

sible for riding herd on the defense industry, all our contractors, and these contracts are for very expensive weapons systems—when we have a vacancy for 18 months in one administration, the next administration, pretty much like a vacancy for 15 months—that is no good. That is an invitation for disaster.

When we see the major weapons systems cost overruns go from \$42 billion in 2000 to \$400 billion 10 years later, I would suggest one of the reasons is because of this confirmation process, the vetting process. Really, the biggest problem of all is the administration. The administration takes forever to identify people to go in these positions, to vet these positions and actually give us a name.

There are no silver bullets in terms of solving this problem. We need a lot of silver BBs. One of the good things about the legislation before us is it provides a number of very helpful tools to expedite the consideration of nominees, to better ensure that the next administration, or even this administration a year or two from now if the President is reelected, that we do not end up with more and more executive branch Swiss cheese, which really translates to the taxpayers an enormous cost, costs we cannot afford with the budget deficit of over \$1 trillion.

The last thing I want to say, if I may, I know people are offering amendments. I am going to call up an amendment to this bill in just a moment. It is an amendment that involves again our friends at GAO, the Government Accountability Office. Our amendment is pretty straightforward. It would require GAO to investigate and conduct a survey on the number of Presidentially appointed positions that are not Senate confirmed in each agency, a category of jobs that also routinely go unfilled for extended periods of time.

The study would provide recommendations as to whether eliminating or converting certain appointees to career positions would be more efficient. In addition, the survey should evaluate whether it is beneficial to reduce and convert specialized categories of appointees, such as inspector generals, chief financial officers, or acquisition officers to career status, not as politically appointed.

The purpose of the amendment is that the proposal, we believe, would provide an analysis of what is an efficient amount of Presidentially appointed positions governmentwide. It also would provide recommendations on how to further reduce or convert these positions.

As far as I can tell, it is not a controversial proposal. GAO does a lot of good work for us to help figure out how to operate more efficiently, also to use some common sense. My hope is that my colleagues will see fit to support it.

That having been said, I ask unanimous consent to call up amendment No. 517, which I filed earlier today.

The PRESIDING OFFICER (Mrs. McCaskill). Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 517.

Mr. CARPER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that the Government Accountability Office shall conduct a study and submit a report on presidentially appointed positions to Congress and the President)

At the appropriate place, insert the following:

SEC. ____ . REPORT ON PRESIDENTIALLY APPOINTED POSITIONS.

(a) DEFINITIONS.—In this section—

(1) the term “agency” means an Executive agency defined under section 105 of title 5, United States Code; and

(2) the term “covered position” means a position in an agency that requires appointment by the President without the advice and consent of the Senate.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Government Accountability Office shall conduct a study and submit a report on covered positions to Congress and the President.

(c) CONTENTS.—The report submitted under this section shall include—

(1) a determination of the number of covered positions in each agency;

(2) an evaluation of whether maintaining the total number of covered positions is necessary;

(3) an evaluation of the benefits and disadvantages of—

(A) eliminating certain covered positions;

(B) converting certain covered positions to career positions or positions in the Senior Executive Service that are not career reserved positions; and

(C) converting any categories of covered positions to career positions;

(4) the identification of—

(A) covered positions described under paragraph (3)(A) and (B); and

(B) categories of covered positions described under paragraph (3)(C); and

(5) any other recommendations relating to covered positions.

Mr. CARPER. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

U.S. CREDIT SCORE

Mr. DURBIN. Madam President, most Americans have a credit score. We don't know much about it until we start to borrow money. Then you find out what your score is, and that will determine whether you are going to get a loan and, if you get one, how much interest you will pay for it.

Several years ago, I got a phone call from a bill collection agency to my home in Springfield, saying: DURBIN, we finally caught up with you; I don't know how you thought you could get

away from us, but the charges that you have run up here at Home Depot in Denver, CO, haven't been paid for months. I said I had never been to the Home Depot in Denver, CO.

Well, I was a victim of identity theft. Somebody got enough information about me to apply for an account there and run up some charges. They said: Prove it. So I sent them some information and they came back and said: We are satisfied you weren't the person who ran up the charges, and you better check with your credit agencies to see what your credit score is now because everybody has been reporting this default on payment on the Home Depot in Denver, CO. I checked and, sure enough, my credit scores, which I never pay any attention to because I don't borrow a lot of money, were terrible. I went through about 3 months of reconstructing what happened and clearing my record, and at the end they said everything is fine. It can be done.

Why do I bring up this example? The credit score of the United States is now in question. On August 2, the Secretary of the Treasury tells us that if we don't extend the debt ceiling of the United States, we are going to be in a terrible financial situation.

What is the debt ceiling? The debt ceiling is America's mortgage—the amount of money we borrow as a government, as a nation, to sustain ourselves. We borrow a lot of money—40 cents for every \$1 we spend, whether it is on a missile or a food stamp. The creditors—our creditors around the world—of course, get paid interest for loaning us money to cover our debt. The level of interest they are paid reflects their confidence that we will ultimately make payments and be good for the debt.

Right now, you can pick up the newspaper and read what is going on in Greece. The Papoulias government barely survived this week because they have had to initiate austerity measures, cutbacks in spending that aren't politically popular. If they didn't, they were going to watch the Greek credit rating fall further and the cost of borrowing money go up even higher.

So when the time comes on August 2, our deadline on our basic debt ceiling, our creditors around the world will look and see what happens. What happens, without fail, in the history of the United States, is we do the right thing and extend the debt ceiling. They say: Fine, so the full faith and credit of the United States can be relied on confidently. They can say they made another payment as they said they would, and we can go forward with our business.

Now there is a hue and cry, primarily from the other party, that we should not pay any attention to this debt ceiling. We should ignore it. Many of them have made arguments which, frankly, are stunning.

Just to give you a couple of examples, a colleague from the State of Pennsylvania, Senator PAT TOOMEY, said today that "failure to raise the debt limit upon the deadline submitted by the Treasury Secretary does not equate to a default on our debt at all."

I will remind him what Ronald Reagan said:

The full consequences of a default—or even the serious prospect of default—by the United States are impossible to predict and awesome to contemplate. . . . The Nation can ill afford to allow such a result.

Senator DEMINT of South Carolina, a Republican, said:

Republicans must do everything they can to block an increase in the debt limit.

Here is what the Chairman of the Federal Reserve, Ben Bernanke, said:

Failing to raise the debt ceiling in a timely way will be self-defeating if the objective is to chart a course for the better fiscal situation for our Nation.

Congressman PAUL RYAN, chairman of the House Republican Budget Committee, said that holders of U.S. Government debt would be willing to miss payments "for a day or two or three or four."

Tim Geithner, the Treasury Secretary, said this:

Even a very short-term or limited default would have catastrophic economic consequences that would last for decades.

Mr. President, I am not sure you follow the stock market, but if you did, today you know it is off. It is off because news about employment is not encouraging. Too many Americans are out of work. So there is a question mark about this economy and where it is headed. We are doing our best to turn it around, and I think we have done some good, but we need to do more. We can talk more about that.

If we, for some reason, do not extend the debt limit of the United States, the credit rating of the United States would go down in the eyes of people who loan us money. What would happen next? As predictable as I stand here, interest rates would go up. People loaning money to the United States would say: If they are not going to extend the debt ceiling when they are supposed to, then we want to cover our bets and have a higher interest rate. What happens when the interest rate paid by the United States of America on its debt goes up? All interest rates go up. Interest rates would go up on people buying homes and cars and on businesses that want to expand or buy more inventory.

Can you think of a worse thing at this moment in our economic history? Where the Federal Reserve has announced this week that they are going to try to keep interest rates down so we can get out of this recession, Congress, if it fails to meet its responsibility on the debt ceiling, would end up raising interest rates—exactly the opposite of what the Federal Reserve says

we need to get the economy back on its feet and get America back to work.

This is the introduction to a point I wish to make that has a lot to do with a speech made on the floor today. Senator MCCONNELL, the Republican leader, came to the floor this morning to explain he has decided the Republicans will walk away from the budget negotiations with Vice President BIDEN. Congressman CANTOR, a leader in the House of Representatives, and today Senator KYL, one of our leaders in the Senate, have said that after weeks of sitting in the room with the Vice President trying to work out some kind of agreement on the budget deficit, they were walking out, and they did. The two Republican leaders in the room walked away from it.

Senator MCCONNELL said this this morning in explaining it:

We're not in the majority. We can't sign anything into law. That's the President's job. That's his job. He has acted as if it is not his problem. This is his problem to solve.

As if that wasn't bad enough, the House majority leader announced soon after that he will no longer participate in the bipartisan negotiations.

Congressman CANTOR said:

It is up to the President to come in and talk to the Speaker. We've reached the end of this phase.

How does this break down? How does the Republican walkout on budget negotiations and the extension of the debt ceiling come together? We can't extend the debt ceiling without the support of the House Republican majority and without the support of Republicans in the Senate. They have said they will not vote for it unless we have an agreement on the budget.

Well, the clock is ticking. At this point, we know August 2 is looming, and we know if we fail to extend the debt ceiling, it will be the worst thing we can do for the American economy at this moment in time. If there were ever a time when both political parties ought to stop making some of these speeches and come together and work it out, this is it. What it means is that both sides—our side, the Democrats, and their side, the Republicans—have to come together and put everything on the table. It means that some of the things we hold dearest, such as Medicare and Social Security and entitlement programs, we need to talk about their future in honest terms. It means that the Republican side has to come forward and accept the reality that we will need some new revenue to deal with our budget deficit situation. That is the reality.

I only know this a little better than some because I spent the last year and a half working on it—on the President's deficit commission and with a group of four or five other Senators from both parties trying to come up with some kind of agreement. That is where we are today.

This breakdown of the discussions on the Biden budget negotiations, because of the walkout of Congressman CANTOR and Senator KYL, is not promising. Next week, the Senate will be back in session, the House will not. It is one of their recess weeks. The following week, after the Fourth of July, we are out of session, and the House is back in. So for 2 weeks now, we are not going to have both Houses in Washington. That will make it more difficult to reach an agreement, but we have to do it.

As bad as things are with this economy, if we send a signal that we are unable to responsibly lead on a bipartisan basis, I am afraid we are going to have very negative consequences. I implore the Republican leaders to reconsider their position. Walking away from their congressional responsibility to negotiate for a good budget agreement and to extend the debt ceiling is the height of economic irresponsibility. It would create a disaster that would touch innocent people across the United States and around the world. What we need to do—and it is so hard in this town—is to try to put this partisanship aside. At one point early in the session, the Republican leader said the most important thing we can achieve during the course of this session—I will quote him:

The single most important thing we want to achieve is for President Obama to be a one-term President.

That was a quote Senator MCCONNELL made several months ago. We are all partisan to some extent, but that isn't the most important thing Senator MCCONNELL or Senator DURBIN can achieve. The most important thing to do is to deal with our debt responsibly and get the economy moving forward in a bipartisan way. Running up filibusters on bill after bill on the floor of the Senate may give somebody a quick temporary victory, but it doesn't solve the problems we face. We need to work together to create jobs and pass legislation, get a budget agreement together, and extend the debt ceiling.

I urge my colleagues on the other side of the aisle to reconsider this walkout from the budget negotiation. We need to work in good faith to solve the problems of this country. After all, that is why we were elected.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I ask unanimous consent that all first-degree amendments to S. 679, with the exception of the managers' amendment, must be offered prior to the close of business today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, there will be no further rollcall votes today. The next vote will be Tuesday before the caucus. There will be no votes on Monday or tomorrow.

I ask unanimous consent that the pending Coburn amendment No. 500 be withdrawn; that when the Senate considers S. Res. 116, it be in order for Senator COBURN to offer his duplication amendment to the resolution; that there be up to 1 hour of debate on the amendment, equally divided between Senator COBURN and the majority leader or their designees; that the amendment be subject to a two-thirds threshold; that the amendment not be divisible; that no amendments, motions or points of order be in order prior to any vote in relation to the Coburn amendment other than budget points of order and the applicable motions to waive; and that all other provisions of the previous order with respect to the resolution remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. CORKER. Madam President, this is very much out of character, what I am getting ready to do, but this morning I was in a Foreign Relations hearing on Afghanistan and Pakistan and my staff tells me the majority leader came down and happened to castigate me for speaking about the fact we had not taken up some of the Nation's most important business this year; that we have spent a lot of time on bills that were not as important as our Nation's debt crisis and other kinds of things.

I can't imagine there is anybody in this body who feels, as a Senator, and it being June 23, that we have taken up very serious business this year. I can't imagine there is anybody who is proud of what we have been able to accomplish this year as it relates to addressing our country's most pressing problems. And that was the point of the speech I made yesterday on the floor which, I might add, a number of Democrats have since come up to me and said they could not agree with me more.

The point is we need to deal with our Nation's No. 1 crisis today, which is

spending. I talked a little bit about what is happening with the Blair House negotiations and the fact that, basically, the goal the Blair House negotiators have attempted to achieve—their aspirational goal—probably is not strong enough for most people on either side of the aisle to support, and so we need to be far more serious about our country's spending problems.

However, I know we are not busy, and when we are not busy, sometimes we say things we don't mean and we get ourselves in trouble. It is my understanding, again, that the majority leader came to the floor and found a quote I had made 2 years ago about EDA to try to, if you will, castigate me for the comments I made yesterday, which he said were out of line.

I know we haven't taken up a budget in 785 days in the Senate. We have not taken up a budget. Two years ago a budget was passed out of committee, but there was an unwillingness to take up that budget on the floor. This year, the Budget Committee didn't even pass a budget out of committee. So here we have a country that is spending \$1.5 trillion a year that we don't have—and borrowing 40 cents of every dollar we spend—but here in the Senate we are basically hoping others will solve this problem for us. Candidly, I hope that happens. I do hope we come to a conclusion sometime soon.

I understand how the majority leader would be defensive. He is the majority leader of the Senate—the greatest deliberative body in the world, some say—and we haven't even taken up a budget to account for the \$3.7 trillion we spend of our country's money each year. So I know he is embarrassed; I know he is defensive; and I understand that. But I would say that my words—the essence of what I said yesterday—still stand. This body has not done the serious work the Senate should do. We have a looming crisis coming before us, with a debt ceiling vote coming up on August 2 and, to my knowledge, there has been no public debate about solutions toward that.

The Presiding Officer and myself have offered a bill called the CAP Act to try to deal with that. It is the only bipartisan, bicameral act that has been introduced in both bodies. It certainly is not the total solution to our problem, but that, coupled with other fixes—some Medicare fixes, coupled with a 302(a) top line for a couple of years—to me is the essence of something that might solve our country's problems.

I have tried to offer some constructive solutions to our problem. I know the Presiding Officer has tried to offer some constructive solutions. To me, those are the kinds of things we here in the Senate should be dealing with today. The markets, rightfully so—and very soon, as they should—will become very volatile. It is my opinion we are

close to a potential trainwreck. I know people have pulled away from the Blair House negotiations, and my sense is the two sides are very much in disarray at this point. There have been numbers of public comments that have been put forth. Again, I come back to the Senate, where we have gone 785 days without even taking up a budget.

So again, I know the majority leader is defensive and embarrassed, and I understand why he would be, but I stand by my comments yesterday.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 1271 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 493

Mr. KIRK. On behalf of Senator McCain, I call up amendment No. 493.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK], for Mr. McCain, proposes an amendment numbered 493.

Mr. KIRK. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To preserve congressional oversight into the budget overruns of the Office of Navajo and Hopi Relocation)
Strike section 2(w).

Mr. KIRK. I ask to be recognized for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFGHANISTAN

Mr. KIRK. Madam President, under General Petraeus, the deployment of a local army is critical to winning a war. In Iraq he used extra U.S. troops to sustain military momentum against an enemy until a well-trained local Army was trained and ready for action. Petraeus had the time he needed to stand up a 500,000-man local Army and then won the war. This has also been his model for Afghanistan. While Iraq and Afghanistan differ, the military challenge was the same: to train and deploy a local army that could sustain a fight until victory.

Starting with nothing, the United States and our NATO allies set a goal

of building an Afghan Army and police force to eventually number 400,000. By reaching this goal, the combat mission of the U.S. and other NATO forces would disappear. We would remain helpful with supplies, repair and intelligence, but not frontline combat.

I agreed with President Obama's decision to surge to Afghanistan, and I was in the audience to show my support when he delivered a historic address at West Point. By following the recommendations of General Petraeus, Secretary Gates and others, President Obama gave the United States and our NATO allies the time needed to vastly expand the Afghan police and army.

Unfortunately, the President has changed course from establishing a sufficient Afghan security force before scaling down our military presence. To date, the Afghan police and army are short of their 400,000-man goal. As of April, there were 284,000 in both services, well over 100,000 people short.

Overall, the Afghan Army loses 32 percent of its personnel a year, while its police lose 23 percent. To expand the security forces, losses must be held to 24 percent annually. Therefore, according to our National Military Training Mission in Afghanistan, the commander of that training effort, General Caldwell, must train 23 Afghans for every 10 to be deployed. We find key shortfalls in the officer corps and among noncommissioned officers. To date, 82 percent of Afghan officer billets are not filled, along with 85 percent of noncommissioned sergeants and corporals. The Afghan Army is also short of recruits from the communities where the fighting is most difficult. Only 3 percent of the Afghan Army was born in the southern Pashtun regions where Afghan leaders traditionally originate.

The Afghan Army is also lacking in literacy. In 2008, only 14 percent of Afghan military personnel could read or write. Now, thanks to General Caldwell, that number has grown to 85 percent in both the police and Army. One of the critical factors in training an Afghan Army that can win this war is the number of NATO trainers. To date the training command lacks over 700 trainers due to personnel shortfalls among our NATO allies. Each of these facts paints a clear picture of a work in progress but one that is about to be strained by the President's decision to leave Afghanistan 2 years too early. Under the original Petraeus plan, the United States and NATO would have deployed an Afghan police and military numbering 400,000 by 2014. Having trained together for 1 year or more, these Afghan units would likely endure the stress of combat and deliver victory in 2015 or 2016.

Unfortunately, the President has rejected his general's recommendations and decided to leave early—withdrawing one U.S. brigade combat team

right away. Our NATO allies express quiet concern about this departure. U.S. and local commanders will have about 12 percent of their combat power taken off the battlefield right away. The President will then remove two more brigade combat teams by the election day in 2012, leaving U.S. and local commanders with only 66 percent of the current combat power.

These actions will severely strain the Afghan police and Army, just as Afghanistan prepares for a new Presidential election. It also provides some hope for the Taliban, whose strategy may be a 12-month rest and refit of their operations to then reenter the battlefield against a much weaker enemy in 2013.

We learned a painful lesson when we ignored Afghanistan in 1992. Without any domestic oil or a coastline, the United States paid no attention to the rise of the Taliban and al-Qaida, and we paid an awful price for that policy on September 11, 2001. In my view, the lesson of that day should move us to realize that the Petraeus plan should have been fully implemented and not ended early.

Separately, I would like to take a moment to applaud our Treasury Department and especially our Acting Under Secretary, David Cohen, for moving decisively today to designate Iran Air and a major Iranian port operator, Tidewater, responsible for facilitating Iran's transfer of weapons and other proliferation activities.

Both of these Treasury designations will significantly restrict shipping to and from Iran and will put even more pressure on the Iranian economy. Under Secretary Cohen has proven himself to be a worthy successor to former Under Secretary Levey, and he has my confidence.

In the weeks ahead, I urge the administration to move forward with our allies in Europe and Asia to implement a comprehensive strategy to collapse the Central Bank of Iran. The Central Bank of Iran facilitates the operations of the Iranian Revolutionary Guard Corps and the Ministry of Intelligence Services and lies at the center of Iran's strategy to circumvent international sanctions. It is time for the United States and our allies to decapitate the Central Bank of Iran and to place unprecedented stress on the Iranian economy.

With that, I yield back.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFICIT CRISIS

Mr. SANDERS. Mr. President, I think many Americans understand we are at a pivotal moment in American

history, and decisions that will be made in the Senate, decisions that will be made in the House, decisions that will be made in the White House regarding the budget and how we deal with the debt ceiling will impact virtually every American—our children, working families, seniors—virtually every American for decades to come. The stakes are huge. The debate is not just about a budget but the question of which direction America goes forward in.

Today, the Republican leaders—ERIC CANTOR in the House, JON KYL in the Senate—withdrew from the bipartisan budget talks that have been led by Vice President BIDEN. Senator MITCH MCCONNELL, the Republican leader in the Senate, and Senator KYL said:

The White House and Democrats are insisting on job-killing tax hikes and new spending.

President Obama needs to decide between his goal of higher taxes or a bipartisan plan to address our deficit. He can't have both. But we need to hear from him.

We need to hear from the President.

I agree with Senator KYL and Senator MCCONNELL that we need—the American people need, the Senate needs—to hear from President Obama on this enormously important issue. But I believe we need to hear from the President in a very different way than what Senator KYL and Senator MCCONNELL and Congressman CANTOR want to hear.

Here is where we are in America today, and this is what the debate is about: Virtually every American understands that, to a very significant degree, the middle class in this country is disappearing. Median family income has gone down by \$2,500 in the last 10 years. Many millions of workers today are earning lower wages than they used to earn. They are moving in the wrong direction.

In a recent 25-year period, ending in 2005, 80 percent of all new income did not go to the middle class. It went to the people on top. So the overall dynamic of America now: The middle class is collapsing, poverty is increasing, young people are finding it very difficult to get decent-paying jobs. While all that is going on, the people on top have never had it so good. Almost all new income is going to the top 1 percent.

There was an interesting piece in the Washington Post this Sunday talking about the growing gap between the very rich and everybody else. Wall Street, whose thievery and illegal behavior and recklessness caused this recession, is now making more money for their executives than they did before the recession they helped cause.

The top 1 percent is earning more income than the bottom 50 percent. The top 1 percent alone is earning 22 percent of all income in America. The top 400 individuals in this country own

more wealth than the bottom 150 million.

I know the Presiding Officer has made the point about the gross inequities and unfairness in our tax system, that while the middle class is sinking, the people on top have been able to enjoy effective tax rates that are the lowest in recorded history, that janitors, cops, nurses—working people today—are paying an effective tax rate that is higher than millionaires and billionaires.

That is the reality economically this country faces today, and then that is the reality we have to deal with as we move toward a budget.

Every single poll I have seen says what is obvious: that if we are going to address the deficit crisis, it must be done in a way that is fair, that everybody participates in.

Our Republican friends have a very unusual idea about how to solve the deficit crisis. Yes, they say the rich are getting richer. Yes, they say corporations are doing phenomenally well. Some are making billions of dollars in profits, not paying a nickel in taxes. Yes, they understand the gap between the very rich and everybody else is growing wider, and their quaint and interesting idea, in the midst of that context, is that while the rich get richer, they should not be asked to contribute one nickel—not one penny—for deficit reduction.

Quite the contrary, under the Republican budget passed in the House, the so-called Ryan budget, while the rich get richer and corporations enjoy record-breaking profits, their budget proposes \$1 trillion more in tax breaks for the rich and large corporations.

Meanwhile, while the middle class disappears and poverty increases, their idea for deficit reduction is to make savage cuts in programs the middle class and working families depend upon to survive—to survive.

Under the Republican budget, they would end Medicare as we know it in a 10-year period. They propose to give a senior citizen an \$8,000 check, a voucher, and have that senior go out and get an insurance plan with a private insurance company.

Tell me what kind of plan a 70-year-old person dealing with cancer or another illness is going to get with an \$8,000 voucher? Are they living in the real world? Do they know what hospital care costs today? You eat up \$8,000 in the first day. Yet that is what a senior is supposed to live on for health care for 1 year.

But it is not only ending Medicare as we know it in order to give tax breaks to billionaires; it is savage cuts in Medicaid. Half the people on Medicaid are children. We are the only country today in the industrialized world that does not guarantee health care to all its people. Fifty million people are uninsured. If you cut Medicaid by \$700 bil-

lion over a 10-year period, tens of millions more, including a lot of kids, will have no health insurance. They get sick. Working-class parents, where are they going to get the care? How do they get the care? I guess we have to do that in order to give a tax break to a large corporation that already is not paying anything in taxes.

Let me mention, for a moment, what is a fair way—a fair way—to move toward deficit reduction in a way the American people overwhelmingly support. You go out and you ask the American people: Do you think it makes sense, in terms of addressing the serious problem with deficit reduction, to give \$1 trillion in tax breaks to the richest people and make savage cuts in programs that working people need in health care, education, nutrition, environmental protection? The overwhelming majority of the American people say that is nuts; it does not make any sense; we must not go in that direction.

So when my Republican friends in the leadership say: There is a lot of responsibility now on the President, the President has to decide which direction he wants this country to go, they are right. My hope is the President of the United States listens to the American people and demands that deficit reduction consist of shared sacrifice, that we move toward deficit reduction not just on the backs of the elderly and the children and the sick and the poor but that everybody—I know even people who make large campaign contributions—I know that is heresy to say on the floor of the Senate—but maybe even large corporations that buy and sell politicians, maybe they should be asked to contribute toward deficit reduction. Maybe billionaires, who have more money than they are going to spend in 100 lifetimes, might be asked to pay somewhat more in taxes before we throw children off our health insurance or deny nutrition to low-income seniors.

There are many ways to go forward in addressing the deficit crisis that is fair, that does not decimate programs working families depend on, especially in the middle of a severe recession.

Let me mention very few. We should not extend the tax breaks President Bush gave the wealthiest people in this country. That is it. We have a \$1.5 trillion deficit, a \$14 trillion-plus national debt. Sorry, we cannot afford it. These guys have already received huge tax breaks. No more. We cannot afford it.

We have to take a hard look at our defense budget. We have to begin bringing the troops home from Iraq and Afghanistan a lot faster than the President has indicated. The defense budget has tripled since 1997. It has tripled. It is time to make cuts in the defense budget. We can do that while maintaining our strong defense capabilities.

There are studies which indicate that large corporations and wealthy individuals are stashing huge amounts of money in tax havens such as the Cayman Islands and Bermuda, and collectively they are avoiding paying \$100 billion in taxes to the U.S. Treasury. I think that is absurd. We have to end those loopholes. They have to pay their fair share of taxes.

I can go on and on in terms of loopholes that exist for corporate America which have to be closed, the absurdity of the richest people in this country having an effective, a real tax rate lower than middle-class people.

But here is the issue if the Republicans walk away from those negotiations. The President of the United States has to accept that challenge. He has to go out to the American people. He has to rally the American people around a deficit reduction program which calls for shared sacrifice. That is what the call of the moment is. I hope the President does that.

AMENDMENT NO. 512

Mr. SANDERS. Mr. President, on behalf of Senator AKAKA, I call up amendment No. 512.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for Mr. AKAKA, proposes an amendment numbered 512.

Mr. SANDERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To preserve Senate confirmation of the Commissioner of the Administration for Native Americans)

On page 48, strike lines 4 through 9.

The PRESIDING OFFICER. The Senator from Texas.

ANOTHER STIMULUS

Mr. CORNYN. Mr. President, I am reading in press reports that some of my colleagues across the aisle are advocating another stimulus package, sometimes called government investment, otherwise called spending taxpayers' money that we do not have and borrowing it from our children and most immediately from the Chinese, who own \$1 trillion of our national debt. It is astonishing to me that after the last stimulus package early in 2009 failed to meet the President's own stated target of keeping unemployment to 8 percent or lower, some of our colleagues are trying to double down on a bad deal by advocating more stimulus, when 43 cents out of every dollar that is being spent in America today is borrowed money.

I mention that the President in his speech on Afghanistan last night said the Federal Government needs to invest more. Well, I do not think any-

body should be fooled by what he really means when he says the Federal Government must invest. The only money the Federal Government has is the money that comes from your wallet, from taxpayers. When there is not enough money coming in to keep up with the reckless spending habits of Washington, DC, then they simply borrow the money or print money we do not have, and that is what "investment" means when the President talks about needing to invest more Federal Government money.

On the same day the President spoke, the Congressional Budget Office released a report that shows the Federal Government spending spree is not sustainable, and the Nation's fiscal position is getting worse. I do not think that is breaking news. I think most Americans could tell you that was the case, at least intuitively already.

Over the last 2 years, the Nation's debt has dramatically worsened. Gross Federal debt is expected to equal 100 percent of our entire economy in just 3 months—well past the 90-percent threshold where many economists believe the debt will seriously undermine economic growth. Some studies show that this increased debt, which crowds out private investment and borrowing, may result in the loss of at least 1 million jobs a year.

But getting back to my initial point about this stimulus notion in the negotiations with Vice President BIDEN over raising the debt ceiling, it seems that many have forgotten the trillion-dollar stimulus package passed back in 2009, that the "green shoots" predicted never materialized, that the "recovery summer" never happened, and, as I say, it failed to keep unemployment below the targeted rate of 8 percent. Indeed, now it hovers nationwide at a rate of 9.1 percent. It is much worse in many regions of the country. Only in Washington, DC, would someone advocate a repetition of a program that we know has failed to meet its stated goals and was, I believe, a total flop. First of all, it was borrowed money, so it wasn't even spending money that we had, it was exacerbating an already dangerously high debt. The first stimulus failed for one reason—because of our massive deficits in jobs and our budget.

We know the American people believe, as the Gallup organization tells us, a large majority of Americans believe that spending too much money on unneeded and wasteful government programs is to blame for Federal budget deficits. And if you ask any business owner—anyone, really, outside of the beltway—the reason why jobs are just not coming back, it is in large part because of the uncertainty of what is coming out of Washington, not only legislatively but as a regulatory matter, whether it is the Environmental Protection Agency, the Department of Labor—all the alphabet soup of Federal

agencies that exist here in Washington, DC.

Instead of passing another unpaid-for stimulus plan or issuing more job-killing regulations, our focus should remain on ways to reduce and reform government spending and thereby help get the economy moving again. In fact, I think we need to force the Congress and the Federal Government to live within its means by passing a balanced budget amendment to the Constitution and this should be the focus of our efforts here over the next couple of months as we tackle not only this unsustainable debt and these huge annual deficits but as we look for ways to put a straitjacket on the Federal Government to make sure it doesn't keep spending money it does not have. No families, no business—as a matter of fact, 49 States have balanced budget requirements. Only the Federal Government and only Congress can continue to spend money we don't have.

A balanced budget amendment to the U.S. Constitution would permanently change Washington's behavior. So far, 47 Senators in the Senate on this side of the aisle have endorsed and cosponsored a balanced budget amendment. We would invite our colleagues across the aisle to join us in this effort.

In summary, we need to unburden the economy from regulatory uncertainty or in some cases the certainty that the bureaucracy will overreach and make it harder, not easier, to create jobs. We need to pass free-trade agreements that should be pending before the Senate to help create more jobs here at home by producing things here that we can then sell abroad. Then we need to develop our domestic energy production with the great gifts we have been given in this country. I know the Presiding Officer, coming from an energy-producing State—Alaska—agrees with me that we need to produce more domestic energy, which will also have the added benefit of creating jobs right here in America rather than continuing the bad habit and the dangerous habit of importing about 60 percent of our energy from abroad, from some dangerous parts of the world.

I wish to close with a couple of other thoughts.

Listening to my colleague from Vermont calling for shared sacrifice in meeting some of the deficit reduction plans, I would just suggest to the distinguished Senator that 9.1-percent unemployment reflects a lot of sacrifice among a lot of people who can't find jobs in this bad economy. That is shared sacrifice, but that is a sacrifice which I know they and we would prefer they did not have to share. When you don't have a job, it is pretty hard to make your mortgage payments, and when you can't make your mortgage payments or you can't move because your mortgage is more expensive than the value of your home—your home is

underwater—you are simply stuck. A lot of people are finding themselves defaulting on their mortgages and losing their homes, which is usually the largest single investment any of us will make.

I want to close on this thought. I want to ask my colleagues across the aisle who have been so critical of the proposals that have been made by the House of Representatives and others, where is your plan? Where is your budget? It has been 2 years since the Congress has passed a budget, since it has been in control of our Democratic friends. Where is your plan to save Medicare, which the Medicare trustees have said will go insolvent—that means there is more money going out than coming in—by the year 2024? How do we keep the promise to our most vulnerable seniors that Medicare will be there for them if we don't do something to shore up this insolvent program?

Unfortunately, I believe the President is listening too closely to his political advisers rather than listening to those who are telling him: Mr. President, we have a problem we need to solve. The first place he ought to look for a proposed solution is his own bipartisan fiscal commission that reported back in December in a report, 66 pages long. It is scary but important reading. The title of that is “The Moment of Truth.”

We have reached a crossroads in this country where we simply cannot kick the can down the road, where we cannot keep spending money we don't have, where we cannot keep relying upon Communist China to buy our debt and to bail us out. We simply cannot continue to pass these responsibilities on to our children and grandchildren. We have important promises to keep to our seniors, to make sure that safety net of Medicare and Social Security is going to be there for them, but we can't do it unless we have willing partners join us across the aisle.

Right now, the only one in this country who is in a position to make this happen is the President of the United States, but so far the President has been AWOL on this issue. After his bipartisan fiscal commission issued the report I referred to a moment ago in December of 2010, in his State of the Union speech, the President barely mentioned, if at all, this mounting debt crisis and the problems with the pending insolvency of Medicare and Social Security.

The budget that the President proposed was never acted on by the majority leader or the Budget Committee on which I sit. And being in the minority, we can't force this issue; it can only happen if the chairman of the Budget Committee marks up a budget and if the majority leader, Senator HARRY REID across the aisle, will put it on the floor of the Senate where we can de-

bate it and offer amendments. But they chose not to do so, relying instead on their political consultants who said: You know, if you offer a constructive proposal, there may be some across the aisle who will criticize it, and, you know what, you may just have to take some hard votes.

Well, anybody who has come to the Senate who isn't willing to vote their convictions, whatever those convictions are, and be held accountable by their constituents back home doesn't deserve to be in the Congress. We are here to take hard votes and to make hard decisions because it is not about us and our political career, and it is not about the next election; it is about addressing these problems we have been sent here to try to fix the best we can under the circumstances.

It is beyond unbelievable when I hear some of our colleagues across the aisle—the senior Senator from New York, among others—talking about another stimulus spending as part of this debt reduction deal.

Beyond that, we have the chairman of the Senate Finance Committee making clear that an insistence on tax increases was a central element of any deal on raising the debt limit. The Vice President himself was quoted as saying, in the *Politico* publication:

The piece that is most important to us Democrats—revenue.

The word “revenue” is Washington-speak for tax increases. The President and Republicans and Democrats got together after the last election and agreed to extend expiring tax provisions because all of us agreed, on a bipartisan basis, that the worst thing we could do for a fragile, recovering economy was to raise taxes on small businesses, which are the engine of job creation, and on individuals who would be able to then invest that money into starting a business or growing an existing business.

There is a reason the private sector is afraid of Washington, DC. They see these mounting debts and deficits, and they realize one of the things we might be tempted to do is raise their taxes. Do you know what. The business model for their small business may not be able to withstand that tax increase or the regulatory overreach of some Federal Washington bureaucrat. So they are scared, and they are sitting on the sidelines.

The two things we need to do the most are to bring down that spending curve by reducing Federal Government spending and begin to attack that debt and make sure we don't have to keep raising the credit limit on the Nation's credit card but, rather, we can bring it down, and within sustainable limits. Second, we need to take our boot off the neck of the private sector, the free enterprise system in America, so it can create jobs, grow businesses, and pay taxes. We can begin to close the gap be-

tween what the Federal Government is spending and what it brings in in terms of revenue.

In 2007, when our Democratic friends took control of the House and Senate, President Bush was still President of the United States, and our annual deficit was roughly 1.2 percent of our GDP, our entire economy. Today, it is roughly 10 percent. The reason it was 1.2 percent is not because we weren't spending a significant amount of money; we were. It was because the economy was booming and revenue to the Federal Treasury was at an all-time high. That should tell us that we need to do two things: cut spending, not just raise taxes so Washington can spend some more and throw a wet blanket on the economy and the job creators, we need to cut spending and fix these entitlement programs so we can keep our promise to our seniors who are relying on these programs. We also need to get the economy moving again by growing jobs in the private sector and by adopting a national energy policy that says we prefer domestic, or American, energy sources rather than those from abroad.

Mr. President, we need to do it soon. I am saddened to see that as a result of the insistence on the part of the Vice President and our friends across the aisle that tax increases must be a part of any package of debt reduction; that the majority leader in the House of Representatives and the assistant minority leader in the Senate, Senator KYL, have reached an impasse and said they don't see any point in continuing the negotiations at this point.

I hope the Vice President, or indeed the President of the United States himself, who is the only Democrat who can get this deal done, will reconsider their approach and work with Republicans to live within our means, reduce spending, and try to get our economy moving again so we can alleviate our children from the debt burden they are inheriting from us.

Every child born in America today will come into this world with \$46,000, roughly, in debt. That is because of what we have not been doing, which is living within our means. It is time to do that, and we need to work together to solve the problem.

I yield the floor and suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

MR. SESSIONS. Mr. President, we heard an announcement today that the so-called “Biden talks” have broken down. It is not something that surprises me terribly. I have always said

that I didn't think this was the right approach—to negotiate in secret some of the most important decisions this Nation has to make.

In truth, we have never been in a more severe financial condition than we are today. Many remember the government shutdown in the 1990s and the fact the Nation ended up, out of that difficult contentious time, balancing the budget in 3 years. Well, I serve on the Budget Committee—the Presiding Officer is an able member of the Budget Committee—and we know it is not going to be easy. It is going to be very difficult to get this country on the right financial course. So I think the decision of the House majority leader and Senator KYL to withdraw from the negotiations over the debt ceiling underscores the inherent problems with this kind of nonpublic meetings, designed to come up with some global, comprehensive settlement of apparently all our financial difficulties. It is just not easy.

I think it underscores additionally a very important fact: that a President cannot lead from behind in dealing with the most pressing crisis our Nation faces—our exploding debt and the increasing damage that the debt is doing to the American economy right now. It is taking too long for a proposal to be presented to the Congress, and it is clear now that optimistic statements about progress have been too generous. It will be unacceptable for the White House talks, or any talks, to produce a controversial agreement at the eleventh hour and to then come before Congress in a panic and say: You have to enact this solution we came up with in secret, or the country will have a serious debt crisis.

That is the path we are heading down, just as we did with the CR—the continuing resolution—that was passed. That is not what the American people want; that is not what they deserve. They want regular order. They want Congress to have the opportunity to debate and vote. If it takes weeks—and it should take weeks for us to work through a challenge as serious as this one—then so be it. It just takes weeks. If it takes hundreds of votes, with people going on record and being criticized back home by one group or another for the vote they cast, so be it. That is what we are paid to do, and we are not guaranteed reelection. That seems basic to me.

Congress and the American people deserve an opportunity to fully review and consider any debt limit deal that is struck behind closed doors.

It has also been reported—in one publication at least—that in order to make the numbers look better, we are going to resort to certain budget gimmicks. In other words, let's say we eliminate a \$100 million program. Well, we have been talking about how much that would save over 10 years, whether it

would save \$100 million over 10 years. That would be \$1 billion. One of the gimmicks that was floated around, and was in fact used in the President's debt plan, was to say that we are going to do it over 12 years instead of 10 years as the deficit commission recommended. So we haven't actually cut any more; we have just added a couple of years to the timeframe that we are considering to make it seem like we reached the goal.

We have had gimmicks in which a big military payment to soldiers or a Social Security payment falling near the end of the month is pushed over to the next fiscal year—so it is due on September 30, and they make it payable October 1—and the numbers look better. We don't show the expenditure, but it is still there. The money is still going to be spent. Nothing has been changed except the date when the money is paid. These so gimmicks are unacceptable. Any plan that is presented on this floor, however it comes forward, must be free of gimmicks and accounting tricks. It must be an honest, fact-based budget. Additionally, raising the debt ceiling should not be accomplished by tax hikes. A punishing tax increase would not only threaten the growth we have to have in our economy, but it would also give a free pass to the egregious overspending of Washington. It would bail out the big spending excesses that have been put in place here. This overspending behavior is morally and economically culpable for our current crisis.

Federal Government spending already controls nearly 25 percent of our economy. It amounts to that much—the highest we have ever had. Some of that is because the economy is down. Some of it is because spending is up. But 25 percent of the economy is now driven by the Federal Government, with tax money and borrowed money. Sixty percent of what they spend is tax money; 40 percent-plus is borrowed. We take in \$2.2 trillion, and we spend \$3.7 trillion. That is why all the experts tell us this is unsustainable—and we know it is true. That is why we cannot do business as usual. That is why we have to do something. And that is why the House of Representatives produced a budget that cut spending. Some people didn't like it, but unless we have massive tax increases—tax increase that will damage the economy—we have to reduce spending; right? Certainly this is correct. So that is where we are.

The difficulty is the spending and the resulting debt that is projected by the Congressional Budget Office—at least as they have analyzed the budget presented by the President. The current spending path, if it is just continued, is very dangerous. They are setting us on an even worse path.

Now, the President did submit a budget to the Congress. I offered it, and it was voted down 97 to 0. It made the

already unacceptable debt path we were on much worse. Indeed, it would have doubled the country's debt, from \$13 trillion to \$27 trillion in 10 years. That is the path they projected, and the debt in the out years would be increasing, not decreasing; an unsustainable path.

So, ultimately, the numbers we have been hearing—like \$2 trillion in cuts—are not sufficient. It is only a part of what we would have to do to get our country on a sound fiscal path. We hear this figure—that we need \$2 trillion in cuts. A lot of people don't realize that the House budget reduces spending by \$6 trillion over the next 12 years. By the way, over the next 12 years we are projected to add \$13 trillion to the national debt, doubling it. So cutting \$6 trillion is pretty significant. It requires us to take firm action.

This makes some people uneasy. They think we can't cut that much. But many of our States and cities and counties have been cutting more than that on a percentage basis, and they are going to survive. They know they have to live within their means, but Washington has not gotten that message.

It is rumored that an unseen draft of the Senate Democratic budget proposes only \$1.5 trillion in cuts. This is according to reports. They have tried to make the number bigger by counting interest savings, including those from tax hikes. This is a gimmick, because \$1 in spending cuts is not equivalent to \$1 in tax hikes. It just simply is not.

Cutting spending restores economic confidence and makes room for private sector growth. Studies show that this approach results in more significant deficit reduction. Cutting spending allows us to pursue a more competitive Tax Code. Hiking taxes is a less successful way to trim the deficit. That is the reality. Hiking taxes punishes families for the waste of Washington, and it enables a bloated government that needs to be trimmed and whipped into shape.

Raising taxes to pay for excessive government spending is a refusal to recognize there are limits to how much we can spend and how much we can tax. There is a limit to how much we can spend and how much we can tax if we want to be a government of democratic ideals, freedom, and free markets; and limited government is what our Founders intended.

A plan to reduce the deficit by \$4 trillion and only cut \$2 trillion in actual spending contains only a fraction of the savings we can and must achieve. That is my firm view, and I think we have many people in Washington, including, I have to say, our President, who are in denial about the challenges and difficulties we face.

This is not a situation in which a few little cuts here and there can put us on the path to fiscal solvency and get us

off the path to fiscal destruction. It is going to take stronger steps, the kind of steps they are taking in New York State, the kind of steps Governor Christie is taking in New Jersey. We are not even reaching the level of cuts Governor Brown has achieved in California or what the English are doing in the U.K. We have to wise up. We cannot continue down this path.

Let me share a few other thoughts about debt because debt is a dangerous thing. It hurts us right now. Most of us have gotten into the habit of saying we are worried about our children and our grandchildren, and certainly we are worried about their future because of the debt burden we are placing on their shoulders. But the truth is, the debt threatens us right now. It is a danger to our economy. It is a danger and it is a drag on the economy. Let me explain how debt destroys jobs and why this Senate should pass a budget.

The House of Representatives has passed a budget; they have made it public and they have defended it and explained it. Let's see what the Senate Democratic majority will do about a budget.

Higher debt leads to slower economic growth. Empirical studies show that high levels of government debt inhibit economic growth by creating uncertainty, displacing needed private investment and placing upward pressure on interest rates and raising burden on the government itself through interest payments on the debt.

For example, the very well-respected and much commented-on study by Reinhart and Rogoff, Harvard and University of Maryland economists, found that in advanced economies with gross government debt above 90 percent of GDP—in other words, a total debt equal to 90 percent or above the size of the American economy—median economic growth tends to be between 1 and 2 percent lower, depending on the time period analyzed, when compared to countries with lower debt-to-GDP ratios.

What do we mean by 1 percent to 2 percent lower? In the first quarter of this year, we were expecting almost 3 percent growth. In reality, it was shockingly lower. It adversely impacted the stock market. What did it come in at? 1.8 percent. The second quarter may not be so good either. We are already above 90 percent of debt to GDP; so presumably, if this study is accurate, we should have been at 2.8 percent growth. In a sense, it is not a 1-percent reduction; it is 36 percent less than the growth we need to have.

Another study has shown that 1 percent growth in the gross domestic product, 1 percent growth in our economy, creates 1 million jobs.

When asked about this Reinhart-Rogoff study, President Obama's Secretary of the Treasury, Timothy Geithner, told the Budget Committee

he considered it an excellent study—not only that, he told us in the committee he thought it underestimated the problem. Because when you get debt the size of 90 to 100 percent of GDP—and we are projected to reach 100 percent of GDP as our debt by the end of this year—he said it creates the danger of an economic crisis, some sort of spasm like we had when we had the financial crisis or even something similar to Greece. Something that could put us into another recession, which would be the worst thing that could happen to our economy.

That is why this is serious business. We are feeling the impact of this debt right now. It is pulling down economic growth. It is costing us jobs. It is creating uncertainty and fear in the marketplace. We have to get off of it.

President Obama appointed the fiscal commission, cochaired by Alan Simpson, a former Senator, and Erskine Bowles, former chief of staff to President Clinton. Erskine Bowles and Senator Simpson told the Budget Committee we are facing the most predictable debt crisis in this Nation's history—the most predictable economic crisis in our Nation's history.

In other words, they explained that the debt trajectory we are on guarantees an economic crisis. The question is when.

So that is why we have to change. We don't want to have to cut any spending. The last thing politicians want to do is cut spending. The reason we are talking about this is because we have to. I do believe President Obama deserves severe criticism for not being out front leading on this, not telling the American people what his own experts are telling him. This was his expert, Mr. Bowles, and his Treasury Secretary, Mr. Geithner, telling us we have to change the debt path we are on. He needs to help explain to the American people why this is necessary, while it will be painful in the short run, but it can put us on the road to prosperity and not on the road to decline.

Other studies, including Caner, Grennes, and Koehler-Geib's 2010 study of 99 countries between 1980 and 2008, reached a similar conclusion about debt.

Successful debt-reduction measures relying on spending cuts, not tax increases, have consistently resulted in stronger economic growth. Research from Harvard economist Alberto Alesina, as well as a Goldman Sachs report, found that fiscal consolidations—reductions in spending—that focused on cutting government spending, including on subsidies, transfer payments, and government worker pensions, were successful in cutting fiscal imbalances, typically boosted economic growth, and were followed by improved equity—that is the stock market—and bond market performance. That is what their study found,

an empirical study by Goldman Sachs and a professor from Harvard, economist Alberto Alesina—not JEFF SESSIONS. These are independent analyses.

Examples of successful spending reductions include Canada, which is in some ways doing far better than we are. We are at 9.1 percent unemployment and our unemployment numbers still seem to be going up; whereas, Canada is at about 7.1 percent and going down.

New Zealand had a dramatic turnaround in the early 1990s. They went from 22 consecutive years of deficit spending to now 16 years of surpluses. It was a deliberate, systematic decision by the people of New Zealand through their government to change what they were doing. They reduced spending. They created ways to make sure the government was productive and saved money. They privatized a lot of activities the government had taken over that didn't need to be government functions, and the country has been progressing solidly ever since.

Financial markets have issued dire warnings about the consequences of our inaction. Against the backdrop of a spreading euro zone debt crisis, the International Monetary Fund—certainly not a rightwing organization—the International Monetary Fund recently urged the United States to act swiftly to address its soaring budget deficits saying: "You cannot afford to have a world economy where these important decisions are postponed."

The credit rating agencies Moody's and S&P have warned that they may place the U.S. Government's AAA bond rating under review for a possible downgrade within months.

Bill Gross, the head of PIMCO, the largest bond fund in the world, with hundreds of billions of dollars invested, has ceased buying U.S. Government Treasuries. None of that is in his portfolio. He said recently that what we are doing with our economy through the Fed, with this quantitative easing, and the government with its worthless stimulus package, is what he called a sugar high, not real, a temporary surge that has not changed the circumstances we are in. He is a man who deals every day with investments, and he has ceased to invest in U.S. Treasuries.

Yet the Nation has operated without a budget now for 785 days. The Democratically led Senate, even when they had a huge majority last year, perhaps the biggest majority in my lifetime—I can't remember a party having 60 votes in the Senate, when that last occurred—didn't pass a budget. You can pass a budget with just 50 votes. It was given priority. We know we need a budget. So we set up a Budget Act that allows even a bare majority of Senators to pass a budget, and set a plan for our Congress.

The Senate has not even allowed the Budget Committee to meet this year to

mark up a budget resolution. The Budget Act calls for the Budget Committee to hold a markup by April 1. It calls for the Congress to pass a budget by April 15. The House passed their budget by April 15. We have not yet even had a markup to work on a budget resolution, and the leadership in the Senate has refused to pass a budget since April 29, 2009, 785 days ago. We wonder why this country is in a financial crisis when we will not even get together to pass a budget, as every city, county, and State has. I don't know of a single one that hasn't.

Over this time that we haven't passed a budget, the Nation has spent \$7.1 trillion and added \$3.2 trillion to the gross Federal debt.

The majority leader, my friend, HARRY REID—I know he has a tough job, but he made a big mistake. He recently said it would be foolish for the Democrats to produce a budget.

Foolish to produce a budget? Is this the kind of leadership the American people expect out of Washington, that the No. 1 Senator, the leader of the majority party, who has the power to control the flow of legislation in this body, says he is not about to produce a budget? Indeed, he says it is foolish to produce one, and he has basically sent word to the Budget Committee we are not to even have committee hearings.

I think nothing could be more foolish than refusing to provide the Nation's job creators, investors, and taxpayers with a solid blueprint for our fiscal future. A blueprint in which the American people can see we have gotten it, we understand the debt course we are on is unsustainable, and now we have a plan to get us on the right track.

Why wouldn't the people who wanted to be in the majority, who asked to lead, step forward and lead? Why will they not lay forth a plan that can be analyzed and shown to the American people? Why aren't they proud to present their vision for what America should be like and how we should handle their future?

I will say in conclusion that the breakdown of the talks does not surprise me. The Gang of Six tried. Those talks seem to have fallen apart. Then we went to the Biden talks. Once again, people said that we were about to reach an agreement any minute, that all the rest of us Senators could relax and all we needed to do is walk up and sign our name to what these wise few have decided our financial future should be like.

I think most of us realize we were elected. We are Senators. We are not rubberstamps for Vice President BIDEN and some of our fine colleagues. The Presiding Officer is an independent American citizen. He is going to make up his own mind. So am I. But when you are talking about a budget, a financial plan, a program to raise the debt ceiling in this Congress, we ought

to read it, we ought to know what is in it. Not only us, the American people should know what is in it. They need to have time to absorb what it means for them and their future, that there will be no gimmicks or tricks, and it will be honestly presented. That takes some time.

I am worried and have been worried if they reach an agreement, even if it is a somewhat good agreement—I don't expect it to be a great one, but if a decent agreement is made, it is going to be brought forward and we will have to pass it within days because of a panic that we will have an economic problem if we do not raise the debt limit and we cannot spend so much money. I don't think we should head that way.

I don't know what is going to happen now. It is late, I will acknowledge, for us to go back to the regular order and have Budget Committee hearings and amendments in the Budget Committee and have people stand up before the world and explain their view and offer amendments. I don't think it is necessarily too late. I do not know where it will go. But this has not been a shining hour for the Senate, and after this last election in which Senators and House Members took a shellacking by the American people, who were very unhappy with us, the House I think appears to at least have gotten the message. They put forth an honest budget that changes the debt trajectory and they put it forth and explained it and defended it.

What do we have in the Senate? We have the majority leader saying it is foolish for us to produce a budget. We are not going to produce a budget. Did he mean it is foolish for America? No, he meant it is foolish for political reasons. He meant it was foolish for us as Democrats to step forward and lay out an honest plan because, wow, that plan may include tax increases. It might include spending reductions. It may not reduce the deficit very much, and we would have to defend that to the American people and we might not be able to defend it and people might be unhappy with us, as they were in the last election. So let's be clever, let's not produce a budget, let's let Mr. RYAN and the House lead with their chin, let them come out and make a plan and we will attack it. That is the Democratic leadership we have seen in this Senate.

It is not legitimate, it is not justified leadership. It is irresponsible and the President has not been engaged. He does not want to talk about it. He has not explained it in his State of the Union Address. He has not talked to the American people consistently about why his own debt commission chairman, Mr. Erskine Bowles, says we are facing the most predictable economic crisis in our history. No, he doesn't want to talk about that. Why? Because once you talk about it, it becomes obvious that spending needs to

be cut and because it is obvious that you cannot fix your way out of this by raising taxes. If you are a tax and spender, you don't want to deal with that reality, in my view.

I am worried about it. I don't know where we are heading today. Senator REID is a good man. Senator MCCONNELL is a good leader on our side. I don't know what Speaker BOEHNER is going to do, what Vice President BIDEN will do. But the time, as old Snuffy Smith, the mountaineer, used to say, "Time's a-wastin'." The deadline is coming closer and closer. We are going to have to figure out something to help secure the future of this country and I hope we can do it sooner rather than later.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll. The assistant editor of the Daily Digest proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 502 AND 503

Mr. SESSIONS. Mr. President, on behalf of Senator PAUL, I call up amendments Nos. 502 and 503, and ask unanimous consent that they be reported by number.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. PAUL, proposes amendments en bloc numbered 502 and 503.

The amendments are as follows:

AMENDMENT NO. 502

(Purpose: To strike the provision relating to the Treasurer of the United States)

On page 55, strike lines 12 through 22.

AMENDMENT NO. 503

(Purpose: To strike the provision relating to the Director of the Mint)

On page 55, line 23, strike all through page 56, line 5.

VOTE EXPLANATION

Mr. MORAN. Mr. President, today, I was unavoidably absent for votes No. 95 and No. 96. At the time of the votes, I was attending a memorial service at Fort Riley, KS, for six soldiers of the 2nd Brigade, 1st Infantry Division. Had I been present, I would have voted yea on the Vitter amendment No. 499 and the DeMint amendment No. 510 to S. 679.

Mr. BROWN of Massachusetts. Mr. President, I rise today to speak in support of the Presidential Appointment Efficiency and Streamlining Act of 2011. This is a good, commonsense piece of legislation that has bipartisan support.

When President Kennedy came to office, he had 286 positions to fill with

the titles of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator. By the end of the Clinton administration, there were 914 positions with these titles.

Today, there are more than 1,200 positions appointed by the President that require the advice and consent of the Senate.

The large number of positions requiring confirmation causes long delays in selecting, vetting, and nominating these appointees.

I strongly believe the confirmation process must be thorough enough for the Senate to fulfill its constitutional duty, but it should not be so onerous as to deter qualified people from public service.

The Presidential Appointment Efficiency and Streamlining Act removes the need for Senate confirmation for only 205 positions by converting these positions to Presidential appointment-only. They include positions involved with internal agency management and positions that are already accountable to other Senate-confirmed positions, such as internal management and administrative positions and deputies or nonpolicy-related Assistant Secretaries who report to individuals who are Senate-confirmed.

Some have argued that, through this bill, the Senate cedes some of its constitutional power to the executive branch. However, this bill actually represents an exercise of the Senate's constitutional prerogatives.

The Constitution gives Congress the authority to decide whether a particular position should be categorized as an inferior officer that need not go through the Senate confirmation process.

The Senate has a number of important responsibilities that it must undertake, and it is questionable whether spending time confirming, for instance, the Alternate Federal Cochairman, Appalachian Regional Commission, is the most appropriate use of our limited time and resources. Prioritizing our work for the American people, by eliminating some Senate-confirmed positions, does not diminish the Senate's authority.

MORNING BUSINESS

TRIBUTE TO CLYDE BROCK

Mr. McCONNELL. Mr. President, I rise today to honor one of Kentucky's inspirational treasures. Ninety-four-year-old Clyde Brock is one of four residents of Laurel County, KY, who was chosen to share his remarkable story as part of London, KY's Living Treasures Project. Looking back, Clyde Brock has remembered for us the monumental events and cherished memories that helped shape his life.

Born April 9, 1917, in a small town called Roots Branch in Clay County,

KY, Clyde Brock was the eldest of 10 children of Johnny and Mary Brock. Suffering from a staph infection in his leg, Clyde endured a childhood of doctor visits and constant operations. Though his disability left him with one leg shorter than the other, Clyde refused to let it hinder his ability to experience life to the fullest. He can recall the excitement of seeing his first Model T Ford, the growth and development of his hometown, the constant changes in prices, the Great Depression, and the effects of war. After being turned down for the draft, due to his leg, Brock went on to pursue a career in teaching after graduating Sue Bennett College in 1940.

Clyde also took the position of postmaster and remembers well when customers would bring eggs to pay for their stamps instead of money. Three eggs paid for a letter; eggs sold for 12 cents a dozen back then. Clyde also ran a rationing board during World War II. He can remember folks standing in line half a day to get their pound of lard.

Soon after, Clyde married his late wife Ada Brown and they had three children. Sadly, Ada passed away earlier this year after suffering a severe stroke. After many years together, Clyde says that his greatest accomplishment in life was getting her to marry him.

After 32 successful years at eight different schools teaching history and civics, Mr. Brock retired. While recollecting his memories of walking to school through the snow and the enjoyment of seeing his students become excited about learning, it's clear Clyde Brock still has a passion for teaching.

Clyde is a member of Providence Baptist Church, where he is a deacon and trustee. Realizing that life is short, Mr. Brock says that it has only been "by the grace of God" that he has been able to live for so long.

I know my U.S. Senate colleagues join me in saying Mr. Clyde Brock, who can look back with pride at a full life well lived, is an inspiration to us all. He is not only a living treasure to London, but a living treasure to the State of Kentucky.

Mr. President, the Laurel County Sentinel Echo recently published an article illuminating Mr. Clyde Brock's long life and career. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Laurel County Sentinel Echo,
May 11, 2011]

LONDON'S LIVING TREASURES: PART 1

(Transcribed by Tara Kaprowy)

Following is the life story of 94-year-old Clyde Brock, who is one of four Laurel Countians chosen to be part of London's Living Treasures project. Over a two-hour interview, while sitting in an easy chair in his Bush-area home, Brock shared many memo-

ries, from the day he saw his first car to the day his beloved wife Ada died "with just a curtain between them."

"I was born April 9, 1917 in Clay County in a place called Roots Branch because so many Roots lived there. I was born in a big log house. I was the first of 10 children to a young couple called Johnny and Mary Brock.

My dad bought a farm, I was about 5 years old when we moved from there. Then he decided to leave the farm and got a public job and we moved to Corbin. It must have been about 1924. I went to school one year there, Felts School.

I remember my grandfather had a brother that fought on the southern side during the Civil War. I just remember him. He'd come to see my grandfather and he had a mule and I just remember that. He didn't draw a pension. Then I saw one soldier that fought on the northern side and he drew \$100 a month.

In 1926, I had the misfortune of getting a staph germ. It was one Sunday evening, I was just out fooling around outside and it hit me, all at twice. The next morning there was a knot in my leg.

Well, they took me to Corbin Hospital. They scraped the bone, but it didn't help. Brought me to London, you know where the First National Bank is now. There was a little bank and it had a little hospital over it. Well, they took me in there and my temperature was 105.5. This doctor, he saved my life, Dr. H.V. Pennington. The kind of surgical tools he used was a hammer and chisel to chisel bone out.

I stayed there a month until they got the new hospital over on the hill. There was eight of us moved into that new building. There was four doctors in it: Dr. J.W. Crook, Dr. G.S. Brock, Dr. O.D. Brock and Dr. Pennington. I had two more surgeries there, and I stayed there from last of March in 1926 until some time in August. With staph going on up, they performed surgery on my knee. That didn't check it, and it got to my hip. They come in, all four of them one day with a big needle, they went into my hip and they found it had got up there. So, they told my mother and my father to come up because they'd have to perform surgery again. My dad picked me up in his arms and carried me to the operating surgery table. They took the ball out, I don't have that ball in my hip. It made my leg shorter so they put a 10-pound weight on a roller on the foot of the bed and held it six weeks to try to pull it down. It didn't work. They didn't have therapy then, they didn't have penicillin then, so that staph, it left my leg short and stiff.

We moved to Cane Creek and I had C. Frank Bentley as a teacher at Union Grade School. Then my father, he wanted a bigger farm so he swapped that farm in to one about 200 acres and we moved there. I start Bush School in the seventh grade. I had eight brothers and sisters graduated from Bush. I was about an average student—no, I didn't shine.

THE GREAT DEPRESSION

Let me tell you a bit about the Great Depression. If you live down on the farm, it didn't affect you because you didn't have any bills to pay. Everybody had their own meat and killed their own hogs, they had their cows where they got their butter or their milk, they had their chickens, had their eggs. You was almost independent.

My job was to go to the mill on Saturday evenings. We'd shell a bushel of corn on Friday night. I'd take that corn to mill and everybody else did too and get it ground into meal and it made that good, ole cornbread. It was over here on Black water Road, Henry

Hale run the mill. I'd ride on a mule. You either walked or rode a mule or horse.

I saw my first car when I was about 5 years old. It had come over from London to Manchester. A man come along walking. He said, "There's a car coming up here." Well, I was out to see it in the yard and here it comes. One of those old Model-T Fords in the wagon tracks.

I got out of high school, I went to Sue Bennett College, 1938. London used to be a lot of wooden buildings down each side there. Over on Broad Street, straight across from the courthouse where those annex buildings are now, there used to be two dwelling houses there. And they had a theater up there that you could go to the movies, 15 cents in 1938, '39. You went in and had to go up some steps and it had about two rows of seats, aisle down the middle. Next block over from Weaver's pool room. You could get you a hamburger and a bottle of pop there and it would cost about 15 cents.

WAGES AND WAR

They had Hackney's, Daniel's, Woody's, 10 cents stores, they had a lot of them. Then they had pool rooms. Laurel County was wet at one time, about '38, '39, '40, they had beer joints. Where Scoville's office is, when you go down in a hole, that was called Underworld, they had a beer joint down there. Then they had one in east London over by Bengé Supply, used to be a liquor store. Go in and bottles were sitting up on the counter.

There used to be a lot of people go to church on Sunday because they didn't have anywhere else to go. They'd stay outside and fight and things; I was outside too. There'd be more people outside than there were in. Blackwater Church, I've seen the preacher come right out and his son and the other preacher's son were fighting right at the door. He just walked out and tried to get them separated.

Going to Sue Bennett, I stayed in the dorm, the boys would sit up all night and play poker, blackjack for a penny. Cigarettes used to you could buy for 11 cents, you could get Camels, Lucky's for 15 cents. On Sunday, if you want to get out, if you got a pack of cigarettes and a pack of chewing gum, you was doing pretty good.

I graduated from Sue Bennett in 1940 and got my teaching diploma. That was the quickest thing you could do then. That was after the Depression. I made \$73.74 a month. When I was about 23, I got to be postmaster. There would be people to bring three eggs to the post office to mail a letter. Eggs was 12 cents a dozen at one time. My dad had a store and he'd take the eggs and he'd sell them and put 3 cents in. He could get all the men he wanted to work for 50 cents a day and their dinner.

War started. In addition to being postmaster, I was also deputy clerk. People had to come to register when they rationed everything. They'd come and sign up and you'd give them a ration book with stamps in it. Coffee was rationed and people used lard back then. They'd stand in line about a half a day to get about a pound of lard.

I was called in January before the War started. With my leg, I got so I could work and do things, I didn't have to go on crutches. I done about anything anybody else used to do. I'd a liked to go, I told them they could use me anywhere, I'd have gone. I was the second one called in the county before the War started, but I was turned down. A teacher I was teaching with, he told me I would pass. He said, "They don't want you to run, you're not supposed to run when you're in a war."

LOVE OF A GOOD WOMAN

In 1940, I met a girl that meant more to me than all the rest that I knew. Named Ada Brown, who lived over in Pigeon Roost in Clay County. We married in 1941, I must have been about 20. I had a good friend I'd run around with, and he was dating her sister. We went to Freedom United Church one Wednesday night, and after church he and her sister was walking in front. He was down leading a mule. I was riding behind this other one and she was walking by herself. I asked about getting down, and we got together. That was the best thing that happened to me in my life, she marrying me. We went to Jellico, Tenn., went into the clerk's office to get the license. He said \$10, \$5 for the license, \$5 for the preacher.

We had a four-room house and about four acres of ground and had a cook stove. Then we had a kitchen cabinet, a little dining room set, we had two beds and a few chairs.

SEVEN MILES IN THE SNOW

The second year I started teaching, they sent me to a school called Darl Jones, and it was about seven miles away. I had to get a horse, cost me about \$75. In wintertime, one morning, I got up and you had to be there at 8 o'clock. I thought, "It's too cold to ride, it's way below zero," so I said, "I'm going to walk." I left walking, snow on the ground, moon shining bright, I walked that seven miles. You know what I was wishing? I wished that someone would ask me to stay all night with them. Just about before we turned out for lunch, a fellow by the name of Willie Martin that lived in the community, he come in and sit down and he said, "I want you to stay all night with me." He didn't have to twist my arm.

In 1941, I had 44 students in school, 16 in the sixth grade. Now, a lot of them's already passed on. On Friday afternoon, used to young people would come around because after school you had a ballgame or you had a ciphering match. We'd see which side could add the columns the quickest. Well one Friday night, a man come there and when it started to rain he went outside and got his gun, a pump shotgun, and set it in the corner of the schoolhouse. We paid no attention to that. When it quit raining, he got his gun and went up the road.

The day my first son was born, I was gone up to get my pay that day at a teacher's meeting. My brother had to go and get the doctor. He had an old bicycle, but one pedal was broken off, it just had that rod that came out, and his foot kept slipping off and it would cut his leg. And it was hot, it was in September, he rode all the way and back with that old bicycle and burned up and he always said, "And look what we got." Well, I felt good, and you know I had a pay day that day. You know how much it cost? \$20. He's a pretty good boy, never had to go to the jailhouse or anything like that.

I have three children, Larry, Janice and Gary.

I was about 25 or 26 when I got my first car, a 1936 Chevrolet. I didn't know how to drive. On Monday morning I started out and I had to go up a little bank. Well, I says, "I'll put it up in second." Well, I didn't put it in second, I put it in reverse. It went back with me. I had a time driving.

In 1946, that's when I built this house. I was going to build it out of wood. Couldn't find it, couldn't get wood. Corbin had a cement block factory, and I got a man to lay the block 50 cents an hour. Rationing was so bad, you couldn't buy a car. When we got the house up, we couldn't get any windows. It was a year before I could get windows.

THROUGH FAITH AND GRACE

We got saved in 1951, been members of Providence Baptist Church now for 60 years. I taught Sunday school for 36 years. And you know they gave me an honor? They named the class after me. And I'm still a deacon and a trustee.

In 1955, we started raising chickens. I guess we raised chickens 20 years and we always had chicken to eat. Then we raised tobacco. And Ada always had a big garden, and she always had a big freezer. She froze everything.

I retired in 1972, taught 32 years. I taught at eight schools, Blackwater, Darl Jones, Bennett Branch, Lake, White Hall, Pace's Creek, Boggs, Head Beech Creek and Bush Junior High. I liked teaching history and civics, but not English, didn't like diagramming and analyzing. I couldn't tell a dangling modifier now from anything else. But I liked when I could see progress in some of them, you knew you was doing maybe something good. Those little fellers, I'd like to watch them. They'd get up to the board, we loved going to the board and make ABCs back then. Now you don't do that, you don't memorize nothing now.

A lot of my students came to me when I was up in that nursing home in December last year. They said, "You had a lot of company." Some of them come in there with old, grey beards, and I didn't recognize them. They said, "Well, I went to school with you." I stayed about 31 days up there. I was there with Ada.

In 1992, one day my wife, she cooked a big dinner. We ate dinner, we watched Price Is Right, she says, "I'm going in here to freeze some beans." I got up and went through there and she laid on the floor. No response. I called 9-1-1 and when they come they thought it was a stroke and that's what it was. It took her speech and paralyzed her right side.

She stayed in the hospital and nursing home. From the time she went in to the day she passed away was 18 years, six months and 9 days. And she stayed in Laurel Heights in London 18 years. I had already retired. We was together for about 51 good years. She was a quilter and a good cook. She was noted for her fried apple pies. She'd take them to the homecomings at church. She'd made 60 pies one morning.

After I got sick this December, I had to go for rehab and they had me go to Laurel Heights. The lady that was in with Ada passed away and they said, "You go be in the room with your wife." So I went. They'd get me up in the wheelchair. They let me sit by her on Sunday. After I'd been there a while, she passed away, just a curtain between us. That was the 22nd day of January this year.

See I'm 94 years old now. My wife was 88. Now I stay here by myself. But I gave up driving. Just six months ago. I thought I'd better quit while I was ahead.

How does it feel to be 94? You know one thing, you know your time is getting shorter, and you don't have too long to stay here.

I say it's been by the grace of God that I've been blessed to live this long. I don't want to take any honor or anything, as if I've done something myself to stay healthy. It's all for the grace of God."

TRIBUTE TO MARVIN CLEVINGER

Mr. McCONNELL. Mr. President, I rise today to honor the heroic efforts of an honored Kentuckian. Known for his service and his allegiance to his country, PFC Marvin Clevinger is a true World War II hero in Pike County, KY.

Born March 18, 1922, to James and Dollie May Clevinger, Marvin was the eldest of eight. Growing up on a farm in eastern Kentucky, Mr. Clevinger, also known as "Garl" around his family, was an intelligent young man who dropped out of the 7th grade to help provide for his family. Working as a timber man and a farmer before his days as a soldier, "Garl" did all he could to help his family as well as his community.

After enrolling in the war, Private First Class Clevinger, also known as "Zeke" to his platoon, fought in numerous battles, putting his life on the line for his country. Clevinger was said to be amongst the strongest and most agile of the soldiers and was honored with the privilege of being a scout for his platoon. In one battle, when his platoon found itself pinned by German machine gun fire, Private First Class Clevinger advanced 150 yards under intense fire and threw several grenades to silence the enemy. He received a Bronze Star for his heroic actions.

Private First Class Clevinger spent a month in the hospital in Paris after receiving multiple wounds in his legs during battle. He received numerous medals, awards, and decorations, including the Bronze Star with Three Oak Leaf Clusters, the Purple Heart, the Good Conduct Medal, the Rifle Sharpshooter Badge, the Combat Infantryman Badge, the American Campaign Ribbon, the World War II Victory Medal Ribbon, and the European/African/Middle Eastern Theatre Campaign Ribbon.

Marvin Clevinger returned to Belcher, KY, after the war and worked for the Russell Fork Coal Company Preparation Plant for 32 years. Currently, Marvin is an active member of Ferrell's Creek Church of Christ, and he serves as an inspiration to his family. Because of his hard work and all he has achieved and overcome in his 89 years, Marvin Clevinger is a hero to us all.

Mr. President, the Appalachian News Express recently published an article highlighting Marvin Clevinger's life and service. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Appalachian News Express, May 28, 2011]

MARVIN CLEVINGER: A WORLD WAR II HERO
(By Nancy M. Goss)

BELCHER.—Over 66 years ago 89-year-old Marvin "Garl" Clevinger of Belcher fought in the European Campaign during World War II.

Because he suffered a stroke 10 years ago that affected his ability to converse fluently, Marvin allowed family members to tell his story, adding comments from time to time. His nephew, Phillip Ratliff, is an authority on his uncle's role in World War II and provided most of this information.

"I fought in Germany," Marvin said. Then added, "I was shot three times."

"Marvin never really talked about his war time experiences when I was young, but I'm familiar with the battles he was in," Phillip said. "I was always fascinated by soldiers and military stuff so I just read a lot and later on, I had the little campaign book Garl brought back from the war and I read it a couple times."

Marvin is mentioned in the book by the nickname his platoon gave him, "Zeke" Clevinger.

Phillip said there were probably only about 200 copies of the campaign booklet of Marvin's company's actions during the war; they were given to the men at the end of the fighting.

Marvin's rank and unit: PFC Marvin Clevinger, 1st Rifle Squad, 2nd Platoon, Company B, 61st Armored Infantry Battalion, 10th Armored Division, 3rd Army, USA.

He was also a scout for his platoon.

"Only a couple men in a platoon were scouts," Phillip explained. "Back then, if there was a man like Marvin, who was agile and able to move through heavy woods and rough terrain, he was pretty much sought out."

Many of the men were city boys and not used to tramping through woods as was Marvin, who grew up in the mountains of Eastern Kentucky.

"Garl was a deadly shot when he was a young man and came back from the war," Phillip said. "I feel sorry for any human that got in front of his rifle sight because you're talking about a man who could shoot squirrels out of a tree with a 22 rifle. And in the army, those men were pretty valuable, I'd say."

"He got the medal for sharp shooter," added Marvin's brother Paul. "And the Purple Heart and Bronze Star."

According to a paper accompanying his Bronze Star:

"Private First Class Marvin Clevinger, Company B, Armored Infantry Battalion, United States Army. For heroic achievement in connection with military operations against an enemy of the United States in Germany on March 26, 1945. During an attack on Schoden, Germany, an infantry platoon was suddenly pinned down by machine gun and sniper fire from a well-concealed pillbox. Private First Class Clevinger, scout, advanced 150 yards under the intense fire to within five yards of the enemy position from where he threw grenades through an embrasure in the pillbox, silencing the enemy fire. PFC Clevinger's intrepid action reflects great credit upon himself and the military forces of the United States. Entered the military service from Belcher, Kentucky."

Marvin was shot twice in one leg and once in the other, but still managed to walk and crawl about three miles to an aid station that was back down the side of the mountain. He spent a month and a half in Paris at the hospital and then went straight back to the front lines and saw heavy action again.

Phillip said the winter of '44, during the Battle of the Bulge, was the coldest winter of the 20th century and Marvin got frostbit, as did most of the men in his unit.

Besides the battle at Schoden and the Battle of the Bulge, Martin also fought in the Battle of Bastogne, and at the Saar-Moselle Triangle, Trier, Berdorf, Consdorf, Echtemach, Landau, Oehringer, Heilbronn, Ulm, Inst, Oberammergau and countless other sites.

Marvin was born March 18, 1922, the son of the late James and Dollie May Clevinger. He

was raised at Belcher, close to where he lives now, and according to Paul, attended Belcher Grade School up to seventh grade. He had to quit to help on the family's farm. He is the oldest of eight children. He, his sister Faye Potter, and Paul, are the only ones living.

Before Marvin went to war, he timbered and farmed. After the war, he was employed in the preparation plant at the Russell Fork Coal Company, owned by A.T. Massey, where he worked for 32 years. He was a member of United Mine Workers of America, Local 8338, at Beaver, which closed many years ago.

Marvin said he remembers working at the coal company.

"He would come home from work at the tippie and hoe corn until dark," Phillip said. "For his size, Garl was the strongest guy and the hardest working man I ever saw."

"He had been out pulling brush and trees down on the road on the day he had the stroke," said Gloria Sweeney, Marvin's cousin and caretaker.

"And he knew the woods," Phillip said. "If you went into the woods any time of the year with him, whether there were leaves on the trees or not, he could look at the tree and tell you, 'that's a black oak, that's a chestnut oak, that's a red oak . . .'"

"He was an expert on ginseng, too," added his nephew Jason Clevinger. "Every time we went into the woods—and he was much older than I—he could find much more than I could."

Marvin was an active member of DAV Chapter 140, Elkhorn City, until he had the stroke and is a member of the Ferrells Creek Church of Christ.

"You'll never find a more humble man than this one right here," Gloria said. "Best man in the world."

"He was always my hero," Phillip said.

Then he added, "There's a much larger story here really, even than Garl. He deserves to be the centerpiece because of what he did, but Garl had two first cousins and they all grew up in this holler here. One of his cousins was named Clyde Clevinger and he was killed in action during the first Allied landings in North Africa. His other first cousin's name was Gordon "Bennett" Clevinger. Bennett enlisted in the Navy and was on an American submarine right after Pearl Harbor and was captured by the Japanese. He spent about three and a half years in a Japanese prisoner of war camp. But he did survive and came home."

"Of those three boys who grew up in this little narrow holler here, all of them were heroes. You can't find men like that anymore," Phillip said.

NLRB

Mr. CARDIN. Mr. President, I rise today to praise the National Labor Relations Board for issuing new proposed rules that will modernize the process that workers use to form a union. These new rules will improve the consistency and efficiency of the election process, protect workers' right to a timely vote, and limit opportunities for possible coercion by both employers and unions.

America's middle class is struggling. Hard-working families are finding it hard to make ends meet. We are recovering from the deepest recession since the Great Depression, and there are workers who are trying to achieve for

their families what we all want: financial stability that keeps our families secure. However, as workers see their benefits, hours, and pay being cut, they feel powerless. Meanwhile, executives can and do negotiate their employment contracts. Where is the fairness?

Unions can level the playing field for workers, but the process for choosing a union is outdated. Current NLRB election procedures produce extensive delays, encourage litigious stall tactics, and provide opportunities for intimidation. Further, the organizational structure of the NLRB has created inconsistencies in the processing of the election petitions. It is time for the NLRB to address these important procedural shortcomings, and I am encouraged by their response.

The new rules do not advantage nor do they disadvantage unions. The rules merely create a uniform process for resolving pre- and post-election disputes. Both sides are given the opportunity to present arguments to allow a fair and well-informed vote. It is also important to note that these streamlining rules apply equally to both elections seeking to certify a union and elections seeking to decertify a union.

Workers deserve the right to choose a union or not to choose a union with a fair, timely, and well-informed up-or-down vote. The right to vote is central to our democracy, and we must continue to ensure that American workers are afforded this right without impediment or fear. Thus, I applaud the NLRB for their actions.

MINORITY VIEWS—S. 1103

Mr. COBURN. Mr. President, because our minority views were not included in the Senate Judiciary Committee's report on S. 1103, I ask unanimous consent to have them printed in the RECORD. We hope these views will be of use to Members of the Senate if this legislation is considered on the Senate floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows.

MINORITY VIEWS OF SENATORS HATCH, SESSIONS, GRAHAM, LEE, AND COBURN

We fully support the President's request to extend FBI Director Mueller's time in office by two years, followed by a return to the previous practice of one ten-year term for each subsequent FBI Director. We also are committed to implementing this extension before Director Mueller's current ten-year term expires in August. The Senate must, however, pursue this extension in a constitutional manner.

1. CONSTITUTIONAL CONCERNS

Senators Hatch, Cornyn, Graham, Lee, and Coburn have proposed a method of extending FBI Director Mueller's time in office in a way that is universally agreed to be constitutionally unimpeachable. In contrast, a prominent legal scholar has called into question the constitutionality of the method of appointment that S. 1103 proposes. Setting

aside the question of our duty to ensure the constitutionality of all legislation approved by our chamber of Congress, the practical consequences of a court declaring void Director Mueller's extension could have widespread ramifications. Any litigation challenging the constitutionality of S. 1103 would call into question the authority of the head of one of America's most important domestic counterterrorism and law enforcement agencies. Potential litigants could be numerous given the substantial number of suspects seeking to avoid criminal liability and those seeking to undermine our terrorism investigations and national security apparatus. For example, at the hearing, James Madison Distinguished Professor of Law at the University of Virginia School of Law John Harrison was asked about potential legal challenges to the validity of Section 215 orders for sensitive business records. Pursuant to the 2005 extension to the Patriot Act, these Section 215 orders must be authorized by one of three top government officials or their deputies. Professor Harrison testified that 215 orders were a good example of the potential problem that could result from challenges to Director Mueller's extension because a judge might find that orders signed by him were unauthorized.

Since at least one prominent legal scholar has testified that S. 1103 would unconstitutionally appoint Director Mueller to a new term, it is easy to imagine at least a few of our 677 Federal District Court judges coming to the same conclusion. In fact, even Senators Schumer and Whitehouse agreed this legislation is of questionable constitutionality. Senator Whitehouse said, "with respect to the Appointments Clause, we are in a constitutionally gray area," and he said he could see the judicial decision "going either way." Senator Whitehouse continued that if he "were a clerk for a judge and was asked to" he could "write it going both ways." Senator Schumer agreed stating it is a "fuzzy issue" and "there are merits on either side" and "it is a close question."

Even assuming that such a ruling were overturned on appeal, during the intervening period, FBI operations could be stagnated as all official acts of the FBI Director since his extension began would be of questionable validity. This scenario could lead to a failure to gather critical intelligence or to the release of dangerous criminal and terrorism suspects.

The Majority argues that constitutional concerns are nonexistent because only one witness at the June 8, 2011 hearing raised constitutional concerns about S. 1103; however, the Minority would point out that due to longstanding committee practice, the minority is allocated a limited number of witnesses. In this case, the ratio on the panel was three to one. Our one witnesses testified as to concerns and these concerns are likely shared by other legal scholars who were not invited to testify. Notwithstanding, even if there is only a small chance that a judge might find S. 1103 unconstitutional, we believe that the Senate has a duty to avoid that contingency, which carries with it potentially severe consequences.

Fortunately, we have an ironclad alternative that would accomplish the same goals as S. 1103 in the form of the amendment Senator Coburn offered to S. 1103. We believe the supporters of S. 1103 have the burden of proof to show why we should not follow the undisputedly constitutional course, even if they believe there is only a small chance of a judge declaring an action taken by Director Mueller to be unauthorized. Given the

opinions of Professor Harrison and other eminent scholars in addition to the lack of a U.S. Supreme Court decision directly on point, they cannot credibly claim there is no realistic chance at all. Indeed, at the Committee's June 16, 2011 business meeting, Senator Whitehouse stated that "with respect to the Appointments Clause, we are in a constitutionally gray area" and that he could see a judge "going either way." Senator Schumer said this was a "fuzzy issue," "there are merits on either side," and "it is a close question." Senator Coburn's simple alternative removes the gray fuzz, thus preserving our national security and law enforcement infrastructure from potential confusion.

2. S. 1103 VIOLATES THE APPOINTMENTS CLAUSE OF THE CONSTITUTION

The Appointments Clause's four methods

The Appointments Clause of the Constitution requires all Executive Branch appointments to be made by the President with the Advice and Consent of the Senate with only three exceptions: "[T]he Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments." Congressional appointments are not among the exceptions, and the majority report properly points out that Congress cannot make appointments of Executive Branch officials and that the FBI Director is an Executive Branch official. The question, then, is whether or not S. 1103 would allow Congress to extend the FBI Director's statutory ten year term for two additional years.

Professor Harrison testified that, "An appointment is a legal act that causes someone to hold an office that otherwise would be vacant or held by someone else. . . . A statutory extension of the term of an incumbent causes the current incumbent to hold an office that otherwise would be vacant upon the expiration of the incumbent's term. It is thus a statutory appointment. . . . It is just like a statute that provides that a named person is hereby appointed to a specified office." We believe Professor Harrison's interpretation has merit and thus conclude that extending Director Mueller's term and causing him to hold an office that otherwise would be vacant on August 4, 2011, could violate the Appointments Clause.

The law currently requires Director Mueller to step down after his ten-year term ends and forbids his reappointment by the President. Thus, it could be argued that S. 1103 reappoints Director Mueller to a new two-year term by legislative decree in violation of the Appointments Clause. The Supreme Court has recognized that Congress cannot make Executive appointments, even if the President signs the law making those appointments. It is irrelevant that the President and almost all members of Congress wish Director Mueller to continue in office. Constitutional formalities must be followed. For example, if all members of both houses of Congress sent a letter to the President saying they thereby willed a certain bill to become law, and the President sent a letter in return saying that he too willed the bill to become law through his letter, it would not become law, and no court would treat it as law. We have a written Constitution for this very reason and Congress and the president must comply with its specific procedures. The Constitution requires that both houses vote on a bill and present it to the President for his signature before it can become law. The majority's emphasis on the President's

desire that the FBI Director continue in office is immaterial. The President's only constitutional method of placing someone in office is by appointment.

3. THE CASELAW

The caselaw on statutory extensions of Executive officials' terms is unclear, making a clearly constitutional bill from Congress all the more imperative. The best the majority report could produce is *In re Benny*, a Ninth Circuit Court of Appeals case. *In re Benny* suffers from three flaws: it is binding in only one circuit, the circuit most often overturned by the Supreme Court; it came down before the Supreme Court's *Morrison v. Olson* decision on the subject of appointments and thus did not integrate the reasoning of that decision into its own; and as the majority admits, one of the concurring opinions in *In re Benny* does not support S. 1103's constitutionality. Judge Norris' opinion in *In re Benny* flatly states, "My principal disagreement with the majority's position is that I believe the Appointments Clause precludes Congress from extending the terms of incumbent officeholders. I am simply unable to see any principled distinction between congressional extensions of the terms of incumbents and more traditional forms of congressional appointments."

The disagreement even among the concurring judges in the Committee majority's list of supporting caselaw demonstrates the likelihood of litigation and the possibility of negative decisions in this "gray" and "fuzzy" area of law.

Further, *In re Benny* misinterpreted Supreme Court caselaw. As Professor Harrison points out, that case relied on *Wiener v. United States*, which merely allowed legislation restricting the President's ability to remove quasi-judicial officers to stand. Professor Harrison also notes legislation extending the life of an agency or commission is not the same as extending the term of an appointee because it does "not extend the term of an officer who otherwise would have been replaced by a new appointee."

Morrison is similarly gray and fuzzy. That case demonstrates the U.S. Supreme Court takes very seriously challenges to federal officials' authority based on the Appointments Clause and the Court is willing to contemplate voiding the actions of an official whose appointment violates the clause. In *Morrison*, the Court undertakes an extensive analysis of what authority the appointed official has, how that authority could interfere with presidential duties and prerogatives if that official was not appointed by the President or by someone under the President's control, and who appoints the official and from what section of the Constitution the appointing persons derive their authority to appoint. Rather than relying on bright-line rules, the Court weighs and examines many aspects of the Act involved and its practical effects in order to come to many of its conclusions. The *Morrison* Court upheld the constitutionality of having courts of law appoint independent counsels, but simple formulae are not employed to construct this decision, which is a distinct encouragement to future litigation since attorneys have many pathways to plausibly arguing unconstitutionality.

Justice Scalia in his dissent went so far as to assert that the Court had laid down no real guidance at all, and that decisions about the constitutionality of appointments would from now on be made ad hoc by the Court, certainly an invitation to future litigation:

Having abandoned as the basis for our decision-making the text of Article II that "the

executive Power" must be vested in the President, the Court does not even attempt to craft a substitute criterion—a "justiciable standard". . . . Evidently, the governing standard is to be what might be called the unfettered wisdom of a majority of this Court, revealed to an obedient people on a case-by-case basis. This is not only not the government of laws that the Constitution established; it is not a government of laws at all.

The *Morrison* Court did not uphold congressional appointments as constitutional, which of course they are not, because it did not address that question. Moreover, a reasonable argument could be made that the Court would have considered the appointment of the FBI Director under S. 1103 to be unconstitutional under its analysis. The Court held that if the official in question had been a "principal" or "superior" officer instead of an "inferior" officer, "then the Act [would be] in violation of the Appointments Clause." It is hard to imagine a court classifying the Director of the FBI as an "inferior" officer under the Appointments Clause rather than a "superior" one given the appointment process since 1968.

As further evidence of the Court's willingness to challenge the actions of those whose appointments are of questionable constitutionality, in *Ryder v. United States* the Court reversed the lower courts and threw out the conviction of a member of the Coast Guard because two of his judges were appointed contrary to the requirements of the Appointments Clause. The Court had also invalidated most of the powers of the members of the Federal Election Commission, as created by the Federal Election Campaign Act, because they were not appointed in conformity with the Appointments Clause.

4. DEPARTMENT OF JUSTICE OPINIONS

Given the lack of precedential caselaw and the novelty of the issues presented in S. 1103, the series of DOJ legal opinions that the majority cites in favor of S. 1103's constitutionality cannot be held to be determinative. Further, these opinions are inconsistent. As the CRS report on which the Majority relies says, "In 1994, the OLC [Office of Legal Counsel] addressed the second five-year extension of the parole commissioners' tenure and explicitly disavowed an earlier 1987 opinion, which viewed the first extension of the Parole [sic] commissioners' terms of office as unconstitutional, finding it in contradiction with its 1951 opinion." Hence, the OLC endorsed the constitutionality of extensions, then repudiated it, then endorsed it again.

Regardless of OLC opinions, very few cases have been litigated concerning legislative extensions of officials' tenures. Unlike the appointees whose terms were extended by legislation cited by the majority, the FBI Director is a "principal" or "superior" officer, which may cause the courts to view his case differently, and we still have not heard anything definitive from the Supreme Court on this question.

5. THE RATIONALE

The jealous guarding of the President's power to appoint is crucial to preserving the separation of powers and promoting good government. As Alexander Hamilton wrote in *Federalist No. 76*,

The sole and undivided responsibility of one man will naturally beget a livelier sense of duty and a more exact regard to reputation. He will on this account feel himself under stronger obligations, and more interested to investigate with care the qualities requisite to the stations to be filled, and to

prefer with impartiality the persons who may have the fairest pretensions to them.

The President has an absolute veto over Executive Branch nominations because he initiates them, which also means he must take responsibility for them. Eliminating the formalities of the confirmation process which require a nomination by the president undermines that connection between president and nominee the assignment of political responsibility.

6. THE SOLUTION

We see a simple resolution to our disagreement that accomplishes the goals shared by the Majority, the President, and almost all members of Congress, including ourselves. The amendment cosponsored by five members of the Judiciary Committee would create a new two-year term to begin on or after the day that Director Mueller's current term expires. After this one-time two-year term concludes, the FBI directorship would return to the previous statutory ten-year term, and Director Mueller would not be eligible to serve beyond the new two-year term. The President may nominate Director Mueller to this two-year term or whomever else he chooses. We are committed to expediting Senate confirmation of Director Mueller's nomination and ensuring there is no gap in service at the top of the FBI. We are willing to waive a confirmation hearing for Director Mueller and also the Committee questionnaire. And, we will do what we can to ensure a speedy vote by the full Senate. To our knowledge, no one has raised any constitutional objections that could call into question Director Mueller's authority if our alternative is followed, and the experts we have consulted unanimously agree that there is no constitutional difficulty. As former Deputy Attorney General James Comey testified regarding the constitutionality of extending Mueller's tenure, "If you can do it in a way that makes it bulletproof, especially against the kind of litigation that you've spoken of, that would be better."

CONCLUSION

We do not assert that S. 1103 is clearly unconstitutional. We assert that its constitutionality has been called into question by respected experts and could expose Director Mueller's authority to dangerous litigation. We further assert that we have a duty to enact a constitutionally airtight alternative that would achieve the same goals.

ADDITIONAL STATEMENTS

RECOGNIZING THE PEKIN NOODLE PARLOR

● Mr. BAUCUS. Mr. President, today I wish to recognize a Butte institution. The Pekin Noodle Parlor has served generations of Montanans from all walks of life. My good friends, Danny and Sharon Tam, and their family have run the parlor for an astounding 100 years. For generations, the parlor has been a centerpiece of Chinatown and an evolving Butte community. The restaurant specializes in Chinese and American fare, and the lower level has housed a wide array of activities—from Chinese social organizations to herbal medicine. I also want to recognize the Butte-Silver Bow Public Archives for their unparalleled work collecting and

preserving the treasured history of Butte-Silver Bow. In particular, their efforts to protect the cherished narrative of the Pekin Noodle Parlor will be recognized for years to come. I ask that their commemoration of the Pekin Noodle Parlor below be printed in the RECORD.

One hundred years ago, Hum Yow opened his Pekin Noodle Parlor on the second floor of the building at 115/117/119 South Main. The restaurant's offerings of local favorites, Yatchamein—wet noodles—and chop suey, were eaten by miners, the “after-theater” crowd, and prominent citizens alike. It always catered to non-Chinese clientele, many of whom in the early days were curious to get a glimpse of Chinatown. Over time, the noodle parlor came to incorporate a good complement of American food on its menu, while retaining its Chinese food specialties. Among the attractions were the narrow, beadboard booths which allowed semiprivate dining. A seating arrangement that is maintained to this day by Hum Yow's nephew, Ding Tam, who is also known as Danny Wong.

While the restaurant business continued upstairs, items from previous establishments were stored below. This rare collection of artifacts, some dating as early as the 1910s, narrates the position of the Hum/Tam family in Butte and among Chinese communities in the western United States and China. Butte-Silver Bow Public Archives presents in the exhibit, *One Family—One Hundred Years*, a story of family commitment, rather than an emphasis on Chinese illegal drugs and prostitution. Displays provide insight into Chinese social organizations, gambling, herbal medicine, and the continuing Chinese influence in Butte, MT, by the Pekin Noodle Parlor.

The information follows:

A LOOK INSIDE THE EXHIBIT

The Tam family's roots in Montana extend to the 1860s, almost 50 years before the opening of the Pekin Noodle Parlor. Although his name has been forgotten, the first family member to come to the U.S. delivered supplies to the Chinese camps and communities at various places in the American West. Butte was among those camps. By the late 1890s, his son came to Butte, where he and others ran a laundry on South Arizona Street for many years. The Quong Fong Laundry was a staple on Arizona well into the mid-1950s even after the Tam family member had returned to China.

The next generation of family immigrants gained considerable prominence in Chinatown and the community of Butte at large. Hum Yow and Tam Kwong Yee, close relatives from the same district near Canton, China, forged a successful alliance that spanned most of the first half of the twentieth century. After erecting a building at the east edge of Chinatown at 115/117/119 South Main, Hum Yow & Co. established a Chinese mercantile there, to at least the late 1910s. By 1914, a Sanborn map shows Hum Yow's noodle parlor on the second floor, while Tam Kwong Yee managed a club room on the first floor facing onto China Alley.

The inhabitants of Butte's Chinatown formed social clubs that were similar to other fraternal organizations of that time. The purpose of these organizations, according to their articles of incorporation, was to provide for “. . . mutual helpfulness, mental and moral improvement, mental recreation . . .” and so on. Artifacts from three known Chinese clubs were found in the basement of the Pekin. Along with the clubs' signs, such items as membership rosters, instruments, maps and photos tell part of the story of these long-gone associations.

In the new country, where the Chinese population was predominantly single men who knew little English, gambling was not only a tradition that continued but also became a major form of recreation during social gatherings. As gambling drew in other ethnic groups to Chinatown, the gambling parlors eventually gained entrances on Main Street proper. On the face of the Pekin building, it was in the form of a “cigar store” called the London Company at 119 South Main. Hum's Pekin Noodle Parlor and Tam's London Company gambling hall were staples of Butte's Chinatown until gambling was closed across Montana in 1952.

Unlike many of his countrymen in Butte, Hum Yow married while in the U.S. His wife, Sui (Bessie) Wong, was born and raised in San Francisco. Shortly after marrying in 1915, the Hums began their family, raising their three children in the Pekin building. Tam Kwong Yee, on the other hand, had left his wife and children behind in China but remained close to them, providing financially for both basic needs and advanced education.

As a model of his family values, Tam had been trained as an herbal doctor in China before emigrating to the U.S. It was many years, however, before he had the opportunity to practice his trade in Butte. There were several Chinese herbal doctors in Butte over the years. The most well-known of those from the early twentieth century was Huie Pock, who had his business in the next block of South Main from the Pekin. Several years after Huie's death in 1927, Tam acquired his collection of Chinese herbs.

By 1942, Tam opened his business, “Joe Tom's Herbs,” on the first floor of the Pekin Noodle Parlor building (at the 115 South Main address). The business name suggests that Tam specialized in dispensing herbs rather than diagnoses. His on-site advertising, however, promoted “free consultation” as well.

In 1947, Tam's grandson, Ding Tam joined the older man in Butte. Just as thousands of Chinese immigrants before him, Ding came to the U.S. to make money to support his family back home. He quickly became known by the more Americanized name of Danny Wong, the last name taken from Bessie Wong's family. Several years later he took over the Pekin Noodle Parlor while his grandfather continued working as a Chinese herbal doctor. Danny married Sharon Chu on August 9, 1963, and raised five children in Butte, passing down the Tam family's appreciation for higher education, commitment to hard work, and business savvy.●

100TH ANNIVERSARY OF MARYLAND LEGAL AID

● Mr. CARDIN. Mr. President, today I wish to recognize the 100th anniversary of the Legal Aid Bureau in Baltimore, MD. Legal Aid was founded in 1911 in Baltimore to provide legal representation for the poor. In 1929, Baltimore at-

torneys H. Hamilton Hackney and John A. O'Shea took over leadership of Legal Aid. Mr. Hackney believed that justice should not be a matter of charity. He believed that people should be secure in the knowledge “that their poverty does not necessarily mean that they will be in a position of inequality before the law.” As a result of Hackney and O'Shea's efforts, Legal Aid evolved from a charity organization to an independent, private, nonprofit corporation.

During the Great Depression, Legal Aid's poverty practice mushroomed. By 1932, it was serving 3,200 clients a year. In 1941, the staff consisted of five lawyers. In 1949, the caseload had grown to 7,000 a year and Legal Aid helped its 100,000th client. In 1953, Baltimore City built its new People's Court Building at Fallsway and Gay streets, with the third floor dedicated to Legal Aid's use.

The 1960s were a period of change. In 1964, Congress passed the Economic Opportunities Act and launched the war on poverty, funneling funds for legal services to the Nation's cities. In 1971, Legal Aid established three offices outside of Baltimore and later in the decade, across the State.

In 1974, one of President Nixon's last acts in office was to sign into law the National Legal Services Corporation Act; the next year the Legal Services Corporation, LSC, was established, and legal services organizations across the country continued a rapid expansion. Starting in the late 1970s, Legal Aid began to champion the cause of migrant farm workers, sued the steel industry to eliminate practices that prevented women and minorities from getting higher paying jobs, and targeted the cause of mentally disabled people.

In the 1980s, President Reagan sought to eliminate LSC, submitting seven straight budgets without an appropriation for the corporation. While some of the funding was restored by a sympathetic Congress, Legal Aid lost \$1.2 million in funding in 1982, forcing staffing cuts in most offices. In response to the cuts, under my leadership, the Maryland General Assembly established the Maryland Legal Services Corporation and provided funding through the Interest on Lawyer Trust Accounts, IOLTA, Program to provide additional funding to Legal Aid and other legal services programs representing the poor.

Under the leadership of Wilhelm H. Joseph, Jr., who took the helm in 1996, Legal Aid has grown to be one of the Nation's largest and most respected legal services organizations. Today, there are more than 250 staff members in 13 offices statewide. Last year, more than 60,000 people from across the State were served, including residents of subsidized and public housing, the elderly, migrant farm workers, and neglected and abused children.

I would ask my colleagues to join me in congratulating Legal Aid for its outstanding achievements and service to the people of Maryland over the past 100 years, reminding us of the importance of the words inscribed over the entrance to the U.S. Supreme Court, "Equal Justice for All."●

TRIBUTE TO WILLIAM A. HAWKINS

● Ms. KLOBUCHAR. Mr. President, today I honor and pay tribute to a true leader from my home state of Minnesota, William A. Hawkins. Bill most recently retired with distinction as the chairman and CEO of Medtronic, the world's leading medical technology company. He is an individual whose life personifies the Medtronic Mission Statement.

The Medtronic mission, in part, states, "To contribute to human welfare by application of biomedical engineering in the research, design, manufacture, and sale of instruments or appliances that alleviate pain, restore health, and extend life."

Not every CEO gets the privilege to lead a company that makes lifesaving products, but for Bill the Medtronic mission is very personal and is a source of encouragement for his distinguished career. Several members of his own family received medical technology products developed and manufactured by the very company he has led. In 2008 when he was made chairman, he recalled the personal feeling he experienced during an assembly for employees. Included in the audience were the family members who had received coronary stents, a heart valve and a pacemaker, and a deep brain stimulator to control tremors caused by a World War II injury.

I have most especially appreciated Bill Hawkins in my role as chair of the Subcommittee on Competitiveness, Innovation, and Export Promotion, where my focus has been creating an innovation agenda that can help grow our economy and create jobs in America. Bill has a true passion for advancing innovation to make the world healthier and has been a major influence on all of Medtronic's innovation-related policies. I could not have asked for a more inspired or committed partner with which to work during the last few years.

Bill has nearly 35 years of career experience in the medical device industry, serving in leadership positions at Novoste Corporation, American Home Products, Johnson & Johnson, Guidant Corporation, and Eli Lilly. He began his medical technology career with Carolina Medical Electronics in 1977.

He joined Medtronic in 2002 as senior vice president and president of the company's vascular business before serving as corporate president and chief operating officer. Bill Hawkins was named chief executive officer of

Medtronic in 2007 and assumed the additional role of chairman in 2008. Under his guidance, Medtronic's capacity to serve patients extended further to provide an array of diagnostic, preventive, and chronic disease management solutions. During his decade of service and leadership, the company launched many important new technologies, made major investments in quality and innovation, and successfully navigated through an increasingly challenging environment. I have been pleased to work with Bill on health care and FDA reform and a host of matters that have ensured improved patient access to advanced medical technology.

In March of 2010 Bill received the Biomedical Engineering Society's Distinguished Achievement Award. This award is given to recognize those who have made great contributions to the field of biomedical engineering/bio-engineering.

Bill serves on the board of visitors for the Duke University School of Engineering and the board of directors for the Guthrie Theater and the University of Minnesota Foundation.

I know that my colleagues join me, his friends, family, and colleagues in commending Bill Hawkins on his numerous accomplishments and wishing him well as he begins a new phase of his career.

Congratulations, Bill Hawkins.●

ARMOUR, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Armour, SD. The town of Armour will commemorate its 125th anniversary this year.

Located in Douglas County, Armour was founded in 1886 and named after Philip Armour, owner of the famed meatpacking giant Armour & Company. Philip Armour served on the board of directors of the railroad during the time the railroad was being constructed in Douglas County. Today, the community of Armour is known for its outstanding health care facilities and its school district's strong record of academic and athletic accomplishment.

Armour has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Armour on this important milestone.●

CLAREMONT, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Claremont, SD. The town of Claremont is commemorating its 125th anniversary this year.

Claremont was founded in 1886 and named by rail workers after a town of the same name in the state of New Hampshire. Located in Brown County,

Claremont was built along the rail line which ran from Rutland, ND to Aberdeen, SD. This resulted in rapid growth for the budding town. Settlers quickly realized the excellent farming potential in the area and a booming agricultural industry was born.

Claremont has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Claremont on this landmark occasion.●

FERNEY, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Ferney, SD. The town of Ferney commemorates its 125th anniversary this year.

Located in Brown County, Ferney was founded in 1886 and named after a town in France, which was the home of a railway worker's wife. Ferney has a colorful past and saw its heyday during the prohibition era. When nearby towns imposed prohibition laws, Ferney refused, earning itself a reputation as a "liquor town." During this time Ferney's saloons and local establishments were booming businesses and among the first to reopen after the repeal of prohibition. Today, Ferney is known for its excellent hunting grounds and friendly people.

I would like to offer my congratulations to the citizens of Ferney on this milestone occasion and wish them continued prosperity in the years to come.●

STRANDBURG, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Strandburg, SD. The town of Strandburg will commemorate its 125th anniversary this year.

Strandburg was founded in 1886 and was named after John Strandberg, an original settler and the man who would become the first postmaster. Located in Grant County, Strandburg has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions.

I would like to offer my congratulations to the citizens of Strandburg on this historic milestone.●

TRIPP, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Tripp, SD. The town of Tripp will commemorate its 125th anniversary this year.

Tripp was founded in 1886 and was named after Judge Bartlett C. Tripp, who served as President of Dakota Territory's first Territorial Constitutional Convention. Located in Hutchinson

County, today Tripp is home to beautiful prairies and excellent hunting.

Tripp has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Tripp on this landmark date.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13466 OF JUNE 26, 2008, WITH RESPECT TO THE CURRENT EXISTENCE AND RISK OF THE PROLIFERATION OF WEAPONS-USABLE FISSILE MATERIAL ON THE KOREAN PENINSULA—PM 12

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13466 of June 26, 2008, expanded in scope in Executive Order 13551 of August 30, 2010, and addressed further in Executive Order 13570 of April 18, 2011, is to continue in effect beyond June 26, 2011.

The existence and the risk of proliferation of weapons-usable fissile material on the Korean Peninsula, and the actions and policies of the Government of North Korea that destabilize the Korean Peninsula and imperil U.S. Armed

Forces, allies, and trading partners in the region, continue to constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency with respect to these threats and maintain in force the measures taken to deal with that national emergency.

BARACK OBAMA.

THE WHITE HOUSE, June 23, 2011.

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13219 OF JUNE 26, 2001, WITH RESPECT TO THE WESTERN BALKANS—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the Western Balkans emergency is to continue in effect beyond June 26, 2011.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton accords in Bosnia, United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo, or the Ohrid Framework Agreement of 2001 in Macedonia, that led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219, and to amendment of that order in Executive Order 13304 of May 28, 2003, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S. interests and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans and maintain in force the sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, June 23, 2011.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 349. An act to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

S. 655. An act to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUE).

At 12:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2021. An act to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2021. An act to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

S. 1276. A bill to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, to rescind related appropriated amounts, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 23, 2011, she had presented to the President of the United States the following enrolled bills:

S. 349. An act to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

S. 655. An act to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2244. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-methyl-2,4-pentanediol; Exemption from the Requirement of a Tolerance" (FRL No. 8875-9) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2245. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Information Required in Prior Notice of Imported Food" (Docket No. FDA-2011-N-0179) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2246. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal year 2010; to the Committee on Armed Services.

EC-2247. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2248. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2249. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2250. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2251. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2252. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Export Controls for High Performance Computers: Wassenaar Arrangement Agreement Implementation for ECCN 4A003 and Revisions to License Exception" (RIN0694-AF15) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2253. A communication from the President and Chief Financial Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, the Bank's management reports and statements on system of internal

controls for fiscal year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-2254. A communication from the ASC Chairman, Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Appraisal Subcommittee's 2010 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-2255. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Federal Airways; Alaska" ((RIN2120-AA66) (Docket No. FAA-2011-0010)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2256. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Duluth, MN" ((RIN2120-AA66) (Docket No. FAA-2011-0123)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2257. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Waynesboro, VA" ((RIN2120-AA66) (Docket No. FAA-2010-1232)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2258. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bozeman, MT" ((RIN2120-AA66) (Docket No. FAA-2011-0249)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2259. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Cocoa, FL" ((RIN2120-AA66) (Docket No. FAA-2011-0070)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2260. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Newcastle, WY" ((RIN2120-AA66) (Docket No. FAA-2011-0252)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2261. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Brunswick, ME" ((RIN2120-AA66) (Docket No. FAA-2011-0116)) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2262. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Standard Instrument Approach Procedures (88); Amdt. No. 3429" (RIN2120-AA65) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2263. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "Annual Energy Outlook 2011"; to the Committee on Energy and Natural Resources.

EC-2264. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia: Atlanta; Determination of Attainment for the 1997 8-Hour Ozone Standards" (FRL No. 9322-4) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2265. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs: Extension of Best Available Monitoring Provisions for Electronic Manufacturing" (FRL No. 9322-1) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2266. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Louisiana" (FRL No. 9323-7) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2267. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina: Prevention of Significant Deterioration and Nonattainment New Source Review; Fine Particulate Matter and Nitrogen Oxides as a Precursor to Ozone" (FRL No. 9322-6) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2268. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Idaho; Regional Haze State Implementation Plan and Interstate Transport Plan" (FRL No. 9321-4) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2269. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Manifest Printing Specifications Correction Rule" (FRL No. 9321-8) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2270. A communication from the Director of the Regulatory Management Division,

Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "MINNESOTA: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9323-4) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2271. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of the Revised Nitrogen Dioxide Standard" (FRL No. 9321-5) received in the Office of the President of the Senate on June 20, 2011; to the Committee on Environment and Public Works.

EC-2272. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, "Report to the Congress: Medicare and the Health Care Delivery System"; to the Committee on Finance.

EC-2273. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the actuarial status of the railroad retirement system; to the Committee on Finance.

EC-2274. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, the 2011 annual report on the financial status of the railroad unemployment insurance system; to the Committee on Finance.

EC-2275. A communication from the Deputy Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Standards Improvement Project—Phase III" (RIN1218-AC19) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2276. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2277. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2010; to the Committee on the Judiciary.

EC-2278. A communication from the Director of the Regulation Policy and Management Office, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Reimbursement Offsets for Medical Care or Services" (RIN2900-AN55) received in the Office of the President of the Senate on June 22, 2011; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-47. A resolution adopted by the Senate of the State of Rhode Island urging the members of the Rhode Island Congressional Delegation to join as cosponsors of the Main Street Fairness Act and the President of the

United States to sign into law the Main Street Fairness Act, upon its passage from Congress; to the Committee on Finance.

SENATE RESOLUTION NO. 11R280(11-S0976)

Whereas, the 1967 Bellas Hess and the 1992 Quill U.S. Supreme Court decisions denied states the authority to require collection of sales and use taxes by out-of-state sellers that have no physical presence in the taxing state; and

Whereas, the combined weight of the inability to collect sales and use taxes on remote sales through traditional carriers and the tax erosion due to electronic commerce threatens the future viability of the sales tax as a stable revenue source for state and local governments; and

Whereas, according to the National Conference of State Legislatures, states lost an estimated \$8.6 billion in 2010, and total revenue loss is projected to balloon to \$37 billion from 2009 to 2012; and

Whereas, according to the National Conference of State Legislatures, Rhode Island will lose an estimated \$70.4 million in Fiscal Year 2012 because of this inability to require remote sellers to collect our state's sales and use taxes; and

Whereas, Rhode Island is one of twenty-four states complying with the Streamlined Sales and Use Tax Agreement; and

Whereas, The Main Street Fairness Act has been introduced in the 112th Congress to grant those states that comply with the agreement the authority to require all sellers, regardless of nexus, to collect those states' sales and use taxes: Now, therefore be it

Resolved, That this Senate of the State of Rhode Island and Providence Plantations calls upon the members of our Congressional Delegation to join as cosponsors of the Main Street Fairness Act to support its swift adoption by the Congress of the United States; and be it further

Resolved, That this Senate urges President Barack Obama to sign the Main Street Fairness Act into law, upon its passage by the Congress; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the President of the United States, the President and Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the Chair of the Senate Committee on Finance, the Chair of the House Committee on Ways and Means, and Rhode Island's Congressional Delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1145. A bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Gary Locke, of Washington, to be Ambassador Extraordinary and Plenipotentiary of

the United States of America to the People's Republic of China.

Nominee: Gary F. Locke.

Post: U.S. Ambassador to China.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self and 2. Spouse Mona Lee Locke: \$250.00, 7/23/2008, Darcy Burner for Congress; \$2,000.00, 10/8/2008, Obama Victory Fund.

3. Children and Spouses: \$0. Emily Nicole Locke: \$0. Dylan James Locke: \$0. Madeline Lee Locke: \$0.

4. Parents: Julie Locke: \$0. Jimmy Locke—deceased: \$0.

5. Grandparents: Deceased: \$0. Deceased: \$0.

6. Brothers and Spouses: Jeff Locke & Doris Locke: \$0.

Sisters and Spouses: Marian Locke Monwai & Pete Monwai: \$0. Rita Locke Yoshihara & Joe Yoshihara: \$0. Jannie Locke Chow & Ed Chow: \$0.

*Ryan C. Crocker, of Washington, Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Afghanistan.

Nominee: Ryan Clark Crocker.

Post: Afghanistan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: N/A—no children.

4. Parents: None living.

5. Grandparents: None living.

6. Brothers and Spouses: N/A—no brothers.

7. Sisters and Spouses: N/A—no sisters.

*William J. Burns, of Maryland, a Career Member of the Senior Foreign Service with the Personal Rank of Career Ambassador, to be Deputy Secretary of State.

By Mr. LEAHY for the Committee on the Judiciary.

Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy.

Alfred Cooper Lomax, of Missouri, to be United States Marshal for the Western District of Missouri for the term of four years.

David L. McNulty, of New York, to be United States Marshal for the Northern District of New York for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. JOHNSON of South Dakota, and Mr. INOUE):

S. 1262. A bill to improve Indian education, and for other purposes; to the Committee on Indian Affairs.

By Mr. KOHL (for himself and Mr. MANCHIN):

S. 1263. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. KERRY, Mr. REID, Mr. LEAHY, and Mr. DURBIN):

S. 1264. A bill to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. WYDEN, Mr. UDALL of Colorado, and Mr. TESTER):

S. 1265. A bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARPER (for himself, Mr. COONS, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. CASEY):

S. 1266. A bill to direct the Secretary of the Interior to establish a program to build on and help coordinate funding for the restoration and protection efforts of the 4-State Delaware River Basin region, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ROCKEFELLER:

S. 1267. A bill to strengthen United States trade laws, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. AKAKA):

S. 1268. A bill to increase the efficiency and effectiveness of the Government by providing for greater interagency experience among national security and homeland security personnel through the development of a national security and homeland security human capital strategy and interagency rotational service by employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself, Mrs. MURRAY, and Mr. BINGAMAN):

S. 1269. A bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. BROWN of Ohio, and Ms. MURKOWSKI):

S. 1270. A bill to prohibit the export from the United States of certain electronic waste, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE:

S. 1271. A bill to amend the Internal Revenue Code of 1968 to provide a temporary credit for hiring previously unemployed workers; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself and Mr. BINGAMAN):

S. 1272. A bill to require the Secretary of Veterans Affairs to submit to Congress a re-

port on the feasibility and advisability of establishing a polytrauma rehabilitation center or polytrauma network site of the Department of Veterans Affairs in the southern New Mexico and El Paso, Texas, region, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself, Mr. HARKIN, and Mr. SANDERS):

S. 1273. A bill to amend the Fair Labor Standards Act with regard to certain exemptions under that Act for direct care workers and to improve the systems for the collection and reporting of data relating to the direct care workforce, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. ISAKSON, and Mrs. SHAHEEN):

S. 1274. A bill to provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

By Mr. DURBIN (for himself, Mr. KOHL, and Mr. BINGAMAN):

S. 1275. A bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. VITTER, Mr. CORNYN, Mr. CRAPO, Mr. INHOFE, Mr. HATCH, and Mr. RISCH):

S. 1276. A bill to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, to rescind related appropriated amounts, and for other purposes; read the first time.

By Ms. CANTWELL (for herself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. BLUNT, Mr. HARKIN, Mrs. MURRAY, and Mr. FRANKEN):

S. 1277. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. ROBERTS, Mr. CORNYN, Mr. BOOZMAN, Mr. BLUNT, and Mr. BARRASSO):

S. 1278. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY:

S. Res. 214. A resolution designating the week of June 24 through 28, 2011, as "National Music Education Week"; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself and Ms. MURKOWSKI):

S. Res. 215. A resolution designating the month of June 2011 as "National Cytomegalovirus Awareness Month"; considered and agreed to.

By Mrs. BOXER (for herself and Mr. DEMINT):

S. Res. 216. A resolution encouraging women's political participation in Saudi Arabia; to the Committee on Foreign Relations.

By Mr. WEBB (for himself and Mr. WARNER):

S. Con. Res. 24. A concurrent resolution commemorating the 75th anniversary of the dedication of Shenandoah National Park; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 136

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 136, a bill to establish requirements with respect to bisphenol A.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 414

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 591

At the request of Mr. BROWN of Ohio, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 591, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 595

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 606

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 606, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the priority review voucher incentive program relating to tropical and rare pediatric diseases.

S. 643

At the request of Ms. STABENOW, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. 643, a bill to amend title XIX of the Social Security Act to direct Medicaid EHR incentive payments to federally qualified health centers and rural health clinics.

S. 673

At the request of Mr. BEGICH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 673, a bill to require the conveyance of the decommissioned Coast Guard Cutter STORIS.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 798

At the request of Mr. TESTER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 838

At the request of Mr. TESTER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 838, *supra*.

S. 958

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 968

At the request of Mr. LEAHY, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. CARDIN), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1107

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1107, a bill to authorize and support psoriasis and psoriatic arthritis data collection, to express the sense of the Congress to encourage and leverage public and private investment in psoriasis research with a particular focus on interdisciplinary collaborative research on the relationship between psoriasis and its comorbid conditions, and for other purposes.

S. 1181

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1181, a bill to require the Secretary of the Treasury to mint coins in

commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1188

At the request of Mr. BROWN of Ohio, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1188, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1189

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 *et seq.*) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1236

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1236, a bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

S. 1249

At the request of Mr. UDALL of Colorado, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1249, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 1258

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1258, a bill to provide for comprehensive immigration reform, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. WYDEN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 23

At the request of Mr. HATCH, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. Con. Res. 23, a concurrent resolution declaring that it is the policy of the United States to support and facilitate Israel in maintaining defensible borders and that it is contrary to United States policy and national security to have the borders of Israel return to the armistice lines that existed on June 4, 1967.

S. RES. 213

At the request of Mr. DEMINT, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Nevada (Mr. HELLER), the Senator from Tennessee (Mr. CORKER), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. Res. 213, a resolution commending and expressing thanks to professionals of the intelligence community.

AMENDMENT NO. 499

At the request of Mr. VITTER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 499 proposed to S. 679, a bill to reduce the number of executive positions subject to Senate confirmation.

AMENDMENT NO. 510

At the request of Mr. DEMINT, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 510 proposed to S. 679, a bill to reduce the number of executive positions subject to Senate confirmation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. JOHNSON of South Dakota, and Mr. INOUE):

S. 1262. A bill to improve Indian education, and for other purposes; to the Committee on Indian Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce the Native culture, language, and access for success in schools bill, Native CLASS.

As a former educator, I understand the critical role of education, not just to the life of a young person, but also to the future of a culture and a community. For too long, the Native people of this country have lived with a substandard education system that lacks cultural relevance and is burdened with administrative challenges and severe underfunding.

Three major reports by the Federal Government on Native education since 1928 have demonstrated little, if any, improvement in the education of Native people in the past 80 years. This ailing system has resulted in some of the worst education outcomes in the country. On average, in the States with the highest Native populations, the graduation rates for Native students are lower than the graduation rates for all other racial/ethnic groups, hovering

well below 50 percent. We can no longer tolerate this, especially because our Federal Government has a unique trust obligation to provide a quality education to its Native people.

Native languages and cultures are the roots of all Native peoples, and to oki, to cut those roots is to inherently harm the Native peoples. The comprehensive legislation I am introducing today puts forward a new vision of Native education, one that is grounded in culture, language, and local community control. The bill provides for many new access opportunities for tribes to be partners in their own education systems and paves the way for innovative language and culture-based instruction programs. Additionally, it provides much stronger accountability by agencies to native communities for the administration of their children's education. The provisions of this bill are the result of consultation and input with a wide range of American Indian, Alaska Native and Native Hawaiian stakeholders.

The introduction of this bill is only the beginning of a dialogue about this new vision of Native education. We will continue to work with our Native stakeholders to improve this bill and ensure that it builds strong roots and meets the unique needs of all our native students.

I thank Mr. JOHNSON and Mr. INOUE for sponsoring this bill. I urge my other colleagues to join me in supporting the passage of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1262

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Native Culture, Language, and Access for Success in Schools Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Subtitle A—Improving the Academic Achievement of the Disadvantaged

Sec. 111. Improving the education of students.

Sec. 112. Standards-based assessments.

Sec. 113. Native language teaching.

Sec. 114. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.

Subtitle B—Preparing, Training, and Recruiting High Quality Teachers and Principals

Sec. 121. Preparing, training, and recruiting high quality teachers and principals.

Subtitle C—Native American Languages Programs

Sec. 131. Improvement of academic success of Indian students through Native American languages programs.

Sec. 132. State and tribal education agency agreements.

Subtitle D—21st Century Schools

Sec. 141. Safe and healthy schools for Native American students.

Subtitle E—Indian, Native Hawaiian, and Alaska Native Education

Sec. 151. Purpose.

Sec. 152. Purpose of formula grants.

Sec. 153. Grants to local educational agencies and tribes.

Sec. 154. Amount of grants.

Sec. 155. Applications.

Sec. 156. Authorized services and activities.

Sec. 157. Student eligibility forms.

Sec. 158. Technical assistance.

Sec. 159. Amendments relating to tribal colleges and universities.

Sec. 160. Tribal educational agency cooperative agreements.

Sec. 161. Tribal education agencies pilot project.

Sec. 162. Improve support for teachers and administrators of native american students.

Sec. 163. National board certification incentive demonstration program.

Sec. 164. Tribal language immersion schools.

Sec. 165. Coordination of Indian student information.

Sec. 166. Authorization of appropriations.

Subtitle F—Impact Aid

Sec. 171. Impact aid.

Subtitle G—General Provisions

Sec. 181. Highly qualified definition.

Sec. 182. Applicability of ESEA to Bureau of Indian Education schools.

Sec. 183. Increased access to resources for tribal schools, schools served by the Bureau of Indian Education, and Native American students.

TITLE II—AMENDMENTS TO OTHER LAWS

Sec. 201. Amendments to the American Recovery and Reinvestment Act of 2009 to provide funding for Indian programs.

Sec. 202. Qualified scholarships for education and cultural benefits.

Sec. 203. Tribal education policy advisory group.

Sec. 204. Division of budget analysis.

Sec. 205. Qualified school construction bond escrow account.

Sec. 206. Equity in Educational Land-Grant Status Act of 1994.

Sec. 207. Workforce Investment Act of 1998.

Sec. 208. Technical amendments to Tribally Controlled Schools Act of 1988.

TITLE III—ADDITIONAL EDUCATION PROVISIONS

Sec. 301. Native American student support.

Sec. 302. Ensuring the survival and continuing vitality of Native American languages.

Sec. 303. In-school facility innovation program contest.

Sec. 304. Retrocession or reassumption of certain school funds.

Sec. 305. Department of the Interior and Department of Education Joint Oversight Board.

Sec. 306. Feasibility study to transfer the Bureau of Indian Education to the Department of Education.

Sec. 307. Tribal self governance feasibility study.

Sec. 308. Establishment of Center for Indigenous Excellence

TITLE I—ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Subtitle A—Improving the Academic Achievement of the Disadvantaged

SEC. 111. IMPROVING THE EDUCATION OF STUDENTS.

Part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 1111—

(A) in subsection (a), by inserting “representatives of Indian tribes located in the State,” after “other staff,”;

(B) in subsection (b)(8), by striking “1112(c)(1)(D)” and inserting “1112(c)(1)(E)”;

(C) in subsection (c)—

(i) in paragraph (13), by striking “and”;

(ii) in paragraph (14), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(15) the State educational agency has engaged in timely and meaningful consultation with representatives of Indian tribes located in the State in the development of the State plan to serve local educational agencies under the State’s jurisdiction, in order to—

“(A) improve the coordination of activities under this Act;

“(B) meet the purpose of this title; and

“(C) meet the unique cultural, language, and educational needs of Indian students.”;

(D) in subsection (m), by adding at the end the following:

“(4) If such school has been approved, in accordance with section 1116(g), for use of an alternative definition of adequate yearly progress, the school may adopt an appropriate assessment that—

“(A) is developed in consultation with, and with the approval of, the Secretary of the Interior; and

“(B) is consistent with the requirements of this section.”;

(2) in section 1112—

(A) in subsection (b)(1)—

(i) by redesignating subparagraphs (F) through (Q) as subparagraphs (G) through (R), respectively; and

(ii) by inserting after subparagraph (E), the following:

“(F) a description of the procedure that the local educational agency will use to engage in timely, ongoing, and meaningful consultation with representatives of Indian tribes located in the area served by the local education agency in the development of the local plan, in order to—

“(i) improve the coordination of activities under this Act;

“(ii) meet the purpose of this title; and

“(iii) meet the unique cultural, language, and educational needs of Indian students.”;

(B) in subsection (c)(1)—

(i) by redesignating subparagraphs (D) through (O) as subparagraphs (E) through (P), respectively; and

(ii) by inserting after subparagraph (C), the following:

“(D) engage in timely and meaningful consultation with representatives of Indian tribes located in the area served by the local education agency;”;

(C) in subsection (d)(1), by striking “and other appropriate school personnel,” and inserting “other appropriate school personnel, representatives of Indian tribes located in the area served by the local educational agency,”;

(3) in section 1115(b)(2)(A), by inserting “, Indian children,” after “migrant children”;

(4) in section 1116—

(A) in subsection (b)(3)(A)—

(i) in the matter preceding clause (i), by inserting “representatives of Indian tribes located in the area served by the school,” after “school staff,”;

(ii) in clause (ix), by striking “and” after the semicolon;

(iii) in clause (x), by striking the period at the end; and

(iv) by adding at the end the following:

“(xi) provide an assurance that, if the school receives funds described in title VII, the school will continue to direct such funds to the activities described in title VII.”;

(B) in subsection (c)(7)(A)—

(i) in the matter preceding clause (i), by inserting “representatives of Indian tribes located in the area served by the local education agency,” after “school staff,”;

(ii) in clause (vii), by striking “and” after the semicolon;

(iii) in clause (viii), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(ix) incorporate, as appropriate, activities that meet the unique cultural, language, and educational needs of Indian students eligible to be served under title VII of this Act.”;

(C) in subsection (g)(1)—

(i) in subparagraph (B)—

(I) by striking “The tribal governing body or” and inserting “An Indian tribe,”;

(II) by inserting “, or consortium of such entities” after “Bureau of Indian Affairs”;

(III) by striking “body or school board” and inserting “Indian tribe, school board, or consortium of such entities”; and

(IV) by inserting “of the Interior” after “such alternative definition unless the Secretary”;

(ii) in subparagraph (C), by striking “a tribal governing body or school board of a school funded by the Bureau of Indian Affairs” and inserting “an Indian tribe, school board of a school funded by the Bureau of Indian Affairs, or consortium of such entities”; and

(iii) by adding at the end the following:

“(D) DEEMED APPROVAL.—A proposed alternative definition of adequate yearly progress submitted pursuant to subparagraph (B) shall be deemed to be approved by the Secretary of the Interior unless the Secretary of the Interior issues the notification set forth in subparagraph (E) prior to the expiration of the 30-day period beginning on the date on which the Secretary of the Interior received the proposed alternative definition of adequate yearly progress.

“(E) NOTIFICATION.—If the Secretary of the Interior finds that the application is not in compliance, in whole or in part, with this subpart, the Secretary of the Interior shall—

“(i) notify the entity or entities described in subparagraph (B) of the finding of non-compliance and, in such notification, shall—

“(I) cite the specific provisions in the application that are not in compliance;

“(II) provide an explanation of the basis of the non-compliance;

“(III) request additional information only as to the noncompliant provisions needed to make the proposal compliant;

“(IV) provide a description of the steps that the entity or entities need to take to make the application compliant; and

“(V) provide assistance to overcome the finding of noncompliance; and

“(ii) provide the entity or entities described in subparagraph (B) with the opportunity for a hearing, which shall be com-

pleted not more than 60 days after such entity or entities receive the notice of opportunity for a hearing, or at such later date as agreed to by the submitting entity or entities.

“(F) RESPONSE.—If the entity or entities described in subparagraph (B) resubmit the application in an effort to overcome the finding of noncompliance not more than 30 days after the date the notification was received, the Secretary of the Interior shall approve or disapprove the resubmitted application not more than 30 days after the resubmitted application is received, or not more than 30 days after the conclusion of a hearing, whichever is later. If the Secretary of the Interior fails to approve or disapprove the resubmitted application within such time period, the resubmitted application shall be deemed approved.

“(G) RESUBMISSION RESPONSE.—If the Secretary of the Interior finds the resubmitted application described in subparagraph (F) to be in noncompliance, the Secretary of the Interior shall issue a final determination that—

“(i) cites the specific provisions in the application that are not in compliance;

“(ii) provides a detailed explanation of the basis for the finding of noncompliance for each provision found to be noncompliant; and

“(iii) offers assistance to overcome the finding of noncompliance.

“(H) FAILURE TO RESPOND.—If the entity or entities described in subparagraph (B) do not respond to the notification of the Secretary of the Interior described in subparagraph (E) within a 30-day period after receipt of such notification, the application shall be deemed to be disapproved.”;

(5) by inserting after section 1116 the following:

“SEC. 1116A. INDIAN SCHOOL TURN AROUND PROGRAM.

“(a) PURPOSE.—The purpose of this section is to significantly improve outcomes for Indian students in persistently low-performing schools by—

“(1) enabling Indian tribes or tribal education agencies to turn around low-performing schools operated by a local educational agency on Indian lands;

“(2) building the capacity of tribes and tribal education agencies to improve student academic achievement in low-performing and persistently low-performing schools; and

“(3) supporting tribes and tribal education agencies in implementing school intervention models.

“(b) DEFINITIONS.—In this section:

“(1) INDIAN LANDS.—The term ‘Indian lands’ has the meaning given the term in section 8013.

“(2) INDIAN SCHOOL.—The term ‘Indian school’ means any school located on Indian lands.

“(3) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community (including any Native village, Regional Corporation, or Village Corporation as defined in, or established pursuant to, the Alaska Native Claims Settlement Act), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(4) TRIBAL EDUCATION AGENCY.—The term ‘tribal education agency’ means the authorized governmental agency of a federally-recognized American Indian or Alaska Native tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) that is primarily

responsible for regulating, administering, or supervising the formal education of tribal members. A tribal education agency includes tribal education departments, tribal divisions of education, tribally sanctioned education authorities, tribal education administrative planning and development agencies, and tribal administrative education entities.

“(c) IDENTIFICATION OF LOW PERFORMING INDIAN SCHOOLS.—

“(1) IN GENERAL.—Each State that receives funds under this part shall annually identify any Indian school operated by a local educational agency that—

“(A) is a school identified under section 1116(b); and

“(B)(i) in the case of an Indian school that is an elementary school, is in the lowest 5 percent of the State’s public elementary schools;

“(ii) in the case of an Indian school that is a secondary school that does not award a high school diploma, is in the lowest 5 percent of the State’s public secondary schools that do not award a high school diploma; or

“(iii) in the case of an Indian school that is a secondary school that does award a high school diploma—

“(I) is in the bottom 5 percent of the State’s public secondary schools that award a high school diploma; or

“(II) has a graduation rate below 60 percent.

“(2) REPORT.—If a school is identified by a State under paragraph (1), the State shall notify the tribe on whose Indian lands any such school is located that the school has been identified as a low-performing school.

“(d) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—The Secretary shall award grants, on a competitive basis, to Indian tribes or tribal education agencies to enable such tribes or agencies to carry out the activities described in subsection (g).

“(2) DURATION.—

“(A) IN GENERAL.—A grant awarded under this section shall be for a period of 4 years.

“(B) RENEWAL.—The Secretary may renew a grant under this section for an additional 4-year period if the Indian tribe or tribal education agency demonstrates sufficient progress, as defined by the State, on the core academic indicators and leading indicators described in subsection (h)(1)(B).

“(e) APPLICATION.—

“(1) IN GENERAL.—Each Indian tribe or tribal education agency that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, each application shall include—

“(A) an analysis of the school described under subsection (c)(1) that the Indian tribe or tribal education agency proposes to serve, and an appropriate intervention model for such school;

“(B) a budget, which shall demonstrate sufficient funds to implement fully and effectively the selected intervention model; and

“(C) a description of how the Indian tribe or tribal education agency will—

“(i) help develop a pipeline of teachers and leaders for the school;

“(ii) collect and report data;

“(iii) support effective extended learning time strategies; and

“(iv) build capacity in the tribe or tribal education agency for assisting schools described under subsection (c)(1).

“(2) ADDITIONAL APPLICATION REQUIREMENTS IF SUBGRANTS ARE AWARDED.—If an Indian tribe or tribal education agency proposes to

issue subgrants, as described under subsection (g)(3), such tribe or agency shall include in the application, in addition to the requirements described under paragraph (1), the following:

“(A) A copy of the application form and instructions that the Indian tribe or tribal education agency will provide to potential recipients of subgrants.

“(B) A description of how the Indian tribe or tribal education agency will set priorities for awarding subgrants.

“(C) A description of how the Indian tribe or tribal education agency will monitor each entity that is awarded a subgrant.

“(f) STATE EDUCATIONAL AGENCY AND LOCAL EDUCATION AGENCY RESPONSIBILITIES.—

“(1) IN GENERAL.—If an Indian tribe or tribal education agency receives a grant under this section for an Indian school that has been identified under subsection (c)(1), the Secretary shall notify the State in which the school is located, and the State educational agency and the local educational agency that serve such school shall—

“(A) maintain funding for the school at not less than the amount supplied in the academic year immediately preceding the academic year for which the grant under this section applies;

“(B) at the request of the Indian tribe or tribal education agency, enter into a cooperative agreement to authorize the Indian tribe or tribal education agency to plan, conduct, consolidate, and administer programs, services, functions, and activities, or portions thereof, administered by the State educational agency or the local educational agency on behalf of the school; and

“(C) authorize the Indian tribe or tribal education agency to reallocate funds for such programs, services, functions, and activities, or portions thereof, as necessary.

“(2) MAINTENANCE OF EFFORT REQUIREMENT.—If the maintenance of effort requirement described in paragraph (1)(A) is not met, the Secretary may withhold funding under title I from the State until such requirement is met.

“(3) DISAGREEMENT.—If an Indian tribe or tribal education agency and the State educational agency or local educational agency cannot reach an agreement, the tribe or tribal education agency may submit to the Secretary information that such tribe or agency deems relevant, and the Secretary may make a determination on the disputed issue.

“(g) USE OF FUNDS.—

“(1) SCHOOL INTERVENTION MODEL.—

“(A) IN GENERAL.—An Indian tribe or tribal education agency that receives a grant under this section shall use not less than 90 percent of the grant funds to implement a school intervention model described in subsection (i), either directly or through a turn around partner that is awarded a subgrant, in a school identified under subsection (c)(1).

“(B) USE OF FUNDS FOR COMPREHENSIVE SERVICES.—The Indian tribe or tribal education agency, in implementing any of the school intervention models described in subsection (i) in any school served under the grant—

“(i) shall identify and address issues that may contribute to low academic achievement in the schools identified under subsection (c)(1); and

“(ii) may use funds under this section to provide comprehensive services to address the issues described in subparagraph (A) and meet the full range of student needs.

“(2) SUBGRANTS.—An Indian tribe or tribal education agency that receives a grant under this section may award subgrants.

“(3) TRIBE OR TRIBAL EDUCATION AGENCY ACTIVITIES.—If an Indian tribe or tribal education agency that receives a grant under this section does not use all of the grant funds to carry out the activities described in paragraphs (1) through (3) in each school to be served under the grant, such tribe or tribal education agency shall use any remaining funds to—

“(A) provide technical assistance and other support, either directly or through the creation of a school turn around office or a turn around partner, to schools identified under subsection (c)(1), which may include—

“(i) the use of school quality review teams; or

“(ii) regular site visits to monitor the implementation of selected intervention models;

“(B) evaluate Indian tribe or tribal education agency implementation of school intervention models and other improvement activities;

“(C) use the results of the evaluations described in subparagraph (B) to improve Indian tribe or tribal education agency strategies for supporting, and providing flexibility for, targeted schools that are identified under subsection (c)(1);

“(D) develop pipelines of teachers and leaders that are trained to work in schools that are low-performing schools, such as the schools identified in subsection (c)(1);

“(E) collect and report data;

“(F) build capacity in the Indian tribe or tribal education agency for assisting schools identified under subsection (c)(1); or

“(G) carry out other activities designed to build Indian tribe or tribal education agency capacity to support school improvement.

“(h) DATA COLLECTION AND REPORTING.—

“(1) IN GENERAL.—Each Indian tribe or tribal education agency receiving a grant under this section shall—

“(A) comply with the reporting and accountability requirements of this part for each school that such Indian tribe or tribal education agency serves; and

“(B) monitor and collect data about the students that such Indian tribe or tribal education agency serves at each school that is served by the grant program, including the following data:

“(i) Core academic indicators, such as—

“(I) the percentage of students at each school who are at or above the proficient level on State academic assessments in reading or language arts and mathematics;

“(II) student progress toward core academic benchmarks;

“(III) the average score for students in each school on State academic assessments in reading or language arts and mathematics;

“(IV) secondary school graduation rates; and

“(V) rates of student enrollment in an institution of higher education.

“(ii) Leading indicators, such as—

“(I) student attendance rates;

“(II) the number and percentage of students completing advanced coursework;

“(III) student participation in State assessments in reading or language arts and mathematics under section 1111(b)(3);

“(IV) school dropout rates;

“(V) discipline incident rates;

“(VI) teacher attendance rates;

“(VII) the distribution of teachers by performance level, based on the teacher evaluation system established by the Indian tribe or tribal education agency; and

“(VIII) reduction in the percentage of students in the lowest level of achievement on

State assessments in reading or language arts and mathematics under section 1111.

“(2) REPORT.—Each Indian tribe or tribal education agency receiving a grant under this section shall prepare and submit a report to the Secretary, which shall include the data described in paragraph (1)(B).

“(i) SCHOOL INTERVENTION MODELS.—Each tribe or tribal education agency that receives a grant under this section may choose to implement 1 or more of the following school intervention models:

“(1) TRANSFORMATION MODEL.—A transformation model is a school intervention model in which the Indian tribe or tribal education agency—

“(A) replaces a principal (if such principal has led the school for 2 or more years) with a new principal who has demonstrated effectiveness in turning around a low-performing school;

“(B) uses rigorous, transparent, and equitable evaluation systems to—

“(i) identify and reward school leaders, teachers, and other staff who, in implementing the model, increase student achievement and, if applicable, secondary school graduation rates; and

“(ii) identify and remove school leaders, teachers, and other staff who, after ample opportunities have been provided for such individuals to improve their professional practice—

“(I) do not increase student achievement;

“(II) if applicable, do not increase secondary school graduation rates; and

“(III) have not demonstrated effectiveness according to the tribe or tribal education agency's evaluation system;

“(C) provides staff with ongoing, high quality, job-embedded professional development that—

“(i) is aligned with the school's instruction program and evaluation system;

“(ii) facilitates effective teaching and learning; and

“(iii) supports the implementation of school-reform strategies;

“(D) implements strategies (such as financial incentives, increased opportunities for promotion and career growth, and more flexible work conditions) that are designed to recruit, place, and retain staff who have the skills necessary to meet the needs of students in the school;

“(E) uses data to identify and implement a research-based instruction program that—

“(i) is aligned with State or tribal challenging academic content standards and challenging student academic achievement standards under section 1111(b); and

“(ii) has been proven to raise student academic achievement by not less than 10 percent in 1 year;

“(F) establishes schedules and strategies that provide increased learning time (which may include offering full-day kindergarten or a high-quality preschool program or using a longer school day, week, or year that increases the total number of hours at school for the school year by not fewer than 300 hours) in order to significantly increase the total number of school hours to include time for—

“(i) instruction core subjects, such as English, reading or language arts, mathematics, science, foreign language (which may include a Native American language), civics and government, economics, arts, history, and geography;

“(ii) instruction in traditional and cultural programs;

“(iii) instruction in other subjects; and

“(iv) enrichment activities, such as physical education, service learning, and experiential work-based opportunities;

“(G) promotes the continuous use of student data to provide instruction that meets the academic needs of individual students, which may include, in elementary school, individual students' levels of school readiness;

“(H) provides ongoing mechanisms for family, community, and tribal involvement;

“(I) ensures that the school receives ongoing, intensive technical assistance and related support from the tribe or tribal education agency; and

“(J) provides appropriate social-emotional and community-oriented support services for students, and at the discretion of the tribe or tribal education agency, uses not more than 10 percent of the total grant funds for such services.

“(2) RESTART MODEL.—A restart model is a school intervention model in which the Indian tribe or tribal education agency—

“(A) converts a school—

“(i) under a charter or school operator and charter management organization;

“(ii) under an education management organization; or

“(iii) as an autonomous or redesigned school;

“(B) implements a rigorous review process to select such a charter or school operator and charter management organization, or an education management organization, as applicable, which includes an assurance that such operator or organization will make significant changes in the leadership and staffing of the school; and

“(C) enrolls in the school any former student who wishes to attend the school and who is within the grades the school serves.

“(3) TURNAROUND MODEL.—A turnaround model is a school intervention model in which the Indian tribe or tribal education agency—

“(A) replaces a principal (if such principal has led the school for 2 or more years) with a new principal who has demonstrated effectiveness in turning around a low-performing school;

“(B) gives a new principal sufficient operational flexibility (including flexibility in staffing, the school day and school calendar, and budgeting) to fully implement a comprehensive approach to improve student outcomes;

“(C) uses a comprehensive evaluation system to evaluate staff, including the use of student achievement data to measure the effectiveness of staff;

“(D) screens all staff who are employed at the school as of the time when the turnaround model is implemented and retains not more than 50 percent of such staff;

“(E) requires the principal to justify personnel decisions (such as hiring, dismissal, and rewards) based on the results of the comprehensive evaluation system;

“(F) provides staff with ongoing, high quality, job-embedded professional development that—

“(i) is aligned with the school's instruction program and evaluation system;

“(ii) facilitates effective teaching and learning; and

“(iii) supports the implementation of school-reform strategies;

“(G) uses data to—

“(i) identify and implement a research-based instructional program;

“(ii) evaluate school improvement strategies; and

“(iii) inform differentiated instruction, in order to meet the academic needs of individual students;

“(H) encourages the use of extended learning time partnerships;

“(I) establishes schedules and strategies that provide increased learning time (which may include offering full-day kindergarten or a high-quality preschool program or using a longer school day, week, or year that increases the total number of hours at school for the school year by not fewer than 300 hours) in order to significantly increase the total number of school hours to include time for—

“(i) instruction core subjects, such as English, reading or language arts, mathematics, science, foreign language (which may include a Native American language), civics and government, economics, arts, history, and geography;

“(ii) instruction in traditional and cultural programs;

“(iii) instruction in other subjects;

“(iv) enrichment activities, such as physical education, service learning, and experiential work-based opportunities; or

“(v) teachers to collaborate, plan, and engage in professional development within and across grades and subjects;

“(J) provides ongoing mechanisms for family, community, and tribal involvement; and

“(K) provides appropriate social and emotional community-oriented support services for students.

“(j) INSUFFICIENT PROGRESS.—If an Indian tribe or tribal education agency fails to demonstrate sufficient progress, as defined by the State, on the core academic indicators and leading indicators described in subsection (h)(1)(B), such tribe or agency shall be required to—

“(1) modify the existing school intervention model; or

“(2) restart the school using the restart model described in subsection (i)(2).

“(k) RESERVATION OF FUNDS.—From the amount appropriated each fiscal year for grants to State educational agencies and local educational agencies for school improvement actions under this part, the Secretary shall reserve not less than 10 percent of such amount for grants under this section.”; and

(6) in section 1118—

(A) in subsection (a)(2)—

(i) in subparagraph (E) by striking “and” after the semicolon;

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by inserting after subparagraph (E) the following:

“(F) with respect to an agency that serves Indian children, identify the barriers to effective involvement of the parents of such children; and”;

(B) in subsection (e)—

(i) by redesignating paragraphs (6) through (14) as paragraphs (7) through (15), respectively; and

(ii) by inserting after paragraph (5), the following:

“(6) in consultation with Indian tribes and parents of Indian children who are served by any school that is served by the agency, shall establish mechanisms to overcome barriers to effective Indian parental involvement, which may include—

“(A) providing literacy programs and use of technology training, as needed, for such parents at locations accessible to the homes of such parents;

“(B) providing or paying the reasonable costs of transportation and child care to enable such parents to participate in literacy programs, use of technology training, and school-related meetings;

“(C) providing training regarding the roles, rights and responsibilities of such parents, including information about culture-based education; and

“(D) contracting with an Indian tribe or tribal education agency to provide the services described in subparagraphs (A), (B) and (C).”

SEC. 112. STANDARDS-BASED ASSESSMENTS.

Section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)) is amended by adding at the end the following:

“(E) STANDARDS-BASED EDUCATION ASSESSMENTS.—Notwithstanding any other provision of this Act, a State shall develop standards-based education assessments and classroom lessons to accommodate diverse learning styles, which assessments may be used by the State in place of the general assessments described in subparagraph (A).”

SEC. 113. NATIVE LANGUAGE TEACHING.

Section 1119 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6319) is amended by adding at the end the following:

“(m) QUALIFICATIONS FOR NATIVE LANGUAGE TEACHERS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the requirements of subsection (a) on local educational agencies and States with respect to highly qualified teachers, shall not apply to a teacher of a Native language.

“(2) ALTERNATIVE LICENSURE OR CERTIFICATION.—Each State educational agency receiving assistance under this part shall develop an alternative licensure or certification for teachers of a Native language.”

SEC. 114. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.

Part D of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6421 et seq.) is amended—

(1) in section 1401—

(A) in subsection (a)(3), by inserting “and the involvement of their families and their communities.” after “their continued education”; and

(B) in subsection (b), by inserting “subject to section 1402(c).” after “section 1002(d)”;

(2) in section 1402, by adding at the end the following:

“(c) RESERVATION FOR THE SECRETARY OF THE INTERIOR.—From the amount appropriated for this part for any fiscal year, the Secretary shall reserve 4 percent of such funds for the Secretary of the Interior to provide educational services for at-risk Indian children, including Indian youth in correctional facilities operated by the Secretary of the Interior or by an Indian tribe.”;

(3) in section 1414(c)—

(A) in paragraph (9), by inserting “, Indian tribes, tribal education agencies,” after “local educational agencies”;

(B) by redesignating paragraphs (12) through (19) as paragraphs (13) through (20), respectively;

(C) by inserting after paragraph (11), the following:

“(12) describe the procedure that the State agency will use to consult, on an ongoing basis, with Indian tribes in the State to determine the needs of Indian children and youth who are neglected, delinquent, or at-risk, including such children and youth in a correctional facility or institution.”;

(D) in paragraph (19), as redesignated by subparagraph (B), by striking “and” after the semicolon;

(E) in paragraph (20), as redesignated by subparagraph (B), by striking the period at the end and inserting “; and”;

(F) by adding at the end the following:

“(21) provides an assurance that the program under this subpart will utilize curriculum that is culturally appropriate, based on the demographics of the neglected or delinquent children and youth served by such program.”;

(4) in section 1416—

(A) in paragraph (7), by striking “and” after the semicolon;

(B) in paragraph (8), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(9) includes an assurance that the State agency has consulted with Indian tribes in the State in the development of the comprehensive plan under this part.”;

(5) in section 1418—

(A) by striking paragraph (1) of subsection (a) and inserting the following:

“(1) projects that facilitate the transition of children and youth from State-operated institutions, or institutions in the State operated by the Secretary of the Interior or Indian tribes, to schools served by local educational agencies or to schools funded by the Bureau of Indian Education; or”;

(B) in subsection (b), by inserting “Indian tribes,” after local educational agencies;

(C) by redesignating subsection (c) as subsection (d); and

(D) by inserting after subsection (b) the following:

“(c) CONSULTATION WITH INDIAN TRIBES.—The State agency shall consult with Indian tribes in the State in the development of transition projects, and coordinate such State projects with transition and reentry projects operated by such tribes.”;

(6) in section 1419(2), by inserting “and Indian tribal programs” after “State agency programs”;

(7) in section 1421—

(A) in the matter preceding paragraph (1), by inserting “, including correctional facilities in the State operated by the Secretary of the Interior or Indian tribes” after “locally operated correctional facilities”; and

(B) in paragraph (3), by inserting “, including schools funded by the Bureau of Indian Education,” after “local schools”;

(8) in section 1422—

(A) in subsection (a), by striking “(including facilities involved in community day programs).” and inserting “(including facilities involved in community day programs and facilities in the State that are operated by the Secretary of the Interior or Indian tribes).”; and

(B) in subsection (d), by inserting “, schools funded by the Bureau of Indian Education,” after “returning to local educational agencies”;

(9) in section 1423—

(A) in paragraph (2)—

(i) in subsection (A), by inserting “and, as appropriate, an Indian tribe in the State” after “program to be assisted”; and

(ii) in subsection (B), by inserting “, including such facilities operated by the Secretary of the Interior and Indian tribes” after “juvenile justice system”;

(B) by redesignating paragraphs (4) through (13) as paragraphs (5) through (14), respectively;

(C) by inserting after paragraph (3) the following:

“(4) a description of the process for consultation and coordination with Indian tribes in the State regarding services provided under the program to Indian children and youth.”;

(D) in paragraph (13), as redesignated by subparagraph (B), by striking “and” after the semicolon;

(E) in paragraph (14), as redesignated by subparagraph (B), by striking the period at the end and inserting “; and”;

(F) by adding at the end the following:

“(15) a description of the demographics of the children and youth served and an assurance that the curricula and co-curricular activities will be culturally appropriate for such children and youth.”;

(10) in section 1424 (20 U.S.C. 6454)—

(A) in paragraph (4), by striking “and” after the semicolon;

(B) in paragraph (5), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(6) programs for at-risk Indian children and youth, including such individuals in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes.”;

(11) by redesignating subpart 3 as subpart 4;

(12) by redesignating sections 1431 and 1432 as sections 1441 and 1442, respectively;

(13) by inserting after subpart 2 the following:

“Subpart 3—Education Programs for Indian Children and Youth

“SEC. 1432. GRANTS TO INDIAN TRIBES.

“(a) PURPOSE.—The purpose of this section is to authorize an educational program to be known as the ‘Indian Children and Youth At-Risk Education Program’, which shall—

“(1) carry out high quality and culturally appropriate education programs to prepare Indian children and youth who are in correctional facilities (or enrolled in community day programs for neglected or delinquent children and youth) operated by the Secretary of the Interior or Indian tribes for secondary school completion, training, employment, or further education; and

“(2) to provide activities to facilitate the transition of such children and youth from the correctional program to further education or employment.

“(b) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—From the amount reserved for the Secretary of the Interior under section 1402(c), and subject to paragraph (2), the Secretary of the Interior shall award grants, on a competitive basis, to Indian tribes with high numbers or percentages of children and youth in juvenile detention facilities that are operated by the Secretary of the Interior or Indian tribes in order to enable such Indian tribes to carry out the activities described in section 1434.

“(2) CONTRACT IN LIEU OF GRANT.—At the request of an Indian tribe, the Secretary of the Interior shall enter into a contract under the Indian Self-Determination and Education Assistance Act for operation of a program under this subpart in lieu of making a grant to such tribe.

“(3) NOTIFICATION.—The Secretary of the Interior shall notify Indian tribes of the availability of funding under this subpart.

“(c) TRIBAL APPLICATIONS.—Each Indian tribe desiring to receive a grant under this subpart shall submit an application to the Secretary of the Interior at such time, in such manner, and accompanied by such information as the Secretary of the Interior may require. Each such application shall include the following:

“(1) A description of the program that will be assisted with grant funds under this subpart.

“(2) A description of any formal agreements regarding the program, between the Indian tribe and, as appropriate—

“(A) 1 or more local educational agencies;

“(B) 1 or more schools funded by the Bureau of Indian Education;

“(C) correctional facilities operated by the Secretary of the Interior or Indian tribes;

“(D) alternative school programs serving Indian children and youth who are involved with the juvenile justice system; or

“(E) tribal, State, private, or public organizations or corporations providing education, skill-building, or reentry services.

“(3) As appropriate, a description of how participating entities will coordinate with facilities working with delinquent Indian children and youth to ensure that such children and youth are participating in an education program comparable to the education program in the local school that such youth would otherwise attend.

“(4) A description of how the program will develop culturally appropriate academic curricula and co-curricular activities to supplement the educational program provided by a facility working with delinquent Indian children and youth.

“(5) A description of the program that the Indian tribe will carry out for Indian children and youth returning from correctional facilities.

“(6) As appropriate, a description of the types of services that such tribe will provide for such children and youth and other at-risk children and youth, either directly or in cooperation with local educational agencies and schools funded by the Bureau of Indian Education.

“(7) A description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the Indian children and youth who will be returning from correctional facilities and, as appropriate, other at-risk Indian children and youth expected to be served by the program.

“(8) A description of how the tribe will coordinate the program with existing educational programs of local educational agencies and schools funded by the Bureau of Indian Education to meet the unique educational needs of Indian children and youth who will be returning from correctional facilities and, as appropriate, other at-risk Indian children and youth expected to be served by the program.

“(9) As appropriate, a description of how the program will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, including—

“(A) prenatal health care;

“(B) nutrition;

“(C) mental health and substance abuse services;

“(D) targeted reentry and outreach programs; and

“(E) referrals to community resources related to the health of the child or youth.

“(10) A description of partnerships with tribal, State, private or public organizations, or corporations to develop vocational training, curriculum-based youth entrepreneurship education, and mentoring services for participating students.

“(11) As appropriate, a description of how the program will involve parents in efforts to—

“(A) improve the educational achievement of their children;

“(B) assist in dropout prevention activities; and

“(C) prevent the involvement of their children in delinquent activities.

“(12) A description of how the program under this subpart will be coordinated with other Federal, State, tribal, and local programs, such as programs under title I of Public Law 105-220 and vocational and technical education programs serving at-risk children and youth.

“(13) A description of how the program will be coordinated with programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable.

“(14) A description of the efforts participating schools will make to ensure that correctional facilities working with children and youth are aware of any existing individualized education programs for such children or youth.

“(15) As appropriate, a description of the steps participating schools will take to find alternative placements for children and youth who are interested in continuing their education but unable to participate in a regular school program.

“(16) As appropriate, a description of how the program under this subpart will be coordinated with other Federal, State, tribal, and local programs serving at-risk children and youth.

“(17) As appropriate, a description of how the program will coordinate with probation officers to assist in meeting the needs of children and youth returning from correctional facilities.

“(d) USES OF FUNDS.—Funds provided to Indian tribes under this subpart may be used for the purposes described in section 1424.

“(e) PROGRAM REQUIREMENTS FOR CORRECTIONAL FACILITIES RECEIVING FUNDS UNDER THIS SUBPART.—Each correctional facility entering into an agreement with an Indian tribe under section 1432(2) to provide services to Indian children and youth under this subpart shall—

“(1) if feasible, ensure that educational programs in the correctional facility are coordinated with the student's home school, particularly in the case of a student with an individualized education program under part B of the Individuals with Disabilities Education Act;

“(2) if a child or youth is identified as in need of special education services while in the correctional facility, notify such child's local school;

“(3) provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;

“(4) provide support programs that encourage children and youth who have dropped out of school to reenter school once their term at the correctional facility has been completed, or provide such children and youth with the skills necessary to gain employment or seek a secondary school diploma or its recognized equivalent;

“(5) work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities, taking into consideration the unique needs of such children and youth;

“(6) ensure that education programs in the correctional facility aim to help students meet high academic achievement standards;

“(7) to the extent possible, use technology to assist in coordinating educational programs between the correctional facility and participating program partners;

“(8) where feasible, involve parents in efforts to improve the educational achieve-

ment of their children and prevent the further involvement of such children in delinquent activities;

“(9) coordinate funds received under this subpart with other local, State, tribal, and Federal funds available to provide services to participating children and youth, such as funds made available under title I of Public Law 105-220, and vocational and technical education funds;

“(10) coordinate programs operated under this subpart with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable; and

“(11) work with local partners to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth.

“(f) TECHNICAL ASSISTANCE.—At the request of an Indian tribe that receives assistance under this subpart, the Secretary of the Interior may, to the extent resources are available, provide technical assistance—

“(1) to improve the performance of a program funded under this subpart;

“(2) to recruit and retain qualified educational professionals to assist in the delivery of services under such program; and

“(3) to perform the program evaluations required by section 1441.

“SEC. 1433. EDUCATIONAL ALTERNATIVES TO DETENTION.

“(a) PURPOSES.—The purposes of this section are—

“(1) to decrease the number of incarcerated Indian children and youth;

“(2) to decrease the rate of high school dropouts among Indian youth;

“(3) to provide educational alternatives to incarceration for at-risk Indian children and youth; and

“(4) to increase community and family involvement in the education of at-risk Indian children and youth.

“(b) ELIGIBLE ENTITIES.—In this section, the term eligible entity means—

“(1) an Indian tribe, tribal education agency, or tribal organization;

“(2) a Bureau-funded school, as defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021);

“(3) a correctional facility, in consortium with a tribe, tribal education agency, or tribal organization; or

“(4) a State educational agency or local educational agency in consortium with a tribe, tribal education agency or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

“(c) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary is authorized to award grants to eligible entities having applications approved under this section to enable such entities to carry out the activities described in subsection (d).

“(2) CONTRACTS.—At the request of an Indian tribe, the Secretary shall transfer program funding to the Secretary of the Interior, who shall enter into a contract under the Indian Self-Determination and Education Assistance Act with the tribe for operation of a program under this section in lieu of making a grant to such tribe.

“(3) DURATION.—Grants awarded under this section shall be for a period of not less than 3 years and not more than 5 years.

“(d) AUTHORIZED ACTIVITIES.—Grant funds under this section shall be used for activities

to provide educational alternatives for Indian youth who have been sentenced to incarceration or juvenile detention, in a manner consistent with the purposes of this section. Such activities may include—

“(1) half- or full-day alternative education programs for disruptive youth who are temporarily suspended;

“(2) school-based drug and substance abuse prevention programs;

“(3) truancy prevention programs;

“(4) multi-year alternative educational programs; and

“(5) home or community detention programs.

“(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall include the following:

“(1) A description of the program that will be assisted with grant funds under this subpart.

“(2) A description of any formal agreements regarding the program, between the Indian tribe and, as appropriate—

“(A) 1 or more local educational agencies;

“(B) 1 or more schools funded by the Bureau of Indian Education;

“(C) correctional facilities operated by the Secretary of the Interior or Indian tribes; or

“(D) tribal, State, private, or public organizations or corporations providing education, skill-building, or reentry services.

“(3) As appropriate, a description of how the program will develop culturally appropriate academic curriculum and co-curricular activities.

“(4) As appropriate, a description of the types of services that the eligible entity will provide to at-risk Indian children, youth, and families.

“(5) As appropriate, a description of any partnerships with tribal, local, or State law enforcement or judicial systems to provide education alternatives to detention and wrap around services, which may include—

“(A) behavioral health services;

“(B) family counseling;

“(C) teen pregnancy counseling;

“(D) substance abuse services;

“(E) alcohol abuse services; or

“(F) job training.

“(6) As appropriate, a description of evaluation activities to develop educational plans for at-risk Indian children and youth who are transitioning back to a local educational agency or earning a secondary school diploma, or the recognized equivalent of a secondary school diploma.

“(f) EVALUATION.—Each eligible entity that receives a grant under this section shall—

“(1) evaluate the grant program, not less than once every 3 years, to determine the program's success, consistent with the purposes of this section; and

“(2) prepare and submit a report containing the information described in paragraph (1) to the Secretary, the Coordinating Council on Juvenile Justice and Delinquency Prevention, and Indian tribes.

“(g) DEFINITION.—The term “tribal educational agency” means—

“(1) the authorized governmental agency of a federally-recognized American Indian and Alaska Native tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) that is primarily responsible for regulating, administering, or supervising the formal education of tribal members; and

“(2) includes tribal education departments, tribal divisions of education, tribally sanc-

tioned education authorities, tribal education administrative planning and development agencies, tribal education agencies, and tribal administrative education entities.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subpart, there are authorized to be appropriated \$2,000,000 for fiscal year 2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.”;

(14) in section 1441, as redesignated by paragraph (12)—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “Each State agency or local educational agency that conducts a program under subpart 1 or 2 shall” and inserting “Each State agency, local educational agency, or Indian tribe that conducts a program evaluation under subpart 1, 2, or 3 shall”; and

(ii) in paragraph (3), by inserting “or school funded by the Bureau of Indian Education” after “local educational agency”;

(B) in subsection (c), by striking “a State agency or local educational agency” and inserting “a State agency, local educational agency, or Indian tribe”; and

(C) by striking subsection (d) and inserting the following:

“(d) EVALUATION RESULTS.—

“(1) IN GENERAL.—Each State agency, local educational agency, and Indian tribe shall—

“(A) submit evaluation results to the State educational agency and the Secretary; and

“(B) use the results of evaluations under this section to plan and improve subsequent programs for participating children and youth.

“(2) INDIAN TRIBES.—Each Indian tribe shall also submit evaluation results to the Secretary of the Interior.

“(e) EVALUATION OF PROGRAMS FOR AT-RISK INDIAN YOUTH.—

“(1) IN GENERAL.—Not later than 4 years after the date of enactment of the Native Culture, Language, and Access for Success in Schools Act, the Secretary and the Secretary of the Interior, in collaboration with the Attorney General, shall prepare a report that—

“(A) compiles demographic information about at-risk Indian youth, including Indian youth in correctional facilities operated by the Department of the Interior and Indian tribes;

“(B) evaluates existing educational programs for at-risk Indian youth; and

“(C) provides recommendations for improvement of such educational programs.

“(2) SUBMISSION TO CONGRESSIONAL COMMITTEES.—The Secretary and the Secretary of the Interior shall submit the report described in paragraph (1) to the Health, Education, Labor and Pensions Committee and the Indian Affairs Committee of the Senate, the Committee on Education and the Workforce and the Committee on Natural Resources of the House of Representatives, and to Indian tribes.”;

(15) in section 1442, as redesignated by paragraph (12), by inserting at the end the following:

“(5) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, other organized group or community, including any Alaska Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (42 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”; and

(16) in section 1903(b)(2)—

(A) in subparagraph (F), by striking “and” after the semicolon;

(B) in subparagraph (G), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(H) representatives of Indian tribes located in the State.”.

Subtitle B—Preparing, Training, and Recruiting High Quality Teachers and Principals
SEC. 121. PREPARING, TRAINING, AND RECRUITING HIGH QUALITY TEACHERS AND PRINCIPALS.

Title II (20 U.S.C. 6601 et seq.) is amended—

(1) in part A—

(A) by striking paragraph (3) of section 2102 (20 U.S.C. 6602) and inserting the following:

“(3) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term ‘high-need local educational agency’ means—

“(A) a local educational agency—

“(i)(I) that serves not fewer than 10,000 children from families with incomes below the poverty line; or

“(II) for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; and

“(ii)(I) for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or

“(II) for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing; or

“(B) a school funded by the Bureau of Indian Education.”;

(B) by striking clause (ii) of section 2111(b)(1)(A) (20 U.S.C. 6611(b)(1)(A)) and inserting the following:

“(ii) 5 percent for the Secretary of the Interior to be distributed to schools operated or funded by the Bureau of Indian Education, as provided in section 2123(c).”;

(C) in section 2113(c)(18) (20 U.S.C. 6613(c)(18))—

(i) in subparagraph (A) by striking “and” after the semicolon;

(ii) in subparagraph (B) by striking the period and inserting “; and”; and

(iii) by inserting at the end the following:

“(C) provides access to clearinghouse information to schools in the State that are funded by the Bureau of Indian Education.”;

(D) in section 2122 (20 U.S.C. 6622)—

(i) in subsection (b)—

(I) in paragraph (2), by inserting “, including Indian students,” after “minority students”; and

(II) in paragraph (9)—

(aa) in subparagraph (C) by striking “and” after the semicolon;

(bb) in subparagraph (D) by striking the period at the end and inserting “; and”; and

(cc) by adding at the end the following:

“(E) for teachers in schools that serve Indian children, become familiar with the Indian communities served by the local educational agency and incorporate culturally responsive teaching and learning strategies for Indian children into the educational program.”; and

(ii) in subsection (c), by inserting “, in the case of a local educational agency that serves an Indian tribal community, representatives of Indian tribes,” after “part A of title I”;

(E) in section 2123 (20 U.S.C. 6623)—

(i) in subsection (a)(3)—

(I) in subparagraph (B)—

(aa) in clause (ii), by inserting “students from Indian reservation communities,” after “(including students who are gifted and talented).”;

(bb) in clause (iv), by striking "limited English proficient and immigrant children; and" and inserting "children from Indian reservation communities, limited English proficient children, and immigrant children;"

(cc) in clause (v), by striking the period at the end and inserting "; and"; and

(dd) by inserting at the end the following:

"(vi) in the case of a local educational agency that serves Indian children, provide training in effective incorporation of culturally responsive teaching and learning strategies for Indian children."; and

(II) in subparagraph (D), by inserting "Indian students," after "disadvantaged families,"; and

(ii) by adding at the end the following:

"(C) BUREAU OF INDIAN EDUCATION SCHOOLS.—A school funded by the Bureau of Indian Education that receives funds reserved under section 2111(b)(1)(A)(ii) shall use such funds to carry out 1 or more of the activities described in subsection (a), and may use such funds to improve housing, as needed to recruit and retain highly-qualified teachers and principals.";

(F) in section 2131(1) (20 U.S.C. 6631(1))—

(i) in subparagraph (A)(i) by inserting ", or a tribally controlled college or university (as defined in section 2 of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801))" after "principals"; and

(ii) in subparagraph (B) by inserting "an Indian tribe," after "principal organization,";

(G) by inserting after subpart 5, the following:

"Subpart 6—Indian Educator Scholarship Program

"SEC. 2161. INDIAN EDUCATOR SCHOLARSHIP PROGRAM.

"(a) GRANTS AUTHORIZED.—In order to carry out the United States trust responsibility for the education of Indian children, and to provide a more stable base of education professionals to serve in public elementary schools and secondary schools with a significant number of Indian students and schools funded by the Bureau of Indian Education, the Secretary shall make scholarship grants to Indians who are enrolled full- or part-time in appropriately accredited institutions of higher education and pursuing a course of study in elementary and secondary education or school administration. Such scholarships shall be designated Indian educator scholarships and shall be made in accordance with this section.

"(b) ELIGIBILITY.—

"(1) IN GENERAL.—The Secretary shall determine the applicants who will receive scholarships under subsection (a).

"(2) CRITERIA.—In order to be eligible for participation in the Indian educator scholarship program, an individual must—

"(A) be an Indian, as defined in section 7151;

"(B) be accepted for enrollment, or be enrolled, as a full- or part-time student in a course of study in elementary and secondary education or school administration at an appropriately accredited institution of higher education;

"(C) submit an application to participate in the Indian educator scholarship program at such time and in such manner as the Secretary shall determine; and

"(D) sign and submit to the Secretary at the time that such application is submitted, a written contract, as described in subsection (c).

"(c) CONTENTS OF CONTRACT.—

"(1) IN GENERAL.—The written contract between the Secretary and the individual, as described in subsection (b)(2)(D), shall contain the following:

"(A) A statement that the Secretary agrees to provide the individual with a scholarship, as described in subsection (d), in each school year or years for a period during which such individual is pursuing a course of study in elementary and secondary education or school administration at an appropriately accredited institution of higher education.

"(B) A statement that the individual agrees—

"(i) to accept provision of the Indian educator scholarship;

"(ii) to maintain enrollment in such course of study until the individual completes the course of study;

"(iii) while enrolled in such course of study, to maintain an acceptable level of academic standing (as determined by the Secretary, taking into account the requirements of the educational institution offering such course of study); and

"(iv) to serve through full-time employment at an eligible school for a time period (referred to in this section as the 'period of obligated service') equal to the greater of—

"(I) 1 year for the equivalent of each school year for which the individual was provided a scholarship under the Indian educator scholarship program; or

"(II) 2 years.

"(C) A statement of the damages to which the United States is entitled, under subsection (e), for the individual's breach of the contract.

"(D) Such other statement of the rights and liabilities of the Secretary and of the individual, in accordance with the provisions of this section.

"(2) PERIOD OF OBLIGATED SERVICE.—

"(A) ELIGIBLE SCHOOLS.—An individual shall meet the requirement for the period of obligated service under the written contract between the individual and the Secretary, as described in paragraph (1), if such individual is employed full-time—

"(i) in a school funded by the Bureau of Indian Education; or

"(ii) in a public school that serves a significant number of Indian students.

"(B) DEFERMENT FOR ADVANCED STUDY.—At the request of an individual who has entered into a contract described in this subsection and who has received a baccalaureate degree in education, the Secretary shall defer the period of obligated service of such individual under such contract to enable such individual to complete a course of study leading to an advanced degree in education, or needed to become certified for an appropriate period (in years, as determined by the Secretary), subject to the following conditions:

"(i) A period of advanced study shall not be counted as satisfying any period of obligated service that is required under this section.

"(ii) The period of obligated service of the individual shall commence at the later of—

"(I) 90 days after the completion of the advanced course of study;

"(II) at the commencement of the first school year that begins after the completion of the advanced course of study; or

"(III) by a date specified by the Secretary.

"(C) PART-TIME STUDY.—In the case of an individual receiving a scholarship under this section who is enrolled part-time in an approved course of study—

"(i) a scholarship under this section shall be for a period of years not to exceed the part-time equivalent of 4 years, as determined by the Secretary;

"(ii) the period of obligated service shall be equal to the greater of—

"(I) the part-time equivalent of 1 year for each year for which the individual was provided a scholarship, as determined by the Secretary; or

"(II) 2 years; and

"(iii) the amount of the monthly stipend specified in subsection (d) shall be reduced pro rata, as determined by the Secretary, based on the number of hours of study in which such individual is enrolled.

"(d) SCHOLARSHIP.—

"(1) IN GENERAL.—A scholarship provided to a student under the Indian educator scholarship program for a school year shall consist of payment to, or in accordance with paragraph (2), on behalf of, the student in the amount of—

"(A) the tuition of the student for the school year or, for a part-time student, the tuition for the appropriate portion of the school year;

"(B) all other reasonable educational expenses, including fees, books, and laboratory expenses, incurred by the student in such school year; and

"(C) a stipend of \$800 per month (adjusted in accordance with paragraph (3)) for each of the 12 consecutive months beginning with the first month of such school year.

"(2) PAYMENT TO AN INSTITUTION OF HIGHER EDUCATION.—The Secretary may contract with an institution of higher education in which a participant in the Indian educator scholarship program is enrolled for the payment to such institution of the amounts of tuition and other reasonable educational expenses described in subparagraph (A) and (B) of paragraph (1). Payment to such institution may be made without regard to section 3324(a) and (b) of title 31.

"(3) STIPEND.—The amount of the monthly stipend described in paragraph (1)(C) shall be increased by the Secretary for each school year ending in a fiscal year beginning after September 30, 2011, by an amount (rounded to the next highest multiple of \$1) equal to the amount of such stipend multiplied by the overall percentage (under section 5303 of title 5) of the adjustment (if such adjustment is an increase) in the rates of pay under the General Schedule made effective in the fiscal year in which such school year ends.

"(e) LIABILITY; FAILURE TO COMPLETE THE PERIOD OF OBLIGATED SERVICE; REPAYMENT.—

"(1) LIABILITY.—An individual who has entered into a written contract with the Secretary under this section shall be liable to the United States for the amount which has been paid to, or on behalf of, such individual under the contract, if such individual—

"(A) fails to maintain an acceptable level of academic standing in the institution of higher education in which the individual is enrolled (as determined by the Secretary taking into account the requirements of the educational institution offering such course of study);

"(B) is dismissed from such institution of higher education for disciplinary reasons;

"(C) voluntarily terminates the training in such institution of higher education for which such individual is provided a scholarship under such contract before the completion of such training; or

"(D) fails to accept payment, or instructs the institution of higher education in which such individual is enrolled not to accept payment, under this section.

"(2) FAILURE TO COMPLETE THE PERIOD OF OBLIGATED SERVICE.—

"(A) IN GENERAL.—Subject to paragraph (C), if for any reason not specified in paragraph (1), an individual breaches the written

contract under this section by failing either to begin such individual's period of obligated service or failing to complete such obligation, the United States shall be entitled to recover from the individual an amount determined in accordance with the following formula:

$$A = 3Z(t - s/t)$$

"in which—

"(i) 'A' is the amount the United States is entitled to recover;

"(ii) 'Z' is the sum of the amounts paid under this section to, or on behalf of, the individual and the interest on such amounts which would be payable if, at the time the amounts were paid, they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States;

"(iii) 't' is the total number of months in the individual's period of obligated service in accordance with subsection (c)(2) of this section; and

"(iv) 's' is the number of months of such period served by such individual in accordance with this section.

"(B) AMOUNTS NOT PAID.—Amounts not paid within such period shall be subject to collection through deductions in Medicare payments pursuant to section 1395ccc of title 42.

"(C) DELAY IN THE PERIOD OF OBLIGATED SERVICE.—An individual who has entered into a written contract with the Secretary under this section may petition the Secretary to delay the date on which the individual would otherwise be required to begin the period of obligated service if such individual has not succeeded in obtaining employment required by this section. In support of such petition, the individual shall supply such reasonable information as the Secretary may require. The Secretary shall retain full discretion whether to grant or decline such a delay and to determine the duration of any delay that is granted.

"(3) REPAYMENT.—

"(A) IN GENERAL.—Any amount of damages which the United States is entitled to recover under this subsection shall be paid to the United States within the 1-year period beginning on the date of the breach or such longer period beginning on such date as shall be specified by the Secretary.

"(B) RECOVERY OF DAMAGES.—If damages described in subparagraph (A) are delinquent for 3 months, the Secretary shall, for the purpose of recovering such damages—

"(i) utilize collection agencies contracted with by the Administrator of the General Services Administration; or

"(ii) enter into contracts for the recovery of such damages with collection agencies selected by the Secretary.

"(C) CONTRACTS FOR RECOVERY OF DAMAGES.—Each contract for recovering damages pursuant to this subsection shall provide that the contractor will, not less than once every 6 months, submit to the Secretary a status report on the success of the contractor in collecting such damages. Section 3718 of title 31 shall apply to any such contract to the extent not inconsistent with this subsection.

"(4) DEATH.—Upon the death of an individual who receives, or has received, an Indian educator scholarship, any obligation of such individual for service or payment that relates to such scholarship shall be canceled.

"(5) WAIVER.—

"(A) REQUIRED WAIVER.—The Secretary shall provide for the partial or total waiver or suspension of any obligation of service or payment of a recipient of an Indian educator

scholarship, if the Secretary determines that—

"(i) it is not possible for the recipient to meet the obligation or make the payment;

"(ii) requiring the recipient to meet the obligation or make the payment would result in extreme hardship to the recipient; or

"(iii) the enforcement of the requirement to meet the obligation or make the payment would be unconscionable.

"(B) PERMISSIBLE WAIVER.—Notwithstanding any other provision of law, in any case of extreme hardship or for other good cause shown, the Secretary may waive, in whole or in part, the right of the United States to recover funds made available under this section.

"(6) BANKRUPTCY.—

"(A) IN GENERAL.—Subject to subparagraph (B), and notwithstanding any other provision of law, with respect to a recipient of an Indian educator scholarship, no obligation for payment may be released by a discharge in bankruptcy under title 11.

"(B) EXCEPTION.—The prohibition described in subparagraph (A) shall not apply if—

"(i) such discharge is granted after the expiration of the 5-year period beginning on the initial date on which that payment is due; and

"(ii) the bankruptcy court finds that the nondischarge of the obligation would be unconscionable.

"(f) PLACEMENT ASSISTANCE.—The Secretary shall assist the recipient of an Indian educator scholarship in learning about placement opportunities in eligible schools by transmitting the name and educational credentials of such recipient to—

"(1) State educational agency clearinghouses for recruitment and placement of kindergarten, elementary school, and secondary school teachers and administrators in States with a substantial number of Indian children;

"(2) elementary schools and secondary schools funded by the Bureau of Indian Education; and

"(3) tribal education agencies (as defined in section 1116A(b)).

"(g) OTHER PROVISIONS.—Notwithstanding any other provision of this title, sections 2101, 2102, 2103, and subparts 1 through 5 of this part shall not apply to a grant or scholarship awarded under this section.

"(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$50,000,000 for fiscal year 2012, and each of the 5 succeeding fiscal years."

(2) in part B, by striking subparagraph (B) of section 2202(a)(2) (20 U.S.C. 6662(a)(2)) and inserting the following:

"(B) ALLOTMENT.—From the amount made available under this part for a fiscal year and not reserved under subparagraph (A)(i), the Secretary shall allot—

"(i) one-half of one percent to the Secretary of the Interior for grants involving schools funded by the Bureau of Education; and

"(ii) the amount remaining after funds are distributed in accordance with clause (i), to the State educational agencies in proportion to the number of children aged 5 to 17, who are from families with incomes below the poverty line and reside in a State for the most recent fiscal year for which satisfactory data are available, as compared to the number of such children who reside in all such States for such year."; and

(3) in part C—

(A) in section 2302(b)(2) by striking "or public charter schools" and inserting "pub-

lic charter schools, or schools funded by the Bureau of Indian Education";

(B) in section 2304—

(i) in subsection (a)(1)(B), by inserting "or with a school funded by the Bureau of Indian Education," after section "2101"; and

(ii) in subsection (d)(3), in the matter preceding subparagraph (A), by striking "or public charter school" and inserting "public charter school, or school funded by the Bureau of Indian Education".

Subtitle C—Native American Languages Programs

SEC. 131. IMPROVEMENT OF ACADEMIC SUCCESS OF INDIAN STUDENTS THROUGH NATIVE AMERICAN LANGUAGES PROGRAMS.

Subpart 1 of part A of title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6821 et seq.) is amended by adding at the end the following:

"SEC. 3117. IMPROVEMENT OF ACADEMIC SUCCESS OF INDIAN STUDENTS THROUGH NATIVE AMERICAN LANGUAGES PROGRAMS.

"(a) PURPOSES.—The purposes of this section are—

"(1) to improve the academic achievement of American Indian and Alaska Native students through Native American languages programs; and

"(2) to foster the acquisition of Native American languages.

"(b) DEFINITIONS.—In this section:

"(1) AVERAGE.—The term 'average', when used with respect to the number of hours of instruction through the use of a Native American language, means the aggregate number of hours of instruction through the use of a Native American language to all students enrolled in a Native American language program during a school year divided by the total number of students enrolled in the program.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a local educational agency;

"(B) an Indian tribe;

"(C) an Indian organization;

"(D) a federally supported elementary school or secondary school for Indian children;

"(E) an Indian institution (including an Indian institution of higher education); or

"(F) a consortium of any of the entities described in subparagraphs (A) through (E).

"(c) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—The Secretary shall award grants to eligible entities to enable such entities to carry out the activities described in this section.

"(2) DURATION.—

"(A) IN GENERAL.—The Secretary shall award grants under this section on a multi-year basis for a duration of not less than 4 years.

"(B) RENEWAL.—Grants awarded under this section may be renewed.

"(d) APPLICATIONS.—

"(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, in addition to the information required in this section.

"(2) CONTENTS.—An application submitted under paragraph (1) shall include a certification from the eligible entity that the entity has not less than 3 years of experience in operating and administering a Native American language program or any other educational program in which instruction is conducted in a Native American language.

“(e) USES OF GRANT FUNDS.—

“(1) REQUIRED USES.—An eligible entity that receives a grant under this section shall use the grant funds for the following activities:

“(A) Native American language programs, which are site-based educational programs that—

“(i) provide instruction through the use of a Native American language for not less than 10 children for an average of not less than 500 hours;

“(ii) provide for the involvement of parents (or legal guardians) of students participating in such a program;

“(iii) develop instructional courses and materials for learning Native American languages and for instruction through the use of Native American languages;

“(iv) provide for teacher training; and

“(v) work toward a goal of all students participating in such a program achieving—

“(I) fluency in a Native American language; and

“(II) academic proficiency in mathematics, English, reading (or language arts), and science.

“(B) Native American language restoration programs, which are educational programs that—

“(i) provide instruction in at least 1 Native American language;

“(ii) provide training programs for teachers of Native American languages;

“(iii) develop instructional materials for the programs; and

“(iv) work toward a goal of increasing proficiency and fluency for participating students in at least 1 Native American language.

“(2) PERMISSIBLE USES.—An eligible entity that receives a grant under this section may use the grant funds for—

“(A) Native American language and culture camps;

“(B) Native American language programs provided in coordination and cooperation with educational entities;

“(C) Native American language programs provided in coordination and cooperation with local institutions of higher education;

“(D) Native American language programs that use a master-apprentice model of learning languages;

“(E) Native American language programs provided through a regional program to better serve geographically dispersed students;

“(F) Native American language teacher training programs, such as training programs in Native American language translation for fluent speakers, training programs for Native American language teachers, training programs for teachers in schools to utilize Native American language materials, tools, and interactive media to teach a Native American language; and

“(G) the development of Native American language materials, such as books, audio and visual tools, and interactive media programs.

“(f) ASSURANCE.—A eligible entity awarded a grant under this section shall provide an assurance that each instructor of a Native American language under a program supported with grant funds under this section is certified to teach such language by the Indian tribe whose language will be taught.

“(g) EVALUATION.—After the completion of the fourth year of a grant awarded under this section, the Secretary shall—

“(1) carry out a comprehensive evaluation of the programs carried out by the grantee with grant funds; and

“(2) provide a report on the evaluation to the grantee, the tribe or tribes whose chil-

dren are served by the program, and parents of the children served.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$15,000,000 for fiscal year 2012 and each of the 5 succeeding fiscal years.”.

SEC. 132. STATE AND TRIBAL EDUCATION AGENCY AGREEMENTS.

Title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6801 et seq.) is amended by adding at the end the following:

“Subpart 5—State and Tribal Education Agency Agreements

“SEC. 3151. STATE AND TRIBAL EDUCATION AGENCY AGREEMENTS.

“(a) PURPOSE.—The purpose of this section is to facilitate efforts by tribal education agencies and State educational agencies to partner with each other in order to—

“(1) improve the academic achievement of Indian children and youth who reside on reservations and tribal lands; and

“(2) promote tribal self-determination in education.

“(b) DEFINITION.—The term ‘tribal education agency’ means an agency or administrative unit of an Indian tribe that is authorized by the tribe to have primary responsibility for regulating, administering, or supervising early learning or elementary and secondary education on reservations or tribal lands.

“(c) AUTHORITY FOR ELIGIBLE TRIBAL EDUCATION AGENCIES.—

“(1) IN GENERAL.—In order to receive the authority and funds authorized under paragraph (3), an eligible tribal education agency shall enter into an agreement, subject to approval by the Secretary, with the appropriate State educational agency to assume the State educational agency’s responsibility for carrying out activities specified in the agreement under 1 or more of the programs identified in paragraph (3)(B)(ii) on the eligible tribal education agency’s reservation or tribal lands.

“(2) ELIGIBILITY.—In order for a tribal education agency to receive the authority or funds described in paragraph (3), pursuant to an agreement with the State educational agency—

“(A) the eligible tribal education agency’s tribe must have a reservation or tribal lands (which may be an Alaska Native village), as recognized under Federal or State law, on which 1 or more publicly administered schools are operating under State law; and

“(B) not less than 50 percent of the students enrolled in each such school must be Indians.

“(3) ELIGIBLE TRIBAL EDUCATION AGENCY WITH AN APPROVED AGREEMENT.—In the case of an eligible tribal education agency that has an approved agreement in place, as described in paragraph (1), the Secretary shall, consistent with the agreement—

“(A) treat the eligible tribal education agency as a State educational agency for the purposes of—

“(i) carrying out on the reservation or tribal lands, the activities specified in the agreement under 1 or more of the programs listed in subparagraph (B)(ii); and

“(ii) section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’); and

“(B) provide, or have the State educational agency provide, to the eligible tribal education agency a proportion of the funds that are available to—

“(i) carry out State-level activities; and

“(ii) as applicable, award subgrants under 1 or more of the following programs, as provided for in the agreement:

“(I) State grants under part A of title I.

“(II) Grants under this Act that support school turnaround efforts.

“(III) Grants under this Act for the purpose of assessing achievement.

“(IV) The teacher and principal training and recruiting fund under part A of title II.

“(V) Grants under the English Language Acquisition, Language Enhancement, and Academic Achievement Act under part A of title III.

“(VI) The education of migratory children program under part C of title I.

“(VII) Grants provided for the education of homeless children and youth.

“(VIII) Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk under part D of title I.

“(IX) Programs under this Act for rural and low-income schools.

“(4) ELIGIBLE TRIBAL EDUCATION AGENCY WITHOUT AN APPROVED AGREEMENT.—In the case of an eligible tribal education agency that has not yet entered into an agreement, as described in paragraph (1), the Secretary may provide technical assistance to the eligible tribal education agency in order to facilitate such an agreement.

“(d) APPLICATIONS.—

“(1) IN GENERAL.—An eligible tribal education agency that desires to receive the authority or funds described in paragraph (c)(3), pursuant to an agreement with a State educational agency, shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

“(2) APPLICATION FROM AN ELIGIBLE TRIBAL EDUCATION AGENCY THAT HAS AN AGREEMENT.—An application from an eligible tribal education agency that has an agreement in place with the State educational agency and is seeking the Secretary’s approval of such agreement, in order to gain the authority and funds described under subsection (c)(3), shall—

“(A) describe the eligible tribal education agency’s current role and responsibilities on the reservation or tribal lands; and

“(B) provide a copy of the agreement described under subsection (c)(1), which shall, at a minimum—

“(i) identify each program listed in subsection (c)(3)(B)(ii) for which the applicant will assume some or all of the State-level responsibility on the reservation or tribal lands under the agreement;

“(ii) describe the State-level activities that the tribal education agency will carry out under such program, and the division of roles and responsibilities between the tribal education agency and the State educational agency in carrying out such activities, including, if applicable, any division of responsibility for awarding subgrants to local educational agencies;

“(iii) identify the administrative and fiscal resources that the applicant will have available to carry out such activities; and

“(iv) provide evidence of any other collaboration with the State educational agency in administering State-level activities for the programs listed in subsection (c)(3)(B)(ii).

“(3) APPLICATION FROM AN ELIGIBLE TRIBAL EDUCATION AGENCY THAT HAS NOT YET ENTERED INTO AN AGREEMENT WITH A STATE EDUCATIONAL AGENCY.—An application from an eligible tribal education agency that has not yet entered into an agreement with a State

educational agency, as described under subsection (c)(1), shall include a description of—

“(A) the program authority that the eligible tribal education agency would like to obtain and the State-level activities that the eligible tribal education agency would like to carry out;

“(B) the eligible tribal education agency’s role and responsibilities on the reservation or tribal lands and administrative and fiscal capability and resources at the time of the application; and

“(C) the proposed process and time period for entering into the agreement described under subsection (c)(1).

“(e) SPECIAL RULE.—If the tribal education agency and State educational agency are unable to reach an agreement that the Secretary approves, the Secretary may, at the request of either agency and for a reasonable period, use all or a portion of the State’s administrative funds for the program listed in subsection (c)(3)(B)(ii) for which an application is made, in order to facilitate an agreement (such as through alternative dispute resolution).

“(f) REVIEW AND REPORTING.—

“(1) REVIEW.—The Secretary shall require an eligible tribal education agency and a State educational agency that have an approved agreement to—

“(A) periodically review the agreement; and

“(B) if appropriate, revise the agreement and submit the revised agreement to the Secretary for approval.

“(2) REPORT.—An eligible tribal education agency and a State educational agency that have an approved agreement shall report to the Secretary every 2 years about the effectiveness of the agreement.”.

Subtitle D—21st Century Schools

SEC. 141. SAFE AND HEALTHY SCHOOLS FOR NATIVE AMERICAN STUDENTS.

Subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131 et seq.) is amended by adding at the end the following:

“SEC. 4131. SAFE AND HEALTHY SCHOOLS FOR NATIVE AMERICAN STUDENTS.

“From funds made available to carry out this subpart, the Secretary shall—

“(1) establish a program to improve school environments and student skill development for healthy choices for Native American students, including—

“(A) prevention regarding—

“(i) alcohol and drug misuse;

“(ii) suicide;

“(iii) violence;

“(iv) pregnancy; and

“(v) obesity;

“(B) nutritious eating programs; and

“(C) anger and conflict management programs;

“(2) establish a program for school dropout prevention for Native American students; and

“(3) collaborate with the Secretary of Agriculture to establish tribal-school specific school gardens and nutrition programs that are within the tribal cultural context.”.

Subtitle E—Indian, Native Hawaiian, and Alaska Native Education

SEC. 151. PURPOSE.

Section 7102 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7402) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) PURPOSE.—It is the purpose of this subpart to support the efforts of local educational agencies, Indian tribes and organi-

zations, postsecondary institutions, and other entities to improve the academic achievement of American Indian and Alaska native students by meeting their unique cultural, language, and educational needs.”; and

(2) in subsection (b)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) strengthening American Indian and Alaska Native students’ knowledge of their languages, history, traditions, and cultures.”.

SEC. 152. PURPOSE OF FORMULA GRANTS.

Section 7111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7421) is amended to read as follows:

“SEC. 7111. PURPOSE.

“It is the purpose of this subpart to support the efforts of local educational agencies to develop elementary school and secondary school programs for Indian students that are designed to meet the unique cultural, language and educational needs of such students.”.

SEC. 153. GRANTS TO LOCAL EDUCATIONAL AGENCIES AND TRIBES.

Section 7112 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7422) is amended—

(1) in subsection (a)—

(A) by striking “The Secretary” and inserting the following:

“(1) GRANT AWARDS.—The Secretary”; and

(B) by adding at the end the following:

“(2) CONSORTIA.—

“(A) IN GENERAL.—Two or more local educational agencies may form a consortium to apply for and carry out a program under this subpart, as long as each local educational agency participating in the consortium—

“(i) provides an assurance to the Secretary that the eligible Indian children served by such local educational agency receive the services of the programs funded under this subpart; and

“(ii) shall be subject to all requirements, assurances, and obligations applicable to local educational agencies under this subpart.

“(B) APPLICABILITY.—The Secretary shall treat each consortium described in subparagraph (A) as if such consortium were a local educational agency for purposes of this subpart.”;

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) ENROLLMENT REQUIREMENTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), a local educational agency shall be eligible for a grant under this subpart for any fiscal year if the number of Indian children eligible under section 7117 who were enrolled in the schools of the agency, and to whom the agency provided free public education, during the preceding fiscal year—

“(i) was at least 10; or

“(ii) constituted not less than 25 percent of the total number of individuals enrolled in the schools of such agency.

“(B) SPECIAL RULE.—Notwithstanding any other provision of this Act, in any case where an Indian tribe that represents a plurality of the eligible Indian children who are served by a local educational agency eligible for a grant under this subpart requests that the local educational agency enter into a cooperative agreement with such tribe to assist in the planning and operation of the program funded by such grant, the local educational agency shall enter into such an agreement as a condition for receiving funds under this subpart.”; and

(B) in paragraph (2), by striking “a reservation” and inserting “an Indian reservation”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “such grant, an” and inserting the following: “such grant—

“(A) an Indian tribe that represents a plurality of the eligible Indian children who are served by such local educational agency may apply for such grant; or

“(B) a consortium of Indian tribes representing a plurality of the eligible Indian children who are served by such local educational agency may apply for such grant.”; and

(B) in paragraph (2)—

(i) by inserting “or consortium of Indian tribes” after “each Indian tribe”;;

(ii) by inserting “or such consortium” after “such Indian tribe”; and

(iii) by inserting “or consortium” after “any such tribe”; and

(4) by adding at the end the following:

“(d) INDIAN COMMITTEE.—If neither a local educational agency pursuant to subsection (b), nor an Indian tribe or consortium of Indian tribes pursuant to subsection (c), applies for a grant under this subpart, a committee of Indian individuals in the community of the local educational agency may apply for such grant and the Secretary shall apply the special rule in subsection (c)(2) to such committee in the same manner as such rule applies to an Indian tribe or consortium of Indian tribes.”.

SEC. 154. AMOUNT OF GRANTS.

Section 7113 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7423) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “\$3,000” and inserting “\$10,000”;;

(B) in paragraph (2)—

(i) by inserting “and Indian tribes” after “Local educational agencies”; and

(ii) by inserting “and operating programs” after “obtaining grants”; and

(C) by striking “\$4,000” and inserting “\$15,000”; and

(2) in subsection (d)—

(A) in the subsection heading, by striking “AFFAIRS” and inserting “EDUCATION”; and

(B) in paragraph (1)(A)(i), by striking “Affairs” and inserting “Education”.

SEC. 155. APPLICATIONS.

Section 7114 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7424) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “is consistent with the State and local” and inserts “supports the State, tribal, and local”; and

(ii) in subparagraph (B), by striking “, that are” and all that follows through “all children”; and

(B) in paragraph (3), by striking “, especially programs carried out under title I.”;

(C) in paragraph (5)—

(i) in subparagraph (A), by striking “and” after the semicolon;

(ii) by adding at the end the following:

“(C) the parents of Indian children and representatives of Indian tribes on the committee described in subsection (c)(5) will participate in the planning of the professional development materials; and”;

(D) in paragraph (6)(B)—

(i) in clause (i), by striking “and” after the semicolon; and

(ii) by adding at the end the following:

“(iii) each Indian tribe whose children are served by the local educational agency; and”;

(2) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(B) by inserting after paragraph (1) the following:

“(2) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart.”;

(C) in paragraph (3) (as redesignated by subparagraph (1))—

(i) in subparagraph (A), by striking “and” after the semicolon;

(ii) in subparagraph (B), by inserting “and” after the semicolon; and

(iii) by adding at the end the follow

“(C) determine the extent to which such activities address the unique cultural, language, and educational needs of Indian students.”;

(D) in paragraph (4)(C) (as redesignated by paragraph (1)), by striking “and teachers,” and inserting “teachers, and representatives of Indian tribes with reservations located within 50 miles of any of the schools (if any such tribe has children in any such school)”;

(E) in paragraph (5)—

(i) in subparagraph (A)—

(I) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(II) by inserting after clause (i) the following:

“(ii) representatives of Indian tribes with reservations located within 50 miles of any of the schools, if any such tribe has children in any such school.”;

(ii) in subparagraph (B), by inserting “and representatives of Indian tribes described in subparagraph (A)(ii), if applicable” before the semicolon at the end; and

(iii) in subparagraph (D)—

(I) in clause (i), by striking “and” after the semicolon; and

(II) by adding at the end the following:

“(iii) determined that the program will directly enhance the educational experience of American Indian and Alaska Native students; and”;

(3) by adding at the end the following:

“(d) OUTREACH.—The Secretary shall monitor the applications for grants under this subpart to identify eligible local educational agencies and schools operated by the Bureau of Indian Education that have not applied for grants, and shall undertake appropriate outreach activities to encourage and assist such entities to submit applications.”.

SEC. 156. AUTHORIZED SERVICES AND ACTIVITIES.

Section 7115 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7425) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) through (11) as paragraphs (2) through (12), respectively;

(B) by inserting before paragraph (2) (as redesignated by subparagraph (A)) the following:

“(1) the activities that support Native American language programs and Native American language restoration programs, such as those programs described in section 7123.”;

(C) in paragraph (4) (as redesignated by subparagraph (A)), by striking “and directly support the attainment of challenging State academic content and student academic achievement standards”;

(D) in paragraph (5) (as redesignated by subparagraph (A)), by striking “that meet

the needs of Indian children and their families” and inserting “, including programs that promote parental involvement in school activities and promote parental involvement to increase student achievement, in order to meet the unique needs of Indian children and their families.”;

(E) in paragraph (6) (as redesignated by subparagraph (A));

(F) in paragraph (10) (as redesignated by subparagraph (A)), by striking “, consistent with State standards”; and

(G) in paragraph (12) (as redesignated by subparagraph (A)), by striking “, and incorporate appropriately qualified tribal elders and seniors”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “and” after the semicolon; and

(B) in paragraph (2), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will produce benefits to the Indian students that would not be achieved if the funds were not used in a schoolwide program.”.

SEC. 157. STUDENT ELIGIBILITY FORMS.

Section 7117(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7427(e)) is amended—

(1) by striking “For purposes” and inserting the following:

“(1) IN GENERAL.—For purposes”;

(2) by adding at the end the following:

“(2) RECORDS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and the local educational agency and Secretary shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.”.

SEC. 158. TECHNICAL ASSISTANCE.

Subpart 1 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7421 et seq.) is further amended by adding at the end the following:

“SEC. 7120. TECHNICAL ASSISTANCE.

“The Secretary shall, directly or through a contract, provide technical assistance to a local educational agency upon request (in addition to any technical assistance available under any other provision of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

“(1) the development of applications under this subpart;

“(2) improvement in the quality of implementation, content of activities, and evaluation of activities supported under this subpart; and

“(3) integration of activities under this title with other educational activities established by the local educational agency.”.

SEC. 159. AMENDMENTS RELATING TO TRIBAL COLLEGES AND UNIVERSITIES.

Subpart 2 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441 et seq.) is amended—

(1) in section 7121(b), by striking “Indian institution (including an Indian institution of higher education)” and inserting “Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965”;

(2) in section 7122—

(A) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965.”;

(ii) in paragraph (4), by striking the period and inserting “, in consortium with not less than 1 Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965.”;

(B) in subsection (f)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(ii) by inserting after “the Secretary—” the following:

“(1) shall give priority to tribally-chartered institutions of higher education.”;

(iii) in paragraph (2), as redesignated, by striking “shall” and inserting “may”;

(iv) in paragraph (3), as redesignated, by striking “basis of—” and all that follows through “grants” and inserting “basis of the length of any period during which the eligible entity has received a grant or grants”.

SEC. 160. TRIBAL EDUCATIONAL AGENCY COOPERATIVE AGREEMENTS.

Subpart 2 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441 et seq.) is amended by adding at the end the following:

“SEC. 7123. TRIBAL EDUCATION AGENCY COOPERATIVE AGREEMENTS.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act, an Indian tribe may enter into a cooperative agreement with a State educational agency or a local educational agency that serves a school within the Indian lands of such Indian tribe.

“(b) COOPERATIVE AGREEMENT.—Upon the request of an Indian tribe that includes, within the Indian lands of the tribe, a school served by a State educational agency or a local educational agency that receives assistance under this Act, the State educational agency or local educational agency shall enter into a cooperative agreement with the Indian tribe with respect to such school. The Indian tribe and the State educational agency or local educational agency, as the case may be, shall determine the terms of the agreement, and the agreement may—

“(1) authorize the tribal education agency of the Indian tribe to plan, conduct, consolidate, and administer programs, services, functions, and activities, or portions thereof, administered by the State educational agency or local educational agency; and

“(2) authorize the tribal education agency to reallocate funds for such programs, services, functions, and activities, or portions thereof as necessary.

“(c) DISAGREEMENT.—If an Indian tribe has requested a cooperative agreement under subsection (b) with a State educational agency or local educational agency that receives assistance under this Act, and the Indian tribe and State educational agency or local educational agency cannot reach an agreement, the Indian tribe may submit to the Secretary the information that the Secretary determines relevant to make a determination. The Secretary shall provide notice to the affected State educational agency or local educational agency not later than 30 days after receiving the Indian tribe's submission. After such notice is made, the State educational agency or local educational agency has 30 days to submit information that the Secretary determines relevant in relation to the disagreement. After the 30 days provided to the State educational agency or local educational agency has elapsed, the Secretary shall make a determination.

“(d) CONSORTIUM OF TRIBES.—Nothing in this section shall preclude the development

and submission of a single tribal education agencies pilot project cooperative agreement by the participating Indian tribes of an intertribal consortium.

“(e) DEFINITIONS.—In this section:

“(1) INDIAN LAND.—The term ‘Indian land’ has the meaning given that term in section 8013.

“(2) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, other organized group or community, including any Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”

SEC. 161. TRIBAL EDUCATION AGENCIES PILOT PROJECT.

Subpart 2 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441 et seq.) is further amended by adding at the end the following:

“SEC. 7124. TRIBAL EDUCATION AGENCIES PILOT PROJECT.

“(a) PURPOSE.—There is established a pilot project to be known as the ‘Tribal Education Agency Pilot Project’ that authorizes not more than 5 qualifying Indian tribes per year to be eligible to receive grants with the Secretary to administer State educational agency functions authorized under this Act for schools that meet the eligibility criteria described in subsection (e). These functions include all grants, including grants allocated through formulas and discretionary grants allocated on a competitive basis, that are awarded under this Act.

“(b) PLANNING PHASE.—

“(1) IN GENERAL.—Each Indian tribe seeking to participate in the Tribal Education Agencies Pilot Project shall complete a planning phase. The planning phase shall include—

“(A) the development of an education plan for the schools that meet the eligibility criteria described in subsection (e) and that will be served under the pilot project; and

“(B) demonstrated coordination and collaboration partnerships, including cooperative agreements with each local educational agency that serves a school meeting the criteria described in subsection (e).

“(2) EXEMPTION.—The Secretary may waive the planning phase, upon the application of an Indian tribe, if the Indian tribe has—

“(A) been operating a tribal education agency successfully for 2 or more years; and

“(B) can demonstrate compliance with the fiscal accountability provision of 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

“(c) FUNDING AGREEMENT.—After an Indian tribe has successfully completed the planning phase, the Secretary shall award a grant and enter into a funding agreement to the Indian tribe to enable the tribal education agency of the tribe to administer all State educational agency functions described in subsection (a) for the schools that meet the eligibility criteria described in subsection (e). Each funding agreement shall—

“(1) identify the programs, services, functions, and activities that the tribal education agency will be administering for such schools;

“(2) determine the amount of funds to be provided to the Indian tribe by the allocations or grant amounts that would otherwise be provided to the State educational agency, as appropriate; and

“(3) ensure that the Secretary provides such funds directly to the tribe to administer such programs.

“(d) ELIGIBILITY.—In order to serve a school through a funding agreement under this section, the Indian tribe shall demonstrate—

“(1) that the school meets 1 or more of the following criteria:

“(A) The school is funded by the Bureau of Indian Affairs, whether directly or through a contract or compact with an Indian tribe or a tribal consortium.

“(B) The school receives payments under title VII because of students living on Indian land.

“(C) The school is located on Indian land.

“(D) A majority of the students in the school are American Indian or Alaska Native; and

“(2) that the Indian tribe—

“(A) has the capacity to administer the functions for which the tribe applies for such school, including compliance with the fiscal accountability provision of 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code; and

“(B) satisfies such other factors that the Secretary deems appropriate.

“(e) GEOGRAPHICAL DIVERSITY.—In awarding grants under this section, the Secretary shall ensure that grants are provided and grant amounts are used in a manner that results in national geographic diversity among Indian tribes applying for grants under this section.

“(f) CONSORTIUM OF TRIBES.—Nothing in this section shall preclude the development and submission of a single tribal education agencies pilot project by the participating Indian tribes of an intertribal consortium.

“(g) REPORTING REQUIREMENTS.—The Secretary shall submit to Congress a written report 3 years after the date of enactment of this Act that—

“(1) identifies the relative costs and benefits of tribal education agencies, as demonstrated by the grants;

“(2) identifies the funds transferred to each tribal education agency and the corresponding reduction in the Federal bureaucracy; and

“(3) includes the separate views of each Indian tribe participating in the pilot project.

“(h) DEFINITIONS.—In this section:

“(1) INDIAN LAND.—The term ‘Indian land’ has the meaning given that term in section 8013.

“(2) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, other organized group or community, including any Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 2012 and each of the 5 succeeding fiscal years.”

SEC. 162. IMPROVE SUPPORT FOR TEACHERS AND ADMINISTRATORS OF NATIVE AMERICAN STUDENTS.

Subpart 2 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441 et seq.) is amended by adding at the end the following:

“SEC. 7125. TEACHER AND ADMINISTRATOR PIPELINE FOR TEACHERS AND ADMINISTRATORS OF NATIVE AMERICAN STUDENTS.

“(a) GRANTS AUTHORIZED.—The Secretary shall award grants to eligible entities to enable such entities to create or expand a teacher or administrator, or both, pipeline for teachers and administrators of Native American students.

“(b) ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means—

“(1) a local educational agency;

“(2) an institution of higher education; or

“(3) a nonprofit organization.

“(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to Tribal Colleges and Universities (as defined in section 316 of the Higher Education Act of 1965).

“(d) ACTIVITIES.—An eligible entity that receives a grant under this section shall create a program that shall prepare, recruit, and provide continuing education for teachers and administrators of Native American students, in particular for teachers of—

“(1) science, technology, engineering, and mathematics;

“(2) subjects that lead to health professions; and

“(3) green skills and ‘middle skills’, including electrical, welding, technology, plumbing, and green jobs.

“(e) INCENTIVES FOR TEACHERS AND ADMINISTRATORS.—An eligible entity that receives a grant under this section may provide incentives to teachers and principals who make a commitment to serve high-need, high-poverty, tribal schools, including in the form of scholarships, loan forgiveness, incentive pay, or housing allowances.

“(f) SCHOOL AND COMMUNITY ORIENTATION.—An eligible entity that receives a grant under this section shall develop an evidence-based, culturally-based school and community orientation for new teachers and administrators of Native American students.”

SEC. 163. NATIONAL BOARD CERTIFICATION INCENTIVE DEMONSTRATION PROGRAM.

Subpart 2 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441 et seq.) is further amended by adding at the end the following:

“SEC. 7126. NATIONAL BOARD CERTIFICATION INCENTIVE DEMONSTRATION PROGRAM.

“(a) PURPOSES.—The purposes of this section are—

“(1) to improve the skills of qualified individuals that teach Indian people; and

“(2) to provide an incentive for qualified teachers to continue to utilize their enhanced skills in schools serving Indian communities.

“(b) ELIGIBLE ENTITIES.—For the purpose of this section, the term ‘eligible entity’ means—

“(1) a State educational agency or local educational agency, in consortium with an institution of higher education;

“(2) an Indian tribe or organization, in consortium with a local educational agency; or

“(3) a Bureau-funded school (as defined in section 1146 of the Education Amendments of 1978).

“(c) PROGRAM AUTHORIZED.—For fiscal years 2012 through 2018, the Secretary is authorized to award grants to eligible entities having applications approved under this section to enable those entities to—

“(1) reimburse individuals who teach Indian people with out-of-pocket costs associated with obtaining National Board Certification; and

“(2) providing a minimum of \$5,000 but not more than a \$10,000 increase in annual compensation for National Board Certified individuals for the duration of the Demonstration Project.

“(d) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information, as the Secretary may require. In reviewing applications under this section, the Secretary shall ensure that the eligible entities—

“(1) are located within the boundaries of a reservation; and

“(2) maintain an average enrollment of at least 30 percent of students that reside within the boundaries of a reservation.

“(e) RESTRICTIONS ON COMPENSATION INCREASES.—The Secretary shall require and ensure that National Board Certified individuals continue to teach at the eligible entity as a condition of receiving annual compensation increases provided for in this section.

“(f) PROGRESS REPORTS.—In fiscal years 2015 and 2018, the Comptroller General of the United States shall provide a report on the progress of the entities receiving awards in meeting applicable progress standards.”

SEC. 164. TRIBAL LANGUAGE IMMERSION SCHOOLS.

Subpart 2 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441 et seq.) is further amended by adding at the end the following:

“SEC. 7127. TRIBAL LANGUAGE IMMERSION SCHOOLS.

“(a) PURPOSE.—It is the purpose of this section to establish a grant program to permit eligible schools to use American Indian, Alaska Native, and Native Hawaiian languages as the primary language of instruction of all curriculum taught at the schools (referred to in this section as ‘immersion schools’) in order to increase the number of American Indian, Alaska Native, and Native Hawaiian graduates at all levels of education, and to increase the proficiencies of these students in the curriculum being taught.

“(b) PROGRAM AUTHORIZED.—From the amounts made available to carry out this section, the Secretary may award grants to eligible schools to develop and maintain, or to improve and expand, programs that support articulated Native language learning in kindergarten through postsecondary education programs.

“(c) ELIGIBLE SCHOOL; DEFINITION.—In this section—

“(1) the term ‘eligible school’ means a school that provides elementary or secondary education or a Tribal College or University, including an elementary or secondary school operated by a Tribal College or University, that has, or can present a plan for development of, an immersion school or courses in which instruction is provided for a minimum 900 hours per academic year; and

“(2) the term ‘Tribal College or University’ has the meaning given that term in section 316(b) of the Higher Education Act of 1965.

“(d) APPLICATION.—An eligible school seeking a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, that includes the following information:

“(1) The number of students attending the school.

“(2) The number of present hours of tribal language instruction being provided to students at the school, if any.

“(3) The status of school with regard to any applicable Tribal Education Department

or agency, public education system, or accrediting body.

“(4) A statement that the school is engaged in meeting targeted proficiency levels for students as may be required by applicable Federal, State, or tribal law.

“(5) A statement identifying how the proficiency levels for students being educated, or to be educated, at the tribal language immersion school are, or will be, assessed.

“(6) A list of the instructors at the tribal language immersion school and their qualifications.

“(7) A list of any partners or subcontractors with the tribal language immersion school who may assist in the provision of instruction in the immersion setting, and the role of such partner or subcontractor.

“(8) Any other information that the Secretary may require.

“(e) ADDITIONAL ELIGIBILITY REQUIREMENTS.—When submitting an application for a grant under this section, each eligible school shall submit:

“(1) A certificate from a federally recognized Indian tribe, or a letter from any organized American Indian, Alaska Native, or Native Hawaiian community, on whose lands the school is located, or which is served by the school, or from a tribally controlled college or university (as defined in section 2 of the Tribally Controlled College or University Assistance Act of 1978) that is operating the school, indicating that the school has the capacity to provide language immersion education and that there are sufficient native speakers at the school or available to be hired by the school who are trained as educators who can provide the education services required by the school in the native language used at the immersion school and who will satisfy any requirements of any applicable law for educators generally.

“(2) An assurance that the school will participate in data collection conducted by the Secretary that will determine best practices and further academic evaluation of the immersion school.

“(3) A demonstration of the capacity to have native language speakers provide the basic education offered by the school for the minimum 900 hours per academic year as required under the grant.

“(f) ACTIVITIES AUTHORIZED.—The following activities are the activities that may be carried out by the eligible schools that receive a grant under this section:

“(1) Development of an articulated instructional curriculum for the language of the tribe, American Indian, Alaska Native, or Hawaiian community served by the school applying for the grant.

“(2) In-service and preservice development of teachers and paraprofessionals who will be providing the instruction in the native language involved.

“(3) Development of contextual, experiential programs, and curriculum materials related to the indigenous language of the community which the immersion school serves.

“(g) NUMBER, AMOUNT, AND DIVERSITY OF LANGUAGES IN GRANTS.—Based on the amount appropriated by Congress as authorized by this section, and the number of eligible schools applying for a grant under this section, the Secretary may determine the amounts and length of each grant made under this section and shall ensure, to the maximum extent practicable, that diversity in languages is represented in such grants.

“(h) REPORT TO SECRETARY.—Each eligible school receiving a grant under this section shall provide an annual report to the Secretary at such time, in such manner, and

containing such information as the Secretary may require.

“(i) AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding any other section authorizing funds to be appropriated for carrying out the purposes of this title, there is authorized to be appropriated to carry out this section \$5,000,000 for the first full fiscal year following the date of enactment of this section, and such sums as are necessary in the 4 following fiscal years.”

SEC. 165. COORDINATION OF INDIAN STUDENT INFORMATION.

Subpart 3 of part A of title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7451 et seq.) is amended by adding at the end the following:

“SEC. 7137. COORDINATION OF INDIAN STUDENT INFORMATION.

“(a) PURPOSE.—Consonant with the United States’ unique and continuing trust responsibility to Indian people for the education of Indian children as described in section 7101, it is the purpose of this section to enable the Secretary to establish or improve the effectiveness and efficiency of programs for coordination among educational agencies and schools for the linkage and exchange of student records of Indian children.

“(b) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—The Secretary, in consultation with the Secretary of the Interior, the States, and Indian tribes, is authorized to make grants to, or enter into contracts with, State educational agencies, local educational agencies, Indian tribes, Indian organizations, tribal education agencies, institutions of higher education, other public and private nonprofit organizations, and consortia of all such entities, to improve the collection, coordination, and electronic exchange of Indian student records between State educational agencies, local educational agencies, and elementary schools and secondary schools funded by the Bureau of Indian Education.

“(2) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to—

“(A) entities that are Indian tribes, Indian organizations, tribal education agencies; or

“(B) consortia that include 1 or more such entities.

“(3) GRANT DURATION.—Each grant awarded under this section shall be for a duration of not more than 5 years.

“(c) ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall assist the Secretary of the Interior, the States, and elementary schools and secondary schools funded by the Bureau of Indian Education in developing effective methods for—

“(A) the electronic transfer of student records of Indian children;

“(B) the determination of the number of Indian children in each State, disaggregated by the local educational agency in which such children reside; and

“(C) the determination of the extent to which Indian children under the age of 18 who have not achieved a secondary school diploma are not enrolled in any school.

“(2) INFORMATION SYSTEMS.—

“(A) IN GENERAL.—Using amounts made available under subsection (e), the Secretary, in consultation with the Secretary of the Interior, the States, and elementary schools and secondary schools funded by the Bureau of Indian Education, shall award grants or contracts to, or enter agreements with, State educational agencies and local educational agencies, and provide funds to the Secretary of the Interior in accordance with subsection (d) in order to ensure the

linkage of Indian student records systems for the purpose of electronically exchanging, among and between State educational agencies, local educational agencies, and schools, health and educational information regarding all Indian students. The Secretary of Education shall ensure such linkage occurs in a cost-effective manner, and to the extent practicable, utilizes systems, if any, used prior to the date of enactment of this section.

“(B) DATA ELEMENTS.—The Secretary shall identify the data elements that each State receiving assistance under this subsection and the Secretary of the Interior shall collect and maintain for each Indian student enrolled in a school, which, at a minimum, shall include—

“(i) the student's enrollment and disenrollment in any elementary and secondary school, and the grade levels successfully completed at such school;

“(ii) the student's immunization records and other health information;

“(iii) the student's elementary and secondary academic history (including partial credit), credit accrual, and results from any assessments required by Federal law;

“(iv) other academic information essential to ensuring that Indian children achieve high standards; and

“(v) the student's eligibility for services under the Individuals with Disabilities Education Act.

“(C) NOTICE AND COMMENT.—After fulfilling the consultation required under subparagraph (A), the Secretary shall publish a notice in the Federal Register seeking public comment on the proposed data elements that the Secretary of the Interior and each State shall be required to collect for purposes of electronic transfer of Indian student information with respect to schools assisted under this Act and the requirements the Secretary of the Interior and the States shall meet for immediate electronic access to such information. Such publication shall occur not later than 180 days after the date of enactment of this section.

“(3) NO COST FOR CERTAIN TRANSFERS.—A State educational agency or local educational agency receiving assistance under this Act, or an elementary school or secondary school funded by the Bureau of Indian Education, shall make student records available at request of any other educational agency or school at no cost to the requesting agency or school if the request is made in order to meet the needs of an Indian child who is enrolled, or was enrolled, in the school receiving assistance under this Act.

“(d) REPORT TO CONGRESS.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions and the Committee on Indian Affairs of the Senate, and the Committee on Education and the Workforce of the House of Representatives a report—

“(A) describing the status of the implementation of this section; and

“(B) including recommendations from the Secretary and the Secretary of the Interior regarding the collection, coordination and exchange of health and educational information on Indian children by the Secretary of the Interior, the States, and elementary schools and secondary schools funded by the Bureau of Indian Education.

“(2) REQUIRED CONTENTS.—The Secretary shall include in the report and recommendations described in paragraph (1)—

“(A) a report on the progress made by the Secretary of the Interior, the States, and el-

ementary schools and secondary schools funded by the Bureau of Indian Education in developing and linking electronic records transfer systems;

“(B) recommendations for the development, linkage, and maintenance of such systems;

“(C) recommendations for measures that may be taken to ensure the continuity and enhancement of services to Indian students;

“(D) a report from the Secretary of the Interior describing the extent to which funding supplied to elementary schools and secondary schools funded by the Bureau of Indian Education pursuant to subsection (e)(2)(B) is sufficient to enable those schools to develop and operate electronic records transfer systems; and

“(E) a report on recommendations made by Indian tribes, Indian organizations, tribal departments of education, and elementary schools and secondary schools funded by the Bureau of Indian Education, and consortia of such entities, regarding implementation of this section and the extent to which such recommendations were taken into account.

“(3) PUBLICATION IN FEDERAL REGISTER.—Not later than 14 days after the report described in paragraph (1) is submitted to Congress, the Secretary shall publish such report in the Federal Register.

“(e) AVAILABILITY OF FUNDS.—

“(1) RESERVATION.—For the purpose of carrying out this section in any fiscal year, the Secretary shall reserve \$20,000,000 of the amount appropriated pursuant to subsection (c) of section 7152.

“(2) ALLOTMENT FOR THE SECRETARY OF THE INTERIOR.—

“(A) IN GENERAL.—From the amounts reserved pursuant to paragraph (1), the Secretary shall transfer to the Secretary of the Interior \$8,000,000 for each fiscal year to be used as described in subparagraph (B).

“(B) DISTRIBUTION AND USE OF FUNDS.—The Secretary of the Interior shall distribute all funds transferred pursuant to subparagraph (A) to elementary schools and secondary schools funded by the Bureau of Indian Education for use by such schools to pay the costs of establishing and participating in systems for the orderly linkage and exchange of student records of Indian children. To facilitate such establishment and participation by such schools, the Secretary of the Interior shall, at the request of any such school, supply technical assistance. Amounts required to be supplied to elementary and secondary schools operated by Indian tribes or tribal organizations pursuant to contracts issued under authority of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or pursuant to grants issued under authority of the Tribally Controlled Schools Act (25 U.S.C. 2501 et seq.) shall be added to the respective contracts or grants of such tribes or tribal organizations.

“(f) DATA COLLECTION.—The Secretary shall direct the National Center for Education Statistics to collect data on Indian children.

“(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$20,000,000 for fiscal year 2012 and each of the 5 succeeding fiscal years.”.

SEC. 166. AUTHORIZATION OF APPROPRIATIONS.

Section 7152 (20 U.S.C. 7492) is amended to read as follows:

“SEC. 7152. AUTHORIZATIONS OF APPROPRIATIONS.

“(a) SUBPART 1.—For the purpose of carrying out subpart 1, there are authorized to be appropriated \$130,000,000 for fiscal year

2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(b) SUBPART 2.—For the purpose of carrying out subpart 2, there are authorized to be appropriated \$50,000,000 for fiscal year 2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.

“(c) SUBPART 3.—For the purpose of carrying out subpart 3, there are authorized to be appropriated \$25,000,000 for fiscal year 2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.”.

Subtitle F—Impact Aid

SEC. 171. IMPACT AID.

Section 8004 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7704) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting “, prior to any final decision by the agency on how funds received under section 8003 will be spent” after “benefits of such programs and activities”;

(B) in paragraph (5)—

(i) by inserting “local education” after “to such”; and

(ii) by inserting “, prior to any final decision by the agency on how funds received under section 8003 will be spent” after “educational program”;

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by inserting after subsection (b) the following:

“(c) ANNUAL SUMMARY.—On an annual basis, a local educational agency that claims children residing on Indian lands for the purpose of receiving funds under section 8003 shall provide Indian tribes with—

“(1) a summary of programs and activities that were created for the claimed children, or in which the claimed children participate; and

“(2) the funding received under section 8003 in the prior and current fiscal years attributable to such claimed children.”; and

(4) by inserting after subsection (g), as so redesignated, the following:

“(h) TIMELY PAYMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall pay a local educational agency that claims children residing on Indian lands for the purpose of receiving funds under section 8003 the full amount that the agency is eligible to receive under this title for a fiscal year not later than September 30 of the second fiscal year following the fiscal year for which such amount has been appropriated if, not later than 1 calendar year following the fiscal year in which such amount has been appropriated, such local educational agency submits to the Secretary all the data and information necessary for the Secretary to pay the full amount that the agency is eligible to receive under this title for such fiscal year.

“(2) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For a fiscal year in which the amount appropriated under section 8014 is insufficient to pay the full amount a local educational agency is eligible to receive under this title, paragraph (1) shall be applied by substituting ‘is available to pay the agency’ for ‘the agency is eligible to receive’ each place it appears.”.

Subtitle G—General Provisions

SEC. 181. HIGHLY QUALIFIED DEFINITION.

Section 9109(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(23)) is amended—

(1) in subparagraph (B)(ii)(II), by striking “; and” and inserting a semicolon;

(2) in subparagraph (C)(ii)(VII), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(D) when used with respect to any public elementary school or secondary school teacher teaching Native American language, history, or culture in a State or any Bureau of Indian Affairs funded or operated school, means a teacher certified by an Indian tribe as highly qualified to teach such subjects.”.

SEC. 182. APPLICABILITY OF ESEA TO BUREAU OF INDIAN EDUCATION SCHOOLS.

Section 9103 (20 U.S.C. 7821) is amended to read as follows:

“SEC. 9103. APPLICABILITY TO BUREAU OF INDIAN EDUCATION SCHOOLS.

“(a) IN GENERAL.—For the purpose of any competitive program under this Act, a school described in subsection (b) shall have the same eligibility for and be given the same consideration as a local educational agency with regard to such program.

“(b) DESCRIPTION OF SCHOOLS.—A school described in this subsection is—

“(1) a school funded by the Bureau of Indian Education (including a school operated under a contract or grant with the Bureau of Indian Education), or a consortium of such schools; or

“(2) a school funded by the Bureau of Indian Education in consortium with an Indian tribe, institution of higher education, tribal organization or community organization.

“(c) OUTREACH.—The Secretary shall perform outreach to schools and consortia described in subsection (b) to encourage such schools and consortia to apply for each competitive program under this Act, and shall provide technical assistance as needed to enable such schools and consortia to submit applications for such programs.

“(d) COLLABORATION.—The Secretary shall collaborate with the Secretary of the Interior to provide training and technical assistance to the Bureau of Indian Education, Indian tribes, and schools operated under contracts and grants from the Bureau of Indian Education, regarding—

“(1) curriculum selection, including development of culturally appropriate curricula;

“(2) the development and use of appropriate assessments; and

“(3) effective instructional practices.”.

SEC. 183. INCREASED ACCESS TO RESOURCES FOR TRIBAL SCHOOLS, SCHOOLS SERVED BY THE BUREAU OF INDIAN EDUCATION, AND NATIVE AMERICAN STUDENTS.

(a) TECHNICAL ASSISTANCE AND CAPACITY BUILDING.—Subpart 2 of part E of title IX of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

“SEC. 9537. TECHNICAL ASSISTANCE AND CAPACITY BUILDING FOR TRIBAL SCHOOLS AND SCHOOLS SERVED BY THE BUREAU OF INDIAN EDUCATION.

“Notwithstanding any other provision of this Act, the Secretary shall ensure that any program supported with funds provided under this Act that awards grants, contracts, or other assistance to public schools, provides a 1 percent reservation for technical assistance or capacity building for tribal schools or schools served by the Bureau of Indian Education to ensure such tribal schools or schools served by the Bureau of Indian Education are provided the assistance to compete for such grants, contracts, or other assistance.”.

TITLE II—AMENDMENTS TO OTHER LAWS

SEC. 201. AMENDMENTS TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 TO PROVIDE FUNDING FOR INDIAN PROGRAMS.

Title XIV of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 279) is amended—

(1) by striking subsection (a) of section 14001 and inserting the following:

“(a) OUTLYING AREAS; BUREAU OF INDIAN EDUCATION.—

“(1) OUTLYING AREAS.—From the amount appropriated to carry out this title, the Secretary of Education shall first allocate up to one-half of one percent to the outlying areas on the basis of their respective needs, as determined by the Secretary, in consultation with the Secretary of the Interior, for activities consistent with this title under such terms and conditions as the Secretary may determine.

“(2) BUREAU OF INDIAN EDUCATION.—From the amounts appropriated to carry out section 14006 and section 14007, the Secretary of Education shall allocate not less than 1 percent, but not more than 5 percent, to the schools funded by the Bureau of Indian Education on the basis of their respective needs, as determined by the Secretary of Education, in consultation with the Secretary of the Interior, for activities consistent with such sections under such terms and conditions as the Secretary may determine.”; and

(2) in section 14005(d), by striking paragraph (6) (as added by section 1832(b) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10, 125 Stat. 164)) and inserting the following:

“(6) IMPROVING EARLY CHILDHOOD CARE AND EDUCATION.—The State will take actions to—

“(A) increase the number and percentage of low-income and disadvantaged children in each age group of infants, toddlers, and preschoolers who are enrolled in high-quality early learning programs;

“(B) design and implement an integrated system of high quality early learning programs and services; and

“(C) in collaboration with Indian tribes in the State, ensure that the actions described in (A) and (B) are taken to ensure that high-quality early learning programs and services are provided to Indian children in the State, which may be accomplished through subgrants to such tribes; and

“(D) ensure that any use of assessments conforms with the recommendations of the National Research Council’s reports on early childhood.”.

SEC. 202. QUALIFIED SCHOLARSHIPS FOR EDUCATION AND CULTURAL BENEFITS.

(a) IN GENERAL.—Section 117 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(e) INDIAN EDUCATION AND CULTURAL BENEFITS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, gross income does not include the value of—

“(A) any qualified Indian education benefit, or

“(B) any qualified Indian cultural benefit.

“(2) QUALIFIED INDIAN EDUCATION BENEFIT.—For purposes of this subsection, the term ‘qualified Indian education benefit’ means—

“(A) any educational grant or benefit provided, directly or indirectly, to a member of an Indian tribe, including a spouse or dependent of such a member, by the Federal government through a grant to or a contract or compact with an Indian tribe or tribal organization or through a third-party program funded by the Federal government, and

“(B) any educational grant or benefit provided or purchased by an Indian tribe or tribal organization to or for a member of an Indian tribe, including a spouse or dependent of such a member.

“(3) QUALIFIED INDIAN CULTURAL BENEFIT.—For purposes of this subsection, the term ‘qualified Indian cultural benefit’ means—

“(A) any grant or benefit provided, directly or indirectly, to a member of an Indian tribe, including a spouse or dependent of such a member, by the Federal government through a grant to or a contract or compact with an Indian tribe or tribal organization or through a third-party program funded by the Federal government, for the study of the language, culture, and ways of life of the tribe, and

“(B) any grant or benefit provided or purchased by an Indian tribe or tribal organization to or for a member of an Indian tribe, including a spouse or dependent of such a member, for the study of the language, culture, and ways of life of the tribe.

“(4) DEFINITIONS.—For purposes of this subsection—

“(A) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given such term by section 45A(c)(6).

“(B) TRIBAL ORGANIZATION.—The term ‘tribal organization’ has the meaning given such term by section 4(l) of the Indian Self-Determination and Education Assistance Act.

“(C) DEPENDENT.—The term ‘dependent’ has the meaning given such term by section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof.

“(5) DENIAL OF DOUBLE BENEFIT.—This subsection shall not apply to the amount of any qualified Indian education benefit or qualified Indian cultural benefit which is not includible in gross income of the beneficiary of such benefit by reason of any other provision of this title, or to the amount of any such benefit for which a deduction is allowed to such beneficiary under any other provision of this title.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts received after the date of the enactment of this Act.

SEC. 203. TRIBAL EDUCATION POLICY ADVISORY GROUP.

Section 1126 of the Education Amendments of 1978 (25 U.S.C. 2006) is amended by adding at the end the following:

“(h) TRIBAL EDUCATION POLICY ADVISORY GROUP.—

“(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this subsection, the Secretary, acting through the Assistant Secretary for Indian Affairs, shall establish a Tribal Education Policy Advisory Group (referred to in this subsection as the ‘TEPAG’) to advise the Secretary and the Assistant Secretary on all policies, guidelines, programmatic issues, and budget development for the school system funded by the Bureau of Indian Education.

“(2) DUTIES.—

“(A) IN GENERAL.—The Secretary shall consult with the TEPAG prior to proposing any regulations, establishing or changing any policies, or submitting any budget proposal applicable to the Bureau of Indian Education school system.

“(B) RECOMMENDATIONS.—The Secretary shall include in the proposed budget developed annually for the Bureau of Indian Education any recommendations made by the TEPAG resulting from the consultation under subparagraph (A).

“(C) SUPPLEMENT, NOT SUPPLANT.—The consultation required by subparagraph (A)

shall be in addition to and shall not replace the consultation requirement of section 1131.

“(3) COMPOSITION.—

“(A) IN GENERAL.—The TEPAG shall be composed of 26 members, who shall be selected in accordance with subparagraphs (B) through (D).

“(B) TRIBAL MEMBERS.—

“(i) IN GENERAL.—The TEPAG shall be composed of 22 elected or appointed tribal officials (or designated employees of the officials with authority to act on behalf of the officials), 1 from each education line office of the Bureau of Indian Education, who shall act as principal members of the TEPAG.

“(ii) SELECTION PROCESS.—The tribes and schools served by each education line office shall establish a process to select the principal member and alternate member of that education line office to TEPAG.

“(iii) ALTERNATES.—The alternate member of an education line office selected under clause (ii) may participate in TEPAG meetings in the absence of the principal member of that education line office.

“(C) NATIONAL TRIBAL ORGANIZATION MEMBER.—The Secretary shall appoint a principal member and an alternate member to the TEPAG from among national organizations comprised of Indian tribes, who shall be elected or appointed tribal officials (or designated employees of the officials with authority to act on behalf of the officials).

“(D) FEDERAL MEMBERS.—The Secretary, the Assistant Secretary for Indian Affairs, and the Director of the Bureau of Indian Education shall be ex-officio members of the TEPAG.

“(4) ADMINISTRATION.—

“(A) MEETINGS.—The TEPAG shall meet in person not less than 3 times per fiscal year and may hold additional meetings by telephone conference call.

“(B) PROTOCOLS.—The Secretary and the TEPAG shall jointly develop protocols for the operation and administration of TEPAG.

“(C) NONAPPLICABILITY OF FACAs.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the TEPAG.

“(D) SUPPORT.—

“(i) IN GENERAL.—The Secretary shall be responsible for all costs associated with carrying out the functions of the TEPAG, including reimbursement for the travel, lodging, and per diem expenses of each principal or alternate TEPAG member selected under subparagraphs (B) and (C) of paragraph 3.

“(ii) ADDITIONAL REQUEST.—

“(I) IN GENERAL.—To facilitate the work of the TEPAG, the Secretary may request additional funding in the annual budget submission of the Secretary to support technical and substantive assistance to the TEPAG.

“(II) RECOMMENDATIONS.—If the Secretary requests additional funding under subclause (I), the Secretary shall take into consideration the amount of funding requested by the TEPAG for technical and substantive assistance when making the additional funding request.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.”.

SEC. 204. DIVISION OF BUDGET ANALYSIS.

Section 1129 of the Education Amendments of 1978 (25 U.S.C. 2009) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “Assistant Secretary for Indian Affairs” and inserting “Secretary”;

(B) in paragraph (2), by striking “and” after the semicolon;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

“(3) a determination of the amount necessary to sustain academic and residential programs at Bureau-funded schools, calculated pursuant to subpart H of part 39 of title 25, Code of Federal Regulations (or successor regulations); and”;

(2) in subsection (d), by striking “Assistant Secretary for Indian Affairs” and inserting “Secretary”.

SEC. 205. QUALIFIED SCHOOL CONSTRUCTION BOND ESCROW ACCOUNT.

Part B of title II of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458) is amended by adding at the end the following:

“SEC. 205. AUTHORIZATION TO ESTABLISH QUALIFIED SCHOOL CONSTRUCTION BOND ESCROW ACCOUNT.

“(a) IN GENERAL.—Pursuant to the authority granted under section 54F(d)(4) of the Internal Revenue Code of 1986, the Secretary shall establish a qualified school construction bond escrow account for the purpose of implementing section 54F of the Internal Revenue Code of 1986.

“(b) TRANSFER TO ESCROW ACCOUNT.—

“(1) IN GENERAL.—The Secretary shall allocate to the escrow account described in subsection (a) amounts described in section 54F(d)(4) of the Internal Revenue Code of 1986.

“(2) OTHER FUNDS.—The Secretary shall accept and disburse to the escrow account described in subsection (a) amounts received to carry out this section from other sources, including other Federal agencies, non-Federal public agencies, and private sources.”.

SEC. 206. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note) is amended by—

(1) redesignating paragraphs (15) through (34) as paragraphs (16) through (35), respectively; and

(2) by inserting after paragraph (14) the following:

“(15) Keweenaw Bay Ojibwa Community College.”.

SEC. 207. WORKFORCE INVESTMENT ACT OF 1998.

Title II of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.) is amended—

(1) in section 203—

(A) in paragraph (5)(D), by inserting “, including a Tribal College or University” after “education”;

(B) in paragraph (15), by amending subparagraph (B) to read as follows:

“(B) a Tribal College or University; or”;

(C) by redesignating paragraph (18) as paragraph (19); and

(D) by inserting after paragraph (17) the following:

“(18) TRIBAL COLLEGE OR UNIVERSITY.—The term ‘Tribal College or University’ has the meaning given the term in section 316(b) of the Higher Education Act of 1965.”;

(2) in section 211(a)—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(4) shall reserve 1.5 percent to carry out section 244, except that the amount so reserved shall not exceed \$8,000,000.”; and

(3) by inserting after section 243 the following:

“SEC. 244. AMERICAN INDIAN TRIBAL COLLEGE OR UNIVERSITY ADULT EDUCATION AND LITERACY PROGRAM.

“(a) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish and carry out an American Indian Tribal College and University Adult Education and Literacy Grant Program to enable Tribal Colleges or Universities to develop and implement innovative, effective, and replicable programs designed to enhance life skills and transition individuals to employability and postsecondary education and to provide technical assistance to such institutions for program administration.

“(b) APPLICATION.—To be eligible to receive a grant under this section, a Tribal College or University shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require. The Secretary shall, to the extent practicable, prescribe a simplified and streamlined format for such applications that takes into account the limited number of institutions that are eligible for assistance under this section.

“(c) ELIGIBLE ACTIVITIES.—Activities that may be carried out under a grant awarded under this section include—

“(1) adult education and literacy services, including workplace literacy services;

“(2) family literacy services;

“(3) English literacy programs, including limited English proficiency programs;

“(4) civil engagement and community participation, including U.S. citizenship skills;

“(5) opportunities for American Indians and Alaska Natives to qualify for a secondary school diploma, or its recognized equivalent; and

“(6) demonstration and research projects and professional development activities designed to develop and identify the most successful methods and techniques for addressing the educational needs of American Indian adults.

“(d) GRANTS AND CONTRACTS.—Funding shall be awarded under this section to Tribal Colleges or Universities on a competitive basis through grants, contracts, or cooperative agreements of not less than 3 years in duration.

“(e) CONSIDERATION AND INCLUSION.—In making awards under this section, the Secretary may take into account the considerations set forth in section 231(e). In no case shall the Secretary make an award to a Tribal College or University that does not include in its application a description of a multiyear strategy, including performance measures, for increasing the number of adult American Indian or Alaska Natives that attain a secondary diploma or recognized equivalent.”.

SEC. 208. TECHNICAL AMENDMENTS TO TRIBALLY CONTROLLED SCHOOLS ACT OF 1988.

(a) GRANTS AUTHORIZED.—Section 5203(b)(3) of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2502(b)(3)) is amended—

(1) by striking “as defined in section 1128(h)(1)” and inserting “as defined in section 1128(a)(1)”;

(2) by striking “under section 1128 of such” and inserting “under section 1128(c) of that”.

(b) AMENDMENTS TO GRANTS.—Section 5203 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2502) is amended by adding at the end the following:

“(h) AMENDMENTS TO GRANTS.—

“(1) IN GENERAL.—At the request of the school board of a tribally controlled school, the Secretary shall approve a request to amend a grant issued to that school board under this part unless the Secretary, not

later than 90 days after the date of receipt of the request, provides written notification to the school board that contains a specific finding that clearly demonstrates, or is supported by a controlling legal authority, that—

“(A) the services to be rendered to the eligible Indian students under the proposed amendment to the grant do not meet the requirements of this part;

“(B) adequate protection of trust resources is not assured;

“(C) the grant or the proposed amendment to the grant cannot be properly completed or maintained;

“(D) the amount of funds proposed under the amendment is in excess of the applicable funding level for the grant, as determined under section 5204; or

“(E) the program, function, service, or activity (or portion of the program, function, service, or activity) that is the subject of the proposed amendment is beyond the scope of programs, functions, services, or activities covered under this part because the proposed amendment includes activities that cannot lawfully be carried out by the grantee.

“(2) APPEALS.—The Secretary shall provide the school board of a tribally controlled school with a hearing on the record in the same manner as provided under section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f).”

(c) COMPOSITION OF GRANTS.—Section 5204(b) of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2503(b)) is amended—

(1) in paragraph (4)(B)(iv), by striking “section 5209(e)” and inserting “section 5208(e)”;

and

(2) in paragraph (5)(B), by striking “section 5209(e)” and inserting “section 5208(e)”.

(d) DURATION OF ELIGIBILITY DETERMINATION.—Section 5206(c) of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2505(c)) is amended—

(1) in paragraph (2), by striking “section 5206(b)(1)(A)” and inserting “section 5205(b)(1)(A)”;

and

(2) in paragraph (4)(A), by striking “section 5206(f)(1)(C)” and inserting “section 5205(f)(1)(C)”.

TITLE III—ADDITIONAL EDUCATION PROVISIONS

SEC. 301. NATIVE AMERICAN STUDENT SUPPORT.

(a) SUPPORT.—The Secretary of Education shall expand programs for Native American school children—

(1) to provide support for learning in their Native language and culture; and

(2) to provide English language instruction.

(b) RESEARCH.—The Secretary of Education shall conduct research on culture- and language-based education to identify the factors that improve education and health outcomes.

SEC. 302. ENSURING THE SURVIVAL AND CONTINUING VITALITY OF NATIVE AMERICAN LANGUAGES.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term “Director” means the Director of the Bureau of Indian Education.

(2) ELIGIBLE ENTITY.—The term “eligible entity” means any agency or organization that is eligible for financial assistance under section 803(a) of the Native American Programs Act of 1974 (42 U.S.C. 2991b(a)).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director.

(b) ESTABLISHMENT OF GRANT PROGRAM.—The Secretary shall establish a program to provide eligible entities with grants for the

purpose of assisting Native Americans to ensure the survival and continuing vitality of Native American languages.

(c) USE OF AMOUNTS.—

(1) IN GENERAL.—An eligible entity may use amounts received under this section to carry out activities that ensure the survival and continuing vitality of Native American languages, including—

(A) the establishment and support of community Native American language projects designed to bring older and younger Native Americans together to facilitate and encourage the transfer of Native American language skills from one generation to another;

(B) the establishment of projects that train Native Americans to—

(i) teach a Native American language to others; or

(ii) serve as interpreters or translators of a Native American language;

(C) the development, printing, and dissemination of materials to be used for the teaching and enhancement of a Native American language;

(D) the establishment or support of a project to train Native Americans to produce or participate in television or radio programs to be broadcast in a Native American language;

(E) the compilation, transcription, and analysis of oral testimony to record and preserve a Native American language;

(F) the purchase of equipment, including audio and video recording equipment, computers, and software, required to carry out a Native American language project; and

(G)(i) the establishment of Native American language nests, which are site-based educational programs that—

(I) provide instruction and child care through the use of a Native American language for at least 10 children under the age of 7 for an average of at least 500 hours per year per student;

(II) provide classes in a Native American language for parents (or legal guardians) of students enrolled in a Native American language nest (including Native American language-speaking parents); and

(III) ensure that a Native American language is the dominant medium of instruction in the Native American language nest;

(ii) the establishment of Native American language survival schools, which are site-based educational programs for school-age students that—

(I) provide an average of at least 500 hours of instruction through the use of 1 or more Native American languages for at least 15 students for whom a Native American language survival school is the principal place of instruction;

(II) develop instructional courses and materials for learning Native American languages and for instruction through the use of Native American languages;

(III) provide for teacher training;

(IV) work toward a goal of all students achieving—

(aa) fluency in a Native American language; and

(bb) academic proficiency in mathematics, reading (or language arts), and science; and

(V) are located in areas that have high numbers or percentages of Native American students; and

(iii) the establishment of Native American language restoration programs, which are educational programs that—

(I) operate at least 1 Native American language program for the community which the educational program serves;

(II) provide training programs for teachers of Native American languages;

(III) develop instructional materials for the Native American language restoration programs;

(IV) work toward a goal of increasing proficiency and fluency in at least 1 Native American language; and

(V) provide instruction in at least 1 Native American language.

(2) NATIVE AMERICAN LANGUAGE RESTORATION PROGRAMS.—An eligible entity carrying out a program described in paragraph (1)(G)(iii) may use amounts made available under this section to carry out—

(A) Native American language programs, including—

(i) Native American language immersion programs;

(ii) Native American language and culture camps;

(iii) Native American language programs provided in coordination and cooperation with educational entities;

(iv) Native American language programs provided in coordination and cooperation with local institutions of higher education;

(v) Native American language programs that use a master-apprentice model of learning languages; and

(vi) Native American language programs provided through a regional program to better serve geographically dispersed students;

(B) Native American language teacher training programs, including—

(i) training programs in Native American language translation for fluent speakers;

(ii) training programs for Native American language teachers;

(iii) training programs for teachers in the use of Native American language materials, tools, and interactive media to teach Native American language; and

(C) the development of Native American language materials, including books, audio and visual tools, and interactive media programs.

(d) APPLICATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), in awarding a grant under this section, the Secretary shall select applicants from among eligible entities on the basis of applications submitted to the Secretary at such time, in such form, and containing such information as the Secretary requires.

(2) REQUIREMENTS.—An application under paragraph (1) shall include, at a minimum—

(A) a detailed description of the current status of the Native American language to be addressed by the project for which a grant is requested, including a description of existing programs and projects, if any, in support of that language;

(B) a detailed description of the project for which the grant is requested;

(C) a statement that the objectives of the project are in accordance with the purposes of this section;

(D) a detailed description of the plan of the applicant to evaluate the project;

(E) if appropriate, an identification of opportunities for the replication or modification of the project for use by other Native Americans;

(F) a plan for the preservation of the products of the Native American language project for the benefit of future generations of Native Americans and other interested persons; and

(G) in the case of an application for a grant to carry out any purpose specified in subsection (c)(1)(G)(iii), a certification by the applicant that the applicant has not less than 3 years of experience in operating and administering a Native American language survival school, a Native American language

nest, or any other educational program in which instruction is conducted in a Native American language.

(3) **PARTICIPATING ORGANIZATIONS.**—If an applicant determines that the objectives of a proposed Native American language project would be accomplished more effectively through a partnership with an educational entity, the applicant shall identify the educational entity as a participating organization in the application.

(e) **LIMITATIONS ON FUNDING.**—

(1) **FEDERAL SHARE.**—The Federal share of the total cost of a program under this section shall not exceed 80 percent.

(2) **NON-FEDERAL SHARE.**—

(A) **IN GENERAL.**—The non-Federal share of the cost of a program under this section may be provided in cash or fairly evaluated in-kind contributions, including facilities, equipment, or services.

(B) **SOURCE OF NON-FEDERAL SHARE.**—The non-Federal share—

(i) may be provided from any private or non-Federal source; and

(ii) may include amounts (including interest) distributed to an Indian tribe—

(I) by the Federal Government pursuant to the satisfaction of a claim made under Federal law;

(II) from amounts collected and administered by the Federal Government on behalf of an Indian tribe or the members of an Indian tribe; or

(III) by the Federal Government for general tribal administration or tribal development under a formula or subject to a tribal budgeting priority system, including—

(aa) amounts involved in the settlement of land or other judgment claims;

(bb) severance or other royalty payments; or

(cc) payments under the Indian Self-Determination Act (25 U.S.C. 450f et seq.) or a tribal budget priority system.

(3) **DURATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary may make grants made under this section on a 1-year, 2-year, or 3-year basis.

(B) **NATIVE AMERICAN LANGUAGE RESTORATION PROGRAM.**—The Secretary shall only make a grant available under subsection (c)(1)(G)(iii) on a 3-year basis.

(f) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary shall carry out this section through the Bureau of Indian Education.

(2) **EXPERT PANEL.**—

(A) **IN GENERAL.**—Not later than 180 days after date of enactment of this section, the Secretary shall appoint a panel of experts for the purpose of assisting the Secretary to review—

(i) applications submitted under subsection (d);

(ii) evaluations carried out to comply with subsection (d)(2)(C); and

(iii) the preservation of products required by subsection (d)(2)(F).

(B) **COMPOSITION.**—

(i) **IN GENERAL.**—The panel shall include—

(I) a designee of the Institute of American Indian and Alaska Native Culture and Arts Development;

(II) representatives of national, tribal, and regional organizations that focus on Native American language or Native American cultural research, development, or training; and

(III) other individuals who are recognized as experts in the area of Native American language.

(ii) **RECOMMENDATIONS.**—Recommendations for appointments to the panel shall be solic-

ited from Indian tribes and tribal organizations.

(C) **DUTIES.**—The duties of the panel shall include—

(i) making recommendations regarding the development and implementation of regulations, policies, procedures, and rules of general applicability with respect to the administration of this section;

(ii) reviewing applications received under subsection (d);

(iii) providing to the Secretary a list of recommendations for the approval of applications in accordance with—

(I) regulations issued by the Secretary; and

(II) the relative need for the project; and

(iv) reviewing evaluations submitted to comply with subsection (d)(2)(C).

(3) **PRODUCTS GENERATED BY PROJECTS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), for preservation and use in accordance with the responsibilities of the respective organization under Federal law, a copy of any product of a Native American language project for which a grant is made under this section—

(i) shall be transmitted to the Institute of American Indian and Alaska Native Culture and Arts Development; and

(ii) may be transmitted, at the discretion of the grantee, to national and regional repositories of similar material.

(B) **EXEMPTION.**—

(i) **IN GENERAL.**—In accordance with the Federal recognition of the sovereign authority of each Indian tribe over all aspects of the culture and language of that Indian tribe and subject to clause (ii), an Indian tribe may make a determination—

(I) not to transmit a copy of a product under subparagraph (A);

(II) not to permit the redistribution of a copy of a product transmitted under subparagraph (A); or

(III) to restrict in any manner the use or redistribution of a copy of a product transmitted under subparagraph (A).

(ii) **RESTRICTIONS.**—Clause (i) does not authorize an Indian tribe—

(I) to limit the access of the Secretary to a product described in subparagraph (A) for purposes of administering this section or evaluating the product; or

(II) to sell a product described in subparagraph (A), or a copy of that product, for profit to the entities referred to in subparagraph (A).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2013 through 2018.

(h) **REPEAL; CONFORMING AMENDMENTS.**—

(1) **REPEAL.**—Section 803C of the Native American Programs Act of 1974 (42 U.S.C. 2991b-3) is repealed.

(2) **CONFORMING AMENDMENTS.**—Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended—

(A) in subsection (a), by striking “sections 803(d), 803A, 803C, 804, subsection (e) of this section” and inserting “sections 803(d), 803A, and 804, subsection (d)”;

(B) in subsection (b), by striking “other than sections 803(d), 803A, 803C, 804, subsection (e) of this section” and inserting “sections 803(d), 803A, and 804, subsection (d)”;

(C) by striking subsection (e).

SEC. 303. IN-SCHOOL FACILITY INNOVATION PROGRAM CONTEST.

(a) **IN GENERAL.**—The Secretary of the Interior shall—

(1) establish an in-school facility innovation program contest in which institutions

of higher education, including a Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)), are encouraged to consider solving the problem of how to improve school facilities for tribal schools and schools served by the Bureau of Indian Education for problem-based learning in their coursework and through extracurricular opportunities; and

(2) establish an advisory group for the contest described in paragraph (1) that shall include students enrolled at a Tribal College or University, a representative from the Bureau of Indian Education, and engineering and fiscal advisors.

(b) **SUBMISSION OF FINALISTS TO THE INDIAN AFFAIRS COMMITTEE.**—The Secretary of the Interior shall submit the finalists to the Committee on Indian Affairs of the Senate.

(c) **WINNERS.**—The Secretary of the Interior shall—

(1) determine the winners of the program contest conducted under this section; and

(2) award the winners appropriate recognition and reward.

SEC. 304. RETROCESSION OR REASSUMPTION OF CERTAIN SCHOOL FUNDS.

Notwithstanding any other provision of law, beginning July 1, 2008, any funds (including investments and interest earned, except for construction funds) held by a Public Law 100-297 grant or a Public Law 93-638 contract school shall, upon retrocession to or re-assumption by the Bureau of Indian Education, remain available to the Bureau for a period of 5 years from the date of retrocession or re-assumption for the benefit of the programs approved for the school on October 1, 1995.

SEC. 305. DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF EDUCATION JOINT OVERSIGHT BOARD.

(a) **IN GENERAL.**—The Secretary of Education and the Secretary of the Interior shall jointly establish a Department of the Interior and Department of Education Joint Oversight Board, that shall—

(1) be co-chaired by both Departments; and

(2) coordinate technical assistance, resource distribution, and capacity building between the 2 departments on the education of and for Native American students.

(b) **INFORMATION TO BE SHARED.**—The Joint Oversight Board shall facilitate the communication, collaboration, and coordination between the 2 departments of education policies, access to and eligibility for Federal resources, and budget and school leadership development, and other issues, as appropriate.

SEC. 306. FEASIBILITY STUDY TO TRANSFER BUREAU OF INDIAN EDUCATION TO DEPARTMENT OF EDUCATION.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this section, the Government Accountability Office shall carry out a study that examines the feasibility of transferring the Bureau of Indian Education from the Department of the Interior to the Department of Education.

(b) **CONTENTS.**—The study shall include an assessment of the impacts of a transfer described in subsection (a) on—

(1) affected students;

(2) affected faculty, staff, and other employees;

(3) the organizational and operating structure of the Bureau of Indian Education;

(4) applicable Federal laws, including laws relating to Indian preference; and

(5) intergovernmental agreements.

SEC. 307. TRIBAL SELF GOVERNANCE FEASIBILITY STUDY.

(a) **STUDY.**—The Secretary of Education shall conduct a study to determine the feasibility of entering into self governance compacts and contracts with Indian tribal governments who wish to operate public schools that reside within their lands.

(b) **CONSIDERATIONS.**—In conducting the study described in subsection (a), the Secretary of Education shall consider the feasibility of—

(1) assigning and paying to an Indian tribe all expenditures for the provision of services and related administration funds that the Secretary would otherwise pay to a State educational agency and a local educational agency for 1 or more public schools located on the Indian lands of such Indian tribe;

(2) providing assistance to Indian tribes in developing capacity to administer all programs and services that are currently under the jurisdiction of the State educational agency or local educational agency; and

(3) authorizing the Secretary to treat an Indian tribe as a State for the purposes of carrying out programs and services funded by the Secretary that are currently under the jurisdiction of the State.

(c) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of Education shall submit, to the Committee on Indian Affairs and the Committee on Health, Education, Labor and Pensions of the Senate and the Education and the Workforce Committee of the House of Representatives, a report that includes—

(1) the results of the study conducted under subsection (a);

(2) a summary of any consultation that occurred between the Secretary and Indian tribes in conducting this study;

(3) projected costs and savings associated with the Department of Education entering into self governance contracts and compacts with Indian tribes, and any estimated impact on programs and services described in paragraphs (2) and (3) of subsection (a) in relation to probable costs and savings; and

(4) legislative actions that would be required to authorize the Secretary to enter into self governance compacts and contracts with Indian tribes to provide such programs and services.

(d) **DEFINITIONS.**—In this section:

(1) **INDIAN TRIBE.**—The term “Indian Tribe” means any Indian tribe, band, nation, other organized group or community, including any Native village or Regional Corporation or Village Corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(2) **INDIAN LANDS.**—The term “Indian lands” has the meaning given that term in section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713).

SEC. 308. ESTABLISHMENT OF CENTER FOR INDIGENOUS EXCELLENCE.

(a) **DEFINITIONS.**—In this section:

(1) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” shall have the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) **NATIVE AMERICAN AND NATIVE AMERICAN LANGUAGE.**—The terms “Native American” and “Native American language” shall have the meanings given such terms in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(3) **NATIVE AMERICAN LANGUAGE NESTS AND SURVIVAL SCHOOLS.**—The terms “Native

American language nest” and “Native American language survival school” shall have the meanings given such terms in section 803C(b)(7) of the Native American Programs Act of 1974 (42 U.S.C. 2991b-3).

(4) **NATIVE HAWAIIAN OR NATIVE AMERICAN PACIFIC ISLANDER NATIVE LANGUAGE EDUCATIONAL ORGANIZATION.**—The term “Native Hawaiian or Native American Pacific Islander native language educational organization” shall have the meaning given such term in section 3301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7011).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(6) **STEM.**—The term “STEM” means a science, technology, engineering, and mathematics program.

(7) **TRIBALLY SANCTIONED EDUCATIONAL AUTHORITY.**—The term “tribally sanctioned educational authority” shall have the meaning given such term in section 3301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7011).

(b) **IN GENERAL.**—There shall be established a Center for Indigenous Excellence to—

(1) support Native American governments, communities, schools, and programs in the development and demonstration of Native American language and culture-based education from the preschool to graduate education levels as appropriate for their distinctive populations, circumstances, visions, and holistic approaches for the benefit of the entire community;

(2) provide direction to Federal, State, and local government entities relative to Native American language and culture-based education;

(3) demonstrate nationally and internationally recognized educational best practices through integrated programming in Native American language and culture-based education from the preschool to graduate education levels that benefits the entire specific indigenous group regardless of its geographic dispersal, including—

- (A) teacher certification;
- (B) curriculum and materials development;
- (C) distance education support;
- (D) research; and
- (E) holistic approaches;

(4) serve as an alternative pathway of choice for meeting federally mandated academic assessments, teacher qualifications, and curriculum design for Native American language nests and Native American language survival schools; and

(5) serve as a coordinating entity and depository for federally funded research into Native American language and culture-based education including STEM applications that will address workforce needs of Native American communities.

(c) **ELIGIBLE ENTITIES.**—For the purpose of determining the site of the Center for Indigenous Excellence, the Secretary shall consider the following to be an eligible entity:

(1) A tribally sanctioned educational authority.

(2) A Native American language college.

(3) A Native Hawaiian or Native American Pacific Islander native language educational organization.

(4) An institution of higher education with a commitment to serve Native American communities.

(5) A local educational agency with a commitment to serve Native American communities.

(d) **CRITERIA FOR SELECTION.**—The Secretary shall determine the site of the Center for Indigenous Excellence based on—

(1) a record of excellence, on a national and international level, with regard to Native American language and culture-based education;

(2) a high representation of Native Americans among its personnel;

(3) a high representation of speakers of 1 or more Native American languages among its personnel; and

(4) a location in a community with a high representation of Native Americans.

(e) **ESTABLISHMENT OF PARTNERSHIPS AND CONSORTIA.**—

(1) **IN GENERAL.**—Once established, the Center for Indigenous Excellence may develop partnerships or consortia with other entities throughout the United States with expertise appropriate to the mission of the Center and include such entities in its work.

(2) **ASSISTANCE TO PARTNERS.**—The Center shall provide assistance to partners, to the extent practicable, in curriculum development, technology development, teacher and staff training, research, and sustaining Native American language nests, Native American survival schools, and Native American language schools.

By Mr. KOHL (for himself and Mr. MANCHIN):

S. 1263. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States and for other purposes; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today with Senator MANCHIN to introduce the Silver Alert Act of 2011. This legislation increases the chances of quickly locating missing senior citizens by establishing a national communications network to help regional and local search efforts.

Every year, thousands of adults go missing from their homes or care facilities due to diminished mental capacity, dementia, Alzheimer's disease, or other circumstances. As the population of the United States ages, that number is likely to increase. Over five million Americans currently suffer from Alzheimer's disease, and it is estimated that 60 percent of these men and women are likely to wander away from their homes. Disorientation and confusion may keep many from finding their way back home. The safe return of missing persons often depends upon them being found quickly. If not found within 24 hours, roughly half risk serious illness, injury, or death. Only four percent of those Alzheimer's sufferers who leave home are able to get back without some assistance.

Our bill would create a national program to coordinate existing state-based Silver Alert plans so that missing seniors can be returned safely to their homes and families. Not only will a federal network increase the success of efforts to find missing seniors, but it also eliminates duplicative search efforts, saving the public time and money. The Silver Alert Act creates this needed Federal network.

The Amber Alert system, which the Silver Alert Act is modeled after, has a track record of success. The Amber

Alert Act created a similar Federal program that filters information and transmits relevant details to the appropriate authorities as quickly as possible. Just as with missing and abducted children, timely notification and dissemination of appropriate information about missing seniors greatly improves the chances that they will be found before they are seriously harmed. Silver Alert plans use the same infrastructure as Amber Alert plans, so this Act enables us to protect another vulnerable group in our population, at very little additional cost.

Over half of States have responded to the problem of missing seniors by establishing Silver Alert plans. These plans have created public notification systems triggered by the report of a missing senior. Postings on highways, radio, television, and other forms of media broadcast information about the missing senior to locate him or her, and return the senior safely home.

I urge my colleagues to support this important legislation.

By Mrs. FEINSTEIN (for herself, Mr. KERRY, Mr. REID, Mr. LEAHY, and Mr. DURBIN):

S. 1264. A bill to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. FEINSTEIN. Mr. President, I rise to introduce, together with Senator KERRY, the Veteran Voting Support Act of 2011. We are joined by Senators REID, LEAHY, and DURBIN.

This bill would take important steps to improve veterans' access to voter registration services. Our veterans have served our Nation at great risk and sacrifice. I believe we should do everything in our power to ensure that they play a central role in our democratic process, that their votes are cast and their voices heard.

Almost 4 years ago, during the previous administration, I learned that a Department of Veterans Affairs facility in California had been barring voter registration groups from accessing veterans in the facility. Similar reports emerged in Connecticut and other parts of the country.

Since that time, Senator KERRY and I have been working, together with our cosponsors, to make sure that our Government works to provide veterans with voter registration services, not to prevent them from receiving election-related materials.

We have written letters and our staffs have held meetings with the VA to establish a fair, nonpartisan policy to facilitate voter registration for veterans who receive services from VA facilities.

We have made significant progress.

After much negotiation, in 2008, the VA established a new and substantially

improved policy that allows state and local election officials, as well as nonpartisan groups, to access VA facilities for voter registration under terms and conditions set by the facility. This is an improvement, and we have not heard serious complaints in recent years.

However, legislation remains necessary. First, this voluntary policy could be rescinded or rolled back in the future; Federal law cannot. Second, more should be done to ensure not only that outside groups can register voters in a nonpartisan manner in VA facilities but also that veterans who live in and use these facilities have easy access to voter registration and absentee ballot forms, even when no group or official comes by.

The Veteran Voting Support Act of 2011 would require the VA to provide voter registration forms to veterans when they enroll in the VA health care system, or change their status or address in that system.

The bill would also ensure that veterans who live in VA facilities have access to absentee ballots when they want to cast votes, and that VA employees assist veterans with election-related forms if necessary, in the same way that these employees assist veterans with other forms.

It would allow nonpartisan voter groups and election officials to provide voter information and registration services to veterans in a time, place, and manner that makes sense for the facilities.

It would give the Attorney General authority to enforce these provisions.

It is a cornerstone of our democracy that every eligible citizen is able to register and cast their vote. These rights should never be denied, by fiat or as a matter of practicality, to those who have given the very most for our country.

I believe it is time that the VA provides veterans with the support they need and deserve to register, cast their votes, and have those votes counted.

I hope my colleagues will join me in supporting the Veteran Voting Support Act of 2011.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1264

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veteran Voting Support Act of 2011".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Veterans have performed a great service to, and risked the greatest sacrifice in the name of, our country, and should be supported by the people and the Government of the United States.

(2) Veterans are especially qualified to understand issues of war, foreign policy, and government support for veterans, and they should have the opportunity to voice that understanding through voting.

(3) The Department of Veterans Affairs should assist veterans to register to vote and to vote.

SEC. 3. VOTER REGISTRATION AND ASSISTANCE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall provide a mail voter registration application form to each veteran—

(1) who seeks to enroll in the Department of Veterans Affairs health care system (including enrollment in a medical center, a community living center, a community-based outpatient center, or a domiciliary of the Department of Veterans Affairs health care system), at the time of such enrollment; and

(2) who is enrolled in such health care system—

(A) at any time when there is a change in the enrollment status of the veteran; and

(B) at any time when there is a change in the address of the veteran.

(b) PROVIDING VOTER REGISTRATION INFORMATION AND ASSISTANCE.—The Secretary shall provide to each veteran described in subsection (a) the same degree of information and assistance with voter registration as is provided by the Department with regard to the completion of its own forms, unless the applicant refuses such assistance.

(c) TRANSMITTAL OF VOTER REGISTRATION APPLICATION FORMS.—

(1) IN GENERAL.—The Secretary shall accept completed voter registration application forms for transmittal to the appropriate State election official.

(2) TRANSMITTAL DEADLINE.—

(A) IN GENERAL.—Subject to subparagraph (B), a completed voter registration application form accepted at a medical center, community living center, community-based outpatient center, or domiciliary of the Department shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(B) EXCEPTION.—If a completed voter registration application form is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(d) REQUIREMENTS OF VOTER REGISTRATION INFORMATION AND ASSISTANCE.—The Secretary shall ensure that the information and assistance with voter registration that is provided under subsection (b) will not—

(1) seek to influence an applicant's political preference or party registration;

(2) display any such political preference or party allegiance;

(3) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

(4) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not register has any bearing on the availability of services or benefits.

(e) LIMITATION ON USE OF INFORMATION.—No information relating to registering to vote, or a declination to register to vote, under this section may be used for any purpose other than voter registration.

(f) ENFORCEMENT.—

(1) NOTICE.—

(A) NOTICE TO THE FACILITY DIRECTOR OR THE SECRETARY.—A person who is aggrieved

by a violation of this section or section 4 may provide written notice of the violation to the Director of the facility of the Department health care system involved or to the Secretary. The Director or the Secretary shall respond to a written notice provided under the preceding sentence within 20 days of receipt of such written notice.

(B) NOTICE TO THE ATTORNEY GENERAL AND THE ELECTION ASSISTANCE COMMISSION.—If the violation is not corrected within 90 days after receipt of a notice under subparagraph (A), the aggrieved person may provide written notice of the violation to the Attorney General and the Election Assistance Commission.

(2) ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this section or section 4.

SEC. 4. ASSISTANCE WITH ABSENTEE BALLOTS.

(a) IN GENERAL.—Consistent with State and local laws, each director of a community living center, a domiciliary, or a medical center of the Department of Veterans Affairs health care system shall provide assistance in voting by absentee ballot to veterans residing in the community living center or domiciliary or who are inpatients of the medical center, as the case may be.

(b) ASSISTANCE PROVIDED.—The assistance provided under subsection (a) shall include—

(1) providing information relating to the opportunity to request an absentee ballot;

(2) making available absentee ballot applications upon request, as well as assisting in completing such applications and ballots; and

(3) working with local election administration officials to ensure proper transmission of absentee ballot applications and absentee ballots.

SEC. 5. INFORMATION PROVIDED BY NON-PARTISAN ORGANIZATIONS.

The Secretary of Veterans Affairs shall permit nonpartisan organizations to provide voter registration information and assistance at facilities of the Department of Veterans Affairs health care system, subject to reasonable time, place, and manner restrictions, including limiting activities to regular business hours and requiring advance notice.

SEC. 6. ASSISTANCE PROVIDED BY ELECTION OFFICIALS AT DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

(a) DISTRIBUTION OF INFORMATION.—

(1) IN GENERAL.—Subject to reasonable time, place, and manner restrictions, the Secretary of Veterans Affairs shall not prohibit any election administration official, whether State or local, party-affiliated or non-party affiliated, or elected or appointed, from providing voting information to veterans at any facility of the Department of Veterans Affairs.

(2) VOTING INFORMATION.—In this subsection, the term “voting information” means nonpartisan information intended for the public about voting, including information about voter registration, voting systems, absentee balloting, polling locations, and other important resources for voters.

(b) VOTER REGISTRATION SERVICES.—The Secretary shall provide reasonable access to facilities of the Department health care system to State and local election officials for the purpose of providing nonpartisan voter registration services to individuals, subject to reasonable time, place, and manner restrictions, including limiting activities to regular business hours and requiring advance notice.

SEC. 7. ANNUAL REPORT ON COMPLIANCE.

The Secretary of Veterans Affairs shall submit to Congress an annual report on how the Secretary has complied with the requirements of this Act. Such report shall include the following information with respect to the preceding year:

(1) The number of veterans who were served by facilities of the Department of Veterans Affairs health care system.

(2) The number of such veterans who requested information on or assistance with voter registration.

(3) The number of such veterans who received information on or assistance with voter registration.

(4) Information with respect to written notices submitted under section 3(f), including information with respect to the resolution of the violations alleged in such written notices.

SEC. 8. RULES OF CONSTRUCTION.

(a) NO INDIVIDUAL BENEFIT.—Nothing in this Act may be construed to convey a benefit to an individual veteran.

(b) NO EFFECT ON OTHER LAWS.—Nothing in this Act may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.).

(3) The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).

(4) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. AKAKA):

S. 1268. A bill to increase the efficiency and effectiveness of the Government by providing for greater inter-agency experience among national security and homeland security personnel through the development of a national security and homeland security human capital strategy and inter-agency rotational service by employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. LIEBERMAN. Mr. President, I rise today, with my colleagues Senator COLLINS and Senator AKAKA, to introduce legislation to improve the efficiency and effectiveness of our Government by fostering greater integration among the personnel who work on critical national security and homeland security missions.

The national security and homeland security challenges that our nation faces in the 21st century are far more complex than those of the last century. Threats such as terrorism, proliferation of nuclear and biological weapons, insurgencies, and failed states are beyond the capability of any single agency of our Government, such as the Department of Defense, DOD, the Department of State, or the intelligence community, to counter on its own.

In addition, threats such as terrorism and organized crime know no borders

and instead cross the so-called “foreign/domestic divide,” the bureaucratic, cultural, and legal division between agencies that focus on threats from beyond our borders and those that focus on threats from within.

Finally, a new group of government agencies is now involved in national and homeland security. These agencies bring to bear critical capabilities, such as interdicting terrorist finance, enforcing sanctions, protecting our critical infrastructure, and helping foreign countries threatened by terrorism to build their economies and legal systems, but many of them have relatively little experience of involvement with the traditional national security agencies. Some of these agencies have existed for decades or centuries, such as the Departments of Treasury, Justice, and Health and Human Services, HHS, while others are new since 9/11, such as the Department of Homeland Security, DHS, and the Office of the Director of National Intelligence, ODNI.

As a result, our government needs to be able to apply all instruments of national power, including military, diplomatic, intelligence, law enforcement, foreign aid, homeland security, and public health, in a whole-of-government approach to counter these threats. We only need to look at our government's failure to use the full range of civilian and military capabilities to stymie the Iraqi insurgency immediately after the fall of Saddam Hussein's regime in 2003, the government's failure to prepare and respond to Hurricane Katrina in 2005, and the government's failure to share information and coordinate action prior to the attack at Fort Hood, Texas, in 2009, for examples of failure of interagency coordination and their costs in terms of lives, money, and the national interest.

The challenge of integrating the agencies of the Executive Branch into a whole-of-government approach has been recognized by Congressionally chartered commissions for more than a decade. Prior to 9/11, the Commission led by former Senators Gary Hart and Warren Rudman, entitled the U.S. Commission on National Security in the 21st Century, issued reports recommending fundamental reorganization to integrate government capabilities, including for homeland security.

In 2004, the 9/11 Commission, led by former Governor Tom Kean and former Representative Lee Hamilton, found that the U.S. Government needed reform in order to foster a stronger, faster, and more efficient government-wide effort against terrorism.

In 2008, the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, led by former Senators Bob Graham and Jim Talent, called for improving inter-agency coordination in our Nation's defenses against bioterrorism and other weapons of mass destruction.

Congress has long recognized that a key way to better integrate our Government's capabilities is to provide strong incentives for personnel to do rotational assignments across bureaucratic stovepipes. The personnel who serve in our Government are our Nation's best-and-brightest, and they have and will respond to incentives that we institute in order to improve coordination across our government.

In 1986, Congress enacted the Goldwater-Nichols Department of Defense Reorganization Act. That legislation sought to break down stovepipes and foster jointness across the military services by requiring that military officers have served in a position outside of their service as a requirement for promotion to general or admiral.

Twenty-five years later, this requirement has produced a sea change in military officers' mindsets and created a dominant military culture of jointness.

In 2004, Congress enacted the Intelligence Reform and Terrorism Prevention Act at the 9/11 Commission's recommendation and required a similar rotational requirement for intelligence personnel. The Director of National Intelligence has since instituted rotations across the Intelligence Community as an eligibility requirement for promotion to senior intelligence positions, and this requirement is helping to integrate the 16 agencies and elements of the Intelligence Community.

Finally, in 2005, Congress enacted the Post-Katrina Emergency Management Reform Act to improve our Nation's preparedness for and responses to domestic catastrophes and instituted a rotational program within the Department of Homeland Security in order to integrate that department.

This proven mechanism of rotations must be applied to integrate the government as a whole on national security and homeland security issues. Indeed, the Hart/Rudman Commission called for rotations to other agencies and interagency professional education to be required in order for personnel to hold certain positions or be promoted to certain levels. The Graham/Talent Commission called for the Government to recruit the next generation of national security experts by establishing a program of joint duty, education, and training in order to create a culture of interagency collaboration, flexibility, and innovation.

The Executive Branch has also recognized the need to foster greater interagency rotations and experience in order to improve integration across its agencies. In 2007, President George W. Bush issued Executive Order 13434 concerning national security professional development and to include interagency assignments. However, that executive order was not implemented aggressively toward the end of the Bush administration and has languished as

the Obama administration pursued other priorities.

Clearly, it is time for Congress to act and to institute the personnel incentives and reforms necessary to further integrate our government and enable it to counter the national security and homeland security threats of the 21st Century.

Today I join with Senator SUSAN M. COLLINS and Senator DANIEL K. AKAKA to introduce the bipartisan Interagency Personnel Rotation Act of 2011. Companion legislation is being introduced in the House of Representatives on a bipartisan basis by Representative GEOFF DAVIS and Representative JOHN F. TIERNEY.

The purpose of this legislation is to enable Executive Branch personnel to view national security and homeland security issues from a whole-of-government perspective and be able to capitalize upon communities of interest composed of personnel from multiple agencies who work on the same national security or homeland security issue.

This legislation requires that the Executive Branch identify "Interagency Communities of Interest," which are subject areas spanning multiple agencies and within which the Executive Branch needs to operate on a more integrated basis. Interagency Communities of Interest could include counterinsurgency, counterterrorism, counter proliferation, or regional areas such as the Middle East.

This legislation then requires that agencies identify positions that are within each Interagency Community of Interest. Government personnel would then rotate to positions within other agencies but within the particular Interagency Community of Interest related to their expertise.

Government personnel could also rotate to positions at offices that have specific interagency missions such as the National Security Staff. Completing an interagency rotation would be a prerequisite for selection to certain Senior Executive Service positions within that Interagency Community of Interest. As a result, personnel would have the incentives to serve in a rotational position and to develop the whole-of-government perspective and the network of contacts necessary for integrating across agencies and accomplishing national security and homeland security missions more efficiently and effectively.

Let me offer some examples of how this might work.

An employee of the U.S. Agency for International Development, USAID, who specializes in development strategy could rotate to the Office of the Secretary of Defense to advise DOD in planning on how development issues should be taken into account in military operations, while DOD counterinsurgency specialists could rotate to

USAID to advise on how development priorities should be assessed in a counterinsurgency.

A Treasury employee who does terrorist finance work could benefit from a rotation to Department of Justice to understand operations to take down terrorist cells and how terrorist finance work can help identify and prosecute their members, while Justice personnel would have the chance to learn from the Treasury's financial expertise in understanding how sources of funding can affect cells' formation and plotting.

Someone from HHS who specializes in public health could rotate to a DOD counterinsurgency office to advise on improving public health in order to win over the hearts and minds of the population prone to counterinsurgency, while someone from DHS could rotate to HHS in order to learn about HHS's work to prepare the U.S. public health system for a biological terrorist attack.

The cosponsors of this legislation and I recognize the complexity involved in the creation of Interagency Communities of Interest, the institution of rotations across a wide variety of government agencies, and having a rotation as a prerequisite for selection to certain Senior Executive Service positions. As a result, our legislation gives the Executive Branch substantial flexibility, including to identify Interagency Communities of Interest, to identify which positions in each agency are within a particular Interagency Community of Interest; to identify which positions in an Interagency Community of Interest should be open for rotation and how long the rotations will be; and finally, which Senior Executive Service positions have interagency rotational service as a prerequisite.

To be clear, this legislation does not mandate that any agency be included in an Interagency Community of Interest or the interagency personnel rotations; instead, this legislation permits the Executive Branch to include any agency or part of an agency as the Executive Branch determines that our nation's national and homeland security missions require.

In addition, our legislation gives the Executive Branch 15 years in which to implement this legislation and contains a substantial number of exemptions and waivers, especially during but not limited to the phase-in period.

The legislation contains a number of provisions designed to protect the rights of our government personnel under existing law.

Finally, this legislation is designed to be implemented without requiring any additional personnel for the Executive Branch. The legislation envisions that rotations will be conducted so that there is a reasonable equivalence between the number of personnel rotating out of an agency and the number

rotating in. That way, no agency will be short-staffed as a result of having sent its best-and-brightest to do rotations; each agency will be receiving the best-and-brightest from other agencies.

Let me close by answering a common objection to government reorganization. To quote the 9/11 Commission, "An argument against change is that the nation is at war, and cannot afford to reorganize in midstream. But some of the main innovations of the 1940s and 1950s, including the creation of the Joint Chiefs of Staff and even the construction of the Pentagon itself, were undertaken in the midst of war. Surely the country cannot wait until the struggle against Islamic terrorism is over."

I urge my colleagues to take bold action to improve the efficiency and effectiveness of our Government in countering 21st century national security and homeland security threats by promptly passing the Interagency Personnel Rotation Act of 2011.

By Ms. SNOWE (for herself, Mrs. MURRAY, and Mr. BINGAMAN):

S. 1269. A bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from co-educational secondary schools on such schools' athletic programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. SNOWE. Mr President, I rise to introduce the High School Data Transparency Act in celebration of the 39th Anniversary of Title IX. I am pleased to be joined again this year by my colleague from Washington, Senator MURRAY. Since the 108th Congress, we have introduced this bill to require that high schools, like their collegiate counterparts, disclose data on equity in sports, making it possible for student athletes and their parents to ensure fairness in their school's athletic programs.

Since my first day in Washington in 1979, I have been a stalwart supporter of Title IX. And there should be no mistake what this 39 year-old landmark civil rights law is all about, equal opportunity for both girls and boys to excel in athletics. Obviously, athletic participation supports physical health, but sports also impart benefits beyond the field of play.

For girls who compete in sports, 50 percent are less likely to suffer depression and breast cancer . . . 80 percent are less likely to have a drug problem . . . and 92 percent are less likely to have an unwanted pregnancy. Athletic participation helps cultivate the kind of positive, competitive spirit that develops dedication, self-confidence, a sense of team spirit, and ultimate success later in life. So it is not surprising that, according to several studies, more than eight out of ten successful

businesswomen played organized sports while growing up.

To cite one example, Irene Rosenfeld, Chairman and CEO, Kraft Foods was quoted as saying, "growing up, I was extremely athletic, and very competitive. I played four varsity sports in high school and went to Cornell because they had a fabulous women's athletic program, and the academics weren't bad either."

Without question, Title IX has been the driving factor in allowing thousands of women and girls the opportunity to benefit from intercollegiate and high school sports. Indeed, prior to Title IX, only 1 in 27 high school girls, fewer than 300,000, played sports. Today, the number is more than 2.9 million . . . that is an increase of over 900 percent. Moreover, our country is celebrating the achievements and being inspired by our female athletes now more than ever.

Last fall, the University of California, Berkeley celebrated the life of the late Jill Costello who served as an inspiration not only to her fellow teammates but to the thousands of girls who defy the odds every day. Jill participated on Cal's Women's Crew Team as their varsity coxswain despite being diagnosed with stage IV cancer with only nine months to live. Throughout her treatment she not only supported her friends, family and teammates but was supported by them. Despite battling for her life Jill led Cal to achieve second place at the NCAA national crew championship. Jill's story proves that the incredible mystical nature of team and friendship does exist.

Earlier this year, the University of Connecticut's Women's Basketball Team furthered displayed women's progress in athletics. These women surpassed the University of California at Los Angeles men's basketball record of 88 consecutive wins achieving the longest winning streak of 90 games. The impact of this accomplishment has yet to be fully realized but has surely raised the profile of not only women's basketball but also woman's athletics.

Indeed, in my state of Maine, Bowdoin's women's varsity field hockey team has remarkably won Division III national championships in 3 of the last 4 years, putting Bowdoin and Maine on the women's field hockey map.

So while we celebrate this remarkable progress, we cannot allow rest on our laurels. That is why I am so pleased to join with Senator PATTY MURRAY, who has been a tireless advocate for women's sports, to reintroduce the High School Sports Data Collection Act of 2011.

Our bill directs the Commissioner of the National Center for Education Statistics to collect information regarding participation in athletics broken down by gender; teams; race and ethnicity; and overall expenditures, including

items like travel expenses, equipment and uniforms.

These data are already reported, in most cases, to the state Departments of Education and should not pose any additional burden on the high schools. Further, to ensure public access to this vital information, our legislation would require high schools to post the data on the Department of Education's Web site and make this information available to students and the public upon request.

For nearly 40 years, Title IX has opened doors by giving women and girls an equal opportunity to participate in student athletic programs. This bill will continue that tradition by allowing us to assess current opportunities for sports participation for young women, and correct any deficiencies.

With this new information, we can ensure that young women all over the country have the chance not only to improve their athletic ability, but also to develop the qualities of teamwork, discipline, and self-confidence that lead to success off the playing field. Soccer star, Mia Hamm, characterized it best when "somewhere behind the athlete you've become and the hours of practice and the coaches who have pushed you is a little girl who fell in love with the game and never looked back . . . play for her," and I am introducing this bill today for her as well.

By Mr. WHITEHOUSE:

S. 1271. A bill to amend the Internal Revenue Code of 1968 to provide a temporary credit for hiring previously unemployed workers; to the Committee on finance.

Mr. WHITEHOUSE. Mr. President, with the unemployment rate hovering above 9 percent nationwide, and at almost 11 percent in my home State of Rhode Island, job creation must continue to be our No. 1 priority as lawmakers.

It disappoints me that Republicans chose politics over job creation yesterday when they filibustered legislation that would have reauthorized the Economic Development Administration, an agency dedicated to restoring economically distressed regions to prosperity. In the past, this bill has been reauthorized and supported broadly, indeed, by unanimous consent. It is the fourth jobs bill the minority has chosen to obstruct, and I hope my colleagues on the other side of the aisle will reconsider their tactics. If not, we may have to reconsider ours and force some votes on job creation measures without this litany of irrelevant amendments that have bogged down and obstructed the previous jobs bill we have tried to get action on. Out-of-work Americans are hurting right now, and they want us to act to help create jobs.

I rise today to introduce a measure that will do just that. I have heard

from dozens of Rhode Island business owners that business is picking up a bit, but they are still concerned the recovery may be temporary and that discourages them from hiring additional workers. I spoke with one such small business owner on Monday. I visited Dona Vincent during a tour of her Cranston, RI company, Tedco. Tedco makes and stamps metal components for the automotive, aerospace, and communications industry. It employed 13 people before the recession struck in 2008. Now it is down to eight employees. Dona and Ted's co-general manager Barbara Galonio wishes to start hiring more workers, but they worry that business could slow down again. They told me they have been waiting to hire, wanting to hire, and for months saying to themselves: Well, what if this? What if that? They have been on the border of hiring.

The legislation I have introduced today, the Job Creation Tax Credit Act of 2011, would give Dona and thousands of other business owners nationwide greater security as they look forward to building their workforces. The bill would provide refundable tax credits for employers to hire new workers now. The way it would work is that for each qualified hire made in 2011, the business would receive a tax credit equal to 15 percent of the wages paid to the new employee. If the new employee remains employed or if the business were to hire additional employees in 2012, the business would be eligible for a 10-percent tax credit on those employees' wages next year. Because these tax credits would be refundable, businesses would benefit from them even if they are not currently profitable.

One of the problems with struggling businesses that are not sure how much profit they are going to make if they are right on the edge is giving them a tax credit doesn't help because they have no tax against which to take the credit. A refundable tax credit comes to the business in spite of that. The higher credit in 2011 I expect would encourage employers to hire new workers as soon as possible, and the additional credit in 2012 would encourage retaining those employees and additional workforce expansion. To help those Americans who are struggling to find work, qualified hires would be defined as new employees who have been unemployed for at least 60 days prior to getting hired.

The Job Creation Tax Credit Act would continue the job creations sparked by the HIRE Act of 2010 which included somewhat different tax incentives for new hiring. Economist Mark Zandi has estimated that the HIRE Act created 250,000 new jobs, a quarter of a million families with a paycheck coming in. The larger financial incentives in this new bill would continue to dent the unemployment numbers in Rhode Island and nationwide.

The previous HIRE Act, sponsored by Senator SCHUMER and Senator HATCH, received wide bipartisan support, and I hope my colleagues on both sides of the aisle will support the Job Creation Tax Credit Act as well because right now we cannot forget that too many unemployed Americans are hurting. Too many are out of work. Too many are out of work through no fault of their own. Indeed, too many of them are still out of work because of the cascade of misery that washed across this country from the Wall Street meltdown. There may be a lot of blame to go around on that, but none of it attaches to the workers who got caught in that cascade of misery. Of course, too many families are struggling to make ends meet week to week. We must continue fighting for them by using every tool at our disposal, including these new tax incentives, to get our economy moving and to help businesses start hiring.

Again, this is a bill with a proven successful strategy, that has been approved by this body in the past, that has had bipartisan support in the past, and that addresses the most important issue facing our country right now, and that is putting people back to work, rekindling our economy, and getting folks into jobs.

By Mr. UDALL of New Mexico
(for himself and Mr. BINGAMAN):

S. 1272. A bill to require the Secretary of Veterans Affairs to submit to Congress a report on the feasibility and advisability of establishing of a polytrauma rehabilitation center or polytrauma network site of the Department of Veterans Affairs in the southern New Mexico and El Paso, Texas, region, and for other purposes; to the Committee on Veterans' Affairs.

Mr. UDALL of New Mexico. Mr. President, last fall I led a discussion with NM Veterans Secretary John Garcia on post-traumatic stress disorder or PTSD and other issues facing our veterans. We held our discussion near Silver City, New Mexico, at the historic Fort Bayard medical facility. This was an outstanding chance to hear firsthand from veterans about the medical problems they were facing.

During this meeting, I found out that one of the biggest challenges that many veterans in southern New Mexico face is finding nearby treatment for PTSD and traumatic brain injury which are called the signature wounds of the wars in Afghanistan and Iraq.

A bit of background for those who may not be familiar with my home State. Southern New Mexico is home to White Sands Missile Range, Holloman Air Force Base, and most of Fort Bliss. It is a region filled with active duty personnel, as well as many veterans who choose to stay in New Mexico and the El Paso region after finishing their active duty service. And as

more and more veterans return from Afghanistan and Iraq suffering from PTSD and traumatic brain injury, many need the services of polytrauma centers—which specialize in treating injuries like PTSD and TBI.

Unfortunately, the closest polytrauma centers to southern New Mexico are hundreds of miles away.

That is why, after hearing the stories of veterans who attended our Fort Bayard meeting, I began working on legislation to help improve the ability for them to access care in the region.

With this legislation we hope to address that issue by requiring the Veterans Administration to submit to Congress a study on the feasibility of building a polytrauma center in the region. And we want them to consider Fort Bayard specifically as a location for that new polytrauma center.

The facilities at Fort Bayard should not be wasted and could be put to good use by the Veterans Administration for a polytrauma center for the southern New Mexico/El Paso region. This plan would be a win-win for the region—it would provide veterans with much-needed, convenient access to a quality polytrauma center through the innovative use of a facility that is currently being underutilized.

Veterans who have risked their lives for our country deserve convenient access to the best of care when they return home. Because as long as America faces threats and values freedom, we will need men and women willing to protect us. And as long as Americans serve in uniform, we have a sacred responsibility to support them.

By Mr. DURBIN (for himself, Mr. KOHL, and Mr. BINGAMAN):

S. 1275. A bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification cards and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I am introducing legislation with Senator BINGAMAN and Senator KOHL to remove Social Security numbers, SSNs, from Medicare identification cards.

Today, many of the 45 million Medicare beneficiaries in the United States carry their Medicare cards in their wallets. The card displays an individual's Medicare identification number, which is their Social Security number with a 1- or 2-digit code at the end.

The use of Social Security numbers on Medicare cards places millions of seniors at risk of identity theft because if the card is lost or stolen, their Social Security number is easily obtained. A person's Social Security number is one of the most valuable pieces of information that a thief can steal. It can unlock a treasure trove of personal and financial information.

Last year, nearly 8.1 million Americans were victims of identity theft, many after their Social Security numbers were stolen. These crimes accounted for more than \$37 billion in fraudulent charges.

Recognizing this risk of identity theft, many government agencies and private businesses have stopped displaying Social Security numbers on identification cards. Thirty-three states have enacted laws that limit how public and private entities use and display Social Security numbers. Social Security numbers are being removed from driver's licenses, and most private health insurance cards no longer display them.

Federal agencies have also taken steps to reduce the threat of identity theft. The Department of Veterans Affairs and Department of Defense are no longer displaying Social Security numbers on new identification cards. In addition, the Office of Personnel Management has directed health insurers participating in the Federal Employees Health Benefit Program to eliminate Social Security numbers from insurance cards.

Unfortunately, the Centers for Medicare and Medicaid Services, CMS, is lagging behind other agencies.

In 2005, I offered an amendment to the fiscal year 2006 Labor-HHS-Education appropriations bill to require CMS to remove SSNs from Medicare cards. My amendment passed 98-0. The final bill directed CMS to provide Congress a report on steps necessary to remove the numbers.

CMS issued the report in 2006, but it has not yet begun to remove Social Security numbers from Medicare cards.

In 2008, the Inspector General of the Social Security Administration took CMS to task for its inaction. The Inspector General's report confirmed that displaying Social Security numbers on Medicare cards places millions of people at risk for identity theft and concluded that "immediate action is needed to address this significant vulnerability."

The bill that I am introducing today, the Social Security Number Protection Act of 2011, establishes a reasonable timetable for CMS to begin removing Social Security numbers from Medicare cards.

Not later than 3 years after enactment, CMS would be prohibited from displaying Social Security numbers on newly issued Medicare cards. CMS would be prohibited from displaying the number on existing cards no later than 5 years after enactment.

In addition to Medicare cards, the bill would prohibit CMS from displaying Social Security numbers on all written and electronic communications to Medicare beneficiaries, beginning no later than 3 years after enactment, except in cases where their display is essential for the operation of the Medicare program.

I urge my colleagues to cosponsor this important legislation and work with me to enact it. Removing Social Security numbers from Medicare cards and communications to beneficiaries is long overdue.

Medicare beneficiaries should not be placed at greater risk of identity theft than people with private health insurance. Other Federal agencies have successfully removed Social Security numbers from identification cards, and we should require CMS to do the same.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Number Protection Act of 2011".

SEC. 2. REQUIRING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO PROHIBIT THE DISPLAY OF SOCIAL SECURITY ACCOUNT NUMBERS ON MEDICARE IDENTIFICATION CARDS AND COMMUNICATIONS PROVIDED TO MEDICARE BENEFICIARIES.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish and begin to implement procedures to eliminate the unnecessary collection, use, and display of social security account numbers of Medicare beneficiaries.

(b) MEDICARE CARDS AND COMMUNICATIONS PROVIDED TO BENEFICIARIES.—

(1) CARDS.—

(A) NEW CARDS.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall ensure that each newly issued Medicare identification card meets the requirements described in subparagraph (C).

(B) REPLACEMENT OF EXISTING CARDS.—Not later than 5 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall ensure that all Medicare beneficiaries have been issued a Medicare identification card that meets the requirements of subparagraph (C).

(C) REQUIREMENTS.—The requirements described in this subparagraph are, with respect to a Medicare identification card, that the card does not display or electronically store (in an unencrypted format) a Medicare beneficiary's social security account number.

(2) COMMUNICATIONS PROVIDED TO BENEFICIARIES.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall prohibit the display of a Medicare beneficiary's social security account number on written or electronic communication provided to the beneficiary unless the Secretary determines that inclusion of social security account numbers on such communications is essential for the operation of the Medicare program.

(c) MEDICARE BENEFICIARY DEFINED.—In this section, the term "Medicare beneficiary" means an individual who is entitled to, or enrolled for, benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title.

(d) CONFORMING REFERENCE IN THE SOCIAL SECURITY ACT.—Section 205(c)(2)(C) of the

Social Security Act (42 U.S.C. 405(c)(2)(C)) is amended by adding at the end the following new clause:

"(xi) For provisions relating to requiring the Secretary of Health and Human Services to prohibit the display of social security account numbers on Medicare identification cards and communications provided to Medicare beneficiaries, see section 2 of the Social Security Number Protection Act of 2011."

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

By Ms. SNOWE (for herself, Mr. ROBERTS, Mr. CORNYN, Mr. BOOZMAN, Mr. BLUNT, and Mr. BARRASSO):

S. 1278. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services; to the Committee on Finance.

Ms. SNOWE. Mr. President, as former Chair and now Ranking Member of the Senate Small Business Committee, it is my privilege and my responsibility today to stand up for small businesses across America that are being unfairly hurt by a punitive and unnecessary tax. The so-called "tanning tax" was included at the eleventh hour as part of last year's health care legislative maneuvering, and I am pleased to offer this legislation to repeal the tanning tax.

The tanning tax was added to the health care bill without any analysis of how it would affect this industry comprised primarily of small businesses, 75 percent of whose employees and customers are women. I cannot reiterate enough that small businesses are the primary job creators in this country, responsible for more than two-thirds of all new jobs created. At a time when a staggering and seemingly intractable unemployment rate of over 9 percent has become the norm, when some 22 million Americans are unemployed or underemployed, when we are experiencing the longest period of long-term unemployment in American history since data collection started in 1948, surpassing even the 1982 double-dip recession for the length of unemployment, when the percentage of population that is employed has declined to 58.4 percent, the lowest level in nearly 30 years, how could anyone think that shuttering or slowing the growth of small businesses is a good idea?

Reports show that small businesses lost an estimated \$2 trillion in profits and asset valuation since the recession started in December 2007, while larger companies have been less affected and are recovering more quickly. Combined with the current, on-going economic malaise, the tanning tax is certain to accelerate job losses in this industry beyond the 20,000 jobs already lost nationwide. These small businesses need our help, not a further hindrance such as this tax.

I have heard first-hand of just what a job-killing, growth-preventing measure

this tax is. Sun Tan City, a chain of small business tanning salons based in Augusta, ME, with 125 employees in Maine and another 50 in New Hampshire have slowed dramatically the expansion of their business. They opened 7 new salons in 2009 but only 4 in 2010 and another 2 in 2011. Sun Tan City remitted \$85,000 to the IRS just this past quarter, money that would have gone to grow jobs and their business.

The tanning tax is not just about the money, it is also about the burden of compliance. Each store must collect and remit its tanning tax liability individually, increasing the paperwork and compliance burden. At an estimated cost of \$74 per hour spent complying with paperwork burdens, merely remitting the tax imposes yet another enormous burden on small businesses.

Moreover, the tanning tax is imposed in addition to any state tax levies. For instance, New Jersey imposes a 7 percent tax on tanning services, meaning tanning salons in New Jersey are now responsible for 17 percent in taxes just for this service. We are already hearing that those seeking tanning services are going to other States when possible in order to avoid the higher New Jersey and Federal combined taxes. I guess that is one way to improve interstate commerce.

The worst part of the provision, though, may be the way the IRS has interpreted its implementation, in a way that favors larger businesses over smaller ones. The IRS released its tanning tax-implementing guidance on June 15, 2010, just two weeks before the tax became effective. This guidance contained a gross inequity that will subject some businesses to the tanning tax while exempting others. The guidance exempts "qualified physical fitness facilities," which include gyms. That is, a person could pay for a membership at such a facility and be able to use that facility's tanning beds without having to pay the tax. Thus, the tax is having a disproportionate effect on small businesses while allowing larger, syndicated gyms and similar facilities to go untaxed.

There are legitimate concerns about the health of those who engage in tanning, whether using natural sunlight or tanning beds. I do not come before you today to argue the science. But the Food and Drug Administration has been under pressure for years to ban outright the use of tanning beds and repeatedly has declined to do so. The 10 percent tanning tax was never designed as a deterrent; it was designed solely to replace the 5 percent tax on Botox injections and elective cosmetic surgery as a revenue raiser to pay for the health care bill. No other factor was discussed, nor were there ever hearings on the merits. I am as concerned as any Senator or citizen about the health of our fellow Americans, but a dead-of-night job-killing tax increase on small

businesses is not the way to address any health concerns!

There are other ways, such as an education campaign, that would be far more effective and less cumbersome than this 10 percent tax to inform people about any tanning risks, especially when the IRS has carved out big businesses from being affected by the tax. Why is it safe to tan in gyms but not in salons? That is not a question the IRS should be answering. If the health issue is important enough to merit scrutiny of the industry, then let us have that debate, but the fact that there was no debate before this onerous tax was imposed makes it doubly outrageous.

This bill is supported by the National Federation of Independent Businesses and by the Indoor Tanning Association, which is comprised of business owners and operators, as well as manufacturers and distributors of tanning equipment. The tanning tax was a painful hit to this sector of our economy and this bill will seek in some way to rectify what was done to them by eliminating the onerous tax going forward.

Finally, I want to thank Glen and Dennis Guerrette, whose father, Will, served in the Maine state legislature, and Lewis Henry, all from Maine, for bringing this issue and their stories to my attention. I would also like to thank Congressmen MICHAEL GRIMM and PAT TIBERI and many others for their leadership in the House on this crucial issue.

In conclusion, I urge my colleagues on both sides of the aisle to support our bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF EXCISE TAX ON INDOOR TANNING SERVICES.

(a) IN GENERAL.—Subtitle D of the Internal Revenue Code of 1986 is amended by striking chapter 49 and by striking the item relating to such chapter in the table of chapters of such subtitle.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to services performed after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 214—DESIGNATING THE WEEK OF JUNE 24 THROUGH 28, 2011, AS "NATIONAL MUSIC EDUCATION WEEK"

Mrs. MURRAY submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 214

Whereas the National Association for Music Education has designated the week of

June 24 through 28, 2011, as "National Music Education Week";

Whereas school-based music education is important and beneficial for students of all ages;

Whereas music education programs enhance intellectual development and enrich the academic environment for students of all ages;

Whereas 3 out of every 4 Americans have participated in music education programs, including chorus groups and formal instrument lessons, during their time in school;

Whereas of those who have participated in school-based music education programs, 40 percent stated that such programs were extremely influential in contributing to their current level of personal fulfillment;

Whereas music education provides students with the opportunity to express their creativity and to develop skills that will benefit them throughout the rest of their lives;

Whereas the skills gained through music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for success in the 21st century workplace;

Whereas many students have limited access to music education, which places them at a disadvantage compared to their peers;

Whereas local budget cuts are predicted to lead to a significant curtailment of school music programs, thereby depriving millions of students of an education that includes music;

Whereas the arts are a core academic subject, and music is an essential element of the arts; and

Whereas every student in the United States should have an opportunity to reap the benefits of music education: Now, therefore, be it

Resolved, That the Senate designates the week of June 24 through 28, 2011, as "National Music Education Week" in order to recognize the benefits and importance of music education.

Mrs. MURRAY. Mr. President, I rise today to discuss the importance of music education in a child's educational journey. As a former music student myself, I believe every student should have access to this valuable area of study.

Three quarters of Americans have been involved in a music program during their time in school. Over half of those participants continue their involvement with music after the 12th grade. This is a testament to the positive impact of music education and why we must continue to provide our students with opportunities to pursue these programs.

Music education also provides students with the opportunity to express creativity and to develop skills that will benefit them throughout the rest of their lives. In addition to its inherent cultural value, music education provides a variety of unique avenues for intellectual growth. We also know that musical training has a profound impact on other skills including speech and language, memory and attention, and even the ability to convey emotions vocally.

I believe music and other arts are among society's most compelling and effective pathways for offering our

children rich and fulfilling educational experiences. It is also important that we acknowledge the music educators who have instilled many generations of students with the gift of music. For these reasons, I am proud to introduce a resolution today recognizing June 24, 2011 through June 28, 2011 as National Music Education Week.

SENATE RESOLUTION 215—DESIGNATING THE MONTH OF JUNE 2011 AS “NATIONAL CYTOMEGALOVIRUS AWARENESS MONTH”

Ms. MIKULSKI (for herself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 215

Whereas congenital Cytomegalovirus (referred to in this preamble as “CMV”) is the most common congenital infection in the United States with 1 in 150 children born with congenital CMV;

Whereas congenital CMV is the most common cause of birth defects and childhood disabilities in the United States;

Whereas congenital CMV is preventable with behavioral interventions such as practicing frequent hand washing with soap and water after contact with diapers or oral secretions, not kissing young children on the mouth, and not sharing food, towels, or utensils with young children;

Whereas CMV is found in bodily fluids, including urine, saliva, blood, mucus, and tears;

Whereas congenital CMV can be diagnosed if the virus is found in urine, saliva, blood, or other body tissues of an infant during the first week after birth;

Whereas CMV infection is more common than the combined metabolic or endocrine disorders currently in the United States core newborn screening panel;

Whereas most people are not aware of their CMV infection status, with pregnant women being 1 of the highest risk groups;

Whereas the American College of Obstetricians and Gynecologists and the Centers for Disease Control and Prevention recommend that OB/GYNs counsel women on basic prevention measures to guard against CMV infection;

Whereas in 1999, the Institute of Medicine stated that development of a CMV vaccine was the highest priority for new vaccines;

Whereas the incidence of children born with congenital CMV can be greatly reduced with public education and awareness; and

Whereas a comprehensive understanding of CMV provides opportunities to improve the health and well-being of our children: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of June 2011 as “National Cytomegalovirus Awareness Month” in order to raise awareness of the dangers of Cytomegalovirus (“CMV”) and reduce the occurrence of congenital CMV infection; and

(2) recommends that more effort be taken to counsel women of childbearing age of the effect this virus can have on their children.

SENATE RESOLUTION 216—ENCOURAGING WOMEN’S POLITICAL PARTICIPATION IN SAUDI ARABIA

Mrs. BOXER (for herself and Mr. DEMINT) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 216

Whereas, on September 22, 2011, the Kingdom of Saudi Arabia is scheduled to hold its first nationwide municipal elections since 2005, with voter registration open as of April 23, 2011;

Whereas the Government of Saudi Arabia has announced—as it did in 2005—that women will be unable to run for elective office or vote;

Whereas, on March 28, 2011, president of the general committee for the election of municipal council members Abd al-Rahman Dahmash stated, “We are not prepared for the participation of women in the municipal elections now.”;

Whereas Foreign Minister of Saudi Arabia Prince Saud Al Faisal stated in an interview after the 2005 election that he assumed women would be allowed to vote in future elections, and that this would benefit the election process because women were “more sensible voters than men”;

Whereas the decision by the Government of Saudi Arabia to continue to disenfranchise women in the September 2011 municipal elections is inconsistent with a series of commitments made by the Government of Saudi Arabia;

Whereas, in January 2003, Saudi Arabia proposed to the League of Arab States the “Covenant for Arab Reform,” resulting in the adoption of the “Tunis Declaration” at the May 2004 Arab Summit, which declared, among other things, a “firm determination” to “pursue reform and modernization” by “widening women’s participation in the political, economic, social, cultural and educational fields”;

Whereas these declarations were reaffirmed at the Arab Summit in Algiers on March 23, 2005, and at the Riyadh Summit held in Saudi Arabia on March 28, 2007;

Whereas, in April 2009, Saudi Arabia ratified the Arab Charter on Human Rights, which states in article 24(3), “Every citizen has the right . . . to stand for election or choose his representatives in free and impartial elections, in conditions of equality among all citizens that guarantee the free expression of his will.”;

Whereas, on June 10, 2009, the Government of Saudi Arabia accepted the majority of the recommendations put forward by the United Nations Human Rights Council’s Working Group on the Universal Periodic Review including to “[a]bolish all legislation, measures and practices that discriminate against women. . . . In particular, to abolish legislation and practices which prevent women from participating fully in society on an equal basis with men,” and to “end the strict system of male guardianship and give full legal identity to Saudi women”;

Whereas the Government of Saudi Arabia has indicated that it is supportive of the human rights of women;

Whereas, in November 2010, Saudi Arabia was elected to the Executive Board of UN Women, emphasizing the commitment of the Government of Saudi Arabia to the rights of women;

Whereas ‘Abd al-Rahman Dahmash, the president of the general committee for the election of municipal council members, has stated that Saudi women will be granted the

right to vote in the next municipal elections scheduled to be held in 2015; and

Whereas, while the United States Government acknowledges the deep cultural and religious traditions and sentiments within Saudi society, without the right to vote on par with men, women in Saudi Arabia are denied not only a fundamental human right but also the ability to contribute fully to the economic development, modernization, and prosperity of their own country: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Saudi Arabia to allow women to participate, both as voters and candidates for elective office, in the September 2011 elections;

(2) supports the women of Saudi Arabia as they endeavor to exercise their human rights; and

(3) believes that it is in the interest of Saudi Arabia and all nations to permit women to run for office and vote in all elections.

SENATE CONCURRENT RESOLUTION 24—COMMEMORATING THE 75TH ANNIVERSARY OF THE DEDICATION OF SHENANDOAH NATIONAL PARK

Mr. WEBB (for himself and Mr. WARNER) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 24

Whereas the 75th anniversary of the dedication of Shenandoah National Park corresponds with the Civil War sesquicentennial, enriching the heritage of both the Commonwealth of Virginia and the United States;

Whereas in the early to mid-1920s, as a result of the efforts of the citizen-driven Shenandoah Valley, Inc. and the Shenandoah National Park Association, the congressionally appointed Southern Appalachian National Park Committee recommended that Congress authorize the establishment of a national park in the Blue Ridge Mountains of Virginia for the purpose of providing the western national park experience to the populated eastern seaboard;

Whereas, in 1935, the Secretary of the Interior, Harold Ickes, accepted the land deeds for what would become Shenandoah National Park from the Commonwealth of Virginia, and, on July 3, 1936, President Franklin D. Roosevelt dedicated Shenandoah National Park “to this and to succeeding generations for the recreation and re-creation they would find”;

Whereas the Appalachian Mountains extend through 200,000 acres of Shenandoah National Park and border the 8 Virginia counties of Albemarle, Augusta, Greene, Madison, Page, Rappahannock, Rockingham, and Warren;

Whereas Shenandoah National Park is home to a diverse ecosystem of 103 rare and endangered species, 1,405 plant species, 51 mammal species, 36 fish species, 26 reptile species, 23 amphibian species, and more than 200 bird species;

Whereas the proximity of Shenandoah National Park to heavily populated areas, including Washington, District of Columbia, promotes regional travel and tourism, providing thousands of jobs and contributing millions of dollars to the economic vitality of the region;

Whereas Shenandoah National Park, rich with recreational opportunities, offers 520 miles of hiking trails, 200 miles of which are designated horse trails and 101 miles of which are part of the 2,175-mile Appalachian National Historic Trail, more than 90 fishable streams, 4 campgrounds, 7 picnic areas, 3 lodges, 6 backcountry cabins, and an extensive, rugged backcountry open to wilderness camping to the millions of people who annually visit the Park;

Whereas the Park protects significant cultural resources, including—

(1) Rapidan Camp, once a summer retreat for President Herbert Hoover and now a national historic landmark;

(2) Skyline Drive, a historic district listed on the National Register of Historic Places;

(3) Massanutten Lodge, a structure listed on the National Register of Historic Places;

(4) 360 buildings and structures included on the List of Classified Structures;

(5) 577 significant, recorded archeological sites, 11 of which are listed on the National Register of Historic Places; and

(6) more than 100 historic cemeteries;

Whereas Congress named 10 battlefields in the Shenandoah Valley for preservation in the Shenandoah Valley Battlefields National Historic District and Commission Act of 1996 (section 606 of Public Law 104-333; 110 Stat. 4174), and Shenandoah National Park, an integral partner in that endeavor, provides visitors with outstanding views of pristine, natural landscapes that are vital to the Civil War legacy;

Whereas Shenandoah National Park also protects intangible resources, including aspects of the heritage of the people of the United States through the rigorous commitments of the Civilian Conservation Corps and the advancement of Civil Rights as Shenandoah's "separate but equal" facilities became the first to desegregate in Virginia;

Whereas, on October 20, 1976, Public Law 94-567 was enacted, designating 79,579 acres within Shenandoah National Park's boundaries as wilderness under the Wilderness Act (16 U.S.C. 1131 et seq.), which protects the wilderness character of the lands "for the permanent good of the whole people"; and

Whereas Congress should support efforts to preserve the ecological and cultural integrity of Shenandoah National Park, maintain the infrastructure of the Park, and protect the famously scenic views of the Shenandoah Valley; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) commemorates the 75th anniversary of the dedication of Shenandoah National Park; and

(2) acknowledges the historic and enduring scenic, recreational, and economic value of the Park.

AMENDMENTS SUBMITTED AND PROPOSED

SA 513. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 514. Mr. TOOMEY (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 679, supra.

SA 515. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 516. Mr. BAUCUS (for himself and Mr. HATCH) submitted an amendment intended to

be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 517. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 679, supra.

SA 518. Mr. CARPER submitted an amendment intended to be proposed by him to the resolution S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 513. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 53, lines 21 and 22, strike "in the competitive service".

On page 61, line 23, insert "for a term of seven years" after "Senate,".

SA 514. Mr. TOOMEY (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 63, strike lines 3 through 18.

SA 515. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 47, beginning on line 12, strike all through page 48, line 3.

On page 54, beginning on line 24, strike all through page 55, line 22.

SA 516. Mr. BAUCUS (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 47, beginning on line 12, strike all through "AMERICANS" on page 48, line 5.

On page 54, beginning on line 24, strike all through page 55, line 11.

On page 55, line 12, strike "(2)" and insert "(1)".

On page 55, line 23, strike "(3)" and insert "(2)".

SA 517. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON PRESIDENTIALLY APPOINTED POSITIONS.

(a) DEFINITIONS.—In this section—

(1) the term "agency" means an Executive agency defined under section 105 of title 5, United States Code; and

(2) the term "covered position" means a position in an agency that requires appointment by the President without the advice and consent of the Senate.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the

Government Accountability Office shall conduct a study and submit a report on covered positions to Congress and the President.

(c) CONTENTS.—The report submitted under this section shall include—

(1) a determination of the number of covered positions in each agency;

(2) an evaluation of whether maintaining the total number of covered positions is necessary;

(3) an evaluation of the benefits and disadvantages of—

(A) eliminating certain covered positions;

(B) converting certain covered positions to career positions or positions in the Senior Executive Service that are not career reserved positions; and

(C) converting any categories of covered positions to career positions;

(4) the identification of—

(A) covered positions described under paragraph (3)(A) and (B); and

(B) categories of covered positions described under paragraph (3)(C); and

(5) any other recommendations relating to covered positions.

SA 518. Mr. CARPER submitted an amendment intended to be proposed by him to the resolution S. Res. 116 to provide for expedited Senate consideration of certain nominations subject to advice and consent; which was ordered to lie on the table; as follows:

On page 7, strike line 5 and insert the following:

SEC. 4. COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.

The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by such committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

SEC. 5. EFFECTIVE DATE.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 23, 2011, at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 23, 2011, at 10 a.m., to conduct a hearing entitled "Reauthorization of the National Flood Insurance Program, Part II."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to

meet during the session of the Senate on June 23, 2011, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Health Care Entitlements: The Road Forward."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 23, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 23, 2011, at 10 a.m., to hold a hearing entitled, "Evaluating Goals and Progress in Afghanistan and Pakistan."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on June 23, 2011, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Stories From the Kitchen Table: How Middle Class Families are Struggling to Make Ends Meet."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 23, 2011, at 10 a.m. to conduct a hearing entitled "Federal Regulation: A Review of Legislative Proposals."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 23, 2011, at 2:15 p.m., in room 5D-628 of the Dirksen Senate Office Building to conduct a hearing entitled "The Indian Reorganization Act—75 Years Later: Renewing our Commitment to Restore Tribal Homelands and Promote Self-Determination."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Sen-

ate, on June 23, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 23, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 23, 2011, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power be authorized to meet during the session of the Senate on June 23, 2011, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WESTERN HEMISPHERE, PEACE CORPS, AND GLOBAL NARCOTICS AFFAIRS AND THE SUBCOMMITTEE ON INTERNATIONAL DEVELOPMENT AND FOREIGN ASSISTANCE, ECONOMIC AFFAIRS, AND INTERNATIONAL ENVIRONMENTAL PROTECTION

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Subcommittee on Western Hemisphere, Peace Corps, and Global Narcotics Affairs and the Subcommittee on International Development and Foreign Assistance, Economic Affairs, and International environmental Protection be authorized to meet during the session of the Senate on June 23, 2011, at 2:15 p.m., to conduct a hearing entitled "Rebuilding Haiti in the Martelly Era."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Nicole Winters-Brown, a legal intern with Homeland Security and Governmental Affairs Committee, be granted the privilege of the floor for the duration of the debate on S. 679.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 10 a.m., Tuesday,

June 29, 2011, the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 62, 110, and 145, with all other provisions of the previous unanimous consent agreement remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CYTOMEGALOVIRUS AWARENESS MONTH

Mr. REID. Mr. President, I ask that the Senate proceed to the consideration of S. Res. 215.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 215) designating the month of June 2011 as "National Cytomegalovirus Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 215) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 215

Whereas congenital Cytomegalovirus (referred to in this preamble as "CMV") is the most common congenital infection in the United States with 1 in 150 children born with congenital CMV;

Whereas congenital CMV is the most common cause of birth defects and childhood disabilities in the United States;

Whereas congenital CMV is preventable with behavioral interventions such as practicing frequent hand washing with soap and water after contact with diapers or oral secretions, not kissing young children on the mouth, and not sharing food, towels, or utensils with young children;

Whereas CMV is found in bodily fluids, including urine, saliva, blood, mucus, and tears;

Whereas congenital CMV can be diagnosed if the virus is found in urine, saliva, blood, or other body tissues of an infant during the first week after birth;

Whereas CMV infection is more common than the combined metabolic or endocrine disorders currently in the United States core newborn screening panel;

Whereas most people are not aware of their CMV infection status, with pregnant women being 1 of the highest risk groups;

Whereas the American College of Obstetricians and Gynecologists and the Centers for Disease Control and Prevention recommend that OB/GYNs counsel women on basic prevention measures to guard against CMV infection;

Whereas in 1999, the Institute of Medicine stated that development of a CMV vaccine was the highest priority for new vaccines;

Whereas the incidence of children born with congenital CMV can be greatly reduced with public education and awareness; and

Whereas a comprehensive understanding of CMV provides opportunities to improve the health and well-being of our children: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of June 2011 as “National Cytomegalovirus Awareness Month” in order to raise awareness of the dangers of Cytomegalovirus (“CMV”) and reduce the occurrence of congenital CMV infection; and

(2) recommends that more effort be taken to counsel women of childbearing age of the effect this virus can have on their children.

MEASURES READ THE FIRST TIME—S. 1276, H.R. 2021

Mr. REID. Mr. President, I am told there are two bills at the desk. I ask for their first reading en bloc.

The clerk will read the titles of the bills for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1276) to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, to rescind related appropriated amounts, and for other purposes.

A bill (H.R. 2021) to amend the Clear Air Act regarding air pollution from Outer Continental Shelf activities.

Mr. REID. Mr. President, I now ask for a second reading but object to my own request to both of those bills.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, JUNE 27, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. Monday, June 27; that following the prayer and pledge, the Journal of proceedings approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 6 p.m. with Senators permitted to speak for up to 10 minutes each; further, that Senator SANDERS be recognized at 4 p.m. for up to 90 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, as announced previously, there will be no rollcall votes on Monday. The first

vote of the week will be on Tuesday, June 28, at noon on confirmation of the Cole nomination.

ADJOURNMENT UNTIL MONDAY, JUNE 27, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:55 p.m., adjourned until Monday, June 27, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JENNIFER GUERIN ZIPPS, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE JOHN M. ROLL, DECEASED.

ROSEMARY MARQUEZ, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE FRANK R. ZAPATA, RETIRED.

DEPARTMENT OF JUSTICE

STEVEN R. FRANK, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE THOMAS M. FITZGERALD, TERM EXPIRED.

MARTIN J. PANE, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE MICHAEL ROBERT REGAN, TERM EXPIRED.

DAVID BLAKE WEBB, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE GARY EDWARD SHOVLIN, RESIGNED.

HOUSE OF REPRESENTATIVES—Thursday, June 23, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FITZPATRICK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 23, 2011.

I hereby appoint the Honorable MIKE FITZPATRICK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

TROOP WITHDRAWAL FROM AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it's time, after a decade, to wind down this American-Afghanistan adventure. With his speech last night, President Obama started a process America needs to accelerate, removing 100,000 combat troops from Afghanistan.

I supported the initial move 10 years ago against the Taliban in Afghanistan. It began on a very hopeful note, even with nations like Iran working with the United States in that critical 2001–2002 post-9/11 era.

It was a tragic mistake not to finish the job and withdraw with global support. Instead, the Bush administration, sadly, with support from too many in Congress, started a reckless, flawed and ultimately tragic war in Iraq.

President Obama reasonably says that we won't try to make Afghanistan a perfect place. We won't because we can't. America has already invested enough, direct costs of over 1,500 American lives, approaching one-half tril-

lion dollars. Indirect and long-term will be much greater. Bear in mind, we have invested \$2 trillion in the war against terror, and the long-term costs are going to be between \$4 trillion and \$6 trillion.

In Afghanistan, ultimately there will be a negotiated settlement with the least, worst guys, the Taliban and warlords, assorted tribal strongmen. It's already started.

We cannot afford to continue this effort, not when crying needs are here in America to rebuild and renew our country.

Last week, the American mayors got it right when they called this question and called for renewed investment here at home. The tragedy is that it's not ultimately going to make that much difference the longer we're there and the more we fight. Whether it's going to be 1 year, 2 years, 10 years, far in the future, it's not going to look that much different in terms of the ultimate outcome in Afghanistan.

America needs to be engaged in this dangerous region. It needs to help Afghanistan. It needs to help the Pakistani people. It needs to be involved, both diplomatically and with development assistance. No longer do we need to have combat troops being a part of that mission.

REPUBLICAN WOMEN IN CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, earlier this week my Republican female colleagues spent an hour on the floor of this great Chamber talking about why they have chosen to come to Congress, talking about why they have chosen to leave the private sector and come to the public sector, and talked about why it is so important, so vitally important that they chose to come as Republican women.

I think that as you listened to that debate, their stories were inspiring. You realized the diversity of the background of the Republican women that have come to this Chamber, the richness of the experiences, the life experiences that they have brought with them. You also realized how solidly and firmly committed they are to strengthening and preserving this great Nation.

I think it's fair to say that our Republican philosophy of government

centers on faith, family, freedom, hope, opportunity, and preserving those tenets that really underpin this Nation.

I can say that, as a wife, a mother, a grandmother, a small business owner, I've had the blessing of learning firsthand how very important it is that we take our conservative philosophy of life and government into the public sector of our Nation. Daily we work to preserve opportunities for all of our children and our grandchildren.

We work to make certain that each and every child in our presence knows the value of, and realizes there is an opportunity for them to achieve the American Dream; that it is a good thing, a healthy thing for them to dream big dreams and to work very hard to make those dreams come true.

We know, and we teach our children in our families and our extended families, in our classrooms, that if you work hard, you exercise discipline, you show integrity, and you put others first, that inevitably, you're going to prevail and enjoy seeing your dreams come true in the marketplace of products and ideas.

We all know, and we work hard so that our children don't have to work harder. We work hard so that we're giving more opportunities to the next generation.

That is why you're going to see our Republican Conference women continue to lead the fight on preserving jobs, rebuilding jobs, rebuilding this economy, making certain that the 21st century economy is jobs-rich for our children and our grandchildren.

That is why we have taken the lead on the issue of health care. Women are the drivers when it comes to health care decisions, and we are committed to making certain that we reverse this course that we are on with ObamaCare, that we push to repeal that law, and that we make certain we preserve access to affordable health care for everyone in this Nation.

We are committed to strengthening our Nation, our economy, jobs, strengthening our people, and making certain that we secure freedom for future generations.

REINSTATING THE DRAFT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. My colleagues, once again I come before this House to ask you to reconsider establishing the draft. I know some of you think politically this doesn't make sense. But

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

after listening to the President last night, the only people that I saw that were making sacrifices in these wars that have been undeclared have been our troops. They have volunteered. They come from communities that most of them are not wealthy. But when they get there, they defend the flag.

Every war, every time our Nation is threatened, all of the American people should be prepared to make some sacrifice. Those of us in Congress, when we authorize troops to go overseas, should not say that we have volunteers willing to do it. We should say that we have Americans; they come from our families, our communities, our States, and their wealth should not even be an issue. Everyone should be up at bat.

□ 1010

Now that the President has dramatically reduced the need for all of these volunteers, why don't we mandate that every American make some sacrifice. Let them be trained during this transition as we withdraw our troops. Let them be able to do something to make certain that America remains strong.

This is too serious an issue. It's not a Democrat or Republican issue; it's a moral issue. Trillions of dollars are spent on undeclared wars, but who's paying for it? The poorest among us, the lesser among us—in health care, in education, in homelessness, in joblessness. And now the wealthiest of Americans have the lowest tax rates since 1950. And really, it just bothers people when you say they, too, should make some sacrifices, not just for the war that I don't support, but for the security, the economic security of this Nation, where the debt ceiling is going to be an issue, and yet those that are paying for the cuts have nothing to do with the crisis that we're in.

So I conclude, I'll be back in support of H.R. 1152. And I will ask you to consider that as we wind down from our involvement in the Middle East, think about giving some relief to our volunteers. Think about asking young Americans to make some type of commitment. Think about having an America that says, yes, I support the involvement and am prepared to make sacrifices, which includes my family, my community, and our great Nation.

We should not just have professional volunteers; it is not American, it is not moral. When our country is involved, everyone should be prepared either to stand up and be counted or don't support this type of involvement. It is not just costly financially, but how America looks throughout the world, especially among our young people—most of whom do not know any period of time that we haven't been involved in a war.

So if we're not prepared to be honest enough to call a war a war, if we're not prepared to have the Congress put

every President, Republican or Democrat, on the line for constitutional reasons, for God's sake, let's find some fairness as we ask people to put their lives on the line for our great Nation. And it's not just their lives, it's not just how they come back home, but the mental disturbance and problems that we are bringing to our great country is going to be not just trillions of dollars but adversely affect our ability to deal with education and training and technology and research while we try so desperately hard to bring these people to some type of normality for the sacrifices they've made to our country.

So H.R. 1152 only says, if we have to be involved, don't have just a small segment of our great Nation pay the ultimate sacrifice while others make no sacrifice at all. Please consider a bill that mandates that everybody from 18 to 25, 26 do some type of mandatory service for our great country, and we will only select those people that we need for the military. And if indeed it is a transition that we support, it means that they can support our country, our national security, support our Armed Forces, and not really—hopefully—be in harm's way.

Please consider it, and please rest assured I will return with this plea from time to time. I thank this House for the opportunity.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Pate, one of his secretaries.

THE FAIR TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Mr. Speaker, I am pleased to rise today after the former chairman of the Ways and Means Committee. I want to talk about taxes today, but I want to associate myself with the previous speaker's comments about how we make different decisions when we have skin in the game because that is absolutely something that we are losing in this country. We are losing what used to be that common value that we rise and we fall together.

I see my colleague from the Rules Committee, Mr. MCGOVERN, sitting in the Chamber today. And he tells the committee on a regular basis that we need to pay for those things that we do. We're involved in wars, and we need to pay. We need to have a populace that believes in what we're doing in such a way that they are willing to sacrifice not just their time but their treasure to support those measures. When we don't have folks who have skin in the game, we make different decisions. When a minority of the folks get the benefit or a minority of the folks are

bearing the burden, we make different decisions.

Now the former chairman of the Ways and Means Committee is absolutely right; we have the lowest tax rates among the highest earning individuals that we've had in this country since 1950. Now what the gentleman did not mention is that we also have the lowest tax rates that we've had in this country for the lowest income individuals that we've ever had. We have fewer Americans paying income tax today than at any time since the 1950s, since the expansion of the income tax that happened during World War II, and I hear that. We have the wealthiest paying the least that they have ever paid as a percent, as a marginal rate. They're actually paying more than they've ever paid as a percentage of all the Federal receipts in this country. We have the lowest income individuals paying the least they've ever paid as a percentage of the income that comes into this country. And I say to you, Mr. Speaker, that much like we make bad decisions about foreign policy when we don't all have skin in the game, we make bad decisions about economic policy when we don't have skin in the game.

Now when we talk about Iraq and Afghanistan, I'll tell you, Mr. Speaker, those are complicated solutions. It is not obvious to me how we move from today to peace. I don't know how we get that done. We have externalities at play there that we don't have control over, but not so with our Tax Code. Folks, when you look at the American economy, there is nothing that is going on with the American economy that we did not do to ourselves. Think about that. Mr. Speaker, do you have any constituents back home who have lost their jobs to corporations that have moved overseas? I do. And yet we continue to have the highest corporate tax rate in the world in America. Now who decides that? We do. We decide that's the kind of country we want to live in, and we can change it. Folks, there is nothing wrong with America that we collectively can't fix.

Now I've introduced a bill that I believe is going to make a dramatic impact in that direction. It's called the Fair Tax. It's H.R. 25 in the House, it's S. 13 in the Senate. And Mr. Speaker, as you know, it is the most broadly cosponsored piece of tax reform legislation in either body. In fact, it is the most widely cosponsored piece of legislation on tax reform in both bodies. And what the Fair Tax does is this—it's no magic solution, Mr. Speaker; it doesn't have some sort of clever math that's going to make everything okay. It simply goes into the American Tax Code and erases it. It says, if you could start with a blank sheet of paper, what would you do?

And Mr. Speaker, we can. We can start with a blank sheet of paper. We

can choose our own destiny. We can make sure that we're making the best decisions for jobs and the economy in this country. The Fair Tax does this. It will eliminate the income tax code, that income tax code that punishes people for what they earn, and it changes that Tax Code with a Tax Code that collects taxes based on what people spend.

I'll tell you, Mr. Speaker, it pains me every time I open up *The Wall Street Journal* and it bemoans the fact that American consumerism is in decline. Why can't we celebrate American savings? Why do we have to celebrate American consumption? The reason is because we have been building an economy based on an income tax code that is based on debt and refinancing and debt and refinancing, but we can change that today, Mr. Speaker. We have 1 billion new consumers coming online in China, 1 billion new consumers coming online in India, and they want what we produce.

The Fair Tax erases the income tax code that forces American productivity overseas, forces American jobs overseas, and it returns us to our roots as a country, our roots as a country that reward productivity, that encourage folks to stay.

□ 1020

There is only one taxpayer in this country. I know we have a corporate income tax. I know we have taxes on goods and services and excise taxes, and on and on and on. But there is only one taxpayer in the American economy, and that is the American consumer, because every single tax we have rolls downhill.

Do you want to charge that corporation tax? Do you want to charge Wal-Mart an excise tax? What do you think is going to happen at Wal-Mart? Prices are going to go up. Do you want to charge Coke a sugar tax? What do you think is going to happen to the price of your Coke? The price of Coke is going to go up. There is one taxpayer in this country, the American consumer.

That is a radical idea, I won't kid you. And by radical I mean it is the same one Thomas Jefferson had. By radical I mean it is the same one Alexander Hamilton had. By radical I mean we haven't done it in the last 100 years. But we can do it today, Mr. Speaker, with H.R. 25 and S. 13.

CHANGE COURSE NOW IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, last night the President outlined his strategy for Afghanistan, which included a drawdown of 10,000 troops by the end of this year and an additional 23,000 by

the end of next year. I believe this is insufficient and I fear that it means more of the same for the next 18 months. The same strategy means the same costs, and I am sad to say even more casualties, more American soldiers losing their lives in support of an Afghan government that is terribly corrupt and incompetent.

We have been doing this for 10 years. It is the longest war in our history, Mr. Speaker. Enough. Our focus should be on encouraging a negotiated settlement, a political solution, and bringing our troops home where they belong. Our troops are incredible men and women. I am in awe of their dedication and their commitment. They don't belong in the middle of mountains and deserts fighting a cruel war.

According to the Pentagon's own figures, U.S. and coalition casualties in Afghanistan are steadily rising. Last month was a record high for the number of coalition forces killed. March and April were also the worst respective months of the war in terms of casualties for U.S. forces, coalition forces, and Afghan civilians.

A poll last month by the International Council on Security and Development found that Afghans are overwhelmingly opposed to the current U.S. strategy, with nearly eight in 10 believing that U.S. and coalition operations are "bad for their country." These are serious matters, serious consequences of the strategy the U.S. will pursue at least through next year.

We need a change in direction now, Mr. Speaker, not 18 months from now. We are borrowing nearly \$10 billion a month to pay for military operations in Afghanistan. Borrowing. We are not paying for it. We are putting it on our national credit card. Our kids and our grandkids will pay the price. Each day we remain in Afghanistan increases that burden.

We currently are having debates about how to reduce our deficit and debts. There are some who have advocated deep cuts in programs that help the poor, in Pell Grants, and in infrastructure. For those who support the status quo in Afghanistan, let me ask, where is the sense in borrowing money to build a bridge or a school in Afghanistan that later gets blown up, while telling our cities and towns that we have no money to help them with their needs? It is nuts. Some of our biggest problems, Mr. Speaker, are not halfway around the world. They are halfway down the block.

Americans are willing to do whatever is necessary to ensure our national security, but let me remind my colleagues that national security includes economic security. It means jobs. It means rather than nation-building in a far-off land, we need to do some more nation-building right here at home.

Contrary to the tired and ugly rhetoric employed by Senator McCain yes-

terday towards thoughtful critics of our current strategy in Afghanistan and its consequences, I am not an isolationist. As my colleagues know, I firmly support human rights and the U.S. being engaged around the world. Those who advocate a political solution in Afghanistan are not isolationists.

I don't believe we should walk away from the Afghan people, but tens of thousands of U.S. boots on the ground in Afghanistan does little in my view to advance the cause of peace, protect the rights of women and ethnic minorities or strengthen civil society. If you want to protect Afghan women, we must end the violence. You end the violence by ending the war. You end the war through a political solution.

I have great respect for President Obama. I believe he has the potential to be a great President. I also realize, as Lyndon Johnson once said, "It's easy to get into war—hard as hell to get out of one." It is not easy to end this war. It won't be neat or pretty, but I believe with all my heart it is in our national security interest to focus on al Qaeda and not waste our precious blood and treasure in a conflict that can only be ended through a political solution.

Rather than crafting a compromise and trying to chart a middle course, I believe we need to change course. I urge the President of the United States to rethink our Afghan policy, rethink it in a way that brings our troops home sooner rather than later.

[From the Washington Post, June 9, 2011]

A PLAN FOR AFGHANISTAN: DECLARE VICTORY—AND LEAVE (By Eugene Robinson)

Slender threads of hope are nice but do not constitute a plan. Nor do they justify continuing to pour American lives and resources into the bottomless pit of Afghanistan.

Ryan Crocker, the veteran diplomat nominated by President Obama to be the next U.S. ambassador in Kabul, gave a realistic assessment of the war in testimony Wednesday before the Senate Foreign Relations Committee. Here I'm using "realistic" as a synonym for "bleak."

Making progress is hard, Crocker said, but "not impossible."

Not impossible.

What on earth are we doing? We have more than 100,000 troops in Afghanistan risking life and limb, at a cost of \$10 billion a month, to pursue ill-defined goals whose achievement can be imagined, but just barely?

The hawks tell us that now, more than ever, we must stay the course—that finally, after Obama nearly tripled U.S. troop levels, we are winning. I want to be fair to this argument, so let me quote Crocker's explanation at length:

"What we've seen with the additional forces and the effort to carry the fight into enemy strongholds is, I think, tangible progress in security on the ground in the south and the west. This has to transition—and again, we're seeing a transition of seven provinces and districts to Afghan control—to sustainable Afghan control. So I think you can already see what we're trying to do—in

province by province, district by district, establish the conditions where the Afghan government can take over and hold ground."

Sen. Jim Webb (D-Va.), a Vietnam veteran and former secretary of the Navy, pointed out the obvious flaw in this province-by-province strategy. "International terrorism—and guerrilla warfare in general—is intrinsically mobile," he said. "So securing one particular area . . . doesn't necessarily guarantee that you have reduced the capability of those kinds of forces. They are mobile; they move."

It would require far more than 100,000 U.S. troops to securely occupy the entire country. As Webb pointed out, this means we can end up "playing whack-a-mole" as the enemy pops back up in areas that have already been pacified.

If our intention, as Crocker said, is to leave behind "governance that is good enough to ensure that the country doesn't degenerate back into a safe haven for al-Qaeda," then there are two possibilities: Either we'll never cross the goal line, or we already have.

According to NATO's timetable, Afghan forces are supposed to be in charge of the whole country by the end of 2014. Will the deeply corrupt, frustratingly erratic Afghan government be "good enough" three years from now? Will Afghan society have banished the poverty, illiteracy and distrust of central authority that inevitably sap legitimacy from any regime in Kabul? Will the Afghan military, whatever its capabilities, blindly pursue U.S. objectives? Or will the country's civilian and military leaders determine their self-interest and act accordingly?

Democrats on the Senate Foreign Relations Committee issued a report this week warning that the nearly \$19 billion in foreign aid given to Afghanistan during the past decade may, in the end, have little impact. "The unintended consequences of pumping large amounts of money into a war zone cannot be underestimated," the report states.

The fact is that in 2014 there will be no guarantees. Perhaps we will believe it incrementally less likely that the Taliban could regain power and invite al-Qaeda back. But that small increment of security does not justify the blood and treasure that we will expend between now and then.

I take a different view. We should declare victory and leave.

We wanted to depose the Taliban regime, and we did. We wanted to install a new government that answers to its constituents at the polls, and we did. We wanted to smash al-Qaeda's infrastructure of training camps and havens, and we did. We wanted to kill or capture Osama bin Laden, and we did.

Even so, say the hawks, we have to stay in Afghanistan because of the dangerous instability across the border in nuclear-armed Pakistan. But does anyone believe the war in Afghanistan has made Pakistan more stable? Perhaps it is useful to have a U.S. military presence in the region. This could be accomplished, however, with a lot fewer than 100,000 troops—and they wouldn't be scattered across the Afghan countryside, engaged in a dubious attempt at nation-building.

The threat from Afghanistan is gone. Bring the troops home.

[From the Washington Post]

TIME TO GET OUT OF AFGHANISTAN

(By George F. Will)

"Yesterday," reads the e-mail from Allen, a Marine in Afghanistan, "I gave blood because a Marine, while out on patrol, stepped

on a [mine's] pressure plate and lost both legs." Then "another Marine with a bullet wound to the head was brought in. Both Marines died this morning."

"I'm sorry about the drama," writes Allen, an enthusiastic infantryman willing to die "so that each of you may grow old." He says: "I put everything in God's hands." And: "Semper Paratus!"

Allen and others of America's finest are also in Washington's hands. This city should keep faith with them by rapidly reversing the trajectory of America's involvement in Afghanistan, where, says the Dutch commander of coalition forces in a southern province, walking through the region is "like walking through the Old Testament."

U.S. strategy—protecting the population—is increasingly troop-intensive while Americans are increasingly impatient about "deteriorating" (says Adm. Mike Mullen, chairman of the Joint Chiefs of Staff) conditions. The war already is nearly 50 percent longer than the combined U.S. involvements in two world wars, and NATO assistance is reluctant and often risible.

The U.S. strategy is "clear, hold and build." Clear? Taliban forces can evaporate and then return, confident that U.S. forces will forever be too few to hold gains. Hence nation-building would be impossible even if we knew how, and even if Afghanistan were not the second-worst place to try: The Brookings Institution ranks Somalia as the only nation with a weaker state.

Military historian Max Hastings says Kabul controls only about a third of the country—"control" is an elastic concept—and "our" Afghans may prove no more viable than were "our" Vietnamese, the Saigon regime." Just 4,000 Marines are contesting control of Helmand province, which is the size of West Virginia. The New York Times reports a Helmand official saying he has only "police officers who steal and a small group of Afghan soldiers who say they are here for 'vacation.'" Afghanistan's \$23 billion gross domestic product is the size of Boise's. Counterinsurgency doctrine teaches, not very helpfully, that development depends on security, and that security depends on development. Three-quarters of Afghanistan's poppy production for opium comes from Helmand. In what should be called Operation Sisypheus, U.S. officials are urging farmers to grow other crops. Endive, perhaps?

Even though violence exploded across Iraq after, and partly because of, three elections, Afghanistan's recent elections were called "crucial." To what? They came, they went, they altered no fundamentals, all of which militate against American "success," whatever that might mean. Creation of an effective central government? Afghanistan has never had one. U.S. Ambassador Karl Eikenberry hopes for a "renewal of trust" of the Afghan people in the government, but the Economist describes President Hamid Karzai's government—his vice presidential running mate is a drug trafficker—as so "inept, corrupt and predatory" that people sometimes yearn for restoration of the warlords, "who were less venal and less brutal than Mr. Karzai's lot."

Mullen speaks of combating Afghanistan's "culture of poverty." But that took decades in just a few square miles of the South Bronx. Gen. Stanley McChrystal, the U.S. commander in Afghanistan, thinks jobs programs and local government services might entice many "accidental guerrillas" to leave the Taliban. But before launching New Deal 2.0 in Afghanistan, the Obama administration should ask itself: If U.S. forces are there

to prevent reestablishment of al-Qaeda bases—evidently there are none now—must there be nation-building invasions of Somalia, Yemen and other sovereignty vacuums?

U.S. forces are being increased by 21,000, to 68,000, bringing the coalition total to 110,000. About 9,000 are from Britain, where support for the war is waning. Counterinsurgency theory concerning the time and the ratio of forces required to protect the population indicates that, nationwide, Afghanistan would need hundreds of thousands of coalition troops, perhaps for a decade or more. That is inconceivable.

So, instead, forces should be substantially reduced to serve a comprehensively revised policy: America should do only what can be done from offshore, using intelligence, drones, cruise missiles, airstrikes and small, potent Special Forces units, concentrating on the porous 1,500-mile border with Pakistan, a nation that actually matters.

Genius, said de Gaulle, recalling Bismarck's decision to halt German forces short of Paris in 1870, sometimes consists of knowing when to stop. Genius is not required to recognize that in Afghanistan, when means now, before more American valor, such as Allen's, is squandered.

AMERICAN ANGELS ABROAD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, we have a group of people in the United States who are all volunteers that I call the American Angels Abroad. They are those thousands of Peace Corps volunteers throughout the world that are helping Third World countries in many different ways. They go to remote areas of the world, far from home, far from their families. They work in very primitive conditions. Yet there are those angels that are trying to help other people throughout the world, and they are called the Peace Corps volunteers.

The Peace Corps started as an idea of President Kennedy back in 1960 when he spoke to the University of Michigan and encouraged those students to volunteer to help America abroad. Finally, in 1961 he started the Peace Corps. Since then, over 200,000 Americans, mainly young people, mainly females, have volunteered to go around the world representing the United States.

It is very hard work being a Peace Corps volunteer. They deal with issues that most Americans never deal with. Just simple basic necessities such as electricity and water and matters such as that, they do without, or they are difficult to find in the remote areas where they are because they are helping other people that don't have those things we have in the United States. Generally, they work alone when they are in foreign countries.

But all is not well with the Peace Corps, Mr. Speaker, because during the time since President Kennedy started the Peace Corps and those wonderful people go overseas, many times those

volunteers, those young Americans, become victims of crime in these foreign countries; and when they become victims of crime, in some cases our own country abandons them.

Between 2000 and 2009, the Peace Corps itself says there were over 221 rapes and attempted rapes, almost 150 major sexual attacks and 700 other sexual assaults. That is 1,000 crimes against American Peace Corps volunteers. Recently, the Peace Corps has announced that there is an average of 22 rapes a year against American Peace Corps volunteers somewhere in another country.

This is not acceptable, Mr. Speaker. We are talking about real people. They are real stories and they are real victims.

I would like to mention just one of those persons that I know personally. I have got to know Jess Smoczek since this crime against her has occurred. She joined the Peace Corps in 2004. On her first day as a Peace Corps volunteer in Bangladesh, a group of men started sexually groping her as she was walking to the house that she was to live in. But no one in the Peace Corps did anything about this assault. She told the Peace Corps staff over and over again that she felt unsafe in Bangladesh and the situation she was in, but the Peace Corps didn't do anything.

Months later, she came in contact with the same men, who then kidnapped her. They beat her. They sexually assaulted her. But they weren't through. They abandoned her and threw her in an alley somewhere in Bangladesh. And no one did anything.

According to Jess, the Peace Corps did everything they could to cover this up because they seemed to be more worried about America's relationship with Bangladesh than they were about this American volunteer that was assaulted, a victim of crime. Jess says that the Peace Corps not only didn't do anything, they blamed her for the conduct of others. They blamed her for being a sexual assault victim.

Mr. Speaker, a rape victim is never to be blamed for the crime that is committed against her. It is the fault of the criminal offender, whether it occurs in the United States or abroad. We need to understand that these precious people who go overseas and represent us somewhere in the world, when a crime is committed against them, we need to take their side. We need to be supportive of those individuals. And we don't assume they did anything wrong, because they did not do anything wrong when they became a victim of crime. They were just victims of crime, and the person that should be held accountable is the criminal, and not to blame the victim.

Mr. Speaker, rape is never the fault of the victim. It is always the fault of the perpetrator.

But Jess got no satisfaction from the Peace Corps. No one did anything. When she got home, she was told to tell other people that she was coming back to the United States for medical reasons, to have her wisdom teeth pulled, not for the sexual assault that was committed against her.

□ 1030

This was Jess's case. A few others were brought to light recently by ABC News and 20/20. And now, more and more of these Peace Corps volunteers over the years are coming forward and telling us about their stories. Mainly, they are women. We recently had a hearing in Foreign Affairs about this situation. Their stories were heart-wrenching. So now it's time to pass legislation to protect these women and to give them basic victim services, and that is what we will be doing in the next few days, along with the Senate.

Mr. Speaker, people cry, Peace, peace, but there can be no peace for American angels abroad until they are treated with the dignity that they deserve and the support of the United States. We need to help the Peace Corps readjust itself to become a better institution.

And that's just the way it is.

A MISSED OPPORTUNITY FOR AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, like many Americans, I was profoundly disappointed in President Obama's announcement last night. I had hoped that he would offer an Afghanistan troop drawdown that was significant, swift, and sizable. Sadly, the proposal failed on all three counts. Now is the time for bold action and decision-making to bring our Nation's Afghanistan policy in line with what the American people want, while recognizing the deep and grave toll this war has taken on our global credibility and our national security. Instead, the administration's choice was to largely stay the course. Instead, President Obama chose to perpetuate a war that is not only bankrupting us morally but fiscally as well. The loss of blood and treasure cannot be underestimated.

The American people have been enormously patient, Mr. Speaker. They have endured great sacrifice. But after nearly a decade of war, they're weary of losing their bravest men and women and their hard-earned tax dollars to a policy that simply has not achieved its goals.

We are not more secure. The Afghanistan leadership wants us out and their people do not appreciate our sacrifice. This is not a partisan issue. When asked, the majority of Americans want

our troops to come home. And not several years into the future. No, they want our troops to come home now.

Abandoning this military policy does not mean that we will abandon the people of Afghanistan. A smart security plan would provide for development and reconciliation. It would bring the international community together and help the Afghan people move towards a sustainable future through economic and domestic support, among other means.

Mr. Speaker, more than 1,600 lives have been lost. Where will it end? When will our sons and daughters, mothers and fathers, friends and people we know in the community come home from Afghanistan? How many empty chairs are there at the dinner table tonight? When will the heartbreak end?

Let's talk about the economic cost. My colleagues on the other side of the aisle like to talk about dollars and cents, about how this and other actions we take are costing us too much money. Well, while we stand here, money is flying out of our Treasury to support this war. Try \$10 billion a month. Imagine what we could do with \$10 billion a month. Just last week, this House voted to take food from the mouths of pregnant women and their children. We're supposed to pinch pennies on important investments like our children and other American projects while we waste huge sums on a failed war. This boggles the mind and it shortchanges the needs we have right here at home.

It is long past time, Mr. Speaker, that we put an end to this madness. It is time to bring our troops home—all of our troops—safely home.

VICTORY IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. There's something that I'll personally never forget. That occurred in April, 2007. I'll get to why that is something I'll never forget in a second. That's when the majority leader, Senator HARRY REID, said of Iraq, "I believe myself that the Secretary of State, Secretary of Defense and—you have to make your own decisions as to what the President knows—know this war is lost and that the surge is not accomplishing anything, as indicated by the extreme violence in Iraq."

As in 2007, Senate Majority Leader REID was in a rush to the exits in Iraq and a rush to declare the war had been lost. Why was that important to me? Because I was in Afghanistan at that time—or a nation by Afghanistan—getting ready to fly a KC-135 aircraft into combat in Afghanistan. As I was on the treadmill exercising, I saw what the number four most powerful guy in politics said, and I felt it in my soul. I felt

anger. I knew that there was celebrating in the caves in Iraq and in the caves in Afghanistan because the United States said we were going to lose. Well, guess what? It took the brave leadership of somebody to say we will not lose in Iraq and we're on the verge of victory. We had a surge in Iraq. And today, it appears to be a more stabilizing situation, and hopefully in 10 years Iraq will be an example of democracy in the Middle East.

Last night, I heard the President say nothing of the word victory in Afghanistan but talked about how this is the beginning of the end. General McChrystal recommended to the President that to win in Afghanistan, we need 80,000 additional troops. Mr. President, at a bare minimum, we need 40,000 additional troops. The President gave 30,000. And in giving the 30,000, he immediately gave a timeline for withdrawal.

Now, I will tell you the Taliban are used to fighting for long periods of time, and they know that if they simply have to wait a couple of years, that is an encouragement to them. But I supported and support what the President was doing in Afghanistan up until last night, even though I believe he should have given the troops required for victory. But last night I saw that all the surge troops are going to be pulled out of Afghanistan, magically, by Election Day. As a military pilot and an Air National Guard pilot, I can tell you the soldiers are weary of war. The American people are weary of war. But leadership is not about saying, We're tired, we're going to quit. It's about standing up for freedom and standing against those that would destroy our way of life.

I was in Afghanistan just a month ago talking to generals on the ground who say we literally have turned a corner in Afghanistan. It is bewildering to me that yesterday we send a message that we're wrapping this thing up and it's the beginning of the end before we have seen that victory arrive. Let me ask you, do you believe last night in the President's speech that the Taliban was sad to hear what he was saying or that they were happy to hear it?

Ladies and gentlemen, just as Senate Majority Leader HARRY REID couldn't have been in a bigger hurry for the exits to Iraq, he was proven wrong. So, too, if we stick this out will those that say we cannot win be proven wrong again. America has a vested interest in seeing an Afghanistan that can stand up against terrorism, that can begin to defend itself against terrorists who seek to overthrow their country, who seek to overthrow Pakistan, and can do so with limited U.S. help. That is how we begin to see victory. Or, we can just give up.

I can tell you that as a military member and the military members I've talked to, we don't want to have to be

there another day. But we also don't want to come home in any condition less than total victory. Let us finish the job. Let the generals on the ground have the tools they need to finish the job. How we get good news and turn that into an immediate pullout of Afghanistan is beyond me.

Mr. President, I did not hear you once last night mention the word "victory" in your speech. I hope that was a needless and sad omission from your speech and did not reflect what you believe in Afghanistan. Ladies and gentlemen, we can win. America only loses when we choose to. America will win in Afghanistan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

□ 1040

FAILED DRUG WAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. POLIS) for 5 minutes.

Mr. POLIS. Mr. Speaker, it's hard to believe that the war on drugs has lasted 40 years. The stories of Americans who have suffered because of the war on drugs continue to flood my inbox. Even veterans who served our country are victims of our senseless drug war.

For instance, Alex from Franklin, Ohio, wrote in to me. Alex is a U.S. Army veteran with chronic pain and muscle spasms due to his service to our country. After returning from his deployment, he was put on opiate muscle relaxers from the VA clinic, which didn't work well for him. Following a friend's recommendation, he tried medical marijuana, and it worked for him. However, he was forced to quit in order to accept a new job, and his pain returned. He returned to the VA over and over again, searching for something to relieve the pain. Their only answer was to prescribe stronger and stronger opiates, far stronger narcotics than marijuana. When that didn't work, he was sent to physical therapists, who didn't have an answer either; but because he lives in a State that doesn't offer access to medical marijuana, he is forced to have a very difficult decision between living with his pain or violating the law.

Another person who wrote in is Bob, from Fulton, Georgia, who wrote me to share the story of his wife, who has suffered from systemic lupus for over 30 years. Lupus has slowly deteriorated her body, destroying her hip joint and shoulders. Multiple doctors have said there is nothing they can do to relieve her pain. During those 3 decades, they have tried all sorts of powerful ap-

proved and legal narcotics—to no avail. The only thing that has relieved her pain without side effect and makes her life better is medical marijuana. Again, unfortunately, for Bob and his wife, their State does not have access to medical marijuana like my home State of Colorado does and 14 other States.

Bob ends the story about his wife by saying, "She is 65 years old and can only look forward to pain and agony." I'm sure there are many folks in our country in the same situation. Releasing them from the threat of arrest and incarceration simply for trying to live a pain-free life would be a godsend for these patients and their caregivers.

Is this the reason that we're waging a war on drugs—to ensure that sick people continue to suffer from pain unnecessarily or are driven to buy stronger, more powerful and more addictive narcotics?

Now, there are a lot of views on what a more sensible marijuana policy might look like. My own approach is support for legalization and creating a regulatory system similar to what we have for alcohol and tobacco. We can regulate access, make sure people are not driving under the influence, prevent minors from accessing drugs, tax drugs, and engage in public outreach and education campaigns about the dangers of marijuana.

Taxing and regulating marijuana would save taxpayers billions of dollars and would generate revenue. In fact, each year, the Federal Government spends \$8 billion arresting and locking up nonviolent marijuana users—again, not marijuana dealers, not marijuana growers. There is \$8 billion spent locking up nonviolent marijuana users. For instance, Alex, the veteran, or Bob's wife in Georgia could very well fall victim to that if they're in the wrong place at the wrong time.

Taxing and regulating marijuana would also make our communities safer. Removing marijuana from the criminal market would free up police time so officers can focus on violent crimes, property crimes, people driving under the influence of alcohol or marijuana or any other substance. Tax dollars could be used to incarcerate real criminals who threaten public safety rather than veterans like Alex who are simply using marijuana as a less powerful narcotic alternative to deal with their pain than the opiates that are fully legal under the law and prescribed at the VA.

Instead of reaping these benefits, our country continues to suffer under the failed war on drugs. We need to put an end to this war on drugs, which has caused so much needless suffering. The government should treat its citizens like responsible adults instead of interfering in their lives, and it should offer to help those suffering addiction instead of incarcerating them. The proper front to win the war against narcotics abuse in this country is a health

war, not a war of violence. We are losing this war. Addicts continue to suffer needlessly every day. Those who would benefit from medical marijuana are continually forced to violate the law or to live their lives in pain.

We can do better as a Nation. Many States are leading the way, and we at the Federal level need to pursue the direction that has been followed by an increasing number of States, and we need to regulate the use of marijuana in a way that is compassionate, that discourages usage among minors, and we need to make sure that we have a health aspect in dealing with addiction where it exists.

WHEN AND HOW WILL AMERICA GET BACK TO WORK?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. HUIZENGA) for 5 minutes.

Mr. HUIZENGA of Michigan. Mr. Speaker, I appreciate the opportunity to rise and come before this body to talk about something that I think is a key question that the American people have. We are dealing with a lot of weighty issues these days—Afghanistan, Libya, the debt ceiling, the Tax Code and tax reform—but I believe the key question that we have before us is and the key question that the American people have for us is:

When and how will America get back to work?

Mr. Speaker, it's far more than just creating a bill and labeling it "job creation bill" or a whole package of those or a stimulus package of government spending that, frankly, hasn't worked and even admitted to and joked about by the President recently when he said those shovel-ready jobs and those shovel-ready projects maybe weren't so shovel-ready.

No, they weren't.

But it's far more than just creating a bill and labeling it "job creation." It's about creating an atmosphere for private sector growth.

You see, Mr. Speaker, the private sector creates prosperity, not the government sector. The government sector can give a job, but the private sector creates wealth and creates prosperity, and it's not just in our Tax Code and how that's being applied; it's also in the regulatory atmosphere that we present to those job creators.

I can tell you, Mr. Speaker, that this House is trying to inject some reasonableness into a system that has gone awry. Whether it's the EPA creating out of whole cloth regulations that we have not dictated should happen or whether it's the National Labor Relations Board coming up with hurdle after hurdle for these job creators, this administration has continually overstepped the bounds of reasonableness, and it's our job, Mr. Speaker, to rein that in. You would think with 429,000

new jobless claims last week—let me repeat that—with 429,000 new jobless claims we would try to more aggressively create a better climate and change that atmosphere. I can tell you we're trying to do that here in the House. We just need some partners across the other side of the Capitol and in the administration as well.

Recently, the House Republicans had an opportunity to meet with the President at the White House. My good friend and chairman of the Small Business and Job Creators Caucus, of which I'm a member, my friend from Wisconsin, REID RIBBLE, got up and indicated to the President that we need to do three things for success.

One, we need to have consumer confidence. That means, whether they're the people up in the balcony or those who are watching on TV right now, with the money that they have in their pockets, they feel confident enough that they're going to have a little extra, that they can go out and spend some money on an appliance or on a car, which is very important for those of us from Michigan, or maybe on a vacation. We need to have some consumer confidence, and they don't have that right now.

The other thing is we need to have credit available to those small business creators, those job creators, who are out there, who are cash-flowing, who are continuing to make those tough decisions to stay in the black, but they're now finding out that they can't access credit because of the unreasonable regulations that the Dodd-Frank banking bill has put in front of them.

Lastly and thirdly and maybe most importantly, we need certainty. We need a stability that has not been there for a number of years now. We need stability in our Tax Code. We need stability in our regulations. People basically need to know what the rules of the game are so that they can make long-term business decisions to again create those jobs. Now, Mr. Speaker, that's one of the reasons why I support the House's plan for American job creators, and I encourage you to go to my Web site "Huizenga.house.gov" to see more about that.

Again, it's not just about a bill that's labeled "job creation." It's about an attitude that we need to have. In this package, we know that we need to remove redtape and the excessive regulations that are out there. We know that we need to expand American domestic energy production. That's a "must do" for us. We need to fix and streamline our Tax Code. We need to expand new markets abroad for the goods that our manufacturers make.

But again, Mr. Speaker, it's not just a bill. It's an attitude. We need to have an attitude of, "Yes, we will work with you to help create those jobs," not, "No, it doesn't matter what your question is. The answer is 'no.' We are not going to help."

□ 1050

That, unfortunately, Mr. Speaker, has been the dominant attitude of this administration and of this government, and it's time that we change that.

IT IS TIME TO FOCUS ON NATION-BUILDING HERE AT HOME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. The United States' objective in Afghanistan was to root out, destroy, al Qaeda, Osama bin Laden, and their Taliban hosts. That job is done. Afghanistan has been superseded now as a haven for terrorists by tribal areas in Pakistan, Yemen, and Sudan. The inter- and intratribal disputes in Afghanistan are rooted in ancient history, and 12 to 36 more months of a large U.S. troop footprint is not going to resolve centuries-old conflicts among the Afghan tribes. There never has been, there never will be, a strong central government in Afghanistan.

So I disagree with the President's plan for a snail-pace partial drawdown of U.S. troops over the next few years. We should do it much more quickly and leave only a residual force to prevent a terrorist takeover. There were only a few thousand troops there when we drove out the Taliban and when we pursued Osama bin Laden. Unfortunately, we lost an early opportunity to capture and kill him because of mistakes by then-Secretary Donald Rumsfeld.

But that being done, the President did say something last night with which I strongly agree. He said, America, it is time to focus on nation-building here at home. I couldn't agree more. I've been trying to do that for the last 2½ years but running into roadblocks down at the White House when I try and rebuild the Nation's transportation infrastructure.

Now, let's just think for a minute. We're borrowing and spending \$120 billion a year in Afghanistan, both to support our troops and to engage in nation-building, building them schools, building them highways, building them bridges, while our own schools, our own highways, our own bridges are crumbling and collapsing; \$120 billion borrowed and spent in Afghanistan, what could we do with that here at home?

We could begin to address the backlog of 150,000 bridges on our national highway system that need repair or replacement; the \$70 billion backlog on our transit systems for basic capital maintenance, let alone new investment in new transit systems to more efficiently transport our people; to deal with the 40 percent of the pavement on the national highway system that's substandard; to deal with congestion in our major cities and our ports; to move freight and Americans more effectively.

And in addressing that with \$120 billion that we're borrowing and spending in Afghanistan today and instead spending that money here at home, we could put over 3 million to work, not just construction workers. People say to me, well, Congressman, I don't work in construction. It's not just construction. We have the strongest buy-America requirement in transportation of any part of the government. That means when you buy a transit vehicle, it's going to be made in America. That's manufacturing, that's software, that's engineering, design. It goes all across the economy. It's small business suppliers, minority suppliers under the laws. We could put millions to work and stimulate our economy if that money were spent here.

Last week, I confronted the President's deputy economic adviser, Mr. Furman, over these issues; and he did admit that instead of more tax cuts, which isn't putting anybody back to work—that's their one nostrum which seems to have been adopted by the Obama administration—hasn't worked for a decade, but if we cut them even more, that will then. It doesn't work. Investment works. We know it works. Let's invest. But the President's deputy economic adviser said we can't do that, we can't get the money to do that, but we can do a Social Security tax holiday and borrow \$200 billion more and not put people back to work.

Come on. Let's follow up on what the President said last night. Let's get serious about it, and let's make the investments here. America, it is time to focus on nation-building here at home and put our people back to work and ensure prosperity for future generations.

JOB CREATORS IN TEXAS "JUST SAY NO" TO MORE GOVERNMENT HELP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. BRADY) for 5 minutes.

Mr. BRADY of Texas. Good morning, America. President Reagan once said the nine most terrifying words in the English language were: I'm from the government and I'm here to help.

Recently, I met with job creators, small businesses and mid-size businesses in my east Texas district to talk about jobs, and I wish the President would have been with me to listen to the men and women who create jobs in my district, and they're like the men and women who create jobs across America. In meeting after meeting, job creators in my district made their voices heard loud and clear. They don't want another Washington jobs bill. They don't want government that taxes more, spends more, regulates more, and borrows more. They aren't looking to Washington for more incentives or tools to start hiring.

Want more jobs, they ask? Then get your finances in order and get Washington out of the way of our economic recovery. They want this Congress to cut now and cut deep, and when this Congress thinks it's cut enough wasteful and nonessential government spending, they want this Congress to cut more. In other words, they want their lawmakers to do what it takes to get our Nation back on sound footing.

In Willis, city council member Anna Ross asked, We're making the tough choices in our city budget. When will the Federal Government do the same?

At the Conroe Rotary Club, Angela Allen told me she wants Washington to pay down the debt, go after fraud in Medicare, and above all, get out of the way of our job creators.

In Orange, Texas, small businesspeople flat out rejected more borrowed stimulus. They insist Congress not raise the debt ceiling unless we begin cutting up Washington's credit cards.

And local hospital administrator Jarren Garrett said it as bluntly as can be: Control spending.

In Huntsville, Texas, I heard how concerned people over our huge job-killing Tax Code. Sandra Sherman not only wants us to stop the spending. She wants government out of so many areas of our lives from housing, and banking, and medicine, and energy, insurance, and other sectors.

E.V. Blissard sent a loud message that we should not give in to the big spenders. E.V. is right. We can't give up the fight for a fair tax or to save Medicare and Social Security for our young people.

I heard that same message in Livingston, Texas, and New Caney, Texas, where they said forcing fewer and fewer taxpayers to carry more and more of the Federal Government burden is a sure way to kill the golden goose of prosperity.

Fear and uncertainty of what's coming next from Washington, including higher taxes, higher health care costs, higher energy costs is keeping these employers from putting out that "Help Wanted" sign we're all looking for.

In every town hall, roundtable, and civic club in my district the four letter word on the lips of everyone's tongue was "debt." Mr. President, in Texas the businesses that can help America pull out of its economic slump say it's time to cut up America's credit cards and end the spending spree in Washington. They will tell you if Washington doesn't back away from the cliff of more debt, more spending, more regulation, and more taxes, they fear we might cease to recognize our great Nation in the future.

Today, 2 years after that economic recovery supposedly started years after we spent \$820 billion against our Republican objections, that stimulus, we have fewer Americans working today

than when the stimulus began, one-half million fewer people working than when all that stimulus was supposed to jump-start the economy. Manufacturing is down, factory orders are down, consumer confidence is down. We were promised our unemployment rate right now would be 6½ percent. Well, it is almost 9 percent. We have the largest number of people out of work, unemployed. It's almost at historic levels. We have fewer people working today than almost a quarter of a century ago, fewer people in the workforce in almost a generation.

The stimulus failed. It is time for a new approach. It's time to listen to the job creators. What they really did like, by the way, was the Republican plan for America's job creators to get the Tax Code out of the way of our small business people, to get higher energy and health care costs out of the way of our job creators. They want to lower the barriers so America competes and finds new customers around the world, get those barriers out of the way, and they want a better business climate, more patent reform, more lawsuit reform, get those extra costs out of the way of our small businesses, and they want us to get our financial house in order.

□ 1100

Mr. President, get out of the White House, listen to our job creators. They don't want more government jobs bills. They want you and this Congress out of the way of what they know they want to do. And with that, we will bring jobs, bring the unemployment rate down, and bring us back to the strongest economy in the world, not just for a few years but for the entire century.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members that remarks in debate must be addressed to the Chair.

THANKING THE NATIONAL LABOR RELATIONS BOARD FOR ITS LEADERSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. RYAN) for 5 minutes.

Mr. RYAN of Ohio. Mr. Speaker, I rise today to thank the National Labor Relations Board for moving in a direction with a recent proposed change that will actually strengthen a worker's ability in the United States to unite, to work within a system that has more transparency, that is fairer, that is streamlined so that we can return a little bit more power here in the United States of America to the worker.

Representing a district in northeast Ohio and cities like Akron and Youngstown, and in a region that includes

Cleveland and Canton and is not too far from Pittsburgh, we have had a long, proud history in our region of a strong middle class that, in many ways, was provided by union representation, to bring some balance to an economic system, quite frankly, right now that is run by major global multinational interests that will do whatever is necessary to drive down wages for average workers.

I love this economic theory that we hear many times from our friends on the other side that if the minimum wage just wasn't so high, if workers just weren't making as much money, that maybe the economy would start humming. Let's reduce taxes on the wealthiest people in the United States when they've had a boom for 20 years of an increase in income. But if we reduce wages for middle class people, that somehow this economy will just turn right around.

And let me remind my friends on the other side, we are currently living under the President Bush tax system. If this tax system of cutting taxing for the wealthiest worked had created jobs, we wouldn't have the problems we have right now. Think about it. We are living under President Bush's tax system. This system, in '01 and '03, was supposed to lead to tremendous growth and job creation in the American economy. It hasn't worked. America works when we reinvest back into our people, when we make sure people are trained and educated.

I am for a reduction in the corporate tax. We do need to keep business taxes low so that we can be more competitive. But when you start making hundreds of millions of dollars and billions of dollars, like Warren Buffett and Bill Gates, you've got to pay a little bit more in taxes. And we need that revenue so that we can rebuild our infrastructure in the United States, so that we can make college more affordable in the United States, so that average families in Youngstown, in Niles can send their kids to college to become engineers. That revenue can be used to make sure that every American has affordable health care, so that no family in the United States has to make a decision or stare at the ceiling when they are laying in bed at night, worrying about whether or not their children will have proper health care, or that if one of their kids gets sick, they may not be able to afford health care. That shouldn't happen in the United States of America.

What the NLRB has done is said, Let's give more fairness, more transparency, a more streamlined process so that workers can unite together and have some little bit of leverage against the massive corporate interests. I've been down here 9 years now in this Congress, and it seems to me that whatever the oil industry wants, they get; whatever the insurance industry

wants, they get; whatever the multinationals want, they get. And if we don't begin as a country to empower average people to make a good middle class wage, we are not going to be the America any of us want. We are going to be weaker.

You want to talk about family values—these are family values. What the NLRB has done is move us closer to having some family values. So I rise today, Mr. Speaker, to say thank you to the leadership of the NLRB for some of these proposed changes. I hope they continue to move forward. And I hope this is just one small step where we, as a country, say, You know, the middle class is working, if we're manufacturing things in the United States, if we work together with a common cause, a common purpose, if we're healthy, if we're educated, everything else will take care of itself. That's the kind of country that this decision is moving us towards, and I would like to thank them.

SYRIAN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Mr. Speaker, while our President telegraphs to our enemies a timeline for ending the war that they are certainly willing to continue to commit to, while military efforts continue in Libya with uncertain, undisclosed, and unsuccessful outcomes led by our administration under NATO command, greater atrocities perpetrated against freedom seekers in Syria go unaddressed, unannounced, unconsidered by our President. Why? What's the reason? What's the time limit? It is known that Syria has been a continuing threat to freedom and a strong supporter and sustainer of unrest and terrorism in the Middle East and around the world. They're a strong ally of Iran and a constant threat to our friend Israel.

As freedom-seeking citizens of Syria join, Mr. Speaker, many others in the Middle East in calling for political reforms, respect for human rights, and regime change, the government of Syria and President Bashar Al-Assad is violently and sadistically suppressing the Syrian people, his own people. Tanks, snipers, goon squads, violent attacks on women and children, starvation and dehydration, inhuman imprisonment, torture, and worse has been the norm for the Syrian people for too long—without a strong and principled response from our President and our Nation. Why? We're not calling for a war. We're not calling for troops on the ground. We're not calling for anything right now except to take a stand against this atrocity.

Other nations have stood and voiced their concerns that President Assad has violated its international obliga-

tions, including the International Covenant on Civil and Political Rights and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Isn't it time for our President and this administration to stand and speak as the world leader and call on President Assad to step down and for the Syrian Government to end its cruel crimes against humanity?

I am firmly convinced that the rest of the peace-loving world will respond to our leadership. They are looking for it. They expect it. They are asking for it, and the Syrian people will be encouraged and defended. And liberty's cause will be promoted in this earthquake zone called the Middle East.

It's time to speak up. May God grant our President and this administration and our government the courage to do so. Because it is for humanity and people like ourselves that we speak.

OLD-FASHIONED ECONOMIC COMMON SENSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. BROWN) for 5 minutes.

Mr. BROWN of Georgia. Mr. Speaker, my constituents know that Washington could learn a lot from using just some good old-fashioned Georgia common sense. I want to tell you a quick story. Earlier this month after one of my town hall meetings, a mayor from a small town in my district came up to tell me about the hard times that her city has been dealing with recently. Unemployment has shot through the roof, and many businesses in Hoschton, Georgia, have been forced to downsize or shut down completely. The mayor told me about how tough times have also required her to make some bold choices about Hoschton's budget. Ultimately in efforts to keep the town afloat, she ended up slashing their budget by a whopping 67 percent. The mayor said to me, "Everything has to be put on the table. Nothing can be impossible to cut."

My liberal Democrat colleagues need to take note. It's long past time for the Obama administration to stop spending money like there's no tomorrow. There is a tomorrow, even though right now, with over 9 percent unemployment, that tomorrow is looking pretty bleak.

□ 1110

America's runaway spending has gotten so far out of control that it's hard get a grasp on the amount of debt our Nation is in or how long it will take us to repay the almost \$14½ trillion that we have borrowed.

Americans don't want excuses anymore; they want solutions. They want less spending and more jobs. They want burdensome regulations removed from the backs of small businesses who can put so many more people back to work.

They want more free choice and less big government when it comes to their day-to-day lives.

Washington needs to follow the lead of small cities, small businesses, and families who are tightening their belts all across this country. That small Georgia town in my district that cut 67 percent of their budget to deal with their financial crisis ought to be a model and a blueprint for the Obama administration and for Congress.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 12 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

O Lord our God, we give You thanks for giving us another day. You have kept us in life, sustained us, and allowed us to reach this moment.

Bless the Members of the People's House that You have gifted to serve our Nation. Preserve them this day and for the coming day. Supply their needs according to Your riches and prompt them to work harmoniously with one another. Give them a heart for the needs of all people and help them to reason together for the public good. Should they be tempted by rancor, ease their passion and grant them the respectful desire to see past differences toward accomplishments worthy of Your desire for the benefit of all.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HULTGREN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HULTGREN. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. ALTMIRE) come forward and lead the House in the Pledge of Allegiance.

Mr. ALTMIRE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

STATE OF NEW YORK,
DEPARTMENT OF STATE,
Albany, NY, June 20, 2011.

JOHN BOEHNER,
Speaker of the House,
The Capitol, Washington DC.

DEAR SPEAKER BOEHNER: As New York State's Secretary of State, I have received the resignation of Anthony D. Weiner as New York's 9th Congressional District Representative in the United States House of Representatives. The New York State Department of State filed the letter today. A copy of his letter of resignation is attached.

Sincerely,

CESAR A. PERALES,
Secretary of State.

HOUSE OF REPRESENTATIVES,
Washington, DC, June 20, 2011.

HON. CESAR PERALES,
Secretary of State, New York Department of State, State Street, Albany, NY.

HON. ANDREW CUOMO,
Governor, Executive Chamber, State Capitol, Albany, NY.

DEAR SECRETARY PERALES AND GOVERNOR CUOMO: I hereby resign as the Member of the House of Representatives for New York's Ninth Congressional District effective at midnight, Tuesday, June 21, 2011. It has been an honor to serve the people of Queens and Brooklyn.

Sincerely,

ANTHONY D. WEINER,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from New York (Mr. WEINER), the whole number of the House is 432.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

BRING HOME TROOPS IN VICTORY

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Last night, we heard President Obama's plan for withdrawing our troops from Afghanistan. While I share the President's goal of wanting to bring home our brave troops as soon and as safely as possible, I'm concerned that political considerations were given more weight in this decision than military strategy.

As a military veteran of 27 years, I understand how important it is to base decisions like this on the guidance of our commanders in the field. Our military commanders are the best military strategists in the world, and they are the ones in a position to know how many and what type of troops they need to do their mission.

When the President announced his troop surge, he included the lasting influence of Taliban among his reasons. The Taliban remains allied with al Qaeda, and both terrorist networks would rather see Afghanistan destroyed than lose their influence over the Afghan people.

Mr. Speaker, we've learned that fighting our Nation's wars from the Oval Office does not work. Let's make sure our troops come home in victory.

MEDICARE TURNS 46

(Ms. BASS of California asked and was given permission to address the House for 1 minute.)

Ms. BASS of California. In July, Medicare will be 46 years old. This is an opportunity for all of us to take a look at history.

In 1965, 44 percent of Americans over the age of 65 had no health insurance. Many seniors were pushed into poverty by medical costs. In 1965, when Medicare was first passed, out of 200 Republican Members of Congress, less than half voted for it. Future Presidents Bush and Reagan called Medicare socialized medicine. So it should be no surprise that Republicans are still trying to end Medicare. Today, it's called saving Medicare—we should end it in order to save it.

Seventy percent of the public does not support the Republican plan to end Medicare. And so it is a sad fact that a month before the 46th anniversary of Medicare, Republican Members of the House are not celebrating the Nation's commitment to ensure that our seniors have health care but are instead trying to end Medicare before the 46th anniversary.

HERE THEY GO AGAIN: NLRB AND UNIONS ARE KILLING JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the NLRB, under the influence of union bosses, on Tuesday acted again to restrict workers' rights. The NLRB proposed new rules that would speed up elections for unionization. In doing so, unions would force workers into union memberships before fully considering both the advantages and disadvantages of membership. By implementing a shorter voting period, U.S. Chamber Vice President Randy Johnson has revealed this is a cleverly disguised mandate to pressure workers into joining a union without making an informed decision.

Moreover, the NLRB wants to delay litigation over many voter eligibility issues. As Chairman JOHN KLINE stated, "Big Labor has found faithful friends on the Obama NLRB."

The job-killing influence of unions over the NLRB must be stopped before it tramples the rights of American workers, killing jobs at Boeing in South Carolina, and now killing jobs across America.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

RELIGIOUS VIOLENCE IN EGYPT

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to express my concern for the escalating persecution of the Christian community in Egypt.

We were all inspired by the call for freedom and democracy in Egypt this winter, but for some in Egypt, the transition has led to more threats, more fear, and more violence. While Mubarak is gone, extremist groups in Egypt are using the newly opened political space to escalate their war against Christians. Churches are burning and people are being murdered in the streets over their religious beliefs. If these groups get their way, the opportunity for a democratic and free Egypt would be lost.

As the United States partners with Egyptian communities to support democracy in this time of transition, it is imperative that human rights violations are not pushed aside. The United States must demand that any Egyptian Government protect the rights and lives of its citizens before any U.S. dollars are given to that government.

The respect of human rights, including religious freedoms, is imperative for the future and stability of Egypt and the region.

MR. PRESIDENT, DON'T PLAY POLITICS: SUPPORT AMERICAN ENERGY

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. The cost of gasoline is devastating American family budgets, destroying jobs, and debilitating our economy. Gas prices in my home State of Illinois are among the highest in the Nation.

It's clear that America needs an energy policy that will take advantage of America's vast supplies of oil, gas, and other resources. But instead of choosing to boost domestic energy production, which would create jobs and help get our economy moving again, the President has chosen the shortsighted, politically expedient, and financially expensive route of tapping our Strategic Petroleum Reserve. I urge him to reconsider his decision and embrace the legislation we have passed to increase domestic energy production.

I have been proud to support the bills we've passed because they will not only reduce our reliance on unstable and unfriendly regions of the world, they will also create good-paying jobs here at home. So instead of tapping the SPR to help his reelection campaign, the President should do what is truly best for America and support our efforts to increase domestic energy production and create the jobs hardworking Americans are looking for.

□ 1210

SUPPORTING THE EQUAL RIGHTS AMENDMENT

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Mr. Speaker, I rise today in strong support of the Equal Rights Amendment.

Yesterday, I was proud to join 158 of my House colleagues—women and men—in cosponsoring this simple constitutional guarantee that "equality of rights" shall not be denied or abridged on account of one's gender. The ERA was passed by Congress in 1972, and won approval from 35 States before falling just three short of ratification. Since then, women have gained significant protections in society, in the workplace and at home; but it is clear that much more must be done.

Earlier this year, a sitting member of the U.S. Supreme Court stated his view that the Constitution does not prohibit "discrimination on the basis of sex." While many legal scholars were quick to disagree, his words illustrate clearly the need for explicit constitutional protections. Without them, Congress has—and has already attempted to—roll back these gains.

I urge my colleagues to join me in supporting the ERA and in standing up for the constitutional protection for women and families.

REDUCING THE CORPORATE TAX RATE

(Mr. BARTLETT asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, I am very pleased to rise to support my colleague DONNA EDWARDS and her bill to reduce the corporate tax in order to create more jobs in this country.

The corporate tax is, perhaps, the most regressive tax we have because, in reality, you cannot tax a corporation. It simply becomes a part of the cost of doing business, and they pass it on to the consumer, who pays the tax, which makes everything cost more than the consumer buys, so the consumer will be benefited in several ways when we reduce the corporate tax rate.

Corporations will grow, and there will be more jobs. More corporations will move to this country, creating more jobs. By the way, the revenue stream from this increase in the size of corporations and in the number of corporations may actually increase as a result of reducing the tax rate. There will be more jobs for our consumers, and the things they buy will cost less. This is a win-win-win for everybody.

Thank you, Congresswoman EDWARDS, for your leadership.

WASTEFUL SPENDING WITHIN THE FHA'S INTERNATIONAL SCAN PROGRAM

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Mr. Speaker, this week, I cosigned a letter to Transportation Secretary LaHood expressing concern about the waste of taxpayer dollars at the Federal Highway Administration's International Scan Program. This program has likely wasted millions of dollars over the past 10 years, sending government officials abroad most recently to study billboards in five different countries, over 17 days, at a cost of \$300,000 to the taxpayers.

Rightly, Secretary LaHood responded to our letter by immediately suspending the program, but the question remains: Why did it exist in the first place, and how many others like it exist throughout the Federal bureaucracy?

We must continue to scrutinize the budgets at all Federal agencies so we can put an end to this type of wasteful spending once and for all. Hopefully, the suspension of this billboard program is just a sign of things to come.

ENCOURAGING JOB CREATION AND THE AMERICAN ENTREPRENEURIAL SPIRIT

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, I rise today as the proud Representative of Indiana's hardworking Third District

and as an original member of the Job Creators Caucus. I have come to the floor today to talk about what makes America great and what we can do to encourage job creation and America's entrepreneurial spirit.

America's curiosity, passion for excellence and drive for efficiency moves every small business owner and entrepreneur in our Nation. Mom-and-pop grocery stores, local mechanics, independent insurance agents, farmers, and countless others make our Nation great. Make no mistake. Our greatness is not attributed to our prosperity. Rather, America is prosperous because she is great, and she is great because she is free.

As a small business owner and a farmer, I have firsthand knowledge of our Nation's unique and wonderful design. Business owners are free to make the countless decisions that they face each and every day. Unfortunately, that entrepreneurial spirit is under attack. Individual Americans are still restless for opportunity, but a threat comes from an excessive government that limits opportunities and stifles job growth.

In 1913, the Ford Motor Company reduced its production time from 14 hours to 1½ hours. Today, a massive bureaucratic machine produces job-killing regulations at a speed that would make Henry Ford shudder. Every year, unelected bureaucrats issue more than 3,000 final rules, close to 10 rules a day.

I have proudly cosponsored the REINS Act, which would reverse the harmful onslaught of regulation that cripples businesses and thwarts job creation. I know that when government gets out of the way it allows Americans to realize their full potential.

The American entrepreneurial spirit is not dead. Men and women across the Nation are ready. They want to know if Washington is, too.

WE MUST SUSTAIN AND PROTECT SOCIAL SECURITY AND MEDICARE

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, in these times of great difficulty and uncertainty, our senior citizens want to know where we stand, and I want the senior citizens to know that I stand with them. I will not vote to voucherize Medicare, and I will not vote to socialize to the extent that we privatize Social Security.

Medicare has been there for millions of our senior citizens. It is a program on which they can depend. In their minds, Medicare is better care. We have 40 million seniors depending on Medicare. We cannot take that from them. Many of the seniors in my district depend on Social Security to the

extent that, if they don't have Social Security, they do not "have."

These two programs mean a lot to the people that I represent. No privatization of Social Security and no voucherizing of Medicare. I will vote to sustain them and protect them.

CREATING A SOUND ENERGY POLICY

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, President Obama announced today that he is releasing 30 million barrels of oil from the Strategic Petroleum Reserve to alleviate supply disruptions that he claims are as a result of the conflict in Libya. The irony here is obvious: Who attacked Libya and created the disruptions in the first place?

Furthermore, this is the same President whose policies and regulations over the past 2 years have systematically choked our domestic energy production, stifled job creation and resulted in record energy prices for the American public. Releasing oil from the SPR is an obvious political move to cover up the high gasoline prices created by the President's policies.

Mr. President, if you were truly serious about increasing the supply of oil and lowering prices, you would stop being the candidate-in-chief and begin taking leadership on a sound energy policy, parts of which the House has already passed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Members are advised to address the Chair and not the administration.

THE 375TH ANNIVERSARY OF PROVIDENCE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to commemorate the 375th anniversary of the founding of the city of Providence, Rhode Island's magnificent capital city.

Providence, fondly known as the creative capital, the Renaissance city and the beehive of industry, has embodied American values since its founding in 1636. When Roger Williams founded the city of Providence, he could not have known what it would become: the city, built upon Roger Williams' tradition of diversity, welcoming immigrants from around the world into vibrant urban neighborhoods.

Having served for 8 years as mayor of this great city, I am aware of its well-earned reputation as the arts and cul-

ture center of New England. Providence has been recognized as one of the coolest cities in America, one of the 25 best cities for arts and culture and one of the 100 best cities for young people—to name just a few accolades. It has also been recognized by the U.S. Conference of Mayors for its innovative after-school programs, its world-class arts and entertainment and its restoration of city rivers, the creation of downtown warfront parks and spectacular historic preservation.

Three hundred seventy-five years after its founding, Providence is, without question, one of America's greatest cities, and it is a true honor to commemorate its founding.

YORK RIVER WILD AND SCENIC RIVER STUDY ACT

(Ms. PINGREE of Maine asked and was given permission to address the House for 1 minute.)

Ms. PINGREE of Maine. Mr. Speaker, last month, when I was standing on the banks of the York River in Maine, I learned that the river serves as a home for species like the New England Cottontail, the Eastern Box Turtle and the threatened Harlequin Duck; but the York River is also a place where people are making their livings.

Fishermen depend on the good quality of the water and access to the waterfront, and farmers in the York River Watershed grow pumpkins, potatoes and other produce that keep Maine communities healthy. The natural beauty of the river draws visitors to the area from around the State and around the country.

Mr. Speaker, later today, I am introducing the York River Wild and Scenic River Study Act, which would commission a feasibility study to find out if the river qualifies as a "Wild and Scenic Partnership River"—a designation that would help preserve the river as an economic and natural resource for generations to come.

□ 1220

IT'S TIME TO GET AMERICANS BACK TO WORK

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, it's time to talk turkey about jobs. Too many Americans are unemployed, and it's time to get Americans back to work. As we enter this new decade in the 21st century, research and development is critical to rebuilding American manufacturing and to creating jobs. In today's global economy, manufacturing here in the United States and innovation remains a linchpin for economic growth that is being challenged rigorously by our competitors around the world.

Today, I rise to highlight legislation I introduced with my colleague from Maryland, ROSCOE BARTLETT, to spur innovation and economic development. Mr. Speaker, H.R. 682, the 21st Century Investment Act, would encourage companies to co-locate their research and development activities with job creation here in the United States. We'd make permanent the research and development tax credit and increase the domestic manufacturing tax credit to 15 percent. Those are jobs here in the United States.

The time was that we were the global leader and the architect of research and development, but not true today. We can and we must do better because of whatever that is we're down to, about number 17 or 21. We can do better; and so by joining Mr. BARTLETT and me, Mr. Speaker, H.R. 689 will reclaim the mantle of innovation and create jobs.

LEGALIZING MARIJUANA

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, in June the Global Conference on Drug Policy, a 19-member group that included former U.N. Secretary General Kofi Annan, Ronald Reagan's Secretary of State George Schultz and Paul Volcker said that the drug war was a failure, that it needed to be readdressed with new priorities, and suggested that this country get out of the Federal marijuana possession business.

It is for that reason and others that I will be joining today with Congresspeople RON PAUL, JOHN CONYERS, BARNEY FRANK, JARED POLIS and others to introduce a bill to get the Federal Government out of possession of marijuana and into interstate and international shipments of marijuana and allowing the States to decide, like they do with alcohol, how they should deal with marijuana. Better they should deal with it as a health policy and not a criminal policy and not stigmatize young people for life with marks on their record that might deny them employment and taking police officers' work away from violent crimes, where they should be better be used.

SUPERINTENDENT JANE RUSSO'S RETIREMENT

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor a very dedicated leader from my community, our superintendent Jane Russo. She has served the Santa Ana Unified School District for over 25 years. As the first woman superintendent for Santa Ana Unified, she

has been a visionary for the community.

Superintendent Russo has built partnerships with parents, with community leaders, with government, and with business leaders. She has taken leadership roles she has mentored and she has shown parents and faculty and administrators, the business community, all of us, what it is to truly collaborate and work together.

With approximately 58,000 students, 61 schools, 4,500 employees, Superintendent Russo manages the second largest employer in Santa Ana and the largest school district in Orange County and the sixth largest school district in California.

Her accomplishments have been recognized at the State and national levels. Under her leadership for the school district's academic performance index, it increased by nearly 100 points, and she received the highest score on State compliance report cards for special education and the highest increase in State testing for English language learners scoring proficient and above.

Ms. Russo will leave a lasting legacy in our district. She has shaped and made our community even better, and I am honored to recognize such a great member of our community, and I congratulate her on her retirement.

MEDICARE

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, next week marks the 45th anniversary of implementing Medicare. On this occasion, it is right that Congress work together to protect and strengthen Medicare for our future generations. Sadly, instead of preserving Medicare, my Republican colleagues have approved a plan to destroy it.

The Republican budget privatizes Medicare programs, turning control over to the insurance industry; ends guaranteed Medicare coverage for seniors, replacing it with a voucher system; doubles out-of-pocket medical costs for seniors.

I ask my colleagues, where are your priorities? We should be creating jobs and helping middle class families. We should not be dismantling safety net programs like Medicare and Medicaid.

Let's stop the politics. Let's work together. Let's work on a plan to protect our seniors and be responsible to lower the deficit.

NOW IS THE TIME TO PASS THE PENDING FREE TRADE AGREEMENTS

(Mr. DOLD asked and was given permission to address the House for 1 minute.)

Mr. DOLD. Mr. Speaker, for more than a short period of time, we've had

an opportunity to talk about free trade agreements, and when we talk about it, it's about jobs, jobs in the economy. More than 57 million jobs in America are directly supported by international trade. Free trade with other nations not only creates more jobs for Americans; it creates more opportunity around the world.

In my district, over 58,000 jobs are directly supported by exports. In fact, last year almost \$20 billion worth of merchandise was exported from my district alone. If Washington is serious about creating more jobs, then we should immediately pass the pending free trade agreements with Korea, Colombia, and Panama.

New jobs are created in our local communities when our Nation increases free trade. Free trade also lowers prices for the American consumer. When burdensome tariffs are lifted, the average American family of four sees an increased purchasing power of approximately \$10,000.

Now is not the time to play political games with these free trade agreements. Now is the time to pass these pending free trade agreements so that we can create jobs here at home and help ease the burden on American families.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO NORTH KOREA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-40)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13466 of June 26, 2008, expanded in scope in Executive Order 13551 of August 30, 2010, and addressed further in Executive Order 13570 of April 18, 2011, is to continue in effect beyond June 26, 2011.

The existence and the risk of proliferation of weapons-usable fissile material on the Korean Peninsula, and the actions and policies of the Government of North Korea that destabilize the Korean Peninsula and imperil U.S. Armed Forces, allies, and trading partners in the region, continue to constitute an

unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency with respect to these threats and maintain in force the measures taken to deal with that national emergency.

BARACK OBAMA.
THE WHITE HOUSE, June 23, 2011.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE WESTERN BALKANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-41)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the Western Balkans emergency is to continue in effect beyond June 26, 2011.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton accords Bosnia, United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo, or the Ohrid Framework Agreement of 2001 in Macedonia, that led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219, and to amendment of that order in Executive Order 13304 of May 28, 2003, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S. interests and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans and maintain in force the sanctions to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, June 23, 2011.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 2219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 320 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 320

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. (a)(1) During the 112th Congress, it shall not be in order to consider an amendment to a general appropriation bill proposing both a decrease in an appropriation designated pursuant to section 301 of House Concurrent Resolution 34 and an increase in an appropriation not so designated, or vice versa.

(2) Paragraph (1) shall not apply to an amendment between the Houses.

(b) With respect to H.R. 2219, subsection (a) shall apply only in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. Mr. Speaker, I rise today in support of H. Res. 320 and the underlying legislation, H.R. 2219, which appropriates funds for the Department of Defense for fiscal year 2012.

The rule is a truly open rule, one which provides for ample debate on the bill and gives Members of both the minority and the majority the opportunity to participate in debates. Any Member can submit an amendment to H.R. 2219 as long as it's germane, in keeping with the rules of the House.

As a member of the Rules Committee, I'm proud of the transparency, the openness, and the free-flowing debate that we've seen thus far in the 112th Congress, especially in the appropriations process. One way we can show our commitment to the change we promised the American people is by supporting open rules like this one. The underlying bill keeps our promise to bring an end to wasteful pet projects. In keeping with the House earmark ban, H.R. 2219 doesn't contain a single earmark.

Now, as a father of three sons all currently serving in the United States Army, this bill is of special importance to me. It's important to the Blue Star moms and dads whose kids have answered the call of duty and are serving their country in uniform. But this legislation isn't just important to the moms and dads and husbands and wives of the loved ones serving overseas. This legislation is important to all Americans. This appropriations bill ensures that the men and women in our Armed Forces are equipped with the tools and the resources they need to get the job done. It's a bill that ensures we can continue to go to bed at night and be safe and sound in our homes, knowing our troops are protecting our Nation and our way of life.

Mr. Speaker, I had the honor and privilege of visiting Iraq and Afghanistan and Pakistan during the last constituent work week. While there, I got to meet many military leaders, our allies, but, most importantly, our troops on the ground. I saw with my own eyes the equipment they're working with and the environment that they're working in. I saw what they had and heard about what they needed to get their jobs done. And this legislation is vital to giving our men and women in uniform the resources they need to perform their mission and, more importantly, to get them home safely.

Mr. Speaker, while I support our troops no matter where the President sends them, I also believe we need to focus on the wars we're already fighting. To that end, I'm sorry there aren't restrictions on using these funds in Libya. I thank Chairman YOUNG and Ranking Member DICKS for not appropriating for further hostilities in that country. We can't stretch our resources so thin that we ultimately end up tying the hands of our troops.

Finally, Mr. Speaker, I would like to take a minute to discuss the rule's commitment to budgetary transparency. The budget resolution adopted earlier this year included specifically delineated funds for operations related to the global war on terror. This fund is capped at \$126 billion. The intent of the budget language was to preserve these funds specifically for the war on terror and to ensure that the money wasn't diverted for unrelated programs.

Previous majorities have used similar constructs for the exact same purpose. Additionally, in previous Congresses, the Budget Committee chairman was prepared to advise the Chair that in terms of spending levels, it is impermissible to use funding for the global war on terror to offset increases in spending elsewhere in this bill. The same is true this Congress. Section 2 of the rule codifies the budget resolution's intent and the past practices of this House. The rule prohibits funding for the global war on terror from being used to pay for operations of any other kind. This provides transparency and accountability as to exactly how much money is being spent on the global war on terror, rather than counting the funds as an off-budget emergency spending program.

With that, I encourage my colleagues to vote "yes" on the rule and to vote "yes" on the underlying legislation.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Mr. Speaker, H.R. 2219, the Defense Department Appropriations Act for fiscal year 2012, represents \$530 billion in regular discretionary spending, \$8.9 billion below the President's request, but \$17 billion above the fiscal year 2011 enacted level.

Before going further into my remarks, I would like to thank my friend and fellow Floridian for yielding time to me, and I extend a personal thanks to him and his family, and particularly his three sons that are serving in the Army. I don't have three sons, but I had three uncles who served in the Army in another era, in the Second World War. And as I was proud of them, I am also proud of Mr. NUGENT's sons and the many families and servicemen and -women in our military.

From pay raises for military operations, this legislation offers a basically reasonable and comprehensive approach to our Nation's defense activities.

□ 1240

Yet I'm deeply concerned by really the staggering amounts of money this country continues to devote to the military. At a time of fiscal austerity when the majority is slashing tens of billions of dollars from essential social programs, it's, in my view, absurd that we continue to exempt the Department

of Defense from the same scrutiny that we apply to our domestic programs. For all of the rhetoric that I have heard through the years from my colleagues on the other side of the aisle about runaway spending, the fact of the matter is that Republicans actually increased spending in this bill. While they insist that more families must go hungry, fewer students need to go to college, fewer firefighters and teachers need to work in our cities, and fewer jobs need to be created, the Republican majority believes that \$649 billion still isn't quite enough.

The United States accounts for 43 percent of all military spending on Earth. We already outspend Russia and China, the next biggest spenders, by a factor of six. We tell teachers they can't get classroom supplies, but we don't tell admirals that they can't have more submarines. We tell mayors that they can't have more cops, but we don't tell generals that they can't have more ballistic missiles. And we tell Americans that they can't get their roads fixed or their levies strengthened, but here we are funding a next generation of nuclear weapons, not to mention that we already have enough nuclear weapons to kill everybody on Earth 25 times over.

Mr. Speaker, we need to recognize that our priorities are askew and our spending on defense is unsustainable. Let me give you an example:

The Republican majority recently cut one-third, or proposed cutting one-third of the budget—almost \$500 million—from the Food for Peace program. Over the course of almost 50 years, this program has delivered lifesaving food supplies to over 3 billion people. As John F. Kennedy correctly noted when he was running for President, "food is peace." Yet these cuts mean that millions of people in vulnerable and underdeveloped regions of the world will not receive food aid from the United States.

The Arab Spring uprisings that arose in Tunisia were largely because of the concerns for food, and that is true elsewhere in the Middle East and North Africa. And this particular year should be a reminder that conflict erupts when people go without their most basic needs, including food.

At the same time when people see that the food they receive is coming from the United States—and I've had the good fortune of visiting around the world, having served over a period of time, 8 years over a period of 10 years on the Intelligence Committee here in Congress and having served previous to that on the Foreign Affairs Committee and now serving on the Committee for Security and Cooperation in Europe, I have had an opportunity to see firsthand in Germany countless amounts of food stamped with "USA" on them, and I've seen them in camps, and I suffer with the people now in southern

Sudan. My colleague, DONALD PAYNE, and a former colleague, Harry Johnston from West Palm Beach, were together at a refugee camp in Nemili and previous to that in Mombasa, Kenya. I've seen our food aid around the world reduce the kind of anti-American extremism that often festers in these regions and manifests itself into conflicts that we wind up having to go and fight about.

So the reality, Mr. Speaker, is that food aid is actually critical to our national security. And the spending that we do to preempt or prevent conflicts means the less money that we have to spend later fighting them.

We're doing a disservice to our servicemen and -women by cutting programs that reduce the risk of war while adding billions to programs that create ever-more powerful methods to wage war. At the same time, we need to recognize that the increasing amounts we spend on the military means the less money we have here at home to address our pressing domestic concerns.

All of us heard the President of the United States last night speak to this issue, that while it may appear and might readily be perceived as nation building that we are doing in some countries, it is time for us, as the President said, to begin domestic building.

When I went to Iraq a few years ago, they showed us the remains of a water treatment plant. We spent 14 million U.S. dollars building that plant, and just as soon as it was finished, somebody came and blew it up. Mr. Speaker, I see us building water treatment plants in Basra and in Baghdad, in Kandahar and Kabul. But I don't see us building much-needed water treatment plants in the cities of the Glades that I represent—Belle Glade, Pahokee, and Clewiston—as well as others, Deerfield Beach, and Miramar, my hometown. I've had requests for water treatment matters, as well as Riviera Beach. Every year cities and counties in the congressional district that I'm privileged to serve come begging and asking for money to support infrastructure projects that no one is likely to blow up, and yet we don't fund them.

I don't say that we shouldn't help the Iraqi or the Afghan people develop their country, but I do say that we ought to be mindful that in our own country we have bridges collapsing, dams breaking, levies failing, roads crumbling, and water utilities leaking away. We simply cannot justify to the American people our willingness to spend tens of billions of dollars in Iraq and Afghanistan while neglecting those same efforts here at home.

Finally, Mr. Speaker, this measure contains several billion dollars in aid to Pakistan. As I have said before, you can't readily say the word "Afghanistan" without also saying the word "Pakistan." To the extent that we are

involved in Afghanistan, we also are involved in Pakistan. But we send billions of dollars to Pakistan only to see large sums of that money being used against American interests, funding the very same extremist groups that we are trying to eliminate.

A recent article in the *New Yorker* magazine noted that the Pakistani military submits expense claims every month to the United States Embassy in Islamabad. No receipts are provided and none are even requested. We're sending money out the door into one of the most conflict-ridden regions of the world without so much as an understanding of where that money is going, what exactly it is being used for, who in Pakistan is giving it to whom, and why someone is receiving it. We know that the Pakistani military and intelligence community support some of the extremist groups that are engaged against United States interests and which have committed acts of terrorism against civilians.

So again, Mr. Speaker, I come around to the point that we spend absolutely too much money on military and defense matters that we do not give half the same attention to debating as we do about cutting nutrition support, as is proposed for women, infants and children or financial aid to college students.

□ 1250

When Belle Glade, Florida, in the congressional district that I serve, comes looking for less than \$1 million to fix their infrastructure and provide jobs for their local residents, the Republican majority has a whole long list of reasons of why we can't afford it. And yet, before us today, I see \$5 billion for two submarines, \$2 billion for one destroyer, and \$6 billion for 32 fighter jets.

I maintain, Mr. Speaker, that our level of defense spending is on an unsustainable course. And at a time when we are demanding that the American people do more with much, much less, we also have to make choices and set priorities when it comes to our Nation's military spending.

Mr. Speaker, I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I want to thank the gentleman from Florida (Mr. HASTINGS). I agree with a lot of what he said.

We talk about Pakistan, and I just came from there. We talk about the threat that the Taliban that are hiding in Pakistan pose to our troops in Afghanistan, and we talk about that every day. We talk about the inaction of the Pakistani military and the ISI in particularly rooting out those that are killing more U.S. troops in Afghanistan than anything else.

I would like to see more direct involvement as relates to Pakistan and their military on accountability issues

that Mr. HASTINGS brought up, about the ability for us to make sure that if they're going to be allies in this fight against terrorism and particularly against the Taliban, that they truly are.

But in regards to this bill, the underlying legislation, this is \$9 billion less than what the President of the United States requested for military DOD allocations this year, for 2012, \$9 billion less than the President's request. And some of it is to restock our National Guard and Reserve units that have been decimated over the years in regards to fighting wars in two different countries. It's about giving our troops a pay raise. It's about taking care of their medical needs and research in regards to providing medical care for those that are in the military. And guess what? That also then bleeds out into the civilian world in regards to those applications that are developed in the military.

It is about our core mission. The Constitution is clear about our core mission in regards to national defense. It talks specifically about this Nation and what this responsibility is of this Congress in regards to national defense.

I said earlier what does trouble me is that, in this, our chairman did a great job of not putting funding in to fund any more incursions into Libya, but it doesn't restrict it right now. And there's going to be discussion on Libya coming up later today.

But I've got to give credit to the chairman of the committee, of the subcommittee, in regards to appropriations that they really have crafted a piece of legislation that has bipartisan support in that committee. There's bipartisan support across the board in regards to where we need to go in regards to keeping this Nation safe against threats, known and unknown, in the future.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very, very pleased to yield 4 minutes to my very good friend, the gentleman from Georgia (Mr. LEWIS), an icon in this Nation and a passionate person on the subject at hand.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today because the American people have grown weary of war. War destroys the dreams, the hopes, the aspirations, and the longings of a people.

A wise man once said, "Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, hopes of its children."

These are not the words of Dr. Martin Luther King, Jr. These are not the words of Gandhi. These are the words

of a five-star General, President Dwight Eisenhower.

We have spent billions of dollars. Thousands of our sons and daughters have been left dead on the battlefield and scarred by the brutality of war. I'm glad that the President is bringing 10,000 soldiers home from Afghanistan, but we must do more to end this war and start investing in our future.

We cannot continue to fund this war while we tell our seniors there is no money for Medicare. We cannot fund war and tell our children and young mothers that we won't pay for food stamps. We cannot pay for war while our bridges and our roads are crumbling.

We cannot afford to make bombs and guns. We must use our resources to solve the problems of humankind, to build and not to tear down, to reconcile and not to divide, to love and not to hate, to heal and not to kill.

If we want to create a beloved community, create a beloved world, a world that is at peace with itself, if that is our goal, our way must be love, peace, and nonviolence, skilled diplomacy not military might.

We must lay down the tools and instruments of war and violence. Stop paying for war. Believe in the power of peace and end this war.

Mr. NUGENT. I have no further requests for time, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Thank you, Mr. NUGENT. Again, I appreciate your complimentary remarks regarding mine, and I compliment you with regard to yours. I don't think we have a single bit of daylight between us when it comes to the support of the men and women that are in the military.

I do quarrel with, across the 14th Street bridge, the amount of money that we spend at the Pentagon. I have personally seen generals serving generals. And somewhere along the line, that just does not add up to frugality.

Mr. Speaker, the legislation before us provides a comprehensive accounting of our Nation's military activities and includes much deserved pay raises for our troops, critical funding for health programs, and disease research.

Let's make it very clear. The only thing that we could afford was a less than 2 percent raise for our troops. And I personally, and I believe Chairman YOUNG of the subcommittee and the distinguished Floridian who has served on this committee for a protracted period of time and has no peer when it comes to support of the military—he did have one peer that I know extremely well, and he does as well, and that's Ike Skelton, who was not re-elected.

□ 1300

We miss Ike and the extraordinary service that he put forward on behalf of

this country, first as a soldier and then as a Congressperson.

We can come up with the necessary expenditures to keep our military well-equipped, well-trained, and superior to any other force, but at the same time we need to devote greater attention to the use of these precious resources. I wish that the Republican majority would have devoted as much concern for the non-defense portion of our budget as they do to the vast level of spending contained in this measure. We need to appreciate that spending money on conflict prevention, as my friend Mr. LEWIS pointed out, is far, far cheaper in the long run than spending money on conflict engagement.

We cut social services programs here at home and around the world at our own peril. For when people lack food, lack resources, lack dignity, lack a future and lack hope, their nations will much more easily succumb to the kind of extremism, violence, and instability that we are spending billions fighting.

I have no quarrel with providing the necessary funding to support our servicemen and -women or to carry out their missions. Our Nation needs a lean and powerful and effective military. And we owe a debt of gratitude—as has been expressed and likely will be continuously throughout this appropriations process—to the members of the military and their families for the sacrifices they make and the devotion to duty they demonstrate. When they are sent on difficult missions overseas, it's our duty to see that they have our full and complete support.

But we also have great needs in this country, and we cannot continue to slash funding for essential programs here at home in favor of ever-increasing funding for wars abroad. We cannot continue spending money overseas that will go to waste when water treatment plants get blown up. We can't continue funding dubious efforts in regions where our money trickles down to the very extremists it is supposed to be defeating. And we cannot keep increasing our military budget year after year while devastating essential programs are left by the wayside here at home.

I do have one concern about this rule, and that is the new section that was added to this rule at the last minute that set forth restrictions on the amendment process.

At this time, Mr. Speaker, I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, I support the rule and the underlying legislation, and I encourage my colleagues to support it as well.

I know that since I've come to the House, I've gotten up here and talked time and time again about our government's core mission. There is no doubt there is nothing more central to the purpose of government than to provide for our Nation's defenses. It's in the Preamble of the Constitution: Provide

for the common defense. It's in the oath we took when we were sworn into office to defend the Constitution of the United States against all enemies, foreign and domestic.

H.R. 2219 fulfills our constitutional duty to provide for our Nation's defense. Additionally, H. Res. 320 ensures that we will review this legislation completely in an open and transparent manner that all American people deserve to see.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NUGENT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 247, nays 168, not voting 16, as follows:

[Roll No. 479]

YEAS—247

Adams	Dicks	Johnson, Sam
Aderholt	Dold	Jones
Akin	Donnelly (IN)	Jordan
Alexander	Dreier	Kelly
Altmire	Duffy	King (IA)
Amash	Duncan (SC)	King (NY)
Austria	Duncan (TN)	Kingston
Bachmann	Ellmers	Kinzinger (IL)
Bachus	Emerson	Kissell
Barletta	Farenthold	Kline
Bartlett	Fincher	Labrador
Barton (TX)	Fitzpatrick	Lamborn
Bass (NH)	Flake	Lance
Benishek	Fleischmann	Landry
Berg	Fleming	Lankford
Biggart	Flores	Latham
Bilbray	Forbes	LaTourette
Bilirakis	Fortenberry	Latta
Bishop (UT)	Fox	Lewis (CA)
Black	Franks (AZ)	LoBiondo
Blackburn	Frelinghuysen	Long
Bonner	Gallegly	Lucas
Bono Mack	Gardner	Luetkemeyer
Boren	Garrett	Lummis
Boustany	Gerlach	Lungren, Daniel
Brady (TX)	Gibbs	E.
Brooks	Gibson	Mack
Broun (GA)	Gohmert	Manzullo
Buchanan	Goodlatte	Marchant
Bucshon	Gosar	Marino
Buerkle	Gowdy	Matheson
Canseco	Burgess	McCarthy (CA)
Cantor	Graves (GA)	McCaul
Capito	Graves (MO)	McClintock
Carney	Griffin (AR)	McCotter
Carter	Griffith (VA)	McHenry
Cassidy	Grimm	McKeon
Chabot	Guinta	McKinley
Chaffetz	Guthrie	McMorris
Clyburn	Hall	Rodgers
Coble	Hanna	Meehan
Coffman (CO)	Harper	Mica
Cole	Harris	Miller (FL)
Conaway	Hartzer	Miller (MI)
Cravaack	Hastings (WA)	Miller, Gary
Crawford	Hayworth	Mulvaney
Crenshaw	Heck	Murphy (PA)
Culberson	Hensarling	Myrick
Davis (KY)	Hergert	Neugebauer
Denham	Herrera Beutler	Noem
Dent	Huelskamp	Nugent
DesJarlais	Huizenga (MI)	Nunes
Diaz-Balart	Hultgren	Nunnelee
	Hunter	Olson
	Issa	Palazzo
	Jenkins	Paul
	Johnson (IL)	Paulsen
	Johnson (OH)	Pearce

Pence	Roskam	Stutzman
Petri	Ross (AR)	Sullivan
Pitts	Ross (FL)	Terry
Platts	Royce	Thompson (PA)
Poe (TX)	Runyan	Thornberry
Pompeo	Ryan (WI)	Tiberi
Posey	Scalise	Tipton
Price (GA)	Schilling	Turner
Quayle	Schmidt	Upton
Reed	Schock	Walberg
Rehberg	Schweikert	Walden
Reichert	Scott (SC)	Walsh (IL)
Renacci	Scott, Austin	Webster
Ribble	Sensenbrenner	West
Rigell	Sessions	Westmoreland
Rivera	Shimkus	Whitfield
Roby	Shuler	Wilson (SC)
Roe (TN)	Shuster	Wittman
Rogers (AL)	Simpson	Wolf
Rogers (KY)	Smith (NE)	Womack
Rogers (MI)	Smith (NJ)	Woodall
Rohrabacher	Smith (TX)	Yoder
Rokita	Smith (WA)	Young (AK)
Rooney	Southerland	Young (FL)
Ros-Lehtinen	Stearns	Young (IN)

NAYS—168

Andrews	Green, Al	Pallone
Baca	Green, Gene	Pascarell
Baldwin	Grijalva	Pastor (AZ)
Barrow	Gutierrez	Payne
Berkley	Hanabusa	Pelosi
Berman	Hastings (FL)	Perlmutter
Bishop (GA)	Heinrich	Peters
Bishop (NY)	Higgins	Peterson
Blumenauer	Himes	Pingree (ME)
Boswell	Hinchey	Polis
Brady (PA)	Hinojosa	Price (NC)
Braley (IA)	Hochul	Quigley
Brown (FL)	Holt	Rahall
Butterfield	Honda	Reyes
Capps	Hoyer	Richardson
Capuano	Inslee	Richmond
Cardoza	Israel	Rothman (NJ)
Carnahan	Jackson (IL)	Roybal-Allard
Carson (IN)	Jackson Lee	Ruppersberger
Castor (FL)	(TX)	Rush
Chandler	Johnson (GA)	Ryan (OH)
Chu	Johnson, E. B.	Sánchez, Linda
Cicilline	Kaptur	T.
Clarke (MI)	Keating	Sanchez, Loretta
Clarke (NY)	Kildee	Sarbanes
Clay	Kind	Schakowsky
Cleaver	Kucinich	Schiff
Cohen	Langevin	Schrader
Connolly (VA)	Larsen (WA)	Schwartz
Conyers	Lee (CA)	Scott (VA)
Cooper	Levin	Scott, David
Costa	Lewis (GA)	Serrano
Costello	Lipinski	Sewell
Courtney	Loebach	Sherman
Critz	Lofgren, Zoe	Sires
Crowley	Lowey	Slaughter
Cuellar	Lujan	Speier
Cummings	Lynch	Stark
Davis (CA)	Maloney	Sutton
Davis (IL)	Markey	Thompson (CA)
DeFazio	Matsui	Thompson (MS)
DeGette	McCarthy (NY)	Tierney
DeLauro	McCollum	Tonko
Deutch	McGovern	Towns
Dingell	McIntyre	Tsongas
Doggett	McNerney	Van Hollen
Doyle	Meeke	Velázquez
Edwards	Michaud	Visclosky
Ellison	Miller (NC)	Walz (MN)
Engel	Miller, George	Wasserman
Eshoo	Moore	Schultz
Farr	Moran	Watt
Fattah	Murphy (CT)	Waxman
Filner	Nadler	Welch
Frank (MA)	Neal	Wilson (FL)
Fudge	Olver	Wu
Gonzalez	Owens	Yarmuth

NOT VOTING—16

Ackerman	Hirono	Rangel
Bass (CA)	Holden	Stivers
Becerra	Hurt	Waters
Garamendi	Larson (CT)	Woolsey
Giffords	McDermott	
Gingrey (GA)	Napolitano	

□ 1334

Messrs. WATT and GENE GREEN of Texas changed their vote from “yea” to “nay.”

Messrs. GOHMERT, ROYCE and KINGSTON changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. HIRONO. Mr. Speaker, on rollcall No. 479, had I been present, I would have voted “no.”

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained and was unable to record my vote for rollcall No. 479. Had I been present I would have voted: rollcall No. 479: “No”—On Ordering the Previous Question.

Mr. BECERRA. Mr. Speaker, earlier today I was unavoidably detained and missed rollcall vote 479. If present, I would have voted “no” on rollcall vote 479.

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 23, 2011, I was absent during rollcall vote No. 479 in order to attend my grandson’s graduation. Had I been present, I would have voted “no” on the Motion on Ordering the Previous Question on H. Res. 320—the Rule for H.R. 2219—Department of Defense Appropriations Act, 2012.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. NUGENT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 251, noes 173, not voting 7, as follows:

[Roll No. 480]

AYES—251

Adams	Canseco	Flores
Aderholt	Cantor	Forbes
Akin	Capito	Fortenberry
Alexander	Carter	Fox
Altmire	Cassidy	Franks (AZ)
Amash	Chabot	Frelinghuysen
Austria	Chaffetz	Galleghy
Bachus	Chandler	Gardner
Barletta	Coble	Garrett
Bartlett	Coffman (CO)	Gerlach
Barton (TX)	Cole	Gibbs
Bass (NH)	Conaway	Gibson
Benish	Cravaack	Gohmert
Berg	Crawford	Goodlatte
Biggart	Crenshaw	Gosar
Bilbray	Culberson	Gowdy
Bilirakis	Davis (KY)	Granger
Bishop (GA)	Denham	Graves (GA)
Bishop (UT)	Dent	Graves (MO)
Black	DesJarlais	Griffin (AR)
Blackburn	Diaz-Balart	Griffith (VA)
Bonner	Dicks	Grimm
Bono Mack	Dold	Guinta
Boren	Donnelly (IN)	Guthrie
Boustany	Dreier	Hall
Brady (TX)	Duffy	Hanna
Brooks	Duncan (SC)	Harper
Broun (GA)	Duncan (TN)	Harris
Buchanan	Ellmers	Hartzler
Bucshon	Emerson	Hastings (WA)
Buerkle	Farenthold	Hayworth
Burgess	Fincher	Heck
Burton (IN)	Fitzpatrick	Hensarling
Calvert	Flake	Herger
Camp	Fleischmann	Herrera Beutler
Campbell	Fleming	Huelskamp

Huizenga (MI)	McMorris	Royce
Hultgren	Rodgers	Ryunan
Hunter	Meehan	Ryan (WI)
Inslee	Mica	Scalise
Issa	Miller (FL)	Schilling
Jenkins	Miller (MI)	Schmidt
Johnson (IL)	Miller, Gary	Schock
Johnson (OH)	Mulvaney	Schweikert
Johnson, Sam	Murphy (PA)	Scott (SC)
Jones	Myrick	Scott, Austin
Jordan	Neugebauer	Sensenbrenner
Kelly	Noem	Sessions
King (IA)	Nugent	Shimkus
King (NY)	Nunes	Shuler
Kingston	Nunnelee	Shuster
Kinzinger (IL)	Olson	Simpson
Kissell	Palazzo	Smith (NE)
Kline	Paul	Smith (NJ)
Labrador	Paulsen	Smith (TX)
Lamborn	Pearce	Smith (WA)
Lance	Pence	Southerland
Landry	Peterson	Stearns
Lankford	Petri	Stutzman
Larsen (WA)	Pitts	Sullivan
Latham	Platts	Terry
LaTourette	Poe (TX)	Thompson (PA)
Latta	Pompeo	Thornberry
Lewis (CA)	Posey	Tiberi
LoBiondo	Price (GA)	Tipton
Long	Quayle	Turner
Lucas	Reed	Upton
Luetkemeyer	Rehberg	Visclosky
Lummis	Reichert	Walberg
Lungren, Daniel	Renacci	Walden
E.	Ribble	Walsh (IL)
Mack	Rigell	Webster
Manzullo	Rivera	West
Marchant	Roby	Westmoreland
Marino	Roe (TN)	Whitfield
Matheson	Rogers (AL)	Wilson (SC)
McCarthy (CA)	Rogers (KY)	Wittman
McCaul	Rogers (MI)	Wolf
McClintock	Rohrabacher	Womack
McCotter	Rokita	Woodall
McHenry	Rooney	Yoder
McIntyre	Ros-Lehtinen	Young (AK)
McKeon	Roskam	Young (FL)
McKinley	Ross (AR)	Young (IN)
	Ross (FL)	

NOES—173

Ackerman	DeFazio	Kucinich
Andrews	DeGette	Langevin
Baca	DeLauro	Larson (CT)
Bachmann	Deutch	Lee (CA)
Baldwin	Dingell	Levin
Barrow	Doggett	Lewis (GA)
Bass (CA)	Doyle	Lipinski
Becerra	Edwards	Loeb
Berkley	Ellison	Lofgren, Zoe
Berman	Engel	Lowey
Bishop (NY)	Eshoo	Lujan
Blumenauer	Farr	Lynch
Boswell	Fattah	Maloney
Brady (PA)	Filner	Markey
Brady (IA)	Frank (MA)	Matsui
Brown (FL)	Fudge	McCarthy (NY)
Butterfield	Garamendi	McCollum
Capps	Gonzalez	McDermott
Capuano	Green, Al	McGovern
Cardoza	Green, Gene	McNerney
Carnahan	Grijalva	Meeks
Carney	Gutierrez	Michaud
Carson (IN)	Hanabusa	Miller (NC)
Castor (FL)	Hastings (FL)	Miller, George
Chu	Heinrich	Moore
Cicilline	Higgins	Moran
Clarke (MI)	Himes	Murphy (CT)
Clarke (NY)	Hinchey	Nadler
Clay	Hinojosa	Neal
Cleaver	Hirono	Olver
Clyburn	Hochul	Owens
Cohen	Holt	Pallone
Connolly (VA)	Honda	Pascarell
Conyers	Hoyer	Pastor (AZ)
Cooper	Israel	Payne
Costa	Jackson (IL)	Pelosi
Costello	Jackson Lee	Perlmutter
Courtney	(TX)	Peters
Critz	Johnson (GA)	Pingree (ME)
Crowley	Johnson, E. B.	Polis
Cuellar	Kaptur	Price (NC)
Cummings	Keating	Quigley
Davis (CA)	Kildee	Rahall
Davis (IL)	Kind	Reyes

Richardson	Scott (VA)	Tsongas
Richmond	Scott, David	Van Hollen
Rothman (NJ)	Serrano	Velázquez
Roybal-Allard	Sewell	Walz (MN)
Ruppersberger	Sherman	Wasserman
Rush	Sires	Schultz
Ryan (OH)	Slaughter	Waters
Sánchez, Linda	Speier	Watt
T.	Stark	Waxman
Sanchez, Loretta	Sutton	Welch
Sarbanes	Thompson (CA)	Wilson (FL)
Schakowsky	Thompson (MS)	Woolsey
Schiff	Tierney	Wu
Schrader	Tonko	Yarmuth
Schwartz	Towns	

NOT VOTING—7

Giffords	Hurt	Stivers
Gingrey (GA)	Napolitano	
Holden	Rangel	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1351

Mr. BERMAN changed his vote from “aye” to “no.”

Mr. MCINTYRE changed his vote from “no” to “aye.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BACHMANN. Mr. Speaker, when rollcall vote 480 was called, I registered my vote as “aye” and then proceeded to an Intelligence briefing. When I returned to the floor, it was my intention to vote “no” on the next amendment and I registered my vote as such. Unfortunately, due to a staffing error, it was still the same rollcall vote 480, and my “aye” was mistakenly changed to “no.” To be clear, I do support the rule providing for consideration of the FY2012 Department of Defense Appropriations Bill.

Stated against:

Ms. NAPOLITANO. Mr. Speaker, on Thursday, June 23, 2011, I was absent during rollcall vote No. 480 in order to attend my grandson’s graduation. Had I been present, I would have voted “no” on H. Res. 320—Rule providing for consideration of H.R. 2219—Department of Defense Appropriations Act, 2012.

AMERICA INVENTS ACT

The SPEAKER pro tempore (Mr. WOODALL). Pursuant to House Resolution 316 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1249.

□ 1351

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 22, 2011, a request for a recorded vote on amendment No. 1 printed in part B of House Report 112–111 offered by the gentleman from Texas (Mr. SMITH) had been postponed.

AMENDMENT NO. 1 OFFERED BY MR. SMITH OF TEXAS

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on the amendment printed in part B of House Report 112–111 on which further proceedings were postponed.

The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 283, noes 140, not voting 8, as follows:

[Roll No. 481]

AYES—283

Ackerman	Coffman (CO)	Rowdy
Adams	Cohen	Granger
Aderholt	Cole	Graves (GA)
Alexander	Conaway	Graves (MO)
Altmire	Connolly (VA)	Griffin (AR)
Austria	Cooper	Griffith (VA)
Bachus	Costello	Grimm
Barletta	Courtney	Guinta
Barrow	Cravaack	Guthrie
Bartlett	Crawford	Hall
Barton (TX)	Crenshaw	Hanabusa
Bass (NH)	Critz	Hanna
Benishak	Crowley	Harper
Berkley	Cuellar	Harris
Biggart	Culberson	Hastings (WA)
Billirakis	Davis (KY)	Hayworth
Bishop (GA)	DeLauro	Heck
Bishop (UT)	Denham	Hensarling
Black	Dent	Herger
Blackburn	DesJarlais	Herrera Beutler
Bonner	Diaz-Balart	Himes
Bono Mack	Dicks	Hinchey
Boren	Dold	Hochul
Boswell	Donnelly (IN)	Hoyer
Boustany	Dreier	Huelskamp
Brady (TX)	Duffy	Huizenga (MI)
Braley (IA)	Duncan (TN)	Hultgren
Buchanan	Ellmers	Inslee
Bucshon	Emerson	Issa
Buerkle	Engel	Jackson Lee
Burgess	Farenthold	(TX)
Burton (IN)	Fattah	Jenkins
Butterfield	Fincher	Johnson (GA)
Calvert	Fitzpatrick	Johnson (OH)
Camp	Fleischmann	Johnson, Sam
Campbell	Fleming	Jordan
Canseco	Flores	Keating
Cantor	Forbes	Kelly
Capito	Fortenberry	King (NY)
Capuano	Fox	Kingston
Carnahan	Frelinghuysen	Kinzinger (IL)
Carney	Gallegly	Kissell
Carter	Gardner	Kline
Cassidy	Gerlach	Labrador
Chabot	Gibbs	Lamborn
Chaffetz	Gibson	Langevin
Chandler	Gohmert	Lankford
Cicilline	Goodlatte	Larsen (WA)
Coble	Gosar	Larson (CT)

Latham	Olver	Schilling
LaTourette	Owens	Schmidt
Latta	Palazzo	Schrader
Lewis (CA)	Paulsen	Schwartz
LoBiondo	Pearce	Schweikert
Loeb	Pence	Serrano
Long	Perlmutter	Sessions
Lowe	Peterson	Sewell
Lucas	Petri	Shimkus
Luetkemeyer	Pitts	Shuler
Lummis	Platts	Shuster
Lungren, Daniel E.	Poe (TX)	Simpson
Maloney	Pompeo	Sires
Marchant	Price (GA)	Smith (NE)
Marino	Price (NC)	Smith (NJ)
Matheson	Quayle	Smith (TX)
McCarthy (CA)	Quigley	Smith (WA)
McCarthy (NY)	Rahall	Southerland
McCaul	Reed	Stutzman
McCollum	Rehberg	Sullivan
McCotter	Reichert	Thompson (PA)
McGovern	Renacci	Thornberry
McHenry	Ribble	Tiberi
McIntyre	Richardson	Tipton
McKeon	Richmond	Upton
McKinley	Rigell	Visclosky
McMorris	Rivera	Walberg
Rodgers	Roby	Walden
Meehan	Roe (TN)	Walsh (IL)
Meeks	Rogers (AL)	Wasserman
Mica	Rogers (KY)	Schultz
Michaud	Rogers (MI)	Welch
Miller (MI)	Rokita	West
Miller, Gary	Rooney	Westmoreland
Moran	Ros-Lehtinen	Whitfield
Mulvaney	Roskam	Wilson (FL)
Murphy (CT)	Ross (AR)	Wilson (SC)
Murphy (PA)	Ross (FL)	Wittman
Myrick	Rothman (NJ)	Wolf
Neal	Runyan	Womack
Neugebauer	Ruppersberger	Woodall
Noem	Rush	Wu
Nugent	Ryan (WI)	Yarmuth
Nunes	Sánchez, Linda T.	Yoder
Nunnelee	Sarbanes	Young (AK)
Olson	Sealise	Young (FL)
		Young (IN)

NOES—140

Akin	Frank (MA)	Miller (FL)
Amash	Franks (AZ)	Miller (NC)
Andrews	Fudge	Miller, George
Baca	Garamendi	Moore
Bachmann	Garrett	Nadler
Baldwin	Gonzalez	Pallone
Bass (CA)	Green, Al	Pascarell
Becerra	Green, Gene	Pastor (AZ)
Berg	Grijalva	Paul
Berman	Gutierrez	Payne
Bilbray	Hartzler	Pelosi
Bishop (NY)	Hastings (FL)	Peters
Blumenauer	Heinrich	Pingree (ME)
Brady (PA)	Higgins	Polis
Brooks	Hinojosa	Posey
Brown (GA)	Hirono	Reyes
Brown (FL)	Holt	Rohrabacher
Capps	Honda	Roybal-Allard
Cardoza	Hunter	Royce
Carson (IN)	Israel	Ryan (OH)
Castor (FL)	Jackson (IL)	Sanchez, Loretta
Chu	Johnson (IL)	Schakowsky
Clarke (MI)	Johnson, E. B.	Schiff
Clarke (NY)	Jones	Schock
Clay	Kaptur	Scott (SC)
Cleaver	Kildee	Scott (VA)
Clyburn	Kind	Scott, David
Conyers	King (IA)	Sensenbrenner
Costa	Kucinich	Sherman
Cummings	Lance	Slaughter
Davis (CA)	Landry	Speier
Davis (IL)	Lee (CA)	Stark
DeFazio	Levin	Stearns
DeGette	Lewis (GA)	Sutton
Deutch	Lipinski	Terry
Dingell	Lofgren, Zoe	Thompson (CA)
Doggett	Lujan	Thompson (MS)
Doyle	Lynch	Tierney
Duncan (SC)	Mack	Tonko
Edwards	Manzullo	Towns
Ellison	Markey	Tsongas
Eshoo	Matsui	Turner
Farr	McClintock	Van Hollen
Filner	McDermott	Velázquez
Flake	McNerney	

Walz (MN)	Watt	Webster
Waters	Waxman	Woolsey
Giffords	Hurt	Scott, Austin
Gingrey (GA)	Napolitano	Stivers
Holden	Rangel	

NOT VOTING—8

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (Mrs. CAPITO) (during the vote). There are 2 minutes remaining in this vote.

□ 1410

Mr. MACK changed his vote from “aye” to “no.”

Messrs. BARTLETT and MULVANEY changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. AUSTIN SCOTT of Georgia. Madam Chair, on rollcall No. 481 I was unavoidably detained. Had I been present, I would have voted “nay.”

Mrs. NAPOLITANO. Madam Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 481 in order to attend my grandson's graduation. Had I been present, I would have voted “nay” on the Smith (TX) Manager's Amendment.

AMENDMENT NO. 2 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112–111.

Mr. CONYERS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, strike line 3 and all that follows through page 25, line 12, and insert the following:

(n) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section—

(A) shall take effect 90 days after the date on which the President issues an Executive order containing the President's finding that major patenting authorities have adopted a grace period having substantially the same effect as that contained under the amendments made by this section; and

(B) shall apply to all applications for patent that are filed on or after the effective date under subparagraph (A).

(2) DEFINITIONS.—In this subsection:

(A) MAJOR PATENTING AUTHORITIES.—The term “major patenting authorities” means at least the patenting authorities in Europe and Japan.

(B) GRACE PERIOD.—The term “grace period” means the 1-year period ending on the effective filing date of a claimed invention, during which disclosures of the subject matter by the inventor or a joint inventor, or by others who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor, do not qualify as prior art to the claimed invention.

(C) EFFECTIVE FILING DATE.—The term “effective filing date of a claimed invention” means, with respect to a patenting authority in another country, a date equivalent to the effective filing date of a claimed invention as defined in section 100(i) of title 35, United States Code, as added by subsection (a) of this section.

(3) RETENTION OF INTERFERENCE PROCEDURES WITH RESPECT TO APPLICATIONS FILED

BEFORE EFFECTIVE DATE.—In the case of any application for patent that is filed before the effective date under paragraph (1)(A), the provisions of law amended by subsections (h) and (i) shall apply to such application as such provisions of law were in effect on the day before such effective date.

Page 11, lines 21-23, strike “upon the expiration of the 18-month period beginning on the date of the enactment of this Act,” and insert “on the effective date provided in subsection (n)”.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. I ask unanimous consent that the gentleman from California, DANA ROHRBACHER, be added to this amendment as a cosponsor.

The Acting CHAIR. The Chair would advise the gentleman that amendments do not have cosponsors.

Mr. CONYERS. I yield myself 2½ minutes.

Ladies and gentlemen, this bipartisan amendment adds an important provision to H.R. 1249. It would permit the conversion of the United States to a first-to-file system only upon a Presidential finding that other nations have adopted a similar one-year grace period. This one-year grace period protects the ability of an inventor to discuss or write about his or her ideas for a patent up to a year before he or she actually files for patent protection. And without this grace period, an inventor could lose his or her own patent.

This grace period provision within H.R. 1249 would grant an inventor a one-year period between the time he first publishes his invention to the time when he's required to file a patent. During this time, this would prohibit anyone else from seeing this publication, stealing the idea, and quickly filing a patent behind the inventor's back. Yet the only way for American inventors to benefit from the grace period provision contained in 1249 is to ensure that the foreign countries adopt a similar grace period as well.

The amendment would encourage other countries to adopt a similar period in their patent system consistent with a recommendation by the National Academy's National Research Council. Current law in the United States allows a grace period of 1 year, during which an applicant can disclose or commercialize an invention before filing for a patent. Japan offers a limited grace period, and Europe provides none.

If the first-to-file provision in the bill is implemented, we must ensure that American inventors are not disadvantaged. Small American inventors and universities are disadvantaged abroad in those nations where there is no grace period.

The grace period provision within H.R. 1249 would grant an inventor a one-year period between the time he first publishes his invention to the time when he is required to file a patent.

During this time, this would prohibit anyone else from seeing this publication, stealing the idea, and quickly filing a patent behind the inventor's back.

Yet, the only way for American inventors to benefit from the grace period provision contained in H.R. 1249 is to ensure that foreign countries adopt a grace period, as well.

Small American inventors and universities are disadvantaged abroad in those nations where there is no grace period. As a result, they often lose the right to patent because these other countries do not care about protecting small business and university research.

The United States needs to do more to protect the small inventor and universities not just here but abroad.

Unfortunately, other countries will not do it on their own even though they want the United States to convert to a “first-to-file” system.

If H.R. 1249 passes without my Amendment, we will be giving away a critical bargaining chip that we can use to encourage other countries to follow our lead.

My Amendment ensures that the only way to benefit from the grace period in H.R. 1249 is to have foreign countries adopt a grace period.

Without this Amendment, we will be unilaterally transitioning the United States to a “first-to-file” system with a weak grace period without any incentive for foreign countries to adopt a grace period.

I should also note that identical language was included in H.R. 1908, the “Patent Reform Act of 2007,” which the House passed on September 7, 2007.

Accordingly, I urge my colleagues to support this Amendment.

Mr. SMITH of Texas. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, the Conyers amendment to tie the changes proposed in the America Invents Act to future changes that would be made in foreign law is unworkable. I oppose providing a trigger in U.S. law that leaves our patent system at the mercy of actions to be taken at a future date by the Chinese, Russians, French, or any other country. It is our constitutional duty to write the laws for this great land. We cannot delegate that responsibility to the whims of foreign powers.

I know that this idea has been floated in the past, but after working on several pieces of patent legislation over the past several Congresses, and particularly this year on H.R. 1249, it has become clear that this type of trigger idea is simply not workable and is counterproductive.

The move to a first-inventor-to-file system creates a more efficient and reliable patent system that benefits all inventors, including independent in-

ventors. The bill provides a more transparent and certain grace period, a key feature of U.S. law, and a more definite filing date that enables inventors to promote, fund, and market their technology, while making them less vulnerable to costly patent challenges that disadvantage independent inventors.

Under first-inventor-to-file, an inventor submits an application to the Patent Office that describes their invention and how to make it. That, along with a \$110 fee, gets them a provisional application and preserves their filing date. This allows the inventor an entire year to complete the application, while retaining the earlier filing date. By contrast, the cost of an interference proceeding before the PTO often runs to \$500,000.

The current first-to-invent system harms small businesses and independent inventors. Former PTO Commissioner Gerald Mossinghoff conducted a study that proves smaller entities are disadvantaged in PTO interference proceedings that arise from disputes over patent ownership under the current system. Independent inventors and small companies lose more often than they win in these disputes, plus bigger companies are better able to absorb the cost of participating in these protracted proceedings.

In addition, many inventors also want protection for their patents outside the United States. If you plan on selling your product overseas, you need to secure an early filing date. If you don't have a clear filing date, you can be shut off from the overseas market. A change to first-inventor-to-file will help our businesses grow and ensure that American goods and services will be available in markets across the globe.

In the last 7 years, only one independent inventor out of 3 million patent applications filed has prevailed over the inventor who filed first. One out of 3 million. So there is no need for this amendment. Independent inventors lose to other applicants with deeper pockets that are better equipped to exploit the current complex legal environment.

So the first-to-file change makes it easier and less complicated for U.S. inventors to get patent protection around the world. And it eliminates the legal bills that come with the interference proceedings under the current system. It is a key provision of this bill that should not be contingent upon actions by foreign powers and delay what would be positive reforms for independent inventors and our patent system.

The first-inventor-to-file provision is necessary for U.S. competitiveness and innovation. It makes our patent system stronger, increases patent certainty, and reduces the cost of frivolous litigation.

However, if you support the U.N. having military control over our troops, or

if you support the concept of an international court at The Hague, then you would support this amendment's proposal of a trigger that subjects U.S. domestic law to the whims of governments in Europe, China, or Russia.

It really would be unprecedented to hold U.S. law hostage to legal changes made overseas, and would completely go against what this great country stands for and what our Founders fought for: the independent rights and liberties we have today.

For these reasons, Madam Chair, I am strongly opposed to the amendment.

I yield back the balance of my time.

□ 1420

Mr. CONYERS. I yield the balance of my time to the gentleman from California (Mr. ROHRBACHER).

The Acting CHAIR. The gentleman from California is recognized for 2½ minutes.

Mr. ROHRBACHER. Let's just note that Ms. LOFGREN last night presented a case to this body which I felt demonstrated the danger that we have in this law. A move to first-to-file system, which is what this bill would do, without a corresponding 1-year grace period in other countries dramatically undermines the patent protection of American inventors. Some of us believe that's the purpose of this bill because they want to harmonize American law with the weak systems overseas.

Well, without this amendment that we are talking about right now, without the Conyers-Rohrabacher amendment, if an inventor discloses his discoveries, perhaps to potential investors, his right to patent protection is essentially gone. It's not gone from just Americans. Yes, he would be protected under American law; but from all those people in foreign countries without a similar grace period to what we have here in our system, these people are not restricted. Thus, they could, once an American inventor discloses it, at any time they can go and file a patent and steal our inventors' discoveries.

The only way for American inventors to benefit from a grace period here, which this bill is all about, is to ensure that foreign countries adopt the same grace period. And that's what this amendment would do. It would say our bill, which will make our inventors vulnerable to foreign theft, will not go into place until those foreign countries have put in place a similar grace period, which then would prevent them and their citizens from coming in and stealing our technology. Ms. LOFGREN detailed last night in great detail how that would work.

I call this bill basically the Unilateral Disclosure Act, if not the Patent Rip-Off Act, because we are disclosing to the world what we've got. And our people can't follow up on it because

there's a grace period here, but overseas they don't have that same grace period. So what we're saying is, to prevent foreigners from stealing American technology, this will not go into effect until the President has issued a statement verifying that the other countries of the world have a similar grace period so they can't just at will rip off America's greatest entrepreneurs and inventors.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONYERS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. BALDWIN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112-111.

Ms. BALDWIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 5 ("Defense to Infringement Based on Prior Commercial Use"), as amended, and redesignate succeeding sections and references thereto (and conform the table of contents) accordingly.

Page 68, line 9, strike "section 18" and insert "section 17".

Page 115, line 10, strike "6(f)(2)(A)" and insert "5(f)(2)(A)".

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from Wisconsin (Ms. BALDWIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. BALDWIN. I yield myself 3½ minutes.

Madam Chair, I rise to urge adoption of the Baldwin-Sensenbrenner amendment that strikes section 5 in the America Invents Act. Section 5 expands the prior-user rights defense from its present narrow scope to broadly apply to all patents with minimal exceptions.

As we work to rebuild our economy, Congress should be doing all that it can to foster small business innovation and investment. I believe that section 5 will do just the opposite. Expanding prior-user rights will be disastrous for small American innovators, as well as university researchers, and ultimately slow job creation.

Despite current challenges, the U.S. patent system remains the envy of the world. Since the founding of our Nation, inventions have been awarded exclusive rights in exchange for public disclosure. This system also creates in-

centives for investing in new ideas, fostering new ways of thinking, and encouraging further advancement and disclosures. It promotes progress.

If proponents of expanding prior-user rights have their way with this legislation, they will give new rights to those who have previously developed and used the same process or product even if they never publicly divulged their innovation and never even applied for a patent. It will transform our patent system from one that values transparency to one that rewards secrecy.

To understand why expanding prior-user rights runs counter to the public interest, it is important to reiterate how critical exclusive rights are for inventions to gain marketplace value and acquire capital. For start-ups and small businesses, raising necessary capital is vital and challenging. The expansion of prior-user rights would only make that task all the more difficult.

Under the system proposed in the American Invents Act, investors would have no way of determining whether anyone had previously developed and used the process or product that they were seeking to patent. In such a scenario, a patent might be valuable or relatively worthless; and the inventor and potential investors would have no means of determining which was true.

Madam Chairwoman, I would like to boast for a moment if I could about Stratatech, a fiercely innovative small business in Madison run by a top researcher at the University of Wisconsin who, through her research there, developed a human living skin substitute. This living skin is a groundbreaking treatment method that we hope will ultimately save the lives of American troops who have suffered burns while serving in Iraq and Afghanistan.

The company was recently awarded nearly \$4 million to continue clinical trials for their tissue product. And what can save lives in a desert combat setting abroad will assuredly transform the way doctors save lives of burn victims in hospitals around our country and around the world.

Now, I wonder if Stratatech would have been able to drive this phenomenal innovation and life-saving technology as far as they have with a patent that provides only conditional exclusivity. Would investors have felt as secure advancing this technology in a system shrouded in secrecy? What if Stratatech's patent was subject to the claims of an unlimited number of people or companies who could later claim "prior use"?

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. BALDWIN. I yield myself 15 additional seconds.

If we let section 5 stand, it is unclear to me whether a similar company would ever secure the funding that they need to grow.

I urge my colleagues to adopt the Baldwin-Sensenbrenner amendment. I reserve the balance of my time.

Mr. SMITH of Texas. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, this amendment strikes the prior-user rights provision from the bill. I strongly oppose this amendment.

The bill expands prior-user rights—a strong, pro-job, pro-manufacturing provision. This provision will help bring manufacturing jobs back to this country. It allows factories to continue using manufacturing processes without fear of costly litigation. It is absolutely a key component of this bill.

This provision has the strong support of American manufacturers and the support of all the major university associations and technology-transfer associations. These include the Association of American Universities, American Council on Education, Association of American Medical Colleges, Association of Public and Land Grant Universities, Association of University Technology Managers, and the Council on Government Relations representing the vast majority of American Universities. Prior-user rights ensure that the first inventor of a new process or product using manufacturing can continue to do so.

This provision has been carefully crafted between stakeholders and the university community. The language provides an effective exclusion for most university patents, so this provision focuses on helping those in the private sector.

The prior-use defense is not overly expansive and will protect American manufacturers from having to patent the hundreds or thousands of processes they already use in their plants.

After getting initial input from the university community, they recommended that we make the additional changes reflected in this bill to ensure that prior-user rights will work effectively for all private sector stakeholders.

Prior-user rights are important as part of our change to a first-to-file system. I believe it is important to ensure that we include these rights to help our job-creating manufacturers across the United States. The philosophical objections of a lone tech-transfer office in Wisconsin should not counter the potential of this provision for job creation throughout America.

There are potentially thousands or hundreds of thousands of unemployed Americans who are looking for manufacturing jobs and could benefit from this provision. Without this provision, businesses say they may be unable to expand their factories and hire American workers if they are prevented from continuing to operate their facilities the way they have for years.

□ 1430

For many manufacturers, the patent system presents a catch-22. If they patent a process, they disclose it to the world and foreign manufacturers will learn of it and, in many cases, use it in secret without paying licensing fees. The patents issued on manufacturing processes are very difficult to police, and oftentimes patenting the idea simply means giving the invention away to foreign competitors. On the other hand, if the U.S. manufacturer doesn't patent the process, then under the current system a later party can get a patent and force the manufacturer to stop using a process that they independently invented and used.

In recent years, it has become easier for a factory owner to idle or shut down parts of his plant and move operations and jobs overseas rather than risk their livelihood through an interference proceeding before the PTO. The America Invents Act does away with these proceedings and includes the pro-manufacturing and constitutional provision of prior-user rights.

This provision creates a powerful incentive for manufacturers to build new plants and new facilities in the United States. Right now, all foreign countries recognize prior-user rights, and that has played a large role in attracting American manufacturing jobs and facilities to these countries. H.R. 1249 finally corrects this imbalance and strongly encourages businesses to create manufacturing jobs in this country.

The prior-user rights provision promotes job creation in America. Prior-user rights will help manufacturers, small business and other innovative industries strengthen our economy. It will help our businesses grow and allow innovation to flourish.

I strongly support prior-user rights, and so I oppose this amendment.

I yield back the balance of my time.

Ms. BALDWIN. I yield the balance of my time to the gentleman from Wisconsin (Mr. SENSENBRENNER).

The Acting CHAIR. The gentleman from Wisconsin is recognized for 1¼ minutes.

Mr. SENSENBRENNER. Madam Chair, this expansion of prior-user rights is a step in the wrong direction. It goes against what this House determined 4 years ago when we last debated this issue, and also it is different than what the Senate has done in March of this year.

The fundamental principle of patent law is disclosure, and the provision in this bill that the amendment seeks to strike goes directly against disclosure and instead encourages people who may invent not to even file for a patent, and that will slow down research and expanding the knowledge of humans.

The gentleman from Texas talks about manufacturing. I am all for manufacturing. I think we all are all for

manufacturing. But what this does is it helps old manufacturing, which we need to help, but it also puts new manufacturing in the deep freeze because they use the disclosures that are required as a part of a patent application.

You vote for the amendment if you want disclosure and advancement of human knowledge. You vote against the amendment if you want secrecy in this process.

The Acting CHAIR. All time has expired.

The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. BALDWIN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BALDWIN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 112-111.

Ms. MOORE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 139, insert the following after line 12 and redesignate succeeding sections (and conform the table of contents) accordingly:

SEC. 29. ESTABLISHMENT OF METHODS FOR STUDYING THE DIVERSITY OF APPLICANTS.

The Director shall, not later than the end of the 6-month period beginning on the date of the enactment of this Act, establish methods for studying the diversity of patent applicants, including those applicants who are minorities, women, or veterans. The Director shall not use the results of such study to provide any preferential treatment to patent applicants.

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Madam Chair, I yield myself such time as I may consume.

My amendment would ensure that we have the proper data to identify and work with sectors of the U.S. economy that are participating in the patent process at significantly lower rates.

Specifically, my amendment allows the USPTO to develop methods for ways to track the diversity of patent applicants. It also specifically prohibits the office from using any such results for any preferential treatment in the application process.

I certainly do applaud the USPTO for their outreach to the Women's Chamber of Commerce and to the National

Minority Enterprise Development Conferences to try to increase diversity with utilizing the patent process. But some recent data have raised concern that minorities and women-owned businesses are just not keeping up with the patent process.

Preliminary data from a 2009 Kauffman Foundation survey of new businesses show that minority-owned technology companies hold fewer patents and copyrights after the fifth year of starting than comparable non-minority businesses. In fact, the Kauffman data show that minority-owned firms with patents hold only two on average, compared with the eight of their counterparts. Another survey uses National Science Foundation data to suggest that women commercialize their patents 7 percent less than their male counterparts.

Now, the best example I can think of this is the late great George Washington Carver, who we all know discovered 300 uses for peanuts and hundreds more for other plants. He went on to help local farmers with many improvements to their farm equipment, ingredients, and chemicals. However, Carver only applied for three patents.

Some historians have written on whether or not Eli Whitney was, indeed, the original inventor of the cotton gin or whether the invention could have originated from the slave community. At the time, slaves were unable to register an invention with the Patent Office, and the owner could not patent on their behalf because of the requirement to be an original inventor.

Now, African Americans and women have a long history of inventing some of the most influential products in our society, but we also simply do not have enough information to further explore and explain these results. And as our government and industry leaders look into these problems and possibly fix these deficiencies, they run into a major hurdle.

Currently, the Patent and Trade Office only knows the name and general location of a patent applicant. In most cases, only the physical street address that the office collects is for the listed patent attorney on the application. Such limited information prevents us from fully understanding the nature and scope of the underrepresentation of minority communities in intellectual property. Until we can truly understand the nature of this problem, we cannot address it or do the appropriate outreach.

Mr. SMITH of Texas. Will the gentleman yield?

Ms. MOORE. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Madam Chair, I just want to say to the gentlewoman from Wisconsin that I appreciate her offering the amendment, and I urge my colleagues to support it.

Ms. MOORE. I certainly again want to commend efforts from Director

Kappos and the Patent and Trade Office that, despite their not having to do it, they do reach out to women and minority communities to try to get them to utilize the Patent Office.

I can say that the ability to innovate and create is just one part of the equation. The key to success for minorities in our community as a whole also depends upon the ability to get protection for their intellectual property.

I urge the body to vote for this amendment.

I would yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE). The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 112-111.

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 139, insert the following after line 12 and redesignate succeeding sections (and conform the table of contents) accordingly:

SEC. 29. SENSE OF CONGRESS.

It is the sense of Congress that the patent system should promote industries to continue to develop new technologies that spur growth and create jobs across the country which includes protecting the rights of small businesses and inventors from predatory behavior that could result in the cutting off of innovation.

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Madam Chair, as I rise to offer my amendment, I take just a moment of personal privilege to say that, whatever side Members are on on this issue, I know that Members want to protect the genius of America.

I would like to thank my ranking member, Mr. CONYERS, for that commitment, as he comes from one of the original genius proponents, and that is the auto industry that propelled America into the job creation of the century, and to the chairperson of the committee, Mr. SMITH, who ventured out in efforts to provide opportunities for protecting, again, the opportunities for invention and genius.

□ 1440

My amendment speaks, I think, in particular to the vast population of startups and small businesses that are impacted by this legislation. In particular, it is a reinforcement of Congress' position that indicates that the patent system should promote indus-

tries to continue to develop new technologies that spur growth and create jobs across the country, which includes protecting the rights of small businesses and inventors from predatory behavior that could result in the cutting off of innovation.

We recognize that small and minority businesses and women-owned businesses, which dominate the landscape of America, are really major job creators. Small business is thriving in my own home State of Texas, as well. There were 386,422 small employers in Texas in 2006, accounting for 98.7 percent of the State's employers and 46.8 of its private sector employment. We know that there are a large number of women-owned businesses and as well growing African American and Latino. But we need more growth—with Asian businesses, small businesses, Hispanic, Native American, African American—all forms of businesses that are part of growing this economy.

Small business makes up a large portion of our employer network. It is important to understand how they will be impacted as a result of patent reform. In this first-to-file, for example, small businesses may in fact be concerned about trying to get investors. As they get investors, they may have to disclose. This sense of Congress will put us on notice that we need to be careful that we allow at least the opportunity for these investors, and that we continue to look at the bill to ensure that it responds to that opportunity. We must recognize again, as I said, that small businesses create jobs. And the number of new jobs that they have created are 64 percent of net jobs over the past 15 years. My amendment, again, reinforces the idea that small businesses can survive in this climate.

I did offer an amendment which provided for a transitional review program for 5 years or add for that to be sunsetted. It was all about trying to protect our small businesses. But I believe this amendment, with its firm statement, gathers Congress around the idea that nothing in this bill will inhibit small businesses from being creative. We can as well recognize all of the growth that has come about from the ideas of small businesses.

I think my amendment also reinforces that we do not wish to engage in any undue taking of property because we indicate that we want to see the innovativeness of American businesses continue. I believe this is an important statement, because the bill is about innovation, genius, creation, job creation, and it should be about small businesses. Small businesses should be as comfortable with going to the Patent Office as our large businesses. In years to come, because of this major reform, we should see small businesses creating opportunity for growth as they develop not into small-and medium-sized but huge international companies.

So I am asking my colleagues to support this amendment, and as well I am recognizing that we do have the opportunity to turn the corner and to put a stamp of new job creation on America.

I rise today to offer an amendment to H.R. 1249, the "America Invents Act." My amendment adds a section to the end of the bill expressing the sense of Congress that "the patent system should promote industries to continue to develop new technologies that spur growth and create jobs across the country, which includes protecting the rights of small businesses and inventors from predatory behavior that could result in the cutting off of innovation."

We must always be mindful of the importance of ensuring that small companies have the same opportunities to innovate and have their inventions patented and that the laws will continue to protect their valuable intellectual property. Several studies, including those by the National Academy of Sciences and the Federal Trade Commission, recommended reform of the patent system to address what they thought were deficiencies in how patents are currently issued.

The U.S. Department of Commerce defines small businesses as businesses which employ less than 500 employees.

According to the Department of Commerce in 2006 there were 6 million small employers representing around 99.7% of the nation's employers and 50.2% of its private-sector employment.

In 2002 the percentage of women who owned their business was 28% while black owned was around 5%. Between 2007 and 2008 the percent change for black females who were self employed went down 2.5% while the number for men went down 1.5%.

Small business is thriving in my home state of Texas as well. There were 386,422 small employers in Texas in 2006, accounting for 98.7% of the state's employers and 46.8% of its private-sector employment.

In 2009, there were about 468,000 small women-owned small businesses compared to over 1 million owned by men.

88,000 small business owners are black, 77,000 are Asian, 319,000 are Hispanic, and 16,000 are Native Americans.

Since small businesses make up such a large portion of our employer network, it is important to understand how they will be impacted as a result of patent reform.

Given the current state of the economy, we cannot afford to overlook the opportunities for job growth that small businesses create.

According to the Bureau of Labor Statistics, between the 1992 and 2005, small businesses accounted for 65% of quarterly net employment growth in the private sector.

Even in unsteady economic times, small businesses can be counted on for job creation. Between 1992 and 2004, the net job creation rate was the highest at the smallest establishments.

Small Businesses Create Jobs. It is a fact. According to the Small Business Administration, small businesses:

Represent 99.7 percent of all employer firms.

Employ just over half of all private sector employees.

Generated 64 percent of net new jobs over the past 15 years.

Create more than half of the nonfarm private gross domestic product (GDP).

Hire 40 percent of high tech workers (such as scientists, engineers, and computer programmers).

Made up 97.3 percent of all identified exporters and produced 30.2 percent of the known export value in FY 2007.

Produce 13 times more patents per employee than large patenting firms; these patents are twice as likely as large firm patents to be among the one percent most cited.

Many successful business owners will credit at least part of their success to the ability to innovate—in technologies, in strategies, and in business models. A huge part of this innovation comes from the ability to create and patent ideas.

According to a study conducted by Business Week, half of all business innovation resources are dedicated to creating new products or services.

Patents are the driving force behind this product innovation, and without strong patent protection, businesses will lack the incentive to attract customers and contribute to economic growth.

While I am happy to be here debating this all important amendment to this bill, it is unfortunate that some of my other amendments supporting small businesses and acknowledging the "takings clause" in the U.S. Constitution were not accepted. In yesterday's Rules Committee meeting, I offered a number of amendments:

I offered amendments that ensure the inclusion of minority and women owned businesses in the definition of "small entities" to ensure they receive the benefits of reduced user fees.

I also offered an amendment ensuring the inclusion of Historically Black Colleges and Universities and Hispanic Serving Institutions amongst entities that receive fee discounts.

Another pro-small business amendment I offered would have extended the grace period for small businesses from one year to 18 months, enabling them enough time to secure financial support and develop their invention in order to bring it to market.

Section 18 of the bill, which creates a transitional review program for business method patents, has raised concerns about the potential to create situations which could run afoul of the "takings clause" in the U.S. Constitution. To address these concerns, I offered a number of amendments:

One of my amendments would have shortened the sunset on Section 18 from 10 years to 5 years.

I also introduced an amendment that would have required the Director of the USPTO to make a determination of whether or not a condition causing an unlawful taking is created by this section.

Lastly, I introduced a sense of Congress amendment that affirms that no provisions in this bill should create a unconstitutional taking.

Despite my concerns with certain provisions in this bill, overall, I believe H.R. 1249 will usher in the reforms needed to improve the patent system, making it more effective and efficient, and therefore encouraging innovation and job creation.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Chair, I claim the time in opposition, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Madam Chair, I understand the underlying point of the Member's amendment, and I want to make it clear that my interpretation of this amendment and its intent is to highlight the problem posed by entities that pose as financial or technological businesses but whose sole purpose is not to create but to sue. I am talking about patent trolls—those entities that vacuum up patents by the hundreds or thousands and whose only innovations occur in the courtroom. This sense of Congress shows how these patent trolls can hurt small businesses and independent inventors before they even have a chance to get off the ground. This bill is designed to help all inventors and ensure that small businesses will continue to be a fountain for job creation and innovation.

For these reasons, Madam Chair, I support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. JACKSON LEE of Texas. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. LUJÁN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 112-111.

Mr. LUJÁN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, line 22, strike the period and insert a semicolon.

Page 135, after line 22, insert the following:

(C) shall evaluate and consider the extent to which the purposes of satellite offices listed under subsection (b) will be achieved;

(D) shall consider the availability of scientific and technically knowledgeable personnel in the region from which to draw new patent examiners at minimal recruitment cost; and

(E) shall consider the economic impact to the region.

Page 136, line 9, insert before the semicolon the following: " , including an explanation of how the selected location will achieve the purposes of satellite offices listed under subsection (b) and how the required considerations listed under subsection (c) were met".

The CHAIR. Pursuant to House Resolution 316, the gentleman from New

Mexico (Mr. LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. LUJÁN. Madam Chair, I rise today in support of my amendment to H.R. 1249, the America Invents Act. The America Invents Act provides for the creation of United States Patent and Trademark Office satellite offices. For many small businesses and independent inventors, navigating the patent application process can be challenging. Small businesses, entrepreneurs, and innovators are the foundation of our economy but do not always have the resources that larger corporations or institutions have to assist them in obtaining a patent. By improving access to the United States Patent and Trademark Office, satellite offices have the potential to help small businesses and independent inventors navigate the patent application process. However, this bill essentially provides no guidance to determine the location of such satellites offices.

While the language in the bill contains stated purposes for satellite offices, it does not specify that these purposes be part of the selection process. This amendment makes it explicit that the purposes of the satellite offices, which are included in the underlying bill, such as increasing outreach activities to better connect patent filers and innovators with the USPTO, be part of the selection process. It also specifies that the economic impact to the region be considered, as well as the availability of knowledgeable personnel, so that the new patent examiners can be hired at minimal recruitment costs, saving taxpayers money.

The selection of USPTO satellite offices should be done in a way that supports economic growth and puts investors and inventors on a path to success. I think this is a commonsense amendment, and I urge the adoption.

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise to claim the time in opposition, though I am in favor of the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Madam Chair, section 23 of the bill requires the PTO Director to establish three or more satellite offices in the United States, subject to available resources. The provision lists criteria that the Director must take into account when selecting each office. This is a good addition to H.R. 1249, and I urge my colleagues to support it. I also hope that one of those offices is in Austin, Texas.

I yield back the balance of my time.

Mr. LUJÁN. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJÁN).

The amendment was agreed to.

Ms. JACKSON LEE of Texas. Madam Chair, because of the graciousness of the ranking member, Mr. CONYERS, and the chairman, Mr. SMITH, of agreeing to my amendment, Jackson Lee No. 5 that was just debated, I ask unanimous consent to withdraw my request for a record vote.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

Without objection, the request for a recorded vote on amendment No. 5 is withdrawn and the amendment stands adopted by the voice vote thereon.

There was no objection.

□ 1450

AMENDMENT NO. 7 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 112-111.

Mr. PETERS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 139, insert the following after line 12 and redesignate succeeding sections (and conform the table of contents) accordingly:

SEC. 29. USPTO STUDY ON INTERNATIONAL PATENT PROTECTIONS FOR SMALL BUSINESSES.

(a) **STUDY REQUIRED.**—The Director, in consultation with the Secretary of Commerce and the Administrator of the Small Business Administration, shall, using the existing resources of the Office, carry out a study—

(1) to determine how the Office, in coordination with other Federal departments and agencies, can best help small businesses with international patent protection; and

(2) whether, in order to help small businesses pay for the costs of filing, maintaining, and enforcing international patent applications, there should be established either—

(A) a revolving fund loan program to make loans to small businesses to defray the costs of such applications, maintenance, and enforcement and related technical assistance; or

(B) a grant program to defray the costs of such applications, maintenance, and enforcement and related technical assistance.

(b) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Director shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) a statement of whether the determination was made that—

(A) a revolving fund loan program described under subsection (a)(2)(A) should be established;

(B) a grant program described under subsection (a)(2)(B) should be established; or

(C) neither such program should be established; and

(3) any legislative recommendations the Director may have developed in carrying out such study.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Michigan (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. PETERS. While the America Invents Act makes a number of important changes to our patent system which are targeted at reducing the USPTO's backlogs and driving innovation, I believe that we must do more to help our Nation's small businesses compete in the global marketplace. Success in the global economy depends more and more on IP assets. America's IP-intensive industries employ nearly 18 million workers at all education and skill levels and represent 60 percent of U.S. exports.

While obtaining a U.S. patent is a critical first step for our innovators towards recouping their R&D costs, capitalizing on their inventions and creating jobs, a U.S. patent only provides protection against infringement here at home. If inventors do not register in a foreign market, such as China, they have no protection there if the Chinese economy begins production of their patented inventions. Not only is a foreign patent protection necessary to ensure the ability to enforce patent rights abroad; it is necessary to defend American inventors against foreign lawsuits.

High costs, along with language and technical barriers, prevent many American small businesses from filing for foreign patent protection. Lack of patent protection both at home and abroad increases uncertainty for innovators and the likelihood of piracy. While we must reduce backlogs at the USPTO to make domestic patent protection more attainable, we must also look forward to find ways to help our manufacturers and other IP-intensive industries compete globally.

This is why I am offering a commonsense, bipartisan amendment to the America Invents Act along with my colleague, Representative RENACCI, whom I would also like to thank for working with me on this important issue.

This amendment mandates a USPTO-led study with SBA to determine the best method to help small businesses obtain, maintain and enforce foreign patents. This study is to be conducted using existing resources at no cost to the taxpayers, and does not alter the score of the bill. I believe our amendment will help Congress and the USPTO determine the best ways to help American small businesses protect their IP assets, compete globally and boost exports.

I would like to thank Chairman SMITH and Ranking Member CONYERS for working with us on this amendment; and I urge passage of the Peters-Renacci amendment.

I yield my remaining time to my colleague from Ohio, Representative RENACCI.

The Acting CHAIR. The gentleman from Ohio is recognized for 2½ minutes.

Mr. RENACCI. I thank the gentleman for yielding and also for his hard work on the amendment on behalf of American small businesses.

I rise today in strong support of the Peters-Renacci amendment—a commonsense, no-cost study to determine the best method for American small businesses to obtain and enforce patent protections in foreign countries.

Industries that rely on intellectual property employ nearly 18 million American workers and represent 60 percent of American exports. As these industries continue to grow globally, foreign patent protection will become increasingly important to protect these workers' jobs, promote exports and expand our economy.

Our economy is becoming more global by the day, with foreign innovators testing the outer reaches of imagination and enjoying the strong support of their home nations. China, for example, is becoming increasingly aggressive at protecting their innovators' intellectual property rights and is subsidizing applications for foreign patents. We must develop a way here at home to make American small businesses equally competitive in the foreign marketplace. In order to compete with China, we have to stand behind our innovators with equal force.

Our amendment simply directs the U.S. Patent and Trademark Office to conduct a joint study with the Small Business Administration to issue recommendations on how America can do just that. Furthermore, this study is to be completed within 120 days, giving the 112th Congress ample time to implement its recommendations.

Not only are jobs and the economy paramount, but promoting American innovation is also important. Innovation is about much more than economic growth. It breaks boundaries, connects people from distant lands, fires the imagination, and sends a message of hope to those who need it most. Americans should be on the cutting edge of innovation, and this amendment is a good first step toward that direction.

I would again like to thank Mr. PETERS as well as Chairman SMITH and Ranking Member CONYERS. I urge support of the amendment.

Mr. SMITH of Texas. Madam Chair, I claim the time in opposition, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Madam Chair, I understand the underlying point of the Member's amendment, but other legislation and patent reform in particular have taught us that even small changes can have unintended consequences unless they have been vetted and have gone through the regular committee process.

The problem is in the details. This amendment is drafted as a study. I agree with the first part of the amendment but not the second because its objectives are written very much like a piece of legislation. It seeks to create support for a new program whereby taxpayer funds would be used to pay patent fees in foreign countries.

I am strongly committed to helping our small businesses and independent inventors secure their rights and have a level playing field abroad, but I can't support a result that could create a new entitlement program, a new bureaucracy and the transferring of taxpayer dollars directly to the treasuries of foreign governments. We should not use taxpayer funds to pay patent filing fees to foreign governments.

I do agree with the first part of this study, and am interested to see how the PTO, in coordination with other agencies, can figure out ways to help small businesses with international patent protection. I hope that this will be the focus of the study. The results of this study will show that small business outreach and educational and technical assistance programs are the most effective tools for small business and independent inventors.

I think that the PTO needs to continue its efforts to reach out to small businesses and independent inventors. This bill includes a provision which creates a permanent small business ombudsman at the PTO to work with small businesses to help them secure their patent rights. The PTO also conducts small business outreach programs throughout the country, teaching small businesses about IP enforcement and how to protect their intellectual property both at home and abroad.

Though I do not agree with the policy outline in the second part of the study and will strongly recommend that the PTO and SBA determine that such a program should not be established, I will support this amendment to initiate the study, and I hope that the bulk of it will focus on how to better utilize existing government resources for education and technical assistance to help small businesses with international patent protection.

Before I yield back the balance of my time, I hope that the movers of this amendment might be willing to reassure me and others about the intent and goals of this study.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Michigan has 15 seconds remaining.

Mr. PETERS. I just appreciate the support for this amendment. It is an important amendment that will give us information we can then use to support our small businesses as they're doing business abroad, and I urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 112-111.

Mr. POLIS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 108, beginning on line 18, strike "pending on, or filed on or after," and insert "filed on or after".

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, H.R. 1249 correctly changes the policy involving tax strategy patents. Under current law, although it was current law that was never specifically contemplated by lawmakers, tax strategy methods are patentable. Now these tax strategy patents have complicated the tax filing process and have allowed commonsense filing techniques to be patentable, so H.R. 1249 removes this complication by mandating that tax strategies are deemed insufficient to differentiate a claimed invention from the prior art.

I strongly support this provision. However, there are a number of folks who are currently involved with the process of applying for tax strategy patents, and in effect, we risk changing the rules of the game retroactively for them, a form of takings. There are currently 160 tax strategy patent applications in the process. Many of the inventors have decided to devote thousands of hours of time to disclose their innovations. Again, had this window of patentability never been opened—and it never should have been—this would not have been an issue because these inventors would have retained their innovations as trade secrets.

□ 1500

However, you can't blame them for saying, okay, there's a window on patentability; I will disclose so that I can have the 17-year exclusive. And now the risk is that that calculation that they made to disclose is being changed retroactively insofar as they will no longer have the ability to protect their innovation as a trade secret.

In their patent applications, these applicants have described how to make and use their invention. Many have even provided computer programs, including code, to carry them out. The patent applications have been published, and some of them are pending for many years. Changing the law midstream fundamentally hurts these applicants who did all that was proper under the law at the time they filed their patent application.

The underlying bill as drafted would make those patent applications useless; and because the patent applications have been published, the patent applicant will get nothing for disclosing their secrets, except the expense of pursuing a patent and of course the ability of others to replicate their innovation. Competitors will be free to use their disclosures in the published patent application process.

Changing the law midstream simply sends the wrong message to inventors that one cannot trust the law that is in place when they file a patent. Congress would be sending a message, unless my amendment is incorporated into the underlying bill, that all inventors on any subject matter may have their disclosures taken away from them after they have made the decision to apply for a patent by retroactively negating the possibility of them receiving a patent.

Tax strategy patents should never have been allowed under the law. I think there's broad agreement among all of us in this Chamber on that topic. It's unfortunate that there was a window. However, rational inventors, making a conscious choice, said, hey, in favor of disclosing, I will then accept a 17-year monopoly, and are now being penalized for making what was a very reasonable decision.

Restore equity to the America Invents Act by supporting my amendment. I hope Members on both sides of the aisle will support this, which effectively addresses only those 160 applications that are in effect now. It certainly continues and am in support of the ban on future patents for tax strategies, but there seem to be very few alternatives or remedies to the takings that would otherwise occur under this bill unless my amendment is incorporated.

I strongly urge a "yes" vote on the amendment.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), who is the chairman of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. GOODLATTE. Madam Chairman, I rise in strong opposition to this amendment.

Increasingly, individuals and companies are filing patents to protect tax strategies. When one individual or business is given the exclusive right to a particular method of complying with the Tax Code, it increases the costs and complexity for every other citizen or tax preparer to comply with the Tax Code. It is not difficult to foresee a situation where taxpayers are forced to choose between paying a royalty in

order to reap the best tax treatment and complying with the Tax Code in another, less favorable way. Tax strategy patents add additional costs and complications to an already overly complex process, and this is not what Congress intended when it passed the Federal tax laws or the patent laws.

The problem of tax strategy patents has been a growing concern for over a decade. Over 140 tax strategy patents have already been issued, and more applications are pending. Tax strategy patents have the potential to affect tens of millions of everyday taxpayers, many who do not even realize these patents exist. The Tax Code is already complicated enough without also expecting taxpayers and their advisers to become ongoing experts in patent law.

That is why I advocated for inclusion in H.R. 1249 of a provision to ban tax strategy patents. H.R. 1249 contains such a provision which deems tax strategies insufficient to differentiate a claimed invention from the prior art. This will help ensure that no more tax strategy patents are granted by the PTO.

Importantly, the House worked hard to find a compromise that will ensure Americans have equal access to the best methods of complying with the Tax Code, while also preserving the ability of U.S. technology companies to develop innovative tax preparation and financial management solutions. I believe the language in H.R. 1249 does just that.

This amendment would allow any tax strategy patent that was filed as of the date of enactment of the bill to move toward issuance by the PTO. However, tax strategy patents are bad public policy whether they were filed the day before or the day after this bill happens to be enacted. The effective date in the underlying bill rightly applies to any patent applications pending on the date of enactment.

In order to reduce the cost of filing taxes for all Americans and to restore common sense to our patent system, I urge my colleagues to oppose this amendment.

Mr. SMITH of Texas. Madam Chair, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I have tremendous respect for the gentleman from Colorado, but I rise in opposition to this amendment.

This amendment would cover not only those patent applications that were on file yesterday but, as I understand it, also those that are filed tomorrow. Tax strategy patents are a bad idea, as the American Institute of Certified Public Accountants states. "It's bad public policy. No one should be granted a monopoly over a form of compliance with the Federal Tax Code."

This amendment is opposed not only by the American Institute of Certified

Public Accountants but also my colleague, co-chair of the CPA Caucus, MIKE CONAWAY, and a majority of the CPA and accountants caucus, together with the American College of Trusts and Estate Counsel and the Certified Financial Planner Board of Standards.

Keep in mind, the purpose of a patent is to encourage innovation. What interest does the Federal Government have in encouraging innovative ways to avoid paying taxes to the Federal Government? It is now time to draw a line against patents on tax compliance.

Mr. SMITH of Texas. I yield myself the balance of my time.

Madam Chair, I oppose the amendment to change the effective date for the tax strategy method section of the bill.

It is possible to patent tax strategy methods, but it is bad policy. It is not fair to permit patents on techniques regularly used to satisfy a government mandate, such as one that requires individuals and businesses to pay taxes.

Tax preparers, lawyers, and planners have a long history of sharing their knowledge regarding how to file returns, plan estates, and advise clients. They maintain that allowing the patentability of tax strategy methods will complicate the tax filing process and inhibit the ability of preparers to provide quality services for their clients.

The effective date applies to any patent application that is pending on, or filed on or after, the date of enactment and to any patent that is issued on or after that date.

The gentleman's amendment eliminates the application of this provision to those applications pending on the date of enactment. These applications have not been approved so I disagree with excluding these patents-in-waiting.

It was a mistake for the PTO to issue these patents in the first place, given their potential to harm individual taxpayers and tax return preparers. We shouldn't leave the door ajar by allowing more applications in. This just compounds the very problem we're trying to solve.

I oppose the gentleman's amendment, and I urge my colleagues to vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was rejected.

AMENDMENT NO. 9 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 112-111.

Mr. CONYERS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section (and conform the table of contents accordingly):

SEC. 32. CALCULATION OF 60-DAY PERIOD FOR APPLICATION OF PATENT TERM EXTENSION.

(a) IN GENERAL.—Section 156(d)(1) of title 35, United States Code, is amended by adding at the end the following flush sentence:

“For purposes of determining the date on which a product receives permission under the second sentence of this paragraph, if such permission is transmitted after 4:30 P.M., Eastern Time, on a business day, or is transmitted on a day that is not a business day, the product shall be deemed to receive such permission on the next business day. For purposes of the preceding sentence, the term ‘business day’ means any Monday, Tuesday, Wednesday, Thursday, or Friday, excluding any legal holiday under section 6103 of title 5.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any application for extension of a patent term under section 156 of title 35, United States Code, that is pending on, that is filed after, or as to which a decision regarding the application is subject to judicial review on, the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. This bipartisan amendment makes a technical revision to H.R. 1249. It addresses the confusion regarding the calculation of the filing period for patent term extension applications under the Hatch-Waxman Act. By eliminating confusion regarding the deadline for patent term extension applications, this amendment provides the certainty necessary to encourage costly investments in life-saving medical research. It also is consistent with the only court case to address this issue entitled, *The Medicines Co. v. Kappos*. As a result of this amendment, all applications and cases will be treated henceforth in the same manner.

I also want to point out that this exact language has passed the House overwhelmingly on a voice vote in the past, and the prior version of the provision was unanimously passed by the House on two previous occasions and was also in another instance voted out by the Senate Judiciary Committee on a bipartisan basis. It was also accepted in a voice vote by the House Judiciary Committee at a markup earlier this year.

□ 1510

Madam Chair, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, in 2001, a biotech entity called the Medicines Company, or MedCo, submitted an application for a patent extension that the PTO ruled was 1 day late. This application would have extended patent protection for a drug the

company developed called Angiomax. In August 2010, a U.S. district court ordered the PTO to use a more consistent way of determining whether the patent holder submitted a timely patent extension application. The PTO is implementing that decision and believes the court's decision resolves the problem for MedCo. Because of this ongoing litigation, the manager's amendment struck language pertaining to MedCo. The Conyers amendment seeks to reinsert that provision.

The Conyers amendment essentially codifies the district court's decision, but it ignores the fact that this case is on appeal. We need to let the courts resolve the pending litigation. It is standard practice for Congress not to interfere when there is ongoing litigation. If the Federal circuit rules against MedCo, generic manufacturers of the drug could enter the marketplace immediately rather than waiting another 5 years. This has the potential to save billions of dollars in health care expenses. While the amendment is drafted so as to apply to other companies similarly situated, as a practical matter, this is a special fix for one company.

Finally, it would be more appropriate for this to be considered as a private relief bill. Private relief bills are designed to provide benefits to a specific individual or corporate entity. The House and the Judiciary Committee have procedures in place to ensure that such bills are properly vetted. This amendment ignores those procedures and denies Members the opportunity to know the consequences of what they are voting on.

To summarize, Madam Chair, we should not interfere with ongoing litigation which may be unprecedented, and we should give this issue regular process in the Judiciary Committee.

I oppose the amendment and urge my colleagues to defeat it.

I yield back the balance of my time.

Mr. CONYERS. I would like to yield 1 minute to the distinguished gentleman from Massachusetts, ED MARKEY, of the Energy and Commerce Committee.

Mr. MARKEY. Madam Chairman, this amendment eliminates confusion regarding the deadline for filing patent term extensions under the Hatch-Waxman Act and provides the certainty needed to encourage critical medical research. It also promotes good government by ensuring that the Patent Office and the FDA adopt consistent interpretations of the very same statutory language. And finally, this amendment is consistent with the only court decision addressing this issue. The court stated that the interpretation that is reflected in this amendment—this is from the court—is “consistent with the statute’s text, structure, and purpose.”

Right now, America's next Lipitor or Prozac could be bottled up at the Pat-

ent Office and never made available because of uncertainty regarding the patent term extension process. In order to uncork American innovation and invention, we need a patent extension process that is clear, consistent, and fair. That's exactly what the Conyers amendment does. It enjoys broad bipartisan support, and it confirms and clarifies existing law. It is cost-neutral.

I urge support for the amendment.

Mr. CONYERS. I yield, unfortunately only 75 seconds, to my good friend, also from Massachusetts, Mr. RICHARD NEAL.

Mr. NEAL. Madam Chair, I understand Mr. SMITH's position here, but the truth is that when he suggests that we're doing things that are interfering with ongoing court tests, there have been a series of votes here already about the health care law and guaranteed to have more coming in this institution. So I'm not going to spend a lot of time on that suggestion.

But I rise today in support of the amendment. It addresses the deadline for filing patent term extension applications under the Hatch-Waxman Act. By adopting a clear standard, the amendment would provide the opportunity and certainty needed to allow innovators to conduct the time-consuming and expensive medical research necessary to bring new lifesaving drugs to market.

The amendment clarifies the law in a manner that tracks the only court decision to have addressed this particular provision. It will ensure that all applications and all cases are treated the same. Because the amendment merely confirms existing law, it is budget-neutral.

The amendment enjoys broad support on both sides of the aisle. I hope that all of my colleagues will join me in supporting it.

Mr. CONYERS. Madam Chair, I am proud now to yield 30 seconds to the distinguished gentleman from Kansas, MIKE POMPEO.

Mr. POMPEO. I rise in support of this amendment.

As a former business owner, compliance with senseless government regulations was one of my biggest frustrations and, honestly, one of the primary reasons I ran for Congress. But it is impossible to comply with regulations when you get two different interpretations from two different agencies, and that's what we have here with this intellectual property rule.

The PTO and the FDA have established two different standards, and this amendment simply seeks to fix that, to give an identical outcome from two different agencies that resulted from different interpretations of the Hatch-Waxman Act of 1984.

Inventors shouldn't have to guess. We can make a clean deadline. I urge my colleagues to support this amendment.

Mr. CONYERS. I yield the balance of my time to the distinguished gentleman from New Jersey, SCOTT GARRETT.

The Acting CHAIR. The gentleman from New Jersey is recognized for 45 seconds.

Mr. GARRETT. Madam Chair, the Hatch-Waxman Act provides for the extension of patent terms covering drug products that must be approved by the FDA. And the extension that we're talking about here, while seemingly straightforward, the Patent Office and the FDA have interpreted it, as we have said, in two different ways, creating uncertainty that has led to miscalculations.

So our amendment, consistent with a court ruling, will clarify that when the FDA provides the final approval after normal business hours, the 60-day clock begins on the next business day. So by doing this, by ensuring that patent holders will not lose their rights prematurely, what this amendment does is it will not only resolve a long-standing problem but will encourage the development of innovative new drugs as well.

With that, I urge the adoption of this very commonsense amendment.

Mr. GALLEGLY. Madam Chair, I rise in support of this amendment.

Development of new prescription drug therapies is critically important if we are to successfully treat—or even cure—diseases such as cancer, ALS and juvenile diabetes.

The problem is that medical research is expensive. A researcher can spend years trying various drug combinations before developing one that may be approved for testing in humans, and it can take even more years after that to get final Food and Drug Administration, FDA approval. If patent protection expires soon after the drug is approved, companies may not be able to recover their investment, which would lead to less research and development.

Congress recognized this problem when it passed the Hatch-Waxman Act in 1984. Hatch-Waxman provides for extended patent protection if the company applies within 60 days after the FDA approves a new drug.

Unfortunately, the FDA and the Patent and Trademark Office have different interpretations of when the company must file the application. The resulting confusion and uncertainty may be discouraging people from investing in life-saving medical research.

This amendment simply clarifies when the 60-day period begins. This is completely budget neutral and does not make any substantive change to the law.

I urge my colleagues to support this commonsense amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CONYERS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 10 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 112-111.

Ms. SPEIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 3, insert before the period the following: “, including requiring parties to provide sufficient evidence to prove and rebut a claim of derivation”.

The Acting CHAIR. Pursuant to House Resolution 316, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. SPEIER. Madam Chair, my amendment enhances the derivations proceedings provision in the first-inventor-to-file section of the bill.

As we know, the U.S. Patent Office is a vital tool that facilitates universities and businesses of all sizes to turn ideas and discoveries into successful products. Having said that, we must ensure that our patent system provides strong and predictable intellectual property protections.

This act creates a new process called “derivation,” by which a party can defeat an earlier filed patent application by showing that the invention in the earlier application was derived from the party's invention or concept. The bill requires a party to support a petition for derivation by “substantial evidence” in order to initiate a proceeding.

The derivation proceedings in this legislation must be a process that is fair, reliable, and permits the Patent and Trademark Office to make a decision based on a solid record of relevant evidence. This amendment helps to accomplish this by requiring the PTO to provide rules for the exchange of relevant information by both parties.

The substantial evidence threshold at the petition stage of the proceedings may not be reasonable in some circumstances. For example, consider a situation where an inventor discloses an invention to a venture capitalist who declines to invest in it. The venture capitalist has conversations with several other VCs about the invention, and eventually a company funded by one of those VCs files a patent application for something very much like the original invention. If a company funded by the original VC has filed the application, the inventor would be able to show substantial evidence of derivation through the disclosure to the VC and the link between the VC and the company filing the application. However, in the instance when an inventor did

not personally make a disclosure to other VCs or the company that filed an application, it would be difficult for the inventor to show substantial evidence, particularly relevant to disclosures about which the inventor is unaware.

The public's interest in fostering innovation requires that the derivation proceedings be equitable to both parties and that the PTO have a complete record of evidence on which to make its decision. Inventors must have a fair chance to prove their claim, and defending parties must be able to provide evidence to rebut claims. This amendment accomplishes these goals by requiring the PTO to provide rules for the exchange of relevant information and evidence by both parties.

□ 1520

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I claim the time in opposition, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. Madam Chair, I think this is a good amendment. I urge my colleagues to support it.

I yield back the balance of my time.

Ms. SPEIER. Madam Chair, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER).

The Acting CHAIR. The gentleman from Maryland is recognized for 2½ minutes.

Mr. HOYER. I thank the gentlewoman for yielding.

Madam Chair, I rise in support of this legislation.

I am a strong supporter, as many of you know, of what we call our Make It In America agenda. “Make It In America” simply means that we're going to provide jobs, we're going to provide opportunities, and we're going to build the manufacturing sector of our economy. In order to do that, we also need to enhance the inventive, innovative, and development phases of our economy. This bill, I think, will facilitate this.

I congratulate the gentlewoman from California for this amendment as well, which I think improves this bill, and I rise in strong support and urge my colleagues to support this piece of legislation. I congratulate all of those who have worked on this legislation.

It is, obviously, not perfect. But then again, no piece of legislation that we adopt is perfect. It is, however, a significant step forward to make sure that America remains the inventive, innovative, development capital of the world. In order to do that, we need to manufacture goods here in America; manufacture the goods that we invent, innovate, and develop. Because if we continue to take them to scale overseas, then the inventors, innovators,

and developers will themselves move overseas.

So I thank Mr. SMITH, I thank Mr. WATT, and I thank others who have worked so hard on this legislation, Ms. LOFGREN as well, who have dedicated themselves to try to make sure that we have a context and environment in America which will facilitate the inventive, innovative sector of our economy.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER). The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. WATT

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 112-111.

Mr. WATT. Madam Chair, we were expecting Congresswoman WATERS. I would ask unanimous consent that this amendment be delayed until we can determine whether she is still planning to offer it.

The Acting CHAIR. The Committee of the Whole is unable to reorder the amendments.

Mr. WATT. In that case, I offer the amendment as the designee of the gentlewoman from California.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 139, insert the following after line 12 and redesignate succeeding sections (and conform the table of contents) accordingly:

SEC. 29. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from North Carolina (Mr. WATT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WATT. Madam Chair, I yield myself such time as I may consume solely to say that this is a straightforward amendment that provides that if one part of the bill is determined to be unconstitutional, it can be severable from the rest of the bill and it doesn't bring the rest of the provisions down. That's a standard policy to put in most legislation.

With that, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise to claim the time in opposition, although I support the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Texas. I thank the gentleman for offering the amendment, and I urge my colleagues to support it.

I yield back the balance of my time.

Mr. WATT. Madam Chair, I have just been advised that we were mistaken in the desire of Ms. WATERS to offer the amendment. She didn't want me to offer it in her stead, and that's why she didn't show up.

I would just ask unanimous consent to withdraw the amendment, unless the chairman has an objection.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 12 OFFERED BY MR.

SENSENBRENNER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 112-111.

Mr. SENSENBRENNER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 ("First Inventor to File"), as amended, beginning on page 5, line 1, and redesignate succeeding sections and references thereto (and conform the table of contents) accordingly.

Page 68, line 9, strike "section 18" and all that follows through "3(n)(1)" on line 11 and insert "section 17 and in paragraph (3), shall apply to any patent for which an application is filed on or after that effective date".

Page 74, line 3, strike "derivation" and insert "interference".

Page 74, line 7, strike "derivation" and insert "interference".

Page 76, line 7, strike "DERIVATION" and insert "INTERFERENCE".

Page 76, lines 7 and 8, strike "a derivation" and insert "an interference".

Page 76, lines 12 and 25, strike "derivation" and insert "interference".

Page 77, line 6, strike "a derivation" and insert "an interference".

Page 77, line 10, strike "derivation" and insert "interference".

Page 77, line 23, strike "a derivation" and insert "an interference".

In section 7 ("Patent Trial and Appeal Board"), as amended, strike subsection (d) ("Conforming Amendments") and insert the following:

(d) CONFORMING AMENDMENTS.—

(1) AMENDMENTS TO TITLE 35.—Sections 134, 145, 146, 154, and 305 of title 35, United States Code, are each amended by striking "Board of Patent Appeals and Interferences" each place that term appears and inserting "Patent Trial and Appeal Board".

(2) ATOMIC ENERGY ACT OF 1954.—Section 152 of the Atomic Energy Act of 1954 (42 U.S.C. 2182) is amended, in the third undesignated paragraph, by striking "Board of Patent Appeals and Interferences" each place it appears and inserting "Patent Trial and Appeal Board".

(3) TITLE 51.—Section 20135 of title 51, United States Code, is amended, in subsections (e) and (f), by striking "Board of Patent Appeals and Interferences" each place it appears and inserting "Patent Trial and Appeal Board".

Page 113, line 20, strike "as in effect" and all that follows through "3(n)(1)," on line 22.

Page 113, line 25, strike "(as in)" and all that follows through "date)" on page 114, line 1.

Page 114, line 9, strike "(as in effect)" and all that follows through "3(n)(1)" on line 11.

Page 115, line 10, strike "6(f)(2)(A)" and insert "5(f)(2)(A)".

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Wisconsin (Mr. SENSENBRENNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. SENSENBRENNER. I yield myself 1½ minutes.

Madam Chair, section 3 of this bill creates a first-to-file patent system. The sponsors believe that the United States should harmonize with other countries' first-to-file systems. There's no reason to do that.

Our patent system is the strongest in the world, and it's based upon the first recognition of the Constitution in any country that inventors should be protected. I think that the Constitution empowers Congress to give patents only to inventors. We had a significant constitutional argument on this issue yesterday. If the amendment is not adopted, the issue will be litigated all the way up to the Supreme Court.

The current first-to-invent system has been key in encouraging entrepreneurial innovation and evens the playing field for individual inventors who are not represented by a major industry. The first-inventor-to-file system violates the Constitution because it would award a patent to the winner of the race to the PTO and not the actual inventor who makes the first discovery.

If we change to a first-to-file system, inventors who believe they do not have sufficient resources to win the race to the PTO will not have any motivation at all to continue developing the new invention. This will stifle innovation, and given the current state of our economy, that's the last thing we need.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SENSENBRENNER. I yield myself an additional 15 seconds.

First-to-file also invites excessive filing and will add to the burden of the USPTO by increasing the examiner's workload. We already have financing problems there. If this amendment is not adopted, it will be worse.

I reserve the balance of my time.

Mr. SMITH of Texas. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, the gentleman's amendment strikes the first-inventor-to-file provisions from the bill. I strongly oppose the amendment.

The move to a first-inventor-to-file system creates a more efficient and reliable patent system that benefits all inventors, including independent inventors. This provision provides a more transparent and certain grace period, a key feature of U.S. law, and a more definite filing date that enables inventors to promote, fund, and market

their technology while making them less vulnerable to costly patent challenges that disadvantage independent inventors.

The first-inventor-to-file system is absolutely consistent with the Constitution's requirement that patents be awarded to the inventor. Former Attorney General Michael Mukasey has stated that the "provision is constitutional and helps assure that the patent laws of this country accomplish the goal set forth in the Constitution: 'to promote the Progress of Science and useful Arts.'"

Under first-inventor-to-file, patent rights are reserved to someone who independently conceived of an invention before it was in the public domain. And under the Constitution, that is what is required to be considered an "inventor."

□ 1530

In fact, early American patent law, that of our Founders' generation, did not concern itself with who was the first to invent. The U.S. operated under a first-inventor-to-register system for nearly half a century, starting in 1790. The first-inventor-to-register system is similar to first-inventor-to-file, a system that the Founders themselves supported early in our Nation's history.

The courts did not even concern themselves with who was the first person to invent until 1870, with the creation of interference proceedings. Those proceedings are the ones that disadvantage independent inventors and small businesses. And over the years, and in subsequent revisions of the law, those proceedings have morphed into a costly litigation tactic.

Under first-inventor-to-file, an inventor submits an application to the Patent Office that describes their invention and how to make it. That, along with just a \$110 fee, gets them a provisional application and preserves their filing date. This allows the inventor an entire year to complete the application, while retaining the earlier filing date. By contrast, the cost of an interference proceeding in today's law could run an inventor \$500,000.

Accusations that the bill doesn't preserve the 1-year grace period are simply false. This bill provides a stronger, more transparent and certain 1-year grace period for disclosures. This enhances protection for inventors who have made a public or private disclosure of their invention during the grace period.

The grace period protects the ability of an inventor to discuss or write about their ideas for a patent up to 1 year before they file for patent protection. These simple requirements create a priority date that is fixed and public so that everyone in the world can measure the patent against competing applications and patents and relevant prior art.

In addition, many inventors also want protection for their patents outside of the United States. If you plan on selling your product overseas, you need to secure an early filing date. If you don't have a clear filing date, you can be shut out from the overseas market. A change to a first-inventor-to-file system will help our businesses grow and ensure that American goods and services will be available in markets across the globe.

The current first-to-invent system seriously disadvantages small businesses and independent inventors. Former PTO Commissioner Gerald Mossinghoff conducted a study that proved smaller entities are disadvantaged in PTO interference proceedings that arise from disputes over patent ownership under the current system.

In the last 7 years, only one independent inventor out of 3 million patent applications filed has proved an earlier date of invention than the inventor who filed first.

Madam Chair, let me repeat that: in the last 7 years, only one independent inventor out of 3 million patent applications filed has proved an earlier date of invention than the inventor who filed first. Independent inventors lose to other applicants with deeper pockets that are better equipped to exploit the current complex legal environment.

So the first-inventor-to-file change makes it easier and less complicated for U.S. inventors to secure their patent rights, and it protects their patents overseas. And it eliminates the legal bills that come with interference proceedings under the current system. It is a key provision of this bill.

Madam Chair, the amendment should not be approved, and I urge my colleagues to vote against it.

I yield back the balance of my time.

Mr. SENSENBRENNER. Madam Chair, I yield 1 minute to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Madam Chair, I find myself in reluctant opposition to my colleague from Texas in support of the Sensenbrenner amendment. Section 3 shifts our patent system from the unique first-to-invent system to a first-to-file system.

As I speak to inventors, startups, venture capitalists and angel investors in California, I'm convinced that the proposed transition to first-to-file would be harmful to innovation and burdensome to the most dynamic and innovative sector of our economy.

With the shift to first-to-file, the rush to the Patent Office will lead to new costs for small businesses as they prepare applications for inventions that they may ultimately find impractical. For small startups, the cost of retaining outside counsel for this purpose will be a drain on their limited resources and mean less money for hiring and the actual act of innovation.

Supporters of first-to-file argue inventors can turn to provisional appli-

cations to protect their patent rights. But from talking to small inventors, I have learned that good provisional applications require substantial legal fees and time investment on the part of the inventor to make them sufficiently detailed to be of use.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SENSENBRENNER. I yield the gentleman an additional 15 seconds.

Mr. SCHIFF. I appreciate the hard work that has gone into the bill by the gentleman from Texas. However, I remain deeply concerned that the shift to first-to-file will have lasting negative consequences for small inventors, and I urge the House to improve the bill by adopting the Sensenbrenner amendment.

Madam Chair, following is my statement in its entirety: I rise in support of the Sensenbrenner amendment to strike Section 3 of the underlying legislation. Section 3 shifts our patent system from our unique First to Invent system to a First to File system. As I speak to inventors, startups, venture capitalists and angel investors in California, I am convinced that the proposed transition to First to File would be harmful to innovation and burdensome to the most dynamic and innovative sector of our economy.

With the shift to First to File, the rush to the patent office will lead to new costs for small businesses as they prepare applications for inventions that they ultimately find impractical. The result will be more and lower quality patent applications, undermining the improved patent quality H.R. 1249 seeks to achieve. For small startups, the costs of retaining outside counsel for this purpose will be a drain on their limited resources, and it will mean less money for hiring and the actual act of invention.

Supporters of First to File argue that it will increase certainty in the patent process, but I am skeptical that any such gains in efficiency will result. The interference proceedings at the PTO that are used to resolve disputes regarding patent rights are rare, representing only a tiny fraction of patent filings. Moreover, there is an established, century old body of law on First to Invent. It will take years, if not decades, for similar clarity to develop on a First to File.

Supporters of First to File argue that inventors can turn to provisional applications to protect their patent rights. That sounds good in theory, but from talking to small inventors I have learned that good provisional applications require substantial legal fees and time investment on the part of the inventor to make them sufficiently detailed to be of any use should another entity file a similar patent application.

Madam Chair, I appreciate the hard work that has gone into this bill and the leadership of the gentleman from Texas. However, I remain deeply concerned that the shift to First to File will have lasting negative consequences for small inventors, and I urge the House to improve the bill by adopting the Sensenbrenner amendment.

Mr. SENSENBRENNER. Madam Chair, I yield 1 minute to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Madam Chair, I rise in support of the Sensenbrenner amendment. Actually, I don't agree that first-to-file is unconstitutional, and I, in general, am not opposed to the idea of first-to-file.

But, unfortunately, the bill is flawed, and you cannot have first-to-file without robust prior-user rights and a broad prior-user rights used in the grace period. We don't have that in this bill.

And so what we will have are established businesses having to either reveal trade secrets or be held up, have to license their own trade secrets. For startups this is a very serious problem. And coming from Silicon Valley, I'll tell you I've heard from a lot of startups and the venture world that supports them that this provision is defective.

There were other remedies. They were not adopted. All we can do now is to strike the first-to-file provision. I do that without any reluctance. It will serve our economy best. And I thank the gentleman for offering his amendment.

Mr. SENSENBRENNER. I yield myself the balance of the time.

Madam Chair, the reason that first-to-invent is important is that it allows an inventor to talk to investors, conduct trial and error innovation and deal with leaks, because commercially important patent rights are determined by ordinary, nonburdensome business activities.

Where this hurts the ordinary inventor by going to first-to-file is that he needs to get his venture capital together, and then go ahead and file for a patent. With first-to-file, he has to put all of the money up front to file in order to protect himself; and what that will do is have a chilling effect on the small inventor who needs to get capital in order to perfect a patent and in order to market it. That's why this amendment should be adopted. I urge the Members to do so.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. SENSENBRENNER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. SENSENBRENNER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. MANZULLO

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 112-111.

Mr. MANZULLO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 10 (beginning on page 81, line 14; "Fee Setting Authority"), as amended, and insert the following (and conform the table of contents accordingly):

SEC. 10. ELECTRONIC FILING INCENTIVE.

(a) IN GENERAL.—An additional fee of \$400 shall be established for each application for an original patent, except for a design, plant, or provisional application, that is not filed by electronic means as prescribed by the Director. The fee established by this subsection shall be reduced by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code. All fees paid under this subsection shall be deposited in the Treasury as an offsetting receipt that shall not be available for obligation or expenditure.

(b) EFFECTIVE DATE.—This section shall take effect upon the expiration of the 60-day period beginning on the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Illinois (Mr. MANZULLO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. MANZULLO. Madam Chair, there are a lot of problems with this bill as we have heard about already. In fact, on the wall of my office here in Washington, I have two pictures, among many. One is a picture of W. Edwards Deming and myself, taken just before he passed away in 1993—the real inventor of Lee Manufacturing. The other is of Dr. Ray Damadian, the inventor of the MRI who, when examining this legislation, said if the new changes had taken place in the patent law, had they been part of the patent system when he invented the MRI, the MRI never would have been invented. He knows more than anybody how flawed this bill is.

I want to focus in particular on section 10 of the bill, which allows the Director of the Patent Office to set fees. I'm very concerned about this because, in the last patent fight, in 2004, when I chaired the House Small Business Committee, in return for supporting higher fees with a reduced rate structure for small businesses, the provision in that bill allowing the PTO Director to set fees was removed.

□ 1540

This new bill abrogates that hard-won compromise and allows the director of the PTO to set the fees. It is not wise for the legislative branch to give up more power and authority to the executive branch. I know it's inconvenient to have Congress set fees, but that's the job of Congress, not the job of an unelected bureaucrat.

When I chaired the House Small Business Committee, I continued the tradition of preventing the SBA from

unilaterally being able to set fees to whatever level they sought. I don't see why we have to do this with the PTO. Now in the present bill, section 11 actually lowers fees for small business people and has a good patent fee structure. However, section 10 would allow the PTO Director to proceed with the administrative process to eviscerate that section and impose its own fees.

To compound the problem, the Patent Office has been saying for years that if they had the authority to raise fees, they would. In 2002, the PTO strategic plan said they needed to have a fee based upon a progressive system aimed at limiting applications. In 2010, in the white paper on patent reform, they said the same thing.

The Patent Office's idea of cutting back on the backlog is to raise fees. That doesn't make sense. But let's eliminate that authority from the Patent Office. Let's leave that authority with the United States Congress.

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, I oppose the gentleman's amendment to strike the PTO fee-setting authority from H.R. 1249.

Although the PTO has the ability to set certain fees by regulation, most fees are set by Congress. History has shown that such a scheme does not allow the PTO to respond to the challenges that confront it.

The PTO, most stakeholders, and the Judiciary Committee have agreed for years that the agency must have fee-setting authority to address its growing workload. This need is critical. The agency's backlog exceeds 1 million patent applications. This means it takes 3 years to get a patent in the United States—far too long. The wasted time leads to lost commercial opportunities, fewer jobs, and fewer new products for American consumers. Moreover, the new fee structure will not only retain the existing 50 percent discount for small businesses, it creates a new 75 percent discount for micro entities. This benefit helps independent inventors and small businesses.

The bill allows the PTO to set or adjust all of its fees, including those related to patents and trademarks, so long as they do no more than reasonably compensate the agency for the services performed.

To the charge that we are abandoning our oversight of the process, I urge the Members to review the oversight mechanisms in the bill. For example, prior to setting such fees, the director must give notice to and receive input from the Patent Public Advisory Committee or the Trademark Public Advisory Committee. The director may also reduce fees for any given fiscal year, but only after consultation with the advisory committees.

The bill details the procedures for how the director shall consult with the advisory committees, which includes providing for public hearings and the dissemination to the public of any recommendations made by either advisory committee.

Fees shall be prescribed by rule. Any proposed fee change shall be published in the Federal Register and include the specific rationale and purpose for the proposed change.

The director must seek public comments for no less than 45 days. The director must also notify Congress of any final decision regarding proposed fees. Congress shall have no more than 45 days to consider and comment on any proposed fee, but no proposed fee shall be effective prior to the expiration of this 45-day period.

Congress will remain part of the process, but PTO is better able to respond to their own resource needs, which, after all, will benefit patent holders and subsequently the economy.

I urge my colleagues to oppose the amendment.

Madam Chair, I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Intellectual Property Subcommittee.

The Acting CHAIR. The gentleman from Virginia is recognized for 2½ minutes.

Mr. GOODLATTE. I thank the chairman for yielding.

Madam Chairman, I rise in opposition to this amendment.

The Senate-passed patent bill granted the PTO fee-setting authority into perpetuity. The Senate's goal was laudable. It wanted to allow the PTO to have control over the fees that it charges so that it would have more certainty about rolling out new programs and hiring new examiners to deal with pendency and quality issues. We have, as you know, a very long backlog—3 years, 1 million patents. However, I had strong concerns with granting this much authority to a government agency.

Currently, the PTO must come before Congress to request any fee increases. This forces the PTO to use its current resources in the most efficient manner and also strengthens Congress' hand when it comes to oversight over the agency. Thus, I worked to get a provision into the House bill that would sunset the PTO's fee-setting authority. The bill now terminates the fee-setting authority after 7 years unless Congress proactively acts to extend it. This will allow the PTO sufficient time to structure its fees but will ensure that Congress continues to have a strong influence over that process.

And I might add that the manager's amendment to the bill also strengthens Congress' hand and limits the objective of the PTO to arbitrarily raise its fees because the Congress still appropriates

the funds and can only escrow funds—can't divert them to another purpose, but escrows them. PTO will have to come back to the Congress and justify additional funds it receives.

I believe the bill, as it is written right now, strikes the right balance. And I urge Members to oppose this amendment, which would altogether eliminate PTO fee-setting authority.

Mr. MANZULLO. I yield myself the balance of my time.

Madam Chair, you don't strike the right balance between an inventor's constitutional right to file for an invention and giving a patent czar the authority to keep him out of the box by allowing him to raise the fees. Mr. SMITH from Texas said it himself; he coupled patent backlog with the ability of the patent director to set the fees. That can only lead to one conclusion: They're going to raise the fees in order to cut down on the patent backlog. It doesn't make sense.

This is the people's House. The Patent Office is the people's house for the little inventor. He must have every opportunity to exercise his constitutional right and file that patent. But if Congress cedes the authority to set those fees to a new authority of the patent director—or we can call him now the patent czar—that patent czar will control for 7 years, at the minimum, the flow of traffic coming through his office. And you know who gets slowed? Do you know who gets hurt? It's the little guy. And the purpose of my amendment is to protect the little guy to make sure those fees are not raised, and also to make sure that the people in this country elect representatives in Congress because it's our job to set the fees, not the job of an unelected person, the person in charge of the Patent Office.

I would therefore urge my colleagues to vote for the Manzullo amendment, to support the little inventor, to support the spirit of entrepreneurship in this country.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. MANZULLO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MANZULLO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. ROHRABACHER

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 112-111.

Mr. ROHRABACHER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 73, after line 2, insert the following new subsection:

(i) INAPPLICABILITY OF POST-GRANT REVIEW TO CERTAIN SMALL ENTITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a patent granted to a United States citizen, an individually lawfully admitted for permanent residence in the United States, or a United States company with less than 100 employees shall not be subject to any form of post-grant review or reexamination.

(2) RULEMAKING.—The Director shall issue such regulations as may be necessary to carry out this subsection.

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. In this debate, Madam Chairman, we have heard over and over and over again about the gridlock at the Patent Office, which is supposedly what we're trying to correct with this legislation, H.R. 1249, which I have been contending is not designed to help the Patent Office, but to harmonize American law with the rest of the world and make it weaker patent protection for our people.

But what does it do about the backlog, if that's really what people are concerned about? H.R. 1249 would actually tremendously add to the PTO backlog by requiring further post-grant review proceedings at the Patent Office, proceedings which would consume even more limited personnel and money. Added procedures add to the gridlock at the PTO, at the Patent Office, and it will also do what? It will break the back of small inventors and startup companies who are trying to get a new product on the market.

□ 1550

It will empower the multinational and foreign corporations who can grind down the little guy, because what we are doing in this bill is adding even further procedures they have to go through, even after they have got their patent issued to them.

This is the big guy versus little guy legislation. That was even pointed out by the Hoover Institution, which did an analysis of this bill and said, "The American Invents Act will protect large entrenched companies at the expense of market challenging competitors."

"A patent should be challenged in court, not in the U.S. Patent Office."

"A politicized patent system will further entrench those companies with the largest lobbying shops on K Street."

"The bill wreaks havoc on property rights, and predictable property rights are essential for economic growth."

"If America weakens its patent enforcement at home, it will set a dangerous precedent overseas."

"The America Invents Act would inject massive uncertainty into the patent system."

This is a travesty. It is an attack on American well-being, because we depend on our small inventors to come up with the ideas. The Kaptur-Rohrabacher amendment limits this new burden. If we can't get rid of it, at least we can limit this new burden of all these post-grant reviews they are going to add to companies that have more than 100 employees. It frees up the Patent Office personnel to do their job, helps with that gridlock, and protects the small business man and small inventors at the same time.

I would ask my colleagues to support the Kaptur-Rohrabacher amendment.

I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding and urge my colleagues to support the Rohrabacher-Kaptur amendment, which ensures fairness for small and independent inventors. Without it, this bill will destroy American job creation and innovation since it throws out 220 years of patent protections for individual inventors.

Our amendment addresses a major shortcoming of the bill by eliminating the burden of post-grant reviews and reexaminations on individual inventors and small businesses with 100 or fewer employees.

The new procedures and regulations in this bill will make it extremely difficult for the average citizen to ever get a patent or defend one without our amendment. Our amendment clearly gives the Patent Office the authority to issue appropriate regulations that ensure that the new regulatory burdens in this bill do not disproportionately impact individual inventors. This amendment is about ensuring fairness for small inventors.

We urge our colleagues to support the Kaptur-Rohrabacher amendment so all inventors in America have a chance to realize their dreams, and, in realizing their dreams, assuring that we will have robust innovation and job creation in our country.

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. ROHRABACHER. Let me just note, our amendment empowers the Director of the Patent Office to extend this 100-employee standard to other small businesses and individual inventors overseas if this is required by a treaty; yes, small businesses and individual inventors overseas. So our amendment does nothing to violate any treaty obligations by giving our own people special rights over foreign individuals.

What it does do, however, is prevent foreign corporations from grinding down our inventors here, like they grind down their inventors overseas. This is what we are doing to prevent a

harmonization of our laws, because we don't want weaker patent protection for our people. They already got it overseas against their foreign corporations that grind them down. We want to protect our own people.

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Madam Chair, almost everyone in Congress wants to help small businesses. They are the foundation of our economy and are the primary job creators. But this amendment includes certain terms or phrases that have nothing to do with the underlying goal that it purports to achieve.

This amendment appears to focus on small businesses, but in reality the amendment attempts to provide the trial lawyer lobby and patent trolls with an exemption from PTO reexamination, allowing them to continue suing job creators using frivolous or questionable patents. This amendment has nothing to do with small businesses and everything to do with providing an exemption for some of the worst offenders of our patent system.

This amendment will not help independent inventors or small businesses. Small businesses need the PTO reexamination proceedings. Those proceedings strengthen patents, and strong patents are what investors look for when making decisions about whether or not to provide venture capital funding.

The argument that reexam proceedings harass or hurt small businesses is just plain wrong. The reexam proceedings are a cheaper, quicker, better alternative to resolve questions of patentability than costly litigation in Federal court, which can run into the millions of dollars and last for years. This amendment is an immunity agreement for patent trolls, those entities who do not create jobs or innovation but simply game the legal system.

Additionally, this amendment appears to violate our international obligations under the TRIPS agreement. Under TRIPS, we are obligated not to discriminate against any field of technology or categories of patent holders. By providing an exemption from all reexamination proceedings for technological patents granted to patent trolls or nonpracticing entities, this would create a clear violation of our legal obligations.

Our patent system should be designed to ensure that it produces strong patents and patent certainty. The PTO reexamination proceedings help ensure that these important goals are accomplished. This amendment bars any form of reexam for U.S.-owned patents and, thus, would also prevent U.S. inventors themselves from using supplemental examination to even be able to correct

errors in the record about their own patents.

This amendment creates a huge loophole in our patent system by exempting entities with 100 or fewer employees. This will not help small businesses but will allow patent troll entities, foreign companies, and foreign governments to manipulate our patent system. It would bar use of the business-methods transitional proceeding against most business-method patents.

This amendment is a recipe for allowing patent trolls and foreign companies and their governments to bypass normal post-grant challenges and enables weak or questionable patents to bypass further scrutiny. There is no legitimate public policy objective in exempting large numbers of those who manipulate our patent system from the rules of the road. It is for these reasons that I strongly oppose this amendment.

I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE).

The Acting CHAIR. The gentleman from Virginia is recognized for 2 minutes.

Mr. GOODLATTE. Madam Chairman, I rise in strong opposition to this amendment, which is a bad idea. Post-grant review is one of the most important provisions in this bill. It allows third parties, for a limited window of 9 months after a patent is issued, to submit evidence that the patent should not have been granted in the first place.

This allows third parties, many of whom will be small businesses themselves who are familiar with the subject matter, to provide a check on patent examiners. If the evidence shows that the patent is indeed invalid, then the patent applicant should never have received the patent in the first place. If the evidence shows that the patent is valid, then the patent is made stronger and more certain by surviving a post-grant review.

The amendment would exempt small businesses from the post-grant opposition proceeding. However, the quality of a patent examination does not hinge on the size of the applicant, whether it was a small business, an independent inventor, or a large corporation. It hinges on the PTO job of scrutinizing that patent. A bogus patent held by an independent inventor is no less deserving of a second look than a bogus patent held by a Fortune 500 company.

For these reasons, I urge opposition to this very bad amendment.

The Acting CHAIR. The gentleman from California has 30 seconds remaining.

Mr. ROHRABACHER. I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I would like to refute Mr. SMITH's argument. In fact, he has manufactured an argument against our amendment that says it will violate

WTO obligations, specifically citing TRIPS. He seems to object to the use of references to American citizens and U.S. companies, but obviously failed to read the entire amendment which allows the Patent Office to issue relevant regulations for properly implementing this amendment. And if he was so concerned about WTO compliance, he should strike section 18 of his own bill which is clearly WTO noncompliant because it creates a special class for only one industry, the banking industry.

I urge my colleagues to vote against the bill and for the Rohrabacher-Kaptur amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. ROHRABACHER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. SCHOCK

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 112-111.

Mr. SCHOCK. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 112, strike line 18 and all that follows through page 118, line 2, and redesignate succeeding sections and references thereto (and conform the table of contents) accordingly.

Page 68, line 9, strike "in section 18 and".

□ 1600

The Acting CHAIR. Pursuant to House Resolution 316, the gentleman from Illinois (Mr. SCHOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHOCK. I thought when we started this Congress that we had agreed to no more earmarks, no more handouts, no more special privileges for any specific industry. But based on reading H.R. 1249, it's obvious to see that it includes controversial language which does just that—section 18, which sets forth a new and different process for certain business method patents for any other patents seeking approval.

Section 18 carves out a niche of business method patents covering technology used specifically in the financial industry and would create a special class of patents in the financial services field subject to their own distinctive post-grant administrative review. This new process allows for retroactive reviews of already-proven patents that have undergone initial scru-

tiny, review, and have even been upheld in court. Now these patents will be subjected to an unprecedented new level of interrogation.

The other side will argue that somehow magically a number of these financially related patents breezed through the patent office and thus must be reviewed. Well, nothing could be further from the truth. In fact, the allowance rate for these business method patents is the smallest of any of the art forms. In fact, roughly 10 percent of those business method patents applied for are actually approved.

At a time when these small entrepreneurs and innovators need to be dedicating their resources and new advancements to innovation, they will instead, because of section 18, be required to divert research funds to lawyers to fight the deep pockets of Wall Street, who will now attempt to attack their right to hold these financially related patents.

With that, Madam Chair, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. I yield myself 1 minute.

Madam Chair, I strongly oppose this amendment. It strikes a useful provision that would provide a way to review the validity of certain business method patents. The proceeding would create an inexpensive and faster alternative to litigation, allowing parties to resolve their disputes rather than spending millions of dollars that litigation now costs. In the process, the proceeding would also prevent nuisance or extortion lawsuits.

This provision is strongly supported by community banks, credit unions, and other institutions that are an important source of lending to homeowners and small businesses. Finally, this bill only creates a new mechanism for reviewing the validity of business method patents. It does not alter the validity of those patents. Under settled precedent, the transitional review program is absolutely constitutional.

Madam Chair, I now yield 1 minute to the gentleman from New York (Mr. GRIMM), a member of the Financial Services Committee.

Mr. GRIMM. I rise today to call on my colleagues to oppose the Schock-Waters amendment. This amendment would strike one of the legislation's most important reforms, a crackdown on low-quality business method patents, which have weakened the patent system and cost companies and their customers millions of dollars. Infamous patent trolls—people who aggressively try to enforce patents through courts in friendly venues—have made business method patents their specialty in recent years. These same patent trolls have funded an elaborate

propaganda campaign targeting the reforms in section 18.

Let us simply set the record straight. Section 18 allows patent experts to re-examine through temporary pilot programs legally questionable business method patents, a problem that the Patent Office has already said it is ready and willing to tackle. Opponents have asserted that the measure would help only the banks. This isn't true. The National Retail Federation and the U.S. Chamber of Commerce have endorsed this provision. Companies impacted include McDonald's, Walmart, Costco, Home Depot, Best Buy, and Lowes. These don't sound like banks to me.

Opponents also claim that this section is unconstitutional.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Texas. I yield the gentleman an additional 15 seconds.

Mr. GRIMM. Again, there has been a tremendous propaganda campaign basically to sell untruths that we simply need to get past. The truth is, this is best for the small guy. If we really care about the small inventors that create innovation in this country, then we should oppose this amendment.

Don't take my word for it—read the words of Judge Michael McConnell—once the most influential federal appeal court judge in the nation—and now the head of the Constitutional Law Center at Stanford Law School:

He said, "There is nothing novel or unprecedented, much less unconstitutional, about the procedures proposed," and "we can state with confidence that the proposed legislation is supported by settled precedent."

I think it is time we stop listening to patent trolls who abuse our court system, and start listening to the businesses that drive job creation and economic growth in this country.

Madam Chairman, I strongly urge my colleagues to support this bill and oppose the Schock-Waters amendment to strike Section 18.

Mr. SCHOCK. Madam Chair, I yield 1 minute to my friend, the cosponsor of this amendment, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. As a member of the Judiciary Committee, I rise in strong support of the Schock-Boren-Waters-Sensenbrenner-Franks-Kaptur amendment to strike section 18. For years, the too-big-to-fail banks have attempted to eliminate their patent infringement liabilities to smaller companies and inventors that have patented financial services-related business method patents. They are now coming to Congress in hopes that you will help them steal a specific type of innovation and legislatively take other financial services-related business method patents referenced in H.R. 1249, section 18. This is simply wrong.

Elected Members of Congress should not allow the banks to use us to steal legally issued and valid patents. Financial services-related business method

patents have saved financial services companies billions of dollars. But that's not enough for the banks. Because the banks have failed at every attempt to void these patents, they're attempting to use their power to write into law what they could not achieve at PTO or in the courts.

Don't be tricked, don't be fooled, and don't be used. I urge my colleagues to listen to the floor debates.

Mr. SMITH of Texas. Madam Chair, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY), who is a member of the Ways and Means Committee.

Mr. CROWLEY. I thank the gentleman for yielding.

Madam Chair, I rise in strong opposition to the amendment that would eliminate section 18 of the underlying patent reform bill. Section 18 empowers the Patent and Trademark Office to review the validity of so-called business method patents. This language was drafted in close cooperation with the Patent and Trademark Office and the Department of Commerce. It also enjoys the wide bipartisan support of the Judiciary Committee, which defeated a similar amendment during committee consideration of this bill.

Further, this amendment does not hurt any legitimate inventors. It only allows for the review of abstract patents issued since 1988 when a Federal court ruled that business methods could be patented—a ruling which the U.S. Supreme Court limited significantly last year.

What are these business methods I'm talking about? In one case, a business method patent was issued for interactive fund-raising across a data packet transferring computer network. Once obtained, the patent holder sued the Red Cross for soliciting charitable contributions on the Internet, claiming that his patent covers this entire field. In another example, a patent was granted covering the printing of marketing materials on billing statements.

These patents, and many others in this space, are not legitimate patents that help advance America. They are nuisance patents used to sue legitimate businesses and nonprofit business organizations like the Red Cross or any other merchants who engage in normal activity that should never be patented. In fact, this language will not go after any legitimate patent, but only allow a review of illegitimate patents, like those looking to patent the "office water cooler discussion." No legitimate inventor needs to worry about a post-grant review. In fact, under this section, the PTO cannot even look at a patent unless they determine that it "more likely than not" would be invalid. That's a very high standard.

Let's help America grow and succeed and oppose this amendment.

Mr. SCHOCK. Mr. Chairman, I yield 30 seconds to my friend and cosponsor

of this amendment, the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise today in support of the amendment that I've coauthored with Mr. SCHOCK. During my time in Congress I have been a consistent supporter of small businesses. Here on the House floor we are told nearly every day that small businesses are the engine of our Nation's economy, and there's no discounting that fact.

If included in the final bill, I believe section 18 will pose a devastating threat to America's small business community. Business method patents already endure a lengthy approval process, and section 18 would only make it more difficult for inventors to defend their patents.

I ask my colleagues to support this amendment.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE).

The Acting CHAIR (Mr. YODER). The gentleman from Virginia is recognized for 1¼ minutes.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to this amendment. There is no doubt that the PTO has issued business method patents of questionable merit over the years. Many of these patents are still on the books. Unfortunately, many of these patents are being used by aggressive trial lawyers to extort money from deep pockets. Section 18 of the bill simply creates a process that allows experts at the PTO to reexamine the types of business method patents that the PTO believes to be of the poorest quality. This section was drafted in close coordination with the USPTO and is a pilot program that simply allows them to review certain business methods patents against the best prior art in a reexamination process.

□ 1610

Why would anyone oppose a process that allows low-quality patents, as identified by the USPTO, to be reviewed by the experts?

Business method patents on financial activities are the type of patents that are the subject of lawsuits and abuse most often. They are litigated at a rate 39 times greater than any other patents. Section 18 is designed to correct a fundamental flaw in the system that is costing consumers millions each year. The provision is supported by a broad bipartisan coalition that includes the U.S. Chamber of Commerce.

I urge Members to reject this amendment, which strikes an important litigation reform provision in the underlying bill.

Mr. SCHOCK. Mr. Chairman, I would like to inquire of my time remaining.

The Acting CHAIR. The gentleman from Illinois has 1½ minutes remaining.

Mr. SCHOCK. I now yield 1 minute to my friend from California (Mr. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I might just say that, in answer to the question raised by my friend from Virginia "why would anyone oppose this?" it is because of the Constitution.

This provision, section 18, is clearly violative of the Constitution. It would have you believe that you could go to court, an article III court, and have a final decision—a final judgment—rendered by a court, including a jury. Then after that, there's not an appeal to an appellate court but an appeal somehow back to an administrative agency?

Does anybody sense there is a violation of the separation of powers? Does anybody understand what the Court said in the *Plaut* case, which said that the Constitution gives the Federal judiciary the power to not merely rule on cases but to decide them subject to review only by superior courts in article III hierarchy?

You can argue all you want, but that's what the Supreme Court says.

This is an obvious, blatant violation of the Constitution. That's the answer to my friends who say we have to have this provision. Yes, it may be that the U.S. Constitution is the inconvenient truth here. We are not allowed to violate it even though we do it with the best of intentions.

The Acting CHAIR. The gentleman from Illinois is recognized for 30 seconds.

Mr. SCHOCK. Mr. Chairman, for so many reasons, this provision of the bill is flawed. I ask my colleagues to join me in supporting the repeal of section 18, and simply ask this:

Regardless of where your support lies as to the underlying bill, why are we doing something separate for financial services patents? Why are we doing something separate for the business method patents? Shouldn't all reforms affect all patents and all industries?

I would argue this is an earmark and a special provision for one industry, and for so many reasons would ask for a "yes" vote on my amendment.

Mr. SMITH of Texas. Mr. Chair, I want to clarify that Section 18 is designed to address the problem of low-quality business method patents that are commonly associated with the Federal Circuit's 1998 *State Street* decision. Not all business method patents are eligible for review by the patent office under Section 18. Towards that end, Section 18 of the bill specifically exempts "patents for technological inventions" from review.

Patents for technological inventions are those patents whose novelty turns on a technological innovation over the prior art and are concerned with a technical problem which is solved with a technical solution. The technological innovation exception does not exclude a patent simply because it recites technology.

Inventions related to manufacturing and machines that do not simply use known technology to accomplish a novel business process would be excluded from review under Section 18.

Section 18 would not cover patents related to the manufacture and distribution of machinery to count, sort, and authenticate currency. It is the intention of Section 18 to not review mechanical inventions related to the manufacture and distribution of machinery to count, sort and authenticate currency like change sorters and machines that scan currency whose novelty turns on a technological innovation over the prior art. These types of patents would not be eligible for review under this program.

Mr. SHUSTER. Mr. Chair, I would like to place in the RECORD my understanding that the definition of "covered business method patent," Section 18(d)(1) of H.R. 1249, the America Invents Act, is intended to be narrowly construed to target only those business method patents that are unique to the financial services industry in the sense that they are patents which only a financial services provider would use to furnish a financial product or service. The example that I have been given is a patent relating to electronic check scanning, which is the type of invention that only the financial services industry would utilize as a means of providing improved or more efficient banking services. In contrast, Section 18 would not encompass a patent that can be used in other industries, but which a financial services provider might also use. Lastly, it is also my understanding from discussions with the Committee that Section 18 is targeted only towards patents for non-technological inventions.

Mr. GRIMM. Mr. Chair, I rise in strong support of the America Invents Act. This is a historic bill. It will drive innovation, create jobs, improve patent quality, and reduce frivolous litigation. This is a good bill for current and future patent holders—big and small.

I do rise today with some disappointment, however, that opponents of this bill have recklessly spread misinformation about the bill and some of its most important provisions. The move to first inventor to file is wholly constitutional and it will strengthen the patent system for entrepreneurs and small businesses. They will no longer have to compete with big business to prove the validity of their patents after filing.

Mr. Chair, I would also like to speak to one of the legislation's most important reforms—a crackdown on low-quality business-method patents, which have weakened the patent system and cost companies and their customers millions of dollars in extra fees. Infamous "patent trolls"—people who aggressively try to enforce patents through the courts in friendly venues—have made business-method patents their specialty in recent years.

These same patent trolls have funded an elaborate propaganda campaign targeting the reforms in Section 18. Let us set the record straight—Section 18 simply allows patent experts to re-examine—through a temporary, pilot program—legally questionable business-method patents. A problem the patent office has said it is ready and willing to tackle.

Opponents have asserted that the measure would help only banks. That isn't true. The

National Retail Federation and the U.S. Chamber of Commerce have endorsed this bill. Companies impacted include Wal-Mart, Costco, McDonalds, Best Buy, Home Depot, and Lowes. Do any of these companies sound like banks to you? They don't to me, either.

Opponents also claim that this section too is unconstitutional—another untruth. Don't take my word for it—read the words of Judge Michael McConnell—once the most influential federal appeal court judge in the nation—and now the head of the Constitutional Law Center at Stanford Law School: He said, "There is nothing novel or unprecedented, much less unconstitutional, about the procedures proposed," and "we can state with confidence that the proposed legislation is supported by settled precedent."

I think it is time we stop listening to patent trolls who abuse our court system, and start listening to the businesses that drive job creation and economic growth in this country. Support this bill and oppose the Schock-Waters amendment to strike Section 18.

Mr. SCHOCK. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112-111 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. CONYERS of Michigan.

Amendment No. 3 by Ms. BALDWIN of Wisconsin.

Amendment No. 9 by Mr. CONYERS of Michigan.

Amendment No. 12 by Mr. SENSENBRENNER of Wisconsin.

Amendment No. 13 by Mr. MANZULLO of Illinois.

Amendment No. 14 by Mr. ROHR-ABACHER of California.

Amendment No. 15 by Mr. SCHOCK of Illinois.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 105, noes 316, not voting 10, as follows:

[Roll No. 482]

AYES—105

Akin	Garrett	Paul
Andrews	Gohmert	Payne
Bachmann	Gonzalez	Pelosi
Baldwin	Graves (GA)	Petri
Bartlett	Green, Al	Pingree (ME)
Bass (CA)	Green, Gene	Polis
Becerra	Grijalva	Posey
Benishek	Hanabusa	Rehberg
Berman	Hartzler	Rohrabacher
Bilirakis	Hirono	Roybal-Allard
Brady (PA)	Honda	Royce
Broun (GA)	Huelskamp	Rush
Carson (IN)	Huizenga (MI)	Ryan (OH)
Clarke (MI)	Hultgren	Sanchez, Loretta
Clyburn	Hunter	Schiff
Coffman (CO)	Jackson (IL)	Schilling
Conyers	Johnson, E. B.	Schock
Costa	Jones	Sensenbrenner
Costello	Kaptur	Sewell
Cravaack	Kildee	Sherman
Cummings	King (IA)	Slaughter
Davis (CA)	Kucinich	Southerland
Davis (IL)	Lee (CA)	Sutton
DeFazio	Lipinski	Thompson (CA)
DeLauro	Lofgren, Zoe	Thompson (MS)
Doyle	Long	Tierney
Duncan (TN)	Lujan	Towns
Edwards	Manzullo	Turner
Ellison	Markey	Visclosky
Emerson	Matsui	Waters
Eshoo	McClintock	Waxman
Farr	McNerney	West
Filner	Miller, George	Wolf
Frelinghuysen	Moore	Woolsey
Fudge	Pastor (AZ)	Yarmuth

NOES—316

Ackerman	Carnahan	Flake
Adams	Carney	Fleischmann
Aderholt	Carter	Fleming
Alexander	Cassidy	Flores
Altmire	Castor (FL)	Forbes
Amash	Chabot	Fortenberry
Austria	Chaffetz	Fox
Baca	Chandler	Frank (MA)
Bachus	Chu	Franks (AZ)
Barletta	Cicilline	Gallely
Barrow	Clarke (NY)	Garamendi
Barton (TX)	Clay	Gardner
Bass (NH)	Cleaver	Gerlach
Berkley	Coble	Gibbs
Biggert	Cohen	Gibson
Bilbray	Cole	Goodlatte
Bishop (GA)	Conaway	Gosar
Bishop (NY)	Connolly (VA)	Gowdy
Bishop (UT)	Cooper	Granger
Black	Courtney	Graves (MO)
Blackburn	Crawford	Griffin (AR)
Blumenauer	Crenshaw	Griffith (VA)
Bonner	Critz	Grimm
Bono Mack	Crowley	Guinta
Boren	Cuellar	Guthrie
Boswell	Culberson	Gutierrez
Boustany	Davis (KY)	Hall
Brady (TX)	DeGette	Hanna
Braley (IA)	Denham	Harper
Brooks	Dent	Harris
Brown (FL)	DesJarlais	Hastings (FL)
Buchanan	Deutch	Hastings (WA)
Bucshon	Diaz-Balart	Hayworth
Buerkle	Dicks	Heck
Burgess	Dingell	Heinrich
Burton (IN)	Doggett	Hensarling
Butterfield	Donnelly (IN)	Herger
Calvert	Dreier	Herrera Beutler
Camp	Duffy	Higgins
Campbell	Duncan (SC)	Himes
Canseco	Ellmers	Hinojosa
Cantor	Engel	Hochul
Capito	Farenthold	Holt
Capps	Fattah	Hoyer
Capuano	Fincher	Hurt
Cardoza	Fitzpatrick	Inslee

Israel	Mica	Ruppersberger
Issa	Michaud	Ryan (WI)
Jackson Lee	Miller (FL)	Sarbanes
(TX)	Miller (MI)	Scalise
Jenkins	Miller (NC)	Schakowsky
Johnson (GA)	Miller, Gary	Schmidt
Johnson (IL)	Moran	Schrader
Johnson (OH)	Mulvaney	Schwartz
Johnson, Sam	Murphy (CT)	Schweikert
Jordan	Murphy (PA)	Scott (SC)
Keating	Myrick	Scott (VA)
Kelly	Nadler	Scott, Austin
Kind	Neal	Scott, David
King (NY)	Neugebauer	Serrano
Kingston	Noem	Sessions
Kinzinger (IL)	Nugent	Shimkus
Kissell	Nunes	Shuler
Kline	Nunnelee	Shuster
Labrador	Olson	Simpson
Lamborn	Oliver	Sires
Lance	Owens	Smith (NE)
Landry	Palazzo	Smith (NJ)
Langevin	Pallone	Smith (TX)
Lankford	Pascarella	Smith (WA)
Larsen (WA)	Paulsen	Speier
Larson (CT)	Pearce	Stark
Latham	Pence	Stearns
LaTourette	Perlmutter	Stutzman
Latta	Peters	Sullivan
Levin	Peterson	Terry
Lewis (CA)	Pitts	Thompson (PA)
Lewis (GA)	Platts	Thornberry
LoBiondo	Poe (TX)	Tiberi
Loeback	Pompeo	Tipton
Lowe	Price (GA)	Tonko
Lucas	Price (NC)	Tsongas
Luetkemeyer	Quayle	Upton
Lummis	Quigley	Van Hollen
Lungren, Daniel	Rahall	Velázquez
E.	Reed	Walberg
Lynch	Reichert	Walden
Mack	Renacci	Walsh (IL)
Maloney	Reyes	Walz (MN)
Marchant	Ribble	Wasserman
Marino	Richardson	Schultz
Matheson	Richmond	Watt
McCarthy (CA)	Rigell	Webster
McCarthy (NY)	Rivera	Welch
McCaul	Roby	Westmoreland
McCollum	Roe (TN)	Whitfield
McCotter	Rogers (AL)	Wilson (FL)
McDermott	Rogers (KY)	Wilson (SC)
McGovern	Rogers (MI)	Wittman
McHenry	Rokita	Womack
McIntyre	Rooney	Woodall
McKeon	Ros-Lehtinen	Wu
McKinley	Roskam	Yoder
McMorris	Ross (AR)	Young (AK)
Rodgers	Ross (FL)	Young (FL)
Meehan	Rothman (NJ)	Young (IN)
Meeks	Runyan	

NOT VOTING—10

Berg	Hinchey	Sánchez, Linda
Dold	Holden	T.
Giffords	Napolitano	Stivers
Gingrey (GA)	Rangel	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). The Chair notes a disturbance in the gallery in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). The Chair notes a disturbance in the gallery in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). The Chair notes a disturbance in the gallery in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons re-

sponsible for the disturbance and restore order to the gallery.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). The Chair notes a disturbance in the gallery in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). The Chair notes a disturbance in the gallery in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

□ 1641

Messrs. AUSTRIA, WHITFIELD, BLUMENAUER, Mrs. CAPPS, Messrs. GARAMENDI, NUGENT, FLEMING, MEEHAN, BRALEY, Ms. SCHAKOWSKY, Messrs. DICKS and LANGEVIN changed their vote from “aye” to “no.”

Ms. ESHOO, Messrs. HONDA, PAUL, MCNERNEY, and Mrs. BACHMANN changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. DOLD. Mr. Chairman, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted “no.”

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 482 in order to attend my grandson's graduation. Had I been present, I would have voted “no” on the Conyers (MI)/Rohrabacher (CA) Amendment (No. 2).

(By unanimous consent, Mrs. EMERSON was allowed to speak out of order.)

CONGRESSIONAL WOMEN'S SOFTBALL GAME

Mrs. EMERSON. Mr. Chairman, I am happy to have an announcement that's not quite as exciting as that which we've just been watching. However, this is the Congressional Women's Softball Team, and JOE BACA is an honorary member of the team. He is one of our coaches.

DEBBIE WASSERMAN SCHULTZ and I, who are the cocaptains, wanted to, number one, tell you all that we will be playing the Washington news media tonight at 7 o'clock at Watkins Recreation Park up at 12th and D Streets Southeast.

We invite everybody to come and cheer us on. We are going to win this year. We're good.

Probably more than anything else, this has been a wonderful opportunity for us to really bond as friends and as colleagues, not in any partisan way. And we're just very excited and happy that we're playing tonight. We need all of your support.

I yield to the gentlewoman from Florida, DEBBIE WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I want to thank all the women

and our male coaches. We've been practicing for 3 months, two or three times a week at 7 in the morning, all to raise money for a great cause, for the Young Survival Coalition, which helps young women who are struggling with breast cancer or who have survived breast cancer. All of you know that I am a breast cancer survivor, along with SUE MYRICK on the other side of the aisle.

But this game is our opportunity to come together as women, as sisters, as a bipartisan representation in the fight against breast cancer. We invite you all out to come to the game tonight, 7 p.m. at Watkins Recreation Center, and watch us beat the Capitol press corps.

AMENDMENT NO. 3 OFFERED BY MS. BALDWIN

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wisconsin (Ms. BALDWIN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 81, noes 342, not voting 8, as follows:

[Roll No. 483]

AYES—81

Bachmann	Green, Gene	Quigley
Baldwin	Hartzler	Rehberg
Bartlett	Hinchey	Ribble
Bilirakis	Hirono	Rohrabacher
Broun (GA)	Huelskamp	Royce
Buerkle	Hultgren	Rush
Cardoza	Hunter	Ryan (WI)
Carson (IN)	Jackson (IL)	Sánchez, Linda
Clarke (MI)	Jones	T.
Clarke (NY)	Kaptur	Sanchez, Loretta
Coffman (CO)	Kildee	Schiff
Conyers	Kind	Schilling
Critz	King (IA)	Schrader
Duffy	Kucinich	Sensenbrenner
Duncan (TN)	Larson (CT)	Southerland
Edwards	Lee (CA)	Stark
Ellison	Long	Terry
Ellmers	Lummis	Towns
Emerson	Manzullo	Turner
Engel	McClintock	Waters
Filner	McNerney	Webster
Franks (AZ)	Moore	West
Fudge	Payne	Woodall
Garamendi	Pearce	Woolsey
Garrett	Petri	Wu
Gibson	Pingree (ME)	Yarmuth
Gonzalez	Polis	
Gosar	Posey	

NOES—342

Ackerman	Austria	Becerra
Adams	Baca	Benishke
Aderholt	Bachus	Berkley
Akin	Barletta	Berman
Alexander	Barrow	Biggett
Altmire	Barton (TX)	Bilbray
Amash	Bass (CA)	Bishop (GA)
Andrews	Bass (NH)	Bishop (NY)

Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Ciilline
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duncan (SC)
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxo
Frank (MA)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gohmert
Goodlatte

Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holt
Honda
Hoyer
Huizenga (MI)
Hurt
Inslee
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Keating
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers

Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulaney
Hall
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Pelosi
Pence
Perlmutter
Peters
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sarbanes
Scalise
Schakowsky
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stearns
Stutzman
Sullivan

Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Upton
Van Hollen

Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Westmoreland

Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Berg
Giffords
Gingrey (GA)

Grijalva
Holden
Napolitano

Rangel
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1648

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 483 in order to attend my grandson's graduation. Had I been present, I would have voted "no" on the Baldwin (WI)/Sensenbrenner (WI) Amendment.

AMENDMENT NO. 9 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and a result was announced, when the following occurred.

POINT OF ORDER

Mr. JACKSON of Illinois. Mr. Chair—man, point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. JACKSON of Illinois. The gentlelady was in the well attempting to cast her vote. The Chair did not acknowledge that the gentlelady was in the well and continued to conclude the vote. I think it's appropriate that the House of Representatives, consistent with its rules, and Lord knows, I've been in your position many times, and I've had to stop the vote because a Member was in the well.

It is the tradition of the House to acknowledge a Member in the well when they are casting their ballot, and it does not get shut off.

I would like to make a motion that we reconsider the vote.

The Acting CHAIR. The Chair is constrained to advise the gentleman that a

motion to reconsider is not available in the Committee of the Whole.

Ms. ZOE LOFGREN of California. Mr. Chairman, I would ask unanimous consent that the vote be retaken. We had a tremendous effort that consumed money and time for a similar incident in a previous Congress. The smart thing to do would be to recognize this was error, and redo the vote so that we can all move forward in comity.

Mr. CANTOR. Mr. Chairman, I support the request for unanimous consent.

The Acting CHAIR. Without objection, the proceedings are vacated to the end that the question be put de novo.

There was no objection.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. The question is on the amendment.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. HOYER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The vote was taken by electronic device, and there were—ayes 223, noes 198, not voting 10, as follows:

[Roll No. 485]

AYES—223

Alexander	Courtney	Hastings (FL)
Andrews	Critz	Heinrich
Baca	Crowley	Hensarling
Bachmann	Cuellar	Higgins
Baldwin	Cummings	Hinche
Bartlett	Davis (CA)	Hinojosa
Bass (CA)	Davis (IL)	Hirono
Becerra	Davis (KY)	Holt
Berman	DeFazio	Honda
Bishop (GA)	DeGette	Hoyer
Bishop (NY)	DeLauro	Huelskamp
Blackburn	Deutch	Hultgren
Blumenauer	Dicks	Hunter
Boustany	Dingell	Israel
Brady (PA)	Doggett	Jackson (IL)
Braley (IA)	Doyle	Jackson Lee
Broun (GA)	Duncan (TN)	(TX)
Brown (FL)	Edwards	Jenkins
Buerkle	Ellison	Johnson (GA)
Burton (IN)	Emerson	Johnson, E. B.
Calvert	Eshoo	Jones
Cantor	Farr	Kaptur
Capps	Fattah	Keating
Capuano	Filner	Kildee
Cardoza	Fitzpatrick	Kind
Carnahan	Fortenberry	King (IA)
Carson (IN)	Frank (MA)	Kingston
Castor (FL)	Franks (AZ)	Kissell
Chu	Frelinghuysen	Kucinich
Ciilline	Fudge	Lance
Clarke (MI)	Gallegly	Langevin
Clarke (NY)	Garamendi	Larsen (WA)
Clay	Garrett	Larson (CT)
Cleaver	Gohmert	Latham
Clyburn	Gonzalez	Lee (CA)
Coffman (CO)	Graves (GA)	Levin
Cohen	Green, Al	Lewis (CA)
Cole	Green, Gene	Lewis (GA)
Connolly (VA)	Griffith (VA)	Lipinski
Conyers	Grijalva	Lofgren, Zoe
Cooper	Gutierrez	Long
Costa	Hanabusa	Lujan
Costello	Harris	

Lungren, Daniel E.	Poe (TX)	Slaughter	Stutzman	Walberg	Wittman	Ryan (OH)	Southerland	Westmoreland
Lynch	Polis	Smith (NE)	Sullivan	Walden	Womack	Sanchez, Loretta	Speier	Wilson (FL)
Maloney	Pompeo	Smith (NJ)	Thompson (PA)	Walsh (IL)	Young (AK)	Schiff	Sullivan	Wilson (SC)
Manzullo	Posey	Smith (WA)	Thornberry	West	Young (FL)	Schilling	Terry	Wolf
Markey	Price (GA)	Southerland	Tiberi	Westmoreland	Young (IN)	Schmidt	Thompson (PA)	Woodall
Matsui	Quigley	Speier	Tipton	Whitfield		Schock	Tierney	Woolsey
McCarthy (CA)	Rahall	Stark	Upton	Wilson (SC)		Scott, Austin	Turner	Young (AK)
McClintock	Rehberg	Sutton				Sensenbrenner	Visclosky	Young (FL)
McDermott	Renacci	Terry				Slaughter	Webster	
McGovern	Reyes	Thompson (CA)	Berg	Holden	Stivers	Smith (NE)	West	
McHenry	Richardson	Thompson (MS)	Giffords	McIntyre	Waxman			
McNerney	Richmond	Tierney	Gingrey (GA)	Napolitano				
Meehan	Rogers (MI)	Tonko	Hall	Rangel				
Michaud	Rohrabacher	Towns						
Miller (MI)	Roskam	Tsongas						
Miller (NC)	Rothman (NJ)	Turner						
Miller, George	Roybal-Allard	Van Hollen						
Moore	Royce	Velázquez						
Moran	Rush	Visclosky						
Nadler	Ryan (OH)	Walz (MN)						
Neal	Sánchez, Linda T.	Wasserman						
Olver	Sanchez, Loretta	Schultz						
Pallone	Sarbanes	Waters						
Pascarell	Schakowsky	Watt						
Pastor (AZ)	Schiff	Webster						
Paul	Scott (VA)	Welch						
Payne	Scott, David	Wilson (FL)						
Pelosi	Sensenbrenner	Wolf						
Pence	Serrano	Woodall						
Perlmutter	Sessions	Woolsey						
Peters	Sewell	Wu						
Petri	Sherman	Yarmuth						
		Yoder						

NOES—198

Ackerman	Fleming	McKinley
Adams	Flores	McMorris
Aderholt	Forbes	Rodgers
Akin	Fox	Meeks
Altmire	Gardner	Mica
Amash	Gerlach	Miller (FL)
Austria	Gibbs	Miller, Gary
Bachus	Gibson	Mulvaney
Barletta	Goodlatte	Murphy (CT)
Barrow	Gosar	Murphy (PA)
Barton (TX)	Gowdy	Myrick
Bass (NH)	Granger	Neugebauer
Benish	Graves (MO)	Noem
Berkley	Griffin (AR)	Nugent
Biggart	Grimm	Nunes
Blibray	Guinta	Nunnelee
Bilirakis	Guthrie	Olson
Bishop (UT)	Hanna	Owens
Black	Harper	Palazzo
Bonner	Hartzler	Paulsen
Bono Mack	Hastings (WA)	Pearce
Boren	Hayworth	Peterson
Boswell	Heck	Pingree (ME)
Brady (TX)	Herger	Pitts
Brooks	Herrera Beutler	Platts
Buchanan	Himes	Price (NC)
Bucshon	Hochul	Quayle
Burgess	Huizenga (MI)	Reed
Butterfield	Hurt	Reichert
Camp	Inslee	Ribble
Campbell	Issa	Rigell
Canseco	Johnson (IL)	Rivera
Capito	Johnson (OH)	Roby
Carney	Johnson, Sam	Roe (TN)
Carter	Jordan	Rogers (AL)
Cassidy	Kelly	Rogers (KY)
Chabot	King (NY)	Rokita
Chaffetz	Kinzing (IL)	Rooney
Chandler	Kline	Ros-Lehtinen
Coble	Labrador	Ross (AR)
Conaway	Lamborn	Ross (FL)
Cravaack	Landry	Runyan
Crawford	Lankford	Ruppersberger
Crenshaw	LaTourette	Ryan (WI)
Culberson	Latta	Scallise
Denham	LoBiondo	Schilling
Dent	Loebach	Schmidt
DesJarlais	Lowey	Schock
Diaz-Balart	Lucas	Schrader
Dold	Luetkemeyer	Schwartz
Donnelly (IN)	Lummis	Schweikert
Dreier	Mack	Scott (SC)
Duffy	Marchant	Scott, Austin
Duncan (SC)	Marino	Shimkus
Ellmers	Matheson	Shuler
Engel	McCarthy (NY)	Shuster
Farenthold	McCaul	Simpson
Fincher	McCollum	Sires
Flake	McCotter	Smith (TX)
Fleischmann	McKeon	Stearns

NOT VOTING—10

□ 1659

So the amendment was agreed to.
The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote #485 in order to attend my grandson's graduation. Had I been present, I would have voted "aye" on the Conyers (MI)/Markey (MA)/Neal (MA)/Pompeo (KS)/Garrett (NJ) Amendment (#9).

AMENDMENT NO. 12 OFFERED BY MR. SENSENBRENNER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 129, noes 295, not voting 7, as follows:

[Roll No. 486]

AYES—129

Aderholt	Farr	Lee (CA)
Akin	Flake	Lipinski
Amash	Flake	Lofgren, Zoe
Bachmann	Fortenberry	Long
Baldwin	Franks (AZ)	Lujan
Bartlett	Frelinghuysen	Lummis
Benish	Garamendi	Lungren, Daniel E.
Bilbray	Garrett	
Bilirakis	Gibson	Manzullo
Bishop (UT)	Gohmert	Marchant
Blackburn	Gonzalez	Markey
Brady (PA)	Gosar	Matsui
Brooks	Graves (GA)	McClintock
Broun (GA)	Green, Gene	McCotter
Buerkle	Grijalva	McNerney
Burgess	Hanabusa	Miller (FL)
Burton (IN)	Harper	Miller, George
Chaffetz	Hartzler	Moore
Clarke (MI)	Hinche	Nunnelee
Coble	Hirono	Pastor (AZ)
Coffman (CO)	Honda	Paul
Cole	Huelskamp	Payne
Conyers	Huizenga (MI)	Pearce
Costello	Hultgren	Pelosi
Cravaack	Hunter	Petri
Davis (CA)	Johnson, E. B.	Pingree (ME)
Davis (KY)	Jones	Pitts
DeFazio	Kaptur	Poe (TX)
Doyle	Kildee	Polis
Duncan (TN)	King (IA)	Posey
Edwards	Kingston	Rehberg
Ellmers	Kucinich	Rohrabacher
Emerson	Labrador	Royce
Eshoo	Landry	Rush

NOES—295

Ackerman	Duncan (SC)	Lynch
Adams	Ellison	Mack
Alexander	Engel	Maloney
Altmire	Farenthold	Marino
Andrews	Fattah	Matheson
Austria	Fincher	McCarthy (CA)
Baca	Fitzpatrick	McCarthy (NY)
Bachus	Fleischmann	McCaul
Barletta	Fleming	McCollum
Barrow	Flores	McDermott
Barton (TX)	Forbes	McGovern
Bass (CA)	Fox	McHenry
Bass (NH)	Frank (MA)	McIntyre
Becerra	Fudge	McKeon
Berkley	Gallely	McKinley
Berman	Gardner	McMorris
Biggart	Gerlach	Rodgers
Bishop (GA)	Gibbs	Meehan
Bishop (NY)	Goodlatte	Meeks
Black	Gowdy	Mica
Blumenauer	Granger	Michaud
Bonner	Graves (MO)	Miller (MI)
Bono Mack	Green, Al	Miller (NC)
Boren	Griffin (AR)	Miller, Gary
Boswell	Griffith (VA)	Moran
Boustany	Grimm	Mulvaney
Brady (TX)	Guinta	Murphy (CT)
Braley (IA)	Guthrie	Murphy (PA)
Brown (FL)	Gutierrez	Myrick
Buchanan	Hall	Nadler
Bucshon	Hanna	Neal
Butterfield	Harris	Neugebauer
Calvert	Hastings (FL)	Noem
Camp	Hastings (WA)	Nugent
Campbell	Hayworth	Nunes
Canseco	Heck	Olson
Cantor	Heinrich	Olver
Capito	Hensarling	Owens
Capps	Herger	Palazzo
Capuano	Herrera Beutler	Pallone
Cardoza	Higgins	Pascarell
Carnahan	Himes	Paulsen
Carney	Hinojosa	Pence
Carson (IN)	Hochul	Perlmutter
Carter	Holt	Peters
Cassidy	Hoyer	Peterson
Castor (FL)	Hurt	Platts
Chabot	Inslee	Pompeo
Chandler	Israel	Price (GA)
Chu	Issa	Price (NC)
Cicilline	Jackson (IL)	Quayle
Clarke (NY)	Jackson Lee	Quigley
Clay	(TX)	Rahall
Cleaver	Jenkins	Reed
Clyburn	Johnson (GA)	Reichert
Cohen	Johnson (IL)	Renacci
Conaway	Johnson (OH)	Reyes
Connolly (VA)	Johnson, Sam	Ribble
Cooper	Jordan	Richardson
Costa	Keating	Richmond
Courtney	Kelly	Rigell
Crawford	Kind	Rivera
Crenshaw	King (NY)	Roby
Critz	Kinzing (IL)	Roe (TN)
Crowley	Kissell	Rogers (AL)
Cuellar	Kline	Rogers (KY)
Culberson	Lamborn	Rogers (MI)
Cummings	Lance	Rokita
Davis (IL)	Langevin	Rooney
DeGette	Lankford	Ros-Lehtinen
DeLauro	Larsen (WA)	Roskam
Denham	Larson (CT)	Ross (AR)
Dent	Latham	Ross (FL)
DesJarlais	LaTourette	Rothman (NJ)
Deutch	Latta	Roybal-Allard
Diaz-Balart	Levin	Runyan
Dicks	Lewis (CA)	Ruppersberger
Dingell	Lewis (GA)	Ryan (WI)
Doggett	LoBiondo	Sánchez, Linda T.
Dold	Loebach	Sarbanes
Donnelly (IN)	Lowey	Scallise
Dreier	Lucas	Schakowsky
Duffy	Luetkemeyer	

Schrader	Smith (WA)	Walden	Nunnelee	Ryan (WI)	Towns	Quigley	Scalise	Thompson (MS)
Schwartz	Stark	Walsh (IL)	Paul	Sanchez, Loretta	Turner	Rahall	Schakowsky	Thornberry
Schweikert	Stearns	Walz (MN)	Pearce	Schilling	Walsh (IL)	Reed	Schiff	Tiberi
Scott (SC)	Stutzman	Wasserman	Petri	Schmidt	Webster	Reichert	Schrader	Tierney
Scott (VA)	Sutton	Schultz	Polis	Schock	West	Renacci	Schwartz	Tipton
Scott, David	Thompson (CA)	Waters	Posey	Scott (SC)	Westmoreland	Reyes	Schweikert	Tonko
Serrano	Thompson (MS)	Watt	Rehberg	Scott, Austin	Wilson (SC)	Richardson	Scott (VA)	Tsongas
Sessions	Thornberry	Waxman	Ribble	Sensenbrenner	Wolf	Richmond	Scott, David	Upton
Sewell	Tiberi	Welch	Rohrabacher	Stutzman	Young (FL)	Rigell	Serrano	Van Hollen
Sherman	Tipton	Whitfield	Rokita	Terry	Young (IN)	Rivera	Sessions	Velázquez
Shimkus	Tonko	Wittman	Royce	Thompson (PA)		Roby	Sewell	Visclosky
Shuler	Towns	Womack				Roe (TN)	Sherman	Walberg
Shuster	Tsongas	Wu				Rogers (AL)	Shimkus	Walden
Simpson	Upton	Yarmuth	Ackerman	Dicks	Kissell	Rogers (KY)	Shuler	Walz (MN)
Sires	Van Hollen	Yoder	Aderholt	Dingell	Kline	Rogers (MI)	Shuster	Wasserman
Smith (NJ)	Velázquez	Young (IN)	Akin	Doggett	Kucinich	Rooney	Simpson	Schultz
Smith (TX)	Walberg		Alexander	Donnelly (IN)	Labrador	Ros-Lehtinen	Sires	Waters

NOES—329

NOT VOTING—7

Berg
Giffords
Gingrey (GA)

□ 1703

Mr. THOMPSON of California changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. WOODALL. Mr. Chair, on rollcall No. 486, had I been present, I would have voted “yes.”

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 486 in order to attend my grandson's graduation. Had I been present, I would have voted “nay” on the Sensenbrenner (WI) Amendment.

AMENDMENT NO. 13 OFFERED BY MR. MANZULLO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. MANZULLO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 92, noes 329, not voting 10, as follows:

[Roll No. 487]

AYES—92

Adams	Cravaack	Huelskamp
Amash	Davis (IL)	Huizenga (MI)
Baldwin	Dold	Hultgren
Bartlett	Duffy	Hunter
Barton (TX)	Duncan (SC)	Jenkins
Benishek	Duncan (TN)	Jones
Bilbray	Ellmers	Kaptur
Bilirakis	Emerson	Kingston
Boren	Engel	Landry
Brooks	Farenthold	Lipinski
Broun (GA)	Flake	Long
Buerkle	Franks (AZ)	Lummis
Burgess	Frelinghuysen	Mack
Burton (IN)	Garrett	Manzullo
Cardoza	Gibson	McClintock
Chaffetz	Gosar	McCotter
Coffman (CO)	Govdy	Miller (FL)
Cole	Graves (GA)	Moore
Conyers	Harris	Mulvaney
Costa	Hartzler	Nugent

Akin	Dicks	Kissell
Alexander	Dingell	Kline
Altmire	Doggett	Kucinich
Andrews	Donnelly (IN)	Labrador
Austria	Doyle	Lamborn
Baca	Dreier	Lance
Bachmann	Edwards	Langevin
Bachus	Ellison	Lankford
Barletta	Eshoo	Larsen (WA)
Barrow	Farr	Larson (CT)
Bass (CA)	Fattah	Latham
Bass (NH)	Filner	LaTourette
Becerra	Fincher	Latta
Berkley	Fitzpatrick	Lee (CA)
Berman	Fleischmann	Levin
Biggert	Fleming	Lewis (CA)
Bishop (GA)	Flores	Lewis (GA)
Bishop (NY)	Forbes	LoBiondo
Bishop (UT)	Fortenberry	Loeback
Black	Fox	Lofgren, Zoe
Blackburn	Frank (MA)	Lowey
Blumenauer	Fudge	Lucas
Bonner	Gallegly	Luetkemeyer
Bono Mack	Garamendi	Lujan
Boswell	Gardner	Lungren, Daniel
Boustany	Gerlach	E.
Brady (PA)	Gibbs	Lynch
Brady (TX)	Gohmert	Maloney
Braley (IA)	Gonzalez	Marchant
Brown (FL)	Goodlatte	Marino
Buchanan	Granger	Markey
Bucshon	Graves (MO)	Matheson
Butterfield	Green, Al	Matsui
Calvert	Green, Gene	McCarthy (CA)
Camp	Griffin (AR)	McCarthy (NY)
Campbell	Griffith (VA)	McCaul
Canneco	Grijalva	McCollum
Cantor	Grimm	McDermott
Capito	Guinta	McGovern
Capps	Guthrie	McHenry
Capuano	Gutierrez	McIntyre
Carnahan	Hall	McKinley
Carney	Hanabusa	McNerney
Carson (IN)	Hanna	Meehan
Carter	Harper	Meeks
Cassidy	Hastings (FL)	Mica
Castor (FL)	Hastings (WA)	Michaud
Chabot	Hayworth	Miller (MI)
Chandler	Heck	Miller (NC)
Chu	Heinrich	Miller, Gary
Cicilline	Hensarling	Miller, George
Clarke (MI)	Herger	Moran
Clarke (NY)	Herrera Beutler	Murphy (CT)
Cleaver	Higgins	Murphy (PA)
Clyburn	Himes	Myrick
Coble	Hinche	Nadler
Cohen	Hinojosa	Neal
Conaway	Hirono	Neugebauer
Connolly (VA)	Hochul	Noem
	Holt	Nunes
	Honda	Olson
	Hoyer	Oliver
	Cooper	Owens
	Costello	Palazzo
	Courtney	Pallone
	Crawford	Pascarell
	Crenshaw	Pastor (AZ)
	Critz	Paulsen
	Crowley	Payne
	Cuellar	Pelosi
	Culberson	Pence
	Cummings	Perlmutter
	Davis (CA)	Peters
	Davis (KY)	Peterson
	DeFazio	Pingree (ME)
	DeGette	Pitts
	DeLauro	Platts
	Denham	Poe (TX)
	Dent	Pompeo
	DesJarlais	Price (GA)
	Deutch	Price (NC)
	Diaz-Balart	Quayle

Rahall	Scalise	Thompson (MS)
Reed	Schakowsky	Thornberry
Reichert	Schiff	Tiberi
Renacci	Schrader	Tierney
Reyes	Schwartz	Tipton
Richardson	Schweikert	Tonko
Richmond	Scott (VA)	Tsongas
Rigell	Scott, David	Upton
Rivera	Serrano	Van Hollen
Roby	Sessions	Velázquez
Roe (TN)	Sewell	Visclosky
Rogers (AL)	Sherman	Walberg
Rogers (KY)	Shimkus	Walden
Rogers (MI)	Shuler	Walz (MN)
Rooney	Shuster	Wasserman
Ros-Lehtinen	Simpson	Schultz
Roskam	Sires	Waters
Ross (AR)	Slaughter	Watt
Ross (FL)	Smith (NE)	Waxman
Rothman (NJ)	Smith (NJ)	Welch
Roybal-Allard	Smith (TX)	Whitfield
Runyan	Smith (WA)	Wilson (FL)
Ruppersberger	Southerland	Wittman
Rush	Speier	Womack
Ryan (OH)	Stark	Woolsey
Sánchez, Linda	Stearns	Wu
T.	Sullivan	Yarmuth
Sarbanes	Sutton	Yoder
	Thompson (CA)	Young (AK)

NOT VOTING—10

Berg
Giffords
Gingrey (GA)
Holden

McKeon
McMorris
Rodgers
Napolitano

Rangel
Stivers
Woodall

□ 1707

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 487 in order to attend my grandson's graduation. Had I been present, I would have voted “nay” on the Manzullo (IL) Amendment.

AMENDMENT NO. 14 OFFERED BY MR.

ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 81, noes 342, not voting 8, as follows:

[Roll No. 488]

AYES—81

Akin	Costello	Gosar
Bachmann	Duncan (SC)	Green, Gene
Baldwin	Duncan (TN)	Grijalva
Bartlett	Edwards	Hall
Barton (TX)	Ellison	Harris
Benishek	Emerson	Hartzler
Bilbray	Fattah	Hirono
Bilirakis	Filner	Holt
Bishop (UT)	Flake	Huelskamp
Brady (PA)	Franks (AZ)	Huizenga (MI)
Burgess	Frelinghuysen	Hultgren
Coffman (CO)	Garamendi	Hunter
Cole	Gibson	Inslee
Conyers	Gohmert	Jones

Kaptur
King (IA)
Kingston
Kissell
Kucinich
Landry
Latham
Lipinski
Manzullo
Markey
McCotter
McNerney
Miller (FL)

Pastor (AZ)
Paul
Pearce
Petri
Polis
Posey
Rehberg
Reyes
Rohrabacher
Royce
Ryan (OH)
Sanchez, Loretta
Schilling

Scott, Austin
Sensenbrenner
Southernland
Stutzman
Sutton
Thompson (PA)
Tonko
Turner
Walsh (IL)
Waters
Webster
West
Wolf

Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard

Runyan
Ruppersberger
Rush
Ryan (WI)
Sanchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stearns
Sullivan

Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Tipton
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Chu
Clarke (MI)
Coffman (CO)
Cole
Conyers
Costello
Crawford
Critz
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Denham
Dent
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farr
Fattah
Filner
Flake
Fortenberry
Franks (AZ)
Fudge
Gallegly
Garamendi
Garrett
Gonzalez
Gosar
Grijalva
Gutierrez
Hanabusa
Harris
Hartzler
Hinchey
Hirono
Honda
Huelskamp
Hunter
Inslie
Israel

Jackson (IL)
Jackson Lee
(TX)
Jones
Kaptur
Kildee
King (IA)
Kingston
Kucinich
Labrador
Lankford
Larsen (WA)
Lee (CA)
Levin
Lipinski
Lofgren, Zoe
Long
Luján
Lummis
Lungren, Daniel
E.
Manzullo
Markey
Matsui
McClintock
McDermott
McNerney
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moore
Nunes
Nunnelee
Olver
Pallone
Pascarell
Pastor (AZ)
Paul
Payne
Pearce
Pelosi
Petri
Pingree (ME)
Poe (TX)
Polis
Quigley

Rahall
Rehberg
Rogers (MI)
Rohrabacher
Rokita
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Scott, Austin
Sensenbrenner
Serrano
Shimkus
Slaughter
Smith (NE)
Smith (WA)
Southernland
Speier
Stark
Stutzman
Sutton
Thompson (CA)
Thompson (PA)
Tierney
Tsongas
Turner
Van Hollen
Visclosky
Waters
Waxman
Webster
West
Wolf
Woolsey
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NOES—342

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachus
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggart
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)

Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Ellmers
Engel
Eshoo
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Fudge
Gallegly
Gardner
Gerlach
Gibbs
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Hoyer
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan

Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaull
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Paulsen
Payne

Berg
Garrett
Giffords

NOT VOTING—8

Gingrey (GA)
Holden
Napolitano

Rangel
Stivers

□ 1712

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 488 in order to attend my grandson's graduation. Had I been present, I would have voted "nay" on the Rohrabacher (CA)/Kaptur (OH) Amendment.

AMENDMENT NO. 15 OFFERED BY MR. SCHOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. SCHOCK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 158, noes 262, answered "present" 1, not voting 10, as follows:

[Roll No. 489]

AYES—158

Aderholt
Akin
Amash
Andrews
Baca
Bachmann
Baldwin

Bartlett
Becerra
Berman
Bilirakis
Bishop (UT)
Bono Mack
Boren

Brady (PA)
Brown (FL)
Buerkle
Burgess
Capps
Carson (IN)
Chandler

Ackerman
Adams
Alexander
Altmire
Austria
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berkley
Biggart
Bilbray
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonner
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Cicilline

NOES—262

Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (KY)
DeGette
DesJarlais
Deutch
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Frank (MA)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy

Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holt
Hoyer
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Keating
Kelly
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Lamborn

Lance	Neal	Schmidt
Landry	Neugebauer	Schrader
Langevin	Noem	Schwartz
Larson (CT)	Nugent	Schweikert
Latham	Olson	Scott (SC)
LaTourette	Owens	Scott (VA)
Latta	Palazzo	Scott, David
Lewis (CA)	Paulsen	Sessions
Lewis (GA)	Pence	Sewell
LoBiondo	Perlmutter	Sherman
Loeback	Peters	Shuler
Lowey	Peterson	Shuster
Lucas	Pitts	Simpson
Luetkemeyer	Platts	Sires
Lynch	Pompeo	Smith (NJ)
Mack	Posey	Smith (TX)
Maloney	Price (GA)	Stearns
Marchant	Price (NC)	Sullivan
Marino	Quayle	Terry
Matheson	Reed	Thompson (MS)
McCarthy (CA)	Reichert	Thornberry
McCarthy (NY)	Renacci	Tiberi
McCaul	Reyes	Tipton
McCollum	Ribble	Tonko
McCotter	Richardson	Towns
McGovern	Richmond	Upton
McHenry	Rigell	Velázquez
McIntyre	Rivera	Walberg
McKeon	Roby	Walden
McMorris	Roe (TN)	Walsh (IL)
Rodgers	Rogers (AL)	Walz (MN)
Meehan	Rogers (KY)	Wasserman
Meeks	Rooney	Schultz
Mica	Ros-Lehtinen	Westmoreland
Miller (MI)	Roskam	Whitfield
Miller, Gary	Ross (FL)	Wilson (FL)
Moran	Royce	Wilson (SC)
Mulvaney	Runyan	Wittman
Murphy (CT)	Ruppersberger	Womack
Murphy (PA)	Rush	Woodall
Myrick	Ryan (WI)	Wu
Nadler	Scalise	Yoder

ANSWERED "PRESENT"—1

Watt

NOT VOTING—10

Bass (CA)	Holden	Stivers
Berg	McKinley	Welch
Giffords	Napolitano	
Gingrey (GA)	Rangel	

□ 1715

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, June 23, 2011, I was absent during rollcall vote No. 489 in order to attend my grandson's graduation. Had I been present, I would have voted "yea" on the Schock (IL)/Boren (OK)/Waters (CA)/Sensenbrenner (WI)/Franks (AZ)/Kaptur (OH) Amendment.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATHAM) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2149) to amend title 35, United States Code, to provide for patent reform, and, pursuant to House Resolution 316, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. MILLER of North Carolina. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MILLER of North Carolina. I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MILLER of North Carolina moves to recommit the bill H.R. 1249 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of the bill the following (and conform the table of contents accordingly):

SEC. 34. PRIORITY IN PROCESSING PATENT APPLICATIONS.

(a) PRIORITY.—The Director shall prioritize patent applications filed under title 35, United States Code, by entities that pledge to develop or manufacture their products, processes, and technologies in the United States, including, specifically, those filed by small businesses and individuals.

(b) DENIAL OF PRIORITY.—The Director shall not grant prioritization for patent applications filed under title 35, United States Code, by foreign entities that are nationals of any country that the Director has found to deny—

(1) adequate and effective protection for patent rights; or

(2) fair and equitable access for persons that rely on patent protection.

□ 1720

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MILLER of North Carolina. The consideration of this bill has been bipartisan to this point, and that certainly does not need to change now. This motion to recommit does not really send it back to committee. It certainly doesn't kill it. It is consistent with the spirit of the bill. This is simply the last amendment and should be considered in the same bipartisan way all the other amendments have been considered.

Mr. Speaker, our future prosperity does depend upon our being the most innovative country in the world, the most innovative economy in the world. American scientists and American engineers are doing great work. We are doing some of the most advanced, sophisticated research in the world. For

instance, we lead the world in solar cell research. We are making some of the greatest breakthroughs in that technology. Much of it is funded by the Department of Energy or by other Federal research programs. But 80 percent of the manufacturing of solar cells is being done in Asia, mostly in China.

What is happening is that firms are getting Federal funds to do research to improve solar cell technology. They're developing advanced technology, but when the time comes to manufacture a product coming out of that research, those firms are contracting with Chinese manufacturers to make the products. That is just one example of companies that are doing research here but manufacturing somewhere else when American workers need good manufacturing jobs.

Mr. Speaker, the benefit of innovation should not just be higher profits for American corporations. The benefit should be good jobs for American workers. Under this motion to recommit, those companies will still get their patents, but they don't go to the front of the line. The people who go to the front of the line are those who will pledge that they will do their manufacturing here in the United States, creating good jobs for American workers.

Second, we all know that there are countries in the world that don't really respect American patent rights and that don't treat American inventors fairly when they try to get patents in those countries. This motion to recommit will still allow those inventors, people from those countries, to get patents. We will treat them better than their countries treat American inventors. But they go to the back of the line. They do not get priority when it comes time to have their patents considered.

Help American workers share in the prosperity that comes from American innovation from our research, from our innovation. Support this motion to recommit.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Speaker, I oppose the motion to recommit and urge my colleagues to defeat it. The America Invents Act is the culmination of 6 years of effort. During this time, the House and Senate Judiciary Committees conducted 23 hearings on patent reform and brokered numerous negotiations among Members and stakeholders. H.R. 1249 has garnered bipartisan and widespread support. This bill improves patent integrity in PTO operations. The bill helps businesses from a broad range of industries, independent inventors, and universities.

But the biggest winners are the American people. They will get more job opportunities and greater consumer

choices. This amendment would mean that U.S. companies and inventors would be discriminated against all over the world when they file. It would be open season on American innovators and businesses. We would no longer be able to sell products abroad, and IP theft of U.S. goods would become rampant.

Mr. Speaker, this motion to recommit also consigns our patent system to the one created in the 1952 Patent Act, an era of landline telephones, TVs that offered three fuzzy black-and-white channels, and the manual typewriter. We need to update our patent system, and we need to do it now.

Oppose the motion to recommit and support H.R. 1249.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes have it.

RECORDED VOTE

Mr. MILLER of North Carolina. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 172, noes 251, not voting 8, as follows:

[Roll No. 490]

AYES—172

Ackerman	Davis (CA)	Johnson, E. B.
Altmire	Davis (IL)	Jones
Andrews	DeFazio	Kaptur
Baca	DeGette	Keating
Baldwin	DeLauro	Kildee
Barrow	Deutch	Kind
Bass (CA)	Dicks	Kissell
Becerra	Dingell	Kucinich
Berkley	Doggett	Langevin
Bishop (GA)	Donnelly (IN)	Larsen (WA)
Bishop (NY)	Doyle	Larson (CT)
Blumenauer	Edwards	Lee (CA)
Boswell	Ellison	Levin
Brady (PA)	Engel	Lewis (GA)
Braley (IA)	Fattah	Lipinski
Brown (FL)	Filner	Loeb sack
Butterfield	Fudge	Lowey
Capps	Garamendi	Luján
Capuano	Green, Al	Lynch
Cardoza	Green, Gene	Maloney
Carnahan	Grijalva	Markey
Carney	Gutierrez	Matsui
Carson (IN)	Hanabusa	McCarthy (NY)
Castor (FL)	Hastings (FL)	McCollum
Chandler	Heinrich	McDermott
Chu	Higgins	McGovern
Cicilline	Himes	McIntyre
Clarke (MI)	Hinchey	McNerney
Clarke (NY)	Hinojosa	Meeks
Clay	Hirono	Michaud
Cleaver	Hochul	Miller (NC)
Clyburn	Honda	Miller, George
Connolly (VA)	Hoyer	Moore
Conyers	Inlee	Moran
Costello	Israel	Murphy (CT)
Courtney	Jackson (IL)	Nadler
Critz	Jackson Lee	Neal
Crowley	(TX)	Oliver
Cummings	Johnson (GA)	Owens

Pallone	Sánchez, Linda	Thompson (MS)
Pascarella	T.	Tierney
Pastor (AZ)	Sanchez, Loretta	Tonko
Payne	Sarbanes	Towns
Pelosi	Schakowsky	Tsongas
Perlmutter	Schiff	Van Hollen
Peters	Schrader	Velázquez
Pingree (ME)	Schwartz	Visclosky
Polis	Scott, David	Walz (MN)
Price (NC)	Serrano	Wasserman
Quigley	Sewell	Schultz
Rahall	Sherman	Waters
Richardson	Shuler	Waxman
Richmond	Sires	Welch
Ross (AR)	Slaughter	Wilson (FL)
Rothman (NJ)	Smith (WA)	Woolsey
Roybal-Allard	Speier	Wu
Ruppersberger	Stark	Yarmuth
Rush	Sutton	
Ryan (OH)	Thompson (CA)	

NOES—251

Adams	Fleming	Manzullo
Aderholt	Flores	Marchant
Akin	Forbes	Marino
Alexander	Fortenberry	Matheson
Amash	Fox	McCarthy (CA)
Austria	Frank (MA)	McCaul
Bachmann	Franks (AZ)	McClintock
Bachus	Frelinghuysen	McCotter
Barletta	Galleghy	McHenry
Bartlett	Gardner	McKeon
Barton (TX)	Garrett	McKinley
Bass (NH)	Gerlach	McMorris
Benishke	Gibbs	Rodgers
Berman	Gibson	Meehan
Biggert	Gohmert	Mica
Bilbray	Gonzalez	Miller (FL)
Bilirakis	Goodlatte	Miller (MI)
Bishop (UT)	Gosar	Miller, Gary
Black	Gowdy	Mulvaney
Blackburn	Granger	Murphy (PA)
Bonner	Graves (GA)	Myrick
Bono Mack	Graves (MO)	Neugebauer
Boren	Griffin (AR)	Noem
Boustany	Griffith (VA)	Nugent
Brady (TX)	Grimm	Nunes
Brooks	Guinta	Nunnelee
Broun (GA)	Guthrie	Olson
Buchanan	Hall	Palazzo
Bucshon	Hanna	Paul
Buerkle	Harper	Paulsen
Burgess	Harris	Pearce
Burton (IN)	Hartzler	Pence
Calvert	Hastings (WA)	Peterson
Camp	Hayworth	Petri
Campbell	Heck	Pitts
Canseco	Hensarling	Platts
Cantor	Herger	Poe (TX)
Capito	Herrera Beutler	Pompeo
Carter	Holt	Posey
Cassidy	Huelskamp	Price (GA)
Chabot	Huizenga (MI)	Quayle
Chaffetz	Hultgren	Reed
Coble	Hunter	Rehberg
Coffman (CO)	Hurt	Reichert
Cohen	Issa	Renacci
Cole	Jenkins	Reyes
Conaway	Johnson (IL)	Ribble
Cooper	Johnson (OH)	Rigell
Costa	Johnson, Sam	Rivera
Cravaack	Jordan	Roby
Crawford	Kelly	Roe (TN)
Crenshaw	King (IA)	Rogers (AL)
Cuellar	King (NY)	Rogers (KY)
Culberson	Kingston	Rogers (MI)
Davis (KY)	Kinzing (IL)	Rohrabacher
Denham	Kline	Rokita
Dent	Labrador	Rooney
DesJarlais	Lance	Ros-Lehtinen
Diaz-Balart	Landry	Roskam
Dold	Lankford	Ross (FL)
Dreier	Latham	Royce
Duffy	LaTourette	Runyan
Duncan (SC)	Latta	Ryan (WI)
Duncan (TN)	Lewis (CA)	Scalise
Ellmers	LoBiondo	Schilling
Emerson	Lofgren, Zoe	Schmidt
Eshoo	Long	Schock
Farenthold	Lucas	Schweikert
Farr	Luetkemeyer	Scott (SC)
Fincher	Lumms	Scott (VA)
Fitzpatrick	Lungren, Daniel	Scott, Austin
Flake	E.	Sensenbrenner
Fleischmann	Mack	Sessions

Shimkus	Thornberry	Whitfield
Shuster	Tiberi	Wilson (SC)
Simpson	Tipton	Wittman
Smith (NE)	Turner	Wolf
Smith (NJ)	Upton	Womack
Smith (TX)	Walberg	Woodall
Southerland	Walden	Yoder
Stearns	Walsh (IL)	Young (AK)
Stutzman	Watt	Young (FL)
Sullivan	Webster	Young (IN)
Terry	West	
Thompson (PA)	Westmoreland	

NOT VOTING—8

Berg	Holden	Rangel
Giffords	Lamborn	Stivers
Gingrey (GA)	Napolitano	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1743

Mr. FRANK of Massachusetts changed his vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 23, 2011, I was absent during roll-call vote No. 490 in order to attend my grandson's graduation. Had I been present, I would have voted “yea” on the Motion to Recommit H.R. 1249—America Invents Act.

The SPEAKER pro tempore (Mr. YODER). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 304, noes 117, not voting 10, as follows:

[Roll No. 491]

AYES—304

Ackerman	Bucshon	Costa
Adams	Butterfield	Courtney
Alexander	Calvert	Crawford
Altmire	Camp	Crenshaw
Austria	Campbell	Critz
Baca	Canseco	Crowley
Bachus	Cantor	Cuellar
Barletta	Capito	Culberson
Barrow	Capps	Cummings
Barton (TX)	Capuano	Davis (CA)
Bass (CA)	Cardoza	Davis (IL)
Bass (NH)	Carnahan	DeLauro
Becerra	Carney	Dent
Berkley	Carson (IN)	DesJarlais
Berman	Carter	Deutch
Biggert	Cassidy	Diaz-Balart
Bilbray	Castor (FL)	Dicks
Bishop (GA)	Chabot	Dingell
Bishop (NY)	Chandler	Doggett
Black	Chu	Dold
Blackburn	Cicilline	Donnelly (IN)
Blumenauer	Clarke (NY)	Doyle
Bonner	Clay	Dreier
Bono Mack	Cleaver	Duffy
Boren	Clyburn	Ellison
Boswell	Coble	Ellmers
Boustany	Cohen	Engel
Brady (TX)	Cole	Farenthold
Braley (IA)	Conaway	Fattah
Brown (FL)	Connolly (VA)	Fincher
Buchanan	Cooper	Fitzpatrick

Fleischmann
Fleming
Flores
Forbes
Fox
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gardner
Gerlach
Gibbs
Goodlatte
Gowdy
Granger
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holt
Hoyer
Huizenga (MI)
Hurt
Inlee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Keating
Kelly
King (NY)
Kinzinger (IL)
Kissell
Kline
Labrador
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta

Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loeb
Long
Lowey
Lucas
Luetkemeyer
Lynch
Maloney
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Pence
Perlmutter
Peters
Peterson
Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)

NOES—117

Aderholt
Akin
Amash
Andrews
Bachmann
Baldwin
Bartlett
Benishek
Bilirakis
Bishop (UT)
Brady (PA)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Chaffetz
Clarke (MI)
Coffman (CO)
Conyers
Costello

Cravaack
Davis (KY)
DeFazio
DeGette
Denham
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Eshoo
Farr
Filner
Flake
Fortenberry
Franks (AZ)
Garamendi
Garrett
Gibson
Gohmert
Gonzalez
Gosar

Graves (GA)
Green, Gene
Grijalva
Hartzler
Hinchey
Hirono
Honda
Huelskamp
Hultgren
Hunter
Jones
Kaptur
Kildee
Kind
King (IA)
Kingston
Kucinich
Lamborn
Landry
Lee (CA)
Lipinski

Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Ryan (WI)
Sánchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stearns
Stutzman
Sullivan
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Watt
Welch
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Wu
Yarmuth
Yoder
Young (AK)
Young (IN)

Lofgren, Zoe
Lujan
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Markey
Matsui
McClintock
McCotter
McNerney
Miller (FL)
Miller, George
Moore
Nunnelee
Pastor (AZ)
Paul

Payne
Pearce
Pelosi
Petri
Pingree (ME)
Posey
Rehberg
Rohrabacher
Royce
Rush
Ryan (OH)
Sanchez, Loretta
Schiff
Schilling
Schock
Scott, Austin
Sensenbrenner
Sherman
Slaughter

Smith (NE)
Southernland
Stark
Sutton
Terry
Thompson (PA)
Tsongas
Turner
Velázquez
Visclosky
Waters
Waxman
Webster
West
Wolf
Woolsey
Young (FL)

NOT VOTING—10

Berg
Giffords
Gingrey (GA)
Holden

Meeks
Napolitano
Pitts
Polis

Rangel
Stivers

□ 1749

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, June 23, 2011, I was absent during roll-call vote No. 491 in order to attend my grandson's graduation. Had I been present, I would have voted "yea" on H.R. 1249—America Invents Act.

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 491 on final passage of H.R. 1249, the America Invents Act, I am not recorded because I was absent due to a death in my family which required me to immediately return to Georgia. Had I been present, I would have voted "aye."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1249, AMERICA INVENTS ACT

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1249, to include corrections in spelling, punctuation, section numbering and cross-referencing, the insertion of appropriate headings, and the insertion of the word "written" in the appropriate place in the instruction in amendment No. 1 to strike material on lines 23 through 25 on page 114.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 47

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.J. Res. 47.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 68, AUTHORIZING LIMITED USE OF ARMED FORCES IN LIBYA; AND PROVIDING FOR CONSIDERATION OF H.R. 2278, LIMITING USE OF FUNDS FOR ARMED FORCES IN LIBYA

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-114) on the resolution (H. Res. 328) providing for consideration of the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; and providing for consideration of the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 2219, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 320 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2219.

□ 1752

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. YOUNG) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

I first would like to thank the gentleman from Washington (Mr. DICKS), the former chairman of the subcommittee, for the complete cooperation that we had with each other in preparing this very nonpartisan, non-political Defense appropriations bill for 2012.

The base budget of this bill is \$530 billion, which is \$9 billion below the President's budget request. It was not easy to find the savings, but we were determined to find those savings without having any adverse effect on the warfighter or the readiness of our Nation.

The base bill is \$530 billion. In addition to that, rather than having a supplemental for Iraq and Afghanistan, we included a section that is referred to as OCO, the Overseas Contingency Operation, which is \$119 billion. The bill includes no earmarks for Members' districts. The bill contains no money for Libya because none was requested. The administration did not request money for Libya. We asked numerous times what their plans were, how long it might take, what the cost might be. We did not get an answer until just very recently. And they said, No, they did not request any funding, and they were basically going to make up the balances by a reprogramming. They would not ask for a supplemental, but they would reprogram some of the existing funds.

It's a good bill. I wish it had more money in it for certain areas. I would like to have seen a much larger pay raise. We provided the necessary funding for the 1.6 percent pay raise for the military, which was the authorized level and the requested level, but we just had to find that \$9 billion. The staff had to work extremely hard to make sure that we did not have an adverse effect on any of our soldiers or our overall readiness.

The bill provides \$32 billion for the Defense Health Program. We understand the needs of our soldiers that are wounded. There are, unfortunately, too many of them. We have provided what we think is adequate money to care for whatever their medical requirements, their medical needs are. And it includes considerable research into medical issues. The research is important because a lot of the injuries that came out of Iraq and we are seeing come out of Afghanistan are such that in previous wars, the troop would probably not have survived. But because of ad-

vancements in medical care, because of the research, because of advancements in medicines, because of the ability to remove the casualty from the battlefield quickly and get to a hospital quickly, we're saving the lives of many of our troops that would probably not have survived in previous wars.

We include funding for the construction of 10 Navy ships. We include money for 32 Joint Strike Fighter aircraft. We include \$3.3 billion for 28 F-18 Super Hornets and 12 EA-18 Growlers, \$2.8 billion for 116 H-60 Blackhawk helicopters, and \$699 million for the Reaper UAV, which is an advancement of the Predator. I'm trying not to go into too much detail because it is a very lengthy bill.

The reductions that we made in order to achieve the \$9 billion in savings, we took favorable contract pricing adjustments, contract and schedule delays resulting in fiscal year 2012 savings, unjustified cost increases, or funding requested ahead of the anticipated or historical underexecution of contracts, rescissions of unneeded prior year funds, and reductions that were authorized in the House-passed 2012 National Defense Authorization Act under the chairmanship of Chairman McKEON. Specific reductions include \$435 million in savings from those contract and production delays in the AMRAAM system. We will provide for the RECORD the details of all of the areas where we took the savings.

All in all, it is a good bill for the money that we had available. There are things that we would have added. We would have increased the military pay raise. We just didn't have the money. So we went to the authorized level. There's much more to be said that will be said as we read this bill for amendments, which will probably not happen now until we come back after next week's recess.

I reserve the balance of my time.

Mr. DICKS. I yield myself such time as I may utilize.

It has, once again, been an honor to work with my friend from Florida, Chairman BILL YOUNG, to prepare the Defense appropriations bill for FY 2012. In the longstanding tradition of this committee, the bill has been prepared on a bipartisan basis, and I support the bill. I know that Chairman ROGERS will be glad to hear that.

I am happy to report that the bill provides the funds necessary to support our troops both at home and in the field. It also makes the investment in research and development and acquisition needed to fully equip our troops and maintain our Nation's technological edge.

□ 1800

Within the funds provided, and after careful review, the committee exercised its constitutional responsibility to allocate resources to those programs

that best support the requirements of our military forces.

In writing this bill, the committee had to make hard choices. The allocation for this bill is \$530 billion, \$9 billion below the request. While this is \$17 billion above the fiscal year 2011-enacted level, much of the increase is absorbed by the military pay, operation and maintenance, and the Defense Health Program accounts.

The bill also provides the funds needed to support U.S. service personnel. Examples of this include the military pay accounts fund at a 1.6 percent raise, consistent with the budget request and the level included in the House-passed fiscal year 2012 armed services authorization bill.

The bill also provides \$32.3 billion for the Defense Health Program, including \$125 million above the request to continue the committee's longstanding efforts to improve research and treatment of traumatic brain injury and psychological health conditions. The bill also includes funding increases for several research efforts including peer-reviewed breast cancer, prostate cancer, ovarian cancer, and lung cancer research.

The bill fully funds \$2.3 billion requested for family programs and adds funding for several initiatives including \$250 million to replace schools owned by local education authorities and \$40 million for Impact Aid.

The bill addresses many of DOD's most pressing investment needs. It funds 10 ships, as requested in the budget, and 32 Joint Strike Fighter aircraft. I would like to have seen more Strike Fighter aircraft because I believe they're doing a much better job on this program. Last year it was in some trouble. This year Admiral Venlet has said repeatedly that they're, in fact, ahead of the training schedule. So I think this is very good news.

The bill also adds funding to fill gaps in DOD capabilities. Some examples include the M1A2 System Enhancement Package: \$272 million is included to prevent a break in production of tanks. And this is something that our committee agreed with on an overwhelming basis, that shutting down the tank line in Ohio would be a terrible mistake because we'd lose the skilled workers and then we're going to reopen this tank line in 2 or 3 years, and it would just be a waste of money. So we bridged that gap.

HMMWV Force Protection: \$50 million is added to develop and test and improve armor and other blast protection technologies on the HMMWV.

Long Range Strike: \$100 million is added to reduce technical risk and schedule risks for this program. We're moving ahead on a replacement for the Trident submarine. The C-17 replacement is included to replace the operational loss of a C-17 aircraft. The committee has steadfastly replaced—when

there have been operational losses, we've replaced the equipment. This is another example.

Special Operation Command shortfalls: this is one thing we had in our bill in 2011, and this year an increase of \$250 million is added to address unfunded requirements identified by the Special Operations Command.

National Guard and Reserve equipment: \$1.5 billion is included to fund equipment shortfalls in National Guard and Reserve equipment.

Intelligence surveillance and reconnaissance: \$50 million is included above the request to continue to fill gaps in DOD ISR equipment.

Israeli missile defense programs: \$130 million is added to enhance Israeli missile defense programs including the Arrow missile defense system.

Small business innovative research: \$50 million is included to continue the committee's efforts for SBIR Phase III transition.

Historically Black Colleges and Universities: \$20 million is added to continue defense research at Historically Black Colleges and Universities.

Energy efficiency improvements: the bill includes \$82 million above the request to field equipment that will reduce the energy footprint of deployed Marine Corps units. The bill also includes \$10 million above the request for pilot programs to improve DOD energy efficiency.

The bill provides \$118.7 billion for operations in Afghanistan and Iraq and for continuing the withdrawal of U.S. forces from Iraq. The bill ensures that troops have essential force protection and provides the means for the Afghans to provide their own security. The bill includes \$12.8 billion to train Afghanistan's National Security Forces.

While the bill provides essential support for our troops, I remain concerned about our Nation's direction in Pakistan and ongoing operations in Afghanistan. There is cause to question the reliability of our partnership with both countries. In the light of recent events, we must reassess the extent of U.S. military involvement and the objectives of U.S. foreign policy in that part of the world, reexamining whether U.S. national security requires a continued deployment of over 100,000 U.S. service personnel.

I welcome President Obama's decision to start the withdrawals, and I also urge a ceasefire and a political settlement. After a careful review of the security situation, I believe it is time to significantly accelerate the withdrawal of U.S. forces.

To accomplish this objective responsibly will take some care. By necessity, a political solution in Afghanistan will involve negotiations with Taliban representatives. It will also demand taking into account the interests of surrounding nations to ensure that those neighbors do not fight with one an-

other along sectarian or tribal divides within Afghanistan.

Finally, we must guard against creating a vacuum similar to the one that occurred at the end of the Soviet occupation in 1989. Even with these cautions in mind, I believe it is time to begin the process of bringing the level of deployed U.S. troops in line with a new assessment of our security interests in the region.

I look forward to hearing from General Petraeus and General Odierno. We worked with them on the surge in Iraq, which turned out to be very successful. The military has done a very good job in Helmand and Kandahar and has dominated the Taliban in recent times, which is very positive.

We still have a problem on the eastern front between Afghanistan and Pakistan, and we need to continue to put pressure on al Qaeda, though the capture and death of Osama bin Laden was something that all the troops that have served here since 2001 should take satisfaction in, the person who led the effort against the United States in one of the most horrific acts and one of the most economic destabilizing acts that has ever occurred to our country.

While I have concerns about our Nation's policies in Afghanistan and Pakistan, I strongly support this bill. It's a bipartisan bill, and it provides the resources needed by our troops. I urge your support for the bill.

I also want to thank the staff. I know Chairman YOUNG will join me in this. We have a tremendous staff that works together. They worked together when I was chairman. They're working together now that Chairman YOUNG has—he had been chairman before and has now regained his chairmanship. And the staff has done an extraordinary job. It's a major piece of work to put together a \$530 billion bill and know all these programs, and I commend them for their good work.

I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I am happy to yield 5 minutes to the very distinguished chairman of the Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank Chairman YOUNG for yielding me this time.

And thank you and your other partner, this dynamic duo that we have here between Chairman YOUNG and Chairman DICKS. Thank you for your good work.

The nearly \$649 billion in total funding within this bill will provide our Armed Forces with the resources they need for the Nation's missions abroad and the protection of our people here at home.

This bill sustains our military readiness, facilitating the continued modernization of our national defense systems and preserving the American Armed Forces as the greatest military in the world.

As our soldiers and marines continue to put their lives on the line to eliminate terrorism and protect freedom around the globe, Congress must provide the necessary support and funding to keep them safe and well equipped, and we must do so in a timely manner.

These efforts include adequate funding for equipment procurement, base operations, and military pay. To improve our defense capabilities and prepare for future challenges, we've provided funding for research and development into new technology.

□ 1810

This legislation also provides essential funding for health and quality-of-life programs for the men and women of the armed services and their families.

But, as in all of our appropriations bills, this year especially, this legislation reflects hard decisions to cut lower-priority programs, reduce spending in programs that can be scaled back, and target funds where they're needed most so that our Nation can continue on the path to fiscal recovery.

No bill, no Department, including the Pentagon, should be immune from scrutiny during these precarious financial times. This legislation identifies fiscally responsible savings, savings that will in no way impair the safety or effectiveness of our troops, the success of our military operations, or our military readiness.

The bill also increases oversight of Defense programs and funds to ensure that tax dollars are being spent wisely and efficiently. We've taken a critical eye and increased scrutiny on some programs to ensure American taxpayers are receiving the proper benefits for their defense investments.

I want to thank, again, Chairman YOUNG and Ranking Member DICKS for their tireless work. In fact, it's a very bipartisan spirit and commitment, and that's the rule of this subcommittee over the decades of time, and their commitment to crafting a very responsible Defense bill. And of course the staff has worked tirelessly to make this day possible.

Mr. Chairman, I urge all of our colleagues to support this bill. It's a good one.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BISHOP), who is a former member of the Defense Subcommittee and now is the ranking Democrat on the Military Construction-VA Subcommittee.

Mr. BISHOP of Georgia. Mr. Chairman, I am pleased to rise in support of the committee's recommended FY12 Defense appropriations bill.

I'd first like to commend Subcommittee Chairman YOUNG, Ranking Member DICKS, Chairman ROGERS, the subcommittee members and staff on both sides of the aisle for continuing

the fine tradition of bipartisan cooperation and teamwork in producing this bill.

Of note, the bill provides \$530.5 billion in total for the DOD in fiscal year 2012, \$17 billion more than the current level. In addition, the bill provides \$118.7 billion for contingency funding for the ongoing military operations in Iraq and Afghanistan.

It continues our longstanding commitment to our troops and their families by including a pay raise for the troops, strengthening health care services for servicemembers and their families, and providing \$2.3 billion for family support and advocacy programs.

The bill protects our troops in harm's way by providing \$3.2 billion for Mine Resistant Ambush Protected vehicles, \$2.8 billion for combating IEDs in Afghanistan and Iraq, and a total of \$453 million for the modernization of the M1 Abrams tanks.

The bill also includes an additional \$1.5 billion for the National Guard and Reserve equipment, \$633 million for military medical research, including \$233 million for cancer research, \$125 million for psychological health and traumatic brain injury research.

I'm pleased that the committee included \$141 million for University and Industry Research Centers, of which \$20 million was included for Historically Black Colleges and Universities for research.

As a former member of the subcommittee, I'm reminded of my dear friend and colleague, former Chairman Jack Murtha, who followed one central creed and principle in developing an annual House Defense appropriations bill, and that was to create a bill which provided our servicemen and -women all the resources and tools they need to do their job as effectively and efficiently as possible. I believe this bill does just that. And I do earnestly believe that Chairman Murtha would be very proud of this bill. And I'm pleased to support its passage.

Mr. YOUNG of Florida. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from California (Mr. LEWIS), the former chairman of this subcommittee and the former chairman of the Appropriations Committee.

Mr. LEWIS of California. Mr. Chairman, I thank very much Mr. YOUNG of Florida and Mr. DICKS of Washington for the fabulous work they've done working together and developing this measure, which is something over \$500 billion. And the public certainly will know that that's no small amount of money. But certainly, also they'll know it is the reason for us to have a Federal Government—funding available to preserve our Nation.

And as we leave this weekend to celebrate the 4th of July and the history of our country and the history of freedom, not just here but also available around the world, we know it's the

work of this subcommittee and people like these leaders that have allowed us to continue to be on the point of the spear for freedom around the world.

Indeed, if there's a reason for us to have a Federal Government, it is to be able to preserve our freedom and to provide opportunities for others elsewhere in the world.

Having said that, Mr. Chairman, it's also very, very important for me to point out that we are about serious and difficult challenges, especially in the Middle East at this moment.

A while ago, my friend NORM DICKS mentioned 1989 and Afghanistan and the challenges there. At that point in time, the Soviet Union was attempting to take over all of Afghanistan as a way of taking over the Middle East and to extend their desire to take over the world. A stop to that came by way of this committee's work and leadership from this committee.

If you have not taken the time to read about Charlie Wilson's war, you should, and recognize that that war led to the chants for freedom in Afghanistan.

The CHAIR. The time of the gentleman has expired.

Mr. YOUNG of Florida. I yield the gentleman an additional 1 minute.

Mr. LEWIS of California. If one would recognize, as of Charlie Wilson's war's time, we were successful at stopping the Soviet Union. But as we had that success, America did what it often does overseas: We walked away and left a vacuum in Afghanistan. And it was that vacuum that allowed the terrorists, al Qaeda and others, to extend themselves and train themselves and put us in the pressure box that we are in today in the country.

America must constantly be aware that we are the force for freedom and, working together, we will continue to help freedom in the world.

Having said that, Mr. Chairman, I want to extend my deepest congratulations to these two gentlemen, these two leaders of this committee, BILL YOUNG and NORM DICKS, extremely talented people who are bringing our committee and the Congress back to regular order so that we can work with one another and make changes in bills like this with free debate on the floor. Indeed, that is the strength of our Congress.

If the people will be patient with us, we'll actually accomplish some things. Indeed, freedom will continue to be a force in the world because of the work of these gentlemen. And our congratulations, as well as our best wishes, go out to their continued work and success.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LEE), a member of the Appropriations Committee and someone who is a very dynamic leader on our committee and that I enjoy working with.

Ms. LEE. Mr. Chairman, first let me thank our ranking member, Mr. DICKS, for your leadership for this time, but also for your patriotism and for your commitment to our country and to our troops. And it is an exciting committee, and it's a very important committee. And I want to thank Chairman ROGERS for your leadership, and for also his service and for the attempts to bring this committee together in the spirit of bipartisanship.

While I think everyone knows that I respect and support the President and I applaud him for his tremendous leadership on so many issues, like many of my colleagues, I was tremendously disappointed to hear the President's announcement last night.

□ 1820

Almost three out of four Americans want to bring our troops home from Afghanistan, and this was far from the significant reduction that the American people were expecting. A token troop reduction of 10,000 by the end of this year and waiting another year to remove another 23,000, which in total would merely reverse the 2009 troop escalation, is really, for me, unacceptable; and quite frankly, it flies in the face of the growing bipartisan calls across our war-weary Nation to exit Afghanistan and to refocus on our priorities here at home.

Now, I voted against this original authorization in 2001, which was a very difficult vote for me to cast because I ended up being the only one to cast a "no" vote. But I knew then that that authorization was an authorization that was a blank check to wage war for any reason, against any nation, for any length of time. And this has now become the longest war in American history.

As we spend over \$2 billion a week on this decade-long war, critical programs—like programs for women and children, nutrition programs, food stamps and Medicare—are on the chopping block. So enough is enough.

There is no military solution in Afghanistan. And in a world where terrorism can emanate from the tribal regions of Yemen or a hotel room in Germany, we cannot adequately address these challenges through a military-first, boots-on-the-ground strategy. It is clear that occupying states and nation-building does not make for effective counterterrorism, and the financial and human costs of continuing this war are indefensible.

With over 1,600 troops killed and tens of thousands more seriously wounded in Afghanistan, the human toll continues to mount each and every day. So we need to bring our troops home and use the savings for our economic challenges here at home, especially for job creation. That's why I'm going to offer some amendments to this bill to end funding for combat operations in Afghanistan and to provide, though, funding for the protection and the safe and

orderly withdrawal of our young men and women as quickly as possible. I urge Members to support this amendment.

I will also be offering an amendment to transfer the \$5 billion Pentagon war slush fund to a deficit reduction.

The CHAIR. The time of the gentlewoman has expired.

Mr. DICKS. I yield the gentlewoman 2 additional minutes.

Ms. LEE. I want to explain these amendments today during general debate, so I appreciate the time because I think this is important for the public to know that there is a \$5 billion Pentagon war slush fund just sitting over there. So I want to offer an amendment to take that war slush fund, \$5 billion, and apply it to deficit reduction.

Especially in this time of deficits and a struggling economy, I hope we can all agree that we should not be handing the Pentagon a \$5 billion blank check for a war slush fund that has little accountability and runs counter to our constitutional duty to control the purse strings through this Congress.

We also cannot forget about the 45,000 troops in Iraq. I will be offering an amendment to ensure that all of them are brought home at the end of the year as agreed to in our Status of Forces Agreement. My friend and colleague from Illinois, Congresswoman JAN SCHAKOWSKY, and myself will offer an amendment to simply require the Department of Defense to provide audit-ready financial statements. That's a pretty simple request, I would think. Now, this \$648 billion budget is \$17 billion above last year's budget. It could be cut at least by \$75 billion to \$100 billion without, mind you, jeopardizing our troops or our national security.

As the daughter of a military veteran, let me just say that I support each and every dollar in this budget for our troops because they deserve our support for their safety and their protection and their economic security; but we should be cutting waste, fraud and abuse out of the Pentagon. And we should begin to cut these Cold War-era weapon systems that have no mission, no reason to be developed in this new world of terrorism when we see ourselves faced with asymmetrical warfare. It just doesn't make any sense. So \$648 billion is too much; it's much too much. We can ensure our national security, protect our troops, and reinvest some of these dollars to create jobs at home with a rational defense budget.

We will never pay down our debt as long as the military budget continues to soar.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to a very distinguished senior member of the Defense Appropriations Committee and also chairman of the Subcommittee on Energy and Water, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to associate myself with your remarks and those of the ranking member. This is a good bipartisan bill carved out of an allocation that I would have preferred be higher; but we, too, on this subcommittee must do our part to lower the Federal deficit.

This bill deserves our strong support because, as the chairman said, and others, it has an important pay raise in there for all of our troops who are volunteering. It also provides more first-class medical care for those that are injured. It provides more money for ships, 10 new ships—two of them being *Virginia* class submarines—additional money for fighter aircraft, which are badly needed, and as was mentioned earlier, \$1.5 billion for the National Guard equipment for both overseas and home State missions. Remarkably, this money was not requested by the administration.

I also want to take a minute to reflect on the collective bipartisan frustration many are feeling with the administration's handling of the Libyan operation, another of what we might call "overseas contingency operations." We will debate the nature of our national interest on Libya tomorrow as we consider measures that go to the heart of Congress' constitutional role to declare war.

But here this evening this committee is in the process of developing an incredible spending program for fiscal year beginning in October. I understand there are no funds designated for Libyan operations in this bill. However, in reality, this Libyan mission, whether NATO-led or not, is heavily dependent on U.S. assets, and these assets must be accounted for by our committee.

We are all aware that our chairman, Mr. YOUNG—and he referred to it in his remarks—since April 1 sought information from the administration about, first, the nature of the mission in Libya; two, the cost of the mission; three, the length of the mission; and, four, any anticipated changes to the mission. We are also aware that the President finally responded with his June 15 letter to Congress in which he reports that the Department of Defense has spent over \$750 million over the last 3 months, \$10 million a day in Libya. Mr. Chairman, the President errs when he fails to provide this committee with accurate, timely, and precise information about any mission.

In closing, Mr. Chairman, I support this mark, I support this bill, and I thank the chairman and the ranking member and the committee staff for the great work they've done.

Mr. DICKS. I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to a very important member of the Defense Sub-

committee, the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I certainly rise in strong support of this fiscal year 2012 Defense appropriation bill. I want to particularly thank Chairman YOUNG and Ranking Member DICKS and their staffs for a fantastic job. Thank you very much for your hard work and a great bill.

This bill is a great example, when it comes to our national defense, that we work together as Americans, not as Democrats, not as Republicans, but as Americans. At a time that we're in a number of conflicts around the world, it's important that we show that we stand united in support of our troops and against our enemies.

There was a point made about what's the longest war. I would say the longest war in American history is the Cold War. We were in that war for well over 40 years, and we're at war today against terrorism and radical elements out there that are trying to kill us and to maim us and to harm our national interests.

This is a long-term commitment, and I certainly congratulate this committee for doing the job that's necessary.

Mr. Chairman, I rise in strong support of the fiscal year 2012 Defense Appropriations bill. Chairman YOUNG, Ranking Member DICKS and the staff on both sides have worked together to produce a very good bill that supports our warfighters, plans for the future, and funds current operations in Afghanistan and Iraq, while also taking into account the fiscal restraints of the current economy.

I think every Member would agree that our troops deserve the absolute best we can give and this bill reflects that they are our top priority by providing a 1.6 percent pay increase. The bill also provides for important health research—from traumatic brain injury to psychological treatment—in order to help troops transition from battle to home.

The defense funding bill also ensures our military has the necessary equipment to succeed not only in the present, but in the future as well. The bill replaces the C-17 that went down in Alaska last summer, provides for the procurement of 32 Joint Strike Fighter aircraft, funds the building of 10 Navy ships, and provides for the purchase of 48 Reaper UAVs.

Finally the bill accounts for the current operations in Iraq and Afghanistan, ending the bad habit of "emergency" funding bills that were rarely subjected to regular order and often loaded up with non-emergency items. The bill is \$9 billion less than the President's request—a reflection of our times and the realization that no department in the Federal Government is exempt from budget cuts.

Again, I rise in strong support of the FY12 Defense Appropriations bill. I commend Chairman YOUNG and Ranking Member DICKS for their hard work and urge my colleagues to vote in support of the bill.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to another very important member of the Defense appropriations subcommittee, the gentleman from Oklahoma (Mr. COLE).

□ 1830

Mr. COLE. Thank you for yielding, Mr. Chairman.

Mr. Chairman, I rise today in support of the fiscal 2012 Defense Appropriations Act and urge all Members to extend their support as well. This is a fine bill that the committee worked on in an open fashion, and it includes input from both sides of the aisle. Thanks to Chairman YOUNG and Ranking Member DICKS, it is a strong, bipartisan bill that will do much good for the defense of our country.

Mr. Chairman, we will have many spirited debates on amendments during the course of the consideration of this legislation, and that is a good thing. But, rest assured, at the end of the day this legislation is and will remain a very good product.

The spending levels in the bill do not exceed the 302(b) allocations adopted by the Appropriations Committee, which are within the overall spending level approved by the House budget resolution.

The bill itself includes \$530 billion for the normal operations of the Department and \$118.7 billion for the conduct of the global war on terror. It includes a 1.6 percent pay raise for the troops. It has \$453 million for the procurement of additional updated Abrams tanks, and it has \$2.7 billion for the continued development of the F-35 Joint Strike Fighter, a weapons system that is critical to maintaining air superiority for the United States Air Force.

Additionally, the bill will withhold 75 percent of the funding for the Pakistan Counterinsurgency Capability Fund until the Secretary of Defense provides lawmakers with a report detailing the strategy and metrics for the use of those funds. The committee also adopted an amendment that would provide \$1 million for the creation of a bipartisan commission to make policy recommendations on Afghanistan and Pakistan.

Mr. Chairman, this is a strong piece of legislation, one that I fully believe we should support, and I would ask all Members to do so.

Mr. YOUNG of Florida. I would like to advise the Chair that I have no further speakers. I do have a brief closing statement after Mr. DICKS, when he is prepared to close.

Mr. DICKS. Mr. Chairman, first of all, I would like to again thank the chairman for his great work and the work of the staff.

The President did lay out the rationale for why we got involved in Libya. He said that we were there to help protect the Libyan people. There were two resolutions adopted by the United Nations. And it wasn't just the United Nations. You had the Arab League and NATO involved in this. And, yes, I think the President would have been better advised to have asked for authorization, but this was a situation

where the Libyan people were going to be slaughtered and the President felt that he had to act.

Some of us just got back from a trip. We saw the men and women who handle the equipment, who fly in there, do the jamming, all the different things that are done. They have done a phenomenal job. And now the President has turned the leadership of this over to NATO and they are taking the lead, though the gentleman from New Jersey is quite correct; they cannot do all these things without tankers, without other things, some of the special intelligence and reconnaissance that we have that just isn't out there for anybody else.

So I hope that tomorrow's debate will be on the merits. Let's look at this thing; let's talk about it. I think this will be a worthwhile discussion. But remember, there was going to be a no-fly zone, an embargo. We were going to protect the people. I think the President laid out exactly what this was about.

We have to look at this in terms of Egypt and the other countries in the area. Thousands and thousands of people are fleeing from Libya, and this is going to cause a major problem in the countries that surround Libya.

Ronald Reagan attacked Libya. I think he called Qadhafi a "mad dog," and I don't remember him coming to Congress before he let the bombers go in there and attack him.

So I am one who is very restrained at the use of force, but in this case I think the President had to act, and he had the United Nations, the Arab League, NATO, he had the French and the British demanding action.

I think we have to look at the result here, too. I think right now the rebels have a very good chance of succeeding, and I hope they can do it in a timely way. We would all like to see this over as quickly as possible. But remember Kosovo. That took a significant amount of time before that worked out. There were a lot of critics, a lot of critics of President Clinton when he did that, but in the end it turned out very well for everyone. In Libya, I think Qadhafi should be replaced. I wish we were more candid about that, and the President has said that.

So I hope we look at this fairly and realize the damage that would be done to the North Atlantic Treaty Organization if the United States all of a sudden pulled all of its forces out of this. They would not be able to continue. This would be a worldwide embarrassment to the United States of America, to our great country and to our military.

I think we have to look at all of the ramifications of this issue. This is a serious matter and should not be politicized. Senator Jackson from my State used to say, when it comes to national defense, the best politics is no politics. Call it on the merits and do it in the

best interests of our country and in the best interests of people serving our military.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

Again, I want to thank Mr. DICKS for being such a good partner and working in a bipartisan way to guarantee that we did the best we could with the money we had available to provide for the national defense. I would say again, we have not had any impact adversely on any of our troops and we have not adversely affected the readiness of our country, while we have taken some of those slush funds and some of those wasteful funds, we did take some of those, in order to achieve the \$9 billion in savings that we were required to achieve.

The bill is lengthy. As you can hear from the various speakers, there are many, many, many parts of this bill. The specific details of the bill have been available for over 2 weeks so that Members have had every opportunity to study the bill.

In order to get where we are, it took a lot of work, because, number one, we had to finish last year's bill. That was no fault of Mr. DICKS. He worked hard as chairman last year to produce another very good bipartisan bill, cooperating totally with us on the minority side, the minority at that time. But we didn't get that bill to the floor. I wish that we had, but it didn't quite make it.

So this year we finished the work for FY 2011, and now this is the bill for FY 2012. Again, it is a strong, bipartisan, no-politics good defense bill. But in order to get to this point, to get where we are, required tremendous dedication on the part of all of the members of the subcommittee, as well as very specifically as well as the staff. The professional staff of our Defense Subcommittee is very, very special and works extremely hard. I would like to call attention to that staff.

On the minority side, Paul Juola, who also worked on the majority side at one point, and Becky Leggieri. On the majority staff, Brooke Boyer, Walter Hearne, Jennifer Miller, Tim Prince, Adrienne Ramsay, Ann Reese, Megan Rosenbusch, Paul Terry, B.G. Wright, Sherry Young, and the chief of staff, Tom McLemore.

They have done a tremendous job. I know that oftentimes when the House finished its business and Members would retire to their respective homes, staff stayed and they did the analysis that had to be done to achieve the savings that we achieved, but also to make sure that we accomplished what had to be accomplished to provide for our troops, to provide for their welfare, to provide for the readiness of the Nation.

□ 1840

I said in my opening remarks there were other items, other things, other parts of this bill that I would like to have increased. I would like to have been able to increase the pay raise that goes to our military. The money just wasn't there. But we did insist on funding the full 1.6 percent, which doesn't sound like a lot. At least it's not a reduction.

Mr. Chairman, this is a good bill. We're not going to vote on this bill tonight. We will read this bill—it's my understanding now from leadership—for amendment under the 5-minute rule the week after next and we'll be prepared to, again, in a bipartisan way, deal with any issues that might come up at that time.

Mr. McKEON. Mr. Chair, I rise in support of the Fiscal Year 2012 Defense Appropriations bill. Ensuring that our military receives funding for the coming fiscal year is an essential duty of this Congress and key to maintaining the capabilities of our Armed Forces. I applaud the work of the subcommittee and full committee for considering this legislation in regular order. I also give credit to my colleagues on the Rules Committee for ensuring that the House has once again returned to the days of

open rules on appropriations bills, so every Member's voice can be heard.

Furthermore, it is with the utmost appreciation that I commend the Appropriations Committee for working in partnership with the Armed Services Committee on matters relating to our military. As Chairman of the Armed Services Committee, I remain fully committed to providing our troops with the resources needed to fulfill their missions. To that end, I am pleased to see that this bill provides the full amount of funding requested by the President for fiscal year 2012 to fund Overseas Contingency Operations, which is essential to achieving victory in ongoing military operations in Iraq and Afghanistan.

However, I do have reservations about the cut to the defense base budget during a time when we are engaged in several overseas conflicts and facing an abundance of emerging threats to our security. Despite the fact that our nation's heroes got Osama bin Laden, we are still a nation at war—a war that we did not start. Al Qaeda has named bin Laden's successor and there is no doubt in anyone's mind that their primary goal is to kill Americans.

I recognize that on a percentage basis, an \$8.9 billion cut may not seem significant—less than two percent. But two percent is the same amount Secretary Gates has been trying desperately to find through efficiencies to reinvest in our force structure and modernization ac-

counts. We have applauded his efforts and supported his goal. Now, unfortunately, this bill would take those dollars away.

Nevertheless, it is clear that we are experiencing a fiscal crisis due to excessive government spending. I fully support ongoing efforts to responsibly cut excess spending to put our nation on the path to economic recovery and lasting prosperity. There are larger battles looming in the days ahead, in which we must tackle monumental issues such as the nation's debt ceiling. This is where our focus must be. I urge my colleagues to stand united as we move forward to ensure that we do not lower military spending to a level which threatens the safety of American citizens. To do so would be an investment in the decline of our national security.

Once again, I thank my colleagues for bringing this bill to the floor. I believe this bill strikes a reasonable balance of fiscal responsibility and providing for our armed services, and will therefore oppose amendments that would further reduce the resources available for our men and women in uniform and their families. I urge my colleagues to join me in supporting the passage of this bill.

Mr. YOUNG of Florida. Mr. Chair, I submit the following table on H.R. 2219, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2012.

DEPARTMENT OF DEFENSE APPROPRIATIONS - FY 2012 (H.R. 2219)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army.....	41,403,653	43,596,949	43,859,709	+2,456,056	+262,760
Military Personnel, Navy.....	25,912,449	27,154,384	27,141,334	+1,228,885	-13,050
Military Personnel, Marine Corps.....	13,210,161	13,573,546	13,480,436	+270,275	-93,110
Military Personnel, Air Force.....	27,105,755	28,304,432	28,264,646	+1,158,891	-39,786
Reserve Personnel, Army.....	4,333,165	4,386,077	4,333,507	+342	-52,570
Reserve Personnel, Navy.....	1,940,191	1,960,634	1,948,544	+8,353	-12,090
Reserve Personnel, Marine Corps.....	612,191	653,212	645,422	+33,231	-7,790
Reserve Personnel, Air Force.....	1,650,797	1,729,823	1,711,653	+60,856	-18,170
National Guard Personnel, Army.....	7,511,296	7,623,335	7,607,345	+96,049	-15,990
National Guard Personnel, Air Force.....	3,060,098	3,114,149	3,099,629	+39,531	-14,520
Total, title I, Military Personnel.....	126,739,756	132,096,541	132,092,225	+5,352,469	-4,316
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army.....	33,306,117	34,735,216	34,581,321	+1,275,204	-153,895
Operation and Maintenance, Navy.....	37,809,239	39,364,688	39,385,685	+1,576,446	+20,997
Operation and Maintenance, Marine Corps.....	5,539,740	5,960,437	6,036,996	+497,256	+76,559
Operation and Maintenance, Air Force.....	36,062,989	36,195,133	36,065,107	+2,118	-130,026
Operation and Maintenance, Defense-Wide.....	30,210,810	30,940,409	30,682,265	+471,455	-258,144
Operation and Maintenance, Army Reserve.....	2,840,427	3,109,176	3,047,033	+206,606	-62,143
Operation and Maintenance, Navy Reserve.....	1,344,264	1,323,134	1,323,134	-21,130	---
Operation and Maintenance, Marine Corps Reserve.....	275,484	271,443	271,443	-4,041	---
Operation and Maintenance, Air Force Reserve.....	3,291,027	3,274,359	3,310,459	+19,432	+36,100
Operation and Maintenance, Army National Guard.....	6,454,624	7,041,432	6,979,232	+524,608	-62,200
Operation and Maintenance, Air National Guard.....	5,963,839	6,136,280	6,094,380	+130,541	-41,900
Overseas Contingency Operations Transfer Account.....	---	5,000	---	---	-5,000
United States Court of Appeals for the Armed Forces...	14,068	13,861	13,861	-207	---
Environmental Restoration, Army.....	464,581	346,031	346,031	-118,550	---
Environmental Restoration, Navy.....	304,867	308,668	308,668	+3,801	---
Environmental Restoration, Air Force.....	502,653	525,453	525,453	+22,800	---
Environmental Restoration, Defense-Wide.....	10,744	10,716	10,716	-28	---
Environmental Restoration, Formerly Used Defense Sites	316,546	276,495	276,495	-40,051	---
Overseas Humanitarian, Disaster, and Civic Aid.....	108,032	107,662	107,662	-370	---
Cooperative Threat Reduction Account.....	522,512	508,219	508,219	-14,293	---
Department of Defense Acquisition Workforce					
Development Fund.....	217,561	305,501	105,501	-112,060	-200,000
Total, title II, Operation and maintenance.....	165,560,124	170,759,313	169,979,661	+4,419,537	-779,652
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army.....	5,254,791	7,061,381	6,487,481	+1,232,690	-573,900
Missile Procurement, Army.....	1,570,108	1,478,718	1,464,223	-105,885	-14,495
Procurement of Weapons and Tracked Combat Vehicles,					
Army.....	1,461,086	1,933,512	2,178,886	+717,800	+245,374
Procurement of Ammunition, Army.....	1,847,066	1,992,625	1,952,625	+105,559	-40,000
Other Procurement, Army.....	8,145,665	9,682,592	9,371,952	+1,226,287	-310,640
Aircraft Procurement, Navy.....	16,170,868	18,587,033	17,804,750	+1,633,882	-782,283
Weapons Procurement, Navy.....	3,221,957	3,408,478	2,975,749	-246,208	-432,729
Procurement of Ammunition, Navy and Marine Corps.....	790,527	719,952	633,048	-157,479	-86,904
Shipbuilding and Conversion, Navy.....	15,366,658	14,928,921	14,725,493	-641,165	-203,428
Other Procurement, Navy.....	5,804,963	6,285,451	5,996,459	+191,496	-288,992
Procurement, Marine Corps.....	1,236,436	1,391,602	1,453,602	+217,166	+62,000
Aircraft Procurement, Air Force.....	13,483,739	14,082,527	13,987,613	+503,874	-94,914
Missile Procurement, Air Force.....	5,424,764	6,074,017	5,689,998	+265,234	-384,019
Advanced Extremely High Frequency Communications					
Satellites, Advanced appropriation FY 2013.....	---	803,417	---	---	-803,417
Advanced appropriation FY 2014.....	---	699,611	---	---	-699,611
Advanced appropriation FY 2015 through FY 2017.....	---	1,709,467	---	---	-1,709,467
Total, Advanced appropriations	---	3,212,495	---	---	-3,212,495

DEPARTMENT OF DEFENSE APPROPRIATIONS - FY 2012 (H.R. 2219)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement of Ammunition, Air Force.....	731,487	539,065	522,565	-208,922	-16,500
Other Procurement, Air Force.....	17,568,091	17,602,036	17,260,619	-307,472	-341,417
Procurement, Defense-Wide	4,009,321	5,365,248	5,046,447	+1,037,126	-318,801
Defense Production Act Purchases	34,346	19,964	29,964	-4,382	+10,000
Total, title III, Procurement.....	102,121,873	114,365,617	107,581,474	+5,459,601	-6,784,143
FY 2012.....	(102,121,873)	(111,153,122)	(107,581,474)	(+5,459,601)	(-3,571,648)
=====					
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army.....	9,710,998	9,683,980	9,381,166	-329,832	-302,814
Research, Development, Test and Evaluation, Navy.....	17,736,303	17,950,431	17,798,950	+62,647	-157,481
Research, Development, Test and Evaluation, Air Force.....	26,517,405	27,737,701	26,313,196	-204,209	-1,424,505
Research, Development, Test and Evaluation, Defense-Wide	20,797,412	19,755,678	19,324,865	-1,472,547	-430,813
Operational Test and Evaluation, Defense.....	194,910	191,292	191,292	-3,618	---
Total, title IV, Research, Development, Test and Evaluation.....	74,957,028	75,325,082	73,009,469	-1,947,559	-2,315,613
=====					
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds.....	1,434,536	1,575,010	1,575,010	+140,474	---
National Defense Sealift Fund.....	1,474,866	1,126,384	1,100,519	-374,347	-25,865
Total, title V, Revolving and Management Funds..	2,909,402	2,701,394	2,675,529	-233,873	-25,865
=====					
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program:					
Operation and maintenance.....	29,671,764	30,902,546	30,497,735	+825,971	-404,811
Procurement.....	534,921	632,518	632,518	+97,597	---
Research, development, test and evaluation.....	1,175,513	663,706	1,187,206	+11,693	+523,500
Total, Defense Health Program 1/.....	31,382,198	32,198,770	32,317,459	+935,261	+118,689
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance.....	1,067,364	1,147,691	1,147,691	+80,327	---
Procurement.....	7,132	---	---	-7,132	---
Research, development, test and evaluation.....	392,811	406,731	406,731	+13,920	---
Total, Chemical Agents 2/.....	1,467,307	1,554,422	1,554,422	+87,115	---
Drug Interdiction and Counter-Drug Activities, Defense	1,156,957	1,156,282	1,208,147	+51,190	+51,865
Joint Improvised Explosive Device Defeat Fund 2/.....	---	220,634	220,634	+220,634	---
Joint Urgent Operational Needs Fund.....	---	100,000	---	---	-100,000
Office of the Inspector General 1/.....	306,794	289,519	346,919	+40,125	+57,400
Total, title VI, Other Department of Defense Programs.....	34,313,256	35,519,627	35,647,581	+1,334,325	+127,954
=====					

DEPARTMENT OF DEFENSE APPROPRIATIONS - FY 2012 (H.R. 2219)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund.....	292,000	513,700	513,700	+221,700	---
Intelligence Community Management Account (ICMA).....	649,732	592,213	458,225	-191,507	-133,988
Total, title VII, Related agencies.....	941,732	1,105,913	971,925	+30,193	-133,988
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec. 8005).....	(4,000,000)	(5,000,000)	(4,000,000)	---	(-1,000,000)
Indian Financing Act incentives (Sec. 8020).....	15,000	---	15,000	---	+15,000
FFRDC (Sec. 8024).....	-125,000	---	-125,000	---	-125,000
Overseas Military Facility Invest Recovery (Sec. 8029)	1,000	1,000	1,000	---	---
Rescissions (Sec. 8040).....	-2,013,536	---	-1,080,105	+933,431	-1,080,105
O&M, Defense-wide transfer authority (Sec.8051).....	(30,000)	(30,000)	(30,000)	---	---
O&M, Def-wide to HUD transfer authority	---	(22,930)	---	---	(-22,930)
O&M, DW to Interior transfer authority.....	---	(10,070)	---	---	(-10,070)
Fisher House Foundation (Sec. 8069).....	4,000	---	4,000	---	+4,000
National grants (Sec. 8078).....	65,200	---	44,000	-21,200	+44,000
Shipbuilding reappropriation (Sec. 8082).....	---	20,000	---	---	-20,000
Shipbuilding & conversion funds, Navy (Sec. 8083).....	10,000	8,000	8,000	-2,000	---
Working Capital Fund excess cash.....	-1,983,000	---	---	+1,983,000	---
Fisher House transfer authority (Sec. 8096).....	(11,000)	(11,000)	(11,000)	---	---
ICMA transfer authority (Sec. 8097).....	(24,000)	(20,000)	(22,000)	(-2,000)	(+2,000)
Business Transformation (transfer authority).....	(50,000)	---	---	(-50,000)	---
Tanker Replacement Transfer Fund	538,875	---	---	-538,875	---
Alternative Energy Resources for Deployed Forces (Sec. 8115).....	---	---	10,000	+10,000	+10,000
Operation and Maintenance, Defense-Wide.....	300,000	---	---	-300,000	---
Energy Security Pilot Projects.....	20,000	---	---	-20,000	---
Revised economic assumptions (Sec. 8121).....	-1,477,000	---	-1,310,100	+166,900	-1,310,100
Operation and Maintenance, Defense-Wide (Sec. 8122)...	250,000	---	250,000	---	+250,000
Civilian pay freeze reduction.....	-723,000	---	---	+723,000	---
Total, Title VIII, General Provisions.....	-5,117,461	29,000	-2,183,205	+2,934,256	-2,212,205
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS 3/					
Military Personnel					
Military Personnel, Army (GWOT).....	11,107,033	7,105,335	6,822,635	-4,284,398	-282,700
Military Personnel, Navy (GWOT).....	1,308,719	919,034	919,034	-389,685	---
Military Personnel, Marine Corps (GWOT).....	732,920	675,360	675,360	-57,560	---
Military Personnel, Air Force (GWOT).....	1,843,442	1,436,353	1,436,353	-407,089	---
Reserve Personnel, Army (GWOT).....	268,031	207,162	207,162	-60,869	---
Reserve Personnel, Navy (GWOT).....	48,912	44,530	44,530	-4,382	---
Reserve Personnel, Marine Corps (GWOT).....	45,437	25,421	25,421	-20,016	---
Reserve Personnel, Air Force (GWOT).....	27,002	26,815	26,815	-187	---
National Guard Personnel, Army (GWOT).....	853,022	661,879	646,879	-206,143	-15,000
National Guard Personnel, Air Force (GWOT).....	16,860	9,435	9,435	-7,425	---
Total, Military Personnel.....	16,251,378	11,111,324	10,813,624	-5,437,754	-297,700
Operation and Maintenance					
Operation & Maintenance, Army (GWOT).....	59,162,782	44,302,280	39,175,755	-19,987,027	-5,126,525
Operation & Maintenance, Navy (GWOT).....	8,970,724	7,006,567	6,749,489	-2,221,235	-257,078
Coast Guard (by transfer) (OCO) 3/.....	---	(258,278)	---	---	(-258,278)
Operation & Maintenance, Marine Corps (GWOT).....	4,008,022	3,571,210	3,571,210	-436,812	---
Operation & Maintenance, Air Force (GWOT).....	12,969,643	10,719,187	10,739,587	-2,230,056	+20,400
Operation & Maintenance, Defense-Wide (GWOT).....	9,276,990	9,269,411	9,312,876	+35,886	+43,465
Coalition support funds (GWOT).....	(1,600,000)	---	---	(-1,600,000)	---
Operation & Maintenance, Army Reserve (GWOT).....	206,784	217,500	217,500	+10,716	---
Operation & Maintenance, Navy Reserve (GWOT).....	93,559	74,148	74,148	-19,411	---
Operation & Maintenance, Marine Corps Reserve (GWOT).....	29,685	36,084	36,084	+6,399	---

DEPARTMENT OF DEFENSE APPROPRIATIONS - FY 2012 (H.R. 2219)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Operation & Maintenance, Air Force Reserve (GWOT).....	188,807	142,050	142,050	-46,757	---
Operation & Maintenance, Army National Guard (GWOT).....	497,849	387,544	387,544	-110,305	---
Operation & Maintenance, Air National Guard (GWOT).....	402,983	34,050	34,050	-368,933	---
Overseas Contingency Operations Transfer Fund (GWOT).....	---	---	5,000,000	+5,000,000	+5,000,000
Subtotal, Operation and Maintenance.....	95,807,828	75,760,031	75,440,293	-20,367,535	-319,738
Afghanistan Infrastructure Fund (GWOT).....	400,000	475,000	475,000	+75,000	---
Afghanistan Security Forces Fund (GWOT).....	11,619,283	12,800,000	12,800,000	+1,180,717	---
Iraq Security Forces Fund (GWOT).....	1,500,000	---	---	-1,500,000	---
Pakistan Counterinsurgency Capability Fund (GWOT).....	800,000	---	1,100,000	+300,000	+1,100,000
Total, Operation and Maintenance.....	110,127,111	89,035,031	89,815,293	-20,311,818	+780,262
<hr/>					
Procurement					
Aircraft Procurement, Army (GWOT).....	2,720,138	423,400	387,900	-2,332,238	-35,500
Missile Procurement, Army (GWOT).....	343,828	126,556	118,412	-225,416	-8,144
Procurement of Weapons and Tracked Combat Vehicles, Army (GWOT).....	896,996	37,117	37,117	-859,879	---
Procurement of Ammunition, Army (GWOT).....	369,885	208,381	208,381	-161,504	---
Other Procurement, Army (GWOT).....	6,401,832	1,398,195	1,398,195	-5,003,637	---
Aircraft Procurement, Navy (GWOT).....	1,169,549	730,960	492,060	-677,489	-238,900
Weapons Procurement, Navy (GWOT).....	90,502	41,070	41,070	-49,432	---
Procurement of Ammunition, Navy and Marine Corps (GWOT).....	558,024	317,100	317,100	-240,924	---
Other Procurement, Navy (GWOT).....	316,835	281,975	249,514	-67,321	-32,461
Procurement, Marine Corps (GWOT).....	1,589,119	1,260,996	1,183,996	-405,123	-77,000
Aircraft Procurement, Air Force (GWOT).....	1,991,955	527,865	440,265	-1,551,690	-87,600
Missile Procurement, Air Force (GWOT).....	56,621	28,420	46,920	-9,701	+18,500
Procurement of Ammunition, Air Force (GWOT).....	292,959	92,510	139,510	-153,449	+47,000
Other Procurement, Air Force (GWOT).....	2,868,593	3,204,641	3,213,010	+344,417	+8,369
Procurement, Defense-Wide (GWOT).....	1,262,499	469,968	406,668	-855,831	-63,300
National Guard and Reserve Equipment (GWOT).....	850,000	---	1,500,000	+650,000	+1,500,000
Mine Resistant Ambush Protected Vehicle Fund (GWOT).....	3,415,000	3,195,170	3,195,170	-219,830	---
Total, Procurement.....	25,194,335	12,344,324	13,375,288	-11,819,047	+1,030,964
<hr/>					
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (GWOT).....	143,234	8,513	8,513	-134,721	---
Research, Development, Test & Evaluation, Navy (GWOT).....	104,781	53,884	53,884	-50,897	---
Research, Development, Test & Evaluation, Air Force (GWOT).....	484,382	142,000	182,000	-302,382	+40,000
Research, Development, Test and Evaluation, Defense-Wide (GWOT).....	222,616	192,361	192,361	-30,255	---
Total, Research, Development, Test and Evaluation.....	955,013	396,758	436,758	-518,255	+40,000
<hr/>					
Revolving and Management Funds					
Defense Working Capital Funds (GWOT).....	485,384	435,013	435,013	-50,371	---
Total, Revolving and Management Funds.....	485,384	435,013	435,013	-50,371	---
<hr/>					
Other Department of Defense Programs					
Defense Health Program:					
Operation and maintenance (GWOT).....	1,398,092	1,228,288	1,228,288	-169,804	---
Research, development, test & evaluation (GWOT).....	24,000	---	---	-24,000	---
Total, Defense Health Program 1/.....	1,422,092	1,228,288	1,228,288	-193,804	---

DEPARTMENT OF DEFENSE APPROPRIATIONS - FY 2012 (H.R. 2219)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Drug Interdiction and Counter-Drug Activities, Defense (GWOT).....	440,510	486,458	469,458	+28,948	-17,000
Joint IED Defeat Fund (GWOT).....	2,793,768	2,577,500	2,577,500	-216,268	---
Joint Urgent Operational Needs Fund (GWOT) 3/.....	---	100,000	---	---	-100,000
Office of the Inspector General (GWOT).....	10,529	11,055	11,055	+526	---
Total, Other Department of Defense Programs.....	4,666,899	4,403,301	4,286,301	-380,598	-117,000
TITLE IX General Provisions					
Additional transfer authority (GWOT) (Sec. 9002).....	(4,000,000)	(4,000,000)	(3,000,000)	(-1,000,000)	(-1,000,000)
National Intelligence for Overseas Contingency Operations (transfer authority)(GWOT) (Sec. 9xxx).....	(3,375)	---	---	(-3,375)	---
Rescissions (GWOT) (Sec. 9017) 3/.....	---	---	-595,000	-595,000	-595,000
Total, General Provisions.....	---	---	-595,000	-595,000	-595,000
Total, Title IX	157,680,120	117,725,751	118,567,277	-39,112,843	+841,526
=====					
Total for the bill (net).....	660,105,830	649,628,238	638,341,936	-21,763,894	-11,286,302
Less appropriations for subsequent years.....	---	-3,212,495	---	---	+3,212,495
Net grand total (including other appropriations)	660,105,830	646,415,743	638,341,936	-21,763,894	-8,073,807
=====					
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Lease of defense real property (permanent).....	8,884	22,000	22,000	+13,116	---
Disposal of defense real property (permanent).....	10,317	9,000	9,000	-1,317	---
O&M, Defense-wide transfer to HUD:					
Defense function.....	---	-22,930	---	---	+22,930
Non-defense function.....	---	22,930	---	---	-22,930
O&M, Defense-wide transfer to Interior Department:					
Defense function.....	---	-10,070	---	---	+10,070
Non-defense function.....	---	10,070	---	---	-10,070
Tricare accrual (permanent, indefinite auth.) 4/..	10,872,070	10,733,000	10,733,000	-139,070	---
(GWOT) 3/.....	143,000	117,000	117,000	-26,000	---
Total, scorekeeping adjustments.....	11,034,271	10,881,000	10,881,000	-153,271	---
=====					
Adjusted total (includ. scorekeeping adjustments)	671,140,101	657,296,743	649,222,936	-21,917,165	-8,073,807
Appropriations.....	(673,153,637)	(657,296,743)	(650,303,041)	(-22,850,596)	(-6,993,702)
Rescissions.....	(-2,013,536)	---	(-1,080,105)	(+933,431)	(-1,080,105)
Total (including scorekeeping adjustments).....	671,140,101	657,296,743	649,222,936	-21,917,165	-8,073,807
Amount in this bill.....	(660,105,830)	(646,415,743)	(638,341,936)	(-21,763,894)	(-8,073,807)
Scorekeeping adjustments.....	(11,034,271)	(10,881,000)	(10,881,000)	(-153,271)	---
=====					
Total mandatory and discretionary.....	671,140,101	657,296,743	649,222,936	-21,917,165	-8,073,807
Mandatory.....	(292,000)	(513,700)	(513,700)	(+221,700)	---
Discretionary.....	(670,848,101)	(656,783,043)	(648,709,236)	(-22,138,865)	(-8,073,807)

DEPARTMENT OF DEFENSE APPROPRIATIONS - FY 2012 (H.R. 2219)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAPITULATION					
Title I - Military Personnel.....	126,739,756	132,096,541	132,092,225	+5,352,469	-4,316
Title II - Operation and Maintenance.....	165,560,124	170,759,313	169,979,661	+4,419,537	-779,652
Title III - Procurement.....	102,121,873	114,365,617	107,581,474	+5,459,601	-6,784,143
Title IV - Research, Development, Test and Evaluation.....	74,957,028	75,325,082	73,009,469	-1,947,559	-2,315,613
Title V - Revolving and Management Funds.....	2,909,402	2,701,394	2,675,529	-233,873	-25,865
Title VI - Other Department of Defense Programs.....	34,313,256	35,519,627	35,647,581	+1,334,325	+127,954
Title VII - Related Agencies.....	941,732	1,105,913	971,925	+30,193	-133,988
Title VIII - General Provisions (net).....	-5,117,461	29,000	-2,183,205	+2,934,256	-2,212,205
Title IX - Overseas Contingency Operations (GWOT).....	157,680,120	117,725,751	118,567,277	-39,112,843	+841,526
Total, Department of Defense.....	660,105,830	649,628,238	638,341,936	-21,763,894	-11,286,302
Total funding available (net).....	660,105,830	649,628,238	638,341,936	-21,763,894	-11,286,302
Scorekeeping adjustments.....	11,034,271	10,881,000	10,881,000	-153,271	---
Less appropriations for subsequent years.....	---	-3,212,495	---	---	+3,212,495
Total mandatory and discretionary.....	671,140,101	657,296,743	649,222,936	-21,917,165	-8,073,807

FOOTNOTES:

- 1/ Included in Budget under Operation and Maintenance
- 2/ Included in Budget under Procurement
- 3/ Global War on Terrorism and other activities (GWOT) pursuant to FY 2012 budget resolution (H.Con.Res. 34). The President proposes overseas contingency operations
- 4/ Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, P.L. 108-375) (CBO est)

Mr. GIBSON. Mr. Chair, I rise today to address an important issue affecting the domestic renewable energy industry. As the House continues consideration of the Department of Defense Appropriations Act of 2012, it is important to carefully examine the Department's investment in renewable energy products, and what effect their investments have on the U.S. economy.

The U.S. Department of Defense is required to abide by the Buy American Act when purchasing goods and equipment, including solar panels. However, the Department is utilizing alternative financing vehicles, such as Power Purchase Agreements, PPA's, to fund renewable energy technology installations on its bases and buildings. Under such agreements, a private developer finances, installs, and maintains the solar installation for the life of the technology and leases the power to the military facility. This financing structure is beneficial to the Department, as it allows the Department to meet its renewable energy goals, requires no upfront capital costs, and allows a private entity to take advantage of tax incentives not available to government purchasers, all with little risk to the taxpayer.

However, PPA's allow the private entity to purchase the solar technology and the Buy American Act does not apply. This is a loophole in the Buy American Act that foreign manufacturers, in particular highly subsidized Chinese solar panel manufacturers, have quickly exploited to deploy foreign-made solar technology on U.S. government property.

For this reason, DOD should review their procurement and payment for power policies. These decisions impact the U.S. solar industry, and our nation's energy security. Installing highly subsidized foreign solar technology on DOD property or a facility owned by the Department had the unintended consequence of pushing domestic solar manufacturing technology offshore and puts our nation in the position of remaining dependent on foreign energy resources. We must ensure our military does not unintentionally transition our country from one dependent on Middle East oil to one heavily reliant on Chinese renewable energy. I look forward to working with my colleagues on this important issue.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of the FY2012 Defense Appropriations bill. I want to also thank Chairman YOUNG and Ranking Member DICKS for working together to craft this important bipartisan legislation.

As our men and women in uniform and their families sacrifice to keep our country safe, Congress must provide them with the support and equipment necessary to accomplish their mission. In this bill we have appropriated funding for equipment procurement, base operations, military healthcare and pay in order to address current defense needs and future challenges; to continue funding research and development; and to improve the essential health and quality of life programs for the men and women of the Armed Services and their families.

In total, the bill allocates \$530 billion for Defense Department operations and support. This funding cuts \$9 billion from the President's request while increasing overall base funding for the Department of Defense by \$17 billion. While I support this legislation, I believe

we can meet all our national security needs with fewer resources. The testimony before the Budget Committee on July 8, 2011 made clear that we can reduce defense spending without compromising our national security. That is why I voted for the Frank Amendment that would have reduced the amount of this increase by half. I also supported an amendment offered by Representative MULVANEY that would have held funding in the bill to FY2011 levels. Unfortunately, both amendments failed.

The bill provides \$32.3 billion for defense health programs, which is \$119 million above the President's request and \$935 million above what was enacted in the FY2011 bill. This figure includes a \$125 million increase over the president's request for improved treatment and research of traumatic brain injury and psychological health conditions, \$30 million for orthopedic research and \$15 million for restorative transplant research, and \$2.3 billion for family support and advocacy programs.

To help financially struggling military families cope in this challenging economy, the bill also includes military pay funding of \$5.4 billion above last year's level and includes a pay raise of 1.6% and a comparable increase for housing and subsistence funding.

To ensure that all the funds allocated are used properly and for their intended purpose, the bill also contains enhanced oversight and accountability measures.

Mr. Chair, our troops deserve our support for the daily sacrifices they make for the security of the Nation. They depend on us to ensure that they have the resources they need to do their jobs.

They also count on us to see to it that the health and welfare of their families are assured so they can focus on the mission at hand. That is what this bill is about and I encourage my colleagues to join me in supporting it.

Mr. HOLT. Mr. Chair, I rise in opposition to this bill.

I thank the majority for allowing the House to work its will in a completely open fashion on this bill. It was a refreshing change. I only wish the outcome had been a bill that reflected better the international security and economic realities we are facing today.

To be sure, there are many things in this bill that I strongly support. The 1.6 percent pay increase for our troops is important and necessary. The additional \$1.5 billion for Guard and Reserve equipment modernization is badly needed. The \$2.3 billion for family support and advocacy programs will help military families cope while their loved ones are away and help our troops reintegrate when they come home. And the bill also includes a critical suicide prevention amendment I offered.

My amendment would give the Defense Department \$20 million to initiate suicide prevention and counseling calls to help prevent these reservists from taking their own lives, as Coleman Bean, my constituent, tragically did in September 2008. For reservists like Coleman Bean of East Brunswick, New Jersey—those in the IRR, Individual Mobilization Augmentees, and Inactive National Guard members—there remains no dedicated suicide prevention programs to help them cope with the war-time

experiences. These reservists need our help, and I'm pleased my amendment was accepted.

Unfortunately, the good provisions in this bill are vastly outweighed by the absolute failure of the majority to make the Pentagon subject to the same kind of budget reductions they are so eagerly imposing on every other federal agency.

Since the year began, we've heard constantly from the majority that our debt is the greatest threat to our national security. If they really believed that, they would have supported the \$70 billion in cuts to the budget that I voted for during the debate on this bill. Instead, the only true cut they supported to this bloated, \$650 billion defense budget is a \$125 million reduction in funding for military bands.

The majority's message is clear: we will continue down the path of trying to balance the budget on the backs of the poor, the disabled, school children, and seniors. The Pentagon budget—which now funds a weakly justified war in Libya, a continued occupation of Iraq, and a military quagmire in Afghanistan—remains as the great sacred cow in the federal budget. There is no greater example today of our upside-down priorities than this budget.

This bill will provide nearly \$13 billion for an Afghan security force that is riddled with corruption, Taliban sympathizers, and drug traffickers. The bill continues to fund our presence in Iraq—tens of thousands of American troops remain in that country, and as we've seen they remain targets, with still more killed and wounded this year.

So much of this bill continues to be devoted to spending tens of billions of dollars on weapons systems that were designed to meet a Soviet threat that vanished 20 years ago. This week, a colleague from Vermont, Mr. WELCH, offered an amendment to this bill that would have eliminated funding for a next-generation nuclear bomber, a bomber to replace the B-2. Why in the world do we need such a platform in the first place? It was not a B-2 bomber that killed Osama bin Laden, but a U.S. Special Operations Forces team working with our intelligence community that eliminated the al Qaeda leader. Buying new nuclear bombers would simply be a form of defense-sector corporate welfare to protect against a threat that does not exist. Yet Mr. WELCH's amendment was defeated, and so we will continue to fund the development of an airplane we don't need.

I offered an amendment with several of my colleagues that would have simply cut the rate of increase in Pentagon spending. Instead of allowing a \$17 billion increase over last year's Pentagon budget, it would cap the increase at \$8.5 billion without impacting military pay or benefits. That amendment was also defeated—and its defeat only proved what I suspected: the majority is not serious about reigning in government spending.

Most of the attention this week was directed toward spending more for the military than we even have, spending more than the rest of the world—all together—and more than we can afford, even as so many people are calling for austerity measures to cut college aid, bridges and trains, environmental protection, and even Medicare. Yet the majority did not hesitate to deny training to military chaplains for implementing the repeal of "Don't Ask, Don't Tell",

or to prevent the Defense Department from buying more fuel efficient vehicles, or to prevent taxpayers from finding out about political contributions by defense contractors. For all of these reasons, I am voting against this bill.

Mr. YOUNG of Florida. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRIFFITH of Virginia) having assumed the chair, Mr. WESTMORELAND, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

TEXAS TORT REFORM

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, our Nation's medical liability system is broken. It has put limits on patient access to health care and has increased costs. But since 2003, my home State of Texas has been a leader on medical liability reform. As a result of tort reform, from 2003 to 2009, Texas has seen an increase of roughly 60 percent in new physician licensure applications. And since 2003, Texas had 21,640 new physicians licensed. That means more doctors to treat patients—especially in rural areas with limited access to health care. All major physician liability carriers in Texas have cut their rates, giving Texas doctors affordable premiums and allowing them to focus on quality of care.

Texas is a model for tort reform for the Nation. I urge the Congress to adopt a similar policy to increase patient access to care and save our Nation billions in defensive medicine costs.

HANDS OFF MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the minority leader.

Mr. TONKO. This evening I will be joined by my colleague from California, Representative GARAMENDI. He and I will discuss for this next hour the issue that deals with a program that is tremendously popular in this country, that deals with our senior population as they have the resources through a program dubbed "Medicare" that en-

ables them to enjoy with dignity their senior years and to be able to have the security of knowing that there is affordability and accessibility for their health care needs. Obviously, as our senior population continues to grow and the longevity curve continues to climb upward, our senior population has reminded us that their dignity and their quality of life has been addressed in a very strong way as the calculated curve for life expectancy continues to mount, which is a positive force in the lives of all Americans.

The efforts that we see afloat in this House at this Capitol range across a number of cuts and reforms that people are proposing for the future budget for this country. There is this Ryan Roadmap which has been developed and dubbed the "path to prosperity" by the author and by the Republican majority in the House. However, many of us have seen it for its true value and its attempts to end Medicare, so much so that we have dubbed it the "road to ruin," a situation that would undo a Medicare program, and it is why signs such as this next to me here would greet many of us when we arrive in our district for district work period or on weekends as we break from session here in the House of Representatives: "Hands off my Medicare." It's very bold, it's very straightforward, and it's very understood. The message is real, and it has reached us because it talks about an attempt here to end Medicare in this House. It would force seniors to find their own insurance in the private market. They would be asked to shop with a coupon in hand. The money that the government would kick in for coverage, part of that coupon would not nearly keep pace with the actual costs—the costs that seniors would be forced to pay.

Of course, as 32 cents—which has been the on-average expectation of the coupon—for every \$1 of premium costs would be the outcome, that means that the risk would shift from our senior population to have them dig into their pockets, and the risk would be removed from government and placed in the hands of seniors. It would take away what is a stable, dependable system and put a profit-driven insurance arena of companies in charge of rationing care for our seniors.

This is a very unacceptable outcome, Representative GARAMENDI, and I'm glad that you have joined us this evening in this Special Order, where we'll focus on the Ryan Roadmap and what it really means, what it calculates to do, and the impact it has on so many elements of the population out there. And thank you, Representative GARAMENDI, for joining us this evening as we talk about this attempt to end Medicare and shift the risk from government to seniors.

Mr. GARAMENDI. Representative TONKO, thank you so very much for the

opportunity to join you this evening on this critical issue. We often call this the Ryan Roadmap, but it really is the Republican budget proposal. It's not only the chairman of the budget committee that put this out, but every Republican in this House voted for it. So they really have adopted this as their roadmap, as their solution to the problems that face this Nation.

□ 1850

You spoke very eloquently about the way in which this proposal would change who pays and how it's going to be paid for. It shifts the burden away from all of us. It shifts the burden onto individual seniors.

One of the things that I found very interesting was: How much does it cost an individual senior?

Now, recognize that those who are seniors today also suffer. It's not just those who will become seniors but those who are seniors today, and I'll come back to that during this discussion because that's a very, very important part. Our Republican friends have often said this doesn't affect anyone on Medicare. Well, the Medicare portion doesn't, but the Medicaid does because it does cut Medicaid. We'll come back to that. What I want to focus on is the shift of responsibility here and what it's going to cost an individual.

If you are not yet 55, then you're going to be in a system that is not Medicare. As you say, it's a voucher program. It's a program in which the government will give you a voucher, a ticket, and say, "Go buy your insurance." What's going to make up the balance? The individual is going to make up the balance, and this little chart lays it out pretty clearly.

If you're 55, then you'd better start finding \$182,000 right now because, when you become 65 and go on the non-Medicare program, you're going to have to come up with \$182,000 in order to be able to buy the insurance that you need. Similarly, if you're 50, you're going to have to have \$231,900 in order to be able to purchase the private insurance coverage. It goes on. If you're 40, you'll need \$343,800. So you've got to put that money away because, when you become 65 and the Medicare is not there for you, you'll be having to make up the difference.

The bottom line on all of this is—I love this one. I think you'll recognize it, Mr. TONKO. We used this some time ago. It's the tombstone. "Medicare, 1965–2011, Created by LBJ, Destroyed by GOP?"

They are destroying Medicare.

Medicare is a program that has been around since 1965. It guarantees that every individual in America who has turned 65 will have this health insurance policy—a policy that guarantees them benefits, doctors' visits, hospital visits, and under the new Affordable Health Care Act, an expansion of services, a whole series of preventative

services available without cost to seniors. It actually saves us money. It's very, very interesting that if you spend money up front for prevention, as we do in the Affordable Health Care Act, which, incidentally, every Republican voted against and voted to repeal, that benefit that goes to seniors free saves taxpayers money and keeps seniors healthy.

Mr. TONKO. You point out the line in the sand drawn for 55 and over and 55 and under and that there is a different treatment. People would try to suggest, if you're 65, say, and you're qualifying for Medicare, if you go forward, the folks below 55 will never join the system, and that will cause fluctuations in the crowd that's 65 and over today. As that happens, as they grow older and as the life expectancy keeps strengthening and going north, not south, there is no replenishing of the younger eligible Medicare community. As you climb the age chart, the correlation with health care and your need for services rises. So the younger element within the Medicare eligible community was, I think, providing stability in the fund. I think it disrupts even the actuarial outcome of that universe as you no longer allow the entry of new populations with time.

Mr. GARAMENDI. That's absolutely true.

I was the insurance commissioner in California for 8 years. Actually, that's the way insurance works. It's a large pool, all of whom share the risk. If your risk pool, as you just described it, becomes older and older—

Mr. TONKO. With no younger seniors coming in.

Mr. GARAMENDI. Exactly.

Suddenly, you've got a very, very expensive pool.

Mr. TONKO. Right.

Mr. GARAMENDI. Now, on the other hand, the very same thing occurs on the private insurance side.

On the private insurance side, we're going to see in the Republican budget plan, the Ryan plan, a whole population of people who have become 65 who are no longer eligible for Medicare. Now they're going into the insurance sector, the private insurance sector.

Mr. TONKO. A community for whom we have not done insurance writing. The actuarial science has not been applied. We've had 45 years of reprieve.

Mr. GARAMENDI. Exactly. So will the insurance companies want to see those people? No, they won't because those people are now 65. They're at an age where they're going to have higher medical expenses.

You're asking the private insurance companies to take this whole new population of older, more expensive people into their private insurance companies, into that pool, the result of which is that private insurance company's pool will become more expensive. They

know those people who are now 65 in the private insurance pool are going to get ill, that they're going to be more expensive, and so their doors are going to be subtly slammed shut. As to the availability, while presumably guaranteed by law, advertising won't be there, and the insurance agents won't be there to serve that population, and there is going to be all kinds of not-so-subtle discrimination, making it not only expensive for the individual but difficult to get quality insurance. In fact, there is no guarantee about the benefits in the Republican proposal.

Mr. TONKO. Right. If you'll suffer an interruption here and allow me to just share what, I think, both of us have talked about, people at home, because this is such a drastic proposal, can't believe that it's a real proposal. We have to remind people it is very much alive and it has legs, so much so today that the majority leader of the House, who was at the Vice President BIDEN table for negotiations on the debt ceiling bill today, walked, along with a Republican Senator spokesperson for that House, for their conference, the Republican Conference. They dropped out of the talks today simply because they want certain revenues at that negotiating table to be exempt, or certain proposals.

So we're saying, look, this has to be a bipartisan approach that has a tender balance here: that you cannot drop out of that balance certain impacts to the economy, like \$800 billion worth, which is the price tag for the wealthy in this country, where they want that dollar amount to be absolutely cast in stone.

Mr. GARAMENDI. Let me see if I understand.

What you're saying is that, in the negotiations, the Republicans are saying they are willing to cut services to seniors—Medicare. We also know that there is a proposal by Mr. SESSIONS, a Republican, to terminate Social Security. So they want to reduce the benefits to seniors or even the availability of the programs to seniors, but they don't want any new taxes on the super wealthy.

Mr. TONKO. Exactly.

We're saying as Democrats in the House and as Democrats on the Hill what must be on the table. We need to have on the table discussions about oil breaks, which trace their roots over a hundred years' worth of policy decisions. Tax breaks for the wealthiest 2 percent of Americans must be on the table. These are the important things. Big Oil profits, which are historically the largest, are the reason, in order to afford those sorts of handouts and wealthy tax cuts, they need to carve into a program like Medicare. It's in order to make it all balance. So we're saying no, no, no, that these things must be on the table.

Mr. GARAMENDI. All that we do here is make choices. All of these laws

are choices about solving this international problem. Do we want to solve it this way or that way? It's about choices. This issue of how we're going to deal with the budget and the budget deficit is about choices.

The Republicans have made a very clear choice. They are deciding that their choice is to reduce the benefits to seniors—Medicare, Medicaid benefits, an almost \$900 billion cut in the Medicare program that provides support for seniors who are in nursing homes—and to terminate Medicare so that you're forced into a private insurance market. That's the choice that they've made rather than to go and get our money back from Big Oil.

□ 1900

Choices, they have refused both here on the floor, refused to take back the subsidies that were given to the big oil companies, I suppose arguing that somehow these oil companies are hurting, that they're not profitable. Well, not so.

Just take a look here just this last year. ExxonMobil saw a 69 percent increase in their profits, \$10.7 billion profit; Oxy, 46 percent, \$1.6 billion; Conoco, 43 percent increase, \$2.1 billion; Chevron, 36 percent, \$6.2 billion; BP, 16 percent increase, \$7.2 billion.

Oh, by the way, you know who's billion dollars those are? Those are the folks that buy gasoline and diesel at the pumps. That's money right out of the pockets of consumers, and, in addition, they get billions of dollars of our tax money that you and I pay in addition to the gasoline tax. They get that for additional profit.

It is wrong. It's about choices. The Republicans have made a very clear choice here: take away from the seniors, take away their Medicare, and make sure that the oil companies continue to receive their subsidies.

Mr. TONKO. You know, you talk about choices, and the choices are do we continue Medicare—and obviously the Democrats in the House want to improve, they want to strengthen Medicare, not deny it, not end it—make it more stable, make it an even stronger program. There's a choice. Their choice would be to have tax earmarks for what sort of things? For corporate jets, for golf bags, for snow globes. These are the choices. And beyond choice, there are contrasts.

Now, this chart here somewhat incorporates what you're talking about there with Big Oil. We have \$131 billion that is given away yearly to Big Oil and millionaires, handouts, tax cuts.

Mr. GARAMENDI. How much?

Mr. TONKO. \$131 billion.

Mr. GARAMENDI. A year?

Mr. TONKO. Yes. Contrasted with the \$165 billion that are yearly cuts to Medicare. So it's almost an equal swap. And we see that you need to end Medicare in order to provide for the wealthy

tax cuts for millionaires and billionaires and handouts, mindless handouts to oil companies sitting on historic record profits. This year alone, in the first quarter, we're at about \$36 billion in profits.

So why, if we'd done just this mindlessly for nearly a century's worth, why would we continue that and put at risk a program that will be celebrating its 45th anniversary in a few days? Why would we do that when the quality of life for the many, many, the many in the masses of Medicare eligibility are being put at risk for the far fewer who are going to get the millionaire, billionaire tax cuts and the oil handouts?

Mr. GARAMENDI. It's about choices. It's about where do you stand. Do you stand with the seniors and Medicare and the continuation of Medicare and the benefits that they need literally to survive or do you stand with the Big Oil companies? It's very, very clear.

Just look at the way the votes come down here on this House floor. Over the last 5 months, we've seen vote after vote after vote where the Democrats have suggested that we eliminate these subsidies, all of them, the subsidy to Big Oil, that we install the higher income tax for the superwealthy. We're not talking about the working stiff out there in the plant. We're talking about the superwealthy, those that have an adjusted gross income—that's after all of the deductions—of over \$250,000. Take it to a million. But just raise their tax rate on that upper income above \$250,000 3 percent, not talking about a huge increase, a 3 percent increase, and yet our Republican friends say, oh, no, we can't do that. We have to whack the elderly. We've got to go after the elderly. We've got to take away their Medicare benefits.

This is unconscionable. It is terrible economic policy. It is unconscionable that anyone would make such a choice—give the wealthy more; take it away from the seniors. What would lead a person to do that?

Mr. TONKO. Not only do they talk about these choices over and above the senior community, but they've made it clear that their negotiations at the table begin and end with this destruction of Medicare while protecting subsidies for Big Oil and to include the tax breaks for millionaires. That, you know, is very clear. That is the directive. That is part of a line drawn in the sand on negotiations, which makes it very difficult, because what it tells us is that they're willing to put at risk the full faith and credit of these United States on the line.

And we know we have just struggled to crawl out of a situation, a recession that's found 8.2 million jobs lost in America. We're just climbing that hill to recovery, and they're willing to put the full faith and credit of the United States at risk and perhaps, most likely, cause a new economic calamity.

Mr. GARAMENDI. We often talk about this, and what you're referring to is the deficit reduction negotiations that are going on between the Vice President and the leadership of the House and the Senate, and that's good. Negotiations have to take place. But in the negotiation, it's very clear where the two parties come down. You've described it so very, very well that in those negotiations, it appears as though our Republican colleagues are willing to put the full faith and credit of the United States—this is our worthiness, our financial worthiness as a Nation—on the line so that they can cut benefits to seniors, so that they can cut programs that provide food for pregnant women and children, so that they can make cuts in the school lunch programs, so that they can make cuts in the infrastructure, in the education programs that keep this country moving forward, in exchange for no taxes on the wealthy. They're willing to put this entire Nation's financial strength at risk so that they can reward the superwealthy in this country.

Mr. TONKO. And if someone could at least rationalize the benefit of that program, if they could at least quantify good, societal good that comes with that sort of thinking. In recent history, twice over in recent history we've witnessed that relief, that that top income strata has not caused and inspired a trickle down that produced jobs, that enabled people to see investments made in an economic recovery. In fact, the reverse was true. We saw what happened. They reduced these taxes for millionaires and billionaires, 8.2 million jobs lost, and the American economy brought to its knees, when in fact, now, the people have said, look, our top priority is jobs. We heard it. All of us that serve in this wonderful Chamber heard it in the last election of November of 2010. It couldn't have resonated more boldly, more clearly. It's about jobs. It's about growing the economy.

Stop shrinking the middle class. Start growing the economy. That was the directive, and so what they wanted was to make certain that we would allow for dignity to continue, that health care costs would be contained. As we did the reforms to health care, we included improvements for Medicare. They wanted that Medicare program to continue. And when you listen to the American public out there—and we'll talk about this in a minute—the polling, most recent, today that was released indicates there is strong support for continuing Medicare. They support strengthening Medicare, and they have denounced this attempt to bring an end to Medicare. They are angry about it, not just for their generation. And I'm saying “they” as seniors. They are concerned because they want their children and grandchildren to enjoy that same order of security

that has served them so well with their health care needs.

Mr. GARAMENDI. How well you've said it, Representative TONKO. The choices are very, very clear. We do have a deficit problem, and you and I should spend some time talking about how we got into that in the first place and how we can get out of it.

But to put this Nation's financial strength on the table and say, as Republicans are, they are willing to let this Nation go into default on its obligations, first time ever, and if that were to happen, it would kick off another financial crisis around the world because the rest of the world depends upon the willingness of the United States to pay its debts, because that's the security in the banks around the world.

□ 1910

And if the United States isn't willing to do that, suddenly, this Nation's going to be in deep trouble, and the world economy along with it. And guess what? It's going to cost us a lot of money because the interest rates will go up. If the United States isn't trustworthy, it's risky; therefore, you have to pay higher interest.

So we need to understand that this is a default crisis. It's not the debt ceiling. It is a default crisis that we're facing. And to use it as a lever to harm seniors is unconscionable. But yet that's what they're doing as they continue to call for cuts in Medicare and the Medicare program. We shouldn't let it happen.

We do have—well, before we go there, I keep coming back to this. In 1965, the United States decided that we were going to end poverty among the seniors. The seniors were the most impoverished part of the American population. And added to the Social Security program was a health insurance program called Medicare, an extraordinary expression of the American compassion, an extraordinary expression of the American desire to take care of their parents and to provide the necessary health care services. Here we are in 2011 with a proposal by the Republican Party to terminate Medicare. How can it be? How could we have come to this? And to say that it's the deficit that's causing this to happen is, I think, wrong.

Before we turn to the deficit, I just think that we—you and I have talked about this, Representative TONKO, and we should cover it. We've talked about it a little bit. We know that the cost of Medicare is going up. And it is something that is of concern to you and me and, I think, to everybody in this Nation. But Medicare costs go up along with the total inflation in health care. It's the whole health care system that goes up, and Medicare rides along in that inflation. It is not the cause of the inflation. There are many other causes of the inflation in health care.

In order to deal with the cost to Medicare, you don't destroy Medicare and throw Medicare into the insurance market. What you have to do is to control the underlying costs of health care. There are some things that you can actually do in Medicare.

For example, Medicare part D, which is the pharmaceutical portion of Medicare, passed by the Republican Congress in 2003 without any way to pay for it, all borrowed money. Well, okay. So much for the Republicans' desire to pay as you go. But it was all borrowed money. And into the law the Republicans wrote a provision that prohibited the Federal Government from negotiating drug prices. The Federal Government is a price taker. Whatever the drug companies want to charge, the Federal Government has to pay. We could save tens, hundreds of billions of dollars over 10 years by simply allowing the Federal Government to negotiate the prices of drugs for seniors.

Mr. TONKO. And you know, you are so right. That preclusion that came in that measure was an outright avoidance of providing a benefit to the senior community. I know the number because we talked about it today in another session. It's \$156 billion that could be saved over that 10-year stretch just by bulk purchasing the pharmaceutical needs for the Medicare program.

Mr. GARAMENDI. But the Republicans wouldn't allow it.

Mr. TONKO. Exactly.

And it's not just a savings to the government, but it's also a savings of \$27 billion to individual seniors. So right there is an opportunity to provide for stability and to rein in costs within the Medicare program. But it takes the sort of compassion and the determination and the outright leadership to make certain that we make it stronger. What they've said today—I was in a hearing on the Budget Committee—is that, well, look, the way we're going to do this is sharpen the pencil. There is going to be this competition, and everyone's going to fight to serve the senior citizen for her or his health care needs. With the market taking over, they're going to drive down the costs and provide the benefits.

Since Medicare was initiated, the private sector premium costs have risen by 5,000 percent. Medicare is far below that curve. There isn't that marketing program. There isn't that administrative overcharge that really has driven these prices to go out of sight. And what we have here is an attempt to put the insurance company into the driver's seat.

Mr. GARAMENDI. Well, as the insurance commissioner in California for 8 years, let me just pick that issue up.

The insurance companies are extraordinarily inefficient compared to Medicare. I know that a lot of people think that government is inefficient. It is not

the case in Medicare. Medicare collects the money and distributes, pays the bills for about 3 percent of the cost. The private insurance companies are about 30 percent.

Now, on the other end, you've got the cost of administration. It may be another 7, 8 percent administrative costs for the doctors and hospitals for Medicare. But on the private insurance side, because there are so many different policies, so many different forms, so many different coverages—this is covered, that's not covered; this is exempted; this is the copay for this and a different copay for that—it is utter chaos for the provider. So about 15 percent of that 30 percent, about half of that 30 percent is administrative costs and commissions and sales and advertising on the part of the insurance companies, and the other 15 percent is the administrative costs on the part of the providers, the hospitals and doctors.

It is absolutely the most inefficient way to deliver medical services and to pay for them. Medicare is one-half the administrative cost both for the provider as well as for the collection and the payment of the bills.

Mr. TONKO. And I think it's probably what underlies the thinking of Americans out there, because when they were polled just recently with the poll that was shared with people today, there is overwhelming opposition to the GOP plan to end Medicare. So much so that in that effort by the GOP to convert Medicare to a voucher system, 57-plus percent said "no" to that idea. And when you look at independent voters out there as a separate bloc of measurement, it closes into 60 percent, at 58-point-some percent.

So people are saying overwhelmingly, We do not want to convert this into a voucher system, where you get 32 cents on every dollar that you need. And they're saying very clearly: Hands off my Medicare. The message couldn't be clearer: Hands off my Medicare.

Mr. GARAMENDI. I want to pick up one more issue. I know my Republican friends over here are constantly saying, oh, but in the Affordable Health Care Act you took \$500 billion out of Medicare. Let's understand what that's all about.

In 2003, in that program, the Medicare part D program, two programs were actually put in place. One was the drug benefit. Another is what is called Medicare Advantage. This is the supplemental program for Medicare. The Medicare Advantage program, when it was put in, to entice the insurance companies, the private insurance companies to participate, they were given a 16 percent bonus over and above their cost. So for 8 years or 7 years, they enjoyed a built-in additional profit of some 16 percent, which—

Mr. TONKO. Just to get the concept up and running.

Mr. GARAMENDI. Just to get it up and going.

And they continued to receive that additional 16 percent, additional profit, guaranteed profit. When we did the Affordable Health Care Act, we said, Wait a minute. They don't need that any longer. The program is up. It's going. The advertising and everything else is in place, the administrative system. So we want to take back that additional profit given to the insurance companies.

That's where the \$500 billion is over a 10-year period. That's money that was saved by creating an efficiency and, once again, ending an unnecessary supplement. It did not in any way, shape, or form change any of the benefits that seniors received in the Affordable Health Care Act. There was a sentence. It said, "No benefit changes," period.

Mr. TONKO. Right.

And where we saw overpayment for services provided, where there was unnecessary profit accrued in certain areas, we said enough is enough. The taxpayers shouldn't pay for adding to the profit column beyond reason for those private sector types that said they can do it cheaper, which was the claim. We can do it cheaper. Let us have this Medicare Advantage model, and we will show you how we can provide benefits. It didn't require such vast overpayment.

□ 1920

Mr. GARAMENDI. No more subsidies.

Now that I'm on a roll, in that Affordable Care Act, there was additional money for the Internal Revenue Service, the IRS, specifically to go after Medicare fraud. We know it's a problem. In the previous years, the Republican budgets reduced the effort of the Medicare program to go after fraud. So we put money into the Affordable Health Care Act to go after fraud. Guess what happened when the Republicans came to power. They eliminated the money that the IRS needed to add additional agents to go after Medicare fraud.

Mr. TONKO. Right.

Mr. GARAMENDI. What's that all about?

Mr. TONKO. In situations where we found recently—and there was an article in a major paper, The New York Times, that reported that there were CT chest scans done two times over at many locations where they were recovering those dollars through Medicare and found that to cost some \$25 million worth of waste, of fraud in the system. Now, that's just one small example of one small bit of opportunity and activity in the health care field.

Think of it. If you have the agents, as you suggested, and if they are funded in a way that produces dollars of savings simply by having the infrastructure, the human infrastructure, to go out and chase this fraud down, we

can then benefit. There are systems here that we developed that have the checks and balances, that have the bells and whistles, that have the preventative element. Even the efforts that we made in the Affordable Care Act to not require copayments or deductibles for any of the screenings and the annual checkups for our seniors—wonderful concepts to, again, contain the costs of health care within the Medicare model, which we thought was a wonderful thing to do.

And you're right, there's no move here. When you end Medicare and make no adjustments and just hand it over to the private sector and say, Keep on your trend of being much more expensive than Medicare and go out there and sharpen the pencil, without changes that they want to induce into the program, nothing changes; but the cost increases for the seniors.

Mr. GARAMENDI. So if you're looking at the deficit and dealing with the deficit, you don't have to destroy Medicare to save money. In fact, it will cost us more money, not directly in taxes but out of the individual pocket. No doubt about it.

The other thing is that there are many, many ways to bring down the cost of health care. Many of those are in the Affordable Care Act, which our Republican friends want to repeal. And let me just go through them:

There's the end of the subsidies for the insurance companies, which we just talked about. There's the money for the IRS agents to go after fraud. There is in the legislation a provision that says that hospitals will not be paid for reinfections. One of the most expensive things in the hospital system is when a patient gets an infection in a hospital and comes back into the hospital. These are very, very simple things called "cleanliness" and "hygiene" at the hospital to bring down the infection rate. And in the Affordable Care Act, it said, no, no, if there's a reinfection in the hospital, we're not going to pay you a second time around, forcing the hospitals to keep it clean.

Electronic medical records, eliminated or attempted to be eliminated by the Republicans. All of these things are good for health. The preventative care.

Mr. TONKO. And the annual checkups. Don't forget those. And just undoing the requirement for copayment or deductibles for those screenings and annual checkups. There was this compassionate, reasonable, thoughtful approach to contain costs, provide for the continuation of a program that has grown immensely valuable in the lives and the fabric of our senior community.

And you know what's interesting too? This "hands off my Medicare" is not just resonating with today's seniors. In the recent poll that I just cited, 61 percent of those age 35, Representative GARAMENDI, and older and 63 per-

cent of those age 55 and older said they would be worse off under this GOP plan. Worse off. So the more people check this out, all age groups—under 55, under 35, over 65—are all saying, Hands off my Medicare. It's no wonder that the message has been resoundingly delivered throughout this country, no matter what region. You're on the west coast. I'm on the east coast. We're hearing it from coast to coast.

Mr. GARAMENDI. And everything in between, Hands off my Medicare, Hands off my children's Medicare.

However, we're saying that. The public is saying that. Democrats say we will not give an inch on Medicare. We will control the cost within the total health care system, but we will not allow the destruction of Medicare. Keep your hands off Medicare. The public is saying that.

And what are our Republican friends saying? They're saying, Keep your hands off Big Oil subsidies. Hello. What's that all about? They're saying don't touch the subsidies, the billions of dollars annually that the oil industry gets, our tax dollars given to the oil industry. Don't touch that. Keep your hands off those subsidies. But they want to put their hands onto Medicare and literally destroy Medicare.

Mr. TONKO. So you're saying that—to quote your dollar figure from earlier—if you're 54, 55 years old, save another \$182,000 to cover your health care costs with the end to Medicare because the system has to pay oil subsidies to the historically profit-rich oil industry.

So they're saying, okay, garner up those dollars, save somehow the \$182,000 additionally that you will require for your health care coverage because we have to give this mindless handout to the oil companies. Or guess what, \$6,000 more out of your pocket per year for your health care coverage because we won't have the dollars if you don't do that to pay the oil companies or to give the millionaires and billionaires their tax cut.

These are the priorities that need to be addressed thoughtfully at a negotiating table. And the ridiculousness of the empowerment of the most powerful at the expense of the masses of those who have received quality of care and dignity addressing their golden years, that has to be sacrificed just so that this stubbornness of negotiation can continue where you're going to have this Darwinistic outcome.

Mr. GARAMENDI. Representative TONKO, we do have a deficit problem. We have to address that. We've talked about ways that that can be done in the health care sector without harming Medicare. But one of the most important things in addressing the deficit problem is to put people back to work.

Americans want to work. They want to earn a living. They want to have

enough money to pay for their home or their rent and food and take care of their children so their kids can go to school. We need a jobs program. We need a jobs program in America. We need to be able to put people back to work. We're into almost the end of the sixth month of this session. Not one jobs bill put forward by the Republican Party. Not one. They talk about cuts in taxes as though that's somehow going to create jobs, and there's absolutely no evidence that it does.

Mr. TONKO. What does grow jobs is strengthening purchasing power so that as the middle class of America, which is the engine that drives the economy, has the available cash to purchase things, to be out there and allow for the upper strata to have their products sold, purchased, you're going to destroy purchasing power of many households, senior households, those who have to save \$182,000 before they qualify as seniors. That's going to drain this economy.

Mr. GARAMENDI. That's money directly out of the pockets, and that's money that has to be set aside.

What I would like to take a few moments on, with your permission, is to talk about a program that you and I and our colleagues on the Democratic side have been working on now for the last, almost a year now, and we call it Make It In America. It's that great American middle class, the heart and soul of this country, the men and women that went to work every day and made something. They made cars. They made jet airplanes. They made engines. They were out in the fields. They made the tractors. America was the great manufacturing center of the world. And in the last 20 to 30 years, we've allowed that to dissipate.

We want it back, and we know we can get it back. We have the ability in this Nation to rebuild the manufacturing base of America; and when we do, we will rebuild the middle class of America. We call this Make It In America. And it's so important.

You come from an area that still is a great manufacturing sector and was once the greatest center of it.

Mr. TONKO. Absolutely. The 21st Congressional District of New York, in the capital region, Mohawk Valley of upstate New York, hosts the original infrastructure of the Erie and Barge Canals, the route that gave birth to a necklace of communities called mill towns that became the epicenters of invention and innovation that inspired a westward movement, that inspired an industrial revolution.

□ 1930

That pioneer spirit is the DNA of America. Give us the opportunity to invest in ideas, and we turn that into manufacturing and we go forward.

But it begins and ends with a quality workforce. And the cuts proposed in

Head Start, with a quarter of a million children being denied Head Start opportunities, the huge cuts to title I funding to get resources to our schools, especially those in most difficult situations, would destroy the workforce of the future. Without investment in education, there is not a strong and vibrant workforce that can continue to carry our strength as a Nation in this global economy. So that is a start.

And then also, I have witnessed in my region, where we're the third-fastest growing hub in this Nation for science and tech jobs, high tech jobs, that when you start cutting away at R&D, you're going to destroy the opportunity that we have as we continue to cluster with these science and tech-related jobs.

Mr. GARAMENDI. Representative TONKO, I come from the San Francisco Bay area. We are the first great science research technology. We'll let you be number 3. But we're number 1.

Mr. TONKO. Not for long.

Mr. GARAMENDI. But the point here is that our strategy of "Make it in America" includes a half a dozen different specific programs, one of which you talked about, which is the education system.

Why in the world, when we need, as you just said, to build the ability of the American worker to compete, smart, capable, would we reduce the education funding? But that's precisely what our Republican friends have done. They've taken money out of the Pell Grants for college, very significant, Head Start. All of the Federal education programs are being reduced by the Republicans at a time when we have to build it. So if we're going to make it in America, we need a well-educated work force.

This one up here we call trade. Listen, China's cheating. China is cheating on their currency. And no matter how creative, how competitive we are, how hard our workers work, it's virtually impossible to compete against China because of their currency cheating. The Democrats want to put on this floor, send to the President a demand that the United States take action, against China on their currency issue so that we could have a fair trade situation.

Mr. TONKO. Absolutely. The currency issue is epicenter to the solution that's required. Fair trade is what really allows us to compete effectively. This imbalance that's been able to continue is very harmful to our economy, to the workers of this country.

You know, the working families have taken it on the chin. The middle class of America needs that purchasing power, that enhancement of purchasing power. Then you see economic recovery. Then you see people putting people to work because, as that activity continues to grow and snowball, you will require the investment in jobs in all, from service sector on over to manu-

facturing on over to R&D. And where you plant R&D as a center of invention, of ideas of innovation, there will come to be next door to that planting the manufacturing elements that will allow our manufacturing sector to prosper.

Mr. GARAMENDI. Well, R&D, research and development. In the continuing resolutions pushed forward by the Republican party and successfully enacted and signed into law by their intransigence to deal with any new revenues, the research budgets of the United States were significantly reduced at a time when we actually need more research.

Research into energy. We know we have an energy crisis. We know we need to move to new energy sources. And yet the Republican budget reduced the energy research for this Nation.

Automotive research. We're just now beginning to claw back and rebuild our automotive industry, and so research into batteries and new efficient automobiles—eliminated by the Republicans. What are they thinking?

Mr. TONKO. And when you talk about battery manufacturing, advanced battery manufacturing taking place in my district, you're talking about the linchpin. You're talking about that connector to all of the opportunities out there that transition us into alternative technologies. It begins and ends with that battery development. And we have those opportunities. We've invested in those. We need to continue to take that curve northward so that you put the money down that will grow jobs. That's investing.

There is the rightful expectation that there will be lucrative dividends from that investment. And when you look at the global race, this is much similar to the global race on space in the early sixties, when we got knocked on the seat of our pants in the late fifties with the Sputnik moment, and that woke us up, and we involved ourselves, and we embraced with great passion getting that race done in winning style. And we won it.

Today we have more competitors. You've got China, Brazil, India, Germany, Japan, all investing in a global race on clean energy and innovation, and we're going to tie our hands behind our back.

Mr. GARAMENDI. Take away the resource money and see what happens. We lose the race.

We know we all get sick, right? Why would you ever put forward a policy to reduce research in medical services and the basic understanding of the human gene, of understanding how we can solve medical problems? Why would anybody propose a reduction in the research for medical care?

I don't know. But they did. And they succeeded in reducing the budget for medical research.

So energy, medical research, automotive, transportation research, they

reduce it in the budget and they expect our economy to grow, to be competitive? I don't get it, but that's what they have done.

Mr. TONKO. There are quantifiable benefits that come not just with job creation, but with service delivery. If you provide for this sort of basic research, you're providing for cures to illnesses that have continued to haunt the fabric and quality of life of individuals. And if we can discover and unleash that potential, there is a quality of life that's addressed. There's hope that's delivered to the doorsteps of families across this country. And so it goes well beyond job creation. But you're absolutely right. These are jobs that are of high quality, that require, again, the investment of America's know-how. They are opportunities for intellectual capacity that we, as a Nation, invest in higher ed, and this is putting that higher ed product to work.

Mr. GARAMENDI. Let's take another example. And this comes up on the energy policies of this Nation.

I think we all understand that the oil industry has done rather well, and we continue to subsidize the oil industry. Efforts to eliminate those subsidies and to shift those to the new green technologies have been blocked by our Republican friends.

Now, we do have money going to subsidize, to provide incentives for the clean energy industry, wind turbines and solar photovoltaic systems. I have a bill in, actually two bills, that say that our tax money must be spent on American-made equipment.

For example, I have two big wind farms in my district, the Altamont and the Solano wind farms. They're huge, huge pieces of equipment, towers 400 feet high with blades that are a football field across, made overseas in Europe and China. And I'm looking at it and I'm going, wait a minute; our tax money's being used to help build these systems? And yet they're not American-made? I said, no, no, no, no. If our tax money's going to be used in this way, it's going to be used to buy American-made equipment. That bill is in. It's now being slowed down, blocked in the various Republican committees here. But it seems to me foolishness to allow our tax money to be sent offshore.

We also, all of us, pay 18½ cents excise tax for gasoline. That money is used to build roads, highways, bridges, and to buy trains and buses and light rail systems. My legislation says that that money must be used to buy American-made equipment. Those trains, those buses, those light rails, the steel in the bridges, will be American-made.

Why don't we bring those jobs back home? We can do this using money that is already available, already being spent, but sometimes all too often spent on foreign-made equipment.

Mr. TONKO. And talk about this sort of innovation economy where you invest in America, you make certain that our infrastructure that moves goods and people is as sound as it can be. But as we invest in the growth of jobs and “Make it in America,” and you talk about the clean energy economy, the alternative technologies, the innovation that comes with advanced battery manufacturing, that stops the trail, eventually, of dollars that are exported out of this Nation, going into the Midwest, \$400 billion plus a year to maintain this fossil-based economy that has us gluttonously dependent on fossil-based fuels that are imported from unfriendly nations to the United States.

□ 1940

There has to be a cleaner way, a more innovative way, one that embraces the American intellect and the ingenuity that enables us to grow products that are not on the radar screen. That’s how a great nation continues its greatness; that’s how it continues to become even greater, by putting to work its brainpower and developing products that are kinder to the environment, strong in their manufacturing element that produces here in these United States and draws upon the workforce and the R&D potential of everyone from trades up to the Ph.D.s involved in that equation of success. I think it’s a way to empower us across the board.

Mr. GARAMENDI. As we come to the conclusion of this, the Make It In America agenda is a powerful agenda to rebuild the American manufacturing base to put middle class America back to work so that they can have the home that they want, so that they can take care of their children’s education, so that they can have, once again, pride in this Nation. We can do it. And these are the policies—a fair trade policy in which we tell China, no, no, no, we’re not going to let you cheat on your currency any longer, where the tax policy makes sense.

This one. An example. Somewhere in the last 30 years, built into the tax laws was an incentive for American corporations to shift jobs offshore. They take a job; they send it offshore; they got a tax break. I don’t know where it came from. I know it was in the Codes. And what we did in the tax bill last December was to eliminate that tax break for American corporations sending jobs offshore. It passed. The President signed it, but our Republican colleagues, to a person, voted against it. They voted to keep that tax break for American corporations to shift jobs offshore. Doesn’t make sense to me, but it’s gone. And that’s the kind of policy we want to put in place, where we take care of Americans who are working in America.

Mr. TONKO. And you know, Representative GARAMENDI, just about an

hour ago we were talking about it all being about principles, values, priorities, contrasts, and choices. Well, if we go with the choice to not make it in America, not invest in innovation, research for medical purposes, means that we may not be able to contain those costs of medical needs, of health care, because we will avoid the discovery of better treatments, new cures, prevention elements that all come with the medical research and medical innovation that can be made in America.

And then we have opportunities to keep Medicare alive, not destroy it, by containing costs for health care and allowing for the dignity of life and the quality of care to go forward without this treatment to end Medicare. And the choice is to avoid powerful industries like the oil industry, giving them mindless handouts, or do we invest in education, higher education, job creation, quality of life issues, housing opportunities? These are the choices we’re talking about.

This hour has been, I think, an opportunity for us to exchange, with a clearer expression, what the contrast is on the floor of the House of Representatives and what it is between this Path to Prosperity that we have seen as a Road to Ruin, one that would end Medicare, continue handouts to record profit oil industries, to continue to advocate for millionaire and billionaire tax cuts at the expense of America’s middle class that needs a stronger purchasing power and needs to know that her children and grandchildren will have the opportunities, equal opportunities for quality education and a college degree.

Mr. GARAMENDI. Thank you very much, Representative TONKO.

Our promise to the American seniors and those who want to become seniors is that this tombstone that the Republican Party wants to put out there—that is, the termination of Medicare—will not happen. We will not let this happen. Medicare is part of the American agenda. It is part of what is good about America, and it will not be terminated by anybody. That’s our promise. That’s where we draw our line in the sand.

Thank you very much for this opportunity.

Mr. TONKO. Thank you very much, Representative GARAMENDI. It has been a great opportunity to share this hour with you.

We only ask that thoughtfulness guide the negotiations—either on a deficit ceiling bill or on budgets as we go forward—thoughtfulness and a desire to grow opportunity for all Americans. We’re at our best when the inclusiveness of this process enables everyone to be empowered and not just the special interests, the wealthy oil industry that has set record profits 2 years in a row.

With that, I thank the Speaker for the opportunity, and I yield back the balance of my time.

FRESHMAN CLASS ON JOBS AND DEBT

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 5, 2011, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. ROBY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my Special Order regarding the debt and jobs.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alabama?

There was no objection.

Mrs. ROBY. Mr. Speaker, I am joined here tonight by Members of the freshman class once again to focus this discussion on jobs, and I immediately had just one glaring road sign in my mind as I sat here and listened to the Democrats talk about their so-called plan, “Make It In America,” and it’s “stop,” s-t-o-p. This has to stop. The American people deserve the truth. And what you just listened to, what was just presented to you is not that.

We have got to focus in and look at—which we’re going to do tonight in a very good discussion—this job-killing legislation that has been presented by the very side that just stood up and told the American people that we’re out to kill Medicare and so on and so forth. People can’t make it in America right now because of the heavy hand of government that is bearing down on them, because of this job-killing legislation and overreaching regulation that continues to be promoted by the other side. And we’ve had enough. So let’s stop. Let’s stop the demagoguery. Let’s get down to the truth. We’re going to have that discussion here tonight.

The average unemployed American has been searching for a job for 39 weeks, the longest average time in history to be looking for a job. Twenty-one million jobs are still needed by 2020 to return our Nation to a full job recovery. Companies in the United States of America are hitting the brakes on hiring and production.

I want to start our discussion here and I want to hit on three points. I am going to talk very quickly about health care, about boiler MACT, and about energy and jobs. And that’s going to lead for the discussion here tonight.

On May 19, a small business owner received documents from his insurance carrier stating that, due to ObamaCare the coverage in his policy would be updated with the new terms of the law on the anniversary of his enrollment. Four days later, this small business owner received a statement from the same insurance carrier stating that his

monthly premium would increase by 25 percent. And I have those documents here with me tonight.

Why does the administration continue to state that Americans will not see significant increases in their health care coverage when it is already happening right now?

Mr. Speaker, I would like to submit these documents into the CONGRESSIONAL RECORD.

CAREFIRST
BLUECROSS BLUESHIELD,
Washington, D.C., May 23, 2011.

DEAR MEMBER: the purpose of this letter is to inform you of your premium rate for the upcoming year. Please take a moment to review this important information.

Your current monthly premium is \$174.00. Beginning 08/01/2011, your monthly premium will change to \$218.00. Please note that this is a change in your monthly rate.

We regret this increase is necessary, but it reflects the cost of providing you the coverage called for in your policy. As a not for profit organization, we operate on the smallest possible margins, consistent with financial soundness.

Our service hours are Monday – Friday from 7:00 am – 7:00 pm. So that we may serve you as quickly as possible, please have your ID card available. You can also access your plan information from the convenience of your home computer by visiting www.carefirst.com/myaccount.

Sincerely,

RICH MACHA,
Senior Director,
Customer Service & Technical Support.

CAREFIRST, BLUECHOICE, CARE-
FIRST, BLUECROSS BLUE SHIELD,
May 19, 2011.

DEAR MEMBER, the Patient Protection and Affordable Care Act (PPACA), also known as the Federal Health Reform law, requires that the coverage policy you purchased be made compliant with the terms of the new law on your first contract anniversary date. These new benefits will improve the benefits under your plan. The changes to your coverage are outlined below and are effective as of your next anniversary date, with the exception of the removal of the lifetime maximum limit which took effect on October 1, 2010.

No Lifetime Maximum: If your plan was subject to a lifetime maximum limit, this limit was removed effective October 1, 2010. You now have benefits with no lifetime maximum dollar limit.

No Annual Dollar Limit on Essential Health Benefits: PPACA requires that certain benefits provided in your coverage plan be considered "Essential Health Benefits". Any annual dollar amount limits applicable to these benefits will be removed, except any annual visit limits that may apply to specific services under your coverage plan which will remain in effect.

No Cost-Sharing for Preventive Services: An expanded range of preventive services, including recommended immunizations and screenings, will become available from CareFirst participating providers with no cost-sharing to you—no deductible, copayment or coinsurance.

Emergency Services: Due to the requirements of the new law, your share of the costs of emergency services you may obtain from an out-of-network provider will be the same as if you saw an in-network provider.

In the near future you will receive a letter with your renewal rates. You will also re-

ceive a new ID card and a contract amendment containing the new benefits outlined above.

If you have any questions, please call the Member Service telephone number listed on your member ID card. Our service hours are Monday–Friday from 7:00 am–7:00 pm. Please have your ID card available so that we may serve you as quickly as possible.

Sincerely,

ANDREW F. SULLIVAN,
Senior Vice President,
Consumer Direct Services Unit.

The Obama administration is encouraging employers to retain coverage. How can a small business owner retain coverage if it forces them into bankruptcy?

And I'm going to point you again to Don Cox. He's a small business owner. He owns 15 Pizza Huts in Alabama, and he is very proud of his products and his employees. The health care regulation is on the top of his list. In 2014, Don would have to provide all of his employees with health insurance. Sadly, only five Pizza Huts will be able to stay afloat; 10 out of the 15 will go bankrupt due to this health care law. They stand on the floor tonight and they submit to you that we need to make it in America, and we can't make it in America due to their job-killing health care legislation. If Don provides health insurance to all of his employees, then 10 Pizza Huts go bankrupt. And although when we're looking at his balance sheet he is making a profit, almost all of the profits were returned back into the business.

Last week, when we stood on this floor a couple of weeks ago, I talked about Rheem Manufacturing, who spent \$1 million adding on to their already 700,000-square-foot facility in Montgomery, Alabama, where they provide over 1,000 jobs. That \$1 million investment was to comply with Federal regulations.

□ 1950

The Environmental Protection Agency has been an agency that has been particularly troublesome in overburdening businesses and placing roadblocks to domestic energy production.

I want to talk about the EPA's proposed boiler MACT rule and what that would do to small businesses. I have had people in my office all week talking about this. Next week I am going to be touring an International Paper mill in Prattville, Alabama, and boiler MACT impacts 42 boilers and four process heaters at 19 IP facilities. Their compliance costs for just boiler MACT and the commercial and industrial incinerator rule are \$600 million.

This is not rocket science. We are standing around and our friends on the other side of the aisle are asking us, where is our jobs bill? And yet I would like to return the question to them and say, where is yours? All you have done for the past 2 years or more is do your best to stifle job creation, American

job creation right here in the United States. Enough is enough. This must stop.

Then, of course, today we learn that the President has decided that he is going to dip into our own energy oil reserves right here in the United States and yet does everything he can to stand in the way of energy production right here in the United States. We have got to lessen our dependence on Middle Eastern oil.

Americans deserve the truth, and I hope tonight's discussion will provide that opportunity.

At this time I would like to yield to my friend from Illinois as much time as he would consume.

Mr. KINZINGER of Illinois. I thank the gentlelady for yielding.

I think she said it perfectly. I'm a young guy. I remember in the eighties watching the "Where's the Beef" commercials. Everybody remembers that. Well, here is the question: Where's the jobs? Where's the jobs?

I remember a little over 2 years ago the President promising that if we passed an \$800 billion stimulus, unemployment would not exceed 8 percent. Well, where did that get us? In fact, if you look at the President's own charts, they said that by this time under this stimulus plan unemployment would be about 6.5 percent.

I will tell you, that is compelling when you see that on a chart. When you are a country facing a huge economic crisis in a slide, that is very compelling. But it didn't work. It was a waste. We wasted \$800 billion of hard-earned money, most of which was borrowed, on something that didn't work.

Now, Americans are still feeling the pain. In fact, unemployment went up towards 10 percent. Counties in my district in Illinois have unemployment upwards of 11 percent. It didn't work at all. And now I have actually heard our colleagues on the other side of the aisle float a second stimulus. They say, well, \$800 billion wasn't enough. It probably needed to be more. Well, why don't we just make it \$5 trillion or \$10 trillion. If we can just print money and borrow it, tax, borrow, and spend our way to prosperity, make it \$10 trillion. That is ludicrous. We know that is ludicrous.

I hail from Illinois. Illinois is the President's home State. Illinois has a huge problem with folks looking for work that can't find it. Illinois used to be a manufacturing economic powerhouse in the United States. It is not hard to drive around and see abandoned warehouses or abandoned factories. Joliet, Illinois, a city in my district, knows that all too well. They understand that.

So what do we do? Well, recently Illinois came up with a decision. Well, the budget is bad. Yeah, the budget is bad, because you are running business out of your State. As a result they say, we have to raise taxes, so in Springfield

they raised the individual income tax rate and then they raised the corporate tax rate.

Now, there has got to be some good news to this, right? Well, the State of Illinois has had \$300 million in increased tax revenues that they have seen from this corporate tax increase. Oh, but if you read *The Wall Street Journal* just shortly ago, you would read that \$240 million has already been given away to these corporations to incentivize them to stay in Illinois because they were looking at leaving because of this high tax rate.

I will tell you, the definition of insanity is doing the same thing over and over and over again, but expecting different results. We cannot tax, borrow, and spend our way to prosperity.

You talk to any small businessman out there, small businesswoman or job creator, owner of a factory that is just trying to take their products to market, and they will tell you the biggest hindrance, one of the biggest hindrances, besides a lack of confidence, is the government.

I have talked to a lot of people and said, how much better would your life be if you weren't forced to sit around day after day and just fill out government paperwork? You could take that employee and make them productive. They may be able to go out and sell goods. They may be able to go out and expand the business.

Nope. We have got to tax and regulate in this town. This town is really good at taxing and regulating, at putting things through a bureaucracy and letting bureaucrats have their way.

We are going off a cliff, and it is time to pump the brakes. It is absolutely time for us to get deadly serious about reducing the size of the Federal government, cutting spending, and getting Americans back to work.

Our colleagues on the other side of the aisle like to say, where is your jobs plan? Well, we have put forward plenty of jobs plans. One of them includes drilling for oil here at home, which we will get into, which my good friend here actually that will be speaking soon sponsored, and I commend him for that.

But there is a fundamental difference between the two parties here. The Democrats believe that government creates jobs. You hear that all the time in what they say. Listen closely. They say, we just need a jobs bill. We need \$800 billion in more spending. We need this program.

What you are going to hear tonight is the Republican view. The Federal Government doesn't create jobs. The Federal Government can't make jobs. We can take tax money and put it through a bureaucracy and spit out a paycheck. Jobs are created in the free market. We can create an environment for job creation, and that is what our freshman class came here to do, and we aim to do it.

Mrs. ROBY. I thank the gentleman from Illinois. Your comments are right on.

Before we move on, I want to share with you, I heard from a gentleman today, a businessman in Greenville, Alabama, and I am going to quote him: "Economic conditions being what they are, we are in a situation where real estate values are declining, demand for our products is declining, and the value of the dollar on world markets is declining. All of these factor into the uncertainty of business today. In the long term, I can't see any expansion until regulations are eased and the health care bill is killed."

Now, you want to talk about whether or not we have a jobs plan? This is their jobs plan. What this businessman in Greenville, Alabama, is facing is exactly what the other side of the aisle has proposed, and he can't create jobs.

We have time and time again shown leadership here in the House, in the majority, trying to repeal this job-killing legislation, and we run into roadblock after roadblock with the Senate majority and with the White House.

I would now like to yield time to the gentlelady from Washington.

Ms. HERRERA BEUTLER. Thank you. I am excited to be here this evening to talk about something that our country has too few of—jobs.

In my neck of the woods in southwest Washington State just about every county, save one, has double-digit unemployment, and we have had those disappointing numbers now for many months, almost 30-plus. So we are at a place right now where families are hurting. Moms who are paying the bills at night thinking about health care payments, thinking about getting the kids to school, how much it is going to cost to fill up the gas tank, what the cost of meeting the mortgage is going to be.

These are the real challenges that middle America is facing right now, and that is why we are here. That is why we are fighting. That is why we want to rein in spending, because, as this chart actually shows, less government means lower unemployment.

Less government spending means, if you look at this, and this is from 1980 to 2010, they have almost tracked equally, our unemployment numbers and the Federal Government spending or outlays. The red line is just that, it is government spending. The blue line is unemployment rate.

It is very easy to see that when the Federal Government actually spends less and leaves that money in the pockets of that mom who is trying to make her mortgage payment, or that single dad who is attempting to get food on the table, put shoes on the kids, pay for the housing, pay for the transportation costs, it means that when we let them keep more of their hard-earned money, we actually improve the economy nationally.

□ 2000

And that's what we need to do. When I travel southwest Washington, over the last few months I have had the opportunity to talk with many, many individuals, businesses, families. And there's really a common theme: Let us succeed. I believe in making it in America. I believe in having things manufactured here and doing things here in America. Quit relying on these other countries to produce things. But you know what has to happen? We have to create an environment that makes it easier for people to do business here in America.

Let me give you a few names: Tom Cook, he owns Taco Bell franchises in my neck of the woods; Cliff McMillen, owner of Vancouver Pizza; Sherry Malfait, owner of Washougal Flowers. What do all these folks have in common? They're small business owners, number one. They're creating jobs in our community. Secondly, they're all facing government-initiated problems, whether it's higher gas prices because of this administration's refusal to explore for American energy here in the United States; whether it's a regulatory environment like the health care bill that the gentlelady from Alabama talked about. It's one of the number one issues I hear about from small employers. They are unsure what regulation, what shoe is going to drop next when it comes to this health care bill.

These business owners are fighting to survive; and we need to make it easier for them to survive, which is why this House passed over four solutions for gas prices. We heard from small business owners and employers across America, and we responded. We have now passed no less than four bills that allow Americans to explore for American energy using American workers here in America. Four bills. We call on the Senate to step up and pass those bills so that we can create those jobs and we can bring gas prices down so these business owners that I've talked about can compete with businesses not just in the United States but globally.

Talk about regulations? I think about Tidewater Barge, which is located on the Columbia River. The Columbia River is the fourth largest river system in the United States. It is right in my backyard. Tidewater Barge are barge operators. They move freight up and down the Columbia River. Every time I have the opportunity to talk to either those employees or the employer there, they just ask me what's going to happen next. What regulation are you going to send our way that's going to make it more difficult for us to compete.

Health care is a big issue for them. They offer a tremendous health care plan to their employees—vision, dental, you name it. I got the chance to meet with those employees last summer. One of the things that they shared

with me—in fact, I had a sweet lady come to me, middle-aged, worked for the company for a while, came to me in tears because she was so afraid of the cuts to Medicare that the Obama administration was putting forward. Over \$500 billion. She knew what that meant for her mother and her mother's health care. She was terrified.

So, on one hand, I have the employee saying this is impacting us individually, and then I have the owner saying, Look, this health care bill is going to cost my employees this tremendous health care plan. It's going to jeopardize it.

Why are we making it harder for these businesses to operate? We should be making it easier for them to operate, not harder. That's part of what we're doing here. We're going to hold this administration—or anybody, really; it's not a Republican or Democrat issue—we're going to hold anybody's feet to the fire. If you work in the Federal Government and you're making it harder for businesses to survive, guess what, we have our eye on you. And we're going to work to advance policies off this House floor like the American energy bills I mentioned earlier. We've also put in place and are fighting to put in place a replacement bill for the disastrous health care bill that was passed last year.

One of those things that I support and it's making it way through committee right now is purchase of health insurance across State lines. That would allow individuals who are right in one of the most costly insurance markets to purchase health insurance. You get on your computer, just like they do for auto insurance—everybody can think of the lizard or the cave-man—get on your computer and choose a health care plan from any State in the Union. It has to be regulated by one of those States. Pick one that best meets your needs and your pocketbook. That will drive down costs immediately. And it's not going to grow government, and it's not going to cost taxpayers.

These are commonsense solutions that get us where we need to go. They're going to grow jobs in America, and they're going to return and empower families and individuals and business owners, not the government. It's the right solution. I invite my colleagues on the other side of the aisle to join us.

Mrs. ROBY. I thank the gentlelady from Washington. Again, you make great points. And what we all know as we travel around our districts and we talk to business owners is that it's that very uncertainty associated with ObamaCare that is preventing these job creators to create jobs. They're sitting in their boardrooms, they're sitting around the table in the break room and they're saying, How do we plan for 2014 when we don't know how this is going

to affect us? All of the regulations that have yet to be written. Yet, right before we have this hour to share together and to share with America, we see posters of a tombstone where we're out to kill Medicare. Yet ObamaCare alone cuts Medicare by \$500 billion.

We have a plan. They don't have a plan. Their plan is the status quo and Medicare dies. That's their plan. Our plan sustains Medicare for this generation and future generations.

Thank you so much.

I now yield to the gentleman from Wisconsin.

Mr. DUFFY. I thank the gentlelady for yielding. I agree with most everything you said tonight, but I have to disagree with you on one point. With regard to Medicare, the President does have a plan. I talk to seniors all over my district. One of the things that makes our seniors so angry is that over the course of their lifetime, the money that they have put in their Social Security accounts, it's been robbed. It's been taken out and spent for other things.

So what the President does in ObamaCare is he takes half a trillion dollars out of Medicare and uses it to spend for ObamaCare. Everyone agrees that we have to fix Medicare. The President agrees there's a problem, Bill Clinton agrees there's a problem, Republicans agree there's a problem. How do we fix it? Well, what the President does is says, I'm going to institute the IPAD board, the Independent Payment Advisory Board. This is a board that's going to look at prices that we pay our health care providers, and it's going to reduce those reimbursements—reimbursements that are already incredibly low.

What does that mean? It's going to affect the access to care for our current seniors. That is absolutely unacceptable. We have a plan in place that's going to save Medicare, it's going to protect Medicare, and we're going to continue this great program for future generations. Let's not be mistaken. The President has a plan that is going to kill Medicare and provide a lack of service to our seniors.

I do want to move from that to jobs, though, because that is what is on everyone's mind. As I travel central and northern Wisconsin, people are concerned about jobs. There's a lack of opportunity. There's a lack of prosperity. And so I want to review what the Democrats did, which is they talked to folks who will come up with abstract theories. They went and talked to university professors, and they came up with an \$800 billion-plus stimulus bill. Remember, that was their jobs plan: \$800 billion of government spending. They said government spending will lead to economic growth, prosperity, wealth, and sustainable jobs.

We know that government spending doesn't lead to sustainable jobs. It has

never worked. It doesn't work. And that's why when they promised that we would have unemployment of only 8 percent and we would create millions of jobs, the alternative happened. We've lost millions of jobs, and we've had unemployment reach almost 10 percent.

What we've done is not talk to the professors who sit in the classroom. I've gone out and talked to job creators, people who are actually putting people in my community back to work. And what do they say? Why aren't they creating jobs? They continually talk about uncertainty in the marketplace. What does that mean? When they talk about uncertainty, they talk about a \$14.3 trillion debt, the fact that we're going to borrow \$12.5 trillion this year alone. We're going to borrow a trillion dollars every year for the next 10 years. As the gentleman from Illinois said, we are cascading towards a cliff and there's a road sign that says: Danger: Pump the breaks. You're about to go over. That's what we're going to do.

Our job creators are saying, Listen, with this massive debt, it creates uncertainty. It creates uncertainty because we don't know what interest rates are going to be in the very near future. We're concerned about inflation because government is printing money to purchase our debt. They're concerned about punishing tax increases. They're concerned about health care costs with ObamaCare. As the gentlelady from Alabama said, they're concerned about regulation.

□ 2010

In my district, we have a great forest product industry. We make paper in my district. Boiler MACT is going to kill jobs in central Wisconsin and send them to China where they have no regulation.

All these things have come together to create uncertainty, which means our job creators aren't reinvesting; they're not expanding; they're not growing; they're not innovating. Do you know what? It doesn't hurt the job creator. It hurts the families in our communities because they have a lack of opportunity for jobs.

I want to just point to a chart that we have here.

When we have recessions, there is what's called "symmetry." If you have a U-shaped decline in this recession, you'll have a U-shaped recovery. If you have a V-shaped decline, you'll have a V-shaped recovery. That's our history, and you'll see that in this chart. What has happened differently in this recession, the great recession, is we've had a V-shaped decline; the recovery has ticked up a little bit, and then it has flat-lined. Why has it flat-lined?—because of the uncertainty that has been created coming from Washington: from our Democrat colleagues on the other side of the aisle and this administration. It's causing a lack of willingness for our job creators to reinvest.

I want to bring up one last point.

I continually hear how our friends want to increase taxes on our job creators. I think anyone who looks at that says we will not create jobs by taxing the job creator. I think it's a good example. If those who say we should raise taxes are concerned about jobs going overseas, it's a pretty simple example that I use:

You have Wal-Mart and Target and Kmart—all the big-box retailers. They compete against one another, right? They're competing. Yet Kmart is not doing so well. They're laying people off. They're closing stores, right?

My friends on the other side of the aisle, the Democrats, they would come in and they would advise Kmart. They'd say, Listen. You have to bring in more revenue. You have to keep these people employed. You have to keep these stores open. You need more revenue. To bring in more revenue, all you have to do is raise your prices. If you raise your prices, you'll bring in more revenue.

We all know that's not what will happen. If you raise your prices at Kmart, you will drive more shoppers to Wal-Mart and Target. If you raise the cost of doing business in America, you are going to send more of our jobs to China, India, Mexico, Vietnam; but you're going to outsource these jobs because you're raising the cost of doing business in America.

Let's make sure we make America a competitive place where our job creators can do what they do best, which is to create jobs and to put our hard-working families back to work.

Mrs. ROBY. Thank you so much. I appreciate your comments.

As I did, you brought up Boiler MACT. I do want to point out that we have a colleague from Virginia, the gentleman from Virginia, Representative MORGAN GRIFFITH, who introduced legislation just yesterday—again showing leadership on this side of the aisle—about deregulating the EPA to issue achievable standards for industrial, commercial and institutional boilers, process heaters, incinerators, and for other purposes. For that, we are very grateful for his leadership.

I would now like to yield time to the gentleman from Colorado.

Mr. GARDNER. I thank the gentlelady from Alabama for her leadership on this matter and for the time and opportunity tonight to speak about jobs, our economy and what's happening to our country.

Something that really startled me a little bit tonight was when the gentlelady from Washington made this statement. In speaking to her constituents, in speaking to businesses around her district, she mentioned that one of them said, Let us succeed. I was taken aback when she said that, that somebody would actually come to her and say, All we want the government to do,

all we want our policymakers to do, all we want our regulations to do is to let us succeed.

Isn't it amazing that we have transformed our economy from a time when people could go out and achieve what they wanted to achieve by working hard, by sacrificing, by taking risks, and now they're concerned because their government is in a place where it won't let them succeed. I'm glad that you mentioned that tonight because I think that's at the very heart of what every single one of us has talked about tonight and what we will continue to talk about over the next months and years to come:

How do we make sure that the policies that we put in place in this country aren't government-driven decisions that dictate what we're going to do for people's businesses or lives—but instead get government out of the way so that we can let our businesses, our families and America's working families succeed?

Yesterday, a report was issued by the Congressional Budget Office, but I don't know how many people saw or took the time to listen to or to read what the Congressional Budget Office report had to say. It talked about the fact that we have a \$1.6 trillion deficit in this country and that we have a \$14 trillion debt, all of this at the same time that our unemployment levels in this country have crept back up over 9 percent—unacceptably high.

Those of us in the Chamber tonight were sent here in November because we believe that we have more important work to do than simply spending money that we don't have, than passing regulations that kill jobs. The work that we were sent here to do in November is work to get our economy back on track.

The report from the Congressional Budget Office indicates that the situation of our economy is actually worse than many have been led to believe. Our national debt will grow to be larger than the entire U.S. economy this year. We officially owe more than the entire country produces in a year. That will happen at the end of this year. If this isn't a wake-up call to what is happening in our economy, to what is happening in our spending, I don't know what will be. We cannot afford to wait and delay. We've got to solve this problem now.

I want to read a quote from the Congressional Budget Office report: The sooner that long-term changes to spending and revenues are agreed on and the sooner they are carried out once the economic weakness ends, the smaller will be the damage to the economy from the growing Federal debt.

The report didn't say we can avoid the damage. The report didn't say there won't be any damage. The report said the smaller will be the damage. A \$14 trillion debt. A \$1.6 trillion deficit.

That is damaging our economy; it's damaging our country, and it's damaging our opportunity to create jobs and long-term economic stability. It is a clear call to action from the Congressional Budget Office. We've got to be bulldogs around this Chamber when it comes to reducing our spending. We have to make sure that we are standing up to the regulators who want to put people out of business simply because they're sitting behind a desk and think they can.

Tom Blach is a constituent of mine who came to me 2 years ago and said, I'm worried that I'll lose my business because of overregulation. Do you know what he saw over the course of the last 2 years? He saw the people he did business with, the people he partnered with leave the State of Colorado because of overregulation.

Last Saturday, I had the opportunity to tour Roggen, Colorado, Haxtun, Colorado, Akron, Colorado, in the Eastern Plains to talk to farmers, wheat growers, cattlemen, ag businessmen, all who came to me with a similar theme: what is happening to them with overregulation and their concern that they won't have the opportunity to pass on their legacies to future generations because of a government that has decided it knows best and knows more than they.

I want to talk a little bit about what the gentlelady from Alabama said when she was referring to the tombstone that we saw shown earlier by the minority, which said "ending Medicare" on the tombstone.

Today in committee, we had an opportunity to vote on an amendment that said we will oppose and vote against any amendment, any bill, any legislation that would end Medicare. Do you know what our colleagues on the Democrat side of the aisle did? They voted "present." They voted "present," refusing to stand up for Medicare because they know, when we ask where their plan is, they don't have one. When we ask them where the jobs are, they don't know. When we ask them for leadership, they run and hide. Why?—because they're voting "present" when it comes to saving Medicare.

Mrs. ROBY. Thank you so much.

I would now like to yield to the gentleman from New York.

Mr. REED. I thank the gentlelady from Alabama for yielding time, and I thank my colleagues for coming to the floor of the House tonight to stand with us as we have a discussion with the American people—an honest and open discussion. That's what we were called to do in November of this past year with the great election that brought this majority to this Chamber, because we were sick and tired of the smoke and mirrors, of the gamesmanship and of the political rhetoric of yesterday.

□ 2020

We are here today to lead. We are here today to talk in an honest and open fashion about not talking points generated from a political party but a philosophy that will bring America back to be the land of opportunity, not only for us but for our kids and for our grandchildren.

You know, I love hearing the stories that my colleagues are offering about constituents from their home district, about people that are suffering and that are looking for jobs, that are in the ranks of the unemployed. But I also think of the people that are presently in a job, people like Brad Pfister and his wife, Tammy, who are raising a beautiful young girl by the name of Alexa, and they sit in their living rooms, watching their daughter play with the family toys, the Slinky, all the things that, you know, we think of as the American Dream, the things that we enjoy with our families. And what he's worried about is will he have a job, not just tomorrow, but will he have a job 6 months from now? Will he have a job a year from now?

That uncertainty, that fear is something that the men and women and children of America should not have to live in because we are the strongest Nation on the face of the Earth. We are the land of opportunity. So, when you hear us talking here tonight, it is not about political posturing. It is about articulating a philosophy to America that we, each of us, hold dear, and the philosophy can really be summed up in four points.

You hear us talk a lot about the national debt, and I've been asked at town hall meetings on a regular basis, why is that such a fundamental issue? Why, other than the threat that it presents to us as a Nation, because everyone gets that, why is it so important that we get the national debt under control? And my response has always been that if you're going to create the confidence in the American market in the people that are going to expend millions, billions of dollars to create that new manufacturing base in America, they've got to have the confidence that the American market, that the fiscal house of the United States Government, is in order so that they can make that investment in a safe and secure market. So that's issue number one.

Not only do we have to balance the books and get our fiscal house in order, we have to have an honest conversation about removing the excessive regulations that are being promulgated out of Washington, D.C., and in our State capitals throughout the entire Nation. And when we talk about that, what we're talking about is not going in and repealing all regulation. It's about having commonsense, reasonable regulatory oversight, but not going to the point that we're seeing out of

Washington, D.C., that is letting go of common sense and regulating, in my opinion, for the sake of just regulating. That is not good government.

We also believe that our Tax Code in America needs to be reformed. We have talked greatly about it, not only because it's the right thing to do, but also to create a marketplace in America that's going to be competitive worldwide because we are in the world economy. That is the reality of our world, and we need to recognize it, and we need to give our private sector those tools or that environment that allows us to compete on the world economic stage.

The fourth point that I think many of my colleagues here tonight hold near and dear, just like I do, is that we have to adopt and commit our Nation to a comprehensive, domestic orientated energy plan. Why is that important? Not only because of the national security interests that so many people can inherently latch on to—you know, we are importing about 9 million barrels of oil a day, coming from countries and sources that are publicly adverse and sworn enemies of the United States of America. So it just doesn't make sense. But a second issue that needs to be articulated on the energy plan is that if we can grow a domestic, stable source of energy here in America, we will create a marketplace in America that can rely on long-term, stable, low-cost sources of energy.

I can tell you as a small developer myself, when I looked at putting a project together, there were always three things I looked at in the private sector. I said, what are the taxes, what are the insurance costs, and what are the utility costs? And as a mayor of a small city, the city of Corning, my hometown in New York, when I met with developers who were looking to locate into our community, utility costs were always in the top three of concern.

So, if we can adopt and commit ourselves to a domestic orientated, comprehensive energy plan, I am confident we can lower those costs so the American market can become competitive again. That means bringing back our manufacturers. That means building things here in America. And as my colleagues have articulated over and over again, government is not here to create jobs. That is not what our Founding Fathers envisioned. What the Founding Fathers envisioned was a government that preserved and protected the right to have the opportunity to succeed in one's life, not a guarantee to succeed, not one where the government is the one signing the front of the paycheck, but, rather, the individual is going out and earning that paycheck without interference from the government and from sources in the private sector.

I am so happy to be here with my colleagues this evening, and I join you

proudly in this fight, in this philosophy of leadership that we have brought to Washington, D.C., and will continue this fight and continue the leadership out of this House Chamber to stand for America, for our kids and our grandchildren, and make it again the land of opportunity that we have all enjoyed.

Mrs. ROBY. I thank the gentleman from New York.

Before I call on the gentleman from Arkansas, I just want to make a point to your story about a company here in the United States trying to achieve exactly what you're talking about. We know the private sector creates jobs. Our friends on the other side of the aisle, all they're doing is standing in the way. We continue to lead, to deregulate.

Recently, a startup company named Staxxon based in Ohio developed prototypes and patented an innovative new technology for shipping containers that could save U.S. manufacturers, retailers, and sea, rail, and truck carriers millions of dollars annually by reducing the cost of moving and storing shipping containers. Staxxon raised about \$1 million, all private money, to hire 5 people, buy supplies, hire local welders, and build prototypes. The third party costs—attorneys, accountants, filing fees, printing, et cetera, of compliance with the relevant security regulations to raise \$1 million in \$30,000 units from private individuals was over \$75,000, enough to hire a full-time welder.

He has expressed the need to make the regulatory barriers to raising private investor startup money for innovative entrepreneurial companies like Staxxon much lower while maintaining reasonable protections for private investors and large banking and investment companies.

It is easier for an individual to get a credit card with a \$30,000 limit or a home equity loan for \$30,000 than it is for the same person in this country, the United States of America, to decide to invest \$30,000 in a United States startup company like Staxxon, which goes directly to the point that you're making.

Again, House Republicans continue to lead, but we don't see the same leadership on the other side of the aisle.

I would now like to yield time to the gentleman from Arkansas.

Mr. GRIFFIN of Arkansas. I thank the gentlelady from Alabama.

One of the ways that we in the House are focused on creating an environment so the private sector can create jobs is by pushing the President to do something about the pending trade agreements. There are three pending trade agreements: one with Panama, one with Colombia, and one with South Korea. And all three of them are just sitting there, sitting there while other countries are developing relationships and increasing exports to these countries.

Now, in January of last year President Obama said, "If America sits on the sidelines while other Nations sign trade deals, we will lose the opportunity to create jobs on our shores."

□ 2030

I couldn't agree more. The President recognized last year that we need to move quickly with regard to these agreements that will increase exports. Why? Because if we increase exports, we increase jobs. Some estimates say that if we pass these three trade agreements, that we will create hundreds of thousands of jobs. So it's not just important that we pass them. It's important that we pass them quickly.

Why? Well, I sat down this past week with the Ambassador from Colombia, and he was talking about how his country has greatly increased trade with Europe while they're waiting on the administration here in the United States to move on the agreement with their country so that we can increase our exports and do business more efficiently, create jobs in this country. He said, We're waiting. We're waiting for the administration to take action. We keep hearing, It's coming. It's coming. We're working on it. But he knows that those are just words. We need to get these trade deals passed and in place so that we can compete.

Right now, businesses from Europe are visiting South Korea, they're visiting Colombia, they're visiting Panama, and they're doing business. And the problem that we have, even if we ultimately get these agreements passed—and I certainly hope we will—we will have lost valuable time. It's not like flipping a switch. When the agreements are passed, everything is equal. We're competing with Europe for the business of Colombia or Panama or South Korea. It's not that easy.

Why? Because while we are sitting on the sidelines waiting for these deals to be passed, the Europeans and others around the world are developing relationships. They're flying to these countries. They're meeting for lunch. They're touring their factories. They're exchanging business cards. They're signing contracts, all while we sit idly by, waiting on the President to do something.

The President talked about doing something on these deals last year. He recognized that if we don't do something, we're going to lose the ability to compete. But what has he done? Nothing. Talk is cheap, Mr. President. We are waiting on you to move these trade deals with Colombia, with South Korea, and with Panama. You want to do something that sends a signal to this country that you are serious about job creation, Mr. President? Then get those deals passed. Get those deals passed. Get out of the way of our businesses and let them compete with Europe and other countries around the

world so that they can create jobs. We're ready in this House. We're ready. We will help you get them passed. Just join us, Mr. President.

Mrs. ROBY. I thank the gentleman from Arkansas.

I would now like to yield to the gentleman from Indiana.

Mr. STUTZMAN. I thank the gentleman.

It's good to be with you all this evening and talking about the situation that we are currently in in our country. I will tell you, what a sobering moment, being first elected to Washington and coming and finding out about the budget situation that we currently face. This is about our kids' and our grandkids' futures. And I know for myself and for all of you that that is why you run for office, that is why you ran to come to Washington is to address the challenges that we have here in Washington.

It's hard to comprehend the budgeting that has been taking place over the past several years here in Washington, D.C. When we're all back at home and we're facing a tough economy, we're facing a job market that is not that strong, our friends and family, we have people that we know personally that are out of work and are trying to survive in a very fragile economy, yet it seems like we come to Washington and we explain the situation back home and it continues to fall on deaf ears. It falls on deaf ears at the White House. It falls on deaf ears on the other side of the aisle. It falls on deaf ears in the Senate. And ladies and gentlemen, I believe that this is a time for us. This is the greatest opportunity that we will have to change the way Washington works.

We talk a lot about the debt that we are facing here in this country, \$14 trillion of debt. We have a debt ceiling, a vote that's coming up here before long. We've almost maxed out the credit cards. And there's just no discussion, no real fortitude to deal with the spending habits of Washington, D.C.

Now, I can tell you that taxes and debt kill jobs, and if we want to get people back to work, we need to tackle both of those and address them in a meaningful way that will produce work for Americans.

I was in a Budget Committee meeting today, and it just is so surprising to me and it just shows the position of so many Washington politicians, that they're out of touch with reality. And that when you have a \$1.5 trillion deficit, the quickest way for politicians in Washington is, well, let's just raise taxes. Well, if any taxes go up in this economy, it's going to kill job creation.

As my friend from Wisconsin was talking earlier about the comparison between Walmart and Kmart, he hit the nail on the head. You raise prices, people are going to go somewhere else.

And the solution to the Democrats here in Washington is, well, let's just raise taxes to pay for the deficit that we have.

Let me just give you a quick comparison—and I will end briefly here—is that if you are making about \$2,000 a month but you are spending \$3,500 a month, you are in a pretty deep hole. And every American knows it. We all know that if you are spending \$1,500 more than what you are taking in a month, that's a recipe for disaster and bankruptcy. That's where we are at in Washington. The Federal Government is spending \$1,500 a month more in comparison to what we're taking in in a month.

Now, their solution is taxes. Their solution is to increase the debt. Neither one of those is the right solution. I believe for us to get jobs back in our economy and job creators who are working, whether it's down at the McDonald's and it's those who are going to be, you know, making the Big Macs there at McDonald's and providing a job for a high school kid or for a college kid, that's what people are looking for. They are looking for confidence in this market.

Ladies and gentlemen, it's good to be with you this evening. I'm thrilled that you are here and that you are spreading the message of what needs to happen here in Washington. I look forward to more discussion.

Mrs. ROBY. Thank you.

And as we move into a discussion now, with the little bit of time we have left, it's like owning a business that brings in \$100,000 worth of profit, yet you owe the bank \$400,000. That, again, goes to the example that you made about your household, our businesses. Everyone is tightening their belts in this country but for the Federal Government.

I would like to yield to the gentleman from Washington.

Ms. HERRERA BEUTLER. You know, it's really interesting. There are two different philosophies competing here. One is government does it best, and the one you hear tonight is that the American people do it best.

This last week in the Small Business Committee, Treasury Secretary Tim Geithner was there defending how slowly they have moved to make credit available to small business. When I think about small business owners—Steak Burger in Vancouver, you can get a great steak burger there, steak sandwich—you know, these are small businesses that are hiring young people, high schoolers, kids in college. And as they are trying to keep some of these part-time, minimum-wage kids in jobs, right, it's making it harder for them when the Treasury Secretary believes that raising taxes is how we meet the spending binge here. It's just ridiculous. It's two fundamentally different beliefs.

We here on the House floor tonight believe that Americans can grow jobs and manage their own money much better than the Treasury Secretary or than Washington, D.C. It's just plain simple.

So, thank you.

Mrs. ROBY. I yield to the gentleman from Illinois.

Mr. KINZINGER of Illinois. I want to say, look, this is a great example of freshmen that have come here from all different backgrounds for the purpose of saving our country, saving our Union. And we've seen a great diverse group here from different States, from different backgrounds, and it really is amazing.

I've got to just say, standing here, I am inspired by what I am seeing for the future of America, and I really think we are going to go some places.

□ 2040

I think we cannot be second-best anymore. I don't think people have to say that America is going to be second-best. We can always stay best.

Mrs. ROBY. And, again, at forums like this tonight, as I stated at the beginning, Americans deserve the truth, and the strongest truth comes directly from the mouths of Americans who are feeling the pain in their homes and in their businesses.

I yield to the gentleman from Wisconsin.

Mr. DUFFY. I agree. Americans are sick of being lied to. We're going to level with the American people.

We just had a joint economic hearing a couple of days ago, and we learned that it is 18 percent more expensive to manufacture in America as opposed to other countries, and that's outside of wages. That's our Tax Code and our regulations. It's more expensive to manufacture in America. Those are the policies right here in Washington that are making it more expensive. That's absolutely wrong.

I've got to tell you I had a chance to listen to our colleagues on the Democrat side of the aisle go on about tax breaks for big oil companies. I don't know if anyone heard their great conversation about tax breaks for big oil companies.

But I just got here in January. I'm a freshman. I'm new to this, but I don't recall our passing any bills that had tax breaks for oil companies. And they had control of this House for 4 years. Where were their bills to deal with tax breaks for big oil companies? I never saw them.

I hear this commentary that tries to get people ginned up, and it takes our eye off the ball, which is true job creation and making us more competitive in a global economy.

Mrs. ROBY. And becoming less dependent on Middle Eastern oil is all about these very energy bills, that, again, we have shown consistent lead-

ership on just in the 6 months that we've been in the majority.

I go to the gas pump. I pump gas in my car. I know how much it costs. I'm in the grocery store. I see the rising costs of food as it relates to these energy costs. And yet again today we see the President dip into our oil reserves, which should be for emergencies, yet we're using it for politics at a time when this country must become less dependent on Middle Eastern oil.

I yield to the gentleman from Colorado.

Mr. GARDNER. I thank the gentlewoman.

And what's amazing about the argument, today the President releases the oil from our emergency reserve. Yet yesterday on this very floor, a number of people were arguing that, no, we don't need new expansions in production. We don't need more oil being put online in this country because that won't lower the price of fuel. So yesterday they were saying that more supplies won't reduce the price of fuel, but today they're saying release this strategic petroleum reserve because it will reduce the price of fuel. A very confused argument.

Mrs. ROBY. Very. Thank you so much.

Mr. DUFFY. Will the gentlewoman yield?

Mrs. ROBY. I yield to the gentleman from Wisconsin.

Mr. DUFFY. And if you look at tapping into these oil reserves, what does that do to endanger the security of this country? As the gentlelady knows, in the South, whether it's tornadoes or whether it's floods or whether it's hurricanes, things happen in the gulf where we would have to tap into the reserve because our energy supply could be at risk. And here for political purposes to try to drive prices down over the summer driving season, the President has tapped into that reserve. I think that's absolutely unacceptable for political purposes, especially, as we know, that real risks come up that can cause us a need for that energy supply.

Mrs. ROBY. Thank you.

I yield to the gentleman from Arkansas very quickly.

Mr. GRIFFIN of Arkansas. I would just like to say there have been a lot of topics covered tonight, from Medicare to debt to energy. They all relate to jobs. Whether we're talking about reducing the regulatory burden, revising the Tax Code, passing trade agreements, working on energy development and becoming more energy independent, or paying down the debt, they all relate to job creation and making this a country where the private sector can create jobs.

Mrs. ROBY. Again, thank you to all of the freshmen who are here tonight and the States you represent, the districts you represent. We all are here to work for America and American jobs.

Thank you for your time, and I look forward to doing this again soon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BERG (at the request of Mr. CANTOR) for today from 4 p.m. and for the balance of the week on account of flooding in his district.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and June 24.

Mr. RANGEL (at the request of Ms. PELOSI) for today on account of official business.

ADJOURNMENT

Mrs. ROBY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Friday, June 24, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2151. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS) (RIN: 0750-AG74) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2152. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement (RIN: 0750-AH23) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2153. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Foreign Acquisition Amendments (DFARS Case 2011-D017) (RIN: 0750-AH16) received June 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2154. A letter from the Secretary, Department of Defense, transmitting notification that the President approved a new Unified Command Plan; to the Committee on Armed Services.

2155. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Agency Office of the Inspector General (DFARS Case 2011-D006) (RIN: 0750-AG97) received June 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2156. A letter from the Assistant Secretary, Department of Defense, transmitting a proposed change to the U.S. Army Reserve Fiscal Year 2009 National Guard and Reserve Equipment Appropriation procurement; to the Committee on Armed Services.

2157. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID:

FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8181] received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2158. A letter from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Securities of Nonmember Insured Banks (RIN: 3064-AD67) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2159. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Record Retention for Regulated Entities and Office of Finance (RIN: 2590-AA10) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2160. A letter from the Secretary, Department of Health and Human Services, transmitting the thirty-first annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and the Workforce.

2161. A letter from the Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — Direct Certification and Certification of Homeless, Migrant and Runaway Children for Free School Meals [FNS-2008-0001] (RIN: 0584-AD60) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2162. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the Community Services Block Grant Report to Congress for Fiscal Year 2008; to the Committee on Education and the Workforce.

2163. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2164. A letter from the Secretary, Department of Commerce, transmitting a six-month report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001, and continued through August 12, 2010 to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2165. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2166. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-10-2253); to the Committee on Foreign Affairs.

2167. A letter from the Secretary, Department of Health and Human Services, trans-

mitting the semiannual report on the activities of the Office of Inspector General for the period ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2168. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to Section 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

2169. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2170. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2171. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2172. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2173. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2174. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2175. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2176. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2177. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2178. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2179. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2180. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2181. A letter from the Assistant Attorney General, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2182. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting the 2010 management report of the Federal Home Loan Bank of New York, pursuant to

31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2183. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Oversight and Government Reform.

2184. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Court Orders and Legal Processes Affecting Thrift Savings Plan Accounts received June 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2185. A letter from the President, Inter-American Foundation, transmitting the Foundation's annual report for FY 2010 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2186. A letter from the Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2187. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA403) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2188. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures [Docket No.: 110207101-1257-02] (RIN: 0648-BA54) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2189. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures [Docket No.: 110311192-1279-02] (RIN: 0648-BA01 and 0648-BA95) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2190. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Framework Adjustment 1 [Docket No.: 110218142-1276-02] (RIN: 0648-BA91) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2191. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act

Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures [Docket No.: 100804324-1265-02] (RIN: 0648-BA01) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2192. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report detailing activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 2010, pursuant to 42 U.S.C. 1997f; to the Committee on the Judiciary.

REPORTS ON COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 328. Resolution providing for consideration of the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; and providing for consideration of the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law (Rept. 112-114). Referred to the House Calendar.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 828. A bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment; with an amendment (Rept. 112-115). Referred to the Committee of the Whole House on the State of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1470. A bill to amend title 5, United States Code, to extend the probationary period applicable to appointments in the civil service, and for other purposes; with an amendment (Rept. 112-116). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. House Joint Resolution 1. Resolution proposing a balanced budget amendment to the Constitution of the United States; with an amendment (Rept. 112-117). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. HAYWORTH:

H.R. 2305. A bill to amend title 38, United States Code, to make memorial headstones and markers available for purchase on behalf of members of reserve components who performed inactive duty training or active duty for training but did not serve on active duty; to the Committee on Veterans' Affairs.

By Mr. FRANK of Massachusetts (for himself, Mr. PAUL, Mr. CONYERS, Ms. LEE of California, Mr. POLIS, and Mr. COHEN):

H.R. 2306. A bill to limit the application of Federal laws to the distribution and consumption of marihuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on

the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself, Mr. CROWLEY, Mr. SAM JOHNSON of Texas, Mr. STARK, Mr. NUNES, Mr. BLUMENAUER, Mr. FLAKE, Mr. COSTA, Mrs. BONO MACK, Mr. LARSEN of Washington, Mr. GOODLATTE, Mr. MATHE-SON, Mr. LANCE, Mr. WELCH, and Mr. WOMACK):

H.R. 2307. A bill to repeal the tax credits for ethanol blenders, to repeal the tariff on imported ethanol, and for other purposes; to the Committee on Ways and Means.

By Mr. GARRETT (for himself, Mr. BACHUS, Mr. HENSARLING, Mr. NEUGEBAUER, Mr. JONES, Mr. MCHENRY, Mr. CONAWAY, Mr. KING of New York, Mr. CAMPBELL, Mr. SCHWEIKERT, Mr. STIVERS, Mr. DOLD, Mr. MANZULLO, Mr. HURT, Mr. CANSECO, and Mr. YODER):

H.R. 2308. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Financial Services.

By Mr. ISSA (for himself and Mr. ROSS of Florida):

H.R. 2309. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself, Ms. BALDWIN, Mr. ROTHMAN of New Jersey, Mr. HONDA, Mr. MORAN, Ms. CASTOR of Florida, Mr. BLUMENAUER, Mr. TOWNS, Mr. MCGOVERN, Mr. ACKERMAN, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. GEORGE MILLER of California, Mr. ISRAEL, Mr. FRANK of Massachusetts, Ms. CHU, Mr. HIGGINS, Mr. HINCHAY, Ms. PINGREE of Maine, Ms. MOORE, Mr. POLIS, Mr. PALLONE, Mr. RYAN of Ohio, Mr. DEUTCH, Mrs. MALONEY, Ms. BROWN of Florida, Mr. ENGEL, Mr. CICILLINE, Ms. NORTON, Mr. BERMAN, Mr. SHERMAN, Mr. CONYERS, Mr. MICHAUD, Mrs. CAPPS, Mr. SERRANO, Ms. RICHARDSON, Mr. OLVER, Ms. LORETTA SANCHEZ of California, Mr. STARK, Ms. ZOE LOFGREN of California, Mr. LANGEVIN, Mr. HANNA, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. CAPUANO, Ms. LEE of California, Mr. NADLER, and Mr. HOLT):

H.R. 2310. A bill to provide for equal access to COBRA continuation coverage; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself and Mr. DAVIS of Illinois):

H.R. 2311. A bill to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations; to the Committee on Ways and Means.

By Mr. JONES (for himself and Mr. KISSELL):

H.R. 2312. A bill to amend title 10, United States Code, to provide a special rule with

respect to purchases by the Department of Defense of textile and apparel products of Federal Prison Industries; to the Committee on Armed Services.

By Mrs. McMORRIS RODGERS (for herself, Mr. DUNCAN of Tennessee, Mrs. BLACKBURN, Mr. GOWDY, Mr. CHAFFETZ, Mr. LATTI, Mr. HARRIS, Mr. KINGSTON, Mr. NEUGEBAUER, Mr. HASTINGS of Washington, Mr. SIMPSON, Mrs. HARTZLER, Mr. COFFMAN of Colorado, Mr. JONES, Mr. REHBERG, and Mr. LONG):

H.R. 2313. A bill to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota in that Fund, and certain other authorities, and to rescind related appropriations; to the Committee on Financial Services, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky (for himself and Mr. TIERNEY):

H.R. 2314. A bill to increase the efficiency and effectiveness of the Government by providing for greater interagency experience among national security and homeland security personnel through the development of a national security and homeland security human capital strategy and interagency rotational service by employees, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Armed Services, Homeland Security, Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Ms. DELAUNO, Mr. MORAN, Ms. NORTON, Ms. MOORE, Mr. OLVER, Ms. SCHWARTZ, Ms. CLARKE of New York, Mrs. CAPPS, Mr. ELLISON, Ms. BROWN of Florida, Mr. NADLER, Mr. HINCHAY, Ms. DEGETTE, Ms. FUDGE, Ms. RICHARDSON, Mr. BLUMENAUER, Mr. WU, Ms. PINGREE of Maine, and Mr. SERRANO):

H.R. 2315. A bill to promote the economic self-sufficiency of low-income women through their increased participation in high-wage, high-demand occupations where they currently represent 25 percent or less of the workforce; to the Committee on Education and the Workforce.

By Mr. SCOTT of Virginia (for himself, Mr. PAUL, Mr. CONYERS, Mr. BARTLETT, Mr. HASTINGS of Florida, and Mr. ELLISON):

H.R. 2316. A bill to apply reduced sentences for certain cocaine base offenses retroactively for certain offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. WU (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2317. A bill to promote green transportation infrastructure through research and development, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SESSIONS (for himself, Mr. WEST, Mr. MACK, Mr. STUTZMAN, Mr. MARCHANT, Mr. JONES, Mr. GRIFFITH of Virginia, Mr. YOUNG of Florida, Mr. BONNER, Ms. HAYWORTH, Mr. FORBES, Mr. CROWLEY, Mr. FORTENBERRY, Mr. CONAWAY, Mr. CARTER,

Mr. FARENTHOLD, Mr. TIPTON, Mr. BUCHANAN, Mr. BURGESS, and Mr. NEUGEBAUER):

H.R. 2318. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to increase the amount of the Medal of Honor special pension provided under that title by up to \$500; to the Committee on Veterans' Affairs.

By Mr. BRADY of Texas:

H.R. 2319. A bill to cap noninterest Federal spending as a percentage of full employment GDP, to require that budgets and budget resolutions adhere to these caps, to enforce these caps, to increase financial transparency for mandatory programs, to provide for a line-item adjustment, to require the parings of significant spending increases and adjustments to the debt ceiling, and to provide for a Federal Sunset commission to assist Congress in eliminating Federal agencies and programs that no longer serve a public need or reforming those that are inefficient or ineffective in serving a public need, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, Ways and Means, Appropriations, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 2320. A bill to amend the Internal Revenue Code of 1986 to permanently extend existing elective tax treatment for Alaska Native Settlement Trusts; to the Committee on Ways and Means.

By Mr. BACHUS (for himself, Ms. SEWELL, Mr. BROOKS, Mr. BONNER, Mr. ROGERS of Alabama, Mr. LONG, Mr. ROSS of Arkansas, Mr. HARPER, Mr. JONES, Mr. WESTMORELAND, Mr. PALAZZO, Mr. DUNCAN of Tennessee, Mr. CARNAHAN, Mrs. ROBY, Mr. CLAY, Mr. AUSTIN SCOTT of Georgia, Mr. WOMACK, Mr. CRAWFORD, Mr. ROE of Tennessee, Mrs. HARTZLER, Mr. LUCAS, Mr. COLE, Mr. FINCHER, Mr. GRIFFIN of Arkansas, Mr. GUTHRIE, Mr. DESJARLAIS, and Mr. NUNNELEE):

H.R. 2321. A bill to provide temporary tax relief for areas damaged by 2011 Southeastern severe storms, tornados, and flooding, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENISHEK (for himself and Mr. KILDEE):

H.R. 2322. A bill to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAPITO:

H.R. 2323. A bill to amend title 23, United States Code, to permit the State of West Virginia to allow the operation of certain vehicles for the hauling of coal and coal by-products on Interstate Route 77 in Kanawha County, West Virginia; to the Committee on Transportation and Infrastructure.

By Mrs. CAPITO (for herself, Mr. SHULER, and Mr. SARBANES):

H.R. 2324. A bill to prevent drunk driving injuries and fatalities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY (for himself, Mr. HOLT, Mr. HINCHEY, Mr. LOBIONDO,

Mr. FITZPATRICK, Mr. DENT, Mr. RUNYAN, Mr. ANDREWS, Ms. SCHWARTZ, and Mr. MEEHAN):

H.R. 2325. A bill to direct the Secretary of the Interior to establish a program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California (for herself and Mr. HOLT):

H.R. 2326. A bill to amend the Elementary and Secondary Education Act of 1965 to establish the National Education Innovation Network and the National Innovation Corps; to the Committee on Education and the Workforce.

By Mr. GINGREY of Georgia (for himself, Mr. KING of Iowa, Mr. BROWN of Georgia, Mr. WESTMORELAND, Mr. CULBERSON, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mrs. BONO MACK, Mr. BARTLETT, Mr. MACK, and Mr. BILBRAY):

H.R. 2327. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain from the conversion of property by reason of eminent domain; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. WELCH, Mr. DEFazio, Mr. GRIJALVA, Mr. OLIVER, and Mr. STARK):

H.R. 2328. A bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of Ohio (for himself, Mr. BASS of New Hampshire, Mr. LATOURETTE, Mr. UPTON, Mrs. EMERSON, Mr. COBLE, Mr. PITTS, Mrs. SCHMIDT, and Mr. BROOKS):

H.R. 2329. A bill to amend the Servicemembers Civil Relief Act to provide for certain requirements for financial institutions that are creditors for obligations and liabilities covered by that Act; to the Committee on Veterans' Affairs.

By Mr. LOEBSACK:

H.R. 2330. A bill to establish a National Flood Research and Education Consortium to plan, coordinate, conduct, and share research on flooding, flood prevention, and other flood-related issues, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. STARK, and Ms. HIRONO):

H.R. 2331. A bill to assist States in making voluntary high quality universal prekindergarten programs available to 3- to 5-year-olds for at least 1 year preceding kinder-

garten; to the Committee on Education and the Workforce.

By Mrs. MALONEY (for herself, Mr. FARR, and Mr. CONYERS):

H.R. 2332. A bill to amend the Public Health Service Act to establish a program of research regarding the risks posed by the presence of dioxin, synthetic fibers, and other additives in feminine hygiene products, and to establish a program for the collection and analysis of data on toxic shock syndrome; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York:

H.R. 2333. A bill to enhance safety of individuals by banning the use of hand-held mobile devices while driving, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MORAN (for himself, Ms. BERKLEY, Mr. HASTINGS of Florida, and Mr. WOLF):

H.R. 2334. A bill to amend the Public Health Service Act to specifically include, in programs of the Substance Abuse and Mental Health Services Administration, programs to research, prevent, and treat the harmful consequences of pathological and other problem gambling, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. NOEM (for herself, Mr. KLINE, Mr. LEWIS of California, Mr. COLE, Mr. PAUL, and Mr. MCCLINTOCK):

H.R. 2335. A bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to the Committee on Education and the Workforce.

By Ms. PINGREE of Maine (for herself and Mr. MICHAUD):

H.R. 2336. A bill to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. COSTA, Mr. FARR, Ms. TSONGAS, Mr. ROHRBACHER, Mr. CONNOLLY of Virginia, Mr. FALEOMAVAEGA, Ms. BUEKLE, Ms. WILSON of Florida, Mr. DOGGETT, Mr. CAPUANO, and Ms. SPEIER):

H.R. 2337. A bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POSEY (for himself, Mr. MILLER of Florida, Mr. SOUTHERLAND, Ms. BROWN of Florida, Mr. CRENSHAW, Mr. NUGENT, Mr. STEARNS, Mr. MICA, Mr. WEBSTER, Mr. BILIRAKIS, Mr. YOUNG of Florida, Ms. CASTOR of Florida, Mr. ROSS of Florida, Mr. BUCHANAN, Mr. MACK, Mr. ROONEY, Ms. WILSON of Florida, Ms. ROS-LEHTINEN, Mr. DEUTCH, Ms. WASSERMAN SCHULTZ, Mr. DIAZ-BALART, Mr. WEST, Mr. HASTINGS of Florida, Mrs. ADAMS, and Mr. RIVERA):

H.R. 2338. A bill to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office"; to the Committee on Oversight and Government Reform.

By Mr. QUIGLEY (for himself and Mr. POLIS):

H.R. 2339. A bill to create a Lobbying Disclosure Act Task Force, and to make certain

modifications to the Lobbying Disclosure Act of 1995; to the Committee on the Judiciary.

By Mr. QUIGLEY (for himself and Ms. SPEIER):

H.R. 2340. A bill to amend the Ethics in Government Act of 1978, the Rules of the House of Representatives, the Lobbying Disclosure Act of 1995, and the Federal Funding Accountability and Transparency Act of 2006 to improve access to information in the legislative and executive branches of the Government, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Rules, House Administration, the Judiciary, and Ethics, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. BRALEY of Iowa, Ms. DELAURO, Ms. EDWARDS, Mr. FILNER, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HONDA, Mr. KILDEE, Mr. LANGEVIN, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. PASCRELL, Mr. PERLMUTTER, Ms. PINGREE of Maine, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. SUTTON, and Mr. WU):

H.R. 2341. A bill to amend the Fair Labor Standards Act with regard to certain exemptions under that Act for direct care workers and to improve the systems for the collection and reporting of data relating to the direct care workforce, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself and Mr. CUMMINGS):

H.R. 2342. A bill to establish and operate a National Center for Campus Public Safety; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 2343. A bill to amend title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 2344. A bill to amend title 18, United States Code, with respect to the good time credit toward service of sentences of imprisonment; to the Committee on the Judiciary.

By Mr. STUTZMAN:

H.R. 2345. A bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc; to the Committee on Veterans' Affairs.

By Ms. WOOLSEY (for herself, Mr. STARK, Mrs. MALONEY, Ms. DELAURO, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Ms. LEE of California, Mr. CONYERS, Ms. WATERS, Mr. OLIVER, Ms. HIRONO, Mr. HASTINGS of Florida, Mr. BRADY

of Pennsylvania, Mr. FILNER, Ms. MOORE, Mr. PAYNE, Mr. JACKSON of Illinois, Mr. RUSH, Mr. MCDERMOTT, Ms. CHU, Mr. ELLISON, Mr. HINCHEY, Mr. GRIJALVA, Ms. BROWN of Florida, Mr. HONDA, Ms. NORTON, Ms. FUDGE, and Mr. SERRANO):

H.R. 2346. A bill to improve the lives of working families by providing family and medical need assistance, child care assistance, in-school and afterschool assistance, family care assistance, and encouraging the establishment of family-friendly workplaces; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, House Administration, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 2347. A bill to authorize the Secretary of the Interior to convey a railroad right of way between North Pole, Alaska, and Delta Junction, Alaska, to the Alaska Railroad Corporation; to the Committee on Natural Resources.

By Mr. GOODLATTE (for himself, Mr. WOLF, Mr. MORAN, Mr. WITTMAN, Mr. SCOTT of Virginia, and Mr. CONNOLLY of Virginia):

H. Con. Res. 62. Concurrent resolution to commemorate the 75th anniversary of the dedication of Shenandoah National Park; to the Committee on Natural Resources.

By Mr. MCGOVERN (for himself, Mr. HASTINGS of Florida, Mr. WOLF, Mr. PITTS, and Mrs. MYRICK):

H. Res. 327. A resolution expressing the sense of the House of Representatives that the trial and subsequent convictions of Mikhail Khodorkovsky and Platon Lebedev by the Government of the Russian Federation constitute a politically motivated case of selective arrest and prosecution which put in serious doubt the rule of law and the independence of Russia's judicial system; to the Committee on Foreign Affairs.

By Mr. GINGREY of Georgia (for himself, Mr. KING of Iowa, Mr. BROWN of Georgia, Mr. WESTMORELAND, Mr. CULBERSON, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mrs. BONO MACK, Mr. BARTLETT, Mr. MACK, and Mr. WEBSTER):

H. Res. 329. A resolution expressing support for the private property rights protections guaranteed by the 5th Amendment to the Constitution on the 6th anniversary of the Supreme Court's decision of *Kelo v. City of New London*; to the Committee on the Judiciary.

By Mr. PETERS:

H. Res. 330. A resolution amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. HAYWORTH:

H.R. 2305.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, of the United States Constitution reserves to Congress the power to raise and support Armies and provide and maintain a Navy, as well as make Rules for the Government and Regulation of the land and naval Forces.

By Mr. FRANK of Massachusetts:

H.R. 2306.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. HERGER:

H.R. 2307.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. GARRETT:

H.R. 2308.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mr. ISSA:

H.R. 2309.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7, which empowers Congress "To establish Post Offices and post Roads

By Ms. SPEIER:

H.R. 2310.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. PAULSEN:

H.R. 2311.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1.

By Mr. JONES:

H.R. 2312.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution provides that Congress shall have the power "to raise and support Armies" and "to provide for organizing, arming, and disciplining the Militia".

By Mrs. MCMORRIS RODGERS:

H.R. 2313.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' legislative powers under Article I, Section 9, that no money shall be drawn from the Treasury but in consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be made from time to time.

By Mr. DAVIS of Kentucky:

H.R. 2314.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 14 ("to make Rules for the Government"), and Article I,

section 8, clause 1 ("to provide for the Common Defense and General Welfare").

By Mr. POLIS:

H.R. 2315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. SCOTT of Virginia:

H.R. 2316.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. WU:

H.R. 2317.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. SESSIONS:

H.R. 2318.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BRADY of Texas:

H.R. 2319.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is enumerated in: (1) Article I, Section 5, Clause 2 of the United States Constitution; (2) Article I, Section 8, Clauses 1–2, 14 of the United States Constitution; and (3) Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 2320.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 1.

By Mr. BACHUS:

H.R. 2321.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. BENISHEK:

H.R. 2322.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3 of the Constitution

By Mrs. CAPITO:

H.R. 2323.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, cl 1 of the United States Constitution.

By Mrs. CAPITO:

H.R. 2324.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, cl 1 of the United States Constitution.

By Mr. CARNEY:

H.R. 2325.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States.

By Mrs. DAVIS of California:

H.R. 2326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GINGREY of Georgia:

H.R. 2327.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 that states, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises"

By Mr. HINCHEY:

H.R. 2328.

Congress has the power to enact this legislation pursuant to the following:

Section 8 : Powers of Congress

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. JOHNSON of Ohio:

H.R. 2329.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 1, clause 18 of the United States Constitution.

By Mr. LOEBSACK:

H.R. 2330.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1

By Mrs. MALONEY:

H.R. 2331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. MALONEY:

H.R. 2332.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mrs. MCCARTHY of New York:

H.R. 2333.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, which enumerates the power of Congress to regulate interstate commerce.

By Mr. MORAN:

H.R. 2334.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. NOEM:

H.R. 2335.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Ms. PINGREE of Maine:

H.R. 2336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; and Article 1, Section 8, Clause 3—The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POE of Texas:

H.R. 2337.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. POSEY:

H.R. 2338.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 (power to establish Post Offices) and Article 1, Section 8, Clause 18 (the Necessary and Proper Clause).

By Mr. QUIGLEY:

H.R. 2339.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. QUIGLEY:

H.R. 2340.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. LINDA T. SÁNCHEZ of California:

H.R. 2341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SCOTT of Virginia:

H.R. 2342.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution

Clause 18 of section 8 of article I of the Constitution

By Mr. SCOTT of Virginia:

H.R. 2343.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 & Clause 18 of the Constitution.

By Mr. SCOTT of Virginia:

H.R. 2344.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 & Clause 18 of the Constitution.

By Mr. STUTZMAN:

H.R. 2345.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. XXX is provided by Article I, section 8 of the Constitution of the United States.

By Ms. WOOLSEY:

H.R. 2346.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

By Mr. YOUNG of Alaska:

H.R. 2347.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Article 4, Section 3, Clause 2

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. RICHMOND.

H.R. 179: Mr. GERLACH.

H.R. 181: Mr. GERLACH.

H.R. 190: Mr. LEWIS of Georgia.
 H.R. 284: Mrs. CHRISTENSEN.
 H.R. 287: Mr. COHEN, Mr. GENE GREEN of Texas, and Ms. MOORE.
 H.R. 329: Mr. BRALEY of Iowa.
 H.R. 374: Mr. MARINO, Mr. BARLETTA, and Mr. HUIZENGA of Michigan.
 H.R. 436: Mr. MACK and Mr. COBLE.
 H.R. 452: Mr. CASSIDY, Mr. GERLACH, Mr. BARLETTA, Mr. THORNBERRY, and Mr. WEBSTER.
 H.R. 591: Mr. YARMUTH.
 H.R. 607: Ms. SLAUGHTER.
 H.R. 639: Mr. BARROW, Ms. CLARKE of New York, Mr. GONZALEZ, Mr. OLVER, and Mr. SHIMKUS.
 H.R. 645: Mr. MCKINLEY and Mr. GUTHRIE.
 H.R. 674: Mr. BISHOP of Georgia, Mr. DESJARLAIS, Mr. GRIMM, Mr. WOODALL, and Mr. HEINRICH.
 H.R. 676: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 679: Mr. GENE GREEN of Texas.
 H.R. 687: Mr. FARENTHOLD.
 H.R. 719: Ms. SCHAKOWSKY, Mr. ALEXANDER, Mr. ACKERMAN, Mr. POLIS, and Mr. GARDNER.
 H.R. 721: Mr. SOUTHERLAND.
 H.R. 724: Mr. GENE GREEN of Texas.
 H.R. 733: Mr. GUTHRIE, Mr. PALAZZO, and Mr. AKIN.
 H.R. 735: Mr. GRAVES of Georgia, Mr. BARTON of Texas, Mr. CASSIDY, and Mrs. HARTZLER.
 H.R. 743: Mr. JOHNSON of Ohio.
 H.R. 750: Mrs. CAPITO and Mr. BERG.
 H.R. 756: Mr. WU.
 H.R. 763: Mr. GARDNER and Mr. CONAWAY.
 H.R. 795: Mr. GOSAR and Mr. LUJÁN.
 H.R. 807: Mr. HEINRICH.
 H.R. 894: Ms. SPEIER.
 H.R. 936: Mr. PETERS.
 H.R. 938: Mr. COHEN.
 H.R. 949: Mr. CONYERS.
 H.R. 973: Mr. HERGER.
 H.R. 990: Mr. HUNTER.
 H.R. 991: Mr. THOMPSON of Pennsylvania, Mr. PITTS, and Mr. HUNTER.
 H.R. 998: Mr. MILLER of North Carolina.
 H.R. 1041: Mr. KEATING and Mr. LOBIONDO.
 H.R. 1048: Mr. DAVIS of Illinois.
 H.R. 1057: Ms. PINGREE of Maine.
 H.R. 1093: Mr. FINCHER and Mr. GUTHRIE.
 H.R. 1103: Mr. GRIJALVA.
 H.R. 1106: Mr. SABLAN.
 H.R. 1161: Mr. WALBERG.
 H.R. 1173: Mr. LONG.
 H.R. 1179: Mr. MCCAUL.
 H.R. 1188: Mr. MORAN.
 H.R. 1218: Mrs. CAPITO.
 H.R. 1236: Mr. PERLMUTTER, Mr. GRAVES of Missouri, Ms. CASTOR of Florida, Mr. THOMPSON of Pennsylvania, Mr. WALDEN, and Mrs. CAPPES.
 H.R. 1240: Ms. NORTON and Mr. GENE GREEN of Texas.
 H.R. 1259: Mr. AMASH, Mr. SOUTHERLAND, Mr. LABRADOR, and Mr. CALVERT.
 H.R. 1265: Mr. BURTON of Indiana, Mr. WELCH, Mr. POSEY, Mr. JOHNSON of Ohio, and Mr. BOUSTANY.
 H.R. 1269: Mr. WITTMAN, Ms. HIRONO, Mr. HINCHEY, Mrs. NOEM, and Mr. MICHAUD.
 H.R. 1272: Mr. PAULSEN.
 H.R. 1283: Mr. GERLACH.
 H.R. 1317: Ms. BASS of California.
 H.R. 1322: Mr. KILDEE, Mr. MEEKS, and Mr. ROTHMAN of New Jersey.
 H.R. 1370: Mr. MILLER of Florida and Mr. TERRY.
 H.R. 1397: Ms. LORETTA SANCHEZ of California.
 H.R. 1416: Mr. BILBRAY.
 H.R. 1417: Mr. COHEN, Ms. SCHAKOWSKY, and Mr. GUTIERREZ.

H.R. 1426: Mr. CARSON of Indiana, Mr. CICILLINE, Mr. PAULSEN, and Mr. LARSEN of Washington.
 H.R. 1451: Mr. HONDA.
 H.R. 1456: Ms. WOOLSEY.
 H.R. 1466: Mr. JOHNSON of Georgia.
 H.R. 1546: Mr. FARR, Mr. WITTMAN, Mr. NEAL, Mr. SHUSTER, Mr. LATHAM, Mr. KUCINICH, Mr. BISHOP of Utah, Mr. CICILLINE, and Mr. FRANK of Massachusetts.
 H.R. 1558: Mr. OLSON, Mr. BISHOP of Georgia, and Mr. PITTS.
 H.R. 1574: Mr. FATTAH.
 H.R. 1585: Mr. SULLIVAN, Mr. HARRIS, and Mr. NUNNELEE.
 H.R. 1588: Mr. LUCAS, Mr. FARENTHOLD, and Mrs. HARTZLER.
 H.R. 1633: Mr. KINGSTON, Mr. SMITH of Texas, Mr. HENSARLING, Mr. DESJARLAIS, Mr. BERG, and Mr. TIPTON.
 H.R. 1639: Mr. MILLER of Florida and Mr. WESTMORELAND.
 H.R. 1651: Mr. CUMMINGS.
 H.R. 1666: Ms. BROWN of Florida and Mr. HEINRICH.
 H.R. 1675: Mr. BISHOP of Georgia.
 H.R. 1687: Mr. CARSON of Indiana.
 H.R. 1688: Mr. SMITH of New Jersey.
 H.R. 1697: Mr. WALBERG and Mr. SHULER.
 H.R. 1704: Mr. THOMPSON of California, Mr. FILNER, Mr. REYES, Mr. LARSEN of Washington, Mr. KILDEE, Mr. PETRI, and Mr. PASTOR of Arizona.
 H.R. 1723: Mr. CALVERT.
 H.R. 1744: Mr. ROKITA and Mr. SCOTT of South Carolina.
 H.R. 1755: Mr. GRIMM.
 H.R. 1781: Mr. FILNER.
 H.R. 1798: Mrs. NAPOLITANO.
 H.R. 1803: Mr. DEUTCH and Mr. HINCHEY.
 H.R. 1811: Mr. LAMBORN, Mr. KISSELL, Mr. LOBIONDO, Mr. MORAN, Mr. WESTMORELAND, and Mr. FARENTHOLD.
 H.R. 1815: Mr. POLIS, Ms. SUTTON, Mr. PETERS, and Mr. HANNA.
 H.R. 1821: Mr. COHEN.
 H.R. 1848: Ms. FOXF and Mr. ROONEY.
 H.R. 1852: Ms. HIRONO, Mr. PETRI, Mr. FITZPATRICK, Mr. COHEN, Mr. CARDOZA, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. DICKS, Mr. JOHNSON of Ohio, and Mr. BISHOP of Georgia.
 H.R. 1856: Mr. TOWNS.
 H.R. 1861: Mr. TIBERI.
 H.R. 1865: Mr. BARLETTA, Mr. FARENTHOLD, and Mr. HUNTER.
 H.R. 1880: Mr. DEUTCH.
 H.R. 1903: Ms. BORDALLO and Mr. RANGEL.
 H.R. 1905: Mrs. ADAMS, Mr. BILIRAKIS, Mr. FILNER, Mr. FRANKS of Arizona, Mr. LEWIS of California, Mr. ROHRBACHER, Mr. AUSTIN SCOTT of Georgia, Ms. SUTTON, Mr. WALDEN, Mr. CALVERT, Mr. MATHESON, Mr. PASCRELL, Mr. DIAZ-BALART, Mr. SARBANES, Mrs. BACHMANN, Ms. BUERKLE, Ms. CASTOR of Florida, Mr. FORBES, Mr. LANDRY, Mr. LATOURETTE, Mr. PRICE of Georgia, Mr. WAXMAN, Mr. RIBBLE, Ms. BASS of California, Mrs. BONO MACK, Mr. FORTENBERRY, Mr. GRAVES of Georgia, Ms. JENKINS, Mr. LIPINSKI, Mr. LUETKEMEYER, Mr. KIND, Mr. MCHENRY, Mr. WELCH, Mr. POMPEO, and Mr. BILBRAY.
 H.R. 1940: Mr. SARBANES and Mr. CALVERT.
 H.R. 1974: Ms. SPEIER.
 H.R. 1978: Mr. MARCHANT, Ms. BASS of California, Mr. MCGOVERN, Mr. PAYNE, and Mr. BLUMENAUER.
 H.R. 2033: Mr. LATHAM, Mr. PLATTS, and Mr. LARSON of Connecticut.
 H.R. 2040: Mr. FLORES.
 H.R. 2042: Mr. MCDERMOTT.
 H.R. 2051: Mr. HERGER.
 H.R. 2069: Mr. FILNER.
 H.R. 2077: Mr. BUCSHON.

H.R. 2092: Mr. DAVIS of Kentucky and Mr. LONG.
 H.R. 2107: Mr. ALTMIRE.
 H.R. 2108: Mr. WHITFIELD.
 H.R. 2140: Mr. PAUL.
 H.R. 2145: Mrs. ADAMS.
 H.R. 2146: Mrs. MALONEY.
 H.R. 2159: Mr. KISSELL, Mr. MEEKS, Mr. BISHOP of Georgia, and Mr. GRIJALVA.
 H.R. 2171: Mr. SOUTHERLAND.
 H.R. 2173: Mr. SOUTHERLAND.
 H.R. 2186: Ms. CHU.
 H.R. 2226: Mr. PAYNE, Ms. CHU, Mr. LUJÁN, and Ms. JACKSON LEE of Texas.
 H.R. 2229: Mr. RYAN of Ohio.
 H.R. 2233: Mr. BISHOP of Georgia.
 H.R. 2250: Mr. MICHAUD, Mr. GIBBS, Ms. HERRERA BEUTLER, Mr. WHITFIELD, and Mrs. MYRICK.
 H.R. 2298: Mr. SIRES.
 H.R. 2299: Mr. LANKFORD, Mr. ROGERS of Alabama, and Mr. GALLEGLY.
 H. Con. Res. 21: Mr. POE of Texas, Mr. GRAVES of Georgia, Mr. CHABOT, Mr. BURGESS, Mr. ROGERS of Kentucky, Mr. GRIFFIN of Arkansas, Mr. RIBBLE, Mr. SCHOCK, Mr. HANNA, Mr. FRELINGHUYSEN, and Mr. GIBBS.
 H. Con. Res. 25: Mr. KING of New York.
 H. Con. Res. 39: Mr. HINCHEY, Mr. LONG, Mr. SMITH of Texas, Mr. ROE of Tennessee, and Mr. BENISHEK.
 H. Res. 13: Ms. EDWARDS and Mrs. CAPITO.
 H. Res. 25: Mr. CRENSHAW and Mr. BARROW.
 H. Res. 60: Mr. BILBRAY.
 H. Res. 111: Mr. MILLER of North Carolina.
 H. Res. 137: Mr. ELLISON.
 H. Res. 183: Mr. AUSTIN SCOTT of Georgia.
 H. Res. 265: Ms. ESHOO.
 H. Res. 268: Mr. GRAVES of Georgia, Mr. RICHMOND, Mr. WOMACK, Mr. FARENTHOLD, Mrs. BONO MACK, Mr. CAMP, Mr. MCHENRY, Mr. HECK, Mr. BARTON of Texas, Mr. RIBBLE, Mrs. NOEM, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. JACKSON of Illinois, Ms. MATSUI, Ms. SLAUGHTER, Mr. CARNAHAN, Mr. FRELINGHUYSEN, and Mrs. CHRISTENSEN.
 H. Res. 298: Mr. CLEAVER and Mr. CARNAHAN.
 H. Res. 317: Mr. MCKINLEY, Mr. TOWNS, Mr. ISRAEL, Ms. BERKLEY, Mr. AUSTIN SCOTT of Georgia, Mr. DEUTCH, Mr. GRIMM, Mr. SHULER, and Mr. DOLD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY: Mr. MCKEON

The provisions that warranted a referral to the Committee on Armed Services in H.R. 2278, to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY: Ms. ROS-LEHTINEN

The provisions that warranted a referral to the Committee on Foreign Affairs in House Joint Resolution 68, authorizing the limited use of the United States Armed Forces in Support of the NATO mission in Libya, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 47: Mr. PETERSON.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: MR. CARTER

AMENDMENT No. 31: Strike section 8127 (page 122, lines 6 through 9), relating to military musical units.

H.R. 2219

OFFERED BY: MR. GOHMERT

AMENDMENT No. 32: At the end of the bill (before the short title), add the following:

SEC. _____. None of the funds made available by this Act may be obligated, expended, or used in any manner to support operations, including NATO or United Nations operations, against Libya.

H.R. 2219

OFFERED BY: MR. BENISHEK

AMENDMENT No. 33: Page 16. line 13, strike “: *Provided further*” and all that follows through “this Act” on line 20.

H.R. 2219

OFFERED BY: MR. BENISHEK

AMENDMENT No. 34: Page 14. line 24, strike “: *Provided further*” and all that follows through “this Act” on page 15, line 5.

H.R. 2219

OFFERED BY: MR. BENISHEK

AMENDMENT No. 35: Page 14. line 4, strike “: *Provided further*” and all that follows through “this Act” on line 10.

H.R. 2219

OFFERED BY: MR. BENISHEK

AMENDMENT No. 36: Page 15. line 19, strike “: *Provided further*” and all that follows through “this Act” on line 25.

EXTENSIONS OF REMARKS

RECOGNITION OF THE 250TH ANNIVERSARY OF THE TOWN OF SHUTESBURY, MASSACHUSETTS

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. OLVER. Mr. Speaker, on June 30, 1761, the incorporation of the town of Shutesbury, Massachusetts, was approved by the colonial Governor of the Commonwealth of Massachusetts, Sir Francis Bernard. Named for former colonial Governor Samuel Shute, the town is an exemplification of the natural beauty of Massachusetts' rolling hills. After 250 years, Shutesbury remains a town largely untouched by the imperfections of modernity.

The town traces its history to 1735, when an east-west inland road was built to encourage commerce from Lancaster to Sunderland. Over the next century, residents constructed a meetinghouse and assembled a small town. The incorporation of Shutesbury in 1761 allowed residents to expand their community to include a church and public library. The town has grown to now include over 1,700 people while maintaining the charm and civility that Shutesbury has continually represented.

Shutesbury continues to thrive in western Massachusetts as a rural community amidst burgeoning cities. The promise of this town is rooted in its commitment to protecting natural resources and recognizing the capacity of forests, streams and rural communities for future generations to enjoy.

On the occasion of the 250th anniversary of the town of Shutesbury, Massachusetts, I congratulate its citizens and praise their dedication and perseverance throughout the town's history. I look forward with enthusiastic support as we continue together to work toward a prosperous future.

IN HONOR OF REVEREND THOMAS O'DONNELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Reverend Thomas O'Donnell, who has devoted his life to the enrichment of his community.

Reverend O'Donnell was born in Cleveland, Ohio at St. John's Hospital and is one of three children. His brother, Neil is now deceased and his sister Ellen Jane is a nun in Latrobe, Pennsylvania. Reverend O'Donnell spent much of his youth interested in music and eventually received a Bachelor's Degree in Music from Oberlin College before entering the seminary. Ordained on May 20, 1967,

Reverend O'Donnell first served at St. Clare Church in Lyndhurst, Ohio. Two years later he began teaching Sacred Music at St. Mary Seminary. While he was teaching, in 1972, Reverend O'Donnell began attending Case Western Reserve University to further his studies in Sacred Music.

After fourteen years at the seminary, during which time he also became Diocesan Director of Music and Assistant Director of the Diocesan Office for Pastoral Liturgy, he decided to return to parish ministry. Reverend O'Donnell then began to serve as a hospital chaplain, first at Brentwood and Suburban Hospitals and later as the Catholic Chaplain at MetroHealth Medical Center in Cleveland. He underwent a two year training course at the Cleveland Clinic prior to his work as a chaplain.

Reverend O'Donnell has been with Holy Name for fourteen years and has worked tirelessly for the betterment of his parish and the entire community. Reverend O'Donnell brought together a parish life steering committee and was integral in opening the John Paul II—Ozanam Hunger Center, along with churches in Slavic Village and several other suburban parishes. Furthermore, his parish now provides the area with five Alcoholics Anonymous meetings a week, a Parish Wellness Center, a hot meal program which serves the community twice a month, and countless other civic organizations and projects.

Mr. Speaker and colleagues, please join me in honor of Reverend Thomas O'Donnell, a hardworking, heartfelt individual who has devoted his life so tirelessly to God and his community.

PERSONAL EXPLANATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 478, I was unavoidably detained. Had I been present, I would have voted "aye."

HONORING HUGHSON POLICE CHIEF JANET RASMUSSEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Hughson Police Chief Janet Rasmussen, who rose through the ranks to become the County of Stanislaus and the City of Hughson's First Female Chief nearly 7 years ago, announced her retirement as of

July 30, 2011; after serving in law enforcement for 36 years; and

Chief Rasmussen started her law enforcement career as a Volunteer Dispatcher-Clerk in April 1975, School Resource Officer and Matron-Dispatcher-Clerk in May 1976, and Dispatcher-Clerk in June 1977 through January 1982, Explorer Advisor in January 1979 through January 1982; and Reserve Police officer in January 1979 through January 1982; and

Janet Rasmussen continued her career serving in the Tulare County Sheriffs Department, hired by the Corcoran Police Department in 1976, Tulare Police Department in 1977, Tulare Sheriff's Department in 1982; and the Stanislaus County Sheriff's Department in 1991; while attending College of the Sequoias and receiving her Associates of Science in Criminal Justice in 1981, becoming a P.O.S.T Graduate in 2002, and completing her Bachelors of Science program in 2006; and

Janet Rasmussen was selected as the First Woman Narcotics Detective in Tulare County and First Woman Sergeant to serve in patrol, the First Female selected in Stanislaus County Sheriffs Department, the First Woman Instructor for Stanislaus County Sheriffs Department at the Ray Simon Regional Training Center Police Academy for Firearms, Weaponless Defense, Expandable Baton, Oleoresin Capsicum; the First Woman Team Leader for a Hostage Negotiation Team and in 2005 was selected as the First Woman in Stanislaus County Sheriffs Department serving as Chief of Police for the City of Hughson; and

Allowed attendance only by invitation and through an extensive nomination process she was the 2nd Woman in Stanislaus County to attend the FBI National Academy graduating in 2007, whereby only 12,000 women out of 39,000 attended the academy since its inception in 1935; and during the Chief's tenure in Stanislaus County, Criminal and gang activity remained at a level that placed Hughson as one of the safest communities in the Stanislaus County compared to communities in the area; and

Chief Rasmussen was very active in various organizations and extended her service to society by participating and volunteering in various organization such as serving as Governing Board Member—Stanislaus County Association of Law Enforcement Executive; Joint Powers Advisory Board Member for the Stanislaus County Drug Enforcement Agency; Advisory Board Member for the Stanislaus County Domestic Preparedness Task Force and Joint Board Member for the Office of Emergency Services Operational Area County; and a Member of the FBI National Academy Association; receiving AAA Auto Theft Recovery Award; and the Excellence in Law Enforcement and Public Safety Award.

Chief Rasmussen has been an outstanding and highly effective Police Chief whose quiet

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and steady leadership is an excellent example to us all of how to serve humanity.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to law enforcement and the Hughson Community by Chief of Police Janet Rasmussen and hereby wish her continued success in her retirement.

THE INTERRELIGIOUS TASK FORCE ON CENTRAL AMERICA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor the InterReligious Task Force on Central America on the occasion of its 30th anniversary.

Since its inception, the IRTF has strived to promote peace, justice, human rights, and nonviolence in Central America by raising awareness in Northeast Ohio. It has constantly sought out policies that support anti-militarism, environmental human rights, economic justice, ending the exploitation of labor, and the promotion of fair trade in Central America.

In 1987, the IRTF started the Rapid Response Network for Human Rights, which allowed volunteers to write letters in order to protest urgent human rights abuses. Originally conceived to respond to human rights abuses in Guatemala, this service is currently available for all Central American nations and Colombia.

The IRTF has also worked to expose the negative effects of globalization in Central America. These effects include ecological destruction, privatization of utilities and other public services, a decrease in labor standards, and the disruption of local populations by large multi-national corporations. Through its efforts to promote fair trade, Northeast Ohio is now one of the largest markets for fair trade coffee in the United States.

Mr. Speaker and colleagues, please join me in honoring the InterReligious Task Force on Central America, an organization whose policies work to improve conditions for the oppressed peoples in Central America, on the occasion of its 30th anniversary.

25TH ANNIVERSARY OF HOSPICE AND PALLIATIVE CARE NURSES ASSOCIATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mrs. MCCARTHY of New York. Mr. Speaker, as a nurse of many years, I rise today to extend my sincere congratulations to the Hospice and Palliative Care Nurses Association (HPNA) on the occasion of its 25th anniversary (1986–2011). Representing nearly 10,000 members across the United States, HPNA is now the nation's largest and oldest professional nursing organization dedicated to promoting excellence in hospice and palliative

nursing care. Since 1986 HPNA has played an important role in promoting excellence among palliative nursing professionals through evidence-based educational tools, specialty resources, visionary collaboration, and professional networking. The important role that these nurses play in the lives of individuals and their families is worthy of celebration, and I add my voice to those honoring the organization's 25 years of service.

As my colleagues may know, nurses now comprise the largest group of health professionals with approximately 2.9 million providers offering essential care to patients in a variety of settings, including hospitals, long-term care facilities, community or public health areas, schools, workplaces and home care. Nurses represent the public interest and not a special interest. The contributions made by the practice and science of nursing are significant, and in collaboration with other healthcare professionals, significantly improves the quality of our nation's health care system. Simply put, nurses are involved in every aspect of health care, including end of life care. The field of hospice and palliative care nursing is instrumental in treating the person and taking into account the medical, social, psychological, and spiritual needs of a patient and their family at the end of life. This key field of nursing emphasizes quality of life at life's end, and for that I am grateful. Hospice is a covered benefit under Medicare, Medicaid, and most private insurance plans. I applaud HPNA for educating families and the public regarding these important considerations and care options.

Again, I commend the work, dedication and commitment of the hospice and palliative care nurses and the HPNA to improve the quality of life for individuals and their families at the end of life. I look forward to continuing to work with my fellow nurses in this important field as well as the critical patient population and families that they serve.

HONORING RACHEL ANSZELOWICZ

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. ISRAEL. Mr. Speaker, I rise today to commend an extraordinary constituent of mine, Rachel Anszelowicz.

Rachel visited my office recently to tell me about how difficult it is to live with type 1 diabetes. She told me about the painful glucose monitors and burdensome insulin pumps that she and other children with juvenile diabetes use to manage their disease. And, she told me about her increased risk as an adult for, among other ailments, kidney failure and heart disease. As a 2011 Children's Congress delegate from the Juvenile Diabetes Research Foundation, Rachel spoke with a poise and maturity beyond her 13 years.

In her fight with the disease, Rachel is not alone. As many as twenty-six million Americans have diabetes, which ultimately accounts for \$174 billion in health care costs in the United States, and twenty-two percent of hospital inpatient days. If we are to bring down this country's rising health care costs, then

new cost effective and high quality treatments for chronic diseases like diabetes will be a critical part of that effort.

Research by the Juvenile Diabetes Research Foundation and other clinical experts has indicated that an artificial pancreas could be a potentially transformative tool to manage type 1 diabetes. By automatically controlling blood glucose levels, it would drastically improve the quality of life for those like Rachel Anszelowicz who struggle daily with the disease.

There is currently no "quick-fix" or lasting solution for type 1 diabetes. There is no cure. So, for Rachel and my other constituents with juvenile diabetes, I will continue to support the research necessary to translate these and other innovations from lab tested to in daily use by patients.

IN HONOR OF THE 20TH ANNIVERSARY OF SLOVENIAN STATEHOOD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the 20th anniversary of Slovenian Statehood. I am also pleased to be joined by the Consul General of the Republic of Slovenia, Mr. Jure Zmauc, his wife, Mrs. Janja Zmauc, and Dr. Bostjan Zeks, Minister for Slovenes Abroad, to celebrate Slovenian Statehood Day.

The twenty-fifth of June is Slovenian Statehood Day, an annual celebration of Slovenia's independence and the sovereignty it gained in 1991. It is a commemoration of the struggles and triumphs of the people of Slovenia. It also serves as an opportunity for residents of northeast Ohio to celebrate the customs, traditions and contributions of Slovenian Americans to our community.

This year's celebration of Slovenian Statehood Day begins with a reception at the Slovenian Museum and Archives where a special exhibit depicting the role of Americans of Slovenian heritage that worked to gain independence will be on display. Later in the evening the city of Cleveland Mayor Frank Jackson and Councilmen Michael Polensek and Joe Cimperman will host an event that will feature musical performances by Raine Austen and the Men's Chorus Mi smo Mi.

Mr. Speaker and colleagues, please join me in honor and recognition of the 20th anniversary of Slovenian Statehood. Slovenia has grown in many facets over the years and should be recognized for its prosperity.

IN HONOR OF FATHER MARTIN MORONEY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Father Martin Moroney. He has

served as a pastor in Northern California and the Sacramento area since he came to this country in 1967. As his friends and family celebrate his retirement, I ask my colleagues to join me in thanking him for his dedication and leadership.

Born in County Clare in western Ireland, Father Moroney grew up in a small town on his family's farm. He loved the countryside of Ireland, but later felt very much at home in Northern California and the Sacramento area's cities and open spaces.

Father Moroney spent his 12 twelve years in the United States as an assistant pastor in several parishes, beginning with St. Mel's in Fair Oaks and St. Anthony's in Mt. Shasta. In 1970 he moved to St. Theresa's in South Lake Tahoe, and 6 years later he began to serve at Sacred Heart in Sacramento. In 1978 he transferred to All Hallows on 14th Avenue.

As Father Moroney gained experience in these welcoming parishes, he began to take on larger responsibilities. He became pastor of St. John's in Quincy; there he led his own parish as well as nearby Greenville's mission church. For 12 years, he happily served as spiritual leader for these two Plumas County communities.

In 1993, Father Moroney was asked to move to Rancho Cordova, where he has remained as pastor up until his retirement. The St. John Vianney parish in Rancho Cordova was very welcoming and quickly grew to love and respect him as their pastor. Father Moroney has dedicated his work and service to guide the church's followers for 18 years. During that time he has reached out to the Hispanic community and launched a program of Spanish-language masses. Furthermore, he recently oversaw the addition of monthly Indonesian-language masses to celebrate the Indonesian community in the area.

When Father Moroney first came to St. John Vianney's, the church had a \$200,000 debt. As he retires, Father Moroney is happy to report that the debt has been completely paid off. He is also ecstatic that the church's school fund has grown so much that the interest earned is helping support the school.

Father Moroney's retirement marks the end of almost half a century's dedication to helping others. He has made important contributions to every parish that he worked in, and helped countless individuals find their way. His leadership will be sorely missed from the Sacramento area and beyond, though his conviction and dedication will be remembered for a long time by the people he encountered across the state.

Mr. Speaker, I stand today to honor Father Moroney, who has been an exceptional community leader. He has devoted his life to serving and to assisting those around him. I ask all my colleagues to join me in wishing Father Moroney the best as he retires.

INTRODUCTION OF THE ROBIN DANIELSON ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mrs. MALONEY. Mr. Speaker, as a long-time advocate of women's health, I am proud

to reintroduce the Robin Danielson Act, legislation that would address the unanswered health concerns regarding the safety of tampons. Given the sheer number of women who use these products and the potential cumulative adverse effects, it is time women have definitive answers about the potential risk these products pose to their health.

Today, approximately 73,000,000 women in the United States use tampons made of cotton and rayon and the average woman may use as many as 16,800 tampons in her lifetime. Rayon is a synthetic fiber produced from bleached wood pulp. During this process, dioxin, a probable cancer-causing agent, is created. Although chlorine-free bleaching processes are available, most wood pulp manufacturers use elemental chlorine-free bleaching processes, which continue to produce dioxin. Due to a lack of access to timely and comprehensive information, most women are not fully aware of the potential risks associated with use of the mainstream product. Dioxins in tampons and TSS are serious women's health concerns that have not been adequately monitored, analyzed, or reported.

Like thousands of others, Robin Danielson, whom the bill is named after, was the victim of Toxic Shock Syndrome (TSS), a rare but potentially life-threatening illness that is often linked to high-absorbency tampon use. Robin's death could have been prevented if only she had recognized the symptoms. Even today, many women are not fully aware of the risks of tampon use or TSS. This legislation would direct the National Institutes of Health (NIH) to conduct research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and related products pose any health risks to women and asks the Centers for Disease Control (CDC) to collect and report information on Toxic Shock Syndrome (TSS).

According to the Center for Disease Control and Prevention, one to two of every 100,000 women between the ages of 15–44 years old will be diagnosed with TSS each year. Yet, the last national surveillance was conducted in 1987 and reporting of TSS by the states is voluntary. It is clear we do not have enough transparent or timely information to evaluate the reality of TSS today.

This legislation is necessary to provide women with accurate information about the safety of tampons and to increase awareness about the risk of TSS.

RECOGNITION OF THE 250TH ANNIVERSARY OF THE TOWN OF BELCHERTOWN, MASSACHUSETTS

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. OLVER. Mr. Speaker, on June 30, 1761, the town of Belcher's Town, Massachusetts, was incorporated by the colonial Governor of the Commonwealth of Massachusetts, Sir Francis Bernard. The town is named for Jonathan Belcher, colonial Governor of the Province of Massachusetts Bay from 1730

until 1741. After 250 years of development and innovation, Belchertown continues to promote civility and cooperation amongst its citizens.

Overlooking the Connecticut and Quaboag Valleys, Belchertown has long been a town connected to the thoroughfares passing through the area. Many of the original buildings were taverns to accommodate travelers; however, the first railroad in 1850 allowed greater diversity in the town's commercial endeavors. In the past century, Belchertown has continued to prosper while maintaining the community-oriented charm familiar to most of western Massachusetts.

The commitment to volunteerism and community service is traced throughout Belchertown's history. Its citizens stand as an example of what hard work and resolve can accomplish, as evidenced by the formidable carriage industry in the early 1800s, the town's first library in 1887, the development of Quabbin Reservoir in 1927, and the brave service of numerous citizens in every U.S. war except the War of 1812.

On the occasion of the 250th anniversary of the town of Belchertown, Massachusetts, I congratulate its citizens and praise their dedication and perseverance throughout the town's history. I look forward with enthusiastic support as we continue to work together for a prosperous future.

HONORING JAMES ADDY

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mrs. CAPITO. Mr. Speaker, I rise to recognize and honor, James Addy, the mayor of Harpers Ferry, West Virginia. Mayor Addy will retire this month after 10 successful years in the mayor's office. Jim has been Mayor since 2001 and is a professor of social studies at Bowie State University, where he teaches courses in American history. He has served a stalwart career as a public official and has worked relentlessly to improve his community.

Mayor Addy brought an honest and clear vision to Harper's Ferry where he has worked to bring a better life to its citizens. I have always valued his wise counsel.

In his terms in office, Mayor Addy has applied his wealth of knowledge. As a professor, he knows the common thread of American history and how lessons learned in the past are often repeated in the future. As a teacher and former assistant principal, he applied his ability to build relationships and mentor those who will follow in his footsteps, especially the younger generation. And finally as a product of a childhood in a neighborhood of Baltimore, he brought the idea of working for a better community and a greater good.

Mayor Addy, I hope that you enjoy your time out of public service. I know you will continue to teach and affect the young lives that you so believe in. I know that you will continue to be involved in all aspects of Harpers Ferry and its future.

You have done a great job. I wish you the very best.

HONORING PROFESSOR MEL BARON ON THE OCCASION OF HIS RECEIPT OF THE PINNACLE AWARD FROM THE AMERICAN PHARMACISTS ASSOCIATION FOUNDATION IN RECOGNITION OF HIS PIONEERING WORK TO ADDRESS THE PHARMACY NEEDS OF UNDERSERVED COMMUNITIES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to honor Professor Mel Baron of the University of Southern California School of Pharmacy upon his receipt of the Pinnacle Award for Individual Achievement by the American Pharmacists Association Foundation (APhA).

Dr. Baron, who is now celebrating his 52nd year in the pharmacy profession, ranks as a practice pioneer, an educational futurist and a regional force in meeting the pharmacy needs of our community. He has been a visionary in establishing pharmacy as part of the solution in meeting the health-care needs of Southern California's 2.7 million uninsured residents. Dr. Baron is a recognized leader in providing expanded pharmacy services in safety-net clinics that increase the number of patients served while also providing better and more cost-efficient care. His pioneering effort to secure USC's first funding grant for clinical pharmacy practice in safety-net clinics earned the School of Pharmacy the APhA Pinnacle Award for Group Practice, the American Society of Health-System Pharmacists' (ASHP) Best Practices Award and the American Association of Colleges of Pharmacy's (AACP) Transformative Community Service Award over the past few years.

Furthering his efforts to address the needs of underserved populations in Southern California, Dr. Baron has produced a series of Spanish and English fotonovelas (comic book-like pamphlets) on medication compliance, diabetes, folic acid, depression, dementia, pediatric asthma and childhood obesity. Recognizing the lack of culturally sensitive health information on these topics, Dr. Baron obtained grant funding to produce them. Through these materials, he has extended the reach of pharmacy expertise tremendously and offered vital information to the residents I represent in East Los Angeles. These fotonovelas have now been distributed across the country. In addition to the print versions, local actors have done theatrical readings of them at health fairs in Los Angeles. Currently, he is also leading an effort to produce a DVD series for prospective transplant patients and their families.

Earlier in his career, Dr. Baron worked in his own medical-building pharmacy. In the 1970s, he grew his business into a vibrant home-care pharmacy that met the pressing needs of patients struggling to live in a health-care environment with limited resources. At a time when home-care pharmacy services were in their infancy, Dr. Baron had the vision to use pharmacist expertise in the home-care setting to meet the needs of these patients.

Dr. Baron also approaches his teaching with excellence in mind. He originated externships for USC pharmacy students back in the 1980s—long before most pharmacy students were doing any clinical work in the early years of their curriculum. Dr. Baron recognized the wisdom of exposing pharmacy students to clinical settings early and often in their educational careers. Dr. Baron also has made it a priority to teach an annual course on leadership to pharmacy students.

Clearly, Dr. Baron has been at the forefront of the most pressing issues of pharmacy today. Through hard work, Dr. Baron's long and vibrant career has been marked by pioneering foresight and vision. In addition, his work has inspired students and served those in our community who are most vulnerable and in need.

Mr. Speaker, I ask my colleagues to please join me in congratulating Dr. Baron on his receipt of the Pinnacle Award and in thanking him for his half-century of exceptional service to our community. His tireless leadership, innovation and inspiration have made a tremendous contribution to our community and to the nation, and I extend to him my best wishes for many more successful years ahead.

**YORK RIVER WILD AND SCENIC
RIVER STUDY ACT OF 2011**

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Ms. PINGREE of Maine. Mr. Speaker, the York River in Maine is the cultural and economic heart of the York River watershed community. Standing on the banks of the river, I heard from community members about what the river means to them and how they have pulled together to protect this waterway. I also heard from the community about how the York River needs additional protections from increasing development pressures. The bill that I am introducing today commissions a feasibility study which will provide a comprehensive overview of the river and will evaluate whether the York River qualifies as a Wild and Scenic Partnership River within the National Park Service's Wild and Scenic Rivers System.

Watching two York River lobstermen tie up their boat, I wouldn't have guessed that the York River area is on the northern fringe of the Boston megalopolis in terms of population and development pressures. The towns of York, Eliot, Kittery, and South Berwick recognize that without additional knowledge and management tools, the river's unique cultural, recreational, commercial, and natural resources will be threatened. Support for the York River Study Bill was the result of a partnership between the local environmental community, a local land trust, support from the state, and, most importantly, support from an entire community of Mainers with the foresight to recognize the value of the river to the business community.

The York River is located in southern Maine and runs 11.25 miles from the York Pond in Eliot to the mouth of the river harbor in the town of York. On its way from the land to the

sea, this river passes by farms, old mills that date back to the 1600s, wharves and warehouses from the 1700s that tell the story of Maine's rich fishing heritage, public boat launches, working waterfronts, and recreational spots for lunching, fishing and kayaking. There have been concerted and successful efforts over the past ten years by the York Land Trust and the Mount Agamenticus to the Sea Conservation Initiative to protect land in the watershed. These efforts have included preserving historic waterfront access, preventing the subdivision of farms, and restoring habitat.

Listed as a Priority Coastal Watershed by the Maine Department of Environmental Protection, the York River watershed encompasses a wide diversity of habitats and ecological communities that support species including the wild brook trout, the Atlantic Salmon, the New England Cottontail, and Maine endangered species, such as the Eastern Box Turtle. Birders come to the York River to see exceptional varieties of birds including the threatened Harlequin Duck, which is seldom seen from shore anywhere in Maine except York County, as well as other species that call the York River home, like great blue herons, bald eagles and ospreys.

The York River is also a classroom for young environmentalists—a place where students actively learn about the values and ecology of the river habitat through forward-looking environmental curricula developed by the public schools. In addition to its value as a natural setting for young and old learners alike, the river also serves as a recreational center. The waterways of the York River provide fishing grounds for residents and visitors who fish for striped bass and flounder, and the river is increasingly used for sailing, canoeing, and kayaking.

But, the York River is more than a beautiful place with abundant natural resources. It is also a place where people are making their living. Small fishing operations carry on trades that have been practiced on the river for hundreds of years. Sections of the York River are nationally recognized historic working waterfronts, and continue to provide access to the river for water-dependent businesses. Through preservation of historic waterfront access points such as Sewall's Bridge, the York River community has made it possible for local lobstermen to continue to engage in a trade that has shaped and continues to define the spirit of Maine. And, the York River watershed is a place where farmers carry on Maine tradition, growing pumpkins, potatoes and other produce that keep Maine communities healthy. These farmers face the same development pressures that waterfront businesses do, and the York River community has made it possible for farms like Highland Farm to keep providing sustainable local food sources.

Visitors come to the York River to enjoy its unique recreational, scenic, and historic values, and the York River community welcomes them and recognizes that preserving and maintaining this vibrant landscape is of critical economic importance. The York River community's investments in conservation have been substantial and have resulted in the preservation of natural and historical aspects of the river that draw visitors from throughout Maine

and throughout the nation. This study bill will be a vital means of continuing to support these important efforts so that the York River can remain a community resource for future generations.

COMMEMORATING THE 175TH ANNIVERSARY OF THE NATIONAL LIBRARY OF MEDICINE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. BURGESS. Mr. Speaker, today I rise to commemorate the 175th anniversary of the National Library of Medicine. What began in 1836 as a small collection of medical books on a shelf in the library of the U.S. Army Surgeon General is now the world's largest biomedical library. The National Library of Medicine, part of the National Institutes of Health, is located in Bethesda, Maryland.

Today, the National Library of Medicine is much more than a collection of books. The National Library of Medicine is dedicated to the innovative use of communications and medical information to enhance public access and understanding of human health as well as to provide valuable information resources for medical research. Whether it is serving to facilitate advances in medical technology, empowering the public to play an active role in managing health and health care, developing groundbreaking electronic health records, or responding to national emergencies with disaster management research, the National Library of Medicine is the world's most trusted resource for health information and innovation.

This historic anniversary is an opportunity to recognize the valuable contributions the National Library of Medicine has made to scientific discovery, health care delivery, and public health response. It is with great honor that I congratulate the National Library of Medicine on 175 years of excellence in medical and health information and look forward to seeing the positive effects its continuing innovation will have in the future.

HONORING NINOSKA PEREZ CASTELLON

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. DIAZ-BALART. Mr. Speaker, I rise today to recognize the work and accomplishments of a distinguished radio journalist, artist and community activist of South Florida, Ninoska Perez Castellon.

Ninoska Perez Castellon is a prominent figure among the exiled Cuban community and deserves our upmost respect for always promoting democracy and freedom. Ninoska was born in Havana, Cuba. At the age of nine, her family was forced to flee from communist Cuba, leaving Ninoska to begin a new life in the United States. Ninoska's family began to transition to their new life by adapting to the

American culture and language; nevertheless, their roots were never forgotten.

Being raised and educated in Miami allowed her to be close to her family who ingrained values and morals into Ninoska that hold true today. Her mother, Mrs. Rogelia Castellon has not only been a loving mother but has also been a fountain of knowledge and wisdom for her daughter. Rogelia is an intellectual and indefatigable fighter for the liberty of Cuba. Despite the tribulations she has endured, Rogelia refuses to be discouraged.

Learning perseverance from her mother, Ninoska completed her studies at Miami-Dade College and the University of Miami. At a very young age, Ninoska began her role as an active leader against the tyranny of Castro's communism. She has not only advocated for Cuba's liberty on American soil but her message has reached many hearts and ears around the world. Her voice has broken many barriers of an enslaved country living under the most prolonged and cruelest dictatorship in the continent.

Ninoska and her husband, Roberto Martin Perez, tirelessly condemn each crime committed by the Castro regime. Roberto is an exemplary individual who experienced firsthand the horrors of Cuban prisons with courage and dignity for 28 long years.

Ninoska's profound knowledge and expertise led her to testify before the U.S. Congress as an expert witness on Cuban issues. As a founder of various Cuban-American organizations, Ninoska has gained the respect of numerous exiled communities residing in South Florida.

Ninoska symbolizes the American dream and is testament to what can be accomplished through hard work and dedication. For over 25 years, she has developed professionalism in her work as a journalist and is now one of the most recognized personalities in radio, television and print media. She currently produces and directs the program Ninoska Mambi on the emblematic Spanish radio station Radio Mambi. In addition to her continued journalistic success, Ninoska is also a talented artist. Her artwork portrays her undying love of Cuba and has been displayed in many galleries.

As a lover of freedom and democracy, Ninoska defends the United States with the same dedication and passion as she does for Cuba. Ninoska, having immense passion, has never ceased to denounce the crimes and abuses of totalitarian regimes. Her ideas and knowledge will be everlasting in the books she has written.

Mr. Speaker, I ask my colleagues to join me in recognizing my dear friend, Mrs. Perez Castellon for her morals and principles, her loyalty and love of Cuba, as well as her talent and dedication to our community of South Florida. My most sincere appreciation and admiration goes out to you, Ninoska Perez Castellon, you are a special person who has dedicated a life both, personally and professionally, fighting for democratic principles and the liberty of Cuba.

HONORING U.S. MERCHANT MARINE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. REED. Mr. Speaker, I rise today to acknowledge the tremendous work accomplished by the U.S. Merchant Marine during World War II.

Those who served on ships in the Merchant Marine risked their lives and welfare during World War II to protect our country. Like our other service members, the Merchant Marine members served in both theaters of war. They faced enemy fire, floating mines and other dangerous conditions. Unfortunately the risks faced by these brave men have often been forgotten.

Mr. Speaker, one of my constituents, Jacena Brahm, wrote me a letter to tell me about her husband, Vernon Lee Brahm, who served in the U.S. Merchant Marine. I'm proud to recognize Mr. Brahm and all the brave men who served in the Merchant Marine during World War II. These men committed their lives to America's cause by leaving their families and their homes and putting themselves in harm's way to help win the war. I commend these brave souls for all that they did to ensure our freedom. The Merchant Marine helped lead us to victory.

The sacrifices of our veterans have been appreciated throughout the history of our nation, and that demonstration of respect should not be denied to those in Merchant Marine who also defended our nations' interests in World War II.

HONORING JEANETTE SUTHERLIN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Jeanette Sutherlin on her retirement from the University of California Cooperative Extension; and to thank her for her dedicated, lifelong spirit of community service.

Since joining the University of California Cooperative Extension in 1973, Jeanette has been a leading advocate for nutrition and agricultural education, working tirelessly to implement nutrition education and youth development programs throughout Fresno County.

Jeanette began her career at the University of California Cooperative Extension in Fresno County as the 4-H Advisor. She later took over the role of Nutrition, Family and Consumer Sciences Advisor where she focused on providing nutrition education and access to healthy nutrition for low-income families in Fresno County. In addition, she successfully secured more than a half-million dollars in grants each year to fund multiple projects related to nutrition and agricultural education.

Jeanette's hard work in the Fresno County agriculture industry is deeply valued by those who have worked with her. One of Jeanette's

main focuses was strengthening a nearly decade long relationship between the University of California Cooperative Extension and the Fresno County Farm Bureau. President Brian Pacheco commemorated Jeanette's contributions to the Fresno County Farm Bureau, stating, "Jeanette's expertise in nutrition education, youth development and administration has been an asset to the Fresno County Farm Bureau, and her services will not be soon forgotten."

Beyond her work at the University of California Cooperative Extension and Fresno County Farm Bureau, Jeanette has volunteered much of her time to philanthropic endeavors. She currently serves as Chairperson of the Board for the Trauma Intervention Program, providing emotional aid and practical support to victims of traumatic events and their families in the hours following a tragedy.

Mr. Speaker, please join me in honoring Jeanette Sutherlin on her retirement and wishing her the best of luck and health in her future endeavors.

SUPPORT OF A NATIONAL WORLD WAR I MEMORIAL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Ms. NORTON. Mr. Speaker, I submit the following:

Whereas, the year 2014 marks the centennial of World War I, often referred to as the "Great War;"

Whereas, the National Mall is home to memorials for America's major 20th century conflicts—the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial, with the exception of a World War I Memorial;

Whereas, the District of Columbia War Memorial, managed by the National Park Service, was dedicated to the more than 26,000 District of Columbia residents who, without a vote in Congress, served bravely in World War I, including 499 who were killed;

Whereas, a memorial dedicated to all Americans who served in World War I should be located in our nation's capital, in a well-traveled area commensurate with the importance of World War I in the nation's history;

Whereas, members of Congress and other Americans desire to establish a commission to ensure a suitable observance of the World War I centennial;

Whereas, the National Park Service, the National Capital Memorial Advisory Commission, and the American Battle Monuments Commission have specifically determined that either adding a new National World War I Memorial in the vicinity of the District of Columbia Memorial or re-designating the District of Columbia Memorial as a National World War I Memorial would violate the Commemorative Works Act: Be it therefore

Resolved that, the District of Columbia War Memorial should remain a memorial dedicated solely to the D.C. residents who served in World War I; and, be it therefore

Resolved that, a proper location for a memorial dedicated to all Americans who served

in World War I shall be determined; and, be it therefore

Resolved that, Congress should authorize a study or commission to determine a proper location for a memorial dedicated to all Americans who served in World War I.

HONORING COLONEL VINCENT QUARLES ON HIS COMMAND OF THE CHICAGO DISTRICT OF THE UNITED STATES ARMY CORPS OF ENGINEERS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with the deepest admiration that I take this opportunity to honor Colonel Vincent Quarles. Colonel Quarles has spent the last three years as the District Commander for the United States Army Corps of Engineers, Chicago District. At this post, Colonel Quarles has undertaken immense responsibility, overseeing water resources development in the Chicago metropolitan area, an area of about 5,000 square miles with a population nearing 8 million. Since his arrival at the Chicago District on July 1, 2008, Colonel Quarles has served all who live in his District of responsibility with unwavering devotion. He has deeply touched many lives and is deserving of our sincerest gratitude. On behalf of both myself and my constituents, I take this opportunity to thank Colonel Quarles who will be relinquishing his command to Colonel Fred Drummond on June 30, 2011, at the Harold Washington Library Center in Chicago, Illinois.

Colonel Vincent Quarles began his impressive military career as a Cannon Fire Direction Specialist, Charlie Battery, 113th Field Artillery Battalion. Upon graduating from college, Colonel Quarles was granted a federal commission in the Corps of Engineers and entered active service in 1987. He was assigned to 8th Engineer Battalion, 1st Cavalry Division, Fort Hood, Texas, where he served as a Sapper Platoon Leader, an Assault and Obstacle Platoon Leader, and a Company Executive Officer. From this post, Colonel Quarles deployed to Operation Desert Shield and Operation Desert Storm as the Battalion Maintenance Officer. In 2000, Colonel Quarles reported to Engineer Brigade, 3rd Infantry Division, Fort Stewart, Georgia. From there, he deployed to Bosnia Herzegovina as the Brigade Operations Officer in support of stabilization operations. Upon his return from Bosnia in 2001, Colonel Quarles was reassigned as Executive Officer, 10th Engineer Battalion until 2002. Colonel Quarles deployed to Iraq in support of Operation Iraqi Freedom in 2003. While overseas, his battalion managed more than 300 construction contracts at a cost exceeding \$326 million as well as emplacing and maintaining the brigade's communication network, operating the brigade's internment facility, and providing brigade organic military intelligence capabilities. Post battalion command, Colonel Quarles served as the Mobility Team Chief, Dominant Maneuver Division of Force Development, Army G-8 from 2006–2008.

Colonel Quarles' educational background is very impressive in its own right. As a member of the United States Army, Colonel Quarles completed both the United States Army Engineer Basic and Advanced Courses. From 1997–1999, Colonel Quarles taught Civil and Mechanical Engineering at the United States Military Academy where he also acted as the Department's Executive Officer. Next, he went on to graduate from the Command and General Staff College in 2000. His civilian educational accomplishments are noteworthy as well. He earned both an undergraduate degree from Norfolk State University and a Master's Degree in Mechanical Engineering from North Carolina State University.

Colonel Quarles' outstanding military career is exceeded only by his devotion to his amazing family. It has been a pleasure to become acquainted with the Quarles family. I would also like to congratulate Colonel Quarles and his wonderful wife, Auratha, on their upcoming 25th wedding anniversary on July 5, 2011. They have two beloved children, Vincent and Alisha, who I also have the pleasure of knowing.

Mr. Speaker, from a very young age, Colonel Quarles has selflessly served his country and his fellow Americans. Thus far, his life has truly been a model of self-sacrifice and dedication to others. Since joining the Army Corps of Engineers Chicago District, Colonel Quarles has overseen numerous projects aimed at improving the quality of life for all those he serves. He has had an especially profound impact in Indiana's First Congressional District. Colonel Quarles has exhibited utmost concern for its residents and deserves our sincerest gratitude. I respectfully ask that you and my other distinguished colleagues join me in honoring Colonel Vincent Quarles for his outstanding contributions and constant dedication to Indiana's First Congressional District.

CONGRATULATING COLONEL GINA M. GROSSO ON HER ELEVATION TO BRIGADIER GENERAL

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. RUNYAN. Mr. Speaker, I humbly rise today to congratulate one of my constituents, Colonel Gina M. Grosso, on her elevation to the rank of Brigadier General. Brigadier General Grosso is currently the Joint Base and 87th Air Base Wing Commander at Joint Base McGuire-Dix-Lakehurst in my district. She entered the Air Force in 1986 as a ROTC distinguished graduate from Carnegie-Mellon University. She has held several command and staff positions throughout her career. Her command tours include Headquarters Squadron Section, Military Personnel Flight, Mission Support Squadron, and command of the Air Force's sole Basic Military Training Group. I am tremendously proud of Brigadier General Grosso and I know she will continue to serve her country with honor and distinction. Mr. Speaker, please join me in congratulating Brigadier General Gina M. Grosso.

INTRODUCTION OF THE PREPARE ALL KIDS ACT OF 2011

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mrs. MALONEY. Mr. Speaker, the value of investing in early education is clear: Early education lays the foundation for lifelong learning and prepares children to succeed academically and in life. Studies show that children who attend high-quality preschool are more successful in school, more likely to graduate from high school, and thus more likely to become productive adults who contribute to the U.S. economy.

That is why today I am pleased to reintroduce the Prepare All Kids Act, which would assist states in providing at least one year of high-quality pre-kindergarten to children, with a focus on children from low-income families and children with special needs. This legislation ensures a high-quality learning environment by limiting classroom size to a maximum of 20 children and children-to-teacher ratios to no more than 10 to 1.

Introduced in the Senate by my colleague on the Joint Economic Committee, Sen. CASEY of Pennsylvania, I am happy to be introducing this House companion bill.

I urge my colleagues to support the Prepare All Kids Act and further invest in our nation's great resource—our children.

SALUTING SERVICE ACADEMY STUDENTS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America. I salute these young men and women.

The name and hometown of each appointee follows:

THIRD CONGRESSIONAL DISTRICT SERVICE ACADEMY BOUND STUDENTS CLASS OF 2015

UNITED STATES MILITARY ACADEMY

1. Brianna Burnstad—Plano, Texas—Plano Senior High School
2. Kevin Carringer—Plano, Texas—Plano West Senior High School
3. SPC David Crossley—Plano, Texas—Plano Senior High School *Prior active duty service in the U.S. Army as an E-4.
4. Christopher Gordon—Plano, Texas—Plano West Senior High School *Attended Boston University

5. Corporal Benjamin Ridder—Allen, Texas—Allen High School *Prior active duty service in the U.S. Army as an E-4.

6. Michael Roberto—Plano, Texas—Cistercian Preparatory School

UNITED STATES NAVAL ACADEMY

1. James Kennington—Plano, Texas—Plano West Senior High School

2. Amber Lowman—McKinney, Texas—McKinney High School

3. Ryan Martinez—Plano, Texas—Cistercian Preparatory School

UNITED STATES AIR FORCE ACADEMY

1. Elizabeth Carpenter—Murphy, Texas—Plano East Senior High School

2. Emma Dridge—Allen, Texas—Allen High School

3. Joseph Hays—Plano, Texas—Plano West Senior High School

4. Jeffrey Herrera—Murphy, Texas—Wylie High School

5. Corbin Palmer—Frisco, Texas—Centennial High School *Attended the U.S. Air Force Academy Preparatory School

UNITED STATES MERCHANT MARINE ACADEMY

1. Emily Boyson—Garland, Texas—Bishop Lynch High School

2. Kioumars Rezaie—Plano, Texas—Plano West Senior High School

3. Amanda Rigsby—Plano, Texas—Plano East Senior High School

4. Connor Willcox—McKinney, Texas—McKinney Boyd High School

PERSONAL EXPLANATION

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. LONG. Mr. Speaker, on Monday, May 23, Tuesday, May 24, Wednesday, May 25, Thursday, May 26 and Friday, May 27, I was in Joplin, Missouri, assisting my constituents as they work to recover from one of the deadliest tornados in United States history. I was able to interact directly with Federal Emergency Management Agency officials, including Administrator William Fugate, in trying to assist my constituents as best I could.

Due to this tragedy, I was unable to vote on any legislative measure this week.

On Motion to Suspend the Rules and Pass as Amended the Honoring American Veterans Act of 2011, Rollcall Vote No. 330, had I been present I would have voted "yes."

On Motion to Suspend the Rules and Pass as Amended the Restoring GI Bill Fairness Act of 2011, Rollcall Vote No. 331, had I been present I would have voted "yes."

On Motion to Suspend the Rules and Pass H.R. 1657, Rollcall Vote No. 332, had I been present I would have voted "yes."

On Ordering the Previous Question, Rollcall Vote No. 333, had I been present I would have voted "yes."

On Agreeing to the Resolution H. Res. 269, Rollcall Vote No. 334, had I been present I would have voted "yes."

On Motion that the Committee Rise for H.R. 1216, Rollcall Vote No. 335, had I been present I would have voted "no."

On the amendment of Mr. TONKO of New York, Amendment No. 2 to H.R. 1216, Rollcall Vote No. 336, had I been present I would have voted "no."

On the amendment of Mr. CARDOZA of California, Amendment No. 9 to H.R. 1216, Rollcall Vote No. 337, had I been present I would have voted "no."

On the amendment of Ms. FOXX of North Carolina, Amendment No. 7 to H.R. 1216, Rollcall Vote No. 338, had I been present I would have voted "yes."

On Motion to Recommit with Instructions H.R. 1216, Rollcall Vote No. 339, had I been present I would have voted "yes."

On Passage of H.R. 1216, to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations, Rollcall Vote No. 340, had I been present I would have voted "yes."

On Ordering the Previous Question for H. Res. 276, Providing for further consideration of H.R. 1540, Rollcall Vote No. 341, had I been present I would have voted "yes."

On Agreeing to the Resolution, H. Res. 276, Providing for further consideration of H.R. 1540, Rollcall Vote No. 342, had I been present I would have voted "yes."

On the amendment of Ms. WOOLSEY of California, Amendment No. 2 to H.R. 1540, Rollcall Vote No. 343, had I been present I would have voted "no."

On the amendment of Mr. HUNTER of California, Amendment No. 12 to H.R. 1540, Rollcall Vote No. 344, had I been present I would have voted "no."

On the amendment of Mr. SARBANES of Maryland, Amendment No. 24 to H.R. 1540, Rollcall Vote No. 345, had I been present I would have voted "no."

On the amendment of Mr. MURPHY of Connecticut, Amendment No. 25 to H.R. 1540, Rollcall Vote No. 346, had I been present I would have voted "no."

On the amendment of Mr. COLE of Oklahoma, Amendment No. 27 to H.R. 1540, Rollcall Vote No. 347, had I been present I would have voted "yes."

On the amendment of Mr. GARAMENDI of California, Amendment No. 28 to H.R. 1540, Rollcall Vote No. 348, had I been present I would have voted "no."

On the amendment of Ms. MALONEY of New York, Amendment No. 26 to H.R. 1540, Rollcall Vote No. 349, had I been present I would have voted "no."

On the amendment of Mr. HIMES of Connecticut, Amendment No. 30 to H.R. 1540, Rollcall Vote No. 350, had I been present I would have voted "no."

On the amendment of Ms. JACKSON LEE of Texas, Amendment No. 31 to H.R. 1540, Rollcall Vote No. 351, had I been present I would have voted "no."

On the amendment of Mr. ANDREWS of New Jersey, Amendment No. 32 to H.R. 1540, Rollcall Vote No. 352, had I been present I would have voted "no."

On the amendment of Mr. RICHMOND of Louisiana, Amendment No. 37 to H.R. 1540, Rollcall Vote No. 353, had I been present I would have voted "no."

On the amendment of Mr. MICA of Florida, Amendment No. 38 to H.R. 1540, Rollcall Vote No. 354, had I been present I would have voted "yes."

On the amendment of Mr. FLAKE of Arizona, Amendment No. 40 to H.R. 1540, Rollcall Vote

No. 355, had I been present I would have voted "yes."

On the amendment of Mr. SMITH of Washington, Amendment No. 42 to H.R. 1540, Rollcall Vote No. 356, had I been present I would have voted "no."

On the amendment of Mr. BUCHANAN of Florida, Amendment No. 43 to H.R. 1540, Rollcall Vote No. 357, had I been present I would have voted "yes."

On the amendment of Ms. MALONEY of New York, Amendment No. 47 to H.R. 1540, Rollcall Vote No. 358, had I been present I would have voted "no."

On the amendment of Mr. MACK of Florida, Amendment No. 48 to H.R. 1540, Rollcall Vote No. 359, had I been present I would have voted "yes."

On the amendment of Mr. LANGEVIN of Rhode Island, Amendment No. 49 to H.R. 1540, Rollcall Vote No. 360, had I been present I would have voted "no."

On the amendment of Mr. AMASH of Michigan, Amendment No. 50 to H.R. 1540, Rollcall Vote No. 361, had I been present I would have voted "no."

On the amendment of Mr. CAMPBELL of California, Amendment No. 53 to H.R. 1540, Rollcall Vote No. 362, had I been present I would have voted "no."

On the amendment of Mr. CAMPBELL of California, Amendment No. 54 to H.R. 1540, Rollcall Vote No. 363, had I been present I would have voted "no."

On the amendment of Mr. CHAFFETZ of Utah, Amendment No. 56 to H.R. 1540, Rollcall Vote No. 364, had I been present I would have voted "no."

On the amendment of Mr. POLIS of Colorado, Amendment No. 60 to H.R. 1540, Rollcall Vote No. 365, had I been present I would have voted "no."

On the amendment of Mr. CONYERS of Michigan, Amendment No. 61 to H.R. 1540, Rollcall Vote No. 366, had I been present I would have voted "yes."

On the amendment of Mr. FLAKE of Arizona, Amendment No. 62 to H.R. 1540, Rollcall Vote No. 367, had I been present I would have voted "no."

On the amendment of Mr. ELLISON of Minnesota, Amendment No. 63 to H.R. 1540, Rollcall Vote No. 368, had I been present I would have voted "no."

On the amendment of Ms. LORETTA SANCHEZ of California, Amendment No. 64 to H.R. 1540, Rollcall Vote No. 369, had I been present I would have voted "no."

On the amendment of Ms. JACKSON LEE of Texas, Amendment No. 111 to H.R. 1540, Rollcall Vote No. 370, had I been present I would have voted "yes."

On the amendment of Mr. TURNER of Ohio, Amendment No. 148 to H.R. 1540, Rollcall Vote No. 371, had I been present I would have voted "yes."

On the amendment of Mr. CRAVAACK of Minnesota, Amendment No. 152 to H.R. 1540, Rollcall Vote No. 372, had I been present I would have voted "yes."

On the amendment of Mr. MCGOVERN of Massachusetts, Amendment No. 55 to H.R. 1540, Rollcall Vote No. 373, had I been present I would have voted "no."

On Motion to Recommit with Instructions H.R. 1540, Rollcall Vote No. 374, had I been present I would have voted "no."

On Passage of H.R. 1540, to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, Rollcall Vote No. 375, had I been present I would have voted "yes."

On Motion to Concur in the Senate Amendment to the House Amendment, S. 990, the Small Business Additional Temporary Extension Act of 2011, Rollcall Vote No. 376, had I been present I would have voted "yes."

HONORING C. FREDERICK ROBINSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. KILDEE. Mr. Speaker, it is with a profound sadness that I rise today to pay tribute to a dear friend, Attorney C. Frederick Robinson, who passed away on Saturday, June 18th in Flint Michigan.

C. Frederick Robinson moved to Flint after receiving his Doctorate of Jurisprudence from Howard University in 1956. He was admitted to the State Bar of Michigan and established his practice in an office at the corner of Saginaw and Baker Streets. He practiced law in the City of Flint continuously since that time. From the beginning of his career, C. Frederick was an outstanding advocate for justice. He was a passionate fighter for the poor, disenfranchised and minority communities and I have been his friend for over 50 years.

As a leader in the civil rights movement, C. Frederick's list of landmark cases is extensive. He initiated the complaint that ended the Flint Board of Education practice of separate screening committees for black and white teachers. He initiated the lawsuit that ended the Flint Memorial Park Cemetery practice of not allowing blacks to be buried at the cemetery. He participated in the lawsuit that declared the local loitering ordinance unconstitutional. He led the effort to have the first black to be elected to the Flint Board of Education and the fight to have the first black female elected to the same body. He was instrumental in the election of the first black Secretary of State in Michigan. He participated in the lawsuit to allow the NAACP to erect a platform at Flint City Hall to hold a rally. He also represented Clifford Scott in a lawsuit to enact Affirmative Action in the construction business.

In 1968 C. Frederick Robinson helped shape civil rights history in the United States. He and his partner, A. Glen Epps, wrote Flint's open housing ordinance. I remember numerous open housing strategy sessions at C. Frederick's office, the 50 Grand Club, the Vets Club, and the Golden Leaf. I also recall the picket lines which brought Governor George Romney to Flint for a unity rally that drew thousands. The ordinance was placed on the ballot and C. Frederick was determined it would pass. C. Frederick was tireless in his efforts to galvanize the community when working on the fair housing referendum. When the vote was taken on February 20, 1968, Flint became the first city in the nation to pass by

popular vote an open housing referendum. C. Frederick said years later about the vote, "We resolved to change the community, we narrowly won." He was a seeker of justice and a natural leader who was assertive when pushing for what he believed in.

For his lifetime of service, C. Frederick was inducted into the National Bar Association Hall of Fame. Other organizations that have honored him include the Mallory, Van Dyne and Scott Bar Association, the Genesee Bar Association, and the NAACP. He has served as an Executive Board Member of the NAACP, President of the Community Civil League, was a founder and President of the Urban Coalition of Flint. He was a member of Christ Fellowship Baptist Church, a life member of the Flint NAACP, and a member of the Trade Leader Membership Council. Deeply committed to education, he prepared his three daughters, Dr. Debra Robinson, Attorney Rachel Robinson, and Yvette Robinson, a Social Worker, to work hard and achieve their dreams.

Mr. Speaker, I ask the House of Representatives to take a moment of silence to remember the life of C. Frederick Robinson. My condolences go out to his family and friends. I deeply mourn his passing and will miss his enthusiasm, his outspoken passion for justice, and his love of life. May his legacy of compassion for those less fortunate live on after him for many, many years.

PERSONAL EXPLANATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. DUNCAN of Tennessee. Mr. Speaker, on rollcall No. 472, final passage of H.R. 2021 "to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities," I mistakenly voted "nay" when I intended to vote "yea." I have always supported efforts to expand American oil production.

ASIAN AMERICAN HOTEL OWNERS ASSOCIATION APPRECIATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. WILSON of South Carolina. Mr. Speaker, Asians have a rich tradition of entrepreneurship, self-improvement, and family values. After India's independence in 1947, many of that country's young people immigrated to the United States to pursue their education and "the American Dream." The hospitality industry was a popular career choice because it offered immediate housing and cash flow, as well as the opportunity to assimilate into society despite any cultural differences.

Soon, the name "Patel" became synonymous with the hotel business. In ancient India, rulers appointed a record keeper to keep track of annual crops on each parcel of land, or "pat." That person became known as a "Patel." At first, many of these hoteliers met

with resistance, especially from bankers and insurance companies who discriminated against Indians, specifically those with the last name Patel.

To resolve this issue, a group of hoteliers formed a hospitality association in 1985 and grew its membership nationwide. Eventually the Asian American Hotel Owners Association (AAHOA) was born from the merger of similar groups. Last week, AAHOA held its annual national convention at The Sands Expo Center in Las Vegas, Nevada. I was hosted by the 2010–2011 AAHOA Board of Directors made up of Chairman Hemant (Henry) Patel, Vice Chairman Alkesh Patel, Treasurer Mukesh (Mike) Patel, Secretary Pratik (Prat) Patel, Ex-officio Chandrakant (C.K.) Patel, and President Fred Schwartz. I was accompanied by Second Congressional District Communications Director Neal Patel of Nichols, S.C. Representing over 40 percent of America's hotels and motels, AAHOA is the voice of owners in the hospitality industry. It is now one of the fastest-growing organizations in the industry, with more than 10,000 members owning more than 20,000 hotels that total \$128 billion in property value. AAHOA is dedicated to promoting and protecting the interests of its members by inspiring excellence through programs and initiatives in advocacy, industry leadership, professional development, member benefits, and community involvement.

I am proud of AAHOA's growth and look forward to its continued success in the future creating jobs for the people of America.

PERSONAL EXPLANATION

HON. RICK BERG

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. BERG. Mr. Speaker, due to emergency flooding in my home state of North Dakota, I will be unavoidably detained for the remainder of the week (Beginning at 4 p.m. on Thursday, June 23). I ask that everyone please join me in keeping these residents who are fighting for their homes and their communities in their thoughts and prayers, and to stand with Minot and other communities up and down the Souris River to ensure a strong recovery.

HONORING ROBERT AND ELEANOR HOLMES FOR THEIR OUTSTANDING KINDNESS AND GENEROSITY IN THE ADOPTION AND PARENTING OF THEIR 5 GREAT GRANDSONS

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. HANNA. Mr. Speaker, I proudly rise today to recognize Robert and Eleanor Holmes, retired couple in their 70's who adopted and are raising their five great-grandchildren. On September 15, 2006, a Family Court judge declared the boys' home life unsuitable, yet despite their retirement, Robert

and Eleanor volunteered to nurture and provide for these children. Mr. and Mrs. Holmes provide their great-grandchildren with an environment that includes love, support, direction and discipline.

Robert formerly worked as a drug educational counselor for the Utica and Syracuse schools systems. Much of his work involved motivational speeches encouraging students to make safe, healthy choices, establish strong self-esteem and model citizenship values—all of which he has now passed on to his great-grandchildren.

Thanks to Mr. and Mrs. Holmes, these brothers were able to transition together into a safe and happy family environment. It is truly exceptional for the boys to have two positive role models in their lives. Each of the five boys have become excellent students. They participate in athletics and are well-known for being polite and courteous. A true happy family, Robert and Eleanor can be seen cheering for the boys at almost every one of their sporting events.

Exemplary citizens such as Robert and Eleanor Holmes should be appreciated and acknowledged by our society. It is fitting that the Family Nurturing Center of CNY, Inc. has selected the Holmes as its Family of the Year. There is no greater gift than that of a stable and safe home, which is the gateway to a bright future. Robert and Eleanor Holmes are ideal Americans whose story should be celebrated. Mr. Speaker, I proudly ask you to join me in honoring Robert and Eleanor Holmes for their exceptional generosity and kindness.

RECOGNIZING COMMANDER ROB WARREN OF THE U.S. COAST GUARD

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. LoBIONDO. Mr. Speaker, I rise today to honor Commander Rob Warren of the U.S. Coast Guard for his exemplary service over the past two years as the Coast Guard's Liaison to the House of Representatives.

Commander Warren, a 1992 graduate of the Coast Guard Academy, has personified public service throughout his operationally distinguished nineteen year career. Having served on three Coast Guard Cutters, including a tour as the Commanding Officer of TYBEE, Commander Warren arrived here in Washington in the summer of 2009, having just completed a successful assignment as the Chief of Response Operations in Sector San Juan, Puerto Rico. He quickly learned to navigate the rocky shoals of Capitol Hill and has become a trusted voice on all things pertaining to both the Coast Guard and the maritime domain. His passion, candor, and intellect are second to none and earned him a coveted seat at the Army War College's Senior Service School, where he will spend the next year studying National Security Strategy and the principles of senior command.

I would like to thank him for his service to both the Congress and the nation and wish him and his family fair winds and following seas in their future endeavors.

HONORING THE TOWN OF CARMEL, MAINE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to honor the town of Carmel, Maine as it celebrates its 200TH Anniversary.

First purchased in 1695 by Martin Kinsley of Hamden, Carmel was later founded by the Rev. Paul Ruggles, his wife Mercy and his brother Abel. The three first settlers named the town for the biblical prophet Elijah's experience on Mt. Carmel.

Located in the heart of Penobscot County, Carmel grew from 387 people at incorporation in 1811 to nearly 1,400 people by 1870. It is a town steeped in the history of Maine, growing from a small farming village into a mill town renowned for its textiles, boots and shoes.

Carmel's residents are still tied to their roots; descendants of the early settlers continue to live throughout the town. Today, Carmel continues to push ahead through new challenges. The town boasts nearly 2,800 residents, a far cry from its founding. While the two dozen school houses that were a fixture of the community have been replaced with homes, businesses and the Simpson Memorial Library, Carmel continues to look toward the future with a sense of possibility.

Mr. Speaker, please join me in recognizing the town of Carmel, Maine on its 200th birthday.

RECOGNIZING THE PEOPLE OF HUNGARY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. BURTON of Indiana. Mr. Speaker, I rise today to recognize the people of Hungary whose longstanding commitment to freedom is a testament to the world that freedom and democracy are attainable goals for all people. As Americans, we celebrate with the people of Hungary as they unveil a statue of Ronald Reagan to commemorate his centennial birthday. Hungary is one of America's greatest allies and it warms my heart to know that they rejoice with us in the memory of this hero of freedom.

The U.S.-Hungarian friendship is one of our oldest and most enduring. Throughout this relationship, many Hungarians have also stood for the cause of liberty and are worthy of our recognition here in the House of Representatives.

A Hungarian by the name of Michael Kovats de Fabriczy volunteered his services to Benjamin Franklin, then the American Ambassador in Paris, during the Revolutionary War. This Hungarian patriot, who was essential in creating America's first cavalry unit, was killed in battle near Charleston, South Carolina. Soon after Fabriczy's death Americans gained their independence; unfortunately, freedom for

Hungary and her people would require a much longer fight.

A bust of Lajos Kossuth, a politician and journalist who fought for freedom in the 1848 Hungarian Revolution, sits in a vestibule just outside of the crypt of this building. Exiled from Hungary, Kossuth came to America and became just the second foreigner to address a joint session of the United States Congress. An inspiring speaker, Kossuth then traveled across the United States to promote the principle of democratic government.

Nearly two hundred years after our own revolution, in 1956, the people of Hungary rose up against communist rule and succeeded in toppling the government before being crushed by Soviet troops. In the face of that defeat, the courageous people of Hungary continued their fight. Victory came in 1989, when Hungary opened its border with the West. Hungary then became the first of the former Soviet bloc countries to transition to a Western-style parliamentary democracy, holding its first free parliamentary elections in 1990.

In the last twenty years Hungarians have embraced their freedom. The country privatized its economy, adopted free-market principles and joined both the International Monetary Fund and the World Bank. In 1999, Hungary acceded to the North Atlantic Treaty Organization and formally became a military ally of the United States. In 2004, Hungary acceded to the European Union and for the first six months of this year Hungary held the rotating presidency of the EU Council.

In the past three decades, the United States, home to more than 1.5 million Hungarian-Americans, offered Hungary assistance and expertise as the country established a constitutional, democratic political system, and a free market economy. The United States Government provided expert and financial assistance for the development of modern western institutions in Hungary, including those responsible for national security, law enforcement, free media, environmental regulations, education, and health care.

With the Iron Curtain lifted, the Support for East European Democracy Act provided more than \$136 Million for economic restructuring while the Hungarian-American Enterprise Fund offered loans, equity capital, and technical assistance to promote private-sector development. Most importantly, direct investment from the United States has had a positive impact on the Hungarian economy.

The progress of freedom within Hungary has also allowed Hungary to support freedom around the globe. Hungary played a critical role in implementing the Dayton Peace Accords in the Balkans by allowing its airbase at Taszár to be used by coalition forces transiting the region. This support has continued, in 2008, the Hungarian military took command of a joint battalion in the Balkans that operates in support of NATO missions in the region.

In 2003, Hungary helped the coalition in Iraq by deploying a 300-strong battalion as part of the Multi-National Force, and by allowing the Taszár airbase again to be used in training the Free Iraqi Forces. In Afghanistan, Hungary leads a Provincial Reconstruction Team and has deployed an Operational Mentoring and Liaison Team, which works in partnership with the Ohio National Guard and other United

States military personnel. Perhaps most importantly, Hungary's Pápa Airbase is the home to the C-17 operations of the Multinational Strategic Airlift Consortium which supports the International Security Assistance Force in Afghanistan, as well as various U.S., EU and NATO peacekeeping and humanitarian operations around the world.

The Hungarian people's longstanding commitment to freedom has allowed Hungary to become a key American ally and an important strategic partner in Europe. Our common commitment to freedom is based on our common belief in the values of democracy, rule of law, diversity, tolerance, and social mobility. I call on all Hungarians and Americans to continue to uphold these values as our countries continue to work closely to advance freedom across the globe.

HONORING REAR ADMIRAL
KENNETH J. BRAITHWAITE, II

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. MEEHAN. Mr. Speaker, on behalf of myself and my colleagues in the Pennsylvania delegation (Mrs. SCHWARTZ, Mr. KELLY, Mr. BRADY, Mr. MURPHY, Mr. SHUSTER, Mr. HOLDEN, Mr. MARINO, Mr. THOMPSON, Mr. PITTS, Mr. ALTMIRE, Mr. GERLACH, Mr. FITZPATRICK, Mr. BARLETTA, Mr. FATTAH, Mr. CRITZ, Mr. DOYLE, Mr. DENT, Mr. PLATTS), I would like the following statement submitted for the RECORD. I rise today to honor Rear Admiral Kenneth J. Braithwaite, II.

On June 3, 2011, at the United States Naval Academy, the U.S. Navy celebrated the retirement of a long standing flag officer, Rear Admiral Kenneth J. Braithwaite, II. Rear Admiral Braithwaite served his country for over 25 years. Prior to his retirement, the Navy's Vice Chief of Information served as the principal Navy Reserve liaison and advisor to the Chief of Information having responsibility for formulating strategic communications counsel to the leadership of the Department of the Navy. Concurrently, he served as the head of the Navy Reserve (NR) Public Affairs program and as an adjunct advisor to the Commander, Navy Reserve Force.

A 1984 graduate of the United States Naval Academy, Braithwaite was designated a naval aviator in April 1986. His first operational assignment was to Patrol Squadron 17, NAS Barbers Point, Hawaii. He flew anti-submarine missions tracking adversary submarines throughout the Western Pacific and Indian Ocean regions.

In April 1988, Braithwaite was selected for redesignation as a public affairs officer (PAO) with his initial tour aboard the aircraft carrier USS America (CV-66). He had additional duty as a PAO to Commander Carrier Group 2 and Commander, Striking Force 6th Fleet. He made both a North Atlantic Treaty Organization (NATO) Force deployment to the North Atlantic operating above the Arctic Circle and a Mediterranean/Indian Ocean cruise where the battle group responded to tensions in the Persian Gulf. In 1990, he was assigned to the

staff of the Commander, Naval Base Philadelphia as chief of Public Affairs.

Braithwaite left active duty in 1993 and immediately resumed naval service in the reserve where he served with numerous commands from Boston to Norfolk. Additionally during this time he earned a master's degree in Government Administration in April 1995 with honors from the University of Pennsylvania.

In October 2001, Braithwaite assumed command of NR Fleet Combat Camera Atlantic at Naval Air Station, Willow Grove, Pa. During this tour the command was tasked with providing support to the Joint Task Force (JTF) Commander, Guantanamo Bay, Cuba. In March 2003 Braithwaite deployed for Operation Iraqi Freedom with a portion of his command in support of naval operations to capture the port of Umm Qasr. Following this tour he served as commanding officer of Navy Office of Information New York 102.

Most recently Braithwaite served as Commander, Joint Public Affairs Support Element-Reserve (JPASE-R) from October of 2004 to October 2007. In this role he commanded a 50-person joint public affairs expeditionary unit that was forward deployed to support Joint Combatant Commanders in time of conflict. While in command and following the devastating earthquake in Pakistan in 2005, Braithwaite was deployed to Pakistan as part of the Joint Task Force for Disaster Assistance serving as the director of Strategic Communications working for both the JTF Commander and the U.S. Ambassador in Islamabad.

His decorations include the Defense Meritorious Service Medal (with oak leaf cluster), Meritorious Service Medal, Navy Commendation Medal (5) with Combat "V", Navy Achievement Medal, Combat Action Ribbon and numerous campaign and service medals. In his civilian career, Braithwaite is senior vice president, Hospital and Healthsystem Association of Pennsylvania where he leads the Delaware Valley Healthcare Council in Philadelphia.

His commitment to the Navy and our Nation would not have been possible without the support and love of his family, especially his wife Melissa, his daughter, Grace and his son, Harrison.

We commend and thank Rear Admiral Braithwaite for his relentless and selfless dedication to serving our country with honor and distinction.

UKRAINE'S DEMOCRATIC
REVERSALS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. SMITH of New Jersey. Mr. Speaker, I rise to express my deep concern about the deterioration of democracy in Ukraine over the past 16 months, and the current Ukrainian leadership's use of politically motivated selective prosecution to harass high-ranking officials from the previous government. The country's once-promising democratic future is in

jeopardy. While we face many serious challenges in every region of the world today, nonetheless it is imperative that Washington focus attention on what is happening in Ukraine—especially given that country's vital role in the region.

As a long-time member and current Chairman of the Helsinki Commission, I have followed and spoken out on developments in Ukraine since the early 1980's, when the rights of the Ukrainian people were completely denied and any brave soul who advocated for freedom was brutally persecuted.

Mr. Speaker, for nearly two decades, independent Ukraine has been moving away from its communist past while establishing itself as an important partner to the United States. Both the executive branch and Congress, on a bipartisan basis, have provided strong political support and concrete assistance for Ukraine's independence and facilitated Ukraine's post-Communist transition. In the wake of the 2004 Orange Revolution, Ukraine even became a beacon of hope for other post-Soviet countries, earning the designation of "Free" from Freedom House—the only country among the 12 non-Baltic former Soviet republics to earn such a ranking. And while many of the promises of that revolution have sadly gone unfulfilled, one of its successes had been Ukraine's rise from "Partly Free" to "Free," reflecting genuine improvements in human rights and democratic practices.

Under President Viktor Yanukovich, elected in February 2010, this promising legacy may vanish. Today we see backsliding on many fronts, which threatens to return Ukraine to authoritarianism and jeopardizes its independence from Russia. Among the most worrisome of these trends are: consolidation of power in the presidency which has weakened checks and balances; backpedaling with respect to freedom of expression and assembly; various forms of pressure on the media and civil society groups; attempts to curtail academic freedom and that of institutions and activists who peacefully promote the Ukrainian national identity; and seriously flawed local elections. Meanwhile, endemic corruption—arguably the greatest and most persistent threat to Ukrainian democracy and sovereignty—as well as the weak rule of law and the lack of an independent judiciary, which were not seriously addressed by the Orange governments, have only become more pronounced under the current regime.

Moreover, in recent months, we have seen intensified pressure on opposition leaders, even selective prosecutions of high-ranking members of the previous government. The vast majority of observers both within and outside Ukraine see these cases, which have targeted former Prime Minister Yuliya Tymoshenko and former Interior Minister Yuriy Lutsenko among others, as politically motivated acts of revenge which aim to remove possible contenders from the political scene, especially in the run-up to next year's parliamentary elections.

Mr. Speaker, the Helsinki Commission has closely monitored these troubling trends as have the U.S., other Western governments, and the European Parliament and Council of Europe. Unfortunately, the Ukrainian authorities have largely downplayed concerns voiced

by the European Union, which they aspire to join someday, and by the United States, with which Kyiv professes to seek better relations.

The U.S. also desires enhanced bilateral ties. Yet, moving in the wrong direction on human rights, democracy and the rule of law decidedly works against strengthening U.S.-Ukrainian relations. More importantly, the erosion of hard-won democratic freedoms weakens Ukraine's independence and harms the people of Ukraine, who have endured a painful history as a captive nation over the course of the last century. Indeed, as Ukraine this week marks the 70th anniversary of the brutal Nazi invasion, we mourn the loss of life and untold human suffering of that horrific war.

Against this backdrop of devastation wreaked by totalitarian regimes in the 20th century, Ukrainians deserve to have the promise of democracy made possible by their independence fully realized.

A few days ago, President Yanukovich said that he would take into account the criticisms in Freedom House's recent "Sounding the Alarm: Protecting Democracy in Ukraine" report. His promise is encouraging, but words alone are not enough. All friends of Ukraine should measure his words by actual and meaningful changes that improve the state of democracy and human rights for the Ukrainian people.

INTRODUCTION OF CENTER TO ADVANCE, MONITOR, AND PRESERVE UNIVERSITY SECURITY SAFETY ACT OF 2011

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. SCOTT of Virginia. Mr. Speaker, today I rise to introduce the Center to Advance, Monitor and Preserve University Security ("CAMPUS") Safety Act of 2011. This legislation passed the House in both the 110th and 111th Congresses and I hope to get it signed into law in the 112th Congress. The purpose of the legislation is to enable our institutions of higher education to more easily obtain the best information available on how to keep our campuses safe and how to respond in the event of a campus emergency. The bill creates a National Center for Campus Public Safety ("Center"), which will be administered through the Department of Justice. The Center is designed to train campus public safety agencies in state of the art practices to assure campus safety, encourage research to strengthen college safety and security, and serve as a clearinghouse for the dissemination of relevant campus public safety information. The Director of the Center will have authority to award grants to institutions of higher learning to help them meet their enhanced public safety goals.

Over the past few years we have seen numerous tragedies occur at colleges and universities, including the disastrous events that occurred at Virginia Tech and Northern Illinois University. Unfortunately, because these events were the first of their kind for the nation, our schools had not developed knowl-

edge on how best to prevent such tragedies or on how to respond in their aftermath. While there is growing awareness that such threats are possible anywhere, many schools still have not developed safety protocols that would prepare them to maximize the prospects of preventing such tragedies or to effectively respond to them should they occur despite sound prevention efforts. The recent shooting at Old Dominion University is an unfortunate reminder of the need for this legislation.

Our nation's colleges and universities play a large role in the development of our next generation of leaders and we should assist them in their efforts to keep our campuses and our students safe. The Clery Act already requires schools to have safety plans in order to participate in the Title IV deferral student aid programs, however, currently there is no one place for schools to obtain reliable and useful information. It makes little sense to require the thousands of institutions of higher education to individually go through the cost and effort to develop comprehensive plans. Instead, they ought to be able to obtain guidance and assistance, including best practices, from a "one stop shop" like the Center.

The CAMPUS Safety Act will help institutions of higher learning understand how to prevent such tragedies from occurring, and how to respond immediately and effectively in case they do.

I urge my colleagues to cosponsor and support this important legislation to ensure that our institutions of higher education have access to the information necessary to keep their schools safe.

HONORING THEODORE C. MAX, M.D., WITH THE PRESTIGIOUS ROSAMOND CHILDS AWARD FOR COMMUNITY PHILANTHROPY

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. HANNA. Mr. Speaker, I proudly rise today to recognize Theodore C. Max, M.D. Theodore C. Max recently received the honor of the prestigious Rosamond Childs Award for Philanthropy, presented by the Community Foundation of Herkimer and Oneida Counties, Inc.

Theodore C. Max has held a strong presence as a leading surgeon in the Utica area for more than 30 years. The author of numerous publications, he has presented at conferences across the country, and has been acknowledged in Who's Who in Medicine and Healthcare, and Who's Who in the World. A University of Rochester graduate and celebrated local physician, Theodore C. Max has received numerous awards, both for his professional and personal contributions to our society.

The Rosamond Childs Award for Community Philanthropy is awarded to individuals displaying an inspirational spirit of generosity and compassion. Theodore C. Max, M.D., exemplifies these values and his legacy is sure to leave a positive impact on generations to

come. Community figures such as Theodore C. Max, M.D., must be recognized for the dedication and selflessness they display for their communities.

Mr. Speaker, I proudly ask you to join me in honoring Theodore C. Max, M.D., for his generosity and commitment to our community and the world.

HONORING SHERIDAN LEE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. KILDEE. Mr. Speaker, it is with a heavy heart that I rise to pay tribute to Sheridan Lee of my district who died on June 9, 2011. We have lost a strong and vigorous supporter of human dignity and justice.

A lifelong resident of Genesee County, Sheridan spent 3 years in the Marine Corps. He returned to Flint and worked in the banking industry for 35 years, retiring from Bank One as Vice President of Commercial Loans. His first hand experience as the owner of the Hale Hat Shop helped him understand the struggles small businesses faced and he was very proud that he was able to help so many businesses in Flint.

For over 45 years, Sheridan was an uncompromising advocate for a better nation. While Sheridan was active in Michigan politics before 1968 his true leadership shined at the 1968 Congressional District Convention when as the Vice-Chair of the New Democratic Coalition he gathered a group that became known as the Kennedy-McCarthy Coalition and elected seven of the eight delegates to the National Democratic Convention, including myself. Sheridan was not satisfied with just saying or singing Kumbaya. He was not content with only sentimentalism. He was a persistent, tireless activist. Sheridan pursued justice unrelentingly. On October 14, 1969 Sheridan presided over the largest peace rally ever held in Flint, Michigan to protest the Vietnam war. Over 4000 citizens assembled at Wilson Park to express their anger over our nation's war policy. On that site today stands a statue of Gandhi, a monument to peace.

His political involvement was all encompassing. He was a great strategist and organizer but he contributed his physical labor to whatever was needed—from going door to door to assembling and distributing yard signs for the Kildee campaign and other Democrats. He helped drive dignitaries when they visited Flint including Secretary of Education Richard Riley during the 2000 campaign. As the former Treasurer of the Genesee County Democratic Party, Sheridan was recognized by the Michigan Democratic Party this year when they named him the Senior Citizen Volunteer of the Year at the annual Jeff-Jack Dinner. Indeed his telephone answering message gave no question as to his fervent political affiliation: "Hello. You have reached the Lee residence, the home of good Democrats."

In 2004, Sheridan and his wife, Maryion, formed the Progressive Caucus of the Genesee County Democratic Party. They started the Caucus to focus on educating the public

about health care, the war, and other issues affecting the people of our country. They believe the public was getting a slanted view of issues and they decided to do something to correct it. They held numerous town hall meetings and seminars to give people an opportunity to express their views and hear a variety of opinions.

My wife, Gayle, and I appreciated their moral compass and enjoyed their warm friendship. We broke bread together and enjoyed visiting them at their farm home. Family was very important to Sheridan. His son, Lindsey, Lindsey's wife, Beth, and their 3 children Teddy, Marlin and Freya; son, Lynn, his husband, Steve, and their daughter Addison; and daughter, Megan, are all politically active. Sheridan was very proud that he inspired his children to carry on his work in their own communities.

All who have shared Sheridan's friendship are better people because of that. I know that I am a better congressman but more significantly a better human being because of Sheridan Lee and his talented wife, Maryion.

TRIBUTE TO PAUL M. DOWD AND
THE NAMING OF THE BASEBALL
FIELD AT WAHCONAH PARK IN
PITTSFIELD, MASSACHUSETTS
IN HIS HONOR

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. OLVER. Mr. Speaker, today I rise to pay tribute to Paul M. Dowd for his longtime service to the City of Pittsfield, Massachusetts, and whose name will hereinafter be associated with the historic baseball field at Wahconah Park in Pittsfield.

Mr. Dowd first came to Pittsfield in 1966 as a pitcher for the Pittsfield Red Sox—having been signed by that organization in 1964—from his home state of Michigan, where he also attended Ferris State College. He has been a full-time resident of Pittsfield for the past 35 years. During that time, he has generously dedicated his time to the community.

Thirty years ago, Mr. Dowd founded the Berkshire County Chapter of the Jimmy Fund and remains active as its president. He was elected to the Pittsfield City Council for six years, served in the United States Marine Reserves, coached Little League baseball, and is a member of the Knights of Columbus, Elks Lodge, and American Legion. Mr. Dowd is well known in the community for his selfless and thoughtful commitment to improving the quality of life for children afflicted with cancer.

In recognition of his magnanimous service to the community and its children, the Pittsfield City Council and the Pittsfield Park Commission voted unanimously to name the baseball field at Wahconah Park as the Paul M. Dowd Field. Because of his outstanding commitment to the welfare of Pittsfield's citizenry, Mr. Dowd is most deserving of this high honor.

SHENANDOAH NATIONAL PARK
RESOLUTION

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce a resolution celebrating the 75th anniversary of the Shenandoah National Park.

The Shenandoah National Park is the crown jewel of Virginia's natural resources. Through the Shenandoah National Park, I believe that we have preserved a vast, beautiful piece of land for the enjoyment of American families. Additionally, Shenandoah National Park is an exemplary example of the efforts of the United States Government and the Commonwealth of Virginia in preserving our country's natural resources.

Shenandoah National Park has a rich history and showcases the conservation work of the Civilian Conservation Corps (CCC). The park has been committed to adhering to these principles of stewardship and conservation, and thus allowing the legacy of the CCC to inspire many generations of Americans.

Additionally, Shenandoah National Park is the home of Skyline Drive, one of America's treasured byways. Skyline Drive winds along the crest of the Blue Ridge Mountains for 105 miles in the Shenandoah National Park. The 75 overlooks along the route afford travelers extraordinary vistas of the Shenandoah Valley and the Piedmont region in Virginia. No other road in the northeast provides access to 80,000 acres of wilderness.

What the Park's visitors take away from their visit to Shenandoah National Park and their drive along Skyline Drive is that the hills and valleys are directly connected to the character and aesthetics of the Park and its neighboring cities, towns, and counties. By conservative estimates, Shenandoah National Park has a \$70 million impact on the counties surrounding the park. The health of the Shenandoah's resources and the health of its neighbors will forever be entwined.

The 75th anniversary of the Shenandoah National Park is an important milestone. For 75 years the Shenandoah National Park has been a treasure for all Americans, but there are many stories waiting to be told. We must all be diligent to make sure that the Park's views and natural areas are around for tomorrow's visitors and for future generations to enjoy. I hope that we can continue to preserve the beauty of the Park, a world of beauty that can renew and bring peace to the spirit.

CONGRATULATIONS TO THE
FULSHEAR GIRL SCOUTS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. PAUL. Mr. Speaker, on July 2, the Girl Scouts of Fulshear, Texas, in my congressional district, will gather for the Fulshear Freedom Feast, where they will commemorate the upcoming centennial of the founding of the

Girl Scouts of America. It is with great pleasure that I join the Fulshear Girl Scouts in celebrating the 100th anniversary of the Girl Scouts of America.

The Girl Scouts of America were established in Savannah, Georgia on March 16, 1912 in order to provide young woman with an organization that would help them reach their full potential. From the very start, Girls Scouts' programs emphasized community service, personal and spiritual growth, positive values, leadership, and teamwork. Today, over 23 million American girls participate in Girl Scout programs such as field trips, sports clinics, community service projects, cultural exchanges, and environmental initiatives. Perhaps the Girl Scouts' best-known project is the annual cookie sale, which not only raises funds for the Girl Scout's many projects, it helps girls across the nation get practical business experience.

Participating in Girl Scouts helps young woman build confidence, develop new skills, learn about and explore career opportunities, help their communities, and make friendships that can last a lifetime. Therefore, Mr. Speaker, I encourage all my colleagues to join me in celebrating the Girl Scouts of America's centennial and in sending best wishes to the Fulshear Girl Scouts as they prepare for the Fulshear Freedom Feast.

PERSONAL EXPLANATION

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. PALAZZO. Mr. Speaker, on rollcall No. 454 I inadvertently voted "no" on an amend-

ment where I meant to vote "yes" in support of the Flake amendment.

PERSONAL EXPLANATION

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 478 on final passage of H.R. 2021, the Jobs and Energy Permitting Act of 2011, I am not recorded because I was absent due to a death in my family which required me to immediately return to Georgia. Had I been present, I would have voted, "aye."

INTRODUCTION OF THE COMPREHENSIVE PROBLEM GAMBLING ACT OF 2011

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 2011

Mr. MORAN. Mr. Speaker, I rise today to introduce, along with Representatives FRANK WOLF, SHELLEY BERKLEY, and ALCEE HASTINGS, the Comprehensive Problem Gambling Act of 2011. This legislation would, for the first time, authorize federal support for the prevention and treatment of problem and pathological gambling.

According to the National Council on Problem Gambling, approximately 6–9 million American adults meet the criteria for a gambling problem, which includes gambling behav-

ior patterns that compromise, disrupt or damage personal, family or vocational pursuits. Over the past decade, gaming and gambling has grown in the United States and many states have expanded legalized gaming, including regulated casino-style games and lotteries. The recent economic downturn only compounds this situation as many states consider relaxing gaming laws in an effort to raise state revenues.

At the same time, the federal government and most states have devoted very little, if any, resources to the prevention and treatment of compulsive gambling. Problem gambling can destroy a person's career and financial standing, disrupt marriages and personal relationships, and encourage participation in criminal activity. Currently, no federal agency has responsibility for coordinating efforts to treat problem gambling.

The Comprehensive Problem Gambling Act of 2011 would begin to address this deficiency by designating the Substance Abuse and Mental Health Services Administration (SAMHSA) as the lead agency on problem gambling, allowing them to coordinate Federal action: The legislation would allow SAMHSA to conduct research, develop guidelines for effective prevention and treatment programs, and provide assistance for community-based services.

While there may be disagreement over the degree to which gambling should be regulated, we should all be able to support efforts to minimize the negative effects of problem gambling on our constituents. I look forward to working with my colleagues to enact this important legislation.

HOUSE OF REPRESENTATIVES—*Friday, June 24, 2011*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day. We pause in Your presence and ask guidance for the men and women of the people's House. Enable them, O God, to act on what they believe to be right and true and just, and to do so in ways that show respect for those with whom they disagree. In this, may they grow to be models and good examples in a time when so many in our world are unable to engage gracefully with those they are at odds with.

May the Members realize that Your congregation is wider and broader than ever we could measure or determine. Help them, and help us, O Lord, to put away any judgments that belong to You and do what we can to live together in peace.

As we approach this next recess, bless our great Nation and keep it faithful to its ideals, its hopes, and its promise of freedom in our world.

Bless us this day and every day. And may all that is done within the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Mississippi (Mr. NUNNELEE) come forward and lead the House in the Pledge of Allegiance.

Mr. NUNNELEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side.

VOTE "NO" ON LIBYA RESOLUTIONS

(Mr. PAUL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, later this morning we will be debating and voting on two resolutions dealing with Libya. The first one, H.J. Res. 68, has been said to be one that literally endorses exactly what the President has been doing, and I agree with that: Even though it excludes ground troops, it doesn't talk about Special Forces, CIA, contractors, and unlimited bombing, which is really what we have to restrict.

But the second one, H.R. 2278, has been said to be more strongly worded in restraint on the President, and this is where I disagree. I believe the wording is different. It says no funds for ground troops. But then it has exceptions, and the exceptions are for all the things that we're already doing. So I believe if we vote and pass the second one, it will be the first time this Congress has given authority to the President for what he is doing right now.

So I urge my colleagues to look at both of these carefully. I have concluded that not only should the first one be voted down, but it's very important that the second one be voted down as well.

DEFEAT AUTHORIZATION FOR WAR IN LIBYA

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. We've been in Afghanistan for 10 years at a cost of over a half trillion dollars and in Iraq for 8 years at a long-term cost of at least \$3 trillion. Those who told us the war in Libya would last days now want to extend it for another year at a total cost of billions.

It is surreal that we could even be considering authorizing this war at a time when the government is collapsing in debt. Those who told us the war in Libya was to save civilian lives quickly switched to regime change, with innocent civilians dying from NATO's bombs.

Prior to NATO's assuming responsibility, we launched hundreds of cruise missiles and dropped tons of bombs on Libya. Since NATO took over, the U.S. has struck from the air at least 90 times, including drone attacks. But

these are not "hostilities," claims the White House; so what business is it of Congress?

We must put an end not only to the war in Libya, but we must put an end to the thinking that the Constitution is a doormat and that our constituents must simply bear the consequences of the misguided policies of this administration without this Congress having any say whatsoever.

Defeat the authorization for the war. Vote for the Rooney bill, which limits the war. And when we return, let's vote for a total cutoff of funds for this wrongheaded adventure.

MR. PRESIDENT, UNLEASH THE POWER OF AMERICAN ENERGY EXPLORATION

(Mr. NUNNELEE asked and was given permission to address the House for 1 minute.)

Mr. NUNNELEE. Yesterday, President Obama executed a shortsighted energy plan and released 30 million barrels of oil from the Strategic Petroleum Reserve, all while the United States' combined recoverable oil, natural gas, and coal resources are 1.3 trillion barrels of oil equivalent, the largest in the world.

We have 40,000 times more American natural resources under our ground than the amount President Obama took out of the Strategic Petroleum Reserve. Drawing down reserves intended for national emergencies is far from the energy plan we need, especially when we're sitting on abundant resources. President Obama must quit blocking American energy production.

Mr. President, if you want to make us energy secure, if you want to see a thriving economy creating jobs, if you want to free Americans from the burden of high gas prices, unleash the power and ingenuity of American energy exploration, and do it now.

RELEASE STAFF SERGEANT GILAD SHALIT

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, tomorrow marks the fifth anniversary of the abduction of Israeli soldier Staff Sergeant Gilad Shalit from inside Israel's borders by the terrorist organization Hamas. For 5 years, Hamas has violated international human rights conventions by denying Shalit contact with his family and visits by the International Red Cross.

Now Hamas wants to be partners with the Palestinian Authority. If the Palestinian Authority is determined to pursue unity with Hamas, then President Abbas must demand that his new partner free Sergeant Shalit.

Israel can never be expected to negotiate with an organization that remains bent on its destruction. But if Hamas ever expects to have a seat at the table, it must show good faith now and immediately release Gilad Shalit.

We stand here today with our great ally, Israel. We stand here with allies from Europe and throughout the world. We stand with all who believe in and fight for basic human rights. Anyone who can hear my voice knows that Gilad Shalit must be released.

CUT OFF FUNDS TO PRESIDENT'S WAR IN LIBYA

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, America's third war continues. The President's little war in Libya is unconstitutional and it also violates the War Powers Resolution. Even the administration says Libya is not a national security risk to America.

So why are we at war in Libya? Because the French want us there? Mr. Speaker, don't you think we've done enough for the French in World War I, World War II, and even in Indochina, what we now call Vietnam?

The United States should not be involved in Libya's civil war. The cost has been over \$700 million to the American taxpayer. Mr. Speaker, don't you think that money, that millions of dollars could be better spent building America instead of blowing up Libya?

And who are these rebels in Libya that we are supporting? Of course Omar Qadhafi is a tyrant, but we may end up replacing an oppressive regime with an extremist radical regime. Now, isn't that lovely?

Congress should cut off all American funds to the President's little war in Libya.

And that's just the way it is.

□ 0910

CONGRESSIONAL OVERSIGHT OF THE LIBYAN OPERATION

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute.)

Mr. GARAMENDI. It appears this morning and today the House of Representatives and Congress will be carrying out its constitutional responsibilities dealing with the war in Libya. Resolutions will be on the floor. Appropriately, we will be voting today on whether we want to end, limit, or extend.

For me, I think we have to carry out the U.N. resolution that calls for the

right to protect or the obligation and duty to protect. That is why the Libyan situation started. That needs to be completed.

I would suggest that the Hastings resolution that gives a year is good in that it provides the necessary restrictions on the White House and on the military in the Libya operation and basically puts the United States in a support position. I would prefer that there be an amendment to that—perhaps it will be in a motion to recommit—that it be limited to 6 months.

OVERSIGHT OVER CORPORATE MERGERS NEEDED

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, there are many issues that we must address in this august body, but it is tragic to note that we have been here for 24 weeks since the GOP took responsibility and control of this House and we have done nothing to create jobs. In fact, the majority leader has indicated the Republicans have no plans to do anything on jobs through this summer.

Why does this pose a crisis? Because in the midst of all of this, a number of mergers are coming into fruition, in particular the United-Continental merger. We have already had an announcement that Houston will lose 1,500 jobs, and no response from United or Continental. In addition, United had a recent collapse of its database, or its system, which caused massive shut-downs and clogging of the system, where passengers were stuck in airports because they couldn't get their planes off the ground.

When we have mergers with no restraint and no oversight, we have a problem. So jobs are necessary to be created, and there needs to be oversight over mergers like Continental and United so that communities like Houston and elsewhere won't be losing jobs with no response.

MARKING THE 50TH ANNIVERSARY OF THE INTERNATIONAL HARVESTER SCOUT

(Mr. WALZ of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALZ of Minnesota. Mr. Speaker, I rise today to honor a piece of American history and to pay tribute to the Americans that created it: 2011 marks the 50th anniversary of the International Harvester Scout; the first Scout, built out of American ingenuity and steel, rolled off the assembly line 50 years ago in Fort Wayne, Indiana, the creation of Ted Ornas, literally drawn on a napkin at his kitchen table.

In the near future, my good friend from Indiana, JOE DONNELLY, and I will come to this floor at the end of the day to tell the history of this great company and the iconic IH Scout. We will also tell the stories of those who restore, drive, and keep the legacy alive. These are the stories of America, stories of hardworking people who respect our history and believe it is worth preserving.

The Scout reflects the exceptional American personality, ingenuity, thriftiness, self-reliance, and a can-do spirit. The Scout was built in the heartland of Indiana on these principles.

I want to thank Jeff Bade and John Glancy for helping put this effort together. Honoring our history reminds us of what we were capable of together in this great Nation.

AIRPORT AND AIRWAY EXTENSION ACT OF 2011, PART III

Mr. MICA. Mr. Speaker, I ask unanimous consent that the Committees on Transportation and Infrastructure and Ways and Means be discharged from further consideration of the bill (H.R. 2279) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill is as follows:

H.R. 2279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport and Airway Extension Act of 2011, Part III".

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "June 30, 2011" and inserting "July 22, 2011".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "June 30, 2011" and inserting "July 22, 2011".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "June 30, 2011" and inserting "July 22, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2011.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "July 1, 2011" and inserting "July 23, 2011"; and

(2) by inserting “or the Airport and Airway Extension Act of 2011, Part III” before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking “July 1, 2011” and inserting “July 23, 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2011.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended by striking paragraph (8) and inserting the following:

“(8) \$2,840,890,411 for the period beginning on October 1, 2010, and ending on July 22, 2011.”.

(2) OBLIGATION OF AMOUNTS.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2011, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the period beginning on October 1, 2010, and ending on July 22, 2011, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2011 were \$3,515,000,000; and

(B) then reduce by 7 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking “June 30, 2011,” and inserting “July 22, 2011.”.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking “July 1, 2011,” and inserting “July 23, 2011.”.

(b) Section 44302(f)(1) of such title is amended—

(1) by striking “June 30, 2011,” and inserting “July 22, 2011.”; and

(2) by striking “September 30, 2011,” and inserting “October 31, 2011.”.

(c) Section 44303(b) of such title is amended by striking “September 30, 2011,” and inserting “October 31, 2011.”.

(d) Section 47107(s)(3) of such title is amended by striking “July 1, 2011,” and inserting “July 23, 2011.”.

(e) Section 47115(j) of such title is amended by striking “July 1, 2011,” and inserting “July 23, 2011.”.

(f) Section 47141(f) of such title is amended by striking “June 30, 2011,” and inserting “July 22, 2011.”.

(g) Section 49108 of such title is amended by striking “June 30, 2011,” and inserting “July 22, 2011.”.

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking “July 1, 2011,” and inserting “July 23, 2011.”.

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking “July 1, 2011,” and inserting “July 23, 2011.”.

(j) The amendments made by this section shall take effect on July 1, 2011.

Mr. MICA. Mr. Speaker, I submit the following exchange of letters.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, June 24, 2011.

Hon. JOHN MICA,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA, I am writing concerning H.R. 2279, the “Airport and Airway Extension Act of 2011, Part III” which is expected to be scheduled for floor consideration today.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Sections 2 and 3 of this bill amend the Internal Revenue Code of 1986 by extending the current Airport and Airway Trust Fund (AATF) expenditure authority and the associated Federal excise taxes to July 22, 2011. In order to expedite H.R. 2279 for floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2279, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE,
Washington, DC, June 24, 2011.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN, Thank you for your letter regarding H.R. 2279, the “Airport and Airway Extension Act of 2011, Part III.” The Committee on Transportation and Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 2279, and I appreciate your effort to facilitate consideration of this bill.

I concur with you that forgoing action on H.R. 2279 does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 2279 in the Congressional Record during House floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,
Chairman.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 2279, the “Airport and Airway Extension Act of 2011, Part III.” This bill is a “clean” extension of the authority of the Federal Aviation Administration, FAA, to spend from the Airport and Airway Trust Fund and to carry out airport improvement projects at current levels through July 22, 2011.

In February, the Senate approved a bipartisan, comprehensive FAA reauthorization bill by a wide 87-to-8-vote margin. Passage of the Senate bill was applauded by both labor and

industry stakeholders, and it was estimated that the bill would create at least 150,000 jobs.

The House followed on April 1 with a bill containing some controversial provisions that the Senate has indicated it will not accept. These provisions include the repeal of a National Mediation Board rule on fair union representation elections and cuts to funding for FAA programs, airport construction and improvement, and air traffic control modernization.

For the last 2 months, we have worked with the Senate to resolve a number of differences between the two bills. The negotiations have made good progress, and, with just a handful of major differences remaining, we may be on the cusp of enacting a long-term reauthorization—a reauthorization that provides the FAA with the stability and funding necessary to safeguard safety, modernize the system, and create jobs.

Like my Republican colleagues, I had hoped that each of the previous two short-term extensions would be the last. I was reassured by their expressions of a commitment to deliver a forward-looking bill that could pass both chambers and be signed by the President. But now we find ourselves with the need for a twentieth short-term extension. This extension is necessary, but I again say to my Republican colleagues: Let this extension be the last. Get a long-term bill done.

I will work with my colleagues across the aisle to produce a bipartisan FAA bill that will create jobs and keep our economy moving throughout the 21st century and make this our last extension. For the present time, however, this extension is necessary, and I urge my colleagues to support it.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill just passed, H.R. 2279.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADJOURNMENT TO TUESDAY, JUNE 28, 2011

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, June 28, 2011; and when the House adjourns on that day, it adjourn to meet at 10 a.m. on Friday, July 1, 2011.

The SPEAKER pro tempore (Mr. PRICE of Georgia). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.J. RES. 68, AUTHORIZING LIMITED USE OF ARMED FORCES IN LIBYA; AND PROVIDING FOR CONSIDERATION OF H.R. 2278, LIMITING USE OF FUNDS FOR ARMED FORCES IN LIBYA

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 328 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 328

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, if called up by the chair of the Committee on Foreign Affairs or her designee. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, if called up by the chair of the Committee on Armed Services or his designee. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by chair and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 328 provides a closed rule

for consideration of H.R. 2278 and H.J. Res. 68. The rule provides a total of 3 hours of debate in this Chamber on this vitally important issue of U.S. military operations in Libya. The rule also provides the minority with two separate motions to recommit, with or without instructions.

Mr. Speaker, it was in this week in 1788, June 21, 1788, that the United States ratified its Constitution, that Constitution that still serves us so well today. In that Constitution, our Framers made clear that the power of the purse belongs here and here alone, here in the people's House, here on Capitol Hill; and that Constitution made clear that the power to declare war lies here and here alone.

On June 3 of this year by a vote of 268–145 the House of Representatives passed a resolution asking the President to make clear what his intentions are in Libya, asking the President to come and consult with Congress, to get Congress' permission, to seek our authority to prosecute those hostilities in Libya.

We have received some information from the White House since then. We have gotten a letter from the White House since then. We even have classified documents since then. But what we have not had since then, Mr. Speaker, is an opportunity for the American people to make their voice heard on this important issue, because, after all, this isn't an issue for Congress, because as a Congressman, it is not about my voice. It is about the voice of the 911,000 people back home that I represent that I bring here to Congress, and those people's voices have yet to be heard on this Libya issue.

□ 0920

Operation Odyssey Dawn is in full operation now, since the month of March, and the people's voice has still not been heard. But today, Mr. Speaker, the Rules Committee, as one of the longest-standing committees in this U.S. House of Representatives, first constituted in 1789, the Rules Committee is making that opportunity available with these two resolutions.

Mr. Speaker, my hope is that the people's voice will be heard today; that in this hour upon hour of debate that we have today, these two very different choices for where this country goes, that the American people will for the first time have their voice heard on the question of Libya.

As you know, Mr. Speaker, when we come back in July, we're going to take up the FY 2012 defense bill. In fact, we'll take it up tonight and start considering amendments when we return. We'll again have an opportunity to have our voice heard. Because, Mr. Speaker, there is an entire gradation of options that we have here. Are we going to declare war on Libya? Are we going to allow the President to con-

tinue doing what he's doing in Libya? Are we going to shut down the funding for troops on the ground on Libya? Are we going to shut down funding for Libya altogether? These are the questions that the Rules Committee has made available today and 2 weeks from now so that this House will be able to have its voice heard.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. I yield myself such time as I may consume.

First, I want to thank my colleague very much for yielding the time, Mr. Speaker.

We're considering matters of war and peace today. On Sunday, our Nation will have been engaged in military action in Libya for 100 days. The actions taken by the President have a grave impact on the constitutional role of Congress and the role of the United States abroad. Taken together, these are among the most important issues that we as Members of Congress will ever consider. These are the very debates that scholars and historians will study and analyze for decades to come.

Given these fundamental issues, the American people deserve the full and thorough consideration that should be afforded to all legislation introduced in this body—with committee hearings and debate, followed by an open and regular process, and a thoughtful debate by the whole House.

In 1990, when I was first here, the body considered a resolution regarding matters of war and peace. At the request of President George H.W. Bush, both Chambers of the United States Congress engaged in a fierce debate about whether to authorize the use of military force in the Persian Gulf. I have vivid memories of those debates long into the night, with issues being debated in committees, marked up by both parties, brought to the House floor for a final debate before the American public. On that particular measure concerning the Persian Gulf, we had 25 hours of debate and 263 Members spoke. It was one of the most thorough airings of our constitutional obligations that I have witnessed.

In exchanges that can be publicly accessed today, Members of the House and our colleagues in the Senate engaged in an intelligent and enlightening exchange of ideas about the merits, the dangers, and necessities of passing a resolution authorizing American troops to engage in military force overseas. There were strong views on both sides of the aisle, but these views were accompanied by an overriding sense of duty to our country—a belief that Congress would reach a decision based upon the thoughtful and prudent vote of its Members and a reflection of a common interest of all its citizens.

As historians look back on the debate over the Persian Gulf War, they can clearly see a vibrant democracy—a

democracy that is engaged in robust debate and a democracy earnestly working together for the best interest of its people. Two decades later, we stand in a room imbued with this history—that debate took place right here—but we avoid the robust debates that preceded us here today. Indeed, the way in which today's measures are being debated shame the dignity, history, and tradition of this body.

Today's resolutions about our actions in Libya have been rushed through the House of Representatives. They were written behind closed doors and received neither committee hearings nor committee markups. The two resolutions are being considered under a single closed rule following an emergency meeting of the Rules Committee yesterday afternoon. The process by which these measures proceeded through the Rules Committee is indicative of the chaotic and rushed process that we're being asked to vote for here today.

Late Tuesday night—10 o'clock, I believe—we were given two resolutions for an emergency meeting on Wednesday. They were added as emergency items to our afternoon meeting. When we got to the Rules Committee, they had been pulled from the agenda. It wasn't until 9 p.m. Wednesday that we received the text of H.R. 2278. Yesterday, we were notified that the Rules Committee would meet on this new and unvetted bill, along with one of the original two resolutions, less than 3 hours before the meeting began. We now stand on the House floor being asked to vote for a closed rule. We will then be asked to consider two resolutions of historic proportions with no ability to shape and adjust the measures to reflect the true will of the House.

Mr. Speaker, I regret the shameful way this important debate has been rushed through Congress, and I apologize to future generations who will look back on the work that we're doing today. Quite simply, the legislative process matters. Historians, scholars, and yes, future Members of Congress will look back on our actions today to see how their forebearers shaped the fate of this country.

In the case of the resolution of the Persian Gulf, they'll say how our democratic process thrived, whether one agreed with the resolution or not. Shamefully, in the case of today's resolutions, they will see a dysfunctional democratic process, one that has committed a disservice to the American people, to the dignity of the House of Representatives, and the future of the United States, by avoiding a true debate on one of the most important issues of our time.

For these very reasons, I urge my colleagues to vote "no" on today's rule.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, at this time I am pleased to yield 3 minutes to a gentleman who has great reverence for the United States Constitution, the gentleman from Texas (Mr. PAUL).

Mr. PAUL. I thank the gentleman for yielding.

I rise in support of this rule, although I have a lot of complaints about how we deal with the issue of war. This is a debate that should have gone on 4 months ago, before the war was started. And if we had done this properly, we wouldn't be bringing this up quickly today. No committee work, no discussion, no chance for amendment. But, nevertheless, I will support the rule because at least we get a chance to talk a little bit about what's going on in Libya.

We have two resolutions that will come up under this rule. The first resolution, generally, I understand most individuals aren't too keen on this, because it's a literal endorsement—a rather explicit endorsement—of the war, so obviously I oppose H.J. Res. 68. But my greatest concern is about H.R. 2278. The way I read this resolution is that it essentially grants the same authority that we grant in the first Resolution because we say that no funds can be used—it denies the use of funds. But how can you deny the use of appropriated funds when they're using funds that weren't appropriated? It's so redundant. The funds were never appropriated. So, yes, it's a good statement. You don't continue to be illegal, is what we're saying.

What I'm concerned about are the exceptions. All the exceptions are for the things that they're already doing, like search and rescue, intelligence gathering, reconnaissance, surveillance, refueling, operations planning, and doing everything except pulling the trigger. So we're legalizing the current war.

I believe that H.R. 2278 is the first time that we in the Congress are making a statement of granting authority to the President to pursue this particular war. I am in strong opposition to that resolution as well, although I understand the other side of the argument because it says "denial of funds." The author of the resolution said the reason why we have the exception is to protect the integrity of our contract or agreement with NATO. Well, in the resolution it says we have to stop the funding because we don't want to support NATO's war.

So it's totally inconsistent. Makes no sense whatsoever. But it reminds me of the War Powers resolution. After the Vietnam War, we didn't want to get into that kind of war any more, so Congress, in its infinite wisdom, with good intentions, it designs the War Powers resolution, which legalized war for 90 days. That's part of the reason why we're here. We're worried about 90 days. But here we're going into the fourth month dealing with the War Powers resolution.

□ 0930

There is a simple solution to all of this, and that is to obey the Constitution. Don't allow our Presidents to go to war without a declaration of war, and we wouldn't be facing this problem of this debate that actually gets a little bit silly on restraining the President. Yes, we should. We should exert ourselves. We have the prerogatives, and we have the obligations. We have avoided it. It's time to stand up for the rule of law.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlelady for yielding.

Mr. Speaker, I rise in opposition to the Hastings resolution and in support of the Rooney resolution.

This morning's paper, The New York Times, says that this is a dangerous resolution because it would allow the financing only for American surveillance, search and rescue missions, planning and aerial refueling. It would halt drone strikes and attacks on Libyan air defenses, and it would damage the Nation's credibility in its leadership of NATO.

Mr. Speaker, I think that the Nation's credibility—that is to say its promise to go to war if backed by the President and not by Congress—ought to be damaged. We have been sliding for 70 years into a situation where Congress has nothing to do with the decision about whether to go to war or not, and the President is becoming an absolute monarch. We must put a stop to that right now if we don't want to become an empire instead of a Republic. This country was set up to be a Republic where the basic questions of war and peace are supposed to be answered by this Congress. Because of the exigencies of the Cold War, if the bombers are coming over the Pole, you don't have time to call Congress. We lost a lot of that power. We ceded it to the President.

But in a situation such as Libya, whether the reasons for going there are good or ill, the fact is there was no imminent threat to the United States, and the Secretary of Defense said that. There was plenty of time to negotiate with the Arab League, and there was plenty of time to go to the U.N. There should have been time to have, not consultations with Congress, but the authorization from Congress. In the absence of that authorization, we have to put our foot down now and say "no." If foreign countries learn that they cannot depend on American military intervention unless Congress is aboard for the ride, good. That's a good thing.

The power of the Presidency—and I'm not talking about this President—as was said by Charles James Fox in 1780, the power of the Crown, in this case the power of the President, has increased, is increasing and ought to be

diminished. This country's power to go to war or not must reside here except in extreme and urgent emergencies. It is time to put our foot down now by passing that resolution.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Georgia for yielding time.

I rise today in support of this rule and of H.R. 2278, a bill to prohibit funds for continued U.S. military involvement in Libya except for operations involving search and rescue, intelligence, surveillance and reconnaissance, aerial refueling, and operational planning.

In 2007, then the junior Senator from Illinois, Barack Obama, confidently proclaimed to the Boston Globe this comment: "The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the Nation." However, now that he is not attacking political opponents, that stance has proven inconvenient, prompting one of his many, many flip-flops, such as his vote opposing to raise the debt limit.

Regardless of one's position on the constitutional powers of the President as Commander in Chief or Congress' authority to declare war, the legislative branch unquestionably yields the power of the purse. This bill represents a proper exercise of that power, pure and simple. The bill does not leave our military personnel in dangerous circumstances without the funds or supplies they need. It does not require a precipitous withdrawal since, without a ground presence, there is nowhere from which to withdraw. The bill simply denies U.S. taxpayer funding for what the President calls a "kinetic activity," but what the world recognizes as an ongoing bombing campaign in Libya.

It is for these reasons and many more that I urge my colleagues to support the rule and to support H.R. 2278.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentlelady from New York for yielding.

Mr. Speaker, we are later this morning going to be engaged in one of the most important tasks of Congress, and that is what to do about war. Unfortunately, the administration—and I think they would agree to this—didn't adequately engage Congress in the process running up to the beginning of the Libya conflict and didn't sufficiently engage during the course of it. We are now in a position where we will be making some decisions today about how we want this Nation to proceed, whether we want to proceed with a full-on war or with limited or much

more limited activity with regard to the support of NATO in the Libya fight.

Unfortunately, all of this is now being rushed upon us here on the last day just before the break for the 4th of July. The amount of time to debate this on the floor is far too limited. It would have been our preference on the Democratic side to have had a more full discussion along the lines that the gentlelady from New York discussed in her opening comments—a full-on discussion about how we are to proceed. We are basically going to have two options, both of them with inadequate discussion. I guess we're down to that point now where we have no more alternative but to use the 1 hour, so here we are debating this issue at this moment.

For me, there is a very important principle that was enunciated by the United Nations, which is the obligation to defend and protect. That was the basic rationale for this country moving forward with the Libya operation. Yes, the President should have come to us early. He should have come to us at the very beginning and allowed Congress to carry out its constitutional obligations, "yes" or "no." But here we are. The obligation or the right or the necessity to defend is very important. That's why we're there. We need to provide the President with the necessary powers to carry out that obligation in a very limited period of time. We'll see that this afternoon or later this morning with the Hastings amendment.

Mr. WOODALL. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I am pleased that the House has the opportunity today to actually have a serious debate on the war with Libya.

Like most Americans, I am disappointed in any argument that says we are not at war. I believe that argument shows contempt for the Constitution and for the executive's coequal branch of government—the United States Congress.

How can this not be war? If another country launched aggressive air strikes against the United States, you'd better believe we'd consider it an act of war. Does anyone remember Pearl Harbor or 9/11? We certainly considered those acts of war against our country. To say that our bombing of Libya does not rise to the level of "hostilities" flies in the face of common sense.

Mr. Speaker, our Nation can't afford a third war. The ones we are already fighting are bankrupting us morally and fiscally. This Congress must reassert our power of the purse and not fund an unauthorized war. Today, we must send a clear message that the American people and this Congress will not support perpetual war.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 5 minutes to the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank my friend from Lawrenceville for his typical stellar management of this very important rule; but I have to say, Mr. Speaker, that it saddens me greatly that we are here on the House floor, dealing with this. We have been in the midst of what has been a celebration, a celebration as described as the Arab Spring.

We saw a few months ago a young merchant in a small town in Tunisia very, very distraught over the fact that a government official came and took his scale away from him and took it to the government office.

□ 0940

He went back and asked for it, and when he made that request, he was denied it. He basically said he'd had enough, and so this young man chose to set himself afire in the middle of the town square in this tiny town in Tunisia.

Now, as we all know, that launched what has become known as the Arab Spring. The Economist magazine very appropriately said that one of the great developments that the Arab Spring has wrought is that we have now seen those so-called "barbarians" in the Arab world, in the Muslim world, move towards self-determination. Many people in the West and in other parts of the world very arrogantly said there's no way in the world that those people could possibly make great strides towards political pluralism and development of the rule of law, self-determination, but, in fact, we saw—beginning with this one very sad act—people throughout the Arab world in not only Tunisia, but Egypt, Bahrain and, yes, in Libya, demonstrate their frustration over authoritarian dictatorships that were actually undermining the potential of the people of each of these countries.

So that's why, Mr. Speaker, it saddens me greatly that we are here today doing what it is that we're doing. Why? Because we should be in the midst of a celebration, a celebration of these very bold and dynamic steps that are being taken throughout the Arab world. And why is it that we're here? We're here because of what has been described by Members on both sides of the aisle—and I just heard my friend from New York describe the actions of this Presidency—as being the act of a monarch.

Mr. Speaker, I think it's very important for us to look at recent history. If we go back to the 2006 election, the Republicans lost the majority in large part because of the war in Iraq. Democrats and Republicans alike acknowledge that.

There's an important distinction that needs to be made. If one goes back and looks at the action that was taken

by President Bush, he chose to come to this Congress. He wanted the support of the American people through their elected Representatives and Senators to be behind his effort. We all know that he reached out to the United Nations, built a coalition, and there was lots of controversy. There, to this day, continues to be controversy. But the Congress was involved in that process, as has been the case in many instances in the past, not every instance, but many instances in the past.

We know, as my friend from Grandfather Community, North Carolina, just said, that President Obama when he was a candidate, United States Senator, was very critical of President Bush. We know that his campaign for the Presidency in large part centered around this notion of bringing home the troops, and we had his speech the before night last on dealing with Afghanistan and his notion that we were going to bring these efforts to an end.

I would argue, Mr. Speaker, that as we, I said, should be in the midst of celebrating the Arab Spring, we probably would have had, when one thinks about the actions that took place in Libya, we probably would have had, Mr. Speaker, pretty broad support here in the Congress for the action that was taken by the President if there had been an early authorization of this.

Now, it is, as I said, very sad that we are here now because I think Democrats and Republicans alike acknowledge that this has been very, very poorly handled. And, Mr. Speaker, I don't know if there's any more time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I yield the gentleman 2 additional minutes.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

Let me just say that as we look at this, Mr. Speaker, I think we need to recognize that there are other very troubled spots in the world. We just, today, have gotten word of thousands of Syrians who are fleeing to Turkey because of the barbaric acts that have taken place there.

So I think that as we look at the great positive steps that have been taken in the Arab world, we need to make sure that the United States Congress and the President of the United States are in this together. There should be consultation and authorization to deal with this.

Mr. Speaker, I've got to say that as we look at this rule itself, I really am absolutely stunned, absolutely stunned at the kinds of things that I've heard from my colleagues on the other side of the aisle.

Now, Mr. Speaker, as my good friend from Rochester, New York (Ms. SLAUGHTER), knows, as we began debate on this, we had complete compliance with the 3-day layover requirement, and we had these measures be-

fore us. I would say to my friend from Rochester, Mr. Speaker, there was not a single amendment offered in the Committee on Rules to deal with this, not a single amendment offered, and, in fact, one of these measures is offered by a Republican, gentleman from Florida (Mr. ROONEY); the other is offered by a Democrat, the other gentleman from Florida (Mr. HASTINGS).

And so when I think about 3 o'clock in the morning on June 25 of 2009, we began the debate on this horrible idea of cap-and-trade, and it was 3 o'clock in the morning and I was sitting upstairs with my Rules Committee colleagues, Mr. Speaker, and dropped in my lap, still hot because it had just come off of the copying machine, was 300 pages of an amendment that we reported out.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. WOODALL. I yield the gentleman 2 additional minutes.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me just say, at 3 o'clock in the morning we were handed this measure.

Now, what we have before us has, again, complied with the 3-day layover requirement, not a single amendment was offered, and there's a proposal offered by a Democrat and a proposal offered by a Republican. So, Mr. Speaker, I have to say that I believe that this rule is one that does allow for a free-flowing debate. It allows for an opportunity to consider this, and it's not as if we haven't been engaged in this discussion for a long period of time.

My friend from Cleveland is here and he has played a very, very constructive role in leading the charge on this over the past several weeks, as he often does, and I believe that our ability to continue this debate is an important one.

But again, Mr. Speaker, let me just conclude by saying it saddens me that at a time when we should be celebrating the fact there are people in the Arab world who are seeking the opportunity to enjoy the kinds of freedoms that we have here in the United States of America, that the President of the United States has chosen to go it alone without recognizing the very, very important responsibility of the first branch of the United States Government.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. The right to protect civilians has morphed into the so-called right to change a regime and the right to destroy civilians. The situation is positively Orwellian, and it is all going wrong. Even early supporters of the war are changing their minds. I would quote from al Jazeera just a couple of days ago:

"Italy's foreign minister and the outgoing head of the Arab League have each called for a halt to hostilities in the war-torn north African country.

"Franco Frattini told members of Parliament on Wednesday that the suspension of military operations in Libya was 'essential' for immediate humanitarian aid, while Amr Moussa, the Arab League chief, called for a political solution to the crisis.

"Moussa's sentiment was shared by the Italian foreign minister, who called for urgent humanitarian aid to trapped residents in cities like Tripoli and Misurata.

"He said the people in those areas face a 'dramatic' humanitarian situation and added that a suspension of hostilities would also avoid 'consolidating a division of Libya' between east and west.

"He said he hoped the European Council in Brussels on Thursday would highlight an end to the fighting in Libya as 'a practical solution.'"

The question is, Mr. Speaker, will Congress rush into the breach here while our allies are headed to the exit?

H.R. 2278 by Mr. ROONEY would immediately prevent the administration from engaging in direct offensive hostilities in Libya, and it ought to be supported.

Now, the resolution isn't perfect. It doesn't end the war in its entirety immediately, but it does make clear that the United States will not take over the war as European support continues to diminish.

□ 0950

I proposed an amendment with Representative AMASH of Michigan and 11 others to the Defense authorization bill that would eliminate all funds for military operations in Libya. I urge a vote for this bipartisan amendment when we come back after the recess.

H.R. 2278 and the Kucinich-Amash amendment are complementary. If we want to end U.S. involvement, we can do it in two steps: First step, vote for H.R. 2278; second step, vote for Kucinich-Amash when we come back.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentlelady.

Mr. Speaker, I stand here this morning as someone who has opposed the Iraq war and consistently opposed the Afghanistan war under both Republican and Democratic Presidents. I think it is important to stop the politics this morning and recognize that mistakes were made by Presidents of all political parties.

The War Powers Resolution that is now being debated as being unconstitutional by my Republican friends has a very strong purpose. It is the purpose

of this joint resolution to fulfill the intent of the Framers of the Constitution of the United States and ensure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly going to occur. Now we have Republicans suggesting that the War Powers Resolution is unconstitutional. What do they want? This is a political game.

I voted for Mr. KUCINICH's resolution, and the Republicans had the opportunity to also vote for Mr. KUCINICH's resolution. This is to embarrass the President.

I agree with the underlying sentiment that this was handled badly and that there should have been consultation. Now there is an opportunity for authorization. We need to debate this not whether it is President Obama but whether or not there is a collaborative effort between NATO and the Arab League to address this hostile situation in Libya. And, frankly, I don't like the politics of this. The politics says, it's okay if it's a Republican President but not okay if it's Mr. Obama.

I am interested in preserving the integrity of this Constitution and have consistently voted that Congress has a right to declare war. But we are now engaged in a consultation process, and I hope Members will engage in the debate on the basis of the right decision to make. I am against war. Bring the troops home from Afghanistan. End the war in Iraq. But right now, this should not be Republicans against Democrats on the question of whether or not we are in a collaborative effort with NATO on this issue of Libya. We are attempting to save lives; take the politics out of it.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I would be happy to yield the gentlelady 1 additional minute.

Ms. JACKSON LEE of Texas. I thank the distinguished gentlelady.

I went to the Libyan Embassy at the very start of this horrific crisis and stood with the Libyan ambassador that resigned and called for the resignation of General Qadhafi. Today I continue to call for the cessation of the violence and abuse against the Libyan people. But we have to address this question away from the cloud, as I indicated, of politics.

We must adhere to the Constitution, Congress' right to declare war, but I can't understand this now backside debate about the War Powers Resolution being constitutional. For some of us, we believe that the contents of it insist that it is.

So my point to my colleagues is, the Kucinich resolution was on the floor, and every Republican had the opportunity to vote for it. Why we are here

again with a resolution that imitates the debate that we had, I believe the underlying principle and premise is to embarrass this administration and President Obama.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say I absolutely agree with the gentlelady. This is no place for politics. And that's why, as Mr. KUCINICH has led this effort time after time after time, he's had tremendous support from the Republican side of the aisle.

This is not about Republicans and Democrats. This is about the Constitution of the United States. This is about the 911,000 people I represent back home. This is about the people's voice being behind the President. As the chairman of the Rules Committee said, this should not be a time for division. This should be a time for unification.

I absolutely agree with my colleagues who are concerned about the debate happening today, on June 24. The time for the debate was March 18. The time for the debate was before this got started to begin with. But we have been put in this box, Mr. Speaker, and we have a constitutional responsibility to find our way out of it. We have on the floor today under this rule two opportunities, two opportunities to make our constituents' voices heard, and I encourage a strong "yes" vote for this rule so that we can bring those opportunities to the floor.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to yield 2 minutes to the gentlelady from California (Ms. LEE).

Ms. LEE. I want to thank our ranking member for yielding and for her leadership and for this very important debate this morning.

Mr. Speaker, let me just say, this debate, I believe, should have taken place at least 2 weeks prior to the war in Libya. The War Powers Act specifically forbids Armed Forces from engaging militarily in foreign lands for more than 60 days without congressional authorization of the use of military force or a declaration of war. And we should really make no mistake about it: We are at war in Libya today. We have been actively fighting the Qadhafi regime in Libya since March 19, which is 97 days ago.

No one in this House now would defend the deplorable actions of Colonel Qadhafi and the decades he has spent repressing the Libyan people. But no one should fail to recognize that the actions we have taken in Libya since March 19 amount to a war. Missile strikes, naval attacks, bombings of strategic military targets, all of these actions would be a declaration of war if a foreign country launched such attacks on any country, including our own.

We have committed \$1 billion and thousands of servicemen and -women

to a new front. And regardless of one's position on our involvement in Libya, one point is crystal clear: This debate should have happened before we launched a war in Libya.

On March 30 of this year, I joined with Representatives WOOLSEY, HONDA, GRIJALVA, and WATERS, and we sent a letter to Speaker BOEHNER urging him to bring forth an authorization of the use of military force in Libya, stressing the need for a robust debate and vote in line with our congressional prerogative and, indeed, obligations.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I would be pleased to yield an additional 2 minutes to the gentlelady.

Ms. LEE. I thank the gentlewoman.

Unfortunately, the Speaker did not grant our request, and we find ourselves here today debating this important constitutional issue well over 60 and even 90 days after hostilities began. So you will have to forgive me if I am somewhat skeptical about the political motives behind the floor actions that are scheduled today. Because we really need to understand that this is serious business, and it should not be politicized.

This is not about this President or any President. This is not about politics or isolationism. This is about the War Powers Act and the Constitution. It's about standing up for this body and our important role in one of the most solemn and one of the most important decisions that we make as lawmakers, and that's the decision to declare war.

Unfortunately, this resolution offered by my colleague from Florida (Mr. ROONEY) that is before us today has many exemptions that are very broad and, of course, fall short of ending this war. I have some concerns in terms of some of the limitations and exemptions, in terms of making sure that this does not broaden the war with these exemptions.

And I would hope the author, Mr. ROONEY, would be able to clarify these items and reassure us that: (1) reconnaissance would be limited to intelligence gathering and not tactical operations and (2) refueling would be limited to intelligence and reconnaissance, not operations.

Again, I hope we can clarify these points because we must stand up for the Constitution and this body.

I hope that today we stand up for our Constitution. We must oppose, I believe, the resolution that gives carte blanche authorization to continue the war in Libya after the fact.

□ 1000

And I want to thank again our ranking member for allowing for this debate, and the chairman of the Rules Committee and Mr. KUCINICH and everyone for at least encouraging this debate to move forward. I guess we could say today better late than never, but I

certainly wish we had adhered to our constitutional responsibility before the military engagement began.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time to close.

Ms. SLAUGHTER. Mr. Speaker, I want to urge a “no” vote on the rule and remind us the last time we had such a weighty debate, we devoted 26 hours to it, and 263 Members, more than half the House of Representatives, spoke.

I agree with what has just been said by Ms. LEE: this is much too late. It comes at a very strange time, and it really says today that this is pretty much a political move, which I regret, because this is probably, as she pointed out, and those of us who’ve been here before having to vote for it, voting to go to war is the most solemn experience that we face here.

So let me urge a “no” vote on the rule.

I have no further requests for time, and I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I want to associate myself with my colleagues who say it’s much too late. It is much too late. I wish we’d had that opportunity to have this conversation before hostilities began.

I am new to this body, Mr. Speaker, and perhaps my colleagues knew hostilities were getting ready to begin. I did not. I heard about it on CNN. There was no consultation with Congress before those hostilities began. That was the right time to have this debate. That time has passed.

And for those who say delay, delay, delay, I’ll tell you, it’s already too late. We cannot delay any further.

And I’m very pleased, Mr. Speaker, that the Rules Committee has made these two resolutions available because you have two very clear choices today, Mr. Speaker.

As you know, on the Senate side there’s the Kerry-McCain resolution. And this resolution that we have from Mr. HASTINGS today largely mirrors that resolution. If you believe that what’s going on in Libya is in the best interest of the United States, if you believe we have a national security interest in Libya, if you believe that the Congress should make clear that we are behind the President and what’s going on in Libya, you have that choice today in the resolution offered by Mr. HASTINGS.

If you believe that this is just another example of a war that’s going to escalate, and you’re concerned about that escalation, and you want to put yourself on the record as saying no, no more, no more, you have your chance to do that today with the Rooney resolution. No more.

I hold here in my hand, Mr. Speaker, a copy of Constitution of the United States of America, again, ratified this week in 1788. Article I, section 8: the

Congress shall have the power to declare war. Article I, section 9: no money shall be drawn from the Treasury but in consequence of appropriations made by law.

Mr. Speaker, it’s easy to say that foreign policy is the dominion of the President of the United States, and it is. But the purse is the dominion of the U.S. House of Representatives.

I want to hearken back again to what the chairman of the Rules Committee said on the floor earlier: this should be a time of celebration. And, Mr. Speaker, when we have troops in harm’s way, it should be something that we are unified behind and believe in as a Nation, that we are ready to prosecute a war effort to the fullest extent and bring our men and women home victorious.

But, Mr. Speaker, this is not a topic of unanimity. This is not a topic that we have found any sort of agreement on whatsoever in this body. In fact, this is a topic that we have been focused on and focused on and focused on, trying to bring to conclusion in this House. And this rule today, Mr. Speaker, gives us that opportunity.

Now, I want to make clear there’s a further step that we could go. We could go one step further that says no funds shall be used, period. And when we return to this body, Mr. Speaker, I believe my colleagues, Mr. KUCINICH and Mr. AMASH, are going to make that amendment available to us, and I will be voting “yes” when that amendment comes down the pike.

But for today, we have an opportunity to take a step in that direction. We have an opportunity to make our voices heard. Are you with it, or are you against it? Do you support what’s going on in Libya, or do you believe we’re headed in the wrong direction as a Nation?

You have that opportunity today; but only, Mr. Speaker, if you vote “yes” for this rule to make these two measures in order. I urge a strong “yes” vote.

Mr. WAXMAN. Mr. Speaker, I believe we do need proper congressional authorization for the military operations we are conducting in Libya, and we need a clear definition of the mission and our objectives.

I would very much like to vote for such a measure, but that is not the legislation before us today. Neither bill meets this test.

Instead, we have been presented with two unsatisfactory options: an unfortunate choice between a cut-off of all funds for the Libya operation, or support for a broad authorization for the use of force—except for the deployment of ground forces—that lasts for one year.

Moreover, under the rules established by the Republican leadership, no amendments are permitted to either measure.

So these are up-and-down votes on a very critical issue involving the ongoing engagement of our military forces against Libya—on a take-it-or-leave-it basis.

Neither of these measures has my support today.

I have never viewed Libya as being in the vital national security interests of the United States. That in itself is a flashing warning sign and a presumption against military involvement in Libya. This is true notwithstanding the enormous hopes that rose with the democratic uprising that erupted this spring—and the anger and outrage we feel as those expressions for freedom and an end to Qaddafi’s tyranny and corruption have been met with the most brutal repression.

In March, Qaddafi blatantly threatened to exterminate tens, if not hundreds, of thousands of his people. Key NATO allies, particularly Britain and France, viewed this crisis as vital to their national security interests, and urged us to join a military campaign that would prevent a humanitarian catastrophe.

In pursuit of this goal, President Obama commenced U.S. participation in NATO military activities in March.

At the outset of the Libya operation in March, I was afraid that we would in fact end up where we are today: a conflict that has lasted for months, not weeks, as the President indicated would be the case, and with a highly inconclusive situation on the ground.

This operation has carried significant internal tensions from the very beginning. The purpose of the military campaign was to protect the Libyan people from Qaddafi, but not explicitly to oust him. Nevertheless, the scope and scale of military activities, in the face of the stalemate between Qaddafi and the opposition forces, suggests that the conflict cannot be resolved until Qaddafi is removed.

Second, while President Obama has consulted extensively with Congress, he has not sought authorization for U.S. military involvement pursuant to the War Powers Act. I disagree strongly with his determination that the military campaign we are supporting and prosecuting does not constitute “hostilities” within the meaning of the War Powers Resolution. Active support for military operations that involve extensive bombing of Libya plainly constitutes “hostilities.”

It is therefore regrettable that, in addressing this complex and difficult situation, we are presented with two unsatisfactory choices. As I previously stated earlier this month when we took votes on Libya, a sharp cut-off of funds, as provided today in H.R. 2778, is the wrong thing to do. If this became law, we would run out on our NATO allies. Qaddafi would be freer to resume murdering his own people with impunity. And other tyrants in the region, such as Assad in Syria, would be emboldened in their determination to crush democratic movements in their countries.

But providing continued support for up to one year of the current military campaign is also unacceptable to me, even though it includes the very important limitation on the deployment of U.S. ground forces—a limitation I strongly support. Should the current stalemate in Libya continue indefinitely, such a commitment invites more and more aggressive use of force in order to resolve it. This carries the significant risk that we will find ourselves, months from now, more deeply embedded in Libya and not any closer to a successful outcome and conclusion.

While Libya is not in our vital national security interests, standing with our NATO allies

very much is. Accordingly, I would support a limited authorization for continuing support for NATO's military campaign to protect the Libyan people, but for a much shorter period of time than provided by H.J. Res. 68.

I believe the President, as Commander-in-Chief, should come directly to Congress to seek a limited authorization of military support for our NATO allies, and Congress should promptly act on it. This would help secure a stronger consensus behind a much more limited and well-defined campaign, and ensure that it is truly conducted in pursuit of our national security and policy interests.

Mr. WOODALL. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 167, not voting 24, as follows:

[Roll No. 492]

YEAS—240

Adams	Duncan (TN)	Jones
Aderholt	Ellmers	Jordan
Akin	Emerson	Kelly
Alexander	Farenthold	King (IA)
Amash	Fincher	King (NY)
Austria	Fitzpatrick	Kingston
Bachmann	Flake	Kinzinger (IL)
Barletta	Fleischmann	Kline
Bartlett	Fleming	Kucinich
Barton (TX)	Flores	Labrador
Bass (NH)	Forbes	Lamborn
Benishke	Fortenberry	Lance
Biggert	Fox	Landry
Bilbray	Franks (AZ)	Lankford
Bilirakis	Frelinghuysen	Latham
Black	Galleghy	Latta
Blackburn	Gardner	Lee (CA)
Bonner	Garrett	Lewis (CA)
Bono Mack	Gerlach	LoBiondo
Boren	Gibbs	Long
Boustany	Gibson	Lucas
Brady (TX)	Gohmert	Luetkemeyer
Brooks	Gonzalez	Lummis
Brown (GA)	Goodlatte	Lungren, Daniel
Buchanan	Gosar	E.
Bucshon	Gowdy	Mack
Buerkle	Granger	Manzullo
Burgess	Graves (GA)	Marchant
Burton (IN)	Graves (MO)	Marino
Calvert	Griffin (AR)	Matheson
Camp	Griffith (VA)	McCarthy (CA)
Campbell	Grimm	McCaul
Canseco	Guinta	McClintock
Capito	Guthrie	McCotter
Carter	Hall	McHenry
Cassidy	Hanna	McKeon
Chabot	Harper	McKinley
Chaffetz	Harris	McMorris
Coble	Hartzler	Rodgers
Coffman (CO)	Hastings (WA)	Meehan
Cole	Hayworth	Mica
Conaway	Heck	Michaud
Cravaack	Hensarling	Miller (FL)
Crawford	Herger	Miller (MI)
Crenshaw	Herrera Beutler	Miller, Gary
Culberson	Huelskamp	Mulvaney
Davis (KY)	Huizenga (MI)	Murphy (PA)
Dent	Hultgren	Myrick
DesJarlais	Hunter	Neugebauer
Diaz-Balart	Hurt	Noem
Dicks	Issa	Nugent
Dold	Jenkins	Nunes
Dreier	Johnson (IL)	Nunnelee
Duffy	Johnson (OH)	Olson
Duncan (SC)	Johnson, Sam	Palazzo

Paulsen	Rokita
Pearce	Rooney
Pence	Ros-Lehtinen
Petri	Roskam
Pitts	Ross (AR)
Platts	Ross (FL)
Poe (TX)	Royce
Pompeo	Runyan
Posey	Ryan (WI)
Price (GA)	Scalise
Quayle	Schilling
Quigley	Schmidt
Reed	Schock
Rehberg	Schweikert
Reichert	Scott (SC)
Renacci	Scott, Austin
Ribble	Sensenbrenner
Richardson	Sessions
Rigell	Shimkus
Rivera	Shuler
Roby	Shuster
Roe (TN)	Smith (NE)
Rogers (AL)	Smith (NJ)
Rogers (KY)	Smith (TX)
Rogers (MI)	Southerland
Rohrabacher	Stearns

NAYS—167

Ackerman	Frank (MA)	Murphy (CT)
Altmire	Fudge	Nadler
Andrews	Garamendi	Neal
Baca	Green, Al	Olver
Baldwin	Green, Gene	Owens
Barrow	Grijalva	Pallone
Bass (CA)	Gutierrez	Pascarell
Becerra	Hanabusa	Pastor (AZ)
Berkley	Hastings (FL)	Payne
Berman	Heinrich	Perlmutter
Bishop (GA)	Higgins	Peters
Bishop (NY)	Himes	Peterson
Blumenauer	Hinche	Pingree (ME)
Boswell	Hinojosa	Polis
Brady (PA)	Hirono	Price (NC)
Braley (IA)	Hochul	Rahall
Brown (FL)	Holden	Reyes
Capps	Holt	Richmond
Capuano	Honda	Rothman (NJ)
Carnahan	Hoyer	Roybal-Allard
Carney	Inslee	Ruppersberger
Carson (IN)	Israel	Rush
Castor (FL)	Jackson (IL)	Sanchez, Linda
Chandler	Jackson Lee	T.
Chu	(TX)	Sanchez, Loretta
Cielline	Johnson (GA)	Sarbanes
Clarke (MI)	Johnson, E. B.	Schakowsky
Clarke (NY)	Kaptur	Schiff
Clay	Keating	Schrader
Cleaver	Kildee	Schwartz
Clyburn	Kind	Scott (VA)
Cohen	Kissell	Scott, David
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sewell
Cooper	Larson (CT)	Sherman
Costa	Levin	Sires
Costello	Lewis (GA)	Slaughter
Courtney	Lipinski	Smith (WA)
Critz	Loeb	Speier
Crowley	Loeb	Stark
Cuellar	Lofgren, Zoe	Sutton
Cummings	Lowe	Thompson (CA)
Davis (CA)	Lujan	Thompson (MS)
Davis (IL)	Lynch	Tierney
DeFazio	Maloney	Tonko
DeGette	Mark	Tsongas
DeLauro	Matsui	Van Hollen
Deutch	McCarthy (NY)	Velázquez
Dingell	McCollum	Visclosky
Doggett	McDermott	Walz (MN)
Donnelly (IN)	McGovern	Wasserman
Doyle	McIntyre	Schultz
Edwards	McNerney	Waxman
Ellison	Meeks	Welch
Eshoo	Miller (NC)	Wilson (FL)
Farr	Miller, George	Yarmuth
Filner	Moore	
	Moran	

NOT VOTING—24

Bachus	Fattah	Ryan (OH)
Berg	Giffords	Simpson
Bishop (UT)	Gingrey (GA)	Stivers
Butterfield	LaTourette	Towns
Cantor	Napolitano	Watt
Cardoza	Paul	Whitfield
Denham	Pelosi	Young (AK)
Engel	Rangel	Young (FL)

□ 1031

Mr. GENE GREEN of Texas changed his vote from "yea" to "nay."

Mr. WU changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 492. Had I been present, I would have voted "nay" on H. Res. 328, the rule providing for consideration of H.J. Res. 68. Authorizing the limited use of United States Armed Forces in support of the NATO mission in Libya; and consideration of H.R. 2278, to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of NATO operations in Libya.

AUTHORIZING LIMITED USE OF ARMED FORCES IN LIBYA

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to House Resolution 328, I call up the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

POINT OF ORDER

Mr. JACKSON of Illinois. Mr. Speaker, I rise to make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. JACKSON of Illinois. Mr. Speaker, I understand the gravity of the legislation before us, but I rise to make a point of order that this bill violates clause 11 of rule XXI. This section of the rule states that it shall not be in order to consider a bill or a joint resolution which has not been reported by a committee until it has been available to Members for 72 hours.

The SPEAKER pro tempore. Pursuant to House Resolution 328, all points of order against consideration of the joint resolution are waived.

PARLIAMENTARY INQUIRIES

Mr. JACKSON of Illinois. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. Can the Chair tell the House when H.R. 2278 and H.J. Res. 68 were made available to Members?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. Mr. Speaker, the Speaker has said that he will not bring a bill to the floor that has not been available for 72 hours. Have these bills been available for 72 hours?

The SPEAKER pro tempore. The gentleman has once again not stated a proper parliamentary inquiry.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. Is the majority waiving the position of the Speaker, waiving the rule as it relates to the legislation before us?

The SPEAKER pro tempore. The gentleman from Illinois is engaging in debate and not stating a parliamentary inquiry.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. JACKSON of Illinois. The fact of the matter is this bill has not been available for 72 hours, and not even 3 calendar days.

The SPEAKER pro tempore. The gentleman is not recognized for debate at this point. The gentleman is not stating a parliamentary inquiry.

Pursuant to House Resolution 328, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 68

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION FOR THE LIMITED USE OF UNITED STATES ARMED FORCES IN LIBYA.

(a) **AUTHORITY.**—The President is authorized to continue the limited use of the United States Armed Forces in Libya, in support of United States national security policy interests, as part of the NATO mission to enforce United Nations Security Council Resolution 1973 (2011) as requested by the Transitional National Council, the Gulf Cooperation Council, and the Arab League.

(b) **EXPIRATION OF AUTHORITY.**—The authorization for such limited use of United States Armed Forces in Libya expires one year after the date of the enactment of this joint resolution.

SEC. 2. OPPOSITION TO THE USE OF UNITED STATES GROUND TROOPS.

Consistent with the policy and statements of the President, Congress does not support deploying, establishing, or maintaining the presence of units and members of the United States Armed Forces on the ground in Libya unless the purpose of the presence is limited to the immediate personal defense of United States Government officials (including diplomatic representatives) or to rescuing members of NATO forces from imminent danger.

SEC. 3. REPORTS TO CONGRESS.

The President shall consult frequently with Congress regarding United States efforts in Libya, including by providing regular briefings and reports as requested, and responding to inquiries promptly. Such briefings and reports shall include the following elements:

(1) An updated description of United States national security interests in Libya.

(2) An updated statement of United States policy objectives in Libya, both during and after Qaddafi's rule, and a detailed plan to achieve them.

(3) An updated and comprehensive list of the activities of the United States Armed Forces in Libya.

(4) An updated and detailed assessment of the groups in Libya that are opposed to the Qaddafi regime, including potential successor governments.

(5) A full and updated explanation of the President's legal and constitutional rationale for conducting military operations in Libya consistent with the War Powers Resolution (50 U.S.C. 1541 et seq.).

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes. The gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 68.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not support a complete U.S. withdrawal from NATO's Operation Unified Protector. I believe that it is necessary for U.S. Armed Forces to remain engaged in a limited capacity. However, I cannot support an authorization which constitutes our current level of engagement for an entire year. This is what is proposed in H.J. Res. 69, offered by my friend from Florida (Mr. HASTINGS), and I therefore must rise in opposition to his resolution.

This resolution not only authorizes U.S. military engagement in Libya far beyond even the 90-day NATO extension, but it justifies U.S. military engagement in Libya as undertaken to enforce a United Nations Security Council resolution and at the request of the Transitional National Council, the Gulf Cooperation Council, and the Arab League. So we must ask: Where is the United States Congress in this equation?

If an authorization resolution had been put forward in February, I might have been able to support it. I understand the mission. But in the intervening period, conditions have changed significantly on the ground in Libya, within NATO, with our NATO partners, and here in the U.S. Decisive action with congressional authorization at the outset might have solved this prob-

lem quickly, but now we have drifted into an apparently open-ended commitment with goals that remain only vaguely defined. And that is at the heart of the problem, Mr. Speaker.

The President asserted, "These strikes will be limited in their nature, duration, and scope." Well, it is now day 97—97—of our involvement of U.S. Armed Forces in hostilities regarding Libya; yet Qadhafi still clings to power and the opposition appears to be no closer to a decisive victory. Command for the military operation has been transferred to NATO; yet the constrained role the President has said is being played by U.S. forces in Libya still includes nearly one-quarter of the total sorties flown in Libya; suppression of the enemy air defense through missile strikes; strikes by unmanned Predators on Qadhafi targets; nearly 70 percent of the mission's intelligence, surveillance, and reconnaissance; and over 75 percent of all aerial refueling. Yet the President has yet to explain just what American interests are at stake and just what outcomes he is hoping to achieve.

The resolution offered by our Speaker, Speaker BOEHNER, and adopted by this Chamber on June 3 posed specific questions that required straight answers. Instead, we received a letter and accompanying documents from the Acting Assistant Secretary of State for Legislative Affairs and the Assistant Secretary of Defense for Legislative Affairs, which stated that U.S. actions in Libya were "taken in response to direct appeals from the Libyan people and acting with a mandate from the United Nations."

□ 1040

The administration proceeded to justify its current policy by asserting that U.S. military operations in Libya do not constitute hostilities. This argument is so incredulous that even the attorneys in the Office of the Legal Counsel do not agree. Therefore, I am not optimistic that the reporting provisions in the resolution we are considering today, which calls for "a full and updated explanation of the President's legal and constitutional rationale for conducting military operations in Libya," will be fulfilled in a fulsome manner, respectful of congressional prerogatives.

Again, I must underscore that I do not support a complete withdrawal from our commitments concerning Libya. That would be dangerous. That would be ill-advised. A complete withdrawal of all U.S. military assets from the Libya operations would undermine our intelligence efforts and our foreign policy goals, and would all but assure a victory for Qadhafi. It can lead to greater instability, which could affect NATO operations in Iraq and Afghanistan at a critical stage of transition. There are also proliferation concerns

at stake, particularly as an increasing number of weapons have moved into the region and reportedly fallen into the hands of extremist organizations, including al Qaeda in the Islamic Maghreb. The Qadhafi regime is an unpredictable regime that has chemical weapons, including mustard and possibly sarin gas.

While a complete withdrawal is unacceptable, the resolution before us is also unacceptable. The resolution effectively ratifies all that the President has done, and it would grant him the blessings of Congress to continue on his present course. The resolution before us would enable mission creep, rather than setting clear parameters for U.S. engagement. I must therefore oppose this resolution.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in support of the resolution, and I yield 2 minutes to the sponsor of the resolution, the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. It's high time that Congress asserts its authority and engages proactively with the administration on this most serious question of war. I just wonder where my colleagues have been all these years that we have had Presidents and war. It will be interesting to see a matchup of their votes with this one.

Mr. Speaker, the underlying legislation authorizes the limited use of United States forces in support of the NATO mission in Libya. This legislation is a bipartisan effort to prevent the kind of open-ended, indefinite military commitments we have elsewhere in the world. Register that as Afghanistan and Iraq. This resolution is a companion to forward-leaning Senate legislation introduced by Senators JOHN KERRY, JOHN MCCAIN, BENJAMIN CARDIN, and RICHARD DURBIN. Immediately after they introduced the resolution in the Senate, I brought it to the House so that we can make progress on this very important debate before us.

If I had my way, Mr. Speaker—and I don't—we wouldn't be in Libya at all. But I don't have my way, and here we are, and the solution now is not to cut off all funding and suddenly walk out. We have a responsibility to our allies. As long as we are continuing to supply logistics, materiel, and critical intelligence and operational capabilities—and no boots on the ground—we must support our allies who are carrying out the direct combat operations. We must stand with NATO.

Again, Mr. Speaker, if I had my way—and I don't—there are revisions to this resolution that I believe the Congress ought to consider. I maintain that a better date to end the authorization would be the end of September, and certainly no later than December. The 1-year authorization limits the President's ability to engage our

Armed Forces indefinitely so that we don't find ourselves neck deep in yet another war.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman an additional 15 seconds.

Mr. HASTINGS of Florida. This authorization prohibits the use of ground forces and at the same time requires the President to continually report to Congress. I would rather us use some of Libya's frozen assets so that we could have them pay for the mission that they began.

Ms. ROS-LEHTINEN. I am pleased to yield 3 minutes to the gentleman from Texas, Dr. PAUL, a member of our Committee on Foreign Affairs.

Mr. PAUL. I thank the gentlewoman for yielding.

Mr. Speaker, this is a resolution that endorses the policies that have been going on for 4 months. Not only has the Congress basically been strong in opposition to what has been going on, the American people are even more so. So what this resolution does is endorses exactly what has been going on—another unconstitutional war, involvement and justification under NATO and the United Nations, doing it secretly. There's an attempt to restrain the funding of this effort over in Libya. How can we restrain it, because we've never authorized it. Restrain unauthorized funds? The funds weren't authorized. The President just goes and does it.

What we're talking about here is the challenge for the Congress on looking at the unitary President. The unitary President has been around for quite a few years. That means that Presidents do what they want, and the Congress just acknowledges it. So that is what we're doing. This is what this resolution does. It acknowledges and gives authority to the President to pursue this war, which is actually what he has been doing. Obviously, H.J. Res. 68, for me, is a very, very strong "no" because the last thing we need to do is to be giving explicit support and explicit authorization for the very policies that so many people now think are ill-advised.

This resolution also says you don't send in ground troops. Well, that's fine, no ground troops. But in this day and age, war can go on for a long time without the ground troops. It happened to a degree in Bosnia. But it didn't exempt such things as special forces, the CIA. The CIA has been in Libya, and I'm sure they will be, as they are in many, many other hundreds of countries. Contractors. When we can't send in troops, we send in contractors. We have as many contractors in Afghanistan as we do the military. So a couple thousand troops come out of Afghanistan and nothing changes as we add more contractors. Nothing ever changes.

But this whole idea of this effort to legalize the bombing, at least give the

authority to the President to continue this, is foolhardy. How many more wars can we withstand? What number is this? This is I think number five. Today, in the papers, number six is coming. How long before we're in Syria? Go into Syria tomorrow and in 90 days we'll start talking about Syria and proper authority.

Instead, we in Congress have given up our responsibility for war. Because the responsibility of going to war should have been and still remains constitutionally mandated that the Congress makes these decisions. The President is not supposed to get us engaged in war without Congress' authority. Too often we say, Whatever you need, we'll endorse it.

We have another resolution coming up shortly.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. I yield the gentleman 30 additional seconds.

Mr. PAUL. Unfortunately, I think the next resolution, H.R. 2278, isn't much different because it has too many exceptions. It says: Deny funding. But there are too many exceptions, and the exceptions are to allow the very things the President is currently doing.

So both resolutions have serious shortcomings. Both resolutions should be defeated if you're opposed to this war in Libya.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Washington (Mr. McDERMOTT.)

Mr. McDERMOTT. Mr. Speaker, I rise in support of the President's response to Libya.

A week after it started, I received a phone call from a very distinguished professor at the University of Washington, who had left and was back in Libya. He is now the Finance Minister, Dr. Tarhouni. He said to me, Please give us air cover. If you can protect us from the air, we can take care of it ourselves on the ground.

□ 1050

As I listened to him, I thought of an experience I had with President Clinton. I flew to Africa, to Kigali, and met with people who had been part of the massacre—the maimed. Then I saw the President go into the hangar and speak to 500 Rwandans and apologize for not having responded to the Rwandan massacre on the first day. This was a situation where the Libyans were asking for it. It was one where the Arab League was asking for it. This was not something that was cooked up in the White House, created and sent out. This was done in response to people on the ground.

My belief is that these kinds of situations require the President to act decisively. He did and I support him.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from

Texas, Judge POE, vice chairman of the Foreign Affairs Subcommittee on Oversight and Investigations.

Mr. POE of Texas. I appreciate the chairlady for yielding me time on this issue.

Mr. Speaker, going to war is a big deal. That's why our forefathers put within the Constitution that when America is to go to war it is Congress that is to lead that charge, that it is Congress to authorize America's going to war. That has been the law in the Constitution since it was written.

Then came the War Powers resolution, and Congress decided that it would give a little of that constitutional authority to the President for a period of days until he justified his action before Congress. We can argue whether the War Powers resolution is constitutional or not. But in any event, Congress has not led America to war in Libya.

The President has.

The President made that decision.

As James Madison, the author of the Constitution, said in a letter to Thomas Jefferson—and I paraphrase—it has been the history of peoples that it has been the executive branch that has led a country to war, and that's why our Constitution prevented kings and dictators and even Presidents from leading this country to war. It must be authorized by Congress.

But now we find ourselves in America's third war—in Libya. The President took us to war. Now, on this day, we are being asked to support and justify that war in this resolution. I vote "no" on this resolution. We have no business in Libya. Even the administration has said it is not in the national security interest of the United States to be in Libya.

So why are we there? We are there because we don't like Muammar Qadhafi. There are a lot of bad guys in the world, and if we start picking them off one at a time we will be at war with most of the world, because most of the world is led by rogue dictators—or bad guys. We have no business being in Libya. We have no business justifying this war on the House floor.

It is Congress' responsibility to defund any further action in Libya, and that is what we should do. It's unfortunate we don't have that up-or-down vote. I wish we could vote up or down today on that issue and let the House decide if we should be at war in Libya. \$700 million has already been spent on the war in Libya. It's hard to figure out where that money came from. I get different answers from different people about where the President got that money. Maybe we should spend that \$700 million in the United States, building America rather than blowing up Libya. I think that would be a better use of funds.

We need to take care of America. We shouldn't be involved in somebody

else's civil war in Libya. Who are the rebels? We're not sure who they are either. They may be extremists. They may be patriots. They may be of democratic philosophy. We have no idea.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. POE of Texas. We don't know who the rebels are. They may be worse than Muammar Qadhafi. Now, isn't that a lovely situation if they take control. We replace an oppressive regime with an extremist radical regime, and that's all because we are in a war that was unauthorized by this Congress.

Cut off all funds. Vote against this resolution.

And that's just the way it is.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to a gentleman with the opposite view of this issue than I have, the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. What? We don't have enough wars going on? A war in Iraq, a war in Afghanistan? We need one more war? We have to wage war against another nation which did not attack us? We have to wage war against another nation which does not represent an actual or imminent threat to the United States?

Mr. Speaker, I have to tell you that I have been all over this country, and I haven't had a single person come up to me to tell me, "You know, DENNIS, what America needs is another war." The last thing we need is to be voting to go to war. There are plenty of reasons to oppose the war in Libya:

It's unconstitutional. Article I, section 8 has given the Congress the power to declare war.

It's illegal. The War Powers resolution was passed over Presidential veto to allow the President latitude to respond when there is an imminent threat to the U.S. while retaining the constitutional duty of Congress. Even the President's top legal advisers at the Pentagon and the Department of Justice determined that the War Powers resolution applies to the war in Libya.

Another reason is that Americans don't want this war. A poll taken at the beginning of the month by CBS found that six in 10 Americans do not think the United States should be involved in a conflict within Libya. Just 30 percent of Americans in that poll thought the United States was doing the right thing by taking part in the current military conflict. A majority of Republicans, Democrats and Independents alike think the U.S. should not be involved in Libya.

Next, this war is a distraction. Our flailing economy demands the full attention of Congress and the President. The American people have little patience, or less, especially for a war of choice.

Then there is the cost of the war, Mr. Speaker. We've spent \$750 million so far. If we keep going on, it will cost billions.

We have to end this war. Vote against this authorization.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Illinois (Mr. KINZINGER), a member of the Committee on Energy and Commerce.

Mr. KINZINGER of Illinois. I thank the gentlelady for yielding.

I stand today in support of this resolution.

The world is watching our actions today. The world is asking: What are we going to do? We talk all the time about allowing Europe to take the lead in certain areas, about allowing NATO to take the lead in foreign policy, and they have done that. Now will we today pull the rug out from under them simply because we have a dispute between the legislative and the executive branches?

I think the President should have come to this Chamber, too, but he didn't. Yet the wrong thing to do is to pull funding, and the right thing to do is to give him the authorization to go into Libya. A slaughter almost occurred, and we were able to stop it by our presence there. The vote we take in the House today will have implications far beyond our shores and far into the future. Finally, I am reminded of a quote by George Washington, in which he states, "Liberty, when it begins to take root, is a plant of rapid growth."

I support this resolution and would urge all my colleagues to do the same. In doing so, we will be supporting the planting of freedom and liberty in the Middle East.

Mr. BERMAN. I am pleased to yield 1½ minutes to the ranking member of the House Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I strongly support the Hastings amendment.

In my judgment, the President's initial commitment of U.S. airpower and naval forces to support the international effort was appropriate and certainly within his power as Commander in Chief. The United States' effort was undertaken in concert with a broad coalition of nations, and it followed a resolution adopted in the United Nations Security Council, authorizing "all necessary measures" to protect Libyan civilians attempting to overthrow the oppressive regime of Muammar Qadhafi. The Qadhafi government's response to the uprising, inspired by the Arab Spring, was to use force against civilians and opposition forces, and the brutal measures prompted the international outcry and the U.N. action.

In March, the President clearly outlined the rationale for our involvement in this military action. While the direct U.S. leadership of this effort lasted

a brief time, U.S. forces remain engaged in the NATO operation. In this Chamber today, we are considering both the resolution authorizing the continued use of limited U.S. involvement in this effort or our immediate withdrawal from it.

While I believe it would have been more appropriate for the President, under the terms of the War Powers Act, to come to Congress earlier, I believe the language offered by HASTINGS of Florida, similar to the language introduced in the other body by Senators MCCAIN and KERRY, is the appropriate course of action at this time.

□ 1100

The language preserves the understanding between the administration and Congress that U.S. ground forces are not appropriate at this time and were not asked for by the rebels.

The strict limitation of funds in the resolution offered by Mr. ROONEY of Florida would end our involvement unilaterally. I believe this action would be unwise and that it would materially harm our relationship with NATO allies.

And when I hear many of my colleagues on the other side of the House Chamber speaking in favor of abandoning the cause, I'm reminded of Ronald Reagan who attacked Libya with air power and called Qadhafi the "mad dog of the Middle East."

Mr. BERMAN. Mr. Speaker, I am pleased to yield 90 seconds to the gentleman from Michigan (Mr. LEVIN), ranking member of the Ways and Means Committee.

Mr. LEVIN. We should learn from the past. There are indeed times when American national interests should overtake political or partisan political interests.

I remember the debate on Kosova 12 years ago. Congress refused to authorize American action by a split vote. That was a tragic mistake. House Republican leadership opposed that resolution: 187 noes against 31 yeses. I believe it was clear then that Republicans would not have opposed the Kosova resolution, at least in those numbers, if George Bush had been President.

Today, there are echoes from Kosova on this Libyan resolution. The Republicans should not make the same mistake again. We should join together to support the Hastings' resolution that's consistent with the War Powers Act.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I rise in support of the Hastings resolution.

I think it's important to remember that U.S. military force is a very awesome thing and should only be employed in very select circumstances. We misused that power when it came to Iraq, and we used that power in an

improper way and too long in Afghanistan. But when people are being slaughtered by dictators around the world, where massive loss of lives and innocents are at stake, I think it is appropriate for the United States to step up and protect those people.

Yes, we do have business in Libya. We have business in protecting mass murder from happening and stopping mass murder from happening around the world. We have business in stopping the destabilization of regions like north Africa. We have business in making sure that the peaceful resolutions in Egypt and in Tunisia are not undermined. We have business in making sure that dictators like Ali Saleh in Yemen and Bashar al-Assad in Syria are not emboldened and the signal does not go out to them that they can continue to wipe out their population and nobody cares.

I believe that if I was in this Congress when Rwanda or Srebrenica or Darfur were happening, I pray that I would stand up and say that those people need to have some protection and that the most powerful Nation in the world shouldn't stand by while innocent women and children are being mowed down, and I hope today that my colleagues will join in that because it's the right thing to do.

Thank you very much.

Mr. BERMAN. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The gentleman from California has 10 minutes remaining, and the gentlewoman from Florida has 6 minutes remaining.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlelady from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the distinguished Speaker, and to the distinguished Members that are on this floor, what a heck of a position to be in.

Let me make it very clear this is a set of circumstances that frames itself around the Constitution, the War Powers resolution, that indicates that Congress must be consulted. But I am in the middle of my actions that took place months ago or many weeks ago as the crisis and the murderous acts of Colonel Qadhafi began to seize his people. And we went to the Libyan Embassy to ask for Colonel Qadhafi to step down, and we joined with the then-Ambassador in his courageous act. Colonel Qadhafi is known to oppress his people; to deny rights of freedom of press and speech, as well as association; to train dictators in oppression and intelligence; and the murderous acts still go on.

But it is a crisis when we have an administration, unfortunately, that has not seen fit to undertake the consultation that is necessary. Yet I believe that we should finish the task, and it is

different from Iraq and it is different from Afghanistan. We have a time certain and, as well, we have the Arab League that has asked us to stand with them against the oppression of one of its members.

This is a door opener to say to the people that we have asked to be with us to go against terrorist acts to stand for democracy. So this is a devastating position to put the Members of Congress in, but we must do our duty today, and I believe that it is good to say that the Hastings amendment is the framework, though I would prefer 6 months, and I hope there is an opportunity to address this for a limited time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker and Members, apparently the House has debated for more than almost 40 years ago the War Powers agreement or War Powers law. What we have before us today is a way in which we can effect that law and put it into place, and there is reason for us to support the Hastings amendment or the Hastings resolution, and there are four reasons.

First of all, there's a humanitarian issue here, and that's why we went into this in the first place, the United Nations resolution on the obligation to protect, and indeed there was a threat.

Secondly, this particular intervention is supported by the United Nations, by NATO, by the Arab League, in a most unusual situation asking for support of the Europeans and the United States in an Arab country.

Finally, we must continue our support of the effort, and we must do it in a very limited way. The resolution does that. It provides for a very limited scope and a limited period of time and, therefore, it is in order; and it appropriately puts the Congress, both Houses if this should pass the Senate, in support of the operation, thereby fulfilling the War Powers Act.

I ask for an "aye" vote on the resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased and honored to yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights.

Mr. SMITH of New Jersey. I thank our distinguished chairwoman for yielding and thank her for her leadership today and every day on human rights issues.

Let me just say, Mr. Speaker, I rise in opposition to H.J. Res. 68.

You know, when U.S. intervention in Libya began last March, I raised—and I was among many—several still unanswered questions about our involvement. They included questions about the identity and the aims of the rebels, the varying Presidential statements

that seemed to shift like the wind, the level of U.S. involvement, the possibility of Qadhafi retaliating against American interests outside of Libya, and whether U.S. ground troops might well be requested at some point, although the resolution seems to clearly say that that would not be authorized by Congress.

In the course of the debate over the constitutionality and viability of the War Powers resolution, these questions have remained unanswered. The President has refused to seek congressional approval of his action or even to provide a full explanation of his decisions. As the NATO campaign continues, new questions have arisen about U.S. participation and what is now NATO's involvement in Libya.

□ 1110

Let me just say mention was made a moment ago by Mr. LEVIN about Kosovo and that somehow the Republican opposition to military action in Kosovo was political. It absolutely was not! I remember because I was very involved in trying to mitigate the Balkan troubles. I visited there many times, visited with Milosevic, the dictator in Belgrade. Actually, I was in Vukovar right before it fell.

So, frankly, the statement that was made earlier I think did a disservice to those of us who were not supportive of the Kosovo operation. There was no plan to war protect the Kosovar Albanians. We used air power. Milosevic invaded with ground troops. If Members will remember, that country's population was literally, literally pushed out into Macedonia and elsewhere—about 1.6 million refugees—because there was no plan when Milosevic sent in the ground troops and killed thousands of people because we had no plan to protect them. An estimated 10,000 people were killed.

So the revisionism that somehow Republican opposition to the war was a political calculation falls very, very far from the truth. And it's a cheap shot. I actually chaired hearings during the war and stated my oppositions based on principle, as did other Members. So I expect—and hope—unfounded revisionism would be avoided and that there would not be that look-back that does a disservice on the issue at hand to principled Republican opposition.

So, who exactly are we backing in Libya? What justification under international law is there for directing both U.S. and foreign government assets to a rebel entity that is not democratically elected and, therefore, not necessarily representative of the people of that country? We don't know.

In addition, a senior NATO official told CNN on June 9 that Qadhafi "was a legitimate target of the bombing campaign." Even though this was expressed as a NATO position, are we now to understand that the Obama adminis-

tration is sanctioning the killing of foreign leaders? Again, pursuant to what international criteria or legal justification?

Mr. Speaker, again, I call on my colleagues to vote down this resolution that is offered, H.J. Res. 68.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New York (Mr. MEEKS), a member of the Foreign Affairs Committee.

Mr. MEEKS. Mr. Speaker, today I say that we have an opportunity. The camera of history is rolling, is watching what we do today. We can authorize the President to continue the limited use of the United States services, working in conjunction with NATO today so that we can show that we are united with our allies.

Think about what history will say 50 years from now. We have an individual who was going to massacre his individuals. And by us stepping in, working in conjunction with our NATO allies, we are saving thousands of lives. What would have taken place historically if we had allowed the annihilation of the Libyan people? Let's stick together on this.

From its inception, this has been an international initiative to enforce U.N. Resolution 1973 and the response to the request of Libya's Transitional National Council, the Gulf Cooperation Council, and the Arab League. President Obama deployed U.S. assets early, said he will continue just with what we have, our special assets, and then have no troops on the ground. The camera of history is rolling. Let's work together. Let's pass this resolution.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time, Mr. Speaker.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, we were asked to come into Libya by Libyans, by the Arab League, by the Gulf Cooperation Council, by the European Union, and by the United Nations Security Council. Today we are standing where we should be standing, with those who believe in freedom, in human rights, and in the rule of law.

But also today, as we debate this issue, Muammar Qadhafi's forces continue their merciless assault against civilians and combatants alike, not just in Misratah but in the western mountains and cities throughout central Libya. The Libyan Transitional National Council, which needs our support, is extraordinarily short of weaponry, money, and training. But they are the boots on the ground, fighting and dying to dislodge Qadhafi, who is a bad guy, who did oversee the killing of 189 innocent passengers on PanAm 103.

We need to be on the other side, not giving comfort to Qadhafi so that he can thank us for the resolution and

this vote as he thanked Speaker BOEHNER for his resolution last week. We need to make clear we don't support him. We do support people who are fighting for the same values that define our country; 38 of those people were killed just this week. To cut off operational funding for the NATO operation is to side with Qadhafi against the forces who are fighting for those values which define us.

And, you know, the idea that this hasn't been explained sufficiently by the President is a bogus one. We have minds of our own. We know the facts. We can make a judgment. The right judgment is to side with the President and to continue this support to the Libyans until America shows all the people of the Arab world that it's true to its own values and principles.

Mr. BERMAN. Mr. Speaker, would you inform us as to the amount of time remaining on each side.

The SPEAKER pro tempore. The gentleman from California has 5 minutes remaining. The gentlewoman from Florida has 3 minutes remaining.

Mr. BERMAN. I am pleased to yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

There are two issues before Congress: one is the reassertion of its responsibility under article I and the War Powers Act; number two is the decision on the limited use of force for humanitarian missions in Libya. The Hastings resolution accomplishes both.

It reasserts our authority under article I and the War Powers Act. It says, yes, we do support limited intervention with a role for the U.S. in saving lives in Libya. That mission is necessary to avert a humanitarian disaster. Two, the mission has broad international support, including from the Arab League. Three, the U.S. role is limited in scope: no boots on the ground. And, finally, we are, by acting, asserting our responsibility under the War Powers Act and our responsibility under article I.

Ms. ROS-LEHTINEN. I reserve the right to close, Mr. Speaker; so I will reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we are 90 days into this operation, and the majority is bringing up this resolution in order to embarrass the White House. Let's just call it for what it is. They know it will fail. They want to continue to play games with U.S. national security.

Let's be honest about what's happening here. The Republican leadership allowed this resolution to come to the floor for one reason and one reason only: They know it will fail, and they think its defeat will be a political defeat for the White House. If that type of trifling and toying with national security appeals to them, so be it.

□ 1120

Mr. Speaker, I think our commitments to NATO and the humanitarian crisis that created the NATO operation in Libya are too important to be exploited for cynical political purposes. In my view, the perfect authorization would have been a 6-month authorization for a limited purpose with a limitation on that authorization with respect to a position the House has stood for the entire time, as has the President, and that is no boots on the ground.

But the Republicans didn't give this side the choice of the resolution for authorization. They told us what the resolution for authorization would be, and that's a very unfortunate kind of a situation. So we will go through this process. And perhaps, at the end of the day, after this resolution fails, we will get another letter to the House of Representatives sent to the Speaker thanking us from Colonel Qadhafi for once again demonstrating that we want to send a message that he is going to prevail in this conflict.

And when that happens, what do we think the dictator of Syria is going to think? Faced with the choice of change or quitting, he will hear the message: the way to survive, the way to hold onto power is for a despot to continue to kill his own people without the rest of the world doing anything.

There are critical alliances at stake. There are critical interests at stake. The national security question is far beyond simply what is going to happen in Libya, but in its neighbors, Egypt and Tunisia, throughout the Middle East and through the entire world, the message of trying to say that we're going to pull the plug on this particular operation.

And heaven knows, we could spend time talking about the way the administration has handled it; but right now we have one choice, to pull the plug on this baby, or to let it play out in a limited and responsible fashion, to achieve our goals and send a message that the civilized world is not going to stand for this kind of barbarity and brutality.

I urge an "aye" vote on the joint resolution.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, to wrap up on our side, I am proud and pleased to yield the balance of my time to the gentleman from Arkansas (Mr. GRIFFIN), a member of both the Committees on Foreign Affairs and Armed Services.

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today in opposition to House Joint Resolution 68, which authorizes the President to continue military operations in Libya.

I appreciate all the policy arguments that I've heard here today. But the question for me is, is it illegal or not? If it's a question of law, then all of the arguments about making this group

mad or not being a good ally, et cetera, those are very persuasive; but those are not legal arguments. Those don't change whether the actions in Libya are constitutional or legal. Those are policy arguments.

The President continues to be in violation of the War Powers resolution, which requires congressional approval for military action within 60 days of the initial use of our Armed Forces. That deadline expired long ago.

The President continues to involve the U.S. military in this illegal conflict and has continually ignored requests to gain congressional approval.

What's so hard, Mr. President, about coming to the House and consulting with the Congress? What's so hard about that? Other Presidents who may have had their doubts about the constitutionality of the War Powers resolution have still gone through the process to respect the people that are represented by this body.

Reportedly, the President ignored advice from his top lawyers at the Pentagon and the Justice Department who said that he no longer had the legal authority to continue military action without congressional authorization.

Furthermore, this is not a legal argument—but I think it's relevant—we're broke. The price tag of the military action in Libya has already cost the U.S. Government over \$750 million. This resolution would authorize the President to continue military action in Libya for up to a year. That could result in billions of dollars of funding by the American taxpayer that we just can't afford.

We cannot spend precious taxpayer funds to support this military action while the President flouts the law and Constitution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to direct their remarks to the Chair.

Ms. ROS-LEHTINEN. I yield back the balance of my time.

Mr. McKEON. Mr. Speaker, I rise in opposition to the bill, and I yield myself such time as I may consume.

The President's initial justification for our military intervention in Libya was that it was necessary to prevent the massacre of Libyan civilians by government forces in Benghazi, and that this would be strictly a humanitarian mission.

As I noted back in March, deploying American warriors to protect civilians from a brutal dictator is a noble cause. Yet I also expressed my reservations at the time because I feared that the mission could result in a protracted stalemate. Although the President promised the American people that our involvement would be limited, a matter of weeks, not months, we find ourselves past the 3-month mark with no end in sight.

This bill would authorize operations for up to a year. We're currently en-

gaged in a war that is vital to our national security. In Afghanistan we're fighting extremists who sheltered the terrorist organization that killed 3,000 Americans on September 11, and would again provide them with a sanctuary if given the chance. We're in the process of consolidating our victory in Iraq and still have 50,000 troops there in harm's way.

Indeed, a clear strategic vision is required to make any military intervention successful. Since this operation began, the connection between strategic ends and operational means has been lacking. Consequently, unless the NATO mission departs from its original mandate, it appears that our only recourse is to hope that Qadhafi will voluntarily leave his country. I cannot support a long-term commitment of U.S. forces to hostilities when success is based on hope.

Furthermore, the President failed to seek congressional authorization for this operation on the flimsiest of legal rationale. It's not appropriate for this body to cover his lapse with a blanket authorization.

I therefore urge my colleagues to vote "no" on this bill.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 3 minutes.

I rise in support of this resolution. This is Congress exercising its authority as appropriate. And I agree with the people who say that Congress should do this, and I just wish we would understand that Congress has a certain responsibility in that regard.

Yes, the President should have asked us, but it's been over 3 months and this House has chosen not to act until now. I think it's appropriate that we are. I think we should authorize this mission in Libya, and I strongly support that mission.

Now, like most Americans, when this issue first came up, when the people in Libya started rising up against their oppressive dictator, I was very reluctant about the idea of U.S. military involvement, as I think we always should be. I think in the past we have been too over-anxious to use the U.S. military in places where it was not a good fit. We need to think carefully about this. And in every instance we need to strike a balance.

□ 1130

On the one hand, what is the positive impact that our involvement could have and, on the other hand, what are the risks of that involvement? I think there was a unique set of circumstances in Libya that made this make sense.

First of all, our involvement could have a very positive impact. We had international support. The U.N., NATO, the Arab League, everybody in the world wanted Qadhafi to be stopped from slaughtering the civilians who

were rightfully standing up and asking for the basic rights that we take for granted in this country. In addition to that, our military budget is roughly equivalent to the entire rest of the world's combined. That gives us a unique set of capabilities. That unique set of capabilities was critical to stopping Qadhafi from crushing again the legitimate democratic aspirations of the Libyan people. If we had not acted, they would be crushed, many more civilians would be dead, and Qadhafi would be back in power. We cannot walk away from that responsibility and say that, well, yes, we don't like Qadhafi, we wish the people there would do well, but we simply don't want to support the action that is necessary to give them that opportunity. So in this case, I think the mission did make sense for that reason. The United States was in the position to make a difference and stand up for people who were asking for legitimate rights.

But then the broader question is, well, what does that have to do with the United States? That may be true, but it's true in a lot of countries. The reason this is so important is because of the broader movement that is going on, the so-called Arab Spring, people in Muslim countries rising up and demanding representative rights. That has an incredible impact on us. The greatest threat that we face as a country right now is from al Qaeda and their ideology. That ideology arose in part because of a whole bunch of repressive governments across the Muslim world that weren't providing for their people, a number of repressive governments, by the way, which the United States has in the past supported. We had an opportunity to do the opposite, to stand up for Muslim people. Let me tell you, in the history of this country, I don't think we've ever gotten as much positive press on the Muslim TV stations and Muslim media as we got for standing up to Qadhafi. This has been enormously helpful to us in that broader ideological effort. We had national security interests here for standing up.

Now as a House, I don't want us to stand up and say that we're going to back down from that commitment that we made. Make no mistake about it, if we defeat this resolution and pass the Rooney resolution, we will stop the mission in Libya and empower Muammar Qadhafi, something that I know nobody wants to do.

I reserve the balance of my time.

Mr. McKEON. Mr. Speaker, I yield 3 minutes to my friend and colleague, the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

I've heard a number of people say, well, the Constitution does give the President latitude, but during the Nixon administration Congress passed

the War Powers Act, and then when the President vetoed it, Congress overrode his veto, and so the War Powers Act became law. Now whether or not you believe it's constitutional, it has never been tested in the courts, and so it's the law. And the law says, as well as the Constitution, at least this is what most of the people who have looked at the Constitution believe is what it stands for, the Constitution and the War Powers Act say the President cannot do what he did without the support and approval of Congress. Now he's gotten us into the war in Libya and it is, in effect, our war.

People say, well, no, it's NATO. Well, we are providing over 8,000 of the military personnel on the ships and in the air. The majority of the flights that are taking place where they're doing the bombing are done by our airmen and our aircraft. Over 90 percent of the missiles that are being used at over a million dollars per copy are American missiles. This is going to cost billions of dollars. If this were to pass and we were to stay there for over a year, you could count on it costing \$2 billion or \$3 billion.

My colleague from Arkansas just a few minutes ago talked about us being broke. The American people know, if Congress doesn't, that we're \$1.5 trillion short this year, and we're \$14 trillion in debt. We're printing money that our kids are going to have to deal with because they're going to have to pay for the debt down the road. Some of us will pay if we live long enough, but our kids are certainly going to inherit the debt. And so we're adding to the debt by going into a war we shouldn't be in and without the approval of the Congress in accordance with the War Powers Act and the Constitution.

Now my big concern is—and I'm going to talk on the other bill that is coming up later on—not just Libya. My big concern is this President, unless we send a very strong message to him, may take us into Syria. There's humanitarian problems in Syria right now, and the reason they went into Libya, they said, was because of the humanitarian problems. He talked to the French, the English, the NATO, United Nations and the Arab League for about 2 weeks before we went into Libya, but he didn't have time to talk to the Congress who appropriates the money and authorizes this stuff. He's the Commander in Chief once we go to war, but he needs the authority from Congress to go into it, and he didn't do it.

There are a lot of wars of opportunity. The President could go into Syria. He could go into the Ivory Coast.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McKEON. I yield the gentleman 1 additional minute.

Mr. BURTON of Indiana. There are a lot of places we could go to war if we

choose to do it. There's humanitarian problems around the world. But unless it's a threat to the United States or an attack on the United States, the President does not have the authority to do what he did without the support and approval of Congress.

President Bush came to Congress before he went into Iraq. President Bush came to Congress before he went into Afghanistan, and that's as it should be. This President should not overstep his boundaries. And what I wish we would do, which would exceed the legislation we're going to be talking about today, is to pass legislation to cut off all funds for Libya. I know it would not pass the Senate, but it sure would send a signal to the President and the White House that we're not going to allow him to go into war without the approval of the American people and the approval of Congress.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the distinguished minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

The previous speaker deludes himself, and he is my friend, if he thinks the message we send today goes only to the President. The message will go to all the world, the message will go to Muammar Qadhafi, the message will go to our NATO allies, the message will go to every nation of the world that America does not keep faith with its allies.

"America must lead. We must not equivocate. Such a course would encourage the enemies of peace, the bullies of the world. People around the world look to our country's strength in their struggle for democracy and basic human rights."

As it happens, I said that in 1999 when Clinton sent troops to stop the genocide in Bosnia, and he did so and the authorization lost on this floor, shamefully, 213-213, one of the darkest days I have served in this institution. Let us not repeat that mistake. Let us not repeat that message to our NATO allies, to our European allies, to all the world, that America cannot be counted on. At the same time, Congress was voting to undermine their mission as they flew to Kosova.

In recent months, people across the Middle East have bravely stood to demand that their government respect their fundamental rights. I have stood with the gentleman from Indiana on behalf of human rights around the world. The Libyan people, who have been subject to the dictatorship of Muammar Qadhafi, who has more Americans' blood on his hands than any other person other than Osama bin Laden in the last three decades, were among those who insisted that enough was enough. Qadhafi responded by unleashing widespread violence and threatening countless lives, publicly

promising to go “door to door” and kill those who stood against him.

In response to this threat of Qadhafi's against those civilian people, the European Union, the Arab League, the United Nations Security Council, and a unanimous NATO called for action to protect Libyan civilians.

□ 1140

The United States is participating in this action both in order to prevent brutal attacks against civilians and in order to stand by our allies.

President Obama has made clear from the beginning that our allies needed to take the leading role in Libya. We can't do it all, but that does not mean we can't support those who choose and take the responsibility of leading. NATO has done that, and to this point the campaign against Qadhafi has proven successful. His exports of oil have ceased, he is running short on funds, cabinet and military officials continue to defect from his regime.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HOYER. China has just hosted the Libyan opposition in China, and the opposition controls eastern Libya and is making progress in the west. I believe that the wrong decision today will significantly compromise that progress.

Qadhafi wrote us a letter in the last debate just some weeks ago and thanked the House of Representatives for its debate. Is that the message we want to send to Qadhafi? I think not. It would put civilian lives at risk to withdraw. It would potentially stall the growing movements for democratization, not just in Libya but across the Middle East and, indeed, across the world. And it would severely undermine our NATO alliance, as we all know. If we want our allies to stand by us in our time of need in Afghanistan, we have to stand by them in places like Libya. We are either in an alliance or we're not.

I do believe that President Obama could and should have done a better job of consulting with Congress at the outset of hostilities, and I do believe we are involved in hostilities. But I believe that we must, as a faithful ally and defender of freedom, defeat the Rooney resolution and support the Hastings resolution. America ought to do no less.

Mr. McKEON. Mr. Speaker, I yield 1½ minutes to my friend and colleague, a member of the Committee on Armed Services, the gentleman from Florida (Mr. WEST).

Mr. WEST. I thank the chairman.

Mr. Speaker, I rise in opposition to this amendment.

Very simply, the War Powers Act of 1973 states: “The President can send

U.S. Armed Forces into action abroad only by authorization of Congress, or in case of a national emergency created by an attack upon the United States, its territories or possessions, or its Armed Forces.”

So as we look at the mission—or the perceived mission that we have in Libya—it does not even meet this criteria.

I stand here today as someone who has been sent forth from these shores in the 22 years that I've served in the United States Army. I stand here as the son of a man who left these shores to go defend this great country in World War II. I stand here as the younger brother of a man who left these shores to go defend this country and fight in Vietnam. And I stand here today as the uncle of a young man, a captain, who has already done two tours of duty in Afghanistan.

Many of my friends have called me—some call me colonel, some call me ALLEN—and they say, we need you to do one simple thing: understand that the oath that you take is to support and defend the Constitution, to support and defend the laws of this country. They need us to stand up and be the guardians of the laws of this country.

Just before I came here today, I promoted Jerry Lee Stern to be a major, and I read him that oath of office, that he would greatly take what we must do now as this body, as legislators of this great Nation, uphold the laws and not send our men and women into an undefined and unspecified mission. They want the fight; they want to stand up for us. Let's do the right thing by them.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I am going to vote for the Hastings resolution and against the Rooney resolution for one person in particular—three words: Jane Ann Morgan, a high school friend of mine in Pasadena, California, who was on Pan Am Flight 103. She and 177 other Americans lost their lives 23 years ago, and we should not forget them.

Qadhafi was Osama bin Laden before there was Osama bin Laden, and we cannot stop until he is out of power and the 178 Americans who died and the lives of the soldiers who were injured in the Berlin discos are remembered. I will support the resolution and vote thinking of Jane Ann Morgan today.

Mr. McKEON. Just for the record, Mr. Speaker, the original mission was not to get Qadhafi. The original mission, as explained by the President, was to help, for humanitarian purposes, those civilians that Qadhafi was threatening.

Mr. Speaker, I yield 1 minute to my friend and colleague, the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I want to thank the gentleman and also associate myself with his remarks just now. We were told this is about protecting civilians. It has become a cover for regime change. And just because we can change a regime with military power doesn't mean we should do it. And using military action doesn't mean that you're going to achieve the objectives that maybe you haven't even clearly defined.

Furthermore, if our allies make a mistake, do we follow them? If our allies are going out of the war, why should we go in? Right now, you have China's foreign minister saying we hope the two parties in the conflict can attach importance to the country and the people's interest and earnestly consider the international community's relevant resolution plans, quickly cease hostilities, and resolve the Libyan crisis through political channels.

Amr Moussa, the outgoing head of the Arab League, said this 2 days ago: Now is the time to do whatever you can to reach a political solution that has to start with a genuine cease-fire under international supervision.

The President of South Africa said a few days ago that this is about regime change, political assassination, and foreign military occupation.

Vote against this resolution.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I have said that I would vote for a resolution granting authority to the President if it was appropriately limited and conditioned. I would like to see conditions that require the Benghazi Transitional Government to remove from their midst the al Qaeda fighters and the Libyan Islamic Fighting Group. I would like to see the condition that we use the Qadhafi money that we seized, some \$33 billion, rather than taxpayer money.

But putting those conditions aside, the one thing we almost all agree on is that we would want to limit this to air forces and perhaps a ground rescue mission if necessary. That's not what this resolution does.

Section one grants authority to the President to do whatever he decides to do, including armor divisions on the ground, in support of the NATO mission. Don't be fooled by section 2, which provides the President with non-binding, unsolicited advice that we think that he should limit our ground operations to rescue missions and diplomatic security.

This is a grant of authority to the President to put armor divisions on the ground, if that's what he chooses to do.

Mr. McKEON. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, consistent with the policy in here, it says: “Congress does not support deploying, establishing or maintaining the presence of units and members of the United States Armed Forces

on the ground in Libya.” The resolution clearly prohibits ground forces.

I yield the balance of my time to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman for yielding.

I will start out first by associating myself with the remarks of the gentleman from Maryland (Mr. HOYER), who I think laid this out clearly. This is a message that goes globally. This is a destiny message.

The Speaker of this House understands his role. He understands that all of America is watching us today. And even if I had a vote, I would have said, no, don't go into Libya. If I had an opportunity to amend this resolution, I would say let's limit the authorization to a shorter period of time so that the President can come do what he should do. But I believe that there are scores of Americans in their graves today because this Congress sent the wrong message in several conflicts that encouraged our enemy.

Clausewitz wrote: “The object of war is to destroy the enemy's will and ability to conduct war.” And I would shorten that up to say, if you can destroy their will, it doesn't matter what their ability is; you've taken their ability with it.

But this message encourages our enemy. This resolution says that Congress stands with the constitutional authority of the President to be Commander in Chief and to conduct our foreign policy. We should conduct our disagreement with the President domestically, not in our foreign policy and not by limiting an activity that could abrogate our NATO treaty.

□ 1150

Mr. McKEON. May I ask how much time I have remaining.

The SPEAKER pro tempore. The gentleman from California has 1 minute remaining, and the time of the gentleman from Washington has expired.

Mr. LANGEVIN. Mr. Speaker, I rise in support of H.J. Res. 68, regarding continuing operations in Libya. As a member of the House Armed Services and Intelligence Committees, I believe it is vitally important for Congress to exercise strong oversight of the conduct of military operations across the globe. It is for this reason that I have supported measures requiring Congress to authorize the use of limited military force in Libya to protect civilians and support the ongoing NATO mission against Muammar Qaddafi, while prohibiting U.S. ground combat forces.

The President, with the full backing of our allies, the Arab League, and the UN, engaged our military forces in Libya to prevent a humanitarian disaster that raised the specter of tragic episodes like Rwanda and Srebrenica. While I am always reluctant to involve our military in any conflict, I support the President's decision to protect the people of Libya and uphold U.S. principles of political freedom and basic human rights, when we have the ability to do so. I do not, however, support any effort

to involve U.S. ground combat forces in this operation, and this authorization specifically prohibits ground combat forces.

Earlier this month, Congress received a letter from Qaddafi praising its criticism of President Obama over the NATO mission. The world watches America, and what we say has a dramatic effect on not just our own nation, but the safety and security of our allies and peoples around the world. That is why I will also vote today against H.R. 2278, which is a thinly veiled attempt to discredit the President and would only heighten the appearance of divisions between the United States and our allies. Abdicating the mission in Libya in this way emboldens Qaddafi, harms our standing in a dangerous region, and will make it more difficult in the future to rely on and partner with our allies.

I hope my colleagues will reject this measure and send a clear message of support for our allies and for the principles of democracy and human rights that make America great.

Ms. HIRONO. Mr. Speaker, engaging our armed forces is not a vote I take lightly. Like many, I was reluctant to enter our nation into another conflict. But the situation in Libya is different.

This is a nation where the people were giving their lives to fight for a legitimate voice in their government. For these actions, their murderous dictator vowed to hunt them down like “rats and cockroaches.” Chilling words as Muammar el-Qaddafi is no stranger to taking the lives of the innocent. He has more American blood on his hands than any terrorist other than Osama bin Laden.

The international community sought our help in Libya. The Arab League supports the NATO mission and this is historic, as it is the first time the organization has supported an international intervention in an Arab country. The United States' role can make a difference in Libya. To say otherwise is to question the very values our own nation was founded upon. I believe that our limited mission in Libya is needed and I stand with President Obama.

Let's remember two things. The movement to overthrow longtime Libyan dictator Colonel Qaddafi began with the Libyan people. The United States should stand with the people of Libya and their fight for freedom and human rights.

We must also remember that under Colonel Qaddafi, Libya was involved in aircraft hijackings, extraterritorial assassinations, bombings at European airports, and the 1986 bombing of a Berlin nightclub popular with American Armed Forces. Libya had a central role in orchestrating and financing the in-air bombing of Pan Am flight 103 over Lockerbie, Scotland in 1988, which killed 270 people, including 190 Americans. Libya was also central in the bombing of French UTA flight 772 in 1989, which killed 177 people from 18 nations, 7 of whom were American citizens.

The violence of Colonel Qaddafi is known to many nations around the world. In the early 1970s, Libya sent military troops and financed extremist Palestinian activities in Lebanon. Libya gave safe haven to Black September, the Palestinian terrorists that seized Israeli athletes as hostages at the 1972 Olympics in Munich. Later in the decade, Libya sent armed forces into Chad and Uganda. Throughout the

1970s and well into the 1980s, Colonel Qaddafi either financed or materially supported revolutionary efforts in Chad, Corsica, Eritrea, Germany, Iran, Italy, Nicaragua, Northern Ireland, Japan, Lebanon, Philippines, Sardinia, Somalia, Sudan, Syria, Thailand, and Tunisia. Ending the reign of Colonel Qaddafi and his destabilizing influence is in the interest of the world.

I've heard from many of my constituents concerned that our engagement in Libya will become our next Iraq or Afghanistan. I share those concerns and have expressed them to the White House and was assured that our operations in Libya would be limited.

I have voted against the use of ground troops in Libya and my vote today affirms that position. I do not believe that the United States can afford to be involved in further prolonged foreign entanglements and nation building. H.J. Res. 68 authorizes the limited support for the NATO mission to one year. Would I be more comfortable with a shorter timeframe? Yes, but so likely would Colonel Qaddafi. Nothing would give him more comfort than a short deadline for him to cling to so he can continue to slaughter his own people into submission.

The situation in Libya is unlike that in Iraq or Afghanistan. The mission in Libya has broad international support. I've mentioned the Arab League and NATO, but also the United Nations, the Gulf Cooperation Council, the Libyan Transitional National Council, and former Libyan Ambassador Ali Aujali support our mission. Traditional Libyan allies, such as China, Russia, and Turkey, have begun talks with the newly formed Libyan Transitional National Council. I strongly support the building of international goodwill and cooperation as integral to our nation's as well as global security.

My vote today is for the brave and courageous people of Libya. My vote today is for continued rebuilding of our international reputation.

Mahalo nui loa.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.J. Res. 68. This legislation will not end our military involvement in Libya. Both simply maintain the status quo and appease Republican Members who want to score political points against the President.

Under the guise of deficit reduction, Republicans have voted for deep cuts to Medicare, Medicaid, and other safety net programs. We could better achieve deficit reduction by swiftly ending the Libyan war and accelerating our withdrawal from Afghanistan.

Congress has the power of the purse. Our nation has been at war in Libya for 97 days and Congress has never authorized the conflict. We need to completely defund operations in Libya and put an end to this conflict. It is time for us to come together, use our constitutional authority, and apply this critical check on the executive branch. At a time when we continue the wars in Afghanistan and Iraq, we cannot afford to pursue another military adventure that is not in our national interest. We must get out of this war now.

I urge my colleagues to vote against this toothless bill, and instead defund operations in Libya in the upcoming 2012 Defense Appropriations bill.

Mr. DREIER. Mr. Speaker, the gentleman from Illinois (Mr. JACKSON) made a point of

order against consideration of the joint resolution for violating clause 11 of rule XXI asserting that the text of the measure had not been available for “72-hours.”

Unfortunately, the gentleman misstated the actual wording of the rule.

Clause 11 states in relevant part that “It shall not be in order to consider a bill or joint resolution which has not been reported by a committee until the third calendar day . . . on which such measure has been available.” The rule clearly counts days, not hours.

I would refer Members to the ruling of Speaker pro tempore POE on March 17, 2011 where he affirmed that under clause 11 of rule 21, an unreported measure may not be considered until the “third working day” on which it has been available to Members.

While the Chair was correct in his response that the rule provides a waiver of all points of order against consideration of the joint resolution, I also want to point my colleagues to House Report 111–114 which accompanied the rule providing for consideration of H.J. Res. 68 and H.R. 2278.

Under the heading “Explanation of Waivers,” the Committee states that it is not aware of points of order against consideration or the provisions contained in either measure and that the waivers are merely “prophylactic.” This means that no waiver of clause 11 of rule XXI or any other point of order was necessary. That is because H.J. Res. 68 is being considered on the fourth calendar day after it was made available and H.R. 2278 is being considered on the third such day, fully in compliance with the rules of the House.

I hope that in the future my colleagues will pay closer attention to the wording of the rules in making points of order.

Mr. McKEON. Mr. Speaker, I again urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 328, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BERMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 123, noes 295, not voting 13, as follows:

[Roll No. 493]

AYES—123

Ackerman	Berman	Brown (FL)
Altmire	Bishop (NY)	Capps
Baca	Blumenauer	Cardoza
Barrow	Boren	Carnahan
Bass (CA)	Boswell	Castor (FL)
Berkley	Brady (PA)	Chandler

Chu	Hoyer	Peters
Cleaver	Inlee	Polis
Clyburn	Israel	Price (NC)
Cohen	Jackson Lee	Rahall
Connolly (VA)	(TX)	Rangel
Cooper	Johnson (GA)	Reyes
Costa	Johnson, E. B.	Richmond
Courtney	Kaptur	Rivera
Critz	Kildee	Rogers (MI)
Crowley	Kind	Rothman (NJ)
Cuellar	King (IA)	Roybal-Allard
Cummings	King (NY)	Ruppersberger
Davis (CA)	Kinzinger (IL)	Rush
DeGette	Kissell	Sánchez, Linda
DeLauro	Langevin	T.
Dent	Larsen (WA)	Sarbanes
Deutch	Levin	Schakowsky
Dicks	Lowe	Schiff
Dingell	Markey	Schwartz
Doggett	Matheson	Scott, David
Donnelly (IN)	Matsui	Sewell
Doyle	McCarthy (NY)	Sires
Dreier	McCollum	Smith (WA)
Edwards	McCotter	Speier
Ellison	McDermott	Sutton
Eshoo	McNerney	Thompson (CA)
Fattah	Meeks	Thompson (MS)
Finer	Miller (NC)	Tonko
Fudge	Moran	Van Hollen
Garamendi	Neal	Walz (MN)
Green, Al	Olver	Wasserman
Hastings (FL)	Owens	Schultz
Heinrich	Pascarell	Watt
Hirono	Payne	Welch
Hochul	Pelosi	Wilson (FL)
Holden	Perlmutter	Yarmuth

NOES—295

Adams	Cravaack	Hartzler
Aderholt	Crawford	Hastings (WA)
Akin	Crenshaw	Hayworth
Alexander	Culberson	Heck
Amash	Davis (IL)	Hensarling
Andrews	Davis (KY)	Herger
Austria	DeFazio	Herrera Beutler
Bachmann	Denham	Himes
Baldwin	DesJarlais	Hinche
Barletta	Diaz-Balart	Hinojosa
Bartlett	Dold	Holt
Barton (TX)	Duffy	Honda
Bass (NH)	Duncan (SC)	Huelskamp
Becerra	Duncan (TN)	Huizenga (MI)
Benishek	Ellmers	Hultgren
Biggert	Emerson	Hunter
Bilbray	Farenthold	Hurt
Bilirakis	Farr	Issa
Bishop (GA)	Fincher	Jackson (IL)
Bishop (UT)	Fitzpatrick	Jenkins
Black	Flake	Johnson (IL)
Blackburn	Fleischmann	Johnson (OH)
Bonner	Fleming	Johnson, Sam
Bono Mack	Flores	Jones
Boustany	Forbes	Jordan
Brady (TX)	Fortenberry	Keating
Braley (IA)	Fox	Kelly
Brooks	Frank (MA)	Kingston
Broun (GA)	Franks (AZ)	Kline
Buchanan	Frelinghuysen	Kucinich
Bucshon	Gallegly	Labrador
Buerkle	Gardner	Lamborn
Burgess	Garrett	Lance
Burton (IN)	Gerlach	Landry
Calvert	Gibbs	Lankford
Camp	Gibson	Larson (CT)
Campbell	Gohmert	Latham
Canseco	Gonzalez	LaTourette
Cantor	Goodlatte	Latta
Capito	Gosar	Lee (CA)
Capuano	Gowdy	Lewis (CA)
Carney	Granger	Lewis (GA)
Carson (IN)	Graves (GA)	Lipinski
Carter	Graves (MO)	LoBiondo
Cassidy	Green, Gene	Loeb
Chabot	Griffin (AR)	Loeb
Chaffetz	Griffith (VA)	Lofgren, Zoe
Cicilline	Grijalva	Long
Clarke (MI)	Grimm	Lucas
Clarke (NY)	Guinta	Luetkemeyer
Clay	Guthrie	Lujan
Coble	Gutierrez	Lummis
Coffman (CO)	Hall	Lungren, Daniel
Cole	Hanabusa	E.
Conaway	Hanna	Lynch
Conyers	Harper	Maloney
Costello	Harris	Manzullo
		Marchant

Marino	Poe (TX)	Shuler
McCarthy (CA)	Pompeo	Shuster
McCaul	Posey	Simpson
McClintock	Price (GA)	Slaughter
McGovern	Quayle	Smith (NE)
McHenry	Quigley	Smith (NJ)
McIntyre	Reed	Smith (TX)
McKeon	Rehberg	Southerland
McKinley	Reichert	Stark
McMorris	Renacci	Stearns
Rodgers	Ribble	Stutzman
Meehan	Richardson	Sullivan
Mica	Rigell	Terry
Michaud	Roby	Thompson (PA)
Miller (FL)	Roe (TN)	Thornberry
Miller (MI)	Rogers (AL)	Tiberi
Miller, Gary	Rogers (KY)	Tierney
Miller, George	Rohrabacher	Tipton
Moore	Rokita	Tsongas
Mulvaney	Rooney	Turner
Murphy (CT)	Ros-Lehtinen	Upton
Murphy (PA)	Roskam	Velázquez
Myrick	Ross (AR)	Visclosky
Nadler	Ross (FL)	Walberg
Neugebauer	Royce	Walden
Noem	Runyan	Walsh (IL)
Nugent	Ryan (WI)	Waters
Nunes	Sanchez, Loretta	Waxman
Nunnelee	Scalise	Webster
Olson	Schilling	Westmoreland
Palazzo	Schmidt	Whitfield
Pallone	Schock	Wilson (SC)
Pastor (AZ)	Schrader	Wittman
Paul	Schweikert	Wolf
Paulsen	Scott (SC)	Womack
Pearce	Scott (VA)	Woodall
Pence	Scott, Austin	Woolsey
Peterson	Sensenbrenner	Wu
Petri	Serrano	Yoder
Pingree (ME)	Sessions	Young (AK)
Pitts	Sherman	Young (FL)
Platts	Shimkus	Young (IN)

NOT VOTING—13

Bachus	Gingrey (GA)	Stivers
Berg	Higgins	Towns
Butterfield	Mack	West
Engel	Napolitano	
Giffords	Ryan (OH)	

□ 1216

Mr. MARCHANT, Ms. ZOE LOFGREN of California, Mr. CARSON of Indiana, Mrs. MALONEY, and Mr. LUETKEMEYER changed their vote from “aye” to “no.”

Mr. CLEAVER and Mrs. MCCARTHY of New York changed their vote from “no” to “aye.”

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HIGGINS. Mr. Speaker, earlier today I was in a meeting with a constituent and inadvertently missed the vote on H.J. Res. 68, a resolution authorizing for one year the limited use of the United States Armed Forces in support of the NATO mission in Libya. Because of the importance of this matter I would like to request that the RECORD reflect that had I been present I would have voted “aye” on rollcall 493 in support of the resolution.

Stated against:

Mr. WEST. Mr. Speaker, on rollcall No. 493 I was unavoidably detained. Had I been present, I would have voted “no.”

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 493. Had I been present, I would have voted “no” on H.J. Res. 68, authorizing the limited use of United States Armed Forces in support of the NATO mission in Libya.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 69

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of House Joint Resolution 69.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LIMITING USE OF FUNDS FOR ARMED FORCES IN LIBYA

Mr. ROONEY. Mr. Speaker, pursuant to House Resolution 328, I call up the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 328, the bill is considered read.

The text of the bill is as follows:

H.R. 2278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR UNITED STATES ARMED FORCES IN SUPPORT OF NATO OPERATION UNIFIED PROTECTOR WITH RESPECT TO LIBYA.

(a) LIMITATION.—None of the funds appropriated or otherwise available to the Department of Defense may be obligated or expended for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law.

(b) EXCEPTIONS.—The limitation on funds under subsection (a) does not apply with respect to—

- (1) search and rescue;
- (2) intelligence, surveillance, and reconnaissance;
- (3) aerial refueling; and
- (4) operational planning.

The SPEAKER pro tempore. The gentleman from Florida (Mr. ROONEY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

□ 1220

Mr. ROONEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on March 19 of this year, the President sent us into mili-

tary activity, or war, in Libya. Within 48 hours, the President notified the Congress in accordance with the War Powers Act of his decision to do so. For 60 days, the President under the War Powers Act had the opportunity, and chose not to, to come to this body and make the case as to why being in Libya was important. On the 60th day, he wrote a letter to this body saying that he would welcome authorization but he's not asking for it.

Time and time again on the Armed Services Committee, we were presented with speakers from the administration who would give certain updates on various matters to which I would ask: Are you here to ask authorization for ongoing activity in Libya? And the speakers, the witnesses, would say, "No."

After 90 days and the President has not ceased activity or hostilities in Libya, the time has come and gone and we've sent our indication over to the administration time and time again that we disapprove. But because the War Powers resolution, by some either Republican or Democrat or in the House or the Senate, is questionable whether or not they consider it constitutional or not, the President has operated in what we now know is called the zone of twilight as to whether or not he even needs our approval.

So what are we left with? Mr. Speaker, we're left with, today, our ability under the power of the purse to restrict funds from ongoing operations in Libya. Without it and without the Supreme Court weighing in on whether or not the War Powers is unconstitutional, in my opinion, the President is breaking the law, but he is being restricted by nobody and being able to continue unfettered.

Some have said that the War Powers resolution isn't worth the paper that it is written on. To that I say: Based on what Supreme Court decision? Based on what precedent? There is none, because the courts haven't weighed in on it. I know some of our colleagues here have a pending case before the Court, and I wish them well, but what if they don't accept the case? What if they say these Members, as they have said before, don't have standing? Then we're right back to square one.

Mr. Speaker, today we have the opportunity to send a message to the executive branch, and this transcends party but it exerts our power under the separation of powers, to say we, the House of Representatives, are relevant; we, the House of Representatives, are exercising our ability that the Founding Fathers gave us in the ability to declare war because they wanted us to have this deliberation, this debate that we're having here today, arguments that have been made on both sides that have been very good, because the last thing that we want as Americans is for some President, whether it's this President or some future President, to be

able to pick fights around the world without any debate from another branch of government.

It's the most difficult thing we have to do as government officials, and that's send our kids into harm's way. So it has to be a sober, deliberative, long debate, and the President has 60 days and chose not to engage in that debate. So here we are today saying, if you choose not to come here and get authorization, we are going to stop it until you do. The President always has the ability in the future to come and try to get authorization for what he's doing in Libya or anywhere else.

So, Mr. Speaker, I rise in support of my bill to withdraw funding from future engagement in Libya.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 3 minutes.

The bottom line with this resolution—and I think the gentleman made a lot of very fair points. I certainly think that the White House could have handled it better in terms of communicating with Congress. But what this resolution would do that he has presented would be to end our mission in Libya. So all of the debates and arguments that you heard from the previous discussion apply to this just as well.

It has some limited options in terms of what the President could continue to do in support of NATO, but it very specifically disallows any effort at air support, any effort at suppressing opposition fire. It does allow for aerial refueling. It allows for rescue missions, but what the military has made clear is they will not do that without all of the other assets that are necessary to suppress enemy fire. We are not going to send up our aerial refueling apparatus or aerial refueling planes if we know we can't protect them from being shot down.

So the effect of this resolution is to, again, end the mission in Libya, and people have different opinions about where they should come down on that. I don't believe that we should end the mission in Libya. I do believe that Congress' voice should be heard on this issue, and that is why I supported the resolution that would have authorized that. So I don't think that we should stop what we're doing in Libya, and getting back to the previous debate, there have been some comments that have been made that I want to be sure and correct.

I think we have a much better idea of who the forces in Libya fighting against Muammar Qadhafi are than has been said, and we know this because they control roughly half the country right now. What our mission was able to do, it stopped Muammar Qadhafi from being able to crush the folks who are rising up against him and retake the territory that they have. So in Benghazi and in most of I think it's

eastern Libya, it is controlled by these opposition forces, and by all accounts, they are running a very sensible government. It is not an Islamic state. It does not have al Qaeda influence. It has a bunch of people who are simply trying to exercise free expression that they have been denied for nearly 40 years by Muammar Qadhafi. We have a very good idea who these people are. They are precisely the type of people that the United States of America should be supporting.

And as I mentioned before, in our great struggle against al Qaeda, one of the centerpieces of it is ideological. The ideology that bin Laden and many others advance is very anti-Western, and their biggest argument is that the West has consistently supported governments that have repressed the Muslim people, that we have not been good for them, and there are at least one or two instances when that argument actually has some facts to back it up. And now we are presented with the chance to support a legitimate group of people who want basically what we have—democracy. They want the ability to vote for their representatives. They want a voice in their government, and we are going to pull the rug out from under them.

And keep in mind, this is a very limited mission. It is NATO-led, but we are offering critical support to make it possible, and if we vote for the Rooney resolution, we will pull all of that away and right at the moment—in fact, there was a newspaper story this morning about how Qadhafi is talking about leaving Tripoli because the pressure is getting too great on him. We have had continual members of the Libyan Government abandoning Qadhafi. He is ready to fall, and those voices of Libyan people who want the very freedoms that we all say we want for them are ready to rise, and we are going to reverse that by pulling out this minimal level of support that we are offering.

That is the effect of the Rooney resolution, and therefore I oppose it.

I reserve the balance of my time.

Mr. ROONEY. Mr. Speaker, I yield 3 minutes to my friend from Texas (Mr. McCAUL).

Mr. McCAUL. I thank the gentleman from Florida for yielding time and I commend him for this legislation.

Mr. Speaker, I rise today in support of this bill and in defense of the Constitution. The Founding Fathers clearly intended for Congress to have the power to commit this Nation into armed conflict.

Article I, section 8 of the Constitution states that Congress shall have the power to declare war. Our first Commander in Chief, George Washington, knew that when he said, "The Constitution vests the power of declaring war in Congress; therefore, no offensive expedition of importance can be undertaken until after they shall have

deliberated upon the subject and authorized such a measure."

That is exactly what this bill is about, and President Obama, when he was a Senator, knew this when he said that, "The President does not have power under the Constitution to authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the Nation."

He went on further to say that, "No law can give Congress a backbone if it refuses to stand up as the co-equal branch the Constitution made it."

I couldn't agree more with him, but, unfortunately, as President, Mr. Obama appears to no longer agree with his prior interpretation of the Constitution, and in reviewing the War Powers Act, we can argue that it is unconstitutional, but that is for the Supreme Court to decide.

In applying the War Powers Act to the facts here in this case, it is clear that the President failed to comply with the requirements to get congressional approval; and when we examine the merits of the case for involvement in Libya, this administration has wholly failed to define a clear national interest, mission, or goal.

□ 1230

Why are we there? Are we there to kill Qadhafi or to provide humanitarian aid? And since when does humanitarian aid come from a missile launched from a Predator drone? And who are these rebels that we are supporting? The administration has failed to provide Congress with a clear answer to this question, but we do know that some of them are tied to terrorist organizations.

The bill introduced by my good friend from Florida (Mr. ROONEY) reasserts Congress' role as a coequal branch of government, and it sends a clear message to the President that he must get congressional approval before he commits this Nation to war, as he stated when he was in the United States Senate.

With that, Mr. Speaker, I urge a "yes" vote on this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the gentleman from Washington (Mr. SMITH) for his leadership and for characterizing where we are today as a conflicted and, if you will, highly uncertain posture.

I'm looking at the vote count, and it looks as if 225 Republicans voted against a time certain to get out of Libya. If you read the bill H.R. 2278—and I am looking at it over and over again—there really is no print as to a time certain. There is a nebulous statement about limiting funds for such things as search and rescue, intelligence, surveillance and reconnais-

sance, aerial funding, and operational planning. That can go on ad infinitum. We can take the American people's money forever and ever and continue in this effort.

I don't like where we are today. Constitutionally, it is true, it is Congress' right to declare war. And the War Powers resolution—which my good friends on the other side of the aisle are now debating on its constitutionality, and of course they've used it in the past—does indicate that it was done in order to track the Constitution and allow congressional consultation. There was a letter sent by the President. There has been a report sent. But there's no doubt that this was not handled right.

But in the Iraq war, an unnecessary war, no Arab League States asked us to join with them. There was no defined threat to the United States in the Iraq war, as we've said. We left the Afghanistan war to dillydally in Iraq and lose 4,000 soldiers. So where is the hypocrisy here?

Right now, the Arab League has asked us to join them. Right now, our NATO allies are engaged in trying to get rid of an oppressive abuser and a person who has killed his own people. Where is the dignity on this place? It's nothing but politics. And I respect my colleagues who want to make choices about which direction they want to go. But I will tell you, I would much rather vote for something that is time certain, ending in 1 year or before. And if there is not a definitive end, then I will offer a privileged resolution to get out of Libya.

But I don't want to abandon my friends in the Arab States who are now struggling for democracy. Why is Syria different? Why is Yemen different? Why is Bahrain different? You are absolutely right. Because other forces are engaged in Syria, Yemen, and Bahrain. And the Arab States are attempting to negotiate.

So I am not interested in willy-nilly going into all kinds of wars. I'm not interested in going to Syria or Yemen or Bahrain. But I am interested in being consistent.

We now have an operation, and we can tell that there is movement by those who are rebels. And I would like my friends to document for me, if they have got a documented presence of al Qaeda, then they can tell us that. But right now, we have an obligation, and we can't play politics. And this bill is nothing but politics because it does not end when we're supposed to get out. It does it ad infinitum.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 15 seconds.

Ms. JACKSON LEE of Texas. It is a continuous, unending obligation to be in Libya. I would much rather have a definitive act which is to say that we

have no more than a year. And I would offer to the White House that we would like reports sooner than that, and some of us may wish to go forward with another resolution to move us out.

But I will not be supporting politics today. I have to support those who are fighting for justice in Libya.

Mr. Speaker, I rise to today to express my disappointment with the Administration's decision not to consult with the Congress over the important and critical actions taken in Libya. Our government operates based upon a constitutionally protected system of checks and balances. It does not matter whether or not the Administration is Democrat or Republican. What is important is ensuring the role of Congress when determinations are made to engage in military actions in foreign countries. The War Powers Resolution was intended to ensure that any action taken by an Administration which utilizes military forces would require the involvement of this body.

As the Ranking Member of the House Homeland Security Subcommittee on Transportation Security and Senior Member of the House Judiciary Committee, I believe in supporting the Constitution of the United States. The issue before us raises the debate on how to apply the War Powers Resolution. As this resolution has not been declared unconstitutional it is important to follow our laws as written. This is a reminder to the American people that we must firmly hold true to our constitutional duties. We have the power to ensure the Executive does not overstep its bounds. As Members of Congress, we can exercise our power through appropriation, the appointment process, exercising oversight over the Executive, enactment legislation, or even establishing a select Committee to probe any abuse of power by the Administration.

The War Power resolution is an integral part of our process. The actions that have taken place in Libya raise the debate on how the War Power Resolution should be applied.

Presidents, Members of Congress, scholars and lawyers have long argued about which branch of government has the power to decide whether the nation goes to war, and meaningful discussions between the branches has not always taken place. In 1973, The War Powers resolution was passed over the veto of President Nixon, in order to provide procedures for Congress and the President to participate in decisions to send U.S. Armed Forces into hostilities.

Such force is constitutional under the Necessary and Proper Clause which specifically provided that "Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by the Constitution in the Government of the United States. . . ." The policy behind this power, entrusted to the President as Commander in Chief, to deploy U.S. armed forces to defend itself is "exercised only pursuant to: (1) a declaration of war; (2) specific statutory authorization; or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces." Pursuant to this authority, the President "in every possible instance" shall consult with Congress before deploying U.S. Armed Forces, and to continue

consultations as long as the armed forces remain in hostile situations.

As we consider this Joint Resolution, we must also consider facts surrounding the state of violence and unrest in Libya, and the consequences of both action and inaction on behalf of the Libyan people. I value the importance of a fair, just, and balanced approach. We must always act in compliance with our nation's constitution.

Prior to this conflict, since assuming power, Colonel Qaddafi has ignored the needs of the Libyan people; choosing instead to train other oppressive leaders in intelligence and weaponry. Qaddafi had given money to dictators such as Robert Mugabe and Charles Taylor, and intervened in foreign wars instead of investing in education and infrastructure for the betterment of his own people.

Human Rights Watch and Amnesty International have consistently reported the lack of free press and free speech in Libya. The State controls the media and speaking out against Qaddafi or his government is not only illegal, it is also deadly. Qaddafi and his army executed activists who opposed the government and broadcasted their deaths on television.

Qaddafi was particularly intolerant of women and other minorities. He established "social rehabilitation" centers, where women who were designated financially or morally vulnerable were detained indefinitely. Homosexuality was deemed criminal, and punished with up to five years in jail.

Now, the people of Libya have given their lives in their fight for democracy. This current conflict in Libya began four months ago, when Colonel Qadahfi failed to do what was right for his country and its people. Violence erupted as many Libyan citizens felt the painful consequences of a government resistant to change. Civil liberties were infringed upon, human rights were violated, and worst of all, many Libyan lives were lost. These atrocities were not committed under the command of some far away leader or as a consequence of a conflict with a foreign nation. No, these unforgivable acts were authorized by the hand of the Libyan leader himself.

I applaud efforts to come to the aid of the Libyan people. I condemn Colonel Qadahfi's despicable and inhuman actions, and support the President in our national policy—and the World's policy—of removing this tyrant from power. The widespread suffering in Libya was initiated and continues to be encouraged by the very man charged with protecting the Libyan people. The Libyan people are in desperate need of outside assistance; the question is no longer whether or not Libya is in a critical condition. I call on my fellow Members of Congress to continue to condemn the violence taking place in Libya.

We should not forget that the people of Libya are continuing to fight for democracy and there has been a significant loss of life. Colonel Muammar Qadahfi has continued to refuse to acknowledge the will of the Libyan people and the reality of the dilemmas that Libya faced. When faced with the shadow of oppression, the suppression of liberties, and the constant threat of brutality, history has shown that humanity will always rise up in protest, and if necessary, in armed resistance.

Rather than act as a true leader and acknowledge the interests of Libyan citizens,

Qadahfi chose to remain steadfast to the status quo—to disregard the context of an intolerable situation in favor of blindly following what has always been done just for tradition's sake and lust for power. The reality of the situation is this: it was Qadahfi's refusal to contemplate the circumstances in Libya that has led to the unnecessary loss of innocent lives. Let us not make the same error as we continue to deliberate the role of the U.S. and the decision of our President to act on behalf of innocent people. Colonel Qadahfi has proved himself to be, by the standards of any free nation, an illegitimate leader of the Libyan people. He has utilized snipers, helicopters gunships, mercenaries and gangs of hired thugs to harm his own people throughout the course of the protests. Rebels taking to the streets demanding free elections were injured and killed.

No leader should remain in power after committing the indiscriminate slaughter of thousands of their own citizens; no leader should remain in power after ordering soldiers to fire upon crowds of defenseless, peaceful protesters; no leader should remain in power after executing hundreds of soldiers who bravely refused to carry out orders to shoot their fellow citizens in cold blood.

My message to Qadahfi is clear: stop the slaughter, stop the killing, and stop murdering your own people. I demand you step down from power! I implore you to consider and value the lives of your people. Stop the violence. I call for a unified voice from NATO, the United Nations, the African Union, and other world groups to stop the slaughter and violence against the people of Libya.

As a Member of this body, I am calling on my colleagues to join me in calling attention to the plight of the people of Libya and their fight for freedom, justice, and deliverance from Colonel Qaddafi.

For over four months, NATO-led air strikes in Libya have inflicted serious damage upon the Qaddafi regime's war machine, yet loyalist forces continue to demonstrate cohesiveness and operational superiority over besieged rebel forces. Still, some analysts suggest the stalemate is now yielding to a war of attrition favoring the rebels. Rebel combat skills have improved, as has their arsenal, which now reportedly includes vehicle-mounted antiaircraft guns, recoilless rifles, and mortars.

As rebels consolidate recent gains, NATO has proven to be the equalizing force. The African Union continues to press for a peace deal that was accepted by Qaddafi but rejected by the opposition because it would leave Qaddafi in power. With the support of the United States, United Nations, and NATO we must continue to push for the support of the African Union resolution. Turkey also has proposed a roadmap to establish an immediate and verifiable ceasefire, secure humanitarian aid corridors, and advance a political process for a transition. However, Turkey has not yet provided an implementation strategy other than making it clear that Qaddafi must go.

After the President of South Africa, Jacob Zuma, engaged in peace talks with Qadahfi most of the world believed the bloodshed would end. Today, it is clear that Qadahfi is going to continue to fight to stay in power.

We cannot stand by and watch as the people of Libya suffer. We need and must provide

humanitarian aid. Americans have always come to aid of their neighbors in times of crisis.

We must continue to remember the context upon which we are currently operating in the world today. The Middle East is finally awakening to democracy and freedom. Advancing these objectives also advances our nation's security. The evidence is clear of an Arab Spring. The evidence is compelling all we need to do is look at Egypt, Bahrain, Yemen, Syria, and Libya to watch the effects of voices that are calling for democracy.

The Founders distributed the decision to go to war between the two political branches to assure that the decision would be made carefully. The founding generation experienced the hardship of several wars and they knew war's human and financial costs. They understood that a strong executive who is already given the title "Commander in Chief," might flex the country's military strength injudiciously. Giving Congress the essential power to declare war allows heads to cool, alternatives to be considered, and makes certain there is consensus if the country is called to fight.

I continue to support the premise that Congress has the right to declare war, and our current debate must reflect this imperative. Congress has a right to assert its authority; however, the situation in Libya gives me great pause.

H.J. RES 68, "Authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya,"

Authorizes the President to continue the limited use of U.S. Armed Forces in Libya in support of U.S. security policy interests as part of the North Atlantic Treaty Organization (NATO) mission to enforce U.N. Security Council Resolution 1973, as requested by the Transitional National Council, the Gulf Cooperation Council (GCC), and the Arab League.

This bill will terminate such authorization one year after the date of enactment of this joint resolution. Further, H.J. Res. 68 states that consistent with the policy and statements of the President, Congress does not support deploying, establishing, or maintaining the presence of units and members of U.S. Armed Forces on the ground in Libya unless the purpose of the presence is limited to the immediate personal defense of U.S. government officials (including diplomatic representatives) or to rescuing members of NATO forces from imminent danger. It requires the President to consult frequently with Congress regarding U.S. efforts in Libya, including by providing regular briefings and reports. Includes as elements in such briefings and reports:

(1) an updated description of U.S. national security interests and policy objectives in Libya;

(2) an updated list of U.S. Armed Forces activities in Libya;

(3) an updated assessment of the opposition groups in Libya, including potential successor governments; and

(4) an updated explanation of the President's legal and constitutional rationale for conducting military operations in Libya consistent with the War Powers Resolution.

H.R. 2278, "To limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of

North Atlantic Treaty Organization Operation Unified Protector with respect to Libya unless otherwise specifically authorized by law," this bill prevents the use of funds to pay for United States participation in any aspect of North Atlantic Treaty Organization (NATO) effort except intelligence, surveillance, search-and-rescue and other "non-hostile" support activities. I am for peace and not war, however I am not for politics of the Republicans that vote against Democratic Presidents but for Republican Presidents. This war is an effort for humanitarian assistance in Libya. The Libyan people were being attacked and were dying by their own leader.

Although, I am again disappointed by the continuing actions of the Administration that are taking place without the consultation of Congress. This should not cause us to ignore the plight of the Libyan people. We must continue to insist on providing the technical assistance and weapons necessary to defeat this regime. I will vote against H.R. 2278 because it is a political game and does not have a time certain to leave Libya.

The resolution cuts off funds just to embarrass President Obama. I want peace to come to Libya in the right way. Efforts to support action by the African Union, European Union, NATO and other U.S. allies only advance our call for democracy that is now being heard and is spreading throughout the Middle East. This can be done while complying with the War Powers Resolution, that is why I will support H.J. Res. 68 for now which sets a time of before one (1) year this war should end. I want the conflict to end sooner, I therefore reserve the right to offer a resolution on the floor to end this war.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I would beg to depart from the remarks of the distinguished gentlelady from Texas because there are those of us who oppose this bill in principle, and we believe we are fighting for justice as well.

I want to state that if you believe the war should end, then at least believe we should limit it today. That's what Mr. ROONEY does. I oppose this war. It's unconstitutional. It's in violation of statute. And there's a two-step way to end the war: Vote for Rooney, step one, and then the Kucinich-Amash amendment, which defunds the DOD bill. You can do that when we come back.

But to claim that the Arab League is somehow asking for us to continue this attack on Libya is plain false. The fact of the matter is we have al Jazeera reporting that Italy's foreign minister and the outgoing head of the Arab League have each called for a halt to hostilities in Libya. It was reported that 2 days ago, Amr Moussa, the outgoing head of the Arab League, said now is the time to do whatever we can to reach a political solution, and that has to start with a genuine cease-fire under international supervision. So you don't have the Arab League's head here saying, Oh, America, come on. Go for it. Prosecute the war. Bomb Libya.

No, they're not saying that at all. We have to be very clear about that.

Even China, who's eating our lunch financially, they're not involved in this war. They're saying there ought to be a political solution, that from the Chinese minister 2 days ago. We've got to be careful about our intentions here. And our intention should be to end this war, and we can do it with Mr. ROONEY's bill.

The bill isn't perfect. It doesn't end the war in its entirety immediately, but it does make clear that the United States will not take over the war as European support continues to diminish.

The Kucinich-Amash amendment is complementary to the bill. We want to end U.S. involvement in the war in Libya. We can do it in two steps. Vote "yes" for Mr. ROONEY's bill, which ends direct hostilities immediately, and support Kucinich-Amash when it comes up in 2 weeks.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank Ranking Member SMITH for yielding me the time.

I rise in support of this bill as well as the prior resolution, as it's better late than never. Here again, with Libya, Congress follows in the wake of a major executive branch military action absent congressional authorization.

I sent a letter to President Obama on March 22 regarding what was then called Operation Odyssey Dawn and have never gotten an answer. When one looks at the duration of U.S. military engagements in the Middle East, north Africa, and central Asia and what the future might bring, these are the longest wars and military actions in U.S. history.

Our Nation has fallen into deep debt directly connected to our expenditures of over \$1 trillion in the past decade on wars that have not been paid for. Moreover, creeping defense commitments in that region and globally now consume over half of the U.S. discretionary budget annually. It is an astounding predicament 20 years after the end of the Cold War, as jobless Americans question whether our Federal Government even sees their plight.

We all know freedom is not free, but it is largely the American people that are bearing this military burden more and more each year. What is most striking is that other nations in the region in which we are fighting are simply not carrying anywhere near their fair share of the load of boots on the ground, nor have they measured up either in terms of putting their treasures at risk. Unless an alliance of nations in that region fight for freedom themselves, they won't own it, and we can't transfuse it.

Sadly, compared to the moral justification for World War II, which historians termed "America's most just

foreign war," our Nation in the current period has drawn into resource wars in farflung places that history is likely to judge as morally indefensible.

The world is full of bad dictators, but it always seems the dictators America is most interested in are those that sit atop huge oil reserves. Libya has the world's ninth largest oil reserves and exports 1.5 million barrels a day.

I will be placing several articles in the RECORD that document Western Europe's dependence, as well as Canada's reliance, on Libya's oil investments and the Libyan President's threats to nationalize those investments, which even has affected China.

The West's utter and growing reliance on imported petroleum has twisted our foreign policy and crippled our domestic economy time and again.

□ 1240

As we import half of what we consume, until Americans clearly see our predicament, our Nation will keep repeating these same mistakes.

Let us be clear on the nature of the Libyan economy: 95 percent of its exports are oil; 80 percent of its government revenue derives from oil sales. Oil represents 25 percent of Libya's GDP and its most important industry. And Libya is Africa's third largest oil producer.

The major powers involved in this military operation have vast pecuniary interests at stake through the multinational oil corporations that operate in Libya, whether it is Italy, from which operations are being staged, and which gets 22 percent of its oil from Libyan operations through firms like Eni and Repsol, or Canada, whose NATO General is leading operations, while Canada's second largest corporation, Suncor Energy, has major oil operations in Libya.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 15 seconds.

Ms. KAPTUR. An article I am submitting for the RECORD reports that "Seif al-Island Qadhafi, the son of Colonel Qadhafi, warned that in the event of a civil war, Libya's oil wealth would be burned."

One can see why the global powers took note. In fact, China lifted 55,000 of its oil workers out of Libya.

History will judge whether these resource wars and selective dictator depositions are justifiable. But the answer for America is to invest here at home and to restore America's energy independence and to extricate ourselves from all these foreign oil involvements.

MARCH 22, 2011.

President BARACK OBAMA,
The White House, Pennsylvania Ave, NW,
Washington, DC.

DEAR PRESIDENT OBAMA: According to information available from public sources, the United States participated, and perhaps has

led, military operations against the government of Libya. Press reports indicate U.S. military engagement began at 16:53 GMT March 19, 2011 bombing commenced on targets including surface to air systems and other air defense infrastructure.

It appears four days of U.S. air and naval strikes inside Libya have destroyed strategic communications facilities, the military intelligence headquarters, and air defense systems. It is unclear how many lives, civilian and military, have been lost, or saved, in these Libyan operations.

Please provide a detailed description of the coalition of forces involved in these operations in which the U. S. has participated, its command and decision-making structure, and from the planning stage to execution.

Further, under which accounts of the U.S. Departments of Defense and State are these operations being funded? What level of funding does the United States expect to use in the operations in Libya?

Thank you for your reply.

Sincerely,

MARCY KAPTUR,
Member of Congress.

CIA WORLD FACT BOOK—LIBYA

WWW.CIA.GOV (ACCESSED JUNE 24, 2011)

Economy—overview:

The Libyan economy depends primarily upon revenues from the oil sector, which contribute about 95% of export earnings, 25% of GDP, and 80% of government revenue. The weakness in world hydrocarbon prices in 2009 reduced Libyan government tax income and constrained economic growth. Substantial revenues from the energy sector coupled with a small population give Libya one of the highest per capita GDPs in Africa, but little of this income flows down to the lower orders of society. Libyan officials in the past five years have made progress on economic reforms as part of a broader campaign to reintegrate the country into the international fold. This effort picked up steam after UN sanctions were lifted in September 2003 and as Libya announced in December 2003 that it would abandon programs to build weapons of mass destruction. The process of lifting US unilateral sanctions began in the spring of 2004; all sanctions were removed by June 2006, helping Libya attract greater foreign direct investment, especially in the energy sector. Libyan oil and gas licensing rounds continue to draw high international interest; the National Oil Corporation (NOC) set a goal of nearly doubling oil production to 3 million bbl/day by 2012. In November 2009, the NOC announced that that target may slip to as late as 2017. Libya faces a long road ahead in liberalizing the socialist-oriented economy, but initial steps—including applying for WTO membership, reducing some subsidies, and announcing plans for privatization—are laying the groundwork for a transition to a more market-based economy. The non-oil manufacturing and construction sectors, which account for more than 20% of GDP, have expanded from processing mostly agricultural products to include the production of petrochemicals, iron, steel, and aluminum. Climatic conditions and poor soils severely limit agricultural output, and Libya imports about 75% of its food. Libya's primary agricultural water source remains the Great Manmade River Project, but significant resources are being invested in desalinization research to meet growing water demands.

PROVEN RESERVES OF THE MAJOR OIL-PRODUCING COUNTRIES, AS OF END 2002

Major producer (in rank order)	Proven reserves (billion barrels)	Percentage of world total
1. Saudi Arabia	261.8	25.0
2. Iraq	112.5	10.7
3. United Arab Emirates	97.8	9.3
4. Kuwait	96.5	9.1
5. Iran	89.7	8.6
6. Venezuela	77.8	7.4
7. Russian Federation and Caspian Sea states	77.1	7.4
8. United States	30.4	2.9
9. Libya	29.5	2.8
10. Nigeria	24.0	2.3
11. China	18.3	1.7
12. North Sea (Norway, U.K. Denmark)	16.3	1.6
13. Qatar	15.2	1.5
14. Mexico	12.6	1.2
All others	90.2	8.6
World total	1047.7	100.0

Source: BP, BP Statistical Review of World Energy (London: BP, June 2003), p. 4.

SUNCOR RESPONSE, MARCH 3, 2011

SUNCOR'S OPERATIONS IN LIBYA—BRIEF BACKGROUND

Update: French translation added at 3:08 p.m. EST on March 3, 2011

Suncor's Libyan assets were acquired in the company's 2009 merger with Petro-Canada which, in turn, assumed interests in Libya through the acquisition of the German energy company, Veba Oil, in 2002. In 2007 and 2008, these interests were converted to "Exploration and Production Sharing Agreements" (or EPSAs).

Operations under the EPSAs include exploration in the Sirte basin operated by Suncor and the redevelopment of other existing Libyan oilfields, operated by a joint venture company in which Suncor is a partner. To date, Suncor has invested approximately \$1.4 billion in its Libyan operations, including an initial US\$500 million, representing 50% of the agreed price to buy into assets and development plans under the EPSAs.

Suncor's working interest share of production from Libyan operations was 34,700 barrels per day in 2010, representing less than 6% of Suncor's total production and approximately 2% of Libya's national oil production.

BRÈVE DESCRIPTION DES ACTIVITÉS DE SUNCOR EN LIBYE

Suncor a acquis ses actifs en Libye lors de la fusion avec Petro-Canada en 2009, qui à son tour, avait obtenu des participations en Libye en faisant l'acquisition de la société énergétique allemande Veba Oil en 2002. En 2007 et 2008, ces participations ont été converties en <<contrats d'exploration et de partage de la production>> (ou CEPP).

Les activités convenues en vertu des CEPP comprennent l'exploration du bassin Sirte exploité par Suncor et la remise en valeur d'autres champs pétroliers existants en Libye, exploités par une coentreprise dans laquelle Suncor est partenaire. À ce jour, Suncor a investi environ 1,4 milliard \$ dans ses activités en Libye, incluant une somme initiale de 500 millions \$ US qui représente 50% du prix convenu d'investissement dans les actifs et les plans de développement en vertu des CEPP.

La quote-part de la participation directe de Suncor dans les activités en Libye était de 34 700 barils par jour en 2010, ce qui représente moins de 6% de la production totale de Suncor et environ 2% de la production pétrolière nationale en Libye.

[From IBNLive, Mar. 21, 2011]

LIBYA SAYS MAY GIVE OIL DEALS TO CHINA, INDIA

TRIPOLI.—Libya is considering offering oil block contracts directly to China, India and other nations it sees as friends in its month-long conflict with rebels, Libya's top oil official said on Saturday.

Oil companies have pulled out staff and shut operations in the country, formerly Africa's third-largest producer, due to the uprising against Muammar Gaddafi's rule, leading to a sharp reduction in output.

National Oil Corporation Chairman Shukri Ghanem, speaking about future projects, said Libya was considering awarding contracts directly to new partners instead of using its more traditional open bidding process.

"We will be looking at giving direct block contracts to countries ready to come and work in the country, because we want to increase production," he said.

He said Libya would look into the possibility of working closer with partners such as India, China, Brazil and others in the future but gave no details.

Ghanem said, however, that the government would honour all existing contracts with Western firms and called on foreign workers to return to help restore output.

"It's not our intention to violate any of these agreements," he told reporters in Tripoli.

"Of course, as you know, production has declined drastically because of the dramatic events," he added.

He said crude production had fallen to less than 400,000 barrels per day from 1.6 million before the crisis. He warned that oil exports might halt altogether if output is not restored.

"We will be able to restore most fields but we need the foreign workforce to come back . . . We call on them to send back their workers," he said.

Libyan leader Muammar Gaddafi has taken a tougher stance on Western oil companies. He said earlier this month that Germany was the only Western power that had a chance of doing business with Libyan oil in the future.

[Feb. 24, 2011]

CHINA'S OIL PROJECTS, WORKERS, UNDER ATTACK IN LIBYA

China rushed to evacuate thousands of workers from Libya on Thursday, after CNPC and other Chinese firms were attacked in the wave of unrest sweeping the country.

Officials say 30,000 Chinese are in the country and the scramble to evacuate them—in what may be the country's largest overseas evacuation ever—is posing a new foreign policy dilemma for China, which has for decades supported the Gaddafi regime.

CNPC, China's largest oil and gas producer, said on Thursday that its facilities had been attacked and that CNPC employees were being evacuated back to Beijing. The statement is the first confirmation of attacks on oil companies, after oil majors such as Eni of Italy and Repsol YPF shut down their Libyan operations earlier this week.

The violence in Libya poses a new test for China's foreign policy in the region, which has centred around the concept of non-interference. That policy has become increasingly difficult to maintain as China's commercial engagement with Africa deepens and Chinese workers decamp by the thousands to build infrastructure projects on the continent.

Ma Zhaoxu, Foreign Ministry spokesman, acknowledged that some Chinese companies

in Libya "had their local camp sites raided by gangsters and some people got hurt."

One Chinese railway worker painted a vivid picture of those attacks in his microblog posts on Chinese website Sina. Raiders set fire to equipment and cars and injured Chinese workers in an attack on his work camp on Monday, said the blogger known as "Happy Xufeng," posting pictures of the inferno as well as desperate calls for help.

"We are in great danger," he wrote on Monday night, describing a group of more than 500 Chinese workers who lacked basic supplies. "Chinese companies in Libya are in a state of emergency, our projects are being raided and communications are down." By Wednesday the blogger, whose internet records indicated he was an employee of China Railway 11th Bureau, reported that he and his colleagues were being evacuated to safety.

In an unusual statement on Tuesday, China's President Hu Jintao ordered government workers to "spare no efforts to ensure the safety of life and properties of Chinese citizens in Libya." China has dispatched charter flights, COSCO transport ships and Chinese fishing boats to travel toward Libya. Hired buses will also stand ready to enter Libya to help with the evacuation if necessary, the foreign ministry said.

There have already been signs of resentment in Libya at China's growing economic clout in the region. At the end of 2009, Libyan Foreign Minister Musa Kusa said in an interview: "When we look at the reality on the ground we find that there is something akin to a Chinese invasion of the African continent. This is something that brings to mind the effects that colonialism had on the African continent."

The forced evacuation of such a large group of overseas Chinese has exposed one of the new vulnerabilities of China's foreign policy as its interests expand rapidly around the globe.

There are now tens of thousands of Chinese migrants working in potentially volatile places such as Sudan, Congo, Burma and Pakistan. Chinese diplomats worry that high-profile cases of kidnapping or violence towards Chinese workers overseas could provoke nationalist reactions at home and push the government, which prides itself on a policy of non-intervention, to become much more involved in the domestic political affairs of crisis-ridden countries.

To the intense discomfort of Beijing, a defiant Colonel Muammar Gaddafi has used the example of China's violent crackdown on protesters in Tiananmen Square in 1989 to justify his own use of military force against domestic opponents. "The unity of China was more important than those people on Tiananmen Square," he said earlier this week.

The evacuations of oil companies have caused Libya's oil output to fall by half, sending oil prices higher amid global fears that unrest in the Middle East will lead to shortages.

News of the attack on CNPC will heighten concerns among oil industry executives that the turmoil in Libya may lead to widespread sabotage of oil facilities and that it would take many months or even years to return the country to full production capacity, even if a semblance of peace returns.

In a speech earlier this week, Seif al-Islam Gaddafi, the son of Col Gaddafi, warned that in the event of a civil war, Libya's oil wealth would be "burned".

Oil experts in Beijing have said that unrest across the Middle East is likely to prompt

Chinese authorities to accelerate oil purchases in an effort to fill reserves, a move that would put further pressure on global supplies of crude.

"Recent events made them very nervous and they believe the oil price may be on an upward trend, so better to buy sooner rather than later," said K F Yan, director of IHS Cera in Beijing. "With or without events in the Middle East, China needs to refill the tanks after depleting supplies at the end of 2010."

China's trade with Libya centres mainly on oil, but the \$6.6bn in bilateral trade also includes companies in a wide range of other businesses, thanks in part to China never having imposed sanctions on the Gaddafi regime. Chinese rail companies have signed lucrative railway contracts with Libya, agreeing in 2008 to build a rail line between Tripoli and Sirte for \$1.7bn, according to reports.

CHINA'S OTHER PROBLEM WITH PROTESTS ABROAD

Talk of a "Jasmine Revolution" online and a subsequent stepping up of censorship by Beijing authorities this week has helped thrust the Internet—microblogging in particular—to the center of the conversation around how China's government manages problems at home. But as the upheaval in Libya grows increasingly violent, microblogs are also serving to highlight a challenge China faces abroad: The presence of tens of thousands of Chinese nationals, many of them workers for state-owned enterprises, living in potential conflict zones in Africa and elsewhere.

On Tuesday morning Beijing time, a person claiming to be one of those expatriates, an employee of a Chinese company in Libya, took to Sina Weibo, China's most active microblogging service, to send out a plea for help.

"Urgent situation Libya has lost control, the army has moved suppress demonstrators, countless numbers of dead and wounded," read the hastily punctuated Chinese-language message, posted on an account with the name Happy Xu Feng. "Communication is completely cut off. Right now it's middle of the night I used a satellite to leave a message, calling on the government to send a plane to rescue us. Urgent"

It's not clear how the user was posting to Sina Weibo despite communications being down, but several hours later, the user posted another message saying a number of the company's compounds had been trashed. That was followed by photos of a construction vehicle and a building in flames along with another urgent call for help:

"The UK, France and South Korea are preparing to send over planes. How come there's still no movement from our government? A lot of Chinese brothers are embroiled in fights with gangsters."

It's not clear which company Happy Xu Feng is working for and is almost impossible to confirm details of the attack described in the posts. State media reported that "armed gangsters" looted a Chinese-operated construction site in the eastern city of Agedabia, forcing nearly a thousand Chinese workers to abandon their living quarters. However, that attack reportedly took place on Sunday, a day before the attacks described by Happy Xu Feng.

The messages were forwarded thousands of times and attracted hundreds of comments urging the government to move quickly.

Xinhua reported Tuesday night that China's State Council had set up a "special headquarters" to coordinate efforts to evacuate Chinese nationals from Libya. The

headquarters had decided to dispatch chartered airplanes, as well as fishing boats and cargo ships, the report said, adding that Chinese president Hu Jintao and premier Wen Jiabao had jointly ordered “all-out efforts to ensure life and property safety of Chinese nationals in Libya.” News of Messrs. Hu and Wen’s orders, including the “all-out” modifier, was repeated multiple times on CCTV’s main news broadcast Tuesday night, a sign of the sensitivity surrounding the effort.

Indeed, for Chinese leaders confronting the protests in Libya, Egypt and elsewhere, public criticism over their ability to protect Chinese citizens abroad is arguably as big a concern as the possibility the unrest will somehow spread to China. While regular Chinese people seem to have little interest in emulating protestors in North Africa (whether because censorship has kept them in the dark or because they’re just not that keen on revolution), they are interested in having a government strong and competent enough to look after them when they’re overseas.

Beijing came under considerable public pressure over its handling of the killing of Hong Kong tourists who had been taken hostage in Manila last August. More recently, leaders faced criticism for sending too few planes to evacuate Chinese citizens from Cairo after protests erupted there in late January. With Libya, too, the pressure is on.

“I just called the number 86-10-6596114 listed on the website of Ministry of Foreign affairs and a woman answered, sounding as if she’s just woken up,” one user wrote in a comment on Happy Xu Feng’s Sina Weibo feed. “As soon as the word ‘Libya’ left my mouth, she said ‘the leaders have all gone home, we’ll deal with it tomorrow.’”

Wrote another: “Government, the time has come to test whether you rule for the people.”

That test is not likely to be easy. According to state media, there are more than 30,000 Chinese living in Libya.

CHINA IN AFRICA: THE REAL STORY

[Feb. 22, 2011]

(By The Associated Press)

NEW YORK.—Europe gets over 85 percent of Libya’s crude exports. The rest goes to Asia, Australia and the U.S. Here’s a breakdown of how much oil various countries import from Libya (in barrels per day) and the percentage of a country’s total crude imports supplied by Libya.

- Italy: 376,000 (22 percent)
- France: 205,000 (16 percent)
- China: 150,000 (3 percent)
- Germany: 144,000 (8 percent)
- Spain: 136,000 (12 percent)
- United Kingdom: 95,000 (9 percent)
- Greece: 63,000 (15 percent)
- United States: 51,000 (0.5 percent)
- Austria: 31,000 (21 percent)
- Netherlands: 31,000 (2 percent)
- Portugal: 27,000 (11 percent)
- Switzerland: 17,000 (19 percent)
- Ireland: 14,000 (23 percent)
- Australia: 11,000 (2 percent)

(Source: International Energy Agency 2010 statistics)

[From YvesEngler.com, Mar. 29, 2011]

WHY CANADA ATTACKED LIBYA

(By Yves Engler)

Would Stephen Harper attack Libya simply to justify spending tens of billions of dollars on F-35 fighter jets? Perhaps. But, add on doing it for major Canadian investors, reinforcing his “principled” foreign policy rhetoric and reasserting western control

over a region in flux, and you pretty much have the range of reasons why a half dozen CF-18s, four other military aircraft and naval frigate are currently engaged in combat 10,000 km away from Canadian soil.

Over the past few months the Conservative’s plan to buy 65 F-35 Joint Strike Fighter jets has become a serious political headache. A recent poll showed 68 per cent of Canadians—including a majority of Conservative supporters—agreed that “now is not a good time” to spend between \$16 and \$29 billion on these controversial single-engine jets. So, sending Canadian military aircraft to enforce a UN “no-fly zone” in Libya provides an opportunity to soften opposition to the F-35 purchase, an issue bound to be a hot topic in the election campaign that formally began Saturday. Most critics of the F-35 purchase—from the NDP’s Michael Byers to Project Ploughshares’ Ernie Regehr to Liberal foreign affairs critic Bob Rae—support the “humanitarian” mission in Libya. With these and other liberal interventionists supporting a bombing campaign in North Africa, Harper can more easily justify spending nearly \$1,000 per Canadian on the best fighter jets money can buy. (Québec housing group, FRAPRU, claims the cost of a single F-35 equals 6,400 social housing units.)

Conveniently, the right-wing press has already begun to connect the dots in support of the Harper government. An Ottawa Citizen headline read, “Libya shows why Canada needs jets,” while a Sun Media chain commentary explained, “enforcing a ‘no-fly’ zone to shut down a dictator is an expeditionary air operation. Is that something Canadians want to be able to do in the future? If yes, you need an F-35, expensive or not.”

Over the past five years, the Conservatives have further militarized Canadian foreign policy. Military spending is at its highest level since World War II—the Harper government expanded Canada’s role in the occupation of Afghanistan, claimed that Russia is planning to attack and sent 2,000 troops to police Haitians after a devastating earthquake.

The Conservatives draw significant support from the military as well as its associated companies and culture. To get us in the fighting spirit, for instance, the Canadian Forces released onboard video footage of a CF-18 destroying a ground target in Libya.

But there is more to it than pleasing the Great White North’s version of the military-industrial complex. On March 21, The Financial Times reported that western oil companies were worried that if Gaddafi defeated the rebels in the east of Libya he would nationalize their operations out of anger at the west’s duplicity. Presumably, this includes Suncor, Canada’s second largest corporation, which signed a multi-billion dollar 30-year oil concession with Libya in 2008.

Home to the second largest amount of Canadian investment in Africa, instability in Libya has put a couple billion dollars worth of this country’s corporate investment in jeopardy. Dru Oja Jay, editor of the Dominion and a candidate for the Mountain Equipment Co-op Board of Directors, notes “Canadian investors are legitimately worried about what’s going to happen to the \$1 billion signing bonus Suncor paid out to the Libyan government, or whether SNC-Lavalin is going to recoup its investments in the country, which is home to 10 per cent of its workforce.” And these are some of this country’s most powerful corporations. Embassymagazine includes both Suncor and SNC-Lavalin’s CEOs among the nine most influential business executives in determining Canadian foreign policy.

Would a victorious Gaddafi have moved against Canadian companies? Even if he didn’t, with all the bad press SNC and Suncor have received could they continue in Libya without regime change? Finally, will the rebels’ dependence on the west lead to better contract terms?

Unlike Egypt or Tunisia, the Conservatives denounced Gaddafi’s repression at the beginning of the Libyan uprising. This is partly because Gaddafi has never been on great terms with much of the West, even if there have been warmer relations in recent years. Also, the Conservatives were widely derided for supporting Egypt’s Hosni Mubarak and (to a lesser extent) Ben-Ali in Tunisia to the bitter end. So Libya gave Harper an opportunity to re-affirm his “principled” foreign policy rhetoric.

Beyond wanting to appear on the side of human rights and democracy, another element motivating the military intervention in Libya is the desire to influence the revolutions in bordering states Tunisia and Egypt, which are still in flux. Controlling Libya gives the West another point of leverage over developments in those countries. Bombing Libya tells democratic forces in the region that the west is prepared to use force to assert itself (as does tacit support for the Saudi military intervention in Bahrain).

Recent developments in Libya are a reminder that if you give the western decision-makers an interventionist inch they take an imperial mile. In principle trying to stop Gaddafi from massacring people in eastern Libya is a good thing. But, the “no-fly zone” immediately became a license to bomb Libyan tanks, Gaddafi’s compound and other targets in coordination with rebel attacks. On March 22, Foreign Affairs Minister Lawrence Cannon claimed the UN resolution allowed for “boots on the ground.”

Beyond the inevitable death and destruction in Libya, the security council resolution further undermines state sovereignty, which provides the weakest states with some protection from the most powerful. This is the main reason why many Latin American and African countries have opposed the intervention.

Finally, let’s put the current moral outrage in perspective. A little over two years ago Israel launched a 22-day onslaught against Gaza that left some 1,400 people, mostly civilians, dead. There, the power imbalance between the two sides was much greater and the aggrieved population had been under the boot of the attacking force for as long as Gaddafi has ruled. Yet there was no talk of imposing a no-fly zone over Gaza. In fact, the Harper government cheered Israel on.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Ohio (Mr. TURNER), the chairman of the Subcommittee on Strategic Forces.

Mr. TURNER. Thank you, Mr. ROONEY. I appreciate the time, and also your advancing this resolution.

The President has not made the case for committing our military to the conflict in Libya. The President claims that these military actions do not constitute hostilities. However, the American people know otherwise.

The President is engaged in military action against Libya and the Qadhafi regime without congressional approval. In addition to ignoring Congress, many believe that the President has exceeded

the scope of the U.N. Security Council resolution imposing an embargo, a no-fly zone, and authorizing civil protection of the Libyan people.

The President has told us who we're against: Qadhafi. But he cannot tell us who we are for. Secretary Gates has indicated that we know little about the opposition or rebels. We do not know their geopolitical view towards their neighbors or us. We do not know their commitment to domestic diversity. Are we going to have atrocities?

We do not know their ideology, or their preferred form of government, or if they have a commitment to non-proliferation of weapons of mass destruction, an issue that is incredibly important in the area of Libya.

The President has used the United Nations' approval of civil protection to wage an all-out war on Qadhafi, without congressional approval or American support.

U.S. Admiral Locklear, in charge of the NATO operations against Libya, recently stated that ground troops would be needed to provide stability in Libya once the Qadhafi regime falls. And yet the President has not provided us any information about what a post-Qadhafi Libya will look like or what will be our involvement. He is committing us to an extended military action; and for Congress to be relevant, the voices of this body need to be heard.

I support the passage of Mr. ROONEY's resolution limiting the use of funds appropriated in the DOD in support of U.S. activities in Libya unless otherwise authorized by law. This passage of this resolution is an important step to limit the role of the U.S. military.

I urge passage of H.R. 2278.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN), a member of the Appropriations Committee.

Mr. MORAN. Mr. Speaker, if this resolution passes, and we weaken NATO's mission, Qadhafi may very well prevail. His forces will then kill, rape, and torture all those Libyans who opposed him, as he has already tried to do. Qadhafi has reportedly kidnapped thousands of people, including young students to serve as human shields and march at the vanguard of his forces. If any of his own soldiers refuse to gun down unarmed innocent civilians, they're shot immediately.

Once he's done with his own people, he'll turn his attention to those NATO and Middle Eastern nations that attacked him and seek revenge. Remember, this is a man who is already responsible for the deaths of 189 innocent passengers on Pan Am 103.

Let's face it. This is not about whether the Obama administration has been thorough enough in explaining the Libya rationale to Congress. Members understand why the President intervened. We can read. We can think; we can decide.

The real question is, will we politicize this effort in the same way that the Republican Congress politicized President Clinton's successful intervention in a NATO-led mission in Bosnia 15 years ago? The limited action we're taking to support the NATO mission in Libya does not rise to a level of conflict meant to be governed by the War Powers resolution. Presidents of both parties have initiated similar actions in Grenada, Panama, Somali, Bosnia, Haiti, Kosovo.

What this really is about, the transcendent purpose of this mission is to seize an opportunity to show the world, particularly the young majority of the Arab and Muslim world who are thirsting for economic and political freedoms, that we are on their side. We have the opportunity to show the Arab world and every nation on Earth who we are as a people. It shouldn't matter who's in the White House. We should be united in the cause of democracy. We should debate; but when the debate is over, politics should take a back seat to policy.

The legacy of America is that we will fight tyranny and defend innocent people as best and as forcefully as we can, in good economic times and bad.

This debate should come to an end. We know exactly what's at stake. If Qadhafi is allowed to violently suppress the uprising in Libya, it will mean many more years of despotic rule. Isolated by his repulsive acts of repression and buoyed by oil wealth, he'd have nothing to lose by aiding violent subversive groups in neighboring countries, including those with vulnerable fledgling democracies like Tunisia and Egypt. That would not only be a defeat for democracy in the region; it would be a death blow for NATO, the most important military alliance the world has yet achieved.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman an additional 30 seconds.

Mr. MORAN. Imagine if, just 2 weeks after Secretary Gates excoriated some of our NATO allies for skimping on their commitments to the global security infrastructure that is a key to our economic system and the open societies that safeguard our prosperity and our way of life, imagine if now we turned our backs on NATO. What a global embarrassment.

Now is the time to stand together against a murderous dictator to give democracy an opportunity in a part of the world that has not experienced it, a part of the world which is vital to America's security.

That's why I urge my colleagues to reject this legislation.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I rise in support of Mr. ROONEY's resolution.

Mr. Speaker, it's a sad irony that at the same time that we're committing our sons and daughters to an armed conflict in Libya in support of democracy and the rule of law, that we are also here at home trampling on the fundamental principles of separation of powers and the plain language of the United States Constitution, which is the supreme rule of law in our land.

I've heard several times now an argument that is about politics. Well, in fairness, politics is to Congress like wet is to water. We cannot avoid that.

But this issue is really one of substance, and the United States Constitution clearly states that the President's power as Commander in Chief to introduce Armed Forces into hostilities may be exercised only pursuant to three circumstances: first, a declaration of war; secondly, a specific statutory authorization; and, number three, a national emergency created by an attack on the United States or its territories. And none of those circumstances is in evidence here today.

So despite my great admiration and respect for our President, a lawful premise for this Libyan operation does not exist.

I've also heard the argument that we have to join with our international neighbors, that we can't desert them. Well, as a matter of fact, I've been to Iraq now 14 times. I've been to Afghanistan 10 times. When we first went into Afghanistan, when I first went over there after hostilities started, it used to be 50 percent United States and 50 percent the rest of the world. Now when I go, it's about 75 percent the U.S. and 25 percent the rest of the world. So they have migrated out of Afghanistan. At the same time, they're asking us to pick up the load in Libya.

□ 1250

Also on my trips, I don't meet any of our kids on their first tour of duty anymore. When I meet our kids, they're on their third, fourth, fifth tour of duty. We're stretched very thin. Our military families are stretched very thin. I think we should allow our international neighbors to pick up this load.

I urge my colleagues on both sides of the aisle to support the Rooney amendment.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. The strict limitation of funds in the resolution offered by Mr. ROONEY of Florida would end our involvement unilaterally. I believe this action would be unwise, and that it could materially harm our relationship with NATO allies from whom we will undoubtedly require support in the future. It would also undermine the

worldwide effort to protect the people of Libya.

Now in this amendment, there are exceptions: search and rescue; intelligence, surveillance, and reconnaissance; aerial refueling; and operational planning. I asked the majority if they would put in suppression, because you can't conduct these other missions without suppression, and if we don't have the ability to suppress enemy air defenses, the allies will not be able to continue the bombing campaign. So all of these things that the gentleman says he wants to do and have exceptions for will be undermined by not having suppression.

Today's F-18 Growlers go in on these missions and they suppress the enemy radars so that the bombing can continue. So I think this is fatally flawed because of the lack of suppression, and I feel that we now have to vote against this because of that fact. I tried to offer this as an amendment, but I was told that they weren't interested.

I just hope you understand that you are undermining this mission and you are undermining NATO. This deserves to be defeated.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from New York, Colonel GIBSON.

Mr. GIBSON. I thank the gentleman from Florida for yielding me time to speak today.

I've been opposed to this operation in Libya from the very start. In terms of national security priorities, we should be focusing on rapidly and successfully completing operations in Iraq and Afghanistan, reorganizing the national security establishment to more effectively wage counterterrorism operations against al Qaeda, and resetting the DOD to defend our cherished way of life in a manner consistent for a Republic, not an Empire. Going forward, we need to learn from these experiences and exercise more discipline; not getting involved in operations like Libya where vital national security interests are not present.

We should cease our involvement in Libya immediately. I'm supporting this resolution to cut off funds for combat operations. I view this as a good start, but I want to be clear: I will not be satisfied until all funds are cut off for this operation, no exceptions.

Then we need to revise the War Powers Act to ensure we never again end up with a President taking this country to war without proper authorization. We need to rediscover the Founders' intent on this critical issue, and I've introduced legislation, the War Powers Reform Act, to make it so. The War Powers Reform Act clarifies when the President may deploy forces into hostilities or imminent threat of hostilities: one, declaration of war; two, specific statutory authorization; or three, a national emergency created by

an attack on the United States or an imminent threat of an attack on our country. If none of these circumstances are met, the President must first come to Congress to obtain authorization before deploying forces. The key change in the War Powers Reform Act is that without prior authorization, the President may not obligate or expend funds to deploy troops into combat.

Congress must act to restore constitutional balance and the voice of the American people. We need to reform the War Powers Act. I urge my colleagues to support both this bill and Mr. ROONEY's resolution on Libya that we are voting on today.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the gentleman for yielding.

America is a beacon of light around the world. At a time when many were cowering in their house wondering if this genocide that Qadhafi was bringing to their doorstep would come tomorrow or the next day, American fighters came in and pressed Qadhafi's forces back and pushed him back into Tripoli.

America has stood for the side of freedom in this Arab Spring. America has stood for people that don't have a voice for themselves. Don't let a dispute between the legislative branch and the executive branch result in us pulling the rug out from standing up for freedom. America has a responsibility to finish this through, to stand with our allies.

To leave now means Qadhafi wins, period. I urge a "no" vote on this resolution.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I rise in reluctant opposition to this resolution. It's well-intentioned, without question. It's meant to limit our involvement in Libya, it's meant to support our allies, and it's meant to rein in a President who in my opinion is conducting an illegal and certainly unauthorized war.

It does both too little and too much. It does too little, frankly, because even after it's passed, the President will continue essentially to be able to operate as he's been operating for several weeks. And it does too much because it gets us into a situation where we effectively micromanage the military by literally listing what missions they should take.

The resolution neither holds the President accountable nor ends our involvement in Libya, and it essentially leaves things exactly where they are. Congress should reassert its constitutional authority, Mr. Speaker, by either authorizing the use of military force or ending it. This resolution

avoids either course. It postpones a decision. In doing so, in my view, it erodes the constitutional war-making authority of Congress and enhances an executive branch that is already overreaching. We will appear to do something and we will actually do nothing.

For that reason, I reluctantly urge the rejection of the resolution.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, when the President of the United States went to the United Nations Security Council to urge intervention in the Libyan civil war, he frankly missed a stop. He should have come here first, and this Congress should have debated the wisdom or lack thereof of that effort. Knowing what I know about this, had that debate taken place here, I would be one who would have voted against authorizing the use of force here because I do not believe we have a vital national security interest in the Libyan civil war.

I am going to oppose this resolution, however, because I think that two constitutional wrongs do not make a right. Again, I believe the President should have come here and sought the authorization of this Congress before he initiated these hostilities, and they are hostilities. But when we have people at risk, when we have lives on the line, I think this resolution raises a practical and a constitutional problem. The practical problem, the gentleman from Washington (Mr. DICKS) alluded to a few minutes ago, and I can think of another variation. If a NATO ally is sending people into Libya on an intelligence-gathering function and asks us to provide air cover for that function, is that an intelligence operation or isn't it? I don't know, there's a good argument on either side, but it's an adjudication that I don't think a U.S. commander in the field ought to have to make. I think it's a practical confusion that does not serve us well when people are at risk.

Then, secondly, just as the President has the obligation, I believe, to seek approval of this body and the other one before he initiates hostilities, he also has the responsibility to conduct those affairs once they begin. Our role is to oversee and fund or not fund such activities, but it is not to interfere with them. I think this is an impractical interference; so I'm going to vote "no."

Mr. ROONEY. Mr. Speaker, could I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Florida has 14 minutes remaining, and the gentleman from Washington has 12 minutes remaining.

□ 1300

Mr. ROONEY. Mr. Speaker, I yield 1 minute to my friend and colleague from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, this bill defunds Libya unless authorized

specifically by law. If it passes, long before it's passed by the Senate, the President will come to us and ask for authorization, and I, for one, would want to grant limited, conditional authorization.

Now we just rejected an authorization provision that was, in effect, all authority and no limitation—at least that's certainly how it would be interpreted by the White House legal counsel given how it was drafted. The House should consider real binding limits and conditions because democracy and rule of law for the people of Libya is important, but democracy and rule of law for the people of the United States is more important.

There are those who regret that they cannot offer an amendment to this bill—yes, they can. The motion to recommit will be in order just as soon as we end debate.

I know that we've had important resolutions from the Arab League, the U.N., and NATO. Those are not substitutes for Congress. The War Powers Act is the law of the land, and if we don't stand up for it now, when will we? And if this President won't obey it, what President will?

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. DAVID SCOTT), a member of the Foreign Affairs Committee and also a member of the NATO Parliamentary Assembly.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, what we have here are two essential arguments; one is more of an intramural argument between Congress and the White House, but it is a misplaced argument because there is no President that has come to this Congress for a declaration of war since World War II—and granted, we've been in seven or eight major conflicts. So this is much greater than this conflict between the White House and this Congress.

Unfortunately, I believe that this measure is just an attempt to, rather in a strong way, get the attention of the President. It may be to chastise the President a bit. I think if you look at the RECORD there were communications here, but there is a larger profound message here. It's not a message that this is to send to the President. This is a bad-timed piece of legislation because it sends the wrong message to the world.

Ladies and gentlemen of the Congress, we are the leaders of the free world. America is a great country, and our standing is at stake. And this move, this bill will pull the rug out from under NATO at precisely the time when we need to be sending a strong message of encouragement. The United States is in a support role here. So it is very important that we defeat this amendment and make sure that we send the right message to our allies, that we will not pull the rug out from under them.

Mr. ROONEY. Mr. Speaker, I yield 1 minute to my friend from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I want to send a message to our allies. And I don't think we are pulling the rug out from under them. Look at these wealthy, populous nations of Western Europe. I believe it is a good thing to get rid of Qadhafi, but does America have to do everything? People say we're the indispensable nation. That's a terrible burden to impose on ourselves; we can't afford it, and it cannot be done effectively. Let's get people who can dispense with us.

My friend, the ranking member of the Appropriations Committee, says, look, we have to do this because NATO can bomb but they can't suppress. What a great bunch of allies—they can bomb unarmed people, but if they shoot back, they got to come running to us.

Yes, I want to send a message to NATO. Qadhafi is a bad guy. If England and France and Italy and Germany and Spain and the Netherlands and Scandinavia can't together muster the military force for this weakened, poor nation, then let's re-examine the value of these allies.

In "The King and I," he says, If the allies are weak, am I not best alone? Yes, I want to tell our allies that it's time for once for them to step up. This is not to protect Qadhafi; it's to say that America can no longer be asked to be the one that does everything, everywhere, every time. Our allies have to step up.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. I thank the gentleman for yielding.

I rarely speak on the House floor, and almost never have I ever come to the floor two times in one day to speak on this one issue. But this is my fourth trip to the floor today on this issue because I consider it so important and so serious.

If I could rename this bill, I would call it "a bill to authorize the use of force in Libya." That is what we're doing. We should not kid ourselves—we are authorizing the use of force. We are endorsing the Obama war in Libya.

Some see this as weakening our presence over there, but there is no doubt, if you read it carefully, we are expanding and giving authority because of the exceptions. The exceptions include search and re-search, intelligence, surveillance, reconnaissance, refueling, planning—contract labor probably can still go in, the CIA is in there already, special forces. And paying for it: How can you do all that without paying for it? So we are there.

This will be the first time the President will have received any information from the Congress that it's okay to pursue what we're doing. We're sup-

posed to be sending the message that we're in charge of when we go to war and when we pay for this war. We're not just supposed to lie over and capitulate to what the President wants—as we have been for too many years.

So there is no doubt that I think the proper vote here, the proper constitutional vote, the proper vote for the best of our national interests, the best vote for peace is to vote this resolution down just as we voted the previous resolution down. We should prohibit the use of funds.

A lot of us complain on this House floor because of the way the President went to war—he didn't come here, he went to NATO. But this supports NATO. One of the arguments in favor of this bill is we have the exceptions, so we don't want to break ties and our allegiance to NATO. Well, that's what we're supposed to be doing, we're supposed to be reclaiming the sovereignty and the responsibilities here in the House. We are not supposed to roll over for NATO and the United Nations. We're supposed to stand up for this country.

We are not supposed to go into war under these conditions. And under those circumstances, I strongly urge a "no" vote on this resolution.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Somebody said a while ago we ought to be supporting the Arab Spring because there are movements toward democracy over there. We went into Libya to help in a humanitarian effort and get rid of Muammar Qadhafi, but who are we supporting? Nobody at the White House has come down here and said we're supporting this group of people. We don't know if it's the Muslim Brotherhood, we don't know if it's al Qaeda—now we do know there are al Qaeda operatives that came from Afghanistan fighting with the rebels in Libya; are we supporting al Qaeda? Are we supporting the Muslim Brotherhood?

The Muslim Brotherhood in Egypt has opened up the border—or the Government of Egypt, whatever that is right now—has opened up the border between Egypt and Gaza, which provides a mechanism for weapons to get into Gaza to fire on Israel.

So before we start supporting a rebel movement and going after somebody like Qadhafi, we ought to find out who we're for. We're spending billions of dollars before this is over in a war where we don't even know who we're supporting, and it's in violation of the War Powers Act and the Constitution. This is something we should not be doing.

The President should have come down here and made his case. He should have said what our goals are. He

should have said who we're supporting and why we're supporting them. We are in a war against terrorism. We may very well end up with terrorists controlling Libya and Egypt, and that is a tinderbox that we don't want. We get about 35 percent of our energy from that part of the world, and if all hell breaks loose because we've gone with the wrong guys, we've got a real problem in this country economically. And the President ought to be thinking about all that and making his case to the Congress in accordance with the Constitution and the War Powers Act before he does it.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, this bill purports to cut off funding for combat in Libya. In doing so, it simply forbids what the Constitution already forbids—the waging of war without explicit congressional authorization. But then it specifically grants to the President what up until now he has completely lacked: congressional authority to engage in every conceivable belligerent act short of actually pulling the trigger.

□ 1310

Refueling bombers on their way to targets, identifying and selecting targets, guiding munitions to their targets, logistical support, operational planning—these are all acts of war in direct support of belligerents at war, and this bill authorizes them.

The House has just considered whether to authorize war with Libya. It has specifically, categorically, and decisively rejected it. The President is now on notice that he is in direct defiance of Congress. That is the message we need to send today. Let's not enter a war through the back door, when we have already decided not to enter it through the front.

Mr. ROONEY. Mr. Speaker, I yield 2 minutes to my friend from Texas, Judge GOHMERT.

Mr. GOHMERT. Mr. Speaker, it is true, Qadhafi is a bad guy. He needs to go. But the problem is for those who say will this mean the end of the Bush doctrine, well, I don't know that this President has really been enforcing the Bush doctrine. But the problem is, as my friend Mr. BURTON pointed out, we don't know who is going to replace Qadhafi.

It is not in our national interest to help what may be another Iran, with Khomeini and Ahmadinejad coming to power, and especially when we are releasing oil at a time when that oil should be saved in case it all goes to blazes in the Middle East and we don't have any coming from there.

Now, I am not crazy about the exceptions either—the search and rescue, in-

telligence surveillance and reconnaissance, aerial refueling and operational planning—because this administration is probably going to describe everything they do as falling into those exceptions. But it is a step in the right direction. And some have said, and I know their hearts and I know they mean well, we want to support our troops, and I don't like it when people say let's back out and let's cut funding when troops are in harm's way.

I have talked to enough troops who want somebody in Washington to say, this is insane, don't get us involved, because they are good soldiers; and when they get their orders, they are going to salute and they are going to go follow through on the orders.

We are the body that must step forward and say, Enough. Mr. President, we are not responsible to the Arab League, to NATO or to the U.N. We are responsible to the American people.

So though I don't like the exceptions, I will vote for this. It is taking a step in the right direction.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I intend to vote “no” on this resolution.

We just voted on a resolution on whether or not to authorize in Libya, and this House overwhelmingly voted “no,” no to authorizing that. I have been opposed to this action in Libya. I have not been persuaded that the U.S. has a vital interest there. And by the way, we were not attacked by Qadhafi.

I spent 2 hours in a tent with Qadhafi in 2003. We were the first congressional delegation in over 38 years to be there. In fact, we were there because he was voluntarily giving up his nuclear arms. I will say that there probably are few dictators who are going to do that again after watching what is happening over there. He is a bloody dictator; but one of the things I learned, he hates al Qaeda.

I also think that this action vividly demonstrates the weakness of NATO, quite frankly. It is a great organization. We appreciate their partnerships, of course. They are our allies. But it is an antiquated organization. The United States is paying 75 percent of the cost of NATO, and NATO can't even take out a two-bit dictator like Qadhafi. Why? Because we have enabled our allies, providing their defense for them for decades. And instead of spending money on their defense, as they said, 2 percent of their GDP, they are spending their money on their social programs; they are spending their money on lower corporate tax rates, et cetera.

So I would say, yes, Qadhafi is a bloody dictator. He is a terrorist. He did not attack us. And by the way, let us remember who let the Lockerbie bomber out way early as well.

We need to get out of Libya, Mr. Speaker.

Mr. ROONEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Let me thank my colleague for yielding.

Let me say that I am disappointed that we have reached this point here today. Mr. Speaker, it didn't have to come to this.

Nearly 100 days ago, the President initiated a strike against Libya without consultation from the Congress and without prior explanation to the American people. Then, as now, we all supported the removal of the regime of Libya, a regime that was slaughtering and is slaughtering its own people. Yet rather than seek regime change from the start, the President chose to follow, not lead, and pursued a strictly humanitarian mission under the banner of the United Nations, with no plan for Colonel Qadhafi's removal.

So at the outset, we asked some very straightforward questions for the President: Why isn't removing Qadhafi a part of this mission? What if he doesn't leave? Who are the rebels that we are there helping to fight? How long is this going to last and at what cost? And what does success look like? These were questions that the administration would not, or could not, answer.

Under our Constitution, the Commander in Chief has the authority to take actions necessary to protect our national security. This is an authority which I and this House respect, but it does not free the President from accountability to the American people, to this Congress, or to the rule of law.

Now, whatever your opinion of the War Powers resolution may be, the fact is it is the law of the land and simply cannot be ignored. So 3 weeks ago, this House overwhelmingly passed a bipartisan resolution asking the President to explain how this mission is consistent with our national security goals, to justify continuing this operation without authorization. He responded by telling us he didn't need Congress because there are no “hostilities” taking place in Libya. Well, we soon found out even his own lawyers don't buy that argument.

Now, if the Commander in Chief is going to take our forces into war, he must take ownership of it. And if the President believes that missile strikes and drone operations taking place in Libya are critical, it is his responsibility to explain to the American people and to seek authorization from this Congress. Because the President has failed to do that, because he has failed to fulfill his obligations, we are here today.

Now, make no mistake: I support the removal of the Libyan regime. I support the President's authority as Commander in Chief. But when the President chooses to challenge the powers of the Congress, I, as Speaker of this

House, will defend the constitutional authority of the legislature.

This bill represents, I believe, a reasonable approach. By allowing our forces to continue playing a limited support role, it would not undermine our NATO partners. It would, however, prevent the President from carrying out any further hostilities without Congress' approval, and it would exercise Congress' constitutional power to provide some much-needed accountability.

I believe this is a responsible approach, and I believe this House should support it.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BERMAN), the ranking member of the House Foreign Affairs Committee.

Mr. BERMAN. Mr. Speaker, the Speaker of the House has made some very legitimate points, but then his conclusion is so contrary to the points he made. The proposition before us today, Mr. MCCLINTOCK is right, it is an authorization of a series of acts of belligerence, acts of war, that by their own definition cannot possibly help us either achieve the humanitarian goal of this mission or achieve the goal, the true humanitarian goal of removing Qadhafi from power.

We are authorizing intelligence-sharing, aerial refueling, operational planning, intelligence-gathering; but we are denying the only aspects of this operation that can allow us to achieve that goal—the suppression of air defense systems and the utilization of drones with missiles to stop Qadhafi from resuming his effort to massacre his own people.

I understand the argument. You don't buy my notions of our national security interests. You don't see the context of bringing this operation to a halt in terms of what it does to the stability of the democracy movements in Egypt and Tunisia. You don't see any consequences in terms of Syria or the larger Middle East or the damage to alliance. I understand and accept that argument.

But Mr. ROONEY tries to have it both ways and in fact comes up with a proposal that ensures that the mission is allowed to continue, but by definition cannot achieve its goals.

□ 1320

It is the worst. It is not the reasonable proposal. It is the worst of all solutions. If you're going to authorize an operation through airpower and other methods, you don't exclude the only parts that can possibly achieve success. If you're against this operation, you stop the funding of the operation.

Mr. ROONEY and apparently a number of members of the majority want to have it both ways. We don't like Qadhafi so we want to do something. We don't want to do anything that could

work, but we don't want to come out against the operation. But the fact is you're ending the operation if this were to become law, because our European friends have said very clearly that, Those parts of this operation that this amendment prohibits, those parts of the operation we cannot undertake if you are not doing it.

So why not be straightforward? Why not do what a number of colleagues on the other side have called for: stop funding the operation. Don't try to have it both ways, ensure the operation's defeat and end the operation, while pretending to still be interested in seeing Qadhafi go and the operation succeed.

I urge a "no" vote from anyone who cares about the consequences of what they vote on.

Mr. ROONEY. Mr. Speaker, I yield 3 minutes to my friend and colleague, the chairman of the Committee on Armed Services, the gentleman from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 2278.

My colleague has set forth a responsible plan that would effectively limit the United States' role in Libya. This bill would allow U.S. forces to continue to conduct search and rescue missions, aerial refueling, intelligence, surveillance and reconnaissance, and provide operational planning assistance.

Mr. Speaker, this is what NATO has told us would allow them to continue to carry out the mission. These are very critical functions. That is all that they have asked us to do as we move forward. And it helps the President be truthful in saying that we're not engaged in hostile actions.

This bill would clearly end funding for all other military missions in Libya. Of particular concern to many Members is the United States' continued engagement in strike and suppression of enemy air defense missions. The President has repeatedly stated that the U.S. is not engaged in hostilities and that congressional authorization is not necessary to continue our role in this operation.

I share with many of my colleagues the view that firing a missile at a target in a foreign nation does indeed constitute hostile action. This disagreement is at the root of the issue at hand. H.R. 2278 would put an end to that debate by explicitly defining the congressionally authorized scope of the U.S. military mission in Libya.

The administration has yet to present Congress and the American people with a clear strategic objective for our involvement in Libya. Furthermore, to date we have not been informed of a specific end goal under which the U.S. military operations would cease. This threatens the effectiveness of our mission and can soon

create an unjustifiable strain on our military while they remain engaged in two other theaters of operation critical to our national security interest.

I urge my colleagues to join me in support of this bill.

Mr. DICKS. Will the gentleman yield?

Mr. MCKEON. I yield to the gentleman from Washington.

Mr. DICKS. Thank you.

Wouldn't you feel better if we could add, as a fifth item in this list of things, suppression of enemy air defenses? The reason I say that is I think we're going to have a difficult time doing any of these other missions unless we have suppression.

I was just over there at Aviano and Sigonella, and we were told by the Navy that the allies do not have enough suppression to be able to continue to do these bombing missions without U.S. help. I think it would help if we could clarify that that is not somehow abandoned.

Mr. MCKEON. Reclaiming my time, my good friend from Washington, there are a lot of things that would make me feel better. If we could go back and start this whole thing over, there are a lot of things that would make me feel better. But the President has said we're not engaged in hostilities. And I think we would agree that when we're firing missiles, when we are having missions with our fighter planes suppressing ground fire, I believe that would be—most of us agree that that is hostile.

The NATO people, we met with the military from Great Britain. They told us what we have in here would allow them to continue successfully their missions.

I urge my colleagues to join me in support of this bill.

Mr. SMITH of Washington. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 4 minutes.

Mr. SMITH of Washington. There are a number of arguments about this issue and arguments in favor of ending the mission in Libya. I think the Speaker articulated one, which is basically we support the idea of the removal of Qadhafi and they support the idea of supporting the people in Libya who are asking for a representative government. They just don't like our President's process. But that argument doesn't really make sense because if, in fact, their big complaint is that Congress hasn't had the opportunity to authorize this, then the Speaker of the House has had, by his own admission, a hundred days to offer that voice, to come up and say, No, we support the mission but here's how we want to limit it. They have not done that.

I agree very strongly with Mr. BERMAN's statements. You can't have it both ways. You can't say we would like to remove Qadhafi, we would like to

support the Libyan people, but we're going to offer up resolutions that are going to stop that from happening. Now, we can argue back and forth about that process, but clearly the Speaker of the House had an option in front of him to deal with that process issue, and this isn't it.

As has been pointed out, this will stop what we are doing in Libya. If you support that—let me just say I support Mr. KUCINICH in the sense that he is very honest. He doesn't like what is going on there. He wants it stopped. That's a legitimate position. But to stand up and say, Yes, we have to support the Libyan people; yes, Qadhafi should go, we're just going to cut the legs out from under the effort that would actually do that because of a complicated process argument is not a legitimate point.

I also want to point out people are legitimately concerned about the U.S. being too militant in our approach, and I agree with that. We cannot be the policeman for the world. We should not always carry the load. But in this case it is a very, very limited mission that we have. For once, NATO is actually carrying the bulk of the mission.

While I agree with Mr. FRANK's comments from earlier that NATO needs to step up and do more, we finally have an instance when they are stepping up and doing more, and we want to pull the rug out from under them for the tiny little piece of help that we are giving that makes this mission possible. This is a limited role, and we must recognize that.

The Speaker also emphasized that we would like to have all the answers going in. We'd like to know what the mission to get rid of Qadhafi is exactly. Well, you don't always have all the answers, and this has evolved. Initially, our mission was clear: Stop Qadhafi from crushing the forces who are trying to rise up and have a voice in their own government. And we did that.

Incidentally, we do have some answers about who these rebels are. Do you want to know who they are? Look at Benghazi. What's going on in Benghazi, the place that is controlled by the people in opposition to Muammar Qadhafi? It is not the Muslim Brotherhood. It is not al Qaeda. It is the people of Libya wanting a representative government who are running that place. So let's stop acting conveniently like we don't know who these people are. We do have a very good idea who they are, and they are deserving of our support.

We have a clear, limited vision. If we vote for Rooney, we pull the rug out from under that mission. We put Qadhafi in a position to stay in power, and we undermine a group of people who are asking for a legitimate voice in their government. And keep in mind, again, this is a very limited use of U.S. power in a very positive way. Whatever

the process arguments are that brought us to this point, don't let them have the United States look like we don't support people standing up for the very values that we continually espouse throughout the world.

I urge defeat of this resolution and support for what we are doing in Libya.

With that, I yield back the balance of my time.

□ 1330

Mr. ROONEY. Mr. Speaker, I inquire as to the time remaining on our side.

The SPEAKER pro tempore. The gentleman from Florida has 4 minutes remaining.

Mr. ROONEY. I yield 1 minute to my friend and colleague from Nebraska (Mr. TERRY).

Mr. TERRY. I have during my tenure here voted twice to empower our military to take action. The first time was with Afghanistan; and the President came to the Congress and made a powerful case that it was in our national security interest to do so. I supported that. Then it was with Iraq; and the President came to Congress. He spent a significant amount of time providing evidence and making a case that there was a national security interest.

This time, however, it was a surprise to me and to most of my colleagues that this mission was occurring. There has been no attempt to define what the national security interests are, the United States' interests in this military action. Without that, I can't look my constituents in the eyes and tell them why we are in Libya right now and active in military strikes against that nation state.

So the one constitutional power that Congress has explicitly is the purse strings. We are exercising that right. I support the effort to pull those strings tight. Let's stop the flow of money into this action.

Mr. ROONEY. Mr. Speaker, I would like to yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I want to thank Mr. ROONEY and thank my colleagues. I think this has been a very important debate for this country and for our Constitution.

I am opposed to this war and I want to end it. I think Mr. ROONEY's bill is a powerful step in the direction of ending the war, but it's not the only step that we should take. It's the first step. The first step is a vote for Mr. ROONEY's. You limit the war, and you stop the combat ops. Then the second step would be to vote on a defense appropriations amendment that would strike all funding for the war. So we take two steps here—the first step today.

We have some of the best people in this Congress who have been in this debate today, and they don't agree with Mr. ROONEY's bill. What they've said is that this bill would end the mission in Libya; and they've said that, if you

don't have the ability to suppress, you couldn't continue with the bombing campaign. These are people on our side of the aisle who want to defeat this bill. They've made the argument, I think, as to why we should pass it.

I want to thank Mr. ROONEY for his leadership, and I urge a vote in favor of Mr. ROONEY's bill.

Mr. ROONEY. I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from Florida is recognized for 2 minutes.

Mr. ROONEY. Mr. Speaker, we have heard a lot of arguments today, and we've had a great debate—a debate we really should have been having over the last hundred days or so, one that could have been spurred on by the administration for coming here and making the arguments as to why we should authorize or should not authorize money for hostilities in Libya. The President had the opportunity to come and make the case to this body, and he chose not to.

The War Powers Act is clear. He has violated that law. Some have said it's unconstitutional, but the courts have never weighed in on it, so it is the law of the land, and it's one we have to abide by. But we can send resolution after resolution to the Senate and say that we don't agree, that we don't authorize. In the end, the power that we have is the power of the purse, as Mr. TERRY just said, and we have to exercise that power in this House and say that we aren't going to spend money for hostilities in Libya.

We heard the mission “if you want to take out Qadhafi” or “if you want to free the Libyan people and give them the liberty they deserve.” Number one, it was never the mission to begin with to take out Qadhafi. That has somehow morphed over time. We don't even know who the people are we're supposedly setting free.

Without that debate and without that argument—and I appreciate the debate we've had today because I think it has been very helpful, quite frankly—all we can do is say, until the President comes and makes that case and gets authorization, he won't get funds; and at the same time responsibly say to our NATO allies that we'll support you in the rear, but we are not engaging in hostile acts.

Mr. HOLT. Mr. Speaker, I rise in support of this resolution.

I wish our action today were unnecessary. As I noted earlier this year when the President initiated military action in Libya, he would have been better served by putting this matter before this body in advance of taking action, not afterwards. And as I predicted then, the President has been subjected to almost daily second guessing, criticism, and frequently partisan attacks over this operation. All of this was avoidable.

None of us wish to abandon freedom-seeking Libyans or our NATO allies, and a vote for

this resolution does not mean we are doing either. Our logistical and intelligence support to NATO will continue uninterrupted. Our capacity to conduct cover action to assist the Libyan rebels will remain unimpeded. And the ability of the international community to continue to provide humanitarian aid to the people of Libya will be unaffected.

I am voting for the Rooney bill for what it says, not for what some in the majority say it says. This should not be used as a club to attack President Obama. I will support this measure because it is absolutely imperative for the Congress, as an institution, to remind the President that the power to authorize military actions and war resides in this body. We strengthen our democracy by passing this resolution, we strengthen this institution by passing this resolution, and we honor our NATO obligations, and we stand by Libyans seeking self-determination, and that is why I urge my colleagues to join me in passing this resolution.

Mr. GARRETT. Mr. Speaker, I have strong constitutional concerns regarding H.R. 2278. When the Founding Fathers met at the Constitutional Convention in Philadelphia, the differentiation between which branch of the federal government initiates war and which branch conducts it was one of the most seriously debated topics. After deep thought and consideration, the Founders decided to grant Congress the power to declare war and left to the President, as Commander-in-Chief, the authority to conduct wars. Today, the Congress is asked to vote on a measure that would reverse the constitutionally prescribed war powers by directing the President on how to conduct the military conflict in Libya.

While I have supported past efforts to defund the military conflict in Libya, I cannot vote in support of a bill that only defunds some of the military effort while endorsing others. The Congress should and must debate the merits of our foray into Libya and either authorize it completely or demand that the President terminate our military engagement. This is the only constitutionally sound course for Congress to take.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.R. 2278. This legislation will not end our military involvement in Libya. Both simply maintain the status quo and appease Republican Members who want to score political points against the President.

Under the guise of deficit reduction, Republicans have voted for deep cuts to Medicare, Medicaid, and other safety net programs. We could better achieve deficit reduction by swiftly ending the Libyan war and accelerating our withdrawal from Afghanistan.

Congress has the power of the purse. Our nation has been at war in Libya for 97 days and Congress has never authorized the conflict. We need to completely defund operations in Libya and put an end to this conflict. It is time for us to come together, use our constitutional authority, and apply this critical check on the executive branch. At a time when we continue the wars in Afghanistan and Iraq, we cannot afford to pursue another military adventure that is not in our national interest. We must get out of this war now.

I urge my colleagues to vote against this toothless bill, and instead defund operations in

Libya in the upcoming 2012 Defense Appropriations bill.

Mr. PAUL. Mr. Speaker, I rise to oppose this legislation, which masquerades as a limitation of funds for the President's illegal war on Libya, but is in fact an authorization for that very war. According to H.R. 2278, the U.S. military cannot be involved in NATO's actions in Libya, with four important exceptions. If this passes, for the first time the President would be authorized to use U.S. armed forces to engage in search and rescue; intelligence, surveillance, and reconnaissance; aerial refueling; and operational planning against Libya. Currently, absent an authorization or declaration of war, these activities are illegal. So instead of ending the war against Libya, this bill would legalize nearly everything the President is currently doing there.

That the war in Libya can be ended by expanding it and providing the President a legal excuse to continue makes no sense. If this bill fails, the entirety of what the President is doing in Libya would remain illegal.

Additionally, it should not really be necessary to prohibit the use of funds for U.S. military attacks on Libya because those funds are already prohibited by the Constitution. Absent Congressional action to allow U.S. force against Libya, any such force is illegal, meaning the expenditure of funds for such activities is prohibited. I will, however, support any straight and clean prohibition of funds such as the anticipated amendments to the upcoming Defense Appropriations bill.

I urge my colleagues to reject this stealth attempt to authorize the Libya war and sincerely hope that the House will soon get serious about our Constitutional obligations and authority.

Mr. ROONEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 328, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of Washington. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 238, not voting 13, as follows:

[Roll No. 494]

AYES—180

Aderholt	Black	Capuano
Akin	Bonner	Carney
Alexander	Bono Mack	Cassidy
Austria	Boustany	Chabot
Barletta	Brady (TX)	Cicilline
Barton (TX)	Braley (IA)	Coble
Bass (NH)	Buchanan	Coffman (CO)
Benishek	Bucshon	Conaway
Bilbray	Calvert	Conyers
Bilirakis	Cantor	Cravack
Bishop (UT)	Capito	Crenshaw

Culberson	Kingston	Rigell
Davis (KY)	Kline	Roby
DeFazio	Kucinich	Roe (TN)
Denham	Lamborn	Rogers (AL)
DesJarlais	Latham	Rogers (KY)
Duffy	Latta	Rooney
Emerson	Lee (CA)	Ros-Lehtinen
Farenthold	Lewis (CA)	Rothman (NJ)
Farr	Lipinski	Runyan
Fitzpatrick	LoBiondo	Scalise
Fleischmann	Long	Schilling
Fleming	Lucas	Schmidt
Flores	Luetkemeyer	Schrader
Forbes	Lungren, Daniel	Schweikert
Fortenberry	E.	Scott (VA)
Fox	Lynch	Scott, Austin
Frank (MA)	Mack	Serrano
Frelinghuysen	Marino	Sessions
Gallegly	McCarthy (CA)	Sherman
Gerlach	McCaul	Shimkus
Gibbs	McKeon	Shuler
Gibson	McKinley	Shuster
Gohmert	McMorris	Simpson
Gonzalez	Rodgers	Slaughter
Goodlatte	Meehan	Smith (NE)
Granger	Mica	Smith (TX)
Graves (MO)	Michaud	Stark
Griffith (VA)	Miller (FL)	Terry
Grimm	Miller, Gary	Thornberry
Guthrie	Murphy (CT)	Tiberi
Hall	Murphy (PA)	Turner
Harper	Myrick	Upton
Harris	Nadler	Visclosky
Hartzler	Neugebauer	Walberg
Hastings (WA)	Noem	Walden
Hayworth	Nunes	Waters
Hensarling	Nunnelee	Webster
Herger	Olson	Whitfield
Herrera Beutler	Palazzo	Wilson (SC)
Himes	Petri	Wittman
Hinchey	Pingree (ME)	Wolf
Holt	Platts	Womack
Huizenga (MI)	Price (GA)	Woodall
Hunter	Quigley	Woolsey
Jackson (IL)	Reed	Wu
Jenkins	Rehberg	Yoder
Johnson (OH)	Reichert	Young (AK)
Jordan	Renacci	Young (FL)
Kaptur	Ribble	Young (IN)
Kelly	Richardson	

NOES—238

Ackerman	Clyburn	Gowdy
Adams	Cohen	Graves (GA)
Altmire	Cole	Green, Al
Amash	Connolly (VA)	Green, Gene
Andrews	Cooper	Griffin (AR)
Baca	Costa	Grijalva
Bachmann	Costello	Guinta
Baldwin	Courtney	Gutierrez
Barrow	Crawford	Hanabusa
Bartlett	Critz	Hanna
Bass (CA)	Crowley	Hastings (FL)
Becerra	Cuellar	Heck
Berkley	Cummings	Heinrich
Berman	Davis (CA)	Higgins
Biggert	Davis (IL)	Hinojosa
Bishop (GA)	DeGette	Hirono
Bishop (NY)	DeLauro	Hochul
Blackburn	Dent	Holden
Blumenauer	Deutch	Honda
Boren	Diaz-Balart	Hoyer
Boswell	Dicks	Huelskamp
Brady (PA)	Dingell	Hultgren
Brooks	Doggett	Inlee
Broun (GA)	Dold	Israel
Brown (FL)	Donnelly (IN)	Issa
Buerkle	Doyle	Jackson Lee
Burgess	Dreier	(TX)
Burton (IN)	Duncan (SC)	Johnson (GA)
Campbell	Duncan (TN)	Johnson (IL)
Canseco	Edwards	Johnson, E. B.
Capps	Ellison	Johnson, Sam
Cardoza	Ellmers	Jones
Carnahan	Eshoo	Keating
Carson (IN)	Fattah	Kildee
Carter	Filner	Kind
Castor (FL)	Fincher	King (IA)
Chaffetz	Flake	King (NY)
Chandler	Franks (AZ)	Kinzinger (IL)
Chu	Fudge	Kissell
Clarke (MI)	Garamendi	Labrador
Clarke (NY)	Gardner	Lance
Clay	Garrett	Landry
Cleaver	Gosar	Langevin

Lankford	Pascarell	Schakowsky
Larsen (WA)	Pastor (AZ)	Schiff
Larson (CT)	Paul	Schock
LaTourette	Paulsen	Schwartz
Levin	Payne	Scott (SC)
Lewis (GA)	Pearce	Scott, David
Loebback	Pelosi	Sensenbrenner
Lofgren, Zoe	Pence	Sires
Lowey	Perlmutter	Smith (NJ)
Lujan	Peters	Smith (WA)
Lummis	Peterson	Southerland
Maloney	Pitts	Speier
Manzullo	Poe (TX)	Stearns
Marchant	Polis	Stutzman
Markey	Pompeo	Sullivan
Matheson	Posey	Sutton
Matsui	Price (NC)	Thompson (CA)
McCarthy (NY)	Quayle	Thompson (MS)
McClintock	Rahall	Thompson (PA)
McCollum	Rangel	Tierney
McCotter	Reyes	Tipton
McDermott	Richmond	Tonko
McGovern	Rivera	Tsongas
McHenry	Rogers (MI)	Van Hollen
McIntyre	Rohrabacher	Velázquez
McNerney	Rokita	Walsh (IL)
Meeks	Roskam	Walsh (MN)
Miller (MI)	Ross (AR)	Wasserman
Miller (NC)	Ross (FL)	Schultz
Miller, George	Roybal-Allard	Watt
Moore	Royce	Waxman
Moran	Ruppersberger	Welch
Mulvaney	Rush	West
Neal	Ryan (WI)	Westmoreland
Nugent	Sánchez, Linda	Wilson (FL)
Olver	T.	Yarmuth
Owens	Sanchez, Loretta	
Pallone	Sarbanes	

NOT VOTING—13

Bachus	Giffords	Sewell
Berg	Gingrey (GA)	Stivers
Butterfield	Hurt	Towns
Camp	Napolitano	
Engel	Ryan (OH)	

□ 1400

Mr. CARTER, Ms. FUDGE, Messrs. GRIFFIN of Arkansas, DUNCAN of South Carolina, ROHRBACHER, DONNELLY of Indiana, ISSA, ROYCE, MARCHANT, BURGESS, DOLD, and NUGENT changed their vote from “aye” to “no.”

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 494. Had I been present, I would have voted “yea” on H.R. 2278, to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of NATO operations in Libya.

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 494 on H.R. 2278. Had I been present, I would have voted “yea.”

Stated against:

Ms. SEWELL. Mr. Speaker, I was meeting with constituents and unfortunately missed the last vote on H.R. 2278. Had I been here, I would have voted “no.”

PERSONAL EXPLANATION

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 493 on final passage of H.J. Res. 68, authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, I am not recorded because I was absent due to a death in my family which required me to immediately return to

Georgia. Had I been present, I would have voted “no.”

On rollcall No. 494 on final passage of H.R. 2278 to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law, I am not recorded because I was absent due to a death in my family which required me to immediately return to Georgia. Had I been present, I would have voted “aye.”

REPORT ON H.R. 2354, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012

Mr. FRELINGHUYSEN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-118) on the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. MEEHAN) laid before the House the following communication from the chair of the Committee on Transportation and Infrastructure:

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE,
Washington, DC, May 25, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 194 of title 14, United States Code, as Chairman of the Committee on Transportation and Infrastructure, I am required to designate three Members of the United States Coast Guard Academy Board of Visitors. I designate Representative Frank Guinta (New Hampshire), Representative Andy Harris (Maryland), and Representative Rick Larsen (Washington) to serve on the Board of Visitors.

Since its founding in 1876, the Coast Guard Academy, based in New London, Connecticut, has accomplished its mission of “educating, training and developing leaders of character who are ethically, intellectually, professionally, and physically prepared to serve their country.” The Board of Visitors meets annually with staff, faculty and cadets to review the Academy’s programs, curricula, and facilities and to assess future needs. The Board of Visitors plays an important supervisory role in ensuring the continued success of the Academy and the tradition of excellence of the U.S. Coast Guard.

Thank you for your consideration in this matter.

Sincerely,

JOHN L. MICA,
Chairman.

APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF GALLAUDET UNIVERSITY

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 4303, and the order of the House of January 5, 2011, the Chair announces the Speaker’s appointment of the following Members of the House to the Board of Trustees of Gallaudet University:

Mr. YODER, Kansas
Ms. WOOLSEY, California

REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore. Pursuant to 44 U.S.C. 2702, and the order of the House of January 5, 2011, the Chair announces the Speaker’s reappointment of the following member on the part of the House to the Advisory Committee on the Records of Congress:

Mr. Jeffrey W. Thomas, Columbus, Ohio

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 23, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Robert Reeves, Deputy Clerk, and Kirk Boyle, Legal Counsel, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 112th Congress or until modified by me.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

NATIONAL LABOR RELATIONS BOARD

(Ms. SUTTON asked and was given permission to address the House for 1 minute.)

Ms. SUTTON. Mr. Speaker, I rise today to applaud the efforts by the National Labor Relations Board to modernize their rules to promote efficiency and fairness in the labor organization process.

The charge of the NLRB is to ensure that our workers get a fair shake; but for far too long, working men and women have had to deal with an outdated and lopsided system that puts the wants of big corporations over the needs of employees. At a time when our

middle class is consistently under attack, these new proposed rules represent a positive step in restoring a more level playing field for workers.

Our workers deserve a fair system. Those who work to make our world turn deserve the opportunity to make a living for themselves and their families. I look forward to the NLRB adopting and implementing these new provisions to bring their rules into the 21st century and give our working families a fighting chance to strive and achieve the American Dream.

TAPPING THE STRATEGIC PETROLEUM RESERVE

(Mr. SCALISE asked and was given permission to address the House for 1 minute.)

Mr. SCALISE. Mr. Speaker, yesterday the President made a decision to raid 30 million barrels out of the Strategic Petroleum Reserve. Now, of course one thing the President did yesterday in that decision was he acknowledged that supply has an impact on price, which is a reversal of his previous statement.

The problem is rather than actually opening up known reserves of American oil where we can go and create tens of thousands of American jobs and get rid of some of this dependency on some of these Middle Eastern countries, what the President said instead was he's just going to go and raid America's, in essence, our safety net.

This Strategic Petroleum Reserve is there for national emergencies. It's not there just because maybe the President feels it would be politically popular for a couple of days to do something. This doesn't even get us past 2 days' worth of America's supply.

We have known reserves that this President is shutting off all across this country. And we can actually reduce our dependence on Middle Eastern oil if we go out and create those jobs, create that American energy, rather than raiding our savings account for oil.

And so the President's decision was a failed policy that doubles down on his previous failed policy on energy that has gotten us to skyrocketing gas prices. And of course we're going to be back here again in just a couple of days when this short-term fix runs out.

Instead, we should put a real energy policy in place that reduces our dependence on foreign oil.

CONGRESSIONAL NEUROSCIENCE CAUCUS

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, yesterday we had the inaugural briefing of the Congressional Neurologic Science Caucus. The caucus seeks to involve and inform people on Capitol

Hill about advances, opportunities, and challenges that face us with neuroscience.

I appreciate the leadership of my colleague, KATHY MCMORRIS RODGERS, who is founding cochair of this effort and someone who cares deeply about neuroscience issues, achieved in part through some difficult personal experience. I admire her courage and appreciate her adding to this important agenda.

We're discovering so many areas related to the brain and so much about how the neurological system works, how it's damaged, how it recovers, how the brain responds to our environment, understanding interrelationships between traumatic brain injury, hydrocephalus, dementia, Alzheimer's. We stand to gain so much from this research.

Developments in neuroscience offer the greatest opportunity for the 26 percent of American adults who suffer from mental disorders to reduce and perhaps avoid dysfunction, disease to live better, healthier lives.

The tremendous toll on victims and their families, their employees, employers and friends, the Federal Government needs to be aggressively involved and engaged. We hope the Neuroscience Caucus can help do just that.

□ 1410

ROLL CALL OF THE NOBLE 36

The SPEAKER pro tempore (Mr. MEEHAN). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE of Texas. Mr. Speaker, it was said:

"From this day to the ending of the world, we in it shall be remembered. We few, we happy few, we band of brothers; for he today that sheds his blood with me shall be my brother."

Shakespeare penned this hundreds of years ago in Henry V. It represents the unflinching commitment a warrior has for his fellow warriors.

Since 2004, 36 men and women from the Second Congressional District area of Texas that I represent have served honorably for this country, the United States, and they gave their lives for the cause of freedom in Iraq and Afghanistan.

Their photographs are over here to my left. You notice, Mr. Speaker, they are of all races. They are men and they are women. They are from all branches of the service. They are enlisted personnel and they are officers in the United States military.

I would like to honor each of them today by name and rank and branch of service and a comment or two about each one of them. These are the sons of liberty, the daughters of democracy of America. They are our heroes.

As we approach July 4, the Fourth of July as we like to call it, where America celebrates its independence and we celebrate not only our independence but our freedom and our liberty, we wave the flag, we attend parades and all of those are good things about America. See, it's okay to be a patriot and it's okay to show our patriotism as a Nation. But as we approach July 4, that important day in our history, I believe it is equally important that we remember that our freedom and our liberty has always cost America and it's cost America its finest, its youth. These men and women, like patriots before them, gave up their youth so that we can have a future.

Patrick Henry, the great orator during the revolutionary times, said:

"The battle, sir, is not to the strong alone; it is to the vigilant, to the active, to the brave."

We are fortunate those words still ring true today, Mr. Speaker, and American warriors overseas carry those values into battle. These are 36 of them, the Roll Call of the Noble 36. Each of them have connections to southeast Texas. I would like to mention each one of them, because they deserve our recognition, but we also need to always remember them and their families. Because, you see, when these young men and women went off to war, their families went to war, too, but their families stayed stateside and they were ever vigilant while their sons and daughters and husbands and wives went overseas.

The first individual here, Mr. Speaker, is Staff Sergeant Russell Slay, United States Marine Corps, from my hometown of Humble, Texas. He was killed at the age of 34. He was killed on November 9, 2004. When Russell told his mother, Peggy Slay, that he was joining the United States Marine Corps after finishing high school, he told her that he knew she would not like it but he was going to do it anyway. And he did. He joined the Marine Corps and he was killed in action. Peggy Slay, his mother, whom I have known since Russell's death, has become very active in the Blue and Gold Star Moms in southeast Texas.

To refresh your memory, Mr. Speaker, a Blue Star Mom is an individual who has a son or daughter overseas and they carry a flag or they have a flag on their window at their home that has a blue star in that flag. Gold Star Moms are those who have lost a son or a daughter overseas in war, and they have a gold star. Peggy Slay is a leader in the Gold Star Moms in southeast Texas.

Next to him is Lance Corporal Wesley Canning, United States Marine Corps. He was 21, and he was killed on November 10, the day after Russell was killed. He is from Friendswood, Texas. He told his dad he always wanted to be a Marine, and he had that ambition to

serve as a Marine for 20 years. He was a proud Texan, and when he was home on leave, he bought a new pickup truck so he could show his Marine buddies his new bumper sticker that said "Don't Mess with Texas." He was that kind of individual, that loved Texas and loved his country.

The third individual, Lance Corporal Fred Lee Maciel. Fred Maciel, age 20, was killed on January 26, 2005. He was also a member of the United States Marine Corps. He was from Spring, Texas. He was killed in a helicopter crash in al-Anbar province on his way to begin security preparations for the historic Iraqi elections that took place a few days later in January 2005. Four days later, I was in Iraq to witness those successful elections. Lance Corporal Maciel made those first free elections for the Iraqi people possible, and those elections were important for the history of that country. Lance Corporal Maciel was one of those individuals who gave his life so that another country, another people, could have those elections.

The fourth individual that is on this poster board is Private First Class Wesley Riggs of the United States Army. He was killed when he was 19 years of age on May 17, 2005. He was from Baytown, Texas, or Beach City, Texas. Both towns claim him. He graduated in just 3 years from high school, and he loved agriculture.

The fifth individual is Sergeant William Meeuwsen, age 24. Sergeant William "Bill" Meeuwsen is from Kingwood, Texas, near my area where I live, and he was a member of the United States Army. He went off to Texas A&M University, but he dropped out of school and enlisted in the United States Army because of 9/11. Amazing individuals, these people who left their careers after 9/11 and joined the United States military to protect the rest of us.

Over here on the far left is Lance Corporal Robert "Robbie" Martinez, United States Marine Corps. He was killed at the age of 20 on December 1, 2005. He was from a small rural community called Cleveland. Cleveland, Texas. He dreamed of getting a degree in education and becoming a baseball coach after his career in the Marines. Today, there is a post office in Cleveland, Texas, named in his honor. When we dedicated the post office for Robbie Martinez in Cleveland, Texas, the whole town turned out for it. In fact, the United States Air Force had a fly-over during that ceremony and that dedication. The people of Cleveland loved Robbie Martinez and his family and appreciate his sacrifice for America.

The seventh individual is Staff Sergeant Jerry Michael Durbin, United States Army, from Spring, Texas. He was killed on January 25, 2006, at the age of 27. He's from Houston, Texas,

and he was a gifted artist. The day he was killed, he called his wife to tell her he loved her. Shortly thereafter, he was killed in action.

The eighth individual is Tech Sergeant Walter Moss. Tech Sergeant Walter Moss was a member of the United States Air Force. He was 37 years of age, and he was killed on March 30, 2006. He also is from Houston, Texas. He joined the Air Force after high school and he served in Operation Desert Storm.

□ 1420

He specialized in detecting and diffusing makeshift bombs, and he was killed while diffusing an IED. I repeat, he was killed while diffusing an IED. An IED, Mr. Speaker, that is the way that the cowards we fight fight us. They don't come out in the open—heavens no. They won't do that. They would lose. So they lie in wait in their holes, in their caves, and they put bombs, land mines—IEDs, as we call them—where they know our troops will come by, and then they remotely set those off. Tech Sergeant Walter Moss was an individual that was trained to diffuse those IEDs, but one exploded while he was trying to protect other warriors.

The ninth individual is Private First Class Kristian Menchaca. Kristian Menchaca was a member of the United States Army. He is from Houston, Texas. He was killed at the age of 23 on June 16, 2006. When he joined the United States Army, he wanted to be in the infantry. Kristian's wife said that being in the military was what he always wanted to do. He was kidnapped and tortured and murdered by enemy forces. His murder made national news because of the brutality of the people we fight against after they captured Kristian Menchaca.

Number 10 on this poster is Staff Sergeant Ben Williams of the United States Marine Corps. He was 30 years of age when he was killed on June 20, 2006. He is from Orange, Texas, down in the refinery area of southeast Texas. He joined the United States Marines right after high school, and he served his country for 12 years. He was serving his third duty in Iraq when he was killed on June 20, 2006.

Lance Corporal Ryan Miller, at the age of 19, member of the United States Marine Corps, was killed on September 14, 2006. He was from Pearland, Texas. He was a third-generation Marine. He graduated early so he could enlist and follow in his father's and grandfather's footsteps. After his tour of duty was over, he wanted to become a Houston police officer just like his parents, who are Houston police officers.

Staff Sergeant Edward Reynolds, Jr., United States Army. He was killed at the age of 27 on September 26, 2006, just a few days after Lance Corporal Ryan Miller was killed. He is from Port Ar-

thur, Texas, another refinery area in southeast Texas. He was looking forward to New Year's Eve because that's when he was going to get married. He was a man who, as his fellow warriors say, pushed others to succeed in what they do.

Next is Captain David Fraser, 13th individual on this poster. He was a member of the United States Army. He was killed on November 26, 2006, at the age of 25. He was from Spring, Texas. And you might notice—you can barely see it, but you might notice his uniform, Mr. Speaker. He was a West Point graduate. He wasn't just a regular cadet at West Point. He graduated top student in civil engineering. Captain David Fraser gave his life at the age of 25 for America.

Lance Corporal Luke Yepsen, member of the United States Marine Corps. He was killed on September 14, 2006, and he was from Kingwood, Texas. He was at the age of 20 when he was killed. He also attended Texas A&M University after high school, and he dropped out to enlist in the United States Marine Corps, just like Staff Sergeant Bill Meeuwsen left Texas A&M during school to fight for America.

Specialist Dustin Donica, United States Army. At the age of 22, he was killed on December 28, 2006. He was from Spring, Texas. And when he was asked why he joined the United States Army, here's what he said, Mr. Speaker: Most people in my generation want something for them. I just wanted to give something back. That's why I joined the United States Army.

The 16th individual of our roll call of the "Noble 36" is Specialist Ryan Berg. Here is his photograph, Mr. Speaker. He was a member of the United States Army. He was killed at the age of 19. He is from Sabine Pass, Texas. You've probably never heard of that place. Sabine Pass is a very small community. It is on the furthest southeastern point of Texas, right next to Louisiana. He joined the Army on his 18th birthday, and he was the first soldier from Sabine Pass to be killed in Operation Iraqi Freedom.

Staff Sergeant Terrance Dunn, United States Army. Here is his photograph. At the age of 38, he was killed on February 2, 2007. He was from Atascocita, Texas. He enlisted in the Army several years after high school, and to his fellow soldiers he was known as "Dunnaman" because he could get anything done.

Next is Lance Corporal Anthony Aguirre. He was a member of the United States Marine Corps, and at the age of 20 he was killed on February 22, 2007. He was from Channelview, Texas. He entered the United States Marine Corps because he believed, like a lot of other people believe, it was the toughest branch of the military. You've got to love those Marines, Mr. Speaker.

Over here we have Private First Class Brandon Bobb, United States Army.

He, likewise, was from Port Arthur, Texas, and he was killed at the age of 20 on July 17, 2007. He was always cheerful and was a soldier that others looked to for support and to lend a helping hand. He was always thinking about somebody else other than himself, according to his buddies in the military.

Number 20, Private First Class Zachary Endsley, United States Army, age 21, killed on July 23, 2007, from Spring, Texas. You might notice, Mr. Speaker, there's a pattern here—18-, 19-, 20- and 21-year-olds. America's youth go to war to represent the rest of us. But Zach was an appreciator of the arts. He enjoyed drawing and playing his guitar. It was his drawing ability that stood out. In high school, he entered and won a poster contest with his design, but after he joined the Army he was killed at the age of 21.

Number 21, Army Specialist Kamisha Block. She was a member of the United States Army. Kamisha Block was 20 years old when she was killed. She was from Vidor, Texas, and she was killed on August 16, 2007. Kamisha's best friend, Amanda Buck, they grew up together. And Amanda says: "We rode the school bus together from kindergarten all the way through high school." She said Kamisha knew where she was headed in life. She had a big heart and wanted to help people, and that's why she joined the United States Army.

Number 22, Specialist Donald Valentine III, United States Army, 21 years of age. He was killed September 18, 2007. He was from Houston, Texas. In the official statement on Donald's death, here's what the family said: Donald touched the lives of so many with his big heart. We will cherish those beautiful memories we shared with him. He made us very proud. Now heaven has another hero that continues to watch over us as an angel in heaven. Remarkable person, Specialist Donald Valentine III.

Number 23 is Lance Corporal Jeremy Burris, United States Marine, age 22, killed in action on October 8, 2007.

□ 1430

He is from Liberty, Texas. Liberty, Texas, according to the folks in Liberty, they claim that is the first settlement in Texas, before Texas was even a part of the United States or even a republic. Liberty, Texas. An interesting town for a warrior to be from.

He was an unapologetic person of religious faith, and he attended the non-denominational Cornerstone Church, where he led worship and praise services. He loved Texas, and his church pastor said at the funeral, "No one had better say anything negative about his home State of Texas."

Mr. Speaker, you got to love those Texas boys. They love our State. They love America.

Number 24 is Staff Sergeant Eric Duckworth. He is the last photograph on this row, Mr. Speaker. He was a member of the United States Army. He was killed at the age of 26 on October 10, 2007. He was from Houston, Texas. His father, Michael, described him as an outgoing and good-humored son. He further said, "Eric was full of love and laughter and a godly spirit, but, above all, he was a true soldier and a proud warrior" for the United States.

Number 25, Corporal Scott McIntosh. He was a member of the United States Army. He was killed at the age of 26 on March 10, 2008. He was from Humble, Texas, my hometown. His mission in life was to meet and make friends with every person he came in contact with. He shared his hearty laugh and always had a smile to give to other people that he came across. Scott always had a positive outlook on life. He loved to hunt and fish, but most of all he loved his family, the Army and the country he lived in and his life.

Staff Sergeant Shawn Tousha, number 26 on this poster, Mr. Speaker. He was a member of the United States Army. He was killed at the age of 30 on April 9, 2008. He was from a little small town called Hull, Texas. As a teenager, Shawn played football, and like most Texas rural boys, he loved it. He played at Hull-Daisetta High School. He liked to ride horses. He considered himself a cowboy. He liked to bull ride. He was a man from small town America, and he had a playful heart. He made a big impression on everybody that he knew growing up, and that was a positive impression.

Number 27 on here, Lieutenant Colonel Mark Stratton II. Lieutenant Colonel Mark Stratton is the highest ranking officer that has been killed from our congressional district area. He was a member of the United States Air Force. At the age of 39, he was killed on May 26, 2009. He was from Houston, Texas. He was remembered by his friends as a man of unquestionable character and total loyalty to the people he loved. He was a patriotic American who exemplified the very best that American airmen have to offer.

Number 28, this individual with the big grin on his face, Specialist Jarrett Griemel, United States Army. He was killed on June 3, 2009, at the age of 20. He was also from a little small town, La Porte, Texas. Jarrett was a member of the swim team and the surf club while he was in high school. He loved the outdoors and he, of course, loved the beach and the surf which were nearby in La Porte. He spent his spare time parachuting and cliff diving. Jarrett lived his life to the fullest, but like the others I have mentioned, he loved America, and he loved to excel and do what he could do to be all that he could be. He loved his family, and his family says that they will forever cherish the memories that he gave

them because he touched every one of their lives.

Over here to the far left, Jeffrey Johnson was a member of the United States Marine Corps, age 21 when he was killed on May 11, 2010, from Tomball, Texas. At Corporal Jeffrey Johnson's funeral, his family remembered him as a son, a grandson, a brother and a hero. His vehicle commander said Johnson was different from most of the fellow Marines because, to sum up his commander, "war is sheer misery, and the four of us in that truck, because of Jeff and his humor, were uplifted all the time." Corporal Johnson touched everybody and the lives that they lived with his life.

The 30th individual is this sailor over here on the far portion of this poster, Petty Officer Zarian Wood, who went by "Z," a member of the United States Navy. He was from Houston. He was 29 years of age when he was killed in combat, and he was on his second tour of duty when he was killed. He graduated from South Houston High School in 1999 and after graduation he worked as a youth pastor and tutored children. He enlisted in the Navy in 2006 and was on his second tour of duty when he was killed in combat.

The last group of individuals are the most recent individuals. All of these people, all of these individuals are put on this poster in the order of their death in Iraq or Afghanistan. In my office here in Washington, in my offices in Humble and in Beaumont, Texas, we have larger photographs of all of these individuals. And you will notice, Mr. Speaker, as you go through the Halls of Congress and the offices of the House, you will see many such posters as this listing those who have given their lives for America in the war in Iraq.

But next on this list is Sergeant Brandon Bury. He was a member of the United States Marine Corps. He was killed at the age of 26 on June 6, 2010—June 6th, D-day. He was killed on the anniversary date of D-day. He was from Kingwood, Texas. He was a big guy. He was 6 feet 6 and he was all Marine. He was an impressive individual, and his friends say even back in middle school he knew what he wanted to do—he wanted to be a member of the United States Marine Corps.

Next to him, number 32, Specialist Matthew Catlett, United States Army. At the age of 23 years, he was killed on June 7, the very next day after Sergeant Brandon Bury was killed. He was from Houston, Texas, and he fought for liberty. He fought for a people that he did not know in a land where he had never been. He was an American, that rare breed that gave his life for people far, far away and for Americans in this land.

Staff Sergeant Edwardo Loredó, 34 years of age, a member of the United States Army, he was killed one day shy

of his 35th birthday. He was from Houston, Texas, killed on June 24, 2010. His family says Edwardo was an adventurer. He adored his wife and his family, and he loved to cook for his neighbors and his family.

Mr. Speaker, we are blessed to have such a rare breed of people as Staff Sergeant Edwardo Loreda and his fellow patriots and warriors.

Number 34, Staff Sergeant Jesse Ainsworth, a member of the United States Army, 24 years of age, killed on July 10, 2010, from Dayton, Texas, another small town in southeast Texas. Jesse's mother, Margaret Ainsworth, said Jesse was her hero, and he was her only son. She said she used to pick him up when he was a little kid from kindergarten, and every Friday they would go to Wal-Mart and buy some toy. She said ever since Jesse was "an itty bitty fellow" he wanted to be a soldier in the United States Army, and he gave his life when he was 24 years of age for the rest of us.

Number 35 on this poster of the Noble 36 is Staff Sergeant Leston "Tony" Winters, United States Army, 30 years of age when he was killed on July 15, 2010. He was from Sour Lake, Texas. Once again, small town rural America. In 1998 he graduated from Hardin Jefferson High School. Winters had already completed two tours of duty in Iraq and decided in February of 2010 to leave his job and return to battle once more. He told his family that he felt compelled to be there with his buddies, even though he had a chance to stay home in Texas. He left behind after his death his wife, Elizabeth, and their three children, Jonathan, Remington, and Emma.

Sergeant First Class Calvin B. Harrison, this individual over here in the bottom right-hand corner, he was killed at the age of 31 and he, like several of the others I mentioned, was from Cleveland, Texas. He was killed on September 29, 2010.

□ 1440

After he graduated from high school in 1998, he enlisted in the Army, following the path of his grandfather. His family said that he loved being a soldier and serving his country. He is survived by his two daughters, Azalia and Eleanna.

It's interesting about his funeral, Mr. Speaker, which I attended. The whole town of Cleveland, Texas, and nearby towns turned out for the funeral. Flags were strewn and hoisted all up and down Main Street in Cleveland, Texas. The businesses shut down, the school closed as the funeral procession came through Cleveland, Texas, honoring Sergeant First Class Calvin Harrison; that funeral ceremony and procession with hundreds of people, young and old, showing praise and honor and respect to Calvin Harrison for his sacrifice for America.

It was led by the Patriot Guard, those patriots that ride the Harley-Davidson motorcycles, most of them from the Vietnam era, who show their appreciation for the sacrifice by watching over the funeral procession and the funeral by riding those motorcycles with an American flag on the back.

These are the Noble 36 from southeast Texas, just a few of the people who have given their lives in Iraq and Afghanistan. I mention these individuals because they, like all Americans that have been killed in Iraq and Afghanistan, are important to America. They are important to our history because freedom is not free.

And that is not a trite expression. It's not free. It has always been expensive, going all the way back to the Revolutionary War. We're going to celebrate July 4th next week. And that war cost American lives, as has every war, because freedom is expensive. And it's our young people, men and women, who go and serve.

Mr. Speaker, just like everybody serving today in Iraq and Afghanistan, every one of these people—every one—volunteered. They raised their right hand and they stood forward and said, I will serve. I will go. Call me. And they went. And we are to admire them for what they have done. They have gone down into the valley of the gun and the desert of the sun, and they have sacrificed their lives.

Last week, I happened to be in Iraq with other Members of Congress. It's not even summer yet in Iraq. But we got off that Blackhawk helicopter and it was 120 degrees in Iraq. And there they were, the American warriors with their warrior uniforms on and all that equipment they carry. How hot they were. It was 120 degrees. In Afghanistan and Iraq it gets hot in the summer. And those days are coming. We should always appreciate them.

We should also appreciate the ones that serve in other places in the world. On that same trip, Members of Congress had an opportunity to go near the South China Sea and see some of our warriors on some island I'm not sure I could find on a map. But they're on this remote island, our Navy SEALs, our special forces, our marines, and our soldiers. They were doing an operation protecting the United States, representing the rest of us.

So we should be proud of those that go and serve, those that volunteer and those that are still there. We should appreciate the families that have stayed home while their loved ones go across the seas and represent this country. July 4th is coming up. It's a great day in our history. I hope Americans fly the flag. I hope Americans tell their kids about our country and our history. We should tell American children about these young people and others who every day raise their right hand and go off to war representing the rest of us.

One of our former Presidents once said, "I like to see a man proud of the place in which he lives, and I like to see a man live so that his place will be proud of him." All of these were proud of America and America is proud of all of them and the rest that continue to serve. These Noble 36, we are proud of them.

Mr. Speaker, these are the few, the bold, the brave, the courageous. These are the Americans. These are the sons and daughters of southeast Texas who have fallen in battle for their country. We are forever grateful for their sacrifice, and we are grateful for every man and woman in uniform somewhere in the world today representing the rest of us.

And that's just the way it is.

MIDWEST FLOODING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it's my privilege and honor to address you here on the floor of the House of Representatives. I would say at the outset that it is also my honor and privilege to have been seated here on the floor of the House of Representatives as I listened to a Congressman and judge, TED POE, address you on the brave patriots from Texas that were on the poster and as he went down through and said choice morsels of each individual's life and what happened in their sacrifice and talked to us about the values that they defended and their reasons that they have put their lives on the line.

I'm impressed by the honor that TED POE did to those who have given their lives from Texas, and I'm very convinced that he would agree with me that he'd appreciate it if that honor could be reflected across all of the brave patriots who have given their lives in the defense of this country in this conflict and in past conflicts. We always pray that there be no future conflict.

Mr. Speaker, I came to the floor to address a different subject matter. Perhaps I'll digress or cross over into the national security side of this. But I find that I don't believe any Member of any delegation has yet come to the floor to talk about the natural disaster events that have been taking place in the Midwest, and in particular in the Missouri River basin area. I'm one who has grown up in that drainage basin area. I've lived there on that side of the great divide for most of my life. We have some circumstances today that eclipse the 500-year flood event of 1996.

In 1996, more water came down the Missouri River than ever before. It was the largest amount of cubic feet per second and the largest amount of over a million acre-feet that had come down. I will say there were a couple of

events that would compete with that, depending on how you define it, Mr. Speaker. One would be a flood in 1943 that brought the attention of the world. We were in the middle of a world war. We didn't get to addressing the massive runoff in the Missouri River from the 1943 flood event.

In 1952, the huge floods came again and more water for a single month came down the Missouri River than ever before, or since. That amounted to a discharge in million acre-feet of 13.2 million acre-feet of water coming down in a single month, the month of April 1952.

□ 1450

That course flooded everything and put the water higher than it had been before, and it brought to it the attention of this Congress. The attention of this Congress, in paying particular attention to what happened in the flood event in '52, followed through on some plans that had been discussed after the 1943 flood, and they began to take action to move forward for the construction of what we now know as the Pick-Sloan Program.

The Pick-Sloan Program is the construction of six large dams on the Upper Missouri River. It starts at Gavins Point Dam in South Dakota, and it goes on up to Fort Randall Dam, to Oahe, and then on up into North Dakota where you see Garrison Dam and Fort Peck. I left out Big Bend. So we have Gavins Point, Fort Randall, Big Bend, Oahe, Garrison Dam, and then Fort Peck Dam. These are all built on the main stem of the Missouri River, but they collect water from all the tributaries.

The water that we have now coming down through the Midwest comes down out of Montana into North Dakota, where it's flooding now, and it's flooding also across South Dakota, all across the bottoms, and is spilling out of the six dams one after another at discharge rates higher than we have seen at sustained rates ever before. It's the most water to come down the river since these six dams were built in this Pick-Sloan Program starting in the fifties and finishing in the early sixties. The discharge level at Gavins Point Dam, which is the lowest one—that's at Yankton, South Dakota—is now approaching 160,000 cubic feet per second. That's more discharge than we've seen before.

The result of this is we're in a flood stage all down this river in the areas that I've mentioned. From below the dams, the Missouri River is at a flood stage. Some of it has just not yet arrived in St. Louis in its peak form. But because of this, it has flooded some of our communities, and it has flooded hundreds of thousands of acres of our farmland. It has caused us to build many miles of levees that some would design as temporary and some would

design as permanent; and some of them, I hope, do stay permanent because, again, the water is going to be semi-permanent.

This is not, Mr. Speaker, a short-term flood event that just happened because the clouds opened up and it gushed down into the river and it's going to wash by us and be gone in a few days like many floods are. This is a long-term national disaster flood event for the entire Missouri River basin all the way from Montana to St. Louis, Missouri. This is the highest water level that we have seen since the Pick-Sloan Program was built, and in some places, it's the highest water we've ever seen. It will certainly be the longest term that we'll have been underwater that has ever been.

So as I travel up and down the river—and I have the privilege, Mr. Speaker, of representing all of the Missouri River that Iowa touches, which would be from the Sioux City area where the Missouri River comes out of South Dakota and joins up and provides the border, the western border of Iowa, between Iowa and Nebraska. It's all Missouri River with Nebraskans on one side and Iowans on the other side; both of us are underwater on both sides of the river. It's also true in South Dakota.

The water that's coming down the river in this massive quantity has brought about a lot of criticism and a lot of scrambling. First, I want to say, Mr. Speaker, that the events that brought us to this are unprecedented in modern recorded history in that, of all of the area that the Pick-Sloan Program handles—all of the drainage area of the Missouri River and the Upper Missouri River in particular—the Corps of Engineers watches the precipitation; they watch the snowcap, and they anticipate how much water they will have.

We have gone through at least an 8-year record drought in the Upper Missouri River. These reservoirs—these six huge reservoirs that were not designed for the primary purpose at all of fishing and recreation but were designed for flood control and navigation and electrical generation and also to cool our generators where we have coal-fired generators along the river and for navigation—have been very valuable to the States—to South Dakota, North Dakota and Montana—because the tourism industry for recreation and fishing has so migrated to those beautiful areas that they have.

When they're out of water, when the pool drains down during an 8-year drought, which they have had, it might be three-quarters of a mile from where your dock was, where your boat was tied up to where the water actually is.

We've even engaged in a struggle here on the floor of the House of Representatives about who gets the water when there is a short water supply.

Congressman DENNY REHBERG has tried mightily to keep as much water as possible up in Montana when they've needed it. I found myself in disagreement with him, trying to get the water down the river so we have enough to cool our generators, float our boats, bring some barge traffic up, and provide for flood control.

So the 8-year drought is over, Mr. Speaker. It's completely over. It was actually over the last year and a half or so. In thinking of them as six huge bathtubs that are nearly dry; the water level in the six huge dams has been coming up over the last year and a half or more. As of last fall, it caught up to the designed pool elevations, and then they had enough rain in the Upper Missouri that it overfilled these six dams.

The Corps of Engineers, operating under the Master Manual guidelines, which is the playbook that they have to manage these six dams by, lowered the pool elevations in the dams so that they had storage in order to be prepared for any future floods. They're required under the Master Manual to manage these levels so that they have 16.3 million acre-feet of storage capacity to manage the flood. They drew it down to that level—to those normal pool elevations, I will call them. They did so over the wintertime, and that was fine. It was all throughout November, December, January, February, and early March: stability within those pool levels and a storage capacity of 16.3 million acre-feet. They're prepared for spring rains. They're prepared for the snow runoff. That's manageable.

Then in very, very late March and early April, heavy snows in the mountains began, and the snow pack began to build in the mountains—and it couldn't have been anticipated—to 140 percent of the anticipated volume of snow that would have to, of course, melt and come down the Missouri River. In addition to that, they had spring rains across the Upper Missouri basin—across the plains and the foothills of the mountains. Those spring rains flowed down into the reservoirs and overfilled them as well. Once it happened, it was a situation where the storage capacity in the reservoirs was diminished significantly and when an unusual event took place on May 22.

That's when Billings, Montana, got 8 inches of rain and when some of the other areas got 10 and 12 inches of rain, and it was across a vast area of the Upper Missouri basin. As that water came down into the reservoirs, the Corps of Engineers began to watch the rain gauges and the runoff, and concluded that they had a rare event, an event that the Pick-Sloan Program was not designed to handle with ease.

They announced to us on that day, May 22, that they would open up the gates of the dams so that the lowest one at Gavins Point in Yankton, South Dakota, which is the one we watch for

all the flow of the rest of the river, would be flowing at 110,000 cubic feet per second. That was May 22 or early May 23. By the 26th of May, the Corps of Engineers had evaluated the flow rates in the tributaries and the rainfall reports that they had and the forecast, and announced that they had to increase that flow to 150,000 cubic feet per second.

That makes a tremendous difference, Mr. Speaker, because the result of that necessary decision that the Corps of Engineers made was that the water tables, the water levels, would go up in the river above flood stage for what turns out to be almost the entire flow and maybe, actually, the entire flow of the Missouri River downstream from the dams.

Also, the flow that's coming through upstream from the dams is flooding significant areas—residential areas, commercial property areas, ag land in vast amounts—all the way up through the Dakotas and Nebraska, Iowa, Missouri, with some spilling over into Kansas. That's the situation that we have.

I should say also, Mr. Speaker, that my life's work has been the earthmoving business. We've gone in and built levees and dug ditches and built terraces and waterways and dams. We've bid work on the flood control work on the Missouri River; and I've watched the flows, studied the flows, floated the river for recreational purposes and engineering reasons. As a State senator in Iowa for 6 years and now as a Member of Congress into my ninth year, I've dealt with the public policies that have to do with the water coming down the river and the species that are affected by it.

With all of this together, if I look back upon it and try to become a Monday morning quarterback, Mr. Speaker, I'll come to this conclusion that, yes, knowing what we know today, it would have been possible to have prevented this long-term flooding that we have in the Missouri River bottom—but that's knowing what we know today. The Corps of Engineers could not have known that they were going to get the heavy snowfalls that would come down on the mountains, which would be melting. Even now, perhaps half of that snow has melted today, and the balance of it has to still melt.

□ 1500

They couldn't have known that until the snow actually arrived in late March and earlier April. Neither could they have known that there would be this huge, unseasonal rain that would run off to the extent that it did and saturate the soil so that the big rain that hit Billings, as I mentioned, would run off to the extent that it did.

Once they knew about the flows coming in, they made the decision that they had to make, Mr. Speaker, and we

are where we are. Now we're watching 160,000 cubic feet per second come out of Gavins Point. That's more than ever before. The water table is above the flood stage all the way along the Missouri River from below Gavins Point. And I presume that the gentleman who represents North Dakota and the gentlelady who represents South Dakota can speak to those issues up there, and I imagine that they can say that they have floods all the way up and down the Missouri River bottom completely throughout the Dakotas and likely Montana.

But, Mr. Speaker, these water levels are going to stay, and they're going to stay for all of the rest of June, likely all the rest of July, and partway into August, most likely. And, in fact, these water levels could stay into September or October, depending on whether we get unseasonably high rains. If we do, if there's additional rain to this, then these water levels or even, on the outside, higher water levels could be with us for a long time to come on into the fall.

The people that live in these States that I have mentioned have to live with high water for a long period of time, not like a tornado that comes and blows away your homes and your businesses and allows you to go back when the sun comes out and start to clean up the mess and rebuild. This flood is not like a tornado, not like a hurricane. It's not even like a flood, a normal flood. A normal flood will come up and wash over you and wash away some things and soak the rest, and the water table will go down.

Even on the Mississippi River, where the water comes up slow and goes down slow, this eclipses the duration of any flood that I know in that the Corps of Engineers, without a lot of choice, by June 14 this month, June 14, had opened up the gates to 150,000 cubic feet per second, now, as of about today, 160,000 cubic feet per second, and that discharge, that volume of water that floods the Missouri River bottom, I will say completely, will continue to be with us for 2 months perhaps, perhaps more. That's unprecedented in duration. It is unprecedented in volume. This is more water than has ever come down the Missouri River in a year that we know of since we've been recording these records.

I said 16.3 million acre-feet of storage capacity that they have, but the projected flow out of the Missouri River for this year is 54 million acre-feet, and that's more than even came down in the 1993 floods, which was a 500-year flood event or at least described to be the same. I lived under that, Mr. Speaker. It flooded four of my major projects and changed my life, and the long story I won't tell here, but I might not be in this Congress had it not been for the 1993 flood, which completely redirected my life.

This flood is redirecting the lives of thousands of people up and down the Missouri River bottom. It's changing businesses. It's changing residences. I'm convinced, Mr. Speaker, that we will lose businesses over the long term and we will lose people over the long term who can't get back into their homes.

To give an example—and it's a South Dakota example of the Dakota dunes. It is a region that was built around a golf course, the Dakota Dunes Golf Course, just outside of Iowa, outside of the north Sioux City side, which some might call it a suburb of Sioux City itself. But in that area, people that had, I will say, wherewithal and vision developed an area in there for residences, and it's a very nice area. It's close to the river. The nicer the homes, the closer to the river they seem to be. And when the Corps of Engineers announced on May 26 that these discharge levels would be coming down the river, they went to work with private money and began building a temporary levee alongside the Missouri River to protect their homes.

This is a neighborhood coming together with their checkbooks to do emergency work to protect their homes, and while they were doing that, the Corps of Engineers let an emergency contract to build a levee that protects about half of the homes in that area, but it is not stable enough for them to build that levee to protect all of the homes. And so you have two levees: one private money, good homes protecting themselves; another one, Corps of Engineers' money to protect the balance of those homes. If we lose that levee near the river, about half of the homes in the Dakota Dunes and probably the nicest homes will be under a massive amount of water.

And as I was up there to visit, they were building this temporary levee. And, Mr. Speaker, I've spent my life in the construction business, specifically the earthmoving business. We've had a fair number of our own machines running at a single time, but this operation in that area of the Dakota Dunes, a small population area, had 170 trucks hauling dirt into these temporary levees, about 50 trucks hauling into the Corps of Engineers' levee, 120 trucks hauling into the private money levee that was there, most of them belly dumps and side dumps, semi size—not little short straight trucks, but big trucks with a full load of dirt on each one of them—building a levee as the river comes up.

We've done that in South Dakota. We've done that on the Iowa side and also on the Nebraska side of the Missouri River where we built several miles of levees around our critical companies and critical infrastructure.

CF Industries, which is the fertilizer company, built a levee about eight-tenths of a mile long, and then all the

way around their plant put in about 14 to 16 wells with pumps in them to dewater the inside of their levee as the river runs around the outside. That's true also with the protein company that's there, and they have been protecting the generating plants with sandbagging and pumps and temporary levees.

And as you go on down the river, Nebraska, Omaha, has its story. Council Bluffs has its story. They're protected by a pretty good Corps of Engineers' levee, but the water is high, and these levees are not built for 2 months of high water and fast flows and turbulence up against these levees. So they have to be monitored 24/7 all the way through until the water goes down. And if there's a little boil, somebody's got to be there to fix that, as happened in down in the southwest corner of Iowa. We can lose a levee in a matter of just a minute or two.

I know that there was a levee that ended up that almost spontaneously had a 30-foot boil in it where the earth just disappeared, and then a little bit later it was 200 feet long, then it was 300 feet long. Then it couldn't be repaired any longer, and the backup levee is what is protecting the city of Hamburg right now.

There has been a courageous effort, Mr. Speaker, on the part of Midwesterners to build the temporary facilities they could, and the short notice that they had, when you think that the Thursday before Memorial weekend is when the word came from the Corps of Engineers that these historically high flows would be released, and it takes a couple of days for that water to get down. Of course, they weren't going to peak out on this until June 14, but they had maybe 2 weeks to be ready for the highest water, and they had to get ready while the water was coming up, sometimes a foot a day.

They've done a phenomenal job. And as I go into the emergency command centers in places like Sioux City, Council Bluffs, Iowa, as I go into the little town of Blencoe, Iowa, 270 people there in the flat bottom of the Missouri River who had been told that they would see 2 to 3 feet of water everywhere in their town and there wasn't going to be a way to save the town, they looked around and said, What do we do? Do we let all of our property flood and stay under water for a couple of months? And five contractors came together and put 11 machines on the job, and a few days later they had built 5 miles of levee. It goes all the way around the mighty little city of Blencoe and ties it back in together, and they have pumps sitting there and they're protecting themselves from the flood. And that little Blencoe doesn't need to be the Alamo for the flood of 2011. They can fight this flood off, and we want to be there to help them all that we can.

I have a business owner that builds trailers in Missouri Valley, Iowa. He had gone in and bought a business in downtown Missouri Valley a few years ago, and because of the floods from the nineties built a new location above the floodplain just on the outside of the town by the interstate, Interstate 29, which, by the way, is closed today because of the floodwaters covering the interstate highway. Mr. Speaker, he built a new plant above the floodplain so that he didn't have to be flooded out again.

And about 3 years ago, there was a quirk of weather and one of the major streams backed up and flooded his new plant, and he's one of the top trailer salespeople in America. It flooded his new plant with about 4 or 5 feet of water and destroyed some of his property that was in there. He picked his chin back up and went to work and cleaned up the mess and fixed the trailers that he could fix and junked the rest and started all over and put a smile back on his face and said, That's life, isn't it? And went to work in a courageous, American way.

□ 1510

Now his plant that is built above the flood stage and was flooded 2 or 3 years ago is back under—and I can't confirm today that it's under water, but they predict it will be under 4 feet of water. And he has moved his equipment back down to the old plant. He has moved from the nonflood zone to the flood zone, where the old plant was, where they predict that one won't be under water. But his new plant that's out of the flood stage will be underwater.

The irony of all of this is not lost on him nor is it lost on me. Sometimes whatever you do, it's just going to end up to be wrong. This time, we have a lot of people that are suffering that maybe have done everything that they can do to protect themselves. We have farmsteads, Mr. Speaker, that are completely flooded, and we have hundreds of them that are under water.

All up and down on the west side of Interstate 29 in the southwest corner of Iowa, we've evacuated some 600 homes because they are all going under water. In the little town of Percival and two other small towns in that area, it has now been announced they will be underwater and flooded. And I hesitate to report exactly where that water is now. I am going tonight, and by the weekend, I will have looked at all that.

But the water that we have is unprecedented. It's strange in its nature in that floodwaters we see as silty, muddy water that is full of mud and silt and junk. Some of this is. Maybe 40 percent of this water is silt-laden water, but more than half of it, perhaps 60 percent, Mr. Speaker, is clear water. And when you fly over it and you look down, you can see through that water, and you can see the striping on Inter-

state 29. You can see corn stalks, corn stems, little sprouted plants that grew up about this far before the water flooded them, and they are standing there underneath 1½ or 2 feet of clear water. It goes on and on. Bean stubble is the same way, little fixtures. You will see also irrigation systems standing out in the water. In 8 feet of water, there's an irrigation system standing there.

But this clear water that has emerged comes because the pressure from the river, hydrostatic pressure from the river, pushes down on the entire aquifer around there. As it pushes down, the water seeks its own level, so the silt and floodwater pushes down into the soil. When it does that, water equalizes, and it comes up out of the ground, sometimes on the other side of the levy on the east side of the interstate, in my case. It would be like the kind of water you would find in a drainage tile or well. It comes up and sits on the surface everywhere, clear and clean as can be, shutting down our transportation units, our interstate highway, and flooding family farms and businesses all up and down this river, and most of it has yet to reach St. Louis. This is a problem all the way across Missouri, from St. Louis all the way up into St. Joe and north. It's a problem for the entire Missouri River bottom, Nebraska, Iowa, South Dakota, North Dakota, and Montana.

To put it in perspective also, Mr. Speaker, the flow coming down this river, when people think that the Corps of Engineers could have done something different, marginally they could have, as I said, but they would have had to have been clairvoyant, and they would have had to have violated the terms of the Master Manual.

But the flow coming down the river at 150,000 cubic feet per second happens to be the amount of water that's just coming out of the Yellowstone River, itself. So those people who want to turn these American rivers back to what they were before we managed them and controlled them and built the Pick-Sloan Program, I would ask you all, Mr. Speaker, to think: If 150,000 cubic feet per second is flowing out of the Yellowstone River—and it is—and 150,000 cubic feet per second is flowing past out of Gavins Point and past down through Sioux City, if the Pick-Sloan Program had not been built, if we had no dams in the Missouri River, if all the tributaries of the Missouri River were completely dry except for the Yellowstone River, that little tributary up there in Montana, we'd still have the same amount of water there right now. It wouldn't last as long, but it would be as high as the levels we have today. That's how much this helps us. We know those other tributaries are flowing a lot of water. There's a massive amount. It's more than ever before. It's 54 million acre-feet for this year. It was

a 500-year event in 1993. This is a 550-year event today.

So, Mr. Speaker, I have called upon the President to declare this entire area a national disaster area. I know that Governor Branstad has made that request. I know that the Governors in some of the States, such as Nebraska and Montana, have made that request. I believe that that request has been granted in a couple of cases, not yet for Iowa. I know that Governor Branstad has made this request for Iowa. And I thank the entire Iowa congressional delegation for joining with me in a letter to President Obama in making the request that he declare this a national disaster.

We have had a long time to be working with this water. A lot of sandbags have been filled. Some more will be filled. Many have to be emptied when this water goes down. And what we are going to need the most is the prayers of the American people and perseverance.

So, Mr. Speaker, I appreciate your attention to this matter. I appreciate the Iowa delegation for standing with me and the delegations up and down the river who have stood together. We need to stand with the people whose property is under water and help them get through this. They are stoic people. They are determined people. They are not going to be standing there, complaining. They are going to be doing all they can to help themselves. And to honor their efforts, I and others are determined to do all we can to help them.

So that is the update on the 2011 flood, Mr. Speaker. I appreciate your attention.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BACHUS (at the request of Mr. CANTOR) for today on account of attending the funeral of his aunt, Nettie Butterworth, in Birmingham, Alabama.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until Tuesday, June 28, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2193. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Madison, Wisconsin, and Southwestern Wisconsin Appropriated Fund

Federal Wage System Wage Areas (RIN: 3206-AM32) received June 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2194. A letter from the Director, Department of Justice, transmitting the Department's final rule — Procedures Governing Administrative Review of a United States Trustee's Decision To Deny a Chapter 12 or Chapter 13 Standing Trustee's Claim of Actual, Necessary Expenses [Docket No.: EOUST 103] (RIN: 1105-AB16) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2195. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coast Guard Use of Force Training Exercises, San Pablo Bay, CA [Docket No.: USCG-2009-0324] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2196. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Blue Crab Festival Fireworks Display, Little River, Little River, SC [Docket No.: USCG-2011-0097] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2197. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY [Docket No.: USCG-2010-1126] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2198. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Air Power Over Hampton Roads, Back River, Hampton, VA [Docket No.: USCG-2011-0288] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2199. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Fireworks Display Kanawha River, WV [Docket No.: USCG-2010-1015] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2200. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Chester River, Chestertown, MD [Docket No.: USCG-2011-0126] (RIN: 1625-AA08) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2201. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Ohio River; Sewickley, PA [Docket No.: USCG-2011-0253] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2202. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Disestablishing Special Anchorage Area 2; Ashley River, Charleston, SC [Docket No.: USCG-2008-0852] (RIN: 1625-AA01) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2203. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Fourth Annual Offshore Challenge, Sunny Isles Beach, FL [Docket No.: USCG-2011-0034] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2204. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ford Estate Wedding Fireworks, Lake St. Clair, Grosse Pointe Shores, MI [Docket No.: USCG-2011-0165] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2205. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wicomico Community Fireworks, Great Wicomico River, Mila, VA [Docket No.: USCG-2011-0390] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2206. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Repair of High Voltage Transmission Lines to Logan International Airport, Saugus River, Saugus, Massachusetts [Docket No.: USCG-2011-0297] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2207. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marysville Days Fireworks, St. Clair River, Marysville, MI [Docket No.: USCG-2011-0190] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2208. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coughlin Wedding Fireworks, Lake St. Clair, Harrison Township, MI [Docket No.: USCG-2011-0164] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2209. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Reorganization of Sector North Carolina; Technical Amendment [Docket No.: USCG-2011-0368] (RIN: 1625-ZA30) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2210. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Second Annual Space Coast Super Boat Grand Prix, Atlantic Ocean, Cocoa Beach, FL [Docket No.: USCG-2011-0143] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2211. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Catawba Island Club Fireworks, Catawba Island Club, Port Clinton, OH [Docket No.: USCG-2011-0216] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2212. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Red River [Docket No.: USCG-2011-0260] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2213. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vessels Carrying Hazardous Cargo, Sector Columbia River Captain of the Port Zone [Docket No.: USCG-2009-1134] (RIN: 1625-AA87) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2214. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Olympia Harbor Days Tug Boat Races, Budd Inlet, WA [Docket No.: USCG-2010-1024] (RIN: 1625-AA08) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2215. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bellingham Bay, Bellingham, WA and Lake Union, Seattle, WA [Docket No.: USCG-2011-0250] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2216. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AIWW), at Wrightsville Beach, NC; Cape Fear and Northeast Cape Fear River, at Wilmington, NC [Docket No.: USCG-2010-1139] (RIN: 1625-AA09) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2217. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Big Rock Blue Marlin Air Show; Bogue Sound, Morehead City, NC [Docket No.: USCG-2011-0168] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2218. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Alleghney River, Pittsburgh, PA [Docket No.: USCG-2011-0160] (RIN: 1625-AA08) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2219. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2011 Memorial Day Tribute Fireworks, Lake Charlevoix, Boyne City, Michigan [Docket No.: USCG-2011-0325] (RIN: 1625-AA08) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2220. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Miami Super Boat Grand Prix, Miami Beach, FL [Docket No.: USCG-2011-0289] (RIN: 1625-AA08) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2221. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Patapsco River, Northwest Harbor, Baltimore, MD [Docket No.: USCG-2011-0182] (RIN: 1625-AA08) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2222. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Fleet Week Maritime Festival, Pier 66, Elliott Bay, Seattle, Washington [Docket No.: USCG-2010-0062] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2223. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Deferral of Dates Related to the 2011 Branded Prescription Drug Fee [Notice 2011-46] received June 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRELINGHUYSEN: Committee on Appropriations. H.R. 2354. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-118). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. First Semiannual Report on the Activities of the Committee on the Judiciary for the 112th Congress (Rept. 112-119). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. First Semiannual Report of the Activities of the Committee on Veterans' Affairs for the 112th Congress (Rept. 112-120). Referred to the Committee of the Whole House on the State of the Union.

Mr. BACHUS: Committee on Financial Services. First Semiannual Report on the Activities of the Committee on Financial Services for the 112th Congress (Rept. 112-121). Referred to the Committee of the Whole House on the State of the Union.

Mr. LUCAS: Committee on Agriculture. First Semiannual Report on the Activities of the Committee on Agriculture for the 112th Congress (Rept. 112-122). Referred to the Committee of the Whole House on the State of the Union.

Mr. McKEON: Committee on Armed Services. First Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress (Rept. 112-123). Referred to the Committee of the Whole House on the State of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. First Semiannual Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (Rept. 112-124). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAMBORN (for himself, Mr. FRANKS of Arizona, Mr. BARTLETT, Mr. ROONEY, and Mr. KLINE):

H.R. 2348. A bill to require the Director of National Intelligence to submit a report on the foreign development of electromagnetic pulse weapons; to the Committee on Intelligence (Permanent Select).

By Mr. RUNYAN:

H.R. 2349. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to annually assess the skills of certain employees and managers of the Veterans Benefits Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DEFAZIO (for himself, Ms. SLAUGHTER, Mr. RYAN of Ohio, and Mr. CARSON of Indiana):

H.R. 2350. A bill to secure public investments in transportation infrastructure; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington:

H.R. 2351. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington:

H.R. 2352. A bill to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut (for himself, Mr. REICHERT, Ms. BALDWIN, and Mr. LATHAM):

H.R. 2353. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Ways and Means.

By Mrs. HARTZLER (for herself, Mr.

LUETKEMEYER, Mr. RYAN of Ohio, Mr. KISSELL, Mr. LATTI, Mr. BACHUS, Mr. FORBES, Mrs. MCMORRIS RODGERS, Mr. BURTON of Indiana, Mr. DENHAM, Mr. ALEXANDER, Mr. BOUSTANY, Mr. DAVIS of Kentucky, Mr. STUTZMAN, Mr. GOWDY, Mr. PITTS, Mr. ROGERS of Alabama, Mr. BROOKS, Mr. HANNA, Mr. TERRY, Mr. BILBRAY, Mr. FLAKE, Mr. POE of Texas, Mr. POMPEO, Mr. FLORES, Mr. HENSARLING, Mr. NEUGEBAUER, Mr. CARTER, Mr. THORNBERRY, Mr. MCCAUL, Mr. FARENTHOLD, Mrs. ELLMERS, Mr. NUNNELEE, Ms. GRANGER, Mr. MACK, Mr. MANZULLO, Mr. KINGSTON, Mr. JORDAN, and Mr. AKIN):

H.R. 2355. A bill to amend title 38, United States Code, to exclude individuals who have been convicted of committing certain sex offenses from receiving certain burial-related benefits and funeral honors which are otherwise available to certain veterans, members of the Armed Forces, and related individuals, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. DANIEL E. LUNGREN of California, Ms. CLARKE of New York, Mr. ROGERS of Alabama, Ms. RICHARDSON, Mr. BILIRAKIS, Mr. CLARKE of Michigan, Mrs. MILLER of Michigan, and Mr. MEEHAN):

H.R. 2356. A bill to enhance homeland security by improving efforts to prevent, protect against, respond to, and recover from an attack with a weapon of mass destruction, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUINTA (for himself and Mr. CARNAHAN):

H.R. 2357. A bill to amend section 139 of title 49, United States Code, to increase the effectiveness of Federal oversight of motor carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KILDEE (for himself, Mr. PAYNE, Mr. ELLISON, Mr. SABLAN, Mr. KISSELL, Mr. SCOTT of Virginia, Mr. PIERLUISI, Ms. BROWN of Florida, and Mr. POLIS):

H.R. 2358. A bill to prepare disconnected youth for a competitive future; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY (for herself, Mr. MARKEY, Ms. BALDWIN, Mr. MORAN, Ms. WOOLSEY, Mr. BLUMENAUER, Ms. CHU, Mr. GUTIERREZ, Ms. LEE of California, Mr. FRANK of Massachusetts, and Ms. WASSERMAN SCHULTZ):

H.R. 2359. A bill to amend title VI of the Federal Food, Drug, and Cosmetic Act to ensure the safe use of cosmetics, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANDRY:

H.R. 2360. A bill to amend the Outer Continental Shelf Lands Act to extend the Constitution, laws, and jurisdiction of the United States to installations and devices attached to the seabed of the Outer Continental Shelf for the production and support of production of energy from sources other than oil and gas, and for other purposes; to the Committee on Natural Resources.

By Mr. COHEN (for himself, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mr. MEEKS, and Ms. LEE of California):

H.R. 2361. A bill to improve the Fair Debt Collection Practices Act by explicitly barring debt collectors from bringing legal action on a debt in which the statute of limitations has expired against any consumer, and for other purposes; to the Committee on Financial Services.

By Mr. COLE:

H.R. 2362. A bill to facilitate economic development by Indian tribes and encourage investment by Turkish enterprises; to the Committee on Natural Resources.

By Mr. PRICE of Georgia:

H.R. 2363. A bill to establish performance-based quality measures, to establish limitations on recovery in health care lawsuits based on compliance with best practice guidelines, and to provide grants to States for administrative health care tribunals; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mr. POLIS, Mr. TOWNS, Mr. GEORGE MILLER of California, Mr. STARK, Mr. FRANK of Massachusetts, Ms. NORTON, Mrs. DAVIS of California, Mr. CONNOLLY of Virginia, Mr. ISRAEL,

Ms. WILSON of Florida, Mr. OLVER, Mr. SHERMAN, Mrs. CAPPS, Mr. SERRANO, Mr. NADLER, Mr. ENGEL, Ms. MOORE, Ms. LEE of California, Ms. CHU, and Mr. JACKSON of Illinois):

H.R. 2364. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA (for himself, Mr. GONZALEZ, Mr. LUJÁN, Mr. GRIJALVA, Mr. REYES, Mr. SIRE, Mr. GUTIERREZ, Mr. PIERLUISI, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON LEE of Texas, and Mr. STARK):

H.R. 2365. A bill to provide for additional Federal district judgeships; to the Committee on the Judiciary.

By Mr. BARTON of Texas (for himself, Mr. CAMPBELL, Ms. BERKLEY, Mr. HONDA, Mr. COHEN, Ms. LINDA T. SANCHEZ of California, Mr. PERLMUTTER, Mr. KING of New York, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. PAUL, and Mr. GRIMM):

H.R. 2366. A bill to establish a program for State licensing of Internet poker, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 2367. A bill to provide for the safe disposal of Federal Government-owned transuranic waste for the benefit of all Americans; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself, Ms. WOOLSEY, Ms. LEE of California, Ms. MOORE, Mr. DAVIS of Illinois, Mr. CARSON of Indiana, and Mr. JACKSON of Illinois):

H.R. 2368. A bill to direct the Secretary of Labor to make grants to States, units of general local government, and Indian tribes for the purpose of creating employment opportunities for unemployed and underemployed residents in distressed communities; to the Committee on Education and the Workforce.

By Mr. ALTMIRE (for himself and Mr. ROONEY):

H.R. 2369. A bill to amend title 36, United States Code, to provide for an additional power for the American Legion under its Federal charter; to the Committee on the Judiciary.

By Mr. BARROW:

H.R. 2370. A bill to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUCSHON (for himself, Mr. MCKINLEY, Mr. ISSA, Mr. GOSAR, Mr. FRANKS of Arizona, Mr. GIBBS, Mrs. BLACKBURN, and Mr. PAUL):

H.R. 2371. A bill to amend title 5, United States Code, to require that scientific studies used in a rule making be published, and for other purposes; to the Committee on the Judiciary.

By Ms. BUERKLE (for herself, Mr. KINZINGER of Illinois, Mr. HULTGREN, Mr. ISSA, and Mr. CHABOT):

H.R. 2372. A bill to reduce the amount otherwise available for the payment of salaries and expenses of the Budget Committee and the Office of the Majority Leader of a House of Congress if that House does not adopt a concurrent resolution on the budget for fiscal year 2011 or 2012; to the Committee on House Administration.

By Mrs. CAPPS:

H.R. 2373. A bill to establish a regulatory system and research program for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes; to the Committee on Natural Resources.

By Mr. CAPUANO:

H.R. 2374. A bill to require automobile dealers to disclose to consumers the presence of event data recorders, or "black boxes", on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce.

By Mr. COFFMAN of Colorado:

H.R. 2375. A bill to direct the Secretary of the Interior to identify high-potential oil and gas leases located on Federal land, and for other purposes; to the Committee on Natural Resources.

By Ms. DEGETTE (for herself and Mr. DENT):

H.R. 2376. A bill to amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DONNELLY of Indiana (for himself, Mr. DAVIS of Kentucky, Mr. COURTNEY, Mr. VISCLOSKEY, Ms. HIRONO, Mr. HOLT, and Mr. BOREN):

H.R. 2377. A bill to amend title 38, United States Code, to provide for expedited procedures for the consideration of certain veterans claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GENE GREEN of Texas (for himself, Mr. OLSON, and Ms. JACKSON LEE of Texas):

H.R. 2378. A bill to establish the Buffalo Bayou National Heritage Area in the State of Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. HINOJOSA, and Mr. FILNER):

H.R. 2379. A bill to improve the literacy and English skills of limited English proficient individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIJALVA (for himself, Mr. KILDEE, Mr. LUJÁN, and Mr. PASTOR of Arizona):

H.R. 2380. A bill to prescribe procedures for effective consultation and coordination by Federal agencies with federally recognized Indian tribes regarding Federal Government activities that impact tribal lands and interests to ensure that meaningful tribal input is an integral part of the Federal decision-making process; to the Committee on Natural Resources.

By Mr. HASTINGS of Florida (for himself, Mr. JOHNSON of Illinois, Mr. BLUMENAUER, and Mr. BOSWELL):

H.R. 2381. A bill to amend title 23, United States Code, to encourage and facilitate efforts by States and other transportation right-of-way managers to adopt integrated vegetation management practices, including enhancing plantings of native forbs and grasses that provide habitats for pollinators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. JENKINS:

H.R. 2382. A bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule; to the Committee on Ways and Means.

By Mr. JOHNSON of Ohio:

H.R. 2383. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to use electronic communication to provide required notice to claimants for benefits under laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Ohio:

H.R. 2384. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to conduct cost-benefit analyses of certain contracts; to the Committee on Veterans' Affairs.

By Mr. JONES:

H.R. 2385. A bill to amend the Internal Revenue Code of 1986 to allow seniors a one-time, tax-free retirement plan distribution to pay for essential repairs to a principal residence, for medical expenses, or for expenses attributable to a Federally declared disaster; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Ms. CASTOR of Florida, and Mr. CONNOLLY of Virginia):

H.R. 2386. A bill to amend the Oil Pollution Act of 1990 to facilitate the ability of persons affected by oil spills to seek judicial redress; to the Committee on Transportation and Infrastructure.

By Mr. McDERMOTT (for himself, Mr. AUSTRIA, Mr. BILBRAY, Mr. FILNER, Ms. HIRONO, and Mr. SABLAN):

H.R. 2387. A bill to provide for preferential duty treatment to certain apparel articles of the Philippines; to the Committee on Ways and Means.

By Mr. MILLER of Florida:

H.R. 2388. A bill to amend title 38, United States Code, to improve the submission of information by the Secretary of Veterans Affairs to Congress; to the Committee on Veterans' Affairs.

By Mr. GARY G. MILLER of California (for himself, Mr. DENHAM, Mr. ISSA, Mr. CARDOZA, Mr. BILBRAY, Mr. THOMPSON of California, Mr. ROHRABACHER, Mr. CALVERT, and Mr. MCCARTHY of California):

H.R. 2389. A bill to amend title 23, United States Code, to modify the surface transportation project delivery pilot program to carry out a demonstration program using State environmental laws, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 2390. A bill to amend title 40, United States Code, to eliminate the leasing authority of the Securities and Exchange Commis-

sion, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAULSEN (for himself and Mr. KIND):

H.R. 2391. A bill to amend the Internal Revenue Code of 1986 to provide a renewable electricity integration credit; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON:

H.R. 2392. A bill to authorize the Secretary of Agriculture to enter into building leasing agreements; to the Committee on Oversight and Government Reform.

By Mr. PIERLUISI (for himself, Mr. GRIMM, Mr. SCHIFF, and Ms. BORDALLO):

H.R. 2393. A bill to require each Federal agency to submit an annual forecast of grant solicitations expected to be issued in the next fiscal year by the agency to the Office of Management and Budget for publication on a website, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RANGEL (for himself and Mr. POLIS):

H.R. 2394. A bill to amend the Internal Revenue Code to extend qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the private business contribution requirement for qualified zone academy bonds; to the Committee on Ways and Means.

By Mr. SABLAN (for himself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Ms. RICHARDSON, Ms. NORTON, Ms. CHU, Mr. WU, Mr. KUCINICH, Ms. BORDALLO, Mr. PIERLUISI, Mr. HINCHEY, Mr. TOWNS, Ms. WILSON of Florida, Mr. LEWIS of Georgia, Mr. CONYERS, Ms. BROWN of Florida, Mr. BOSWELL, Mr. SERRANO, Mr. BISHOP of Georgia, Ms. HIRONO, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. BUTTERFIELD, Ms. FUDGE, Mr. POLIS, Ms. CLARKE of New York, and Mr. KILDEE):

H.R. 2395. A bill to amend the Workforce Investment Act of 1998 to permit the establishment of Jobs Corps centers in territories of the United States; to the Committee on Education and the Workforce.

By Mr. SARBANES (for himself, Mr. WU, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. CLARKE of Michigan):

H.R. 2396. A bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SCHILLING:

H.R. 2397. A bill to amend chapters 83 and 84 of title 5, United States Code, to set the age at which Members of Congress are eligible for an annuity to the same age as the retirement age under the Social Security Act; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 2398. A bill to amend chapter 44 of title 18, United States Code, to clarify the circumstances under which the enhanced penalty provisions for subsequent convictions apply; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:

H.R. 2399. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SHERMAN (for himself, Mr. ELLISON, Mr. WAXMAN, Mr. NADLER, Mr. BERMAN, Mr. ENGEL, Mr. LEVIN, Mr. CARSON of Indiana, Mr. ISRAEL, and Mr. ACKERMAN):

H.R. 2400. A bill to prevent States from prohibiting male circumcision; to the Committee on Energy and Commerce.

By Mr. SULLIVAN (for himself, Mr. MATHESON, Mr. UPTON, Mr. WHITFIELD, Mr. SHIMKUS, Mr. WALDEN, Mr. LATTI, Mr. HARPER, Mrs. McMORRIS RODGERS, Mr. MCKINLEY, Mr. TERRY, Mrs. CAPITO, Mr. POMPEO, Mr. ROSS of Arkansas, Mr. GUTHRIE, Mr. KINZINGER of Illinois, Mr. BILBRAY, Mr. TURNER, Mr. DUNCAN of Tennessee, Mr. BUCSHON, Mr. DUFFY, Mr. ROSKAM, Mrs. MYRICK, Mr. OLSON, Mr. JOHNSON of Illinois, Mr. ROKITA, Mr. COSTA, Mr. HOLDEN, and Mr. ROGERS of Kentucky):

H.R. 2401. A bill to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBSTER:

H.R. 2402. A bill to specify the priority of the obligations of the United States Government if the debt ceiling is reached; to the Committee on Ways and Means.

By Mr. WELCH (for himself and Mr. GIBSON):

H.R. 2403. A bill to authorize the Secretary of Defense to provide assistance to State National Guards to provide counseling and reintegration services for members of reserve components of the Armed Forces ordered to active duty in support of a contingency operation, members returning from such active duty, veterans of the Armed Forces, and their families; to the Committee on Armed Services.

By Mr. CLAY (for himself, Mr. CARNAHAN, Mr. AKIN, and Mr. COSTELLO):

H.J. Res. 70. A joint resolution to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years; to the Committee on the Judiciary.

By Mr. CLARKE of Michigan (for himself, Mr. CICILLINE, Mr. GUTIERREZ, Mr. NEAL, Mr. WELCH, Ms. LEE of California, and Mr. HONDA):

H. Res. 331. A resolution expressing the sense of the House of Representatives that the President should immediately reassess the United States mission in Afghanistan and redirect funding to strengthen homeland security, to create jobs, and to reduce the Federal deficit and debt; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER (for himself, Mr. TOWNS, Mr. POE of Texas, and Mr. ROHRBACHER):

H. Res. 332. A resolution calling for an impartial and independent investigation into the massacre of the Iranian Opposition Members in Camp Ashraf, Iraq; to the Committee on Foreign Affairs.

By Mr. HONDA (for himself, Ms. MCCOLLUM, Mr. COHEN, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. ISRAEL, Mr. AL GREEN of Texas, Mr. BILBRAY, Mr. HINCHEY, Mr. NADLER, Mr. CICILLINE, Mr. YOUNG of Florida, Mr. MORAN, Mr. PLATTS, and Mrs. DAVIS of California):

H. Res. 333. A resolution welcoming and commending the Government of Japan for extending an official apology to all United States former prisoners of war from the Pacific War and establishing in 2010 a visitation program to Japan for surviving veterans, family members, and descendants; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. HONDA, Mrs. CHRISTENSEN, Ms. BALDWIN, Ms. NORTON, Ms. ROYBAL-ALLARD, and Mr. JACKSON of Illinois):

H. Res. 334. A resolution supporting the goals and ideals of National HIV Testing Day; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York:

H. Res. 335. A resolution recognizing the need for safe patient handling and movement; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUGEBAUER:

H. Res. 336. A resolution expressing support for designation of September 2011 as "National Prostate Cancer Awareness Month"; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LAMBORN:

H.R. 2348.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to provide for the common Defense and general Welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. RUNYAN:

H.R. 2349.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. DeFAZIO:

H.R. 2350.

Congress has the power to enact this legislation pursuant to the following:

Articles I-XIV

By Mr. HASTINGS of Washington:

H.R. 2351.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States

By Mr. HASTINGS of Washington:

H.R. 2352.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States

By Mr. LARSON of Connecticut:

H.R. 2353.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. FRELINGHUYSEN:

H.R. 2354.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law" In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States" Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. HARTZLER:

H.R. 2355.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this Act rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in article I, section 8, clause 14 of the United States Constitution.

By Mr. PASCRELL:

H.R. 2356.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. GUINTA:

H.R. 2357.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution, specifically Clause 3.

By Mr. KILDEE:

H.R. 2358.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, the Spending Clause.

By Ms. SCHAKOWSKY:

H.R. 2359.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 3), which grants Congress the power "to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes."

By Mr. LANDRY:

H.R. 2360.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. COHEN:

H.R. 2361.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3 (relating to the power to regulate foreign and interstate commerce).

By Mr. COLE:

H.R. 2362.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which allows Congress to regulate trade amongst foreign Nations, and among the several States, and with the Indian Tribes.

This bill is enacted pursuant to treaties lawfully entered into and ratified pursuant to the power granted to Congress under Article II, Section 2, Clause 2.

By Mr. PRICE of Georgia:

H.R. 2363.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Clause 9, and Clause 18 of Section 8 of Article I.

By Mrs. MALONEY:

H.R. 2364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HINOJOSA:

H.R. 2365.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article III, Section 1 of the United States Constitution.

By Mr. BARTON of Texas:

H.R. 2366.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PEARCE:

H.R. 2367.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

By Mr. ELLISON:

H.R. 2368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ALTMIRE:

H.R. 2369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BARROW:

H.R. 2370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: "Make Rules for the Government and Regulation of the land and naval forces;"

By Mr. BUCSHON:

H.R. 2371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18; Article IV, Section 3, Clause 2.

By Ms. BUECKLE:

H.R. 2372.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article I states, "No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

and

Clause 18 of Section 8 of Article I states, "The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mrs. CAPPS:

H.R. 2373.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. CAPUANO:

H.R. 2374.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 3, and Article I, Section 8, Clause 1, of the United States Constitution.

By Mr. COFFMAN of Colorado:

H.R. 2375.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make law regarding the needful rules and regulations respecting the property of the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

By Ms. DEGETTE:

H.R. 2376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. DONNELLY of Indiana:

H.R. 2377.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 12, 13, and 14 of the U.S. Constitution.

By Mr. GENE GREEN of Texas:

H.R. 2378.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8.

By Mr. GRIJALVA:

H.R. 2379.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 2380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States), Clause 3 (relating to the power to regulate commerce among the several states and with the Indian Tribes), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HASTINGS of Florida:

H.R. 2381.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3

By Ms. JENKINS:

H.R. 2382.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. JOHNSON of Ohio:

H.R. 2383.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the United States Constitution

By Mr. JOHNSON of Ohio:

H.R. 2384.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the United States Constitution

By Mr. JONES:

H.R. 2385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution which states that "Congress shall have power to lay and collect taxes", and the 16th Amendment to the Constitution which states that "Congress shall have power to lay and collect taxes on income".

By Mr. MARKEY:

H.R. 2386.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. McDERMOTT:

H.R. 2387.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution

By Mr. MILLER of Florida:

H.R. 2388.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the United States Constitution

By Mr. GARY G. MILLER of California:

H.R. 2389.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. NORTON:

H.R. 2390.

Congress has the power to enact this legislation pursuant to the following:

Clauses 14 and 18 of section 8 of article I of the Constitution.

By Mr. PAULSEN:

H.R. 2391.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PETERSON:

H.R. 2392.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (Necessary and Proper Clause)

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PIERLUISI:

H.R. 2393.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Mr. RANGEL:

H.R. 2394.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 of the Constitution of the United States of America.

By Mr. SABLON:

H.R. 2395.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. SARBANES:

H.R. 2396.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. SCHILLING:

H.R. 2397.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SCOTT of Virginia:

H.R. 2398.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. SENSENBRENNER:

H.R. 2399.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution

By Mr. SHERMAN:

H.R. 2400.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 and Amendment 14, Section 5 of the United States Constitution.

By Mr. SULLIVAN:

H.R. 2401.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. WEBSTER:

H.R. 2402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution enumerates the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. WELCH:

H.R. 2403.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, the power to lay and collect taxes, duties, imposts and excise, to pay the debts and provide for the

common defense and general welfare of the United States.

By Mr. CLAY:

H.J. Res. 70.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 10, Clause 3 of the United States Constitution: "No state shall, without the Consent of Congress, lay any duty of Tonnage, keep troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. DANIEL E. LUNGREN of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mrs. MALONEY, Mr. REICHERT, Mrs. MILLER of Michigan, Mr. GONZALEZ, Mr. POLIS, Mr. SENSENBRENNER, Mr. GRIFFIN of Arkansas, Mr. CLYBURN, Mr. COHEN, Mr. DAVIS of Illinois, Ms. FUDGE, Mr. HINOJOSA, Ms. MATSUI, Mr. PAULSEN, Mr. ROE of Tennessee, Ms. ROYBAL-ALLARD, and Ms. MOORE.
H.R. 58: Mr. WHITFIELD, Mr. HULTGREN, Mrs. SCHMIDT, Mr. FINCHER, Mr. COSTELLO, Mr. MCKINLEY, and Mr. GUTHRIE.

H.R. 85: Mr. LYNCH.

H.R. 91: Mr. LATHAM.

H.R. 111: Ms. WOOLSEY.

H.R. 121: Mr. HULTGREN.

H.R. 122: Mr. GRIFFIN of Arkansas.

H.R. 218: Mr. RANGEL.

H.R. 298: Mr. THORNBERRY and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 305: Mr. KISSELL.

H.R. 374: Mrs. BACHMANN and Mr. WEST.

H.R. 389: Mrs. CAPITO.

H.R. 436: Mr. MILLER of Florida and Mr. MICA.

H.R. 451: Mr. STUTZMAN.

H.R. 452: Mr. HURT.

H.R. 466: Mr. LONG, Mr. GARY G. MILLER of California, Mr. ROSKAM, Mr. WOMACK, and Mr. DEUTCH.

H.R. 469: Mrs. LOWEY.

H.R. 527: Mr. SENSENBRENNER and Mr. GOODLATTE.

H.R. 563: Mr. HOLDEN.

H.R. 583: Ms. RICHARDSON and Mr. SERRANO.

H.R. 602: Mr. ROTHMAN of New Jersey and Mr. FRANK of Massachusetts.

H.R. 603: Mr. ROTHMAN of New Jersey and Mr. FRANK of Massachusetts.

H.R. 604: Mr. ROTHMAN of New Jersey and Mr. FRANK of Massachusetts.

H.R. 615: Mr. GUTHRIE.

H.R. 674: Mr. HOLDEN, Mr. PLATTS, Mr. MILLER of Florida, and Mr. GUINTA.

H.R. 704: Mr. PALAZZO.

H.R. 718: Mr. PERLMUTTER, Mr. ISRAEL, Mr. SIRES, Mr. LIPINSKI, and Mr. FITZPATRICK.

H.R. 719: Mr. LIPINSKI.

H.R. 721: Mr. CONAWAY, Mrs. SCHMIDT, Mr. PLATTS, and Mr. LUCAS.

H.R. 733: Mr. PETERS.

H.R. 735: Mr. REED.

H.R. 763: Mr. MARINO, Mr. GRIFFIN of Arkansas, Mr. GUINTA, and Mr. SCHRADER.

H.R. 787: Mrs. BACHMANN, Mr. REHBERG, and Mr. SHUSTER.

H.R. 870: Ms. LEE of California.

H.R. 886: Mrs. BLACK and Mr. GARDNER.

H.R. 905: Mr. OLSON.

H.R. 908: Mr. MANZULLO.

H.R. 931: Mr. LUTKENMEYER.

H.R. 935: Ms. RICHARDSON.

H.R. 936: Mrs. LUMMIS and Mr. DENT.

H.R. 948: Mr. WU.

H.R. 1005: Mr. GONZALEZ.

H.R. 1031: Mr. BOUSTANY.

H.R. 1041: Mr. LARSON of Connecticut.

H.R. 1063: Mr. PAULSEN.

H.R. 1092: Mr. MICA and Mr. YARMUTH.

H.R. 1103: Mr. HOLT.

H.R. 1147: Mr. CROWLEY.

H.R. 1167: Mr. FLAKE.

H.R. 1170: Mrs. NAPOLITANO.

H.R. 1175: Mr. LOBIONDO.

H.R. 1186: Mr. PASTOR of Arizona.

H.R. 1204: Mr. JACKSON of Illinois and Mr. KILDEE.

H.R. 1206: Mr. HANNA and Mr. SMITH of Texas.

H.R. 1244: Mr. BERG, Ms. ROS-LEHTINEN, and Mr. RIVERA.

H.R. 1259: Mrs. ADAMS and Ms. FOXX.

H.R. 1265: Mr. CALVERT.

H.R. 1281: Mr. HUELSKAMP.

H.R. 1288: Mrs. MCCARTHY of New York, Mr. WITTMAN, Mr. GENE GREEN of Texas, Mr. GRIFFIN of Arkansas, Mr. ROTHMAN of New Jersey, Mr. BARROW, Mr. BISHOP of Georgia, and Mr. CONNOLLY of Virginia.

H.R. 1311: Mr. BLUMENAUER.

H.R. 1325: Ms. NORTON and Mr. GENE GREEN of Texas.

H.R. 1327: Mr. SCHOCK.

H.R. 1351: Mr. RICHMOND, Mr. MARKEY, Mr. SCHRADER, Mr. LEVIN, and Ms. HOCHUL.

H.R. 1367: Mr. GENE GREEN of Texas.

H.R. 1370: Mr. CHAFFETZ, Mr. YODER, Mr. GRAVES of Missouri, and Mr. RIBBLE.

H.R. 1392: Mr. MEEHAN.

H.R. 1425: Ms. HERRERA BEUTLER and Mr. SMITH of Texas.

H.R. 1426: Mr. RYAN of Ohio.

H.R. 1439: Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, and Mr. COBLE.

H.R. 1449: Ms. ESHOO, Mr. LEWIS of Georgia, Mr. MCGOVERN, and Mr. CAPUANO.

H.R. 1462: Mr. CARSON of Indiana, Mr. HINCHEY, Mr. ENGEL, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. CLEAVER, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. LEWIS of Georgia, Mr. MEEKS, Mr. TOWNS, Mr. MCDERMOTT, Mr. HASTINGS of Florida, Mr. MORAN, Ms. WILSON of Florida, and Mr. STARK.

H.R. 1465: Mr. GRIJALVA.

H.R. 1489: Mr. GEORGE MILLER of California.

H.R. 1509: Mrs. LUMMIS.

H.R. 1533: Ms. CASTOR of Florida.

H.R. 1537: Ms. FUDGE and Mr. MILLER of North Carolina.

H.R. 1546: Ms. SCHWARTZ and Mr. CONAWAY.

H.R. 1576: Mr. HUELSKAMP.

H.R. 1585: Mr. WALBERG and Mr. LUCAS.

H.R. 1588: Mr. COSTELLO.

H.R. 1591: Mr. HANNA, Mr. GRIMM, Mr. PETERSON, and Mrs. EMERSON.

H.R. 1609: Mr. COFFMAN of Colorado and Mr. ROONEY.

H.R. 1656: Mr. PAYNE.

H.R. 1672: Mr. KILDEE, Mr. PETERS, Mr. TIERNY, Ms. SLAUGHTER, Mr. CLARKE of Michigan, Mr. BISHOP of New York, and Mr. CALVERT.

H.R. 1697: Mr. BENISHEK, Mr. JONES, and Mr. CHANDLER.

H.R. 1706: Mr. GUTHRIE.

H.R. 1724: Ms. NORTON.

H.R. 1744: Mr. WEST, Mr. POMPEO, Mr. STUTZMAN, Mr. AUSTRIA, and Mr. RIVERA.

H.R. 1756: Mr. COBLE.

H.R. 1775: Mr. FARENTHOLD.

H.R. 1776: Mr. SIRES.

H.R. 1792: Mr. MCGOVERN.

H.R. 1815: Mr. PASTOR of Arizona, Mr. VAN HOLLEN, Mr. CRITZ, Mr. HIMES, Mr. BERMAN, and Mr. CUELLAR.

H.R. 1817: Mr. MICHAUD and Mr. GRIJALVA.
H.R. 1842: Mr. SCHIFF, Ms. CHU, Mr. CLARKE of Michigan, Ms. TSONGAS, and Mr. LARSEN of Washington.

H.R. 1848: Mr. POSEY.

H.R. 1856: Mr. CARDOZA, Mr. LAMBORN, and Mr. BOREN.

H.R. 1861: Mr. GERLACH.

H.R. 1873: Mr. MILLER of North Carolina and Mr. RANGEL.

H.R. 1885: Mr. BOUSTANY.

H.R. 1897: Ms. NORTON, Mr. MORAN, Ms. SCHWARTZ, and Mr. WU.

H.R. 1955: Ms. NORTON.

H.R. 1976: Mr. GOODLATTE.

H.R. 1985: Mr. GRIJALVA.

H.R. 1987: Mr. HASTINGS of Florida.

H.R. 1995: Ms. MCCOLLUM.

H.R. 1996: Mr. BENISHEK, Mrs. ADAMS, and Mr. DUFFY.

H.R. 2000: Mrs. BLACK.

H.R. 2005: Mr. BARROW, Mr. STARK, Mr. HIMES, Mr. LANGEVIN, and Mr. MCGOVERN.

H.R. 2009: Mr. POSEY, Mr. SULLIVAN, Mr. PALAZZO, Mr. FARENTHOLD, and Mr. GALLENGY.

H.R. 2018: Mr. OLSON.

H.R. 2019: Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, and Mr. TONKO.

H.R. 2029: Ms. NORTON.

H.R. 2033: Mr. BLUMENAUER.

H.R. 2046: Mrs. CHRISTENSEN, Mr. CARSON of Indiana, and Mr. TOWNS.

H.R. 2061: Mr. TONKO and Mr. HURT.

H.R. 2096: Mr. SMITH of Texas and Mr. BROOKS.

H.R. 2104: Mrs. NAPOLITANO.

H.R. 2111: Mr. KILDEE.

H.R. 2124: Mr. HENSARLING.

H.R. 2139: Mr. JOHNSON of Ohio, Mr. BISHOP of Georgia, Mr. GOHMERT, Mr. NUGENT, Mr. PLATTS, and Mr. MEEHAN.

H.R. 2140: Mr. MANZULLO.

H.R. 2164: Mr. QUAYLE.

H.R. 2167: Mr. MANZULLO.

H.R. 2169: Ms. JACKSON LEE of Texas, Ms. NORTON, and Mrs. NAPOLITANO.

H.R. 2186: Ms. NORTON.

H.R. 2192: Mr. CONYERS.

H.R. 2194: Mr. CONYERS and Mr. MORAN.

H.R. 2206: Mr. LANKFORD.

H.R. 2210: Mr. FARR and Mr. WAXMAN.

H.R. 2211: Ms. NORTON.

H.R. 2230: Mr. CONYERS.

H.R. 2248: Mr. LARSEN of Washington.

H.R. 2271: Mrs. ELLMERS.

H.R. 2277: Mr. JOHNSON of Georgia, Ms. WILSON of Florida, and Mr. BUTTERFIELD.

H.R. 2299: Mr. MARINO, Mr. MARCHANT, Mr. NUNNELEE, Mr. HULTGREN, Mr. COBLE, Mr. WALBERG, and Mr. GUINTA.

H.R. 2304: Mr. PALAZZO.

H.R. 2305: Mr. HANNA.

H.R. 2307: Mr. HANNA and Ms. LORETTA SANCHEZ of California.

H.R. 2315: Mr. LANGEVIN, Ms. HIRONO, Mr. TONKO, and Mr. MICHAUD.

H.R. 2328: Ms. LEE of California and Ms. SLAUGHTER.

H.R. 2329: Mr. PLATTS.

H.R. 2334: Mr. BARTON of Texas.

H. Con. Res. 39: Mr. BOREN and Mr. CARTER.

H. Con. Res. 60: Mr. STUTZMAN and Ms. HERRERA BEUTLER.

H. Res. 13: Mr. WOLF.

H. Res. 16: Mrs. HARTZLER.

H. Res. 130: Ms. ZOE LOFGREN of California and Ms. LINDA T. SANCHEZ of California.

H. Res. 177: Mr. JACKSON of Illinois and Mr. MILLER of North Carolina.

H. Res. 229: Mr. CLEAVER, Mr. RUSH, Mr. KISSELL, and Mr. GARAMENDI.

H. Res. 239: Mr. PLATTS.

H. Res. 253: Mr. NUNNELEE, Mr. WOLF, Mr. CHAFFETZ, and Mrs. ELLMERS.

H. Res. 268: Mr. DENHAM, Ms. TSONGAS, and Mr. THOMPSON of California.

H. Res. 270: Ms. BERKLEY.

H. Res. 282: Mr. HONDA, Mr. VAN HOLLEN, and Mr. HEINRICH.

H. Res. 295: Mr. DENT and Mr. RANGEL.

H. Res. 317: Mr. BERMAN, Mr. KING of New York, and Mrs. LOWEY.

H. Res. 319: Mr. COURTNEY.

H. Res. 325: Mr. RYAN of Ohio and Mr. DIAZ-BALART.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 69: Mr. HOLDEN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: MR. CLARKE OF MICHIGAN

AMENDMENT No. 37: Page 136, line 23, insert before the period at the end the following: “: *Provided further*, That of the funds made available under this heading, the Secretary

of Defense shall transfer \$2,000,000,000 to the Secretary of Homeland Security to increase funds available for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605)”.
 H.R. 2219

OFFERED BY: MR. CLARKE OF MICHIGAN

AMENDMENT No. 38: Page 156, line 6, insert after the period at the end the following: “Of the funds referred to in the preceding sentence, the Secretary of Defense shall transfer \$50,000,000 to the Administrator of the Small Business Administration for Small Business Development Centers.”.

H.R. 2219

OFFERED BY: MR. CLARKE OF MICHIGAN

AMENDMENT No. 39: Page 135, line 11, insert before the period at the end the following: “: *Provided further*, That of the funds made available under this heading, the Secretary of Defense shall transfer \$236,000,000 to the Secretary of Transportation for the National Infrastructure Investments program”.

H.R. 2219

OFFERED BY: MR. CLARKE OF MICHIGAN

AMENDMENT No. 40: Page 150, line 13, insert before the colon the following: “: *Provided further*, That of the funds made available under this heading, the Secretary of Defense shall transfer \$227,000,000 to the Secretary of the Treasury for the Community Development Financial Institutions Fund”.

H.R. 2219

OFFERED BY: MR. COHEN

AMENDMENT No. 41: Page 133, line 6, after the dollar amount, insert “(reduced by \$200,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$200,000,000)”.

H.R. 2219

OFFERED BY: MR. COHEN

AMENDMENT No. 42: Page 135, line 15, after the dollar amount, insert “(reduced by \$14,000,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$14,000,000,000)”.

H.R. 2219

OFFERED BY: MR. HOLT

AMENDMENT No. 43: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to close the defense commissary store at Fort Monmouth, New Jersey.

H.R. 2219

OFFERED BY: MR. HOLT

AMENDMENT No. 44: Page 135, line 15, insert after the dollar amount the following: “(reduced by \$35,000,000)”.

Page 146, line 6, insert after the dollar amount the following: “(increased by \$20,000,000)”.

EXTENSIONS OF REMARKS

HUNGARY CELEBRATING FREEDOM EVENTS AND THE CENTENNIAL ANNIVERSARY OF PRESIDENT RONALD REAGAN

HON. STEVEN C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATOURETTE. Mr. Speaker, I am congratulating Hungary on the series of events which pay tribute to the lasting idea of freedom and the principles of liberty. Hungary will erect a statue in commemoration of the centennial anniversary of President Ronald Reagan's birth. Hungary will honor President Reagan for his contribution toward ending the Cold War and promoting democracy and liberty in Central Europe. In addition, Hungary is hosting the Hungarian Freedom Dinner and establishing the Hungarian Freedom Award.

I also note that Hungary formally and symbolically overcame the legacy of Communism by having recently passed a new Constitution, replacing its previous, temporary Constitution rooted in the Soviet era, to solidify the rule of law.

In addition, I recognize Hungary as an important strategic partner of the U.S. in Europe, and commend the country for reaffirming its commitment to transatlantic values, the principles of constitutionalism, and republican government; and contributing to the stability of the region.

Hungary is a member of the North Atlantic Treaty Organization and is an ally of the U.S. Hungary has been an important ally of the U.S. in Iraq and Afghanistan, and recently gave invaluable assistance in freeing the two American journalists captured in Libya.

Historically, Hungarians have fought for the ideals of freedom, popular sovereignty, the rule of law, and the cause of liberty at home and abroad, most notably in 1848, 1956 and 1989. Michael Kovats de Fabriczy fought for, and died defending America's independence during the American Revolution in Charleston, South Carolina. In the Revolution and Freedom fight of 1956, Hungarians rose up against communist rule first within the eastern bloc countries. In 1989, Hungary was the first country to open its border and allowed refugees from East Germany to cross. Hungary became the first among the former Soviet bloc countries to transition to a Western-style parliamentary democracy.

In transatlantic relations, between 1995 and 2004, Hungary played a critical role in implementing the Dayton Peace Accords in the Balkans by allowing its airbase at Tazsár to be used by coalition forces transiting the region. Between April 2003 and December 2004, Hungary helped stabilize Iraq by deploying a 300-strong battalion to Iraq as part of the Multi-National Force, and in 2003 allowed the Tazsár airbase to be used for training the Free Iraqi Forces.

Since 2006, Hungary has led a Provincial Reconstruction Team in Afghanistan and has also deployed an Operational Mentoring and Liaison Team, which operates in partnership with the Ohio National Guard and other United States military personnel in Afghanistan.

More recently, Hungary's military has taken over command of a joint battalion on the Balkans in support of NATO missions, and Hungary's Pápa Airbase is the home base of the Strategic Airlift Consortium's C-17 operations for NATO missions.

The United States and Hungary share common values of democracy, rule of law, separation of powers, cultural diversity, religious tolerance, and social mobility; and the United States is home to approximately 1.5 million Hungarian-Americans.

I ask my colleagues to join me in congratulating Hungary on the commemorative events to honor the legacy of Ronald Reagan in the region; recognizing Hungary as an important strategic partner of the United States in Europe; and commending Hungary for reaffirming its commitment to transatlantic values, the principles of constitutionalism, and democracy; and contributing to the stability of the region. We wish Hungary a prosperous future.

HONORING THE BOROUGH OF ELVERSON, CHESTER COUNTY, PENNSYLVANIA ON ITS 100TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate the Borough of Elverson, Chester County, Pennsylvania on its 100th anniversary.

Elverson celebrates March 14, 1911 as the day it was incorporated as a borough. It was on that day that the arguments for and against incorporation were presented to Judge Hemphill at the Chester County Courthouse. The arguments in favor of incorporation were principally: (1) the need by the residents to govern themselves and to use their own taxes for improvements such as a public water supply and street lighting; (2) the need for their own polling place; and (3) the need for an independent school system. The main arguments against incorporation were: (1) the town had not grown sufficiently, and (2) the new responsibilities would create an undue tax burden.

In weighing these issues, Judge Hemphill felt that the democratic process would help ensure that the new responsibilities would not necessarily result in taxes that were either "burdensome" or "ruinous" and stated:

"... if men of good judgment, careful, economical, and cautious, were placed in charge of the Borough's business and development

such would not necessarily be the result. The outcome, must of necessity, be dependent upon the action of the electors themselves, as in the case in every elective municipality."

Over the years, the citizens of Elverson have seen the wisdom of Judge Hemphill's words borne out, as their Borough has grown from meeting the needs of pre-World War I America to the present day.

Mr. Speaker, I ask that my colleagues join me today in congratulating the Borough of Elverson and its storied history on the occasion of its 100th anniversary and to extend best wishes to all its citizens—past, present and future.

PERSONAL EXPLANATION

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. POLIS. Mr. Speaker, I was not present for a vote on Thursday, June 23, 2011. Had I been present, I would have voted "no" on rollcall vote 491.

HONORING PASTOR WILLIE JACKSON ON HIS TWENTY FIVE YEARS OF MINISTRY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. PENCE. Mr. Speaker, I rise today to honor the steadfast and sacrificial service of Pastor Willie James Jackson, Sr., of Union Missionary Baptist Church in Muncie, Indiana. Pastor Jackson has been a leader not only in his church, but in his community, for twenty five years now, and I applaud his work and dedication.

Pastor Jackson became the shepherd of Union Missionary Baptist Church in 1986. His heart for service and missions has taken him across the country and the continent of Africa, but he has never forgotten his community at home. He has served on many civic, community, and religious organizations in Muncie and the surrounding area, and he is currently a member of the Collective Coalition of Concerned Clergy, third vice-president of the Northeastern district Sunday School and BTU Congress, board member on the Whitely Neighborhood Association, and is a board member for the Muncie Black Expo.

Those who know Pastor Jackson know him as a kind and generous man. He strives to unify and bring together people from all walks of life, and he is greatly respected throughout the community. A loving husband, father to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

three children, and grandfather to two grandchildren, Pastor Jackson has also mentored and cared for countless others in the community and in his church over his many years of ministry.

I congratulate Pastor Jackson for his twenty five influential years of service, and thank him for his many contributions to the community and to the sixth district of Indiana. His impact will be felt for years to come, and I wish him the best in his continued service and ministry.

TRIBUTE TO THE 100TH BIRTHDAY
OF KHEN NGO

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. BACA. Mr. Speaker, I rise today to ask Congress to celebrate the 100th birthday of Khen Ngo, a prominent member of the Vietnamese Catholic community in San Bernardino. I would like to ask my colleagues to join me in celebrating this milestone with the Ngo family and the San Bernardino community.

Born on July 4, 1911 in the Hue Province in Central Vietnam, Khen Ngo completed elementary school by age thirteen. Tragically, he fell ill to an infectious disease and did not recover until age seventeen. Shortly thereafter his family enrolled him in tailoring school. Khen completed his secondary education within one year.

The skills he learned in school allowed him to become part of the family business. In Vietnam he opened and operated his own tailoring shop. Soon he was able to manage and maintain his parent's shop as well. Outside of work he served in the Parish council of Kim-Long Church as a finance officer for fifteen years. Life was about to drastically change for the Ngo family.

In 1975, the Vietnamese Communist Regime invaded Vietnam. The Ngo family was a prominent family; the last name was well-known across the country. Their heritage can be traced back to the first President of Vietnam, Ngo Dinh Diem. Sadly, the communist regime also knew the Ngos well. They sought out and imprisoned many of the family members, leaving Khen no choice but to escape. Khen came to the United States as a Vietnamese refugee.

He settled in Redlands, California and joined the Sacred Heart Church. The Ngos are a deeply religious and pious family. Together with his brother, Father Joseph Trong Ngo, the Ngos helped build and foster a Vietnamese Catholic community in San Bernardino. Khen lived a simple life and held steadfast to his values. He lives by two guiding principles: the Catholic teaching to honor your parents, and to live his life as a deeply religious and spiritual person.

His life continues to be filled with spirit and love. He surrounds himself with the people he loves and leads a simple life. He fathered seven children and bestowed upon them the virtues he embodies. Khen now spends his days fishing and watching soccer games with any of his twenty nieces and nephews or nine

grandchildren. I want to extend my best wishes to Khen Ngo on his 100th birthday along with the wishes of my wife, Barbara, and my children, Mayor Pro Tem Joe Baca Junior, Jeremy, Natalie, and Jennifer. Mr. Speaker, I ask my colleagues to join me in sharing this special day with Khen Ngo.

ALGER COUNTY ROAD H-58

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. BENISHEK. Mr. Speaker, I rise today to recognize several long time residents of Alger County Michigan, who were instrumental in resolving a long standing controversy about road access within Pictured Rocks National Lakeshore.

When Pictured Rocks National Lakeshore was authorized by the U.S. Congress in 1966 as America's first national lakeshore, the enabling legislation called for the construction of a "scenic shoreline drive" as part of the park's development. However, the legislation did not specify exactly where that road should be located. Due to other national priorities, including the Vietnam War effort, funds were never appropriated to actually design and build the road.

This delay led to tremendous frustration on the part of local individuals and units of government, many of whom felt misled into supporting the establishment of the park. However, as local pressure increased to fund the project, opposition to building a road through undeveloped portions of the park also increased, leading to many years of controversy.

Over the years, several alternative locations were considered for the road. But, in 1998, to protect the most pristine portions of the park, Congress amended the park's enabling legislation to actually prohibit the National Park Service from constructing a road through the main portion of the park, forcing a compromise solution.

That compromise, ultimately endorsed by the National Park Service and the Alger County Road Commission, called for the reconstruction and paving of an existing sand and gravel road; Alger County H-58. Using a combination of federal and state funds between 1990 and 2010, H-58 was re-designed and paved to provide improved access to and through Pictured Rocks National Lakeshore and connect the two gateway communities of Munising and Grand Marais.

In the end, the Alger County Road Commission and the National Park Service worked very closely to design and build a roadway that would provide an outstanding scenic experience worthy of a national park. It is also noteworthy that in 2009, as the road project was coming to an end, Congress also provided permanent legal protection to the central portion of the park by establishing the Beaver Basin Wilderness. It took over 40 years, but with these two actions, the controversy about how best to balance road access and protection of nationally significant resources at Pictured Rocks had finally come to an end.

Over the years, many Alger County residents continued to strongly advocate for a road that would provide better access to the National Lakeshore. These included Connie Berube Binsfeld, who later served as Lt. Governor of Michigan and a member of the National Park Advisory Board; Doug Miron and Paul Heyrman, Chair and Vice-Chair of the Alger County Road Commission; the late Dennis "Fuzzy" Boyak, President and CEO of Peoples State Bank of Munising; Rochelle Cotey, Director of ALTRAN, the local transportation authority, and Richard and Chuck Nebel, a Munising banker and attorney-at-law. Munising native Mike Pond, a professional civil engineer, was involved in the design of virtually every detail of the road. Now that the road is complete, these local residents, along with others, have left a lasting legacy for Alger County and the visitors to Pictured Rocks National Lakeshore.

HONORING ASSISTANT CHIEF
BRIAN LENA AND CAPTAIN WILLIAM
BAHR

HON. NAN A.S. HAYWORTH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. HAYWORTH. Mr. Speaker, I rise today to recognize Assistant Chief Brian Lena and Captain William Bahr of the Mahopac Volunteer Fire Department for their heroic actions and longstanding commitment to their fire department and community.

In October of 2010 these two men, along with their fellow firefighters, responded to an evolved structure fire which blocked the only exit the occupants had. At the scene, Assistant Chief Lena and Captain Bahr bravely rescued the occupants through a second story bedroom window. During this time, the hose crew also attacked an advancing fire in the kitchen and hallway.

In response to these heroic actions, Assistant Chief Lena and Captain Bahr have both been awarded the distinct honor of Firefighter of the Year. They have received this award with several agencies, including the Mahopac Volunteer Fire Department, Putnam County Volunteer Firemen's Association, Hudson Valley Volunteer Firemen's Association, and the Firemen's Association of the State of New York.

Mr. Speaker, it is an honor to recognize Assistant Chief Lena, Captain Bahr, and all of the other first responders who came out that day. We are fortunate to have such dedicated volunteers protecting us in the Hudson Valley.

IN HONOR OF WORLD REFUGEE
DAY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. FARR. Mr. Speaker, I rise today to honor World Refugee Day and the 60th anniversary of the 1951 Geneva Convention Relating to the Status of Refugees. While we are

commemorating World Refugee Day all week, the plight of refugees continues day in and day out. As I speak, there are some 15.4 million refugees around the world. But, there's another dimension to this humanitarian crisis that I want to highlight. Worldwide, there are an estimated 27.5 million internally displaced people, who have fled their homes, but remain within their country's borders. So, as we mark World Refugee Day, we cannot forget internally displaced people who are refugees within their own countries.

In total, there are 43 million refugees and displaced people globally which is roughly the entire population of Colombia. In fact, in Colombia, our hemispheric neighbor, there are an estimated 4 million internally displaced people, equivalent to the entire population of Los Angeles. Pakistan has nearly 2 million refugees, and Somalia, Sudan, and Iraq all have over a million displaced people each.

Displaced persons are a national security issue as much as a humanitarian crisis that violates basic human rights. This spring, I hosted Congressional briefings with Antonio Guterres, the United Nations High Commissioner for Refugees, and Alexander Aleinikoff, the Deputy High Commissioner for Refugees. I commend the work of the U.N. High Commissioner and the many organizations—large and small—that are on the frontlines providing basic relief and security to displaced communities. And I will do everything I can to inform my colleagues about this important work.

But, while immediate relief is essential, we also must tackle the root causes of conflict and poverty that continue to drive up the number of displaced people. We cannot be a just and peaceful world with so many living without basic human rights and protections. So, this week, and every week, I will continue to use my voice and vote to end this humanitarian crisis and bring justice, security, and enduring peace to the millions of displaced people around the world.

FREE GILAD SHALIT

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. KING of New York. Mr. Speaker, I rise on the fifth anniversary of the abduction of Israeli soldier, Gilad Shalit, to demand that Hamas release him immediately and unconditionally.

On June 25, 2006, Hamas brutally attacked an Israeli military post, killing two soldiers and wounding four others. Shalit was taken captive and seemingly wounded in the process. Since that time, there has been no information about his whereabouts or the conditions of his captivity. He has not been granted visitation rights by any humanitarian organization, including the International Red Cross, as is required by international law. Additionally, he has been denied contact with his family and access to medical treatment. These conditions are inhumane and deplorable.

I urge Hamas to release Gilad Shalit immediately, and to cease all violence and hostilities against the Jewish State.

HONORING WORTH COUNTY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Worth County of Missouri's Sixth District. Worth County is celebrating its Sesquicentennial.

Worth County has the distinction of being Missouri's youngest and smallest county in both population and physical size. That distinction, however, is not reflected in the character, substance and heart of the people who live there. Its name comes from General William J. Worth who served with Zachary Taylor in the Mexican-American War and was the first American to make an amphibious military landing. On display at the county courthouse are the names of all in Worth County that have gone to defend this nation since the Civil War and who continue to defend America today. One of the first riders of the Pony Express, Robert Stricklen came from and is buried in Worth County. It is the place that Glenn Miller first picked up the trombone and was taught to play his timeless music.

Mr. Speaker, I proudly ask you to join me in recognizing Worth County, Missouri. It is an amazing place with even more amazing people who make a daily impact on Northern Missouri and the whole of the Sixth District. I am honored to represent Worth County, Missouri in the United States Congress.

PUBLIC TRUST AND THE SUPREME COURT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. SLAUGHTER. Mr. Speaker, I rise today to express my concern over ethically questionable conduct of Supreme Court Justice Clarence Thomas that threatens to undermine public trust in our judicial system.

Justice Thomas has repeatedly engaged in questionable actions and hidden them from public view. Just this weekend, the New York Times revealed troubling details about favors Justice Thomas has received from a millionaire real estate magnate named Harlan Crow.

Despite the revelations, Justice Thomas refuses to provide details about his relationship with Mr. Crow. The report from the New York Times is the latest in a long line of troubling actions taken by Justice Thomas, yet he refuses to share the necessary information to ensure that his service on the bench is fair and free from conflict of interest.

No one should be above the law, especially those chosen to uphold it.

[From the New York Times, June 18, 2011]

FRIENDSHIP OF JUSTICE AND MAGNATE PUTS
FOCUS ON ETHICS

PIN POINT, GA.—Clarence Thomas was here promoting his memoir a few years ago when he bumped into Algernon Varn, whose grandfather once ran a seafood cannery that employed Justice Thomas's mother as a crab picker.

Mr. Varn lived at the old cannery site, a collection of crumbling buildings on a salt marsh just down the road from a sign heralding this remote coastal community outside Savannah as Justice Thomas's birthplace. The justice asked about plans for the property, and Mr. Varn said he hoped it could be preserved.

"And Clarence said, 'Well, I've got a friend I'm going to put you in touch with,'" Mr. Varn recalled, adding that he was later told by others not to identify the friend.

The publicity-shy friend turned out to be Harlan Crow, a Dallas real estate magnate and a major contributor to conservative causes. Mr. Crow stepped in to finance the multimillion-dollar purchase and restoration of the cannery, featuring a museum about the culture and history of Pin Point that has become a pet project of Justice Thomas's.

The project throws a spotlight on an unusual, and ethically sensitive, friendship that appears to be markedly different from those of other justices on the nation's highest court.

The two men met in the mid-1990s, a few years after Justice Thomas joined the court. Since then, Mr. Crow has done many favors for the justice and his wife, Virginia, helping finance a Savannah library project dedicated to Justice Thomas, presenting him with a Bible that belonged to Frederick Douglass and reportedly providing \$500,000 for Ms. Thomas to start a Tea Party-related group. They have also spent time together at gatherings of prominent Republicans and businesspeople at Mr. Crow's Adirondacks estate and his camp in East Texas.

In several instances, news reports of Mr. Crow's largess provoked controversy and questions, adding fuel to a rising debate about Supreme Court ethics. But Mr. Crow's financing of the museum, his largest such act of generosity, previously unreported, raises the sharpest questions yet—both about Justice Thomas's extrajudicial activities and about the extent to which the justices should remain exempt from the code of conduct for federal judges.

Although the Supreme Court is not bound by the code, justices have said they adhere to it. Legal ethicists differed on whether Justice Thomas's dealings with Mr. Crow pose a problem under the code. But they agreed that one facet of the relationship was both unusual and important in weighing any ethical implications: Justice Thomas's role in Mr. Crow's donation for the museum.

The code says judges "should not personally participate" in raising money for charitable endeavors, out of concern that donors might feel pressured to give or entitled to favorable treatment from the judge. In addition, judges are not even supposed to know who donates to projects honoring them.

While the nonprofit Pin Point museum is not intended to honor Justice Thomas, people involved in the project said his role in the community's history would inevitably be part of it, and he participated in a documentary film that is to accompany the exhibits.

Deborah L. Rhode, a Stanford University law professor who has called for stricter ethics rules for Supreme Court justices, said Justice Thomas "should not be directly involved in fund-raising activities, no matter how worthy they are or whether he's being centrally honored by the museum."

On the other hand, the restriction on fund-raising is primarily meant to deter judges from using their position to pressure donors, as opposed to relying on "a rich friend" like Mr. Crow, said Ronald D. Rotunda, who teaches legal ethics at Chapman University in California.

"I don't think I could say it's unethical," he said. "It's just a very peculiar situation."

Justice Thomas, through a Supreme Court spokeswoman, declined to respond to a detailed set of questions submitted by The New York Times. Mr. Crow also would not comment.

Supreme Court ethics have been under increasing scrutiny, largely because of the activities of Justice Thomas and Ms. Thomas, whose group, Liberty Central, opposed President Obama's health care overhaul—an issue likely to wind up before the court. Mr. Crow's donation to Liberty Central was reported by Politico.

In January, the liberal advocacy organization Common Cause asked the Justice Department to investigate whether Justices Thomas and Antonin Scalia should have recused themselves from last year's Citizens United campaign finance case because they had attended a political retreat organized by the billionaire Koch brothers, who support groups that stood to benefit from the court's decision.

A month later, more than 100 law professors asked Congress to extend to Supreme Court justices the ethics code that applies to other federal judges, and a bill addressing the issue was introduced.

It is not unusual for justices to accept gifts or take part in outside activities, some with political overtones.

Justice Stephen G. Breyer has attended Renaissance Weekend, a retreat for politicians, artists and media personalities that is a favorite of Democrats, including former President Bill Clinton. Justice Ruth Bader Ginsburg participated in a symposium sponsored by the National Organization for Women's Legal Defense and Education Fund, and a philanthropic foundation once tried to give her a \$100,000 achievement award. She instructed that the money be given to charity.

But in the case of Justice Thomas and his dealings with Mr. Crow, the ethical complications appear more complex.

CONSERVATIVE TIES

Mr. Crow, 61, manages the real estate and investment businesses founded by his late father, Trammell Crow, once the largest landlord in the United States. The Crow family portfolio is worth hundreds of millions of dollars and includes investments in hotels, medical facilities, public equities and hedge funds.

A friend of the Bush family, Mr. Crow is a trustee of the George Bush Presidential Library Foundation and has donated close to \$5 million to Republican campaigns and conservative groups. Among his contributions were \$100,000 to Swift Boat Veterans for Truth, the group formed to attack the Vietnam War record of Senator John Kerry, the 2004 Democratic presidential candidate, and \$500,000 to an organization that ran advertisements urging the confirmation of President George W. Bush's nominees to the Supreme Court.

Mr. Crow has not personally been a party to Supreme Court litigation, but his companies have been involved in federal court cases, including four that went to the appellate level. And he has served on the boards of two conservative organizations involved in filing supporting briefs in cases before the Supreme Court. One of them, the American Enterprise Institute, with Mr. Crow as a trustee, gave Justice Thomas a bust of Lincoln valued at \$15,000 and praised his jurisprudence at an awards gala in 2001.

The institute's Project on Fair Representation later filed briefs in several cases, and in 2006 the project brought a lawsuit chal-

lenging federal voting rights laws, a case in which Justice Thomas filed a lone dissent, embracing the project's arguments. The project director, an institute fellow named Edward Blum, said the institute supported his research but did not finance the brief filings or the Texas suit, which was litigated pro bono by a former clerk of Justice Thomas's.

"When it came time to file a lawsuit," he said, "A.E.I. had no role in doing that."

COMING UP WITH A PLAN

In addition to his interest in politics and policy, Mr. Crow is well known for his keen devotion to history.

A backyard garden at his \$24 million Dallas residence is dominated by old statues of dictators he has collected from fallen regimes, including Lenin and Stalin. His private library is packed with 8,000 rare books and artifacts, including a Senate roll call sheet from Justice Thomas's confirmation and a "thank you" letter from the justice, according to local news reports.

There are a number of reasons Justice Thomas might be thankful to Mr. Crow. In addition to giving him the Douglass Bible, valued 10 years ago at \$19,000, Mr. Crow has hosted the justice aboard his private jet and his 161-foot yacht, at the exclusive Bohemian Grove retreat in California and at his grand Adirondacks summer estate called Topridge, a 105-acre spread that once belonged to Marjorie Merriweather Post, the cereal heiress.

Christopher Shaw, a folk singer who said he had been invited several times to perform at Topridge, recalled seeing Justice Thomas and his family "on one or two occasions." They were among about two dozen guests who included other prominent Republicans—last summer, the younger Mr. Bush stopped by.

"There would be guys puffing on cigars," Mr. Shaw said. "Clarence just kind of melted in with everyone else. We got introduced at dinner. He sat at Harlan's table."

Mr. Crow's \$175,000 donation to the library in Savannah in 2001 started out anonymous, but it was eventually made public amid opposition to the project by some local black leaders who did not like Justice Thomas's politics. Similarly, Mr. Crow sought to keep his role in the museum quiet.

At first glance the Pin Point Heritage Museum, scheduled to open this fall, would seem an unlikely catalyst for an ethical quandary. That Pin Point's history is worthy of preservation is not in dispute.

Part of the Gullah/Geechee Cultural Heritage Corridor designated by Congress, it is representative of tight-knit Southern coastal settlements that trace their roots to freed slaves and were often based around fishing. In Pin Point, the Varn crab and oyster cannery, founded in the 1920s, was a primary source of jobs until it closed in 1985.

Mr. Varn and his wife, Sharon, said they had long hoped the property could be saved from commercial development but had little success coming up with a plan. That changed after their chance encounter with Justice Thomas, who was visiting his childhood home with a television news crew.

Justice Thomas, 62, was born and raised near the cannery overlooking the Moon River, where it was not uncommon for babies to rock in bassinets made of crab baskets while their mothers shucked oysters. He sympathized with the Varns' wishes and said he had a friend who could help, Mr. Varn said.

The Varns eventually sold their property in April 2008. During a recent interview at their home near the cannery, they made it

clear that they were "not supposed to say" who the buyer was, and a news release issued last November by a Savannah public relations firm said the museum was being "privately funded by an anonymous donor."

But the paper trail leads back to Mr. Crow, and in interviews at the project site, people working on it acknowledged that he was financing it. Property records show a company called HKJRS/Pinpoint bought the land for \$1.5 million, and incorporation records say the company is controlled by a Dallas-based partnership run by Mr. Crow.

Project documents reviewed by The Times show a preliminary construction budget of \$1.3 million, but it is unclear if that includes expenses related to the content and design of the museum.

Justice Thomas remains closely involved with the project. Emily Owens, a museum spokeswoman who works for Mr. Crow's company, said the justice "played a big part" in creating a video documentary that will be part of the museum experience. He hosted a design team from Dallas for a four-hour meeting at his Supreme Court offices in February.

And he has had a role in picking people to help with the museum. Barbara Fertig, a history professor at Armstrong Atlantic State University in Savannah, said that she was asked to meet with Justice Thomas last spring and that "by the end of the meeting, he said he would like me to work on this project."

She said she had "never been particularly curious" about why Mr. Crow is financing it, adding that costly preservation projects are often possible only because of philanthropy motivated by friendships. Justice Thomas and Mr. Crow would seem to fall into that category, Ms. Fertig said.

"I've been in the company of the two of them together," she said, "and they certainly really are friends."

THE CODE OF CONDUCT

That friendship is important to determining whether Justice Thomas's interactions with Mr. Crow conflict with the code, said Raymond J. McKoski, a retired state judge in Illinois who wrote a law review article on charitable fund-raising by judges. If Justice Thomas did not "misuse the prestige of office" in getting Mr. Crow to take on the project, it should not be a concern, he said.

"Some of it depends on the conversations that took place," Mr. McKoski said. "Who brought up the idea? How willing was Mr. Crow to do it? What exact questions were asked by Justice Thomas?"

Beyond the admonition against fund-raising, the code generally discourages judges from partaking in any off-the-bench behavior that could create even the perception of partiality. It acknowledges the value in judges' being engaged with their communities, lecturing on the law and doing charitable work, but draws a line where those activities might cause a reasonable person to worry that a judge is indebted to or influenced by someone.

"The code of conduct is quite clear that judges are not supposed to be soliciting money for their pet projects or charities, period," said Arn Pearson, a lawyer with Common Cause. "If any other federal judge was doing it, he could face disciplinary action."

The justices are not bound by the federal judiciary's conduct code, because it is enforced by a committee of judges who rank below the justices. Even so, Justices Breyer and Anthony M. Kennedy said in testimony before Congress in April that the justices followed the code.

Beyond the code, the justices must comply with laws applying to all federal officials that prohibit conflicts of interest and require disclosure of gifts. Justice Thomas's gift acceptances drew attention in 2004, when *The Los Angeles Times* reported that he had accumulated gifts totaling \$42,200 in the previous six years—far more than any of the other justices.

Since 2004, Justice Thomas has never reported another gift. He has continued to disclose travel costs paid by schools and organizations he has visited for speeches and teaching, but he has not reported that any travel was provided by Mr. Crow.

Travel records for Mr. Crow's planes and yacht, however, suggest that Justice Thomas may have used them in recent years.

In April 2008, not long after Mr. Crow bought the Pin Point property, one of his private planes flew from Washington to Savannah, where his yacht, the Michaela Rose, was docked.

That same week, an item appeared in a South Carolina lawyers' publication noting that Justice Thomas was arriving aboard the Michaela Rose in Charleston, a couple of hours north of Savannah, where the Crow family owns luxury vacation properties. The author was a prominent lawyer who said she knew of the visit because of a family connection to Mr. Crow.

Justice Thomas reported no gifts of travel that month in his 2008 disclosure. And there are other instances in which Justice Thomas's travels correspond to flights taken by Mr. Crow's planes.

On Jan. 4, 2010, when Justice Thomas was in Savannah for the dedication of a building in his honor, Mr. Crow's plane flew from Washington to Savannah and returned to Washington the next day. Justice Thomas reported in his financial disclosure that his travel had been paid for by the Savannah College of Art and Design, which owned the building.

In his 2009 financial disclosure, Justice Thomas reported that Southern Methodist University in Dallas—Trammell Crow's alma mater—had provided his travel for a speech there on Sept. 30. Flight records show that Mr. Crow's plane flew from Washington to Dallas that day.

Among the questions *The Times* submitted to Justice Thomas was whether he was on any of those flights, and if so, whether the colleges reimbursed him or Mr. Crow. The colleges declined to comment.

One item not required to be reported in Justice Thomas's financial disclosures is the millions of dollars Mr. Crow is spending on the museum. That is because the money is not being given to the justice as a gift.

For Algernon and Sharon Varn, who said they were thrilled to see a cherished piece of local history being restored, the museum is a gift to the community. While it is about more than Justice Thomas, they said, he deserves credit for putting them together with someone who had the money and the interest to make the project a reality.

"He was instrumental in getting the process started, because he wanted it preserved to show that no matter where you came from, you can go where you want," Mr. Varn said. "He had a meager existence, and yet look where he is today. It's a great American story."

HONORING RALPH LOMMA

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. MARINO. Mr. Speaker, I rise today in honor of one of my constituents, Mr. Ralph Lomma, in recognition of his successful vision for a prospering community in Susquehanna County, Pennsylvania.

This year represents the 50th anniversary of the establishment of The Village of the Four Seasons. Mr. Lomma, who founded the Village near the base of Elk Mountain has worked tirelessly over the past five decades to create a place where an entire community could enjoy the beauty of every season, in an environment that is both beautiful and secure. What began as a loosely connected area of vacation rentals, has transformed into a cohesive community, committed to the same principles on which Mr. Lomma founded the Village.

Since its inception, the community has been an active and thriving addition to the surrounding area. Every season, the Village offers something wonderful to both its residents and its neighbors; from tennis tournaments in the summer, to New Year's Eve parties each winter. Ralph's vision of a "playground for families" has truly been realized.

In the coming days, the Village will gather yet again to honor its architect, Mr. Lomma. I am honored to represent such a determined and passionate individual, who works every day to better our 10th District of Pennsylvania. Over the past fifty years, the Village has seen many Presidents as well as members of their Board of Directors, but through the guiding presence of Mr. Lomma, the Village has grown into a wonderful place for families and visitors.

It is an honor today to recognize Mr. Ralph Lomma. Please join me in acknowledging his determination, selflessness, and commitment to the ideals of community and camaraderie that have led him and The Village of the Four Seasons to such success.

REMEMBERING ALABAMA'S BELOVED STORYTELLER, KATHRYN TUCKER WINDHAM

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. BONNER. Mr. Speaker, I am saddened to inform the House that Alabama has lost one of its great writers and favorite citizens. Just a few days ago, our beloved Southern storyteller and gifted author, Kathryn Tucker Windham, passed away after a year-long illness at the age of 93.

Life is a patchwork of trials, triumphs, joys, and sorrows, sown together through generations of experience. When it comes to colorfully interpreting the past, no one could artfully stitch the stories of our state and the Deep South like Kathryn Tucker Windham.

Born in Selma in 1918 and raised in Thom- asville, Kathryn Tucker Windham began her

writing career early in life, penning movie reviews at the age of 12 for the *Thomasville Times*. A graduate of Huntington College, she took her first full-time reporting job in 1940, covering the police beat for the *Alabama Journal* in Montgomery—the first female reporter to earn that assignment for the paper. She soon gained a reputation in the Capital City as a solid reporter. By 1944, she was hired at the state's largest newspaper—*The Birmingham News*—where she met her husband to be, Amasa Benjamin Windham.

After the death of her husband in 1956, Kathryn Tucker Windham began writing columns for the *Selma Times Journal* where she also gained attention as a skilled photographer. It wasn't until 1969, when she wrote *13 Alabama Ghosts and Jeffrey*, that she began her more famous career as a prolific author and storyteller.

From 1967 to 2009, she authored over 30 books on subjects ranging from southern cooking to legends of the supernatural. Her well-known "Jeffrey" series of true ghost stories went on to include tales from Georgia, Mississippi, Tennessee and other Southern states. My personal favorite is her charming 1975 book, *Alabama: One Big Front Porch*.

While her writing helped establish her bona fides as a storyteller, she did not stop with print. She established the Alabama Tale Tellin' Festival in Selma and was a sought-after speaker at storytelling festivals and gatherings across the country.

Her Southern charm also captured the attention of National Public Radio's *All Things Considered*, which featured her as a regular Southern storyteller. She also took to the stage as the star of a one-woman play she authored, *They Call Me Julia*, based on the life of another famous Alabamian, Julia S. Tutwiler.

In 2003, Kathryn Tucker Windham was inducted into the Alabama Academy of Honor at the recommendation of her friend, fellow Alabama author, Nelle Harper Lee. Today, Alabama Southern Community College in Thomasville houses the Kathryn Tucker Windham Museum.

Mr. Speaker, we mourn the loss of Kathryn Tucker Windham, and we will always be grateful for her devotion to telling the most beautiful and entertaining stories about Alabama and the South. There was only one Kathryn Tucker Windham and we will surely miss her greatly. The thoughts and prayers of our entire state are with her family at this difficult time.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. COLE. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 478. Had I been present, I would have voted "aye."

HIGHWAYS BETTERING THE ECONOMY AND ENVIRONMENT ACT OF 2011

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Highways Bettering the Economy and Environment Act with my Co-Chairman of the Congressional Pollinator Protection Caucus, Representative TIM JOHNSON. This bi-partisan bill provides much-needed aid for the birds, bats, bees and butterflies that pollinate our food.

The Highways BEE Act seeks no new monies and involves a limited federal role. It has received widespread endorsement from a diverse group of scientists, researchers and members of the business and environmental communities including the National Audubon Society, Lafarge Construction, National Farmers Union, the Isaac Walton League, American Farmland Trust, Waste Management, and Defenders of Wildlife.

This bill provides for existing authorities and funding sources to incorporate integrated vegetation management practices along America's highways, which includes things like reduced mowing and replacing invasive plant species with native forbs and grasses. This kind of roadside vegetation management provides much-needed habitat for pollinators and other small nesting animals.

The Association of American State Highway and Transportation Officials Vegetation Management Guidelines released in March advances integrated vegetation management principles and recommendations consistent with the objectives of this legislation. A number of states, including Minnesota, are already doing this and reporting maintenance cost savings of 20 to 25 percent from reduced mowing alone.

Mr. Speaker, there are around 17 million acres of land where significant reductions in mowing and maintenance can reduce costs for cash-strapped states. The millions of acres of agriculture and wildlife ecosystems adjacent to these roadways will benefit from the increased pollinator habitat resulting from integrated vegetation management practices.

To understand how worried we should be about declining pollinator populations, consider that rising global food prices are the primary topic of discussion at the G-20 meetings in Paris right now. This is the first time that agriculture has had the top spot at a meeting and is indicative of how serious the issue is. Food prices have already led to global riots overseas and a declining pollinator population will only make the situation worse. Seventy-five percent of all flowering plant species rely on creatures like birds, bats, bees and butterflies for fertilization. One out of every three bites of food that we eat, as well as \$20 billion of products in the United States alone, derive from pollinators.

If we don't solve these problems soon, we won't have any bees. Without bees, we won't have any food. The benefit to cost balance in the case of this bill, Mr. Speaker, is an easy choice.

HONORING DANIEL RODRIGUEZ

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. DeFAZIO. Mr. Speaker, I rise today to honor Mr. Daniel Rodriguez on the occasion of his retirement after 26 years of service as executive director for the University of Oregon Alumni Association.

The University of Oregon is a world class institution renowned for its groundbreaking research, and is an important keystone that unites Oregonians both at home and throughout the world.

Since coming to the University of Oregon in 1988, Dan Rodriguez has played a pivotal role in the rebirth of the alumni association. He created the alumni membership program that has topped 20,000 members worldwide and worked diligently to put the association on sound financial footing. He also led the effort to increase the number of active alumni chapters to 22 across the country.

But perhaps Dan's greatest accomplishment is the construction of the new Ford Alumni Center. While Dan will be the first to say this Center came about due to the tireless effort of many committed individuals, there is no question he has been a driving force for the project since its inception.

Dan grew up in Sunnyvale, CA, and is a graduate of Arizona State University. While he is a Sun Devil by pedigree, it is difficult to think of a more devoted and true Oregon Duck than Dan. He has spent untold hours promoting the University and the alumni association. He has also dedicated himself to the University's hometown community of Eugene, Oregon, where he has served on the Eugene Chamber of Commerce Board of Directors, the Rotary Club, and in several capacities with the American Lung Association of Oregon.

Dan has served four University presidents, seven athletic directors, and acted as a mentor to hundreds of UO students teaching the importance of leadership and volunteerism as part of campus life. He leaves a team of 12 employees and a board of directors who will miss his devotion and dedication to the association and the university it serves.

On the occasion of his last day at the University of Oregon, I wish to personally thank Mr. Rodriguez for his service. He will certainly be missed. Go Ducks!

INTRODUCTION: "FAMILY AND MEDICAL LEAVE INCLUSION ACT"

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mrs. MALONEY. Mr. Speaker, in our tough economic environment, individuals should not have to choose between caring for a loved one and their job. The high work participation rates among mothers and the caregiving needs of an aging population put further demands on American families. The landmark Family and Medical Leave Act of 1993 (FMLA)

has allowed millions of employees to take up to 12 weeks of unpaid leave from work to care for a new baby or to care for a spouse, child under age 18, or parent who has a serious health condition. However, the law does not allow leave to care for a same-sex partner or spouse, a grandparent or an adult child. Anecdotal evidence suggests that same-sex partners have endured negative reactions and denials to requests for leave when partners gave birth or had a serious medical condition. When a loved one is in need of care, employees should not be subjected to discrimination but should be allowed to take advantage of the benefits FMLA provides.

Already, hundreds of companies, several states, and the District of Columbia have extended such protections to individuals not originally included in the Family and Medical Leave Act of 1993. In order to do this at the federal level, today I am reintroducing the Family and Medical Leave Inclusion Act. This legislation will allow an employee to take unpaid leave from work to care for his or her same-sex spouse or domestic partner, parent-in-law, adult child, sibling, grandchild or grandparent if that person has a serious health condition. Additionally, in light of the recent repeal of the Military's Don't Ask Don't Tell policy, the legislation permits leave for domestic partners of service members.

I thank Senator DURBIN for reintroducing the Senate companion legislation and thank original House cosponsors Reps. POLIS, TOWNS, GEORGE MILLER, STARK, FRANK, HOLMES NORTON, SUSAN DAVIS, CONNOLLY, ISRAEL, FREDERICA WILSON, OLVER, SHERMAN, CAPPS, SERRANO, NADLER, ENGEL, MOORE, BARBARA LEE, CHU, and JACKSON Jr.

Almost two decades after enactment, it is time FMLA caught up to the growing demands on and changing makeup of American families.

IN RECOGNITION OF CLEVELAND ARTS PRIZE WINNER MARSHA DOBRZYNSKI

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. FUDGE. Mr. Speaker, I rise today to honor one of my constituents who, because of her service to the students of Northeast Ohio, has been bestowed a great honor by her community. On June 28, 2011, Marsha Dobrzynski will receive the 51st annual Cleveland Arts Prize.

The goal of the Cleveland Arts Prize is to support and encourage artists, and to promote public awareness of artistic creativity in Northeast Ohio through the work of Arts Prize recipients.

The oldest award of its kind in the United States, the Arts Prize is a testament to the standard of excellence and quality of artists in Northeast Ohio. In addition to artists, the Arts Prize honors individuals who have expanded the community's participation in the arts and helped make the region more hospitable to creative artistic expression.

Marsha Dobrzynski, the Executive Director of Young Audiences of Northeast Ohio, an integrated program with more than 30 arts, cultural, philanthropic and educational institutions will receive the Martha Joseph Prize for Distinguished Service to the Arts. Since 1994, Marsha has continually demonstrated her unsurpassed dedication to ensure that children throughout Northeast Ohio have equal access to the arts and the consequent benefits experience in the arts can bring to their personal growth and education.

Her bold leadership and tireless efforts throughout her tenure at Young Audiences of Northeast Ohio have made it possible to incorporate arts education into the lives of more than 242,000 children a year, providing the much needed framework for a strong education in the arts and a path for arts-based careers through her introduction of the ArtWorks program. The extraordinary value that she has brought to this important discipline strongly reflects the principles of this award and her championship of arts in education is rightfully recognized.

TRIBUTE TO WAYNE GREENHAW

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. BONNER. Mr. Speaker, it is with great sadness that I rise today to acknowledge the loss of Wayne Greenhaw, a dedicated Alabama journalist and one of the finest writers to hail from our state. He passed away May 31, 2011, at the age of 71.

A native of Sheffield and a graduate of the University of Alabama, Wayne Greenhaw was the author of 22 books, many of which were influenced by his southern upbringing and the historical events that shaped his early career as a reporter.

His foray into journalism began in 1958 as a part-time sports reporter for the Tuscaloosa News, followed by a full time job with the Alabama Journal in Montgomery. During his reporting days, he chronicled the segregationist movement of the 1960's and frequently profiled state and national politics, which later led to stints as a stringer for the New York Times and Time magazine, among others.

In 1976, Wayne Greenhaw briefly left journalism for politics, serving as Jimmy Carter's presidential campaign press secretary for Alabama. Nearly two decades later, he entered public service as the Director of the Alabama Bureau of Tourism and Travel from 1993 to 1994. In 1995, President Bill Clinton appointed him as a representative to the White House Conference on Travel and Tourism. He was also awarded Travel Writer of the Year in 1995 by the Southeast Tourism Society.

Above all things, Wayne was a truly decent man who had a moral compass and not only knew the difference between right and wrong, but was willing to express it in a powerful way. As one of our best writers—and we've produced some mighty talented men and women from Alabama in this field—Wayne was not limited to any one medium. From fiction to nonfiction, books to poetry, beat reporting to

plays, Wayne Greenhaw put his stamp on Alabama literature like few others.

His many books include *King of Country*, *Ghosts On the Road: Poems of Alabama*, *Mexico and Beyond*, *The Thunder of Angels*, *The Spider's Web*, *Montgomery*, *The Long Journey*, *Beyond the Night*, *Alabama: A State of Mind*, *Tombigbee*, *Elephants in the Cottonfields*, *The Golfer and Watch out for George Wallace*. He also authored two plays, *Rose: A Southern lady*, and *The Spirit Tree*.

Given his prolific talents, it is, therefore, not surprising that he was the recipient of the 2005 Clarence Carson Award for nonfiction and the 2006 Harper Lee Award for Distinguished Writing.

His most recent book, *Fighting the Devil in Dixie*, about civil rights activists confronting the Ku Klux Klan from the late 1950's to the mid 1980's, is considered "the culmination of his career."

Mr. Speaker, Wayne Greenhaw has been described by his peers as "a storyteller" and "a part of our State's history." Wayne's works always reflected his affection and passion for the history of our state. It is hard to imagine where our state would be without the historical and cultural contributions of this great writer.

On behalf of the people of Alabama, I would like to extend my condolences to Wayne's wonderful wife, Sally, and their family and many friends during this time of personal loss. Wayne's love for Alabama and our people will never be forgotten. May he rest in peace.

PERSONAL EXPLANATION

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. ROTHMAN of New Jersey. Mr. Speaker, I wish to correct a vote that I made on the amendment to H.R. 2112. During the rollcall votes, I voted no on the Campbell amendment to prohibit funding for the Animal, Plant and Health Inspection Service (APHIS) from being used for lethal methods of wildlife control to protect livestock. It was my intent to support the amendment, as I stand in strong support of the federal government's use of humane and non-lethal animal control whenever possible. My record on this issue clearly shows my longstanding support of this position and I hereby state my disapproval of the use of lethal methods of trapping, aerial hunting and poisoning wildlife in order to protect livestock by the APHIS.

I wish to clearly state for the RECORD that I supported the Campbell-DeFazio-Peters amendment and did not intend to vote against it.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF THE HARRY VAN ARSDALE, JR. CENTER FOR LABOR STUDIES AT SUNY EMPIRE STATE COLLEGE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. NADLER. Mr. Speaker, I rise today in recognition of the Harry Van Arsdale, Jr. Center for Labor Studies at SUNY Empire State College on the occasion of its 40th anniversary.

The New York State legislature created SUNY Empire State College in 1971 in order to provide educational opportunities to adults not adequately served by traditional residential colleges. At the same time, it also established the Center for Labor Studies, which was renamed in 1986 to honor the distinguished labor leader, the long-time business manager of IBEW Local 3 and president of the New York City Central Labor Council, who did so much to support its creation.

The Harry Van Arsdale Jr. Center for Labor Studies at SUNY Empire State College continues to fulfill its namesake's dream of providing wage-earning adults with an opportunity to develop their labor leadership skills and to earn a college degree in a learning environment that celebrates their achievements and recognizes their particular needs. To do so, the Van Arsdale Center provides flexible, worker-friendly educational programs delivered by highly qualified faculty to ensure that its trade union students and other working adults may acquire the analytical and communicative skills that are the hallmark of a college degree.

The center currently serves several important constituencies in the New York City area, including IBEW Local 3 and United Association Local 1 apprentices, as well as paraeducators affiliated with the United Federation of Teachers. The longest-standing of these partnerships is with the Joint Industry Board of the Electrical Industry in New York City (JIB), and it is one of the center's most successful partnerships. Since 1978 every registered electrical apprentice in IBEW Local 3 has been required to complete, in addition to their related classroom instruction in electrical theory, an academic course of study in which they learn to read and write at the college level and for which they are awarded a college degree; or, if they already have a degree, a 20-credit certificate in "Labor and the Construction Industry." Other programs were added later: the paraeducator program of the UFT in 2006, the college degree program of UA Local 1 in 2008; and others are in development.

The Harry Van Arsdale, Jr. Center for Labor Studies has graduated more than 5,000 men and women, many of whom have gone on to hold positions of honor in the New York City labor movement and beyond. Please join me in congratulating this exemplary educational organization on the occasion of its 40th anniversary.

H.R. 2320

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. YOUNG of Alaska. Mr. Speaker, recently, I introduced H.R. 2320, which would make permanent the provisions of Section 646 of the Internal Revenue Code. Currently, these provisions are slated to expire on December 31, 2012.

In 1971, Congress passed, and President Nixon approved, landmark legislation known as the Alaska Native Claims Settlement Act (ANCSA). This legislation settled the aboriginal land claims of Native Alaskans in exchange for land selection rights and cash. The law was, and is, a bold and organic national experiment in Native land claims settlement. However, it has needed revision and refinement many times since. 1971. I am proud to have worked with my colleagues over the past several years to accomplish these improvements.

In 1988, Congress enacted legislation to authorize Alaska Native corporations to establish "settlement trusts." Their purpose was to provide benefits to Alaska Natives and permit a legal structure that would protect and preserve, for current and future Alaska Native generations, much of the value of the land claims settlement. The original ANCSA required Native groups to form Alaska state law corporations to receive, administer, and distribute the ANCSA settlement, and the 1988 legislation was recognition that the corporate form had not always been well-suited to this task. In part, this was due to the federal tax problems that attend the corporate form, although ironically in the years after 1988, it became apparent that the federal tax rules relative to trusts present their own complexities and problems that discouraged the use of settlement trusts.

Congress enacted Section 646 of the tax code to address these problems. Section 646 provides for an elective regime for Alaska Native settlement trusts that (i) provides for a trust level tax at various rates ranging up to 10% in lieu of beneficiary level taxes; (ii) allows contributions to be made to these trusts on a tax favored basis; and (iii) streamlines administrative reporting for these trusts. When adopted, this elective treatment initially provided significant incentives to the use of settlement trusts to further the ANCSA settlement, and Alaska Native corporations utilized this provision to provide benefits through Alaska Native settlement trusts.

As I mentioned earlier, Section 646 is scheduled to sunset on December 31, 2012, despite the positive effects it has had for the Alaska Native community. The principal aim of settlement trusts is to provide funds to the Alaska Native beneficiaries. These beneficiaries are among the most economically disadvantaged persons in our country. Section 646 has worked well to provide an incentive for the use of settlement trusts, and must be continued.

However, the looming expiration of Section 646 has had a chilling effect in recent years upon the establishment of new Alaska Native

settlement trusts. Alaska Native corporations have no desire to exchange the corporate tax problems they already face for the tax problems accompanying the trust form that they will face if Section 646 is allowed to sunset.

I introduced H.R. 2320 because a permanent extension of Section 646 will immediately remove the disincentive presented by the sunset of Section 646 for Alaska Native corporations to use settlement trusts to provide benefits to their Alaska Native shareholders.

I would like to note to my colleagues that the fact that Section 646 is not already a permanent part of the tax code is a result of its unique procedural history, rather than a result of any substantive determination as to its merits or revenue concerns about its cost. Section 646 was originally enacted, along with several other provisions, as an unrelated, miscellaneous provision as part of the 2001 tax legislation which, because of the need to use the budget reconciliation process, was subject to a December 31, 2010 sunset provision. Rather than subsequently being made permanent similar to other unrelated, miscellaneous provisions in the 2001 tax legislation, Section 646 was extended for two years along with the 2001 individual tax rate reductions as part of the 2010 year-end tax legislation such that it is now scheduled to expire on December 31, 2012. Once again, the decision to enact a two-year extension (rather than a permanent extension) was not attributable to substantive or revenue considerations relating to Section 646 itself. Rather, it followed from a decision to enact a simple two-year extension of all of the expiring 2001 provisions without assessing the merits of alternative extension periods for each expiring provision being extended. Thus, it is fair to say that the current non-permanent status of Section 646 is an accident of the legislative process and that no Member has ever suggested that the provision should not be made permanent. Further, there was wide support for the permanency provision in the last Congress. H.R. 2320 would simply remedy this accident of the legislative process and make permanent a provision that should have originally been enacted as such.

TRIBUTE TO ROBERT RUTLEDGE,
THE HEART OF ST. PAUL'S EPISCOPAL SCHOOL

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. BONNER. Mr. Speaker, it is with great sadness that I rise today to acknowledge the recent passing of one of Mobile's most beloved and respected educators, Robert Rutledge.

"Coach Bob," as he was known to many, was head football coach, athletic director, assistant headmaster and headmaster over his 33-year career at St. Paul's Episcopal School. He has been described as the heart of St. Paul's and an influential role model for his students.

Under his guidance, St. Paul's athletic program gained statewide respect, including a trip to the 1993 State Championship game.

For three decades, Coach Bob inspired, led and prepared generations of students for the rigors of life, instilling in many the confidence to set their goals high and then work hard toward attaining them.

Bob's enthusiasm for coaching and teaching—and his devotion to improving the lives of each of his students—is what set him apart as a truly outstanding educator.

A former student and now local Mobile attorney, Charlie Potts, recently told the Mobile Press-Register that Coach Bob always followed the Golden Rule. Simply put, Bob Rutledge treated his students and players the way he would want to be treated.

Bob was also instrumental in shaping St. Paul's community service programs, including a fine arts program that today rivals the offerings of many colleges and universities.

For St. Paul's students and alumni, Coach Bob was more than a great educator and leader, he was like a parent and cherished friend. He had a talent for summoning the best in his students and building a faculty and staff that were second to none. Although he retired in 2006, his passing is a profound loss for St. Paul's and our entire community.

Mr. Speaker, I join with so many others from southwest Alabama in mourning the loss of a truly exceptional man who touched thousands upon thousands of lives with his generosity, leadership and strength.

My condolences go out to his wonderful wife of 45 years, Martha, and their children, Kellie, Brett and Dorie. You are all in our thoughts and prayers.

JACKSON HOLE MOUNTAIN RESORT (JHMR)—NATIONAL SKI AREA ASSOCIATION'S (NSAA) GOLDEN EAGLE AWARD

HON. CYNTHIA M. LUMMIS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mrs. LUMMIS. Mr. Speaker, I would like to congratulate and honor Jackson Hole Mountain Resort (JHMR) from the state of Wyoming for their receipt of the National Ski Area Association's (NSAA) Golden Eagle Award. Having been a previous recipient of this award in 1995, JHMR yet again receives the highest honor in environmental achievement. This prestigious award is judged by industry peers and a select group of judges.

As an example to all industries, both within and without the business of skiing, JHMR has managed to produce an environmentally-friendly ski resort. They are a great example to us all of environmental achievements. The award coincides with the resort's five year anniversary of ISO 14001 certification. JHMR is one of only two resorts in the United States to have met these standards. This specific award, the Golden Eagle Award, honors their environmental excellence for "Medium Size Ski Areas" (200,000—500,000 visits). Businesses, such as this resort, are our hope for a more beautiful world in the future, showing us that spectacular sites do not have to come at the cost of our environmental degradation.

Jackson Hole Mountain Resort is justly proud to receive this award. Their selection

shows their positive impact and contribution to a better environment. A few of their contributions, to note, are: modifications to their heating systems, reducing propane use by 20% and recycling all motor oil, along with anti-freeze, batteries, and snowmelt (from grooming equipment). They have demonstrated a level of responsibility, commitment and care that deserves our recognition, support and utmost respect. Their developments and strategies are exemplary. They are a great example to us all. I commend them for their great deeds, and agree they are most deserving of this Golden Eagle Award.

IN MEMORY OF JIM WHAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. SHIMKUS. Mr. Speaker, I rise today in tribute to a man of great character, patriotism, and community pride: Mr. Jim Wham of Centralia, Illinois, who passed away May 20, 2011, at the age of 92.

I first met Jim when, as a child, I visited my late grandfather, John Shimkus, who owned a clothing store in Centralia. Jim Wham, already a well known attorney, knew my grandfather and I remember meeting this well educated, well informed, larger than life man. Many years later, when I began running for Congress, I again met Jim—who was very active in politics—and became much more acquainted with him. Jim became a friend and trusted advisor. His viewpoints on crucial issues were always well thought out and came from a deep love of his country. I could always count on Jim to tell me exactly what he thought.

Jim was a 1936 graduate of Centralia Township High School, was center on the Centralia Orphans basketball team that competed in the State Tournament at Champaign, and later attended the University of Illinois where he lettered in track. He was admitted to the Illinois Bar in 1947 and practiced at the law firm started by his grandfather William Bundy and remained the active senior partner of Wham and Wham until his death.

Jim also served in the Army Air Corps in World War II advancing to the rank of major and was awarded the bronze star.

Jim was large in stature and large in his love of politics, the law, and life. He shared his passion for this country and the Republican Party any chance he could.

Jim even ran for Congress once on the Jim Wham Party banner, after missing the deadline to file as a Republican. The reason for his Congressional run was because of the incumbent's vote against the amendment prohibiting the burning of the flag. Jim had seen firsthand in WWII the price paid for that flag and wanted others to know it as well. He was first and foremost a true patriot.

Jim also served as a judge of the Illinois Court of Claims and was a candidate for Illinois Appellate Court Judge. Jim was a member of the First United Methodist Church in Centralia and was a Sunday School teacher there.

Most recently, well into his 90's, Jim hosted a weekly radio show on WILY in Centralia. I had the privilege of being his guest on this show in studio. He was still well informed, still very articulate, and I could still not win an argument with him. His voice in Centralia will be missed.

Survivors include his wife Phyllis; daughters Sarah Cary and Jennifer Price; his brother William; grandchildren: Andrew Wham Cary, Stephen Wham Cary, Rebecca Ann Cary, Susannah Jane Price, James Daniel Price, Katharine Elizabeth Price and Mary Karen Price; and great grandchildren: Zachary Cary and Samantha Cary.

Jim was laid rest in Centralia. And while I was unable to attend in person, I can certainly take this opportunity to let his name ring throughout this hallowed hall. He deserves no less and would certainly love hearing it.

REMARKS IN HONOR OF CAPTAIN
TRACY D. SMYERS, UNITED
STATES NAVY

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. GRANGER. Mr. Speaker, I rise today to congratulate Captain Tracy D. (T.D.) Smyers for his 27 years of dedicated and distinguished service to our nation on the occasion of his retirement from the United States Navy.

It is an honor to join the people of Texas' 12th Congressional District in honoring one of our own, Captain Smyers, upon his retirement as Commanding Officer of the Naval Air Station Fort Worth Joint Reserve Base for the past three years.

Locally appointed to the U.S. Naval Academy by Representative Charles Stenholm of Texas' old 17th district, he graduated from the academy in 1984 and attended flight school. He was designated a Naval Flight Officer (NFO) in September of 1985.

Spending the majority of his career in a P-3 Orion aircraft, Captain Smyers succeeded in all leadership roles in multiple squadrons during his career. The most notable position was as the Commanding Officer of the VP-62 Broad Arrows. Captain Smyers led this squadron during Operation Enduring Freedom in three different operational theaters. Additionally, Captain Smyers attended the National Defense University's Industrial College of the Armed Forces earning a Master of Science Degree in Strategic Resourcing.

On April 11, 2008, Captain Smyers reported as the eighth Commanding Officer of Naval Air Station Fort Worth Joint Reserve Base, which provides support for units from every service and over 11,000 active duty, guard, reserve, and civilian employees. It has truly been an honor to work with Captain Smyers. He is respected by all for his true professionalism. While Captain Smyers has remained focused on the mission, his dedication to the sailors under his command has been exceptional. He epitomizes the phrase "Mission First, People Always" and I know the thousands of officers, sailors, and civilians he has led hold him in the highest regard.

Captain Smyers has upheld the highest traditions of the United States Navy. We will miss his leadership as Commanding Officer of Naval Air Station Fort Worth Joint Reserve Base, but we look forward to the contributions he will make to our community as he and his family transition to civilian life in our area.

HONORING MR. ARUN SHIMPI

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. EDWARDS. Mr. Speaker, I rise today to recognize the outstanding commitment to public service made by Mr. Arun Shimpi, who retired in June after 43 years of tireless service toward enhancing the social and economic independence of Americans who are blind. When Mr. Shimpi began work at National Industries for the Blind in 1968, he was a new immigrant from India in search of greater opportunity. Fifteen years later, fueled by a desire to participate fully in our democracy, he transitioned from legal resident to U.S. citizen. Not only is his story one that captures the spirit of the American Dream, but he has also worked tirelessly for over 40 years, opening the doors of opportunity to thousands of Americans who are blind or severely disabled, making their own dreams become a reality.

National Industries for the Blind, along with its 90 associated nonprofit agencies operating under the AbilityOne Program, remains the largest single source of employment for Americans who are blind. Under Mr. Shimpi's leadership, the AbilityOne Program has made great progress in breaking down barriers for all persons with disabilities.

Schooled as an industrial engineer, Mr. Shimpi has approached these barriers faced by Americans with disabilities as problems that can be overcome through concrete solutions. He has provided valuable research and analysis, creating better efficiency within the AbilityOne Program, and his depth of knowledge acquired through four decades of service at National Industries for the Blind has been a valuable resource for those looking to close the 70 percent unemployment gap among Americans who are blind.

Please join me in honoring a lifetime commitment to service by Mr. Arun Shimpi.

HONORING THE LIFE OF DR.
MICHAEL R. REDMOND

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is with great respect and honor that I rise today to recognize the life of Northwest Florida's beloved Dr. Michael R. Redmond.

Born in Milton, Florida on March 19, 1943, Michael Redmond lived a life deeply rooted in love for his family and community. Dr. Redmond was a devoted public servant, and

the contributions he made to Northwest Florida are innumerable.

Upon graduation from Campion Jesuit High School, Dr. Redmond attended St. Louis University, and after only three years of study, he was admitted to St. Louis University Medical School. A true patriot, Dr. Redmond served in the United States Army from 1969 to 1971 as a General Medical Officer at Leonard Wood Army Hospital. During the Vietnam War, Dr. Redmond served in the 25th Infantry Division as an Emergency Room/Casualty Physician and earned two Bronze Stars. For 35 years, Dr. Redmond practiced at the West Florida Medical Center in the Department of Ophthalmology and served as the Chief Executive Officer from 2000 until his passing. His expertise while serving on the American Academy of Ophthalmology Board of Trustees and later as President of the AAO in 2003 was invaluable. Dr. Redmond served as a member of the American Academy of Pediatrics, the Children's EyeCare Foundation, the Escambia County Medical Society, the Escambia County United Way Campaign and numerous other committees and organizations.

Respect emanates from his colleagues who say Dr. Redmond will forever be remembered as a caring physician who always put his patients first. In the eyes of the many people whose sight was restored due to his life-long dedication to "helping kids see," he was a true hero. Serving as a testament to the gratitude his colleagues, the medical profession, and the public have for him, Dr. Redmond was awarded the Florida Medical Association's highest award, the Certificate of Merit, for his outstanding service to the FMA. He also earned the American Medical Association Physician's Recognition Award from 1975 to 2000.

To some, Michael Redmond will be remembered as a community leader, and to others, as a dedicated doctor and hero. To his family, he will forever be remembered as a loving husband, father, and grandfather. Michael is survived by his wife Jane; his children, Anne, Sandra, and Terry; and granddaughter, Sarah.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the life of Dr. Michael Redmond for his service to Northwest Florida and to this great nation. My wife Vicki and I offer our prayers for his entire family. He will be truly missed by all.

A TRIBUTE TO MAX METCALF-PUTNAM

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Max Metcalf-Putnam for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance based achievement whose standards have been well-maintained over the years.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as

well as completing an Eagle Project to benefit the community. Max's project was to design and construct a series of wooden "trees" for the feline residents of the Fort Dodge Humane Society to facilitate more exercise and recreation while the cats await adoption. In his immediate future, Max will be attending Iowa State University this fall to major in physics and has already been accepted as a First-Year Honor Student.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Max and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on achieving an Eagle Scout ranking and will wish him continued success in his future education and career.

CELEBRATING THE 100TH ANNIVERSARY OF DEVIL'S LAKE STATE PARK

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. BALDWIN. Mr. Speaker, I rise today to celebrate the 100th anniversary of Devil's Lake State Park and the people of Wisconsin's commitment to the maintenance of our most visited state park.

Since 1911, Devil's Lake State Park has provided diverse recreation for countless spirited adventurers. From the dancing waters of the 374-acre lake filled with brown trout and northern pike to historic and sacred Effigy Mounds that are over 1,000 years old to the famed Devil's Doorway and Balanced Rock formations, this picturesque park encompasses nearly 10,000 acres. Those who trek to its highest points are treated to a breathtaking view of the valleys and bluffs that flank the park. For over a century, campers, hikers, bikers, swimmers, anglers, boaters, and many more have flocked to this pristine destination. It is no wonder why Devil's Lake State Park attracts so many visitors each year; to put it simply—to visit the park is to fall in love with it.

Although Devil's Lake State Park is celebrating its centennial this year, it has been a source of recreation and tourism for far longer. Beginning in the mid-1800s, the Devil's Lake area was surrounded by several hotels and resorts and even hosted Mrs. Mary Todd Lincoln and General Ulysses S. Grant during their visit. These establishments were serviced by a railroad that transported visitors often numbering in the thousands. As times changed and the automobile was introduced, the hotels faded into history and the park became more accessible as a day-trip destination. Finally, in 1911, the state designated the park as the third official Wisconsin State Park.

Of course, Devil's Lake State Park would not be what it is today without the dedication of many over the years. In the days of the Great Depression, it was the hardworking individuals of the Civilian Conservation Corps who built trails, removed invasive species, built a reservoir, acted as fireguards, and built var-

ious structures. Today, it is the tireless efforts of the Wisconsin Department of Natural Resources, The Friends of Devil's Lake State Park, and the myriad of other volunteers and supporters who ensure that the park is protected and preserved for centuries to come.

In 1919, official attendance records indicate that there were 100,000 visitors. Today, Devil's Lake State Park entertains approximately 1.8 million visitors per year and continues to serve as a recreational haven. As we look to the future, we see the possible addition of more campsites and land to the west and north and a unique opportunity to add some 4,000 acres from the decommissioned Badger Army Ammunition Plant (BAAP) to the south. Today, I join visitors from South Central Wisconsin, across our great nation, and across the world in celebrating the 100th anniversary of Devil's Lake State Park.

CELEBRATING THE LIFE OF BRIAN LANKER

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. DeFAZIO. Mr. Speaker, I rise today to celebrate the life and legacy of Pulitzer Prize-winning photojournalist Brian Lanker. Brian died on March 13th, ten days after being diagnosed with terminal pancreatic cancer.

Brian was a remarkable photographer. He was also a good friend. He began his career at the Topeka Capital-Journal in 1970—a paper nationally renowned for excellence in photojournalism. While at the paper, he shot a series on natural childbirth using the Lamaze method, which was not common at that time. The series culminated in a photo of Lynda (then Coburn) Lanker, Brian's future wife, giving birth to her son, Dustin. This ebullient photograph earned Brian the 1973 Pulitzer Prize.

Shortly after that achievement, Brian moved to Eugene, Oregon, to take a position as the director of graphics for the Register Guard. Under Brian's direction, photos became a significant part of the news story. He raised the paper's standard for photojournalism to new heights, and he was awarded two Newspaper Photographer of the Year awards for his effort. In a remembrance, Carl Davaz, the paper's then deputy managing editor, told David Dunlap that Brian always thought first about the reader when taking pictures, and used his talents to bring words-and-pictures together.

Brian became a freelance photographer after he left the Register Guard in 1982. He took breathtaking photographs for distinguished publications including LIFE Magazine, Sports Illustrated, and National Geographic. He was sought out for his photographic instincts and ability to capture single moments that told entire stories.

His proudest works, however, came when he collaborated with poet Maya Angelou on two books: "I Dream a World," his portraits of black women of achievement; and "Shall We Dance," a photographic documentary of dance in America. The debut showing for "I Dream a World" set attendance records at Corcoran Gallery of Art in Washington, DC. It is now in

its 14th printing, which made Brian particularly proud because it meant the stories of these distinguished women were being shared.

At the end of Mr. Dunlap's remembrance, he wrote about Carl Davaz' final visit with Brian. Brian simply told Carl, "There's just so much left to do."

Just before Brian died, two of his children, who had separately planned weddings for later in the year, chose to get married at Brian's bedside so he could share in their celebration. He died soon thereafter. Brian is survived by Lynda Lanker, a recognized artist in her own right, and their children Julie Coburn, Jacki Coburn, and Dustin Lanker.

For my part, I agree with you, Brian—there was just so much left for you to do. You are deeply missed.

HONORING THE LEADERSHIP
TRAINING INSTITUTE OF AMERICA

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. PAUL. Mr. Speaker, for the past 15 years, the Leadership Training Institute of America, LTIA, has helped teach young people about free markets, limited government, and traditional values. LTIA has trained hundreds of young people through their national conference in leadership excellence, critical thinking skills, worldview apologetics, network development and community involvement in a unique format that integrates a Biblical perspective.

The Leadership Training Institute of America's National Conference, held each summer in Washington, is available to a select number of students who have demonstrated a passion for leadership. I am pleased that 10 students from my congressional district have been selected to participate in these conferences. LTIA alumni take active roles in local government and civic groups in their communities.

Mr. Speaker, it is a pleasure to commend the Leadership Training Institute of America for producing conservative leadership that is actively involved in local, state and federal arenas, and for casting this vision to future generations. It has been said that "Today's youth are tomorrow's leaders." LTIA has embraced this philosophy and is investing its resources to secure a bright future for America through conservative leadership. I hope my colleagues will join me in honoring the Leadership Training Institute of America for their outstanding training of America's youth for the past 15 years.

PLANNED FLOTILLA TO GAZA

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. ISRAEL. Mr. Speaker, in May, Representative TOM COLE and I led 34 of our colleagues from the House of Representatives in sending a letter to the Prime Minister of Tur-

key, Recep Tayyip Erdoğan, urging his government to work to discourage the planned flotilla to Gaza. Earlier this month, the Turkish group IHH, one of the major organizers of the flotilla, announced that it was pulling out. This was a major victory, but other flotilla participants have opted to proceed with this provocative and unnecessary act.

The government of Israel has a right and a responsibility to protect the Israeli people. Recent events, such as the seizing of the *Victoria*, which was carrying more than 50 tons of weapons destined for Hamas militants, clearly demonstrate Israel's legitimate security concerns regarding cargo heading to Gaza.

The flotilla has nothing to do with providing aid to the people of Gaza. There are well-established avenues for getting humanitarian assistance to Gaza, but the flotilla participants' refusal to use those alternatives demonstrates that their true intention is to provoke Israel. I call on them to abandon their confrontational plans and work with Israel in allowing legitimate assistance, but not weapons, to enter Gaza.

A TRIBUTE TO JULIANA OSGOOD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Juliana Osgood for being named a state winner of the Library of Congress's Letters about Literature program.

Letters about Literature is a national reading and writing program that is sponsored by the Library of Congress. The program asks students to write to the past or present author of a book that affected their life. Nearly 70,000 young readers from across the country submitted letters last year to compete for the state-level awards for 2011.

A panel of judges that can include published authors, editors, publishers, librarians, teachers, and even state officials chose Juliana's letter as a state winner. Juliana wrote a letter to author Patricia MacLachlan to explain how MacLachlan's book, *Edward's Eyes*, affected her life. *Edward's Eyes* is a story of a family's love and loss that chronicles the difficulty of dealing with the painful moments in life. MacLachlan's acclaimed novel spoke to Juliana, and now Juliana's letter to MacLachlan has earned her recognition in her community as well as here in Washington.

Mr. Speaker, the example set by this young woman demonstrates the rewards of harnessing one's talents and sharing them with the world. Juliana's efforts embody the Iowa spirit and I am honored to represent her and her family in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating her for her achievement and will wish her continued success in her future education and career.

RETIREMENT OF REV. CESSAR L. SCOTT, SR. AS EXECUTIVE MINISTER OF THE BAPTIST GENERAL CONVENTION OF VIRGINIA

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor Rev. Cessar L. Scott, Sr., Executive Minister of the Baptist General Convention of Virginia. Rev. Scott is retiring this year after 33 years of service as Executive Minister, and I would like to take this moment to recognize some of his numerous accomplishments during that time.

A native of Portsmouth, Virginia, Rev. Scott received his undergraduate degree from Virginia Union University in 1966 and his divinity degree from VUU's Samuel Dewitt Proctor School of Theology in 1970. He also earned a master's degree from Virginia Commonwealth University.

Rev. Scott first became Executive Minister of the General Convention in 1978. Founded in 1899, The Baptist General Convention of Virginia is the mission organization network, representing over 1000 churches in the Commonwealth of Virginia. As the Executive Minister, Rev. Scott coordinates the day-to-day operation of the Convention, supervising its ministries and programs. These ministries offer conferences, workshops and retreats, and provide written resources on issues like Christian Education, Men's and Women's Health, and Youth Development.

Through his work at the Baptist General Convention, Rev. Scott has also supported many other state and national institutions including: the Children's Home of Virginia Baptists, Inc; Virginia One Church, One Child Adoption Program; the Chaplain's Prison Ministry; the United Negro College Fund; National Baptist Convention USA; the Progressive National Convention; and the Lott Carey Foreign Mission Convention.

Rev. Scott serves on many statewide and national boards including the Virginia Union University Board of Trustees, the Council for America's First Freedom, the Corporate Board of the Sunday School Publishing Board of the National Baptist Convention, USA, Inc., and the Executive Committee of the Lott Carey Baptist Foreign Mission Board.

Under the faithful leadership of Rev. Scott, the Virginia Baptist General Convention has continued its legacy as a strong, leading voice in matters of faith in the Commonwealth of Virginia. I would like to congratulate Rev. Cessar L. Scott, Sr. on the event of his retirement, and I commend him for his 33 years of service to the people of Virginia.

IN TRIBUTE TO JOE HOWRY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to Joe Howry, who is retiring as Editor and

Vice President of the Ventura County Star at month's end.

In my more than 30 years of public life, I have met a lot of journalists. It is fair to say that not all have gained my respect. But there is no journalist for whom I have more respect than Joe Howry.

Joe and I don't agree on everything. In fact, it's probably safe to say that we have many philosophical differences. But of all the journalists I have encountered over the decades, no one is more ethical, more objective or more professional than Joe Howry. He looks you straight in the eye, gives you a straight answer and tells you what he believes whether you like it or not. You know who he is and where he stands.

Joe's objectivity has led to a remarkable fact for an American newspaper. He has been with the Ventura County Star for more than 18 years and has been its Editor for the past seven years. During his tenure as Editor, to the best of my knowledge, at no time has he allowed an opinion to masquerade as news on the front page.

But Joe Howry's most important trait is that when Joe Howry gives you his word, Joe Howry gives you his bond. You walk away knowing it's stronger than the locks on Fort Knox.

Joe leaves The Star at a precarious time for the news media. It greatly concerns me that an important source of news and information is—if not disappearing—then greatly diminishing as Americans turn to Facebook, Twitter and blogs for their news.

I may be old-fashioned, but I like to pick up a newspaper and read it cover to cover, looking at where a story is placed to gauge the significance the editors place on an event. Except for a few stories that are highlighted on newspaper websites, such significance is mostly lost in the online world.

Joe Howry's voice will be greatly missed during this period of change.

My hope is that Joe, his wife, Andrea, and their children, Sarah, Joe Jr. and Lee, will continue to call Ventura County home—when Joe isn't fishing in Idaho, of course.

Mr. Speaker, I know my colleagues join me in thanking Joe Howry for his ethics, objectivity and professionalism and for being an example of what a journalist can and should be. I know they further join me in wishing him a long and healthy retirement surrounded by the love of his family and friends.

INTRODUCTION OF THE "OIL SPILL VICTIMS REDRESS ACT"

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. MARKEY. Mr. Speaker, more than one year after the Deepwater Horizon tragedy that ultimately led to more than 4 million barrels of oil spilling into the Gulf of Mexico, the Congress has yet to enact a single legislative reform to improve the safety of offshore drilling and protect the families of the Gulf region who had their livelihoods destroyed.

Today, I am reintroducing legislation with the gentlelady from Florida, Ms. CASTOR, and

the gentleman from Virginia, Mr. CONNOLLY that would help protect those Gulf Coast residents who saw their livelihoods impacted by the BP oil spill.

This legislation, the Oil Spill Victims Redress Act, would simply clarify that those who have suffered economic harm as a result of the spill can seek to pursue claims in state court from all of the companies involved. Some of the companies involved in the spill, including Haliburton and Cameron, have argued in court that the Oil Pollution Act preempts state law and, as a result, that state law claims brought by victims of the spill should be dismissed or removed to federal court. These companies have even argued that they should be exempt from all suits because they are not responsible parties as defined under the OPA.

The Oil Pollution Act already clearly provides for claims to be brought in state court and was not intended to preempt state law. The Act clearly states that "nothing in this Act . . . shall affect, or be construed or interpreted to affect or modify in any way the obligations or liabilities of any person under . . . State law, including common law."

However, in light of the legal arguments being made by the companies involved in this disaster in an attempt to limit their liability, we are introducing this legislation today that would further reaffirm the ability of citizens to seek compensation for the economic impacts of the spill in state court. We must not forget about the people of the Gulf who had their livelihoods devastated by the spill. This legislation will help protect everyone in the Gulf who has suffered economic harm as a result of the Deepwater Horizon disaster.

PUBLICATION OF THE RULES OF THE JOINT COMMITTEE ON PRINTING

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. HARPER. Mr. Speaker, pursuant to clause 1(b) of the Rules of the Joint Committee on Printing, I hereby submit the Rules of the Joint Committee on Printing for the 112th Congress, as adopted by the Joint Committee during its organizational meeting on June 22, 2011.

JOINT COMMITTEE ON PRINTING, 112TH CONGRESS

RULE 1.—COMMITTEE RULES

(a) The rules of the Senate and House insofar as they are applicable, shall govern the Committee.

(b) The Committee's rules shall be published in the Congressional Record as soon as possible following the Committee's organizational meeting in each odd-numbered year.

(c) Where these rules require a vote of the members of the Committee, polling of members either in writing or by telephone shall not be permitted to substitute for a vote taken at a Committee meeting, unless the ranking minority member assents to waiver of this requirement.

(d) Proposals for amending Committee rules shall be sent to all members at least one week before final action is taken thereon, unless the amendment is made by unanimous consent.

RULE 2.—REGULAR COMMITTEE MEETINGS

(a) The regular meeting date of the Committee shall be the second Wednesday of every month when the House and Senate are in session. A regularly scheduled meeting need not be held if there is no business to be considered and after appropriate notification is made to the ranking minority member. Additional meetings may be called by the Chairman, as he may deem necessary or at the request of the majority of the members of the Committee.

(b) If the Chairman of the Committee is not present at any meeting of the Committee, the vice-Chairman or ranking member of the majority party on the Committee who is present shall preside at the meeting.

RULE 3.—QUORUM

(a) Five members of the Committee shall constitute a quorum, which is required for the purpose of closing meetings, promulgating Committee orders or changing the rules of the Committee.

(b) Three members shall constitute a quorum for purposes of taking testimony and receiving evidence.

RULE 4.—PROXIES

(a) Written or telegraphic proxies of Committee members will be received and recorded on any vote taken by the Committee, except for the purpose of creating a quorum.

(b) Proxies will be allowed on any such votes for the purpose of recording a member's position on a question only when the absentee Committee member has been informed of the question and has affirmatively requested that he be recorded.

RULE 5.—OPEN AND CLOSED MEETINGS

(a) Each meeting for the transaction of business of the Committee shall be open to the public except when the Committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public. No such vote shall be required to close a meeting that relates solely to internal budget or personnel matters.

(b) No person other than members of the Committee, and such congressional staff and other representatives as they may authorize, shall be present in any business session that has been closed to the public.

RULE 6.—ALTERNATING CHAIRMANSHIP AND VICE CHAIRMANSHIP BY CONGRESSES

(a) The Chairmanship and vice Chairmanship of the Committee shall alternate between the House and the Senate by Congresses: The senior member of the minority party in the House of Congress opposite of that of the Chairman shall be the ranking minority member of the Committee.

(b) In the event the House and Senate are under different party control, the Chairman and vice Chairman shall represent the majority party in their respective Houses. When the Chairman and vice Chairman represent different parties, the vice Chairman shall also fulfill the responsibilities of the ranking minority member as prescribed by these rules.

RULE 7.—PARLIAMENTARY QUESTIONS

Questions as to the order of business and the procedures of Committee shall in the first instance be decided by the Chairman; subject always to an appeal to the Committee.

RULE 8.—HEARINGS: PUBLIC ANNOUNCEMENTS AND WITNESSES

(a) The Chairman, in the case of hearings to be conducted by the Committee, shall

make public announcement of the date, place and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman shall make such public announcement at the earliest possible date. The staff director of the Committee shall promptly notify the Daily Digest of the Congressional Record as soon as possible after such public announcement is made.

(b) So far as practicable, all witnesses appearing before the Committee shall file advance written statements of their proposed testimony at least 48 hours in advance of their appearance and their oral testimony shall be limited to brief summaries. Limited insertions or additional germane material will be received for the record, subject to the approval of the Chairman.

RULE 9.—OFFICIAL HEARING RECORD

(a) An accurate stenographic record shall be kept of all Committee proceedings and actions. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the Chairman.

(b) Each member of the Committee shall be provided with a copy of the hearing transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks. If any other person is authorized by a Committee Member to make his corrections, the staff director shall be so notified.

(c) Members who have received unanimous consent to submit written questions to witnesses shall be allowed two days within which to submit these to the staff director for transmission to the witnesses. The record may be held open for a period not to exceed two weeks awaiting the responses by witnesses.

(d) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee. Testimony received in closed hearings shall not be released or included in any report without the approval of the Committee.

RULE 10.—WITNESSES FOR COMMITTEE HEARINGS

(a) Selection of witnesses for Committee hearings shall be made by the Committee staff under the direction of the Chairman. A list of proposed witnesses shall be submitted to the members of the Committee for review sufficiently in advance of the hearings to permit suggestions by the Committee members to receive appropriate consideration.

(b) The Chairman shall provide adequate time for questioning of witnesses by all members, including minority Members and the rule of germaneness shall be enforced in all hearings notified.

(c) Whenever a hearing is conducted by the Committee upon any measure or matter, the minority on the Committee shall be entitled, upon unanimous request to the Chairman before the completion of such hearings, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

RULE 11.—CONFIDENTIAL INFORMATION FURNISHED TO THE COMMITTEE

The information contained in any books, papers or documents furnished to the Committee by any individual, partnership, corporation or other legal entity shall, upon the request of the individual, partnership, corporation or entity furnishing the same, be maintained in strict confidence by the mem-

bers and staff of the Committee, except that any such information may be released outside of executive session of the Committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation or entity in connection with any pending hearing or as a part of a duly authorized report of the Committee if such release is deemed essential to the performance of the functions of the Committee and is in the public interest.

RULE 12.—BROADCASTING OF COMMITTEE HEARINGS

The rule for broadcasting of Committee hearings shall be the same as Rule XI, clause 4, of the Rules of the House of Representatives.

RULE 13.—COMMITTEE REPORTS

(a) No Committee report shall be made public or transmitted to the Congress without the approval of a majority of the Committee except when Congress has adjourned: provided that any member of the Committee may make a report supplementary to or dissenting from the majority report. Such supplementary or dissenting reports should be as brief as possible.

(b) Factual reports by the Committee staff may be printed for distribution to Committee members and the public only upon authorization of the Chairman either with the approval of a majority of the Committee or with the consent of the ranking minority member.

RULE 14.—CONFIDENTIALITY OF COMMITTEE REPORTS

No summary of a Committee report, prediction of the contents of a report, or statement of conclusions concerning any investigation shall be made by a member of the Committee or by any staff member of the Committee prior to the issuance of a report of the Committee.

RULE 15.—COMMITTEE STAFF

(a) The Committee shall have a staff director, selected by the Chairman. The staff director shall be an employee of the House of Representatives or of the Senate.

(b) The Ranking Minority Member may designate an employee of the House of Representatives or of the Senate as the minority staff director.

(c) The staff director, under the general supervision of the Chairman, is authorized to deal directly with agencies of the Government and with non-Government groups and individuals on behalf of the Committee.

(d) The Chairman or staff director shall timely notify the Ranking Minority Member or the minority staff director of decisions made on behalf of the Committee.

RULE 16.—COMMITTEE CHAIRMAN

The Chairman of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Specifically, the Chairman is authorized, during the interim periods between meetings of the Committee, to act on all requests submitted by any executive department, independent agency, temporary or permanent commissions and committees of the Federal Government, the Government Printing Office and any other Federal entity, pursuant to the requirements of applicable Federal law and regulations.

INTRODUCTION OF THE ELECTRONIC DEVICE RECYCLING RESEARCH AND DEVELOPMENT ACT OF 2011

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. SARBANES. Mr. Speaker, I rise today to introduce the Electronic Device Recycling Research and Development Act of 2011. Electronic devices—computers, printers, cameras, mobile phones and other technology—comprise the fastest-growing share of our solid waste. These discarded electronic devices fill our landfills and leak toxic chemicals into our soil and groundwater. The most toxic components of these devices are exported in bulk to the developing world where they can be dumped without the safety measures imposed by U.S. environmental laws.

This so called E-waste also contains a high concentration of raw materials that can be reprocessed and reused by American manufacturers. The largest domestic supply of certain rare materials critical to the manufacture of electronic devices is found in many municipal landfills. Yet our patchwork system of state laws and regulations, coupled with inaction by the federal government, has acted as a deterrent to manufacturers looking to reclaim these raw materials—the vast majority of which are currently imported from China. This dependence on foreign raw materials by American manufacturers also reveals a major vulnerability to our industrial supply chain—exposing our domestic economy to the volatility of foreign commodities markets and the whims of foreign governments.

Additional research and development is required in recycling technologies so we can more efficiently sort and process materials. To make recycling easier, products should avoid environmentally sensitive materials and enable re-use or extended use of electronic devices. For consumers, we need to make it easier to recycle and re-use electronics.

The Electronic Device Recycling Research and Development Act seeks to address these critical challenges by:

Authorizing the Environmental Protection Agency, EPA, to award grants to reduce the environmental impact of discarded electronic devices and promote the recycling of these devices through research and development projects;

Requiring National Academy of Sciences to conduct a study on opportunities for and barriers to the recycling of discarded electronic devices; and

Authorizing EPA to award grants to colleges and universities for curriculum development in the areas of recycling electronic devices and enabling green design.

This legislation was introduced in the previous Congress by former Congressman Bart Gordon, the Chairman of the House Committee on Science, Space and Technology, and passed the House of Representatives by voice vote. It is my hope that this common-sense legislation will continue to receive strong bipartisan support. It has the strong backing of environmental advocacy groups

and industry, including Best Buy and the Electronics Takeback Coalition—a diverse coalition comprised of more than two dozen national and local environmental, public health and public interest organizations.

This is a green jobs bill. From auto parts to solar voltaic panels, the energy and resource-intensive manufacturing processes that drive our modern economy will benefit from expanded research and development focused on the lifecycle of electronic devices. By giving manufacturers the tools, training and resources to sustainably manufacture electronic devices, this legislation will create jobs, protect the environment and improve public health.

A TRIBUTE TO COLONEL DAVID SCHROEDER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate native Iowan Colonel David Schroeder of the United States Air Force on his illustrious 34 year military career that will be coming to a close later this year.

Colonel Schroeder began his military career in October of 1977 when he enlisted as a Staff Support Administrative Specialist at the rank of E-1. After three years he enlisted as an air traffic controller before earning his commission as an Officer Air Traffic Controller in 1987.

Colonel Schroeder has most recently been serving in the Office of the Secretary of Defense on the staff of the Deputy Assistant Secretary of Defense for European and NATO Policy as the Country Director for the Baltic nations of Estonia, Latvia, and Lithuania. The colonel was a driving force in garnering an agreement from these nations to increase their monetary support to the NATO Air Policing program to provide continued military defense of their national territorial skies.

Mr. Speaker, our country owes Colonel Schroeder a great debt of gratitude for his decades of service. Colonel Schroeder's unwavering commitment to serving his fellow Americans embodies the Iowa spirit and I know all of my colleagues in the United States House of Representatives will join me in wishing him a well deserved and fulfilling retirement. I wish him the best of luck in his future endeavors as he begins this new chapter in his life.

RECOGNIZING THE SERVICE AND RETIREMENT OF COLONEL KEITH LANDRY

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to honor COL Keith A. Landry, the Commander and District Engineer for the Louisville District Army Corps of Engineers. After nearly 2 years of serving in this post, Colonel Landry will be retiring on July 14, 2011.

Colonel Landry received his commission as a 2nd Lieutenant in the Corps of Engineers in 1985 after graduating from our shared alma mater, the United States Military Academy at West Point. He has since completed five overseas tours, including deployments with the 3rd Infantry Division during Operation Iraqi Freedom and two tours of duty teaching at the United States Military Academy.

During his tenure as the Commander for the Louisville District Army Corps of Engineers, Colonel Landry oversaw all military construction in Michigan, Illinois, Indiana, Ohio, Kentucky and Tennessee. His work has had a tremendous impact on the mission readiness capabilities and quality of life of soldiers and airmen across the nation.

Today, as we celebrate a distinguished career spanning 26 years, I am pleased Colonel Landry has decided to remain in the great Commonwealth of Kentucky and I am certain he will approach his future endeavors with the same level of excellence in service we have come to expect from him.

Mr. Speaker, I ask the House to join me in commending COL Keith Landry and in offering him our sincerest thanks for his incredible service to our country and the Commonwealth of Kentucky.

ELECTION ASSISTANCE COMMISSION

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. CASTOR of Florida. Mr. Speaker, I rise in strong opposition of any effort to eliminate the Election Assistance Commission. Elimination of the EAC appears to be part of the GOP's nationwide assault on voters' rights, and will exacerbate the current issues we face in federal elections. With a number of states adopting new voter Registration and ID laws that will restrict and suppress votes, this is the wrong time to eliminate an agency that seeks to avoid the problems we faced during the 2000 election in the state of Florida. The EAC is necessary in order to ensure the fairness and integrity of federal elections.

Now, more than ever, we need an agency like the EAC, so that we can ensure that our democracy functions freely and fairly. The EAC is an independent, bipartisan agency that carries out grant programs, provides for testing and certification of voting systems, studies election issues, and assists local and state election officials by issuing guidelines and other important information to help them comply with the Help America Vote Act (HAVA) requirements.

The EAC is composed of experts who are former state and local election officials and familiar with the challenges of election administration. The federal government should not eliminate the information gathering, information sharing and advisory role of the Election Assistance Commission. These functions have been crucial at improving federal elections, and should be strengthened rather than eliminated.

Like many other states around the country, the Florida legislature has moved in a dan-

gerous direction to curtail voter's rights, and we will need the EAC come 2012 when we see the sad consequences of restrictive voting laws. The new Florida law makes it difficult for those who recently moved between counties to cast their votes. The new law also limits voting accessibility by shortening the window for early voting from 14 days to 6 days. This will make it even more difficult for working Floridians and elderly voters, resulting in longer lines at the polls on Election Day. Lastly, the new law negatively impacts voter registration efforts in Florida by limiting the ability of third party groups to effectively register legitimate new voters. The EAC works with all of these issues, and if we eliminate it today, we will face serious challenges in the 2012 election as we seek to resolve the problems that may ultimately arise as a result of new election laws like we have in Florida.

This bill would transfer EAC duties to the FEC, which is already overburdened. The FEC says they need more resources to absorb the EAC's duties. Other costs would simply shift to already overburdened state governments. The FEC does not have the capability or the expertise to successfully administer the certification program that is currently implemented by the EAC.

The EAC creates national standards for improving accessibility for all Americans. Local and State officials still struggle to ensure accessible elections for all. For instance, a GAO report on the 2008 election said that there were significant problems for persons with disabilities in gaining access to the polls. Physical barriers remain in far too many cases. In fact, 31 states reported that ensuring polling place accessibility was "challenging." The EAC should be strengthened to ensure that we have in place strong standards that will improve the voting experience for all Americans. The EAC has already played a central role in improving the accessibility of voting for the country's more than 37 million voters with disabilities.

Furthermore, the EAC's certification program is helping state and local governments save money. The EAC uses its oversight role to coordinate with manufacturers and local election officials in order to ensure that the existing equipment meets its durability and longevity potential. This saves state and local governments from the unnecessary expense of new voting equipment.

Mr. Speaker, eliminating the EAC at this time would be a regrettable mistake. We need to take steps to safeguard our democratic process, and agencies like the EAC should be strengthened in order to protect Americans' right to vote.

PAYING TRIBUTE TO THE LIFE OF MR. DANIEL EDWARD WEBB

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. COSTA. Mr. Speaker, I rise today with my colleague, Mr. CARDOZA, to pay tribute and honor the life of Daniel Edward Webb, who passed away at the age of 49, on Sunday,

June 19, 2011. Dan and I had known each other for several decades and I greatly cherished our friendship. We say good bye to Dan as a brother, uncle, friend, avid forester and dedicated public servant.

Born in Mariposa, California, July 3, 1961, Dan was the fifth of eight children. He spent several summers in the Sierra Nevada in the Youth Conservation Corps which sparked a lifelong admiration for the outdoors. His affinity for the mountains seemed to have been born with him, and his passion never wavered, no matter how removed his environment. Dan went on to graduate from Kingsburg High School, and attended Reedley College, where he was both active in the Forestry Program and served as student body president. He subsequently earned a Bachelor of Science degree in Agriculture from Cal Poly San Luis Obispo. During this time, he continued to spend his summers in the mountains and eventually went to work for the United States Forest Service as a Park Ranger. Dan had many stories to tell about his time in the Forest Service, and I was fortunate to hear a great deal of them, including the time when he helped Jane Fonda find her way while on a hike in Kings Canyon National Park.

Dan also had strong political interests that were harmonious with his dedication to public service and the environment. At one point, he worked for Congressman Richard Lehman, serving the San Joaquin Valley in the areas of agriculture, water, and public safety. Afterwards, he came to work for me as my District Director, and then joined me in the California State Senate as a policy advisor to the Senate Agriculture and Water Committee. Following his time with me in the State Senate, Governor Gray Davis appointed Dan as his deputy secretary to the California Department of Food and Agriculture. Having successfully completed many years of public service, Dan used his knowledge and political skills to launch a successful consulting career, specializing in biotechnology and agricultural science.

Dan will best be remembered by those who knew him for his wit, humor, love of people, and his simple generosity. He gave of himself freely, whether it was in offering food to the homeless or helping a friend repair a water pipe, and for that selflessness, we honor him.

Dan was preceded in death by his mother Agnes, his father George Sr., and infant brother Andy. He is survived by siblings George Webb Jr. of Granite City, Illinois, Sheila Yokota of Kingsburg, Lisa Inouye of Kingsburg, Mark Webb of Leander, Texas, Colleen Webb of Ventura, and Byron Webb of Merced.

Mr. Speaker, it is with great humility, honor and respect that Mr. CARDOZA and I ask our colleagues in the House of Representatives to pay tribute to the life of Daniel Webb: a dedicated public servant, a forester, a brother, a friend—a great American.

A TRIBUTE TO MIKE GARRISON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATHAM. Mr. Speaker, I rise to recognize Mike Garrison for his 35 years of service

with the Lacona, Iowa Fire Department and subsequent retirement.

At a time when many small communities struggle to find the necessary volunteers, Mike has shown the leadership and commitment to bettering his community through public service. Mike was presented a plaque recognizing his service from the Lacona Fire Chief, Robert Dittmer, and a potluck dinner and ceremony was held for Mike.

I know that my colleagues in the United States Congress join me in commending Mike Garrison for his many years of loyalty and service in protecting the community of Lacona. It is an immense honor to represent Mike in Congress, and I wish all the best to him as he embarks on this next chapter in life.

EXPRESSING DISAPPOINTMENT WITH THE DEEP CUTS TO CON- SERVATION IN THE AGRICUL- TURAL APPROPRIATIONS BILL

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. KIND. Mr. Speaker, I rise today to express my disappointment in the deep cuts made to conservation programs in H.R. 2112, the Agricultural Appropriations Bill. I represent one of the most productive farming regions in the country, and these cuts will have lasting consequences in my district. As the father of two young children, I am extremely concerned about passing an undue financial burden on to future generations. It is clear to all that sacrifices must be made, but conservation programs that play a vital role in protecting our Nation's lands and waters must be protected, and should not be disproportionately undermined as they have been through the appropriations process.

Conservation programs have in recent years suffered a number of devastating financial blows, which will profoundly affect the ability of farmers to reach our stewardship goals. The 2008 Farm Bill as well as H.R. 1 in the 112th Congress included drastic cuts to flagship programs like CRP and WRP without proportionate cuts to Title I programs. This effectively puts the interests of large agribusiness in front of nutrition and conservation, rather than realizing the need for equal sacrifice by all stakeholders.

Increases in commodity prices have led to farmers feeling pressure to bring sensitive lands back into production, and that means it's going to affect wildlife habitat, highly erodible land with sediment and nutrient flows flowing off and contaminating our water and drinking supply. We are seeing already that CRP enrollment is dropping because farmers are choosing to take that land out of CRP and putting it back into production.

The real, measurable consequences of these actions will be felt in my district and across the country. Fishing, hunting and other types of outdoor recreation generate millions of jobs, primarily in rural counties. Managing farms, ranches and forest lands to create habitat for wildlife—and protecting farmland from sprawl—is critical to rural economic de-

velopment based upon hunting and fishing. It is estimated that one-third of America's river miles, 45 percent of America's lakes, and 44 percent of America's bays still fail to meet water quality standards. Conservation programs play an important role in alleviating these problems by reducing soil erosion and bolstering natural water filtration, and are in many ways the last defense against over-exploitation of land and water pollution.

In this bill, the Conservation Stewardship Program, which pays growers to farm more sustainably, is slated to be cut by 171 million dollars. This visionary program rewards past stewardship, but also incentivizes improvements that bring about additional environmental benefits. It is a shining example of the kind of programmatic innovation and forward thinking that should be rewarded by Congress, which makes this reduction in funding particularly disappointing.

Funds for The Wetland Reserve Program (WRP) are also being cut. This program has played a critical role in conserving our Nation's wetlands, and the environmental and economic benefits associated with them. The United States has already lost over half its native wetlands, and continues to lose these crucial habitats at an alarming rate. WRP provides an avenue for farmers to take wetlands, which are normally considered underproductive for farming anyway, out of production so that they may continue to provide habitat and ecosystem services.

Finally, the cuts to conservation programs will be damaging to agriculture and food security. Cutting funds to conservation will put millions of acres of farmland at risk to unplanned development.

I have made conserving our natural heritage one of the hallmarks of my work in Congress, and I cannot stand by and watch these cuts without making my voice heard. While I am concerned about passing on a financial burden to my children, I am also concerned about passing on an environmental burden. Cutting these programs will only cause problems for future generations.

NATIONAL HOMEOWNERSHIP MONTH

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. HINOJOSA. Mr. Speaker, I rise today in strong support of June 2011 National Homeownership Month.

The most current data show that of 130.7 million homes in the United States, 74.9 million serve as principal residences. Another 37.0 million homes are renter-occupied, and the remaining 18.8 million are either for sale, for rent, or for seasonal use.

Despite the recent economic decline, the people of the United States remain one of the best-housed populations in the world. Owning a home remains a fundamental part of the American dream and the largest personal investment many families will ever make. High homeownership rates help communities through higher property values, lower crime,

and higher civic participation. Homeownership promotes a more even distribution of income and wealth, and establishes greater individual financial security. It improves living conditions, which can lead to a healthier population.

Homeownership creates neighborhood stability since owners are more inclined to remain in the community for a longer period of time than renters. It has been proven to increase social and political involvement due to the concern about one's property value. Homeownership correlates with lower neighborhood crime. It fosters more responsible behavior among youths in the community, such as higher academic achievement and lower teen pregnancy rates, due to the monitoring mechanism put in place to maintain the attractiveness of a community. Economists have been able to establish that a correlation between homeownership and these positive neighborhood effects does exist.

Improving homeownership opportunities requires the commitment and cooperation of the private, public, and nonprofit sectors, including the Federal Government and State and local governments. It is of the utmost importance that we maintain the mortgage interest deduction and the 30-year fixed rate mortgage as their elimination would damage the availability and cost of mortgage capital for millions of Americans, especially while the housing market recovery remains fragile. The same can be said of the ill-conceived downpayment portion of the "Qualified Residential Mortgages" proposal.

As part of the financial reform legislation, we here in Congress designed a clear framework for improving the quality of mortgage lending and restoring private capital to the housing market. To discourage excessive risk taking, we required securitizers to retain five percent of the credit risk on loans packaged and sold as mortgage securities. However, because across-the-board risk retention would impose significant costs on responsible, creditworthy borrowers, we also created an exemption for "Qualified Residential Mortgages," defined to include mortgages with product features and sound underwriting standards that have been proven to reduce default. Rather than creating a system of penalties to discourage bad lending and incentives for appropriate lending, regulators have developed a rule that is too narrowly drawn. Of particular concern are the provisions of the proposal mandating high downpayments.

The principal barrier to homeownership is accumulating the money needed for downpayment and closing costs. It is estimated that it would take the average American family, living frugally and saving at the current national rate, nearly seven years to save for a 5 percent down payment on a \$200,000 home and more than 10 years to save for 10 percent down.

The regulators' proposal to require a 20 percent downpayment is tantamount to declaring war on homeownership. Only the elite in the United States would be able to afford such a downpayment. The supermajority of residents in Hidalgo County located in my district in Texas would not be able to meet the downpayment requirement, thereby depriving them of the American Dream. Hidalgo County is the second poorest county in the country. 89 percent of my constituents are Hispanic, the poor-

est of the poor, and tend to operate in a cash society. My constituents already have difficulty meeting current downpayment requirements, much less an even higher, ill-conceived 20 percent downpayment. It has been proven that once my poorest constituents actually own a home, they manage to make the monthly mortgage payments and turn a household into an actual "home."

The proposed qualified residential mortgage definition harms creditworthy borrowers while frustrating housing recovery. It violates congressional intent and makes homeownership more expensive for millions of responsible consumers.

At this time in history, given our economic and political climate, changes should not be made to the mortgage interest deduction, the 30 year fixed interest mortgage, or downpayment requirements that are pragmatic and beneficial to our constituents and our economy, especially while the housing market recovery remains fragile. They would reduce the availability and increase the cost of mortgage capital for millions of Americans.

President Obama has declared June 2011 as National Homeownership Month. It is my sincere hope that this Administration will do the right thing and leave time tested deductions, requirements, and downpayments alone.

I strongly support June 2011 as declare my steadfast opposition to the proposed qualified residential mortgages proposal, modifications to the mortgage interest deduction, and changes to the 30-year fixed interest mortgage.

IN CELEBRATION OF THE UNVEILING OF THE 2011 "BID ON CULTURE" WINNING BANNERS RECOGNIZING BLACK MUSIC MONTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. RANGEL. Mr. Speaker, I rise today to recognize the Artists whose designs were selected through the BID on Culture banner design competition. On Tuesday, June 21, the 125th Street Business Improvement District along with the Harlem Arts Alliance, Inc. and the Harlem Community Development Corporation, unveiled the 2011 "BID on Culture" winning banners in recognition of June Black Music Month.

BID on Culture is a new initiative developed through the partnership between the 125th Street Business Improvement District (125th BID), the Harlem Arts Alliance (HAA) and the Harlem Community Development Corporation (HCDC) to showcase and promote our rich unique heritage while bringing recognition to the many talented entertainers and venues throughout, as Harlem celebrates Black Music Month.

The "BID on Culture" Banners have added to the branding of 125th Street as the center of culture in Harlem, highlighting our community's diversity, history, and contributions to and throughout our Nation and the world. Currently, there are 36 new banners that are now flying on streetlight poles along the world-re-

nowned famed 125th Street corridor. Let me now recognize the six winning designs that were selected from 41 submissions in the 3rd Annual "Bid on Culture" banner design competition. Corine Campbell for Billie Holiday; Misha McGlown for Jimi Hendrix and Josephine Baker; Tomo Mori for Somos la Musica; Soyca Mphahlele for New Colors; and Hubert Williams for True Colours.

Harlem resident Artist, Corine Campbell says her creativity usually starts from a simple place like spotting a color combination that she wants to incorporate into a painting, expressing feelings with lines indescribable to words or finding attractive shapes to produce a portrait. She usually depicts women, while experimenting with different media, such as, paint, ink, pencils, yarn, fabric, and computer software. "It has been that way ever since I was a child drawing in my sketchbook in Harlem. Art allows me to escape somewhere fun while discovering numerous possibilities," Campbell said. Her design in the 2011 banner competition features legendary jazz vocalist Billie Holiday.

Detroit, Michigan Artist, Misha McGlown attended Wayne State University and Center for Creative Studies. Although she began painting professionally in 2006 and has since exhibited throughout the New York area, she is best known for her jewelry collection, under the Omo Misha brand. She was awarded her first solo exhibit by Columbia University in 2008 and on behalf of arHARLEM, she curated EVOLUTION: The Changing Face of Harlem—an exhibit, hosted by Columbia University, featuring the works of 25 Harlem artists. She is currently Curator-in-Residence for Harlem's Café One and has worked in programming and development for The Children's Art Carnival, and led residencies and youth workshops for numerous organizations in New York, New Jersey, and Pennsylvania. A multifaceted artist and visionary, Misha is a published author and creator of The Omo Misha Times—a webzine covering art, fashion, politics, fun and social awareness. She has been the recipient of artistic awards by the Lower Manhattan Cultural Council, the Puffin Foundation, and Harlem Arts Alliance. Her designs in the 2011 banner competition feature Josephine Baker and Jimi Hendrix.

Artist Tomo Mori was born in Shijonawate in the countryside of Osaka, Japan and later moved to Tokyo. There, she discovered a severe affliction with allergies that kept her house-bound, but allowed her to find a new freedom: art. At 15, she enrolled in the Tokyo Metropolitan High School for Music and Fine Arts and a year later traveled to California to study English. She returned to Japan, where her first large scale painting, "Scream," was exhibited at the prestigious Metropolitan Museum in Ueno. In 1991, she moved to Atlanta, and studied at the Atlanta College of Art. Tomo worked as a graphic designer for 16 years but last year, she decided to focus on her art. She has found her artistic home at Harlem where she says she thrives from the creative energy. Inspiration struck while she was taking a dance class in Mali. She realized that her life experience among different cultures combined with her boundless curiosity fuels the engine that makes her art original. Her focus on music/dance, process, and color

are the catalysts for her 2011 banner competition design submission of the vibrant dancers, *Somos la Musica*, which will find a stage along 125th Street.

Originally born in Zambia, Africa, Harlem resident Artist Soyca Mphahlele grew up in the Parkside Projects in the Bronx and went on to attend the Fiorello H. LaGuardia High School of Music and Art and Performing Arts and later graduated with a Bachelor of Fine Arts in Visual Communication from the Maryland Institute College of Art. He has lived, worked, and worshipped in Harlem since he was a child. Soyca says his work "represents the tone of the real New York and his enduring respect for the art of the streets." His 2011 banner competition design, *New Colors*, does just that.

Artist Hubert Williams was born in Fort Lauderdale, Florida, but moved to New York in 1964. A versatile photographer, filmmaker, and visual artist as well as a musician (organist) had his first encounter with a camera in 1976. He has since gone on to photograph his viewpoint of people, places, and structures as well as weddings, fashion events, opera, and jazz concerts. "I live to shoot," Williams says of his passion for photography through his vivid 2011 banner competition design submission *True Colours*.

In addition to the banner competition, BID ON CULTURE presents Black Music Month in Harlem featuring nearly 100 events at nine venues throughout the area. The month-long celebration features Jazz, Blues, Gospel, R&B, Classical, Caribbean, Salsa, Afro-Cuban, Funk, and Soul music performances as well as spoken word, art, and other entertainments. Known worldwide as the epicenter of Black culture, Harlem's contribution to American music and all the arts is legendary. Concerts include the Michael C. Lewis Jazz Experience at the Aloft; Nate Lucas Organ Trio, and Paul Mooney "Live In Harlem," at the Lenox Lounge; the Danny Mixon Trio at Showman's Jazz Café; the Oral Tradition of Gospel Music in Harlem at the Dwyer Cultural Center; the Ben Williams & Sound Effect at the Harlem Stage Gatehouse; and Karaoke & Martini Thursday at Sylvia's Also.

Bid on Culture is also a participant in Make Music New York, a live, free musical celebration across the city that takes place each June 21, the longest day of the year, where hundreds of public spaces throughout the five boroughs become impromptu stages for more than 1,000 free concerts.

The 125th Street BID is a non-profit organization funded primarily from an additional tax assessment collected from the property owners within the defined boundaries. Organized in compliance with State and city laws, the property and business and business owners determine the services and programs needed for the district. The BID will utilize the competition to bring visibility to its streetscape improvement efforts and to enliven the community's central business district. www.125thstreetbid.com.

The Harlem Arts Alliance (HAA) is a not-for-profit arts service organization committed to its mission of nurturing the artistic growth of artists and the organizational development of arts organizations based in Harlem and surrounding communities. Comprised of over 750

individual artists and arts organizations, HAA plays an essential role by helping to build the resources, network, and capacity of its richly diverse membership. Counted among its members are young emerging artists as well as established and internationally recognized artists. Also represented are small grassroots organizations and major cultural institutions in Harlem and beyond. In addition, HAA maintains strong partnerships with numerous arts organization and institutions throughout New York State, the region, and the nation to maintain vital collaborative efforts to promote the arts in communities (www.harlemaa.org).

Harlem Community Development Corporation ("Harlem CDC"), a New York State public benefit corporation, was created in 1995 to serve the greater Harlem community, including East Harlem, Central Harlem, West Harlem and Washington Heights, through planning and facilitating the development of a range of community development projects and revitalization initiatives and restore Upper Manhattan as an economically stable and culturally vibrant community. Harlem CDC targets the redevelopment of vacant or underutilized commercial and residential property and publicly-owned spaces (www.harlemcdc.org).

Mr. Speaker, I ask my colleagues to join with me in recognition of the 2011 "BID on Culture" Winning Banners and in celebration of Black Music Month.

A TRIBUTE TO BENJAMIN J. BUFFINGTON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Benjamin James Buffington for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance based achievement whose standards have been well-maintained over the years.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Benjamin's project was to work with other troop members to construct a three tier fence that will help develop an outdoor horse arena for Harmony Ranch in Clear Lake, Iowa. Harmony Ranch is a faith-based organization that provides therapeutic horseback riding ministry for individuals with disabilities. When the project was finished Benjamin's fence enclosed a 100 foot by 200 foot area to provide the much needed riding area.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. Benjamin's efforts embody the Iowa spirit and I am honored to represent him and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on achieving an Eagle Scout ranking and will wish him continued success in his future education and career.

CELEBRATION OF CARIBBEAN AMERICAN HERITAGE MONTH

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mrs. CHRISTENSEN. Mr. Speaker, as the month of June draws to a close, I rise to recognize the celebration of Caribbean American Heritage Month. The past, present and future of the Caribbean is closely associated with that of this country, as our islands exist between two great continents and are affected by the social, economic and political decisions that are made by our neighbors to the north and to the south. The Caribbean, and Caribbean Americans were there at the founding of this great country and continue to be a part of its evolution into the 21st century.

As it relates to the territory that I represent, the U.S. Virgin Islands, from the rum trade that helped to fund the American Revolution, to the first salute of the colors of the newly declared nation to being the place where the young Alexander Hamilton spent his formative years, our contributions to the American story are well documented. Less known, is that our territory was purchased from Denmark almost 100 years ago in conjunction with the building of the Panama Canal as a means to defend that and other American interests in the region. Also less known are the contributions of our citizens who left the islands to live in this great nation and to contribute as average citizens who are teachers, doctors, and businessmen, and as standouts in the Harlem Renaissance and the civil rights movement in this country. The Virgin Islands and the wider Caribbean have contributed and continue to contribute soldiers, historians, activists, legislators and yes, Members of Congress.

Mr. Speaker, this year, the Institute of Caribbean Studies led by the indomitable Dr. Claire Nelson has recognized Members of Congress of Caribbean American Heritage who served in the past and who serve now. In addition to myself, the Honorable BARBARA LEE, the Honorable SHEILA JACKSON LEE, the Honorable YVETTE CLARKE and the Honorable FREDERICA WILSON who proudly serve now, they also recognized former Members, the Honorable Mervyn Dymally and the late, great Shirley Chisholm. Caribbean American members continue to serve this country in every walk of life in entertainment, in law, in finance, in economic development. The countries in the Caribbean Basin continue to be friends and allies of our great nation. It is only fitting that Caribbean American Heritage be a relationship that is honored and recognized on an annual basis.

CONGRATULATING THE ST. CLAIR HIGH SCHOOL BASEBALL TEAM ON WINNING THE MICHIGAN DIVISION II STATE TITLE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mrs. MILLER of Michigan. Mr. Speaker, it is my distinct privilege to recognize a special

achievement recently accomplished by the St. Clair High School Saints Baseball Team. St. Clair capped off a remarkable and extremely memorable 2011 season by taking home the Michigan High School Athletic Association (MHSAA) Division II Team State Title! Forty-Eight years have passed since St. Clair won their last state high school championship which was in boys' gymnastics, so this was truly a time for celebration and jubilee. The St. Clair High School Baseball Team exhibited true-grit, determination and solidarity to reach the pinnacle of this historic season.

With "Skipper" Bill McElreath leading the charge, the Saints played strong fundamental baseball focusing on the basics: error-free defense, smart base-running and simply putting the ball in play. The Saints were able to keep the pressure on their opponents and force them to commit untimely mistakes which they were able to capitalize upon.

This was true in the state finals when the team scored two runs on wild pitches en route to a 4-1 victory over Grand Rapids Christian. The Saints consistently exhibited the intangibles like heart, discipline and a positive attitude. They were never afraid to get their gloves and jerseys dirty to make a play.

In addition, the Saints also compiled an impressive final record of 33 wins and only one 1 loss, with 31 wins coming straight in a row. I applaud the entire coaching staff for their efforts to prepare this team both mentally and physically for competition.

Here I think it is worth mentioning our hometown Detroit Tigers who are post-humously honoring former Manager Sparky Anderson by retiring his Number 11 jersey this season. I think Sparky put it best when he said, "Baseball is a simple game. If you have good players and if you keep them in the right frame of mind then the manager is a success." I am sure Coach McElreath would echo that same sentiment.

In commend the Saints for staying energized and hungry each time they crossed the white chalk to face-off against their opponents. This is an extremely difficult task, considering the various pressures and distractions high school student-athletes face on a daily basis.

Mr. Speaker, I wish to recognize the hard work and sacrifices displayed by all the members of the 2011 St. Clair High School Baseball Program. I congratulate the coaches, staff, teachers, parents, students and fans for their assistance in making this a season no one will ever forget.

Despite the hardships, set-backs and obstacles, the Saints showed they had the skills, will power and fortitude to rise to any challenge and accomplish their ultimate goal—a State Championship! Teamwork, perseverance and friendship all contributed to this title as well. I know the City of St. Clair, St. Clair County and the East China School District take great pride in what these young men were able to accomplish.

In closing Mr. Speaker, I share that same pride and express my personal congratulations and best wishes. All the accolades, awards and trophies won by this team are rightfully deserved. This baseball squad exceeded expectations and established a tradition of winning for future teams to follow. Way to go Saints!

RECOGNIZING HILLARY BERKOWITZ

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. MEEKS. Mr. Speaker, I rise to recognize a student of the Month from the Sixth Congressional District of New York.

Hillary Berkowitz is the valedictorian of the 2011 class of Benjamin Cardozo High School. She will be attending Barnard College in the fall. She challenged herself with the most rigorous of college preparatory courses that Benjamin Cardozo High School have to offer, and has attained a grade point average of 103.13.

In May 2010, Hillary was the proud recipient of the Queens College Presidential Excellence Award granted to the "best junior" in each Queens high school, and she is currently a 2011 National Merit Semifinalist. She is a dedicated member of the school and actively participates in school events. She is the treasurer for her leaders club, volunteers in tutoring other students, and always helps her teachers in whatever way she can.

Her college counselor has deemed her "Benjamin Cardozo High School's finest" and is an exceptional young woman. She has a great love for academia and the arts, and hopes that she can attend law school in the future. Her hard work and dedication to success have earned her the respect of her peers, her teachers, and the community. I know that she has a bright future ahead of her.

THE FASTER ACT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today I am introducing the Facilitating American Security Through Energy Resources Act—The FASTER Act. This legislation will require the Department of the Interior to increase and accelerate the approval of high-potential onshore oil and gas permits located on Federal lands.

The current Administration has delayed, canceled, and reduced domestic energy production. The proof is in the numbers: in 2008 there were over 2,400 new oil and natural gas leases issued on Bureau of Land Management land and 2.6 million acres leased for production, but in 2010 the number of new leases issued dropped to 1,308 and acres leased dropped to 1.3 million. In exchange for this massive reduction, Administrative officials only offer distant hope for renewable resources. This is extremely troubling.

My bill would require Department of the Interior officials to identify, in consultation with industry, leases that have the highest energy potential and expeditiously move them through the permitting process.

The Bureau of Land Management claims that it takes, on average, 206 days to process a drilling permit application, but in reality the actual waiting time for many businesses is

closer to two years. With the price of gas hovering around \$4 per gallon in this fragile economic recovery, the economic damage caused by that wait time is completely unacceptable.

Just this week the President acknowledged the energy crisis we are facing, and moved to open up the Strategic Petroleum Reserve. But this is the shortest of short term solutions, and will do nothing to address the structural problems facing our need to secure our national energy supply.

The combined recoverable oil, natural gas, and coal resources of the United States are the largest in the world, and much of it is on Federal land. Our country's abundant natural resources represent not just tens of trillions of dollars, but also millions of high-paying jobs.

I served two combat tours of duty in the Middle East with the Marine Corps and saw firsthand how volatile this region was then. It's even less stable now. We cannot afford to be dependent on these increasingly unstable nations for so much of our energy, particularly when we have such vast resources here at home. I urge my colleagues to join me in supporting this bill.

HONORING THE LIFE OF JESSE OTIS BEALL

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. MICA. Mr. Speaker, I rise today to honor and pay tribute to Jesse Otis Beall of DeBary, Florida who passed away on Thursday, June 16, 2011.

It was my honor and privilege to have known Jesse who, as the "unofficial" historian for the City of DeBary, has been involved in city events and organizations since moving there following his service in the Navy during World War II.

More than his service to our nation, we can never repay or adequately recognize the sacrifice Jesse, his wife, Arbutus, and his family made with the loss of their son and loved one, Charles Richard Beall.

Their son was killed while serving in Vietnam in 1968. It was my honor to help grant Jesse Beall's request to have our main transportation artery through DeBary, Florida named in his son Charles Richard Beall's name. I will never forget the day I stood with Jesse as work crews placed that sign honoring his son on that DeBary thoroughfare. Jesse was a patriot and an American Father who we will always remember and hold dearly in our hearts.

Jesse loved the outdoors and could often be found hunting, fishing or even wrangling alligators. But most of all, Jesse loved his adopted home of DeBary. As the town's historian, Mr. Beall often found himself the collector of all things DeBary. Members of the community would often transfer to him possessions or other items they found knowing that Mr. Beall would keep them for posterity sake. His collection continues a reminder of our area's past and proud history on which Jesse left an indelible mark.

Jesse is survived by his wife of 54 years, Arbutus; his son Roger; his daughter Rebecca

Genest; his brother Gene; five granddaughters; and one great-granddaughter. To them, we offer our deepest sympathy and condolences. Jesse also had a daughter, Rochelle, who passed away in 2003 and his son, Charles, who was killed while serving in the Vietnam War and for whom U.S. 17-92 in DeBary is named.

Mr. Speaker, it is my privilege to recognize Jesse Beall's contributions to our nation and the great State of Florida. I ask all Members of the U.S. House of Representatives of the 112th Congress to join me in remembering this great American.

A TRIBUTE TO THE ARCADIA HIGH SCHOOL BAND

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in honor of the Arcadia High School Band from Valley County, Nebraska. On May 26, 2011 the band visited Washington, D.C. for a special concert at the National World War II Memorial. Performing 12 patriotic anthems at the memorial, the talented group of students captured an audience from around the world who were visiting our nation's capital.

The Arcadia High School Band traces its roots back to 1930 when 17 students joined. Today, 77% of the student body plays in the band. Throughout the years, the band has regularly performed outside of the Arcadia community from Mount Rushmore, South Dakota to Grand Island, Nebraska. For 8 of the last 10 years the band received the highest rating at District Music Contests, including a standing ovation and superior ratings from all three judges.

Led by Mr. Randall Warner, the Arcadia High School Band exemplifies a long standing commitment to excellence in musical performance and high academic standards. The band makes their community and the State of Nebraska extremely proud.

I ask my colleagues to join me today in honoring the exceptional talent and dedication of the Arcadia High School Band.

TRIBUTE TO PIKEVILLE MEDICAL CENTER

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a world class hospital and the American Alliance of Healthcare Providers' 2010-2011 "Hospital of the Year," Pikeville Medical Center.

Each year, the American Alliance of Healthcare Providers selects a recipient of its hospital of the year award. This year, Pikeville Medical Center became the Nation's only repeat winner over hundreds of applicants from across the country. I am proud to report that

this top notch institution in the heart of Eastern Kentucky was judged to be the nation's most patient friendly hospital.

This distinguished honor truly reflects an unwavering commitment to world class treatment by every one of Pikeville Medical Center's over 2,000 employees and 250 physicians. The honor of being named "Hospital of the Year" for the second consecutive year is simply the latest example of the Pikeville Medical Center's stellar reputation among its peers and fellow medical professionals; in fact, the hospital has been named the #1 hospital to work for in Kentucky in Best Places To Work for three straight years, and has been nationally recognized for best practices and outstanding doctors by numerous organizations. Needless to say, the Pikeville Medical Center is clearly committed to their noble mission of being a "quality, regional health care in a Christian environment."

For 86 years, Pikeville Medical Center has served as a beacon of healing for the people of Pike County, Kentucky and the surrounding regions. Since its humble beginnings in 1924, the hospital has expanded numerous times to meet regional needs. Today, the Medical Center complex boasts many specialties and services such as its award winning cancer center, state-of-the-art Diagnostic Equipment, 4-D Echocardiograms, a cardiac rehabilitation center, a sleep studies laboratory, and a neonatal intensive care unit. The Pikeville Medical Center has also fashioned a teaching program that is second to none and will ensure that our talented young medical professionals will not have to leave Eastern Kentucky to learn and develop their skills.

Mr. Speaker, I ask my colleagues to join me in honoring a fine example of patient care and community wellness, the Pikeville Medical Center. I congratulate the Center on this latest achievement and wish the employees and hospital leadership many more years of success.

H.J. RES. 68 AND H.R. 2278

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. BLUMENAUER. Mr. Speaker, today the House considered two bills that focused on United States involvement in Libya. Both failed to adequately address our role in that country.

H.J. Res. 68 is the less objectionable of the two. I reluctantly supported this Resolution because it reaffirmed the United States limited participation in an international coalition to deal with the humanitarian crisis in Libya and bars all funds from being used to deploy, establish, or maintain a presence of Members of the Armed Services or private security contractors on the ground. It also sets a clear deadline for U.S. involvement there.

What I would have liked to see offered was the Resolution sponsored by Senators KERRY and MCCAIN. The Kerry/McCain Resolution goes further and clearly defines our interests and objectives in the region.

It makes clear that it is the sense of this Congress that we will support the Libyan peo-

ple and political reform in the country; it clearly defines our goal in Libya as the removal of Muammar Qaddafi and his family from power through the NATO mission outlined by U.N. Security Council Resolution 1973, which includes diplomatic and economic pressures; and that we must support the Libyan people transition to a representational democracy.

H.R. 2278 would prevent the Department of Defense from using any funds to support NATO in its mission to stop the slaughter of civilians by a dictator who has time and again made clear his disregard for the lives of innocents.

Of equal concern is the fact that H.R. 2278 sets an unfortunate precedent and undermines key global institutions by turning our backs to a unified call for intervention.

Preventing U.S. action would endanger the recent display of democratic aspirations by so many in the region and only emboldens the other despots of the world such as Syria, Iran, and Yemen, suggesting there are no consequences for murdering peaceful protesters.

As I have said from the start, I would support thoughtful legislation that acknowledges the U.S. has chosen to answer the cries of the innocent Libyan people, but makes clear that our commitment to their aspirations of self governance is not open-ended, and which clearly defines our goals and—more importantly—limits. That is why I voted for H.J. Res. 68 and look towards the Kerry/McCain Resolution to carry the day because it sets the right tone.

STATEMENT ON PRESIDENT OBAMA'S MAY 19 SPEECH ON U.S. POLICY IN THE MIDDLE EAST

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Ms. ESHOO. Mr. Speaker, I rise to address a very important issue which has generated much debate and misinformation in recent weeks. When President Obama articulated his vision for U.S. policy in the Middle East on May 19th at the State Department, he laid out an historic call to support the democratic aspirations of people living under decades of autocracy and tyranny.

President Obama also reaffirmed our commitment to finding a peaceful solution to the conflict between Israel and the Palestinians. He restated the need for a negotiated settlement, and he opposed the Palestinian attempt to unilaterally seek UN recognition of their statehood. He also called for a resolution of the disputed lands based on the "1967 lines with mutually agreed swaps."

President Obama's call to use the borders that existed before the Six Day War as a basis for future borders was also made by President George W. Bush and President Bill Clinton. This is an almost two-decade old U.S. position. This policy position is well understood as the mainstream position by every diplomat, pundit, and scholar familiar with this issue.

The position is shared by Israel's own Defense Minister, and by Israel's former Prime Minister. It is shared by Israel's Opposition

Leader, and it is shared by a majority of the Israeli public.

The issue of a negotiated peace settlement between Israelis and Palestinians is far too important to cede to those who criticize the President for their own political aims. We must emphasize the facts. Support for Israel as a secure Jewish democratic state is a bipartisan priority, and this Administration has done at least as much as any other to expand and improve our security cooperation and diplomatic ties with her.

I call on each of my colleagues to refrain from distorting or misrepresenting this issue, and to join together in support of a negotiated settlement that will bring peace and prosperity to a region riddled with conflict for far too long.

H.J. RES. 68 AND H.R. 2278

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. VAN HOLLEN. Mr. Speaker, I support limited U.S. involvement in NATO military operations in Libya because I believe it is the right thing to do. The Qaddafi Regime was threatening to show "no mercy" against the rebels and swore to go "door to door to hunt them down like rats." In concert with our NATO allies and the Arab League, the President decided to act to prevent a massacre. Failure to act would have also sent the wrong signal to other dictators trying to snuff out the Arab Awakening.

The president assured us that, in time, leadership of military operations would be handed over to NATO and that the U.S. would then assume a supportive role. True to that pledge, the U.S. now plays a non-combat, support role comprised primarily of intelligence gathering, logistics, surveillance and search and rescue. Three-quarters of sorties, including the majority of the strike sorties flown in Libya are being conducted by our coalition partners; all 20 of the ships enforcing the arms embargo of Libya are European and Canadian; and no American troops are on the ground.

It is for these reasons that I am supporting H.J. Res. 68, a resolution authorizing limited use of U.S. Armed Forces in support of the NATO mission in Libya and opposing H.R. 2278, a bill to defund all but a specified list of U.S. actions in support of the NATO effort.

H.J. Res. 68 authorizes for one year the continued supportive role the U.S. is already playing in Libya while expressing Congress' concurrence with the language in the UN Resolution forbidding the use of ground forces in the military action.

Conversely, I cannot support H.R. 2278, a bill to defund all operations other than search and rescue; intelligence gathering; aerial refueling; and operational planning. This bill threatens the mission and the safety of coalition forces.

Under the specific set of circumstances the president faced in Libya, I believe he made the right decision. To undermine the effort at this moment would be a serious mistake.

IN RECOGNITION OF MITCH
AVALON

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. GARAMENDI. Mr. Speaker, Representatives GEORGE MILLER, JERRY MCNERNEY and I rise today in honor of Mitch Avalon, who has served the Contra Costa County Public Works Department for the last 32 years. As his colleagues, friends, and family gather together to celebrate the next chapter of his life, we ask all of our colleagues to join us in saluting this outstanding public servant.

Mitch Avalon began his journey with the Contra Costa County Public Works Department in 1979 as a civil engineer, where his diligent hard work was recognized and he quickly assumed the title and duties of Deputy Public Works Director, a position which he has held to this day. In addition to his position with the Contra Costa County Public Works Department, Mr. Avalon has also served as the Deputy Chief Engineer for the Contra Costa County Flood Control & Water Conservation District, further demonstrating his commitment to public service.

While working for Contra Costa County, Mr. Avalon contributed to the creation of numerous county public works projects and programs, including the Capital Road Improvement Program, Clean Water Program, and the Contra Costa Watershed Forum. His work was instrumental in creating the annual Contra Costa County Watershed Symposium, which has become an incredible asset to the community. If not for his efforts, many of Contra Costa County's public works projects and programs would not have come to fruition.

Mitch Avalon's contributions have not only been an incredible asset to Contra Costa County but to the entire Bay Area. Mr. Avalon sits on the boards of directors for Friends of the San Francisco Estuary, California Central Valley Flood Control Association, and San Francisco Estuary Institute. In addition, he was the founding chair for the Bay Area Flood Protection Agencies Association.

In recognition of the integral role he has played in establishing sound public investment throughout the region, Mr. Avalon has been the recipient of many outstanding community awards over the years. In 2005 he was presented with the California State Association of Counties "Circle of Service Award" and in 2007 he was honored by the Contra Costa County Watershed Forum with the "Watershed Champion of the Year Award." His legacy will live on through the series of public works projects, programs and associations he helped create and the communities they serve.

The long-lasting benefits of Mitch Avalon's career accomplishments not only benefit our generation but will improve our communities for generations to come; they stand as a testament to what diligent work and true commitment to community can produce.

Mr. Speaker, we are truly honored to pay tribute to our friend and dedicated public servant Mitch Avalon. We ask our colleagues to join with us in thanking Mr. Avalon for his long and dedicated service to the citizens of Contra

Costa County and wishing him continued success in all his future endeavors along with a happy retirement.

RECOGNIZING BRITNI, A SENIOR
AT EXCELSIOR PREPARATORY
HIGH SCHOOL

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. MEEKS. Mr. Speaker, I rise to recognize a student of the Month from the Sixth Congressional District of New York.

Every month I seek to recognize students for their outstanding achievements and exceptional stride.

I am here to recognize a student who warmed my heart. Britni is a senior at Excelsior Preparatory High School and is set to graduate this month. She is a very determined young lady who has served as the manager of the soccer team, was involved in the school's talent show, and participated in other school events despite her unique needs.

Britni participated in the Upward Bound Program at Queens College, which focuses on improving academic achievement.

Britni has excelled academically, passed Regents Examinations in various subjects, received commendations for passing all her classes, and has gone above and beyond to overcome social and academic challenges.

Her family and friends have encouraged and motivated her to focus on her strengths and abilities. I am confident that she will be accepted into a college that will continue to support her academically and socially to ensure her success. Britni's Principal was extremely proud to recognize her hard work in school and the positive accomplishments that she continues to achieve. She is a great inspiration and a true example that if you work hard to achieve your goals, you can succeed.

IN RECOGNITION OF THE DR. EDWARD R. CULVERT'S BIRTHDAY
CELEBRATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mr. RANGEL. Mr. Speaker, I am honored to rise today to join the First Central Baptist Church of Harlem and the International Grand Lodge of Free and Accepted Masons to pay tribute and celebrate the birthday of my dear friend and ally, the Honorable Dr. Edward R. Culvert, Publisher of the Culvert Chronicles Community Newspaper.

Rev. Dr. Edward R. Culvert is a man who possesses great qualities. He is a writer, educator, and philosopher. He attended Texas Baptist University in Austin, Texas from 1950 to 1959 graduated cum Laude. Dr. Culvert obtained his Bachelor in Arts, Master in Arts, Masters of Divinity and Doctor of Divinity degrees.

Dr. Culvert has been a professor at the City University of New York for forty-four years. He

has served in many capacities including Special Assistant to the President of City College in regards my Empowerment Zone legislation and initiative, and was on the committee that helped form the Urban Legal Studies Program. He has held many positions throughout his career and lifetime, such as the Commissioner of Labor Relations from 1977 to 1983. During that time, He handled most of the labor problems, actions and strikes that occur throughout the State of New York, and was the first and only African American to hold that position.

In addition to working at City College, he also teaches Religion, Sociology, Criminal Justice, History and Philosophy at Herbert Lehman College; and is currently teaching African American Studies. He has dedicated his entire life advocating for African American Studies, particularly stressing the importance progressive education, which is not limited to the classrooms.

The Culvert Chronicles is the brainchild of Dr. Edward R. Culvert, who observed that the African American community needed a vehicle of free expression. The paper is bi-partisan and prints positive and informative news to all of the residents of the greater New York Metropolitan area. He is quick to point out that the paper does not deal with tabloid news.

"We report news that emphasizes education, social issues and relative information. There are no hidden agendas. People who are doing positive things need be heard. The Cul-

vert Chronicles gives a voice to the 'common folk' that make up this city."

The Reverend Dr. Culvert is a man of God who has devoted his time to teaching, not preaching, the word of God, directly from the Bible, to family, friends, members of the community and in the prison populations throughout New York State. His open door policy has prevented many youth from getting in trouble, and others to go back to school. Dr. Culvert always finds time to listen, give advice, or providing comfort to anyone in need. His compassion for people, especially the children and our youth has made him a renowned father figure and mentor for all. Reverend Dr. Culvert is the founder of the First Central Baptist Church of Harlem, where he currently serves as Pastor.

He is listed among Who's Who in American Education and was chosen as one of the top 5% of Educators in America. Dr. Culvert is also considered a "Jack of All Trades." Some of his greatest achievements throughout his life-time were playing basketball, football, soccer and running track. In addition to his many talents, you will find Reverend Culvert on any given Sunday playing various musical instruments in the church, and singing Solos when the spirit hits.

Mr. Speaker, please join me and a very grateful nation in wishing my friend and ally, Reverend Dr. Edward R. Culvert, a great American hero a hearty Congressional happy birthday.

HONORING THE PREUSS SCHOOL

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2011

Mrs. DAVIS of California. Mr. Speaker, the Preuss School—a high school in my district in San Diego—just earned top billing in Newsweek as a "Miracle School."

I couldn't agree more.

Nestled on the campus of UC San Diego, this model urban high school is where students from families who never went to college become ready to do exactly that.

Preuss's teachers rightly assume that if students have the tools and motivation, they will succeed.

And they do!

Every single senior in the Preuss class of 2011 will attend either college or community college. That's an amazing accomplishment!

I'd like to congratulate the students, teachers, tutors, and administrators at the Preuss School.

It's my hope that Preuss's achievements will inspire more miracle schools across our nation so its success will become the norm.

SENATE—Monday, June 27, 2011

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

High and Holy God, we extol and adore Your Name. Lord, You shower us with love and forgiveness, and You guide our footsteps through life's challenging seasons. Today we pray that You would bless America. Quicken the hearts of its citizens that they may labor to bring honor to You. Redeem this land from coarse secular prosperity, and build it up in an ethical and moral fitness that will bless the world. Use our Senators today as Your choice instruments. May they not lose the vision of the goals of righteousness and honor, of justice and understanding, of peace and good will.

We pray in Your matchless Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 27, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business, with Senators permitted to speak for up to 10 minutes each. Senator SANDERS will be recognized in morning business at 4 p.m. for up to 90 minutes. There will be no rollcall votes today. The first vote of this week will be tomorrow at noon on the confirmation of James Cole to be Deputy Attorney General. Also on Tuesday, the Senate will resume consideration of the Presidential Appointment Efficiency and Streamlining Act. We need to work out an agreement to complete action on that bill as soon as we can. Additionally, we hope to confirm David Petraeus to be Director of the CIA this week.

We have an idea of what we need to get done this week, but it is up to Members as to when we get it done. It is not magic that we finish here Thursday night. We should be able to finish, get all the work we need done, but if we do not, we will have to have this spill over until Friday. We have to finish the Presidential Appointment Efficiency and Streamlining Act. We need to do that. We have a number of nominations we have already agreed to that we have to vote on, and we have to do David Petraeus. There is no reason we can't get all of that done, but we need cooperation of Senators.

THE BUDGET

Mr. REID. Mr. President, last Thursday, Democrats sat down with the chief executives of three successful corporations. Their companies are responsible for the jobs and livelihoods of about 100,000 workers. One company makes medications that help Americans live longer, healthier lives. Another invests in entrepreneurship, giving inventors the capital they will need to bring their ideas to the production line. Another employs scientists and engineers to make more efficient the things we use every day, from jet engines to home thermostats.

These three CEOs understand what it takes to create jobs, so we asked them what Washington can do to help. This is what they told us. All Democratic Senators were there.

First, we must improve and reform our education system, from kindergarten through 12th grade, so we produce the skilled workers of tomorrow. Plus we need to train more scientists, engineers, and mathematicians so we do not risk falling behind China, India, and other global competitors.

All three of these executives—all of them—believe we must reform our im-

migration system to stay competitive. The brightest students from around the globe come to the United States to take advantage of our world-class universities. Unfortunately, our broken immigration system forces most of those students to go back to their home countries, where they compete with American companies. We should be keeping the best here, where they were educated, so they can build companies that employ U.S. workers.

Of course, we must simplify and streamline our broken tax system, lowering rates but eliminating loopholes so everyone pays his or her fair share, including corporations.

This is what three successful CEOs told us we should do to create jobs for American workers. I know these are big issues. They are complicated and politically divisive. We cannot tackle them all at once. But they are not the only solution. These three CEOs we met with last week said there are smaller, more manageable issues we can tackle right now. There are things we can do to help create jobs right now.

Mother Teresa urged us to "be faithful in small things because it is in them that your strength lies." Putting Americans back to work can and should start with the small things.

This is what these three successful CEOs told us we should do to spur hiring:

First, reauthorize a program that gives grants to the technology companies that are inventing new products, such as the electric toothbrush or body armor for soldiers, so these innovators can continue to grow and hire. That is what we tried to do with the small business innovation research legislation. The Republicans stopped it.

Second, they said we should modernize America's air travel system to make it safer and more efficient to fly American skies. That is what we tried to do when we reauthorized the Federal Aviation Administration, which is lost in the Republican-dominated House.

Third, we must reform our patent system and clear a 3-year backlog of applications. The next laptop computer or iPod could be in that pile, just waiting to be taken from the basement to the boardroom. That is what we tried to do with the America Invents Act. The House passed a version of our bill, but the person—for example, Senator COBURN—said he is going to stop this bill because it doesn't have the payment system that was a good idea. We all thought that here. We voted for this 95 to 5. But, again, it has been stopped by the Republicans; that is, our patent system.

That is 580,000 jobs just for patents and FAA, and there are tens of thousands of jobs with small business innovation. These are commonsense steps we can take today. Each would help put people to work across the country. That is not just what the Senate says, that is what business leaders say. Here is the catch. Congress has already taken up, as I indicated, all three of these measures. Not one has become law. Why? Republicans have killed or stalled all three of these important pieces of legislation—legislation business owners say they need to put more than ½ million Americans back to work.

Putting Americans back to work must be our most important debt-reduction strategy. Democrats know it is critical that we reduce the deficit and pay down the national debt, but we will never balance the budget with 14 million people out of work.

Democrats know how to balance budgets. Remember, when Democrats in Congress helped President Clinton balance the budget in 1998, unemployment was 4.5 percent. Now, unfortunately, it is twice that. That is why we must do two things at once: reduce the deficit and do whatever it takes to get American workers back doing what they need to do to bring in a paycheck. The business leaders we spoke with support this two-pronged approach. Democrats and Republicans do not have to look hard to find common ground; we only have to be willing to admit it when we see it.

I met with the President earlier today. We had a productive meeting. My Republican counterpart will meet with the President this afternoon. I hope my Republican colleagues will put the economy ahead of politics and join us to create jobs and set aside their desire to please the tea party and defeat President Obama. This is the way forward. Neither party should confront this crisis alone, and no one will be successful unless we confront it together.

We owe the country our commitment to do at least the small things. Again I repeat Mother Teresa when she said it is in them; that is, the small things, that our strength lies. And they, in turn, will inspire faith that the big things will follow.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE DEBT CEILING

Mr. MCCONNELL. Mr. President, a little later today, I will sit down with President Obama to discuss his request to raise the Nation's debt ceiling. When I do, I intend to make a request of my

own. I intend to ask the President what he is prepared to do, outside of raising taxes, about the massive deficits and debt that have accumulated on his watch. I will tell him what Republicans are looking for in this debate: to cut spending now, cap runaway spending in the future, save our entitlements from bankruptcy, and get our economy moving. I will tell him the truth about requests by some in his party that we increase spending and raise taxes as a way of solving the debt and jobs crisis that precipitated the President's request to raise the debt limit in the first place: Not only are they counterproductive from the standpoint of an economic recovery, they are also politically impossible since Republicans oppose tax hikes and Democrats have already shown they will not raise taxes in a down economy either.

Let's start by taking both proposals off the table and focus on what can actually pass Congress and what will actually spur the private sector in our future and create jobs. Those who are calling for tax hikes as a part of these debt discussions either have amnesia about the fate of similar proposals just 6 months ago when Democrats controlled both Chambers of Congress by very large margins, as well as the White House, or they are acting in bad faith since we all know that including massive job-killing tax hikes would be a poison pill.

Let's move past the tax hikes, talk about what is actually possible, and let's talk about what has and has not worked over the last 2 years. On this second point, this much is clear: If government spending were the answer to an economic slowdown, we would be in a boom time right now. Instead, we are facing record deficits and debt and a seemingly endless stream of bad economic news. Despite massive spending increases by Democrats, millions have lost their jobs.

The problem is that Washington spends too much. That means Democrats are simply going to have to make the kinds of tough choices about Washington's budget that most other Americans have been forced to make about their own budgets over the past couple of years.

Last week, President Obama told a group of people he was prepared to bring down the deficit by trillions of dollars but refused to list any of the ways he was willing to do it. All he did was list the things he refused to cut. This weekend, the President proposed even more deficit-financed spending disguised as what he calls investment. You really cannot have it both ways.

At some point, the President needs to realize that the reason our debt has skyrocketed 35 percent over the last 2 years and that our annual deficit is now three times greater than the highest deficit the previous administration ever ran is that spending has spiraled

completely and totally out of control and that the big-government policies of the last 2 years simply have to change. Consider the failed stimulus bill when Democrats passed it. They said it was a one-time cash infusion that was supposed to keep unemployment below 8 percent. Two years later, with unemployment still hovering around 9 percent, they are saying we need to keep up the stimulus-level spending, despite its obvious failure. Their commitment to spending and tax hikes is so deeply held, it seems they do not even recognize the state of our economy or the fact that the tax-and-spend policies of the past 2 years have made matters worse, and they have to change if they are ever going to get out of the fiscal mess we are in.

Democrats seem to think the solution to our tax crisis is to ask taxpayers and businesses to reward their economic stewardship with even more money to spend as they please. They don't seem to understand that the voters didn't elect dozens of additional Republicans to the House of Representatives last November because they wanted their taxes raised. They sent them to reverse policies that had failed. We have seen the consequences of giving Washington a blank check. It is the reason we are in the mess to begin with.

So my message to the President is quite simple. It is time for Washington to focus on fixing itself. It is time for Washington to take the hit, not the taxpayers.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in morning business until 6 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FISCAL POLICY

Mr. BOOZMAN. Mr. President, nearly every day we see scenes playing out in countries around the world where their

financial security is in ruins. This is the last thing we want to experience in our great country, and that is why we need to reform our fiscal policy and the way we have done business. There is too much at stake not to take action.

The International Monetary Fund urged us to address our soaring budget deficits, and credit rating agencies Moody's and S&P may be forced to downgrade our government's AAA rating.

So what is the majority doing to address this fiscal crisis? Absolutely nothing. It has been nearly 790 days without the majority in this Chamber proposing a budget, and it appears the majority isn't anxious to work on one. The majority-led Budget Committee has failed to meet this year to begin working on a resolution. We can't even have an open debate in this Chamber about the budget. Instead of voting to start the debate on budget measures last month, the majority squashed all proposals, including the President's own plan. This is failure to govern at the most basic level and the American people deserve better. We need a budget that puts us on the path to fiscal discipline.

Every week we hear warnings of why this must be done. Last week the Congressional Budget Office issued the starkest warning yet of the danger posed by our spending problems. Our Nation's debt will exceed the size of the U.S. economy by 2021 and will double the size of our Nation's GDP within 25 years. This is not the way I want to leave this country for my kids, my grandkids, and the people of Arkansas.

In his State of the Union Address, President Obama pushed for a conversation that will put us on the path to fiscal responsibility but, so far, he has been absent from the discussions. Only today, 36 days before the deadline given by Secretary Geithner to raise the legal limit on Federal borrowing, is he beginning to take leadership in negotiating for spending limitations.

Our debt is slowing the economic recovery. The simple truth is higher debt leads to slower economic growth. We have seen this with the failed stimulus, but in the past week the Senate-led majority is once again proposing this flawed strategy. This failed policy of borrowing, spending, and taxing is just what the CBO is warning us to avoid. It hasn't worked in the past and it won't work in the future.

What we need are debt reduction measures in the form of spending cuts. The CBO's last report shows that spending is the primary cause of our fiscal crisis and supports spending cuts rather than tax increases to reverse this trend. I urge President Obama to take tax hikes off the table. Let's get to work reining in the reckless spending and putting our Nation back on a fiscally responsible path.

If American families ran their household budgets the way Washington runs

its budget, the utilities would be shut off and the collection agencies would be knocking on their doors. The American people are now knocking on the doors of the Capitol demanding the government limit its spending.

We must rein in our spending to protect programs such as Medicare, Medicaid, and Social Security for current recipients and for future generations. In order to achieve this, we must reform the manner in which we budget and allocate Federal dollars. We need a mechanism to cap spending and force the government to spend within its means.

We must act now to move our country off the brink of financial collapse, and we must make tough decisions because that is what the American people deserve and expect of us.

Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KYL. Mr. President, I ask unanimous consent that I may speak for up to a half an hour in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE DEBT CRISIS

Mr. KYL. Mr. President, last week, three events conjoined to elevate the subject of the U.S. debt crisis in this country and should energize us in the Senate and our colleagues in the House to redouble our efforts to find a solution to this serious problem.

I wish to briefly mention those three events and then talk about the problem from my perspective, some of the potential solutions, and put an item in the CONGRESSIONAL RECORD for my colleagues' review.

The first of what occurred was a new report by the Congressional Budget Office which was a new projection about U.S. debt as a percentage of our economy. One of the things they said was that our debt could almost double by the year 2035—far larger than they thought it would be as a percent of our economy or the GDP—and they said it is going to exceed 100 percent by the year 2021. Actually, it could get to that point sooner than that. It is approaching 100 percent right now. Greece is a little bit over 100 percent. Countries that get to that 100-percent level of public debt as a percent of GDP have a very hard time ever recovering. As a result, the time is now for the U.S. Government to act on our huge and growing debt.

Secondly, we had reports by the Labor Department, the Commerce Department, and others that confirm what we already know about the state of our economy and the state of joblessness in this country.

Applications for unemployment benefits rose. It was the biggest jump in a month. We are over 9 percent unemployment now. New home sales fell in May. The values of our homes in this country have decreased more than they did during the Great Depression. That has been a horrible factor for millions of American families. Stocks fell last week. The Federal Reserve Board lowered its outlook for growth, which in the last quarter was less than 2 percent—it was 1.9 percent—and this is unacceptable. It is much lower than ordinarily recovery is coming out of a recession. Confidence is slipping among small businesses and households. There are higher gas prices, higher food prices.

All of this simply confirms what most of us have heard from our constituencies; namely, this recovery is not much of a recovery and we need to do everything we can to try to improve it.

Third, of course, is the news that negotiations with the White House over extending the debt ceiling had broken down. Actually, as a member of the group negotiating that, I would not say they had broken down. I think the Vice President is correct that they have moved on to a new phase; namely, the phase where the President himself, the Speaker of the House, and the two leaders here in the Senate are going to have to try to resolve some of the largest issues—the kinds of issues that the negotiators in the so-called Biden talks were simply not able to resolve because it would go against instructions from our principals.

The primary problem there was the insistence by the Democratic negotiators that Republicans agree to tax hikes—something which we think would be inimical to economic growth, the very problem of the slow recovery in the economy would be exacerbated by, if we were to increase our tax rates. You do not add new taxes to an already struggling economy. So the White House's insistence that had to be a condition to approving the reductions in spending we had been talking about made it impossible for us to go forward at that time.

There is an old saying that there is a difference between a pessimist and an optimist. I usually think of myself as optimistic. The saying is: The pessimist says things are so bad they can't get any worse. The optimist says, sure they can. And they could. If the Congressional Budget Office is correct about its projections here, we could be in a far worse debt situation tomorrow or the year after that than we are today—a situation which would make

it extremely difficult for us to ever recover and essentially relegate our children and our grandchildren to a standard of living far below that which we have all been accustomed to, and which they deserve.

Looking at some of the other factors that should frame the problem for us, we have over a \$14 trillion debt—and growing every day. We are going to need \$2.4 trillion in increased debt ceiling authority to get us through the end of next year. You cannot tax your way out of it. You cannot borrow your way out of it.

We have to reduce the level of spending, which is now approaching 25 percent of our gross domestic product. The average is around 20 percent, and that is where we were before President Obama took office. We have to borrow now 40 cents of every \$1 we spend. So when we talk about spending more money in a new stimulus package—another new idea to come out of the Democratic Congress last week—we are talking about having to borrow 40 cents of all of that money that would be spent. Think of it now: For every program we have here at the Federal Government level, we have to borrow more than 40 cents of the money we are then going to spend. That takes money out of the private sector that is needed to produce jobs and provide for investment in the private sector.

I mentioned before unemployment is over 9 percent now and according to the CBO projection is not going to go down by very much over the course of the next year, if at all.

So what is the solution? A lot of our Democratic friends have said we need to have a new stimulus program, we need to spend even more, notwithstanding we do not have the money, and we should be raising taxes. As I mentioned, that is the reason why we terminated the discussion with Vice President BIDEN last week, because of the insistence on the part of our Democratic colleagues that the only way they were willing to move forward was if we committed to raising taxes, and I mean by a substantial amount. There was \$400 billion in revenue raisers on the table, put there by our Democratic colleagues. That simply will not pass the House of Representatives. But, more importantly, it would be the worst medicine possible for an ailing economy.

We cannot afford more spending. Even if we could, it would not put Americans back to work. Jobs are created by private businesses, and the more the government taxes or borrows, the less there is available for businesses to invest and hire. So the answer here is less government spending, not more taxation and more borrowing.

We put forth a budget. The Republicans passed it in the House of Representatives. We voted on it here in the Senate, and it did not pass because

Democrats in the Senate would not support it. But it is a legitimate effort to allow job creation, economic recovery, and eventually get our budget balanced at the Federal Government level back here in Washington.

People have said it is a radical budget. It is not. Even under the so-called Ryan budget, we would go another \$5 trillion in debt. You cannot call that radically slashing spending if over the next 10 years we add another \$5 trillion to our national debt. That shows you how hard it is to reduce spending. People say: Well, you can't cut this program, you can't cut that program. You cut them in a way that still adds \$5 trillion in debt over 10 years, and they say it is radical, you are slashing spending.

The Obama budget, by contrast, would add \$12 trillion in debt. So both of them would add to our debt. But at least under the Ryan budget that was passed by the House of Representatives, over time we would get back into balance. In fact, it would be in primary balance by the year 2014, meaning except for interest payments it would be a balanced budget, and we would reduce Federal spending from 25 percent of our economy back down to a little over 20 percent, which is the historic average. Excuse me, it would be a little under 20 percent, which would be close to our historic average of spending as a percent of the gross domestic product.

One of the best ways for us to ensure we are in balance is to adopt a balanced budget amendment to the Constitution. All 47 Senate Republicans have cosponsored the balanced budget amendment. It is carefully written so that even though it requires balance in the budget, it does not easily allow Congress to raise taxes as a way of achieving balance. That would require a two-thirds vote. It also contains a very important spending limitation as a percent of the gross domestic product. So we would achieve balance, but we would achieve balance by reducing our appetite for Washington spending here and, as a result, could achieve the kind of balance that would promote economic growth.

You could spend more money if we had more economic growth because spending would be tied to the gross domestic product. So it is a perfect solution for Republicans and Democrats alike. If you like to spend more money, there is a perfectly good way to get to spend more money: Do that which would enhance the recovery of our economy—because the bigger our economy got, the higher the percentage of money Washington could spend. The incentives are aligned properly. We propose to promote economic growth. So this balanced budget amendment would accomplish that. For those who like to spend money, the more growth, the more money you would get to spend.

We hope that balanced budget amendment will come to the Senate floor in the next week or two or three. We certainly look forward to the opportunity to debate it and getting a vote on it.

But when you look at the alternative that has been proposed by a lot of our colleagues on the other side—a new stimulus program and increased taxes—you have to wonder: How serious are they about actually helping our economy recover? Everything so far that the other side has tried under the leadership of the President has failed to work. In fact, it has actually made things worse.

We are all familiar with the stimulus that did not help, did not bring unemployment down as the President promised. It made things worse. That is why I have this chart here in the Chamber that shows the Obama economic record has not made things better. It has made things worse.

Look at a few of the things that are afflicting our economy today, the indicia of what is wrong. You start with the Inauguration Day for President Obama, where we are today, and what the change has been.

If you look at unemployment, unemployment has gone up by 1.9 million Americans. The unemployment rate has gone up 17 percent since the President took office. This is not like the situation where he said: Well, I inherited a bad economy, but I am gradually making it better. He is making it worse.

Gas prices have gone up 101 percent under President Obama. He will not approve the leases that would allow our oil companies to explore for more oil and gas, thus bringing the prices down.

The Federal debt has gone up 35 percent since the President took office.

The debt per person has increased by \$11,311. It has gone up from \$34,000 to over \$46,000. That is the debt each one of us has.

So it has increased that much in just 1 year. By the way, health insurance premiums have gone up 19 percent, notwithstanding the passage of the so-called ObamaCare.

Getting back to this matter of debt, just to put it in perspective, if we took all of the Presidents of the United States from George Washington all the way through the Presidency of George W. Bush, if we took all of those Presidents and added up all of the debt—the debt from the Civil War, the debt from World War I, World War II, Vietnam, all of the debt that all of the Presidents of the United States accumulated—in one budget, President Obama will double that debt.

Each one of the years he has been President we have had a deficit of over \$1 trillion, closer to \$1.5 trillion. So at the end of 5 years, he will have doubled the debt. At the end of 10 years, he will have tripled the debt that all of the

other Presidents of the United States combined accumulated. Now, I say the Presidents. Obviously, it takes a Congress to do this as well.

What the Members of the House of Representatives are saying to the Obama budget is, no. Even the President decided not to pursue his budget. When that was offered on the Senate floor, not a single Member of the Senate, Democrat or Republican, voted for the Obama budget because it takes us in the wrong direction. It would make things even worse than they are today.

At least with the Republican budget we have an effort to begin to solve the problem, even though a lot of people say it is not enough in the way of cuts, and they have proposed alternatives to reduce spending even more. I am all for reducing spending even more. The bottom line is, however, we have to get something passed. That is going to take Democrats and Republicans working together. So I am happy to work with my colleagues on the other side of the aisle, but we have to have some cooperation to reduce spending and not insist on tax increases.

What we have said as a part of these negotiations to increase the budget deficit is, some of us might be willing to increase the debt ceiling if we do not have to keep doing it. We need reforms that will enable us to not have to keep raising the debt ceiling, or at least not so much. The way we achieve those reforms is, first of all, to identify savings that can be made. There is an enormous amount of wasteful Washington spending. We have identified it is closer to \$500 billion. The Vice President has said more than \$1 trillion. The money is certainly out there to be saved. We need to save that kind of money on the front end as a downpayment to let the markets know and to let the American people know we are serious. That is savings that we can pass that can be locked in.

By the way, there is a little bit of revenues involved in that. It is not just all savings. There are some fee increases. There are user fees. There are some means testing of various Federal programs that can actually result in some increased revenue.

So when our Democratic friends say, well, there has to be revenue on the table, there is revenue on the table, but it is not tax increases. So if you are so ideological that you have to insist on tax increases in order to cut spending, unfortunately, you have taken yourself out of the game.

The bottom line is, there is somewhere between at least \$500 billion and \$1 trillion, probably more, in various kinds of mandatory savings that we could achieve. Then we have discretionary spending. We need to set a budget number since the Senate has not passed a budget in over 700 days now—I forget the exact number. We have not had a budget, so we do not

have a number that the Appropriations Committee can deal with to appropriate funds for the discretionary part of our spending in this country.

We need to set that number. The Ryan budget set that number, and we were negotiating with the White House as to what that number would be. But we need to set that number. Then we need to make sure in the ensuing years Congress will actually live with that number. The tendency around here has been to set a budget number, then we have an emergency here, and we need to waive it there. The next thing we know, we are way over the number that we all agreed to in the beginning.

So we need something that will constrain both discretionary and mandatory spending over the course of the next 10 years and, hopefully, beyond. A lot of us believe the best constraint is the balanced budget amendment. But for colleagues who say: No, we are never going to agree to that—and, of course, we would have to get 20 colleagues in the Senate to agree in order pass it; it takes a two-thirds majority—then at least agree with us to put handcuffs on the Congress and the President, some kind of straitjacket so we do not spend beyond the number we agree on for next year and the year after that.

We can save well over \$1 trillion, somewhere between \$1 trillion and even more than \$1.5 trillion in discretionary spending over the next 10 years if we would agree to these so-called section 302(a) top-line budget numbers, and then constrain ourselves to sticking with those numbers over time.

The reason? It is kind of like compound interest. Let's say we reduce spending in next year's budget by \$30 billion over the previous year. That is not a huge amount of money. But over a course of 10 years, when we set a new baseline, that translates into hundreds of billions of dollars if we really do it.

The bipartisan Congressional Budget Office says: We are not sure we want to score that as real savings because we are not sure you will really do it. But if we are able to pass some kind of constraint—such as the old Gramm-Rudman bill, for example—then I think the Congressional Budget Office will give us some credit for those constraints.

The best proposal I have seen is one proposed by Senator CORKER and Senator MCCASKILL. It is bipartisan, a Republican and a Democrat, and they have Republican and Democrat cosponsors for the same proposal in the House of Representatives. It is called the CAP Act, to cap spending. So once the level is determined—they do it as a percentage of GDP.

I think that is the smartest way because that is an incentive for everybody to help the economy grow more. The more it grows, then the more, as a percentage, the spending can be. Over 10 years, we save a lot of money that

way. It is enforced by the simple mechanism that if we do not achieve the savings that is called for, then there is an automatic sequester where all of the accounts of the government—defense spending, nondefense spending, mandatory spending—would all have to save a little bit. They would not be able to spend quite as much money so that we could make up the difference between the target or the goal and what the law called for.

There are other ways to do it as well. We were discussing different alternatives in the conversations with Vice President BIDEN. But the point is, we cannot allow waivers. We cannot have exemptions and emergencies and all of that—at least not without a supermajority vote, such as a three-fourths vote or a two-thirds vote—or else it is going to be too easy for Congress to do what it has done in the past, which is to simply say: This is too uncomfortable for us to comply with. We are going to declare this an emergency, vote for it by a majority vote, and then it is done.

If we mean it, we would have to be willing to abide by it. So we have to have a meaningful downpayment. We can do that. We have already identified substantial savings. We need to have a 302(a) budget number for at least the next couple of years and a mechanism for enforcing that over the next decade and beyond.

Finally, we need to have a way to help the markets actually believe we are serious about entitlement reforms so the biggest part of our budget—representing two-thirds of all of the money we spend; namely, the entitlements—is actually beginning to grow at a slower pace.

We are not talking about drastic cuts, but we are talking about slowing the pace of growth. We can do that without having huge benefit cuts or without slashing payments to the providers. I mean, the last thing we want to do for Medicare—for example, I am concerned about my mother. We can use any of our mothers or dads or grandparents on Medicare. The last thing we want to do is say we have a great Medicare Program except for one thing: there is no doctor or hospital to take care of people because they will not because we are not paying them enough. So we need to be able to pay the people we rely upon for the medical treatment we have promised. We cannot do that by slashing payments to providers. Too many physicians have already said they cannot afford this program anymore and therefore are not going to take any more new Medicare patients—we have all had that experience—nor should we do it by slashing benefits. But we do not have to do either of those two things to have reforms.

I mentioned in these negotiations we have been discussing a lot of waste,

fraud, and abuse-type reforms. Those of us in the Senate and the House kind of smiled because we always talk about the amount of money that can be saved because of the amount of waste, fraud, and abuse in the system. But the reality is, there is a lot of waste, fraud, and abuse and we can save a lot of money if we put our minds to it.

But what that means is, for example, we have to enforce the law. I will pick a hypothetical program because we are not going to be talking about the specifics with our negotiations. I am assuming we will get back to those negotiations at some point.

But we have eligibility standards to receive a certain Federal benefit, let's say. But 20 percent of the benefits that are being paid out are being paid out erroneously to people who do not qualify. They are not supposed to get the benefit. So we have to enforce the law.

We say: Sorry, you do not qualify for this benefit. This is a benefit for the elderly or this is a benefit for poorer Americans or for whatever. If we just enforce the law, we can save a lot of money, and that is not cutting benefits for anyone.

We can also do means testing. Republicans, for years, have said—well, I will use a couple of names because they both said we do not need the benefits of all of these Medicare Programs. People such as Warren Buffett, for example, have made it clear, and Bill Gates. They have both made it clear they do not need to have the government take care of their medical requirements when they are age 65 or older.

There are a lot of Americans who are in the position to be able to afford a lot more of their own care, and they do not have to rely exclusively on the Federal Government. So through means testing we can either provide that their benefits will not be as generous as for people who are less fortunate economically or that they will pay a little bit more in the way of a copay or a deductible or maybe even a premium.

The bottom line, there are ways to ensure the future success of a program such as Medicare without affecting people who cannot afford to have big benefit cuts. One idea that has not been discussed—but I have heard it discussed—is to simply conform Medicare benefits to the same age eligibility as Social Security. That would save a great deal of money. It would represent a slowing in the time when people are eligible for the benefit.

Maybe some people believe, therefore, that it should not be considered. My point is that there are a lot of ways the entitlement programs can be reformed so they will be there when people need them. If we do not, if we say we do not want to touch them, here is what is going to happen. I will give one program as an example: Medicare Part A, the hospital part.

The Medicare trustees say by the year 2021, Medicare Part A will begin

to run out of money. There will not be as much money in the trust fund, and it could well therefore happen in the following years if people need to go to the hospital, the hospital is not there anymore. If one lives in a small town, and it is the only hospital there and they cannot afford to stay open, they are going to close. So someone thinks they have Medicare Part A benefits, but the hospital either is not there or it cannot take care of them because it does not have the money to do so because it is not being reimbursed by the Federal Government.

So the choice is not to do something or to do nothing. If we do nothing, the benefits will not be there—the benefits we have promised to senior citizens will not be there. Doing nothing is not an option. We have to do something. So instead of demagoguing the issue politically, some politicians need to be responsible, get in the game and say: Let's figure out a way to save these programs so they will be there when we want them.

I also wanted to mention—this is a little bit off point, but it just shows how some of these things work. I mentioned high gas prices before. Ironically, one of the things the President has said we want to do is to tax the oil companies.

Well, of course, if we tax the oil companies more, then gas prices are going to be higher. The President just released some of the petroleum from the National Petroleum Reserve to try to bring gas prices down. It will bring them down a little bit temporarily. But why would we then want to have those prices go right back up again by taxing the oil companies, which everyone knows will flow through to the consumer? It does not make sense.

There is something else, however, that does make sense, and this has had an impact on gas prices. The Federal Reserve Board has been buying bonds under a program called QE2—buying Treasury bonds. The purchase of those Treasury bonds has made our dollar less valuable. That means it takes more dollars to buy the same amount of gasoline. So, ironically, this effort by the Fed to put more money into the economy has had the pernicious effect of raising gas prices, raising food prices, and raising other prices because the dollar is not as valuable as it used to be, and to buy some commodities, especially commodities that are bought and sold on the world market such as gas, we have to have more dollars to pay for the same amount. So gas prices are increased. This QE2 program is going to come to an end at the end of this month. The Federal Reserve has already announced that. What will happen as a result is that the value of the dollar will not be cut by the amount of this selling of bonds, and so the expiration of the program lets the dollar strengthen, causing oil to return

to levels we saw in the beginning of the year. That will have the result of having more purchasing power with the dollar you have, so you can buy the same amount of gasoline for fewer dollars or, to put it another way, the same amount of dollars you have will buy you more gasoline. That is one positive effect as a result of that change in policy by the U.S. Government.

The key is to allow our economy to work without too much government interference. That is a good example of government interference that displaces or reduces the value of the dollar and therefore hurts the consumer.

I heard our colleague from Florida, Senator RUBIO, say the other day—this is reported on June 14—in his first speech on the Senate floor:

There is nothing wrong with our people. Americans haven't forgotten how to start a business. They haven't run out of good ideas. Americans are as great as we have ever been. But our government is broken. And a broken government is keeping us from doing what we have done better than anyone in the world for over a century: create jobs.

He is right. If the government will get out of the way and not insist on burdening our economy with new taxes and let Americans do what they have always been able to do well, I think we will be able to come out of this economic downturn and come back to life as an economy, helping families, small businesses and, ironically, by making more money and paying taxes at the same tax rate, the Federal Government will have the benefit of our increase in salaries, profits, and so on, and will have more money to spend as well.

Spending more money, taxing more, having the government try to stimulate the economy has never worked. I want to put into the RECORD a quotation from the Wall Street Journal of today, June 27, which is as follows:

With spending at 24 percent and debt held by the public at 70 percent of GDP—both modern records—the U.S. needs drastic spending cuts to head off a downward future spiral of tax increases and unaffordable interest payments. As Milton Friedman taught, spending is the real measure of government's burden on the private economy, and reducing it leaves more resources for private actors to spend and invest.

I ask unanimous consent to have this printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. Mr. President, the point they are trying to make is, government spending is a pretty good indicator of what is left over for the private sector to invest and spend, for example, on new jobs. When the government spends more, inevitably, it has to borrow more—40 cents on every \$1—or increase taxes—either way, reducing what is available for the private sector to invest and hire.

We should be focused, as a result, as the editorial notes, on reducing wasteful Washington spending and allowing the genius of the American people to do what Senator RUBIO has made very clear: We have always had the capability of creating jobs, unfettered by too much government taxation and regulation. So we need to do away with those policies, such as the Federal policy that reduced the value of the dollar, we need to try to eliminate as many regulations that burden the American people as possible, and we need to avoid raising taxes.

Bear in mind, we are not talking about cutting taxes. We are not talking about cutting taxes for the wealthy or cutting taxes for business or cutting taxes for people, generally. Leave them alone, don't raise them, is all we are saying. When you hear some politicians say you want to cut taxes for the wealthy or give oil companies big tax breaks—no, leave it alone. Don't touch it. Let businesses and families and small businesses do what they have always done best. If you want to mess up the economic growth, to use the colloquialism, follow what the administration has been doing. We will have higher unemployment, higher gas prices, higher Federal debt, higher debt per person, and higher health insurance premiums, not to mention other pernicious effects. Those policies have made it worse, not better.

That is why Republicans have said don't force us to raise taxes as part of this increase in the debt ceiling. Let's reduce spending, and let's enforce that through a balanced budget amendment and other kinds of spending constraints. We are not talking about drastic cuts, as I said. Think about this again.

The Ryan budget that passed in the House, and that most of us on the Republican side voted for over here, adds \$5 trillion to the debt over the next 10 years. That is \$500 billion a year. That is higher than any other budget deficit in history, until President Obama came into office. We talked about the Bush budget deficits. It is a lot higher than any deficit under President Bush—\$500 billion a year for 10 years. That is another \$5 trillion. You can't say that is drastically cutting spending. The alternative, though, is the Obama budget, which would add \$12 trillion. At least the Ryan budget gets us on a path where we can get back into balance and back to the standard or the normal historical average of spending, as a percent of our GDP, around 20 percent.

If you don't like that budget, then produce one that you think will get us to the same place. We have laid that challenge down. Our Democratic colleagues have not produced a budget. It is pretty obvious they are not going to do so. That is why we have had to have these discussions with the Vice President. At least, perhaps as a conclusion

to those discussions that the President is now involved in, we can make a big downpayment on spending reductions, set the budget levels for the next several years that represent a real reduction. It doesn't have to be huge. Even a \$30 billion reduction over last year will save a huge amount of money in the outyears. We need to ensure that those reductions will be enforced, that we will not return to our wayward spending ways, and we need to deal with the two-thirds of the budget that represents the big money; namely, entitlements.

There are ways to do so that don't represent big benefit cuts and that don't represent slashing payments to providers, although we would not have any more doctors to take care of them. We can effectuate reforms that will send the right signal to our constituents and also to the markets, which will have a lot to say about interest rates in the future and whether they believe in the recovery we would like to achieve.

I hope my colleagues will be very open to the consideration of a balanced budget amendment when we bring that up. I wish the President and the leaders of the House and Senate all the best in their discussions now on how to deal with this problem. The President will have to make a decision: Is raising taxes more important than trying to get our budget back into balance and reduce spending? He will find there is support on both sides for the latter. There would not be much support for the former. By getting together and achieving those goals within the next 4 weeks or so, we can both meet the deadline of August 7 that he has set for a debt ceiling increase and also get our country on a more sound fiscal path. We can do that to give confidence to the markets and to the American people. We owe our constituents, our children, and our grandchildren nothing less.

EXHIBIT 1

[From the Wall Street Journal, June 27, 2011]
SPENDING HIS WAY TO AUSTERITY—PRESIDENT OBAMA'S LATEST ECONOMICS LESSON

President Obama enters the debt-ceiling talks today when he meets with members of both parties, and in his Saturday weekly radio address he unveiled a new line of argument against significant spending cuts: "We can't simply cut our way to prosperity."

That's a nifty rhetorical riff, a play off the old Ronald Reagan line that we can't tax our way to prosperity. The argument is that if we cut too much spending on too many good things—like education, "clean energy" and "advanced manufacturing," to name three examples highlighted by the President—the economy will suffer.

Too bad it won't fly. It's a truism that budget cuts alone will not guarantee faster economic growth, but at the current moment they will get us closer to it. With spending at 24% and debt held by the public at 70% of GDP—both modern records—the U.S. needs drastic spending cuts to head off a downward future spiral of tax increases and

unaffordable interest payments. As Milton Friedman taught, spending is the real measure of government's burden on the private economy, and reducing it leaves more resources for private actors to spend and invest.

It is also true that some government spending can be economically useful—to the extent that it enhances productivity more than it would have in the private economy. But the irony is that it is precisely the spending priorities that Mr. Obama mentions that will be crowded out because of his refusal to cooperate in reforming entitlements like Medicare and Social Security. By trying to protect all federal spending except defense, liberals are guaranteeing that many of their most cherished plans will be squeezed. They're the ones who are spending us into austerity.

Mr. KYL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE NATIONAL DEBT

Mr. LEE. Mr. President, I stand to talk about a looming crisis in this county, a problem that has the potential to affect every American from every State, from every political party, of every political ideology. That issue relates to our national debt.

We have accumulated nearly \$15 trillion in debt through the Federal Government, which is a lot of money split up amongst 300 million Americans. It works out to close to \$50,000 a head. A lot of people don't make that much money in a year, and yet that is what every man, woman, and child owes on a per capita basis the moment they are born. If it is calculated out on the basis of debt per taxpayer, the number is much larger, anywhere between \$120,000 and \$150,000 per head, depending on how you calculate it.

We are now approaching the August 2 deadline given to us by Secretary Geithner that has been identified as the time by which we must increase our national debt yet again, a debt that has been raised time and time again, resulting in our accumulation of about \$10 trillion of new debt in roughly the last decade. This is a problem, and it is a problem that is only going to become more severe the longer we kick this can down the road without doing anything to change the way Washington brings money in and the way Washington spends money.

I want to talk for a minute first about how Washington brings money in. There are those who have suggested in this town very recently that what we need right now is a tax increase in order to address the debt crisis. I could

not disagree more, and I need to state with the greatest emphasis I am able to place on this issue that a tax increase is something I would oppose, something I would devote every ounce of energy in me to opposing. The reason is we have in Washington something that is not a revenue problem. What we have is a spending problem. Spending is the crisis that we need to address.

But on a more fundamental level we have to remember what we do when we raise taxes. When we raise taxes, we chill investment. It is investment that we rely on for the creation of jobs. We have to remember that government doesn't have the power to create jobs, because it can't create wealth. It can create policies. It can adopt laws and regulations designed to promote or deter certain kinds of behavior. It can raise revenue through taxation. But it can't create wealth. All it can do is set in place certain circumstances that might allow wealth to be created or, in other circumstances, might deter new wealth from being created.

To have true wealth creation leading to true job creation, you have to have a circumstance in which willing investors with capital are ready to invest, have the reasonable assurance and promise that if they invest their money and thereby place it at risk, any gains resulting from that risky behavior will be gains that inure to their benefit, not taken away by some third party and not taken away by the government. So when we raise taxes, in effect what we are doing is deterring investment, deterring investment at a time when we are hemorrhaging jobs, and we can ill afford to lose any more. Not one job should be lost as a result of something the government does. We need to find ways to get the government out of the way so job creation can occur. But it can't occur whenever we punish the investor, whenever we tell the investor: Invest at your own risk, because if you dare to make a profit, we are going to take away more of that money than we have previously been taking away in taxes.

For that reason, I continue to emphasize the fact that I will oppose any attempt to address this debt limit crisis by raising taxes, and I will continue to oppose any effort to raise taxes. Spending is the problem.

As to the question of how Washington spends money, if the definition of insanity is the practice of doing something again and again expecting to achieve different results than we have achieved every time in the past, then we would be insane if we approach this debt limit discussion with the same kinds of tired, malfunctioning, unproductive strategies that have been employed in the past, strategies that focus exclusively on immediate cuts or even long-term cuts. Let me explain what I mean.

As we approach the debt limit discussion, there will be those who will want to focus a lot of the attention on long-term spending cuts. In other words, they might say, If we are going to raise the debt limit by \$1 trillion, then we need to find \$1 trillion in cuts that can be made. If we are going to raise it by \$2 trillion, then we need to find \$2 trillion to cut.

But of course we can't cut \$1 trillion out of our budget immediately. That is not possible. We can't do that in 1 year. That would have to be stretched over a period of many years. Most likely, in this scenario, as it has been discussed, it would be stretched over a period of a decade or more.

We do have the power to control what we do in this Congress, but we can't bind the Congress that will take power in January of 2013, January of 2015, or 2017. Every 2 years, we get a new Congress in place and that Congress has the power to make those decisions that will best fit what they decide is in order at that time. We can't bind them permanently. So any promise that we make right now to cut, let's say, \$2 trillion relies on the promise that that will be honored by future Congresses. We can't bind them to do that.

There is one way, however, we can bind them. That is by amending for the 28th time that 224-year-old document that has fostered the development of the greatest civilization the world has ever known. When we amend the U.S. Constitution, that is the one credible way, the one binding way in which one group of Americans can bind a future group of Americans. That is why I have said that the only circumstance in which I think it is appropriate for us to raise the debt limit is a circumstance in which Congress has first passed a balanced budget amendment out of Congress by the requisite two-thirds margin in this body and in the House of Representatives, and submitted it to the States for ratification. In that scenario, and only in that scenario, can we proceed with any degree of confidence that the commitments we make now to the American people, to make not just immediate cuts but long-term changes to the way we spend money, it is only in that scenario that those promises can be and will be honored, because it is only in that scenario that we can bind a future Congress.

That is why I have pledged to vote against, and to oppose in any way I can, any debt limit increase that involves something short of prior passage of a balanced budget amendment, in addition to any caps, in addition to any immediate cuts that may be raised.

We have got to have cuts. We have got to have some kind of spending cap, where we cap spending as a percentage of gross domestic product every year, and we have got to have a constitutional amendment requiring that and

requiring the revenues and outlays match each other from year to year. If we don't have this, then we are at great risk for the practice of perpetual deficit spending in which Congress year in and year out spends more than it takes in. Congress can sustain this for a period of time. But where, as is now the case, the amount of money Congress spends is in excess of \$1.5 trillion a year more than it brings in, we have reached a certain point of unsustainability at which, if we continue with this practice, a halt in borrowing will be much more immediate, much more Draconian than anything that could be within our control. At some point, those who would be willing to loan us that money, who would be willing to buy U.S. Treasury instruments of one form or another to finance our debt, will eventually start demanding a higher and higher yield. That means that instead of spending about \$250 billion a year on interest on our national debt, as we are currently paying, the time could very soon come in which we might have to pay something closer to \$700 billion just to pay the interest on our national debt. In fact, if we were now required to pay interest rates on our Treasury instruments consistent with the 40-year average, we would be about there.

Mr. President, \$700 billion is a lot of money. Seven hundred billion dollars in a year is roughly what we spend on Social Security. It is roughly what we spend on Medicare and Medicaid combined in a year. It is roughly what we spend in national defense in an entire year. If we have to spend that amount of money every year, as we could easily have to spend within just few years' time if we continue spending at this rate, that is going to crowd out funding for every Federal program out there.

Whether you are most concerned, as many conservatives might be, about protecting national defense or whether you are most concerned, as many liberals are, about protecting our entitlement programs, you ought to insist, as I have been insisting, that we will not raise the debt limit until such time as the Congress has passed a balanced budget amendment to the U.S. Constitution. That is why I am pleased to support the "cut, cap, and balance" pledge and why I will continue to take this position in addition to standing firm on my position that we ought not even consider any tax increase at a time when we can least afford it.

I yield the floor and suggest the absence of quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I ask that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. SANDERS. Mr. President, this is a pivotal moment in the history of our country. In the coming days and weeks, decisions will be made about our national budget that will impact the lives of virtually every American in this country for decades to come. The time is now for the American people to become significantly involved in that debate and not leave it to a small number of people here in Washington.

At a time when the wealthiest people and the largest corporations in our country are doing phenomenally well and in many cases have never had it so good, while the middle class is disappearing and poverty is increasing, it is absolutely imperative that any deficit-reduction package that passes this Congress not include the horrendous cuts, the cruel cuts in programs that working people desperately need that are utilized every day by the elderly, by the sick, by our children, and by the lowest income people in our country, that the Republicans in Congress, dominated by their extreme rightwing, are demanding.

America is not about giving tax breaks to billionaires and attacking the most vulnerable people in our country. We must not allow that to happen.

In my view, the President of the United States needs to stand with the vast majority of the American people and say no to the Republican leadership and make it clear that enough is enough. No, we will not balance the budget on the backs of the most vulnerable people in this country—on our children, on our seniors and the sick. No, we will not do that. Working families in this country have already sacrificed enough in terms of lost jobs, lost wages, lost homes, lost pensions. The working families of this country are hurting right now. Enough is enough.

Now is the time to say to the millionaires and the billionaires in this country and to the largest corporations that in many ways have never had it so good that they must participate in deficit reduction, that there must be shared sacrifice, that deficit reduction cannot be based on cutting back on the needs of working families and the middle class but that the rich and large corporations have also got to participate in this process.

Furthermore, it is absolutely necessary, if we are talking about a sensible deficit-reduction package, that we take a hard look at unnecessary and wasteful spending at the Pentagon.

Let's make it very clear that we will not be blackmailed again by the Re-

publican leadership in Washington that is threatening to destroy the full faith and credit of the U.S. Government so that, for the very first time in our Nation's history, we might not pay the bills we owe. That is their threat. We will destroy the record of always paying our bills, never failing to do that, unless they get everything they want.

Instead of yielding to the incessant, extreme Republican demands, as the President in many respects did in last December's tax cut agreement and this year's spending negotiations, the President has to get out of the beltway. He has to connect with the needs of working families and ordinary Americans and rally the overwhelming majority of our people who believe that deficit reduction must be based on shared sacrifice, that the wealthy and the powerful and the large corporations cannot continue to get everything they want while we wage a cruel and unprecedented attack on the most vulnerable people in this country. It is time for President Obama to stand with the millions who have already lost their jobs, their homes, their life savings, instead of the millionaires, who in many cases have never had it so good.

Unless the American people in huge numbers tell the President not to yield 1 inch to Republican demands to destroy Medicare and Medicaid while continuing to provide tax breaks to the wealthy and the powerful, unless the American people rise up and say enough is enough, I am afraid that what will happen is the President will yield once again and the wealthy and the powerful will laugh all the way to the bank, while working people will be devastated.

Today, I am asking the American people that if you believe deficit reduction should be about shared sacrifice; if you believe the wealthiest people in our country and the largest corporations should be asked to pay their fair share as part of deficit reduction; if you believe that, at a time when military spending has almost tripled since 1997, we must begin to take a hard look at our defense budget; and if you believe the middle-class and working families have already sacrificed enough, I urge you to make sure the President hears your voice, and he needs to hear it now. I urge the American people to go to my Web site, sanders.senate.gov, and sign a letter to the President letting him know that enough is enough. I also urge the American people to contact the White House directly through their Web sites and leave a message for the President there.

As you know, this country faces enormous challenges. In fact, we have not suffered through such a difficult moment since the Great Depression of the 1930s. We do not talk about it very much, but the reality is that the middle class in this country is dis-

appearing while at the same time poverty is increasing.

When we talk about the state of our economy, it is important to talk about it within the context of deficit reduction because when you understand what is going on in the economy, you know you cannot get blood out of a stone. You cannot keep attacking people who have been devastated in the last few years in terms of unemployment, in terms of losses of pension, in terms of losses of health care.

When we talk about the economy, we have to understand that the situation is in many cases even worse than official statistics indicate. For example, we read in the papers that the official unemployment rate is now 9.1 percent. But the truth is—and no economist disagrees with this—that official statistic ignores the number of people who have given up looking for work and people who are working part time when they want to work full time. If you add all of that together, you are looking at a real unemployment rate in this country of about 16 percent. Are those really the people whom we should go to for deficit reduction? Are they not suffering enough right now? Young people graduating college who can't find a job, let's hit them hard. Older people who have lost their jobs and can't find a new one or are working for half the wages they previously worked at, let's go after those people. Fifty million people have no health insurance. Let's attack them. Working mothers and fathers cannot find affordable childcare. Let's go after them.

We must understand that when we look at the economy, the middle class is hurting and hurting badly. Over the last 10 years, on top of the high unemployment rates, the median family income in this country has declined by over \$2,500. Do you know why working families are angry? That is why they are angry. They are working longer hours for lower wages. Are those really the people you want to ask to balance the budget? I don't think so. I think any sense of fairness, any sense of morality that one might have suggests you do not beat up on people who are already suffering. You don't try to get blood out of a stone.

As a result of the greed and the recklessness and the illegal behavior on Wall Street which caused this terrible recession, millions more Americans have lost their homes, they have lost their pensions, and they have lost their retirement savings. We hear it every day in calls that come to our offices. Unless we reverse our current economic costs, our children will have, for the very first time in modern American history, a lower standard of living than their parents. It is the American dream in reverse. Kids are going to do worse than their parents unless we reverse current economic trends.

We can throw out a lot of numbers around here, a few hundred billion and

a trillion. But the truth is that behind those numbers in my State of Vermont and all over this country, there are real people who are hurting terribly, and as Members of the Senate our job is to pay attention to those people and not just the well-paid lobbyists, representing the most powerful special interests in the world, who surround this Capitol every single day.

Last year I asked my constituents in Vermont to share some personal stories with me. I asked them basically: How are you doing in this recession? The stories I got back from Vermont, I am sure, are absolutely similar to the stories you would get in Delaware or anyone would get in Michigan or any other State in this country. I asked them: How are things going? Let me tell you as a result of the e-mail we sent out, we had more than 400 Vermonters responding to that e-mail, and what they had to say was poignant. Sometimes these stories were so powerful, it was almost hard to read more than a few at a time. The message I received from Vermont—I suspect similar messages are coming from every State in this country—is that people are finding it hard to get jobs. They are now working for lower wages than they used to earn. We are seeing older workers who have depleted their life's savings, and they are worried about how they are going to retire. What happens to them when they are unable to work anymore? Who is going to take care of them?

We hear from young adults in their twenties and thirties who are deeply in debt from college loans, and they don't know how they are going to pay off those loans. We hear from people of all ages, all walks of life, from every corner of Vermont, who have sent us their stories. Let me read a few of them, to make the point to put some flesh and blood behind the statistics we often throw out.

We have a letter from a 51-year-old woman from central Vermont. This is what she wrote:

Dear Senator Sanders, Don't really know what to say, I could cry. My significant other was out of work for a year, now he works in another state. I've been out of work since April. Our mortgage company wants the house because we can't make the payments. I can't find a job to save my soul that will pay enough to make a difference. How bad does it have to get! My mother went through the Great Depression and here we go again. I figure that I'm going to lose everything soon! I'm a well educated person who can't see through the fog.

A gentleman in his mid-fifties from Orange County, VT, writes:

After being unemployed three times since 1999 due to global trade agreements, I now find myself managing a hazardous waste transfer facility that pays about 25 percent than what I was making in 1999.

You hear that all of the time. Yes, many people, of course, are working, but many older workers today are deal-

ing with the humiliation and the economic tragedy of now earning substantially less than they earned 10 or 20 years ago.

He continues:

My wife's children have moved back in, unemployed. And we are saving very little for retirement. If things don't improve soon we will likely have to work until we die. We consider ourselves lucky that we are employed. Our children's friends tend to show up around meal time. They are skinny. We feed them. This is no recession, it's a modern day depression.

Are those the people we want to go after when we talk about deficit reduction? Are they not suffering enough already?

A woman in her late forties from Westminster, VT, writes:

I am a single mom in Vermont, nearly 50. I patch together a full time job making \$12 an hour and various painting jobs and still can't afford to get myself out of debt, or make necessary repairs on my home. No other jobs in sight, I apply all the time to no avail. Food and gas bills go up and up, but not my income. I have no retirement at all, can't afford to move, feeling stuck, tired, and hopeless.

"Stuck, tired and hopeless." I suspect that sentiment reflects how many millions of Americans are feeling today.

I have another letter from a 26-year-old man from Barre, VT. He writes:

In 2002, I received a scholarship to Saint Bonaventure University, the first in my family to attend college. Upon graduation in 2006, I was admitted to the Dickinson School of Law at Penn State University, and graduated in 2009 with \$150,000 of student loan debt.

Mr. President, \$150,000. That is high. But there are people all over this country who have extremely high student loans, and they don't know how they are going to pay them off.

Then he continues:

In Western New York I can find nothing better than a \$10 an hour position stuffing envelopes. I live in a small studio apartment in Barre without cable or Internet. I have told my family I don't want them to visit because I am ashamed of my surroundings. My family always told me that an education was the ticket to success, but all my education seems to have done in this landscape is make it impossible to pull myself out of debt and begin a successful career.

On and on it goes. Over the last couple of weeks we have been focusing in my office on the crisis in dental care, the fact that in Vermont and all over this country millions of people cannot find a dentist.

I want to give you an idea. I am raising these issues today, and I am quoting from folks in Vermont. Again, these stories are not just from Vermont. In fact, Vermont is doing better in this recession than most States in this country are doing. So take what we are talking about here in Vermont and multiply it by several times for other States.

A gentleman writes to me within the last couple of weeks. He says: "I can't

afford health insurance, so dental work is definitely out." And he talks about how studies have linked bad dental care to heart problems and cancer, but he cannot get to a dentist.

The reason I raise this issue is to try to give us a better understanding of who some of the people are who will be impacted by the Draconian cuts the Republicans are talking about. Let us be clear. They are talking about throwing millions and millions of people off Medicaid.

Let me tell you what that means. Earlier this year, as you know, Arizona passed budget cuts that took patients off its transplant list. Remember reading about that? I think most of the country read about that. Essentially because of the financial reasons, what they said in Arizona is: Yes, you need a transplant; yes, you are not all that old, but I am sorry, we cannot afford it for you, and you are going to have to die. And people have died. In that State and in other States throughout this country hundreds and hundreds of thousands of people are being thrown off Medicaid.

So what does that mean? What does it mean if you are a low-income worker and you are getting your health insurance through Medicaid and you lose Medicaid? What happens when you develop a pain in your chest and you think you may be having a heart problem but you cannot get to a doctor? What happens? Have our Republican friends thought that through when they proposed \$700 billion in cuts in Medicaid? What happens to the children by the millions who are thrown off Medicaid? We have 50 million people today who have no health insurance. If the Republican plan goes through, we are talking about tens of millions more. What happens to those people? As Americans are we content to see kids get sick because they cannot get to a doctor or people die because they don't get to a doctor on time? I don't think so.

I have learned and have been told throughout my whole life that education is the key to success. We hear that on the floor of this Senate every single day. Education, education. Kids have got to do well in high school so they will be able to go to college. The reality right now is hundreds of thousands of bright young people cannot afford to go to college because they don't have the money, and we are losing their intellectual capabilities to make us a stronger nation. If the Republicans get their way, and make savage cuts in Pell grants, no one has any doubt that hundreds of thousands more young people will never be able to walk into a college or a university. That is not only a tragedy for the individuals, for the young people themselves, it is a tragedy for this Nation. Every day we are involved in fierce competition in the global economy, and we are not

doing well in educational levels. We are seeing other countries graduate more of their students from college, and that gap is growing wider. If you cut back on Pell grants and other forms of college aid, it is clear that a bad situation will be made much worse.

Let's get even more basic, more basic than health care, more basic than education, and that comes to nutrition, whether people in larger and larger numbers in this country are going to go hungry. According to a 2009 study, there are over 5 million seniors who face the threat of hunger, almost 3 million who are at risk of going hungry and almost 1 million seniors who do go hungry because they cannot afford to buy food. In that context our Republican friends want to balance the budget on the backs of the hungry, cut back on food stamps, cut back on other nutrition programs. So what happens if you are 80 and food prices are going up and you don't have enough to eat? Well, apparently there are some people here in the Senate who don't worry about that, but I personally do not believe that is what America is about. I think the American people, by huge numbers, do not want to see hunger increase for our seniors or our children.

This is a lot of pain the Republicans are tossing out while at the same time they are vigorously protecting their wealthy and powerful friends. In my view, the President of the United States has to stand tall. He has to take the case to the American people and he has to hold the Republicans responsible if, in fact, the debt ceiling is not raised, and all of the repercussions that will occur if that happens.

I have given you just an inkling of what is going on in the real world, and I know all over this country, ordinary Americans, working-class people, have a lot more to say about what is going on in their lives. As we speak, people are fighting desperately to keep their homes from falling into foreclosure. They are struggling with 29 percent, 30 percent interest rates on their credit cards, which they are never able to pay off. Marriages have been postponed because the young people don't have the money to settle down, lives have been derailed, retirement savings have been raided to pay for college tuition or to keep businesses afloat or to simply put gas in the car at \$3.80 a gallon in order to get to work. That is what is going on in the real world. That is what it means when we talk about the middle-class collapsing and poverty is increasing.

While all of that happens, it is important to note there is another economic reality taking place in this country. Poverty is increasing. We have the highest rate of childhood poverty of any major country on Earth. We are seeing an increase in senior citizens who are going hungry, more and more families unable to send their kids to

college. But there is another reality out there, and that is that the gap between the wealthiest people in this country and everybody else is growing wider and wider and has not been this wide since before the Great Depression of 1929 began. Let us be very clear, and there is nothing to be proud about, but the United States today has, by far, the most unequal distribution of wealth and income of any major country on Earth.

Today, the top 1 percent earns over 20 percent of all income in this country, which is more than the bottom 50 percent. One percent owns more income than the bottom 50 percent. Over the recent 25-year period, 80 percent of all new income created in this country went to the top 1 percent. Even more dramatic, even more incredible, even more unfair in terms of distribution of wealth, which is accumulated income, as hard as it may be to comprehend, in America today the top 400 individuals own more wealth than the bottom 150 million Americans. Again, 400 Americans own more wealth than the bottom 150 million Americans.

Given those realities, it doesn't take a Ph.D. in economics to suggest that when we move forward with deficit reduction, that deficit reduction must include shared sacrifice. The wealthy and large corporations also have to help this country deal with record-breaking deficit.

The reality is simple but unfortunate. That reality is that the rich are getting richer, the poor are getting poorer, and the middle class continues to disappear. That is what is going on in this country, and there is no hiding it. We have to acknowledge it. We have to go on from there.

Everyone knows that in our country today we are facing a major deficit crisis, and we have a national debt of over \$14 trillion. What has not been widely discussed and what must be discussed is how we got into that deficit situation in the first place. If we are going to deal with the deficit, we have to know how we got into it. What is very clear is that this huge record-breaking deficit and a \$14 trillion national debt did not just happen overnight, and it didn't happen by accident. It happened, in fact, as a result of a number of policy decisions made over the last decade and votes that were cast right here on the floor of the Senate and in the House of Representatives.

When we talk about the deficit and the national debt, let's never forget that in January of 2001—a little over 10 years ago—when President Bill Clinton left office, this country had an annual Federal budget surplus of \$236 billion with projected budget surpluses as far as the eye could see. That was when Clinton left office some 10 years ago. Now we have a \$1.5 trillion deficit and a growing national debt.

It is totally appropriate as we talk about deficit reduction that we ask

some simple questions: How did we get to where we are today in terms of the deficit? What happened in that ensuing 10 years? How did we go from huge projected surpluses into horrendous debt? The answer really is not complicated, and there is not a lot of disagreement. We know exactly what has happened. The Congressional Budget Office has documented it. There was an interesting article on the front page of the Washington Post on April 30 talking about it as well, and here is what happened. I don't think there is a lot of disagreement about this.

When our Nation spends \$1 trillion on wars in Afghanistan and Iraq and forgets to pay for those wars, we run up a deficit. When we provide over \$700 billion in tax breaks to the wealthiest people in this country and choose not to offset those tax breaks, we run up a deficit. When we pass a Medicare Part D prescription drug program written by the drug companies and the insurance companies that does not allow Medicare to negotiate prescription drug prices and ends up costing us far more than it should—\$400 billion over a 10-year period—and we don't pay for that, we run up a deficit. When we double military spending since 1997, not including the wars in Iraq and Afghanistan, and we don't pay for that, we run up the deficit.

Now, I always find it amusing when some of my Republican colleagues come to the floor and lecture some of us about how serious the deficit is and how serious the national debt is. Yet, ironically, many of us voted against those proposals which, in fact, caused the deficit crisis we are in right now. I paid a lot of attention during the debate over the war in Iraq. I don't recall many of our friends on the Republican side or the Democrats who voted for that war saying: Gee, we can't go to war because it is going to cost this country a huge sum of money. I don't remember hearing that.

When we bailed out Wall Street to the tune of \$700 billion, I don't recall many of my friends saying: Oh, my goodness, we can't afford to do that. When we gave \$700 billion in tax breaks to the wealthiest people in this country, where was the concern then about deficit reduction? Further, and maybe even most significant, the deficit we are in right now was caused by the recession we are in, which was, of course, caused by the greed and illegal behavior on Wall Street, which caused the economic condition of the moment: massive unemployment and loss of a very substantial amount of revenue that otherwise would have come into our tax coffers.

The end result of all of these unpaid-for policies and actions year after year of the deficits I just described is a staggering amount of debt. When President Bush left office, President Obama inherited an annual deficit of \$1.3 trillion

with deficits as far as the eye could see, and the national debt more than doubled—more than doubled—under President Bush because of all of these policy decisions made by Republicans and some Democrats. The reality is, if we did not go to war in Iraq, if we did not pass huge tax breaks for millionaires and billionaires, if we did not pass a prescription drug program with no cost control written by the drug and insurance companies, and if we did not deregulate Wall Street which allowed them to do the things they did, which ended up in Wall Street's collapse and the ensuing recession, we would not find ourselves in the mess we are in today. It really is that simple.

In other words, the only reason we have to increase our Nation's debt ceiling today is that we are forced to pay the bills the Republican leadership in Congress—and some Democrats—and President Bush racked up.

Given the decline in the middle class, given the increase in poverty, and given the fact that the wealthy and large corporations have never had it so good, Americans might find it strange that the Republicans in Washington would use this moment to make savage cuts in Medicare, Medicaid, education, nutrition assistance, and other life-and-death programs, while at the same time pushing for even more tax breaks for the wealthiest people in this country and the largest corporations. Unfortunately, while the average American may think this is pretty weird, inside the beltway that is exactly what happens, and this is very much part of the Republican ideology.

Republicans in Washington have never believed in Medicaid or in Medicare or in Federal assistance in education or providing any direct government assistance to those in need. They have always believed tax breaks for the wealthy and the powerful would somehow miraculously trickle down to every American despite all history and all evidence to the contrary. So in that sense it is not strange at all that they would use the deficit crisis we are now in as an opportunity for an ideological attack against some of the most vulnerable people in our country.

That is exactly what the Ryan Republican budget, passed in the House of Representatives earlier this year and supported by the vast majority of Republicans in the Senate just last month, is all about. It is a long budget, so let me give just a few examples of what the Ryan Republican budget would do.

The Republican budget passed by the House this year would end Medicare as we know it within 10 years. The non-partisan Congressional Budget Office estimates that under the Ryan proposal, in 2022, a private health care plan for a 65-year-old equivalent to Medicare coverage would cost about \$20,500. Yet the Republican budget

would provide a voucher for only \$8,000 of those premiums. Seniors would be on their own to pay the remaining \$12,500, a full 61 percent of the total. Now, how many of the 20 million near elderly Americans who are now ages 50 to 54 will be able to afford that?

So let's review what we have. Let's say when a person becomes 65 in 10 years and they are earning or living on \$15,000 in Social Security, they are going to be asked to pay \$12,500 more for health care than is currently the case. How do they do that? What kind of health care plan are they going to buy when they are old and sick and are given an \$8,000 voucher? How many days in the hospital will they be able to have? You can run up an \$8,000 bill in 1 day, in 2 days. So this ending of Medicare as we know it, forcing seniors to somehow come up with all kinds of money that in many cases they don't have, will be a disaster for tens of millions of people.

The Republican budget would also force 4 million seniors in this country to pay \$3,500 more on average for their prescription drugs by reopening the Medicare Part D doughnut hole. That goes into effect as soon as that bill would be passed, if it were to be passed.

Under the Republican budget, nearly 2 million children would lose their health insurance over the next 5 years by cuts to the Children's Health Insurance Program according, again, to the Congressional Budget Office. At a time when 50 million Americans have no health insurance, the Republican budget would cut Medicaid by over \$770 billion, causing millions and millions of Americans to lose their health insurance, and it would cut nursing home assistance in half.

Right now, Medicaid pays the lion's share of nursing home care. If we make savage cuts in Medicaid, what happens to the elderly who are in nursing homes and what happens to their children in terms of trying to provide the help their parents desperately need?

The Republican budget would completely repeal the affordable health care act, preventing an estimated 34 million uninsured Americans from getting the health insurance they need.

At a time when the cost of college education is becoming out of reach for so many Americans, the Republican budget would slash college Pell grants by about 60 percent next year alone, reducing the maximum award from \$5,500 to \$2,100.

At a time when over 40 million Americans do not have enough money to feed themselves or their families, the Republican budget would kick some 10 million Americans off of food stamps. What kind of sense of morality is that, that when people today are struggling hard in order to feed themselves, we throw another 10 million people off food stamps?

It is no secret to anyone that our Nation's infrastructure is crumbling. The

Republican budget passed in the House and supported by all but a handful of Republicans here in the Senate would slash funding for our roads, bridges, rail lines, transit systems, and airports by nearly 40 percent next year alone. One of two things would happen: Either, as a result of this, our infrastructure continues to deteriorate or else hard-pressed cities and towns are going to have to raise property taxes and other regressive taxes in order to come up with a differential. Yet, despite the fact—we talked about cuts in health care, Medicare, Medicaid, education, nutrition, environmental protection—yet, despite all of those cuts, when it comes to military spending, which has tripled since 1997, the House Republican budget does nothing to reduce unnecessary defense spending. In fact, defense spending would go up by \$26 billion next year alone under the Republican plan.

Interestingly enough, at a time when the rich are becoming richer, when the effective tax rates for the wealthiest people—at 18 percent—are about the lowest on record, at a time when the top 2 percent have received hundreds and hundreds of billions of dollars in tax breaks, at a time when corporate profits are at an alltime high and major corporations making billions of dollars in profits are not paying a nickel in taxes, my Republican colleagues, in their approach toward deficit reduction, do not ask the wealthiest people in this country or the largest corporations to tribute one penny—one penny—toward deficit reduction.

Poverty is increasing. Republicans cut programs for the most vulnerable people in this country. The middle class is disappearing, in need of great help. Republicans cut the safety line from them. The rich, who are getting richer, and large corporations, making huge profits and in many cases not paying anything in taxes at all, their requirement is to receive even more in terms of tax breaks.

Now, that may make sense to some people. It does not make sense to me. In fact, what the Republicans want to do is provide over \$1 trillion in tax cuts to millionaires and billionaires by permanently extending all of the Bush income tax cuts, reducing the estate tax for multimillionaires and billionaires, and lowering the top individual and corporate income tax rates from 35 percent to 25 percent. The rich get richer. They get tax breaks. The poor get poorer. They lose their ability to send their kids to college or to have nutrition programs or health care.

The Republican idea of moving toward a balanced budget is to go after the middle class working families and low-income people, and to make sure millionaires and billionaires and the largest corporations in this country, which are in many cases doing phenomenally well right now, do not have

to share in the sacrifices being made by everybody else. They will be protected.

The Republican approach to deficit reduction in Washington is the Robin Hood philosophy in reverse: We take from the poorest people and we give to the richest people. And it is not as if that approach is good for our economy. Mark Zandi, the former economic adviser to JOHN MCCAIN when he was running for President, has estimated that the Republican budget plan will cost 1.7 million jobs by the year 2014, with 900,000 jobs lost next year alone.

The House Republican budget is breathtaking in its degree of cruelty. But do not take my word for it. In a letter to congressional leaders, after the House GOP plan was introduced, nearly 200 economists and health care experts wrote:

Turning Medicare into a voucher program would undermine essential protections for millions of vulnerable people. It would extinguish the most promising approaches to curb costs and to improve the American medical care system.

Ezra Klein, a columnist at the Washington Post, wrote last April:

The budget Ryan released is not courageous or serious or significant. It's a joke, and a bad one. For one thing, Ryan's savings all come from cuts, and at least two-thirds of them come from programs serving the poor. The wealthy, meanwhile, would see their taxes lowered, and the Defense Department would escape unscathed. It is not courageous to attack the weak while supporting your party's most inane and damaging fiscal orthodoxies. But the problem isn't just that Ryan's budget is morally questionable. It also wouldn't work.

The deficit we are struggling with right now has been caused by unpaid-for wars, tax breaks for the rich, a Medicare Part D prescription drug program written by the insurance companies, the bailout of Wall Street, a declining economy, and less revenue coming into our Treasury. The Republican "solution" is to balance the budget on the backs of the sick, the elderly, the children, and the poor, to cut back on environmental protection, to cut back on transportation, while providing even more tax breaks to those who do not need it. That is unacceptable, and that is what the American people have to stop.

It is not just wealthy individuals who are making out like bandits. As hard as it may be to believe, some of the largest, most profitable corporations in this country are not only avoiding paying any Federal income taxes whatsoever, but they are actually receiving tax rebates from the IRS. The Republican response to this reality is to provide even more tax breaks to these corporate freeloaders. That may make sense to someone. It does not make sense to me.

What I want to do, Mr. President—and I ask unanimous consent to do so—is to have printed in the RECORD a list of a number of corporations that are

making huge profits and are paying virtually nothing in taxes and in some cases getting a rebate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(1) Exxon Mobil. In 2009, Exxon Mobil made \$19 billion in profits. Not only did Exxon avoid paying any federal income taxes that year, it actually received a \$156 million rebate from the IRS, according to its SEC filings.

(2) Bank of America. Last year, Bank of America received a \$1.9 billion tax refund from the IRS, even though it made \$4.4 billion in profits and just a couple of years ago received a bailout from the Federal Reserve and the Treasury Department of nearly \$1 trillion.

(3) General Electric. Over the past five years, while General Electric made \$26 billion in profits in the United States, it received a \$4.1 billion refund from the IRS.

(4) Chevron. In 2009, Chevron received a \$19 million refund from the IRS after it made \$10 billion in profits.

(5) Boeing. Last year, Boeing, which received a \$30 billion contract from the Pentagon to build 179 airborne tankers, got a \$124 million refund from the IRS.

(6) Valero Energy. Last year, Valero Energy, the 25th largest company in America with \$68 billion in sales last year received a \$157 million tax refund check from the IRS and, over the past three years, it received a \$134 million tax break from the oil and gas manufacturing tax deduction.

(7) Goldman Sachs. In 2008, Goldman Sachs paid only 1.1 percent of its income in taxes even though it earned a profit of \$2.3 billion and received an almost \$800 billion bailout from the Federal Reserve and U.S. Treasury Department.

(8) Citigroup. Last year, Citigroup made more than \$4 billion in profits but paid no federal income taxes, even though it received a \$2.5 trillion bailout from the Federal Reserve and U.S. Treasury.

(9) ConocoPhillips. ConocoPhillips, the fifth largest oil company in the United States, made \$16 billion in profits from 2007 through 2009, but received \$451 million in tax breaks through the oil and gas manufacturing deduction during those years.

(10) Carnival Cruise Lines. Over the past five years, Carnival Cruise Lines made more than \$11 billion in profits, but its federal income tax rate during those years was just 1.1 percent.

Mr. SANDERS. Let me briefly read from this list of corporate freeloaders.

No. 1, ExxonMobil, the largest oil company in the world. In 2009, ExxonMobil made \$19 billion in profits, and not only did ExxonMobil avoid paying any Federal income taxes that year, they actually received a \$156 million rebate from the IRS, according to its SEC filings. Well, do you think maybe we might want to ask ExxonMobil to pay a little in taxes so we do not have to throw children off their health insurance? Maybe.

Bank of America. Last year, Bank of America, the largest bank in America, received a \$1.9 billion tax refund from the IRS even though it made \$4.4 billion in profits and just a couple of years ago received a bailout from the Federal Reserve in the Treasury Department of nearly \$1 trillion. Well,

what do you know about that? We are bailing out the largest banks in this country, whose greed caused the recession, and then they get a rebate from the IRS rather than paying any taxes. Yet our Republican friends think the solution to deficit reduction is not to ask Bank of America to pay its fair share but to end Medicare as we know it and force low-income seniors to pay substantially more for their health care.

No. 3, General Electric. Over the past 5 years, while General Electric made \$26 billion in profits in the United States, it received a \$4.1 billion refund from the IRS. I do not know. What do you think? Do you think we should ask GE maybe to help us out just a little bit with deficit reduction?

Chevron, a major oil company, received a \$19 million refund from the IRS after it made \$10 billion in profits.

Last year, Boeing, which received a \$30 billion contract from the Pentagon to build 179 airborne tankers, got a \$124 million refund from the IRS.

And on and on it goes.

Valero Energy.

Goldman Sachs. In 2008, Goldman Sachs paid only 1.1 percent of its income in taxes even though it earned a profit of \$2.3 billion. Gee, most Americans would be pretty happy to pay 1.1 percent of their income in taxes. But then again, they are not Goldman Sachs.

Citigroup, ConocoPhillips, Carnival Cruise Lines.

On and on and on. You have large, extremely profitable corporations that either pay nothing in taxes or get a rebate from the IRS. Maybe—just maybe—when we talk about deficit reduction, we might want to ask those people to help us out rather than go after the elderly, the sick, the children, and the poor.

Large corporations today are sitting on a recordbreaking \$2 trillion in cash. The problem is not that corporations are taxed too much; the problem is that consumers do not have enough money to buy their products, and the Republican agenda would make that far worse. Corporate tax revenue last year was down by 27 percent compared to 2000 even though corporate profits are up 60 percent over the last decade. These guys make more and more money; their contribution to the Treasury goes down.

When we talk about how we can—in a fair way, in a responsible way—deal with our deficit and our national debt, man, here is one very clear example, as shown in this picture. Here you have, in the Cayman Islands, a building. I think it is a four-story building, and it looks like a normal-size four-story building. Yet it has 18,857 companies that call this building their home. Now, one of two things is going on: Either these guys are very, very crowded—18,000 corporations in this one four-

story building; maybe they are very crowded, and we should call in the zoning people in the Cayman Islands to check that out—or maybe something else is going on. Of course, what is going on is this is a total, absolute fraud. This is a building that does not house anybody. It is a phony address that 18,000-plus corporations use for the explicit purpose of not paying taxes to the United States of America.

There are studies out there which suggest that large corporations and wealthy individuals are avoiding \$100 billion in taxes every year by setting up these offshore tax shelters in the Cayman Islands, Bermuda, and the Bahamas. Maybe, maybe, maybe, before we tell young people they cannot go to college or single moms they cannot get childcare for their kids or low-income seniors we are going to cut back on their nutrition, maybe, just maybe, we might want to end this blatant outrage, which costs us \$100 billion every single year.

In 2005, one out of four large corporations paid no income taxes at all even though they collected \$1.1 trillion in revenue. What about looking there for revenue? Our Republican friends say: Oh, no, no, no. We can't do that. We have to force elderly people to pay more in Medicare, throw kids off Medicaid.

Now, what is a very interesting point—and, frankly, we are all politicians. You do not get elected to the Senate if you do not understand something about politics. What I do not understand—and certainly what President Obama needs to understand—is that the overwhelming majority of the American people do not agree with the Republican approach, which says: Give tax breaks to billionaires and go after the elderly, the sick, the children, and the poor. That is not just BERNIE SANDERS talking. I am not much into polls, to be honest with you, but I think it is important to just try to get a little bit of a reflection of where the American people are coming from.

According to a recent Boston Globe poll—a couple weeks ago, the Boston Globe did a poll in the State of New Hampshire and was mostly interested in the Presidential campaign, how Presidential candidates are doing in New Hampshire, but they asked some other questions. In New Hampshire—I know because they are a neighbor of mine—they are the big antitax State. They are the conservative State in New England. Here is what the folks in New Hampshire said in that recent poll.

Seventy-three percent support raising taxes on people making over \$250,000 a year, 78 percent oppose cutting Medicare, 71 percent oppose cutting Medicaid, and 76 percent oppose cutting Social Security.

The Republican approach is the opposite. They want to cut Medicare, they want to cut Medicaid, they want to cut

Social Security, and they certainly do not want to ask the wealthiest people in this country to pay a nickel more in taxes.

That is one poll. Let's look at another poll. In fact, poll after poll has more or less mirrored what New Hampshire voters are saying.

A recent NBC News-Wall Street Journal poll found the following: 81 percent of the American people believe it is totally acceptable or mostly acceptable—that is how they frame these polls—to impose a surtax on millionaires to reduce the deficit. Let me repeat that. Eighty-one percent of the American people—in the Wall Street Journal-NBC poll—think it is totally acceptable or mostly acceptable to impose a surtax on millionaires to reduce the deficit.

Eighty-one percent of the American people think it is a good idea. Yet we cannot get one Republican to ask the wealthy to pay a nickel more in taxes. Talk about being out of touch with what the American people want.

Seventy-four percent—in that same poll—of the American people believe it is totally acceptable or mostly acceptable to eliminate tax credits for the oil and gas industry, and on and on it goes.

Seventy-six percent believe it is totally unacceptable or mostly unacceptable to cut Medicare to significantly reduce the deficit.

Here is an interesting poll that maybe some of my Republican friends want to pay attention to; that is, that while the leaders of the tea party here in Washington are fighting to dismantle Medicare and Medicaid, it turns out that in another poll done by McClatchy, 70 percent of those people who identify themselves with the tea party oppose cutting Medicare and Medicaid to reduce the deficit. That is the tea party.

Here is the last poll I wish to highlight. There are many more out there. It was done by the Washington Post and ABC News. Here is what that poll says. It says 72 percent of Americans support rising taxes on incomes over \$250,000 to reduce the national debt, including 91 percent of Democrats, 68 percent of Independents, and 54 percent of Republicans.

So here you have in Congress, surrounded by lobbyists and powerful special interests, a Congress heavily dominated by large campaign contributors, of Members of the Senate moving in exactly the opposite direction of where the American people want to go. The American people want shared sacrifice. The American people believe that when the wealthiest people in this country are doing phenomenally well and the gap between the rich and everybody else is growing wider, yes, the wealthiest people have to contribute to deficit reduction.

The American people believe we have corporations making recordbreaking

profits and not paying a nickel in taxes. Yes, they have to start paying taxes. The American people overwhelmingly believe it is bad for this country to go after Medicare and Medicaid and programs that working families desperately depend upon.

Instead of listening to millionaires and billionaires, it is time for our leaders in Washington to start listening to the overwhelming majority of the American people who do want the wealthiest people in this country and the most profitable corporations to contribute to deficit reduction. It is time for shared sacrifice.

The middle class, the elderly, the sick, the children, and the poor have already sacrificed enough. It is time for those people on top, the people who are doing extremely well, to also understand they are Americans, they are part of our country, and they have to contribute to deficit reduction. The fact is, moving toward deficit reduction in a way that is fair is not as complicated as some would have us believe. In fact, if you are not beholden to Wall Street, large corporations and wealthy campaign contributors and you are not frightened about the number of 30-second ads that may be thrown at you if you take these guys on, it is quite easy.

I know there are many people out there of good faith who have different ideas about how we can move forward toward a balanced budget, toward deficit reduction. I am not saying I have all the answers. But let me just give you a few examples, a few examples as to how we can reduce the deficit by more than \$4 trillion over the next decade, and that includes, of course, asking the wealthy and large corporations to begin paying their fair share of taxes and does not do undue harm for ordinary Americans.

We can do it. We can do it. If you are concerned about deficit reduction, I am concerned about deficit reduction. But we can do it, calling for shared sacrifice and in a way that does not attack programs that millions and millions of children, elderly, and working families are terribly dependent upon.

Let me just give you a few ideas. I know other people have other good ideas. First, we simply repeal the Bush tax breaks for the top 2 percent. We can raise at least \$700 billion over the next decade. That is it. The rich are getting richer. Bush gave them huge tax breaks. You repeal that, \$700 billion.

I know some of my Republican friends say: Oh, my goodness. If you do not give tax breaks to the very wealthy, it will have a negative impact on jobs. This is the trickle-down economic theory. You give tax breaks to the rich, large corporations, and we create all kinds of great jobs. That idea has been tested. That idea was tested. That was the idea of former President

George W. Bush. But during his 8 years as President, when that idea was in effect, the private sector lost—lost—over 600,000 jobs, and we had one of the worst economic decades, in terms of job creation, ever seen in this country. We tried that theory. We did give tax breaks to the rich and large corporations, and we lost 600,000 jobs during that 10-year period.

Meanwhile, when Bill Clinton raised taxes on the top 2 percent, you know what. The world did not quite cave in. In fact, during Clinton's Presidency, we created over 22 million jobs, and he left office with a huge budget surplus. But that is just one argument. You heard polls say we should impose a surtax on millionaires. The vast majority of the American people believe that. If you did a 5.4-percent surtax on millionaires and billionaires, that would raise \$383 billion over 10 years.

You want another idea? At a time when our manufacturing sector is collapsing, when 50,000 factories have shut down in the last 10 years, when millions of workers have lost good-paying jobs, the U.S. Government continues to reward companies that move U.S. manufacturing jobs overseas through loopholes in the Tax Code known as deferral and foreign source income.

That, clearly, from a financial point of view, in terms of revenue to our government, as well as policies which result in the loss of millions of good manufacturing jobs, is not something we should sustain. If we ended that absurdity, that policy alone, the Joint Tax Committee has estimated we could raise more than \$582 billion in revenue over the next 10 years. So what about that—\$582 billion of revenue and we stop the outsourcing of jobs so maybe we can rebuild our manufacturing sector. Sounds to me like a pretty sensible idea.

My Republican friends think it is a better idea to throw poor children off Medicaid or force elderly people to pay far more than they can afford for Medicare. But ending this absurd policy, which encourages companies to throw American workers out on the street, makes a lot more sense to me than what the Republicans are talking about.

Fourth, if we ended tax breaks and subsidies for big oil and gas companies, we can reduce the deficit by more than \$40 billion over the next 10 years.

Fifth, if we prohibited abusive and illegal offshore tax shelters—what I just talked about a moment ago—we could bring in \$1 trillion over 10 years. That says to the corporations and the wealthy: Sorry, you are no longer going to be able to stash your wealth in the Cayman Islands and avoid paying taxes.

Sixth, if we established a Wall Street speculation fee of less than 1 percent on the sale and purchase of credit default swaps, derivatives, stock options

and futures, we could reduce the deficit by more than \$100 billion over the next decade and also—also—tell Wall Street we are not going to tolerate their outrageous behavior which led us into this recession in the first place. We are going to try to get a handle on their speculation.

Seventh, if we tax capital gains and dividends the same way we tax work, ordinary work, we can raise more than \$730 billion over the next decade. Why should somebody who clips dividend coupons pay a substantially lower tax rate than somebody who is out working on our streets or is a nurse or is a teacher? Warren Buffett has often said he pays a lower effective tax rate than his secretary. Today, the effective tax rate of the wealthiest 400 Americans is just 18 percent, the lowest on record.

On and on. We have a number of ideas out there, not the least of which is taking a hard look at the military. There are debates as to how much we can cut, but certainly we should all be in agreement that it no longer makes sense to sustain weapons systems that were built in order to fight the Cold War against the Soviet Union. They are not our enemy right now.

I can tell you that I, my office, requested a GAO report that found that the Pentagon had \$36.9 billion in spare parts it does not need and which are collecting dust in government warehouses. We can do better than that. Frankly, in my view—I think I speak for the majority of the people in my State of Vermont, I suspect, in this country—it is time to begin bringing the troops home from Iraq and Afghanistan at an accelerated rate. We have been in Afghanistan now for 10 years. It is time for the Afghan people and their military to take responsibility, in terms of defeating the Taliban. We should be supportive of those efforts. But we should bring our troops home a lot sooner than the President has suggested. When we do that, among other things, we are also going to save a substantial sum of money.

Further, I will not deny for one second that there is waste and fraud and bureaucracy in almost every government program out there. I think we have to take a hard look at them all. I believe that in addition to the Pentagon, we can save hundreds of billions of dollars a year by eliminating unnecessary bureaucracy.

The ideas I have enumerated, and some I have not but which will become part of the RECORD, if we did all or some of these things, we could easily reduce the deficit by well over \$4 trillion over the next decade, if not, in fact, much more. It would be done in a way that is fair, and it would not unnecessarily and needlessly ruin the lives of some of the most desperate and fragile and hurting people in our country today, millions of people who are just struggling to make ends meet. Those people would be spared.

The extreme rightwing agenda of more tax breaks for the wealthy, paid by the dismantling of Medicare, Medicaid, education, nutrition, and the environment, may be popular in the country clubs and cocktail parties of the wealthy and the powerful, but it is way out of touch with what the overwhelming majority of Americans want.

As you know, late last week Congressman CANTOR, the Republican majority leader in the House, and Senator JON KYL, the Republican whip, walked out of the budget negotiations being led by Vice President BIDEN. The reason they walked out was pretty clear. They were not willing to close one single loophole in the Tax Code that allows the wealthy and large corporations to avoid paying taxes by stashing their money in the Cayman Islands and all the other loopholes that currently exist.

My sincere hope is that President Obama will use this Republican walk-out, their unwillingness to talk about the wealthy and large corporations contributing anything toward deficit reduction—that he will use this as an opportunity to rally the American people and make it clear he will never support Republican demands to move toward a balanced budget solely on the backs of working families, the elderly, the children, the sick, and the poor. But I don't think the President will do it unless the American people send him a message that enough is enough.

The American people do not support the Republican agenda. The American people support the concept of shared sacrifice as we move toward deficit reduction. But the President has to hear from the American people. He has to hear that they will not accept decimating Medicare, Medicaid, Pell grants, education, and the environment in order to give more tax breaks to the wealthy. The President has to stand up for the millions of Americans who have seen their homes, their jobs, and their savings vanish, instead of the millionaires who have never had it so good.

It is my belief if the American people make that demand of the President and tell the President not to yield on this issue, we can win this budget struggle. If people would like to sign it—and I hope they would—we have a letter to the President, which I will read in a moment, on my Web site, sanders.senate.gov—and, also, as I mentioned earlier, they can contact the White House directly by going straight through the White House Web site and sending a message.

If hundreds of thousands of people do that, the President, I hope, will have the strength and determination to say to the Republicans: Sorry, we are not going to balance the budget on the weak and the vulnerable.

This is the letter that is on my Web site, which I hope the people will sign.

This is what it says, which encapsulates much of what I have been saying for the last hour:

Dear Mr. President,

This is a pivotal moment in the history of our country. Decisions are being made about the national budget that will impact the lives of virtually every American for decades to come. As we address the issue of deficit reduction, we must not ignore the painful economic reality of today—which is that the wealthiest people in our country and the largest corporations are doing phenomenally well, while the middle class is collapsing and poverty is increasing. In fact, the United States today has, by far, the most unequal distribution of wealth and income of any major country on earth.

Everyone understands that over the long term we have got to reduce the deficit—a deficit that was caused mainly by Wall Street greed, tax breaks for the rich, two wars, and a prescription drug program written by the drug and insurance companies. It is absolutely imperative, however, that as we go forward with deficit reduction, we completely reject the Republican approach that demands savage cuts in desperately needed programs for working families, the elderly, the sick, our children, and the poor, while not asking the wealthiest among us to contribute one penny.

Mr. President, please listen to the overwhelming majority of the American people who believe that deficit reduction must be about shared sacrifice. The wealthiest Americans and the most profitable corporations in this country must pay their fair share. At least 50 percent of any deficit reduction package must come from revenue raised by ending tax breaks for the wealthy and eliminating tax loopholes that benefit large, profitable corporations and Wall Street financial institutions. A sensible deficit reduction package must also include significant cuts to unnecessary and wasteful Pentagon spending.

Please do not yield to outrageous Republican demands that would greatly increase suffering for the weakest and most vulnerable members of our society. Now is the time to stand with tens of millions of Americans who are struggling to survive economically, not with the millionaires and billionaires who have never had it so good.

Respectfully yours,

That letter is at sanders.senate.gov. I think we have many thousands of signatures on that letter already. I hope we can get more. If people prefer to go to the White House Web site, they can do that. That would be important. The main point is that the President has to know that we will not accept a deficit reduction package that just comes out heavily on working families.

The reason I raise these issues today is that I am, frankly, very worried because we have gone through this negotiating process two times in the last 6 months. That is why we need the American people to weigh in on this issue.

In fact, we have seen this movie before. The Republicans, led by their extreme right wing, have been successful in getting their way because of their refusal to compromise and willingness to hold the credit and economic security of the American people hostage.

As many people will remember, in December the Republican leadership

was prepared to hold the middle-class tax cuts and unemployment benefits hostage in order to extend the Bush tax breaks to the top 2 percent. As we all know, the Republicans won. As a result, over \$200 billion was added to the deficit over the next 2 years. Not only did the Bush tax breaks for the wealthy get extended, they also got a reduction in the estate tax which benefits the top three-tenths of 1 percent.

Specifically, the December tax cut agreement extended the Bush income tax rates, and it cost us very substantially.

It is not just the Bush tax cuts that were extended. In March of this year our Republican friends said that unless we made very significant cuts, the Republicans were prepared to shut down the government, disrupt the economy, and deny paychecks to some 800,000 Federal workers—if they could not get their way. They said: We are going to shut down the government unless you make these Draconian cuts.

One of the cuts I was disturbed about—among many—was \$600 million to build new community health centers, which would keep people alive and end up saving money. There are other Draconian cuts, as well. They also cut Pell grants, making it harder for students to go to college. The point is, they acted as bullies and said: If we don't get our way, we are prepared to shut down the government.

Now we are back here again, and this is part 3 of the act. Part 1 was whether the middle class would get its tax breaks and whether unemployment benefits would be extended. The Republicans won. Part 2 is whether the government would be shut down. The Republicans mostly won and got almost everything they wanted.

Here we are, act 3, the biggest act of all; and the question is whether the Republicans will, in fact, not raise the debt ceiling. If they do that, it is quite possible that not only our country but the entire world might be plunged into a major financial crisis.

This is what they are threatening: If we don't get everything we want, we are prepared not to pay our government's debt for the first time in the history of our country. We are prepared to see interest rates go up in a very fragile global economy. And we are prepared to see more and more instability.

In many ways, the Republicans in Washington are acting like schoolyard bullies. As we know, bullying is a very serious problem in our schools. Every educator worth his or her salt would tell us that when dealing with a bully, we must not give in to their tactics or tolerate their temper tantrums or allow them to hurt innocent people. We have to deal with them sternly and consistently. We cannot allow them to win by dictating the rules of the game and trampling over everybody else if they don't get their way.

We have a serious debt problem that must be solved, but it must be solved in a way that is fair and in a way that calls for shared sacrifice.

Let me conclude by suggesting that the American people are concerned about the deficit. They are also concerned about the economy, and they are also concerned that so many of our people—of all ages, in all parts of this country—are hanging on economically by their fingernails.

The American people understand that it is just not fair at all to come down on people who are already hurting and leave unscathed the wealthiest people in this country and large profitable corporations.

What I say today to the President of the United States is this: Mr. President, stand tall. Do not yield to Republican blackmail. Stand with the vast majority of the American people who believe that deficit reduction requires shared sacrifice—that everybody makes a sacrifice, not just working families, the elderly, the sick, and the poor.

With that, I yield the floor.

TRIBUTE TO OPAL OVERBEY

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a devoted and hardworking Kentuckian. Ms. Opal Overbey has been honored in her hometown and will have her life story submitted to the Library of Congress for being an extraordinary woman who dedicated her life to her family and her work.

Born December 2, 1929, on Tom Cat Trail in Laurel County, KY, Opal was the fourth of eight children. Growing up, Opal remembers a childhood filled with love, laughter and hard work. Following the guidance of her parents—her mother, a committed housewife and her dad, a diligent farmer—she learned that a little hard work and determination goes a long way. Driven by a desire to be independent and earn her own money, Opal worked two jobs. After many years at the local laundromat as well as working part time at the Crystal Kitchen, Opal moved into a small room in a house behind a jeweler with her cousins. Soon after, she met her husband of 62 years, Virgil Overbey.

When Opal was 17 she and Virgil got married. Together they had four children. Being a mother at a young age was a difficult feat to master, but Opal was determined to give her children a childhood similar to her own. As they got older, her eldest son Jim found a common interest with his mom, and together they built a greenhouse supplying flowers and crops for the community. After Virgil Overbey's unfortunate death on November 24, 2008, the greenhouse was a way for the family to stay together and enjoy each other's company while doing something they all loved.

Opal's greenhouse business continues today. She says that working at the greenhouse has always been a pleasurable experience, but it's the people and the customers that make it worthwhile: "I think in life you have to just work and treat people right, and be honest and the Lord will bless you." Her children have grown up and started families of their own, and Opal continues to help in any way that she can.

Kentucky is fortunate to have a hardworking and devoted woman like Opal Overbey. At 81 years of age, Opal has lived a lifetime of service to her community. I am sure her children Jim, Denver, Glenda, and Evelyn, as well as her whole family, are very proud of everything that she has accomplished and provided for her loved ones.

Mr. President, the Laurel County Sentinel Echo recently published an article highlighting Ms. Opal Overbey's life and career. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[FROM THE SENTINEL ECHO, LAUREL COUNTY, JUNE 8, 2011]

LONDON'S LIVING TREASURES: PART 3

In the third installment of the Living Treasures project, we meet 81-year-old Opal Overbey, a fixture at Overbey's Greenhouse on Ky. 229. The only Living Treasure nominee who is a native of Laurel County, Overbey shared her life story, one that is characterized by love of family, love of the land and a tireless work ethic.

"I was born Dec. 2, 1929 here in Laurel County on Tom Cat Trail near Bush. My mother just raised all us youngin's, she was a housewife, and my dad farmed everything, tobacco, corn, whatever people grew then. He had about 80 acres of pastureland. He was a good, honest man. My mom was the same. There was eight of us, six sisters and two brothers. I was the fourth child down.

I had a happy childhood. Honey, we just played and had fun and worked also. Dad always made us hoe corn and whatever he was doing. He learned us to work. But we would play Hoopy Hide, tag, hopscotch, whatever kids played at that time. We used to take washes down to the creek where the water was. And we'd swim, we had a good swimming hole place. That was fun, we loved that. We had a childhood that was as normal as normal could be.

I went to Weaver School, a one-room school. We would walk to school, to and from it was probably about three miles. I wasn't in particularly a great student. I really didn't like school; I would rather stay home and wash clothes or something, if she would let me. I didn't really like any subject, except recess.

Whenever I was a kid you didn't go to the store to get what you needed, you put it up in the summertime. That was what she fed us on. She had a big garden, potatoes, corn, beans, cucumbers, just anything she could get seed for. She saved quite a lot of seed and kids used to go around and sell packets of seed back then and that's how she would get cucumber and beets and stuff like that.

My chores were milking, gathering the eggs, cleaning up, dishes, drawing water, we

drew our water out of a well, you know. Mom caught her wash water when it came off the house. No plumbing, not when I was home, no electricity.

We had a big house with plenty of room. It was like everybody else's house then. It was made of weatherboarding. Our nearest neighbors were about a quarter of a mile away. A lot of them was my relatives. Uncle Perry and Aunt Rhilde Root and Ed and Polly Jones lived real close to us.

I had an uncle, Charlie, that got a radio, and we would go listen to the Grand Ole Opry at Uncle Charlie's on Saturday night. I was probably 6 or 8 years old. We would just sit around and listen at the radio.

We went to Flatwoods Christian Church. That was the only place we had to go. We went there quite a lot. I liked to go to church. Everybody in the community went, it was just a gathering place. You didn't have no movies or anything like that back then. Sometimes mom would take us all to a neighbor's house and we'd have dinner. Sometimes they went over with us. We had a real close neighborhood there, very good people.

Our mother basically made all of our dresses until we were big enough to work and earn them ourselves. I remember one dress in particular. Back then, I don't know if I was a state thing or something, anyway, we got some free clothes. That was my first ready-made dress and I never forgot that. It was just a solid brown, cotton summer dress, but it was made pretty and I loved it.

I was probably about 12 when I stopped going to school. I didn't get very much schooling. I wasn't interested in continuing. I just wanted to work.

I went to London and got me a little job in the laundry, and I worked there for Mr. Terry until me and Virgil got married. They had these presses and usually I pressed jeans and passed them on to somebody else. Me and a couple of my cousins, Eula Mao Smith and Deloris Smith, we got us a room in a big house that sat back from Barton's Jewelry Store and I worked, part-time now, not all the time.

London was pretty low back then. I remember when they had boards for the sidewalks. People tied their horses and their wagons at the foot of Manchester Street, where it started leveling out. Going out from London, it was on the left. Then they finally got Black Brothers buses running from Manchester to London, and then we still had to walk two or three miles down to catch that bus. A lot of walking went on back in them days. I went home every weekend on that bus.

I guess I got grown before my time and I wanted to work. I'm thinking I made about 20 cents an hour. I believe, best I can remember. I made \$18 to \$25 a week, but that was good money then. I always tried to buy me an outfit. You could buy one for a little bit of nothing, and I'd get me a new dress or a new something or other each week. I liked working. Honey, I liked making money, that's mostly what you worked for, ain't it? I worked off and on at the laundry for three or four years. I also worked at a restaurant part-time too, Crystal Kitchen. It was right by the bank, it was First National then. I would serve cheeseburgers and hot dogs and that's basically what we did. But when dad had gardening and stuff going on, I worked at home. That's why I only worked part-time. He'd let me work if we didn't have anything to do on the farm.

Honey, I met Virgil, who would become my husband, about three times. Before I even

knew who he was, he'd always try to take me home. The first time I met him it was way on Blackwater or Cane Creek. We had took a cousin home and that's where I met him first. I was very young, probably 15.

When I first went out with him was probably maybe six or eight months after that. He was the nephew of my aunt that lived across the creek there. That was a great courtship. First place we went was to Renfro Valley. That was actually my first date with him. Honey, we got there too late for the first show so we just didn't wait for the second one, we come back home. Didn't even get to go in. I was sort of disappointed, but was having a good time. I knew right away that I liked Virgil. He was just a nice person. He was someone you was comfortable with.

I was barely 17 when we married. He was 23. He had just got out of the Army, he was in World War II. He asked me to marry him when I was 16, but I said, "Wait 'til I get 17." When I was, he just plain asked, we just set the date right after he asked me. I think maybe then I was staying with one of my aunts where she was having baby. I did that a lot when I was a kid. I worked all the time. I think that was my hobby.

We married Jan. 23, 1943. Lived here ever since. He had a couple of uncles that drove taxis and that's how we got to London to get married. Back then, you didn't have a big wedding. We got married by Morgan Williams, he was a preacher back then, at the courthouse. My aunt and uncle went with us to sign me. Honey, I wore a pretty, little, blue cotton dress, don't remember what I paid for it but it wasn't much. Then we took a taxi back.

We lived together almost 62 years. We stayed with his mother and dad for a week or two and we moved in this house. Virgil built it. Over the years, we just done things we wanted to the house. At the time, he went to work at a sawmill and worked there for a few years and then he went to Chaney's logging. Then he went straight into farming. That's basically what we've always done.

I was 18 when had my first child, my son Jim. Then three years later, I had Denver. Later on, I had two girls, Glenda and Evelyn was the baby. I had Evelyn six years after Glenda. I spread 'em out. I had little children there for about 20 years.

I remember having Jim. It was terrible. I had him at home, you know. Doctor Walthen, he came to the house. I think he was born about 2 in the morning. Doctor Walthen stayed I think a couple of nights because I had false labor. He hunted him a bed and went to sleep and stayed until Jim was born.

Once he was born, I just loved him to death—like any mother that's a good mother loves her children. Being a young mother, that took a little training. Virgil's mother, Nanny Overbey, she come every day and bathed the baby and did whatever needed to be done. I was grateful for her help because I didn't know the first thing.

I raised my children how I was raised. My kids played outside a lot. My days were getting up and cooking for them and doing my washing. I always cooked 'em three meals a day so that takes a good part of your day right there. Honey, I canned a lot, and potatoes saved a lot of lives back then. Of a morning, you'd fry eggs. Virgil always kept us plenty of meat in the freezer, so I'd fix meat and gravy, everybody always had gravy then, and biscuits. I cooked full meals then. That was how I was raised too. That's one thing you done, you ate good.

Honey, we had enough to get by on. You didn't have any bills back then. There was

no bills to pay, so you just fed your family and bought what you had to buy and did whatever you had to do. We sure wasn't rich by no means, but we got by.

We got electricity the evening after Jim was born, on the 19th of October in '43. Oh, that was great. Got a refrigerator and a washer and the few things you had to have then. That beat washing on the board.

Jim was the leader. He always made sure they caught the bus on time; he was very reliable. They went to Camp Ground. They liked school pretty well. Well, Denver didn't, but Jim graduated from high school. My oldest girl got married about 15 and Evelyn started high school, and quit.

When Jim was about 9, he sold the first bushel of beans we ever sold. Set up on the road, it was just a gravel road back then. I think he got \$1.50 or \$2. Jim was like me, he liked to make money, he liked to have something going all the time. He was very inventive. From there, we just kept planting other stuff. It was right up my alley because we like to do the same thing. Selling, I was better at selling than anything else, that's what I liked to do. Both of my granddads had little country stores so I had that in me.

When Jim and his wife come back from Indiana, he started a greenhouse on the porch. Of an evening, we'd go and pick beans after we'd close from selling. We'd sell up near the road at first and several years ago, we backed off of the road when the main road came through, it got too dangerous. It got so hot that one year we put fans in the greenhouse there and that cooled us. It was a lot more comfortable when we moved off the road.

Having a greenhouse wasn't common back then, not in this community. It took a while. We even sold in the yard under a tree for a while. And we'd roll our wagon with the shade as the day wore on.

Virgil died Nov. 24, '08. We lived together 62 years and that was a great loss for me. He always farmed, that's what he loved to do. And he loved working in the greenhouse and he watered and did a lot of the greenhouse work. It was always a family affair, we all worked.

Jim still runs the greenhouse and I just help him a little whenever I can, which is basically every day, except Sunday. Honey, I still work anywhere from eight to 10 hours a day. I go over there at 8 and we was closing at 6, but now we're there 'til 7 or 7:30. But I don't do a lot of work back in the greenhouse. I like visiting with people. It's just what I like.

Since Virgil's gone, we don't do a whole lot of gardening. He was our plower, our planter, everything. He was a good farmer, Virgil was. I've worked ever since just for my children, help my youngin's, that's what I like to do. I like to talk and visit with people and I meet so many nice people. I do anything I can to help someone who comes along, that's my nature. I think in life you have to just work and treat people right, and be honest and the Lord will bless you."

ADDITIONAL STATEMENTS

HAWAII 2011 NATIONAL HISTORY DAY WINNERS

• Mr. AKAKA. Mr. President, I would like to congratulate a group of exceptional students and teachers from the State of Hawaii for their participation in the 2011 Kenneth E. Behring Na-

tional History Day Contest. This year's theme, "Debate and Diplomacy in History: Successes, Failure, Consequences," was the starting point for student projects nationwide.

The National History Day, NHD, is a highly regarded academic program for elementary and secondary school students. Each year, over a half a million students participate in the NHD contest where students choose historical topics related to a theme and conduct extensive primary and secondary research through libraries, archives, museums, oral history interviews and historic sites. Once students draw their conclusions about their topics' significance in history, they present their work in original papers, Web sites, exhibits, performances and documentaries. The projects are entered into competitions in the spring at local and state levels where they are evaluated by professional historians and educators. National History Day culminates with the Kenneth E. Behring National Contest at the University of Maryland at College Park each June.

This year, two student teams from Hawaii received national honors. Kamaile Aluli, Kaylee Alana Miller and Truman Spring from Laie Elementary School placed first in the junior Web site competition with their entry titled, "Between a Rock and a Hard Place: the Battle over Hetch Hetchy." Their teachers are Serena Tuliloa and Colleen Spring. Moanalua High School students Janal Kim, Keri Ann Nagaishi and Kelly Zakimi took second place for their senior group exhibit, "Creation of Pakistan." Their teacher is Angela Brooks.

As a former educator, I am pleased to see our keiki succeeding on a national level. Throughout my career in Congress, I have worked closely with my colleagues to ensure that students in Hawaii and the nation have quality teachers, schools and academic programs. The Kenneth E. Behring National History Day Contest is one such program that offers children who have a passion for history, a way of rewarding them for their hard work.

Once again I offer my sincere congratulations and aloha to all the students and teachers who participated in the 2011 Kenneth E. Behring National History Day Contest and wish them all success in their academic futures.●

AWWA PIPE TAPPING CHAMPIONS

• Mr. AKAKA. Mr. President, I wish to congratulate the Honolulu Board of Water Supply, HBWS, women's team that won the American Water Works Association, AWWA, Pipe Tapping Contest in Washington, DC, on June 15, 2011. Known as the Wahine, the HBWS women captured the first place title for a second year in a row at the 130th AWWA Annual Conference with a time of 2:35.81 minutes. This was the third

AWWA Championship for the team, having won in 2010 and 2005.

The Wahine faced off against four rivals in a contest where top utility teams race to tap a cement-lined, ductile iron pipe. The women of HBWS demonstrated amazing skill and showcased the expertise of AWWA members.

The HBWS Wahine includes Cat Sawai, setter, Susan Oda, copper, and Danielle Ornellas, cranker. The team was led by coach Gary Fernandez.

I congratulate the Honolulu Board of Water Supply Wahine on their accomplishment, and I wish all of them the best in their future endeavors. I extend the same congratulations to all members of the Honolulu Board of Water Supply who participated in this year's AWWA Conference on a job well done.●

TRIBUTE TO LARRY AND BARBI WEINBERG

• Mr. BAUCUS. Mr. President, Winston Churchill once said, "We make a living by what we get, but we make a life by what we give." Today I honor two great Americans who have made a wonderful life by what they have given. Lawrence and Barbara Weinberg, or Larry and Barbi as their family and friends know them, have given much to their faith, to their country, and to their family and friends. Today I call attention to their service that the good life they have made can serve as an example to us all.

Larry answered our Nation's call to duty and served in the U.S. Infantry in France during World War II. He was nearly killed by the explosion of a landmine. While he was injured on the ground, a German soldier bayoneted him in the stomach. He remained motionless and isolated for over thirteen hours. Against all odds, he was rescued by a Catholic Army Chaplain and spent a year recovering in the hospital.

After Larry was discharged from both the hospital and the Army, he met Barbi. It was the summer of 1946. They married 6 months later. Larry then started a Los Angeles homebuilding business. He began with just four houses, but built his company to become the Larwin Group Companies, the largest privately owned single-family housing producer in the United States. He later became the principal owner and CEO of the Portland Trailblazers from 1975-1988, and served on the board of governors of the National Basketball Association from 1980-1983.

Together, Larry and Barbi have been unwavering supporters of the Jewish community and Israel. In 1973, Barbi was elected president of the Jewish Federation Council of Greater Los Angeles, becoming the first woman to be elected president of a major federation in the United States. She used her position to expand the previously secular Foundation to Orthodox, Conservative, and Reformed Jewish congregations.

Larry also continued his work supporting the American-Israeli relationship. He was elected president of the American Israel Public Affairs Committee, AIPAC, in 1976 for 5 years, later serving as its chairman from 1982-1987. He is known as the founder of modern AIPAC.

Larry established the Jewish Foundation Barbi Weinberg Chai Award to honor individuals who have made an outstanding contribution to the enhancement of and appreciation for Jewish life. Barbi sponsored a program to prepare junior and senior high school students with the knowledge, confidence, and training to speak up for themselves and for Israel, and to fight anti-Semitism and anti-Israel bias on college campuses. These programs are so important for our Nation's youth.

In 1984, Barbi founded the Washington Institute for Near East Policy. This research foundation has become one of the most influential think tanks in Washington, advising policymakers on Middle East issues.

Larry and Barbi have lived a life of dedicated public service. They are most proud, however, of their loving dedication to their family. During their 64 years together, Larry and Barbi have 4 children, 12 grandchildren, and 3 great-grandchildren. All are hardworking, successful Americans that share Larry and Barbi's commitment to public service.

Larry and Barbi truly have made a good life by what they have given. I am proud to consider myself a friend. And may their service be an example to us all.●

LUBEC, MAINE

● Ms. COLLINS. Mr. President, Lubec, ME, is the easternmost town in the United States, the place where the rising Sun first shines on America. That unique geographic location has special meaning in this, Lubec's bicentennial year. Today, as they have for two centuries, the people of Lubec greet every day with the optimism and determination each dawn brings.

Located on a slender peninsula that separates Passamaquoddy Bay and the Atlantic Ocean, Lubec is more than a town on the sea. It is a town of the sea. Its 95 miles of shoreline once were lined with cargo-filled docks, shipyards, sail makers, canneries, smokehouses, and tide-powered sawmills. Its namesake, Lubeck, Germany, was chosen to emulate that ancient seafaring city's role as a center of open and free trade. The magnificent sea captain homes throughout the town stand as monuments to Lubec's role as an early hub of America's global commerce.

Now, it is a shoreline of aquaculture pens, lobster traps, and urchin and scallop boats. For those seeking a genuine downeast Maine experience, the former "Sardine Capital of the World"

has become an outdoor recreation paradise, an ecotourism destination, and a haven for artists. The West Quoddy Lighthouse, with its iconic red and white stripes, is recognized the world over. The Franklin Delano Roosevelt Memorial Bridge, the link to Campobello Island, New Brunswick, gives Lubec an international flavor.

The town of Lubec was incorporated on June 21, 1811, but its origins lie in prehistory. For 12,000 years before the first European settlers arrived, the land was home to the Passamaquoddy Tribe, and the original "People of the Dawn" still are part of the community today.

Lubec is a town of the first light and of the first patriots. One early settler was Colonel John Allan who in 1777 was charged by General George Washington with defending the remote yet vital region. He repelled a British amphibious invasion and forged an alliance for liberty with the Passamaquoddy, Penobscot, and Micmac tribes. Another early resident was Hopley Yeaton, who served in the Continental Navy. In 1790, he was appointed by President George Washington as the first commissioned officer in our young Nation's maritime security and safety service—he is known today as the "Father of the United States Coast Guard."

During the War of 1812, Lubec stood strong against a British occupation just 2 miles across the bay. In the Civil War, 200 young men—one-eighth of the town's entire population—answered the call of freedom. Lubec's commitment reaches from the front lines to the home front—during World War II, the workers at the R.J. Peacock Canning Company received a special citation from the War Food Department for their untiring efforts and patriotic service.

And the town has found itself on the front lines in the conflicts of our time. On September 11, 2001, Jackie and Robert Norton were flying to California for a family wedding. They perished at the World Trade Center. The people of Lubec will always remember those dear neighbors who, from their beautiful gardens to their community service, gave so much to the town.

The spirit of Lubec is exemplified in the life of Myron Avery. From the tiny North Lubec Grammar School and the village high school, he went on to Bowdoin College and Harvard Law School to become a jurist of national renown. He served our Nation in both world wars as a Navy officer. In between, he turned the vision of the Appalachian Trail into reality and was the first to hike its entire 2,000 miles in one effort, from Georgia to Maine. Commitment to service, reverence for nature, and building for the future—that is the spirit of Lubec.

On this Fourth of July, Lubec, ME, will hold its Grand Bicentenary Jubilee. It will be a day of great food,

music, and fun. It will be a day for the people of this wonderful town to look back at the past two centuries with pride, and to look ahead at the century to come with optimism and determination.●

ARMOUR, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I recognize the community of Armour, SD, on reaching the 125th anniversary of its founding. Armour is a energetic community, which serves as the county seat for Douglas County, and will be celebrating its quasicentennial July 1 through 4.

The town Armour, being founded in 1886, has the notable distinction of being a city before South Dakota achieved statehood. On the day that President Benjamin Harrison's proclamation of statehood for South Dakota reached Armour, the residents rang the brand new school bell to celebrate and alert the town. The children of Armour have always come first in the eyes of the residents; the first school was built just 1 year after the city was founded. Armour also claims to be home to the first Boy Scout Troop in the State of South Dakota.

Today the town of Armour still holds education and children in high regards, and in 2008 Armour was one of only 320 schools in the Nation to be honored as a blue ribbon school for academic excellence. Armour will celebrate its 125th anniversary by holding an all-school reunion, as well as many other community events such as trolley rides, a 5K race, and chili cook-off.

Armour is a thriving community that maintains small town values. Even 125 years after its founding, Armour remains a vital community and a great asset to the wonderful State of South Dakota. I am proud to publicly honor Armour on this historic milestone, and congratulate the people of Armour on their achievements.●

CLAREMONT, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I recognize the 125th anniversary of the founding of Claremont, SD. Claremont, home of the Honkers, is a thriving community located in Brown County. The city of Claremont is a town that contributes greatly to the identity of rural South Dakota.

Located along the Great Northern Railway, the vibrant community of Claremont was founded in 1886 and formally incorporated in 1903. Claremont's rich history began with its prosperous farmers and railroad workers. The creation of the railroad was essential to the survival of the town. Claremont thrived thanks to the rich soil and accessibility to clean water. Like many frontier towns, the residents endured blizzards, droughts, and fires. The commitment of the early settlers to the

land truly embodied the pioneer spirit, and can be seen in the actions of the residents even today.

The men's softball team, the Honkers, calls Claremont home. They are the pride of the town and bring the community together to celebrate America's pastime. Along with sports, Claremont is well known for the ample geese that fly over the town, providing enjoyment to hunters and nature enthusiasts alike.

Claremont will be commemorating its quasiquicentennial celebration with softball and volleyball games, a parade, a 5K road race, food, dancing, and fireworks. To wrap up a fun-filled weekend, Claremont has planned an outdoor church service and potluck lunch. Other festivities include an all school reunion, old time photos, and a historical display.

Mr. President, 125 years after its founding, Claremont is still a wholesome, rural community with true South Dakota values. I am proud to recognize the achievements of Claremont and to congratulate its residents on this memorable occasion.●

FERNEY, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the community of Ferney, SD, on reaching the 125th anniversary of its founding. Ferney, located in Brown County, truly is a community born from the railroad and will be celebrating its quasiquicentennial the weekend of July 2-3.

Named after the French hometown of the wife of a railroad official, Ferney is a community with a colorful past. For many German families, Ferney was a treasure they could call home. The local Lutheran Church even held services in both German and English into the 1930s. During prohibition Ferney was one of the few cities in South Dakota to continue the sale of alcohol. Ferney's past was born from the Chicago Northwestern Rail Road, but the town was sustained through agriculture.

Today agriculture still plays a major role in the life of the residents of Ferney. The local co-op provides the area with the farming needs to keep the crops fertile. While small, Ferney continues to prosper with local business such as the Ferney Farmers Bar and Grill and Harry Implements, Inc. These small businesses make each and every town in South Dakota a unique treasure. Ferney plans to celebrate this milestone by holding numerous events, including a parade, tractor pull, softball tournament, and street dance.

South Dakota has a reputation for kindness and hard work. The residents of Ferney embody this wholesome reputation that makes South Dakota a place you want to call home, and I congratulate the citizens of Ferney on

their accomplishments over the last 125 years and look forward to their future endeavors.●

HARROLD, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I recognize the community of Harrold, SD, for the tremendous milestone of reaching the 125th anniversary of its founding. Harrold is a close-knit community located in Hughes County, and represents the small town spirit that makes South Dakota stand out in the Midwest.

Named after Harrold McCullaugh, an officer of the Chicago and North Western Railroad, people began settling in the Harrold area around 1883 thanks in part to the newly built railroad line and rich farm land. Harrold was incorporated in 1886. The town thrived with the creation of a post office, new businesses, churches, and a school. Through adversity over the years including crop failures, blizzards, and tornadoes, the people of Harrold have shown resiliency and maintain pride in their community.

Today the town of Harrold has become a hunter's paradise. Many hunting lodges call Harrold home and offer visitors and community members the thrill of hunting game such as pheasant. Even with the great hunting opportunities, agriculture still exists as the lifeblood of the community. In more recent years, the Global Harvest Birdseed Company has expanded their business and brought needed jobs to this Midwest community.

Harrold will be celebrating its quasiquicentennial the weekend of July 2-3. The town will celebrate this milestone with many community activities including a parade, antique tractor pull, nickel in a haystack scramble, rib fest, and street dance.

Even 125 years after its founding, Harrold remains as a shining example of the steadfast spirit of small-town South Dakota. Harrold was built on hard work and solid values, and serves as a reminder of South Dakota's rich heritage. This grand achievement will serve to bring this close-knit community even closer. I am proud to honor the people of Harrold on this memorable occasion, and to extend my congratulations to them.●

TRIPP, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I pay tribute to the 125th anniversary of the founding of Tripp, SD. Tripp, a small town located in Hutchinson County, will be celebrating its quasiquicentennial the weekend of July 1-3.

Tripp was incorporated in 1888 and named after Judge Bartlett C. Tripp. On his way to California, Judge Tripp fell in love with the area and chose to make it his home. Judge Tripp was

later appointed chief justice of the Dakota Supreme Court in 1885 by President Cleveland, and also served as the U.S. Minister to Austria-Hungary. Although a diplomat, Judge Tripp identified with the possibilities that South Dakota offered.

Today, the importance of community to this vibrant town is evident in the presence of their well-maintained school, local businesses, and churches. The Veteran's Memorial is a popular tourist attraction and brings community pride to the residents and honors the military members that served their country. Tripp will celebrate its 125th anniversary with many activities including a race on the local fairgrounds.

Tripp is a thriving town that maintains true South Dakota values. I congratulate the citizens of Tripp on their accomplishments over the last 125 years and look forward to seeing their future endeavors.●

SCHLOSSBERG COMMENCEMENT ADDRESS

● Mr. KERRY. Mr. President, any of us who have been in public life have learned—sometimes the hard way—the virtues of something our late colleague Ted Kennedy believed was a secret to success particularly in the U.S. Senate, which is the importance of taking our work seriously but not taking ourselves too seriously. We still miss the booming laughter of Ted Kennedy that seems still today to echo through the Democratic cloakroom. It was a trait Ted shared with his brother, President Kennedy, whose quick wit is still celebrated today, the self-deprecating humor which summarized his World War II exploits on PT 109—“they sank my ship”—and described the joys of the Presidency—“the pay is good and I can walk to work”—which too often is missing in a modern day Washington where self-importance can sometimes trump the important work to be done. As President Kennedy himself once said, “There are three things which are real; God, Human Folly and Laughter. The first two are beyond our comprehension so we must do what we can with the third.”

A sense of humor is not genetic, but apparently in the Kennedy family it can be inherited. In President Kennedy's grandson, Jack Schlossberg, this quality seems to abide.

I got to know Jack well when he spent time here in the Senate both as a page and as an intern in my office. It was a difficult time for the Kennedy family when Teddy himself couldn't be here as he was battling illness, but Ted enjoyed very much the stories he heard and the photos he cherished of his great-nephew hard at work in the Senate Ted loved. When Jack wasn't busy with his page duties, particularly during the late night votes when in previous years Teddy himself would have

been found regaling his colleagues with stories and laughs, I enjoyed hearing from Jack about all the lessons he had learned from his uncle.

One of those lessons—the importance of humor—was clearly taken to heart by young Jack—something I learned last week reading Jack's valedictory address this month to his classmates at the Collegiate School and delivered his speech as valedictorian. Jack's speech is flavored with all the inside jokes that will forever be the shorthand history of the 13 years he and most of his classmates spent at Collegiate—the cello body slam, the sumo wrestler videos, the ballad of Bubba Grandoo, when Carlo broke the silence—all the absurdity and antics of years fully enjoyed while learning. Jack's speech is also defined by a deep understanding of what holds real value in this life—teachers who care, friends who share, parents who love—truths that Jack and his classmates will surely carry in the years ahead after graduating from Collegiate.

Mr. President, particularly for all of us who know it is important to stop and laugh from time to time, Jack's speech really is required reading, and I would like to have printed in the RECORD, with congratulations to Jack, and the knowledge that Teddy's booming laughter could be heard echoing all over heaven following along with every word.

The information follows.

COMMENCEMENT ADDRESS
(By Jack Schlossberg)

Faculty, parents, students, esteemed guests, present clergy, Mr. Rosenthal, I thank you for your warm welcome and for being here today. I wanted to discuss my time at Collegiate and my class, but this is neither the time nor the place. But really, it is with great honor that I make my speech as your valedictorian, looks like my hard work paid off.

I want to begin with our teachers. My class would not be sitting here, heading to the fantastic places we're going next year, without our teachers. The curiosity, the energy, the devotion . . . the tolerance that you bring to this school is what makes it so great . . . Doctor Clarke and Mrs. Heard taught us history and her story. Doctor Bresnick, Mrs. Beresford and Mrs. Hansen have introduced us to characters and explored philosophy. Mrs. Foley has taught us, well actually on the smart kids, how to understand things that I never will, and Dr. Sigismondi has brought us to appreciate the high levels math has to offer. We also thank the maintenance staff and those administrators who make our school run smoothly despite the mess we make.

We understand that we do not come by the strength and unity of our school by ourselves. Our teachers encourage us just as much as we encourage each other to—get weird. In what other school, I ask you, could El Hajj and Todd Layton be clapped offstage for no apparent reason? The things we say at Friday night games would not be tolerated on any TV show or in any public venue. We're able to act this way because our teachers love us no matter what. And, although some are more lenient than others, Hola

Senor, each teacher entertains our absurdity because they understand how important it is for us to have the freedom to be ourselves. Sometimes we go too far, Hola Mrs. Aidoo, and for this we apologize, but we are grateful for all the love and support of our antics.

On a different note, Collegiate has provided me with something truly irreplaceable: a second set of parents, and a third, and a fourth, and a fifth, and I think this is true for all of us. While my mother and father provide me with more than enough parenting, who wouldn't want 54 other sets of parents watching over their every single move?

You, the Collegiate parents, are what make this day possible. You have you each raised one of the greatest children of all time, you have dealt with all of us during the most stressful times of our lives, you have helped each other through hardships, you have taught us so much of what we know; we can only hope to grow up to be nothing like you.

Surprisingly, now I would like to say a few words about my class. For many of us, Collegiate has been our life since the age of 5. That's 13 years, or 91 in dog years, looking at you Bresnick, you dog—probably the longest time most of us will ever stay in one place. So condense with me, if you will, those thirteen years into a time span of but a week here at school. On Monday morning, under this standard, we arrived at school, some of us potty trained, and some of us not quite there, Spazznick you dog, and began our Collegiate careers.

Things started fast that Monday morning. Star Sawyer introduced us all to the language of love. Abby Newlan renamed Pinsky, "Mikey" but was soon left due to a job opening at Oprah's famed girls school in South Africa. Wait, no, wrong joke. Kl ran train on K2, a trend that has since continued. And that afternoon, after nap time, we entered First grade. Sadly, Eliot Snyder overslept and missed moving up day.

Under the reign of Beth Tashlik, our serious academia began. We counted and estimated the number of peanut M&M's in a jar, getting our first proverbial nut. Then, Mrs. Hutchinson met Andrew Newhouse, and it took her less than a month to literally "hit the roof" after his contagious laughter got the better of our entire grade in an assembly featuring several videos of sumo wrestlers. That afternoon we went home, entirely unsuspecting of the rude awakening Tuesday morning and Second grade would bring us.

Second grade was a roller coaster of a year, let me tell you. I had my first kiss, and no, not with Martha Miasaka as the legend suggests, instead it came from the wonder from down under, Mrs. Brydon on Kissmiss eve. We went on "mini-trips" and hit all New York's hotspots. Some went to the Statue of Liberty; some went to Dannie and Eddies, and some to the Empire State building. We also got our first new kid, a great addition to our grade, William Janover. But, it wasn't all fun and games. We learned to write cursive, which none of us can still do, and we lost some real good men out there: Drew Glicker and Spensor Ong left Collegiate for the greener pastures of . . . God knows where.

We then went to lunch in the third floor cafeteria, came upstairs, and were wonderfully surprised with what the lower school handed us: Mrs. Dopp, Mrs. McCauley, Mrs. Thompson and Mrs. Mullis taught us 3rd grade. All were great, but only one gave Doug Gleicher the finger. We learned our times tables and got separated into reading

groups. During music, Chris Cargill was crowned our major-minor king, but was soon usurped by his twin, the evil Courtland.

By the end of Tuesday, we were the seniors of the lower school. I finally had final cut on my Iktome story, and Abowitz couldn't do a thing about it. Science got interesting when Mr. Duarte mixed one of his own pellets in with the owls'. Oddly enough, that group still found a mouse's skeleton.

On Wednesday, we were thrown into the world of Tashjiniian metaphors: the Canada Goose, the Pythagorean theorem, Phil the Lobsterman, and the Purple Cabbage provided us all with limitless inspiration. Needless to say, things were different in 5th grade. We were at the mercy of a new set of teachers. We were asked to turn in homework. We got four new kids, four studs, Ola, Darien, Adam, and Billy Janover. We almost got one more, but instead we were left with the four first names that still make our fingers tingle: Aaron Ashley Marshall Bob.

We then began 6th grade and had a ball. Rolling Thunder Heard our Cry when we were forced to spend three days with the George Jackson School on a wilderness trip. May Mandeep Singh rest in peace. And, in the funniest memory I have of Collegiate, David Wilks body slammed a cello, I kid you not. David felt badly, but Mr. Lastraps kindly turned his blind eye to the wreckage.

Many of us became men on Wednesday afternoon, as Bar Mitzvah season quickly changed our lives. At the time, I was not built for the hora. A portly young man with a sweet tooth, I had trouble with the chocolate fountains, the neckties, and the dance floor. Many of you felt my pain, looking at you Jeff Wilks, but others capitalized on it. Nissan moved well to hip-hop and Lynfield was built for slow songs. Still, I danced with a few cuties on those fine evenings, and all too often the party went from 6 all the way to midnight. Things got even crazier during school, we had sports teams and final exams. I never got above a B in either. Plus, no one felt safe in the lunch room, as Henri MacArthur's ridicule knew no bounds.

Finally, Wednesday afternoon and 8th grade provided our first taste of entitlement. We didn't get away with much though, as Ms. Bell made men of us boys. By then Alvin, Will Grant, Yuri David Yan and Bill Janover had joined us due to the gigantic void left by Cary Jones. Alvin and Grant sang us the ballad of Bubba Grandoo, at first this and their other songs seemed impressive, but later we found out they stole all but the nonsensical lyrics from Madonna. The other two were even more controversial. Yan took away Sam Bresnick's only claim to fame: height. And Yuri made us all look like morons.

Hump day had passed and when a new day dawned, 9th grade slapped us all across the face. Along with 11 new kids, William included, Mrs. Hansen joined our grade in entering the Upper School, and she loved everything about us from day 1. Things definitely changed for us, grades started to matter, which gave Mr. Rubin way too much leverage. The work was more demanding, but our classes and teachers were more dynamic. Yes, Biology and Mr. Wong intrigued us all, but you all know that's not what I'm talking about. I'm talking about our Geometry teacher, whose name I am not permitted to say. I cannot begin to describe him to younger grades, I dare not make fun of his table manners, teaching style, physique or general disposition in front of his colleagues, and uncovering the truth behind he and Dustin Satloff's SatBat contract may require legal action. So, I decided it best to leave him out

entirely. Some things didn't change though. Maybe it was something in the water, or maybe it was the fertility pills hidden in the Muenster bagels, but French teachers came and went like they had since Middle School. And even though school took over my entire life starting Thursday morning, I truly believe it was the start of a great four years, an endeavor that improved and matured us all.

There was a fire drill on Thursday afternoon. That was 10th grade.

TGIF had a whole new meaning as Junior year began. You all remember the constant work, the SAT prep, and the terrors of applying to College looming at all times. If it weren't for the constant influx of cheerful show tunes from Dr. Maglione I doubt I would have made it through the year. But we all did make it through, and we came out much stronger than we went in. We learned a lot about each other and our grade came together, especially after our trip to Shelter Island. In fact, I think the 4 time champion Collegiate Basketball team owes a lot to Shelter Island and to Matt Roth. Finally, Friday nights were filled with spirits, spirits that cheered our team to victory.

Friday afternoon was our turn to show Collegiate what we were made of. With Nissan at the helm, we made use of our final year. At first though, our future was uncertain. Overwhelmed with College apps, we rarely made time for fun or games. Some just couldn't take the stress. After his year of fine women and tanning, Jamie broke out in hives upon his first glance at the common app. But we all calmed down after a while. We slowly recuperated and got back to our roots. We cared and we shared. Cared about each other, and if you're Jesse, shared Taxis with girls. We then emerged as a talented bunch. The debate team, with outstanding speaker Hunter Ford competed valiantly at Yale and the Science Olympiads made states and traveled to West Point. Eric Judge finally decided to get a freakin' job and the basketball team made us all so proud when they brought back a 4th consecutive championship. And finally, let us not forget, we produced Upper West: the duo that has been called Sultry meets Punk meets Rap meets Techtonique meets . . . Dub Step meets Flogenic meets a lot of criticism.

To top it off, one more extraordinary thing happened, joking aside. When Carlo broke the silence last year, I thought I'd never see something more moving or inspirational. This is not something to be overlooked. It is rare. It is powerful. It is a testament both to the strength of Carlo and of our entire school. We hope we've risen to the occasion, and we thank you for your example.

I never thought we would be seniors, and certainly never imagined we would graduate, not because we're not smart—we're geniuses, and not because we're bad people—we're saints, but because 2011 was always the year that was miles away.

That brings us to this moment, Friday afternoon of our final day at school. Collegiate has made us who we are today, and we will strive to live by the values we learned here. We leave Collegiate with the hopes of a fun weekend ahead—a weekend that should last the rest of our lives. Thank you.●

WISCONSIN TECHNICAL COLLEGE

● Mr. KOHL. Mr. President, I am honored to have the opportunity to congratulate the Wisconsin Technical College System on their centennial celebration marking 100 years of contributing to my State and our Nation.

The early 1900s brought the Industrial Revolution and marked the onset of what would ultimately become a pivotal time in our Nation's history. In Wisconsin, our paper, shipbuilding and steel industries were poised for growth and required workers who were highly skilled and educated in these burgeoning trades.

It was this critical need that inspired one of Wisconsin's foremost educational pioneers, Dr. Charles McCarthy, the first director of what is now known as the Legislative Reference Bureau, to suggest a new model of education for Wisconsin. Dr. McCarthy's idea was based on the belief that, for many in Wisconsin, higher education could be obtained through a new model of learning. This model of learning would not only assist in meeting the new workforce demands of the Industrial Revolution, but would also provide expanded access for all residents to a higher level of education. In 1911, my home State of Wisconsin became the first State to establish a system of support for technical, vocational and adult education.

What ensued in the following decades through the first World War and the Great Depression emphasized the importance of vocational skills training and propelled the growth of the technical system. By the time that World War II began, Wisconsin's Technical College System had garnered a national reputation for excellence, prompting the Federal Government to allocate over \$4.6 billion into the State to aid the war effort. By the 1960s, the success and value of the system had been firmly established and the State legislature mandated that vocational districts be established throughout Wisconsin by 1970.

What began with an idea more than a century ago, the Wisconsin Technical College System has continued to set the standard for our Nation. The system currently serves 400,000 students on 47 campuses every year, helping to shape the future of our State and prepare the workers for tomorrow. Even in these difficult economic times, access to high quality education for all people remains crucial in ensuring that not only Wisconsin but the Nation, moves forward. I am very proud to recognize the Wisconsin Technical College System on its centennial celebration and for all it has done for the State of Wisconsin and its citizens.●

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

MESSAGES FROM THE PRESIDENT

EXECUTIVE MESSAGES REFERRED

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1249. An act to amend title 35, United States Code, to provide for patent reform.

H.R. 2279. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The message also announced that pursuant to 20 U.S.C. 4303, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Board of Trustees of Gallaudet University: Mr. YODER of Kansas and Ms. WOOLSEY of California.

The message further announced that pursuant to 44 U.S.C. 2702, and the order of the House of January 5, 2011, the Speaker reappoints the following member on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Mr. Jeffrey W. Thomas of Columbus, Ohio.

The message also announced that pursuant to section 194 of title 14, United States Code, Mr. MICA, Chairman of the Committee on Transportation and Infrastructure, appoints the following Members of the House of Representatives to the United States Coast Guard Academy Board of Visitors: Mr. FRANK GUINTA of New Hampshire, Mr. ANDY HARRIS of Maryland, and Mr. RICK LARSEN of Washington.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1276. A bill to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, to rescind related appropriated amounts, and for other purposes.

H.R. 2021. An act to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1249. An act to amend title 35, United States Code, to provide for patent reform.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2279. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cloquintocet-mexyl; Pesticide Tolerances" (FRL No. 8877-2) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2280. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diethylene glycol mono butyl ether; Exemption from the Requirement of a Tolerance" (FRL No. 8876-5) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2281. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propylene Oxide; Pesticide Tolerance" (FRL No. 8877-7) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2282. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on June 23, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2283. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Nashville, TN" (MB Docket No. 11-29; RM-11622) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2284. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Brackettville, Texas)" (MB Docket No. 09-219) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2285. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "West Virginia Regulatory Program" (Docket No. WV-117-FOR) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Energy and Natural Resources.

EC-2286. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Des-

ignation of Critical Habitat for Tumbling Creek Cavesnail" (RIN1018-AW90) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2287. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reinstatement of Listing Protections for the Virginia Northern Flying Squirrel in Compliance with a Court Order" (RIN1018-AX80) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2288. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Bull Trout in the Clackamas River Subbasin, Oregon" (RIN1018-AW60) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2289. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Alabama: Birmingham; Determination of Attaining Data for the 1997 Annual Fine Particulate Standard" (FRL No. 9426-1) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2290. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana—Air Quality, Subchapter 7 and Other Subchapters" (FRL No. 9223-1) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2291. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Louisiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9323-4) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2292. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Alaska" (FRL No. 9317-8) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2293. A communication from the Director of the Regulatory Management Division,

Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Illinois; Royal Fiberglass Pools, Inc. Adjusted Standard" (FRL No. 9319-2) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Environment and Public Works.

EC-2294. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—July 2011" (Rev. Rul. 2011-14) received in the Office of the President of the Senate on June 23, 2011; to the Committee on Finance.

EC-2295. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Time for Filing Returns" (RIN1545-BH88) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Finance.

EC-2296. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Optional Standard Mileage Rates" (Announcement No. 2011-40) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Finance.

EC-2297. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 956 for Determining the Basis of Property Acquired in Certain Nonrecognition Transactions" (RIN1545-BH56) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Finance.

EC-2298. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Group Health Plans and Health Insurance Issuers: Rules Relating to Internal Claims and Appeals and External Review Processes" (RIN1210-AB45) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2299. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles, including, technical data, and defense services to support Proton Rocket Launch Vehicle integration and launch of the EchoStar 16 commercial satellite in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2300. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to the Commonwealth of Australia for Enhanced Position Location Reporting System (EPLRS), EPLRS Extended Frequency (EPLRS-XF)

and MicroLight Radio Equipment in the amount of \$25,000,000 or more; to the Committee on Foreign Relations.

EC-2301. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the design, manufacturing and delivery phases of the Azerspace/Africast-1a Commercial Communications Satellite Program for Azerbaijan in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2302. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to support the manufacture of SPY1-D/F Components for the United States Navy Fleet and the United States Navy Foreign Military Sales Program in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-2303. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan for the manufacture and assembly of parts and components for the Strapdown Inertial System and the HDC301 Computer; to the Committee on Foreign Relations.

EC-2304. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Spain for the collaboration on new designs and other engineering efforts related to the design of sporting guns and rifles and associated components; to the Committee on Foreign Relations.

EC-2305. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture of military flex and rigid circuit assemblies for use in defense systems in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2306. A communication from the Chairman, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the annual report for 2010; to the Committee on Foreign Relations.

EC-2307. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Group Health Plans and Health Insurance Issuers: Rules Relating to Internal Claims and Appeals and External Review Processes" (RIN0938-AQ66) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-2308. A communication from the Secretary of Health and Human Services, trans-

mitting, pursuant to law, a report entitled, "Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2005 and 2006"; to the Committee on Indian Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself, Mr. FRANKEN, and Mr. BROWN of Ohio):

S. 1279. A bill to prepare disconnected youth for a competitive future; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. CHAMBLISS):

S. 1280. A bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes; to the Committee on Foreign Relations.

By Mr. KIRK (for himself and Mr. LAUTENBERG):

S. 1281. A bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 1282. A bill to expand the National Domestic Preparedness Consortium to include the SUNY National Center for Security and Preparedness; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WEBB (for himself, Mr. INHOFE, Mr. LIEBERMAN, and Mr. INOUE):

S. Res. 217. A resolution calling for a peaceful and multilateral resolution to maritime territorial disputes in Southeast Asia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 89

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 201

At the request of Mr. COONS, his name was withdrawn as a cosponsor of S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from Ha-

waii (Mr. AKAKA) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 411

At the request of Ms. KLOBUCHAR, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Mr. DURBIN), the Senator from Montana (Mr. TESTER), the Senator from Oregon (Mr. MERKLEY), the Senator from Arkansas (Mr. PRYOR), the Senator from North Carolina (Mrs. HAGAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 411, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with States and nonprofit organizations to collaborate in the provision of case management services associated with certain supported housing programs for veterans, and for other purposes.

S. 414

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 507

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 507, a bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths.

S. 510

At the request of Mr. UDALL of New Mexico, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 510, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 534

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 571

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 571, a bill to amend subtitle B of title VII of the McKinney-Vento

Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

S. 630

At the request of Ms. MURKOWSKI, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 630, a bill to promote marine and hydrokinetic renewable energy research and development, and for other purposes.

S. 740

At the request of Mr. REED, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 798

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 838

At the request of Mr. TESTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 868

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 868, a bill to restore the long-standing partnership between the States and the Federal Government in managing the Medicaid program.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 958

At the request of Mr. CASEY, the names of the Senator from Colorado (Mr. BENNET) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 958, a bill to amend

the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Kansas (Mr. MORAN) was withdrawn as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 968, *supra*.

S. 1013

At the request of Mr. BAUCUS, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1061

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1061, a bill to amend title 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1228

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added

as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

S. 1263

At the request of Mr. KOHL, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1263, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 20

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S.J. Res. 20, a joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya.

S.J. RES. 21

At the request of Mr. MENENDEZ, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 213

At the request of Mr. DEMINT, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 213, a resolution commending and expressing thanks to professionals of the intelligence community.

AMENDMENT NO. 512

At the request of Mr. AKAKA, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of amendment No. 512 proposed to S. 679, a bill to reduce the number of executive positions subject to Senate confirmation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 217—CALLING FOR A PEACEFUL AND MULTILATERAL RESOLUTION TO MARITIME TERRITORIAL DISPUTES IN SOUTHEAST ASIA

Mr. WEBB (for himself, Mr. INHOFE, Mr. LIEBERMAN, and Mr. INOUE) submitted the following resolution; which was considered and agreed to:

S. RES. 217

Whereas, on June 9, 2011, 3 vessels from China, including 1 fishing vessel and 2 maritime security vessels, ran into and disabled the cables of an exploration ship from Vietnam, the VIKING 2;

Whereas that use of force occurred within 200 nautical miles of Vietnam, an area recognized as its Exclusive Economic Zone;

Whereas, on May 26, 2011, a maritime security vessel from China cut the cables of another exploration ship from Vietnam, the BINH MINH, in the South China Sea in waters near Cam Ranh Bay;

Whereas, in March 2011, the Government of the Philippines reported that patrol boats from China attempted to ram 1 of its surveillance ships;

Whereas those incidents occurred within disputed maritime territories of the South China Sea, including the Spratly Islands, composed of 21 islands and atolls, 50 submerged land atolls, and 28 partly submerged reefs over an area of 340,000 square miles, and the Paracel Islands, a smaller group of islands located south of China's Hainan Island;

Whereas China, Vietnam, the Philippines, Taiwan, Malaysia, and Brunei have disputed territorial claims over the Spratly Islands, and China and Vietnam have a disputed claim over the Paracel Islands;

Whereas the Government of China claims most of the 648,000 square miles of the South China Sea, more than any other nation involved in those territorial disputes;

Whereas, in 2002, the Association of Southeast Asian Nations and China signed a declaration on the code of conduct of parties in the South China Sea;

Whereas that declaration committed all parties to those territorial disputes to "reaffirm their respect for and commitment to the freedom of navigation in and overflight above the South China Sea" and to "resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force";

Whereas the South China Sea contains vital commercial shipping lines and points of access between the Indian Ocean and Pacific Ocean;

Whereas, although not a party to these disputes, the United States has a national economic and a security interest in ensuring that no party uses force unilaterally to assert maritime territorial claims in East Asia;

Whereas, in September 2010, the Government of China also deliberately provoked a controversy within the waters of the Senkaku Islands, territory under the legal administration of Japan in the East China Sea;

Whereas the actions of the Government of China in the South China Sea have also affected United States military and maritime vessels transiting through international air space and waters, including the collision of a fighter plane of the Government of China with a United States surveillance plane in

2001, the harassment of the USNS IMPECCABLE in March 2009, and the collision of a Chinese submarine with the sonar cable of the USS JOHN MCCAIN in June 2009;

Whereas, like every nation, the United States has a national interest in freedom of navigation and open access to the maritime commons of Asia;

Whereas the Government of the United States expressed support for the declaration by the Association of Southeast Asian Nations and China in 2002 on the code of conduct of parties in the South China Sea, and supports a collaborative diplomatic process by all claimants for resolving the various territorial disputes without coercion;

Whereas the United States has a national interest in freedom of navigation and in unimpeded economic development and commerce;

Whereas, on October 11, 2010, Secretary Gates maintained "The United States has always exercised our rights and supported the rights of others to transit through, and operate in, international waters.";

Whereas, on June 3, 2011, at the Shangri-La Dialogue in Singapore, Secretary Gates stated that "[m]aritime security remains an issue of particular importance for the region, with questions about territorial claims and the appropriate use of the maritime domain presenting on-going challenges to regional stability and prosperity";

Whereas, on June 4, 2011, at the Shangri-La Dialogue, Liang Guanglie, the Defense Minister from China, said, "China is committed to maintaining peace and stability in the South China Sea.";

Whereas, on June 11, 2011, the Government of Vietnam held a live-fire military exercise on the uninhabited island of Hon Ong, 25 miles off the coast of Vietnam in the South China Sea; and

Whereas, on June 11, 2011, Hong Lei, the Foreign Ministry spokesman of China, stated, "[China] will not resort to force or the threat of force" to resolve the territorial dispute: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the strong support of the United States for the peaceful resolution of maritime territorial disputes in the South China Sea, and pledges continued efforts to facilitate a multilateral, peaceful process to resolve these disputes;

(2) deplores the use of force by naval and maritime security vessels from China in the South China Sea;

(3) calls on all parties to the territorial dispute to refrain from threatening force or using force to assert territorial claims; and

(4) supports the continuation of operations by the United States Armed Forces in support of freedom of navigation rights in international waters and air space in the South China Sea.

AMENDMENTS SUBMITTED AND PROPOSED

SA 519. Mr. REID (for Mr. DEMINT) proposed an amendment to the concurrent resolution S. Con. Res. 15, supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative.

TEXT OF AMENDMENTS

SA 519. Mr. REID (for Mr. DEMINT) proposed an amendment to the concur-

rent resolution S. Con. Res. 15, supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative; as follows:

On page 4, strike line 19 and all that follows through "by the United States" on page 5, line 25 and insert the following:

(5) recognizes the goals to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293);

(6) supports continued leadership by the United States

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, June 29, 2011, at 10:30 a.m. to hear testimony on the nominations of Gineen Bresso, Thomas Hicks, and Myrna Pérez to be members of the Election Assistance Commission.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 30, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing on S. 1262, the Native Culture, Language, and Access for Success in Schools Act—Native CLASS.

Those wishing additional information may contact the Indian Affairs Committee.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to advise that the Senate Committee on Energy and Natural Resources will hold a business meeting on Thursday, July 14, 2011, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building. The purpose of the business meeting is to consider pending legislation.

For further information, please contact Sam Fowler or Allison Seyferth.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that three of Senator BINGAMAN's interns, Paco Vanneri, Haley Murphy, and Elizabeth Reese, be extended the privilege of the floor during tomorrow's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIRPORT AND AIRWAY EXTENSION ACT OF 2011

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 2279.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2279) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2279) was ordered to a third reading, was read the third time, and passed.

WORLD MALARIA DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 57, S. Con. Res. 15.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 15) supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the DeMint amendment to the concurrent resolution be agreed to, the concurrent resolution, as amended, be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 519) was agreed to, as follows:

On page 4, strike line 19 and all that follows through "by the United States" on page 5, line 25 and insert the following:

(5) recognizes the goals to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293);

(6) supports continued leadership by the United States

The concurrent resolution (S. Con. Res. 15), as amended, was agreed to.

The preamble was agreed to.

The concurrent resolution, as amended, with its preamble, reads as follows:

S. CON. RES. 15

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being completely preventable and treatable;

Whereas according to the Centers for Disease Control and Prevention, 35 countries, the majority of them in sub-Saharan Africa, account for 98 percent of global malaria deaths;

Whereas young children and pregnant women are particularly vulnerable and disproportionately affected by malaria;

Whereas malaria greatly affects child health, with estimates that children under the age of 5 account for 85 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes 400,000 cases of severe maternal anemia and from 75,000 to 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria over recent years have made measurable progress and have helped save hundreds of thousands of lives;

Whereas the World Health Organization's World Malaria Report 2010 reports that in 2010, more African households (42 percent) owned at least one insecticide-treated mosquito net (ITN), more children under 5 years of age (35 percent) were using an ITN compared to previous years, and household ITN ownership reached more than 50 percent in 19 African countries;

Whereas the World Health Organization's World Malaria Report 2010 further states that a total of 11 countries and one area in the African Region showed a reduction of more than 50 percent in either confirmed malaria cases or malaria admissions and deaths in recent years (Algeria, Botswana, Cape Verde, Eritrea, Madagascar, Namibia, Rwanda, Sao Tome and Principe, South Africa, Swaziland, Zambia, and Zanzibar, United Republic of Tanzania), and that in all countries, the decreases are associated with intense malaria control interventions;

Whereas continued national, regional, and international investment is critical to continue to reduce malaria deaths and to prevent backsliding in those areas where progress has been made;

Whereas the United States Government has played a major leadership role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative (PMI) and the United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas on World Malaria Day in 2009, President Barack Obama stated, "The U.S. stands with our global partners and people around the world to reaffirm our commitment to make the U.S. a leader in ending deaths from malaria by 2015. . . . It is time to redouble our efforts to rid the world of a disease that does not have to take lives.";

Whereas under the Global Health Initiative (GHI), the United States Government is pursuing a comprehensive, whole-of-government approach to global health, focused on helping partner countries to achieve major improvements in overall health outcomes through transformational advances in access to, and the quality of, healthcare services in resource-poor settings; and

Whereas recognizing the burden of malaria on many partner countries, PMI has set the target for 2015 of reducing the burden of malaria by 50 percent for 450,000,000 people, rep-

resenting 70 percent of the at-risk population in Africa: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the goals and ideals of World Malaria Day, including the achievable target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(3) commends the recent progress made toward reducing global malaria deaths and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(4) welcomes ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(5) recognizes the goals to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293);

(6) supports continued leadership by the United States in bilateral and multilateral efforts to combat malaria as a critical part of the President's Global Health Initiative; and

(7) encourages other members of the international community to sustain and scale up their support and financial contributions for efforts worldwide to combat malaria.

PEACEFUL AND MULTILATERAL RESOLUTION TO MARITIME TERRITORIAL DISPUTES IN SOUTHEAST ASIA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 217.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 217) calling for a peaceful and multilateral resolution to maritime territorial disputes in Southeast Asia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 217) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 217

Whereas, on June 9, 2011, 3 vessels from China, including 1 fishing vessel and 2 maritime security vessels, ran into and disabled the cables of an exploration ship from Vietnam, the VIKING 2;

Whereas that use of force occurred within 200 nautical miles of Vietnam, an area recognized as its Exclusive Economic Zone;

Whereas, on May 26, 2011, a maritime security vessel from China cut the cables of another exploration ship from Vietnam, the

BINH MINH, in the South China Sea in waters near Cam Ranh Bay;

Whereas, in March 2011, the Government of the Philippines reported that patrol boats from China attempted to ram 1 of its surveillance ships;

Whereas those incidents occurred within disputed maritime territories of the South China Sea, including the Spratly Islands, composed of 21 islands and atolls, 50 submerged land atolls, and 28 partly submerged reefs over an area of 340,000 square miles, and the Paracel Islands, a smaller group of islands located south of China's Hainan Island;

Whereas China, Vietnam, the Philippines, Taiwan, Malaysia, and Brunei have disputed territorial claims over the Spratly Islands, and China and Vietnam have a disputed claim over the Paracel Islands;

Whereas the Government of China claims most of the 648,000 square miles of the South China Sea, more than any other nation involved in those territorial disputes;

Whereas, in 2002, the Association of Southeast Asian Nations and China signed a declaration on the code of conduct of parties in the South China Sea;

Whereas that declaration committed all parties to those territorial disputes to "reaffirm their respect for and commitment to the freedom of navigation in and overflight above the South China Sea" and to "resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force";

Whereas the South China Sea contains vital commercial shipping lines and points of access between the Indian Ocean and Pacific Ocean;

Whereas, although not a party to these disputes, the United States has a national economic and a security interest in ensuring that no party uses force unilaterally to assert maritime territorial claims in East Asia;

Whereas, in September 2010, the Government of China also deliberately provoked a controversy within the waters of the Senkaku Islands, territory under the legal administration of Japan in the East China Sea;

Whereas the actions of the Government of China in the South China Sea have also affected United States military and maritime vessels transiting through international air space and waters, including the collision of a fighter plane of the Government of China with a United States surveillance plane in 2001, the harassment of the USNS IMPECCABLE in March 2009, and the collision of a Chinese submarine with the sonar cable of the USS JOHN MCCAIN in June 2009;

Whereas, like every nation, the United States has a national interest in freedom of navigation and open access to the maritime commons of Asia;

Whereas the Government of the United States expressed support for the declaration by the Association of Southeast Asian Nations and China in 2002 on the code of conduct of parties in the South China Sea, and supports a collaborative diplomatic process by all claimants for resolving the various territorial disputes without coercion;

Whereas the United States has a national interest in freedom of navigation and in unimpeded economic development and commerce;

Whereas, on October 11, 2010, Secretary Gates maintained "The United States has always exercised our rights and supported the rights of others to transit through, and operate in, international waters.";

Whereas, on June 3, 2011, at the Shangri-La Dialogue in Singapore, Secretary Gates stat-

ed that "[m]aritime security remains an issue of particular importance for the region, with questions about territorial claims and the appropriate use of the maritime domain presenting on-going challenges to regional stability and prosperity";

Whereas, on June 4, 2011, at the Shangri-La Dialogue, Liang Guanglie, the Defense Minister from China, said, "China is committed to maintaining peace and stability in the South China Sea.";

Whereas, on June 11, 2011, the Government of Vietnam held a live-fire military exercise on the uninhabited island of Hon Ong, 25 miles off the coast of Vietnam in the South China Sea; and

Whereas, on June 11, 2011, Hong Lei, the Foreign Ministry spokesman of China, stated, "[China] will not resort to force or the threat of force" to resolve the territorial dispute: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the strong support of the United States for the peaceful resolution of maritime territorial disputes in the South China Sea, and pledges continued efforts to facilitate a multilateral, peaceful process to resolve these disputes;

(2) deplors the use of force by naval and maritime security vessels from China in the South China Sea;

(3) calls on all parties to the territorial dispute to refrain from threatening force or using force to assert territorial claims; and

(4) supports the continuation of operations by the United States Armed Forces in support of freedom of navigation rights in international waters and air space in the South China Sea.

MEASURES PLACED ON THE CALENDAR—H.R. 2021 AND S. 1276

Mr. REID. Mr. President, I call two bills to the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for a second time.

The assistant bill clerk read as follows:

A bill (S. 1276) to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, to rescind related appropriated amounts, and for other purposes.

A bill (H.R. 2021) to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

Mr. REID. I would object to any further proceedings with respect to these two bills.

The PRESIDING OFFICER. The objection is heard. The bills will be placed on the calendar under the provisions of rule XIV.

MEASURE READ THE FIRST TIME—H.R. 1249

Mr. REID. Mr. President, H.R. 1249 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform.

Mr. REID. I ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, JUNE 28, 2011

Mr. REID. I now ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning, Tuesday, June 28, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session under the previous order; and that following disposition of the Cole, Seitz, and Monaco nominations, the Senate recess until 2:15 p.m. for the weekly caucus meetings; finally, that at 2:15 p.m., the Senate resume consideration of the Presidential Appointment Efficiency and Streamlining Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. The first vote will be tomorrow at noon on confirmation of James Cole to be Deputy Attorney General. We are working on an agreement to complete the Presidential Appointment Efficiency and Streamlining Act, so additional rollcall votes are expected tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 5:47 p.m., adjourned until Tuesday, June 28, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

SUNG Y. KIM, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOREA.

ADRIENNE S. O'NEAL, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAPE VERDE.

FINANCIAL STABILITY OVERSIGHT COUNCIL

S. ROY WOODALL, JR., OF KENTUCKY, TO BE A MEMBER OF THE FINANCIAL STABILITY OVERSIGHT COUNCIL FOR A TERM OF SIX YEARS. (NEW POSITION)

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 28, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 29

9:30 a.m.

Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee
To hold hearings to examine the emergence of swap execution facilities, focusing on a progress report.

SD-538

10 a.m.

Commerce, Science, and Transportation
To hold hearings to examine privacy and data security, focusing on protecting consumers in the modern world.

SR-253

Foreign Relations

To hold hearings to examine the nominations of Derek J. Mitchell, of Connecticut, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador, and Frankie Annette Reed, of Maryland, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati, both of the Department of State.

SD-419

Homeland Security and Governmental Affairs

Business meeting to consider the nominations of Jennifer A. Di Toro, Donna Mary Murphy, and Yvonne M. Williams, all to be an Associate Judge of the Superior Court of the District of Columbia, and S. 473, to extend the

chemical facility security program of the Department of Homeland Security.
SD-342

10:30 a.m.

Judiciary

To hold hearings to examine barriers to justice and accountability, focusing on how the Supreme Court's recent rulings will affect corporate behavior.

SD-226

Rules and Administration

To hold hearings to examine the nominations of Gineen Maria Bresso, of Florida, Thomas Hicks, of Virginia, and Myrna Perez, of Texas, all to be a Member of the Election Assistance Commission.

SR-301

2 p.m.

Banking, Housing, and Urban Affairs

Housing, Transportation and Community Development Subcommittee

To hold hearings to examine promoting broader access to public transportation for America's older adults and people with disabilities.

SD-538

2:30 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine the diplomat's shield, focusing on diplomatic security and its implications for United States diplomacy.

SD-342

3 p.m.

Veterans' Affairs

Business meeting to consider S. 277, to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, S. 572, to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, S. 745, to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, S. 894, to amend title 38, United States Code, to provide for an increase, effective December 1, 2011, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, S. 914, to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and S. 951, to improve the provision of Federal tran-

sition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans.

SR-418

JUNE 30

10 a.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine Afghanistan reconstruction contracts, focusing on lessons learned and ongoing problems.

SD-342

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold an oversight hearing to examine the Financial Fraud Enforcement Task Force.

SD-226

Environment and Public Works

Clean Air and Nuclear Safety Subcommittee

To hold an oversight hearing to examine a review of Environmental Protection Agency (EPA) regulations replacing the Clean Air Interstate Rule (CAIR) and the Clean Air Mercury Rule (CAMR).

SD-406

Finance

To hold hearings to examine perspectives on deficit reduction, focusing on a review of key issues.

SD-215

Health, Education, Labor, and Pensions

Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

SD-G50

Banking, Housing, and Urban Affairs

Security and International Trade and Finance Subcommittee

To hold hearings to examine stakeholder perspectives on reauthorization of the Export-Import Bank of the United States.

SD-538

Foreign Relations

Western Hemisphere, Peace Corps and Global Narcotics Affairs Subcommittee

To hold hearings to examine the state of democracy in the Americas.

SD-419

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

2 p.m.	2:15 p.m.	JULY 14
Banking, Housing, and Urban Affairs	Indian Affairs	9:30 a.m.
To hold hearings to examine the state of the Federal Deposit Insurance Corporation (FDIC), focusing on deposit insurance, consumer protection, and financial stability.	To hold hearings to examine S. 1262, to improve Indian education.	Energy and Natural Resources
SD-538	SD-628	Business meeting to consider pending calendar business.
	2:30 p.m.	SD-366
	Intelligence	
	Closed business meeting to consider pending calendar business.	
	SH-219	

HOUSE OF REPRESENTATIVES—Tuesday, June 28, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 28, 2011.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We ask today that You bless the Members of the people's House as they visit their home districts. May they listen and interact constructively and safely with those whom they represent.

Bless also their families in the time they have together at home so that when they return, they are rested and energized to take on the important work that faces them concerning our economy and national security in today's world.

Bless their constituents as well. Help them to understand fully the issues facing their Representatives, and with generous hearts empower the Members of this House to consider not only the interests of the local district but those of the Nation and the world, which look to our great democracy as a beacon of hope. May we as a Nation be worthy of the hope placed in us.

May all that is done this day be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2279. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 15. Concurrent resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 15. Concurrent resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative; to the Committee on Foreign Affairs.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 10 a.m. on Friday next.

There was no objection.

Accordingly (at 10 o'clock and 9 minutes a.m.), under its previous order, the House adjourned until Friday, July 1, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2224. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Anthropomorphic Test Devices; Hybrid III Test Dummy, ES-2re Side Impact Crash Test Dummy [Docket No.: NHTSA-2010-0146] (RIN: 2127-AK64) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2225. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — General Schedule Locality Pay Areas (RIN: 3206-AM25) June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2226. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Greater Amberjack Management Measures [Docket No.: 110103005-1255-02] (RIN: 0648-BA48) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2227. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2011 Management Measures [Docket No.: 110223162-1268-01] (RIN: 0648-XA184) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2228. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Training Operations Conducted Within the Gulf of Mexico Range Complex (RIN: 0648-AX86) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2229. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Queen Conch Fishery of Puerto Rico and the U.S. Virgin Islands; Queen Conch Management Measures [Docket No.: 0907151138-1235-03] (RIN: 0648-AY03) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2230. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA442) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2231. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Zone; Pierce County Department of Emergency Management Regional Water Exercise, East Passage, Tacoma, WA [Docket No.: USCG-2011-0251] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2232. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Newport; Morehead City, North Carolina [Docket No.: USCG-2011-0184] (RIN: 1625-AA00) received June 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2233. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Launch Safety: Lighting Criteria for Expendable Launch Vehicles [Docket No. FAA-2011-0181; Amdt. No. 417-2] (RIN: 2120-AJ84) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2234. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Standards; Electrical and Electronic System Lightning Protection [Docket No.: FAA-2010-0224; Amendment Nos. 23-61, 25-134, 27-46, and 29-53] (RIN: 2120-AJ57) received June 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2235. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Koito Industries, Ltd., Seats and Seating Systems Approved under Technical Standard Order (TSO) TSO-C39b, TSO-39c, or TSO-C127a [Docket No.: FAA-2010-0857; Directorate Identifier 2010-NM-156-AD; Amendment 39-16708; AD 2011-12-01] (RIN: 2120-AA64) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2236. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-92A Helicopters [Docket No.: FAA-2011-0548; Directorate Identifier 2011-SW-025-AD; Amendment 39-16710; AD 2011-12-03] (RIN: 2120-AA64) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2237. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-535 Series Turbofan Engines [Docket No.: FAA-2010-0994; Directorate Identifier 2009-NE-39-AD; Amendment 39-16707; AD 2011-11-08] (RIN: 2120-AA64) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2238. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Model DHC-3 (Otter) airplanes [Docket No.: FAA-2011-0543; Directorate Identifier 2011-CE-018-AD; Amendment 39-16709; AD 2011-12-02] (RIN: 2120-AA64) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2239. A letter from the Senior Program Analyst, Department of Transportation, trans-

mitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30787; Amdt. No. 494] received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2240. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Requirements for Storage of Explosives During Transportation [Docket No.: PHMSA-2005-22987 (HM-238)] (RIN: 2137-AE06) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2241. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Control Room Management/Human Factors [Docket ID: PHMSA-2007-27954; Amdt. Nos. 192-117; 195-97] (RIN: 2137-AE64) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2242. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revenue Procedure: United States and Area Median Gross Income Figures (Rev. Proc. 2011-37) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2243. A letter from the Chief, Publication and Regulations, Internal Revenue Service, transmitting the Service's final rule — Basis in Stock Acquired in Transferred Basis Transactions (Rev. Proc. 2011-35) received June 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. First Semiannual Activity Report of the Committee on Energy and Commerce for the 112th Congress (Rept. 112-125). Referred to the Committee of the Whole House on the State of the Union.

Ms. ROS-LEHTINEN: Committee on Foreign Affairs: First Semiannual Legislative Review and Oversight Activities Report of the Committee on Foreign Affairs for the 112th Congress (Rept. 112-126). Referred to the Committee of the Whole House on the State of the Union.

Mr. KING of New York: Committee on Homeland Security. First Semiannual Report on Legislative and Oversight Activities of the Committee on Homeland Security for the 112th Congress (Rept. 112-127). Referred to the Committee of the Whole House on the State of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. First Semiannual Report on the Activities of the Committee on Oversight and Government Reform for the 112th Congress (Rept. 112-128). Referred to the Committee of the Whole House on the State of the Union.

Mr. DREIER: Committee on Rules. First Semiannual Survey of Activities of the House Committee on Rules for the First Quarter of the 112th Congress (Rept. 112-129). Referred to the Committee of the Whole House on the State of the Union.

Mr. CAMP: Committee on Ways and Means. First Semiannual Report on the Legislative and Oversight Activities of the Committee on Ways and Means for the 112th Congress (Rept. 112-130). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself and Mr. MCGOVERN):

H.R. 2404. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan (for himself, Mrs. MYRICK, and Mr. GENE GREEN of Texas):

H.R. 2405. A bill to reauthorize certain provisions of the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act relating to public health preparedness and countermeasure development, and for other purposes; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of New Jersey:

H.R. 2404.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution

By Mr. ROGERS of Michigan:

H.R. 2405.

Congress has the power to enact this legislative pursuant to the following

Article 1, Section 8, Clause 1: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States;

Article 1, Section 8, Clause 18: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 412: Mr. PLATTS.

H.R. 721: Mr. POE of Texas, Mr. MURPHY of Pennsylvania, and Mr. TURNER.

June 28, 2011

CONGRESSIONAL RECORD—HOUSE, Vol. 157, Pt. 7

10111

H.R. 891: Mr. MURPHY of Pennsylvania.

H.R. 993: Mr. BERG.

H.R. 1195: Ms. LORETTA SANCHEZ of California and Mr. RYAN of Ohio.

H.R. 1331: Mr. MEEHAN.

H.R. 1704: Ms. RICHARDSON, Mr. ELLISON, and Mrs. CHRISTENSEN.

H.R. 1723: Mr. STEARNS and Mr. DENT.

H.R. 2064: Mr. CHAFFETZ.

H.R. 2171: Mr. COFFMAN of Colorado and Mr. FLORES.

H.R. 2250: Mr. CARTER, Mr. FLORES, and Mr. DUFFY.

H.R. 2346: Mr. MCGOVERN.

H.R. 2397: Mr. RIGELL, Mr. DUFFY, Mr. GIBBS, and Mr. LANKFORD.

H. Con. Res. 58: Mr. GOSAR.

H. Res. 19: Ms. NORTON.

H. Res. 20: Mr. TONKO.

SENATE—Tuesday, June 28, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, whose glory has been revealed through the generations, renew within our Senators a true understanding of Your purpose for this Nation and world. Illuminate their minds with the light of Your wisdom so that they will know how to meet the complex challenges of our time. Lord, use them to lift the spirits of the American people, to encourage the hearts of those on life's margins, and to bring peace to those troubled by the problems in our world. May their trust in Your Word fill them with confidence in Your providential leading.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 28, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will

be in executive session to consider the Cole, Monaco, and Seitz nominations. These are all for the Justice Department. The first vote today will be at noon on the confirmation of James Cole to be Deputy Attorney General. We are hopeful that the Monaco and Seitz nominations can be confirmed by voice vote. Following that first vote, the Senate will be in recess until 2:15 p.m. for the weekly caucus meetings. At 2:15, the Senate will resume consideration of the Presidential Appointment Efficiency and Streamlining Act. We are working on an agreement to complete action on that bill and the Rules Committee resolution which will follow. Additional rollcall votes are expected today.

MEASURE PLACED ON THE CALENDAR—H.R. 1249

Mr. REID. Madam President, H.R. 1249 is due for a second reading. I ask the clerk to report.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform.

Mr. REID. I now object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar under the provisions of rule XIV.

THE DEBT CEILING

Mr. REID. Madam President, yesterday I sat down with the President to talk about how to avoid a default crisis that would be a black mark on this country's reputation for generations to come. If we fail to avert this crisis, it would be the first time in our great Nation's history that we have defaulted on our financial obligations and would send shock waves through the global economy. But I am not the only one saying that. The most respected voices in the business and financial community are saying the same thing: Default would be awful. Business leaders, economists, bank executives, credit rating agencies, and even a Republican adviser to Presidents Reagan and George Bush—the same adviser to Presidents Ronald Reagan and George H.W. Bush—have used some very serious words to describe the kind of crisis defaulting on our debt would cause. The word many have used is it would be a “catastrophe.” The legendary Warren Buffett said a few days ago

that allowing the United States to default on its debt would be Congress's “most asinine act” ever. Treasury Secretary Timothy Geithner said a failure to avert default would have “catastrophic economic consequences that would last for decades.”

Failure to avert this crisis would have dire consequences and would result in the most serious financial crisis this country has ever faced. Millions of Americans could lose their jobs, Federal prisons would have to be changed dramatically with their personnel, border security would have to change, and our court systems would likely no longer be able to have trials. Security checks could stop, and so could paychecks to our troops. That is how desperate it would be.

What could be so important that my Republican colleagues are willing to put our economy at such dire risk? What could be worth walking away from the negotiating table, as they have done? Tax breaks for wealthy oil companies and corporate jets? Republicans have gone to the mat for Big Oil, fighting again and again to preserve wasteful, taxpayer-funded giveaways to companies that made tens of billions of dollars in profits in the first quarter of this year alone. Republicans walked away from the negotiating table to save tax breaks for corporate jets. So which big industries and special interests will they fight for next? Oil companies? To ship jobs overseas? Companies that ship jobs overseas? Corporate jets?

If they were truly serious about reducing the deficit, they would admit this kind of waste must end. Yet some top Republicans say eliminating these subsidies shouldn't even be part of the discussion as we find a way to reduce the deficit and avoid a catastrophic default. Several rank-and-file Republicans have said handouts to oil and gas companies and other wasteful tax breaks should be on the table as we negotiate. These are Republicans. And 34 Republicans endorsed the view that any taxpayer giveaways should be part of the solution when they voted to eliminate subsidies for ethanol. It seems Republicans can't even agree among themselves whether subsidies and giveaways are sacrosanct.

One thing they can agree on, it seems: They are willing to balance the budget on the backs of seniors instead. They are willing to end Medicare as we know it. They are willing to slash Medicaid, jeopardizing coverage for 80 percent of American seniors in nursing homes. Medicaid is for the poorest of the poor, but about 70 percent of Medicaid money goes to people who are in

rest homes, nursing homes. Republican priorities, then, are very clear. They are dead wrong, though.

Democrats know we need to make difficult spending cuts to reduce our deficit, but to dig ourselves out of this financial hole, we must also create jobs to spur our economy, and we must break the cycle of wasteful giveaways, not break our promise to seniors.

The junior Senator from South Carolina, a Republican, threatened that any Republican who votes to avert a default crisis will be “gone”—those are his words—voted out in a wave of tea party anger. This kind of inflammatory language is irresponsible. There is simply too much at stake.

Also, this same Senator did not mention that 235 Republicans in the House and 40 in the Senate, including my friend from South Carolina whom I have just talked about, have already voted to increase our debt this year. Their ideological budget—it came from the House—that they wanted to support here and did vote for it, would have increased the debt by more than 60 percent over the next 10 years. The so-called Ryan budget would increase the debt by more than 60 percent over the next 10 years. That is about \$9 trillion in a decade.

What did Republicans get for their so-called \$9 trillion? What would we get? A plan that ends Medicare; a plan that would slash Medicaid, jeopardizing coverage, as I indicated, for 80 percent of American seniors in nursing homes; a plan that protects tax breaks for billionaires and oil companies while putting millions of seniors at risk. That is the choice. The psychologist Alfred Adler once said, “It is easier to fight for one’s principles than to live up to them.” Republicans shouted loudly and repeatedly about reducing debt. Then they gave us 9 trillion reasons not to trust this rhetoric.

The time for empty rhetoric is over. Now it is time for my Republican colleagues to put the good of our economy ahead of their own politics.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF JAMES MICHAEL COLE TO BE DEPUTY ATTORNEY GENERAL

NOMINATION OF VIRGINIA A. SEITZ TO BE ASSISTANT ATTORNEY GENERAL

NOMINATION OF LISA O. MONACO TO BE ASSISTANT ATTORNEY GENERAL

THE ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General;

Virginia A. Seitz, of the District of Columbia, to be Assistant Attorney General; and

Lisa O. Monaco, of the District of Columbia, to be Assistant Attorney General.

THE ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 hours of debate concurrently on the nominations, equally divided and controlled in the usual form.

The majority leader.

Mr. REID. Madam President, I ask that the time of all the quorum calls during the debate on these important nominations be equally charged to both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the final 15 minutes for debate on these nominations be set aside for the chairman of the Judiciary Committee, PATRICK LEAHY.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection.

BUDGET NEGOTIATIONS

Mr. SCHUMER. Madam President, the last thing we need when we are trying to get back on track is a default crisis that would grind our economy to

a halt and bury us under even more debt. Yet the latest round of Republican politicians threatening to default on our debt has made their priorities clear: They would rather stop paying our men and women fighting overseas, force deep cuts to Social Security and Medicare, and throw even more Americans out of work than tell big oil companies and corporate jet owners to pay their fair share.

Clearly our Republican colleagues are serious about politics, not deficits. You cannot be serious about deficits and at the same time recklessly jeopardize our economic standing in the world in order to protect tax breaks for the wealthiest few. Yet that is what leaders such as MITCH MCCONNELL seem to be saying. Yesterday my Republican colleague drew a line in the sand on cutting wasteful spending in the Tax Code, calling elimination of special interest giveaways politically impossible. Politically impossible? Really? Just two weeks ago 34 Senate Republicans joined Democrats in passing the repeal of subsidies to ethanol companies. Politically impossible? The landmark budget agreements of the 1990s brought us into balance and ushered in surpluses that took a balanced approach and created prosperity and job creation such as we have not seen in this decade.

Politically impossible? Right now in America middle-class families are living paycheck to paycheck while Senator MCCONNELL and his colleagues are going to the mat to protect billions in tax breaks to oil companies. They say two things—Senator MCCONNELL says two things: He says he is not raising taxes. He wants the average American to think it is your taxes. No one wants to raise taxes on people below \$250 million—many of us, people below \$1 million. But when oil companies get big giveaways, when corporate jets get huge deductions, a greater deduction than Delta gets when it buys a plane for commercial use, that should be on the table. We should ask Senator MCCONNELL and the press should ask Senator MCCONNELL: When you say no taxes, do you mean some of our largest corporations should pay no taxes? When you say no taxes, should no taxes be on the table? Are you saying we should not close corporate loopholes? Are you saying people who are making \$1 billion should not sacrifice and all the sacrifice should be the middle class? Because that is what Senator MCCONNELL is saying.

Again, we do not wish to tax and will not tax average middle-class people. That is the President’s pledge and that is our pledge. The question is: When you tell an average teacher or cop or firefighter you have to sacrifice, are you going to tell the millionaire they have to sacrifice too? Not because we dislike them, but because it should be shared across the board, and Senator

McCONNELL has said: No, the millionaires should not sacrifice. Because the only way they are going to sacrifice is closing loopholes in the Tax Code. They don't need loans to help their kids get to college.

One other thing: Senator McCONNELL says we should take anything about corporate loopholes, about taxing wealthy people off the table. His "my way or the highway" approach is what is standing in the way of getting an agreement. The person standing in the way right now is Senator McCONNELL. You have not heard such strident language from the other leaders. He says: Take everything we want and nothing you want or we will not get an agreement. That is what he is saying.

The bottom line is very simple. Senator McCONNELL, cutting Medicare benefits will not make us stronger; Firing teachers will not make us stronger; rolling back investments in innovation and research and high-tech jobs of the future will not make us stronger, but ending wasteful tax subsidies that do nothing but contribute to the deficit for oil companies and corporate jet owners will make us stronger. Meet us part of the way here. Don't say my way or no way because that is too risky, and that is telling the world we will not fulfill our obligations the way every family in America has to fulfill theirs.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KIRK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KIRK. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STEALTH SURVEY

Mr. KIRK. Madam President, I rise with great concern regarding a program just revealed in the Sunday New York Times—outstanding work by Robert Pear—"U.S. Plans Stealth Survey on Access to Doctors." I am asking my colleagues to join me in sending a letter to Secretary Sebelius, sharing our concerns with the legality, standards, and repercussions of this program.

I have deep concerns regarding the Department's recent plans for this so-called stealth survey, its legality, the notification to Congress, the lack of standards for any misconduct or bad reporting by the staff hired to carry out this work in looking clandestinely at American doctors and their practice of medicine. The cost and proposed

clandestine method of collecting information about physicians' offices is questionable. Therefore, I will be requesting details on how this survey will be conducted and how investigators will be punished for misconduct or extortion they may carry out in their duties and how patient and physician confidentiality will be maintained.

In our letter, we are outlining 12 key questions.

No. 1. Since there are already a number of surveys answering this question, does this expenditure of taxpayer money add anything? We are asking for the Department to provide detailed records of their literature review on the current research that has already been published on the subject before launching this taxpayer-funded expense. We are also asking for the total cost of this program to be revealed.

No. 2. We are asking for records on how the National Opinion Research Center of Chicago, IL, won a Federal competitive bid to carry out this work.

No. 3. In concluding the results of this survey, how will the NORC decide what qualifies as an acceptable response or best practices from physicians they have targeted?

No. 4. How will patient and doctor confidentiality be maintained? If researchers report bad information or use this survey for extortion, bribery or other acts, how will they be disciplined?

No. 5. Once concluded, who has access to this information—the Department, the White House, the Congress, the press?

No. 6. By what criteria will individual physicians be targeted for participation? Will age, average incomes, surrounding office locations or political affiliation be excluded from factors considered when targeting physicians?

No. 7. Will Federal employees carry out this work or will it be conducted by a contracted call center for data collection? Also, who is qualified to conduct this survey and how will they be chosen?

No. 8. If the staff improperly releases patient or physician data, how will they be disciplined?

No. 9. I would like their description of the fiscal year 2011 Appropriations Committee program or account under which this was funded.

No. 10. I am also requesting a description of the statutory authorization used to carry out this work and the congressional notifications informing the committees of jurisdiction of their intent to obligate funds for this purpose.

No. 11. I am also asking for specific sections identified in the President's budget under which the funding for this work was requested.

No. 12. If a physician wishes to correct data collected by the NORC, what legal redress does he or she have?

There have been a number of very reliable studies which confirm that many

patients on Medicaid and Medicare cannot find a doctor to see them. Previous studies also confirm that we do not have enough doctors, particularly primary care doctors. We all know government programs often provide poor service and suffer from funding failures or corruption.

In this time of serious fiscal constraint, I urge us to focus our limited Federal resources on ways we can actually address these problems rather than launch another taxpayer-funded spending program to clandestinely review the work of our physicians.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KYL. Madam President, I ask unanimous consent that I be allowed to speak as in morning business for up to 7 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE DEFICIT

Mr. KYL. Madam President, I just wish to bring to my colleagues' attention a very well-written but disturbing op-ed in today's Wall Street Journal by one of our country's foremost economists, a person whose calculations and prognostications we should not lightly lay aside, Larry Lindsey.

In this piece, entitled "The Deficit Is Worse Than We Think," he posits three reasons why we need to get serious about deficit reduction. I will just mention the three reasons, put this op-ed in the RECORD, and make a comment or two about it.

First, he says, if interest rates in this country go back to their historic levels, we would have annual interest expenses on our debt roughly \$420 billion higher in 2014 and \$700 billion higher in 2020, and the 10-year rise in interest rates would be about \$4.9 trillion higher than under the current cost of borrowing. That would obviously wipe out any savings, and then some, that we are trying to achieve in our deficit reduction discussions.

The second problem is, the official forecasts for growth are probably far too rosy considering the current circumstances. If we were to grow at a rate that he believes is much more realistic than those projected by the President's budget, we will miss the President's budget number by a cumulative 5.2 percentage points and incur an additional debt of \$4 trillion, which is the equivalent to all the 10-year savings in the budget that passed the House of Representatives.

Third, the cost estimates for what we call ObamaCare are going to be well off the mark, unfortunately, on the low end, that the prognostications by people who have surveyed the businesses that will either keep their insurance or turn that cost over to the government will result in an extra bill for the taxpayers of roughly \$74 billion in 2014, rising to \$85 billion in 2019 because of the subsidies that the government will have to pay into that.

His conclusion is:

Only serious long-term spending reduction in the entitlement area can begin to address the nation's deficit and debt problems.

Because that is where the bulk of the money we spend goes. I think he is absolutely correct. But if he is correct about these projections, then we are not even close to achieving the savings we need to have in order to avoid a cataclysmic future for our country.

Also, as noted today in an article from the Arizona Republic, the growth rate for the first quarter of this year was 1.9 percent. The Associated Press is forecasting that for the next quarter it will be 2.3 percent. That is way lower than any of us would like. It is too anemic to even keep up with our population in terms of job growth. This article notes:

The economy has to grow 3 percent a year just to hold the unemployment rate steady and keep up with population growth. And it has to average about 5 percent growth for a year to lower the unemployment rate by a full percentage point. It is 9.1 percent today.

So we can see we are growing at less than half the rate needed to begin to make a dent in unemployment. This bodes very badly for our future.

Finally, in a National Review Online piece today by Andrew Stiles, there is this reference to a Harvard economist, Alberto Alesina. I will quote from this article.

Alberto Alesina, a Harvard economist who has analyzed the ways in which various countries responded to large fiscal crises, concludes that spending cuts are "much more effective" than tax increases in stabilizing the debt without harming the economy. "In fact, in several episodes, spending cuts adopted to reduce deficits have been associated with economic expansions rather than recessions," Alesina writes. These findings were echoed in a report from Goldman Sachs analysts Ben Broadbent and Kevin Day, which examined "every major fiscal correction in the OECD since 1975."

The point of all these things is the projections about economic growth, about increases in interest rates and expenditures by the Federal Government all point to the need for us to reduce our expenses at the Federal Government level and that spending cuts are a much more effective way to stabilize the debt and not hurt the economy than tax increases.

I say all this because, as everyone by now knows, the negotiations that were being conducted under the auspices of Vice President BIDEN have broken

down over the issue of whether tax cuts have to be a part of the resolution of the issue. The point is—the point we have been making is—tax increases in times such as these, when we are trying to come out of a recession and we need economic growth, would be the wrong medicine for this ailing economy, that the better way to do it is by spending reductions. It is obvious from Larry Lindsey's piece that the spending reductions we have been talking about, far from being Draconian, are actually not nearly enough in order to achieve the result we have to have to avoid the kind of interest rate increases and increased costs at the Federal Government level that he predicts.

I hope my colleagues will think again as to the sort of ideological commitment they have to raising taxes. In the context of today's issue, that should not be part of our discussion. That will only hurt the economy, inhibit job creation and economic growth, and delay the day when we begin to recover from this economic downturn. Instead, we need to focus on the kind of spending reductions that were embodied in the budget that the House of Representatives passed and that those of us on this side of the aisle have been trying to put forward as a condition for increasing the debt ceiling.

Madam President, I ask unanimous consent to have printed in the RECORD the Wall Street Journal op-ed by Lawrence Lindsey.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 27, 2011]

THE DEFICIT IS WORSE THAN WE THINK—NORMAL INTEREST RATES WOULD RAISE DEBT-SERVICE COSTS BY \$4.9 TRILLION OVER 10 YEARS, DWARFING THE SAVINGS FROM ANY CURRENTLY CONTEMPLATED BUDGET DEAL

(By Lawrence B. Lindsey)

Washington is struggling to make a deal that will couple an increase in the debt ceiling with a long-term reduction in spending. There is no reason for the players to make their task seem even more Herculean than it already is. But we should be prepared for upward revisions in official deficit projections in the years ahead—even if a deal is struck. There are at least three major reasons for concern.

First, a normalization of interest rates would upend any budgetary deal if and when one should occur. At present, the average cost of Treasury borrowing is 2.5%. The average over the last two decades was 5.7%. Should we ramp up to the higher number, annual interest expenses would be roughly \$420 billion higher in 2014 and \$700 billion higher in 2020.

The 10-year rise in interest expense would be \$4.9 trillion higher under "normalized" rates than under the current cost of borrowing. Compare that to the \$2 trillion estimate of what the current talks about long-term deficit reduction may produce, and it becomes obvious that the gains from the current deficit-reduction efforts could be wiped out by normalization in the bond market.

To some extent this is a controllable risk. The Federal Reserve could act aggressively

by purchasing even more bonds, or targeting rates further out on the yield curve, to slow any rise in the cost of Treasury borrowing. Of course, this carries its own set of risks, not the least among them an adverse reaction by our lenders. Suffice it to say, though, that given all that is at stake, Fed interest-rate policy will increasingly have to factor in the effects of any rate hike on the fiscal position of the Treasury.

The second reason for concern is that official growth forecasts are much higher than what the academic consensus believes we should expect after a financial crisis. That consensus holds that economies tend to return to trend growth of about 2.5%, without ever recapturing what was lost in the downturn.

But the president's budget of February 2011 projects economic growth of 4% in 2012, 4.5% in 2013, and 4.2% in 2014. That budget also estimates that the 10-year budget cost of missing the growth estimate by just one point for one year is \$750 billion. So, if we just grow at trend those three years, we will miss the president's forecast by a cumulative 5.2 percentage points and—using the numbers provided in his budget—incur additional debt of \$4 trillion. That is the equivalent of all of the 10-year savings in Congressman Paul Ryan's budget, passed by the House in April, or in the Bowles-Simpson budget plan.

Third, it is increasingly clear that the long-run cost estimates of ObamaCare were well short of the mark because of the incentive that employers will have under that plan to end private coverage and put employees on the public system. Health and Human Services Secretary Kathleen Sebelius has already issued 1,400 waivers from the act's regulations for employers as large as McDonald's to stop them from dumping their employees' coverage.

But a recent McKinsey survey, for example, found that 30% of employers with plans will likely take advantage of the system, with half of the more knowledgeable ones planning to do so. If this survey proves correct, the extra bill for taxpayers would be roughly \$74 billion in 2014 rising to \$85 billion in 2019, thanks to the subsidies provided to individuals and families purchasing coverage in the government's insurance exchanges.

Underestimating the long-term budget situation is an old game in Washington. But never have the numbers been this large.

There is no way to raise taxes enough to cover these problems. The tax-the-rich proposals of the Obama administration raise about \$700 billion, less than a fifth of the budgetary consequences of the excess economic growth projected in their forecast. The whole \$700 billion collected over 10 years would not even cover the difference in interest costs in any one year at the end of the decade between current rates and the average cost of Treasury borrowing over the last 20 years.

Only serious long-term spending reduction in the entitlement area can begin to address the nation's deficit and debt problems. It should no longer be credible for our elected officials to hide the need for entitlement reforms behind rosy economic and budgetary assumptions. And while we should all hope for a deal that cuts spending and raises the debt ceiling to avoid a possible default, bondholders should be under no illusions.

Under current government policies and economic projections, they should be far more concerned about a return of their principal in 10 years than about any short-term delay in a coupon payment in August.

Mr. KYL. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I assume that we are now on the Cole nomination?

The ACTING PRESIDENT pro tempore. We are on the nomination.

Mr. GRASSLEY. Madam President, earlier this year the Senate expressed its opposition to proceeding to Mr. Cole's nomination when it failed to invoke cloture. I was a strong advocate against the Senate invoking cloture on Mr. Cole's nomination because the Justice Department had failed to respond to a legitimate oversight request that both Senator CHAMBLISS and I made relating to two separate topics.

The Justice Department was withholding vital documents related to my inquiry of the Bureau of Alcohol, Tobacco and Firearm's Operation Fast and Furious and to an inquiry by Senator CHAMBLISS in his capacity as vice chairman of the Select Committee on Intelligence.

As ranking member of the Judiciary Committee, I have been seeking and still seek documents, information, and access to witness interviews to determine who approved Operation Fast and Furious. This was an operation that you have heard me talk about often where ATF agents were ordered to knowingly allow straw buyers to obtain weapons on behalf of criminals and traffickers intent on smuggling those weapons into Mexico.

The courageous agents who blew the whistle and testified about their efforts to warn supervisors about the dangers referred to this practice as "walking guns." Of the more than 1,800 weapons allowed to "walk," hundreds have been recovered in connection with crimes in the United States and Mexico, including two such weapons in connection with the murder of Border Patrol agent Brian Terry.

After seeking information from the Justice Department, I was repeatedly told that the ATF did not knowingly allow these sales. Working with Congressman ISSA, who is chairman of the House Government Oversight Committee, we released information that showed that the initial denials were false. This risky policy was, in fact, implemented at ATF and the Justice Department.

Despite the seriousness of the whistleblowers' allegations and my repeated inquiries, the Justice Department continued to deny me access to the documents. As a result, I urged my colleagues to oppose cloture on James Cole to be Deputy Attorney General.

Well, that cloture opposition worked. We have since reached an agreement with the Justice Department and Senator LEAHY that will guarantee my access to vital document information and witnesses regarding this ATF operation.

I also understand that Senator CHAMBLISS has reached an agreement on obtaining the information he has sought on behalf of the Intelligence Committee. Accordingly, I now lift my opposition to the Senate holding a vote on Mr. Cole's nomination. However, I want to explain that I am going to vote against his nomination for many reasons.

I oppose the nomination of James Cole to be Deputy Attorney General at the Department of Justice because I have serious concerns regarding Mr. Cole's qualifications. In addition, I am troubled by President Obama's recess appointment of Mr. Cole to this position. I have been consistent in my opposition to recess appointments over the years on committees where I have been chairman or ranking member. Whenever the President bypasses the Senate; in other words, bypasses our confirmation of a person, by making a recess appointment, such nominees will not receive my support where I have been lead on my side responsible for reviewing such nominees.

We have a process in place for nominations, and if the President is not willing to work with Senators to clear nominations, the nominee should not get a second bite at the apple. The Deputy Attorney General is second in command at the Justice Department and is responsible for overseeing the day-to-day operations of the Department.

Managing this vast bureaucracy is a difficult task that requires a serious commitment to protecting our national security, enforcing our criminal laws, and safeguarding taxpayer dollars. We need a qualified leader who has the smarts, the capability, and the willingness to manage Department programs and root out inefficiencies and abuse in those programs.

After reviewing all of his responses and his hearing testimony, I concluded that I could not support Mr. Cole's nomination to be Deputy Attorney General. In particular, I am seriously concerned about Mr. Cole's views on national security and on terrorism. Back in 2002, Mr. Cole was author of an opinion piece in the *Legal Times*. In that piece he stated:

For all the rhetoric about war, the September 11 attacks were criminal acts of terrorism against a civilian population, much like terrorist acts of Timothy McVeigh in blowing up the federal building in Oklahoma City, or of Omar Abdel-Rahman in the first effort to blow up the World Trade Center. The criminals responsible for those horrible acts were successfully tried and convicted under our criminal justice system without the need for procedures that altered traditional due process rights.

But I want to quote further.

The acts of September 11th were horrible, but so are . . . other things.

The other things he referred to were the drug trade, organized crime, rape, child abuse and murder. Mr. Cole's opinion piece argued that notwithstanding the involvement of foreign organizations such as al-Qaida, we have never treated criminal acts influenced by foreign nationals or governments as a basis for "ignoring the core constitutional protections engrained in our criminal justice system."

Mr. Cole concluded his opinion piece by arguing that in addition to stopping future terrorist attacks, the Attorney General is a criminal prosecutor and that he has a special duty to apply constitutional protections ingrained in our criminal justice system to even including terrorists captured on foreign battlefields.

Mr. Cole wrote this opinion piece 2 days short of the first anniversary of the September 11 attacks. Given the close proximity in time to the September 11 attacks, we must accept this opinion piece as Mr. Cole's true beliefs about the application of the civilian criminal justice system to terrorism cases, including those who masterminded the 9/11 attacks.

From the opinion piece and his responses to our inquiry, it appears that if given a choice of prosecuting high-ranking terrorists in civilian courts or military commissions, Mr. Cole would likely favor civilian courts based upon his longstanding belief in the role that the Attorney General plays in protecting the principles of the criminal justice system.

Absent a clear statement from Mr. Cole about what factors would warrant selecting a civilian or a military forum, it is hard to look at his entire record of past opinion, his testimony and responses to our questions, and reach any different conclusion.

In fact, my concerns about the individuals at the Justice Department supporting prosecution of terrorists in civilian criminal court have been validated by recent events surrounding the arrest of two Iraqi nationals at Bowling Green, KY. These Iraqi nationals have admitted targeting American troops in Iraq, plotting to equip foreign fighters in Iraq with weapons such as grenades and missile launchers. They made their way to our country and somehow got past the Department of Homeland Security.

After they were identified, the Justice Department is seeking to try them in civilian court even though their activities regarded terrorist activities and took a very military approach.

Attorney General Holder has been steadfast in supporting their prosecution in civilian court. It appears to me that no one in the Justice Department, including Mr. Cole, has objected to prosecuting these individuals in civilian court. This is despite the clear

nexus to the battlefield in Iraq. So it now appears the Justice Department, where Mr. Cole currently serves as a recess-appointed Deputy Attorney General, rewards terrorists who are smart enough to evade Homeland Security's determination on whether they can come to this country, and at the same time make their way from the battlefield with the same rights and privileges as American citizens. All of this occurred on Mr. Cole's watch as Deputy Attorney General.

Military tribunals have many advantages to civilian criminal courts and are better equipped to deal with dangerous terrorists and classified evidence while preserving due process. I am troubled that Mr. Cole does not appear to share this belief. Because of his responses and testimony, I have serious concerns about his support for civilian trials for terrorists captured on a foreign battlefield. This is of particular concern, given that the Deputy Attorney General oversees the National Security Division at the Justice Department.

Now for a second reason. I have concerns about Mr. Cole's abilities relative to oversight of government programs. We asked about oversight of the Department of Justice's grant programs. When he was asked, Mr. Cole failed to commit to a top-to-bottom review of the programs, nor has he undertaken such a review since he was recess appointed. Given the enormous Federal deficits and enough examples of the tremendous inefficiencies, duplications, and waste in these programs, one would assume the Deputy Attorney General would be looking for cost savings in the Department. I am disappointed Mr. Cole has failed to recognize that there is a need for a comprehensive review of Justice's grant programs—not only for the sake of saving taxpayer dollars at a time when we face skyrocketing fiscal deficits but also to ensure that grant objectives are being met in the most efficient and effective manner possible.

A third reason. I have concerns about Mr. Cole's abilities based on his performance as an independent consultant tasked with overseeing the insurance firm AIG. By way of background, the Justice Department provided copies of the reports Mr. Cole issued when he was overseeing AIG, but they were labeled "Committee Confidential." As a result of their being labeled "Committee Confidential," I cannot discuss with specificity the contents of those documents publicly. Nevertheless, when taken into context with the public responses provided by Mr. Cole to my questions, a troubling picture develops about Mr. Cole's performance in his role as independent consultant. The responses and reports do not dispel the serious questions raised about Mr. Cole's independence or his completeness. Further, they reveal what ap-

pears to be a level of deference to AIG management one would not expect to see from someone tasked with the responsibility of being an "independent" monitor.

In order to clarify a number of questions on this matter, Senator COBURN and I sent a followup letter seeking additional answers from Mr. Cole. Mr. Cole's reply clarified that the Department of Justice, the Securities and Exchange Commission, and the New York Attorney General's Office were aware of his practice of seeking input from AIG and making modifications to the reports. He indicated that the changes AIG made were often factual changes, such as AIG employee names, dates of materials, and events. He also indicated that some of the changes requested by AIG were included in a section of the report entitled "AIG Response." However, he added that "on a few occasions" AIG would "suggest a stylistic change of phrasing in the analytical section of the report." He stated that while he included the edits made by AIG, he "did not believe that a detailed presentation of this factual review process was necessary to an understanding of each party's position."

As a result, the reports did not necessarily show which edits AIG made that were incorporated. Instead, he said those changes were available in working papers that were "available to the SEC, the DOJ, and the New York Attorney General's Office." Unfortunately, he added, "the agencies—which were aware of this practice—did not request such documents."

While I appreciate Mr. Cole's responses to these clarifying questions, they raise concerns about how independent his monitoring was, what changes were ultimately requested by AIG, what changes were included, and how much the SEC and the Department of Justice knew about edits AIG was making to the "independent" reports.

In addition, I have serious concerns about Mr. Cole's decision to suspend compliance review at AIG's financial products division following the government bailout of AIG. In his testimony, Mr. Cole acknowledged that subsequent to the government bailout of AIG, he scaled back his efforts until the future of AIG as a corporation was determined. After Mr. Cole suspended his monitoring, AIG restructured its compliance office and terminated a number of staff overseeing the company's compliance with SEC regulations. Mr. Cole said after it was determined that AIG's financial products division would not be dissolved, the compliance and monitoring were "revived and are being reviewed and implemented where applicable."

Under Mr. Cole's watch, AIG not only got \$182 billion of taxpayer dollars for a bailout, but was able to talk the independent consultant—Mr. Cole—out of monitoring what the company was doing.

I am concerned about Mr. Cole's ability to perform the duties required of a Deputy Attorney General. In that role, he would be in a position to potentially influence future compliance monitors appointed under settlements with the Justice Department, the Securities and Exchange Commission, and other corporations that have violated the law. Independent monitors need to be truly independent and, of course, completely transparent. They are selected and appointed to ensure the interests of the American people are protected.

For these reasons, I cannot support the nomination of Mr. Cole to be Deputy Attorney General, and I urge my colleagues to do the same.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Madam President, I am very pleased that soon we will be voting on Jim Cole to be the Deputy Attorney General of the United States. This is a person who puts principle over politics, a person who is very important in our war against terror and who will use all lawful tools to keep our Nation safe. So I am proud to take a few moments to urge my colleagues to vote for his confirmation. I think that is in our national security interests, and I know he will be and already is an incredible asset to this country in keeping us safe and doing so in the best traditions of the U.S. Attorney General's Office.

I would like to talk for a moment on a personal basis because I got to know Jim Cole when I was serving in the House of Representatives. I was on the Ethics Committee. The Ethics Committee is not a committee, as you know, on which a Member asks to serve; it is something we must do.

We had a very sensitive investigation in the House of Representatives concerning the Speaker of the House, Newt Gingrich, and the six of us who served on the Ethics Committee needed to come to a fair, nonpartisan conclusion to this very challenging investigation. To say we thought this would be impossible was an understatement of where we first thought we would be in regard to the investigation. But then we reached out and agreed to bring in an independent counsel to help us in our deliberations. That person was Jim Cole.

Jim Cole worked with all of us to look at the facts and do what was in the best interests of the House of Representatives, the best interests of our country, and to leave our politics aside so that we could come out with a result that was fair and would restore confidence in the legislative process. In fact, we did that. We were able to reach

a totally unanimous judgment, one that was agreed to on the floor of the House of Representatives and I think spoke volumes about our ability to get our work done in the best interests of our Nation.

I thought Jim Cole did a fabulous job, a great job in helping us. That was also the view of Porter Goss, who was the Republican leader on the Ethics Committee and chairman of the committee at the time. He said he felt Jim Cole brought professionalism at the highest level to our investigation and allowed us to come forward with a fair nonpartisan conclusion. That is the exact person we need in the Department of Justice. It is the person we need to be Deputy Attorney General of the United States.

The Attorney General and the Deputy Attorney General are our Nation's lawyers. They don't represent one party; they represent our country. We need leadership in the Department of Justice who will work in a nonpartisan way, a way that will bring nonpartisan leadership to the Department of Justice. Jim Cole is that type of person. He has the experience, he has the character, and he has the commitment to fill this very important position in our Nation, with 13 years in the Department of Justice and experience in public interest law. His career has been devoted to the public interest in community service.

I was listening to my colleague and friend Senator GRASSLEY talk about his concerns about some of the private law practice of Jim Cole. Here is a person who has devoted his life basically to community and his career in public interest law. He has been a prosecutor. He has been a person who has dealt with white-collar criminals. And, yes, he is an effective attorney. As those of us who are lawyers know, we will represent our clients aggressively, but we don't lose sight of our system. That has been Jim Cole throughout his career. He will bring the expertise he has had in his previous experience to represent our Nation well. These are tough times. We are dealing with threats around the world where we need an Attorney General and a Deputy Attorney General who will use all lawful tools in order to protect our country.

It is interesting that Jim Cole enjoys endorsement from both sides of the aisle. When we look at high-ranking Department of Justice former officials, both Democrats and Republicans have endorsed Jim Cole's confirmation to be the Deputy Attorney General.

Let me quote from one Republican source that I think is typical of the endorsements we have received encouraging the confirmation of Jim Cole. We received a letter from Fred Fielding. I think most of you know Fred Fielding. He was White House Counsel for former President George W. Bush. I think most of us had close dealings with and

respected him greatly in the service to the Bush administration. This is what Fred Fielding said about Jim Cole:

Mr. Cole combines all the qualities you would want in a citizen public servant. He understands both sides of the street and is smart and tenacious, and is a person of unquestioned honor and integrity.

Well, I agree with Fred Fielding. This is the type of person we need to be Deputy Attorney General of the United States.

I am pleased we are going to have this vote later on today. I encourage my colleagues to vote for his confirmation. It is important that we have individuals in these key positions who enjoy the full confirmation from the Senate, and I hope my colleagues will join me in supporting this nominee.

Mrs. FEINSTEIN. Madam President, I rise in strong support of the nomination of Lisa O. Monaco to be the Assistant Attorney General for National Security that is before the Senate.

The Assistant Attorney General for National Security is a fairly new position but a very important one, especially in a time of rapidly evolving threats to our nation and increasingly challenging legal questions about how to prepare for and combat those threats.

As the Assistant Attorney General for National Security, Ms. Monaco would represent the government in Foreign Intelligence Surveillance Act, FISA, proceedings and sign off on applications to allow the government to move quickly to track down terrorists and spies operating against the United States. She will be the principal official in the Department of Justice for engaging with the intelligence community as agencies determine the authorities and limitations under the law.

Ms. Monaco's confirmation is long overdue. She was approved unanimously by both the Senate Judiciary and Intelligence Committees last month after the May 1 strike against Osama bin Laden.

Importantly for the Assistant Attorney General for National Security position, that operation netted a large cache of al-Qaida documents, communications, and videos that will, no doubt, lead to new counterterrorism leads.

On May 8 National Security Adviser Tom Donilon was on "Meet the Press," and he said, "This is the largest cache of intelligence derived from the scene of any single terrorist. It's about the size, the CIA tells us, of a small college library."

In the past 2 months, intelligence and law enforcement professionals have been scouring that information for new threats, leads, and insights into al-Qaida and global terrorism. As the intelligence gained is turned into counterterrorism actions, Lisa Monaco will oversee those activities.

The bottom line is that at this time of heightened potential threat of ter-

rorism, the Attorney General, the intelligence community, and the entire administration need to have their team in place.

Ms. Monaco was approved by the Senate Judiciary Committee on May 9 and by the Senate Intelligence Committee on May 24, in both cases by unanimous vote. Both committees held nomination hearings for Ms. Monaco and for both committees, she completed pre-hearing and post-hearing questions. I know Ms. Monaco also had a chance to meet with members of both committees and it is clear she is impressive and well-qualified.

There is no doubt that Ms. Monaco has the experience to be an effective Assistant Attorney General for National Security. Let me describe her background in more detail.

Since February 2010, Lisa Monaco has served as the Principal Associate Deputy Attorney General or acted in that capacity, and she served as Associate Deputy Attorney General from January 2009 through February 2010.

She also has considerable experience with the Federal Bureau of Investigation, having served as chief of staff to Director Robert Mueller, September 2007–January 2009.

Ms. Monaco spent 6 years as an assistant U.S. attorney for the District of Columbia when she received the Attorney General's Award for Exceptional Service, the Department of Justice's highest award. She also received Department of Justice Awards for Special Achievement on three occasions, in 2002, 2003, and 2005.

She received her law degree from the University of Chicago Law School, 1997, and her B.A. from Harvard University, 1990.

Ms. Monaco's nomination has received support from a range of former senior officials of the FBI and Department of Justice, including former Attorney General Michael B. Mukasey and former Assistant Attorney General for National Security Kenneth L. Wainstein.

So we see that Ms. Monaco's background and qualifications are impeccable. I strongly urge the Senate to approve her nomination to be the Assistant Attorney General and wish her success in this position.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont.

Mr. LEAHY. After extensive and unnecessary delays, the Senate will finally vote today on three important

nominations to fill high-level posts at the Department of Justice. Two of these positions have national security responsibilities. I have been here since the Ford administration, and I cannot recall a time when the Justice Department and the country were deprived of such critical appointees. Whether we had a Republican or Democratic President, we always quickly filled these kinds of national security positions. So it is hard to understand why we have not been able to vote on nominees for positions with significant national security responsibilities such as the Deputy Attorney General and the Assistant Attorney General for the National Security Division—especially when we are 2½ months away from the 10th anniversary of September 11.

The nominations of Jim Cole to be Deputy Attorney General, Lisa Monaco to be Assistant Attorney General for National Security, and Virginia Seitz to be Assistant Attorney General for the Office of Legal Counsel have been blocked for months by Republican obstruction over matters not related to the qualifications of the nominees and in abject disregard of the needs of the Justice Department and the country. So I am glad that today we are finally going to vote and, I trust, confirm these superbly qualified nominees.

The unprecedented filibuster of the nomination of the Deputy Attorney General has been especially egregious. The Deputy Attorney General is the No. 2 position at the Justice Department, and it is a position with key national security responsibilities. Despite significant bipartisan support and unquestionable qualifications, Jim Cole's nomination has been blocked for nearly a year. He was reported favorably by the Senate Judiciary Committee in July of last year—11 months ago—but the Republicans prevented a vote. He was renominated and reported favorably a second time in the middle of March, but Republicans stalled and filibustered consideration of the nomination last month. During my time in the Senate, I have seen the nominations of many Deputy Attorneys General. Every time they have been voted on favorably by the Senate Judiciary Committee—whether under Republican or Democratic control—their nomination has been voted on within a matter of days on the Senate floor. This is the first time in the Nation's history that a President's nominee to serve as Deputy Attorney General was filibustered, and it was wrong.

Jim Cole's nomination should not have been controversial. It is a nomination supported by former Republican Senator Jack Danforth, who was nominated by President Bush to be our Ambassador to the United Nations. Senator Danforth worked with Jim Cole for more than 15 years. When he introduced him at his confirmation hearing, Senator Danforth described Mr. Cole as

someone without an ideological or political agenda. He also wrote to the committee:

Jim is a "lawyer's lawyer." He is exceedingly knowledgeable, especially on matters relating to legal and business ethics, public integrity and compliance with government regulations. He is highly regarded . . . as a skillful litigator. As his resume demonstrates, he has long and deep experience in the Department of Justice.

I agree. Jim Cole served as a career prosecutor at the Justice Department for a dozen years and has a well-deserved reputation for fairness, integrity and toughness. He has demonstrated that he understands the issues of crime and national security that are at the center of the Deputy Attorney General's job. Nothing suggests that he is anything other than a steadfast defender of American safety.

We have received numerous letters of support for Mr. Cole's nomination, including letters from many former Republican public officials. I put several of those letters in the RECORD last month. The Senate should have heeded those recommendations as well as the advice of former Deputy Attorneys General of the United States who served in both Republican and Democratic administrations. They wrote to us last December to urge the Senate to consider Mr. Cole's nomination without delay—last December—pointing out that the Deputy Attorney General is "the chief operating officer of the Department of Justice, supervising its day-to-day operations" and that "the Deputy is also a key member of the president's national security team, a function that has grown in importance and complexity in the years since the terror attacks of September 11." They were right. The Senate was wrong to filibuster this nomination. The Senate has the opportunity today to finally confirm this good man and public servant. I trust this institution will take that opportunity.

Incredibly, the nomination of the Deputy Attorney General was subjected to a partisan filibuster for over three more months while the country faces concerns about terrorism in the aftermath of the President's successful operation against al-Qaida and Osama bin Laden. It is hard for me to understand how, at a time when experts are concerned that al-Qaida will seek reprisals, some in the Senate have delayed action to ensure that President Obama has his full national security team in place. No matter who is President, we should want that President to have their national security team in place for the good of all Americans.

In the aftermath of 9/11, Senate Democrats expedited law enforcement and national security nominations, confirming an additional 58 officials to posts at the Justice Department before the end of 2001. The Senate should have done the same with the nomination of Jim Cole. Senate Republicans should

have treated Mr. Cole's nomination with the same urgency and seriousness with which Senate Democrats treated all four of the Deputy Attorneys General who served under President Bush. All four were confirmed by the Senate by voice vote an average of 21 days after they were reported by the Judiciary Committee. No Deputy Attorney General nomination had ever been subjected to a filibuster before. That is what Senator Republicans did this year. It was wrong.

In addition, Senate Republicans have blocked votes on the nomination of Lisa Monaco to head the National Security Division at the Justice Department, another key national security position. Her nomination has been blocked even though it was considered at hearings and reported unanimously, not only by the Judiciary Committee but also by the Senate Select Committee on Intelligence. She was reported unanimously by all Democrats and all Republicans in two key committees. Senator GRASSLEY, Senator CHAMBLISS and all the Republican members of the Senate Judiciary Committee and the Senate Select Committee on Intelligence voted for her. To have an almost 2-month delay has been incredible—she should have been confirmed right after her nomination was reported by the Intelligence and Judiciary Committees.

Lisa Monaco's nomination has long been supported by former Justice Department officials, including former Attorney General Mukasey, who served during President George W. Bush's administration. He wrote:

Based on my meetings and conversations with Ms. Monaco, I believe that she has both sound judgment and a keen understanding of national security law. Which is to say, she understands both the stakes and the rules.

The Monaco nomination to head the National Security Division at the Justice Department should have been confirmed before the Memorial Day recess. I have little doubt that she will be confirmed overwhelmingly. But the almost two-month delay is not excused by voting for her confirmation now. The National Security Division has been without her leadership. The national security team has been without another key member.

Virginia Seitz is another superbly qualified nominee with bipartisan support who should have been confirmed before the Memorial Day recess, but whose nomination has been blocked from consideration by Senate Republicans. A Rhodes Scholar and former Supreme Court clerk, Ms. Seitz has received support for her nomination from some of the most preeminent lawyers in the country, including many who have served in Republican administrations. This nomination was also reported unanimously by the Judiciary Committee. All Republican members and all Democratic members voted for

her. Then Senate Republicans turned around and blocked her confirmation.

I have seen the crocodile tears of some over the last few days as they lament the lack of an Office of Legal Counsel opinion on how the War Powers Act applied to the NATO-led operation in Libya. It is Senate Republicans who are responsible for having delayed and blocked the Office of Legal Counsel from having its Assistant Attorney General in place. Today, after 7 weeks of obstruction, the Senate will finally consider the nomination of Virginia Seitz.

The treatment of these nominees is now carrying over to other nominations and important legislative initiatives, as well. Just last week we witnessed for the first time since the infamous partisan vote on the nomination of Ronnie White of Missouri, the spectacle of Republican Senators who had voted in favor of a nomination in committee switching to vote against the nomination when considered by the Senate. We have seen Republican Senators, who in consultation with the White House and Judiciary Committee approved a judicial nominee, flipping to oppose the nominee.

The Senate Judiciary Committee has considered two national security bills during the last 2 weeks. Both times Republican Senators professed to support the legislation as they voted against it. The most critical and time sensitive is the bill before the Senate to authorize a limited extension of the term of service of FBI Director Robert Mueller, as the President has requested. The President made his request more than 6 weeks ago in light of "the ongoing threats facing the United States, as well as the leadership transitions at other agencies." He asked us "to join together in extending [Director Mueller's] leadership for the sake of our nation's safety and security."

Rather than join together as Senate Democrats did with the President following 9/11, 7 of the 8 Republican members of the Senate Judiciary Committee opposed the bill. We have to consider and pass that bill without delay. Both the House and Senate have to pass it before the August recess. With the tenth anniversary of the September 11, 2001, attacks approaching, and in the face of continuing threats in the wake of the President's recent, successful operation against Osama bin Laden, we need the continuity and stability of having FBI Director Mueller in place. Without enactment of this legislation, he will not be. He will be forced from that critical post on August 3.

I urge all Senators, Democrats, Republicans and Independents, to join together for the good of the country to take quick action to pass the FBI extension, S. 1103. We cannot afford a repeat of the unnecessary delays that have held up these nominations finally considered today.

I thank today's nominees for their dedication and look forward to working with them as they faithfully execute their important responsibilities at the Justice Department. I also thank their families for their patience and for the support they give these outstanding public servants. In my 37 years in the Senate I have never seen a time when so many good nominees are held up, even though eventually so many then go through unanimously. I wish Senators would stop and think for a moment: This is awfully hard on their spouses and their children. It is awfully hard among their friends who wonder, Is there something we don't know about? Why were they held up so long?

We can all take our political positions—and should. We all vote—and should. But let's not take it out on the good Americans who want to serve their country, oftentimes at great sacrifice. Remember, we also take it out on their families.

Madam President, I reserve the remainder of my time and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded and to speak as in morning business.

Mr. LEAHY. Madam President, reserving the right to object, I will not object. But insofar as many had planned to be here for the 12 o'clock scheduled votes, could the Senator from Florida tell me how long he wishes to take?

Mr. RUBIO. Five minutes.

Mr. LEAHY. I will not object, Madam President.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIBYA

Mr. RUBIO. Madam President, over the last 2 weeks, we have seen a deepening divide between the White House and Congress over Libya. It is a clash that was completely avoidable but also counterproductive.

First, for the life of me, I do not understand why this administration did not bring this issue to the Congress from the outset. In the early days of the Libyan rebellion, the President should have come to the Congress, informed us that an armed rebellion had arisen against Libya's anti-American, criminal dictator; that the rebels were asking for our assistance in establishing a no-fly zone over Libyan air space so they could take care of the dictator themselves; and that with our support, he intended to work with our allies to establish such a no-fly zone.

If this President had done this, I believe he would have found support here and Qadhafi would have been gone a long time ago.

But instead, this administration waited. While it did, Qadhafi reestab-

lished momentum and began to carry out a new level of atrocities unprecedented even by his murderous standards. And then, only with the Qadhafi mercenaries on the outskirts of Benghazi threatening to massacre thousands of innocent civilians, did the United States finally agree to participate.

But even that was botched. First, we ceded most of the operation over to our NATO allies. God bless them for trying, but they do not have the military capability to finish the job.

Second, the President never consulted Congress, again ignoring a co-equal branch of government unnecessarily.

And then, when finally he was pressed under the War Powers Act, he claims the United States is not involved in hostilities in Libya.

Why we have reached this point is something history will have to explain. Suffice it to say, it didn't have to be this way. And the reason why it is is 100 percent the result of the President's failure to lead.

Now, all that being said, we need to decide what to do next. This is not about hawks versus doves or interventionists versus isolationists or any of the other labels being thrown around here.

And this cannot be about how upset any of us are at the President for botching the handling of this matter.

What we do next should be decided based on what is in the best interest of our country.

And here is the reality: Whether you agree with it or not, the United States is now engaged in a fight, and it is a fight that only has two possible endings.

It can end with the fall of a brutal, criminal, anti-American dictator or it could end in that dictator's victory over our allies and us.

I would suggest, given these two choices, the best choice for America is the first one, the fall of the anti-American dictator.

Going forward, how do we do this? First, we should officially recognize the Transitional National Council.

Second, we should provide additional resources to support the council, including access to Libyan funds frozen here in the United States. And by the way, we should also make sure the frozen funds are also used to reimburse us, the United States, for the cost of this operation.

Third, we should intensify strike operations to target the Qadhafi regime and get rid of this guy once and for all, and as soon as possible.

Then, fourth, we should go home and allow the Libyan people to build a new nation and a new future for themselves.

I understand that, rightfully so, many here in the Congress and across America are weary of more war and

more overseas engagement during a time of severe budget constraints at home.

But the fact remains, whether you agree with it or not, we are already involved. We are already involved in Libya. We have already spent a considerable amount of money there. Are we going to let all that go to waste? Are we prepared to walk away and get stuck with a lose-lose proposition? We spent all this money on Libya, and Qadhafi is still around?

It is in our national interest to get this over with already.

This afternoon, the Foreign Relations Committee will meet to consider a resolution on this matter. I am concerned that rather than push the President to do what is necessary to bring this conflict to a successful conclusion, some are pushing to restrict our campaign.

No matter how you may feel about the original decision, we must now deal with the situation as it now stands. And the bottom line here is that if we withdraw from our air war over Libya, it will lengthen the conflict, increase the cost to American taxpayers, and raise doubts about United States leadership among friends and foes alike.

Here is what withdrawal will mean in real terms:

The coalition would quickly unravel. Qadhafi would emerge victorious, even more dangerous and determined to seek his revenge through terrorism against the countries in NATO and the Arab League that tried and failed to overthrow him.

We would see a bloodbath inside Libya. This killer, Qadhafi, will unleash unspeakable horrors against the Libyan people. And the ripple effects will be felt across the Middle East. For example, the prodemocracy movements in places like Iran and Syria would conclude that they too might be abandoned and the dictators they oppose would be emboldened.

Our disengagement would irreparably harm the NATO alliance.

I fully understand the frustration at the way the President has handled this situation, but the answer to any problem is not to make it worse.

Some may think what we do here this afternoon on the resolution is largely symbolic, simply intended to send a message to the White House.

Yes, it will send a message to the President, but it will also send a message to Qadhafi and those around him.

And here is the message that I fear we may send: That the coalition is breaking and the Qadhafi regime might yet win. I know that is not anyone's intention, but that is the very real risk we run.

There is a better, more pragmatic way forward.

Let's pass a resolution backing these activities.

For those frustrated with the President's failure to adequately make the

case for our involvement, our job in Congress is to push the administration to do a better job explaining our effort in Libya.

Here is the good news: The tide in Libya appears to be turning against Qadhafi. The opposition in Benghazi has succeeded in expanding the territory under its control, breaking the siege laid by regime forces on Misrata, the country's third largest city.

At the same time, the Qadhafi regime has been shaken by further defections and collapsing international support.

Libya is at a critical juncture. And for the United States, there is only one acceptable outcome—the removal of the Qadhafi regime and, with it, the opportunity for the Libyan people to build a free and democratic society.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I yield back all remaining time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General?

Mr. LIEBERMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL), the Senator from West Virginia (Mr. MANCHIN), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 97 Ex.]

YEAS—55

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Inouye	Reed
Blumenthal	Johnson (SD)	Reid
Blunt	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (MA)	Kyl	Schumer
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Warner
Collins	Lugar	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wyden
Durbin	Merkley	
Feinstein	Mikulski	

NAYS—42

Alexander	Corker	Hoeven
Ayotte	Cornyn	Hutchison
Barrasso	Crapo	Inhofe
Boozman	DeMint	Isakson
Burr	Enzi	Johanns
Chambliss	Graham	Johnson (WI)
Coats	Grassley	Kirk
Coburn	Hatch	Lee
Cochran	Heller	McCain

McConnell	Risch	Snowe
Moran	Roberts	Thune
Murkowski	Rubio	Toomey
Paul	Sessions	Vitter
Portman	Shelby	Wicker

NOT VOTING—3

Kohl	Manchin	Udall (NM)
------	---------	------------

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Virginia A. Seitz, of the District of Columbia, to be an Assistant Attorney General?

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Lisa O. Monaco, of the District of Columbia, to be an Assistant Attorney General?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

Mr. RUBIO. Madam President, today, the Senate considered the nomination of James Cole to be deputy Attorney General of the United States. I voted against his nomination and want to explain my vote.

Mr. Cole has been a vocal critic of the use of military commissions to try terrorists. Based upon my review of his record, it is apparent that he is an ardent supporter of the use of article III courts to try terrorists. He has advocated a criminal law approach to prosecuting terrorists. By way of example Mr. Cole has stated:

For all the rhetoric about war, the September 11 attacks were criminal acts of terrorism against a civilian population.

Testifying before the Judiciary Committee, he refused to say whether he favored a civilian or military trial for Osama bin Laden, should he be captured alive.

I believe that such decisions should be made on a case-by-case basis, based on all the relevant factors and circumstances available at the time of the suspect's capture.

Additionally, under Mr. Cole's watch, the Justice Department has announced that it would try two Iraqi nationals who were arrested in Kentucky on charges related to attacking and killing U.S. troops in Iraq, in civilian courts.

While Mr. Cole has the academic and legal background necessary to fill this position, his actions as Deputy Attorney General and history supporting civilian trials for terrorists clearly establishes that he will pursue an agenda that seeks to ensure that terrorists are tried in article III courts. These issues are of paramount concern and I cannot support a nominee who subscribes to these views. Accordingly, I had no choice but to oppose this nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate shall resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:41 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Ms. KLOBUCHAR).

PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 679, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 679) to reduce the number of executive positions subject to Senate confirmation.

Pending:

DeMint amendment No. 501, to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, and rescind related appropriated amounts.

DeMint amendment No. 511, to enhance accountability and transparency among various Executive agencies.

Portman amendment No. 509, to provide that the provisions relating to the Assistant Secretary (Comptroller) of the Navy, the Assistant Secretary (Comptroller) of the Army, and the Assistant Secretary (Comptroller) of the Air Force, the chief financial officer positions, and the Controller of the Office of Management and Budget shall not take effect.

Cornyn amendment No. 504, to strike the provisions relating to the Comptroller of the Army, the Comptroller of the Navy, and the Comptroller of the Air Force.

Toomey/Vitter amendment No. 514, to strike the provision relating to the Governors and alternate governors of the International Monetary Fund and the International Bank for Reconstruction and Development.

Carper amendment No. 517, to provide that the Government Accountability Office shall conduct a study and submit a report on presidentially appointed positions to Congress and the President.

Kirk (for McCain) amendment No. 493, to preserve congressional oversight into the budget overruns of the Office of Navajo and Hopi Relocation.

Sanders (for Akaka) amendment No. 512, to preserve Senate confirmation of the Commissioner of the Administration for Native Americans.

Sessions (for Paul) amendment No. 502, to strike the provision relating to the Treasurer of the United States.

Sessions (for Paul) amendment No. 503, to strike the provision relating to the Director of the Mint.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I will be happy to be interrupted by the managers of the bill if they decide to come.

IMF BAILOUT

Madam President, there have been several recent warnings of large and growing risks in global markets from the European debt crisis.

If Greece defaults, which investors see as likely, and European officials are unable to agree on how to restructure Greece's debt, lack of confidence in sovereign debt could spread.

Investors could run away from liabilities issued by other highly indebted Eurozone countries or even the debt of the United States.

Unfortunately, the President continues his disengagement in our debt problems.

The administration continues to advocate more runaway deficit spending, continuing down the path toward European-style big government.

Our debt-financed unsustainable debt is pushing us toward our own fiscal crisis. Yet the President has failed to lead us to a sound fiscal solution.

My concern about the European debt crisis is about the possible exposure of the U.S. to a European-led contagion that could lead to catastrophe in the global market for U.S. Treasury securities.

The U.S. financial system has exposures to liabilities of the public sectors, the banks, and the private sectors of Greece, Portugal, Ireland, and Spain, four highly indebted Eurozone countries.

The extent of the exposure is unclear but is potentially greater than half a trillion dollars. Given the interconnectedness in global financial markets, ultimate risk exposure is difficult to disentangle.

Most importantly, I am concerned about what all of this means for American taxpayers. Americans have made it crystal clear, they do not want more bailouts.

Let me remind everyone of President Obama's pledge when he signed the Dodd-Frank banking act into law last year, an act which, by the way, is turning out to be a job-killer and is itself a threat to our financial markets. The President clearly stated, "[t]here will be no more tax-funded bailouts—period."

Unfortunately, that promise has proven hollow. Recall that a Democrat-led Congress, urged on by President Obama, upped the U.S. ante with the International Monetary Fund in 2009. Additional funding of up to \$108 billion was provided to the IMF which can now be used to bail out profligate European governments. Make no mistake, bailouts are continuing and there are threats of even more on the horizon.

Let me be clear now, before any crisis hits. There can be no further bailouts, of banks or foreign countries or private companies or unions or states that are funded by innocent American taxpayers.

The people of Utah, whom I represent, and the vast majority of Ameri-

cans want to hold the President to his promise. They are done with taxpayer-funded bailouts.

The administration and the agencies responsible for oversight of our financial system need to bring some sunshine to this situation, and make clear to the American people just what the bailout risk is from the Eurozone or anywhere else.

I am proud to cosponsor with Senator DEMINT and several of my colleagues an amendment that will roll back the funding provided to the IMF in 2009. To make the President's pledge of no more tax-funded bailouts meaningful, and to do what the American people are clearly demanding of Congress, it is imperative to protect taxpayers from bailouts of profligate European countries through the IMF.

American taxpayers deserve assurance now that they will not be again forced to assume risks and losses that they did not create. Taxpayers deserve to know that they will be protected from future bailouts.

That is precisely what the amendment that I am cosponsoring will do. It is a simple amendment and its message is clear.

No more taxpayer bailouts.

If the President is unwilling to fulfill his pledge on his own, there are those of us in Congress who are happy to hold him to his word.

I urge my colleagues to stand up for taxpayers and vote for this critical amendment.

So far I have been speaking about this administration's abuse of power with regard to the IMF. I would like to switch gears for a few minutes and talk about another series of abuses that are no less outrageous. I am speaking about the Obama administration's labor agenda.

Over the last month or so, many in this Chamber have expressed concern about the National Labor Relations Board's complaint against Boeing. That complaint has been almost universally criticized, if not outright condemned, from all corners of the country. Just last week, the Washington Post, not exactly known for having an anti-union bias, had some harsh words for the board's case against Boeing. I ask unanimous consent to have the Post's editorial printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 19, 2011]

FLIGHT RISK FOR BOEING

The opening of a manufacturing plant with nearly 1,000 jobs should be cause for celebration. But Boeing Co.'s \$1 billion facility in South Carolina has met a different, less welcome response.

The National Labor Relations Board, spurred by the International Association of Machinists and Aerospace Workers, hit Boeing with a complaint of unfair labor practices. The board charges that Boeing illegally shipped jobs to South Carolina from

the company's Washington state facility in retaliation for past strikes by unionized workers in Puget Sound. Both facilities will have a hand in building the company's new and mammoth 787 Dreamliner.

The NLRB pegged its case to "coercive" threats by Boeing executives who told the media that disruptions caused by the strikes played a role in deciding to build in South Carolina. They also spoke of the need to "geographically diversify" to avoid shutdowns caused by natural or man-made disasters and to control costs, which would be easier to do in a "right-to-work" state through lower labor costs.

As punishment, the NLRB is seeking to compel Boeing to move the Dreamliner jobs in South Carolina to Washington state—which the company says would essentially force it to shut the plant. Boeing calls the proposed punishment "indisputably the most consequential—and destructive—remedy ever sought by an officer of the NLRB."

The law forbids employers from discriminating or retaliating against employees for lawful union activity. To prevail, an aggrieved party typically must show that the retaliation resulted in demotions, dismissals, wage reductions or other punitive measures. In Boeing's case, these reprisals are absent; the company also claims its collective bargaining agreement gives it the explicit and exclusive right to locate work where it wishes.

The allegation that the company "transferred" jobs out of state is unconvincing because the jobs in South Carolina are new. The company has not cut jobs in Washington, nor has it demoted or slashed the wages of union workers. Boeing has added about 3,000—albeit temporary—jobs in Washington since it announced its South Carolina plans and says it is likely to add more to keep up with demand for its commercial airliners.

Employers who engage in unfair labor practices should be penalized. But the NLRB's move goes too far and would undermine a company's ability to consider all legitimate factors—including potential work disruptions—when making plans. It also substitutes the government's judgment for that of the company. This is neither good law nor good business.

Mr. HATCH. Also last week, the NLRB released a notice of proposed rulemaking, aiming to drastically reduce the time between the filing of a union election petition and the vote to certify the union. The motivation behind this proposal is simple, the less notice the employers have regarding a union election, the less time they will have to make their case to the workforce.

Unions and their democratic allies have sought these kinds of so-called reforms for decades. I want to be clear. For all of their talk about representing the little guy, and standing for the people, these reforms are an affront to the spirit of democracy. They show disrespect for employees by attempting to deny them critical information that could inform their choices in these elections. Their genesis is not in a concern for the common man but in the unholy alliance between union apparatchiks who want to grow their power and union dues, and the latte left that depend on those dues to elect

representatives who have little in common with the workers whose paychecks get docked to elect them.

Unfortunately, now that President Obama has packed the NLRB with former union lawyers, they look poised to get these rules. Let us be clear. This is a win for union bosses. But it is a big loss for the workers they purport to represent.

I will have much more to say about the NLRB in the coming days. But, today, I want to focus on another runaway Obama agency that is setting aside established rules and procedures in order to pay back the President's union supporters.

The National Mediation Board, which has jurisdiction over labor relations in the railroad and airline industries, has, like the NLRB, aggressively pursued a unionization-at-all-costs agenda. While the NMB's activities have not received the same attention as those of the NLRB, their actions are every bit as egregious.

Last summer, the NMB, at the behest of big labor, changed the voting procedures for all union elections under its jurisdiction. For 75 years, an airline or railroad union had to win the support of a majority of the entire workforce in order to be certified as the representative. Under that system, workers who did not vote in an election were counted as no votes.

The logic of this rule was sound. Unions do not seek to represent just the workers that vote in an election. A union claims to represent the entire workforce. The established rule ensured that the results of an election accurately reflected the will of a true majority of a given workforce.

Unfortunately, logic and common sense often stand in the way of the big labor agenda.

So in 2010 the NMB unilaterally changed the rule to lower the bar. Now these elections are decided by a majority of those voting in an election, regardless of how many workers actually voted. In other words, under the new rule a union could be certified even if a majority of the workers did not support it.

Given the timing of this decision, one can only conclude that the pro-union appointees on the NMB were specifically targeting Delta Airlines for unionization after its merger with Northwest Airlines. I think it would be naive to assume otherwise.

But here is the remarkable thing.

The stage was set for a union cakewalk. Shortly after the NMB fixed the rules to secure a pro-union outcome, there was an election among Delta's flight attendants to determine if they wanted to be represented by the Association of Flight Attendants or AFA.

All the rails were greased for the union.

And the union still lost.

The result was a triumph of employees over the union bosses.

The employees had three options.

One, voting yes to certify AFA representation; two, voting no to reject certification or, three, writing in an alternative choice for representation.

The NMB did its best to fix this for the union. They counted the write-in votes, votes clearly supporting an option other than the AFA, as votes in favor of the union.

But when the dust settled, with 94 percent of Delta's flight attendants voting in the election, the union still lost. Of course, the unions cried foul and have challenged those results. The NMB, which has shown little desire thus far to vindicate the rights of non-union workers, let alone those of employers, is currently investigating the AFA's claims that Delta interfered in the vote.

I think we can guess how this investigation will turn out.

This recent election was not the only setback the unions have received at the hands of Delta employees. Last fall, three other Delta workforces, the ticket agents, the bagging agents, and the reservation agents, all held separate union elections, all of which ended with similar results. The NMB is also investigating claims of interference in those elections, even though no substantive evidence has been presented.

With these latter three elections, the union suitor was the International Association of Machinists, the same union whose interests the NLRB is serving with its absurd complaint against Boeing. If the Obama administration's commitment to serving IAM is consistent between agencies, and there is absolutely no reason to assume otherwise, I think we can predict just how those investigations will turn out.

There is no time limit on the NMB's investigations. Delta has no way of knowing whether it is in the clear or whether it needs to prepare for more elections. More importantly, Delta's workers, who have repeatedly rejected unionization, will likely see no end to the bothersome pressure that comes with a union election campaigns.

I think it is safe to say that, with the Obama NMB in charge, the number of union elections among Delta employees will be limited only by the time it takes for the unions to finally win one.

The NMB is behaving like the bureaucratic equivalent of the scorer's table at the 1972 men's basketball gold medal game.

They are going to give the unions as many chances as they need to win this fight.

Labor law and policy plays an important role in our economy. In many respects, it determines which businesses will succeed and which will fail. It plays a significant role in decisions as to whether companies should invest in the U.S. or somewhere else.

Sadly, it has become customary to expect pendulum swings in labor law

each time the White House changes hands and appoints new government officials to lead the Federal executive branch and independent agencies. While this should not be the case, I do not think we've ever seen the pendulum swing as far as it has under the Obama administration.

Unions represent less than 8 percent of the private sector workforce. Yet with President Obama in office, the union influence has been virtually immeasurable. This should not be surprising. During the 2008 campaign, President Obama addressed a gathering of the SEIU, probably the most politically powerful union in the country. During his speech, the President told the crowd if he were elected, "we are going to paint the Nation purple with SEIU."

Apparently, Madam President, this is the one campaign promise President Obama intends to keep.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

A BROKEN WASHINGTON

Mr. JOHNSON of Wisconsin. Madam President, I have been here for almost 6 months now, but I have been carefully watching Washington for the last 32 years while I have been running my manufacturing business in Oshkosh, WI—watching how increasingly broken Washington has become over the years. Nothing I have seen in the last 6 months has changed that evaluation.

Washington is broken and America is going broke. Our economy is in a coma and people are suffering. America hungers for leadership, and it is not getting any—not from President Obama and not from the Senate. We can't afford to have a broken political process—not now, not while America is hurtling toward a financial crisis.

Under Democratic leadership, it has been over 2 years since the Senate passed a budget, and there is currently no markup going on in the Budget Committee to produce one. America is going bankrupt. Yet the Senate refuses to pass a budget.

The President's budget that he presented several months ago to great fanfare—remember that—4¼ inches thick, 2,400 pages long, and who knows how many thousands of man hours that document took to produce—was going to be the solution to our fiscal problems. But it was so unserious it would have added over \$12 trillion to our Nation's debt. It was so unserious that when it was voted on in the Senate, it lost by a vote of 0 to 97. It was so unserious that not a single member of the President's own party voted for it.

Instead of rolling up his shirt sleeves and personally tackling the No. 1 prob-

lem facing this Nation right from the beginning, President Obama delegated his role in sporadic negotiations to Vice President BIDEN. Now that those talks have broken down, the President is finally getting personally involved in this process.

But what kind of process is this? A few people talking behind closed doors, far from the view of the American public, is that the process that is going to decide the fate of America's financial situation, of our financial future? Is this how the U.S. Government is supposed to work? I don't think so. Of course not.

Unfortunately, this has become business as usual in Washington. As a manufacturer, I know if the process is bad the product will be bad. Business as usual in Washington is a bad process. Business as usual is bankrupting America. It must stop. America is simply too precious to subject our financial future to Washington's business as usual.

I am pretty new here. I don't pretend to understand everything that makes the Senate work, or maybe more accurately what doesn't allow the Senate to work. But I do know the Senate runs on something called unanimous consent. So unless we receive some assurance from the Democratic leadership that we will actually start addressing our budget out in the open, in the bright light of day, I will begin to object. I will begin to withhold my consent.

The Senate needs to pass a budget. It shouldn't be that difficult. Families do it every day. A husband earns \$40,000; a wife earns \$40,000. The total family income is \$80,000. That is their budget. That is what they can afford to spend. American families figure out how to live within their means. The Federal Government should be no different. A budget is a number. We should first pick one number and then a set of numbers that will not let America go bankrupt.

Let me start the process by throwing out a number—\$2.6 trillion. That is \$800 billion more than we spent just 10 years ago. The \$2.6 trillion is the amount President Obama, in his budget, said the Federal Government would receive in revenue next year. If we only spent that amount of money we would be living within our means. What a concept.

If we want to spend more than \$2.6 trillion, Members of Congress, members of this administration, should go before congressional committees and openly justify what they want to spend, how much they want to borrow, and how much debt they are willing to pile on the backs of our children, our grandchildren, and our great-grandchildren. They should explain just how much of our children's future they are willing to mortgage.

The American people deserve to be told the truth. Unless that happens, I

will begin to withhold my consent. Unless there is some assurance the Senate will take up its budget responsibilities in an open process, I will begin to object.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. JOHNSON of Wisconsin. I object.

The PRESIDING OFFICER (Mr. FRANKEN). Objection is heard.

Mr. SESSIONS. I thank the Chair.

The assistant bill clerk continued with the call of the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 2]

Alexander	Casey	Reid
Begich	Collins	
Bennet	Johnson (WI)	

The ACTING PRESIDENT pro tempore. A quorum is not present. The clerk will call the names of absent Senators.

The bill clerk resumed the call of the roll.

Mr. REID. Madam President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CASEY). Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion of the Senator from Nevada. The yeas and nays are ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Hawaii (Mr. INOUE), the Senator from Wisconsin (Mr. KOHL), the Senator from Missouri (Mrs. McCASKILL), the Senator from Nebraska (Mr. NELSON), the Senator from Arkansas (Mr. PRYOR), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Mexico (Mr. UDALL), the Senator from Virginia (Mr. WEBB), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Illinois (Mr. KIRK), and the Senator from Arizona (Mr. KYL).

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 40, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—44

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (FL)
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Kerry	Sanders
Blumenthal	Klobuchar	Schumer
Boxer	Landrieu	Shaheen
Brown (MA)	Lautenberg	Shelby
Brown (OH)	Leahy	Stabenow
Cantwell	Levin	Tester
Cardin	Lieberman	Udall (CO)
Carper	Manchin	Warner
Casey	Menendez	Whitehouse
Conrad	Merkley	Wyden
Coons	Mikulski	

NAYS—40

Alexander	Grassley	Murkowski
Ayotte	Hatch	Paul
Barrasso	Heller	Portman
Boozman	Hoeven	Risch
Burr	Hutchison	Roberts
Coats	Inhofe	Rubio
Cochran	Isakson	Sessions
Collins	Johanns	Snowe
Corker	Johnson (WI)	Thune
Cornyn	Lee	Toomey
Crapo	Lugar	Vitter
DeMint	McCain	Wicker
Enzi	McConnell	
Graham	Moran	

NOT VOTING—16

Blunt	Johnson (SD)	Pryor
Chambliss	Kirk	Rockefeller
Coburn	Kohl	Udall (NM)
Durbin	Kyl	Webb
Feinstein	McCasikill	
Inouye	Nelson (NE)	

The motion was agreed to.

The PRESIDING OFFICER. With the addition of Senators voting who did not answer the quorum call, a quorum is present.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the following pending amendments be agreed to: Akaka No. 512, as modified with the changes at the desk, Carper No. 517, and Paul No. 503; that a managers' amendment which is at the desk be agreed to; that at 11 a.m. on Wednesday, June 29, the Senate proceed to vote in relation to the remaining amendments to S. 679 in the following order: DeMint No. 501, Portman-Udall of New Mexico-Cornyn—that is three Senators—No. 509, as modified, with the changes that are at the desk, DeMint No. 511, and Toomey No. 514; further, that the Cornyn amendment No. 504, McCain amendment No. 493, and Paul amendment No. 502 be withdrawn; that no amendments be in order to any of the amendments prior to the votes; that upon disposition of the amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended; that there be no motions or points of order in order to the bill or any of the amendments other than budget points of order and the applicable motions to waive; finally, that all other provisions of previous orders with respect to S. 679 remain in effect.

The PRESIDING OFFICER. Is there objection? The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, reserving my right to ob-

ject, I may not object to this request. It certainly is not addressing the primary problem facing our Nation; that is, the fact that we are bankrupting this Nation. We need to start actually addressing that in the Senate. But I realize the managers worked hard on this bill. I realize there are some good amendments the Senate really needs to debate and we should vote on. That is the way the Senate should work.

I also ask that I be allowed to speak for 10 minutes following the agreement here.

Mr. REID. Mr. President, I accept the modification of the request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendments (Nos. 503 and 517) were agreed to.

The amendment (No. 512), as modified, was agreed to, as follows:

On page 48, strike lines 4 through 8.

The amendment (No. 520) was agreed to.

(The text of the amendment (No. 520) is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 509), as modified, is as follows:

On page 38, line 19, strike all through page 45, line 16.

On page 59, strike lines 11 through 15.

On page 66, strike lines 1 through 16.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank everybody for their cooperation. We worked long and hard on this bill. I thank the Senator from Wisconsin. He raises an excellent point. I thank the majority leader. I thank Senator ALEXANDER and Senator SCHUMER, who are the chief sponsors of this bill, and Senator LIEBERMAN. I am very glad we were able to work out this agreement and that we will be able to have final votes on the amendments and final passage tomorrow.

Thank you, Mr. President.

The PRESIDING OFFICER. The request, as modified, is agreed to.

• Mr. DURBIN. Mr. President, I was unavoidably absent for vote No. 98, a motion to instruct the Sergeant At Arms to request the attendance of absent Senators. Had I been present, I would have voted in favor of the motion. It is important for the Senate to respect bipartisan agreements and work towards completion of its legislative business. •

MORNING BUSINESS

NOMINATION OF GENERAL DAVID PETRAEUS

Mr. UDALL of Colorado. Mr. President, I will support the nomination of GEN David Petraeus to be Director of the Central Intelligence Agency. Over the many years that he has served our

country, he has proven himself time and again as a man of integrity, who will act in the best interests of the nation and—in this new position—the men and women of the CIA.

As one of the finest military leaders of our time, General Petraeus has been instrumental in the fight against Islamic extremism, playing key roles as Commanding General in Iraq and Afghanistan and as the Commander of U.S. Central Command. He has developed great expertise and deep knowledge of the threats we still face in South Asia and the Middle East. He will now take that expertise and knowledge to the CIA, where he will use different tools to face those and many other national security challenges around the world.

Despite my support for the general, I would be remiss if I did not add that I am concerned about a statement he made in answer to a question I asked during his Senate Intelligence Committee nomination hearing on June 23, 2011. General Petraeus has been on the record time and again explaining that torture does not fit with American values, that it creates new enemies, and perhaps most importantly, that it isn't effective. Yet he did not give a simple answer at the hearing when I asked him whether he sees torture any differently in a CIA context than in a military context.

Instead, he suggested that there might be a "special case" in which enhanced interrogation techniques might be an acceptable last resort option, for example, in the "nuclear football" scenario, where the government has in custody an individual who has placed a nuclear device under the Empire State Building, and only he has the codes to turn it off.

I understand the general's point that such a scenario—in which there is specific knowledge of imminent devastation—would be the exception, not the rule, and that it is a hypothetical one that might never occur in reality. He is certainly not the first to raise the ticking timebomb question in this context, nor is he the first to suggest that policymakers consider addressing this question in statute.

Perhaps it is time for Congress to weigh in definitively on the CIA's interrogation techniques. Today, only President Obama's executive order—not a law—prohibits the CIA's use of coercive interrogation, so it's possible that a new administration might decide to move this policy in a different direction. As I told General Petraeus at last week's hearing, I look forward to a debate and discussion with him about this important issue.

And as a member of the Senate Intelligence Committee, I look forward to working with CIA Director Petraeus on our country's many intelligence and national security challenges.

INTENTION TO OBJECT—S. 1145

Mr. GRASSLEY. Mr. President, I would like to alert my colleagues that I intend to object to any unanimous consent agreement for the consideration of S. 1145, the Civilian Extraterritorial Jurisdiction Act, CEJA. While I joined in supporting a vote to report S. 1145 out of the Judiciary Committee, my vote does not signal my support for the legislation in its current form. Unless changes are made to address my concerns with the legislation, I will continue to object.

I oppose S. 1145 in its current form because it does not include a sufficient carve-out for intelligence, law enforcement, or protective assignments by U.S. Government employees abroad. The current version of S. 1145 does include a carve-out for intelligence activities, but the current version of the intelligence carve-out is problematic. There is repetition in the language and extraneous language is unnecessary. Further, under the current carve-out an intelligence agent may not be protected from prosecution, even though he was authorized to undertake an operation. The current provision in the bill would require that a supervisor's directive be authorized and also be "consistent with applicable U.S. law." This extra requirement opens up a world of questions. How should an agent in the field know his supervisor's instruction was "consistent with applicable U.S. law"? Will this provision now require agents to obtain a legal opinion before they take action? This is not the message we should be sending to the agents in the field.

Instead, I proposed a carve-out in the Judiciary Committee that would exclude government employees performing intelligence, law enforcement, and protective assignments abroad. This version was based upon existing U.S. law that some members of the Judiciary Committee previously supported. If the carve-out I proposed is good enough for employees operating inside the United States, it should be good enough for those operating abroad. Why would we give agents operating in the U.S. more protections than those operating in foreign lands?

Further, the current carve-out in S. 1145 is not the preferred language that the intelligence community proposed at the beginning of negotiations. If past is any prologue, this appears to be yet another instance where the intelligence community is settling for language it can "live with" as opposed to the optimal language it should be seeking. This same problem occurred in negotiations during consideration of legislation extending the three expiring provisions of the USA PATRIOT Act. Ultimately, extraneous language that would have restricted the ability of law enforcement and the intelligence community was removed from the extension of the PATRIOT Act authorities

and a similar outcome should occur on CEJA.

I also oppose S. 1145 in its current form because the legislation does not currently include the Unborn Victims of Violence Act, UVVA, in the list of covered offenses that would apply to crime victims abroad. The UVVA applies to violent Federal crimes in the United States, and to employees and contractors of the Department of Defense abroad under the Military Extraterritorial Jurisdiction Act. There is no reason that extending the long arm of Federal criminal law expanded under CEJA should exclude the UVVA.

No one would dispute the importance of holding government employees and contractors accountable abroad. I support the idea of this legislation because we should never have government employees or contractors committing serious crimes like rape or murder abroad with impunity. However, we need to think long and hard about the consequences of our actions if we legislate criminal extraterritorial jurisdiction too broadly absent a sufficient carve-out for authorized intelligence, law enforcement, and protective activities.

Until these concerns are addressed and further changes are included in the bill, I support holding this legislation on the Senate floor. No one should take my support for reporting this bill out of committee to mean anything more than an expression of my willingness to work with the sponsors on this topic to address these concerns going forward.

KYRGYZSTAN'S DEMOCRATIC TRANSITION

Mr. KERRY. Mr. President, this is a critical moment for Kyrgyzstan's democratic transition.

On June 27, 2010, the people of Kyrgyzstan took to the polls to adopt a new constitution for their country. The vote sent a powerful message to the region and to the world: that democracy is an idea whose appeal transcends ethnic divides.

Kyrgyzstan's President, Roza Otunbayeva, deserves enormous credit for orchestrating the transition to democratic rule after the deadly inter-ethnic clashes of last summer.

Since that tumultuous period, President Otunbayeva has overseen the first free and truly democratic parliamentary elections in central Asia. She has made it a priority to strengthen the rule of law, and she has moved to create a government that is increasingly responsive to the needs of all its citizens, regardless of ethnicity.

Kyrgyzstan today stands at a crossroads. Its people have expressed the desire to live in an open, free, and just society. Over the past year, we have witnessed some progress toward that goal, with credible parliamentary elections

in October, the formation of a government in December, and a more vibrant media and political debate.

But let's be clear: Kyrgyzstan's democratic experiment faces considerable challenges.

Three, in particular, threaten the aspirations that powered last year's historic vote.

First, Kyrgyzstan's coalition government is beset by infighting. The task of rebuilding the country after the turmoil of the past year is daunting. But the challenges should also inspire a sense of common purpose. Upcoming Presidential elections in the fall present an opportune moment for Kyrgyzstan's leadership to articulate a political compact that unites the diverse elements of its society.

Second, the country's fractious political environment has impeded efforts to combat organized crime and corruption. Rampant crime has heightened the sense of insecurity among citizens, created an unfavorable climate for business, and slowed economic growth. To the government's credit, over 90 members of organized criminal groups are now behind bars. But much work remains to be done to reform Kyrgyzstan's judicial system and strengthen controls over its borders.

The United States can play a constructive role by providing financial support and technical expertise. We must also speak out forcefully for evenhandedness in the prosecution of cases related to last year's violence. Guaranteeing justice and equality before the law would go a long way toward alleviating interethnic tensions.

Finally, Kyrgyzstan must deal with the underlying causes of last year's violence. Reconciliation initiatives have been slow to get off the ground. And tensions between ethnic Kyrgyz and Uzbek communities continue to fester.

Mr. President, Kyrgyzstan is a multi-ethnic state. Its diversity is a source of strength. But too often, opportunistic actors have exploited ethnicity to settle scores, acquire resources, and reclaim land in the fertile plains of the Ferghana valley.

Last June, Senator LUGAR and I authored a resolution on Kyrgyzstan calling for a full and fair investigation into the violence. The recently released report of the Kyrgyzstan Inquiry Commission is a welcome contribution to this debate, and I hope that all parties will give serious consideration to its findings.

The United States has committed over \$28 million for projects that will support reconciliation in Kyrgyzstan. A portion of these funds will engage civil society to increase links between Kyrgyz and Uzbek communities. U.S. assistance will also support implementation of the recommendations contained in the inquiry commission's report. Going forward, we must continually look for ways to bring Kyrgyz

and Uzbeks together through economic and community-based initiatives.

I harbor no illusions about the road ahead. Indeed, no experiment—democratic or otherwise—has been without its fair share of setbacks. But I remain confident that the people of Kyrgyzstan will seize this moment and advance the cause of democracy for the benefit of their country, the region, and the world.

REMEMBERING SAN FRANCISCO FIREFIGHTERS

Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Lieutenant Vincent “Vince” Perez, and Firefighter and Paramedic Anthony “Tony” Valerio. Both of these heroes were long time veterans of the San Francisco Fire Department who were tragically killed in the line of duty fighting a fire on June 2, 2011.

During their many years of service to the city of San Francisco, both Vincent and Anthony earned the respect and admiration of those with whom they worked by consistently going above and beyond the call of duty. Both men led by example, and were considered shining stars among San Francisco’s courageous and dedicated firefighters.

Vincent was a San Francisco native, growing up in San Francisco’s Mission District and Bernal Heights neighborhoods. He attended St. Charles Elementary School, and graduated from Archbishop Riordan High School in 1981. After high school, Vincent attended City College of San Francisco, and then served his country in the U.S. Marine Corps and later as a deputy sheriff in Alameda County.

In 1990, Vincent joined the San Francisco Fire Department, ultimately rising to the position of lieutenant, where he supervised the crew of Engine Company 26, located in San Francisco’s Diamond Heights neighborhood.

Vincent is survived by his mother Irene; siblings Lucio, Maryleen, and Alexander; many other family members and loved ones; and was preceded in death by his father Vincent and brother David.

Anthony was born in Fort Monmouth, N.J., and later moved to the San Francisco Bay Area. In 1975, he graduated from El Camino High School in South San Francisco and then went on to earn an associate’s degree from San Francisco State University.

He embarked on his career in public service in 1980, starting as an EMT at Acme Western in the city of Oakland and later as a paramedic for 13 years with the San Francisco Department of Public Health. In 1997, Anthony began serving the City as both a firefighter and paramedic who was assigned to numerous fire stations in the city, including his last assignment with Engine Company 26.

Anthony is survived by his parents Lorraine and Frank; siblings Jacqueline, Donna, Marina, Laura, Mark, and Kevin; and many other family members and loved ones.

Lieutenant Vincent Perez and Firefighter and Paramedic Anthony Valerio dedicated their lives to their family, community, and Nation, and they will long be remembered for their courage and dedication. Their service and bravery inspired others and both will be deeply missed by all who knew them. I extend my deepest sympathies to both men’s families, colleagues, and friends.

WESTON PLAYHOUSE THEATRE COMPANY

Mr. LEAHY. Mr. President, it is a delight to call the Senate’s attention to the record of 75 years of quality productions achieved by the Weston Playhouse Theatre Company as they celebrate this major milestone with their community and friends. Among its many accolades—including the Moss Hart Award for Best Production in New England for “Floyd Collins”—Weston’s Playhouse has earned a national reputation as a professional theatre. As Vermont’s oldest theater, and one of the 15 oldest theatre companies across the United States, the Weston Playhouse has entertained families and visitors from New England and beyond since its founding in 1935. Its first professional season in 1937 included the opening of Noel Coward’s “Hay Fever,” featuring young actor Lloyd Bridges. Since then the Weston Playhouse has grown to include musicals and late-night entertainment, cradled in Weston’s small village of 640 people.

Consistent with Vermonters’ willful determination and hard work, Weston’s Playhouse Theatre Company endured a 1962 fire that destroyed the original playhouse building. Despite this hardship, the community pulled their resources together and continued to provide Vermonters and New England with quality theatre and musical experiences. Today the company serves 25,000 Vermonters and Vermont visitors each year with its devoted staff, talented artists, and dedicated board. The Weston Playhouse Theatre Company has routinely met their goals of making live theatre accessible and meaningful to a broad population of Vermonters. Resource support through the National Endowment for the Arts has allowed the playhouse to expand its offerings of cultural experiences to thousands of elementary, middle and high school aged children every year. Their outreach programs have promoted educational productions and have toured often throughout Vermont and New England while continuing to produce prestigious regional and world premieres.

Marcelle and I have always enjoyed attending theatre productions in

Vermont, and we have wonderful memories of the time we have spent with the Weston Playhouse Theatre Company, as well as of the wonderful people we have met at the theatre. It is important to our State that we continue to host diverse actors and actresses on Vermont’s stages, enriching the lives of Vermonters across the State. Anyone who has contemplated a painting in a museum, examined an original manuscript or composition, or disappeared into a performance as the lights dimmed—and has gained a greater understanding of both the artist and the subject as a result—knows the power and importance of these works in our lives. I am proud to join in honoring the Weston Playhouse Theatre Company for 75 wonderful years of achievements that have enriched our heritage and the quality of life in the marvelous Green Mountain State.

ADDITIONAL STATEMENTS

REMEMBERING BEN GRUSSENDORF

• Mr. BEGICH. Mr. President, today I wish to memorialize a great Alaskan, Mr. Ben Grussendorf. A public servant, master teacher, community activist, legislator, outdoorsman, and all-around gentleman, Ben Grussendorf died June 17, 2011. He is survived by his wife of 48 years, Karen, son Tim, daughter Karla, and four grandchildren.

Born February 23, 1942, in Grand Rapids, MN, Ben attended the University of Minnesota, where he earned a B.A. in political science and an M.A. in political science education.

In 1967, eager to fish, hunt, and hike, Ben and Karen moved to Sitka, AK, to teach. Ben taught government and social sciences at Sitka High School and Sitka Community College, but his attraction to politics and government soon drew him to help shape a strong future for his adopted community. Ben was elected to the Charter Commission, and became its chair, leading the effort to write unification documents which continue to govern the city and borough of Sitka. He was subsequently elected for two terms to serve as mayor of this unified government. In 1980, Sitka voters sent him to the State House of Representatives where he served 10 terms, a full 20 years.

In the legislature, Ben earned a reputation as a diplomat. He was a man who focused on problems and solutions rather than party and politics. The respect he showed by listening to differing viewpoints opened the door for people of all backgrounds and political persuasions to create a climate of compromise. Ben knew true leadership was born, not in brazen ideas or self-promotion, but in the ability to win allies and build coalitions. Because of his

ability to nurture friendships on both sides of the aisle, he was elected as Speaker of the House for an unprecedented three terms.

As speaker, Ben brokered compromises which put the public first. Fair to everyone, his calm composure and down-home sense of humor defused tension and brought people together; his vision and diplomacy kept them focused on the greater good.

Throughout his tenure in the House, Ben was renowned for his patience, discretion, and expertise. He knew the nooks and crannies both of the legislative process and the issues. Colleagues relied on him for inside knowledge of Alaskan politics to affect change and make a difference. They remember him as an important teacher and mentor, one who led by example.

When Ben announced his retirement from the Legislature in 2000, he cited his original Alaska draw—time to hunt, fish, and walk his dogs. Because of his passion for wildlife and capitalizing on his legislative expertise, Governor Tony Knowles convinced him to accept appointment to the Alaska Board of Game in 2001. There, he put his listening and diplomatic skills to further use, tackling important challenges such as caribou herd management and subsistence policy. His effectiveness and diplomacy earned him successive reappointments by Governors Murkowski, Palin, and Parnell.

Whether hunting, fishing, hiking, gardening, or just observing, Ben was an outdoorsman at heart. He was also a writer who kept a journal, wrote short stories and drafted manuscripts about subjects he well understood—politics and nature.

Ben Grussendorf's devotion to Sitka and to Alaska, whether as a teacher, a legislator, a member of the Board of Game, or a member of community service organizations, was inspirational. He made a difference with every commitment, and his years of working on issues important to people throughout the State will be part of his legacy as an Alaska statesman. He will be deeply missed by his family and his many friends.●

DEVILS POSTPILE NATIONAL MONUMENT

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the centennial of Devils Postpile National Monument in the Eastern Sierra of California.

When Devils Postpile was first surveyed in the early 20th century, it became apparent to geologists that its distinctive formation and features of the surrounding landscape provided a special window into the volcanic and glacial processes that shaped the Sierra Nevada as a whole.

The cliff of columnar basalt that constitutes the Devils Postpile, so named

because it looks like tall posts piled together, is one of the wonders of the geological world. The columns can reach heights towering more than 60 feet. Those on the west front are high, straight and clean-cut; those at its southern end stand out for their curvature.

Shortly after the initial survey, U.S. Forest Service Engineer Walter Huber learned of a plan to blast portions of the Devils Postpile to create a dam that would flood the middle fork of the San Joaquin River and provide power to nearby mining operations. Mr. Huber considered the idea as a "wanton destruction of scenery" and began the effort to establish a monument to protect Devils Postpile along with the nearby Rainbow Falls, a spectacular 101-foot waterfall named for the rainbow that often forms in its mist.

Support for monument designation was substantial, including a letter of support from the Sierra Club signed by the renowned preservationist John Muir. On July 6, 1911, using the authority under the Antiquities Act of 1906, President William Howard Taft signed the proclamation creating Devils Postpile National Monument.

With the growth of the interstate highway system in the 1950s, a proposal for an eight-lane trans-Sierra highway connecting Fresno to Mammoth Lakes came forward that would have resulted in destruction to the landscape and the character of the monument. The effort to stop the highway was long and at times difficult. But, with strong opposition from a group of committed local residents, businessowners and packers, the proposal to build the trans-Sierra highway was abandoned in 1972.

The expansion of existing wilderness areas and the designation of the Ansel Adams Wilderness in 1984 brought further protection of Devils Postpile and the surrounding peaks and valley that constitute the breathtaking landscape of the Middle Fork of the San Joaquin Valley. I am pleased that in 2009 President Obama signed legislation I authored providing additional wilderness protection to public lands in the immediate area.

Today, Devils Postpile National Monument represents the special qualities highlighted in the Presidential Proclamation that led to its creation a century ago as a place of "scientific interest" and "public enjoyment." Every year, tens of thousands of visitors from all over the world travel to the Eastern Sierra to marvel at its natural beauty and rich history.

The story of the Devils Postpile National Monument's first 100 years is a testament to the value of preservation, scientific research, and recreation. I applaud the partnership between the National Park Service and the U.S. Forest Service which has resulted in high quality visitor services and the preservation of the beauty of the Middle Fork of the San Joaquin River.

As the friends and staff of the Devils Postpile National Monument gather to celebrate this auspicious occasion, I congratulate them on their centennial anniversary and wish everyone a memorable experience.●

TRIBUTE TO JUSTICE JUDITH MEIERHENRY

● Mr. JOHNSON of South Dakota. Mr. President, today I recognize the service of Judith K. Meierhenry to the Unified Judicial System of South Dakota. In June of this year, Justice Meierhenry will retire after nearly 9 years as associate justice on the South Dakota Supreme Court.

Justice Judith Meierhenry was educated at the University of South Dakota where she received her bachelor's, master's, and juris doctorate degrees. Upon completion of her education, Justice Meierhenry practiced law in Vermillion in 1977 and 1978. She began her service to the State of South Dakota in 1979 when Governor Janklow appointed her to the State Economic Opportunity Office. This was just the beginning of her commitment to South Dakota; she was appointed as Secretary of Labor beginning in 1980 and Secretary of Education and Cultural Affairs in 1983.

In 1985, Justice Meierhenry left the public sector and worked as a senior manager and assistant general counsel for Citibank in Sioux Falls, SD. Justice Meierhenry was appointed by Governor Mickelson in 1988 as a Second Circuit Court judge serving Lincoln and Minnehaha Counties. She became presiding judge of the Second Judicial Circuit in 1997.

Governor Janklow appointed Justice Meierhenry to the South Dakota Supreme Court in 2002. This historic appointment made her the first woman to serve on South Dakota's highest court. Though no female had preceded her in this post, Justice Meierhenry succeeded in this demanding position and now leaves her position having set a standard of excellence for her successors, regardless of gender, to follow. Through her service, female judges and attorneys in South Dakota's legal system now have available to them an exemplary female role model and owe a debt of gratitude to Justice Meierhenry. The citizens of the State of South Dakota are better for the public service of Judith Meierhenry.

According to Chief Justice David Gilbertson, during her time on the South Dakota Supreme Court:

Justice Judith Meierhenry has contributed to the legal scholarship of that body in resolving the disputes that come before it. Whether it be a traffic ticket or a death penalty conviction, Justice Meierhenry has approached each case with the application of the highest of legal scholarship. The South Dakota Supreme Court, the legal profession of South Dakota and all of the citizens of South Dakota are all better off for the public service of Justice Judith Meierhenry.

South Dakota Second Judicial Circuit court judge Patricia Riepel also notes that Justice Meierhenry “was always well-prepared and decisive, she required decorum in her courtroom as well as civility and cordiality to all of the participants, and she has worked tirelessly for the advancement of women within the legal profession, and especially within the judiciary.”

I wish Justice Meierhenry a happy and healthy retirement. In her own words, “life and time are our only real possessions,” and it is time that she reclaim those possessions for herself and her family. I thank Justice Meierhenry for her commitment to the rule of law and her long and distinguished career serving the State of South Dakota.●

TRIBUTE TO COLONEL ANTHONY WRIGHT

● Mrs. MURRAY. Mr. President, it is with great privilege that I congratulate COL Anthony Wright, Seattle district engineer for the U.S. Army Corps of Engineers, on his well-deserved retirement after 30 years with the Army Corps. Colonel Wright has been stationed with the Seattle District for 3 years and my staff and I have had the pleasure of working extensively with him during that time.

Western Washington State has suffered several severe storms in the last few years, resulting in devastating floods, major losses of infrastructure, and millions of dollars of damage to homes and businesses. Under Colonel Wright's leadership, the Army Corps responded quickly and efficiently to minimize the threats of rising floodwaters, and for this we are very grateful. His professionalism and expertise helped our region through disasters and undoubtedly lessened the destruction and prevented the loss of life.

An example of Colonel Wright's leadership ability was his response to a storm that caused serious damage to the Howard Hanson Dam in King County, raising the flood threat for hundreds of thousands of residents in the Green River Valley, which is home to one of the largest manufacturing and distribution bases on the West Coast. Colonel Wright and the Army Corps reacted quickly and decisively to counter this vulnerability, working with local governments and the public to ensure that the region was prepared until the dam could be repaired.

On behalf of all Washingtonians, I thank Colonel Wright for his dedication to the safety and well-being of the people of western Washington. His knowledge, experience, and tireless effort will be sorely missed. I congratulate Colonel Wright and wish he and his family the best of luck in their future endeavors.●

A TRIBUTE TO BOBBY ALLISON

● Mr. SESSIONS. Mr. President, it is with great pride that I recognize racing legend Robert “Bobby” Arthur Allison upon his induction into the second class of the NASCAR Hall of Fame. Bobby is a founding member of the “Alabama Gang” and one of the greatest drivers of NASCAR's modern era.

NASCAR is the most popular and competitive racing organization in the United States, and its premier league, the Sprint Cup Series, draws thousands of fans to each of its 36 races. Last year, NASCAR opened the NASCAR Hall of Fame to honor the sport's greatest contributors, inducting Richard Petty, Dale Earnhardt, Junior Johnson, Bill France, Sr., and Bill France, Jr. In the second class of inductees, Bobby, along with racing greats Ned Jarrett, David Pearson, and Lee Petty, and team owner Bud Moore, joined these elite racers in receiving one of the sport's highest honors.

Bobby Allison entered his first race while he was still a high school student in southern Florida, needing written permission from his mother to compete. Seizing the opportunity to race competitively, he and his brother, Donnie, left Florida along with fellow racer Red Farmer, and settled in Hueytown, AL. These three young men became known as the “Alabama Gang,” a racing fraternity that would later include Bobby's son Davey Allison and NASCAR star Neil Bonnett.

After his relocation to Alabama, Bobby garnered tremendous success on the track, winning NASCAR Modified Special Division titles in 1962 and 1963. He followed this success with consecutive NASCAR Modified Division championships in 1964 and 1965. Bobby competed in his first Sprint Cup Series race at the 1961 Daytona 500, and achieved his first Sprint Cup win 5 years later, at Oxford Plains Speedway in Maine in 1966. In his 25-year Sprint Cup career, Bobby won 83 additional races, including three Daytona 500 triumphs and four victories at Talladega Superspeedway. He is tied with Darrell Waltrip for the third most wins in Sprint Cup history. Mr. Allison is also a five-time Sprint Cup Series runner-up, winning the Cup once in 1983, when it was still known as the Winston Cup. His final win was a thrilling father-son performance at the 1988 Daytona 500, where he and his son Davey finished first and second place, respectively.

Despite his great successes, Bobby's life has included tragedy. His racing career was cut short by injuries sustained during a severe crash at Pocono Raceway months after his final win at Daytona. In 1992, his youngest son Clifford was killed while practicing for a race at Michigan International Speedway. A few months later, his older son Davey Allison was killed in a helicopter crash at Talladega.

Through both success and sorrow, Bobby has displayed remarkable perse-

verance and resilience. He is known and respected all around the world and many of my fellow Senators have been generous in their praise in this indomitable racer. Senator JOHN MCCAIN, a friend and admirer, said, “I couldn't be prouder of Bobby. He is an inspiration for all of us.” Senator JON KYL, a NASCAR enthusiast, noted that the Phoenix International Raceway named a grandstand for Bobby and declared, “The Hall of Fame did well to recognize Bobby in its second class. He is a NASCAR legend.”

Bobby and his wife Judy still reside in Hueytown, AL, and his two daughters, Bonnie Allison-Farr, and Carrie Allison, live with their families nearby. Selected as one of “The 50 Greatest NASCAR Drivers of All Time,” Bobby remains one of NASCAR's most respected competitors. A truly great Alabamian, Bobby has never forgotten his roots, and he will always be remembered not just as a racer, but as a beloved citizen of our State. It truly is a privilege to honor Bobby Allison not only for his tremendous success in racing's most competitive league, but also for his contributions to both NASCAR and the State of Alabama.●

REMEMBERING KATHRYN TUCKER WINDHAM

● Mr. SESSIONS. Mr. President, I would like to take a moment to honor a woman whose sparkling personality and literary voice truly captured the essence of Alabama. Kathryn Tucker Windham, a beloved storyteller, popular author, renowned photographer, and proud citizen of Alabama, passed away on June 12, 2011, at the age of 93. She lived a rich, full life, true to the highest ideals of our State. I knew her well and followed her career. In my opinion, her qualities of character, professional accomplishments, and simple decency place her at the top of all who have been products of our State.

Ms. Windham authored over two dozen books in her lifetime, giving an endearing and insightful voice to Southern culture and folklore. Her books related everything from ghost stories and memories to delicious recipes, and she developed a devoted audience in Alabama and around the United States. Ms. Windham also became a celebrated radio personality, appearing on Alabama Public Radio for over 20 years and commenting on NPR's “All Things Considered” from 1985–1987. She treated listeners nationwide to evocative tales of the South, with such titles as “Grits Is a Singular Delicacy” and “Honeysuckle Blossoms Smell Wonderful,” all with a Southern accent that remained true to the highest level of culture and grammar. In addition, she was a positive force for good, constant in her efforts to promote racial reconciliation in her hometown of Selma and in her State.

Ms. Windham spent her childhood in Thomasville, AL, not too far across the river from where I grew up, and later attended Huntingdon College, my alma mater. After graduation, she began work as a police reporter for a Montgomery paper, an impressive and unusual job for a female reporter at that time. Ms. Windham developed a distinguished journalistic career, working for the Birmingham News and winning several Associated Press awards for her work with the Selma Times Journal, where she made her home for many years. Some of her best known books are Alabama: One Big Front Porch and Thirteen Alabama Ghosts and Jeffery.

Ms. Windham was also a noted photographer, and her images provide a stirring portrait of the people and places of her home State. Her photography was included in the Huntsville Museum of Art's 1989 traveling exhibit, "Alabama Landscape Photographs," and in a later show, "Encounters 24. Kathryn Tucker Windham."

Among many honors and awards, Ms. Windham was inducted into the Alabama Academy of Honor. This organization celebrates Alabama's best and brightest, and Ms. Windham's membership reflects her status as one of the State's beloved cultural figures and influential personalities. Ms. Windham was indeed a great Alabamian, and her work showcases the best of Alabama's values in a way that should make every Alabamian proud.

I recently watched a video of her in her small rocking chair, telling stories. They were told superbly, with perfect timing, and I burst out laughing. She was much like my great aunts, her contemporaries, who lived not far away. The stories of this generation provided humor, history, family affection, and education to listeners. It is a time pretty much gone. Someone once said that the purest examples of a period's ideals are curiously often found in its last days. It may be Ms. Windham was the last and best practitioner of those humorous and revealing stories that are indeed works of art.

My thoughts and prayers go out to Ms. Windham's family—her son, Ben, retired as editor of the Tuscaloosa News, her daughter Dilcy, and other family and friends as they mourn the loss of their beloved mother, relative, and friend. As her Senator and as her friend, I am grateful for the extraordinary life that Kathryn Tucker Windham led, and I am honored to serve as her Senator so as to be able to pay tribute to her life as the State and the Nation mark her passing. She will be dearly missed, but her legacy will live on in the stories, artwork, and memories she left behind.●

TRIBUTE TO LAW ENFORCEMENT OFFICERS

● Mr. SESSIONS. Mr. President, I would like to take a moment to honor

an exceptional group of law enforcement officers.

I recently met with Sheriff James Kelly of Catahoula Parish, LA, who informed me that a member of his department was conferred the 2011 National Missing Children's Special Recognition award by the National Center for Missing and Exploited Children.

Deputy Toney Edwards, of the Catahoula Parish Sheriff's Office in Harrisonburg, LA, was honored along with three others involved for their outstanding work resolving the tragic case of the 12-year-old Lexis Kaye Roberts. On October 8, 2010, two hunters found the partial remains of Lexis Roberts in Catahoula Parish, LA. Deputy Edwards, along with a team dedicated to the case, was able to identify her remains. The investigation into her disappearance and death focused on a man who was last known to be in the company of the girl and her mother, who was also missing. Information about the man was distributed to truck stops throughout the country and 2 days later he was arrested in Mississippi. The man has been indicted on Federal charges of kidnapping resulting in the death of the young girl.

Others honored for their working the case were Special Agent Benjamin Walsh, Supervisory Senior Resident Agent Robert King, and Senior Special Agent Janice Mertz of the Federal Bureau of Investigation in Alexandria, VA.

In 1984, John Walsh cofounded the private, nonprofit National Center for Missing and Exploited Children, NCMEC. This center serves as a focal point in providing assistance to parents, children, law enforcement, schools, and communities in recovering missing children and raising public awareness about ways to help prevent child abduction, molestation, and sexual exploitation. NCMEC has worked on more than 73,000 cases of missing and exploited children, helped recover more than 48,000 children, and raised its recovery rate from 60 percent in the 1980s to 91 percent today.

I truly enjoyed talking to Sheriff James Kelley about the work being done by both NCMEC and his own police force in Louisiana. While I have worked closely with and seen the success of the many excellent Alabama law enforcement officers, I am glad to hear of the fine work of these officers.

On behalf of my colleagues in the Senate, it is an honor to recognize them for their exemplary service.●

TRIBUTE TO ZOE COPE

● Mr. THUNE. Mr. President, today I recognize Zoe Cope, an intern in my Aberdeen, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Zoe is a native of Aberdeen and a graduate of Roncalli High School. Cur-

rently, she is attending the University of Nebraska-Lincoln where she is pursuing a degree in architecture. She is a very hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Zoe for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO GARRETT DEVRIES

● Mr. THUNE. Mr. President, today I recognize Garrett DeVries, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Garrett is a graduate of Canistota High School in Canistota, SD. Currently, he is attending the University of South Dakota where he is majoring in political science and history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Garrett for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO NICHOLAS FALK

● Mr. THUNE. Mr. President, today I recognize Nicholas Falk, an intern in my Aberdeen, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Nick is a native of Aberdeen and a graduate of Roncalli High School. Currently, he is attending the University of South Dakota where he is majoring in history and political science. He is a very hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Nick for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO TRAVIS FITZKE

● Mr. THUNE. Mr. President, today I recognize Travis Fitzke, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past couple months.

Travis is a graduate of T.F. Riggs High School in Pierre, SD. Currently, he is attending the North Dakota State University where he is majoring in biology. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Travis for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BLAKE GUNDERSON

● Mr. THUNE. Mr. President, today I recognize Blake Gunderson, an intern

in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past couple months.

Blake is a graduate of Central Dakota Valley High School in North Sioux City, SD. Currently, he is attending the University of South Dakota where he is majoring in business administration. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Blake for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KYLE HANSON

● Mr. THUNE. Mr. President, today I recognize Kyle Hanson, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Kyle graduated from South Dakota State University with a major in communication studies. In the fall, he will be attending law school at the University of South Dakota. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Kyle for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KAMARIA IVERSEN

● Mr. THUNE. Mr. President, today I recognize Kamaria Iversen, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past couple months.

Kamaria is a graduate of Jones County High School in Murdo, SD. Currently, she is attending South Dakota State University where she is majoring in consumer affairs. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Kamaria for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO GRACE KESSLER

● Mr. THUNE. Mr. President, today I recognize Grace Kessler, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Grace is a graduate of Roncalli High School in Aberdeen, SD. Currently, she is attending Hillsdale College where she is majoring in politics. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Grace for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO CHRISTEN LEEDOM

● Mr. THUNE. Mr. President, today I recognize Christen Leedom, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Christen is a graduate of O'Gorman High School in Sioux Falls, SD. This fall, she will attend the University of South Dakota Law School. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Christen for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ZACH NEUBERT

● Mr. THUNE. Mr. President, today I recognize Zach Neubert, an intern in my Aberdeen, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Zach is a native of Aberdeen and a graduate of Central High School. Currently, he is attending the Northern State University where he is studying history and political science. He is a very hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Zach for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MADLYNN RUBLE

● Mr. THUNE. Mr. President, today I recognize Madlynn Ruble, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Madlynn is a graduate of Albert Lea Senior High School in Albert Lea, MN. Currently she is attending the University of South Dakota where she is majoring in Spanish and communications. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Madlynn for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO BROOKE SCHIEFFER

● Mr. THUNE. Mr. President, today I recognize Brooke Schieffer, an intern in my Washington, DC, office, for all of

the hard work she has done for me, my staff, and the State of South Dakota over the past couple months.

Brooke is a graduate of Jones Lincoln High School in Sioux Falls, SD. Currently, she is attending Vassar College where she is majoring in film. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Brooke for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ERIC SCHLIMGEN

● Mr. THUNE. Mr. President, today I recognize Eric Schlimgen, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Eric is a graduate of Central High School in Rapid City, SD. Currently, he is attending the University of South Dakota where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Eric for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO RACHEL SKEA

● Mr. THUNE. Mr. President, today I recognize Rachel Skea, an intern in my Rapid City, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past couple months.

Rachel is a graduate of Rapid City Christian High School in Rapid City, SD. Currently, she is attending Wheaton College in Wheaton, IL, where she is majoring in communications and media. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Rachel for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO JOE STELL

● Mr. UDALL of New Mexico. Mr. President, if Joe Stell had only one career, he would still be worthy of our admiration.

If he had been only a hard-working and talented New Mexico educator who was loved by his students, he would deserve our respect. If he had only been a New Mexico State legislator who was admired by his colleagues and his constituents, he would deserve our thanks. And if he had been only a land and water steward, revered by the many ranchers he mentored on land management practices, he would deserve our admiration. Or had he been only a tireless advocate for restoring New Mexico

grasslands and advancing partnerships to restore the land, he would deserve our gratitude.

But Joe Stell was all of these things: A no-nonsense public servant who asked tough questions, restored the landscape of New Mexico and changed the way government agencies and ranching communities work together to improve the land.

Former Representative Stell retired from the New Mexico Legislature after serving 20 years and being recognized as the preeminent legislative expert on water issues in New Mexico. Then-Governor Richardson referred to him as "Mr. Water." In his "retirement," he now runs a cattle ranch in Carlsbad, NM. It is on this ranch and the surrounding areas of southeastern New Mexico that he took part in Restore New Mexico, reseeding grasslands, bringing back its riparian areas and wildlife species and their habitats as part of the Healthy Lands Initiative.

Joe Stell has spent his life dedicated to public service, education, and land and water stewardship. He is proactive and constant in his efforts to improve rangelands; to communicate and coordinate between agencies and individuals and to leave the land in better shape than when he first came to it. For this lifetime of work, Joe Stell has been the recipient of various prestigious awards and honors, and today back in New Mexico he will be awarded the Bureau of Land Management's Rangeland Stewardship Award.

On behalf of the people of New Mexico, I would like to extend my sincere appreciation for Joe Stell's statesmanship and dedication to our State. Joe Stell's conservation work will always remind us that a commitment to the land and environment is powerful. For his more than 60 years of dedicated work in the public interest, I wish to honor Joe Stell.●

REMEMBERING BETTY ROBERTS

● Mr. WYDEN. Mr. President, today I wish to recognize someone whose name became synonymous with courage and equality, someone who in my State is every bit a pioneer as those who blazed the trails that opened the West.

Betty Roberts passed away recently at age 88, and while Oregon has lost one of its true giants, we have not lost the memory of what she gave to our State. Every time you turned around, Betty Roberts was pioneering. In the 1970s, she was the only woman serving in the Oregon State Senate. By 1977, she was the first woman to serve on the Oregon Court of Appeals and 5 years later she was the first woman on the Oregon Supreme Court.

I first met Betty in 1975 when she was one of the first elected officials in Oregon to give her full support to what was then a little known and burgeoning organization fighting for the

rights of the elderly, the Gray Panthers. Over the nearly four decades of our friendship, I came to know and respect her as a tireless advocate for doing what was right based on facts and the truth.

Her road to prominence in Oregon's legal, legislative and political circles was not an easy one. As the Oregonian pointed out in its editorial, "Betty Roberts often heard the word 'no' during the first half of her life. No to finishing college, teaching or running for public office, and no to following her ambitions."

Anyone who knew Betty recognized that she did not take no for an answer. She went from being a teacher to earning a master's degree and a doctorate, all while raising a family. She went from being elected to a local school board to being elected to the Oregon House of Representatives and from there to the Oregon State Senate.

As a member of the legislature, she supported such pioneering Oregon laws as the bottle bill and land-use planning. What she will be most remembered for, however, is her unwavering commitment to equality for women and minorities. She knew firsthand the barriers women faced. She overcame them and dedicated her life to tearing down those barriers and giving other women the same opportunities she made for herself.

In her memoir titled "With Grit and by Grace," Betty wrote that she had "a reasonable desire to live the life I wanted."

We know now that Betty lived the life that she desired and my State and this Nation is better for it.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nominations which were referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2279. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and

Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUE).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1249. An act to amend title 35, United States Code, to provide for patent reform.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-48. A joint memorial adopted by the Legislature of the State of New Mexico requesting Congress allow for payments from both the survivor benefit plan and the dependency and indemnity compensation; to the Committee on Armed Services.

HOUSE JOINT MEMORIAL NO. 1

Whereas, the legislature recognizes the pain and suffering of military widows and widowers whose spouses have died on the battlefield or through other service to the United States of America; and

Whereas, this nation has an obligation to care for its military widows and widowers; and

Whereas, military widows and widowers are unfairly deprived of monetary benefits from the survivor benefit plan, which their military spouses purchased and earned, when they receive dependency and indemnity compensation payments from the federal department of veterans affairs; and

Whereas, survivor benefit plan payments are reduced by the amount of the payments received from the dependency and indemnity compensation; and

Whereas, that reduction does not apply to veterans or military retirees employed as federal government civil servants enrolled in the civil service survivor benefit plan; and

Whereas, often the dependency and indemnity compensation payment completely offsets the survivor benefit plan payment; and

Whereas, many military widows and widowers are elderly and live on a fixed income and are in need of payments from both the survivor benefit plan and the dependency and indemnity compensation; and

Whereas, a federal court of appeals decision will require the department of defense to eliminate the dependency and indemnity compensation offset for widows and widowers who remarry at or after the age of fifty-seven; and

Whereas, President Abraham Lincoln committed this nation "to care for him who shall have borne the battle and for his widow and his orphan": Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That the United States congress be requested to allow for payments from both the survivor benefit plan and the dependency and indemnity compensation; and be it further

Resolved, That copies of this memorial be transmitted to the president of the United States, the speaker of the United States house of representatives, the president of the United States Senate and the New Mexico congressional delegation.

POM-49. A joint memorial adopted by the Legislature of the State of New Mexico requesting Congress expedite the passage of legislation and appropriations to enact the necessary funding for the reclamation of abandoned uranium mines and the remediation of uranium mill tailings; to the Committee on Energy and Natural Resources.

HOUSE MEMORIAL

Whereas, the Grants mineral belt, situated between Gallup and the Pueblo of Laguna in New Mexico, contains one of the world's richest uranium deposits; and

Whereas, dating back to the 1940s, states such as New Mexico mined uranium for the benefit of the atomic energy commission and the federal government's nuclear weapons program; and

Whereas, beginning in the 1950s and 1960s, private companies began extensive exploration, mining and milling activities related to the uranium deposits located in the Grants mineral belt on private, state, federal and tribal lands; and

Whereas, these activities continued through the 1990s, resulting in the mining and milling of more than one hundred seventy-five thousand tons of uranium ore from lands located in New Mexico; and

Whereas, unremediated contamination resulting from past uranium exploration, mining and milling activities constitutes a continuing threat to the health and well-being of residents of northwestern New Mexico; and

Whereas, state and federal studies have repeatedly shown that surface water, ground water and soils were and remain contaminated by past uranium mining and milling activities; and

Whereas, the federal government and others have direct responsibility to provide funding, both for the initial surveying of these mines and for potential subsequent reclamation and remediation where warranted; and

Whereas, the Surface Mining Control and Reclamation Act of 1977 is a federal law that mandates a reclamation fee on each ton of coal produced in the country, and Title IV of that act provides for abandoned mine reclamation; and

Whereas, in 2006, the United States congress passed amendments to Title IV of the Surface Mining Control and Reclamation Act of 1977, providing that the funds collected from the reclamation fees will now go directly to the states rather than be appropriated by congress, and those amendments limit uncertified states, such as New Mexico, from using the funds available through the Surface Mining Control and Reclamation Act of 1977 for non-coal mine reclamation; and

Whereas, H.R. 785, introduced in the United States House of Representatives, would address the need for uncertified states to use Surface Mining Control and Reclamation Act of 1977 funding for non-coal mine reclamation; and

Whereas, under the Uranium Mill Tailings Radiation Control Act of 1978, which established two programs, the United States department of energy is charged with completing surface reclamation at inactive uranium mill tailings piles; and

Whereas, various federal agencies were made aware of the tremendous need for the uranium legacy cleanup in the Grants mineral belt by the uranium mining and tailings task force established by the New Mexico legislative council in 2009, and the agencies have since made the uranium legacy cleanup in the Grants mineral belt a high priority; and

Whereas, as a result of the activities of the uranium mining and tailings task force, the United States environmental protection agency, specifically region six, took the lead to coordinate various federal, state and tribal agencies to be responsible for the uranium legacy cleanup and for publishing a multi-agency, five-year plan to address the uranium legacy cleanup; and

Whereas, New Mexico regulates uranium mining and milling activities through the department of environment and the energy, minerals and natural resources department; and

Whereas, the department of environment and the mining and minerals division of the energy, minerals and natural resources department have entered into cooperative agreements with various federal agencies to address the uranium legacy cleanup; and

Whereas, funding is a major limitation to completing the reclamation of abandoned uranium mines and the remediation of uranium mill tailings in the Grants mineral belt: Now, therefore, be it

Resolved by the House of Representatives of the State of New Mexico, That congress be requested to expedite the passage of legislation and appropriations to enact the necessary funding for the reclamation of abandoned uranium mines and the remediation of uranium mill tailings; and be it further

Resolved, That the department of environment and the energy, minerals and natural resources department report on any funding received from the federal government and other sources since 2009 that may be used for the uranium legacy cleanup and that the departments provide a detailed presentation on the specific standards used to determine the expenditures of federal funds by November 1, 2011 to the appropriate interim legislative committee; and be it further

Resolved, That copies of this memorial be transmitted to the director of the superfund division of region six of the United States environmental protection agency, the secretary of environment, the secretary of energy, minerals and natural resources, the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico congressional delegation.

POM-50. A memorial adopted by the Legislature of the State of New Mexico urging the President to consult with state and local interests, tribes and other interested parties when designating national monuments; to the Committee on Energy and Natural Resources.

HOUSE MEMORIAL

Whereas, the federal Antiquities Act of 1906 authorizes the president of the United States to designate as national monuments "historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States" in the state of New Mexico and elsewhere; and

Whereas, the president has previously exercised this authority to protect some of New Mexico's most cherished and significant places, including Chaco canyon, Carlsbad caverns and White Sands national monument; and

Whereas, the state probably contains additional sites on federal land that meet the criteria for national monument designation; and

Whereas, the residents of New Mexico have a clear and compelling interest in how federal lands in the state are managed; and

Whereas, the federal Antiquities Act of 1906 requires national monument lands to be "confined to the smallest area compatible with proper care and management of the objects to be protected" and necessary to preserve and protect the historical sites or objects; and

Whereas, the residents of New Mexico wholeheartedly embrace the opportunity to engage constructively and participate in identifying and recommending sites and boundaries of potential national monument designations; and

Whereas, the president of the United States should recognize and take steps to ensure the interests of the residents of New Mexico in the process of designation of national monuments in the state; and

Whereas, sustainable land management and conservation policies are best developed and administered with local government and community support and commitment to those policies: Now, therefore, be it

Resolved by the House of Representatives of the State of New Mexico, That it request formal consultation and coordination among the president of the United States, the governor of New Mexico, the New Mexico congressional delegation, the New Mexico legislature, local officials and interested conservation, industry, Indian nations, tribes or pueblos and user groups ensuring transparency and open public participation prior to any designation of national monuments in New Mexico; and, be it further

Resolved, That copies of this memorial be transmitted to the president of the United States, the secretary of the interior, the president pro tempore of the United States senate, the speaker of the United States house of representatives and members of the New Mexico congressional delegation.

POM-51. A memorial adopted by the Legislature of the State of New Mexico urging Congress to reauthorize the Water Resources Development Act of 2007, Section 5065, and to appropriate sufficient funds to investigate and address salinity sources affecting water quality in the Pecos River; to the Committee on Environment and Public Works.

HOUSE MEMORIAL

Whereas, the Pecos river is a tributary of the Rio Grande that flows between New Mexico and Texas; and

Whereas, the Pecos river is known for its naturally high salinity, but as human needs and environmental concerns relating to the river continue to increase, the adverse economic and environmental impacts of the river's naturally high salinity have become a much greater issue; and

Whereas, much of the natural salinity in the Pecos river enters the river in localized areas where geologic brines from ancient salt-bearing formations naturally discharge to the surface, which presents an opportunity for engineered solutions to intercept such brines before they enter the Pecos river; and

Whereas, the Pecos River Compact between Texas and New Mexico provides that "New Mexico and Texas shall cooperate with agencies of the United States to devise and effectuate means of alleviating the salinity conditions of the Pecos river"; and

Whereas, congress began that process by enacting Section 729 of the Water Resources Development Act of 1986 and by developing a program in Section 5056 of the Water Resources Development Act of 2007 that directs the secretary of the army to rehabilitate and enhance fish and wildlife habitats and to implement long-term monitoring, data collection and analysis, applied research and

adaptive management within the Rio Grande basin; and

Whereas, a successful technical program to identify salinity sources and potential remedies on the Rio Grande in the New Mexico-Texas border region has been underway since 2008, under Section 729 of the Water Resources Development Act of 1986; and

Whereas, it is imperative that funding and continuing authority for Section 5056 of the Water Resources Development Act of 2007, which is set to expire in 2011, be reenacted so that efforts to address salinity issues in the Rio Grande and its tributaries can continue: Now therefore, be it

Resolved by the House of Representatives of the State of New Mexico, That congress be requested to reauthorize Section 5056 of the Water Resources Development Act of 2007 and to appropriate sufficient funds to carry out work related to that legislation; and be it further

Resolved, That copies of this memorial be transmitted to the president of the United States, the speaker of the United States house of representatives, the president of the United States senate and the members of the New Mexico congressional delegation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mrs. FEINSTEIN for the Select Committee on Intelligence.

*David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DURBIN (for himself, Mr. SANDERS, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. AKAKA, and Mr. LAUTENBERG):

S. 1283. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 1284. A bill to amend the National Flood Insurance Act of 1968 to require the Administrator of the Federal Emergency Management Agency to consider reconstruction and improvement of flood protection systems when establishing flood insurance rates; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KOHL (for himself and Mr. BLUNT):

S. 1285. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for new qualified hybrid motor vehicles, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. BROWN of Ohio):

S. 1286. A bill to extend trade adjustment assistance, and for other purposes; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. LEE, and Mr. PAUL):

S. 1287. A bill to treat gold and silver coins used as legal tender in the same manner as United States currency for taxation purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. NELSON of Nebraska, Mr. MORAN, and Mr. JOHANNIS):

S. 1288. A bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Mrs. BOXER):

S. 1289. A bill to amend the Internal Revenue Code of 1986 to reduce the tax gap, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY:

S. 1290. A bill to impose discretionary and certain mandatory spending caps and correct the fiscal recklessness of 2001 through 2011; to the Committee on the Budget.

By Ms. KLOBUCHAR (for herself and Mr. JOHNSON of South Dakota):

S. 1291. A bill to amend the Internal Revenue Code of 1986 to provide a renewable electricity integration credit for a utility that purchases or produces renewable power; to the Committee on Finance.

By Mrs. McCASKILL (for herself, Mr. DURBIN, Mr. KIRK, and Mr. BLUNT):

S.J. Res. 22. A joint resolution to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 48

At the request of Mr. INOUE, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 248

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr.

WEBB) was added as a cosponsor of S. 248, a bill to allow an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act.

S. 254

At the request of Mr. FRANKEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 254, a bill to reduce the rape kit backlog and for other purposes.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 344

At the request of Mr. REID, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 414

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 506

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 506, a bill to amend the

Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 507

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 507, a bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 671

At the request of Mr. SESSIONS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 671, a bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders.

S. 827

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 827, a bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 891

At the request of Mr. GRASSLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 958

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 969

At the request of Mrs. GILLIBRAND, the name of the Senator from Massa-

chusetts (Mr. KERRY) was added as a cosponsor of S. 969, a bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education.

S. 979

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 979, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1018

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1018, a bill to amend title 10, United States Code, and the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to provide for implementation of additional recommendations of the Defense Task Force on Sexual Assault in the Military Services.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1258

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1258, a bill to provide for comprehensive immigration reform, and for other purposes.

S. 1276

At the request of Mr. DEMINT, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1276, a bill to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, to rescind related appropriated amounts, and for other purposes.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Mississippi (Mr.

COCHRAN) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 170

At the request of Mr. COCHRAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. Res. 170, a resolution honoring Admiral Thad Allen of the United States Coast Guard (Ret.) for his lifetime of selfless commitment and exemplary service to the United States.

S. RES. 185

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. SANDERS, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. AKAKA, and Mr. LAUTENBERG):

S. 1283. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I rise today to introduce the Family and Medical Leave Inclusion Act. This bill, which I also introduced in the 111th Congress, would extend the important protections of the Family and Medical Leave Act to same-sex couples in America.

I am pleased to introduce this bill with a coalition of Senators who are committed to ensuring justice and equality for all Americans. I would like to thank Senators AKAKA, BLUMENTHAL, COONS, GILLIBRAND, KERRY, LAUTENBERG, LEAHY, MERKLEY, SANDERS, and WHITEHOUSE for standing with me in support of the Family and Medical Leave Inclusion Act.

In 1993, Congress passed the Family and Medical Leave Act to, among other

things, protect American workers facing either a personal health crisis, or that of a close family member.

People in the workforce who suffer a serious illness or significant injury should be able to take time to heal, recover, follow their doctors' orders, and return to their jobs strong, healthy, and ready to be productive again. Thanks to the FMLA, they can take that time knowing that their jobs will be there when they recover.

As we all know well, most employees are not only concerned about their own health and wellbeing. They are concerned about the health and wellbeing of those that they love. The FMLA gave workers with a child, parent, or spouse that was sick or injured, an opportunity to provide the needed care and support, knowing that their jobs would be there when they returned.

When it was passed, the FMLA was an important and historic expansion of our nation's laws. Unfortunately, as families have evolved and expanded, we've learned that the FMLA does not provide the same level of protection to all American families. Under current law, it is impossible for many employees to be with their partners during times of medical need.

As I stated when I introduced this bill last year, Congress followed the lead of many large and small businesses when it enacted the FMLA. Almost 20 years ago, many of these businesses had already recognized and addressed the need for employees to take time off to care for themselves or a loved one that was battling a serious health condition. These companies had put in place systems that gave their employees time to heal themselves or their family members, and ensured that those employees would return to work as soon as they could.

The FMLA took the model these companies provided and brought the majority of the American workforce under the same protections.

We once again have an opportunity to learn from the best practices of American businesses who have adjusted their personnel policies and benefit packages to better meet the needs of American families, as we find them today. These businesses have assessed the composition of their workforces and realized that, in order to meet the evolving needs of their employees and enhance productivity, they needed to go one step further than the protections provided by the FMLA.

The Human Rights Campaign, leading civil rights organization that strongly supports the Family and Medical Leave Inclusion Act, reports that 502 major American corporations, 10 states, and the District of Columbia now extend FMLA benefits to include leave on behalf of a same-sex partner. Moreover, as of March of this year, 58 percent of Fortune 500 companies provided health benefits to same-sex partners, a 13 fold increase since 1995.

When the FMLA was signed into law, it was narrowly tailored to cover individuals caring for a very close family member. The law sought to cover that inner circle of people, where the family member assuming the caretaker role would be one of very few, if not the only person, who could do so. That idea has not changed.

What has changed are the people who might be in that inner circle. The nuclear American family has grown, sometimes by design, and sometimes by necessity. More and more, that inner circle of close family might include a grandparent or grandchild, siblings, or same-sex domestic partners in loving and committed relationships.

As the law stands right now, too many of these people are excluded from the protections of the FMLA.

In these tough economic times, when unemployment is high and those with jobs are doing everything they can to keep them, we all know the value of job security. Hardworking Americans should not have to make the impossible choice between keeping their jobs and providing care and support for loved ones in their time of need. Almost 20 years ago, the FMLA ensured that millions of Americans did not have to make that choice. Now, the time has come to ensure that the security afforded by the FMLA is available to a broader range of American workers.

There are many who would understandably question what this kind of change in the law would cost the business community. As I have stated in the past, the FMLA is already a very good law; it is already in place and it is working. It provides unpaid leave when the need arises, and it only applies to businesses that have enough employees on hand to handle the absence of a single worker without too great a burden.

Ninety percent of the leave time that has been taken under the FMLA has been so that employees can care for themselves or for a child in their care, and those situations are already covered under the law as it stands. What the Family and Medical Leave Inclusion Act would do is provide a little more flexibility, and recognize that there are a few more people in that inner circle of family who we might call upon, or who might call upon us.

We can all agree that family is the first and best safety net in times of personal crisis. Families need to be given the realistic ability to provide that assistance. What the Family and Medical Leave Inclusion Act does is give those family members the ability to help their loved ones in ways that only they can, without fear of losing their jobs in the process.

The Family and Medical Leave Inclusion Act enhances the FMLA. The Family and Medical Leave Inclusion Act, like the FMLA when it was passed almost 20 years ago, is long overdue.

Our bill contains reasonable changes that reflect what many businesses have already done and accurately capture the modern American family.

The Family Medical Leave Inclusion Act is supported by over 80 organizations from the business, civil rights, LGBT, and labor communities, including: the National Association of Working Women; AFSCME; American Pediatrics Association; ACLU; Families USA; Gay and Lesbian Advocates and Defenders, GLAD; Human Rights Campaign; People for the American Way; SEIU; and The Leadership Conference on Civil and Human Rights.

The Family and Medical Leave Inclusion Act is the right thing to do, and I hope we can join together and pass it on a bipartisan basis.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Family and Medical Leave Inclusion Act".

SEC. 2. LEAVE TO CARE FOR A SAME-SEX SPOUSE, DOMESTIC PARTNER, PARENT-IN-LAW, ADULT CHILD, SIBLING, GRANDCHILD, OR GRANDPARENT.

(a) DEFINITIONS.—

(1) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 101(12) of such Act (29 U.S.C. 2611(12)) is amended—

(A) by inserting "a child of an individual's domestic partner," after "a legal ward,"; and

(B) by striking "who is—" and all that follows and inserting "and includes an adult child.".

(2) INCLUSION OF GRANDCHILDREN, GRANDPARENTS, PARENTS-IN-LAW, SIBLINGS, AND DOMESTIC PARTNERS.—Section 101 of such Act (29 U.S.C. 2611) is further amended by adding at the end the following:

"(20) DOMESTIC PARTNER.—The term 'domestic partner', used with respect to an employee, means—

"(A) the person recognized as the domestic partner of the employee under any domestic partner registry or civil union law of the State or political subdivision of a State where the employee resides, or the person who is lawfully married to the employee under the law of the State where the employee resides and who is the same sex as the employee; or

"(B) in the case of an unmarried employee who lives in a State where a person cannot marry a person of the same sex under the laws of the State, a single, unmarried adult person of the same sex as the employee who is in a committed, personal (as defined in regulations issued by the Secretary) relationship with the employee, who is not a domestic partner to any other person, and who is designated to the employer by such employee as that employee's domestic partner.

"(21) GRANDCHILD.—The term 'grandchild', used with respect to an employee, means any person who is a son or daughter of a son or daughter of the employee.

"(22) GRANDPARENT.—The term 'grandparent', used with respect to an employee, means a parent of a parent of the employee.

“(23) PARENT-IN-LAW.—The term ‘parent-in-law’, used with respect to an employee, means a parent of the spouse or domestic partner of the employee.”

“(24) SIBLING.—The term ‘sibling’, used with respect to an employee, means any person who is a son or daughter of the employee’s parent.”

“(25) SON-IN-LAW OR DAUGHTER-IN-LAW.—The term ‘son-in-law or daughter-in-law’, used with respect to an employee, means any person who is a spouse or domestic partner of a son or daughter of the employee.”

(b) LEAVE REQUIREMENT.—Section 102 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking “spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent” and inserting “spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandparent, or sibling, of the employee if such spouse, domestic partner, son, daughter, parent, parent-in-law, grandparent, or sibling”; and

(B) in subparagraph (E), by striking “spouse, or a son, daughter, or parent” and inserting “spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling”; and

(2) in subsection (a)(3), by striking “spouse, son, daughter, parent,” and inserting “spouse or domestic partner, son, daughter, parent, son-in-law or daughter-in-law, grandparent, sibling”; and

(3) in subsection (e)—

(A) in paragraph (2)(A), by striking “spouse, parent,” and inserting “spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, sibling”; and

(B) in paragraph (3), by striking “spouse, or a son, daughter, or parent,” and inserting “spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling”; and

(4) in subsection (f)—

(A) in paragraph (1), by striking “a husband and wife” and inserting “2 spouses or 2 domestic partners”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “that husband and wife” and inserting “those spouses or those domestic partners”; and

(ii) in subparagraph (B), by striking “the husband and wife” and inserting “those spouses or those domestic partners”.

(c) CERTIFICATION.—Section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) is amended—

(1) in subsection (a), by striking “spouse, or parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, or sibling”; and

(2) in subsection (b)—

(A) in paragraph (4)(A), by striking “spouse, or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse, or parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandparent, or sibling and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, domestic partner, parent, parent-in-law, grandparent, or sibling”; and

(B) in paragraph (7), by striking “parent, or spouse” and inserting “spouse, domestic partner, parent, parent-in-law, grandparent, or sibling”.

(d) EMPLOYMENT AND BENEFITS PROTECTION.—Section 104(c)(3) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(3)) is amended—

(1) in subparagraph (A)(i), by striking “spouse, or parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandparent, or sibling”; and

(2) in subparagraph (C)(ii), by striking “spouse, or parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandparent, or sibling”.

SEC. 3. FEDERAL EMPLOYEES.

(a) DEFINITIONS.—

(1) INCLUSION OF ADULT CHILDREN AND CHILDREN OF A DOMESTIC PARTNER.—Section 6381(6) of title 5, United States Code, is amended—

(A) by inserting “a child of an individual’s domestic partner,” after “a legal ward,”; and

(B) by striking “who is—” and all that follows and inserting “and includes an adult child.”.

(2) INCLUSION OF GRANDCHILDREN, GRANDPARENTS, PARENTS-IN-LAW, SIBLINGS, AND DOMESTIC PARTNERS.—Section 6381 of such title is further amended—

(A) in paragraph (11)(B), by striking “; and” and inserting a semicolon;

(B) in paragraph (12), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(13) the term ‘domestic partner’, used with respect to an employee, means—

“(A) the person recognized as the domestic partner of the employee under any domestic partner registry or civil union law of the State or political subdivision of a State where the employee resides, or the person who is lawfully married to the employee under the law of the State where the employee resides and who is the same sex as the employee; or

“(B) in the case of an unmarried employee who lives in a State where a person cannot marry a person of the same sex under the laws of the State, a single, unmarried adult person of the same sex as the employee who is in a committed, personal (as defined in regulations issued by the Office of Personnel Management) relationship with the employee, who is not a domestic partner to any other person, and who is designated to the employer by such employee as that employee’s domestic partner;”

“(14) the term ‘grandchild’, used with respect to an employee, means any person who is a son or daughter of a son or daughter of the employee;”

“(15) the term ‘grandparent’, used with respect to an employee, means a parent of a parent of the employee;”

“(16) the term ‘parent-in-law’, used with respect to an employee, means a parent of the spouse or domestic partner of the employee;”

“(17) the term ‘sibling’, used with respect to an employee, means any person who is a son or daughter of the employee’s parent; and

“(18) the term ‘son-in-law or daughter-in-law’, used with respect to an employee, means any person who is a spouse or domestic partner of a son or daughter of the employee.”.

(b) LEAVE REQUIREMENT.—Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking “spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent” and inserting “spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandparent, or sibling, of the employee, if such spouse, domestic partner, son, daughter, parent, parent-in-law, grandparent, or sibling”; and

(B) in subparagraph (E), by striking “spouse, or a son, daughter, or parent” and

inserting “spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling.”;

(2) in subsection (a)(3), by striking “spouse, son, daughter, parent,” and inserting “spouse or domestic partner, son, daughter, parent, son-in-law or daughter-in-law, grandparent, sibling,”; and

(3) in subsection (e)—

(A) in paragraph (2)(A), by striking “spouse, parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, sibling”; and

(B) in paragraph (3), by striking “spouse, or a son, daughter, or parent,” and inserting “spouse or domestic partner, or a son, daughter, parent, parent-in-law, grandchild, or sibling.”.

(c) CERTIFICATION.—Section 6383 of title 5, United States Code, is amended—

(1) in subsection (a), by striking “spouse, or parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, or sibling”; and

(2) in subsection (b)(4)(A), by striking “spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent” and inserting “spouse, domestic partner, parent, parent-in-law, grandparent, or sibling and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, domestic partner, parent, parent-in-law, grandparent, or sibling”.

By Mrs. FEINSTEIN:

S. 1284. A bill to amend the National Flood Insurance Act of 1968 to require the Administrator of the Federal Emergency Management Agency to consider reconstruction and improvement of flood protection systems when establishing flood insurance rates; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Flood Protection Fairness Act of 2011.

This legislation will make three common sense changes to the National Flood Insurance Program, NFIP, to ensure that the program incentivizes local participation in the funding of flood protection infrastructure.

The bill allows levees paid for with local tax dollars to qualify for the same discounted flood insurance rates as communities that rely on Federal tax dollars to build their levees.

The bill allows Federal Emergency Management Agency, FEMA, to calculate the value of a levee system in current dollars instead of using the uninflated cost of levee improvements completed years ago. This encourages local governments to fix problems as they arise.

The bill allows areas protected by coastal levees to qualify for the same flood insurance rate zones as areas protected by riverine levees, provided they meet equivalent flood protection standards.

The effect of these provisions is simple: local governments will be incentivized to help pay for the flood protection systems in their back yards.

In this time of shrinking budgets we simply can’t afford to ask the federal

taxpayer to foot the entire bill for flood protection. Federal investments must be leveraged by local and private contributions. Current policy discourages this; so it's time to change the policy.

In some areas of the country, homeowners are told that because their local government built the levee protecting their home, not the Federal Government, that they owe an additional \$700 dollars on their flood insurance bill.

These homeowners are not being charged more because they are at greater risk. They are being charged more because the wrong money paid to build their levee. That is not sound policy.

Yet, this is the case in Sacramento, California.

A flood insurance rate map change in Sacramento has classified the area as an AE. This means that many residents living in the area will be forced to pay a rate of \$2,187 per year for \$250,000 worth of insurance.

However, if the levees protecting these homes were owned by the Federal Government instead of the local reclamation districts and the State or if the Corps of Engineers' approved report was authorized by Congress, the area would be eligible for an A99 zone designation by the middle of 2012. This would mean that the same \$250,000 of flood insurance coverage would pay a rate of \$1,472 per year.

That is a \$715 dollar difference. That is a lot of money regardless of your economic situation.

I want to make clear that this bill is not just some gimmick to undermine the National Flood Insurance Program.

I firmly believe in the strong and rigorous regulations that limit development in flood plains. Development in an unprotected flood plain is dangerous, and I do not support legislation that encourages new construction in hazardous areas.

But the regulations that prohibit local investments from being counted, and prevent coastal communities from having full access to the NFIP are antiquated.

To understand the scope of the problem, it is important to have a little bit of context. FEMA is currently undertaking an extensive Map Modernization effort and examining levees around the country for safety. As FEMA does this, the Agency is learning that many levees do not provide an acceptable level of flood protection. This means that the people living behind these levees are in real danger of flooding, and until recently, were unaware of it.

Fortunately, the Map Modernization effort is bringing all of this information to homeowners and consumers. With this information they are able to protect themselves with flood insurance from the National Flood Insurance Program.

But as I have said, there is actually a disincentive for local governments to pitch in and help build flood control systems; if the locals build the levee, the National Flood Insurance Program won't give homeowners the same discounts they would receive if the levee were built by the Federal Government.

The program does this by limiting which communities can qualify for reduced rate flood insurance zones.

FEMA created the reduced rate AR and A99 zones to reflect a reduced flood risk as the result of an existing or partially completed levee system. But this designation only applies to communities protected by federally funded levees.

Even in Sacramento where residents have approved two property assessment increases to help pay for levee repairs, the homeowners are still hit with higher insurance rates because the improvements are not being paid for by the Federal Government.

The original idea behind this requirement was that information on non-federal levees was unreliable, and we did not know how safe they really were.

That was 30 years ago. Now we have better information, and better science, and FEMA has sufficient data to make sound judgments on levee safety. The rule is antiquated, and it needs to be modernized.

Not surprisingly, other agencies also recognized the need for a change. In California, the Sacramento and West Sacramento Flood Control Agencies, as well as the California Department of Water Resources are seeking this change.

At the Federal level, FEMA has worked with my office and the office of Representative DORIS MATSUI to develop these common sense modifications.

I commend each of the agencies that worked on this project and I hope to see these changes enacted quickly.

There are already positive signs in the House of Representatives. Just a few weeks ago, Financial Services Chairman SPENCER BACHUS included text of this legislation in a version of the National Flood Insurance Reauthorization bill. I want to commend Mr. BACHUS for agreeing to make this important change, and thank Ms. MATSUI for her effective advocacy on this issue.

On the whole, the National Flood Insurance Program and the Map Modernization effort each have taken our nation in the right direction. As a result of their successes, Americans are safer, and have the means and ability to insure their homes even in risky areas. These are not trivial accomplishments.

But a little fine tuning is in order.

Communities looking to improve flood protection in their area should not be penalized for paying for it themselves.

Residents should be charged the same insurance rates if they face the same risk—regardless of who owns the levee that protects their home.

The Flood Protection Fairness Act will make these two important principles clear. I urge my colleagues to join me in supporting this bill and look forward to working with you to ensure its speedy passage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1284

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSIDERATION OF RECONSTRUCTION AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF FLOOD INSURANCE RATES.

(a) IN GENERAL.—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(1) in subsection (e)—

(A) in the first sentence, by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)”; and

(B) in the second sentence—

(i) by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system”; and

(ii) by inserting “based on the present value of the completed system” after “has been expended”; and

(2) in subsection (f)—

(A) in the first sentence in the matter preceding paragraph (1), by inserting “(without respect to the level of Federal investment or participation)” after “no longer does”; and

(B) in the third sentence in the matter preceding paragraph (1), by inserting “, whether coastal or riverine,” after “special flood hazard”; and

(C) in paragraph (1), by striking “a Federal agency in consultation with the local project sponsor” and inserting “the entity or entities that own, operate, maintain, or repair such system”.

(b) REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate regulations to carry out the amendments made by subsection (a).

By Mrs. MCCASKILL (for herself,
Mr. DURBIN, Mr. KIRK, and Mr.
BLUNT):

S.J. Res. 22. A joint resolution to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years; to the Committee on the Judiciary.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 22

Whereas to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years;

Whereas the Congress in consenting to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan District provided that no power shall be exercised by the Bi-State Agency until such power has been conferred upon the Bi-State Agency by the legislatures of the States to the compact and approved by an Act of Congress;

Whereas such States previously enacted legislation providing that the Bi-State Agency had the power to issue notes, bonds, or other instruments in writing provided they shall mature in not to exceed 30 years, and Congress consented to such power; and

Whereas such States have now enacted legislation amending this power: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSENT.

(a) IN GENERAL.—The consent of Congress is given to the amendment of the powers conferred on the Bi-State Development Agency by Senate Bill 758, Laws of Missouri 2010 and Public Act 96-1520 (Senate Bill 3342), Laws of Illinois 2010.

(b) EFFECTIVE DATE.—The amendment to the powers conferred by the Acts consented to in subsection (a) shall take effect on December 17, 2010.

SEC. 2. APPLICATION OF ACT OF AUGUST 31, 1950.

The provisions of the Act of August 31, 1950 (64 Stat. 568) shall apply to the amendment approved under this joint resolution to the same extent as if such amendment was conferred under the provisions of the compact consented to in such Act.

SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this joint resolution is expressly reserved.

SEC. 4. RESERVATION OF RIGHTS.

The right is reserved to Congress to require the disclosure and furnishings of such information or data by the Bi-State Development Agency as is deemed appropriate by Congress.

AMENDMENTS SUBMITTED AND PROPOSED

SA 520. Mr. REID (for Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. LIEBERMAN, and Ms. COLLINS)) proposed an amendment to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation.

TEXT OF AMENDMENTS

SA 520. Mr. REID (for Mr. SCHUMER, (for himself, Mr. ALEXANDER, Mr. LIEBERMAN, and Ms. COLLINS)) proposed an amendment to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; as follows:

On page 36, lines 7 and 8, strike “SECRETARY OF AGRICULTURE FOR CONGRESSIONAL RELATIONS AND ASSISTANT”.

On page 36, strike lines 13 and 14 and insert the following:

(A) by striking “subsection (a)” and inserting “paragraph (1) or (3) of subsection (a)”;

On page 37, strike lines 7 through 20.

On page 38, strike lines 2 through 18, and insert the following:

(1) ASSISTANT SECRETARIES OF DEFENSE.—

(A) IN GENERAL.—Section 138(a)(1) of title 10, United States Code, is amended by striking “16” and inserting “14”.

(B) ADMINISTRATION OF REDUCTION.—The Assistant Secretary of Defense positions eliminated in accordance with the reduction in numbers required by the amendment made by subparagraph (A) shall be—

(i) the Assistant Secretary of Defense for Networks and Information Integration; and

(ii) the Assistant Secretary of Defense for Public Affairs.

(C) CONTINUED SERVICE OF INCUMBENTS.—Notwithstanding the requirements of this paragraph, any individual serving in a position described under subparagraph (B) on the date of the enactment of this Act may continue to serve in such position without regard to the limitation imposed by the amendment in subparagraph (A).

(D) PLAN FOR SUCCESSOR POSITIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall report to the congressional defense committees on his plan for successor positions, not subject to Senate confirmation, for the positions eliminated in accordance with the requirements of this paragraph.

On page 45, line 22, strike all through page 46, line 5, and insert the following:

(8) DIRECTOR OF SELECTIVE SERVICE.—Section 10(a)(3) of the Selective Service Act of 1948 (50 U.S.C. App. 460(a)(3)) is amended by striking “, by and with the advice and consent of the Senate”.

On page 46, lines 7 through 9, strike “FOR LEGISLATION AND CONGRESSIONAL AFFAIRS AND ASSISTANT SECRETARY”.

On page 46, lines 14 and 15, strike “the Assistant Secretary for Legislation and Congressional Affairs and”.

On page 46, strike lines 18 through 22.

On page 47, strike lines 3 through 9.

On page 47, strike lines 18 through 23.

On page 47, line 24, strike all through page 48, line 3.

On page 49, insert between lines 6 and 7 the following:

(5) ASSISTANT SECRETARIES.—Section 103(a) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)) is amended—

(A) by striking “There” and inserting “(1) IN GENERAL.—Except as provided under paragraph (2), there”;

(B) by redesignating paragraphs (1) through (10) as subparagraphs (A) through (J), respectively; and

(C) by adding at the end the following:

“(2) ASSISTANT SECRETARIES.—If any of the Assistant Secretaries referred to under paragraph (1)(I) is designated to be the Assistant Secretary for Health Affairs, the Assistant Secretary for Legislative Affairs, or the Assistant Secretary for Public Affairs, that Assistant Secretary shall be appointed by the President without the advice and consent of the Senate.”.

On page 49, lines 7 through 9, strike “ASSISTANT SECRETARY FOR CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS, AND”.

On page 49, strike line 14 and insert the following:

(2) by striking “eight” and inserting “7”; and

On page 49, lines 16 through 19, strike “an Assistant Secretary for Congressional and Intergovernmental Relations, and an Assistant Secretary for Public Affairs, each of whom” and insert “an Assistant Secretary for Public Affairs, who”.

On page 49, strike line 23 and all that follows through the end of the matter following line 18 on page 50.

On page 51, line 21, strike “, CONGRESSIONAL AFFAIRS,”.

On page 51, line 25, strike “Management,” and all that follows through “Affairs, and” on page 52, line 1, and insert “Management and”.

On page 52, lines 9 through 11, strike “ASSISTANT SECRETARY FOR LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS, ASSISTANT SECRETARY FOR PUBLIC AFFAIRS,” and insert “ASSISTANT SECRETARY FOR PUBLIC AFFAIRS”.

On page 52, lines 21 through 23, strike “the Assistant Secretary for Legislative and Intergovernmental Affairs, the Assistant Secretary for Public Affairs,” and insert “the Assistant Secretary for Public Affairs”.

On page 53, line 12, strike “and an Assistant” and insert “, an Assistant Secretary for Governmental Affairs, and an Assistant”.

On page 53, line 17, strike “and Chief Financial Officer”.

On page 53, lines 17 through 19, strike “and an Assistant Secretary for Governmental Affairs, who shall each” and insert “who shall”.

On page 53, lines 21 and 22, strike “in the competitive service”.

On page 54, lines 24 and 25, strike “LEGISLATIVE AFFAIRS, PUBLIC AFFAIRS,” and insert “PUBLIC AFFAIRS”.

On page 55, line 4, strike “7 Assistant” and insert “8 Assistant”.

On page 55, line 6, strike “3 Assistant” and insert “2 Assistant”.

On page 55, lines 7 through 9, strike “the Assistant Secretary for Legislative Affairs, the Assistant Secretary for Public Affairs,” and insert “the Assistant Secretary for Public Affairs”.

On page 57, strike lines 3 through 6 and insert the following:

“(D) The Assistant Secretary for Operations, Security, and Preparedness.”.

On page 57, line 8, strike “14301(b)(1)” and insert “14301(b)(2)”.

On page 58, lines 19 and 20, strike “, INCLUDING CHAIRPERSON”.

On page 60, line 5, strike “State and Local Affairs” and insert “State, Local, and Tribal Affairs”.

On page 60, strike line 22 and all that follows through page 61, line 4.

On page 61, line 23, insert “for a term of seven years” after “Senate.”.

On page 62, strike line 3 and all that follows through page 63, line 23, and insert the following:

(bb) GOVERNOR AND ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK.—

(1) IN GENERAL.—Section 1333 of the African Development Bank Act (22 U.S.C. 2901-1) is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by striking “(a) The President” and all that follows through “The term of office” and inserting the following:

“(a) The President shall appoint a Governor and an Alternate Governor of the Bank—

“(1) by and with the advice and consent of the Senate; or

“(2) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate.

“(b) The term of office”.

(2) CONFORMING AMENDMENTS.—Section 1334 of such Act (22 U.S.C. 2901-2) is amended—

(A) by striking “The Director or Alternate Director” and inserting the following:

“(b) The Director or Alternate Director”; and

(B) by inserting before subsection (b), as redesignated, the following:

“(a) The President, by and with the advice and consent of the Senate, shall appoint a Director of the Bank.”.

(cc) GOVERNOR AND ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK.—Section 3(a) of the Asian Development Bank Act (22 U.S.C. 285a(a)) is amended to read as follows:

“(a) The President shall appoint—

“(1) a Governor of the Bank and an alternate for the Governor—

“(A) by and with the advice and consent of the Senate; or

“(B) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate; and

“(2) a Director of the Bank, by and with the advice and consent of the Senate.”.

(dd) GOVERNOR AND ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND.—Section 203(a) of the African Development Fund Act (22 U.S.C. 290g–1(a)) is amended to read as follows:

“(a) The President shall appoint a Governor, and an Alternate Governor, of the Fund—

“(1) by and with the advice and consent of the Senate; or

“(2) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate.”.

On page 64, strike lines 15 through 19.

On page 66, between 16 and 17, insert the following:

(mm) RULE OF CONSTRUCTION.—Notwithstanding section 3132(a)(2) of title 5, United States Code, removal of Senate confirmation for any position in this section shall not—

(1) result in any such position being placed in the Senior Executive Service; or

(2) alter compensation for any such position under the Executive Schedule or other applicable compensation provisions of law.

On page 67, add after line 23 the following:

“(4) PERSONNEL ACTIONS.—Except as provided under paragraph (3), nothing in this subsection shall prohibit a personnel action otherwise authorized by law with respect to the Director of the Census, other than removal.

NOTICE OF INTENT TO OBJECT

I, Senator CHARLES GRASSLEY, intend to object to proceeding to S. 1145, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes, dated June 28, 2011.

NOTICE OF HEARING

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting scheduled before the Committee on Energy and Natural Resources, previously announced for Thursday, July 14, 2011, will be held at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending legislation.

For further information, please contact Sam Fowler at (202) 224-7571 or Alison Seyferth at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 28, 2011, at 2:45 p.m. in room 106 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 28, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 28, 2011, at 10 a.m. to conduct a hearing entitled “Housing Finance Reform: Access to Secondary Market for Small Financial Institutions.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 28, 2011, at 10 a.m. in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Complexity and the Tax Gap: Making Tax Compliance Easier and Collecting What’s Due.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 28, 2011, at 10 a.m. to hold a hearing entitled “Libya and War Powers.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 28, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on June 28, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Judiciary, Subcommittee on Immigration, Refugees, and Border Security be authorized to meet during the session of the Senate on June 28, 2011, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “The DREAM Act.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Environment and Public Works be authorized to meet during the session of the Senate on June 28, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled “Status of the Deepwater Horizon Natural Resource Damage Assessment.”

The PRESIDING OFFICER. Without objection, it is so ordered.

REAFFIRMING THE COMMITMENT OF THE UNITED STATES TO A NEGOTIATED SETTLEMENT OF THE ISRAELI-PALESTINIAN CONFLICT

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 185.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 185) reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, that there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 185) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 185

Whereas the policy of the United States since 2002 has been to support a two-state solution to the Palestinian-Israeli conflict;

Whereas a true and lasting peace between the people of Israel and the Palestinians can

only be achieved through direct negotiations between the parties;

Whereas Palestine Liberation Organization Chair Yassir Arafat wrote to Israeli Prime Minister Yitzhak Rabin on September 9, 1993, that “all outstanding issues relating to permanent status will be resolved through negotiations”;

Whereas the reconciliation agreement signed by Fatah and Hamas on May 4, 2011, was reached without Hamas being required to renounce violence, accept Israel’s right to exist, and accept prior agreements made by the Palestinians (the “Quartet conditions”);

Whereas Hamas, an organization responsible for the death of more than 500 innocent civilians, including two dozen United States citizens, has been designated by the United States Government as a foreign terrorist organization and a specially designated terrorist organization;

Whereas Hamas kidnapped and has held captive Israeli sergeant Gilad Shalit in violation of international norms since June 25, 2006;

Whereas Hamas continues to forcefully reject the possibility of negotiations or peace with Israel;

Whereas, by contrast, Prime Minister of Israel Benjamin Netanyahu has accepted a two-state solution to the Israeli-Palestinian conflict;

Whereas, on April 22, 2009, Secretary of State Hillary Clinton stated, “We will not deal with nor in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority.”;

Whereas the United States, under two different Presidents, has vetoed 11 United Nations Security Council resolutions in the last 15 years related to the Palestinian-Israeli conflict and its outstanding issues;

Whereas United States Permanent Representative to the United Nations Susan Rice stated on February 18, 2011, that it was “unwise” for the United Nations to attempt to resolve key issues between the Israelis and Palestinians;

Whereas Palestinian leaders are pursuing a coordinated strategy to seek recognition of a Palestinian state within the United Nations, in other international forums, and from foreign governments;

Whereas, on March 11, 1999, the Senate adopted Senate Concurrent Resolution 5 (106th Congress), and on March 16, 1999, the House of Representatives adopted House Concurrent Resolution 24 (106th Congress), both of which resolved that “any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition”;

Whereas current United States law precludes assistance to a Palestinian Authority that shares power with Hamas unless that Authority publicly accepts the right of Israel to exist and adheres to all prior agreements and understandings with the Governments of the United States and Israel;

Whereas the United States Government provides more than \$550,000,000 annually and more than \$3,500,000,000 cumulatively in direct bilateral assistance to the Palestinians, who are among the world’s largest recipients of foreign aid per capita;

Whereas aid to the Palestinians is predicated on a good faith commitment from the Palestinians to the peace process;

Whereas abandonment by Palestinian leaders of the Quartet conditions and inclusion of Hamas in a government could jeopardize the positive steps the Palestinian Authority

has taken in building institutions and improving security in the West Bank in recent years; and

Whereas efforts to form a unity government without accepting the Quartet conditions, to bypass negotiations and unilaterally declare a Palestinian state, or to appeal to the United Nations or other international forums or to foreign governments for recognition of a Palestinian state would violate the underlying principles of the Oslo Accords, the Road Map, and other relevant Middle East peace process efforts: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms its strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish state of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition;

(2) states its firm belief that any Palestinian unity government must publicly and formally forswear terrorism, accept Israel’s right to exist, and reaffirm previous agreements made with the Government of Israel;

(3) reiterates its strong opposition to any attempt to establish or seek recognition of a Palestinian state outside of an agreement negotiated between leaders in Israel and the Palestinians;

(4) urges Palestinian leaders—

(A) to ensure that any Palestinian government will seek peace with Israel;

(B) to cease all efforts at circumventing the negotiation process, including through a unilateral declaration of statehood or quests for recognition of a Palestinian state from other nations or the United Nations;

(C) to resume direct negotiations with the Government of Israel immediately and without preconditions; and

(D) to take appropriate measures to counter incitement to violence and fulfill all prior Palestinian commitments, including dismantling the terrorist infrastructure embodied in Hamas;

(5) supports the opposition of the President to a unilateral declaration of a Palestinian state and the veto by the United States on February 18, 2011, of the most recent United Nations Security Council resolution regarding a key issue of the Israeli-Palestinian process;

(6) calls upon the President to announce that the United States will veto any resolution on Palestinian statehood that comes before the United Nations Security Council which is not a result of agreements reached between the Government of Israel and the Palestinians;

(7) calls upon the President to lead a diplomatic effort to oppose a unilateral declaration of a Palestinian state and to oppose recognition of a Palestinian state by other nations, within the United Nations, and in other international forums prior to achievement of a final agreement between the Government of Israel and the Palestinians;

(8) will consider restrictions on aid to the Palestinian Authority should it persist in efforts to circumvent direct negotiations by turning to the United Nations or other international bodies;

(9) supports the position taken by Secretary of State Hillary Clinton on April 22, 2009, that the United States “will not deal with or in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority”;

(10) urges the President to consider suspending assistance to the Palestinian Au-

thority pending a review of the unity agreement between Fatah and Hamas; and

(11) reaffirms the requirement under United States law precluding assistance to a Palestinian Authority that shares power with Hamas unless that Authority and all its ministers publicly accept the right of Israel to exist and all prior agreements and understandings with the Governments of the United States and Israel.

ORDERS FOR WEDNESDAY, JUNE 29, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 29; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 679, the Presidential Appointment Efficiency and Streamlining Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be a series of up to five rollcall votes at approximately 11 a.m. tomorrow. We are hopeful a few of the amendments to S. 679 will be agreed to by voice vote.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order, following the remarks of up to 15 minutes of my friend, the Senator from Wisconsin.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEFICIT

Mr. JOHNSON of Wisconsin. Mr. President, I realize a number of people in this Chamber are asking why I am doing this. First of all, I think it is important for everybody to realize that—and I certainly mean no offense to anybody in this Chamber—I did not run for the Senate because I wanted to be a Senator. I ran for the Senate because I realized we are bankrupting this Nation.

I think the evidence is quite clear, if we take a look at the budget deficit for

just the last 3 years: \$1.4 trillion, \$1.3 trillion, and for this year estimates as high as \$1.65 trillion. We have incurred over \$4 trillion worth of debt in just the last 3 years, and our Nation's debt stands at \$14.3 trillion. We have reached our debt limit. Our debt is almost the size of our entire economy.

I have been watching Washington for 32 years from Oshkosh, WI, and I realized that Washington was pretty broken. I have been here now for 6 months, and I haven't seen anything here that convinces me otherwise.

The Senate has not passed a budget for over 2 years. Of the six pieces of legislation we have passed—only six pieces of legislation we have passed from this Chamber have actually become law, and of those six three dealt with last year's business. They were pieces of legislation dealing with this year's budget that should have been passed last summer.

The bottom line is the Senate is fiddling while America is going bankrupt.

As I mentioned, the debt ceiling has now been reached. What are we doing about it? The answer is virtually nothing. We are scheduled to go on recess next week. We should not be doing that. We should be staying in session. We should be debating. We should be developing a budget. Bottom line, all we are doing is waiting for the results of a negotiation between a limited number of people, conducted behind closed doors, far away from the view of any American citizen.

Is this the process we are going to rely on to prevent the bankruptcy of America? Is this on what we are placing the future of America? I hope not.

The Senate needs to get back to work. We need to pass a budget. It should not be that hard. American families do it every day. They figure out what their income is and they figure out how to learn to live within their means. The U.S. Government needs to figure out how to live within its means as well.

Let me kind of start the process by naming a figure. I would start with \$2.6 trillion. That is the amount of money President Obama, in his budget, says we will receive in revenue to the Federal Government next year—\$2.6 trillion. It is \$800 billion more than we spent just 10 years ago.

It would pay for 100 percent of the interest payment, which is \$256 billion. It would pay for all of Social Security, which is \$760 billion. That totals \$1 trillion. There would be \$1.6 trillion to pay for all other essentials: defense, security, health and safety spending.

If that is not enough—and, again, that would be living within our means—then what I believe is required is every Member of Congress, members of the administration should come down into congressional committees, and they need to, in the open, justify how much they want to spend, how much they are willing to borrow, and how much debt they are willing to pile on the backs of our children, our grandchildren, and our great-grandchildren because that is what we are doing to this country.

So tonight I will leave the floor. But unless the Senate gets serious about addressing the No. 1 problem facing this Nation—our debt and deficit—I will definitely be back. I will exercise my full rights. I will do everything in

my power to prevent the bankrupting of America.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:35 p.m., adjourned until Wednesday, June 29, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

JOHN MALCOLM BALES, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE REBECCA A. GREGORY, RESIGNED.

KENNETH MAGIDSON, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE DONALD J. DEGABRIELLE, JR., RESIGNED.

ROBERT LEE PITMAN, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE JOHNNY KEANE SUTTON, TERM EXPIRED.

SARAH RUTH SALDANA, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE RICHARD B. ROPER, III, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28, 2011:

DEPARTMENT OF JUSTICE

JAMES MICHAEL COLE, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY ATTORNEY GENERAL, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

VIRGINIA A. SEITZ, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

LISA O. MONACO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

EXTENSIONS OF REMARKS

REMEMBERING THE LIFE AND
LEGACY OF PHOTOJOURNALIST
BRIAN LANKER

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 2011

Mr. DEFAZIO. Mr. Speaker, I rise today to remember the life and legacy of Pulitzer Prize-winning photojournalist Brian Lanker. Ten days after being diagnosed with terminal pancreatic cancer, Brian passed away with his family at his side.

Brian was a remarkable photographer and an even better friend. In 1970, Brian shot a groundbreaking feature on the Lamaze technique for natural child birth, which at the time was unusual. Brian followed expectant mother Lynda Coburn through the birth of her second child. The feature culminated with a powerful photo of the ecstatic mother with her newborn daughter Jacki just after birth. This iconic photo earned Brian the 1973 Pulitzer Prize.

But Brian won an even greater prize. He found Lynda, his soul mate. Brian and Lynda were married in 1974 and together they built a loving family with their children Julie, Jacki, and Dustin.

In 1974, Brian and his family moved to Eugene, Oregon to take a position with the Register Guard. Brian's passion for the craft was unmatched and his incredible work at the Register-Guard earned him a Newspaper Photographer of the Year award.

Brian left the Register-Guard to work as a freelance photographer. His breathtaking photographs have been featured in national publications like National Geographic, Life Magazine, and Sports Illustrated.

He collaborated with poet Maya Angelou on two books: "I Dream a World," his portraits of black women of achievement; and "Shall We Dance," a photographic documentary of dance in America. The books were Brian's proudest achievements. The book "I Dream a World" set attendance records at Corcoran Gallery of Art in Washington, D.C. Now in its 14th print-

ing, the book shared with readers the stories of these incredible women who forever changed the course of history. Brian attributed the book's success not to his work, but rather to the women.

But Brian had an uncanny ability to capture an image that revealed these stories. And throughout his career, his work moved people.

Two of Brian's children, who had separately planned weddings for later in the year, chose to get married at Brian's bedside so he could share in their celebration. He passed away not long after. He is survived by Lynda Lanker and their children Julie, Jacki, and Dustin.

Carl Davaz, who is the deputy managing director of photography at the Register-Guard, reflected on his final visit with Brian in a New York Times remembrance piece. At that visit Brian simply told Carl, "There's just so much left to do."

I agree. Brian—there was just so much left for you to do. You will forever be missed. Thank you for sharing your gift with us.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Wednesday, June 29, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of wonders beyond all majesty, You are holy. We lift our hearts to You today in gratitude for Your goodness and mercy that continue to follow us. Today, guide our lawmakers by Your grace. Lord, show them Your ways; teach them Your path. May the law of love direct their labors, opening the door of new opportunities for service. Empower them to turn from the thoughts, words, and deeds that violate righteousness.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 29, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, after leader remarks, the Senate will be in morning business for 1 hour. The Re-

publicans will control the first half and the majority the final half.

Following morning business, the Senate will resume consideration of S. Res. 679, the Presidential Appointment Efficiency and Streamlining Act. At 11 a.m. there will be up to five rollcall votes on several amendments and passage of S. 679. We are hopeful some of the amendments will be disposed of by voice vote. Following disposition of the Presidential appointment bill, the Senate will begin consideration of S. Res. 116 which comes out of the Rules Committee. Additional rollcall votes on amendments to the resolution are expected today.

MEDICARE

Mr. REID. Madam President, often very good ideas, no matter how important, take time to ripen. Even when they are ripe they need dedicated advocates to make them a reality. Let me give one example.

President Harry Truman once said:

Millions of our citizens do not now have a full measure of opportunity to achieve and enjoy good health. Millions do not now have protection or security against the economic effects of sickness. And the time has now arrived for action to help them attain that opportunity and help them get that protection.

But in 1945 when he spoke those words to Congress, the time had not yet truly arrived. In fact, it would be another 20 years before Truman's good idea was realized. It would be 20 years before Truman became the first of 19 million Americans to receive a Medicare card.

President Lyndon Johnson signed Medicare and Medicaid into law in the Truman Presidential Library in Independence, MO. The law took effect almost a year later, 45 years ago this week, on July 1, 1966.

At the time Medicare took effect, only half of Americans 65 and older had access to health care coverage. A third of American seniors lived in poverty. "Poverty was so common that we did not know it had a name," President Johnson said, describing a time before Medicare.

Today, virtually every American over 65 has access to health care and the number of seniors who live below the poverty line has dropped by 75 percent. That is no accident. Medicare provides 47 million Americans with the access to care and protection from poverty that President Truman envisioned 65 years ago, and Medicare and Medicaid do not only protect seniors from poverty, they also protect those seniors' children. Forty-six years ago,

middle-class families often spent themselves into the poorhouse honoring their commitment to their moms and dads. Today's seniors and their children have the security that Medicare and Medicaid will be there to honor that commitment—to providing health care and nursing home care when they need it.

But Medicare doesn't only save American seniors money, it saves their lives. In 1964, just before Medicare was signed into law, seniors lived an average of not quite 70 years. Today the national average is more than 78 years. There is, perhaps, no achievement greater than that. This law literally extended Americans' life expectancy. Forty-six years ago, before signing Medicare into law, President Johnson made this vow:

No longer will this Nation refuse the hand of justice to those who have given a lifetime of service and wisdom and labor to the progress of this progressive country.

Democrats intend to honor that solemn vow of President Johnson. But today Medicare is under siege. Republicans would trade away the health and safety of today's seniors for the sake of tax breaks for billionaires, wealthy oil companies, and corporations that ship jobs overseas. They would trade that sense of security, that "hand of justice" Johnson described, for the sake of tax breaks on their corporate jets and their yachts. Their ideological budget would end Medicare as we know it, once again subjecting seniors to the rising costs of health care. Democrats refuse to let that happen.

A lot has changed since 1966 and that law. New technologies and medicines are there for diabetes, Alzheimer's, Parkinson's. We now have hip replacements and chemotherapy, all pioneered in the late 1960s, and they are now performed in the United States every single day. Medicine has changed for the better.

But one thing has not changed. Seniors need Medicare. In fact, the rising cost of health care today means seniors need Medicare's protection more now than ever. That is why we will never stop fighting to preserve this successful program. As long as I am in the Senate, I will oppose Republican plans to weaken or undermine it, because the Republicans' plan to weaken Medicare is an idea whose time will never come.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

BALANCED BUDGET AMENDMENT

Mr. McCONNELL. Madam President, over the past several days the American people have watched a serious debate unfold right here in Washington about our Nation's debt and about the future of our economy, and for many the debate has been extremely illuminating. It has done a lot to clarify where the two parties stand. Both sides agree that our deficits and our debt are unsustainable. But beyond that, the differences are stark.

Republicans believe if you increase spending to the point that you can no longer pay the bills, then you need to find a way to cut costs. Democrats seem to think if you increase spending to the point that you can no longer pay the bills, you need to find other people to pick up the tab. This is a fundamental difference between the two parties.

Republicans think Democrats should be held accountable for the way they have mismanaged the national checkbook over the past 2 years and Democrats seem to think that taxpayers should take the hit.

Democrats spend beyond their means and now they expect a bailout from the taxpayers. That is what this debate is all about. It is about holding Washington accountable, for a change. It is about drawing a line in the sand and saying, no, the taxpayers will not bail out politicians. It is about refusing to subsidize the Democrats' irresponsible spending habits another day. Democrats have shown through their reckless spending over the past 2 years that they are not at all concerned about our fiscal future. They should not expect to be rewarded for that.

The entire Democratic approach to this debate has been astonishing, really. I mean, here we are in the midst of two national crises: 14 million unemployed and more than \$14 trillion in debt—14 million unemployed and \$14 trillion in debt—chronic unemployment and record deficits and debt. And what are the Democrats proposing? Higher taxes and more spending. In the middle of a jobs crisis they want to slam already struggling businesses with a massive tax hike. In the middle of a debt crisis they want to borrow and spend more money as a solution to the problem. This is not a negotiation, it is a parody.

In a discussion about reducing the debt, they want to increase spending. Let me say that again. In a discussion about reducing the debt, they want to increase spending. In the middle of a jobs crisis they want to raise taxes—even as they claim to support job creation. Which is it? Yesterday the President went to a manufacturing plant to tout jobs. Yet even as he was speaking, his administration was looking to saddle manufacturing companies, including the one he was visiting yesterday, with billions of dollars in new taxes.

According to a letter from a group of trade associations, including the National Association of Manufacturers, this particular tax would be “devastating” to manufacturers. The President himself said as recently as 6 months ago that keeping taxes where they are enables businesses to hire more workers. Six months ago the President said that. In other words, he was saying that raising taxes leads to fewer jobs. So he can call for tax hikes but he cannot call for tax hikes and job creation. It is one or the other—six months ago making the argument that tax hikes lose jobs; today out touting jobs on the one hand and pushing for higher taxes on the other. He can't have it both ways.

The Democrats' spending spree has brought us to the brink of an economic calamity and now they are telling taxpayers they will not do anything to prevent it unless the taxpayers hand over more money in the form of tax hikes. And they have the nerve to call their critics immoral. I want to know what you call spending trillions more than you have and then expecting others to pick up the tab; that is what this is all about, spending trillions more than you have and expecting somebody else to pick up the tab.

Does anybody seriously propose tax hikes as a solution to a job crisis? Who proposes more spending as a solution to a debt crisis? Who thinks if we raise the debt limit now without enacting serious spending cuts and meaningful reforms first it will lead to greater fiscal discipline later? There is an important principle at stake in this debate. It is not about rich versus poor. It is not about an election. It is about whether Washington will ever be held accountable for its mistakes. That is why Republicans refuse to let the taxpayers take the hit when it comes to reducing the debt, and that is why all 47 Republicans in the Senate support a balanced budget amendment to the U.S. Constitution.

The debate we have been having over the past few days shows more than ever why we need a balanced budget amendment in Congress. A balanced budget amendment would require that lawmakers stop spending money we don't have. When we come back after July 4, we will fight for an opportunity to vote for it. Broke or balanced, that is the

choice. The American people should know where their Senators stand on this issue of accountability. Senators can talk all day long about the importance of balancing the books and living within our means, but a vote in favor of the balanced budget amendment will show we actually mean it. A vote against it will show that they don't.

Look, no one denies that both parties are guilty of spending beyond our means. But this White House has taken wasteful spending to new heights, and its allies in Congress are all too quick to defend it. The last time the Senate voted on a balanced budget amendment, the government's annual deficit was about \$100 billion, the national debt was about \$5.5 trillion, and it failed by a single vote—a single vote. Today, the annual deficit is \$1.6 trillion, and the national debt is \$14.5 trillion.

The President and his party need to be held accountable. The fiscal mess they have helped create calls for rehab. That is what the balanced budget amendment would provide—a spending straitjacket. No more blank checks. If Democrats won't pass a budget of their own, it is time Americans impose a budget on them. Americans are not about to let Democrats use another crisis as an excuse to expand the size of government.

If ever there were a time for Washington to pass through a crisis and come out smaller on the other side, it is right now. Republicans are totally united in this effort. All we need is 20 Democrats to join us. Washington should be forced to make the kinds of difficult choices the rest of the country has to make. Lawmakers should have to make the case for a spending increase before they approve it. Never again can they just spend away and then demand in the teeth of a crisis that taxpayers cough up the money—as I said earlier, the taxpayer bailout.

It is time to put the American people back at the helm of our ship of state, and if that is what this vote achieves, then this debate we are having this summer will have been well worth it. If Washington is forced to finally reform its ways, then one day we will look back and say that the American people won this debate, and we will say the balanced budget amendment was just the thing we needed to get the house in order. Broke or balanced, that is the choice before us.

I look forward to this vote. The American people clearly want it. Let's hold Washington accountable, and let's begin to restore power to the people who sent us here not to do our own will but to carry out theirs. That is the principle at stake. It is about the kind of government we want to have—a government of the people or a government above the people. That is the choice. Much depends on the outcome.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with Republicans controlling the first half and the majority controlling the second half.

The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent to engage in a colloquy with my Republican colleagues.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BALANCED BUDGET AMENDMENT

Mr. HATCH. Madam President, today we are beginning what might prove one of the most consequential debates in American history. The American people are demanding that Congress debate and pass a balanced budget amendment to the Constitution. They are going to get that debate, and I am confident that if Congressmen and Senators listen to their constituents, the citizens of this Nation are going to have the opportunity to ratify a balanced budget amendment this year. All 47 Republican Members of the Senate are of one mind on the need for a balanced budget amendment to the Constitution. We have listened to our constituents who are pleading with us to take action that will permanently resolve our debt crisis and keep us from getting into this situation again.

The situation is a disaster. We all know the numbers: three straight trillion-dollar-plus deficits; \$14.5 trillion in debt and rising every day; \$62 trillion in total liability that this government owns. Since Democrats last passed a budget—that was over 790 days ago—our national debt has risen by \$3.2 trillion, and now the administration is asking for more.

We simply cannot do this anymore. Madam President, 100 percent of our tax revenues are spent on mandatory spending and interest on the debt. Every other penny is borrowed. The money is simply not there to finance a government of this size, and everyone knows this, although not everyone will admit it. They know deficit spending and skyrocketing debt have come to an end. Our Nation's current debt-to-GDP ratio is 95 percent. Countries with debt above 95 percent of GDP have growth that is 1 percent below normal, resulting in a loss of 1 million jobs. Our debt is a lead weight around the neck of the economy.

But in the current negotiations over the debt limit, the administration insists that it is Republicans who, by refusing to pass an increase of the debt limit that does not include meaningful efforts to address our fiscal situation, are holding back the economic recovery and undercutting the stock and bond markets. This has things exactly backward. The markets understand that our long-term deficit projections are moving toward a full-blown debt crisis. The markets understand that we are currently on the glidepath to Greece. The markets would respond like gangbusters to spending cuts, spending caps, and a balanced budget amendment that brings our long-term fiscal problems under control.

I am more convinced than ever that a balanced budget amendment to the Constitution is essential if we are to right our fiscal ship. This is not the first time we have been down this road, but the stakes could not be higher this time, and the amendment could not be better designed to address the crisis. Our amendment is not just an amendment for fiscal balance, it is an amendment that takes on the root cause of our current debt crisis; that is, government spending. Our amendment requires a balanced budget. It establishes a spending cap of 18 percent of GDP, and it establishes supermajority requirements for tax increases or future debt-limit increases.

We will hear a number of tired arguments against the BBA. Its opponents will say the amendment is not properly vetted. We have been talking about the balanced budget amendment for decades, and if we had passed it back in 1997, when it fell by 1 vote short of being sent to the States for ratification, we would not be in the mess we are in today.

They will say it stacks the deck by requiring spending cuts rather than tax increases to balance the budget. This is an issue I will address at length, but the American people understand the solution to a spending crisis is not to give the government more money to spend, especially this government.

They will say a balanced budget amendment is unnecessary and Congress just needs to do its job. But we have heard this over and over before, and the American people know that waiting for Congress to balance the budget and shrink the size of government without a constitutional amendment is less fruitful than waiting for Godot.

They will say the spending cuts required as a result of this BBA will hurt children and the elderly. But the real harm to our children will be when we hand them a future of national indebtedness and dim economic prospects, and the real harm to the elderly will be the coming bankruptcy of the Nation's entitlement programs—the guaranteed result of the President's failure to lead on entitlement reform.

Finally, they will say the Constitution should not be amended. I agree that it should not be amended lightly, but the Founders themselves expected that changing circumstances and national emergencies would demand amendments to the Constitution from time to time.

The American people understand that this is one of those times. In this country, the people are sovereign, the Constitution is their Constitution, and they are demanding that Congress pass a balanced budget amendment and send it to them and the States for ratification.

My hope is that the party of Thomas Jefferson will listen to their constituents and follow their founder's lead, keeping faith in the people and their good sense and stewardship over the Constitution.

Later this summer we will vote on a balanced budget amendment. God willing, this fall the people in the States will start down the road to ratification.

I am proud to be joined this morning by several of my colleagues who have been critical leaders on the balanced budget amendment. Each brings a unique perspective to this debate, and I think it is great that they are standing up to lead on this issue.

I yield 5 minutes to my colleague, the junior Senator from Kentucky. He is a remarkable spokesperson for limited government, and I am glad to have him on my side in the coming fight for the balanced budget amendment.

Mr. PAUL. Madam President, the balanced budget amendment is interesting when you look at polls and ask the American public: Do you approve of what Congress is doing? Do you approve of congressional action? Do you think they are doing a good job? It is actually 14 percent to 15 percent of the American public who think we are doing a good job. The other side of that equation is, you ask the American public: Do you think a balanced budget amendment would help Congress do a better job? It is 75 percent to 80 percent of the American public who think we would do a better job if we had a balanced budget amendment.

I don't think this is a partisan issue. I would ask the Senator from Utah—and perhaps an opinion from the Senator from Texas—do you think this should be a partisan issue or do you think this goes beyond partisanship, and can we get the Democrats to understand this isn't a Republican-Democratic issue but really an issue for the good of the country?

Mr. HATCH. Well, that should go way beyond partisanship. If we pass it here by the requisite two-thirds vote and we pass it in the House, which we will, this will be submitted to the States, and then the States can make their determination whether or not we have a balanced budget amendment. The

Democrats who hate the balanced budget amendment—some of them; in fact, most of them—all they have to do is get 13 States to defeat it. We have to get 38 States to win. Frankly, we will win this because the American people are with us. And this is the right thing to do. It is the right thing to do at this time. It is the only thing that is going to get us to right this fiscal ship.

Mr. PAUL. What does the Senator say to those who say that statutory caps would work, something like Gramm-Rudman or something like pay-as-you-go? What is his answer?

Mr. HATCH. Gramm-Rudman lasted all but a year and a half, 2 years, before the same people went on a spending spree again, although it was a light spending spree compared to today. Today it is multitrillions of dollars.

I have to tell you that has never worked. We have to put a straitjacket into this matter where the Congress has to live the way 49 States have to live. There is only one State that doesn't require a balanced budget in its State constitution. Why should we have a requisite desire—not only desire but rule to have a balanced budget as well? I am convinced that we have to do it after being in the Senate for 35 years and seeing, year after year after year, people unwilling to do this.

Mr. PAUL. And I think what is interesting, if you look at this and you really look at polling data and say: Who is for the balanced budget amendment, it goes across all party lines. If you look at Independents, Democrats, if you look at Republicans, it is in the high sixties to the midseventies in the percentage of the public who would like to see this. And I think it goes hand in hand that they don't think we are doing a good enough job here and that we need more backbone, and the Constitution is supposed to be our backbone. The Constitution helps us to do a good job, to help restrain the size and growth of government.

I can't see an argument against this, and I really don't understand how a vast majority of the public can be for this and yet this body still refuses to act.

Mr. HATCH. I agree with the Senator. I think the Senator makes very good points there. Frankly, I know this body very well. I am the most senior Republican. I have been here 35 years. I have seen year after year after year excuses to go into debt, excuses to deficit spend, excuses for why they are putting our country into this terrible state of bankruptcy—just plain excuses. And, of course, they hide behind the fact that they are trying to do it for the good of the people. It is not for the good of the people. It is not good to not live within your means, and unfortunately that is what has been going on here all of the time I have been here.

Mr. PAUL. I think one of the alarming things we see is that on the course

we are taking now, if we do nothing dramatic to reform the process—if we don't pass the balanced budget amendment—within about a decade, the budget will be entirely consumed by entitlements and interest. This is being driven by something beyond the control of Republicans, beyond the control of Democrats, and out of everyone's hands. It has to do with the fact that we are living longer and there are fewer young people and more old people because a lot of babies were born after World War II.

These are demographic facts we can't escape. When we look at some of the charts about what goes on with this, we see what happens if we do nothing. We see the projected debt way out here. Most of this debt problem is entitlements. We have to come together as parties. The balanced budget amendment will help us do this, but then we need to acknowledge that these problems exist and we need to come together—both parties—to figure out solutions.

I think the balanced budget amendment may well be what forces us to have a discussion. To be good legislators, we need to decide priorities instead of just adding on new program after new program. We have 80 different Federal programs that are work programs. We need to think about consolidating and minimizing government. I think the balanced budget amendment would allow us to have a discussion in this body on where we can cut spending.

Mr. HATCH. Madam President, I wish to thank the distinguished Senator from Kentucky. I think he states it very well. That is the whole purpose of the balanced budget amendment. So I thank him for his cogent remarks and his erudition.

Last week, I signed a pledge that many people in this body are hearing about from their constituents. It is called the cut, cap, and balance pledge. Those of us who signed this pledge committed ourselves to significant spending cuts, a cap on government spending, and a balanced budget amendment to the Constitution as a condition for supporting any increase in the debt limit. I was pleased to work with my colleague from Utah, Senator LEE, in developing a balanced budget amendment that is supported by every Republican in this body. Of course, we worked with many others as well, especially Senator CORNYN. I am now pleased to be working with him on the goals of the cut, cap, and balance coalition, a remarkable group of grassroots activists committed to getting our Nation's spending under control.

Madam President, I yield 5 minutes to my friend and colleague from Utah, Senator LEE.

Mr. LEE. I thank my distinguished colleague, my senior Senator from Utah, Mr. HATCH, for his leadership on

the balanced budget amendment over the years. He has been a consistent and stalwart advocate for the cause of amending the Constitution in such a way that restricts Congress's ability to engage in deficit spending.

It is the practice of perpetual, reckless deficit spending that has created this almost \$15 trillion debt we are now dealing with. It is this practice of perpetual, excessive deficit spending that has fueled the expansion of the Federal Government far beyond the limits the Founding Fathers had in mind and far beyond the natural limits this government can handle.

It is important to remember we are now spending through the Federal Government more than 25 percent of our annual GDP. More than one-quarter of every dollar that moves through the American economy is consumed by Washington. This is a problem. This is a problem, and it is, unfortunately, not something that is at all consistent with where we have been historically as Americans.

We have to remember that for about the first 140 years of our Republic's existence under the Constitution, our Federal spending was nowhere near this high as a percentage of GDP. Between 1790 and the early 1930s, the Federal Government tended to spend between 1.5 and 4 percent of GDP every single year, year in and year out. There were two blips, two exceptions—one during the Civil War and one during World War I and its immediate aftermath. But after those cycles passed, we went right back to where we had been before. That started to change in the 1930s and we have been on a gradual upswing almost ever since then to where we are now above 25 percent.

But it gets worse. By the year 2035, we are predicted to be spending almost 34 percent of gross domestic product by the Federal Government every single year. As a result, the Federal Government will be commanding a very substantial portion of the American economy. That makes every American less free. The more government spends—the more money it has access to and the more it borrows on our behalf—the less free we become, the less individual liberty we have to spend our money, to use our resources, to devote our lives to the pursuits we choose.

That is why the cut, cap, and balance pledge is necessary to support individual liberty and to protect our most basic freedoms, because it will protect us from the inexorable growth of the government.

We are at an important time in American history. We are at a time when we are being asked to extend our debt limit once again; a time when we are being asked to say: Yes, we are going to give the Federal Government authority to borrow even more money against our unborn children and grandchildren. This is a problem.

One reason we are willing to sign this pledge is that we are willing to say: OK. We have been put on a path with government spending at this rate. We can't halt that spending immediately. We are willing to consider raising the debt limit but if and only if certain conditions have been satisfied to make sure this doesn't continue in perpetuity. We need cuts. We need some kind of significant cuts to our spending right now. We need some kind of statutory spending cap to put us on a gradual glidepath toward a balanced budget. Most importantly, we have to amend the U.S. Constitution so as to say this will not continue in perpetuity and future Congresses will not be able to do what Senator HATCH referred to a minute ago, which is exempt itself out of statutory spending caps once it has adopted them.

We can't bind future Congresses to cut \$2 trillion over the course of a decade or more because we can't command future Congresses to do what we want it to do unless, of course, we amend the Constitution, which is why we have to do that right now. This is essential to economic progress in America. This is essential to economic well-being and to individual liberty in America.

I would love to talk with anyone who wants to about this. I have invited Utahans who may be in town and I invite anyone within the sound of my voice, here or elsewhere, to join me in my office this Wednesday—today—and every Wednesday at 3:30, when we have what we refer to as a JELL-O bar. Utah consumes more JELL-O per capita than any State in the Union. We serve up JELL-O and we will talk about the cut, cap, and balance pledge.

Thank you very much.

Mr. HATCH. Madam President, I thank the Senator from Utah. He is a wonderful Senator and he serves as a leader in this area.

I don't have enough good words to say about my friend from Texas, my colleague, Senator CORNYN, who was a judge on the Supreme Court in Texas before coming here. From the minute he set foot in this Chamber, he has been a strong conservative, committed to constitutional government. From the beginning of this Congress, he knew we needed to pass a balanced budget amendment, and we are going to need him in this fight.

I yield 5 minutes to my friend and colleague from Texas, Senator CORNYN.

Mr. CORNYN. Madam President, I join my colleagues from Kentucky and the junior Senator from Utah in recognizing the leadership of the senior Senator from Utah, Mr. HATCH, on this even more compelling issue today than it was even back in 1997, the balanced budget amendment.

I couldn't help but be struck by the figures the senior Senator from Utah mentioned earlier when he said that in 1997, the House of Representatives

passed the balanced budget amendment. It came to the Senate and failed by one vote. The deficit in 1997 was roughly \$107 billion. Today, it is \$1.5 trillion. The national debt in 1997, if I recall what the Senator said—and he can correct me if I am wrong—today it is roughly \$14.3 trillion, approaching \$15 trillion. Back in 1997, it was \$5 trillion. Did I get those figures roughly correct?

Mr. HATCH. The Senator did. Back in 1997, we lost by one vote. I was leading the fight on the floor. We had 67 votes and one of our Senators flipped on us at the last minute and we lost it by one vote.

Mr. CORNYN. I agree with the Senator from Kentucky who says this is not a partisan issue. As a matter of fact, back in 1997 a lot of our Democratic colleagues joined Republicans to vote in favor of a balanced budget amendment. If there is an issue that threatens not only the economy but also our national security today more than the national debt, I don't know what it is.

The Chairman of the Joint Chiefs of Staff, Admiral Mullen, said the single largest threat to our national security is the debt. Secretary of State Hillary Clinton said the debt sends a message of weakness internationally.

I was just over at the Heritage Foundation giving a speech. They are studying the role of China in the world, the rise of China, but particularly what I was concerned about, and the subject of my remarks, was the fact that the Treasury Department estimates that \$1.1 trillion of U.S. debt is held by the Communist Chinese Government. That is one-third of all our outstanding debt. We know that at least on one occasion, a retired Chinese general said that if we didn't do what China wanted, they would then threaten to disrupt our economy by selling off the debt they own. So my colleagues may care to comment.

Larry Lindsey, the renowned economist, wrote an article recently where we cited three things that worry him the most about high unemployment and the lassitude of the private sector. He said it is slow economic growth, of course, because many in the private sector are discouraged—the entrepreneurs who create jobs, the job creators who would otherwise expand—and slow economic growth concerns him. I think in the first quarter it was 1.8 of our gross domestic product. It is not enough to generate jobs to get people back to work and one reason for our high unemployment.

He said the other two issues that worry him the most are, one, the interest payments on our national debt. He points out that because of the Federal Reserve policy, the interest rates on our national debt are at below historic norms. He points out, for example, if inflation were to kick in or the Federal

Reserve, for some reason, should decide to tighten its policy and raise interest rates, what it would do to balloon the interest payments alone on our national debt in a way that would threaten our ability to fund national defense or other issues as well.

Two, he also points out the exploding costs of the health care bill, with more and more employees incentivized to dump people onto the State-based exchanges subsidized by taxpayers as opposed to their employers.

I wonder if any of my colleagues—I see the Senator from Kentucky—may have some comments about the interest on the debt and what he views as a threat to our economy and our security.

Mr. PAUL. From that same article, it is interesting that he talks about what happens if interest rates rise. For every point of an interest rate rising, it adds \$140 billion. So he talks about getting back to the historic average of 5.4 percent, that over 10 years it would add \$4.9 trillion to our debt problem. But here is the rub. We are having discussions where people are saying we are going to cut \$2.5 trillion over 10 years. Senator HATCH points out we cannot bind future Congresses. Senator LEE said the same thing. So when they promise us that they are going to cut \$2.5 trillion, compare that to what happens if interest rates rise. One, we can't bind future Congresses, but if interest rates rise, all of a sudden we have \$5 trillion in extra expenses.

We must bind future Congresses and we must bind ourselves by amending the Constitution.

Mr. CORNYN. Madam President, I couldn't agree more with the Senator from Kentucky. This is the silent but potentially deadly threat to our whole economy. If interest rates were to go up, if China purchases more of our debt, they are not going to buy it at current rates; we are going to have to offer a better rate of return.

The ACTING PRESIDENT pro tempore. The Senator has consumed 5 minutes.

Mr. CORNYN. So I join my colleagues in supporting the balanced budget amendment. I look forward to the vote on this amendment—sometime during the week of July 18 I think we are shooting for. We invite our colleagues on the other side to join us. The reason we are here today is because it is important to let the people across the country know what we are doing, the solution we are proposing, and to ask them to encourage other Senators and Congressmen to support it because this is the single most important thing we could do to get our economy back on track and to save generations in the future.

Mr. HATCH. Madam President, I thank my colleague for those cogent remarks.

My colleague from North Dakota, Senator HOEVEN, knows a thing or two

about balancing budgets. As a former Governor, he knows this is something States have to do every day. Governors and legislatures balance their books by making the tough decisions the Federal Government is too often unwilling to make.

So I yield the remaining time to my friend and colleague from North Dakota, Senator HOEVEN.

Mr. HOEVEN. Madam President, I thank my esteemed colleague, the senior Senator from Utah, for taking the lead on this balanced budget amendment. I am pleased to join him, pleased to be one of the original cosponsors, and I am extremely pleased every member of the Republican caucus—all 47 Senators are supporting this balanced budget amendment and doing everything we can to reach across the aisle and bring our Democratic colleagues with us and then to send this balanced budget amendment to a vote—to pass this balanced budget amendment by a two-thirds vote—and then send it out to the States for ratification. Three-fourths of the States would have to ratify it as well. I believe they will.

What a great way for us to join together at the Federal and State level to make sure we live within our means, that we balanced our budget, that we do the things we need to do to not only get this economy back on track but to make sure future generations can enjoy the great country, the great opportunity we and those who have gone before us have enjoyed in the United States of America. We have that opportunity. We need to seize that opportunity by passing this balanced budget amendment.

As the senior Senator from Utah correctly mentioned just a minute ago, I had the opportunity—the great honor and privilege—to serve my State as Governor. As a matter of fact, at the time I was elected to the Senate, last year, I was the longest serving Governor in the United States. I served for a decade. Every single year we balanced our budget.

Madam President, 49 of the 50 States have some form of balanced budget requirements. The only one that does not is Vermont. Forty-nine States have that requirement. This year, so far, 46 of the States are expected to balance their budgets.

Families balance their budgets. Businesses have to balance their budgets. Cities have to balance their budgets. States have to balance their budgets. The Federal Government needs to balance its budget. It is not doing that.

When we look at the statistics—we have gone through them before, but these statistics we have to continue to talk about; our current situation is something we have to continue to talk about with the American people—right now, our revenues are \$2.2 trillion. The annual revenues to the Federal Treas-

ury, \$2.2 trillion. Our expenses are \$3.7 trillion. That is about a \$1.5 trillion, 1.6 trillion deficit each and every year.

When we roll that up, that is why we are now at \$14.5 trillion in debt, and that debt continues to grow. But it is similar to any debt, as any family can tell us or any business can tell us or any State can tell us, that as we continue to accumulate and grow that deficit and accumulate that debt, it gets harder and harder to get on top of it. It is akin to having credit cards. As one continues to charge and add to that balance on the credit card, it gets more and more difficult to get on top of that debt and deficit and reduce it.

So we have to get started. We have to get going. The task gets harder, not easier. That is what the balanced budget amendment is all about. We need the President to lead. When we talk about getting this debt under control, we need the President to lead. We cannot have a situation where we spend more and then simply borrow more or try to raise taxes to cover that spending. That is making it worse. We need this administration to join us. We need our colleagues to join us, to get a grip on this spending, to start by passing this balanced budget amendment.

If we look back to the decade of the 1980s and then into the 1990s and we look at President Reagan and his approach and his leadership for this country, he came and said: We have the most dynamic economy in the history of the world, so we have to create an environment, a pro-jobs, pro-growth environment that stimulates job creation, that stimulates private investment, that puts people back to work, that gets this economy growing. As we get that economy growing, we have the resources then to do the things we need to do: to invest in infrastructure, to make sure we take care of those who need help, to make sure we have health care for our citizens. But at the same time—at the same time—we need to control our spending and live within our means. That is the rising tide that lifts all boats. That is how we make sure everybody participates in the great opportunity that is the very foundation of this country.

But to get back to that point, we need this balanced budget amendment. We need this fiscal discipline in Washington to make sure we continue to honor the legacy we have, the legacy we have been given, and that we continue to make this country the country of opportunity. I know we can do it.

I thank the Senator from Utah for his leadership in this effort, and I thank my colleagues for joining together on this balanced budget amendment. I ask all our colleagues to join with us so we can pass it.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. HOEVEN. Madam President, I yield the floor.

Mr. HATCH. Madam President, I thank my colleagues. I ask unanimous consent for 1 additional minute and to give the other side an additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. I thank the Acting President pro tempore.

I thank my colleagues. They have made some very prescient points on how important this balanced budget amendment is.

By the President's own Actuary, by 2020, our national debt will be over \$20 trillion. The interest alone will be over \$1 trillion. We will not have any money for the poor, the sick, and the needy because we have not lived within our means. We simply have to get spending under control. The only way to do that is to do what all these 49 States have to do every year; that is, balance our budget through a requisite constitutional amendment.

Let me make one last point; that is, I do not know why the Democrats—some Democrats—fight against this. Because literally, even if we pass it through both Houses of Congress by the requisite two-thirds vote, there is still going to be a big battle in the States, and if they hate it, they can fight it out there in the States.

I think the reason they fight it is they know if we pass it here, it is going to pass through the States very fast because almost every State knows what we have to do. Almost everybody of intelligence knows what we have to do.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

SHORT MEMORIES

Mr. HARKIN. Madam President, just listening to my good friend from Utah speaking—and he is a good friend of mine—and others who have been speaking for the last half hour, memories are short, very short—I mean very short. Forget about the attention span. Memories are very short. How soon we forget that at the end of the Clinton years, after we had worked with President Clinton to pass measures that brought in more revenues that kept our spending under control, we had 4 years of balanced budgets—4 years—not only of balanced budgets but budget surpluses.

When President Clinton left office, he left George W. Bush the biggest surplus ever in our history. CBO said if we just continued on with the policies we had, we would have paid off the national debt by 2010. But what did the Republicans do? They came riding into town in 2001. They got the White House. They got the Senate. They got the House. What did they do? They took that surplus we had and said: Hey, we have to give this to the wealthy. We

have to have tax cuts for the wealthiest in our society. That is what they did. How did they do it? They snuck it through on something called reconciliation—a budget measure which means we cannot filibuster it, and it only takes 50 votes. That is what the Republicans did. They squandered it—squandered it—to give more to the wealthiest in our society. Look what has happened since then.

Then we had two unpaid-for wars. George Bush got us in those wars. Don't pay for them; we will just borrow it from China, borrow it from other countries. Then a new prescription drug benefit, unpaid for. We will just borrow more money.

Now these same Republicans who ran up the deficit, squandered the surplus, are now saying we have to balance the budget on the backs of the middle class. We have to balance the budget on those who already are hurting so much. But, no, we cannot raise revenues on the wealthy. Oh, no. No, no, we cannot do that.

As I said, memories are short. They all want a balanced budget amendment now. Why don't we do what we did under the Clinton years? Let's have the same kind of economic policies we had then? Then we will have balanced budgets. But, no, not my Republican friends. No. They say they want to limit government spending to 18 percent of GDP. I would like to ask: Where does that number come from? Why is it 18 percent? Why isn't it 18.5 percent? Why isn't it 17.75 percent? Why isn't it 19.23 percent? Where does 18 percent come from?

Let me tell you where this comes from. The last time the Federal Government was 18 percent of GDP spending was 1967, before Medicare got underway. So read between the lines what the Republicans are saying: If they could get that down to 18 percent, they can do away with Medicare, which is what they want to do anyway. The Republicans want to do away with Medicare. If we can get the Federal Government's role of spending down to 18 percent, we are back where we were in 1967. Guess what. We can get rid of Medicare and turn it back over to the private insurance companies. That is what the Ryan budget did. That is what the Republican budget did. That is what they all voted for.

So when they tell us about 18 percent of GDP, think Medicare. Think Medicare. Goodbye Medicare. That is what they are after.

BOLD VISIONS

Mr. HARKIN. Madam President, we have reached a point of maximum danger—maximum danger—in our fragile economic recovery. We are mired with the most protracted period of joblessness since the Great Depression. Businesses are reluctant to invest and hire

for the simple reason there is not sufficient demand for goods and services, largely because—why—so many people are unemployed, 20 million. People are mired in debt. Even those who are working are insecure about their employment. So for most Americans in the middle class and lower income, this is still a deep recession.

I have come to the floor repeatedly in recent weeks to warn against the folly—the folly—of Washington's current obsession with making immediate Draconian cuts to the Federal budget, something that by its very nature will drain demand, reduce growth, and destroy jobs.

The Federal Reserve Board Chairman, Ben Bernanke, warned just last week:

In light of the weakness of the recovery, it would be best not to have a sudden and sharp fiscal consolidation in the very near term. It would be a negative for growth.

Here in the Washington bubble, many—especially those on the opposite side of the aisle—have persuaded themselves that the biggest issue is the budget deficit. But outside the beltway, outside Washington, Americans are most concerned with a far more urgent deficit: the jobs deficit.

I am also concerned about a third deficit that I think we have: a deficit of vision. I am disturbed by our failure to confront the current economic crisis with the boldness and the vision that earlier generations of Americans summoned in times of national challenge.

Our Republican friends reject the very possibility that the Federal Government can act to spur economic growth, boost competitiveness, and create good middle-class jobs. That is their ideological position, and they are sticking to it, even in the face of contrary facts. It is based on a profound misreading or perhaps nonreading of American history.

As Americans, we pride ourselves on our robust free enterprise system. But there are some things—big national undertakings—that the private sector simply is not capable of doing. At critical junctures, going back to the beginning of our Republic, the Federal Government has stepped to the plate. We have acted decisively to spur economic growth, foster innovation, and create jobs.

So let's go back. Let's do a little analysis of our history.

The Founding Fathers are very much in vogue these days, so let's go back to that time. Let's go back to Alexander Hamilton, a hero of the Revolutionary War, our first Treasury Secretary. In 1791 Hamilton presented the Congress the landmark report on manufacturers, a set of policies designed to strengthen our new economy.

His plan was adopted by Congress. It included tariffs to raise revenue and to protect our domestic manufacturing base. Hamilton's plan was a historic

success. It was echoed several decades later by Congressman Henry Clay's famous "American System." In the burst of nationalism following the War of 1812, Clay advocated for major new Federal investments in infrastructure. Of course, at that time he did not call it infrastructure, he called it internal improvements.

Clay led the Congress in raising new revenues to finance subsidies for roads, canals, bridges, and projects designed to expand commerce and knit the Nation together. One of those internal improvements was the Cumberland Road, our first truly national road. It began in Maryland and stretched over the Alleghenies more than 600 miles to Illinois. It was Henry Clay of Kentucky and other westerners who pushed to extend the road from Wheeling, WV, to Columbus, OH.

But, again, go back and read your history. Clay was bitterly opposed by those who said the Federal Government could not afford to build the roads and canals and had no business doing so. It sounds familiar to what I am hearing on the other side of the aisle today. History shows that the naysayers were wrong on all counts.

The Cumberland Road opened the West to settlers and commerce and development. Of course, the most visionary 19th century advocate of Federal investments to spur economic growth was a Republican, the first Republican President, Abraham Lincoln.

Despite the disruption of the Civil War, Lincoln insisted on moving the Nation forward through bold Federal investments and initiatives. In 1862 he signed the Pacific Railway Act, authorizing huge Federal land grants to finance construction of the Transcontinental Railroad, one of the great technological feats of the 19th century. To produce the rails in America rather than shipping them in from England, he enacted a steep tariff on foreign steel in order to jump-start the American steel industry.

Lincoln did much more. He created the Department of Agriculture to do more research, distributed free land to farmers, and used government agents to promote new farm machinery and agricultural techniques. As a proud graduate of Iowa State University, I know Lincoln also dramatically increased higher education by creating the land-grant college system.

Taken together, these initiatives during Lincoln's Presidency—I remind you, he was doing all of this during the Civil War—had a transformative effect on the U.S. economy. We created new industries, expanded opportunity, and created millions of new jobs. He did this despite the fact that the Federal Government was deeply in debt and running huge deficits. Imagine that. Abraham Lincoln.

These Republicans always go to their Lincoln Day dinners. Why do they not

start talking about what Abraham Lincoln did to spur economic growth and create jobs in our country at a time when our Federal Government was in a deficit? It is almost humorous to imagine how the Republicans of today would have reacted to Lincoln's agenda. They would have attacked him, I am sure, as reckless and irresponsible. They would whine that we are broke; we cannot afford to invest in the future. I am sure the tea party contingent in the Republican Party would have demanded that Lincoln be expelled from the Republican Party.

Moving into the 20th century, time and again the Federal Government has acted with boldness and vision to accomplish big things that were simply beyond the capacity of the private sector. During the Presidency of Franklin Roosevelt, with the private sector paralyzed by the Great Depression, the Federal Government responded with an astonishing array of initiatives to restart the economy, restore opportunity, and create jobs.

The list is far too long, but I would mention rural electrification, the Civilian Conservation Corps and what they did to plant trees and greenways all over America, the Tennessee Valley Authority, which brought opportunity and power to the deeply impoverished Appalachia, Hoover Dam, Grand Coulee Dam, bringing power and water across the Southwest and the Northwest.

Millions of unemployed Americans, including my father—if you come over to my office, I will show you my dad's WPA card, Works Progress Administration. He got a job with dignity, thanks to the Works Progress Administration. They built thousands of infrastructure around our country: roads and dams and schools, bridges, many of which we are still using today eight decades later.

I would point out one project my father worked on: Lake Ahquabi State Park in Iowa, which my father worked on with other WPA people to help build. We are still using it today.

By the end of the Second World War, wartime investments by the Federal Government had created an industrial colossus. FDR and Truman were followed then by a Republican President, Dwight Eisenhower. What did he do? Did he pull the plug on all of this? Well, let's look at history.

Eisenhower, a proud Republican, was determined to move America forward. He championed, at a time when the Federal deficits continued into the 1950s from World War II—because the national debt grew so big during World War II, we were still in debt during the 1950s. What did Eisenhower do? Did he say we have to retrench; we cannot do anything? No. He championed one of the greatest public works projects in American history, the construction of the Interstate Highway System.

The National Interstate and Defense Highways Act of 1956 ensured dedicated

Federal funding to build a network today that encompasses over 46,000 miles of highways. A 1996 study of the system concluded:

The interstate highway system is an engine that has driven 40 years of unprecedented prosperity and positioned the United States to remain the world's preeminent power into the 21st century.

Well, you know what. I will bet the tea party contingent of today's Republican Party would probably have tried to run Dwight Eisenhower out of the Republican Party.

In more recent times, the Federal Government has funded and spearheaded scientific discovery and innovation that has had a profound impact on our economy and created millions of high-value jobs.

Now, I know my time is limited. I want to mention a couple. It was the Federal Government—specifically the Defense Advanced Research Projects Agency, called DARPA—that created the Internet. No, I am sorry, my young friends, it was not Google; and it was not Microsoft, although Bill Gates built a great empire. It was the Federal Government that created the Internet, making possible everything we get from e-mail to social networking. Need I mention tweeting and the World Wide Web? This has revolutionized the way we do business, not only here but around the globe, and has created untold millions of jobs. It was not a private company; it was the Federal Government amassing the money that people pay in taxes to create the Internet.

Federal researchers at this same agency also created the global positioning satellite system, GPS. When you get in your car, you need to know where to go. You follow all of that. You think Garmin invented that? No. But the Garmin company and all of the rest of them—I should not single one out; there are a lot of competitors out there—are making the instruments. They are hiring people. The private sector is doing what it should do. But it was the Federal Government that created the global positioning satellite. It was taxpayers' dollars that put those 24 satellites in orbit and still keep them operating today.

Researchers at NASA, the National Aeronautics and Space Administration, have made dozens of technological breakthroughs over the years, everything from microchips to CAT scanner technology. Of course, in a discussion of the Federal Government's role in stimulating the economy, we have to mention the staggering achievements of the National Institutes of Health. More than 80 Nobel Prizes have been awarded for NIH-supported research.

Bear in mind too that unless basic research in biomedical sciences is funded by the Federal Government, most of it simply will not get done. Why? Because it is basic research. It is basic. It may not lead to something. A lot of it leads

to dead ends. But the basic research is done. The applied research is built on that. The private sector then comes in, adapts it for drugs and interventions, and we spur the economy and we make people healthier.

The economic impact of NIH has been profound. Take one example, the Human Genome Project, mapping and sequencing the entire human gene. The Federal Government invested \$3.8 billion in mapping and sequencing the human gene. Just last month, the Battelle Memorial Institute issued a report on the economic impact of the genomic revolution launched by this project.

Battelle estimates that as of 2010 the return on investment of the project, \$3.8 billion; the return on investment total, \$796 billion. The project has created an estimated 310,000 jobs and \$244 billion in personal income. In 2010 alone, just 1 year, the project generated \$67 billion in economic output.

The Federal Government, folks; the Federal Government did that. So in light of these statistics and the historical records I have just cited to the founding of our Republic, it is absurd to claim that the Federal Government cannot play a positive and even a profound role in boosting the economy, in spurring innovation, in creating jobs, and improving the standard of living of our people.

Republicans protest that Federal investments and innovation and research are about the government picking winners and losers. I hear that all the time. The truth is, initiatives such as the Human Genome Project are not about picking winners and losers. That is making all of us winners.

It is about the Federal Government stepping to the plate to undertake big, important national projects that the private sector is simply not equipped to do. At times of crisis such as during the Great Depression, and in the aftermath of the financial meltdown of 2008, the Federal Government has acted boldly to rescue the economy when the private sector was flat on its back and unable to function normally.

The Recovery Act passed by Congress soon after President Obama took office has manifestly succeeded in jump-starting economic activity. Listening to all of my Republican friends, they say the Recovery Act failed. It failed. It failed. Well, according to the Congressional Budget Office, through the end of 2010 the Recovery Act raised the real inflation-adjusted gross domestic product by as much as 3.5 percent and increased the number of employed Americans by as many as 3.3 million. But today the shot in the arm provided by the Recovery Act is winding down.

Quite frankly, we did not put enough in the Recovery Act to stretch it out for a longer period of time. The economy is still struggling. Our Democratic majority in this body has brought to

the floor a series of job-creating bills, but Republicans have filibustered and killed every single one.

So I repeat. Yes, we face a large budget deficit. Yes, we have to address it in the intermediate and long term. In the immediate term we need to confront the jobs deficit. But we also face a deficit of a positive vision—a positive vision. We have failed to meet the challenges of our day with the boldness and the vision that our predecessors summoned in times past.

How much time do I have remaining?

The ACTING PRESIDENT pro tempore. Ten minutes remains for the Democratic side collectively.

Mr. HARKIN. I will just take about 3 more minutes.

Many Republicans are demanding that we permanently hobble the Federal Government, just as our predecessors did not want to build the roads and the highways and the canals in the past.

My friend from Utah had a chart that said “broke or balanced.” They claim our Nation is poor and broke. That is not true. That is not true. That negative, defeatist viewpoint is dead wrong. We remain the wealthiest Nation on Earth, with the highest per capita income of any major country on the face of the globe. But we have to act decisively, with the power of the Federal Government to boost the economy, foster innovation, and create good middle-class jobs. That is the most important thing.

Lastly, balanced budget? Let’s just do what we did under the Clinton years, in which we had 4 years of balanced budgets and left the biggest surplus in our Nation’s history. But the Republicans will not do that because they have a defeatist attitude. We need a more bold vision than what the Republicans bring forward to the American people.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMBATING MILITARY COUNTERFEITS

Mr. WHITEHOUSE. Madam President, our Nation asks a lot of our troops. In return, we must give them the best possible equipment to fulfill their vital missions and come home safely. We have a powerful obligation to them to ensure the proper performance of weapons systems, body armor, aircraft parts, and countless other mission-critical products.

Today, however, America’s military faces a significant and growing threat from counterfeit products entering the military supply chain.

I rise to speak about a bill I have introduced with Senator MCCAIN, Senator GRAHAM, and Senator COONS: the Combating Military Counterfeits Act of 2011. This bill will enhance the ability of prosecutors to keep counterfeit goods out of the military supply chain. In so doing it will help protect America’s Armed Forces from the risk of defective equipment.

These counterfeit products do not meet military standards. As a result, they put troops’ lives at risk, compromise military readiness, and cost the country enormous sums in replacement costs.

In the case of microelectronics, counterfeit parts also provide an avenue for cybersecurity threats to infiltrate military systems, possibly enabling hackers to track or even disable crucial national security applications.

With troops from Rhode Island and all over the United States serving overseas in Iraq and Afghanistan, we cannot accept criminals selling fake versions of products used by our troops. Unfortunately, however, this unacceptable threat to troop safety and national security is growing.

A report by the Government Accountability Office provides examples that demand stiff criminal punishment. It explains that the Defense Department found out in testing that what it thought was Kevlar body armor was in fact nothing of the sort and could not protect our troops the way proper Kevlar can. Our troops going out on patrol in fake body armor is simply unacceptable.

In another example, a supplier sold the Defense Department a part that it falsely claimed was a \$7,000 circuit that met the specifications of a missile guidance system. Military grade chips are called that for a reason: they are required to withstand extreme temperature, force, and vibration. Chips that don’t meet those specifications are prone to fail; for example, when a jet is at high altitude, when a missile is launching, or when a GPS unit is out in the rugged field. The possible consequences of such equipment failing are dire.

A January 2010 study by the Commerce Department quoted a Defense Department official as estimating that counterfeit aircraft parts were “leading to a 5 to 15 percent annual decrease in weapons system reliability.”

The Commerce Department study, which surveyed military manufacturers, contractors, and distributors, reported approximately 2½ times as many incidents of counterfeit electronics in 2008 as in 2005. The high price of military grade products is going to attract more and more counterfeiters.

On a related matter, one source of the problem has been the often illegal dumping of U.S. electronic waste in countries such as China. Business Week reported in 2010 that used computer

chips from old personal computers are fraudulently remarked in China as “military grade” chips and sold to U.S. military suppliers. A bill I introduced last week, the Responsible Electronics Recycling Act, would help address that issue by cracking down on the profligate dumping of electronic waste.

We should also evaluate this combating military counterfeits bill in the context of the relentless cyber attacks America weathers every day. The chip might not only be counterfeit, it might be the carrier for dangerous viruses and malware that may create windows our enemies can enter to sabotage our military equipment or to steal our military secrets.

I applaud those of my colleagues who have worked with the Department of Defense to ensure that it can keep counterfeits out of the supply chain.

I particularly appreciate the leadership of Chairman CARL LEVIN and Ranking Member JOHN MCCAIN of the Armed Services Committee. I am also pleased that the administration, and particularly its intellectual property enforcement coordinator, Victoria Espinel, is working hard to protect our military from counterfeits. I am also pleased that the National Intellectual Property Rights Coordination Center recently began Operation Chain Reaction, a new initiative targeting counterfeit items entering the military supply chain.

I strongly believe that strengthened criminal provisions should be part of our strategy going forward. As a former U.S. attorney I know the significant deterrent effect criminal sanctions can provide.

The Department of Justice has a vital role to play in using criminal investigations and prosecutions to identify and deter trafficking in counterfeit military goods.

To that end, the administration has endorsed increasing penalties for trafficking in counterfeit military goods as part of recent recommendations to Congress for better protecting American intellectual property. I am glad the administration has recognized the need for legislation, and I look forward to working with them to see the necessary changes made.

Our laws currently do not impose any special punishment for trafficking in counterfeit military goods. 18 U.S.C. section 2320, the counterfeit trafficking statute, provides heightened penalties for trafficking and counterfeits that result in bodily injury or death. But out on the battlefield it is not clear that the part will ever be recovered, and it is impossible sometimes to tell them the counterfeit caused the bodily injury or death.

As a result, traffickers in military counterfeits are less likely to face penalties that reflect the unacceptable risk their counterfeits impose on our soldiers, our military readiness, our cybersecurity, and our national security.

The legislation I am introducing today with Senators MCCAIN, GRAHAM, and COONS addresses this inadequacy in our laws. I urge my colleagues to join me in seeing it passed into law soon. Traffickers should pay a heavy price if they knowingly sell the military a piece of counterfeit body armor that could fail in combat, a counterfeit missile control system that could short-circuit at launch, or a counterfeit GPS that could fail on the battlefield. Our troops deserve Kevlar that is Kevlar, and military grade chips that are military grade.

By creating an enhanced offense for an individual who traffics in counterfeits and knows that the counterfeit product either is intended for military use or is identified as meeting military standards, this bill will help. It doubles the statutory maximum penalty for such offenses, and it directs the sentencing commission to update the sentencing guidelines as appropriate to reflect Congress's intent that trafficking in counterfeit military items be punished sufficiently to deter this wrongful endangerment of our servicemembers.

The bill targets only particularly malicious offenders—those who already are guilty of trafficking in counterfeit goods and know they are selling military counterfeits.

This approach means the bill will not affect legitimate military contractors who might be unaware that a counterfeit chip has been entered into one of their products. It will not apply to makers of products that unintentionally fall short of military specifications. This bill is intended to help military suppliers by deterring the criminals who sell counterfeits to them or to their subcontractors. Manufacturers, such as the many high-tech innovators in Rhode Island, will actually benefit from the protection of their intellectual property.

I am grateful to have the support of the Chamber of Commerce, the Semiconductor Industry Association, the International Anti-Counterfeiting Coalition, and others. I look forward to working with them and other interested stakeholders to make this legislation as effective as possible at deterring this particularly reprehensible form of criminal activity.

Let me close by thanking Senator GRAHAM, Senator MCCAIN, and Senator COONS for joining me in introducing this bill today. As my colleagues know, Senator MCCAIN and Senator GRAHAM both have long stood out as champions for our troops. Senator COONS has already become a staunch defender of our national security and our Nation's intellectual property.

I very much look forward to working with them and other colleagues on this important bill.

All of us in the Senate have the privilege of visiting with and supporting our

troops. We all know the sacrifices they make for our country. We all want to do everything we can to ensure that their equipment functions properly and that counterfeits do not compromise our Nation's military readiness or security. Passing the Combating Military Counterfeits Act of 2011 will be a valuable step toward these important goals.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 679, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 679) to reduce the number of executive positions subject to Senate confirmation.

Pending:

DeMint amendment No. 501, to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, and rescind related appropriated amounts.

Portman modified amendment No. 509, to strike the provisions relating to the Assistant Secretary (Comptroller) of the Navy, the Assistant Secretary (Comptroller) of the Army, and the Assistant Secretary (Comptroller) of the Air Force, the chief financial officer positions, and the Controller of the Office of Management and Budget.

DeMint amendment No. 511, to enhance accountability and transparency among various Executive agencies.

Toomey/Vitter amendment No. 514, to strike the provision relating to the Governors and alternate governors of the International Monetary Fund and the International Bank for Reconstruction and Development.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent that notwithstanding the previous order for the votes to begin at 11 a.m., there now be 10 minutes equally divided between the two leaders or their designees prior to the votes; further, that there be 2 minutes equally divided between the votes; finally, that all rollcall votes after the first vote be 10-minute votes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I will take the 5 minutes on our side.

Madam President, I rise and join my colleagues in strong support of the nominations reform package before us today. This bipartisan bill and resolution which we will vote on a bit later will effectively change the way the Senate does business, and it is long past time to do just that. It is not

often that this body voluntarily takes steps to curb its own power. But for the good of our democracy, the Senate must become more efficient.

I thank my good friend and colleague, Senator LAMAR ALEXANDER, who has been a driving force behind this effort and has been steadfast in his resolve to make a change to this body. We have worked in a bipartisan way to resolve all the differences in a way that I would hope the Senate could work more often on more pieces of legislation.

I also thank the chair and ranking members of the Homeland Security Committee, Senators LIEBERMAN and COLLINS, for their input and expertise in drafting this piece of legislation and moving it quickly and productively through committee. Their impact on this process cannot be understated.

I thank Senator REID, the majority leader, and the Republican leader, Senator MCCONNELL. Back in January, when we were negotiating the reforms to the body, they set up our working group to look into the problem of executive nominations, and they supported and were an active part of our effort.

The Senate has always been known as a cooling saucer, but as of late it has become a subzero freezer. Nominees of impeccable qualifications and indisputable support have been frozen out of the confirmation process, and the backup in nominations also gridlocks other important legislative business. That is why the Senate, often known as the cooling saucer, is too often now a subzero freezer.

Today, we will be taking a meaningful and important step toward changing this. The rapid growth of the executive branch has put unanticipated burdens on the Senate, whose job it is to confirm the President's appointees. There is nothing wrong with the Senate doing a little prioritizing of its pending business.

Today, about one-third of the current Senate confirmable positions will now either not require confirmation at all or will enjoy a streamlined confirmation. By now we all know what S. 679 and S. Res. 116 do, but what will their impact be?

In short, this package of reform will help our government function better. One example of this is the working group that the bill creates to examine a "smart form" to streamline the paperwork submitted by a nominee. A nominee may now, today, have to complete three separate financial disclosure forms for the executive and legislative branches. Hopefully, the idea of not having to fill out mountains of paperwork will be appealing to prospective government servants.

Additionally, this bill and resolution we are voting on will help the Senate focus more like a laser beam on issues affecting the average American, such as jobs. The less time committees have

to spend on nominees, the more time they can spend on improving the everyday life of Americans.

Over the last several decades we have seen an amazing increase in the nominees we have had to confirm. It has gotten out of hand, and that is something on which both sides can agree.

We are not abdicating our advice and consent duty, we are strengthening it. We are focusing on the positions that truly need it according to the Constitution.

This package represents the final piece to the reform deal that was set forth in January.

Last spring, motivated by the good work of Senator TOM UDALL of New Mexico, the Rules Committee undertook a detailed examination of the history and the application of the Senate rules, especially the filibuster.

After six hearings, and many conversations, we reached a historic point in January when something needed to be done.

Change happens slowly, we all know that, particularly in the Senate, and sometimes it is a product of compromise and deliberation. We all know this institution, as grand and wonderful as it is, could always benefit by change. Today, we have some of that change. Is it everything we want? No, far from it. But it will make a difference in the institution's effectiveness.

I wish, for a minute, to thank the chairs of our Senate committees and the ranking members as well. When we first spoke of this back in January to the introduction of the bill in March, through markup and now today, the chairmen have had a great impact on our efforts. We have listened to them and made changes they have suggested which, on reflection, we thought were worthwhile. We have listened to both the chairmen and ranking members, understood their positions, and wanted their ideas. All the while, however, they understood what we were attempting to do, and we appreciate their support.

In conclusion, before final passage of this bill, we will be voting on four amendments. It is our hope we can adopt Senators PORTMAN, UDALL, and CORNYN's amendment and Senator TOOMEY's amendment by voice vote. At the same time, I encourage my colleagues to vote against the two amendments offered by Senator DEMINT. One of the amendments he has offered would have harmful consequences if passed and could disrupt how the IMF does business. The other, while couched in transparency, essentially removes legislative affairs and public affairs positions from the bill. We have already agreed to remove the legislative affairs positions. The Senate should have some say in determining who is going to give information the Senate and others need, but we don't think the

public affairs positions should have to go through Senate confirmation. All of these spokespeople report to Senate-confirmed individuals, where we have oversight. So we don't agree with that half of Senator DEMINT's proposal.

I wish once again to thank my colleague and friend Senator ALEXANDER. I wish also to thank Senators LIEBERMAN and COLLINS. In a few minutes, we will vote on final passage of S. 679 and S. Res. 116, and I urge my colleagues on both sides of the aisle to make a strong statement for more effective government by voting aye.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank Senator SCHUMER for his leadership, as well as Senator COLLINS and Senator LIEBERMAN. I will make my full remarks following the vote, but I do want to say this bill helps the Senate do its job under the Constitution. Article 2, section 2 tells us to designate those persons where we do not give advice and consent. We are reducing that total by 169, we are expediting about 272 more, and we are removing about 2,600 from the officer corps.

This is a good example of bipartisan work here, and I want to thank my colleagues for improving the bill, amending it, and pointing out things to us that needed to be changed. One of those individuals has been Senator DEMINT, and I yield the remainder of our time before the vote to Senator DEMINT to speak on his amendment.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

AMENDMENT NO. 501

Mr. DEMINT. I thank the Senator from Tennessee, Senator ALEXANDER, and Senator COLLINS, for their leadership on this issue. It is good to see Democrats and Republicans working together on something.

Unfortunately, like many of the things we work on, we are dealing with symptoms of a much deeper problem that we fail to recognize. The reason we have gone from a few hundred confirmations during President Kennedy's time to thousands today is because of the incredible exponential growth of the Federal Government—new departments everywhere, where we have new positions that have to be filled with nominees who are confirmed by the Senate. Rather than look at the behemoth we have created, we are moving to make it somewhat less accountable.

I appreciate the rationale behind this, but I do think we have to recognize when we are treating symptoms and not solving the problem. The problem has led to much of the debt, the spending and an out-of-control Congress and congressional interventions, because all of these agencies invade on the private sector. But I do appreciate the opportunity to speak and to offer an amendment.

The amendment we will be voting on in a few minutes does relate to the International Monetary Fund. This is a fund set up years ago to help struggling poor nations that get themselves in trouble. The United States has been the largest contributor for years. But the IMF has gone from being an international agency that helped in a limited number of difficult situations to one that is now huge; that has access to Americans' general fund. That is what I want to talk about today.

My amendment would deauthorize what we did in 2009 to open our bank account to bailouts all over the world. Americans have gotten plenty tired of our spending and our borrowing, and particularly the bailouts they have seen from Washington and how these bailouts have not worked but often made things worse. The international bailout fund is the International Monetary Fund.

In 2009, this Congress passed an additional \$100 billion credit line to the International Monetary Fund. This can be drawn on without any congressional approval, without the President's approval. It is an open checkbook, in effect, that the International Monetary Fund can use, and they will use, during these difficult times, as we see irresponsible nations such as Greece that need international funds to continue their profligate spending.

We must deauthorize this. Our country is in dire straits—close to bankruptcy itself. The President is asking us, for the fourth time, to increase the debt limit of our Nation so we can borrow another \$2 trillion on top of the \$14 trillion we have already borrowed. We cannot afford to let the International Monetary Fund—which we discovered in the last month has some questionable management practices—access \$100 billion more than they already have of our money and help bail out countries all over the world that have failed to make the difficult decisions.

Don't think for a moment this is helping the poor in other countries. This is a bailout for the big banks around the world that have made loans to governments and now expect the International Monetary Fund to back them. Americans saw enough of that during our own Wall Street bailouts. Yet this Congress approved \$100 billion more, which has not been accessed yet but is available to the International Monetary Fund right now without our permission. We can stop that today with this amendment.

There is no excuse for giving away money around the world when we cannot even keep our promises here in America—promises we have made to our seniors and promises we have made to our veterans.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. DEMINT. Madam President, I encourage my colleagues to maybe do one

responsible fiscal thing in this session of Congress and at least put this on hold. Let's stop this authorized \$100 billion for international bailouts.

Madam President, I yield the floor, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 501, offered by the Senator from South Carolina, Mr. DEMINT.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. UDALL) is necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. UDALL) would vote "nay."

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 55, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—44

Alexander	Graham	Murkowski
Ayotte	Grassley	Paul
Barrasso	Hatch	Portman
Blunt	Heller	Risch
Boozman	Hoeven	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Collins	Johnson (WI)	Tester
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Vitter
DeMint	McConnell	Wicker
Enzi	Moran	

NAYS—55

Akaka	Gillibrand	Mikulski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Inouye	Nelson (FL)
Bingaman	Johnson (SD)	Pryor
Blumenthal	Kerry	Reed
Boxer	Kirk	Reid
Brown (MA)	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Cochran	Lieberman	Warner
Conrad	Lugar	Webb
Coons	Manchin	Whitehouse
Durbin	McCaskey	Wyden
Feinstein	Menendez	
Franken	Merkley	

NOT VOTING—1

Udall (NM)

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 44, the nays are 55. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 509, AS MODIFIED

There is now 2 minutes of debate equally divided prior to the next vote on the Portman amendment.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I support this amendment. I am prepared to yield back any additional time.

The ACTING PRESIDENT pro tempore. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 509), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote.

Ms. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 511

The ACTING PRESIDENT pro tempore. There will now be 2 minutes of debate prior to a vote on the DeMint amendment No. 511.

The Senator from South Carolina.

Mr. DEMINT. Madam President, this next amendment is about accountability and transparency. I thank the leadership teams on both sides for accepting most of the positions here for legislative affairs that interface on our behalf with the administration. There are eight more positions and that is all this amendment is about. They are public affairs positions that interface on behalf of the public with the administration. Certainly we can give the public the same accountability and transparency we ask for ourselves. These are the positions within the White House. If Americans have a problem in any area, whether it is defense contracting, Health and Human Services, HUD, Labor, they call a public affairs officer. These folks need to be accountable to us and we need to make sure they respond to the American people. There are only eight positions here that we are asking to go through the normal confirmation process.

I encourage my colleagues to support this amendment.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Madam President, I rise in opposition to the amendment of Senator DEMINT. Yesterday the managers' amendment, which was agreed to, retained the Senate confirmation requirement for the legislative affairs positions so the only thing we are talking about here is the public affairs positions. Most of these positions in Cabinet level departments do not require Senate confirmation under our current process, and heaven help us if these public affairs people are making policy. They are not. They are just the messengers.

We need to reserve the Senate's advice and consent process for policy-making positions or those that have control over Federal funds. Neither of those criteria apply in this case.

I urge the rejection of the DeMint amendment.

Mr. DEMINT. Madam President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. UDALL) is necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. UDALL) would vote "nay."

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 25, nays 74, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—25

Ayotte	Grassley	Paul
Barrasso	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Inhofe	Rubio
Corker	Isakson	Sessions
Crapo	Lee	Snowe
DeMint	Manchin	Vitter
Enzi	Moran	
Graham	Nelson (NE)	

NAYS—74

Akaka	Franken	Merkley
Alexander	Gillibrand	Mikulski
Baucus	Hagan	Murkowski
Begich	Harkin	Murray
Bennet	Hoeven	Nelson (FL)
Bingaman	Hutchison	Portman
Blumenthal	Inouye	Pryor
Blunt	Johanns	Reed
Boozman	Johnson (SD)	Reid
Boxer	Johnson (WI)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Kirk	Schumer
Burr	Klobuchar	Shaheen
Cantwell	Kohl	Shelby
Cardin	Kyl	Stabenow
Carper	Landrieu	Tester
Casey	Lautenberg	Thune
Coburn	Leahy	Toomey
Cochran	Levin	Udall (CO)
Collins	Lieberman	Warner
Conrad	Lugar	Webb
Coons	McCain	Whitehouse
Cornyn	McCaskey	Wicker
Durbin	McConnell	Wyden
Feinstein	Menendez	

NOT VOTING—1

Udall (NM)

The amendment (No. 511) was rejected.

Mr. LIEBERMAN. Madam President, I move for reconsideration and to lay that matter on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 514

The ACTING PRESIDENT pro tempore. There is 2 minutes, equally divided, on debate for the Toomey amendment.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I believe there is agreement on this amendment on both sides. The amendment makes sense, and, therefore, I yield back all time on both sides.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 514) was agreed to.

Mr. GRASSLEY. Madam President, I would like to express my concerns with

S. 679, the Schumer/Alexander Presidential Appointment Efficiency and Streamlining Act. This bill would eliminate the Senate confirmation process for approximately 200 positions. Many of the positions proposed to be eliminated from the Senate process are officers dealing with transparency matters, such as positions dealing with public and congressional affairs, as well as officers dealing with budgetary matters, such as positions dealing with finances and grant administration.

In general, I am concerned that the legislation will eliminate the Senate's ability to provide its constitutional duty of advice and consent for individuals tasked with performing important government functions, and would allow these positions to become more like czars that are unaccountable to the people.

In addition, I am concerned that the legislation will impede the Senate's ability to conduct oversight of certain department programs, as well as reduce Senators' ability to compel executive department and agencies to testify before Congress or answer written questions. For example, DOJ has a policy of not allowing line attorneys to testify before Congress, and the Obama Administration will not allow its czars to testify—a policy that could potentially apply to these individuals.

Further, often the only tactic a Senator has for compelling an agency to produce documents or provide answers to questions is to block a nominee until documents or answers are produced. This is especially true when the member seeking to conduct oversight is in the minority party. I have frequently employed this tactic to get documents/information from agencies, and generally have been successful when I've used this method in helping me with my oversight efforts.

As the current ranking member of the Senate Judiciary Committee, I would like to address the positions under Judiciary Committee jurisdiction proposed to be eliminated. Specifically, S. 679 would eliminate the Senate confirmation process for these 10 positions under Judiciary Committee jurisdiction:

Assistant Attorney General, Legislative Affairs, DOJ
 Director, Bureau of Justice Assistance, DOJ
 Director, Bureau of Justice Statistics, DOJ
 Director, National Institute of Justice, DOJ
 Administrator, Office of Juvenile Justice and Delinquency Prevention, DOJ
 Director, Office for Victims of Crime, DOJ
 Deputy Director, National Drug Control Policy, ONDCP
 Deputy Director, Demand Reduction, National Drug Control Policy, ONDCP
 Deputy Director, State and Local Affairs, National Drug Control Policy, ONDCP
 Deputy Director, Supply Reduction, National Drug Control Policy, ONDCP

In addition, the Senate resolution would provide an expedited process for

these positions under Judiciary Committee jurisdiction:

Members (2), Foreign Claims Settlement Commission
 Members (11), Board of Directors, State Justice Institute

I believe that all these positions be removed from the legislation. Specifically with respect to the Judiciary Committee positions, I am concerned that several of these positions deal with policy implementation, grant administration and funding, statistics and data collection, as well as transparency and accountability. The DOJ inspector general noted that grant management was one of the top 10 challenges at DOJ. Several of these DOJ and ONDCP positions administer millions of dollars in grants. In addition, several groups have raised concerns because some of these positions compile data that can be skewed and distorted to support policy goals.

Prior nominees for some of these positions were opposed or withdrawn because they were not qualified. Further, I and others have blocked several of the nominees for these positions in the past to force agencies to comply with document production requests or to compel answers to my questions.

In addition to my concerns with the positions under Judiciary Committee jurisdiction, there are other committee jurisdiction positions in this legislation that I have a problem relinquishing my ability to review.

The bottom line is that S. 679 would hamper the Senate's ability to conduct effective oversight of the executive branch's programs. S. 679 would allow the Senate to relinquish its constitutional responsibilities of advice and consent in filling Federal offices, diminish the Senate's oversight duties, and make the executive branch less transparent and accountable to the people. While a few positions have been struck from the bill as reported out of Committee, like the Assistant Attorney General for Legislative Affairs at the DOJ, the other DOJ and ONDCP positions remain in the legislation and will now not be required to undergo Senate review. For the reasons I have just discussed, I will oppose this bill.

Mr. RUBIO. Madam President, at a time of staggering deficits, dangerously high debt, and lagging economic growth, I oppose S. 679, the Presidential Appointment Efficiency and Streamlining Act of 2011.

Our Nation is borrowing \$4 billion a day with no end in sight and we have already hit our \$14.3 trillion statutory debt limit. Sadly, my State of Florida struggles with a 10.6 percent unemployment rate, far higher than the national average of 9.1 percent. At a time when families and businesses are hurting, the Senate has not passed a budget in over 790 days.

The Senate should be focused on legislation that cuts spending and reduces

our debt, saves entitlement programs for future generations, reforms our complex Tax Code, and reduces the crushing weight of Federal regulations on job creators. S. 679 does not accomplish any of these goals, and I cannot support it as our Nation careens towards bankruptcy and a diminished future.

Mr. LIEBERMAN. Madam President, we are on the verge of passing legislation that will streamline the executive branch nominations process and I want to congratulate the bill's authors—Senators SCHUMER and ALEXANDER—for their bipartisan accomplishment and thank them for their hard work.

This bill—S. 679, The Presidential Appointment Efficiency and Streamlining Act of 2011—removes about 170 non-policymaking positions from the list of Presidential appointments requiring Senate confirmation—plus over 2800 members of the Public Health Service and National Oceanic and Atmospheric Administration, NOAA, Officer Corps, whose appointments and promotions are also subject to the Senate's advice and consent.

This is not as many positions as the bill first contemplated. But it is a significant achievement nonetheless when you consider that the work that goes into vetting nominees must be multiplied by four because the White House, the Senate, the FBI and the Office of Government Ethics, OGE, all have to conduct their own thorough background investigations.

So by removing 170 positions we eliminate the need for 680 separate background investigations.

This frees up the Senate, the White House, the FBI and OGE to focus their efforts on vetting nominations for those critical positions where policy is made. And that should help speed up the vetting and confirmation process for these positions as well.

This act also establishes an executive branch working group to study and report to the President and Congress on the best ways to streamline all the paperwork nominees are required to fill out and consider consolidating it under a single "smart form."

Most nominees submit to at least four reviews, each represented by a separate packet of government forms, including a White House Personal Data Statement, questionnaires from the FBI and the Office of Government Ethics, and at least one questionnaire from the Senate committee of jurisdiction.

A "smart form" would be an electronic system for collecting and distributing background information for nominees requiring Senate confirmation that a nominee would have to fill out just once and the information would then be transferred to all the other relevant forms.

Before we vote, I wanted to stress the bipartisan nature of this effort.

In January, Majority Leader REID and Minority Leader MCCONNELL decided the nomination and confirmation

process had become too slow and cumbersome and that this posed a serious national and economic security problem when crucial offices go unfilled for months and months.

They established a working group on executive nominations and appointed Senators SCHUMER and ALEXANDER—chairman and ranking member, respectively, of the Rules Committee—to lead it.

Senator COLLINS and I are also part of that group as chairman and ranking member of the Homeland Security and Governmental Affairs Committee.

Senators SCHUMER and ALEXANDER introduced their carefully crafted legislation on March 30, with a bipartisan group of 15 cosponsors. And on April 13 the Homeland Security and Governmental Affairs Committee, on a bipartisan vote, reported the bill favorably to the Senate.

The bill was brought to the floor, debated and further changes made in the spirit of compromise.

This is the Senate at its best. A problem was identified and both sides of the aisle worked together to craft a solution.

I urge my colleagues to support this legislation so future administrations will be able to get their teams in place more quickly and the Senate can focus its energy on the qualifications of just the most important executive branch appointments as was intended by the Constitution.

Mr. ROCKEFELLER. Madam President, I want to express my strong support for the managers' amendment to S. 679, the Presidential Appointment Efficiency and Streamlining Act of 2011. I support this bill to make the confirmation process more efficient and more responsive because it will enable many qualified individuals to take government positions without first going through a sometimes long and arduous confirmation process here in the Senate. I believe the confirmation process is an important constitutional duty of the Senate. But it is simply not needed for every position in the U.S. Government. Not every nominee requires the same level of scrutiny and process.

The Founders understood this issue well, as the Constitution is unusually precise in this regard. It specifically enables the Congress to do what we are doing today—to vest the appointment power for inferior officers with the President. And we are doing it because the confirmation process has become so cumbersome that the Federal Government is losing very able and attractive candidates. The confirmation process can take months, from the time the President submits a candidate's name to full consideration by the Senate. This long, drawn-out process prevents the public sector from attracting some of the best and brightest.

Although I have supported the goals of S. 679 since its introduction, a few

critical changes were necessary to strengthen the bill. I, as well as several of my fellow committee chairs, shared these concerns with the bill's sponsors.

I appreciate the sponsors working to address our concerns in the managers' amendment. The amendment will still make the appointment process more efficient by taking hundreds of positions out of the confirmation process. But it will also maintain Senate confirmation for some key positions. The amendment will ensure Senate confirmation is required for the chief financial officer position in several agencies. The CFO is a critical position, as I am constantly reminded in my own interactions with one of the agencies in the Commerce Committee's jurisdiction in recent months. The managers' amendment will also retain confirmation for the Assistant Secretaries for Legislative Affairs, who are critical in working with Congress.

I congratulate Senators SCHUMER, ALEXANDER, LIEBERMAN, and COLLINS, and their staffs for their hard work on this important bill. We would not be here today without their efforts.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. LIEBERMAN. Madam President, this will be on final passage. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The bill having been read the third time, the question is, shall it pass?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. UDALL) is necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. UDALL) would vote "nay."

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 20, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—79

Akaka	Corker	Landrieu
Alexander	Cornyn	Lautenberg
Barrasso	Durbin	Leahy
Baucus	Enzi	Levin
Begich	Feinstein	Lieberman
Bennet	Franken	Lugar
Bingaman	Gillibrand	Manchin
Blumenthal	Graham	McCain
Blunt	Hagan	McCaskill
Boxer	Harkin	McConnell
Brown (MA)	Hoeven	Menendez
Brown (OH)	Hutchison	Merkley
Cantwell	Inouye	Mikulski
Cardin	Johanns	Murkowski
Carper	Johnson (SD)	Murray
Casey	Kerry	Nelson (NE)
Cochran	Kirk	Nelson (FL)
Collins	Klobuchar	Portman
Conrad	Kohl	Pryor
Coons	Kyl	Reed

Reid	Shelby	Warner
Roberts	Snowe	Webb
Rockefeller	Stabenow	Whitehouse
Sanders	Tester	Wicker
Schumer	Thune	Wyden
Sessions	Toomey	
Shaheen	Udall (CO)	

NAYS—20

Ayotte	DeMint	Lee
Boozman	Grassley	Moran
Burr	Hatch	Paul
Chambliss	Heller	Risch
Coats	Inhofe	Rubio
Coburn	Isakson	Vitter
Crapo	Johnson (WI)	

NOT VOTING—1

Udall (NM)

The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 20.

Under the previous order requiring 60 votes for passage, the bill, as amended, is passed.

Mr. BOOZMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 679), as amended, was passed, as follows:

S. 679

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Appointment Efficiency and Streamlining Act of 2011".

SEC. 2. PRESIDENTIAL APPOINTMENTS NOT SUBJECT TO SENATE APPROVAL.

(a) AGRICULTURE.—

(1) ASSISTANT SECRETARY OF AGRICULTURE FOR ADMINISTRATION.—Section 218(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918(b)) is amended—

(A) by striking "subsection (a)" and inserting "paragraph (1) or (3) of subsection (a)";

(B) by striking subsection (c); and

(C) by redesignating subsection (d) as subsection (c).

(2) RURAL UTILITIES SERVICE ADMINISTRATOR.—Section 232(b)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6942(b)(1)) is amended—

(A) by striking ", by and with the advice and consent of the Senate";

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2).

(3) COMMODITY CREDIT CORPORATION.—Section 9(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714g(a)) is amended in the third sentence by striking "by and with the advice and consent of the Senate".

(b) COMMERCE.—

(1) CHIEF SCIENTIST; NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Section 2(d) of Reorganization Plan No. 4 of 1970 (5 U.S.C. App. 1) is amended by striking ", by and with the advice and consent of the Senate,".

(c) DEPARTMENT OF DEFENSE.—

(1) ASSISTANT SECRETARIES OF DEFENSE.—

(A) IN GENERAL.—Section 138(a)(1) of title 10, United States Code, is amended by striking "16" and inserting "14".

(B) ADMINISTRATION OF REDUCTION.—The Assistant Secretary of Defense positions eliminated in accordance with the reduction in numbers required by the amendment made by subparagraph (A) shall be—

(i) the Assistant Secretary of Defense for Networks and Information Integration; and

(ii) the Assistant Secretary of Defense for Public Affairs.

(C) CONTINUED SERVICE OF INCUMBENTS.—Notwithstanding the requirements of this paragraph, any individual serving in a position described under subparagraph (B) on the date of the enactment of this Act may continue to serve in such position without regard to the limitation imposed by the amendment in subparagraph (A).

(D) PLAN FOR SUCCESSOR POSITIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall report to the congressional defense committees on his plan for successor positions, not subject to Senate confirmation, for the positions eliminated in accordance with the requirements of this paragraph.

(2) MEMBERS OF NATIONAL SECURITY EDUCATION BOARD.—Section 803(b)(7) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1903(b)(7)) is amended by striking “by and with the advice and consent of the Senate.”.

(3) DIRECTOR OF SELECTIVE SERVICE.—Section 10(a)(3) of the Selective Service Act of 1948 (50 U.S.C. App. 460(a)(3)) is amended by striking “, by and with the advice and consent of the Senate”.

(d) DEPARTMENT OF EDUCATION.—

(1) ASSISTANT SECRETARY FOR MANAGEMENT.—Section 202(e) of the Department of Education Organization Act (20 U.S.C. 3412(e)) is amended by inserting after the first sentence the following: “Notwithstanding the previous sentence, the appointments of individuals to serve as the Assistant Secretary for Management shall not be subject to the advice and consent of the Senate.”.

(2) COMMISSIONER, EDUCATION STATISTICS.—Section 117(b) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9517(b)) is amended by striking “, by and with the advice and consent of the Senate.”.

(e) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) ASSISTANT SECRETARY FOR PUBLIC AFFAIRS.—Notwithstanding any other provision of law, the appointment of an individual to serve as the Assistant Secretary for Public Affairs within the Department of Health and Human Services shall not be subject to the advice and consent of the Senate.

(f) DEPARTMENT OF HOMELAND SECURITY.—

(1) DIRECTOR OF THE OFFICE FOR DOMESTIC PREPAREDNESS; ASSISTANT ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, GRANT PROGRAMS.—Section 430(b) of the Homeland Security Act of 2002 (6 U.S.C. 238(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(2) ADMINISTRATOR OF THE UNITED STATES FIRE ADMINISTRATION.—Section 5(b) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2204(b)) is amended by striking “, by and with the advice and consent of the Senate.”.

(3) DIRECTOR OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT.—Section 878(a) of the Homeland Security Act of 2002 (6 U.S.C. 458(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(4) CHIEF MEDICAL OFFICER.—Section 516(a) of the Homeland Security Act of 2002 (6 U.S.C. 321e(a)) is amended by striking “, by and with the advice and consent of the Senate”.

(5) ASSISTANT SECRETARIES.—Section 103(a) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)) is amended—

(A) by striking “There” and inserting “(1) IN GENERAL.—Except as provided under paragraph (2), there”;

(B) by redesignating paragraphs (1) through (10) as subparagraphs (A) through (J), respectively; and

(C) by adding at the end the following:

“(2) ASSISTANT SECRETARIES.—If any of the Assistant Secretaries referred to under paragraph (1)(I) is designated to be the Assistant Secretary for Health Affairs, the Assistant Secretary for Legislative Affairs, or the Assistant Secretary for Public Affairs, that Assistant Secretary shall be appointed by the President without the advice and consent of the Senate.”.

(g) HOUSING AND URBAN DEVELOPMENT; ASSISTANT SECRETARY FOR PUBLIC AFFAIRS.—Section 4(a) of the Department of Housing and Urban Development Act (42 U.S.C. 3533(a)) is amended—

(1) by inserting “(1)” after “(a)”;

(2) by striking “eight” and inserting “7”; and

(3) by adding at the end the following:

“(2) There shall be in the Department an Assistant Secretary for Public Affairs, who shall be appointed by the President and shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.”.

(h) DEPARTMENT OF JUSTICE.—

(1) DIRECTOR, BUREAU OF JUSTICE STATISTICS.—Section 302(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(2) DIRECTOR, BUREAU OF JUSTICE ASSISTANCE.—Section 401(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(3) DIRECTOR, NATIONAL INSTITUTE OF JUSTICE.—Section 202(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3722(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(4) ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.—Section 201(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611(b)) is amended by striking “, by and with the advice and consent of the Senate.”.

(5) DIRECTOR, OFFICE FOR VICTIMS OF CRIME.—Section 1411(b) of the Victims of Crime Act of 1984 (42 U.S.C. 10605(b)) is amended by striking “, by and with the advice and consent of the Senate”.

(i) DEPARTMENT OF LABOR.—

(1) ASSISTANT SECRETARIES FOR ADMINISTRATION AND MANAGEMENT AND PUBLIC AFFAIRS.—Notwithstanding section 2 of the Act of April 17, 1946 (29 U.S.C. 553), the appointment of individuals to serve as the Assistant Secretary for Administration and Management and the Assistant Secretary for Public Affairs within the Department of Labor, shall not be subject to the advice and consent of the Senate.

(2) DIRECTOR OF THE WOMEN'S BUREAU.—Section 2 of the Act of June 5, 1920 (29 U.S.C. 12) is amended by striking “, by and with the advice and consent of the Senate”.

(j) DEPARTMENT OF STATE; ASSISTANT SECRETARY FOR PUBLIC AFFAIRS AND ASSISTANT SECRETARY FOR ADMINISTRATION.—Section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)) is amended—

(1) by striking “, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and”; and

(2) by adding at the end the following: “Each Assistant Secretary of State shall be

appointed by the President, by and with the advice and consent of the Senate, except that the appointments of the Assistant Secretary for Public Affairs and the Assistant Secretary for Administration shall not be subject to the advice and consent of the Senate.”.

(k) DEPARTMENT OF TRANSPORTATION.—

(1) ASSISTANT SECRETARIES.—Section 102(e) of title 49, United States Code, is amended—

(A) by striking “(e) THE DEPARTMENT” and all that follows through “An Assistant Secretary” and inserting the following:

“(e) ASSISTANT SECRETARIES; GENERAL COUNSEL.—

“(1) APPOINTMENT.—The Department has 5 Assistant Secretaries and a General Counsel, including—

“(A) an Assistant Secretary for Aviation and International Affairs, an Assistant Secretary for Governmental Affairs, and an Assistant Secretary for Transportation Policy, who shall each be appointed by the President, with the advice and consent of the Senate;

“(B) an Assistant Secretary for Budget and Programs who shall be appointed by the President;

“(C) an Assistant Secretary for Administration, who shall be appointed by the Secretary, with the approval of the President; and

“(D) a General Counsel, who shall be appointed by the President, with the advice and consent of the Senate.

“(2) DUTIES AND POWERS.—The officers set forth in paragraph (1) shall carry out duties and powers prescribed by the Secretary. An Assistant Secretary”.

(2) DEPUTY ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION.—Section 106 of title 49, United States Code, is amended—

(A) in subsection (b), by striking “. The Administration has a Deputy Administrator. They are appointed” and inserting “, who shall be appointed”; and

(B) in subsection (d)(1), by striking “The Deputy Administrator must” and inserting “The Administration has a Deputy Administrator, who shall be appointed by the President. In making an appointment, the President shall consider the fitness of the appointee to efficiently carry out the duties and powers of the office. The Deputy Administrator shall”.

(l) DEPARTMENT OF THE TREASURY.—

(1) ASSISTANT SECRETARIES FOR PUBLIC AFFAIRS AND MANAGEMENT.—Section 301(e) of title 31, United States Code, is amended—

(A) by striking “10 Assistant Secretaries” and inserting “8 Assistant Secretaries”; and

(B) by inserting “The Department shall have 2 Assistant Secretaries not subject to the advice and consent of the Senate who shall be the Assistant Secretary for Public Affairs, and the Assistant Secretary for Management,” after the first sentence.

(2) TREASURER OF THE UNITED STATES.—Section 301(d) of title 31, United States Code, is amended—

(A) by striking “2 Deputy Under Secretaries, and a Treasurer of the United States” and inserting “and 2 Deputy Under Secretaries”, and

(B) by inserting “and a Treasurer of the United States appointed by the President” after “Fiscal Assistant Secretary appointed by the Secretary”.

(m) DEPARTMENT OF VETERANS AFFAIRS.—Section 308(a) of title 38, United States Code, is amended—

(1) by striking “There shall” and inserting “(1) There shall”;

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by striking

"Each Assistant" and all that follows through the period at the end; and

(3) by adding at the end the following new paragraphs:

"(2) Except as provided in paragraph (3), each Assistant Secretary appointed under paragraph (1) shall be appointed by the President, by and with the advice and consent of the Senate.

"(3) The following Assistant Secretaries may be appointed without the advice and consent of the Senate:

"(A) The Assistant Secretary for Management.

"(B) The Assistant Secretary for Human Resources and Administration.

"(C) The Assistant Secretary for Public and Intergovernmental Affairs.

"(D) The Assistant Secretary for Operations, Security, and Preparedness."

(n) APPALACHIAN REGIONAL COMMISSION; ALTERNATE FEDERAL CO-CHAIRMAN.—Section 14301(b)(2) of title 40, United States Code, is amended by striking "by and with the advice and consent of the Senate".

(o) COUNCIL OF ECONOMIC ADVISERS, MEMBERS.—Section 10 of the Employment Act of 1946 (15 U.S.C. 1023) is amended by striking subsection (a) and inserting the following:

"(a) CREATION; COMPOSITION; QUALIFICATIONS; CHAIRMAN AND VICE CHAIRMAN.—

"(1) CREATION.—There is created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the 'Council').

"(2) COMPOSITION.—The Council shall be composed of three members, of whom—

"(A) 1 shall be the chairman who shall be appointed by the President by and with the advice and consent of the Senate; and

"(B) 2 shall be appointed by the President.

"(3) QUALIFICATIONS.—Each member shall be a person who, as a result of training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national economic policy to promote full employment, production, and purchasing power under free competitive enterprise.

"(4) VICE CHAIRMAN.—The President shall designate 1 of the members of the Council as vice chairman, who shall act as chairman in the absence of the chairman."

(p) CORPORATION FOR NATIONAL AND COMMUNITY SERVICE; MANAGING DIRECTOR.—Section 194(a)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(a)(1)) is amended by striking "by and with the advice and consent of the Senate".

(q) NATIONAL COUNCIL ON DISABILITY MEMBERS.—Section 400(a)(1)(A) of the Rehabilitation Act of 1973 (29 U.S.C. 780(a)(1)(A)) is amended by striking "by and with the advice and consent of the Senate".

(r) NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES; NATIONAL MUSEUM AND LIBRARY SERVICES BOARD; MEMBERS.—Section 207(b)(1) of the Museum and Library Services Act (20 U.S.C. 9105a(b)(1)) is amended—

(1) in subparagraph (D), by striking "by and with the advice and consent of the Senate"; and

(2) in subparagraph (E), by striking "by and with the advice and consent of the Senate".

(s) NATIONAL SCIENCE FOUNDATION; BOARD MEMBERS.—Section 4(a) of the National Science Foundation Act of 1950 (42 U.S.C. 1863(a)) is amended by striking "by and with the advice and consent of the Senate".

(t) OFFICE OF NATIONAL DRUG CONTROL POLICY; DEPUTY DIRECTORS.—Section 704(a)(1) of

the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(a)(1)) is amended to read as follows:

"(1) IN GENERAL.—

"(A) DIRECTOR.—The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President.

"(B) DEPUTY DIRECTORS.—The Deputy Director of National Drug Control Policy, Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, and the Deputy Director for State, Local, and Tribal Affairs shall each be appointed by the President and serve at the pleasure of the President.

"(C) DEPUTY DIRECTOR FOR DEMAND REDUCTION.—In appointing the Deputy Director for Demand Reduction under this paragraph, the President shall take into consideration the scientific, educational, or professional background of the individual, and whether the individual has experience in the fields of substance abuse prevention, education, or treatment."

(u) OFFICE OF NAVAJO AND HOPI RELOCATION; COMMISSIONER.—Section 12(b)(1) of Public Law 93-531 (25 U.S.C. 640d-11(b)(1)) is amended by striking "by and with the advice and consent of the Senate".

(v) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) ASSISTANT ADMINISTRATOR FOR MANAGEMENT.—Notwithstanding section 624(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)), the appointment by the President of the Assistant Administrator for Management at the United States Agency for International Development shall not be subject to the advice and consent of the Senate.

(w) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION FUND; ADMINISTRATOR.—Section 104(b)(1) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(b)(1)) is amended by striking "by and with the advice and consent of the Senate".

(x) DEPARTMENT OF TRANSPORTATION; ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION; ADMINISTRATOR.—Subsection (a) of section 2 of the Act of May 13, 1954, referred to as the Saint Lawrence Seaway Act (33 U.S.C. 982(a)) is amended by striking "by and with the advice and consent of the Senate, for a term of seven years".

(y) MISSISSIPPI RIVER COMMISSION; COMMISSIONER.—Section 2 of the Act of June 28, 1879 (33 U.S.C. 642), is amended in the first sentence by striking "by and with the advice and consent of the Senate".

(z) GOVERNOR AND ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK.—

(1) IN GENERAL.—Section 1333 of the African Development Bank Act (22 U.S.C. 290i-1) is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by striking "(a) The President" and all that follows through "The term of office" and inserting the following:

"(a) The President shall appoint a Governor and an Alternate Governor of the Bank—

"(1) by and with the advice and consent of the Senate; or

"(2) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate.

"(b) The term of office".

(2) CONFORMING AMENDMENTS.—Section 1334 of such Act (22 U.S.C. 290i-2) is amended—

(A) by striking "The Director or Alternate Director" and inserting the following:

"(b) The Director or Alternate Director"; and

(B) by inserting before subsection (b), as redesignated, the following:

"(a) The President, by and with the advice and consent of the Senate, shall appoint a Director of the Bank."

(aa) GOVERNOR AND ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK.—Section 3(a) of the Asian Development Bank Act (22 U.S.C. 285a(a)) is amended to read as follows:

"(a) The President shall appoint—

"(1) a Governor of the Bank and an alternate for the Governor—

"(A) by and with the advice and consent of the Senate; or

"(B) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate; and

"(2) a Director of the Bank, by and with the advice and consent of the Senate."

(bb) GOVERNOR AND ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND.—Section 203(a) of the African Development Fund Act (22 U.S.C. 290g-1(a)) is amended to read as follows:

"(a) The President shall appoint a Governor, and an Alternate Governor, of the Fund—

"(1) by and with the advice and consent of the Senate; or

"(2) from among individuals serving as officials required by law to be appointed by and with the advice and consent of the Senate."

(cc) NATIONAL BOARD FOR EDUCATION SCIENCES; MEMBERS.—Section 116(c)(1) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9516(c)(1)) is amended by striking "by and with the advice and consent of the Senate".

(dd) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD; MEMBERS.—Section 242(e)(1)(A) of the Adult Education and Family Literacy Act (20 U.S.C. 9252(e)(1)(A)) is amended by striking "with the advice and consent of the Senate".

(ee) INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT; MEMBER, BOARD OF TRUSTEES.—Section 1505 of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act (20 U.S.C. 4412(a)(1)(A)) is amended by striking "by and with the advice and consent of the Senate".

(ff) PUBLIC HEALTH SERVICE COMMISSIONED OFFICER CORPS.—

(1) APPOINTMENT.—Section 203(a)(3) of the Public Health Service Act (42 U.S.C. 204(a)(3)) is amended by striking "with the advice and consent of the Senate".

(2) PROMOTIONS.—Section 210(a) of the Public Health Service Act (42 U.S.C. 211(a)) is amended by striking "by and with the advice and consent of the Senate".

(gg) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS.—

(1) APPOINTMENTS AND PROMOTIONS TO PERMANENT GRADES.—Section 226 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3026) is amended by striking "by and with the advice and consent of the Senate".

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Section 228(d)(1) of such Act (33 U.S.C. 3028(d)(1)) is amended by striking "by and with the advice and consent of the Senate".

(3) TEMPORARY APPOINTMENTS AND PROMOTIONS GENERALLY.—Section 229 of such Act (33 U.S.C. 3029) is amended—

(A) by striking "alone" each place it appears; and

(B) in subsection (a), in the second sentence, by striking “unless the Senate sooner gives its advice and consent to the appointment”.

(hh) **RULE OF CONSTRUCTION.**—Notwithstanding section 3132(a)(2) of title 5, United States Code, removal of Senate confirmation for any position in this section shall not—

(1) result in any such position being placed in the Senior Executive Service; or

(2) alter compensation for any such position under the Executive Schedule or other applicable compensation provisions of law.

SEC. 3. APPOINTMENT OF THE DIRECTOR OF THE CENSUS.

(a) **IN GENERAL.**—Section 21 of the title 13, United States Code, is amended to read as follows:

“§ 21. Director of the Census; duties

“(a) **APPOINTMENT.**—

“(1) **IN GENERAL.**—The Bureau shall be headed by a Director of the Census, appointed by the President, by and with the advice and consent of the Senate, without regard to political affiliation.

“(2) **QUALIFICATIONS.**—Such appointment shall be made from individuals who have a demonstrated ability in managing large organizations and experience in the collection, analysis, and use of statistical data.

“(b) **TERM OF OFFICE.**—

“(1) **IN GENERAL.**—The term of office of the Director shall be 5 years, and shall begin on January 1, 2012, and every fifth year thereafter. An individual may not serve more than 2 full terms as Director.

“(2) **VACANCIES.**—Any individual appointed to fill a vacancy in such position, occurring before the expiration of the term for which such individual's predecessor was appointed, shall be appointed for the remainder of that term. The Director may serve after the end of the Director's term until reappointed or until a successor has been appointed, but in no event longer than 1 year after the end of such term.

“(3) **REMOVAL.**—An individual serving as Director may be removed from office by the President. The President shall communicate in writing the reasons for any such removal to both Houses of Congress not later than 60 days before the removal.

“(4) **PERSONNEL ACTIONS.**—Except as provided under paragraph (3), nothing in this subsection shall prohibit a personnel action otherwise authorized by law with respect to the Director of the Census, other than removal.

“(c) **DUTIES.**—The Director shall perform such duties as may be imposed upon the Director by law, regulations, or orders of the Secretary.”.

(b) **TRANSITION RULES.**—

(1) **APPOINTMENT OF INITIAL DIRECTOR.**—The initial Director of the Bureau of the Census shall be appointed in accordance with the provisions of section 21(a) of title 13, United States Code, as amended by subsection (a).

(2) **INTERIM ROLE OF CURRENT DIRECTOR OF THE CENSUS AFTER DATE OF ENACTMENT.**—If, as of January 1, 2012, the initial Director of the Bureau of the Census has not taken office, the officer serving on December 31, 2011, as Director of the Census (or Acting Director of the Census, if applicable) in the Department of Commerce—

(A) shall serve as the Director of the Bureau of the Census; and

(B) shall assume the powers and duties of such Director for one term beginning January 1, 2012, as described in section 21(b) of such title, as so amended.

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—Not later than January 1, 2012, the

Secretary of Commerce, in consultation with the Director of the Census, shall submit to each House of the Congress draft legislation containing any technical and conforming amendments to title 13, United States Code, and any other provisions which may be necessary to carry out the purposes of this section.

SEC. 4. WORKING GROUP ON STREAMLINING PAPERWORK FOR EXECUTIVE NOMINATIONS.

(a) **ESTABLISHMENT.**—There is established the Working Group on Streamlining Paperwork for Executive Nominations (in this section referred to as the “Working Group”).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Working Group shall be composed of—

(A) the chairperson who shall be—

(i) except as provided under clause (ii), the Director of the Office of Presidential Personnel; or

(ii) a Federal officer designated by the President;

(B) representatives designated by the President from—

(i) the Office of Personnel Management;

(ii) the Office of Government Ethics; and

(iii) the Federal Bureau of Investigation; and

(C) individuals appointed by the chairperson of the Working Group who have experience and expertise relating to the Working Group, including—

(i) individuals from other relevant Federal agencies; and

(ii) individuals with relevant experience from previous presidential administrations.

(c) **STREAMLINING OF PAPERWORK REQUIRED FOR EXECUTIVE NOMINATIONS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Working Group shall conduct a study and submit a report on the streamlining of paperwork required for executive nominations to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Rules and Administration of the Senate.

(2) **CONSULTATION WITH COMMITTEES OF THE SENATE.**—In conducting the study under this section, the Working Group shall consult with the chairperson and ranking member of the committees referred to under paragraph (1) (B) and (C).

(3) **CONTENTS.**—

(A) **IN GENERAL.**—The report submitted under this section shall include—

(i) recommendations for the streamlining of paperwork required for executive nominations; and

(ii) a detailed plan for the creation and implementation of an electronic system for collecting and distributing background information from potential and actual Presidential nominees for positions which require appointment by and with the advice and consent of the Senate.

(B) **ELECTRONIC SYSTEM.**—The electronic system described under subparagraph (A)(ii) shall—

(i) provide for—

(I) less burden on potential nominees for positions which require appointment by and with the advice and consent of the Senate;

(II) faster delivery of background information to Congress, the White House, the Federal Bureau of Investigation, Diplomatic Security, and the Office of Government Ethics; and

(III) fewer errors of omission; and

(ii) ensure the existence and operation of a single, searchable form which shall be known as a “Smart Form” and shall—

(I) be free to a nominee and easy to use;

(II) make it possible for the nominee to answer all vetting questions one way, at a single time;

(III) secure the information provided by a nominee;

(IV) allow for multiple submissions over time, but always in the format requested by the vetting agency or entity;

(V) be compatible across different computer platforms;

(VI) make it possible to easily add, modify, or subtract vetting questions;

(VII) allow error checking; and

(VIII) allow the user to track the progress of a nominee in providing the required information.

(d) **REVIEW OF BACKGROUND INVESTIGATION REQUIREMENTS.**—

(1) **IN GENERAL.**—The Working Group shall conduct a review of the impact of background investigation requirements on the appointments process.

(2) **CONDUCT OF REVIEW.**—In conducting the review, the Working Group shall—

(A) assess the feasibility of using personnel other than Federal Bureau of Investigation personnel, in appropriate circumstances, to conduct background investigations of individuals under consideration for positions appointed by the President, by and with the advice and consent of the Senate; and

(B) consider the extent to which the scope of the background investigation conducted for an individual under consideration for a position appointed by the President, by and with the advice and consent of the Senate, should be varied depending on the nature of the position for which the individual is being considered.

(3) **REPORT.**—Not later than 270 days after the date of enactment of this Act, the Working Group shall submit a report of the findings of the review under this subsection to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Rules and Administration of the Senate.

(e) **PERSONNEL MATTERS.**—

(1) **COMPENSATION OF MEMBERS.**—

(A) **FEDERAL OFFICERS AND EMPLOYEES.**—Each member of the Working Group who is a Federal officer or employee shall serve without compensation in addition to that received for their services as a Federal officer or employee.

(B) **MEMBERS NOT FEDERAL OFFICERS AND EMPLOYEES.**—Each member of the Working Group who is not a Federal officer or employee shall not be compensated for services performed for the Working Group.

(2) **TRAVEL EXPENSES.**—The members of the Working Group shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Working Group.

(3) **STAFF.**—

(A) **IN GENERAL.**—The President may designate Federal officers and employees to provide support services for the Working Group.

(B) **DETAIL OF FEDERAL EMPLOYEES.**—Any Federal employee may be detailed to the Working Group without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(f) **NON-APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory

Committee Act (5 U.S.C. App.) shall not apply to the Working Group established under this section.

(g) **TERMINATION OF THE WORKING GROUP.**—The Working Group shall terminate 60 days after the date on which the Working Group submits the latter of the 2 reports under this section.

SEC. 5. REPORT ON PRESIDENTIALLY APPOINTED POSITIONS.

(a) **DEFINITIONS.**—In this section—

(1) the term “agency” means an Executive agency defined under section 105 of title 5, United States Code; and

(2) the term “covered position” means a position in an agency that requires appointment by the President without the advice and consent of the Senate.

(b) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Government Accountability Office shall conduct a study and submit a report on covered positions to Congress and the President.

(c) **CONTENTS.**—The report submitted under this section shall include—

(1) a determination of the number of covered positions in each agency;

(2) an evaluation of whether maintaining the total number of covered positions is necessary;

(3) an evaluation of the benefits and disadvantages of—

(A) eliminating certain covered positions;

(B) converting certain covered positions to career positions or positions in the Senior Executive Service that are not career reserved positions; and

(C) converting any categories of covered positions to career positions;

(4) the identification of—

(A) covered positions described under paragraph (3)(A) and (B); and

(B) categories of covered positions described under paragraph (3)(C); and

(5) any other recommendations relating to covered positions.

SEC. 6. EFFECTIVE DATE.

(a) **PRESIDENTIAL APPOINTMENTS NOT SUBJECT TO SENATE APPROVAL.**—The amendments made by section 2 shall take effect 60 days after the date of enactment of this Act and apply to appointments made on and after that effective date, including any nomination pending in the Senate on that date.

(b) **DIRECTOR OF THE CENSUS AND WORKING GROUP.**—The provisions of sections 3 and 4 (including any amendments made by those sections) shall take effect on the date of enactment of this Act.

PROVIDING FOR EXPEDITED CONSIDERATION OF CERTAIN NOMINATIONS

The **PRESIDING OFFICER.** Under the previous order, the Senate will proceed to the consideration of S. Res. 116, which the clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 116), to provide for expedited Senate consideration of certain nominations subject to advice and consent.

Mr. **BOOZMAN.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **ISAKSON.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

REMEMBERING SENATOR RICHARD BREVARD RUSSELL

Mr. **ISAKSON.** Mr. President, I rise for a moment—and I will be joined shortly by my colleague, the senior Senator from Georgia—to pay tribute to a great American who passed this Earth 40 years ago on January 21, 1971. His name was Richard Brevard Russell, Jr. He was one of the handful of Senators everybody and every historian rates as the finest of the Senate. He was a great Georgian with an interesting past.

He was elected to the State legislature in the 1920s and rose to be the speaker of the house of representatives in the State of Georgia. He then went on to be Governor of the State of Georgia from 1931 to 1932. During that time, he served as Governor at the same time another gentleman was serving as the Governor of New York, Franklin Delano Roosevelt. They became good friends.

President Roosevelt even became a constituent of Senator Russell's because, with his affliction, the springs of Warm Springs, GA, were where then-Governor, soon-to-be-President Roosevelt would come to heal and get better and thank his good friend, Richard Russell, for his support. It was that relationship that brought Richard Russell to be one of the first Governors in the United States to come out and endorse Franklin Roosevelt to be President of the United States.

In his career in the Senate, Richard Russell served with Franklin Delano Roosevelt. He served with Harry Truman—8 years side by side with Harry Truman. He served under President Dwight Eisenhower. He served under President John F. Kennedy. He served under Lyndon Johnson. In fact, in just a minute I will explain why he made Lyndon Johnson who he was. He finally passed away under Richard Nixon's first term as President of the United States. But back for a second to Richard Russell and Lyndon Baines Johnson.

Lyndon Baines Johnson became the President of the Senate and later became the President of the United States. In his own words, Lyndon Johnson credits Richard Russell with being the strength of his career as a Senator. In fact, so great was Senator Russell's control of the Senate that in a quote by Powell Moore, his press secretary, a few years ago, he said: When President Kennedy gave advice to newly elected Senators, he said the following:

If you want to learn how to be an effective Senator, you should start by going to see Dick Russell.

That is exactly what Lyndon Johnson did.

So good a friend of Lyndon Johnson was Richard Russell that every Sunday

night in their careers in the Senate, Lady Bird would have Richard Russell over at the house to cook him dinner just to thank him for what he had done the week before for Lyndon Johnson. As Lyndon Johnson grew in power, he kept beside him Richard Brevard Russell of Georgia.

Richard Brevard Russell of Georgia is the greatest Senator who ever served from our State. Senator CHAMBLISS and I will be the first to tell you, we are way back in the back of the line when you compare our record to his record. He was a great Georgian. He was a great American.

When I was elected to the Senate and was asked to pick an office, I said: The only requirement I have is it be in the Russell Senate Office Building because I wanted to serve in the same building, named after the greatest Senator ever to serve from our State.

So on the 40th anniversary of his passing, I want to leave this Senate floor by reminding America we had a great Senator from Georgia whose lasting contribution to our country is indelible in the hearts and minds of our people: Richard Brevard Russell, a great American, a great Georgian, and one to whom all of us owe a great deal of thanks and a great deal of credit.

I yield back my time.

The **PRESIDING OFFICER.** The Senator from Alabama.

Mr. **SESSIONS.** Mr. President, I thank Senator ISAKSON and appreciate his eloquent remarks on one of the great American public leaders, Richard Russell. I am honored to be in the Russell Office Building myself.

BUDGET CRISIS

Mr. President, I am deeply concerned about where we stand now with the budget crisis we are facing. We have no budget action that has been undertaken in the Senate. We have not done our bit. The House has passed a budget, a 10-year budget that is historic. It is honest. It will actually change the debt trajectory of America. But the Senate has not done anything.

Secret meetings are occurring. We are not told what is going on in those meetings. The deficit is clearly the largest issue facing our country at this time, I believe. Except for matters of war, it is the biggest issue, clearly, in the 14 years I have been here.

We are on an unsustainable path. It cannot continue. Every expert has told us that. But we remain not focused in any public way on how to solve it. Just meetings and leaks are occurring. Admiral Mullen, Chairman of the Joint Chiefs, said that the debt is the greatest threat to our national security. So this extraordinary fiscal crisis is facing us. Yet this Chamber has done nothing about it. We are borrowing 40 cents of every \$1 we spend. In 3 months our gross debt will be larger than our entire economy. Our Nation's staggering debt is already costing millions of jobs

because when you have a debt that is equivalent to 90 percent of your economy, it reduces growth by 1 percent. We are now at roughly 95 percent, going to 100 percent before the year is out.

More than 22 million Americans are out of work. A majority of Americans now fear the next generation will be worse off than theirs has been. In just 5 weeks, we are told we will reach the firm deadline on our Nation's \$14.3 trillion debt. Then major reductions occur unless action is taken.

The Republican House has set forth their plan, but the Democratic Senate has not done so. This year the Senate has not produced a budget, has not met to work on a budget, and has not passed a budget in 791 days. We have not had a budget in 791 days. During that time we have increased the debt of the United States by \$3.2 trillion and have spent over \$7 trillion.

On the Senate floor we spend week after week on bills that have little or nothing to do with this increasing danger to our economy. We name courthouses and post offices, but we do not deal with the gathering financial storm. Now the Senate is scheduled to take a week off, to go into recess to celebrate the Fourth of July, Independence Day. We unite as a nation on that day to celebrate our heritage and way of life—a way that has been earned through hard work, responsibility, and sacrifice.

Before the Memorial Day recess, I presented to the majority leader a letter signed by 46 Republican Senators stating that we should not recess for the Memorial Day week but remain to do the work we need to do on our budget and financial plan.

Rather than face a vote on adjournment the leader opted for a series of pro forma sessions where the Senate gavels in, only to gavel out moments later, having once again not done any work. Rather than vote on it, that is what they decided to do.

So I renew today my request in that letter. We also owe the American people an honest, open debate on the debt limit, the debt ceiling we have. This should not be talks behind closed doors by only a few Senators, Congressmen, maybe the Speaker, the Vice President, or now maybe the President. Are they the ones to decide this? Aren't we all elected to do so?

Then should we be faced with a situation in which this small group, having produced what they consider the perfect deal, brings it to the Congress and demands, in a period of panic and fear, that it must be passed without any significant amendment or the country would have a crisis?

We have seen that before. Is that good business? I do not think so.

It is astonishing that we are so close now to the deadline we have been given without the Nation's President, our

Chief Executive, having set forth a proposal on what he thinks we should do and should be included in a debt limit bill. Shouldn't the President tell us that? He presides over the executive branch. All of the Cabinet people work for him. He has a 500-person Office of Management and Budget. We have a small staff on the Budget Committee where I am ranking member. Shouldn't he be providing some leadership, like Governor Christie, Governor Cuomo, Governor Brown, Governor Bentley in Alabama? Shouldn't we expect that?

The only concrete fiscal plan we have from the President is his February budget, which proved to be the emptiest promise of all, the most disappointing document. We were told by the President that his plan would not add more to the debt. In reality, it would grow the debt, if passed, by \$13 trillion, doubling the entire debt of the United States again in the next 10 years. It would spend more than current spending projections. It would tax more and run up the debt more than current expected expenditures. It is an irresponsible budget.

So it is this kind of rhetoric that makes those of us in the Senate who are working on these issues concerned. We would need to see what the proposal is and have time to evaluate it. So I am calling on the President and the Vice President to make public the proposals they discuss during these secret meetings, including the tax hikes they have proposed. If they believe in these tax hikes, let the American people see them. Let's count up what it really means and let's evaluate them. Maybe there will be enough votes to pass that. I doubt it. Let the Congressional Budget Office provide an estimate of what the spending alterations and the tax alterations will be. Let the Budget Committee meet to address the impact of these proposals. It is time to remove the blindfold.

Since the election in November, the Congress, divided between a Democratic Senate and Republican House, has seen an increasing reliance on closed-door meetings to resolve our greatest public challenges. In so doing, I think Congress has once again ignored the public will. Ultimately, our challenges can only be solved through the Democratic process. Let's hold votes—dozens if necessary. Let's hold hearings. Let's have an open debate. Democracy may be messy. It may be contentious. But it is the best system we have and the only system that works.

The House Republican budget cuts \$6 trillion in Federal spending over the next 10 years—\$6 trillion. Let's hold votes to see whether the Democratic Senate is willing to reduce the spending that much. If not \$6 trillion, than what about \$5 trillion or \$4 trillion?

The simple reality is that the American people expect us to reduce spend-

ing the way their cities, counties, and States are doing this very minute. They do not expect us to raise taxes to bail out Washington for reckless spending by raising taxes on the American people. Economic studies show again and again that spending cuts, not tax hikes, will result in greater growth and more successful debt reduction to make America competitive in the 21st century. We need a smaller, leaner, efficient government, not a heavy, more burdensome Tax Code.

So let's have the debate. Let's have it out here in the open. And let's allow the American people to participate and help decide. But until we work on a budget, until we work on the debt limit, until we work on the people's business, we do not have a right to go home and adjourn with a looming deadline—supposedly August 2—by which decisions have to be made. I believe to do so would be to fail the public.

This debt is the largest challenge of our generation. We have to meet that challenge. I don't believe it can be met by a small group of people meeting in secret. We need a national discussion about the threats we face. I have seen the studies in China, New Zealand. New Zealand had 22 years of deficits. They have had 16 years of surpluses since they made a national decision to get their finances in order, and the economy has grown far above the world average. That is what we need to be doing here. That is what our States, cities, and counties are doing.

I appreciate the opportunity to share these remarks. We have to rise to the occasion and face the defining issue of our time and put our Nation on a path to growth and prosperity and job creation, not a path to decline.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Georgia.

REMEMBERING SENATOR RICHARD B. RUSSELL

Mr. CHAMBLISS. Mr. President, I rise today to honor the life and commitment of Senator Richard B. Russell to the State of Georgia and to our Nation.

Senator Russell died on January 21, 1971, 40 years ago as of this past winter.

Senator Russell devoted 50 years of his life to public service as a state legislator, as Governor of Georgia, and as U.S. Senator. I take great pride in recalling before this body the lasting imprint on the history of Georgia, the U.S. Senate, and our Nation that Senator Russell left behind. He was a natural-born leader who had the persuasive ability to unite men, a quality which aided in his rapid rise to positions of political power. He will be remembered as the most prominent of politicians of his time.

He began service in public office early in his life, serving in the Georgia House of Representatives at the age of 24. That was in 1921. His composed demeanor and civil nature quickly led to

his nomination for Speaker of the Georgia House a few years later. He was the youngest Speaker ever elected in the Georgia House. Under Russell's guidance, the State of Georgia saw drastic improvements in the organization of State government. He went on to win the largest majority in the State's history for the election of Governor in 1931. It was in the midst of our Nation's most devastating economic downturn, and he was only 33 years old.

Despite all this, he succeeded in guiding Georgia out of the Great Depression. Through his tremendous efforts to promote economic development, he was ultimately able to create a balanced budget for the State.

His time in office is recognized as being one of the most significant eras in Georgia's history, creating economic relief for the State after only 18 months in office.

The powerful economic impact left behind by Senator Russell is still felt in Georgia today through many of the Federal facilities he brought to our State, as well as through the piece of legislation closest to Senator Russell's heart, and to my own: The National School Lunch Act.

He was sent to Washington by Georgians to serve in the U.S. Senate in 1933, making him then the youngest member ever to serve in the Senate. Senator Russell came to be one of this body's most respected members ever. He was looked upon by his colleagues for his leadership, integrity, equality and intellect. His colleague from Mississippi, Senator John Stennis, was once approached by a tourist, who told him he would like to see the Senate and asked him how to go about it.

At that moment, Stennis spotted Russell walking down the other end of the hall. Stennis told the tourist he could go to the Capitol to see the Senate Chamber, but if he really wanted to see the Senate, he should take a look at the man walking down the hall. "He represents the living embodiment of United States Senate," Senator Stennis said.

During his time in office, his powerful position as chairman of the Senate Armed Services Committee aptly rendered him the label of "Mr. Defense," a role for which he will continue to be remembered. He was known as one of the Nation's leading experts on military and defense policy, acting as adviser to six Presidents, valued for his knowledge and judgment. He was called "a great patriot who never failed to facilitate the United States when its security was an issue" by President Nixon.

In a dedication speech given on this very floor 15 years ago, Senator Sam Nunn recalled Senator Russell's "strong belief in the independence and co-equal role of the Congress of the United States" and his "insistence that he had not served under six Presidents, but rather served with six Presidents, a real difference."

Russell later served as this body's senior Senator, becoming President pro tempore of the Senate, putting him fourth in line to the succession of the Presidency. But beyond all of his accomplishments, what truly set Senator Russell apart from other men was his commitment to civility. He demonstrated his fair and conscientious nature on many occasions, most notably as he presided over the 1951 dismissal hearings of GEN Douglas McArthur, a time in which his judicious handling of such a volatile event did much to diffuse an explosive situation. He effectively navigated the bipartisan barriers of the Senate through his unrelenting civility and trustworthiness, and, of course, his humor.

Once, when he was in need of a tailor, he asked his good friend, then-President Johnson, for a recommendation. Johnson gave him one, so Russell sent his suits over to the man. When the bill arrived, he just stared at it, dumbfounded. "No wonder this country is going to hell if the President is willing to spend this much just to fix his suits!" he exclaimed.

When I was first elected to the Senate in 2002, the Dean of the Senate at that time was Senator Robert Byrd, who sat right on the aisle across the way.

I will never forget that the first day, as I was sworn in, I went over and introduced myself to Senator Byrd, who was so well respected by everybody on both sides of the aisle and is without question the greatest historian within the Senate that the Senate has ever had, and he looked up at me and said, "You hold Senator Russell's seat." I said, "Yes, sir. That's right." He said, "My favorite Senator was Senator Richard Russell."

From then on, every time I would walk by Senator Byrd's seat when he was there, he would stop me and he would give me another anecdote about Senator Russell, about their close relationship, and about what a huge impact Senator Russell had on our Nation and on this institution during his 32 years of service.

Senator Russell devoted his life to public service with only one desire: to be remembered as an honorable man. We can all agree that his legacy more than fulfills that objective. His name lives on in our own Russell Senate Office Building and throughout the State of Georgia, giving evidence to the amount of honor deservedly bestowed upon this great man. His leadership skills, his honest dealings, and his fairness to both sides in an argument created a remarkable representative for the people he served. He was an unfailing champion in Washington, and a revered statesman of Georgia for more than 38 years.

The epitaph on his tombstone, at his home place in Winder, GA, is a simple carving: "Richard B. Russell, Jr.—Sen-

ator from Georgia—1933–1971." Mr. President, that says it all.

There is only one Member of our body today who served with Senator Russell; that is, Senator INOUE. Senator INOUE has again, just like Senator Byrd, given me very many fond memories of Senator Russell.

It is a pleasure to serve with Senator INOUE. I wish I had the opportunity to serve with Senator Russell because he truly was a great patriot, a great American, and a great champion for this institution.

I believe all of us here today can learn from the life of one of the greatest Senators in this body's 200 year history.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MONTANA FLOOD HEROES

Mr. BAUCUS. John Wooden, the legendary UCLA basketball coach who has won more Division I NCAA championships than anyone else, once said, "Do not let what you cannot do interfere with what you can do." It takes teamwork to win 10 championships. I rise today to recognize the remarkable teamwork, championship level teamwork, that we are seeing back home in Montana during these floods.

This is the third time I have come to the Senate floor to share stories about the remarkable actions taken by regular folks across Montana. Their teamwork is making a huge difference. John Wooden would have been proud to coach this team. This is a championship team. And we need this kind of teamwork. Flooding continues to damage property and disrupt lives across Montana. The President has issued a major disaster declaration. Warm weather threatens to unlock water stored in record levels of mountain snowpack. The whole time I was at home, I had never seen anything like this, so much snow, yet melting so quickly.

The chart to my left is part of Wolf Point, MT. Wolf Point sits along the mighty Missouri River on the Fort Peck Indian Reservation. Floodwaters hit hard and hit fast, forcing 40 families from their homes. Many are still unable to return.

Darrin Falcon, pictured here, is the director of the Roads Department. He has used his expertise as an engineer to help his neighbors on projects of every scale. He constructed berms and dikes to prevent floodwaters from damaging more homes. He delivered sandbags to

residents to protect major public infrastructure.

In one instance, an elderly neighbor was stranded; 300 feet of roadway around his home was underwater. Falcon went right to work and helped build a new road so his neighbor could spend that night at home. Falcon's work ethic and willingness to help make him a real Montana hero and is something to observe.

The Milk River has been dumping water into Glasgow for weeks. Floods have washed out roads and damaged bridges all across Valley County. County roads supervisor Rick Seiler and Wayne Waarvik have worked endless hours to keep roads open and residents safe after the Milk River burst its banks.

In a crisis such as this, roads are lifelines. Roads mean access to a doctor. Roads mean groceries and fresh water. Rick and Wayne, teaming up with the whole Valley County road crew, went above and beyond to keep these vital lifelines open.

Meanwhile, across town, Tanja Fransen, a meteorologist for the National Weather Service, was taking extraordinary steps to help her friends and her neighbors.

This is Tanja.

She would never abandon her post. She served as the voice of the National Weather Service across northeastern Montana. Tanja knew her neighbors; she knew they depended on her for the latest weather reports. Beyond that, of all things, Tanja, despite a broken leg in a cast, spent hours filling sandbags to protect homes along Cherry Creek. She went above and beyond the call of duty to make sure her friends and neighbors were equipped with the information they needed to stay safe throughout the disaster.

Tanja, I might say to you: Take some time out and let that broken leg heal.

Tanja asked that the entire team at the National Weather Service in Glasgow be recognized. That is just how generous she is. She did not want recognition for herself—it is her team. Working together, they helped Glasgow weather these difficult floods.

In Billings, MT, floods have left dozens of families without homes.

In a normal week, Jeff Rosenberry spends his time as assistant director for housing and student life. He makes sure students at MSU-Billings have a safe and comfortable place to stay during the school year.

This month, Jeff had extra work—work he very much enjoyed doing. Jeff stepped to the plate. He converted a resident hall into a home away from home for displaced families. I saw it and was very impressed. Jeff worked 15-hour days to make sure everyone felt welcome. He delivered food and water to hungry families. He also made sure everyone had the latest information about the floods. Ask anyone on

the team helping these families, and they will tell you Jeff was the team captain. His hard work and generosity will long be remembered. The families who needed a place to sleep, of course, will never forget Jeff and his efforts.

Finally, the teamwork between our local disaster and emergency services coordinators and crews has been extraordinary. DES coordinators are the go-to leaders to help their communities respond to and recover from floods. They are the first to be called to help and the last to leave.

Montana's disaster and emergency services teams have been working non-stop. They are a model of public service. I hope Montanans everywhere will reach out and shake their hands, e-mail or write a letter and thank these heroes for their service. These remarkable Montanans remind us that sometimes it is all about teamwork. We are the strongest when we work together.

I am proud of these stories. I am asking Montanans to share their stories of ordinary folks doing extraordinary things for friends and neighbors, whether on Facebook, call my office—whatever works. We want to hear these inspiring stories because we want to help bring Montanans even closer together, showing we are working together.

Someone once observed that Montana is a big State, big geography, but not a lot of people. Montana is really one small town. We know each other—one or two degrees of separation. We know each other, and we are there to help each other. We are spread out in space but together in spirit.

In closing, I would like to share a humble thank-you for all Montanan heroes back home. I don't know what we would do without you. Thank you so much for your service.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NATIONAL DEBT

Mr. BLUNT. Mr. President, I am pleased to have a chance to talk about the work I think we should be doing this week and surely will do in the weeks to come. We are really discussing who we are going to be as a country, what model we are going to follow. Are we going to continue to be a country that believes we need to help create opportunity or are we going to be a country that believes the government needs to continue to accept more and more of the challenges of life?

Our debt today is over \$14 trillion, and apparently that is not enough, so every discussion in Washington, includ-

ing some that you are in, is focusing around the idea of how do we get even more ability to borrow more money so we can pay off the money we have already borrowed. There are 13 million Americans out of work today, looking for a job, and during that process we continue to spend money we don't have for things we don't have to have.

I think we ought to be focused totally on two things domestically right now. At the top of every list should be what do we do to create more private sector jobs and how do we get Federal spending under control. The Federal Government doesn't create private sector jobs in very many instances.

By the way, if we are going to have something we are going to be paying for 30 years, I hope we are investing in something that will last for 30 years.

But the most the Federal Government can do that impacts jobs is create an atmosphere that takes all the uncertainty out of the decisionmaking process. There are enough risks in creating jobs without having the additional risks of how fast can the utility bill go up, how high will the taxes be, and what new unknown regulations are you going to have to deal with. Frankly, those are the wrong messages in all three of those areas right now if you hope to be focused on the idea of how do we create jobs for those 13 million Americans who are looking for jobs and better jobs for the Americans who have jobs. What are we doing to encourage private sector job creation for the future?

We are now spending at the Federal level almost \$1 out of \$4, right at \$1 out of every \$4 that the economy can create in goods and services. The number for 40 years, ending in 2008, was \$1 out of \$5. There is a lot of difference in an economy—who competes for that dollar that the Federal Government is now spending that for 40 years was available for somebody else to get their hands on and use to create opportunity for somebody else? We have to get that under control.

The Cochairs of the President's own fiscal commission say we are looking at the most predictable economic crisis in the history of the country. There is a train moving down the track to a destination nobody wants to go, and it continues to move at that same speed. It is totally predictable. It is something we have to do something about, and we cannot continue to spend somewhere between \$3.7 and \$3.8 trillion in this spending year and collect \$2.2 trillion.

I have said on this floor before that I am not sure anybody really has a good grasp of what \$3.8 trillion is. But we do know that if you are making \$22,000 and you are spending \$38,500—oh, and you have already borrowed all the money anybody really should have ever loaned you—you have a problem you cannot deal with for very long without changing behavior.

That behavior has to change. It has to change in ways that look at the programs where we, up until now, have just been able to define who benefits from the programs without any real controls over how that money is spent. This year, the \$2.2 trillion that I mentioned the Federal Government collected, that all was spent by the programs that we normally do not even appropriate money for because we have defined who gets that money. For the first time ever, those programs exceeded all the money that came in.

Most of those programs, of course, are the big programs we want to be sure are there as safety nets for people who have been told they need to rely on them. I think about 80 percent of that side of the budget is Medicare and Medicaid and Social Security. We need to see what we can do so those programs continue to work. But if all of that side of the budget spent all of the money, that means every other penny the Federal Government spent for an air traffic controller; for somebody to open the gates to a national park; sadly, for somebody to put on a military uniform or to put a gallon of jet fuel in a plane or to buy a gallon of paint for a ship—that was all done with borrowed money. We are defending the country on borrowed money. The No. 1 obligation of the Federal Government is just that. We have to figure out what to do to structurally begin to define how we spend the money that comes in and to make sure we don't spend more money than comes in.

That is why I am supporting the balanced budget amendment. I think we need to spend a lot of July talking about what we do to get this budget back in balance, how long it takes, and I look forward to that debate being the principal debate of the next month.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I have been listening very carefully to the remarks of my friend about what we have to do, what is in front of us. Of course, he is speaking for the Republican Party for a balanced budget amendment to the Constitution.

Let me say this: I want a balanced budget. That is what I want. I don't need an amendment to the Constitution to get me to vote for a balanced budget. What I want is for all sides to come together—that is what I want—and write a balanced budget. I want us to do it in a way that is responsible and do it in a way that is fair and do it in a way that protects our middle class, protects our kids, and stimulates economic growth by making smart investments and cutting out spending in areas we don't need it.

So all this yak about a balanced budget amendment—and I call it that, and I apologize if it sounds as though it is a derogatory term—it is just so much talk. Let's get to it.

I think we ought to go back to the people and the party that was the only party and the only people to balance the budget in 40 years. I hate to break it to my Republican friends, but that is the Democratic Party. We are the ones who did it. We did it when Bill Clinton came into office. We did it after hard work. We did it after painful cuts. We did it with smart investments. We did it with everybody paying their fair share, and we didn't need a balanced budget amendment to the Constitution to do it. It is a gimmick. We need a balanced budget, not a balanced budget amendment.

Let's look at what we did the last time this country ever had a balanced budget. Lucky for us, it wasn't that long ago. Lucky for us, a lot of us are still here who made that fateful vote. We didn't have one Republican voting for that budget, and when they came to the floor—I have all the quotes, chapter and verse—they said: This is horrible. It will never balance the budget. This is going to lead to a depression. This is the worst thing. But we know what happened. We not only balanced the budget, but we had a surplus. We not only had a surplus, but the debt was going down so fast we thought we would never have to have Treasury bonds again. On top of that, we created 23 million jobs.

So I hope the public understands, when they hear Republican colleague after Republican colleague come to the floor saying we need to stay in all through July—fine with me. I will stay here through August. I will spend the night in the cloakroom, I don't care. Let's not talk about a balanced budget amendment to the Constitution. Let's talk about doing the hard work of balancing the budget. The way we do it, again, is to follow the lead of the plan that was laid out by President Clinton and which worked in the most amazing way beyond our greatest expectations.

What did we do? We looked at this deficit and we said: This is unacceptable. We went after programs that made no sense and we cut them. We either eliminated them or we cut them back. Then we asked: What are some investments we could make that would actually stimulate the growth of the private sector? I thought my friend, Senator BLUNT, was right. That is what we need to do. We need to stimulate growth in the private sector. At that time, the investments were on the high-tech side—high tech, biotech. Today, clearly, it is clean energy. That is what the whole world wants. That is where we ought to be leading. That is what our President knows. So we cut out programs that don't make sense. We invest where it makes sense to create jobs and then guess what we do. We make sure we have enough revenues coming in to pay for the priorities.

I have news for my Republican friends. It is not that hard. Go after the

billionaires. They can't get themselves to do it, can they? Go after the billionaires and the millionaires, the people who aren't paying what they should be paying. But when the House had its chance, what did it do? It allowed the biggest tax breaks ever to continue for the billionaires and the millionaires and they killed Medicare. Medicare is gone. It is becoming some kind of a voucher program, where we can imagine some 90-year-old woman who is suffering from disease has to now go out and try to find out where she can buy an insurance plan. Tell me who is going to cover her, A; and, B, tell me if she has the strength to do that; and, C, her Medicare benefit no longer goes to her. Who does it go to? It goes to the insurance company. That is the plan the Republicans passed in the House, and they cut everything that is near and dear to the hearts of the American people. In addition to Medicare, they cut education. They cut funding for clean air, clean water. Highways they cut by a third, and here they talk about jobs on the other side, private sector jobs. The highway bill creates thousands and thousands and thousands of jobs in the private sector. They cut that bill by 36 percent.

So when I hear my Republican friends talk about the importance of balancing the budget and they are talking about a balanced budget amendment to the Constitution—why don't they show us their balanced budget? Because the one they showed us from the House was such a disaster that they lost a congressional seat they held for eternity. It is easy to talk about a balanced budget amendment. It is harder to balance the budget the fair way, and that is what we have to do.

My friend, Senator BLUNT, also talked about the importance of jobs. He is so right. I just ran for reelection. Jobs, jobs, jobs, the top three issues. Guess what. My Republican friends have filibustered every single jobs bill we brought to the floor. The last jobs bill is one I am very familiar with because it is a bill that came out of my committee. The whole committee voted, with one dissenting vote, for the Economic Development Administration to give seed money to areas in the country that need job creation and attract \$7 of funds for every \$1 of Federal money. It would have created 1 million jobs over 5 years. They filibustered it. They added amendments about the prairie chicken. They added amendments about things that had nothing to do with it, just to bring it down. They didn't even have—what is the word I am looking for? They didn't even speak against it when they voted against it at the end of the day. They didn't even come to the floor because they had nothing to say because it is a jobs bill, because it has passed every Congress since the 1960s. The last time it passed,

it passed without a dissenting vote in the Senate in 2004 because the last President who signed it was George W. Bush. It is a jobs bill. They said no. Why? I go back to what their leader said. His top priority? Beating President Barack Obama. So we have to figure they are bringing every jobs bill down so this economy gets worse.

Let me tell my colleagues, it is not going to go down easy at home. It is not going to go down easy at home.

They killed a bill that MARY LANDRIEU brought out of her committee unanimously, a small business bill. It would have created thousands of small businesses. They voted it down. That bill was written by Warren Rudman, a Republican Senator. They voted it down. They filibustered it and voted it down. Why? They say jobs are their top priority. Why would they vote down a bill that was written by a Republican, that is passed without objection year after year after year? Why would they vote down another bill that was last signed by George W. Bush without a dissenting vote in the Senate? Why? Two jobs bills. Why? We have to ask ourselves why. Maybe they are willing to sacrifice jobs for political reasons. That is all I can come up with. I put that together with what MITCH MCCONNELL said.

Now their big push is a balanced budget amendment to the Constitution—a lot of talk. Balance the budget, folks. We know how to do it. End the wars. That is \$1 trillion over 10 years. Go after the millionaires and the billionaires who don't pay their fair share. That is another \$1 trillion over 10 years. That is \$2 trillion, right there. Go after the people who never pay their taxes. Go after the oil companies that are ripping us off at the pump and taking the highest profits ever. It is not hard to do. Yes, we are willing to cut some things that don't make sense. We could have a \$4 trillion package pretty easily if we are willing to look at it in a fair way.

I heard our President today speaking to the Nation through a press conference, and he was very sweet about this issue. I was saying to Senator DURBIN, as I watched him, he is explaining it to the people. Everybody has to give up something. If we want bipartisanship, that doesn't mean we all get what we want and somebody gets nothing. It means I give up some of the things I want and they give up some of the things they want. But we have declarations by the Republicans: We will never ever agree to any new revenues. Why? They just voted to eliminate the ethanol subsidy. That brings revenues. So why would they not take that to the table? How can they believe it is fair that billionaires sometimes pay less in terms of the effective tax rate than a secretary or a teacher or a nurse?

Come on. Come to the table. Don't come to the table with a balanced

budget amendment to the Constitution. That doesn't do anything to balance the budget. It is a lot of talk. Balance the budget. Put a little faith in the people who know how to do it who did it before.

I was proud to vote to balance the budget. I was proud to vote for a fair budget. I was proud to be here when we saw 23 million jobs come. That didn't happen because we just said: Cut, cut, cut, cut, cut. End Medicare as we know it. It came because we were willing to look at what was working, what wasn't working, where to make the investments, where to make the cuts. We have to come to the table with everything on it. We have to say we are willing to listen to the other side. We need a fair plan. We have that as Democrats. We are not going to end Medicare. We are not going to hurt working people. We are going to do this in a fair way.

I hope the American people will put this together and connect all the dots. We have a Republican leader who has said on more than one occasion the most important thing is to defeat Barack Obama. We have a Republican Party that says it is for jobs and filibusters every single jobs bill that in the past they have broadly supported. We have Republicans walking out on the Vice President, taking their little teddy bear and their blankies and walking out of the negotiations because they didn't like the way the discussions were going. They walked out. Then, my friends on the other side—and I thought Senator BLUNT was very eloquent on the point. He said we need two things. We need to work on job creation in the private sector—and I just showed that despite the language, they voted everything down—and then we have to take uncertainty out of the equation. That was his big point. He is so right. How do we take uncertainty out of the equation? Do not play politics with the debt ceiling. Do not play politics with it. Because I have read what economists say, that if we do not do this right, and we do not agree, and the debt ceiling becomes a victim of this partisanship, Treasury bonds of the United States of America will be junk bonds—will be junk bonds.

So you want to play games? Go home, go on the corner, and I will play you a game. But do not bring it in here. It is too serious. This is the greatest country there ever was.

My parents, one of whom was born outside of this country, told me that I should kiss the ground of America. And how proud I am that I am here. But I will tell you, if I see people who are willing to turn U.S. Treasury bonds into junk bonds, I am going to do everything I can in my life to make sure those who have done this will not be nameless or faceless. It is too important.

The fact that we are even playing these games is ridiculous. The fact that

we cannot come together and shake hands and say this budget deficit is terrible, we are going to deal with it, we are going to deal with the debt, we are going to do what we did under Bill Clinton, we are going to balance the budget, we are going to create a surplus—we can do this. You shake hands on it. You have the parameters of the deal. You pass a debt ceiling that is clean. You send a message to the market.

I used to be a stockbroker. When the President would sneeze, the market would go down 200 points. That is how the market responds to these things. We do not have to be playing with the stock market, with the full faith and credit of the United States of America.

It is pretty simple if everything is on the table. If all you want to do is destroy Social Security and Medicare, it is not simple. But if you are willing to talk to us, to have a fair taxation system, where the Warren Buffetts of the world are at least paying as much in an effective tax rate as a nurse, there is something to talk about here. But do not go walking out of discussions and going home because you did not get 100 percent of what you want. Life does not work that way.

I speak as a mother, a grandmother, a Senator from the largest State in the Union when I say this: You do not get everything you want in a negotiation. The Republicans control the House. The Democrats control the Senate. The Democrats control the White House. Correct me if I am wrong: two-thirds Democratic. In a fair world, we would get two-thirds of what we want. But we are going to give up more. It ought to be a 50-50 deal. That is how you negotiate.

This is a tough time. If the other side thinks a balanced budget amendment to the Constitution balances the budget, it does not. You have to do the hard work of balancing the budget. You have to sit down in this tough time, in a tough, fragile economic recovery.

Remember when President Obama took over, we were bleeding 800,000 jobs a month. He had to handle two wars, unpaid for by George W. and his friends; a tax cut, unpaid for, to the richest people in America. He had to deal with a banking system that was frozen solid. He had to deal with an automobile industry that was going out of business. We had to work, and a few brave souls from the other side of the aisle worked with us, thank God, or who knows where we would be today.

And now, when we are finally moving out of this nightmarish economy—not quickly enough—we have Republicans filibustering jobs bill, then coming down here and saying how important jobs are, and saying how important it is there is certainty, when they are playing games with the debt ceiling.

I am an optimist. That is why I stay in this world I am in, and I thank the

people of California for giving me the chance so many times. But there is a saying back home: Are you on the level? Are you on the level when you are in negotiations? Do you want to have a deal? Do you want to fix it? Do you want to work with us? I do not know when I see them filibustering jobs bills, when I see them walking out on the Vice President, when I see them saying: Oh, that is off the table, and this is off the table, and that is off the table, when they do not run this country. They run the House. I wonder: Where are we going?

When I hear people saying: What is the big deal if we do not pay our bills, if we do not lift the debt ceiling and we cannot pay our bills, what people have to understand is, lifting up the debt ceiling is not about the future payments, it is about payments due.

I said we had a balanced budget under Bill Clinton—and a surplus. We went into deficit mode when George Bush took over and did the tax cuts for the wealthiest among us, and did not pay for it, and did a prescription drug benefit and never paid for it, did two wars and never paid for them, and we got into big trouble.

What is the solution of my friends on the other side? We are walking out of the negotiations because we cannot talk about taxing billionaires or taking away corporate welfare from oil companies. God forbid. It makes me wonder, really, who is on the level.

We can do this. We did it before. It is not that hard. We just need people of good will. I will say to my friends on the other side: Forget the reelection of Barack Obama. Forget the next Presidential race. You will have your candidate and we will have ours, and that is for another day. Right now we are in this Chamber. We are talking about how to have a credible plan to get this deficit down, to get this debt down, to strengthen our economy, to strengthen job creation, to keep the middle class vibrant.

I hear some Republicans now on the Presidential trail talking about doing away with the minimum wage. Can you imagine going back to the days when the minimum wage was \$4 an hour? I remember when it was 50 cents an hour. It dates me a bit. That is what we hear from the other side. Their vision is not a good vision for the young people of this country who are looking forward to a life at least as good as that of their parents.

In conclusion, this is not a time to play games or reach for a political advantage. This is not a time to hold the future of this country hostage to some ideological agenda or some pledge that somebody signed to some political person outside of this Chamber. Pledges signed—it is not about that. It is about putting America first. It is about putting our families first. It is not about amending the Constitution with a bal-

anced budget amendment. It is about balancing the budget in a fair way.

The Republican plan that passed the House that started with PAUL RYAN did not balance the budget for 40 years. That is not a plan. We have to do better. But when you are willing, as they are, to say to millionaires and billionaires and trillionaires: You do not have pay your fair share, the revenues do not come in. What happens as a result, they have to kill Medicare—which they did in the House budget—they have to hurt education, make the Environmental Protection Agency a shadow of its former self.

I go out and look at polls. Eighty percent of the people want the EPA to stay out there and clean up the air and make sure we have safe drinking water. They want food inspections. They want air traffic controllers on the job. They want a next-generation air system.

This is the greatest country in the world. We do not have to walk away from our dreams. We just have to have everybody paying their fair share. If that happens, we can do this. And we need to end those wars that are so costly in so many ways. If we do those two things, we are on our way to a balanced budget. We are on our way to surpluses.

We can do this. The only thing standing in our way is politics. That is what it seems to me. If people think that more important than fixing this budget crisis is bringing down a President politically, we have a problem.

We take the oath of office, and we raise our right hand, we put our hand on the Bible, to be loyal to this country, to do right by this country. That is what we should be doing now.

If people want to stay in July, August, September, October, through Christmas, that is fine with me. But we have to have a plan that is fair. If we have a plan that is fair, we balance the budget. We do it over time. We do it wisely. We create jobs. Interest rates remain low. We can do it because we did it before. The only people who have ever balanced the budget in the last 40 years have been the Democrats. That is a fact in evidence.

We have the path lights showing the way. It is fairness on spending; cut the things that do not work; fairness on taxation; make sure billionaires pay their fair share. We follow that path. We bring home our troops. We are golden. I think that is a pathway I would like to support.

I yield the floor.

THE PRESIDING OFFICER (Mr. CARDIN). The Senator from Nebraska.

Mr. JOHANNES. Mr. President, I rise today to speak in favor of the balanced budget amendment.

Let me offer a thought or two as I get started today.

I had the privilege at one point in my political life to serve as the Governor of a great State, the State of Nebraska. I served in that capacity for 6 years. In

that capacity, as in virtually every other State, we had a provision in our constitution, and it was not a gimmick at all. It was a very serious statement. It said, in a very straightforward way: Thou shalt have a balanced budget. It was as simple and as straightforward as that.

The other interesting thing about my State of Nebraska is that in addition to having that constitutional provision—and keep in mind, part of my oath of office, as Governor, was to uphold that constitution—but part of that was a requirement, a mandate, that we could not borrow money. In fact, I think the limitation, if I am not mistaken, was \$50,000 or \$100,000.

I would say to people back home, when I was Governor, that probably was a pretty handsome sum of money more than a century ago when that constitution was passed, but, in effect, today what that meant was that when we got down to the business of balancing our budget, as required by the constitution, I did not have the ability as Governor to issue bonded indebtedness to go out and borrow against the full faith and credit of my State to balance that budget.

In fact, I will tell you today, I am not even certain the State of Nebraska has a bond rating because it is unnecessary. Very simply, we followed a philosophy that we would not spend money we did not have. So we did not issue bonds to build highways. If we did not have the money in the bank and planned for where the money would come from in the years ahead—if it was a multiyear project—we did not do it. We did not build them.

Many who may be listening to this will say: Well, my goodness, how would that work? Here in this country we have \$14 trillion worth of debt. Where would we be without all of that borrowing? In this last economic recession, the unemployment rate of Nebraska never rose over 5 percent. Today the unemployment rate in our State is 4.1 percent.

It never occurred to me that I should ever argue to the people of that great State that if they were successful, they should be punished for that success. Very much the opposite. I said: I want you to come to Nebraska, I want you to create your jobs here, and we are going to do everything we can to be your partner in that effort.

The current Governor has followed that same philosophy, and we often hear about those Governors who are doing a great job. I know of one; his name is Dave Heineman. He is the Governor of the State of Nebraska. He has balanced his budget, he has not borrowed money, and he has, during one of the toughest economic times since the Depression, under 5 percent. It is 4.1 percent today. He was my Lieutenant Governor.

At the national level, we did not follow that philosophy. I believe we are

now at a crossroads because for decade after decade Washington has promised too much. It has said over and over again we can be all things to all people. But the real truth of it is, it never said how it planned to pay for it. The result is, we face a financial crisis unlike any financial crisis that maybe our Nation has ever seen. Do not believe my words. This is being studied by the hour, by the minute, by the second.

A recent Congressional Budget Office report confirms the assertion. Last week the CBO released its latest economic forecast. It is kind of a report of where we are headed as a nation, and it is grim by even the most liberal economic point of view.

The Congressional Budget Office now predicts that debt held by the public will exceed 100 percent of our gross domestic product by 2021, if we continue the current policies. Twelve months ago, when they released the report, it was equally as grim—well, I should not say equal because the number I have just cited got worse by 10 percent in just 12 months. Our debt is rising exponentially, exceeding 200 percent by 2037, and at that point we might as well just stop making the projection. Just think about this: Our great Nation in 25 years will have so much debt that the Congressional Budget Office cannot compute it.

Erskine Bowles has said many times before that this is a crisis that is predictable. He was one of the Chairs of the President's own deficit commission. CBO went on to say that "growing debt also would increase the probability of a sudden fiscal crisis during which investors would lose confidence in the government's ability to manage its budget and the government would thereby lose its ability to borrow at affordable rates."

It is Erskine Bowles who has said this crisis is so predictable. CBO also found that in the next 25 years, Federal health spending will increase by 50 percent as a share of GDP while Social Security spending will increase by 20 percent. What is happening is predictable.

My generation—I am right in the middle of the baby boomers—is starting to access all of the promises that have been made. It is no longer an option for us to just simply say: A little nip and a little tuck here, and we all give a little, and it all works out. There is a mountain of debt clearly ahead of us, and we can either do course corrections or, believe me, we will perish.

I have no qualms about saying that both parties made mistakes over the years. This is a bipartisan problem. But for some to advocate even more stimulus spending—which we heard in the last couple of weeks, repeating the misguided policies of the last 2 years, adding more debt on more debt on more debt—defies logic and common sense.

If stimulus spending were the answer, our economy would be firing on all cylinders today. But, unfortunately, even with that massive spending plan, that stimulus plan of \$1 trillion when we add the interest, it has not yielded the results.

Remember the President's promise: We will keep unemployment under 8 percent. We just have to bite the bullet and spend all of this money. And here we are today with unemployment almost locked down at 9.1 percent. Just look at where our country was 2 years ago.

In January 2009, the debt was \$10.6 trillion. I would argue that was far too much 2 years ago. Today, it is over \$14.3 trillion and growing exponentially. We are talking about a 35-percent increase in our Nation's debt in 2 short years.

To put these numbers into perspective, today each U.S. citizen would have to pay \$46,000 to pay off our national debt. That is \$11,000 more than 2 years ago. Each American family—and I hope you are sitting down when you are listening to this—each American family would need to write a check for \$127,000 just to square up the books, just to get the debt paid off. That is not even addressing the spending that is out of control today.

Looking at unemployment, in January 2009 the unemployment rate was absolutely unacceptable at 7.8 percent. Today, after almost \$1 trillion of stimulus spending, unemployment has grown 17 percent, with almost 2 million more Americans who cannot find work notwithstanding their best efforts.

Maybe somebody is going to come down here and say: But there is other news you should be looking at. Well, I looked at some other news regarding health care costs. Contrary to the proponents of the health care overhaul, health insurance premiums for the average family have gone up 19 percent since 2009.

Put simply, doubling down on deficit spending has failed our economy. It has failed our American people. In fact, the President's plans have made it worse. So why would we want to repeat the same mistake? I thought raising the \$14 trillion debt limit was actually about reducing spending. Why would we arrange for a stimulus plan in order to raise the limit? Why would we be arguing for larding it up with more stimulus spending? When will we learn this hole we have dug for this great country requires us to quit digging?

There is no doubt that our debt problem is the defining issue of our time. I see two paths. We can continue to run up trillion-dollar deficits, operate the government with no budget—which has been standard fare for the last 790 days—double down on failed policy objectives that did not make any sense 2 years ago and have not improved with time, or we can be frank and candid

and honest that we have promised more than our economy can afford to generate.

I have heard the arguments: Just tax those rich people some more. In fact, I spoke about that soon after I came to the Senate. There was this idea that if a person made over \$250,000 a year, then they should be taxed more.

So I said: OK, if that is going to be the new mantra around here, just to balance the budget for a year, what would the effective tax rate have to be for everybody making over \$250,000 just to balance the budget? I am not talking about paying off the deficit, just to do what Nebraska has done for years and years, balance the budget without borrowing money.

I spoke about this on the Senate floor. The rate would have to be 90 percent. That was 2 years ago. It is probably worse now. If does not make any sense. Is that the kind of encouragement upon which our Nation was founded? That is not a pathway to solvency; that is a pathway to destroying a great nation. Only one path will provide future generations what I grew up with, which was a land of opportunity, an America that my parents believed if you just worked hard and stayed out of trouble you could do just about anything, two dairy farmers who caused their kids to believe that they could experience greatness in this great country.

Well, let's be up front and honest about the road that we need to travel as a nation. We can get there. Our Nation has such a proud history. It has faced so many challenges. It has looked adversity in the face, and it has forced it down. Each and every time our great Nation has risen to the challenge.

So as we reflect and pay homage to the history of this great country in the days ahead, let's use this as an opportunity to work toward a solution to this challenge of our time, our debt crisis.

As the CBO report indicated:

Waiting to address the long-term budgetary imbalance and allowing debt to mount in the meantime would make future generations worse off—

That is your children and your grandchildren—

although some current generations could receive a benefit from that delay.

So am I to tell my children and grandchildren, so that I can benefit from just pushing this down the road, kicking this can down the road, that my kids and grandkids will pay the price for this? They will have their own wars to fight. I wish they were not going to, but they will. They will have their own new pandemics to deal with, and on and on.

But, you see, I started my adult life with our Nation owing \$380 billion. In 5 years our Nation will owe \$20 trillion. It will not be canceled at my death. It will be owed by those next generations.

My hope is that we can come down here, that we can be honest about the overpromises that have occurred, that we can speak candidly about the need to put in place forever a requirement that says to every Senator who follows me that, as hard as it is, we must balance the budget. The only way we can do that is by doing what our States have historically done—including my great State—and that is what it says in the Constitution.

It is not accidental that this proposal gets so much support in our country because, to the average family, it is what they do every day. We in Washington must come to grips with this and do the same.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, may I inquire of the Chair what the status is on the bill? Are there pending amendments?

THE PRESIDING OFFICER. Currently, there are no amendments pending.

AMENDMENT NO. 521

Mr. COBURN. Mr. President, I call up amendment No. 521.

THE PRESIDING OFFICER. The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself, Mr. UDALL of Colorado, Ms. COLLINS, Mrs. McCASKILL, Mr. BURR, Mr. PAUL, Mr. BROWN of Massachusetts, and Mr. MCCAIN, proposes an amendment numbered 521.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prevent the creation of duplicative and overlapping Federal programs)

At the end of the resolution, insert the following:

SEC. ____ PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS RESOLUTION.

(a) **SHORT TITLE.**—This section may be cited as the “Preventing Duplicative and Overlapping Government Programs Resolution”.

(b) **REPORTED LEGISLATION.**—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”;

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

“(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mis-

sion, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

(c) **SENATE.**—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

“(b) The analysis and explanation required by this subparagraph shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

“(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of a significant disruption to Senate facilities or to the availability of the Internet or a bill or joint resolution is designated as ‘emergency.’”.

Mr. COBURN. Mr. President, about 3 months ago, one of the results of the last time we raised the debt limit was a report by the Government Accountability Office. Ninety-seven Senators in this body voted to put that in the last debt limit extension. What was that? That was a requirement for the Government Accountability Office over the next 3 years to list every program for us in every area so that we knew what we were doing.

The purpose for that amendment was—and that happened to have been my amendment. I went to the CRS and the Government Accountability Office and I said I want to know every program in defense, education, et cetera. They told me: It is impossible; we cannot do it. So collectively, as colleagues, we said that you will do this. It has been a big job. They have done a fantastic job on it thus far. I cannot wait until we get the second and third part.

One of the results in the first report the GAO gave to us showed close to \$200 billion worth of duplication. Those are my numbers, not theirs, in terms of looking at it. Let’s say I am twice wrong, and say it is \$100 billion. The fact is, what we found in just the first third of looking at the Federal Govern-

ment is that we have multiple duplicative programs that do exactly the same thing; they are just in different agencies or across agencies. In a moment, I will talk about what those are.

The response to that report was the greatest response GAO has ever had to any report they have ever listed. The curious thing about that is that 95 percent of what they reported was a culmination of reports I had asked for over the last 6 years put together, which means we had the information, as Members of Congress; we just would not use it. In other words, it didn’t get up to the level of being recognized. When we saw it together, we all of a sudden started seeing the magnitude of the problem of duplication.

The purpose of this amendment—it is very straightforward—is that on average the Senate considers, in a session of Congress, in a Congress over 2 years, about 700 pieces of legislation. The Congressional Research Service now writes a report on each one of those and advises us about the legislation, what it does, what it doesn’t do, and what is out there. But the one thing they don’t do is tell us where it duplicates.

The purpose of this amendment is that with each of those bills, we would have the knowledge the GAO has put out there, which the CRS will then go out there and say: Here is what is out there, and you need to consider that as you consider, why do we need another program to do something we are already doing? What is wrong with the programs we have now that are not accomplishing this?

This great transparency is not just for us but for the American people. We add duplicative programs every year. It raises the question, where is the oversight?

The motivations here are wonderful. The motivations are to try to solve problems. Too often, we lack the information and the knowledge with which to make a great decision. The reason we lack that is because we fail in our duty to do oversight. So this information which would be provided becomes powerful. More importantly, it creates tremendous transparency for the American public in saying, for example, if we are going to create another job-training program—we have 47 of them right now that are funded by the Federal Government across 9 different government agencies. None of them are coordinated and all but three overlap each other. If we create another job-training program, maybe we ought to know what all these others are and why we need to create another one rather than make the ones we have now work. I would actually question why we have 47 job-training programs. But the problem is big.

Let me spend a moment and put some highlights into the RECORD.

These are just highlights. This represents less than 10 percent of what the findings were of the last GAO report.

We have 101 programs for surface transportation. They are run across four different agencies.

We have 82 teacher quality improvement programs—82 separate programs across 10 different agencies, and they are not in the Department of Education. There are 10 different agencies—9 of which are outside of the Department of Education—that have teacher training programs.

We have 88 economic development programs run by 4 agencies costing \$6.5 billion a year—88 separate economic development programs.

We have 80 programs to provide transportation for the disadvantaged, across 8 different agencies. We spend \$314 million on it. That is a good cause, and it is something we can do, but 80 different programs?

We don't know what we are doing. So the purpose of this amendment—and it will require a rules change to have it—is to ask CRS to show what we are doing and what is there already, just as they analyze every other aspect of a bill before it comes to the floor. This won't be required on emergency legislation or required on committee reports or required on the filing of bills; it will only be mandated if a bill comes to the floor for consideration by my colleagues.

Let me finish.

We have 56 programs for financial literacy from 21 different agencies. Based on the talk we just heard from the last two Senators, we are the last people who ought to be teaching anybody about financial literacy when we are running the kind of deficit and debt we have and have the kind of duplication we have. Nobody who knows financial literacy would run 88 separate economic development programs and pay for the overhead of all of those through all these different agencies; rather, they would have 2 or 3 and have a concentrated program and direct the emphasis of that economic development program.

We have 21 programs for homeless assistance.

We spend \$62 billion on 18 different food and nutrition assistance programs. We only need 2 or 3, not 18. We need to have metrics measuring whether we are effective in helping people with food and nutrition.

We have bureaucracy after bureaucracy, and each of them doesn't know what the other agencies are doing. There is no coordination, and there is no measurement of the effectiveness of what we are doing.

CRS claims they don't have the manpower to do this. They have 350 analysts who do nothing but analyze legislation. This would require one analyst, one time a year, to look at the duplication on a bill coming to the floor—one

analyst, over a period of a year, one time, looking at it.

CRS is a great resource for me, and I want them to have the resources they need because the only way we get out of the bigger problems the Senator from Nebraska was talking about is having the knowledge of what we are doing today.

I hope my colleagues will consider this not as a partisan amendment but one to give us the information that gives us the power to make the best decisions for our country. We need to be making better decisions.

The final thing this will do is help us not create duplication again. It will let us know what we need to do; that is, before we pass it into legislation. I am so concerned as I look at bringing forward some options for my colleagues to look at in terms of solving our financial problems because everywhere I go, as we dig deeper into this, we see the duplication and inefficiency, the lack of direction, and the lack of pointed purpose to get an end result in program after program in the Federal Government. Some of those truly aren't our role, but on those that are our role, that we are responsible for constitutionally, it is the responsibility of the U.S. Congress and the U.S. Government—we ought to know what we are doing, and we ought to know what is being done out there already. We operate in a vacuum when we don't have this information.

It is my hope that my colleagues will support this in a way to give us information. There is nothing political about it. It is, how do we make better decisions and how do we do this in a way that will cause us not to create more duplication in the future, and it will cause us to ask the smart questions about legislation. You see, those questions don't get asked unless somebody goes and does the digging now.

My hope is that we would all be empowered by having greater knowledge over what we are doing. It is very simple and straightforward. It is my hope that we can accomplish that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from Oklahoma on his remarks and participation in this debate.

Before long, we should have—when ever the majority leader decides—a vote on the Coburn amendment. We are in a position on this resolution that relevant amendments are in order. At the moment, we don't have any others. If we don't have others, then we will proceed to the final bill later this afternoon when the majority leader decides we should do that. We passed the bill this morning with 79 votes. I will have more to say about this resolution in a moment.

I wish to say something that is directly relevant to what the Senator

from Oklahoma talked about. We keep talking about duplication, which is an important part of our oversight responsibilities. Sometimes that leads to the elimination of government bureaucracies, which is a rare event.

Ronald Reagan once said a government bureau is the nearest thing to eternal life that we will ever see on this Earth. I had an example of that this morning, I say to the Senator from Oklahoma, in a Rules Committee hearing. The purpose of the hearing was to review the qualifications of three excellent men and women who were nominated by the President to serve on the Election Assistance Commission. But what I said at the hearing and what I would like to say on the floor—with all due respect to those excellent nominees—instead of considering the nominees, we should be abolishing the Commission because it doesn't have anything to do. It has finished its work and it ought to be abolished.

The Election Assistance Commission was commissioned in 2003. Since then, the Rules Committee didn't have one single oversight hearing on the Commission. My predecessor asked for an oversight hearing, but we didn't have one. I asked for one earlier this spring, and we didn't have one. At a time when we are borrowing 40 cents out of every \$1 that Washington spends, we should not have been there this morning considering new appointments to a commission that is out of work. We should have been there considering recommending to this body that the Commission cease to exist.

This is why. It was created by the Help America Vote Act in 2002. It was authorized for 3 years and given certain tasks. The primary task was to distribute Federal payments to the States to help them upgrade their voting systems. We appropriated \$3.2 billion for these payments. That has been distributed. Given our current financial situation, it is very unlikely that any more Federal payments will be forthcoming. We don't have any more money for that purpose. President Obama seems to agree with this, since in his last two budgets he has requested no funds for this purpose.

The Commission was also directed to develop voluntary voting system guidelines and a testing and certification program for voting machines. The actual work involved in this process is performed by another agency, the National Institute of Standards and Technology, which develops the guidelines, and the independent laboratories that conduct that testing. So in the spirit of Senator COBURN's comments, we don't need two agencies assigned the same responsibility.

Finally, the Commission was to act as a clearinghouse to collect and distribute information on best practices in election administration. Yet the intended beneficiaries of this service

don't seem to have much use for it. The National Association of Secretaries of State—every State has one—a bipartisan organization made up of our country's chief State elections officials, has twice voted in favor of a resolution calling for abolition of this agency, the Election Assistance Commission.

So here we have a classic example of: I am the government. I am here to give you help you don't want. As a former State official myself—I was Governor of Tennessee—I have a little bit of a bias. I don't see the need for a Federal clearinghouse of best practices for secretaries of state. I don't know why the secretaries of state themselves can't do that. When I was a Governor, I didn't need a Federal agency telling me the best practices of the Governor of Oklahoma so I could use them in Tennessee. We had regular Governors' conferences, and we got to know each other pretty well. If Governor Graham of Florida had a good idea about education, I borrowed that. If I had a good idea on education, Governor Clinton borrowed that, and it worked pretty well. We didn't have to fly to Washington to have a clearinghouse.

So the tasks of this Commission have either been completed or can be performed by more appropriate entities. This is in the spirit of Senator COBURN's amendment. The Commission did its job. We should thank the Commission and their staff for their service.

But if the completion of their appointed task isn't enough of a reason to close it down, the Commission also appears to have a serious management problem or two. Though its mission has dwindled, its staff has grown. It has less to do but has more people doing it. The Commission had a staff of 20 in 2004. Last year, it had three times that many. It had 64 people—more staff needed for less work.

I am sure there are some very good people there. There must be, because the average salary—according to Congressman GREGG HARPER of the House of Representatives—for all the members of the Election Assistance Commission is over \$100,000 a year. This year's budget submission from the Commission proposes spending \$5.4 million to manage \$3.4 million worth of programs. Does that make any sense, when the cost of overhead and staff salaries exceeds the programs they have to administer? Clearly, something is wrong.

That is precisely the kind of small thing in the big picture we are dealing with that adds up and up and up and creates an environment in which we seem to be content in spending more and more and borrowing 40 cents of every \$1 we spend.

Finally, the Commission has an unfortunate history of hiring discrimination. The Office of Special Counsel

found they engaged in illegal discrimination when, during the search for a general counsel, an employment offer was made and then withdrawn when the Democratic Commissioners discovered the applicant was a Republican. This resulted in a substantial financial settlement being awarded to the applicant; thereby forcing taxpayers to bear the cost of the illegal acts of Commissioners. Amazingly, it has been reported that in a subsequent interview with another applicant for the same position, one of these Commissioners again tainted the hiring process by asking the applicant what the Department of Labor has termed "inappropriate questions about his military service."

Apparently, the Commissioner didn't want Republicans or members of the military working at the Commission. The Department of Labor has reportedly found the applicant's claim of discrimination to be meritorious and, if not resolved, this case may be referred to the Office of Special Counsel.

I said this morning that the three men and women whom President Obama nominated seem to have exceptional backgrounds, and they are not to blame for any of these incidents. But what I also said was, since they seem to be exceptionally good nominees, maybe we should find a commission where there is something for them to do, instead of a commission that has finished its job and where we are just perpetuating it with employees who, on average, make \$100,000 a year in salary, according to Congressman HARPER.

Even if we were to assume these nominees before us could right the ship and correct the problems, the question remains: Where would the ship sail, and why would they make the trip? Do we need the Commission, with its main job completed? Couldn't any remaining duties be better performed somewhere else? Can a government program ever be terminated?

As I said at the beginning of these remarks, Ronald Reagan once said: A government bureau is the nearest thing to eternal life that we will ever see. Shouldn't we try to use this opportunity to prove that Ronald Reagan was, in that case, wrong?

I congratulate the Senator from Oklahoma for his work on duplication. This isn't the first time. This is one of the many times he has spoken and acted on the subject. I offer this example of the Election Assistance Commission as one small step we could take in the right direction by, in the appropriate way, canceling the Commission instead of confirming three new nominees to it.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I failed to mention the cosponsors of this

amendment, and they are Senator UDALL of Colorado, Senators COLLINS, MCCASKILL, BURR, PAUL, BROWN of Massachusetts, and Senator MCCAIN.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 514

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Toomey amendment No. 514 be considered as having been adopted before the managers' amendment to S. 679.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

ALLEGED PASSPORT FRAUD

Mr. NELSON of Florida. Mr. President, I wish to quote from a publication.

Days after working at Guantanamo Bay prison in Cuba, a U.S. Navy veteran found himself behind bars—where he could remain for a decade—for alleged passport fraud.

I had to read that article—from CNN's Web site—twice. I couldn't believe it. But that is what it said.

Former U.S. Army SPC, now Navy reservist, U.S. PO2 Elisha Leo Dawkins—a 26-year resident of Florida—was arrested in April and has spent now more than 2 months behind bars in a Federal detention center in Miami, and a Federal indictment says the serviceman failed to acknowledge he had once applied for a passport when filling out a new application, something the prosecutors call passport fraud, but his public defender calls an innocent oversight. Petty Officer 2nd Class Dawkins now faces up to 10 years in prison if he is convicted.

Remember John Dillinger? He was sentenced not to 10 years but to 8½ years on a conviction for assault and battery with the intent to rob and conspiracy to commit a felony.

We all recognize that falsifying information on a passport has grave implications for our national security, and we want our government to be vigilant and to crack down hard on those who would attempt to sneak in here and do us harm. Zero tolerance. Zero. But according to Petty Officer Dawkins' Guantanamo naval base work evaluations, his superiors praised his work ethic and performance. He was a military photographer who, because of what he was photographing, had to have a secret clearance. By the way, he had that secret clearance when he was an Army photographer in Iraq. When he went into the Naval Reserves, they—and this is according to the U.S. Navy—gave reciprocity for the secret clearance for him to go into the Naval Reserves.

As the Miami Herald reports in today's edition, he took 7,500 photos during the 7 months of his service at Guantanamo, and this was after his 8 years in the Army, where he was in Iraq.

His evaluation right before this unexpected arrest by the U.S. Navy says that Dawkins "always" lived up to the core Navy values of "honor, courage, and commitment." Honor, courage, and commitment, and he had that secret clearance while he was at Guantanamo. This morning's Miami Herald chronicles the sensitive photos he took of detainees at Guantanamo.

In one evaluation report that was obtained by CNN, a superior lauds Dawkins as "a team player with a strong work ethic and a desire to learn" and recommends him for promotion. It goes on to say:

Dawkins is eager to tell the military story and to further the image and success of U.S. servicemembers.

That was written by fellow PO1 Sally Hendricks.

Let's see: honor, courage, commitment, and a team player. I have sought explanations. I have been on the phone. I have talked to government high-ups in person. I have talked to the highest levels in the U.S. Navy, the Army, and Homeland Security. I have just been on the phone with very high levels of the U.S. State Department. I want to know: Does the military stand by the evaluations they made of this fellow? Is Petty Officer Dawkins suspected of other misdeeds? If so, they better get it out. How did they give him a secret clearance while he was named in an old deportation order? Was this case part of an ongoing State Department diplomatic service crackdown on passport fraud?

Does the State Department have any additional information they are not telling us? From time to time they have intimated that there is something more, but they are not saying. Well, did the U.S. military believe him to be a citizen during all those years of service in the Army in Iraq and now in the Navy in Guantanamo?

This case raises lots of questions, and we need to get to the bottom of it. I have taken an interest in this case because when I read these stories on CNN, the Miami Herald, the New York Times, and now it has gone all over the country on Associated Press, there seems to be a disconnect in government agency coordination. One hand doesn't seem to know what the other hand is doing—and a Floridian, with honorable service in two services of the U.S. military, has been in jail being held on a \$100,000 bond. He would have to produce a \$10,000 bail, which he obviously doesn't have, and he has been there for over 2 months.

I didn't call the U.S. Attorney's Office because I respect the independence of the prosecutorial rule. But let me

just quote for you this morning's Miami Herald. Carol Rosenberg is the reporter. She disclosed that a Federal judge has now said that the U.S. Attorney's Office has made a secret offer to resolve this passport prosecution.

The judge revealed the offer of a pre-trial diversion in a conference that set a July 12 trial date for Petty Officer Dawkins. The idea, according to the Herald, is to give someone facing charges an opportunity to avoid prosecution through a program such as doing community service or perhaps taking a civics class. The judge was so taken aback by hearing this secret offer that the judge said she was left speechless, and she was quoted in this morning's Herald story as saying it appeared to reflect "a kinder, gentler" approach to prosecution.

So whether the petty officer is released from jail tomorrow or whenever it is, we will have to see, are there further things? If it has to do with his immigration status; according to his public defender, whom we have talked to, he came to this country from the Bahamas when he was a kid. He still is not a citizen, but he has served this country for years and years.

In conclusion, if the facts of this case are, as we have been told in the scratching and scraping, with some reluctance on the part of agencies to talk—if it is as it has been reported to us, wouldn't it be interesting if the DREAM Act were in fact law? The DREAM Act would have prevented something like this from happening in the first place because the DREAM Act says, if a kid has been brought here illegally as a child but that child grows up and wants to go into the U.S. military, as Dawkins has for almost a decade already served, then that legislation would grant legal status through a green card to that undocumented young person who wanted to serve the country.

We ought to pass the DREAM Act. Every day we have examples of children who came here through no fault of their own, but who are unjustifiably having the law come down on their heads.

I want to close by reading a letter to the editor in the Herald from Sandra Wallace of Miami. This is what she writes.

Elisha Dawkins served 7 years in the military in both Iraq and Guantanamo, where he was awarded medals for his behavior, yet he's being held in Federal lockup awaiting deportation to the Bahamas. This man thought he was a U.S. citizen because his relatives told him he was when he came here as a young child. Our military was certainly glad to consider him a citizen.

Mr. President, the DREAM Act would allow the U.S. Government to consider as a citizen someone who, like Elisha Dawkins, was brought here as a child and wants to serve this country.

Mr. President, I yield the floor.

BIPARTISAN TAX REFORM

Mr. WYDEN. Mr. President, millions of Americans are hurt economically. Yet so much of the debate on the Senate floor seems to be Democrats and Republicans fighting with each other or rehashing old arguments. It seems almost as if there is a default strategy: either pound on the other party or recycle some of the stale positions that have been repeated again and again.

Senator COATS and I believe that none of this really does anything to help the millions of Americans who are out of work or get the economy moving again. The two of us have been coming to the floor of the Senate, and will continue to do so in the days ahead, to talk about what really works, what really works to get the American economy moving again.

An example would be tax reform, tax reform like the sort of tax reform that was passed when Democrats and Ronald Reagan teamed up. That tax reform effort helped to create 6.3 million new jobs in the 2 years after it was enacted. No one can say there is any one factor that alone creates millions of new jobs, but it certainly didn't hurt. Certainly, it helped to set the economic climate, Democrats and Republicans coming together. According to the Bureau of Labor Statistics, in the 2 years after that kind of bipartisan effort, the country created 6.3 million new jobs.

It is not going to be possible, of course, to pass comprehensive tax reform between now and August 2. But Senator COATS and I have said that as part of these budget negotiations, as part of the effort to deal with the budget in a comprehensive way and to deal with the debt ceiling issue, it ought to be possible to lock in for consideration in the fall and in the remainder of this Congress the kind of bipartisan effort that we saw a quarter of a century ago that represents an idea that really works; an idea with a proven track record of working to boost the economy that has been bipartisan, where Democrats and Republicans, instead of spending their time pounding on each other, say: Let's come together and eliminate some of these ridiculous special interest tax breaks which are limiting our ability to grow and create family-wage jobs.

Senator COATS and I are going to spend a few minutes this afternoon talking about the impact of real tax reform on jobs and economic growth. I would just like to start by thanking my friend from Indiana. He has been a pleasure to work with. But his reaction to that kind of approach, where we focus on really what works, especially between now and August 2 in these budget negotiations, Democrats and Republicans having an opportunity to look at spending and look at growth to make sure that out of those negotiations by August 2 there is a way to lock in for the fall and the remainder

of the Congress the effort to promote bipartisan tax reform and get our economy growing again—I would be interested in hearing my colleague's reaction to that.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I thank my friend from Oregon for helping to organize this colloquy. We have worked together to try to fashion a comprehensive tax reform package that we think makes a lot of sense. Just about every analyst or economist or budget expert that I have talked to and listened to over the past several months has said we are not going to successfully address our current debt and deficit situation unless comprehensive tax reform is part of the package.

Senator WYDEN and I have had the opportunity to sit down and talk about this. We, obviously, have been encouraging the Congress for several months to go forward and address this. We realize that such an effort cannot successfully take place before we reach the point in August where we have to make a decision on raising the debt limit and whatever package is brought before us relative to what kind of changes we can make in our financial structure to put us in a better fiscal situation.

Nevertheless, knowing the importance of comprehensive tax reform to create success for what we ultimately want to achieve, we would like to encourage all those negotiating these packages and all those Members and our colleagues to look carefully at the proposal, as my colleague said, to lock in to whatever package is before us a commitment—a hard commitment, an enforceable commitment—to take up comprehensive tax reform; not to wait until after the next election but take it up this fall as a one of the follow-ons to the package that we ultimately will have to address, debate, and vote on coming up in the next several weeks.

I couldn't agree with my friend more that doing so now can be a very important component of addressing the serious fiscal situation which is facing our country and which is one of our biggest challenges.

Mr. WYDEN. Mr. President, I thank my friend. We are going to talk through some of the specifics of why this is important as a way to boost the economy. In the beginning, what I would like to just lay out is that as we have seen these discussions go forward over the last couple of months about boosting the economy, invariably the fight comes down to the question of whether we ought to spend more in order, particularly in a consumer-driven economy, to create jobs and put our folks back to work.

What Senator COATS and I have described is an opportunity and a way that is deficit neutral. As my friend from Indiana knows, this has been demonstrated by our analysis from the

Joint Committee on Taxation. This is a deficit-neutral strategy for putting our people back to work because by eliminating some of these special interest tax breaks—and thousands and thousands of them have gotten into the Tax Code over the last quarter century—we can take those foolish tax breaks off the revenue roles and use those very same dollars to create what we call red, white, and blue jobs to put people back to work in the manufacturing sector in Indiana. Of course, the President and I know how deep the hurt is in our home State.

I wanted to begin this by way of making sure that folks saw last month's job report as a wake-up call that would indicate that current economic policies are not creating the jobs our citizens and our economy need and would specifically be willing to look at new approaches, new approaches in the sense that they be genuinely bipartisan but proven in the sense that they have a track record.

The Bureau of Labor Statistics puts the national unemployment rate at 9.1 percent in May. As the distinguished Presiding Officer knows, we have parts of rural Oregon with unemployment that probably, if you were to calculate the real rate of unemployment, is over 20 percent. So the economic hurt is enormous. The Bureau of Labor Statistics found that of almost 14 million Americans who want to work but cannot find jobs, almost half of them have been out of work for 27 weeks or more. Of the employed, 8.5 million have to settle for part-time jobs. Among the hardest hit are young people, the people who are trying to get in the workforce, are anxious to show that they have good work habits and discipline but cannot find work.

We lost 8.5 million jobs between the worst of the fiscal crisis and the end of 2010, and only a small portion of those jobs has been created. Moreover, many of the new jobs that have been created do not pay as much as the jobs that were lost, in particular, the loss of manufacturing jobs. So many of our citizens, when they can get alternative employment, end up with wages far less than what they made in manufacturing. In addition, income inequality is growing because high school graduates have a jobless rate twice that of college graduates.

With millions of Americans struggling to find jobs, Senator COATS and I wish to spend a few minutes to talk about how we can come together, and talk about ways to grow the economy. I have mentioned there is a proven track record in terms of tax reform helping. Because of the historic tax reform in 1986 between populist Democrats such as former Congressman Dick Gephardt and the late President Reagan, we had 6.3 million new non-farm jobs created in the 2 years after that law was passed. I believe it can happen again.

The Manufacturers Alliance forecasts that Senator COATS and I, with our legislation, might have the opportunity to create nearly 2 million new jobs. The Heritage Foundation came in with the same sort of analysis.

We can never lose sight of the need to create jobs in an economy such as this. I wish to bring my colleague into the discussion at this point because he has done so much work, not just in Indiana—where they have, to their credit, focused on a manufacturing strategy for our country—but as part of this bipartisan effort, and get his sense of why the approach we are advocating today could be an economic boost for our country.

Mr. COATS. Mr. President, I cannot help but agree with my friend. It is a sad situation that we have in this country as our economy is kind of limping along, and so many young people graduating from school recently are unable to find meaningful jobs and work; so many middle-age Americans trying to raise a family and save money to send their children to school are out of work and cannot find employment, not only at the level they were previously used to but even at a lower level. It is a situation that requires Congress enacting policies that will do everything we can to stimulate this economy and get America back to work.

As I said earlier, comprehensive tax reform has been described by about everyone who has looked at this situation as an essential component of the kind of reforms necessary to get us back to fiscal health.

As the Senator from Oregon said, one of the components of the tax reform plan, the Wyden-Coats plan, is that we want to maintain revenue neutrality but at the same time we want to go after those tax exclusions and exemptions and subsidies that favor a few but do not have broad application. They have been added over the years, particularly since 1986 when we had our last comprehensive tax reform. Over these last 25 years, a number of special breaks, special subsidies, special exemptions have been added totaling hundreds of billions of dollars. What we are trying to do here is look at those in a comprehensive way, reduce or eliminate many of them, and then use the money saved from those eliminations to lower tax rates.

Let's look at the corporate tax rate. Out of the 36 countries with which our country competes most directly for sales around the world, the United States ranks 35. We would be 36 except the Japanese deferred lowering their rate based on the tsunami and the aftereffects of that, but they already had in place plans to lower their rate. We literally are at the highest corporate rate of any major industrialized competitive country in the world.

Senator WYDEN and I in our bill agreed that we would take the money

that was saved from eliminating a lot of those special breaks for special interests and lowering the corporate tax rate to make the United States more competitive, to bring that rate down to the mid-twenties or perhaps even lower. In doing so, it will stimulate our industries here, stimulate our exports, and put our companies in a much better position to expand and grow and compete across the world and ultimately that translates into jobs.

If we look at small businesses alone, the real job creators, under our plan we allow those businesses, almost all small businesses, to expense their equipment and inventory costs in a single year. We also incorporate a provision for reciprocity, so those companies that do have overseas sales and entities producing and selling their products, we allow the earnings gained there to be brought back to the United States without being taxed twice, they can be brought back over a 1-year reciprocity period at a very low rate—again to encourage investment in plant, equipment, and employment here in America.

At a time when consumer consumption is very weak—consumers do not have money to spend—we believe comprehensive tax reform and particularly some of the ideas outlined in our plan will help stimulate the economy, will help bring about growth and ultimately put people back to work.

I would kick this ball back to my colleague, Senator WYDEN from Oregon, for his further thoughts on that as we continue this colloquy.

Mr. WYDEN. Mr. President, I am glad Senator COATS made that last point, especially because it is getting hardly any discussion here in the Senate, and that is with respect to the weak consumption we are seeing in our country, particularly middle-class folks who have the sense that there is not going to be economic security right now. They do not have as much money in their pockets as they would like. They have suffered huge shocks that have caused them to pull back from some of the purchases they would otherwise make.

The Presiding Officer of the Senate has done outstanding work with respect to trying to protect middle-class people who lost all this equity in their homes. That usually serves as some kind of collateral for folks with a need to get a loan. That has not been there. We have had folks underemployed in much of the workforce.

What we see is that in our economy, which has always been consumer driven, as Senator COATS has pointed out, we are not seeing the kind of demand from middle-class folks for goods and services. They are not going out and buying the refrigerator they might wish to have for their family. They cannot get a computer for their child. They are not able to make the pur-

chases that are so important in a consumer-driven economy.

What Senator COATS and I are saying is that as Democrats such as Dick Gephardt and former President Ronald Reagan said a quarter century ago, they want to come together and put money into people's pockets. They want to make sure the middle-class folks—who are just getting clobbered, as we have seen for months now—would be in a position to get back into the economy and start demanding some of those goods and services that are so important for long-term economic well-being.

Senator COATS and I have sought to put more money into people's pockets by repealing the alternative minimum tax. We had an excellent hearing in Chairman BAUCUS's committee yesterday on simplification.

Get this. The middle-class person is now essentially going through bureaucratic water torture on this alternative minimum tax. They have to fill out their taxes twice on two separate systems. What Senator COATS and I have said is let's repeal it. That will put some money back into the pockets of middle-class folks. As Senator COATS has pointed out, middle-class folks won't have to spend all that money paying out for accountants and all kinds of other people, trying to fill out all those alternative minimum tax forms. We will put some money into the pockets of the middle class that way.

Senator COATS and I also advocate nearly tripling the standard deduction for all our taxpayers, which again can be a real boon for the middle-class consumer, which can help us spur consumer demand and, with that, job creation.

I am very glad Senator COATS has zeroed in on the question of the consequences of underconsumption by consumers.

I think I would next probably like to have my friend go through some of the benefits we wish to provide to small business. We all know that small business is the job creator, the job engine of our economy.

If Senator COATS would outline some of the benefits that on a bipartisan basis we ought to be zeroing in on with respect to small businesses, I think that would be very helpful.

Mr. COATS. As the Senator from Oregon has said, small business is hit particularly hard these days. Because many choose not to incorporate, there is a passthrough, a passthrough of taxation rates as if these small businesses were individuals. They are taxed at that rate.

As my friend from Oregon knows, at the end of 2012 that tax rate is scheduled, under current law, to rise from 35 percent to 39.6 percent. Small businesses, which currently are having trouble getting credit and making ends

meet, are facing a tax increase—within a relatively short period of time. That is a deterrent to making decisions relative to expanding the business and hiring new people, because they know the taxes they have to pay out of their earnings flow through directly to them so they are going to have to be paid at the highest rate.

Again, the Coats-Wyden bill prevents that from happening. It keeps those rates at the current level. Also, as my friend from Oregon has said, simplification is a major underlying principle of the Wyden-Coats tax reform bill. It is a nightmare for individuals, as the Senator from Oregon said, to try to figure out how to do this. In fact, about \$6 billion is spent each year to hire professionals to fill out tax forms because it is virtually impossible for many individuals to figure it out and work through this, as my friend said, bureaucratic water torture of a process.

The thousands of hours, hundreds of thousands—millions of hours spent filling out tax returns based on the complexity of the current Tax Code is a detriment to small businessmen who do not have the privilege of having an accountant in the back room or hiring somebody who is an expert in taxes as big businesses can do. They either have to go outside and hire one or they have to spend a great deal of their own time complying with the Tax Code when they ought to be on the floor selling their product or running their business. So whether it is tax rates or whether it is simplification or whether it is incentives for small businesses which provide the bulk of the hiring in the United States—in fact, from 1995 to 2005, between 60 and 80 percent of all new jobs were those created by small businesses—our comprehensive tax reform bill ensures that not only individuals but small business people will have a much simpler, easier way of reporting their taxes and complying with the Tax Code. They also will not be facing a tax increase under our bill because the current law is due to expire at the end of 2012.

I will, once again, kick it back to my friend to wrap this up. I agree with him that together in 1986 Ronald Reagan and congressional Democrats, including Senator Bill Bradley, Congressman Dick Gephardt, and Congressman Jack Kemp, worked on a bipartisan basis to pass comprehensive tax reform. It did many good things and stimulated the economy and brought about a lot of new jobs. It has been 25 years since then. That code has now become evermore complex. I think we need to move ahead.

As I said at the beginning of all of this, fundamental tax reform is one of the best tools in the economic tool shed, and it is time we use it. We know it will not be easy, but we know it has been done before and we can do it again. Working together, I believe we

can take on the special interests that benefit from the Tax Code and create a much more business-friendly tax system.

I conclude on that point. I would like my colleague to wrap up. I thank him for his inspiration and leadership on this effort. He started this more than 2½ years ago with Senator Gregg, in a bipartisan way. Senator Gregg retired at the end of the last Congress. I have the privilege of not only being a close friend of Senator Gregg's and an admirer of his understanding and depth of knowledge about financial issues, but I inherited all the hard work that he and Senator WYDEN put together to bring this comprehensive tax bill to fruition.

We have made some adjustments in debates and discussions between the two of us. We think it can be the primary vehicle for moving forward. Are we locked in stone? No. Are we open to suggestions to make it better? Yes. But, clearly, there is an agreement between the two of us that is unbreakable, which is that this is an essential part of dealing with our current fiscal crisis, and without this we will come up short.

Just about everybody who has looked at this situation has come to this conclusion, and we are hoping we can in these next few weeks get a commitment from our colleagues and all those engaged in the process of trying to put together the package that can put us back on the right fiscal track and get our fiscal situation in order, that they will incorporate into this plan, incorporate it into what is brought before us, a commitment, locked in, to go forward with comprehensive tax reform. And we believe the Wyden-Coats plan is the place to start.

I thank my colleague for his efforts, and I will turn it back to him to conclude this colloquy.

Mr. WYDEN. Mr. President, I thank my friend from Indiana. He makes a number of important points we want to make sure are considered as the discussion about taxes goes forward. For example, Senator COATS pointed out on this question of changing just the corporate tax alone—what are essentially C corporations—the reality is the vast majority of businesses in this country are not C corporations; they are partnerships, limited liability corporations, sole proprietorships. They are about 80 percent of the businesses in this country. So Senator COATS has made the important point that to bring about tax reform, we can't just go with corporate taxation. We have to get at the needs of millions and millions of these small businesses.

Chairman Bernanke was asked about this in the Budget Committee, and he said specifically that it was important to do comprehensive reform in order to generate the best opportunity for economic growth and job creation rather than corporate reform alone. Senator

COATS also makes an important point, as we wrap up, about the temporary nature of our Tax Code and how frustrating that is to American businesses that need to have some capacity to predict what is ahead to generate jobs.

The Wall Street Journal reported the other day that the only thing permanent about the American Tax Code is that it is temporary, and we have more than quadrupled the number of temporary provisions in the Tax Code in just the last few years. That uncertainty discourages businesses from investing in growth and hiring, as Senator COATS has noted, and that is why it is going to be important to look at the Tax Code in a comprehensive way, both for individuals and corporations, so that going forward, all our taxpayers have some sense of predictability and certainty about what their tax treatment will entail.

My last point is, I recently had a chance to talk to one of the veterans of the 1986 tax reform debate, and we visited about some of the circumstances involved in that historic reform and some of the challenges ahead. When he was done, he said: What in the world is holding people up from getting going on this? What is really holding everybody up? We know what we need to do. There have been commissions, a whole host of them. President Obama had an excellent one that agreed with much of what we have talked about this afternoon. President George W. Bush had a commission that was chaired by several of our former colleagues. I thought much of their proposal was on point. That is why what one of the veterans of that 1986 reform legislation had to say to me about "what is holding people up" is so important.

As Senator COATS noted, we are not going to do comprehensive tax reform between now and August 2. Everybody understands that. But there is absolutely no reason—in order to come together in the Senate with an approach that doesn't add to the Federal deficit, with the proven track record of helping to advance economic security—that between now and August 2, as part of these budget negotiations, there is no reason in that agreement we shouldn't lock in a strategy for getting on to tax reform in the fall and in the remainder of this Congress.

So I thank Senator COATS. He mentioned Senator Gregg. I feel so fortunate to have had two colleagues—and we were in the House together—having an opportunity, Senator COATS and I, to work together on this in the Senate. I think we have always believed that we ought to focus on what works rather than the default strategy of rehashing old arguments and just having these partisan fights. So I thank Senator COATS. We will have our eye on the effort between now and August 2 to make sure tax reform gets the place it deserves for the fall and the remainder of the Congress.

I thank my friend from Indiana.

Mr. President, with that I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Maryland.

ISRAELI-PALESTINIAN CONFLICT

Mr. CARDIN. Mr. President, last night, S. Res. 185, a resolution that was cosponsored by about 90 percent of the Senate, passed the Senate by unanimous consent. I am very grateful to my colleagues for their help in developing this resolution. This resolution expresses the strong support of the United States for our closest ally in the Middle East: Israel. I was joined in this effort by my good friend, Senator SUSAN COLLINS from Maine. The two of us worked together to draft this resolution, and we are grateful that so many of our colleagues joined us in the process and that it has now passed the Senate by a unanimous vote.

This resolution first and foremost expresses our strong support for Israel. It recognizes that these are extremely challenging times. It expresses our support for peace between the Palestinians and the Israelis and recognizes that the only way we are going to be able to move forward on the peace process is through direct negotiations between the Israelis and the Palestinians. That is the only way we can resolve these longstanding issues in order to achieve peace in that region.

The resolution also reaffirms our opposition to the inclusion of Hamas in any Palestinian unity government unless it is willing to accept peace with Israel and renounce violence. An entity cannot negotiate with those sworn to bring about its destruction; therefore, Hamas' inclusion in the Palestinian Government is a nonstarter for any possibility for peace.

Any unilateral attempt by the United Nations to establish a Palestinian State is detrimental to any final peace agreement. A permanent and peaceful settlement of the Israeli-Palestinian conflict can only be achieved through direct Israeli-Palestinian negotiations. Any Palestinian effort to gain recognition of a state outside of direct negotiations demonstrates their lack of a good-faith commitment to peace negotiations. The Senate is now firmly on record that this kind of action would be directly counterproductive to peace. If the Palestinians pursue this, it may well have implications for the continued U.S. participation with the Palestinians.

Israel has always been willing to come to the peace table for direct negotiations. Quite frankly, it has been the Palestinians who have been dragging their feet for many months, refusing to have direct negotiations between the parties, which is the only way it can be accomplished. Lasting peace can only come through direct negotiations that settle all outstanding issues to

the satisfaction of both sides. Obviously, there is going to be give-and-take. There has to be give-and-take. There has to be mutual respect and security, and that requires active participation in the peace talks.

The two sides can achieve a peace agreement only when they acknowledge each other's right to exist. That is pretty fundamental. This is particularly critical now for the Palestinians and their unity government that includes Hamas. Unless Hamas fully renounces violence and acknowledges Israel's right to exist, it cannot be a partner of peace and their inclusion in the Palestinian Government is a major obstacle.

As Prime Minister Netanyahu stated so well in his speech before the joint session of Congress in May:

I will accept a Palestinian state. It is time for President Abbas—

President Abbas, of course, is the head of the Palestinians—

to stand before his people and say: "I will accept a Jewish State."

It is clear it is in the interest of all parties for there to be two states—the Jewish State of Israel and the independent Palestinian State—living side by side with secure borders in peace.

Let me again acknowledge what I think Prime Minister Netanyahu said. Israel is prepared to acknowledge a Palestinian State. It is time for the Palestinians to acknowledge the Jewish State.

Difficult negotiations need to take place. There are critical issues such as security, power, and water concerns, as well as larger issues of historical, religious, and territorial matters still to be decided. That must take place through direct negotiations between the Israelis and the Palestinians. This is precisely why it is so important to discuss, negotiate, and ultimately resolve these issues rather than taking unilateral action that would leave them unsettled and unsustainable. Real and lasting peace will only occur at the peace table, and I am grateful the Senate has strongly and unanimously gone on record to affirm this approach.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

THE BUDGET

Mr. WHITEHOUSE. Mr. President, I rise today to join again in the debate occurring in Washington on bringing our Federal budget into balance and facing up to our looming debt limit.

Our Nation right now is like an overburdened ship wallowing in the seas. We are in danger as a nation of foundering if we don't sort this out. As former Comptroller General David Walker testified to us in the Budget Committee over a year ago, we face "large, known and growing structural

deficits that could swamp our ship of state."

To get the ship in trim, we need to make adjustments. We need to reduce the deficits and ultimately reduce the debt.

We agree on a lot. We need to cut spending. Democrats and Republicans agree on that. We need to protect ordinary families who enjoy ordinary levels of income from tax increases. Democrats and Republicans agree.

The disagreement here in Washington is whether we also need to raise some revenues for our Nation in other areas to help balance our national budget—areas such as oil and gas and ethanol subsidies that we could close and contribute to fixing our budget deficit, closing corporate tax loopholes, bringing to an end high-income, tax-dodge schemes.

The Republicans are threatening that they would rather sink the boat than raise revenues in those areas. Just this week, Senate Republican Leader MITCH MCCONNELL called on President Obama to take any revenue raisers "off the table" and to focus only on spending cuts. In an opinion piece on CNN.com, the Republican Leader, Senator MCCONNELL, proclaimed "tax hikes can't pass the Congress."

Let's start with the fact that, as I said a minute ago, we are not talking about tax hikes on ordinary Americans. When Leader MCCONNELL is talking about tax hikes, he is talking about the rates that the wealthiest Americans pay in taxes, often lower than ordinary American families, believe it or not, gas and oil and other subsidies that go to big industries, and tax loopholes that generations of corporate lobbyists have wangled into the Tax Code. That is what they are talking about when they talk about tax hikes in this context.

Let's take a specific look at what the Republicans are fighting so hard to protect.

Last month, Republicans filibustered a measure that would have ended \$21 billion in unnecessary tax subsidies for the largest oil companies in the Nation—companies that have enjoyed record multibillion-dollar profits and do not need continued support from the American taxpayer. When we tried to break the Republican filibuster, Republicans voted to protect those big oil subsidies, even though they add to the deficit. That happened right here on the Senate floor a short time ago.

To keep our American ship of state afloat, the Republicans are demanding that we cut early childhood education while at the same time they fight to protect big oil subsidies.

Here is a building in the Cayman Islands. It is called Ugland House. This nondescript building does not look like much, but over 18,000 corporations claim that this building is their place of business. Mr. President, 18,000 cor-

porations claim this building is their place of business. It gives a whole new meaning to the phrase "small business" to imagine 18,000 corporations fitting into that little building.

As Budget Committee Chairman CONRAD has pointed out, the only business going on down there in the Cayman Islands is funny business, monkey business with the Tax Code. It is corporations getting out of paying their responsibilities to this country by hiding behind phony shell corporations down in the Cayman Islands. It is estimated to cost us as much as \$100 billion each year to put up with this offshoring tax shelter of income.

To keep our ship of state afloat, the Republicans are asking us to cut investments in science and technology that will cure disease for Americans and for mankind, and at the same time they are fighting to protect corporations that hide in offshore tax havens so the honest American taxpayer has to carry the burden in their place.

Here is another building with a story to tell. This is the Helmsley Building on Park Avenue in New York City. We remember Leona Helmsley who famously said: Taxes are for the little people to pay. Well, we know something about the Helmsley Building and its taxes because this building is large enough to have its own ZIP Code. The IRS compiles tax information by ZIP Code. So we know from IRS actual information what the wealthy and successful individuals and corporations that call this building home pay in Federal tax each year.

Guess what we know. We know that in the last year that was recorded, for which this has been pulled out—which was 2007—the occupants, together, of this building—the Helmsley Building—paid a 14.7-percent total Federal tax rate. They actually paid 14.7 percent. The average American taxpayer, the average middle-class American, pays far higher than that.

We hear a lot of talk about how high tax rates are for wealthy Americans. In real life, when you go to actual examples—14.7 percent, how does that compare, for instance, to the people who work in that building, the average New York City janitor or doorman or security guard? Well, far, far lower. They all pay tax rates in the 20 to 25-percent range, even higher in some cases, on average—far higher than the high-income occupants of the building.

It is not just because this is the Helmsley Building that this is true. This is not some anomaly. Each year, the Internal Revenue Service publishes a report that details the taxes paid by the highest earning 400 Americans. I spoke earlier this year on last year's report, which was based on that same year's data, 2007. In that year, these superhigh income earners, earning nearly a third of a billion dollars—with a "B"—in income in 1 year, 2007, on average—all 400 of them in that year—the

superhigh income earners paid a lower tax rate than an average hospital orderly, who is a single filer, pushing a cart down the hallways at midnight, of a Rhode Island hospital. They paid a lower tax rate on their income than that hospital orderly.

In May, the IRS published data on the top 400 taxpayers for 2008. Let's take a look at what happened in this most recent year they have categorized.

In 2008, the top 400 took home an average of \$270 million each—more than a quarter of a billion dollars each. We can and do applaud the success of these individuals. It is the American dream to make more than a quarter of a billion dollars in a single year. But, on average, these 400 extremely wealthy Americans paid an average Federal tax rate of 18.2 percent.

We spend a lot of time around here debating whether the top income tax rate should be 35 percent or 39.6 percent. Folks, that is not what they paid. The Tax Code is filled with special provisions that tend to exclusively or disproportionately benefit the wealthy, so the top 400 income earners paid an average of 18.2 percent.

A single filer, at \$39,350 of income, pays the same tax rate. Mr. President, \$39,350, that is where you hit 18.2 percent and match the rate people making a quarter of a billion dollars pay. Those of us who are in between the truckdriver and those "uber" billionaires pay far, far higher rates. The average truckdriver in Rhode Island, according to the Bureau of Labor Statistics, is paid \$40,200, which means the average truckdriver is paying as high or higher rate than these top 400 income earners earning over a quarter of a billion dollars.

To keep our ship of state afloat, the Republicans are asking us to cut employment and training support at a time of record joblessness while they continue to fight to make sure people making a quarter of a billion dollars a year pay lower Federal tax rates than middle-class American families.

When all is said and done, everyone agrees that there needs to be cuts, and everyone agrees there should be no tax increases on middle-class American families making up to \$250,000 a year. That is already agreed to. Those concerns are not an issue.

What is at issue is that the Republicans are willing to sink the ship of state to defend tax rates for billionaires that are lower than those paid by regular, hard-working Americans.

The Republicans are willing to sink the ship of state to defend special interest loopholes in the Tax Code won by big corporate lobbyists, in effect earmarks—earmarks that happen to be in the tax side of the budget rather than in the spending side of the budget.

The Republicans are willing to sink the ship of state to defend offshore ha-

vens for corporations and high-income earners to dodge taxes. That is where they have chosen to stand and fight. That is where the disagreement is—not for the middle class that is the backbone of our Nation but for the special interests, the big corporations and the ultrarich. When you say that revenues cannot be on the table, that is who you are protecting. That is just a fact.

They say it is tax increases they are protecting against. The question Americans should ask, when they hear that, is: Tax increases for whom? For the corporate lobbyists who drove down corporate taxes to the point where significant numbers of American corporations do not pay a dollar in taxes? Yes, there should be tax increases there. We should close those loopholes. Tax increases for people making more than a quarter of a billion dollars, who pay less than the average working-class family as a rate? Yes, there should be tax increases there. But that is just in the spirit of fairness.

It is simply inexcusable that our tax system permits billionaires to pay lower tax rates than truckdrivers and allows some of the most profitable companies in the world to pay little or no taxes to support our Nation. Even if we had no budget deficits, fairness and equality would demand that we address these inexcusable discrepancies.

Our budget crisis, however, brings new urgency to the problem. As we continue to debate ways to close the budget gap, I hope the Republican leadership and the Republican Conference will revisit the potential to significantly cut the deficit by addressing the tax loopholes, tax gimmicks, and, frankly, outright injustice to the ordinary taxpayer that they are now defending.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to proceed for a few moments as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S.J. RES. 23

Mr. MCCONNELL. Mr. President, if this week has shown us anything at all, it is that the American people cannot wait on Democrats to do the right thing when it comes to spending and debt and putting us on a path to balance. So today Republicans are beginning the rule XIV process on a balanced budget constitutional amendment.

A balanced budget amendment would require that lawmakers stop spending money we do not have. When we return from the Fourth of July break, we will fight for an opportunity to vote for it.

We have had a chance this week to see how Democrats in Washington want to deal with the fiscal mess they have helped create—by forcing the taxpayers and the job creators to actually

bear the burden. Well, Republicans think it is about time Washington bears the burden, for a change. Let Washington find a way to balance the books on its own. The American people have paid enough of a price over the past few years for Washington's recklessness. Republicans are not going to allow Democrats to make them pay even more.

Speaker BOEHNER has already committed to a balanced budget vote in July, so the Speaker and I are united in this effort. Americans can expect all 47 Republicans in the Senate to support this amendment. It is time to put the American people back at the helm of our ship of state. And if that is what the vote achieves, then the debate we are having will have been well worth it.

If Washington is forced to finally reform its ways, then we will all look back and say the American people, indeed, won this debate. And we will say the balanced budget amendment was just the thing we needed to get our house in order.

Broke or balanced, that is the choice.

Mr. President, I am going to rule XIV the proposal. I do not think the Presiding Officer has it yet. The Chair should have it momentarily. It has miraculously appeared.

I understand there is a joint resolution at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the resolution by title for the first time.

The bill clerk read as follows:

A joint resolution (S.J. Res. 23) proposing an amendment to the Constitution of the United States relative to balancing the budget.

Mr. MCCONNELL. Mr. President, I now ask for a second reading, and in order to place the joint resolution on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come here today to compliment the minority leader, Senator MCCONNELL, for his resolution in our effort to put a balanced budget amendment onto the Constitution of the United States.

I come here today to tell you a little story about a friend of mine from Douglas, WY. I was in Douglas on Memorial Day. Every year on Memorial Day in Douglas, they have sunrise ceremony services in the cemetery where they raise the flag, go through the names of all the veterans from Converse County who have passed in the last year, put the flag back at halfstaff,

21-gun salute, and a time for people to come together and think about this great Nation and honor those who have given their lives.

After the ceremony this year, people were leaving the ceremony. My friend Bernie Seebaum stopped me and said: You know, Senator—we have known each other a long time. He is on Medicare now, Social Security, has lived a long life, contributed to the community. He said: I don't care if you do a number of things—if you raise taxes, cut Medicare, take away Social Security—as long as you use it to pay off this debt, this \$14 trillion debt.

I said: Bernie, the problem is, if Congress ever does something like that, they are going to get the money and they are just going to spend it.

The first thing we need to do is amend the Constitution so that we actually balance the budget. Then you can start talking about ways to pay off this incredible debt we have.

Here in Wyoming, we live within our means, balance the budget every year. It has paid huge dividends for our State.

You know, you think about the Constitution, and our Founding Fathers produced the greatest governing document, in my opinion, ever conceived. It was written at a time when our country's future was in serious doubt, when our country faced countless threats from abroad, threats that were becoming increasingly difficult to confront, and when the Federal Government lacked both the structure and the foundation to do anything about it. But there we had the Constitution, written in part as a response to those challenges of the day, and it has endured till this day. So amending the Constitution is not something to be undertaken lightly. The Constitution is the highest law of this great land. It has been amended, but infrequently and almost always at a time of crisis. Now, I support a balanced budget amendment to our Constitution because now is just such a time.

When the Constitution was written, they had to decide what the future would bear, so when it was written, as that time came, we now have to decide what sort of future we want for our country. Do we want a future where our children and grandchildren are overburdened by debt, where the U.S. dollar is backed by nothing more than worthless promises, or do we want a future where the only thing we can afford to spend money on—what we are facing right now—is entitlements and interest on our debt. Do we want a future where our country goes broke and a future where Washington lacks the political will to do anything about it or do we want a future with less spending, lower taxes, and more accountability?

Facts are stubborn, and the numbers do not lie. This month, the Congressional Budget Office released a report

saying that the outlook of America's debt is growing grimmer. The Hill newspaper put it best when it said that the new CBO report numbers are "much worse than last year's outlook." To anyone who does the math, this is not a surprise. Every day, Washington borrows \$4.1 billion more—borrowed over \$4 billion yesterday, \$4 billion today, and we will do it again tomorrow. That is over \$2 million a minute, every minute. Washington did that yesterday, it is doing it today, and it will do it tomorrow. Of every dollar Washington spends, 41 cents of it is borrowed. Much of it is borrowed from China. Every American child born today and tomorrow and the next day is born with an incredible debt of over \$45,000. Next year, of every dollar Washington spends, 68 cents will go for Social Security, Medicare, Medicaid, and interest on the debt.

If we as a nation continue down this path, Washington will spend all of what it takes in on these items alone. Everything else, from defense to education, will be paid for on a budget of borrowed money. So you may ask, where is the money going to come from, and how will we ever pay it back? Well, a lot of it is going to come from other countries, countries that do not always have our interests, America's best interests, at heart.

John Kennedy stood outside this building in 1961, 50 years ago. He said:

Ask not what your country can do for you. Ask what you can do for your country.

Well, a few years from now, that may change. It may change to: Ask not what your country can do for you. Ask what your country must do for China.

So consider this. When John Kennedy was President, America's total debt was just over \$300 billion, and we only owed 4 percent of our debt to foreign countries. Today, our total debt is over \$14 trillion. And debt isn't just a disaster for the distant future; our current debt is irresponsible and it is unsustainable. Even our military leaders have condemned it. The Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, has said, "The biggest threat to our national security is our debt." The debt is the threat. We do not and we should not take the biggest threat to our national security lightly.

The amount of debt we owe right now, today, is so high that it is hurting our employment at home. Experts tell us that our current debt is costing us 1 million jobs in America. Spending like this makes it harder for the private sector to create new jobs. Because of this, it is harder for American families to buy gas, to buy groceries, to buy cars, homes, to pay tuition for the kids to go to college. And it is harder to create jobs for those kids who will be graduating this year and next year and every year until we get the spending under control. Everyone in this body claims to understand that the situa-

tion is irresponsible and is unsustainable.

Back in February 2009, the President called experts to the White House for what he called a fiscal responsibility summit. In his opening remarks, this is what the President had to say:

Contrary to the prevailing wisdom in Washington these past few years, we cannot simply spend as we please and defer the consequences to the next budget, the next administration, or the next generation.

Well, I agreed with the President. He was right. So my question to the President is, What have you done about it? Well, one thing he has done is he has called together a debt commission. Late last year, the debt commission released their report on America's fiscal situation, and the findings were sobering. According to the report, they said: The problem is real. The solution will be painful. There is no easy way out. Everything must be on the table. Do you know what else they said? They also said: Washington must lead.

Washington has not led. Instead, this administration has offered nothing but empty promises. As the White House makes promise after promise and speech after speech with no action—no action to back it up—it is clearer than ever that spoken promises have become broken promises.

This persistent push to put our fiscal crisis off until tomorrow is unacceptable and must end now. The first step toward doing that should be to pass an amendment to our Constitution requiring Washington to balance its budget. A balanced budget amendment would require Washington to spend no more money than it takes in each and every year. Such an amendment would force Washington to live within its means. We cannot afford to continue to mortgage our children's future to pay for Washington's fiscal failures. Such an amendment would transform the kind of irresponsible spending that goes on today in this very body into an impeachable violation of every legislator's constitutional oath of office.

The American people have overwhelmingly spoken on the wisdom of this approach. A recent poll conducted by Sachs/Mason Dixon showed that 65 percent of Americans support a balanced budget amendment to our Constitution, and 45 percent said they would be more likely to vote for a candidate who did so. Of those, 68 percent of them were Independents, but there is support for this among Republicans, among Independents, and among Democrats. When the American people call for Washington to lead in numbers this big, it is time for Washington to listen. Every single member of my party on this side of the aisle agrees. That is why all 47 Republican Members of this body have cosponsored the balanced budget amendment. The American people are behind us, and they want us to act.

Meanwhile, the administration and its allies on the other side of the aisle have offered nothing but more empty rhetoric, more of the same tax-and-spend policies that made this economic situation worse. You take a look at where we are and where we have been, they have made it worse.

I am reminded of a quote from Ronald Reagan. He said:

If the big spenders get their way, they'll charge everything to your taxpayers' express card and believe me, they will never leave home without it.

The big spenders can get away with charging everything to the American people's taxpayer express card because no one—no one is forcing them to look at the bills. Now those bills are coming due, and this administration and its liberal allies want a new taxpayer express card and a blank check. They want a blank check to spend as they desire, and they are not going to get it from me, not without specific reforms that will introduce accountability into this broken Washington process.

A balanced budget amendment will not solve every problem, but it is a critical step in the right direction. It would ensure that Washington is constitutionally obligated to avoid the reckless overspending of the past.

Our debt crisis did not surface overnight. It certainly will not be solved without a great deal of additional work.

Before any of that work can be done, Washington has to learn to live within its means the way families all across this great country do. It is time we show the American people they can trust their government with their money again. It is time we lead today instead of deferring leadership until tomorrow. It is time we show the same courage our Founding Fathers did when this country was on the verge of financial collapse. It is time for a balanced budget constitutional amendment.

Then I can go back to my friend Bernie and his wife Sally, in Douglas, WY, and say: Bernie, finally, in Washington, they got it right. They realize, as we do in Wyoming, we have to live within our means. We have to balance our budget every year and then start working on paying off this incredible debt.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Tennessee.

MR. ALEXANDER. Madam President, I believe Senator HARKIN is coming in the next few minutes. In the meantime, I thought I would comment on the legislation that has been before the body since late last week—to reduce the number of Senate confirmations of Presidential nominations, so the Senate can exercise its constitutional duty of advice and consent more effectively.

This all goes back to our U.S. Constitution, article II, section 2, which says that one of the most important

duties of the Senate is "its advice and consent responsibility." That is one of the well-known functions of the Senate. Many have written about advice and consent.

The Constitution says the President shall nominate, with the advice and consent of the Senate, ambassadors, ministers, judges, and other officers of the United States. Today, there are about 1,400 of those officers. When President Kennedy was President, there were about 286, more or less. Under President Clinton, there were about 914, more or less. It continually goes up. This includes a large number of part-time advisory positions, such as the Library Advisory Board and a variety of other boards. That is why the Founders put into the Constitution another provision, which says Congress may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, and heads of departments.

It is up to us to make sure we don't trivialize the constitutional responsibility we have, so we define the number of men and women whom the President nominates, who require advice and consent, and we define the ones who don't. We have not done a good job deciding which ones did not. Over the last few days, the Senate has decided to remove 169 of the 1,400 nominations from the advise and consent requirement. It is debating, right now, removing another 272 full-time or part-time positions and putting them in an expedited process, so we will have affected 450 or so of the 1,400 nominations, either by removing them from advice and consent or speeding up the process. This will permit us to focus more attention on the job we are sent to do, which is to do a good job of evaluating the most important offices.

Just one indication of how we have been trivializing the responsibility to decide who does deserve advice and consent and who doesn't is that only about 3 percent of all the Presidential nominations in the last Congress actually were deemed important enough to have a rollcall vote on the floor of the Senate. Ninety-seven percent were deemed not important enough. Of course, they were not. They were valuable people, but they were part-time advisory board members who were part of a board where an executive director, for example, already reported to someone who was confirmed by the President.

We had examples of positions being confirmed by the Senate who reported to someone, who reported to someone, who reported to someone, who reported to someone else—all of them confirmed by advice and consent. So we made a modest step in the direction of helping us execute and exercise our Constitutional duty under article II, section 2, in a more effective way.

This resolution we are debating, unlike the bill this morning, does not remove one single person from the right of advice and consent. It expedites it in the following way: The President's nomination would come to the desk here—and this is after the President has done all his vetting—and then the relevant committee, say, the Finance Committee or the Judiciary Committee, would go through its usual exercise of asking the nominee to answer questions and provide all that information. When that nomination first comes here, that information is listed on the Senate Executive Calendar that we Senators and staffers read. Then, when the information is all gathered by the relevant committee, that is indicated. Then there is a full 10 days for all of us to look at that. If a single Senator says he or she would like for this nominee to go on to the committee for a hearing and then for the traditional markup, that happens. But if all 100 Senators say they looked at the information and it is not necessary to go to that extra time, expense, and delay, then it moves to the Executive Calendar, and the majority leader can bring it up whenever he or she wishes.

What we have done is, in approximately 450 cases, we have affected the 1,400 nominations that are subject to advice and consent. We have either eliminated the requirement or we have expedited the process and made it possible for us to focus more attention on those deserving the most important attention.

One other aspect—and I see the Senator from Oregon here and perhaps he wishes to speak, so I will conclude my remarks with this. There is one other important aspect that we deal with here. It may be the most important thing we can do. The first one I discussed was slowing down the trivialization of the Senate's advice and consent constitutional duty. That is what the first part of what we are doing does. The bill did that, which we have already passed. The resolution does that, which we are now debating.

The second aspect that was dealt with in the bill this morning is dealing with the phenomenon of what I call innocent until nominated. We have developed a practice in this town of making or having the President select an otherwise unsuspecting distinguished citizen from Sioux City or Nashville or Bangor or Sacramento and after going through an FBI check and other things, nominated that person for some position deserving of advice and consent. By the time that person makes his or her way through all the executive vetting process, by the time people pore over the tax returns and answer multiple questions—often the same question asked in different ways—they have likely got an inaccuracy in there somewhere. Then their name is sent up here and the committee investigates

them and asks them many of the same questions and they might have an inconsistency. Then they show up for a publicized hearing with their family and, all of a sudden, they are made out to be a common criminal because they made a mistake trying to decipher these forms.

A former majority leader of the Senate, Howard Baker, and his wife, former Senator Nancy Kassebaum, went to Japan a few years ago as President George H.W. Bush's nominee as Ambassador to Japan—Senator Baker was. All of us knew Senator Baker. He was voted by the Senate the most admired Senator by the Democrats as well as the Republicans when he was here. All the Senators who were here at the time knew Senator Kassebaum, his wife. Yet Senator Baker told me he had to spend \$250,000 in legal and accounting fees just to make his way carefully through the nomination process, with all the executive vetting and all the vetting the committees did, just so he would not make a mistake and just so he would not be subject to this “innocent until nominated” syndrome.

The bill we passed this morning simply establishes a process. If the bill should pass the House and be signed by the President, then we would have a working group of people appointed by the Senate—people appointed by the executive branch—and we would work together to try to simplify the executive forms and the congressional forms that we use to see if we can have a smart form, a simple form that perhaps we could all use; and then at least, for the most part, a nominee, when nominated by the President, could fill out a single form, which could then be used by all of us who need to know basic information, such as what was their income last year. We can ask the question: Do we need to know every single residence address they ever had in their life if they are going to be on an advisory board, for example, for the United States?

That practice will have to be done with respect to the constitutional separation of powers. The executive branch will have to create its own documents. The Senate will have to create its own. If we work together and create a smart form—and Senator COLLINS and Senator LIEBERMAN have made important contributions to the process of how candidates are vetted, and the forms—we will not only have slowed down the trivialization of the Senate's duty of advice and consent by doing a better job deciding who not to confirm, we will also have reduced the phenomenon of innocent until nominated, which has not only made it difficult for Presidents to staff the government, delayed their ability to form a government, but unnecessarily harassed otherwise honorable men and women who are asked to serve their government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

ORDER OF PROCEDURE

Mr. MERKLEY. Madam President, I ask unanimous consent that I be recognized for up to 10 minutes and that Senator COLLINS be recognized for up to 10 minutes following my remarks; further, that following Senator COLLINS' remarks, the Senate recess until 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. MERKLEY. Madam President, we have had a lot of discussion on the floor of this Chamber about the challenge of our deficit and our debt, and these are indeed very important issues.

It is important to remember exactly how we got here because it was only one decade ago that we were running large surpluses at the conclusion of the Clinton administration. In fact, these surpluses were so large that economists were starting to argue over just what would we do if we paid off our entire debt. Didn't there need to be instruments of last resort, of great security, such as Treasury bonds? Didn't we need to preserve some deficit or debt in order to have that instrument available to stabilize society?

Well, would it not be great to have that debate now? I remember being absolutely thrilled that we were going to turn over a debt-free America to our children. But what ensued? President Bush had a different view. He said: You know what. Let's spend these surpluses we are generating and do breaks for the best off in our society. Let's take and establish a new, major program—Medicare Part D—and not pay for it. Let's embark on wars around this planet and not raise funds to pay for them.

The result of that was that those tremendous surpluses were reduced to huge deficits in short order.

Indeed, the 10-year projection went from a \$5 trillion surplus to a \$5 trillion shortfall. It is why some folks call President Bush the \$10 trillion man—because he managed to do \$10 trillion worth of damage to our economy. But that was only the beginning because then there was deregulation of the mortgage industry which resulted in predatory lending, liar loans, teaser rates that exploded after 2 years, and kickbacks allowed to the originators so that they didn't even have any sort of fair presentation to families negotiating the most important financial instrument in their lives—their home mortgage. The meltdown that came from that extraordinary regulatory abuse resulted in another \$5 trillion in debt. So that is how we got there.

Now we have a certain pattern we see on this floor in which Members of this

Chamber—many of the Members across the aisle stand up and say: We want to protect the programs for the best off, but we want to cut the basic programs that serve working Americans in our Nation. Quite frankly, I think they have it exactly backward, and if you think I am making this up, let's just review recent history.

The December deal on the continuing resolution—this increased our debt by \$½ trillion, and virtually every Member across this aisle voted for it. I voted against a \$½ trillion increase. And a big chunk of that \$½ trillion increase in our debt was there because of the insistence on providing the continuation of the President Bush breaks for the best off in our society. Now, I don't know how one can rise and talk about cutting our investment in infrastructure in America. I don't know how one can rise and talk about cutting support for those who are needing to get food from food banks and at the same time be defending bonus breaks for the very best off in our society.

The December deal wasn't an anomaly because it has happened repeatedly. We had a vote on oil and gas subsidies for the most powerful five companies in our economy, five very large oil and gas companies. Instead of getting rid of an anachronistic provision that was put there when the cost or the value of a barrel of oil was very low and the oil industry said it needed to have some support, instead of cutting that, many in this Chamber voted to continue it, continue this break for the most powerful corporations, a break that was designed for a very different period of time when oil wasn't \$100 a barrel but was a fraction of that—\$20 a barrel.

No, these aren't the only two recent cases. We have the attack on Medicare. Indeed, we have the plan that has been widely supported by my colleagues across the aisle, both in this Chamber and across the building, in which they say: Let's end Medicare as we know it because we need to save money, and we are going to do it on the backs of seniors, but we are not going to take a look at the breaks we voted in over the last quarter century for the best off in our society.

Well, this systematic plan works like this because these breaks for the best off have been done through the Tax Code, and every American understands that whether you give somebody \$5,000 in the Tax Code or you give them a \$5,000 grant, it is exactly the same thing. We had that debate over the ethanol subsidies just recently. Everyone understands it is exactly the same thing, but by putting these programs for the wealthy and well-connected in the Tax Code, now my colleagues are rising to say: We will not touch those programs because they are in the Tax Code. Now, if they were in the appropriations bill, then we would be willing to talk about it, but because we were

clever enough to put them in the Tax Code, no, they are off limits.

This is a sophisticated way of saying that the programs for the wealthy and well-connected in America are off limits, but the programs for working families are the ones we are going to cut. It is those programs for the hungry, it is those programs for the unemployed, it is that health care program for our seniors, it is the investment in infrastructure that will build America—those are the ones we will cut.

My colleagues and citizens of the United States, we must have a national debate, a debate that doesn't employ this type of smoke and mirrors to try to protect the programs written for the wealthy and well-connected while attacking the programs for working families. That is unacceptable, and I and others will rise on this floor and point it out time and time again, that using that simple ruse by saying only the appropriations bills on the table but not the tax bill is unacceptable.

I am going to tell you that it must not be that we make our kids' education more expensive by diminishing Pell grants, that we make our parents' health care more expensive by obliterating Medicare as we know it, that we impoverish the future of this Nation by not investing in our infrastructure, while continuing to defend the programs that were developed for the best off, the wealthy, and the well-connected over the last 25 years and saying those are off the table. They must be on the table. We must fight for an America that works for working Americans.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PALESTINE

Ms. COLLINS. Madam President, last night, the Senate unanimously approved S. Res. 185, a resolution I introduced with my colleague from Maryland, Senator CARDIN. Our resolution sends a clear message to the Palestinian Authority that any effort to seek unilateral recognition at the United Nations will have serious consequences for future American aid to the Palestinians.

The United States provides nearly \$550 million each year in bilateral assistance to the Palestinians. This aid is not an entitlement, particularly at a time when we have an unsustainable debt of some \$14 trillion. Rather, this aid is predicated on a good-faith commitment from the Palestinians to the peace process.

By unanimously passing our resolution last evening, the Senate has sent

an unmistakable message that efforts by the Palestinians to seek independent statehood outside of direct negotiations with Israel do not reflect good-faith actions toward peace.

Negotiations have been a fundamental principle of the peace process. It was in September of 1993 when Yasser Arafat committed to Israeli Prime Minister Rabin that outstanding issues would be resolved through negotiations. This principle has also underpinned the Oslo Accords, the Road Map for Peace, and other Middle East peace efforts.

We want to see a true and lasting peace between two states—a democratic Jewish State of Israel and a viable democratic Palestinian State. Since 2002, it has been the policy of our country to support a two-state solution to the Palestinian-Israeli conflict, but the road to peace is through negotiations, not by subverting them and making a unilateral case before the United Nations.

Unfortunately, the United Nations has a well-documented record of being hijacked to chastise Israel, one of America's closest allies. In total, the United States, under Presidents of both political parties, has been forced to veto 11 different U.N. Security Council resolutions regarding the Palestinian-Israeli conflict.

I am pleased to note that the current U.S. Ambassador to the U.N., Susan Rice, has vetoed the latest U.N. resolution regarding settlements, which, like Palestinian statehood, is the key issue in the peace process. The resolution passed by the Senate urges the President to maintain this strong position and to announce his unwavering intent to veto any resolution that is not the result of direct negotiations between Israel and the Palestinians.

I wish to thank Senator CARDIN for working with me in drafting this resolution. When Senator CARDIN and I first discussed introducing this measure, the Palestinian Authority had not yet agreed to establish a unity government with Hamas—a truly disastrous decision. That action has made it all that much more critical that the Senate be firmly on record that aid to the Palestinians is now in jeopardy. If Hamas continues to reject negotiations or peace with Israel, we must suspend this assistance.

During his address before a joint session of Congress in March, Israeli Prime Minister Benjamin Netanyahu succinctly described the heart of the matter. He said:

This conflict has never been about the establishment of a Palestinian state. It has always been about the existence of the Jewish state.

We must remember those words.

We must also never forget that Hamas is responsible for the deaths of more than 500 innocent civilians, including two dozen American citizens. It

has been designated by our government as a foreign terrorist organization and a specially designated terrorist organization.

Secretary of State Hillary Clinton has made it clear that the United States will not fund a Palestinian Government that includes Hamas unless and until Hamas renounces violence, recognizes Israel, and agrees to abide by the previous obligation of the Palestinian Authority. I urge the administration to suspend aid until such time as Hamas demonstrates a clear commitment to following these principles.

Madam President, let me also thank the chairman and ranking member of the Foreign Relations Committee, Senator KERRY and Senator LUGAR, for discharging this resolution so that it could be considered and passed by the full Senate before our Fourth of July recess. The passage of this resolution could not have been more timely.

According to press reports, the Palestinian delegation has made the rounds with nearly a dozen delegations in New York this week to build support for their bid to have a United Nations-recognized state. Palestinian Ambassadors from around the world are meeting in July to discuss their plans in Madrid. They have been instructed to cancel vacations because of the importance of this coming period.

I submit that if the Palestinians were only willing to invest as much energy into the peace process with Israel as they have into this ill-advised rush to the United Nations, we could see the beginnings of a genuine and lasting peace in the region. I do not know if the Palestinians will have the support among the 192 members of the U.N. General Assembly. However, the Palestinians must understand that the cost of seeking such a vote will seriously jeopardize U.S. financial assistance and that is evident from the 88 Members of the Senate who cosponsored the important resolution that was unanimously passed last evening.

Madam President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5:30 p.m.

Thereupon, the Senate, at 4:46 p.m., recessed until 5:30 p.m., and reassembled when called to order by the Presiding Officer (Mr. WHITEHOUSE).

PROVIDING FOR EXPEDITED CONSIDERATION OF CERTAIN NOMINATIONS—Continued

The PRESIDING OFFICER. In my capacity as a Senator from the State of Rhode Island, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 522

Mr. HARKIN. Mr. President, because of the heavy fires that are blazing in New Mexico, our colleague Senator UDALL cannot be here because he is out there dealing with forest fires. He has an amendment he has filed to S. Res. 116, the bill now before us in the Senate, and on his behalf, I will be calling it up. It is amendment No. 522, and I want to take a couple of minutes to explain the amendment.

Mr. President, basically the amendment is very simple, and I will read it in its entirety:

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

Is it the sense of the Senate that the debate shall be brought to a close? And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary or affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

And this is already rule XXII. Here is the part that Senator UDALL would amend:

On a nomination to an Executive Branch position requiring the advice and consent of the Senate, the necessary affirmative vote shall be a majority of the Senators duly chosen and sworn.

So the Udall amendment, of which I am a proud cosponsor, would basically say on executive branch nominations that come before the Senate that when debate is brought to a close there would not need to be 60 votes. You could have an affirmative 51 votes and that measure would pass, that nomination would be passed by the Senate. So, therefore, we would not need the supermajority of 60 votes to pass a nominee.

Again, it comes as no surprise to Members of the Senate that Senator UDALL and I have worked together to try to reform the rules to reduce to an absolute minimum, if not get rid of entirely, the filibuster. Well, it is obvious we never accomplished that, but it seems to me as we are changing the rules here on changing the policy on how we are going to deal with nominees—and I think this is long overdue—this is the proper time to address this point, that on a nomination to an executive branch, it ought to be 51 votes, not 60 votes. So that is what the amendment does. It basically says on a nomination that it only requires 51 votes to pass the nomination and not 60 votes.

What is the pending business? Is it Coburn amendment 521?

The PRESIDING OFFICER. The pending question is the Coburn amendment.

Mr. HARKIN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 522.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. UDALL of New Mexico, for himself and Mr. HARKIN, proposes an amendment numbered 522.

Mr. HARKIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a majority vote threshold for proceeding to nominations)

At the end of the resolution, insert the following:

SEC. ——. ESTABLISHING MAJORITY VOTE THRESHOLD FOR PROCEEDING TO NOMINATIONS.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

“Is it the sense of the Senate that the debate shall be brought to a close?” And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting—then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of. On a nomination to an Executive Branch position requiring the advice and consent of the Senate, the necessary affirmative vote shall be a majority of the Senators duly chosen and sworn.”

Mr. HARKIN. Basically, again, what it repeats on nominations to the executive branch is it would not require 60 votes but only 51 votes of the Senators.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I make a point of order that the amendment offered by the Senator from Iowa is not relevant.

The PRESIDING OFFICER. The Chair sustains the point of order. The amendment falls.

Mr. ALEXANDER. Thank you, Mr. President. This situation recalls the debate we had at the beginning of the year when a number of Senators felt as though we needed to make the Senate a more effective institution, which is always a noble goal, but we had some differences of opinion about how to do that. One group of Senators, including Senator UDALL, Senator HARKIN, and others, renewed the effort to basically say the Senate would be a majoritarian body which would decide questions

with 51 votes. To most Americans, that sounds like the normal order of business, and it is. We grow up in the first, second, and third grades selecting the class president. If someone gets a majority of the votes, that person wins. But in the Senate, over its history, we have had a different process because the Senate serves a different function.

The House is a majoritarian institution. If a party wins a majority in the House, a freight train rolls through the House and the bill is passed and sent to the Senate. The Senate, throughout its history, has been the saucer into which the tea is poured to cool it a little bit. In other words, it takes a little more deliberation here to pass something. That can be very frustrating. It can slow things down, but the process was designed that way. Otherwise, there wouldn't be any need for two different bodies.

So we have one body which can change with every election every 2 years and pass something such as the health care law by a majority vote. Let's take another example: Ending the secret ballot in union elections, which the House of Representatives, under Democratic control, did pass. But it didn't pass the Senate, because in the Senate, there are rules in which we need 60 votes to pass most important pieces of legislation. The shoe is on the other foot too. If the Republican House of Representatives were to pass, let's say, a tort reform bill that our Democratic friends didn't like, we would have a hard time passing it over here. It would take 60 votes, and that would mean that we 47 Senate Republicans, even if we were all for it, would have to persuade 13 or 14 of our Democratic friends to join us.

The theory of the Senate is that it forces consensus. It doesn't always work that way, but that is the idea. We have had a pretty good example of it with the legislation we have been debating over the last few days. We have a coalition of Democrats and Republicans who agreed we needed to change the Senate nominations process and we had the support of both the Democratic and Republican leaders. Because of this coalition we were able to move the bill to the floor without the cloture motion. We were able to allow any relevant amendment to come to the floor. We were able to pass a bill earlier today and it looks as though we are going to be able to pass a resolution this evening that will complete our work. The bill this morning got 79 votes. I hope the resolution this afternoon gets at least that many votes. That is the way the Senate should work.

I am glad the amendment offered by the Senator from Iowa, on behalf of Senator UDALL, is out of order and not relevant to this discussion. Even if it were relevant, I think it would be the wrong step for us to take. I think it is

better to have a Senate that forces consensus by requiring 60 votes on big issues. That avoids what Alexis de Tocqueville called the tyranny of the majority in his book "Democracy in America." He saw two great threats to the new American democracy at that time; one was Russia, as he said, and he turned out to be prescient on that. The other one was the possibility of the tyranny of the majority—that the majority would get control and simply run over minority rights. That cannot be done in the Senate because there have to be 60 votes on big issues for the issues to pass. That means when one sets out to pass most pieces of legislation, if one wants to do it in a purely partisan way, one is not likely to succeed. If one wants to do it in a way that gets a result, one is going to have to form a coalition of Republicans and Democrats, as we have here with these nominations reforms.

This discussion by Senator UDALL, Senator HARKIN, and others wasn't for naught because it initiated a debate that ended up with some changes in Senate procedures which we think are for the better. One of these changes was the abolition of secret holds, which some Senators in this body, including Senator WYDEN and Senator GRASSLEY, have been advocating for years—more than a decade. That was done. The discussions earlier this year with Senator HARKIN and Senator UDALL resulted in the legislation we passed earlier today, which helps the Senate exercise its constitutional duty to advice and consent by doing a better job of deciding which nominations do not deserve advice and consent. So we eliminated the requirement for advice and consent on 169 positions of the 1,400 that now require Senate confirmation. Most of those were part-time advisory boards. We didn't need those to be confirmed.

We eliminated nearly 3,000 advice-and-consent requirements on public health officers and the NOAA Officer Corps. They are very valuable Federal employees, but we were confirming them in groups of 300 nominees at times. No Senator knew whom he or she was confirming, and that trivializes the whole constitutional duty of advice and consent, which is in the Constitution of the United States in article II, section 2.

Another reform we are making and will proceed with is reducing the phenomenon of innocent until nominated. I have spoken about this several times on the floor. It is a situation whereby we take an unsuspecting citizen of the United States that the President recruits to a position in the government. Then that person begins to go through this gauntlet of complicated forms that have built up over the years. It first started with the executive branch, where a person is asked to fill out every place they have lived since they were 17 years of age and define income

three different ways. And by the time they get to the Senate committee whose job it is to investigate and confirm that person and they fill out all their forms, the person is bound to make some mistake. Then they are hauled up in front of the Committee with the spotlights on them and they have told a lie inadvertently.

I mentioned earlier today the former Senate majority leader, Howard Baker, who was voted most admired Senator by Democrats and Republicans. He had to spend \$250,000 of his own money on lawyers when President Bush nominated him to be the Ambassador to Japan—absolutely ridiculous. Republicans and Democrats who have served in personnel offices and Chiefs of Staff to the last several Presidents all have said this practice of innocent until nominated is a great disservice to the American Government.

I see Senator SCHUMER on the floor. He and I will be meeting with the White House personnel director as soon as this legislation is approved by the House and signed by the President. We hope the working group that will be set up under the legislation will produce what we call a smart form, so that if the President asks a citizen to serve their government, that person can fill out a single form for most questions. Then, the various offices of the executive branch that need the information can get the same information. When the nomination is sent to the Senate, perhaps even we can take some of that information and use the same form to get it for us. It doesn't interfere with the separation of powers. The executive can do whatever it wishes to do. We in the Senate can do whatever we wish to do.

We have made some progress as a result of those discussions earlier in the year. It is modest progress, but I think any time we eliminate confirmation for 169 positions out of 1,400, any time we expedite about 270 more, any time we stop the practice of confirming box loads of nominees without even knowing who is in there, then we have done something to avoid the trivialization of our constitutional duty to advice and consent. If we can make a further step with avoiding the innocent until nominated phenomenon, the work Senator HARKIN, Senator UDALL, and others have done will have made some progress. The work of Senators HARKIN, UDALL and other will have made progress even though we didn't adopt their rule to turn the Senate into a majoritarian institution.

I appreciate the spirit with which Senator HARKIN offered the amendment. He and Senator UDALL worked on the amendment. I think they helped reduce some steps which will help make the Senate a more effective institution. We still have a ways to go and we will continue to work on those things.

I see Senator SCHUMER is here. I compliment him for his work on this and in the way he has gone about it. He and I, working with the majority leader and the Republican leader, have created an environment for this bill that didn't require enforcement of a cloture motion. An environment that allowed all relevant amendments to come to the floor, that allowed all the debate Senators seemed to want and that passed the bill. We hope we are coming to a point where we can pass the resolution and take these steps to improve the effectiveness of the Senate.

I thank the President, and I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent that at 6:10 p.m., the Senate proceed to a vote in relation to the Coburn amendment No. 521; that all other provisions of the previous order with respect to the Coburn amendment remain in effect; that upon disposition of the Coburn amendment, the managers' amendment, which is at the desk, be agreed to; that following the disposition of the managers' amendment, the Senate proceed to vote on adoption of the resolution, as amended; that there be no other amendments and no other motions or points of order in order to the resolution other than budget points of order and the applicable motions to waive; further, that the motions to reconsider be considered made and laid upon the table; and that Mr. COBURN, the Senator from Oklahoma, be given 5 minutes to speak on his amendment just before the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, if my colleague from Tennessee has yielded, I will read a brief statement about what we are voting on.

I encourage my colleagues to support S. Res. 116, which streamlines certain nominations through the Senate. Once again, I wish to thank my good friend and colleague, Senator ALEXANDER, for his hard work on this resolution and his insight into the nomination process. I am grateful he is the ranking member of the Rules Committee. I thank the chairman and ranking members of the Homeland Security Committee, Senators LIEBERMAN and COLLINS, for their steadfast dedication to the efforts to reform the way the Senate conducts business. Additionally, Leader REID and Republican Leader MCCONNELL gave their support in time to work through this package.

Earlier today, we passed the first piece of the nomination reform package, S. 679, which eliminates certain positions from Senate confirmation. It is our hope this package thaws out this institution. The resolution passed through our committee, the Rules

Committee, unanimously back in May—this resolution did—and it is a bipartisan effort. Now we are considering the corresponding resolution which streamlines other nominations. For certain nominations, once received, they will be placed in a new category of the calendar. At that point, the chair will send out the questionnaire. Once he or she certifies it has been returned, the nomination will move to a second new category on the calendar. It will sit there for 10 days. If there are no objections, the nomination will then move directly to the Executive Calendar, with the presumption that these noncontroversial positions would be passed by unanimous consent.

At any time while the nomination is in either of these two categories, anyone can object, including the chair, and have that nomination referred back to the full committee, as with any other nominee. We hope this will clear the way for confirmation of these positions.

Additionally, this resolution will allow committees to turn their focus to issues that affect the American voter. Time spent on nomination hearings and markups can now be spent on other nominees or on other legislation to improve the condition, for instance, of our middle class. As I said earlier, we are in no way abdicating our advise and consent duties, we are enhancing them.

I strongly encourage my colleagues to vote for this resolution. I encourage them to vote against the amendment of our good friend from Oklahoma, Senator COBURN. With this resolution, the Senate and our committees can turn our attention to pressing issues that affect us all.

I yield the floor.

At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.

• Mr. UDALL of New Mexico. Mr. President, 6 months ago, I joined my colleagues and friends Senator MERKLEY of Oregon and Senator HARKIN of Iowa to push for fundamental reforms in how the Senate operates. The reason we did that was simple: the Senate was broken. The unprecedented abuse of the filibuster and of other procedural tactics was routinely preventing the Senate from getting its work done. It was preventing us from doing the job the American people sent us here to do.

Although the reform proposals we offered in January did not pass, I thought some good came out of the process. We passed resolutions to eliminate secret holds and the delaying tactic of forcing the reading of amendments. We also agreed to consider legislation in the future that would exempt many executive branch nominees from the Senate confirmation process. Legislation that we are considering on this floor today.

Although these were steps in the right direction, I believe there is still a long way to go before this body can function as our Founders intended. The unfortunate reality is that over the last six months, this already broken institution has become even more dysfunctional.

Let's consider what the Senate has accomplished this year. A Bloomberg article from last week notes that, "just 18 measures have cleared Congress and become law this year, and only four of those originated in the Senate—including two that named courthouses." That is simply unacceptable. At a time when our country needs us to act, we do almost nothing.

A Washington Post article from June 9 discusses quorum calls in the Senate. It states:

This year—even as Washington lurches closer to a debt crisis—the Senate has spent a historic amount of time performing this time-killing ritual. Quorum calls have taken up about a third of its time since January.

That is the equivalent of more than 17 8-hour days wasted in quorum calls. That article goes on to state that there have been just 87 rollcall votes as of June 9 compared to 205 in the same period in 2009.

I don't blame one party for these problems—both sides are at fault. While Republicans use delaying tactics to slow down the floor calendar, Democrats repeatedly try to avoid tough votes. It is no wonder Congress's approval ratings are at an all-time low. Instead of working to solve the major problems our country faces, we engage in partisan warfare for political gain.

The Senate confirmation process for executive branch nominees is a prime example of how our rules prevent this body from functioning as it was intended. This used to be a fairly straightforward process.

When I was a kid, my father served in the Congress and later as Secretary of the Interior under Presidents Kennedy and Johnson. Once I grew up and was elected to the Congress myself, I often talked with him about the differences between his era in Washington and mine.

One of my biggest frustrations was the Senate's inability to bring executive confirmations to an up-or-down vote. I told my dad, "the President and Cabinet Secretaries don't have their team. How can they do the job the American people sent them here to do without a team to back them up?" Do you know what he said to me? He said, "Tom, I had virtually my whole team in place the first 2 weeks." Imagine today if the whole team for the Department of the Interior, or any other department, was confirmed in the first 2 weeks of the administration.

There have been many news articles about how the Senate has dragged its feet in confirming President Obama's team. A New York Times article from

August 2009 stated that, "Seven months into his presidency, fewer than half of his top appointees are in place advancing his agenda."

A February 2010 Washington Post article found that "46 of Obama's nominees have waited at least three months to be confirmed and nine have waited twice that long. . . . Obama's nominee to head the General Services Administration was confirmed only last week—by a 96-0 vote, no less—after a hold stalled her nomination for nine months."

Perhaps what is most disturbing to me is that many nominees are held up purely because of their policy views, and not because they are unqualified. I believe that the president has a right to appoint people who share his policy views—it would be ridiculous to expect otherwise.

Unfortunately, many well-qualified nominees have been blocked because of their policy views, and not because of their qualifications.

A perfect example is Dawn Johnson, who was President Obama's nominee to head the Justice Department's Office of Legal Counsel. Johnson was a respected law professor and former top assistant in the Office of Legal Counsel in the Clinton administration. But Republican's cited her strong pro-choice views as grounds for blocking her nomination. After more than a year of her nomination being stalled in the Senate, she decided that she had had enough and withdrew from consideration.

Yesterday, more than 6 months after she was nominated, the Senate confirmed Virginia Seitz to head the Office of Legal Counsel. Sadly, she is the first Senate-confirmed head of OLC since 2004. For 7 years, we have not confirmed a nominee to this position because of partisan battles over the nominees' policy views. The last Senate-confirmed nominee, Jack Goldsmith, recently said that, "It's important that there be a Senate-confirmed person at the head of the Office of Legal Counsel, both because it helps secure the independence of the office when it's making legal judgments and because it helps give the office more authority, both within the Justice Department and throughout the government." Yet we let it go 7 years without confirming a nominee to lead the office.

Another recent example is the nomination of James Cole to be the Justice Department Deputy Attorney General. Cole first joined the department in 1979 as part of the Attorney General's Honors Program. He served there for 13 years—first as a trial attorney in the Criminal Division, and later as the Deputy Chief of the Division's Public Integrity Section, the office that handles investigation and prosecution of corruption cases against both Democratic and Republican elected and appointed officials at all levels of government.

Although Cole's record is exemplary, his nomination was blocked for over a year. Why? Because he believed it made sense to try some terrorism suspects in Federal courts, rather than military commissions. A view that I, and many legal scholars and constitutional experts, happen to share with Mr. Cole.

In May, 353 days after his selection, Democrats forced a cloture vote on Cole's nomination, but were unable to overcome the Republican filibuster. This was the first time in history that a Deputy Attorney General nominee was filibustered. Let's hope it's also the last.

After a few more weeks of negotiations, we were finally able to have an up or down vote yesterday on the Cole nomination, and he was confirmed 55-42. Because of the forest fires in my State, I unfortunately missed this vote, as did two of my Democratic colleagues. If we had all voted for Mr. Cole, he would have been confirmed overwhelmingly 58-42, with bipartisan support.

How does a nominee get stuck in the Senate confirmation process for over a year, only to be finally confirmed by a bipartisan majority? Simple—our confirmation process is broken.

I will mention one final example, although there are many more.

Just this month, Peter Diamond withdrew as President Obama's nominee to the Federal Reserve Board. Diamond's nomination was blocked because a small minority of senators questioned whether he was qualified and had enough experience in conducting monetary policy. I tend to believe that he was qualified, as he won the Nobel Prize in economics last year.

I give you all these examples because the bill we are considering today would not have affected these nominations in any way. While I appreciate the effort of the task force that produced this bill, it does nothing to prevent the abuse of the Senate rules in the confirmation process.

In order to have real change in the process, the Senate rules must be amended. As such, I have filed an amendment that will restore the proper role of the Senate's advise and consent responsibility.

My amendment is very simple. It would make the cloture threshold on executive branch nominees a majority of Senators chosen and sworn—51 if all seats are filled. The result is exactly what our framers intended—if the president nominates someone, and a majority of the Senate approves, that person is confirmed. Our current rules lead to a much more perverse result. Now, if the president nominates someone and 59 Senators approve and 41 object, the nomination fails. How can we argue for this result?

My amendment only applies to executive branch nominees, so judicial

nominees are still subject to a 60 vote cloture threshold. While I don't believe judicial nominees should be filibustered either, I know many of my colleagues are reluctant to give up the supermajority cloture requirement because judges are appointed for life.

I know some will ask me about what happens when we are in the minority and the president is a Republican—won't I want to be able to block an extreme nominee? The short answer is no. While I might want to block a nominee, I don't believe the Constitution gives me that right if a majority favors his or her confirmation.

If the American people elect a Republican president and the Republicans become the majority party in the Senate, I would expect some executive branch nominees that I disagree with on policy grounds. But I believe that we must afford the President a significant degree of deference to shape his Cabinet as he sees fit. If those nominees are qualified, I do not believe a minority of the Senate should be able to block them.

Many of my Republican colleagues have said the same thing in the past. When speaking on the floor about the nomination of Alberto Gonzales to be Attorney General, Senator KYL said that, "When someone is qualified and has the confidence of the President . . . unless there is some highly disqualifying factor brought to our attention—[we] should accede to the President's request for his nomination and confirm the individual." Senator HATCH, a highly regarded constitutional scholar and former chairman of the Judiciary Committee, wrote in 2003:

The advice and consent clause [of the Constitution] is clearly an up or down vote—a majority vote—on the floor of the Senate. The Founding Fathers knew what a supermajority vote was. . . . If they had wanted it to be a 60-vote margin . . . they would have said so.

Senator HATCH also said on the floor in 2007:

Under the Constitution, the President has the primary appointment authority. We check that authority, but we may not hijack it. We may not use our role of advise and consent to undermine the President's authority.

I hope that we can agree that our confirmation process is broken and that we need significant reforms to restore the democratic process in this body. Many of us have said as much when we are in the majority and our president's nominees are being held hostage by a small minority.

It's time for us to put partisanship aside and amend our rules so that the President, regardless of his or her party affiliation, can get a team in place and govern. I'm proud today to join once again with Senator HARKIN and offer an amendment that will do just that. I strongly encourage my colleagues to support the amendment. The Senate is broken and the only way we are going to fix it—to make it work

once again for the American people—is through substantive reform of the rules.

I ask that the news articles I mentioned be printed in the RECORD.

The information follows:

[From the Washington Post, June 9, 2011]

SENATE LEGISLATION MAY SLOW, BUT
QUORUMS CONTINUE

(By David A. Fahrenthold)

In the U.S. Senate, this is what nothing sounds like.

"Mr. Akaka."

At 9:36 a.m. on Thursday, a clerk with a practiced monotone read aloud the name of Sen. Daniel K. Akaka (D-Hawaii). The chamber was nearly deserted. The senator wasn't there. Not that she was really looking for him.

Instead, the clerk was beginning one of the Capitol's most arcane rituals: the slow-motion roll calls that the Senate uses to bide time.

These procedures, called "quorum calls," usually serve no other purpose than to fill up empty minutes on the Senate floor. They are so boring, so quiet that C-SPAN adds in classical music; otherwise, viewers might think their TV was broken.

This year—even as Washington lurches closer to a debt crisis—the Senate has spent a historic amount of time performing this time-killing ritual. Quorum calls have taken up about a third of its time since January, according to C-SPAN statistics: more than 17 eight-hour days' worth of dead air.

On Thursday, the Senate was at it again. At least on "Seinfeld," doing nothing came with a flunky bass line.

"It's not even gridlock. It's worse than that," said Allan Lichtman, a history professor at American University who once ran for the Senate himself as a Democrat. He said "gridlock" implies that somebody was at least trying to get legislation passed.

Instead, he said, this year "they're not even trying to get something done."

To an outsider, a quorum call looks like a serious—if dull—piece of congressional business. A clerk reads out senators' names slowly, sometimes waiting 10 minutes or more between them.

But it's usually a sham. The senators aren't coming. Nobody expects them to. The ritual is a reaction to what the chamber has become: a very fancy place that senators, often, are too busy to visit.

This is what happened: Decades ago, senators didn't have offices. They spent their days at their desks on the Senate floor. So clerks really needed to call the roll to see if a majority was ready for business.

Now, senators spend much of their time in committee rooms, offices and elsewhere. If no big vote is on the horizon, often nothing at all is happening on the Senate floor.

But Senate rules don't allow for nothing to happen. That would require a formal adjournment, which would mean lots of time-consuming parliamentary rigamarole.

Instead, the last senator to speak asks clerks to fill the time by calling the roll.

"It's just a matter of keeping the store lights on when the customers aren't there," said Donald A. Ritchie the Senate's official historian. The procedures are much less common in the House, where the rules allow for a pause in activity without a formal adjournment.

On Thursday morning, Sen. Orrin G. Hatch (R-Utah) finished talking about an airman who was killed in Afghanistan. He looked around, realized he was alone, and suggested

a quorum call. "Mr. Akaka," the clerk intoned.

Hatch left the floor. Minutes passed. It was so quiet that, when a page carried out a glass of water, the clink of the ice cubes could be heard up in the gallery. Tourists watched blank-faced. Ten minutes passed. Some of the visitors got up to leave.

After 12 minutes, Sen. Mark R. Warner (D-Va.) showed up. "I ask that the proceedings of the quorum be dispensed with," he said. That's how quorum calls usually end: The next senator who wants to speak asks for a halt.

After Warner gave a brief speech on the value of federal workers, it happened again. "Mr. Akaka," the clerk said. Twenty-one minutes of silence.

At a deli in the Senate's basement, it was clear this was wearing on people. One Capitol employee asked another: Where are you working today? "Senate chamber," his buddy replied. "Shoot myself in the head."

These sham roll calls have been a feature of Senate debate for decades, but this year has been special: According to C-SPAN, the Senate has spent more than 32 percent of its time in quorum calls. That's more than in any comparable period dating to 1997.

The main reason seems to be the bare-bones agenda pursued by the Senate's Democratic leaders: There have been just 87 roll-call votes so far, compared with 205 in the same period during 2009. Senate Democrats have not even proposed an official budget; the strategy appears to be to shield vulnerable incumbents from controversial votes on spending.

"Why are we here?" asked Sen. Tom Coburn (R-Okla.), a critic of the large number of quorum calls this year. "The Senate is not operating the way it was designed, because politicians don't want to be on record."

Democrats, on the other hand, say they haven't brought up much legislation because they think Republicans will just block it.

"You always hope it'll get better," said Jon Summers, a spokesman for Senate Majority Leader Harry M. Reid (D-Nev.).

It might. There is an upcoming deadline to lift the national debt ceiling, and that could produce major legislation later this summer.

But not yet. This year, in fact, C-SPAN worries that its library of classical background music has been over-used. It is trying to expand its options, within a set of strict conditions: The music must be "calm and benign." No cannon-booming "1812 Overture." No funeral marches.

And it must not imply any comment on the nothingness happening onscreen. The Capitol Hill newspaper Roll Call recently suggested Lady Gaga's "Bad Romance." Non-starter.

C-SPAN has also started using a graphic showing tweets from members of Congress. It's a signal that lawmakers are doing something. Just not here.

[From Bloomberg, June 21, 2011]

SNAIL'S PACE IN U.S. SENATE POSES HURDLE TO EFFORT TO REDUCE DEFICIT

(By Laura Litvan and James Rowley)

Just 18 measures have cleared Congress and become law this year, and only four of those originated in the Senate—including two that named courthouses.

About one-third of the chamber's time has been taken up by inactive "quorum calls." Debate on one small-business measure took a month, and a handful of languishing White House nominees withdrew their names because of delayed Senate action, including

Nobel Laureate and Federal Reserve board pick Peter Diamond.

"It looks like the pace has slowed to a crawl," said former North Dakota Senator Byron Dorgan, a onetime Democratic leader who retired in January. "Whether it's nominations or legislation, it seems there's very little effort by some to meet in the middle and compromise."

The Senate was devised by the nation's founding fathers to move slowly. This year, its inaction is especially notable, and overcoming Senate dysfunction will be one of the final hurdles confronting lawmakers seeking a deal to lift the ceiling to avoid a default on more than \$14 trillion in U.S. debt.

Beyond the debt limit, the chamber faces unfinished business on energy, immigration, transportation and education.

Senators offer various reasons for their chamber's slow pace, including increased partisanship, re-election politics, and the decline of centrists willing to compromise.

ALL IN PLAY

Each of those elements can play a role in slowing the legislative calendar. The major challenge facing this Senate is that all of them are in play.

Senator Mike Lee of Utah, a first-term Republican, said he's surprised to see the Senate spending so much time doing so little. "It's what someone could perhaps call filler," he said. "I'm not calling all of it that, but it's odd to me that given the enormity of what we're facing that we're not having more debate and discussion focused on the debt."

He rejects the criticism of those who say Tea Party-backed freshmen—including himself—won't bend on policy and are the logjam's chief cause. "Compromise has two sides," he said. "If the Democrats' idea of compromise is that we have to move and they don't, that's not going to work for me."

GANG EFFORTS

In an effort to jumpstart legislation, some senators have formed small, bipartisan "gangs," which tend to begin with vows to reach agreements and end in acrimony. The so-called "Gang of Six," created to broker a deal on lifting the debt ceiling, stalled amid disagreements and has been superseded by the bipartisan group of Senate and House members working with Vice President Joe Biden.

Senator Bob Corker, a Tennessee Republican, said both parties bear blame for the Senate's inaction. He also said negotiations over deficit reduction and lifting the debt ceiling are taking "all of the oxygen" out of the air. "Neither side of the aisle really wants there to be a robust debate, tough votes to be taken on where we go as a country," Corker said. "Basically, we are cooling our heels."

In 2010, the Senate's record included passage of a health-care overhaul, a rewrite of financial-services rules and a \$60 billion measure funding the Iraq and Afghanistan wars.

This January, Senate Majority Leader Harry Reid, a Nevada Democrat, and Senate Minority Leader Mitch McConnell, a Kentucky Republican, heralded changes designed to speed Senate work and forge a bipartisan truce.

GENTLEMAN'S AGREEMENT

They hatched a "gentleman's agreement" to curb the minority party's use of the filibuster—endless debate—to block legislation. In exchange, Reid agreed to allow more debate on Republican amendments to bills. They also pushed through a measure to abol-

ish the secret "holds" that allow a single senator to anonymously block a nominee.

Those moves, Republicans said, are being undermined by Reid's decision to embrace a timid agenda.

With the seats of 23 Democratic senators up for election next year, and only 10 Republicans, Reid has shielded Democrats from taking tough votes, said Senator Charles Grassley, an Iowa Republican. After criticizing a House-passed budget blueprint that included \$6 trillion in spending cuts and a plan to privatize Medicare, Democrats never introduced their own plan, sparing their side criticism over fiscal choices and preventing Republicans from offering amendments that might be used against Democrats, he said.

IT'S IRRESPONSIBLE

"The less votes the Democrats cast, the less they can be challenged in the next election," Grassley said. "It's no way to run a railroad and it's irresponsible not to do things that are more beefy."

Democrats say such criticism is unfair. The Senate has approved a \$34.6 billion measure for the Federal Aviation Administration, an overhaul of patent law and other measures that are awaiting House action. Republicans also continue to obstruct some legislation and slow action on others, said Jon Summers, a Reid spokesman.

The Senate "is not functioning well, the way it should, obviously, when you've got threats of filibuster, preventing, slowing down or obstructing," said Senator Carl Levin, a Michigan Democrat.

The Reid-McConnell accord on filibusters had limits: It didn't address efforts to block legislation on a final vote and didn't end the ability of a single senator to hold up action.

PATRIOT ACT

That happened last month when freshman Senator Rand Paul, a Kentucky Republican, stalled renewal of the Patriot Act, which gives law enforcement powers for terrorism investigations, until Reid and McConnell agreed to allow him to introduce two amendments. Those amendments failed and the new version of the Patriot Act passed just hours before the old law expired.

Republican leaders are continuing to thwart a vote on former Edison International Chief Executive Officer John Bryson, Obama's choice for Commerce Department Secretary until the White House forwards pending trade deals for South Korea, Panama and Colombia. They also say they won't approve anyone to head a new Consumer Financial Protection Bureau, part of the financial overhaul, until the bureau's powers are restructured.

The stalemate is a relief to some, coming after Democratic passage of major initiatives in 2009 and 2010. "If the legislature must be in session, be thankful when it doesn't do much," said David Boaz, executive vice president of the Cato Institute in Washington, which promotes limited government.

David Rohde, a political scientist at Duke University in Durham, North Carolina, said Senate inaction is driven in part by the departure in recent elections of political moderates such as Republican Senator Lincoln Chafee of Rhode Island and Democratic Senator Evan Bayh of Indiana.

"The reason that the Senate has become more polarized is that less extreme members have been replaced by more extreme members," Rohde said.

The lack of Senate action poses risks for Democrats, said Alan Brinkley, a history professor at Columbia University in New York, because they aren't offering policy alternatives, he said.

“The difference between the two parties is that the Republicans have a program—an ambitious and controversial one,” said Brinkley. “The Democrats don’t really have any goals as far as I can see, besides stopping the Republicans.”●

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I advise the senior Senator from New York that I will ask unanimous consent, if it is agreeable to him, that when I finish my few words, we go directly to the vote.

Mr. SCHUMER. In the agreement, the vote is to occur at 6:10 p.m.

Mr. COBURN. Fine. You do not want to move it up?

Mr. SCHUMER. No. We need it at 6:10 p.m. So if the Senator wants to speak beyond 5 minutes, that is OK with us.

Mr. COBURN. OK. Great. I will withdraw my unanimous consent request.

AMENDMENT NO. 521

Mr. President, this is a very straightforward amendment. The people who vote against this rule change, what they are going to be telling you is they do not want you to know what is going on in the Senate, and they do not want us to know what is going on in the Senate. Because all this rule does is make it a force of habit of the Senate that before we look at legislation, we ought to determine whether it duplicates what is already out there in the government, and we ought to determine if it is overlapping to other programs.

Had this amendment been in effect, a third of what we passed in the past

would not have passed because we would then have seen—which we are ignorant of today—all the other programs that were available and out there that accomplished the same purpose for which we passed another new program.

In one of my committees last year colleagues offered amendments—well intentioned, with good motives—to accomplish a good purpose. But they lacked knowledge. What they did not know was—and both amendments were ultimately withdrawn when it was explained to them—that, in fact, we already had programs that did exactly the same thing.

So what we have is, we have over \$200 billion worth of duplication now within the Federal Government. This is a simple, straightforward amendment that says before we consider things on the floor—it is less than 700 bills over 2 years—that the CRS would, in fact, tell us: Here is what you are doing, here is what the government is already doing in these areas, so we do not end up with duplication, so we do not end up with overlapping, and that we actually get results from what we are doing.

I remind my colleagues that we have, just in the last GAO report, multitudes of duplicative programs, and I will repeat them so people will know. I also would state, this is a bipartisan amendment in the spirit of what the Senator from New York and the Senator from Tennessee have done. This amendment has Senator UDALL, Senator MCCASKILL, Senator BURR, and Senator

MCCAIN, as well as Senator COLLINS, Senator PAUL, and Senator SCOTT BROWN. So this is not a partisan move. This is a move about information and knowledge so we make informed decisions.

But for the record, what the GAO told us, less than 5 months ago, is that we have 101 programs across four different agencies for surface transportation. That is 101 sets of bureaucracies. Nobody has ever gone and said: Which ones work and which ones do not? Which ones do exactly the same thing versus what somebody else does?

We have 82 teacher programs for teacher quality across 10 different agencies, 9 of which are not in the Department of Education. We have 88 economic development programs spending \$6.5 billion a year across 4 different agencies. We have 47 job training programs across 9 different agencies, and we are spending \$18 billion a year, and the GAO said every one of them overlaps, with the exception of 3. Yet we have not had the first move in the Senate this year in spite of all of our problems economically to streamline, eliminate duplication, eliminate overlap, and put metrics on what we are doing.

Mr. President, I ask unanimous consent to have printed in the RECORD this list of duplicative programs identified by GAO.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DUPLICATIVE PROGRAMS IDENTIFIED BY GAO

Purpose	Number of programs	Number of agencies	Cost
Surface Transportation	101	4	not provided
Teacher Quality	82	10	not provided
Economic Development	88	4	\$6.5 billion
Transportation Provided for the Disadvantaged	80	8	\$314 million
Financial Literacy	56	21	not provided
Employment and Training	47	9	not provided
Homeless Assistance	21	7	not provided
Food and Nutrition Assistance	18	3	\$62.5 billion
Homeland Security grants	17	1	\$2.7 billion

Mr. COBURN. Again, I will state, if you are against this amendment, you are against eliminating the very cause of our problems in this country, which is duplication, redundancy, overlap, and you are against doing the proper oversight so we make informed decisions.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA GAMECOCKS

Mr. GRAHAM. Mr. President, there is a lot going on in this world. We have a

mountain of debt and wars and rumors of wars, and people are nervous throughout the country. But I thought I would take a few minutes of the time of the Senate to acknowledge something that is a very big deal where I come from.

The University of South Carolina has won back-to-back College World Series. They defeated the Florida Gators last night 5 to 2. Florida played a great series, and they left a lot of men on base. I am sure they are going to look at the tape and talk about next year how to get some runs in.

But Coach Tanner and the Gamecock team repeated. They were only the sixth team in NCAA history to do this, to win back-to-back titles. It was very rewarding and poetic.

The University of South Carolina won the last series in Rosenblatt Stadium. This was the first series to be

held in the TD Ameritrade Park in Omaha, NE, in front of 26,000 people. They set a record for the NCAA with 16 consecutive post-season wins, 11 consecutive wins in the College World Series, dating back to the 2010 season. The pitching staff had a 1.31 ERA. The bullpen was 6-0. Great hitting. Great coaching. More than anything else, big hearts.

So to the Gamecock nation, congratulations on back-to-back titles. You make us all proud. And if you are watching Gamecock baseball, and you have a bad heart, you need to turn the channel because they win in the most dramatic fashion. They never give up. They believe in themselves.

Michael Roth, the winning pitcher of the last game, said: We don’t have the most talented people at every position. But we play together with heart. We believe in each other.

Maybe the country could learn something from Gamecock baseball. If we all work together for a common purpose and put our differences aside, maybe we could achieve greatness too.

So congratulations to Coach Tanner for back-to-back titles. We are very proud of your team. Not only did you win two titles, you did it with style, grace, and dignity. You won with honor. I look forward to meeting the team when they come up to the White House. And I know Columbia is rocking tonight.

Congratulations to the Gamecocks. You won in fine style, and we are all proud of you.

With that, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senate will now vote on Coburn amendment No. 521.

Under the previous order, a two-thirds vote is required for adoption.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. UDALL) would vote "nay."

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 34, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—63

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Hatch	Paul
Blumenthal	Heller	Portman
Blunt	Hoeben	Pryor
Boozman	Hutchison	Risch
Brown (MA)	Isakson	Roberts
Burr	Johanns	Rubio
Carper	Johnson (WI)	Sessions
Casey	Kirk	Shaheen
Chambliss	Klobuchar	Shelby
Coats	Kyl	Snowe
Coburn	Lee	Stabenow
Cochran	Lugar	Tester
Collins	Manchin	Thune
Corker	McCain	Toomey
Cornyn	McCasikill	Udall (CO)
Crapo	McConnell	Vitter
DeMint	Merkley	Wicker

NAYS—34

Akaka	Conrad	Harkin
Baucus	Coons	Inouye
Bingaman	Durbin	Johnson (SD)
Brown (OH)	Feinstein	Kerry
Cantwell	Franken	Kohl
Cardin	Gillibrand	Landrieu

Lautenberg	Murray	Warner
Leahy	Reed	Webb
Levin	Reid	Whitehouse
Lieberman	Rockefeller	Wyden
Menendez	Sanders	
Mikulski	Schumer	

NOT VOTING—3

Boxer	Inhofe	Udall (NM)
-------	--------	------------

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 34. Two-thirds of those voting not having voted in the affirmative, the amendment is rejected.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

The clerk will report the managers' amendment.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], for himself, Mr. ALEXANDER, Mr. LIEBERMAN, Ms. COLLINS, and Mr. CARPER, proposes an amendment numbered 523.

The amendment is as follows:

(Purpose: To add positions for expedited consideration and for other purposes)

On page 5, line 2, strike "15 to 21" and insert "6".

On page 6, after line 24, insert the following:

(31) Chief Financial Officer, from the following:

(A) Department of Agriculture.
(B) Department of Commerce.
(C) Department of Defense.
(D) Department of Education.
(E) Department of Energy.
(F) Department of Environmental Protection Agency.

(G) Department of Health and Human Services.

(H) Department of Homeland Security.

(I) Department of Housing and Urban Development.

(J) Department of the Interior.

(K) Department of Labor.

(L) National Aeronautics and Space Administration.

(M) Department of State.

(N) Department of Transportation.

(O) Department of the Treasury.

(P) Department of Veterans Affairs.

(32) Assistant Secretary for Financial Management of the Air Force.

(33) Assistant Secretary for Financial Management of the Army.

(34) Assistant Secretary for Financial Management of Navy.

(35) Controller, Office of Federal Financial Management, Office of Management and Budget.

(36) Assistant Secretaries or other officials whose primary responsibility is legislative affairs from the following:

(A) Department of Agriculture.
(B) Department of Energy.
(C) Department of Defense.
(D) Department of Housing and Urban Development.

(E) Department of Commerce.

(F) Department of Treasury.

(G) Department of State.

(H) Department of Health and Human Services.

(I) United States Agency for International Development.

(J) Department of Education.

(K) Department of Labor.

(L) Department of Justice.

(M) Department of Veterans Affairs.

(N) Department of Transportation.

(37) Commissioner, Rehabilitative Services Administration, Department of Education.

(38) Commissioner, Administration for Children, Youth, and Families, Department of Health and Human Services.

(39) Commissioner, Administration for Native Americans, Department of Health and Human Services.

(40) Federal Coordinator, Alaska Natural Gas Transportation Projects.

(41) Assistant Secretary for Administration, Department of Commerce.

On page 7, strike line 5 and insert the following:

SEC. 4. COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.

The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by such committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

SEC. 5. EFFECTIVE DATE.

The PRESIDING OFFICER. Under the previous order, amendment No. 523 is agreed to.

The question is now on agreeing to the resolution, as amended.

Mr. LIEBERMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. UDALL) would vote "yea."

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 103 Leg.]

YEAS—89

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murray
Barrasso	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hoeben	Portman
Bennet	Hutchison	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Blunt	Johanns	Roberts
Boozman	Johnson (SD)	Rockefeller
Brown (MA)	Johnson (WI)	Rubio
Brown (OH)	Kerry	Sanders
Burr	Kirk	Schumer
Cantwell	Klobuchar	Sessions
Cardin	Kohl	Shaheen
Carper	Kyl	Shelby
Casey	Landrieu	Snowe
Chambliss	Lautenberg	Stabenow
Coats	Leahy	Tester
Coburn	Levin	Thune
Cochran	Lieberman	Toomey
Collins	Lugar	Udall (CO)
Conrad	Manchin	Vitter
Coons	McCain	Warner
Corker	McCasikill	Webb
Cornyn	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Feinstein	Mikulski	

NAYS—8

Crapo
DeMint
GrassleyHatch
Heller
LeePaul
Risch

NOT VOTING—3

Boxer

Inhofe

Udall (NM)

The resolution (S. Res. 116), as amended, was agreed to, as follows:

S. RES. 116

SECTION 1. PROCEDURE FOR CONSIDERATION.

(a) **PRIVILEGED NOMINATIONS; INFORMATION REQUESTED.**—Upon receipt by the Senate of a nomination described in section 2, the nomination shall—

(1) be placed on the Executive Calendar under the heading “Privileged Nominations—Information Requested”; and

(2) remain on the Executive Calendar under such heading until the Executive Clerk receives a written certification from the Chairman of the committee of jurisdiction under subsection (b).

(b) **QUESTIONNAIRES.**—The Chairman of the committee of jurisdiction shall notify the Executive Clerk in writing when the appropriate biographical and financial questionnaires have been received from an individual nominated for a position described in section 2.

(c) **PRIVILEGED NOMINATIONS; INFORMATION RECEIVED.**—Upon receipt of the certification under subsection (b), the nomination shall—

(1) be placed on the Executive Calendar under the heading “Privileged Nomination—Information Received” and remain on the Executive Calendar under such heading for 10 session days; and

(2) after the expiration of the period referred to in paragraph (1), be placed on the “Nominations” section of the Executive Calendar.

(d) **REFERRAL TO COMMITTEE OF JURISDICTION.**—During the period when a nomination described in subsection (a) is listed under the “Privileged Nomination—Information Requested” section of the Executive Calendar described in section (a)(1) or the “Privileged Nomination—Information Received” section of the Executive Calendar described in section (c)(1)—

(1) any Senator may request on his or her own behalf, or on the behalf of any identified Senator that the nomination be referred to the appropriate committee of jurisdiction; and

(2) if a Senator makes a request described in paragraph (1), the nomination shall be referred to the appropriate committee of jurisdiction.

SEC. 2. NOMINATIONS COVERED.

The following nominations for the positions described (including total number of individuals to be appointed for the position) shall be considered under the provisions of this resolution:

(1) The Chairman and the Members of the Advisory Board for Cuba Broadcasting (9 Members including Chairman).

(2) The Chairman and the Members of the Corporation for National and Community Service (15 Members including Chairman).

(3) The Chairman and the Members of the Federal Retirement Thrift Investment Boards (5 Members including Chairman).

(4) The Members of the Internal Revenue Service Oversight Board (7 Members).

(5) The Members of the Board of the Millennium Challenge Corporation (4 Members).

(6) The Members of the National Council on the Arts (18 Members).

(7) The Members of the National Council for the Humanities (26 Members).

(8) The Members of the Board of Directors of the Overseas Private Investment Corporation (8 Members).

(9) The Members of the Peace Corps National Advisory Council (15 Members).

(10) The Chairman, Vice Chairman, and the Members of the Board of Directors for the United States Institute of Peace (12 Members including Chairman and Vice Chairman).

(11) The Members of the Board of Directors of the Federal Agricultural Mortgage Corporation (5 Members).

(12) The Members of the Board of Directors of the National Consumer Cooperative Bank (3 Members).

(13) The Members of the Board of Directors of the National Institute of Building Sciences (6 Members).

(14) The Members of the Board of Directors of the Securities Investor Protection Corporation (5 Members).

(15) The Members of the Board of Directors of the Metropolitan Washington Airport Authority (3 Members).

(16) The Members of the Saint Lawrence Seaway Development Corporation Advisory Board (5 Members).

(17) The Members of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation (9 Members).

(18) The Members the Board of Trustees of the Federal Hospital Insurance Trust Fund (2 Members).

(19) The Members of the Board of Trustees of the Federal Old Age and Survivors Trust Fund and Disability Insurance Trust Fund (2 Members).

(20) The Members of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund (2 Members).

(21) The Members of the Social Security Advisory Board (3 Members).

(22) The Members of the Board of Directors of the African Development Foundation (7 Members).

(23) The Members of the Board of Directors of the Inter American Foundation (9 Members).

(24) The Commissioners of the United States Advisory Commission on Public Diplomacy (7 Members).

(25) The Members of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation (8 Members).

(26) The Members of the Board of Trustees of the Harry Truman Scholarship Foundation (8 Members).

(27) The Members of the Board of Trustees of the James Madison Memorial Fellowship Foundation (6 Members).

(28) The Members of the Board of Directors of the Legal Services Corporation (11 Members).

(29) The Members of the Foreign Claims Settlement Commission (2 Members).

(30) The Members of the Board of Directors of the State Justice Institute (11 Members).

(31) Chief Financial Officer, from the following:

(A) Department of Agriculture.

(B) Department of Commerce.

(C) Department of Defense.

(D) Department of Education.

(E) Department of Energy.

(F) Department of Environmental Protection Agency.

(G) Department of Health and Human Services.

(H) Department of Homeland Security.

(I) Department of Housing and Urban Development.

(J) Department of the Interior.

(K) Department of Labor.

(L) National Aeronautics and Space Administration.

(M) Department of State.

(N) Department of Transportation.

(O) Department of the Treasury.

(P) Department of Veterans Affairs.

(32) Assistant Secretary for Financial Management of the Air Force.

(33) Assistant Secretary for Financial Management of the Army.

(34) Assistant Secretary for Financial Management of Navy.

(35) Controller, Office of Federal Financial Management, Office of Management and Budget.

(36) Assistant Secretaries or other officials whose primary responsibility is legislative affairs from the following:

(A) Department of Agriculture.

(B) Department of Energy.

(C) Department of Defense.

(D) Department of Housing and Urban Development.

(E) Department of Commerce.

(F) Department of Treasury.

(G) Department of State.

(H) Department of Health and Human Services.

(I) United States Agency for International Development.

(J) Department of Education.

(K) Department of Labor.

(L) Department of Justice.

(M) Department of Veterans Affairs.

(N) Department of Transportation.

(37) Commissioner, Rehabilitative Services Administration, Department of Education.

(38) Commissioner, Administration for Children, Youth, and Families, Department of Health and Human Services.

(39) Commissioner, Administration for Native Americans, Department of Health and Human Services.

(40) Federal Coordinator, Alaska Natural Gas Transportation Projects.

(41) Assistant Secretary for Administration, Department of Commerce.

SEC. 3. EXECUTIVE CALENDAR.

The Secretary of the Senate shall create the appropriate sections on the Executive Calendar to reflect and effectuate the requirements of this resolution.

SEC. 4. COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.

The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by such committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

SEC. 5. EFFECTIVE DATE.

This resolution shall take effect 60 days after the date of adoption of this resolution.

Mr. KERRY. Mr. President, I want to reduce the amount of duplication and overlap in federal agencies and I am prepared to vote to eliminate duplicative programs. That is my responsibility as a Senator. However, I believe this must be done in a responsible manner and not passed off to a third party. I opposed the Coburn amendment because it would cause needless delay to the consideration of important legislation by the Senate. It would give additional power to the staff of the Congressional Research Service. It would increase Congressional spending when

we are working to reduce our Federal budget deficit and our Federal debt.

The amendment would change the Standing Rules of the Senate to require the Congressional Research Service—CRS—to complete a study to examine the potential for duplicative programs for every bill that is passed out of committee before it is in order to be considered by the full Senate.

This amendment will not end duplication of government programs. But it will make it more difficult for the Senate to do the Nation's business. The Coburn amendment will allow any Senator to block floor consideration of a bill if the CRS assessment has not been completed. The amendment does not place any time limits on the CRS to make the assessment of whether the programs included in legislation are duplicative. The amendment does not define key terms such as "program" or "initiative" that are crucial to performing the assessment.

The amendment states that every bill that comes to the floor must contain a full evaluation and report by CRS. The CRS report must examine every potential Federal program that might overlap with the one proposed.

How long would CRS have to do such a report? I don't know because the amendment does not include time limits for the CRS to provide these reports. Therefore, CRS could block consideration of important legislation by simply not meeting its responsibilities.

We have always been very careful in making changes to the Standing Rules of the Senate. This proposal has not come before the Rules Committee in any way and thus has not been considered or vetted by the committee of jurisdiction. If we are serious about such a change, it should receive the appropriate review before being adopted.

The PRESIDING OFFICER. The Senator from Hawaii.

MORNING BUSINESS

Mr. INOUE. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business for debate only until 8 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAIR SENTENCING ACT GUIDELINE AMENDMENT

Mr. DURBIN. Mr. President, the bipartisan United States Sentencing Commission was created by Congress to establish guidelines that are used by Federal judges when they sentence criminal defendants. Tomorrow, the Sentencing Commission will take an important vote. The Commission is considering whether to apply retroactively the sentencing guideline amendment implementing the Fair

Sentencing Act of 2010. As the lead sponsor of the Fair Sentencing Act, I urge the Commission to apply this amendment retroactively.

Just last year, Democrats and Republicans joined together to pass the Fair Sentencing Act, bipartisan legislation that reduced the disparity between crack and powder cocaine sentencing.

For more than 20 years, we had a 100-to-1 crack-powder sentencing disparity. It took 100 times more powder cocaine than crack cocaine to trigger the same harsh mandatory minimum sentences. Simply possessing 5 grams of crack carried the same penalty as selling 500 grams of powder.

This disparity was one of the most significant causes of unequal incarceration rates between African Americans and Caucasians. The following statistic is chilling: In this country, African Americans are incarcerated at approximately six times the rate of Caucasians.

The Fair Sentencing Act dramatically reduced the 100-to-1 disparity. Last November, the Sentencing Commission issued amended sentencing guidelines that put into effect the Fair Sentencing Act's reduced crack sentences. These guidelines will be used by Federal judges across the country in every drug sentencing.

The Commission is now deciding whether to apply these more equitable guidelines retroactively to those who have already been sentenced and are in prison. I sent a letter, joined by Judiciary Committee Chairman PATRICK LEAHY, and Senators FRANKEN and COONS, urging the Commission to vote for retroactivity.

Let's be clear about the bottom line: If the Commission does not make its amendment retroactive, thousands of people will continue to serve prison sentences that Congress has determined are unfair and disproportionately punitive to African Americans. Thousands of individuals sentenced before November of last year would remain subject to our old, racially disparate sentencing scheme. Yet those who happened to be sentenced on or after November 1 could receive significantly reduced prison terms—even if they engaged in exactly the same conduct.

This is inconsistent with the goals of the Fair Sentencing Act—reducing disparities in drug sentencing, increasing trust in the justice system, and focusing limited resources on serious offenders. In effect, it would say: "The U.S. government is OK with you continuing to serve a sentence we've acknowledged is unfair—and most unfair to those with your color of skin."

Now, opponents of retroactivity have made all sorts of arguments in an effort to muddy the water and push their own conservative sentencing agenda. They have suggested that because the Fair Sentencing Act did not explicitly

address retroactivity, the sentencing guidelines shouldn't be retroactive. This is an obvious attempt to confuse apples and oranges.

To be clear: We are not talking about whether the statute itself—the Fair Sentencing Act—should be applied retroactively. That is a different question for a different day—and one that affects many more issues and many more inmates. We are talking about the Sentencing Commission exercising its own independent, expert authority to make its own guideline amendments retroactive.

Opponents of retroactivity also claim that the Sentencing Commission is overstepping its bounds by considering retroactivity. But this is the standard administrative process, and one that Congress designed to be left to the Sentencing Commission. The Commission has routinely applied its amendments retroactively—many, many times before. And it has voted for retroactivity virtually every time it has amended the guidelines to reduce drug sentences. In fact, Congress expressly gave the Commission the authority to make amendments to the sentencing guidelines apply retroactively.

Retroactivity makes practical and economic sense. Our Federal prison system is 37 percent over capacity. Inmates are being double and even triple bunked. Applying the Fair Sentencing Act guideline amendment retroactively could reduce prison overcrowding dramatically and result in up to \$1 billion in savings for taxpayers. Approximately 12,000 individuals—who are prescreened by judges—would be eligible for an average sentence reduction of 37 months. The average cost to house a Federal prisoner is \$28,284 per year. Taxpayer savings would be about \$87,000 for each inmate.

History also tells us retroactivity makes sense. In 2007, the Commission made retroactive a similar amendment to reduce crack sentences. Thousands more defendants were eligible then for reductions than would be eligible now. Yet motions for reduced sentences were handled smoothly.

The Department of Justice supports guideline retroactivity and the Bureau of Prisons has implemented a plan to carry out the logistics. The Criminal Law Committee of the Judicial Conference of the United States, comprised of judges from every Federal circuit, unequivocally supports retroactivity.

Opponents simply ignore the history and have used scare tactics to raise misleading questions of public safety. Retroactivity does not automatically entitle a defendant to a sentence reduction. A Federal judge would have discretion to decide in every single case whether a reduction is appropriate. If it is not—because of the facts of a case or concerns about an individual defendant—no reduction will be given. Period.

All judges are actually required to consider public safety when making a decision. Moreover, on the back end, the Bureau of Prisons has said that it "is prepared to take measures to ensure that offenders released due to retroactive application . . . are transitioned effectively back into the community."

In short the Sentencing Commission should use the expert discretion Congress granted it to apply its amendment retroactively to each defendant subject to a sentencing scheme Congress determined was unjust. I hope the Commission does the right thing and applies retroactively the sentencing guideline amendment implementing the Fair Sentencing Act.

Retroactivity would bolster respect for our justice system, help correct the unfairness of a racially disparate sentencing scheme, and save resources for taxpayers while heeding concerns of public safety.

REMEMBERING TRACY T. "TOM" ARFLIN

Mr. MCCONNELL. Mr. President, I rise today to note the loss of an honored and distinguished Kentuckian. Mr. Tracy T. Arflin of Radcliff, KY, passed away this June 18. He was 74 years old.

Mr. Arflin went by "Tom," but was also known to generations of Radcliff-area youth as "Coach." Tom Arflin dedicated the last 32 years of his life to volunteering on behalf of youth sports in his hometown. He was the manager of the Rangers in the Radcliff Baseball/Softball Association, and coached two teams, the Eagles and the Jaguars, in the North Hardin Youth Football League. He had both a football and a baseball field named after him, and was the North Hardin Youth Football League president for the past 21 years.

Mr. Arflin's job as coach included the roles of mentor, leader, and league developer. He not only inspired many kids who may not have thought they were cut out for sports to stick with it, he also encouraged many parents to volunteer their time as coaches. Some of them are still at it even after their children have grown out of youth league play because of Tom Arflin's example.

Tom Arflin was also a U.S. Army veteran who proudly served for 27 years, including two tours in Vietnam. For the past 42 years he was a member of Mill Creek Baptist Church in Radcliff.

This May Tom was diagnosed with brain cancer and underwent radiation treatments. A few weeks before his passing, Tom's son Tracy T. Arflin II organized a grand community celebration for his father, and more than 100 family members, friends, and former and current coaches and players gathered to honor Tom Arflin for his many decades of service.

Tom was preceded in death by his wife of 49 years, Louise C. Arflin, and

by his sister, Anna. Surviving members of his family who are mourning Tom's loss include his son and daughter-in-law, Tracy T. Arflin II and Sharon; his grandson, Matthew T. Arflin; his sister, Lucy Webb; and his brother, Billy Arflin. I wish to express my deepest condolences to the family and friends of Tracy T. "Tom" Arflin for the loss of this wonderful man.

Mr. President, the Hardin County News-Enterprise recently published an article about Tom Arflin and the community celebration thrown in his honor. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed, as follows:

[From the News-Enterprise, June 5, 2011]

YOUTH SPORTS: ARFLIN RECEIVES COMMUNITY CELEBRATION

(By John Groth)

Tracy Arflin wanted to give his father, Tom, one more major recognition.

His dad has spent decades building up the North Hardin Youth Football League. And now as his father's coaching career winds down, he wanted to hold a special community celebration.

"We're celebrating a lifetime of him serving several generations of children, not just serving a community, which could be argued, but serving several generations of children," Tracy Arflin said. "I like to think of my father like that."

That's why around 100 family members, friends, current and former NHYFL coaches, players and officials gathered Sunday at Mill Creek Baptist Church in Radcliff to honor Tom Arflin for more than three decades of service.

In May, Tom Arflin was diagnosed with brain cancer and has undergone radiation treatments.

They made sure the Jaguars coach felt right at home—with Jaguars items and colors everywhere. Each table was covered in a teal tablecloth with a Jaguar youth helmet, with a white pom-pom attached to each facemask, smack dab in the middle.

Tom Arflin has spent 32 years helping develop the NHYFL. He's coached in the league since 1980 and served as its president since 1991. Arflin's grandson, Matt, remembers playing football for him years ago, and the 26-year-old remains amazed at how much the league has grown with his grandfather at the helm.

"It's kind of like the Madden video game where you create your own league. He kind of did that," Matt Arflin said.

Two weeks ago, Tracy stopped by to talk to Tom after a NHYFL meeting. That's when he told his father about the reception.

"I had tears in my eyes. That surprised me," Tom Arflin said. "He announced it after the meeting. I thought he was going to say something about the reason why he was there. It came out different."

The celebration ended up being special.

Radcliff Mayor J.J. Duvall grew up playing youth sports in Radcliff. He knows how much of a fixture Tom Arflin, who still is referred to as just "Coach," has become in the community. And he knows his dedication is unmatched.

"We're here to honor Coach's attention to detail, sense of humor, the smiles he brings to others, and the overall caring he has for kids and our youth," Duvall said. "He set the bar very high."

Trying to come up with a gift to honor him with was just as tough.

Tom Arflin already has two fields—the NHYFL and Radcliff Senior League Field—named in his honor. He has football memorabilia galore. So Duvall picked out another unique item—an engraved Louisville Slugger baseball bat. Tom Arflin actually began working with Radcliff youth in 1979 when he took over the Rangers' team in the Radcliff Major League.

"The Louisville Slugger is an icon, and you're an icon of the community," Duvall said.

Arflin influenced coaches as much as he did the players.

Just ask Vine Grove resident Travis McNair.

McNair has been with the NHYFL since 2008. He originally only intended to have his son, Tavus, sign up to play. But Tom Arflin convinced him to coach.

"He said we always need coaches. Now I am and I'm addicted to it," McNair said. "He said, 'We need coaches and people out to help.'"

McNair has coached his son on the Rams each of the past three years. This year, Tavus will enter high school at North Hardin. But McNair will still lead the Rams because he's having so much fun.

So is Isaac Bankhead.

The Radcliff resident will coach his third team—the newly formed Chiefs—in nine seasons. He coached the Vikings for the first two years and the Titans, too.

Bankhead's children, 12-year-old Isaiah and 10-year-old Jeremiah, have each played for the past seven years. And Tom Arflin helped him get into coaching.

"He's good-hearted, tries to make sure every kid in the league has an opportunity to play. He tells us how to deal with parents and what to do to help the league run better," Bankhead said. "He's been an inspiration. He's been a good guy. You can't help but to like him."

Former players agreed.

One of those players Tom Arflin influenced is Jeremy Brown.

The 17-year-old North Hardin senior wide receiver shared his unique experience on how Arflin helped him develop foot coordination.

"I didn't want to do football. My parents kind of forced me into it. I remember the first day of practice and they got out the tires for a tire drill. I stepped up, and I was like, 'I really didn't want to do it,' and I went through and hit every single tire. As I went and got done, Coach was like, 'Dadgumit, Jeremy! Dadgumit!' It went on like that for about a week," Brown said. "That was in the back of my mind. I did it perfect a week later. Since then, any type of drill I have that involves my feet, I don't mess up."

VOTE EXPLANATION

Mr. PRYOR. Mr. President, unfortunately, I was absent for vote No. 98, a motion to instruct the Sergeant at Arms to request the attendance of absent Senators. Had I been present for the vote, I would have cast a vote in favor of the motion.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS JOHN C. JOHNSON

Mr. BENNET. Mr. President, today we honor the life and heroic sacrifice of

PFC John C. Johnson of Phoenix, AZ. He died on May 27, 2011, in Bayman Province, Afghanistan, of injuries sustained when his mounted patrol received small arms fire. He was 28 years old. Private Johnson and his wife Jennifer were expecting a baby daughter at the time of his death.

Private Johnson's parents remember him as a honest, affectionate son, and his wife remembers him as a dedicated husband and loving father. Growing up in Arizona's rugged landscape, he developed hunting and tracking skills that would later contribute to his resourcefulness as a soldier. Private Johnson enlisted in the Army in February 2010, commenting that he was committed to providing a better life for his family.

He served in support of Operation Enduring Freedom as a member of C Company, 1st Battalion, 32nd Infantry Regiment, 10th Mountain Division, based at Fort Drum, NY. His bravery and outstanding service quickly won the recognition of his commanders. Private Johnson earned, among other distinctions, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, and the NATO Medal.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Private Johnson's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

I stand with people in Colorado and nationwide in profound gratitude for Private Johnson's tremendous sacrifice. At substantial personal risk, he fought in Afghanistan with unwavering courage to protect America's citizens and the freedoms we hold dear. For his service and the lives he touched, Private Johnson will forever be remembered as one of our country's bravest.

I ask my colleagues to join me in honoring Vicki, his mother, John, his father, Jennifer, his wife, and his entire family, who carry on Private Johnson's memory and will forever remind us of his sacrifice.

SERGEANT WILLIAM STEELE

Mr. KIRK. Mr. President, I rise today to honor a Freedom Fighter from Chicago, IL, an American Hero, SGT William Steele.

He is a man who proudly went off to war for his country. On June 25, 2009, William lost his leg and almost his life after an IED explosion in Maili, Afghanistan.

Sergeant Steele returned home an even stronger soldier, determined to continue to fulfill his dream with an Army career as a drill sergeant. And with the support of his mother, who at the age of 17 signed the papers so he could enlist in the Army, he will.

One of his favorite quotes from his mother that has inspired him is,

"There is no sense of looking down, hold your head up!" Sergeant Steele has done just that, making us all proud of him.

Mr. President, I ask unanimous consent that this poem penned in honor of him by Albert Caswell, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COLD STEELE

IN HONOR OF A REAL AMERICAN HERO, SGT WILLIAM STEELE UNITED STATES ARMY, HHC 1-178TH INFANTRY REGIMENT

Cold Steele!

What is right, what is real!

What is strong, all in what a most courageous heart reveals!

While, all upon battlefields of honor bright . . . all in these killing fields . . .

Dark days and nights . . .

As from down within, as how a heart so reaches deep down to begin . . .

To begin this fight, whether on battlefields of honor bright . . . or in a hospital to unite . . .

Because, only with a most courageous heart of Steele . . . will we so win that night!

As all in time revealed . . .

When, courage crests . . . as one of America's Finest, The Army's Best . . .

For only there, in these the darkest days of all nights . . .

As only there, all in life and death . . . all in this fight!

Will hearts of strength and Steele, so crest . . . to reveal to bring their light!

Your medal, of what you are made . . . so very real!

All in his strength . . . all in William's Cold Steele!

As a Chicago boy, who had it rough . . . trying to lift up himself . . .

At seventeen, his Mother signed the papers . . . to insure his future dreams . . .

For William was born to be, in The United States Army . . . Hooah indeed . . .

As this was to be, his final casting and molding . . . into a heart of Steele, you see . . .

Letting this Chicago Lad, Be All That He Could Be . . .

When, all in a moment of truth . . . as an explosion almost took his life, but lies the proof . . .

As this young man's medal was to be tested, as where lies the truth . . .

While, on the edge of death as he awoke with one leg left . . .

As his tears would crest, as he remembered his Mother who him had blessed . . .

In his head, the words she said, "There is no sense of looking down, hold your head up!"

As somehow the strength he found . . .

As from that moment on, his most gallant heart of Steele so moved on!

To fight the good fight, burning bold . . . burning bright!

For you see, The Army is William's life!

As he would not give up, nor give in . . . until he's back in action again . . .

For inside this heart of Steele, such warmth is revealed . . .

And if ever I had a son, oh how I wish he could be like this one!

Throughout our Country Tis of Thee, all in our nation we have seen . . .

Hearts of Steele, Freedom Fighters like Dr. King, and Rosa Parks . . .

Because, of all of their courage and sacrifice, and most magnificent hearts . . .

Blessing this our country tis of thee!

And now a new name to the list, of a young man who for us so much would give . . .

With his heart of Freedom Fighter, teaching us all how to live!

With but Hearts of Steele!

FREEDOM OF INFORMATION ACT

Mr. LEAHY. Mr. President, on July 4, the Nation will celebrate the 45th anniversary of the enactment of the Freedom of Information Act, FOIA. Now in its fifth decade, FOIA remains an indispensable tool for shedding light on government policies and government abuses. This premier open government law has helped to guarantee the public's "right to know" for generations of Americans.

Today, the U.S. Government is more committed than in any time in our history to making and keeping government open and accountable to the people. As one of his first official acts, President Obama signed an historic Presidential Memorandum on the Freedom of Information Act, which restored the presumption of disclosure for all government information. I applaud President Obama for his commitment to FOIA, and I will continue to work closely with his administration to ensure that our government fulfills both the letter and spirit of this remarkable memorandum.

While the Obama administration has made significant progress in improving the FOIA process, large backlogs remain a major roadblock to public access to information. A report released by the National Security Archive found that only about half of the Federal agencies surveyed have taken concrete steps to update their FOIA policies in light of the President's reforms. According to the Department of Justice's annual FOIA Report for fiscal year 2010, more than 69,000 FOIA requests remain backlogged across our government. These delays are simply unacceptable.

To address these concerns, in May, the Senate unanimously passed the Faster FOIA Act of 2011—a bill to establish a bipartisan commission to examine the root causes of agency delays in processing FOIA requests. Senator CORNYN and I first introduced this bill in 2005, because we were concerned about the growing problem of excessive FOIA delays within our Federal agencies. During the intervening years, this problem has not gone away. That is why in 2010, we reintroduced this bill and the Senate unanimously passed it. Unfortunately, the House of Representatives did not take action. After the Judiciary Committee's hearing on FOIA, which was held during the annual Sunshine Week in March, we reintroduced the Faster FOIA Act yet again—with the hope that the Congress would finally enact this good government legislation. I am pleased that the

Senate has done its part to achieve this goal. On the occasion of this 45th anniversary of FOIA, I urge the House to act on this important bill so that the Commission on Freedom of Information Act Processing Delays can begin its important work.

I thank Senator CORNYN for his work on this bill and for his leadership on this issue. I also commend and thank the many open government and FOIA advocacy groups that have supported our efforts to bolster FOIA, including OpenTheGovernment.org, the Project on Government Oversight and the Sunshine in Government Initiative.

The right to know is a cornerstone of our democracy. Without it, citizens are kept in the dark about key policy decisions that directly affect their lives. Without open government, citizens cannot make informed choices at the ballot box. And once eroded, the right to know is hard to win back.

The House Committee Report that accompanied the Freedom of Information Act in 1966 stated:

it is vital to our way of life to reach a workable balance between the right of the public to know and the need of the Government to keep information in confidence to the extent necessary without permitting indiscriminate secrecy. The right of the individual to be able to find out how his Government is operating can be just as important to him as his right to privacy and his right to confide in his Government. This bill strikes a balance considering all these interests.

As we reflect upon the celebration of another FOIA anniversary, we in Congress must reaffirm the commitment to open and transparent government captured by these time-proven words.

Open government is neither a Democratic issue, nor a Republican issue—it is truly an American value and virtue that we all must uphold. It is in this bipartisan spirit that I join Americans from across the political spectrum in celebrating the 45th anniversary of FOIA and all that this law has come to symbolize about our vibrant democracy.

FBI EXTENSION OF SERVICE

Mr. LEAHY. Mr. President, back on May 12, the President requested that Congress pass legislation to enable Robert Mueller to continue serving as Director of the Federal Bureau of Investigation, FBI, for up to 2 additional years, in light of the continuing threat to our Nation, the leadership transition at other key national security agencies, and the unique circumstances in which we find ourselves as the tenth anniversary of 9/11 approaches. In response to the President's request, a bipartisan group of Senators drafted and introduced S. 1103, a bill that would create a one-time exception to the statute limiting the term of the FBI Director by allowing the term of the incumbent FBI Director to continue for 2 additional years. Given the con-

tinuing threats to our Nation and the need to provide continuity and stability on the President's national security team, it is important that this critical legislation be enacted without delay.

Director Mueller's term expires on August 3, 2011. With the House out of session this week and the Senate out of session the next, there is relatively little time left to act. Of the 10 weeks between the President's request and the expiration of Director Mueller's term, six are gone already. More than half the time that we had in which to act has elapsed. If we do not complete action on this matter this week, the Senate will then be in recess until July 11. That leaves Congress only 3 weeks for all necessary action to be completed by the Senate and the House of Representatives.

We should be acting responsibly and expeditiously. I have worked diligently with Senator GRASSLEY in order to prevent a lapse in the term of the Director of the FBI. We must act on this bill without further, unnecessary delays. The Senate should take it up, consider it and pass it, and then the House will need to consider and pass the bill before the President has the opportunity to sign it. Each of these steps must be completed prior to the expiration of the Director's current 10-year term on August 3, 2011. There is no time to waste.

I understand from the Senate cloakroom that all Senate Democrats are prepared to take up and pass S. 1103 and send it to the House of Representatives for it to take final action before August 3. We should do that now, before the Fourth of July recess. There is no good reason for delay.

The bill responds directly to the President's request to extend Bob Mueller's term as FBI Director, and was reported favorably by the Judiciary Committee on June 16 by a bipartisan majority of the committee and with the support of the ranking Republican member. I urge any Senators who have questions about the bill to read the accompanying committee report, Report No. 112-23, which was filed on June 21, 2011, and is now printed and available online.

While I would gladly have included others' views in the final committee report, none were submitted in a timely manner, nor was there a request for an extension of time to do so. The draft committee report on the bill was circulated on June 17, 2011, to all committee members. Pursuant to longstanding Judiciary Committee practice, Senators had 3 calendar days to submit their views. This practice is modeled after, but more generous than, Senate rule XXVI. The committee report was filed 4 days after majority views were circulated, but no additional, supplemental, or minority views had been submitted. It was filed

promptly and made publicly available in the hope that the Senate might consider this time-sensitive bill this week.

Unlike my Republican predecessors, as chairman I have protected the minority on the committee and the rights of all Senators. I have done so even while some have chosen to abuse committee rules and practices and Senate rules and practices.

Senator COBURN inserted his views, also subscribed to by Senators HATCH, SESSIONS, GRAHAM and LEE, in the CONGRESSIONAL RECORD on June 23. I had offered to include them in the RECORD on June 22, when they were belatedly submitted to the committee after the committee report had been filed. There is nothing in those views that should prevent the Senate from considering the committee-reported bill expeditiously.

I do not believe that the views Senator COBURN inserted into the CONGRESSIONAL RECORD contain any new or compelling legal analysis supporting the notion that S. 1103 is somehow unconstitutional. They merely assert without a sound basis that the matter may present a constitutional concern and the risk of "dangerous litigation." As set forth in the committee report on S. 1103, and as reaffirmed in a June 20, 2011, memorandum opinion by the Office of Legal Counsel, however, these assertions are incorrect. The bill before the Senate, S. 1103, is constitutionally sound and a proper response by Congress to the President's request.

At the heart of this issue are two key points that remain undisputed. First, the Director of the FBI serves "at will" and can be removed by the President for any reason. Director Mueller himself testified that he serves "at the pleasure of the President."

Second, this bill was introduced as a response to the President's request that Congress provide a one-time exception to the 10-year statutory limit to the term of the FBI Director so that he could extend Director Mueller's service for up to two more years. Indeed, the text of the bill plainly states that Director Mueller may continue his term of service only "at the request of the President."

These two points are important because they form core elements for any constitutional analysis in connection with the appointments clause. This bill does not seek to impose a legislative appointment on the President, nor undermine his authority. The committee report describes the constitutional and legal principle that is central to any assessment of the constitutionality of this bill: "Legislation extending the term of an officer who serves at will does not violate the Appointments Clause," quoting 18 U.S. Op. Off. Legal Counsel 166, 171, 1994. Through four separate legal opinions dating back to 1951, and reaffirmed as recently as June 20, 2011, the Department of Justice has

recognized this guiding principle. The Constitution's appointments clause is not offended "as long as the President remains free to remove the officer at will and make another appointment." U.S. Op. Off. Legal Counsel 2-3, June 20, 2011. The bill reported by the committee ensures that the President retains that authority. Furthermore, the bill does nothing to diminish the authority of the President.

Senator COBURN's views lack discussion of either the "at will" status of the FBI Director or the President's plenary removal authority. Instead, his views summarily dismiss the extensive legal analysis of the Department of Justice dating back 60 years by arguing that the opinions are "inconsistent." The only inconsistency was an anomalous opinion from 1987 that was withdrawn by the Justice Department in 1994, after the 1987 opinion was determined to be "irredeemably unpersuasive." Ironically, it is that withdrawn opinion, one that has no authority, in which critics of the bill seek to find comfort.

Beginning with an opinion in 1951, and then again in three more recent legal memoranda, in 1994, in 1996, and most recently on June 20, 2011, the Department of Justice has endorsed the constitutionality of term extensions like the one provided in the bill for "at will" executive officers.

Senator COBURN argues that the value of these Office of Legal Counsel opinions should be discounted because very few cases have been litigated concerning these types of term extensions. He fails to acknowledge, however, that the lack of litigation on this point could be due to the fact that the constitutional concern on which he relies simply lacks merit. The fact remains that there is no case and no persuasive legal authority supporting Senator COBURN's contention that the bill is unconstitutional.

Also virtually ignored by Senator COBURN's views is the fact that the bill effectively retains the President's appointment authority. The President could nominate and then appoint a different FBI Director at any time before, during, or at the end of the 2-year term extension. The President is not required by the bill to request that Director Mueller continue to serve for the full 2 years of the extension. That is up to the President. These facts are dismissed by Senator COBURN as "irrelevant" or "immaterial" to the discussion. In fact, they are just the opposite. The fact that this legislation is being considered at the behest of the President demonstrates that there is no legislative branch incursion into executive authority. Because S. 1103 is in direct response to the President's specific request for legislation creating a one-time exemption to the 10-year term limit of the FBI Director, the bill serves to protect the authority of the

President to choose who he wants to lead this executive agency. That is wholly consistent with the purpose of the appointments clause.

Senator COBURN's attempts to distinguish the limited, relevant case law are also unavailing. As noted in the committee report, Judge Norris's concurring opinion in the case *In re Benny*, 812 F. 2d 1133, 9th Cir. 1987, is not on point, as that case involved officials who were only removable for cause. Senator COBURN's reliance on Justice Scalia's dissent in *Morrison v. Olson*, 487 U.S. 654, 1988, is similarly misplaced. The lengthy quote of Justice Scalia's in the minority views is drawn, for example, from a discussion of the separation of powers doctrine, not from Justice Scalia's discussion of the appointments clause. The *Morrison* decision was about the constitutionality of the independent counsel statute, not a simple extension of a statutory term limit. The *Morrison* decision held that the statute at issue was constitutional because it did not "impermissibly undermine the powers of the Executive Branch" or "prevent[] the Executive Branch from accomplishing its constitutionally assigned functions." That is all the more true for S. 1103, which was requested by the President and does nothing to impinge upon the President's appointment or removal power.

In his concluding remarks, Senator COBURN concedes that he is not asserting that S. 1103 is unconstitutional. Instead, Senator COBURN retreats to a concern with what he characterizes as the "small chance" of possible litigation. The supposed litigation risk is not a good reason for Senator COBURN's multistage approach when a simple, one-time term extension will accomplish the goal. This is particularly true when the committee reported bill is constitutional.

The FBI is not troubled by the supposed exposure "of Director Mueller's authority to dangerous litigation risk." Senator COBURN does not cite any operational concern raised by the FBI or anyone else in law enforcement concerning this supposed litigation risk. The FBI Director and the Department of Justice do not seem concerned about this supposed litigation risk. I am confident that we would have heard from the FBI and other law enforcement groups if there was any concern that this bill would somehow undermine the law enforcement or intelligence operations of the FBI. To the contrary, S. 1103 enjoys the strong support of the National Fraternal Order of Police, the International Association of Chiefs of Police, and the National Association of Police Organizations.

The Justice Department does not share Senator COBURN's concerns. The Office of Legal Counsel recently reaffirmed the constitutionality of the bill in a new memorandum dated June

20, which is included in the appendix to the Senate committee report and rests upon 60 years of constitutional interpretation. The White House is not concerned. Neither am I. The bill that the committee reported and I support is constitutional and does not raise any real risk.

Senator COBURN has known since he raised his alternative approach that there are two major problems with it. The first problem I have already discussed. It is wrongly predicated on a constitutional problem that does not exist. The bill reported by the Senate Judiciary Committee is a term extension of a limit that Congress imposed on the term of service of the Director of the FBI. Indeed, as the witnesses at our June 8 hearing pointed out, the logic of Senator COBURN's concern could mean that the 10-year limit Congress imposed on the term of service of the FBI Director would itself be constitutionally suspect. The supposed justification for Senator COBURN's cumbersome legislative plan is just wrong. The reported bill, S. 1103, which was initially drafted by Senator GRASSLEY and made more explicit by the committee, is constitutional.

The second major problem with Senator COBURN's approach is that it would necessitate the renomination of Director Mueller, and then his reconsideration and reconfirmation by the Senate after enactment of Senator COBURN's alternative bill and before August 3. That is an additional, unnecessary and, I might suggest, dangerous complication. I do not want Americans to be approaching the tenth anniversary of 9/11 without an FBI Director in office. The distractions to Director Mueller created by the extended proceedings on this legislation are damaging enough.

The extension of Director Mueller's service leading the FBI should not fall victim to the same objections that have obstructed Senate action on other important presidential nominations and appointments. I have spoken often about the unnecessary and inexcusable delays on judicial nominations. Even consensus nominees have faced long delays before Senate Republicans would allow a vote.

Since President Obama was elected, we have had to overcome two filibusters on two Circuit Court nominees who were reported unanimously by the committee. These judges—Judge Barbara Keenan of the Fourth Circuit and Judge Denny Chin of the Second Circuit—were then confirmed unanimously once the filibusters were brought to an end. These are currently 16 judicial nominees who were reported unanimously by all Republicans and Democrats on the Judiciary Committee and yet are stuck on the Senate Executive Calendar because Senate Republicans will not consent to vote on

them. These are consensus nominations that should not have been delayed while the Federal courts are experiencing a judicial vacancies crisis.

This pattern of delay and obstruction has not been confined to judges. President Obama's executive nominations have been subjected to the same unfair treatment. The first five U.S. attorneys appointed by President Obama were delayed more than 2 months for no good reason in the summer of 2009. These are the top Federal law enforcement officers in those districts and yet it took from June 4 to August 7 before Senate Republicans would consent to their confirmations. They were then confirmed unanimously. The Chairman of the United States Sentencing Commission was similarly delayed unnecessarily for almost 6 months from May 7 until October 21, 2009. He, too, was ultimately confirmed without opposition, but after needless delay.

Among a slew of other troublesome examples are these: One Republican Senator objected to a nominee to serve on the Federal Reserve Board of Governors because, according to that Senator, the nominee lacked the necessary qualifications. The nominee was a Nobel Prize winner and MIT economics professor. Another Republican Senator is blocking the confirmation of two SEC Commissioners until he extracts action from the SEC related to a case against the Stanford Financial Group. A group of Senate Republicans have sent a letter to President Obama vowing to oppose any nominee to be Director of the Consumer Financial Protection Bureau. Republican Senators are vowing to block President Obama's nominee to serve as the Secretary of Commerce.

In a particularly illustrative case, one Republican Senator lifted his hold on the nomination of the Director of the U.S. Fish and Wildlife Service only after the administration acceded to his demands and issued 15 offshore oil drilling permits. Shortly thereafter, another Republican Senator placed a hold on the very same nomination to force the Interior Department to release documents on the Department's "wild lands" policy. It did not end there. When that dispute was resolved, a third Republican Senator reportedly placed a hold on the nominee, demanding a review of the protected status of wolves. That nominee has still not been confirmed.

Regrettably, Senate Republicans have ratcheted up the partisanship, limiting the cooperation that used to allow nominations to move forward more quickly. We cannot and should not take risks with this critical term extension for the head of the FBI. I do not want to see another important nomination subjected to holds and delays. I do not want to see another well-qualified national security nominee used as leverage by the Republican

Senate minority to extract other unrelated concessions. That is what Senator COBURN's alternative plan invites.

I recently outlined the obstruction of key national security-related nominations, the Deputy Attorney General and Assistant Attorney General for National Security. I do not want to see that happen, again, with the nomination of an FBI Director, but we have no guarantee that the President's nomination of an FBI Director would be treated any differently.

Republicans played "chicken" with a government shutdown earlier this year. We can see the same dynamic developing on the debt ceiling and the budget. Likewise, many Republicans, including their House leaders, who contended that the War Powers Act was unconstitutional when the President was a Republican, are now seeking to use it as a partisan cudgel to diminish this President, with little regard for the damage that does to America, NATO and the effort to end the brutal repression of the Libyan people by Moammar Qadhafi.

The Senate is finally this week seeking to complete action on a bipartisan, leadership-supported legislative approach to reforming Senate consideration of presidential nominations. It has taken weeks and months to get this far. Senate Republicans undermined their leadership and failed to support Senator ALEXANDER and Senator MCCONNELL, who were instrumental in developing the Presidential Appointment Efficiency and Streamlining Act, S. 679. The Senate has been stuck trying to complete this bill since June 16, when the majority leader could not even get consent to proceed to the bill. Bills that used to take 2 hours of floor time now consume 2 weeks. Republican Senators who could not be bothered with conducting oversight when a Republican was in the White House are now adamant that the Senate should not streamline any presidential nominations, arguing that doing so would undercut Senate opportunities to conduct what they call oversight. This is just another example of how virtually everything is viewed through a partisan lens since the American people elected President Obama.

Senator COBURN has known since we began to consider the President's request to extend the FBI Director's term that his plan could not be considered a viable alternative unless there was an agreement from Senate Republicans to ensure that the Senate would complete its work and have the FBI Director in place at the end of the summer. That agreement would take the form of a unanimous consent agreement in the Senate, entered into by all Senators, and locked in on the RECORD so that it could not be changed without unanimous consent. That has not occurred. That is the only way to ensure

Senate action on a nomination before August 3. The House would also have to agree to such an approach.

Senator COBURN has been unable to convince his leadership and the Republican caucus to agree. It may be because some do not want to agree. It may be because some do not want to give up the "leverage" such a nomination might provide to them on other matters. Maybe they just do not want to make anything too "easy" on this President. Whatever the reasons, no such agreement has been forthcoming in the weeks it has been under consideration.

In fact, at the Judiciary Committee business meeting on the bill, when Senator COBURN could not offer the assurances required to lock in prompt and timely consideration of a subsequent nomination of the FBI Director after enactment of legislation and before August 3, he did suggest that his side of the aisle would forego several steps of the standard process for considering nominees. He offered to waive the questionnaire, the background check, and the confirmation hearing on Director Mueller. But this commitment was illusory, because not even all of the Republican members of the Judiciary Committee agreed. Senator CORNYN, having questioned Director Mueller's "management capacity," indicated that he wanted confirmation hearings and the opportunity to ask questions. Of course, the Senator from Texas was within his rights to say so. But that shows the practical difficulties of following Senator COBURN's complicated, two-part scenario with no guarantee of it being completed by August 3.

Republican Senators lectured us on the ease with which the majority leader should be able to obtain cloture on a new nomination of Director Mueller. That again makes my point. Without a binding agreement, it could take days to consider the nomination, perhaps a full week.

We have just witnessed Senate Republicans filibustering for the first time in American history the nomination of the Deputy Attorney General of the United States. They did that just last month. While Senator CORNYN opined that the renomination of Director Mueller should be able to get 60 votes for cloture, and we should be able to end a filibuster of the nomination on the Senate floor, he also said that he could not control other Republican Senators.

To complete action in accordance with Senator COBURN's alternative plan would mean not only passing legislation but the Senate receiving, considering and confirming the renomination of Director Mueller. I was chairman of the Judiciary Committee back in 2001 when the Senate considered and confirmed Director Mueller's initial nomination within two weeks. I worked hard to make that happen. Regrettably, given the current practices of

Senate Republicans, and their unwillingness to agree on expedited treatment for President Obama's nominations, it is foolhardy in my judgment to think that all Senate Republicans will cooperate without the binding force of a unanimous consent entered in the RECORD.

Let me mention just one more recent example. Consider the time line of the nomination of the Assistant Attorney General for the National Security Division at the Department of Justice. The nominee was approved unanimously by the Senate Judiciary Committee and unanimously by the Senate Select Committee on Intelligence, and approved unanimously by the Senate just yesterday. That nomination took 15 weeks for the Senate to consider—and she was approved unanimously. It took more than a month just to schedule the Senate vote after the nomination was reported unanimously by the Senate Select Committee on Intelligence, and that was 2½ weeks after it was unanimously reported by the Senate Judiciary Committee. This was a nominee with whom many of us were familiar and who faced no opposition.

Of course, in the case of the FBI Director, there is no necessity to require a new nomination. The simple one-time extension contained in S. 1103 does the job. It provides all the authority needed for the President to ask Director Mueller to stay on and for him to do so without additional action by the Senate. The separate renomination of Director Mueller is not required.

As I have said, all Senate Democrats are prepared to take up and pass S. 1103, and send it to the House of Representatives for it to take final action before August 3. That is what we should be doing. We should do that now, before the Fourth of July recess. There is no good reason for delay. All that is lacking is Senate Republicans' consent.

So, as they stall in moving legislation to respond to President Obama's request to extend Director Mueller's term, Senate Republicans will not commit to the unanimous consent request necessary to allow Senator COBURN's alternative to become a possibility. Seven of the eight Republican members of the Senate Judiciary Committee voted against the bill to extend Director Mueller's term. Senator COBURN had said that if his alternative was not adopted by the committee, he would vote for the bill, but then he changed his mind and voted against. He then said that he will vote for the bill, S. 1103, when it is considered by the Senate, but Senate Republicans—perhaps including Senator COBURN himself—are now objecting to considering it. We have lost another two weeks since the bill was reported by the Judiciary Committee.

Finally, I observe that this is not the only matter the Senate needs to con-

sider before August 3. There is the matter of the United States' default unless the debt ceiling is raised by that time. There is the need to pass the America Invents Act, as passed by the House, to spur innovation and jobs. There are currently 10 executive nominations ready for Senate action reported by the Judiciary Committee and 18 judicial nominations ready for final consideration to address the judicial vacancies crisis. There is much to do, little time, and even less cooperation.

This important legislation, S. 1103, would fulfill the President's request that Congress create a one-time exception to the statutory 10-year term of the FBI Director in order to extend the term of the incumbent FBI Director for 2 additional years. Given the continuing threat to our Nation, especially with the tenth anniversary of the September 11, 2001, attacks approaching, and the need to provide continuity and stability on the President's national security team, it is important that we respond to the President's request and enact this necessary legislation swiftly. The incumbent FBI Director's term otherwise expires on August 3, 2011. I urge the Senate to take up this critical legislation and pass it without further delay.

CONSULAR NOTIFICATION COMPLIANCE ACT

Mr. LEAHY. Mr. President, on June 14, 2011, I introduced the Consular Notification Compliance Act. This legislation will help bring the United States into compliance with its obligations under the Vienna Convention on Consular Relations, VCCR, and is critical to ensuring the protection of Americans traveling overseas.

Each year, thousands of Americans are arrested and imprisoned when they are in foreign countries studying, working, serving in the military, or traveling. From the moment they are detained, their safety and well-being depends, often entirely, on the ability of U.S. consular officials to meet with them, monitor their treatment, help them obtain legal assistance, and connect them to family back home. That access is protected by the consular notification provisions of the VCCR, but it only functions effectively if every country meets its obligations under the treaty—including the United States.

As we now know, in some instances, the United States has not been meeting those obligations. There are currently more than 100 foreign nationals on death row in the United States, most of whom were never told of their right to contact their consulate, and their consulate was never notified of their arrest, trial, conviction, or sentence. This failure to comply with our treaty obligations undercuts our ability to protect Americans abroad and deeply

damages our image as a country that abides by its promises and the rule of law. It would also be completely unacceptable to us if our citizens were treated in this manner.

The Consular Notification Compliance Act seeks to bring the United States one step closer to compliance with the convention. It is a narrowly crafted solution. It focuses only on the most serious cases—those involving the death penalty—but it is a significant step in the right direction and we need to work together to pass it quickly. Texas is poised to execute the next foreign national affected by this failure to comply with the treaty on July 7, 2011. He was not notified of his right to consular assistance, and the Government of Mexico has expressed grave concerns about the case. We do not want this execution to be interpreted as a sign that the United States does not take its treaty obligations seriously, or to further damage relations with an important ally with which we share a border. That message puts American lives at risk.

Since introduction of the Consular Notification and Compliance Act, the Department of Justice and the Department of State have worked with me to explain the importance of the bill, its limited nature, and the urgent need to see it passed. On June 28, Attorney General Holder and Secretary Clinton wrote to me in support of the "carefully crafted, measured, and essential legislative solution" included in the Consular Notification and Compliance Act. I will ask consent to have a copy of the letter printed in the RECORD at the conclusion of my remarks. We have already had productive discussions with Republicans and Democrats from both the House and Senate. I appreciate that others are willing to work together to address this critical issue.

I also want to note all of the favorable commentary the bill has generated, including multiple editorials in major newspapers and numerous letters of support from across the political spectrum. I also will ask that a selection of those be printed in the RECORD following my remarks.

Everyone agrees that this legislation is not about giving breaks to criminals. It is not about expanding habeas corpus relief. It is not about weakening the death penalty. This bill is about three things only. It is about protecting Americans when they work, travel, and serve in the military in foreign countries. It is about fulfilling our obligations and upholding the rule of law. And it is about removing a significant impediment to full and complete cooperation with our international allies on national security and law enforcement efforts that keep Americans safe.

The bottom line is this—our failure to comply with our legal obligations places Americans at risk. As chairman

of the Senate Judiciary Committee, I am announcing that I intend to hold a hearing on this critical issue in July. We must work together, and we must act now.

Mr. President, I ask unanimous consent to have printed in the RECORD the letters and editorials to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 28, 2011.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S.
Senate, Washington, DC.

DEAR MR. CHAIRMAN: We thank you for your extraordinary efforts to enact legislation that would facilitate U.S. compliance with its consular notification and access obligations and to express the Administration's strong support for S. 1194, the Consular Notification Compliance Act of 2011 (CNCA).

The millions of U.S. citizens who live and travel overseas, including many of the men and women of our Armed Forces, are accorded critical protections by international treaties that ensure that detained foreign nationals have access to their country's consulate. Consular assistance is one of the most important services that the United States provides its citizens abroad. Through our consulates, the United States searches for citizens overseas who are missing, visits citizens in detention overseas to ensure they receive fair and humane treatment, works to secure the release of those unjustly detained, and provides countless other consular services. Such assistance has proven vital time and again, as recent experiences in Egypt, Libya, Syria and elsewhere have shown. For U.S. citizens arrested abroad, the assistance of their consulate is often essential for them to gain knowledge about the foreign country's legal system and how to access a lawyer, to report concerns about treatment in detention, to send messages to their family, or to obtain needed food or medicine. Prompt access to U.S. consular officers prevents U.S. citizen prisoners from being lost in a foreign legal system.

The United States is best positioned to demand that foreign governments respect consular rights with respect to U.S. citizens abroad when we comply with these same obligations for foreign nationals in the United States. By sending a strong message about how seriously the United States takes its own consular notification and access obligations, the CNCA will prove enormously helpful to the U.S. Government in ensuring that U.S. citizens detained overseas can receive critical consular assistance.

The CNCA will help us ensure that the United States complies fully with our obligations to provide foreign nationals detained in the United States with the opportunity to have their consulate notified and to receive consular assistance. By setting forth the minimal, practical steps that federal, state, and local authorities must take to comply with the Vienna Convention on Consular Relations (VCCR) and similar bilateral international agreements, the CNCA will ensure early consular notification and access for foreign national defendants, avoiding future violations and potential claims of prejudice for those who are prosecuted and ultimately convicted. In this regard, the legislation is an invaluable complement to the extensive training efforts each of our Departments conducts in this area.

The CNCA appropriately balances the interests in preserving the efficiency of criminal

proceedings, protecting the integrity of criminal convictions, and providing remedies for violation of consular notification rights. By allowing defendants facing capital charges to raise timely claims that authorities have failed to provide consular notification and access, and to ensure that notification and access is afforded at that time, the CNCA further minimizes the risk that a violation could later call into question the conviction or sentence. The CNCA provides a limited post-conviction remedy for defendants who were convicted and sentenced to death before the law becomes effective. To obtain relief, such defendants face a high bar: They must establish not only a violation of their consular notification rights but also that the violation resulted in actual prejudice. Going forward, the CNCA permits defendants who claim a violation of their VCCR rights an opportunity for meaningful access to their consulate but does not otherwise create any judicially enforceable rights.

After more than seven years and the efforts of two administrations, the CNCA will also finally satisfy U.S. obligations under the judgment of the International Court of Justice (ICJ) in *Case Concerning Avena and Other Mexican Nationals (Mex. v. U.S.)*, 2004 I.C.J. 12 (Mar. 31). As we expressed in April 2010 letters to the Senate Judiciary Committee, this Administration believes that legislation is an optimal way to give domestic legal effect to the Avena judgment and to comply with the U.S. Supreme Court's decision in *Medellin v. Texas*, 552 U.S. 491 (2008). The CNCA will remove a long-standing obstacle in our relationship with Mexico and other important allies, and send a strong message to the international community about the U.S. commitment to honoring our international legal obligations.

The CNCA unmistakably benefits U.S. foreign policy interests. Many of our important allies and regional institutions with which we work closely—including Mexico, the United Kingdom, the European Union, Brazil and numerous other Latin American countries, and the Council of Europe, among others—have repeatedly and forcefully called upon the United States to fulfill obligations arising from Avena and prior ICJ cases finding notification and access violations. We understand that the Governments of Mexico and the United Kingdom have already written to Congress to express their strong support for this legislation.

This legislation is particularly important to our bilateral relationship with Mexico. Our law enforcement partnership with Mexico has reached unprecedented levels of cooperation in recent years. Continued non-compliance with Avena has become a significant irritant that jeopardizes other bilateral initiatives. Mexico considers the resolution of the Avena problem a priority for our bilateral agenda. The CNCA will help ensure that the excellent U.S.-Mexico cooperation in extradition and other judicial proceedings, the fight against drug trafficking and organized crime, and in a host of other areas continues apace.

In sum, the CNCA is a carefully crafted, measured, and essential legislative solution to these critical concerns. We thank you again for your work towards finding an appropriate legislative solution to this matter of fundamental importance to our ability to protect Americans overseas and preserve some of our most vital international relationships.

Sincerely,

ERIC H. HOLDER, JR.,
Attorney General.

HILLARY RODHAM CLINTON,
Secretary of State.

[From the Washington Post, June 13, 2011]

WHY THE U.S. SHOULD ALLOW ARRESTED FOREIGNERS TO CONTACT THEIR CONSULATES

Humberto Leal Jr. is scheduled to be put to death by the state of Texas next month for the 1994 murder of a 16-year-old girl. Like so many cases involving capital punishment, Mr. Leal's has generated controversy, but not for the typical reasons.

Mr. Leal is a Mexican national. When he was arrested, Texas officials failed to advise him of his right to communicate with his country's embassy as required by the Vienna Convention on Consular Relations. The United States, Mexico and some 160 other countries are signatories to the convention. Mr. Leal is one of roughly 40 Mexican nationals who were not advised about consular access and who sit on death row in this country.

Mexico filed a grievance on behalf of its nationals and prevailed in 2004 before the International Court of Justice (ICJ), the judicial arm of the United Nations. The ICJ concluded that the United States was obligated to comply with the treaty and that it should review these cases to determine whether the defendants had been harmed by the lack of notification.

Texas, where the majority of these inmates are held, balked. Three years ago, the state executed Jose Ernesto Medellin, another Mexican national who was not informed of his right to consular access and who was denied additional review. The state is likely to take the same approach in the Leal case. "Here, in Texas, if you commit terrible and heinous crimes you're going to pay the ultimate price," says Katherine Cesinger, press secretary to Gov. Rick Perry.

This misses the point entirely. This is not about coddling criminals nor is it a referendum on the death penalty. It is about a country's obligation to honor its treaty commitments. The United States must comply with the Vienna Convention—and demonstrate good faith in addressing past mistakes—if U.S. citizens abroad are to be afforded the same rights and protections.

Sen. Patrick J. Leahy (D-Vt.) is expected to introduce legislation as soon as this week to provide meaningful review in federal court for those denied consular access. The legislation should be narrowly tailored and mandate that the legal proceedings focus solely on whether denial of access seriously prejudiced an inmate's ability to defend against charges. The bar for success should be high, and only those who can provide compelling evidence of such harm should be allowed a new trial or benefit from a reduced sentence.

To avoid this problem in the future, federal and state governments should be diligent about abiding by the treaty's mandates. The State Department should continue its outreach to state and local governments to impress upon law enforcement officials the importance of the consular notification. Complying with the treaty is not only the right thing to do; it is the smart and self-interested thing to do.

[From the New York Times, June 17, 2011]

THE TREATY AND THE LAW

Humberto Leal Garcia Jr., a Mexican citizen who faces execution in Texas next month, has petitioned Gov. Rick Perry for a six-month reprieve. He is asking for a stay under a vital international law, the Vienna

Convention on Consular Relations, which requires that foreign nationals who are arrested be told of their right to have their embassy notified of that arrest and to ask for help.

In recent years, the treaty has provided important protection for Americans who have been detained in Iran, North Korea and elsewhere. Mr. Leal was not notified after his arrest of his right to contact his embassy. But the Supreme Court ruled in 2008 that Texas did not need to comply with the treaty because there is no federal law requiring that states do so.

Senator Patrick Leahy of Vermont on Tuesday introduced a bill that makes clear that federal law requires that states tell foreign nationals who have been arrested that they can contact their consulates for help.

For those who were convicted and sentenced without being told, the bill would let them ask a federal court to review their case and decide whether the outcome would have been different if they had had diplomatic help. After the bill was introduced, Mr. Leal petitioned Federal District Court for a stay to keep Texas from "rushing to execute" him before Congress has time to act.

Mr. Leal, convicted of murder during a sexual assault, had grossly incompetent legal representation. If he had been given access to a Mexican diplomat, he would have had a chance at better counsel and likely the opportunity to strike a plea deal, avoiding the death penalty.

For the sake of justice, the governor and court should grant the stays. For the protection of foreigners arrested here, and American citizens arrested abroad, Congress should pass Senator Leahy's bill.

[From the Austin American-Statesman,
June 10, 2011]

EXECUTION CASE IMPORTANT TO INTERNATIONAL RELATIONS

The Golden Rule of life also applies to the tricky business of international relations. What we do to non-Americans in our country we can reasonably expect to be done unto Americans in other countries.

It is for that reason that Gov. Rick Perry and the Texas Board of Pardons and Paroles—both in the uncommon position of making a decision with international impact—should commute or postpone the death sentence of Humberto Leal, a Mexican raised in Texas, scheduled to die July 7 for the 1994 murder of Adria Saucedo, 16, in Bexar County.

The key issue in this case at this point is not whether Leal committed the crime. Also not central now are the circumstances involving Leal, including sexual abuse by a priest, a challenging family history and other factors that, though significant, fail to add up to justification for murder. They could, however, count as mitigating factors that argue for a life sentence.

It's what happened after Saucedo was killed that is at issue. More specifically, it's what didn't happen. Despite the Vienna Convention on Consular Relations requirements, Leal was not informed of his right to contact Mexican officials to seek legal assistance. Records indicate that he was not aware of that right until told about it by a fellow death row inmate.

Instead of getting legal help from Mexican consular officials, who have a track record of providing quality legal representation for Mexicans facing the death penalty in the U.S., Leal was represented by a court-appointed team that included a lawyer who twice had his license suspended.

Back in 2004, the International Court of Justice said Leal was entitled to a hearing to determine the extent of harm he suffered as a result of the lack of consular access. A U.S. Supreme Court ruling has said the U.S. must comply with the decision by the international court. Texas, citing state law, said no such hearing could take place. Congress now is poised to consider legislation, to be filed in coming weeks, that would establish a procedure for a federal court hearing on the extent of harm caused to Leal because he was not advised of his right to contact Mexican officials.

In a clemency petition filed this week, an impressive list of former U.S. diplomats, retired military leaders and others concerned about international matters urged a stay of execution to grant Congress time to deal with this case.

At stake, they said, are the consular rights of Americans who become entangled in legal problems while out of the country.

"For Texas to proceed with (Leal's) execution prior to full compliance with these treaty obligations would endanger the interests of American citizens and the United States around the world," John B. Bellinger III, a State Department legal adviser in the George W. Bush administration, said in a letter signed by others and delivered to Perry.

The former military leaders told Perry that "improving U.S. enforcement of its consular notification and legal access obligations will help protect American citizens detained abroad, including U.S. military personnel and the families stationed overseas."

Sandra L. Babcock, a Northwestern University law professor representing Leal, said he would not have been convicted if he had received proper consular assistance. We have no way of knowing that. But there is no arguing with Babcock's contention that "with consular access, Mr. Leal would have had competent lawyers and expert assistance that would have transformed the quality of his defense."

And, as she noted, Mexican officials have developed expertise in helping Mexicans facing the death penalty in the U.S.

"It really is a very modest remedy we are talking about," Babcock said.

Modest, indeed, but with important international ramifications.

[From the Houston Chronicle, June 22, 2011]

KEEPING OUR WORD: SCHEDULED TEXAS EXECUTION VIOLATES TREATY AND ENDANGERS AMERICANS ABROAD

Americans traveling abroad are protected, whether they are aware of it or not, by a treaty called the Vienna Convention on Consular Relations, ratified by about 170 countries, which guarantees them access to U.S. consular assistance if they are detained or arrested in a foreign country. In 2010, more than 6,600 Americans were arrested abroad, and more than 3,000 were incarcerated. Many of them benefited from the protections of this treaty.

But unfortunately, the U.S. has repeatedly failed to offer those same protections to foreigners on U.S. soil. The most egregious of these violations is the denial of consular assistance to foreign nationals convicted and sentenced to death. (Currently, about 100 foreign nationals are on U.S. death rows.) And in a particularly urgent case, one of those individuals whose rights were violated, a Mexican national named Humberto Leal Garcia, is scheduled to be executed on July 7 in Huntsville.

Because a bill has been introduced to bring the U.S. into compliance with the treaty,

Leal's attorneys have filed a federal petition and a motion for a stay of execution so that Leal will be alive and eligible for the remedies of this legislation when it becomes law.

There are compelling reasons why these petitions should be granted. Chief among them is the fact that this pending legislation will allow for review of cases like Leal's, said his attorney Sandra Babcock, "where lack of consular assistance may well have made the difference between life and death. That's why the consular access really matters." Mexico provides top-flight legal assistance to its nationals under such circumstances.

Leal's court-appointed attorneys were ineffective and inexperienced, Babcock told the Chronicle, resulting in harm to Leal in both the guilt-or-innocence and the penalty phases of his trial. According to Babcock, they failed to challenge the prosecution's "junk science" and flawed DNA evidence or to present expert testimony on Leal's learning disabilities and brain damage. Leal, sentenced to death for the 1994 rape and murder of a 16-year-old girl, was then 21 and had no criminal record.

Also, there is no dispute that this treaty is the law: In 2003, Mexico filed suit against the U.S., claiming that 51 Mexican nationals sentenced to death in U.S. courts had been denied consular access. (Leal was one of them.) In 2004, the International Court of Justice ruled that the U.S. must review those individuals' cases. The issue was finally resolved, in 2008, by the U.S. Supreme Court, which unanimously supported the ICJ decision but ruled that it was up to Congress to implement it.

That is what Senate Judiciary Committee Chairman Patrick Leahy addressed last week, when he introduced legislation to allow federal courts to review such cases, and to increase compliance and provide remedies.

And finally, as Leahy eloquently stated, the U.S. failure to honor its treaty obligations "undercuts our ability to protect Americans abroad and deeply damages our image as a country that abides by its promises and the rule of law. It would also be completely unacceptable to us if our citizens were treated in this manner."

For all of these reasons, we urge Congress to act swiftly to pass this legislation, and we urge Gov. Perry to give Leal, and others in his situation, the time to benefit from its remedies if they are shown to have been harmed.

PERRY, UTAH

Mr. HATCH. Mr. President, I rise today to pay tribute to the great city of Perry, UT, on the 100th anniversary of its incorporation.

Today, Perry is a beautiful city of nearly 4,000 residents nestled at the foot of northern Utah's majestic Wasatch Mountains. Its fame and acclaim are extensive for a variety of reasons.

First, it is the apple of many a person's eye because of its location on Utah's famed Fruit Way. Its fruit stands along highway 89 are laden with apples, cherries, apricots, peaches, pears and other produce. I have never found any fruit nearly so sweet in all my travels.

Perry is also home to the legendary Maddox Ranch House, where succulent

steaks, fried chicken, homemade rolls and other fare have been food for thought and the palate for locals and many a weary traveler—this Senator, included—for more than six decades.

Best of all, though, are the wonderful residents of Perry. I have always been unfailingly impressed with their work ethic and civic-mindedness their eagerness and willingness to pitch in and build a better future and community for their children and grandchildren.

They also are warm and welcoming. Whenever people pop in, they never seem to be put out. It has been my experience that they are always eager to lend a hand or extend the hand of friendship. I always feel better for being there. It doesn't hurt that my wife Elaine hails from nearby Newton. Little wonder that every time I am in Perry I feel right at home.

Great places like Perry don't just happen. It takes vision and hard work—a trait Orrin Porter Rockwell and his brother Merritt undoubtedly had in abundance when they laid claim to a piece of land in the area adjacent Porter Spring. They were followed in 1851 by the Mormon pioneers, settlers of faith and fortitude who befriended the Native Americans there and founded what became known as Three Mile Creek.

Many milestones have come and gone since then. In 1861 the first school was built, followed by the groundbreaking for the Northern Utah Railroad 10 years later. And the settlers also weathered some adversity, including harsh winters and the Great Flood of 1896. Two years later, Three Mile Creek was renamed Perry in honor of Orrin Alonzo Perry, who served as an LDS bishop there for more than two decades.

June 19, 1911, the date of Perry's incorporation, was another major event and marked a new beginning. Over the ensuing years, the people of Perry, under the guidance of some remarkable and visionary leaders, kept right on building, bringing electricity, drinking water, a town hall and more schools to the city. Just this year, Perry added a wastewater treatment plant and a soccer park to the mix. And I trust many more chapters remain to be written in Perry's illustrious history.

As Perry celebrates its centennial over the Fourth of July weekend, I salute its visionary and hardworking citizens, both past and present, who have made the city what it is today. I am sure Orrin Porter Rockwell and Orrin Alonzo Perry would be proud. You can be certain that this ORRIN is.

EXPLOITING GAPS IN U.S. GUN LAWS

Mr. LEVIN. Mr. President, I have long sought to bring attention to the dangerous gaps in U.S. gun laws, hoping the exposure would lead to the pas-

sage of commonsense firearm legislation. To those of us who feel that Congress can and should play a role in protecting American neighborhoods from the scourge of gun violence, enacting laws to ensure firearms stay out of the hands of dangerous people seems like a no-brainer. Unfortunately, the National Rifle Association, despite broad support for sensible gun safety laws among Americans across the political spectrum, has successfully blocked much-needed legislative changes.

Recently a startling new voice joined the discussion highlighting the weaknesses in our gun laws, most notably how we administer firearm background checks. Consider the following quote describing the so-called gun show loophole:

America is absolutely awash with easily obtainable firearms. You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle without a background check and, most likely, without having to show an identification card.

While this quote does not break any new ground regarding the dangers of the gun show loophole, it is noteworthy because of the person who said it. These were not the words of a Member of Congress, advocating for legislation, nor were they the words of a spokesperson of groups like Mayors Against Illegal Guns or the Brady Campaign. This quote is taken from an Internet video message recorded by Adam Gadahn, an American-born, confirmed al-Qaida operative.

In the video, Gadahn speaks to al-Qaida followers and sympathizers, describing the ease with which a person can purchase a firearm from a private seller without a background check, often with no questions asked. In fact, this video is not merely a description of the loopholes in U.S. gun laws, it is an exhortation to would-be terrorists to exploit these loopholes and kill innocent Americans. To wit, the video ends with Gadahn asking his viewers, "What are you waiting for?"

This video is a chilling reminder that dangerous loopholes exist in U.S. gun laws, weaknesses that terrorists are actively trying to exploit. While Gadahn is not entirely accurate—a person cannot purchase a "fully automatic assault" rifle at a gun show without government knowledge—he correctly describes just how simple it is for dangerous individuals to acquire deadly weapons in the United States, including semi-automatic assault rifles.

I urge my colleagues to take up and pass two gun safety bills introduced by Senator FRANK LAUTENBERG: the Gun Show Background Check Act, S. 35, which would close the loophole that makes it easy for criminals, terrorists and other prohibited buyers to evade background checks and buy guns from private citizens at gun shows; and the Denying Firearms and Explosives to

Dangerous Terrorists Act, S. 34, which would close the loophole in Federal law that hinders the ability of law enforcement to keep firearms out of the hands of terrorists by authorizing the Attorney General to deny the sale of a firearm when a background check reveals that the prospective purchaser is a known or suspected terrorist.

Congressional action should not require such stark evidence that al-Qaida and like-minded criminals are trying to use weak U.S. gun laws to carry out terrorist attacks against Americans. But the evidence—clear, explicit and terrifying—is here nonetheless. The time to act is long overdue.

UTAH SHAKESPEARE FESTIVAL

Mr. HATCH. Mr. President, today I wish to pay tribute to the Utah Shakespeare Festival, the Nation's premier regional theater and one of our State's crown jewels, on the occasion of its 50th anniversary.

Great things often evolve from small or modest beginnings. That was certainly the case in 1961 when Fred C. Adams and his late wife, Barbara, founded the event in Cedar City with lofty goals, a bargain-basement budget of \$1,000, and 21 volunteers. They envisioned what few others could see—that the 150,000 tourists who flocked to the area each summer might also be gathered for a theater festival.

Today, the Utah Shakespeare Festival is the proud recipient of a Tony Award for being the "outstanding regional theatre in America." It operates year-round, boasts a \$6.6 million budget, employs 26 Equity actors and has another 300 community volunteers. Its repertoire has also expanded. Yes, Shakespeare is still the main attraction, but the festival also stages plays from three centuries of playwrights from all across Europe and the United States.

Not bad for a festival that is 250 miles from Salt Lake City, the State's largest metropolitan area.

Geography, though, can hardly be the sole consideration for theatre aficionados who wish to attend the festival. It is simply too good and too glorious to miss, for mileage's sake. That is why I and millions of others have eagerly gone the distance many times to take in Shakespeare's plays at the open-air Adams Memorial Theatre—modeled after the playwright's famed Globe Theatre in London—and other offerings at the indoor Randall L. Jones Theatre. Every time I have gone, I have been thoroughly entertained and richly rewarded.

But the past is past, or, as Shakespeare put it, "What is past is prologue." I look forward to many more productions there, and for the event to capture ever-more acclaim and captivate ever-larger and more appreciative audiences. Perhaps the Bard of

Avon's words best sum up the festival's future: "The golden age is before us, not behind us." I firmly believe that to be true.

On this, the 50th anniversary of the Utah Shakespeare Festival, I salute the visionaries like Fred and Barbara Adams, Executive Director R. Scott Phillips, and the scores of organizers, performers, and volunteers who have and continue to make this wonderful event possible.

I commend them for a wonderful 50 years and wish them well as they embark on the next 50 and continue to carry out the festival's mission to "entertain, enrich and educate."

ADDITIONAL STATEMENTS

REMEMBERING DR. WALTER A. SOBOLEFF, SR.

• Mr. BEGICH. Mr. President, today I wish to memorialize Dr. Walter A. Soboleff, Sr., who died at his home on May 22, 2011. During a life which spanned more than 102 years, Dr. Soboleff was revered as one of Alaska's greatest teachers. A Presbyterian minister, Tlingit scholar and elder, his quiet wisdom, wry humor, and loving leadership bridged cultures to change attitudes and lives.

Born November 14, 1908, in Killisnoo, AK, to a Tlingit mother and the son of a Russian Orthodox priest, Walter was a member of the Yéil moiety, Raven; L'eeneidi clan, Dog Salmon; and Aanx'aakhitta House. His Tlingit names included T'aaw Chán and Kaajaakwtí.

From fifth grade through high school, Dr. Soboleff emerged as an academic talent at Sheldon Jackson, a Presbyterian mission school in Sitka, AK. Though baptized by his Russian Orthodox grandfather, his experience at Sheldon Jackson led him to the Presbyterian ministry. Few Alaska Natives had access to college in the 1930s, but Dr. Soboleff was hungry to learn. He attended a term at Oregon State University, fished commercially, and worked the canneries before receiving a full scholarship to the theological seminary at the University of Dubuque, Iowa. He completed his graduate degree there in 1940.

With many offers to fill pulpits around the country, Dr. Soboleff chose to return to Alaska. As the first ordained Alaska Native, he led Juneau's Memorial Presbyterian Church, a struggling mission to the Tlingits. For many at that time, an integrated church was inconceivable, but Dr. Soboleff's inspired fusion of Tlingit and Christian spirituality attracted a diverse and growing congregation. His teachings were so resonant that part of his service was broadcast on the radio, and he even had a weekly news program which was broadcast in the Tlingit language.

Although Memorial Church closed in 1962, Dr. Soboleff maintained his spirit, relocating his ministry to the mission boats Anna Jackman and Princeton Hall. On them, he traveled southeast Alaska to serve remote villages, logging camps, and lighthouse stations.

A man who walked his talk, Dr. Soboleff was an activist of quiet strength who dedicated himself to humanitarian service and the preservation of his culture. He exemplified caring, understanding, and mutual respect. When denied housing because he and his wife Genevieve were Native, and when the Presbyterians closed his church without explanation, he chose the high road and subsequently opened doors. He responded to conflict with benevolence and racial bias with equanimity, and his unexpected kindness softened difficult situations to invite open relationships and understanding.

A worker rather than a joiner, Dr. Soboleff belonged to many diverse organizations, all dedicated to human understanding and, for him, the preservation of his culture.

As a member of the Alaska Native Brotherhood, he served in all offices including seven terms as grand president. Through ANB he worked to empower Alaska Natives and develop collaborations with other organizations to shape antidiscrimination and land claims legislation. After passage of the Alaska Native Claims Settlement Act in 1971, Dr. Soboleff served as a director of the Sealaska Corporation, president of Kootznoowoo, Inc., and chair of the Sealaska Heritage Institute's Board of Trustees.

As a member of the Lions Club, he helped to found the Gold Medal Basketball Tournament, an event which continues to unite southeast Alaska communities in sport.

As a member of the Alaska National Guard, he served 20 years as chaplain and retired as a lieutenant colonel.

In recognition of his many outstanding achievements, the University of Dubuque awarded Dr. Soboleff an honorary doctorate in divinity in 1952; the University of Alaska would follow suit with an honorary doctorate of humanities in 1968.

Widely recognized as one who understood the value of education, Dr. Soboleff was appointed by Governor Walter J. Hickel to the State board of education. The first Alaska Native to serve, he became chair in 1967. In 1970, he became the first director of Native Studies at UAF. There, he taught Tlingit history, language, and literature. Fluent both in Tlingit and English, he translated stories to revive the Tlingit language and restore his people's pride in themselves and their heritage. Cross-cultural understanding and human respect were so important to Dr. Soboleff, that he stayed active until the end of his long life, addressing a rally against domestic violence

just weeks before his death. His presence and his words, as always, made a difference.

To Dr. Soboleff's four children, Janet, Sasha, Walter, and Ross, and to his extended family, we send deep condolences along with joy for the gift of his longevity. While Alaska has lost one of the greatest of her leaders, the teachings of Walter A. Soboleff have shaped how we view ourselves and how we treat one another. Those touched by his spirit have been changed for the better, and his legacy lives on.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2309. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Extra Long Staple Cotton Crop Provisions" (RIN0563-AC27) received in the Office of the President of the Senate on June 23, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2310. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2311. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revision to the Validated End-User Authorization for CSMC Technologies Corporation in the People's Republic of China" (RIN0694-AF25) received during adjournment of the Senate in the Office of the President of the

Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2312. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rules Implementing Amendments to the Investment Advisers Act of 1940" (RIN3235-AK82) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2313. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Family Offices" (RIN3235-AK66) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2314. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Exemptions for Advisers to Venture Capital Funds, Private Fund Advisers With Less Than \$150 Million in Assets Under Management, and Foreign Private Advisers" (RIN3235-AK81) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2315. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Standards: Advanced Capital Adequacy Framework—Basel II; Establishment of a Risk-Based Capital Floor" (RIN3064-AD58) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2316. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on the remaining obstacles to the efficient and timely circulation of \$1 coins; to the Committee on Banking, Housing, and Urban Affairs.

EC-2317. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States" (RIN0694-AF12) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2318. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Civil Penalties" (RIN1010-AD74) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Energy and Natural Resources.

EC-2319. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Stock Basis" (Notice No. 2011-56) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Finance.

EC-2320. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to activities under the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act of 1998; to the Committee on Foreign Relations.

EC-2321. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, a legislative proposal reauthorizing the Overseas Private Investment Corporation; to the Committee on Foreign Relations.

EC-2322. A communication from the Acting Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Center (RRTC)—Interventions to Promote Community Living Among Individuals with Disabilities" (CFDA No. 84.133B-11) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2323. A communication from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities; Disability and Rehabilitation Research Projects and Centers Program" (CFDA Nos. 84.133E-1 and 84.133E-3) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2324. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table" (RIN0906-AA74) received in the Office of the President of the Senate on June 23, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2325. A communication from the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Program Evaluation Activities of the U.S. Department of Health and Human Services—Performance Improvement 2010"; to the Committee on Health, Education, Labor, and Pensions.

EC-2326. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Prevention and Reduction of Underage Drinking"; to the Committee on Health, Education, Labor, and Pensions.

EC-2327. A communication from the Secretary of Labor, transmitting, pursuant to law, the 2010 Department of Labor's Reissued Agency Financial Report; to the Committee on Health, Education, Labor, and Pensions.

EC-2328. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certification of the Fiscal Year 2011 Total Non-Dedicated Revised Local Source Revenues in Support of the District's \$181,330,000 General Obligation Bonds (Series 2010A)"; to the Committee on Homeland Security and Governmental Affairs.

EC-2329. A communication from the Chairman of the National Capital Planning Commission, transmitting, pursuant to law, the Commission's fiscal year 2010 annual report

relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-2330. A communication from the Assistant Secretary of Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the Department's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-2331. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2332. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Successor Entities to the Netherlands Antilles" ((RIN0750-AH32) (DFARS Case 2011-D029)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2333. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Extension of Restrictions on the Use of Mandatory Arbitration Agreements" ((RIN0750-AH34) (DFARS Case 2011-D035)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2334. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Assignment of Order Codes" ((RIN0750-AH25) (DFARS Case 2011-D004)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2335. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Management of Manufacturing Risk in Major Defense Acquisition Programs" ((RIN0750-AH30) (DFARS Case 2011-D031)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2336. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items" ((RIN0750-AH27) (DFARS Case 2011-D034)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2337. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Definition of Sexual Assault" ((RIN0750-AG93) (DFARS Case 2010-D023)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2338. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC-2339. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-2340. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2010"; to the Committee on Environment and Public Works.

EC-2341. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a legislative proposal relative to authorization for major facility construction projects and leases for fiscal year 2012; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-52. A joint resolution adopted by the General Assembly of the State of Tennessee memorializing Congress to continue to support career and technical education programs, including the Perkins Tech Prep program; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION No. 111

Whereas, the career and technical education programs available to our students here in Tennessee and across this great Nation are a most vital tool for the economic future and advancement of the United States; and

Whereas, on February 11, the House Appropriations Committee in Washington, D.C., introduced legislation, H.R. 1, legislation which completely eliminates funding for the Perkins Tech Prep program for the 2011-2012 school year and makes drastic cuts across other education and workforce development programs; and

Whereas, career and technical education programs play an integral role in providing our students with the experience and training necessary to compete in the modern economy and a reduction in funding will harm Tennessee's students and communities, both big and small, as well as the economic well-being of America: Now, therefore, be it

Resolved by the Senate of the One Hundred Seventh General Assembly of the State of Tennessee, the House of Representatives Concurring, That this General Assembly hereby memorializes the United States Congress to continue to support career and technical education programs, including the Perkins Tech Prep program. Be it further

Resolved, That a certified copy of this resolution be transmitted to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and to each member of Tennessee's Congressional delegation.

POM-53. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the Congress of the United States to sustain home energy assistance for at-risk Louisianians and to declare June 2011 as "Save LIHEAP" Month; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION No. 33

Whereas, the federal home energy assistance program is of vital interest to the state of Louisiana and to low to moderate income households, especially the elderly, disabled, or young citizens, who struggle disproportionately to afford heating and cooling costs; and

Whereas, Congress is considering the proposed budget to reduce the fiscal year 2012 Low Income Home Energy Assistance Program (LIHEAP) formula grant funding by fifty-seven percent nationally; and

Whereas, this reduction is disproportionately more damaging in Louisiana, triggering a sixty-seven percent loss, resulting in the life-threatening decrease of 34.7 million dollars to Louisiana; and

Whereas, due to the loss of these funds, tens of thousands of vulnerable Louisiana citizens will lose access to the LIHEAP's vital energy services; and

Whereas, more than four hundred and seventy-six thousand Louisiana households meet LIHEAP's stringent income eligibility requirements; and

Whereas, of these households, one hundred eighty-four thousand shelter someone over the age of sixty, ninety-six thousand are children under the age of six, and one hundred and fifty-four thousand are handicapped individuals, including disabled veterans; and

Whereas, for a Louisiana family of four to be eligible for LIHEAP, the family must earn no more than twenty-seven dollars per day, per capita; and

Whereas, although nearly a half-million Louisiana households meet LIHEAP's federal income criteria, only a small fraction of eligible households are actually helped due to already limited federal funding; and

Whereas, Louisiana's ability to reach at-risk families through LIHEAP is entirely dependent upon the provision of adequate funding from Congress; and

Whereas, home energy assistance is particularly important in Louisiana due to intermittent intense heat and humidity, which is especially threatening to the elderly, disabled, and young citizens; and

Whereas, if the program's core block grants were reduced as proposed, Louisianians would be disproportionately affected, because the national program would be statutorily precluded from considering current population, poverty, and energy price data and mirroring outdated needs of twenty-five years ago; and

Whereas, unless Congress sustains LIHEAP, Louisiana's most vulnerable citizens will be placed at an unnecessarily greater risk. Therefore, be it

Resolved, That the Louisiana Legislature hereby declares June, 2011 to be "Save LIHEAP Month" and encourages public and private citizens to join in by encouraging their respective congressional delegation to sustain this vital program at its long-standing national appropriation of five point one billion dollars during federal Fiscal Year 2012. Be it further

Resolved, That the Legislature of Louisiana hereby memorializes the Congress of the United States to sustain home energy assistance for at-risk Louisianians and to declare June 2011 as "Save LIHEAP" Month. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-54. A resolution adopted by the city of Lackawanna, New York requesting the

city of Lackawanna be united under one New York State Assembly-Member; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with amendments and with a preamble:

S.J. Res. 20. A joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya (Rept. No. 112-27).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 550. A bill to improve the provision of assistance to fire departments, and for other purposes (Rept. No. 112-28).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Lt. Gen. Robert R. Allardice, to be Lieutenant General.

Air Force nomination of Maj. Gen. Bradley A. Heithold, to be Lieutenant General.

Air Force nomination of Maj. Gen. Stanley E. Clarke, to be Lieutenant General.

Air Force nomination of Lt. Gen. Paul J. Selva, to be Lieutenant General.

Air Force nomination of Brig. Gen. Terrence A. Feehan, to be Major General.

*Army nomination of Gen. James D. Thurman, to be General.

Army nomination of Lt. Gen. Kathleen M. Gainey, to be Lieutenant General.

Army nomination of Col. John A. Hammond, to be Brigadier General.

Army nomination of Brig. Gen. James T. Walton, to be Major General.

Army nominations beginning with Brig. Gen. Stephen L. Jones and ending with Brig. Gen. Richard W. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2011.

Army nominations beginning with Brigadier General Marcia M. Anderson and ending with Colonel Bryan W. Wampler, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2011.

Army nomination of Lt. Gen. Keith M. Huber, to be Lieutenant General.

Army nomination of Col. A. C. Roper, Jr., to be Brigadier General.

Army nomination of Lt. Gen. Curtis M. Scaparrotti, to be Lieutenant General.

Army nomination of Lt. Gen. Daniel P. Bolger, to be Lieutenant General.

Army nomination of Maj. Gen. John F. Campbell, to be Lieutenant General.

Army nomination of Brig. Gen. James K. Brown, Jr., to be Major General.

Army nomination of Brig. Gen. Antonio J. Vicens-Gonzalez, to be Major General.

*Marine Corps nomination of Lt. Gen. John R. Allen, to be General.

Navy nomination of Rear Adm. (lh) Mark J. Belton, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) George W. Ballance and ending with Rear Adm. (lh) Gary W. Rosholt, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 2011.

Navy nominations beginning with Capt. Althea H. Coetzee and ending with Capt. Valerie K. Huegel, which nominations were received by the Senate and appeared in the Congressional Record on March 9, 2011.

Navy nominations beginning with Captain Sandra E. Adams and ending with Captain John F. Weigold, which nominations were received by the Senate and appeared in the Congressional Record on March 16, 2011.

Navy nomination of Rear Adm. (1h) Thomas C. Traaen, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) William M. Roberts, to be Rear Admiral.

Navy nomination of Vice Adm. William H. McRaven, to be Admiral.

Navy nomination of Capt. John G. King, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (1h) William E. Leigher, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) Cynthia A. Covell, to be Rear Admiral.

Navy nomination of Capt. Annie B. Andrews, to be Rear Admiral (lower half).

Navy nomination of Capt. Robert V. Hoppa, to be Rear Admiral (lower half).

Navy nominations beginning with Captain Richard W. Butler and ending with Captain Hugh D. Wetherald, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 2011.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Todd A. Eads and ending with Nichole L. Ingalls, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2011.

Air Force nominations beginning with Jeffrey B. Warner and ending with Gary S. Wollam, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nomination of Shaun A. Price, to be Colonel.

Army nominations beginning with Christopher R. Braden and ending with Cm Dyer, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2011.

Army nomination of Matthew B. Phillips, to be Major.

Army nominations beginning with Michael E. Loesch and ending with Leslie W. Roberson, which nominations were received by the Senate and appeared in the Congressional Record on June 7, 2011.

Army nominations beginning with Eric G. Puttler and ending with Prasad V. Yalavarthi, which nominations were received by the Senate and appeared in the Congressional Record on June 7, 2011.

Army nominations beginning with James L. Benjamin and ending with Gilberto Ruiz, which nominations were received by the Senate and appeared in the Congressional Record on June 7, 2011.

Army nominations beginning with Enrique A. Araniz and ending with Clifford W. Wilkins, which nominations were received by the Senate and appeared in the Congressional Record on June 7, 2011.

Army nominations beginning with Eric D. Aguila and ending with Omayya H. Youssef, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Army nominations beginning with Alfred C. Anderson and ending with Mark A. Vance, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Army nominations beginning with Timothy S. Adams and ending with Heather L. Zuniga, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Army nominations beginning with Gina E. Adam and ending with D006403, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Army nominations beginning with Asma S. Bukhari and ending with D005266, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Army nominations beginning with Steven A. Baty and ending with Chad A. Weddell, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Army nomination of Karyn L. Armstrong, to be Lieutenant Colonel.

Army nomination of Jodi L. Smith, to be Major.

Army nomination of Jayme M. Sutton, to be Colonel.

Army nominations beginning with Robert Hwang and ending with Anthony C. Kight, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nominations beginning with Farrukh Hamid and ending with Eric W. Simons, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nominations beginning with Jennifer L. Feltwell and ending with Joshua P. Stauffer, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nominations beginning with Andrew C. Brown and ending with John W. Eanes, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011. Army nominations beginning with Colleen M. Murphy and ending with James T. Nora, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nominations beginning with Amy A. Blank and ending with Peter V. Huynh, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nominations beginning with Marti J. Bissell and ending with Carla S. Romero, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Army nominations beginning with David A. Auch and ending with James M. Rollins, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nomination of Jose Ayala, to be Captain.

Navy nomination of Michael B. Tanner, to be Captain.

Navy nomination of Kenneth S. Mitchell, to be Captain.

Navy nomination of Gregory D. Mitchell, to be Captain.

Navy nomination of Theresa H. Dewitt, to be Captain.

Navy nominations beginning with Thomas J. Lopez and ending with Gregory D. Rowe, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Randy L. Crysel and ending with Susan M. Heller, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Katherine A. McCabe and ending with Jay M. Standring, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Mark G. Benton and ending with Scott W. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Thomas M. Adkins and ending with Christopher T. Scholl, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Peter B. Bell and ending with Eric A. Wills, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Errin P. Armstrong and ending with Lyle D. Stuffle, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Brian M. Ackerman and ending with Frank J. Zelenka, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nominations beginning with Bradley H. Boyer and ending with Thomas J. Vonkolnitz, which nominations were received by the Senate and appeared in the Congressional Record on May 2, 2011.

Navy nomination of William L. Nooney, to be Captain.

Navy nomination of Calvin B. Suffridge, to be Lieutenant Commander.

Navy nominations beginning with Elizabeth J. Jackson and ending with John M. Miyahara, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2011.

Navy nomination of Jeffrey R. Macris, to be Captain.

Navy nomination of Toby C. Swain, to be Captain.

Navy nomination of Daniel J. Hernandez, to be Captain.

Navy nominations beginning with Raymond R. Delgado III and ending with Steven P. Sopko, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with John S. Cawmer and ending with Joseph A. Rodriguez, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Clifford W. Bean III and ending with Andrew D. Stewart, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Steven J. Averett and ending with John A. Watkins, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Louis W. Army IV and ending with Brian A. Treat, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Christopher D. Bownds and ending with Karin A. Vernazza, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with James T. Denley and ending with Thomas B. Webber, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Elizabeth J. French and ending with Yvonne Tapia, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Thomas W. Armstrong and ending with James S. Talbert, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with John W. Carson III and ending with Charles S. Willmore, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Karl A. Andina and ending with Norman M. Tobler II, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Syed N. Ahmad and ending with Scott F. Thompson, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Thomas J. Anderson and ending with Allan R. Walters, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Kyle B. Beckman and ending with Tracy A. Vincent, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Timothy A. Ackerman and ending with Randall J. Walker, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Anthony A. Arita and ending with Jonathan P. Wilcox, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Raymond W. Bichard and ending with Edward L. Zawislak, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Karlyna L. D. Andersen and ending with Tara J. Zieber, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nominations beginning with Lynn Acheson and ending with John M. Zuzich, which nominations were received by the Senate and appeared in the Congressional Record on May 26, 2011.

Navy nomination of Roger S. Thompson, to be Commander.

Navy nomination of Monserrat Jorden, to be Lieutenant Commander.

Navy nomination of Timothy W. Grasmick, to be Lieutenant Commander.

Navy nominations beginning with Jeanette D. Groeneveld and ending with John T. Schofield, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with David A. Abernathy and ending with James G. Zoulias, which nominations were received by

the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Kertreck V. Brooks and ending with Michael G. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with John A. Anderson and ending with Benjamin D. Zittere, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Ryan G. Batchelor and ending with Christopher M. Sylvester, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with James M. Belmont and ending with David A. Vondrak, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Gregory A. Francioch and ending with William J. Yoder, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Michael Cornelius and ending with Douglas T. Wahl, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with James W. Adkisson III and ending with Sherri R. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Marc C. Fryman and ending with James J. Watson, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Christopher R. Anderson and ending with David P. Wolynski, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nominations beginning with Amy R. Alcorn and ending with Michael A. Zurich, which nominations were received by the Senate and appeared in the Congressional Record on June 9, 2011.

Navy nomination of Gregory A. Pinkley, to be Lieutenant Commander.

Navy nomination of Li Sung, to be Lieutenant Commander.

Navy nomination of Gregory C. Pedro, to be Lieutenant Commander.

Navy nomination of Chad W. Gagnon, to be Lieutenant Commander.

Navy nomination of Julie R. Wetmore, to be Captain.

Navy nomination of Phillip E. Lee, Jr., to be Captain.

Navy nominations beginning with Paul D. Hanson and ending with Michael J. Stiglitz, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nominations beginning with Carmen I. Bois and ending with Brent B. Hutson, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nominations beginning with Christopher A. Asselta and ending with Ernst K. Walge, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nominations beginning with Rebecca L. Dunavent and ending with Christine C. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nominations beginning with Heather C. Beasley and ending with Russell J. Verby, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nominations beginning with Kevin J. Bartol and ending with Bruce J. Weidner, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

Navy nominations beginning with Shane A. Bowen and ending with Warren D. Wollin II, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2011.

By Mr. KERRY for the Committee on Foreign Relations.

*Lewis Alan Lukens, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau.

Nominee: Lewis Lukens.

Post: Senegal and Guinea Bissau.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: \$20, 2008, Obama for America.

Spouse: None.

Children and Spouses: None.

Parents: None.

Grandparents: None.

Brothers and Spouses: None.

Sisters and Spouses: None.

Kenneth J. Fairfax, of Kentucky, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kazakhstan.

Nominee: Kenneth J. Fairfax.

Post: U.S. Ambassador to Kazakhstan.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

Self: None.

Spouse: Nyetta J. Yarkin: None.

Children and Spouses: N/A (No children), None.

Parents: William Marvin Fairfax, Jr. (Deceased/None; Rose Logsdon Fairfax; Deceased/None).

Grandparents: William Marvin Fairfax, Sr.: Deceased/None; Jewell Newton Fairfax; Deceased/None; Anthony Paul Logsdon: Deceased/None; Edwina Rhodes Logsdon: Deceased/None.

Brothers and Spouses: Stephen Fairfax: \$500, 5/07/2007, Ron Paul; \$500, 7/11/2007, Ron Paul, Spouse: Katherine Poole: None. David Fairfax: None; (no spouse).

Sisters and Spouses: Kathleen Leubker-Fairfax: None; Spouse: Mark Leubker: \$25, 5/24/2010, J.D. Hayworth's Senate Campaign; Diane Fairfax Gorman: None; Spouse: Matt Gorman: None.

*D. Brent Hardt, of Florida, a Career Member of the Senior Foreign Service, Class of

Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Co-operative Republic of Guyana.

Nominee: David Brent Hardt.
Post: Guyana.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:
Self: none.

Spouse: \$120, 3/25/08, Obama for America.

Children and Spouses: Graham M.A. Hardt: \$15, 11/7/07, Obama for America; Craig N. Hardt: none; Simon A. Hardt: none.

Parents: Carole Jean Nieminski: none; Father: (deceased).

Grandparents: (deceased).

Brothers and Spouses: Bruce Andrew Hardt: none; Patty Hardt: none.

Sisters and Spouses: Brenda Sue Siravo: \$25, (est.) 01/08, Mike Huckabee; William Siravo: none; Tiffany Ann Perry: none; Christopher: \$100 (est.) 11/10, John Larson, House; \$100 (est.) 10/08, John Larson, House; \$100, (est.) 10/08, Chris Murphy, House; \$100, (est.) 10/08, Obama for America.

*Donald W. Koran, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Rwanda.

Nominee: Donald William Koran.
Post: Kigali.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Cynthia Lynn Goodson: None.

3. Children and Spouses: Mary Elizabeth Koran: None. Laura Cathleen Koran: \$50 (approx.), 2008, Obama.

4. Parents: Donald William Koran—deceased; Lorella Kenton Koran—deceased.

5. Grandparents: Edward J. Koran—deceased; Helen Koran—deceased; William W. Smith—deceased; Frances Kenton Smith—deceased.

6. Brothers and Spouses: Kenton Charles Koran and Barbara Koran: None; Lawrence Andrew Koran and Dianne Koran: None.

7. Sisters and Spouses: None.

*Geeta Pasi, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Djibouti.

Nominee: Geeta Pasi.
Post: Djibouti.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: N/A.

3. Children and Spouses Names: N/A.

4. Parents: Kamla Pasi, deceased, mother, none; Keshave Chandra Pasi, deceased, father, none.

5. Grandparents: Shanti Verma, deceased, maternal grandmother, none; Ruldu Ram Verma, deceased, maternal grandfather, none; Karam Chand Pasi, deceased, paternal grandfather, none; Bimla Kapoor Pasi, deceased, paternal grandmother, none.

6. Brothers and Spouses: Sunil Kumar Pasi, brother, 1000.00, 6/27/05, Bob Corker for Senate; 5.00, 9/29/2007, McConnell for Senate Committee; 5.00, 10/12/2007, McConnell for Senate Committee; 5.00, 10/12/2007, McConnell for Senate Committee; 5.00, 11/8/2007, McConnell for Senate Committee; 7. 69, 6/25/2008, McConnell for Senate Committee; 7.69, 7/8/2008, McConnell for Senate Committee; 6.33, 7/8/2008, McConnell for Senate Committee; 7/69, 7/16/2008, McConnell for Senate Committee; 5.67, 10/25/2008, McConnell for Senate Committee; Less than 20 dollars, 2008, Republican National Committee; Less than 20 dollars, 2009, Democratic Senatorial Campaign Committee; 5.00, 6/5/2009, Toomey for Senate; 5.00, 8/4/2010, Vitter for Senate; 17.69, 10/15/2009, Lowden for Senate; Less than 20 dollars, 2010, Portman for Senate. Hallie Lewis, sister in law, none.

7. Sisters and Spouses: Rita Pasi, sister, none. Usha Pasi, sister, 250.00, 9/30/09, Citizens for Alan Khazai; 250.00, 2/3/08, Obama for America; 1000.00, 10/30/08, Obama for America. Subir Sachdev, brother in law, 250.00, 11/02/07, Bill Foster for Congress Committee.

*James Harold Thessin, of Virginia, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay.

Nominee: James Harold Thessin.

Post: U.S. Ambassador to Paraguay.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contribution, amount, date, donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: My son Jonathan Thessin: \$100, 10/08, Jim Himes for Congress; \$50, 5/08, Mark Warner for U.S. Senate; \$330, 2007–2008, Obama for America; \$100, 04/07, Jamie Eldridge for Congress. My daughter-in-law Rebecca Thessin—None. My daughter Rachel Thessin: \$100, 9/08, Obama for America. My son-in-law Will Farr: \$50, 9/08, Obama for America; \$100, 1/08, Clinton for President.

4. Parents: None, Eunice E. Thessin; Harold C. Thessin—(deceased).

5. Grandparents: George and Amelia Thessin—(deceased); Arthur J and Caroline Stenz—(deceased).

6. Brothers and Spouses: None, Mark and Margie Thessin.

7. Sisters and Spouses: None, Gail and Jim Salentine, Dawn and Dennis Abts.

*Lisa J. Kubiske, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras.

Nominee: Lisa Jean Kubiske.

Post: Chief of Mission in Honduras.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$30, Nov 2008, Obama for America; \$100, Aug 2008, Obama for America; \$100, Jun 2008, Hillary Clinton Cmte.

2. Spouse: \$100, Jun 2008, Obama for America.

3. Joint self & spouse: \$100, Nov 2007, Richardson for Pres; \$100, Jun 2007, Richardson for Pres.

4. Children and Spouses: Jessica & Kevin Feldt, None; Philip Kubiske, None; Adam Kubiske, None.

5. Parents: Florence Walton, \$25, Fall 2009?, DNC; Ivan Shapiro—Deceased.

6. Grandparents: Auguste Shapiro—Deceased; Archibald Shapiro—Deceased; Ceceilia Goodstein—Deceased; Philip Goodstein—Deceased.

7. Brothers and Spouses: None.

8. Sisters and Spouses: Alexandra Shapiro, None; Charles Richardson, None.

9. Charles Richardson, Per Mr. Richardson, he donated small amounts totaling less than \$500 to a few House candidates in the 2008 and 2010 election campaign cycles.

*Michael H. Corbin, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Emirates.

Nominee: Michael H. Corbin.

Post: United Arab Emirates.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Mary Ellen Hickey: None.

3. Children and Spouses: Alexa Corbin, None; Justin Corbin, None.

4. Parents: Hugh Corbin, \$25, 6/2008, Barack Obama Campaign; Maris Corbin, None.

5. Grandparents: Ethne Parris—Deceased; James Archibald Parris—Deceased; Peggy Streater Everett—Deceased; Edgar Everett—Deceased.

6. Brothers and Spouses: Marcus Corbin (brother), \$500, 8/29/08, Obama for America; Caroline Russell (spouse), \$250, 8/30/08, Obama for America; \$250, 9/28/08, Obama for America.

7. Sisters and Spouses: None.

*Jeanine E. Jackson, of Wyoming, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malawi.

Nominee: Jeanine Elizabeth Jackson.

Post: Lilongwe, Malawi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Mark H. Jackson: None.

3. Children and Spouses: None. No children.

4. Parents: Elizabeth Mathew and Laurence Mathew: Deceased, None.

5. Grandparents: Mae and Earl Mathew, Minnie and Ernest Zickrick: Deceased, None.

6. Brothers and Spouses: Don Mathew and Jane Zelenka, None.

7. Sisters and Spouses: Lorraine Cynova and Charles Cynova, None.

*Matthew H. Tueller, of Utah, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

Nominee: Matthew H. Tueller.

Post: Kuwait.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date and donee:

1. Self: none.
2. Spouse: DeNeece Tueller: none.
3. Children and Spouses: Marie Amara Tueller: none; Kyle Newkirk: none; Margaret Tueller Proffitt: none; Clark Proffitt: none; David G. Tueller: none; Ayae T. Tueller: none; Daniel B. Tueller: none; Christian M. Tueller: none.
4. Parents: Blaine C. Tueller: \$100, 8/4/2010, Utah Democratic Party; Jean Marie Tueller: none.
5. Grandparents: Lamont E. Tueller: deceased; Elva C. Tueller: deceased; Leland D. Heywood: deceased; Marie E. Heywood: deceased.
6. Brothers and Spouses: James B. Tueller: none; Beth D. Tueller: none.
7. Sisters and Spouses: Jan T. Lowman: none; Winfield N. Lowman: none; Anna T. Stone: \$185, 10/2008, Obama for America; Bernell Stone: \$200, 08/2008, Claralyn Hill, UT; \$200, 06/2008, Common Dream; Marie T. Emmett: none; Chad Emmett: none; Diane T. Pritchett: \$1,000, 10/08, Obama for America; Lant H. Pritchett: \$4,514, 2008, Obama for America; \$1,000, 2008, Obama Victory; \$1,000, 2008, DNC; Martha T. Barrett: none; Jeff Barrett: none; Elisabeth T. Dearden: none; Kirk Dearden: \$100, 2008, Obama for America; Rachael Tueller: none; Jeanne T. Krumpnerman: none; Paul Krumpnerman: none.

*Susan Laila Ziadeh, of Washington, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Qatar.

Nominee: Susan L. Ziadeh.

Post: Qatar.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: None.
4. Parents: Farhat Jacob Ziadeh (father) and Suad Salem Ziadeh (mother): \$50.00, 10/08/05, Friends for Jim McDermott, Committee for Congress; \$35.00, 03/11/08, Friends for Jim McDermott, Committee for Congress.
5. Grandparents: Mother's Parents: Abraham and Warde Salem—deceased; Father's Parents: Jacob and Nimeh Ziadeh—deceased.
6. Brothers and Spouses: None.
7. Sisters and Spouses: Shireen Ziadeh Abed: None; Albert Abed (spouse): None; Rhonda Ziadeh Salem: \$900, 10/13/06, Team Sununu; \$1100, 10/13/06, Team Sununu; George Salem (spouse): \$1000, 03/30/05, Hatch Election Committee; \$1000, 04/21/05, Hatch Election

Committee; (\$1000), 04/29/05, REFUND—Hatch Election Committee; \$1000, 05/17/05, Sandhills Political Action Committee; \$500, 12/14/05, Chafee for Senate; \$1000, 12/22/05, Sandhills Political Action Committee; \$500, 03/16/06, Charles Boustany Jr. MD for Congress; \$500, 03/16/06, Keep Nick Rahall in Congress Committee; \$1000, 04/27/06, Arab American Leadership Council; \$1000, 09/28/06, Bouchard for U.S. Senate; \$5000, 10/18/06, Arab American Leadership Council; \$1461.84, 10/18/06, Gift Basket for Sununu Reception; \$3000, 03/30/07, Sandhills Political Action Committee; \$500, 10/05/07, Tom Davis Senate Exploratory Committee; \$5000, 10/16/07, DLA PIPER LLP (US) Political Action Committee; \$500, 11/13/07, Shelby for U.S. Senate; \$1000, 11/14/07, John Stephen for Congress; \$500, 11/20/07, Committee to Elect David Cappelletto for Congress; \$1000, 11/16/07, Charles Boustany Jr. MD for Congress; \$500, 11/19/07, Jay Footlik for Congress; \$1000, 12/27/07, Shelby for U.S. Senate; \$500, 02/25/08, Tom Davis for Congress; \$2300, 02/20/08, John McCain 2008 Inc.; \$500, 05/15/08, Ros-Lehtinen for Congress; \$1000, 09/23/08, Committee to Elect David Cappelletto for Congress; \$5000, 10/14/08, McCain Palin Victory; \$5000, 10/28/08, Arab American Leadership Council PAC; \$500, 03/27/09, Bennett Election Committee; \$500, 04/08/09, Charles Boustany Jr. MD for Congress; \$500, 04/27/09, Moving America Forward—Senator Bill Nelson; \$500, 06/30/09, Friends of John Thune; \$1000, 08/05/09, Shelby for U.S. Senate; \$1000, 09/02/09, DLA PIPER LLP (US) Political Action Committee; \$2400, 02/24/10, Rich Ashooh Committee; \$1000, 03/23/10, Friends of Schumer; \$2300, 03/31/10, Friends of Frank Wolf; \$1000, 04/22/10, Scott Brown for U.S. Senate Committee; \$1000, 04/22/10, Friends of John McCain; \$1000, 05/10/10, Keep Nick Rahall in Congress Committee; \$1000, 06/10/10, Ellison for Congress; \$1400, 07/06/10, Friends of John McCain Inc.; \$2500, 07/19/10, DLA PIPER LLP (US) Political Action Committee; \$1000, 08/13/10, Moran for Congress; \$500, 09/28/10, Dan Coats for Indiana; \$2500, 10/04/10, Arab American Leadership Council (ALC) PAC; \$1000, 10/07/10, Congressman Darrell Issa PAC; \$500, 10/26/10, Justin Amash for Congress; Deena Ziadeh Ayyub and Bilal Ayyub (spouse): \$100, 12/2005, Mikulski for Senate; \$50, 12/11/05, Friends of Saqib Ali for Senate; \$100, 08/06/06, Van Hollen for Congress; \$100, 08/06/06, Montgomery County Democratic Central Committee; \$65, 03/24/07, Montgomery County Democratic Central Committee; \$50, 07/27/07, Democratic Senatorial Campaign Committee; \$50, 08/01/07, Obama for America; \$75, 09/16/09, Friends of Saqib Ali for Senate; \$100, 07/11/10, Arab American Leadership Council (ALC) PAC; \$100, 08/23/10, Van Hollen for Congress; \$100, 09/19/10, Friends of Rob Garagiola for Senate; Reema Ann Ziadeh: None; David Martin (spouse): None.

*Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Arab Republic of Egypt.

Nominee: Anne W. Patterson.

Post: Ambassador to Egypt.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: None.

Spouse (David R.): None.

Children and Spouses: Edward and Mien Patterson: None; Andrew Patterson: None. Parents: Carol and John Woods: None; Viola and Harry Patterson (deceased): None. Grandparents: All deceased. Brothers and Spouses: John D. Woods, Jr. and Jean Woods: None.

*Dereth Britt Gance, of New York, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

*Richard M. Moy, of Montana, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

*Ariel Pablos-Mendez, of New York, to be an Assistant Administrator of the United States Agency for International Development.

*Roberto R. Herencia, of Illinois, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2012.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Naadia Lisa Porter and ending with Mara R. Tekach-Ball, which nominations were received by the Senate and appeared in the Congressional Record on May 12, 2011.

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Jennifer A. Di Toro, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Donna Mary Murphy, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Yvonne M. Williams, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY:

S. 1292. A bill to require the Administrator of the Environmental Protection Agency to consider the impact on employment levels and economic activity prior to issuing a regulation, policy statement, guidance document, endangerment finding, or other requirement, implementing any new or substantially altered program, or denying any

permit, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, and Mr. AKAKA):

S. 1293. A bill to direct the Secretary of Commerce to establish a demonstration program to adapt the lessons of providing foreign aid to underdeveloped economies to the provision of Federal economic development assistance to certain similarly situated individuals, and for other purposes; to the Committee on Indian Affairs.

By Mr. MERKLEY (for himself, Mr. CARPER, Mr. UDALL of New Mexico, and Mr. BENNET):

S. 1294. A bill to promote the oil independence of the United States, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 1295. A bill to amend the Trade Act of 1974 to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. 1296. A bill to revise the boundaries of John H. Chafee Coastal Barrier Resources System Sachuest Point Unit RI-04P, Easton Beach Unit RI-05P, Almy Pond Unit RI-06, and Hazards Beach Unit RI-07 in the State of Rhode Island; to the Committee on Environment and Public Works.

By Mr. BURR (for himself, Mr. NELSON of Nebraska, Mr. ALEXANDER, Mr. COBURN, Mr. ENZI, and Mr. SHELBY):

S. 1297. A bill to preserve State and institutional authority relating to State authorization and the definition of credit hour; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 1298. A bill to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; to the Committee on Indian Affairs.

By Mr. MORAN (for himself, Mr. LUGAR, Mr. ISAKSON, Mr. BURR, and Mr. BROWN of Massachusetts):

S. 1299. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK:

S. 1300. A bill to amend title 23, 45, and 49, United States Code, to encourage the use of private-public partnerships in transportation; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. BROWN of Massachusetts, Mr. KERRY, Mrs. BOXER, Mr. CARDIN, and Mr. WYDEN):

S. 1301. A bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1302. A bill to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy; to the Committee on Environment and Public Works.

By Mr. WEBB (for himself and Mr. WARNER):

S. 1303. A bill to authorize the Secretary of the Interior to establish Fort Monroe Na-

tional Historical Park in the Commonwealth of Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KERRY:

S. 1304. A bill to make funds available to reimburse certain fishermen for legal fees and costs incurred in connection with improper fines and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCONNELL (for himself, Mr. HATCH, Mr. LEE, Mr. CORNYN, Mr. KYL, Mr. TOOMEY, Ms. SNOWE, Mr. RICH, Mr. RUBIO, Mr. DEMINT, Mr. PAUL, Mr. VITTER, Mr. ENZI, Mr. KIRK, Mr. THUNE, Mr. ALEXANDER, Mr. INHOFE, Mr. CRAPO, Mr. BURR, Mr. BARRASSO, Mr. COBURN, Mr. MORAN, Mr. LUGAR, Mrs. HUTCHISON, Mr. ISAKSON, Mr. BROWN of Massachusetts, Mr. JOHNSON of Wisconsin, Mr. GRAHAM, Mr. GRASSLEY, Mr. SHELBY, Mr. SESSIONS, Mr. MCCAIN, Mr. BOOZMAN, Mr. ROBERTS, Ms. COLLINS, Mr. HOEVEN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. BLUNT, Mr. COATS, Mr. COCHRAN, Mr. CORKER, Mr. JOHANNES, Ms. MURKOWSKI, Mr. PORTMAN, Mr. WICKER, and Mr. HELLER):

S.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself and Mr. INHOFE):

S. Res. 218. A resolution encouraging the United States Trade Representative to establish and articulate a strategy for initiating negotiations for a free trade agreement between the United States and the Association of Southeast Asian Nations; to the Committee on Finance.

By Mr. NELSON of Nebraska (for himself and Mr. INHOFE):

S. Res. 219. A resolution designating September 13, 2011, as "National Celiac Disease Awareness Day"; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Mr. LUGAR, and Mr. REID):

S. Res. 220. A resolution expressing the sense of the Senate regarding the June 30, 2011, opening of the Tom Lantos Institute in Budapest, Hungary; considered and agreed to.

By Mr. WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, Mr. LEVIN, Mr. LUGAR, Mr. NELSON of Florida, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mr. LAUTENBERG, Mrs. HAGAN, Ms. MURKOWSKI, Ms. STABENOW, and Ms. CANTWELL):

S. Res. 221. A resolution congratulating Kappa Alpha Psi Fraternity, Inc., on reaching the historic milestone of 100 years of serving local and international communities, maintaining a commitment to the betterment of mankind, and enriching the lives of collegiate men throughout the United States; considered and agreed to.

By Mr. CASEY:

S. Res. 222. A resolution recognizing the American Revolution Center for its role in telling the story of the American Revolution and the continuing impact on struggles for

freedom, self-government, and the rule of law throughout the world, and encouraging the Center in its efforts to build a new Museum of the American Revolution; considered and agreed to.

ADDITIONAL COSPONSORS

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 219

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 438

At the request of Ms. STABENOW, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 438, a bill to amend the Public Health Service Act to improve women's health by prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 506

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 539

At the request of Mr. WHITEHOUSE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 652

At the request of Mr. KERRY, the name of the Senator from Maryland

(Ms. MIKULSKI) was added as a cosponsor of S. 652, a bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 705

At the request of Mr. CARPER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 755

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 800

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 800, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 807

At the request of Mr. ENZI, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nebraska (Mr. JOHANNES) were added as cosponsors of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 835

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 835, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearms laws and regulations, protect the community from criminals, and for other purposes.

S. 933

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 933, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 959

At the request of Mrs. HAGAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 959, a bill to improve outcomes for students in persistently low-performing schools, to create a culture of recognizing, rewarding, and replicating educational excellence, to authorize school turnaround grants, and for other purposes.

S. 960

At the request of Mr. KERRY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1002

At the request of Mr. KYL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1045

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1045, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, burns, infection, tumor, or disease.

S. 1231

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1231, a bill to reauthorize the Second Chance Act of 2007.

S. 1248

At the request of Mr. COBURN, the names of the Senator from Georgia

(Mr. CHAMBLISS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1248, a bill to prohibit the consideration of any bill by Congress unless the authority provided by the Constitution of the United States for the legislation can be determined and is clearly specified.

S. 1273

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1273, a bill to amend the Fair Labor Standards Act with regard to certain exemptions under that Act for direct care workers and to improve the systems for the collection and reporting of data relating to the direct care workforce, and for other purposes.

S. 1278

At the request of Ms. SNOWE, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Nebraska (Mr. JOHANNES), the Senator from Wyoming (Mr. ENZI) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 1278, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Delaware (Mr. COONS) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 170

At the request of Mr. COCHRAN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Res. 170, a resolution honoring Admiral Thad Allen of the United States Coast Guard (Ret.) for his lifetime of selfless commitment and exemplary service to the United States.

S. RES. 185

At the request of Mr. CARDIN, the name of the Senator from Wisconsin

(Mr. KOHL) was added as a cosponsor of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. BROWN of Massachusetts, Mr. KERRY, Mrs. BOXER, Mr. CARDIN, and Mr. WYDEN):

S. 1301. A bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am proud to join with Senators SCOTT BROWN, JOHN KERRY, and others to introduce the Trafficking Victims Protection Reauthorization Act of 2011, which will reaffirm and expand our commitment to fighting human trafficking. Since it was first enacted with strong bipartisan support more than a decade ago, the Trafficking Victims Protection Act has played a central role in our country's efforts to combat human trafficking both abroad and at home.

Championed by the late Senator Wellstone and Senator Brownback, the original Trafficking Victims Protection Act drew upon the work and support of a broad coalition of advocacy organizations from across the political and social spectrum groups dedicated to children's rights, human rights, and women's rights, as well as religious organizations including Evangelical, Catholic, Protestant, and Jewish groups. It was signed by President Clinton and reauthorized twice under President Bush. I am pleased that today we continue the tradition of bipartisan cooperation as we seek the fourth reauthorization of this critical law.

Earlier this week, the State Department released its annual Trafficking in Persons Report, which documents the continuing significant human trafficking crisis worldwide. The report has received considerable attention, as The Washington Post editorialized yesterday, the United States has made significant strides on this issue, both through the Trafficking Victims Protection Act and through important initiatives from this administration. But

much work remains to be done domestically and around the world.

Human trafficking is a modern-day form of slavery, involving victims who are forced, defrauded, or coerced into labor or sexual exploitation. Millions of children, women, and men throughout the world are trafficked every year, including here in the United States. According to recent Government estimates, between 15,000 and 20,000 people are trafficked to the United States annually for the purpose of labor and sexual exploitation. Thousands more of our own children are bought and sold in the commercial sex industry every year.

It is no surprise that border states are at a particularly high risk for human trafficking. I am proud that my home state of Vermont is taking significant steps to address the issue. State legislators in Vermont recently passed a comprehensive anti-trafficking law that includes criminal penalties, prevention programs, and services for human trafficking victims. I commend the Vermont legislature for taking on this important issue.

Trafficking is an affront to human dignity that we cannot ignore. The United States offers a beacon of hope to so many who face human rights abuses abroad, so we cannot sit back idly while this injustice continues not only elsewhere in the world, but also here at home. Thanks to the tools provided by the Trafficking Victims Protection Act, we have made progress in combating this major human rights abuse, but there is more work to be done.

This reauthorization reflects Congress's ongoing commitment to abolishing human trafficking. It strengthens the government's ability to combat trafficking by expanding enforcement tools, and by encouraging further inter-agency cooperation to identify victims, investigate offenses, and provide victim services.

Strengthening our response to human trafficking in the United States will help this country serve as a model for the world as we work with other nations to confront this complicated problem. An important tool in that international effort is the annual Trafficking in Persons Report established in the original Trafficking Victims Protection Act. That report has come to serve as an important diplomatic tool to encourage foreign governments to increase efforts against modern-day slavery. This legislation will require that the United States include itself in the report, a step already initiated by Secretary of State Clinton last year.

Fighting human trafficking was a priority of the Bush administration, and the Obama administration is continuing that commitment. I applaud the hard work of Secretary of State Clinton, Attorney General Holder, Secretary of Labor Solis, and Secretary of

Health and Human Services Sebelius to find new ways to work together to identify and support victims of trafficking while bringing the full force of the United States down on those who seek to profit from the exploitation of others. Nowhere on Earth should it be acceptable to deceive, abuse, and force a person into a life of enslavement, least of all here in the United States. We must do all we can to end this scourge.

I look forward to working with Senator BROWN and Senator KERRY to continue the bipartisan work started by Senators Wellstone and Brownback more than a decade ago. I hope that Senators from both parties will join us to quickly pass this critical reauthorization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1301

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Trafficking Victims Protection Reauthorization Act of 2011".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN PERSONS

Sec. 101. Regional strategies for combating trafficking in persons.

Sec. 102. Regional anti-trafficking officers.

Sec. 103. Partnerships against significant trafficking in persons.

Sec. 104. Protection and assistance for victims of trafficking.

Sec. 105. Minimum standards for the elimination of trafficking.

Sec. 106. Best practices in trafficking in persons eradication.

Sec. 107. Protections for domestic workers and other nonimmigrants.

TITLE II—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Penalties Against Traffickers and Other Crimes

Sec. 201. Criminal offenses against traffickers.

Sec. 202. Civil remedies; clarifying definition.

Subtitle B—Ensuring Availability of Possible Witnesses and Informants

Sec. 211. Protections for trafficking victims who cooperate with law enforcement.

Sec. 212. Protection against fraud in foreign labor contracting.

Sec. 213. Protections for certain derivative beneficiaries of deceased trafficking or crime victims.

Sec. 214. Consultation with the Attorney General on adjustment of status of certain trafficking victims.

Subtitle C—Ensuring Interagency Coordination and Expanded Reporting

Sec. 221. Reporting requirements for the Attorney General.

- Sec. 222. Reporting requirements for the Secretary of Labor.
- Sec. 223. Information sharing to combat child labor and slave labor.
- Sec. 224. Government training efforts to include the Department of Labor.
- Sec. 225. GAO report on the use of foreign labor contractors.

Subtitle D—Enhancing State and Local Efforts to Combat Trafficking in Persons

- Sec. 231. Assistance for domestic minor sex trafficking victims.
- Sec. 232. Expanding local law enforcement grants for investigations and prosecutions of trafficking.
- Sec. 233. Model State criminal law protection for child trafficking victims and survivors.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

- Sec. 301. Adjustment of authorization levels for the Trafficking Victims Protection Act of 2000.
- Sec. 302. Adjustment of authorization levels for the Trafficking Victims Protection Reauthorization Act of 2005.

TITLE IV—UNACCOMPANIED ALIEN CHILDREN

- Sec. 401. Protection for minors seeking asylum.
- Sec. 402. Appropriate custodial settings for unaccompanied minors who reach the age of majority while in Federal custody.
- Sec. 403. Appointment of child advocates for unaccompanied minors.
- Sec. 404. Access to Federal foster care and unaccompanied refugee minor protections for certain U Visa recipients.
- Sec. 405. GAO study of the effectiveness of border screenings.

TITLE I—COMBATING INTERNATIONAL TRAFFICKING IN PERSONS

SEC. 101. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

- (1) in subsection (d)(7)(J), by striking “section 105(f) of this division” and inserting “subsection (g)”;
- (2) in subsection (e)(2)—
 - (A) by striking “(2) COORDINATION OF CERTAIN ACTIVITIES.” and all that follows through “exploitation.”;
 - (B) by redesignating subparagraph (B) as paragraph (2); and
 - (C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;
 - (3) by redesignating subsection (f) as subsection (g); and
 - (4) by inserting after subsection (e) the following:

“(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. By June 30 of each year, in cooperation with the Office to Monitor and Combat Trafficking, each regional bureau shall submit a list of anti-trafficking goals and objectives for each country in its geographic area of responsibility. Host governments shall be informed of the goals and objectives for their particular country by June 30 and, to the extent possible, host government officials should contribute to the drafting of the goals and objectives.”.

SEC. 102. REGIONAL ANTI-TRAFFICKING OFFICERS.

Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended—

- (1) by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i), respectively; and
 - (2) by inserting after subsection (d), the following:
- “(e) REGIONAL ANTI-TRAFFICKING IN PERSONS OFFICERS.—Under the authority, direction, and control of the President, the Secretary of State, in accordance with the provisions of this Act, and in order to promote effective bilateral and regional anti-trafficking diplomacy, public diplomacy initiatives, and coordination of programs, is authorized—

- “(1) to appoint, at United States embassies, anti-trafficking in persons officers, who shall collaborate with other countries to eliminate human trafficking; and
- “(2) to use the officers appointed under paragraph (1) for tasks such as—
 - “(A) expanding the anti-trafficking efforts of the Office to Monitor and Combat Trafficking in Persons of the Department of State;
 - “(B) monitoring trafficking trends in the region;
 - “(C) assessing compliance with the provisions of this Act; and
 - “(D) assisting and advising United States embassies overseas on the preparation of the annual Trafficking in Persons Report.”.

SEC. 103. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended—

- (1) in section 105(e)(2) (22 U.S.C. 7103(e)(2))—
 - (A) by striking “(2) COORDINATION” and all that follows through “ASSISTANCE” and inserting the following:
 - “(2) UNITED STATES ASSISTANCE.—”; and
 - (B) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B) and moving such subparagraphs, as so redesignated, 2 ems to the left;
 - (2) by inserting after section 105 (22 U.S.C. 7103) the following:

“SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

“(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

- “(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;
- “(2) between foreign governments and civil society actors; and
- “(3) between the United States Government and private sector entities.

“(b) PARTNERSHIPS.—The Director, in coordination and cooperation with other officials at the Department of State involved in corporate responsibility and global partnerships, the Deputy Under Secretary for International Affairs of the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

- “(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and
- “(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

“(c) ADDITIONAL MEASURES TO ENHANCE ANTI-TRAFFICKING RESPONSE AND CAPACITY.—The President shall establish and carry out programs with foreign governments and civil society to enhance anti-trafficking response and capacity, including—

“(1) technical assistance and other support to improve the capacity of foreign governments to investigate, identify, and carry out inspections of private entities, including labor recruitment centers, at which trafficking victims may be exploited, particularly exploitation involving forced and child labor;

“(2) technical assistance and other support for foreign governments and nongovernmental organizations to provide immigrant populations with information, in the native languages of the major immigrant groups of such populations, regarding the rights of such populations in the foreign country and local in-country nongovernmental organization-operated hotlines;

“(3) technical assistance to provide legal frameworks and other programs to foreign governments and nongovernmental organizations to ensure that—

“(A) foreign migrant workers are provided the same protection as nationals of the foreign country;

“(B) labor recruitment firms are regulated; and

“(C) workers providing domestic services in households are provided protection under labor rights laws; and

“(4) assistance to foreign governments to register vulnerable populations as citizens or nationals of the country to reduce the ability of traffickers to exploit such populations.

“(d) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Ambassador-at-Large of the Office to Monitor and Combat Trafficking in Persons, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

“(e) CHILD PROTECTION COMPACTS.—

“(1) IN GENERAL.—The Secretary of State, acting through the Ambassador-at-Large of the Office to Monitor and Combat Trafficking in Persons and in consultation with the Bureau of Democracy, Human Rights, and Labor, the Bureau of International Labor Affairs of the Department of Labor, the United States Agency for International Development, and other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

“(A) prevent and respond to violence, exploitation, and abuse against children; and

“(B) measurably reduce severe forms of trafficking in children by building sustainable and effective systems of justice and protection.

“(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act, and shall describe—

“(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

“(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

“(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be

allocated to each program or initiative by both countries;

“(D) regular outcome indicators to monitor and measure progress toward achieving such objectives; and

“(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight.

“(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or non-governmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

“(4) ELIGIBLE COUNTRIES.—The Secretary of State, acting through the Office to Monitor and Combat Trafficking in Persons, and in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

“(A) the selection criteria set forth in paragraph (5); and

“(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

“(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of—

“(A) a documented high prevalence of trafficking in persons within the country; and

“(B) demonstrated political will and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including protection of victims and the enactment and enforcement of anti-trafficking laws against perpetrators.

“(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

“(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

“(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

“(ii) the country or entity has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility of the country or entity, as the case may be; or

“(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

“(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).”

SEC. 104. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting “, and make reasonable efforts to distribute information to enable all Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States” before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protec-

tion Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting “and shall brief Congress annually on such efforts” before the period at the end.

SEC. 105. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”;

(B) by striking “, and measures” and inserting “, a transparent system for remediate or punishing such public officials as a deterrent, measures”; and

(C) by inserting “, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with source, transit, or destination countries in its trafficking route, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting” before the period at the end;

(2) in paragraph (4), by inserting “and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with source, transit, and destination countries in its trafficking route” before the period at the end;

(3) in paragraph (7)—

(A) by inserting “, including diplomats and soldiers,” after “public officials”;

(B) by striking “peacekeeping” and inserting “diplomatic, peacekeeping,”; and

(C) by inserting “A government’s failure to remediate public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.” after “such trafficking.”;

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

“(9) Whether the government has entered into transparent partnerships, cooperative arrangements, or agreements with—

“(A) domestic civil society organizations or the private sector to assist the government’s efforts to prevent trafficking, protect victims, and punish traffickers; or

“(B) the United States toward agreed goals and objectives in the collective fight against trafficking.”

SEC. 106. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking “with respect to the status of severe forms of trafficking in persons that shall include—” and inserting “describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report shall include—”;

(B) in subparagraph (B), by striking “compliance;” and inserting “compliance, including the identification and mention of governments that—

“(A) are on such list and have demonstrated exemplary progress in their efforts to reach the minimum standards; or

“(B) have entered into an agreement with the Secretary to accomplish certain actions before the subsequent year’s annual report in

an attempt to reach full compliance with the minimum standards;”;

(C) in subparagraph (E), by striking “; and”; and inserting a semicolon;

(D) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(E) by inserting at the end the following:

“(G) a section entitled ‘Exemplary Governments and Practices in the Eradication of Trafficking in Persons’ to highlight—

“(i) effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors; and

“(ii) governments that have shown exemplary overall efforts to combat trafficking in persons.”;

(2) by striking paragraph (2); and

(3) in paragraph (3), by adding at the end the following:

“(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (A)(iii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.”

SEC. 107. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “AND VIDEO FOR CONSULAR WAITING ROOMS” after “INFORMATION PAMPHLET”; and

(B) in paragraph (1)—

(i) by inserting “and video” after “information pamphlet”; and

(ii) by adding at the end the following: “The video shall be distributed and shown in consular waiting rooms in embassies and consulates determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.”;

(2) in subsection (b), by inserting “and video” after “information pamphlet”; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting “and produce or dub the video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and the video produced or dubbed” after “translated”; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting “and video” after “information pamphlet”; and

(B) in paragraph (2), by inserting “and video” after “information pamphlet”; and

(C) by adding at the end the following:

“(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Trafficking Victims Protection Reauthorization Act of 2011, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).”

TITLE II—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES
Subtitle A—Penalties Against Traffickers and Other Crimes

SEC. 201. CRIMINAL OFFENSES AGAINST TRAFFICKERS.

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “section 1351 (relating to fraud in foreign labor contracting),” before “section 1425”.

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting “or resides, either temporarily or permanently, in a foreign country” after “commerce”.

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“§ 1597. Unlawful conduct with respect to immigration documents

“(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, or, for a period of more than 48 hours, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual—

“(1) in the course of a violation of section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

“(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

“(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

“(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

“(c) OBSTRUCTION.—Any person who obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

“1597. Unlawful conduct with respect to immigration documents.”.

SEC. 202. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “section 2241(c)” and inserting “section 1589, 1590, 1591, 2241(c)”;

(2) in subsection (b), by striking “six years” and inserting “10 years”.

(b) DEFINITION.—

(1) IN GENERAL.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.—The term ‘abuse or threatened abuse of the legal process’ means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.”;

(C) in paragraph (14), as redesignated, by striking “paragraph (8)” and inserting “paragraph (9)”;

(D) in paragraph (15), as redesignated, by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking “section 103(7)(A)” and inserting “section 103(8)(A)”;

(II) by striking “section 103(7)(B)” and inserting “section 103(8)(B)”;

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking “section 103(8)(A)” and inserting “section 103(9)(A)”.

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking “section 103(14)” and inserting “section 103(15)”.

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking “section 103(8)” and inserting “section 103(9)”;

(ii) in paragraph (2), by striking “section 103(9)” and inserting “section 103(10)”;

(iii) in paragraph (3), by striking “section 103(3)” and inserting “section 103(4)”.

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking “paragraph (8)” and inserting “paragraph (9)”.

Subtitle B—Ensuring Availability of Possible Witnesses and Informants

SEC. 211. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) is amended—

(1) in clause (i)—

(A) in subclause (II)—

(i) by inserting “(aa)” after (II); and

(ii) by adding at the end the following: “or “(bb) had been in the United States on account of such trafficking, which took place during the most recent 5-year period, and fled from the United States—

“(AA) to escape a serious threat based on that trafficking; or

“(BB) to protect the life or safety of an individual described in clause (ii) from a threat posed by the traffickers or their associates;”;

(B) in subclause (III)(bb), by inserting “, including a reasonable fear of retaliation posed by the traffickers or their associates against an individual described in clause (i)” after “trauma”; and

(C) in subclause (IV), by inserting “or by remaining in, or returning to, the alien’s country of origin, if the alien had previously fled the United States under the conditions described in subclause (II)(bb)” after “removal”;

(2) in clause (ii)(III), by inserting “, or any adult or minor children of a derivative beneficiary of the alien, as” after “age”.

SEC. 212. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “fraud in foreign labor contracting (as de-

fined in section 1351 of title 18, United States Code);” after “perjury”.

SEC. 213. PROTECTIONS FOR CERTAIN DERIVATIVE BENEFICIARIES OF DECEASED TRAFFICKING OR CRIME VICTIMS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) by redesignating subparagraph (F) as subparagraph (H); and

(2) by striking subparagraph (E) and inserting the following:

“(E) a derivative beneficiary of an alien admitted in ‘T’ nonimmigrant status (as described in section 101(a)(15)(T)(ii));

“(F) a derivative beneficiary of an alien admitted in ‘U’ nonimmigrant status (as described in section 101(a)(15)(U)(ii));

“(G) a derivative beneficiary of an alien who was a VAWA self-petitioner; or”.

SEC. 214. CONSULTATION WITH THE ATTORNEY GENERAL ON ADJUSTMENT OF STATUS OF CERTAIN TRAFFICKING VICTIMS.

Section 245(l)(1) of the Immigration and Nationality Act (8 U.S.C. 1255(l)(1)) is amended, in the matter preceding subparagraph (A), by inserting a comma after “appropriate”.

Subtitle C—Ensuring Interagency Coordination and Expanded Reporting

SEC. 221. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (F) through (L);

(2) by striking subparagraph (C) and inserting the following:

“(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

“(D) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

“(E) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;”;

(3) in subparagraph (I)(iii), by striking “and” at the end;

(4) in subparagraph (J), by striking the period at the end and inserting “; and”;

(5) by adding at the end the following:

“(K) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

“(L) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

“(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

“(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

“(iii) the number of individuals referred for prosecution for State offenses, including of offenses relating to the purchasing of commercial sex acts;

“(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

“(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

“(M) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.”

SEC. 222. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

“(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2012, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.”

SEC. 223. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

“(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).”

SEC. 224. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting “the Department of Labor, the Equal Employment Opportunity Commission,” before “and the Department”; and

(2) in the second sentence, by inserting “, in consultation with the Secretary of Labor,” before “shall provide”.

SEC. 225. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations; and

(4) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

Subtitle D—Enhancing State and Local Efforts to Combat Trafficking in Persons

SEC. 231. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

“SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

“(a) DEFINITIONS.—In this section:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

“(2) ASSISTANT ATTORNEY GENERAL.—The term ‘Assistant Attorney General’ means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or unit of local government that—

“(A) has significant criminal activity involving sex trafficking of minors;

“(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

“(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

“(i) building or establishing a residential care facility for minor victims of sex trafficking, through;

“(ii) the provision of rehabilitative care to minor victims of sex trafficking;

“(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

“(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

“(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

“(vi) law enforcement protocols or procedures to screen all individuals arrested for

prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

“(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

“(4) MINOR VICTIM OF SEX TRAFFICKING.—The term ‘minor victim of sex trafficking’ means an individual who—

“(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

“(B)(i) is not younger than 18 years of age nor older than 20 years of age;

“(ii) on the day before the individual reached 18 years of age, was described in subparagraph (A); and

“(iii) was receiving shelter or services as a minor victim of sex trafficking.

“(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term ‘qualified nongovernmental organization’ means an organization that—

“(A) is not a State or unit of local government, or an agency of a State or unit of local government;

“(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

“(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

“(6) SEX TRAFFICKING OF A MINOR.—The term ‘sex trafficking of a minor’ means an offense (described in section 1591(a) of title 18, United States Code), against a minor.

“(b) SEX TRAFFICKING BLOCK GRANTS.—

“(1) GRANTS AUTHORIZED.—

“(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

“(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

“(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than \$1,500,000 and not greater than \$2,000,000.

“(D) DURATION.—

“(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

“(ii) RENEWAL.—

“(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

“(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

“(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

“(i) evaluations of grant recipients under paragraph (4);

“(ii) avoiding unintentional duplication of grants; and

“(iii) any other areas of shared concern.

“(2) USE OF FUNDS.—

“(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

“(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

“(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

“(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

“(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

“(iv) case management services for minor victims of sex trafficking;

“(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

“(vi) legal services for minor victims of sex trafficking;

“(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

“(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

“(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

“(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

“(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

“(x) screening and referral of minor victims of severe forms of trafficking in persons.

“(3) APPLICATION.—

“(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

“(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

“(i) describe the activities for which assistance under this section is sought; and

“(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

“(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

“(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant

funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

“(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

“(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

“(f) AUDIT REQUIREMENT.—For fiscal years 2014 and 2015, the Inspector General of the Department of Health and Human Services shall conduct an audit of all 4 eligible entities that receive block grants under this section.

“(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

“(1) 15 percent of the grant during the first year;

“(2) 25 percent of the grant during the first renewal period;

“(3) 40 percent of the grant during the second renewal period; and

“(4) 50 percent of the grant during the third renewal period.

“(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$8,000,000 to the Attorney General for each of the fiscal years 2012 through 2015 to carry out this section.

“(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

“(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.”

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

SEC. 232. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “, which involve United States citizens, or aliens admitted for permanent residence, and”;

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;”;

(D) in subparagraph (C), as redesignated, by inserting “and prioritize the investigations and prosecutions of those cases involving minor victims” after “sex acts”;

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.”;

(4) in subsection (e), as redesignated, by striking “\$20,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2012 through 2015”; and

(5) by adding at the end the following:

“(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

“(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

“(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).”

SEC. 233. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) protects children exploited through prostitution by including safe harbor provisions that—

“(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

“(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

“(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

“(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph.”

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4)), by striking “2008 through 2011” and inserting “2012 through 2015”;

(2) in section 112B(d) (22 U.S.C. 7109b(d)), by striking “2008 through 2011” and inserting “2012 through 2015”; and

(3) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking “2008 through 2011” each place it appears and inserting “2012 through 2015”; and

(ii) by inserting “, including regional trafficking in persons officers,” after “for additional personnel”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “\$12,500,000 for each of the fiscal years 2008 through 2011” and inserting “\$14,500,000 for each of the fiscal years 2012 through 2015”; and

(ii) in paragraph (2), by striking “to the Secretary of Health and Human Services” and all that follows and inserting “\$7,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2012 through 2015.”;

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking “2008 through 2011” each place it appears and inserting “2012 through 2015”;

(ii) in subparagraph (B)—

(I) by striking “\$15,000,000 for fiscal year 2003 and \$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$10,000,000 for each of the fiscal years 2012 through 2015”; and

(II) by striking “2008 through 2011” and inserting “2012 through 2015”; and

(iii) in subparagraph (C), by striking “2008 through 2011” and inserting “2012 through 2015”;

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively;

(ii) in the paragraph (1), as redesignated, by striking “\$10,000,000 for each of the fiscal years 2008 through 2011” and inserting “\$12,000,000 for each of the fiscal years 2012 through 2015”;

(iii) in paragraph (2), as redesignated, by striking “2008 through 2011” and inserting “2012 through 2015”; and

(iv) in paragraph (3), as redesignated, by striking “to the Attorney General” and all that follows and inserting “\$7,000,000 to the Attorney General for each of the fiscal years 2012 through 2015.”;

(E) in subsection (e), by striking “2008 through 2011” each place it appears and inserting “2012 through 2015”;

(F) in subsection (f), by striking “2008 through 2011” and inserting “2012 through 2015”;

(G) in subsection (h), by striking “2008 through 2011” and inserting “2012 through 2015”; and

(H) in subsection (i), by striking “2008 through 2011” and inserting “2012 through 2015”.

SEC. 302. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c), by striking “2008 through 2011” each place it appears and inserting “2012 through 2015”.

TITLE IV—UNACCOMPANIED ALIEN CHILDREN

SEC. 401. PROTECTION FOR MINORS SEEKING ASYLUM.

(a) IN GENERAL.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)(2), by amending subparagraph (E) to read as follows:

“(E) APPLICABILITY TO MINORS.—Subparagraphs (A), (B), and (C) shall not apply to an

applicant who is younger than 18 years of age on the earlier of—

“(i) the date on which the asylum application is filed; or

“(ii) the date on which any Notice to Appear is issued.”; and

(2) in subsection (b)(3)(C), by striking “an unaccompanied alien child” and all that follows and inserting the following: “an applicant who is younger than 18 years of age on the earlier of—

“(i) the date on which the asylum application is filed; or

“(ii) the date on which any Notice to Appear is issued.”.

(b) REINSTATEMENT OF REMOVAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) in paragraph (5), by striking “If the Attorney General” and inserting “Except as provided in paragraph (8), if the Secretary of Homeland Security”; and

(2) by adding at the end the following:

“(8) APPLICABILITY OF REINSTATEMENT OF REMOVAL.—Paragraph (5) shall not apply to an alien who has reentered the United States illegally after having been removed or having departed voluntarily, under an order of removal, if the alien was younger than 18 years of age on the date on which the alien was removed or departed voluntarily under an order of removal.”.

SEC. 402. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking “Subject to” and inserting the following:

“(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to”; and

(2) by adding at the end the following:

“(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien’s danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien’s need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.”.

SEC. 403. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(B) APPOINTMENT OF CHILD ADVOCATES.—

“(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Trafficking Victims Protection Reauthorization Act of 2011, the Secretary of Health and Human Services shall establish child advocate programs at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children.

“(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the

Trafficking Victims Protection Reauthorization Act of 2011, the Secretary shall establish and implement child advocate programs at immigration detention sites at which more than 50 children are held in immigration custody.

“(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be selected sequentially, with priority given to locations with—

“(I) the largest number of unaccompanied alien children; and

“(II) the most vulnerable populations of unaccompanied children.

“(C) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Trafficking Victims Protection Reauthorization Act of 2011, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(D) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

“(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Trafficking Victims Protection Reauthorization Act of 2011, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

“(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

“(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

“(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

“(III) evaluate the funds available to the Secretary of Health and Human Services and project the additional funds that would be needed to fully implement effective child advocate programs for all trafficking victims and other vulnerable unaccompanied children;

“(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

“(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

“(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

“(I) the Committee on the Judiciary of the Senate;

“(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Education and the Workforce of the House of Representatives.

“(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

“(i) \$1,000,000 for each of the fiscal years 2012 and 2013; and

“(ii) \$2,000,000 for each of the fiscal years 2014 and 2015.”.

SEC. 404. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),
(A) by striking “either”;
(B) by striking “or who” and inserting a comma; and

(C) by inserting “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible”;

and
(2) in subparagraph (B), by inserting “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” after “(8 U.S.C. 1101(a)(27)(J))”.

SEC. 405. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account the degree to which Department of Homeland Security personnel are adequately ensuring that—

(A) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(B) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act;

(C) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(D) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(E) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(F) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States

shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

By Mr. KERRY:

S. 1304. A bill to make funds available to reimburse certain fishermen for legal fees and costs incurred in connection with improper fines and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KERRY. Mr. President, today, Federal regulations developed to limit fishing have forced some fishermen out of business and pushed many more to the brink. Too many Massachusetts fishermen are doing all they can every day to keep a roof over their head and to feed their families. They are extremely frustrated that the Department of Commerce has made a series of decisions that seem to make it more difficult for them to take care of their families.

In May 2009, I sent a letter to Administrator Lubchenco requesting that NOAA investigate allegations of excessive penalties and retaliatory actions. These charges have been confirmed both by the Inspector General and by Special Master Swartwood appointed by Secretary Locke. This has led to NOAA personnel being reassigned and some fines being rescinded by Secretary Locke. There continues to be a justified distrust of the Federal Government by the fishermen, this relationship must be repaired and trust must be restored.

I have been working in the Senate to make sure that our fishermen will be treated fairly by federal regulators.

That is why today I am introducing the Fisheries Fee Fairness Act of 2011. This legislation will give the Secretary of Commerce the option to take funds from the Asset Forfeiture Fund, AFF, and use them to reimburse the legal fees and costs incurred by fishermen and businesses whose fines were remitted by the Secretary of Commerce at the recommendation of Special Master Swartwood. Under my legislation, the Secretary of Commerce would have 90 days to determine whether to provide a reimbursement and the amount of the reimbursement and reimbursements would be capped at \$200,000 per person or business. The Special Master is currently reviewing a second round of cases brought forth by fishermen who believed they were inappropriately penalized by NOAA enforcement agents. Under my legislation, the fishermen in this group will also qualify to have their legal fees and costs reimbursed if the Secretary of Commerce remits their fines.

We have made progress in rebuilding the relationship between our fishermen and the Federal Government, but we still have a distance to travel. This legislation ensures our fishermen are made whole and can keep what they

have earned, and those are principles I intend to keep fighting for. I ask all of my colleagues to support this important legislation.

By Mr. MCCONNELL (for himself, Mr. HATCH, Mr. LEE, Mr. CORYN, Mr. KYL, Mr. TOOMEY, Ms. SNOWE, Mr. RISCH, Mr. RUBIO, Mr. DEMINT, Mr. PAUL, Mr. VITTER, Mr. ENZI, Mr. KIRK, Mr. THUNE, Mr. ALEXANDER, Mr. INHOFE, Mr. CRAPO, Mr. BURR, Mr. BARRASSO, Mr. COBURN, Mr. MORAN, Mr. LUGAR, Mrs. HUTCHISON, Mr. ISAKSON, Mr. BROWN of Massachusetts, Mr. JOHNSON of Wisconsin, Mr. GRAHAM, Mr. GRASSLEY, Mr. SHELBY, Mr. SESSIONS, Mr. MCCAIN, Mr. BOOZMAN, Mr. ROBERTS, Ms. COLLINS, Mr. HOEVEN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. BLUNT, Mr. COATS, Mr. COCHRAN, Mr. CORKER, Mr. JOHANNES, Ms. MURKOWSKI, Mr. PORTMAN, Mr. WICKER, and Mr. HELLER):

S.J. Res. 23. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 23

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

“ARTICLE—

“SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific excess of outlays over receipts by a roll call vote.

“SECTION 2. Total outlays for any fiscal year shall not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific amount in excess of such 18 percent by a roll call vote.

“SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which—

“(1) total outlays do not exceed total receipts; and

“(2) total outlays do not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year.

“SECTION 4. Any bill that imposes a new tax or increases the statutory rate of any tax

or the aggregate amount of revenue may pass only by a two-thirds majority of the duly chosen and sworn Members of each House of Congress by a roll call vote. For the purpose of determining any increase in revenue under this section, there shall be excluded any increase resulting from the lowering of the statutory rate of any tax.

"SECTION 5. The limit on the debt of the United States shall not be increased, unless three-fifths of the duly chosen and sworn Members of each House of Congress shall provide for such an increase by a roll call vote.

"SECTION 6. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article for any fiscal year in which a declaration of war against a nation-state is in effect and in which a majority of the duly chosen and sworn Members of each House of Congress shall provide for a specific excess by a roll call vote.

"SECTION 7. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article in any fiscal year in which the United States is engaged in a military conflict that causes an imminent and serious military threat to national security and is so declared by three-fifths of the duly chosen and sworn Members of each House of Congress by a roll call vote. Such suspension must identify and be limited to the specific excess of outlays for that fiscal year made necessary by the identified military conflict.

"SECTION 8. No court of the United States or of any State shall order any increase in revenue to enforce this article.

"SECTION 9. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except those for repayment of debt principal.

"SECTION 10. The Congress shall have power to enforce and implement this article by appropriate legislation, which may rely on estimates of outlays, receipts, and gross domestic product.

"SECTION 11. This article shall take effect beginning with the fifth fiscal year beginning after its ratification."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 218—ENCOURAGING THE UNITED STATES TRADE REPRESENTATIVE TO ESTABLISH AND ARTICULATE A STRATEGY FOR INITIATING NEGOTIATIONS FOR A FREE TRADE AGREEMENT BETWEEN THE UNITED STATES AND THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS

Mr. LUGAR (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 218

Whereas the Association of Southeast Asian Nations (ASEAN) was established in 1967, with Indonesia, Malaysia, the Philippines, Singapore, and Thailand being original members;

Whereas ASEAN membership has now expanded and includes 10 countries;

Whereas the United States supports the centrality of ASEAN within East Asia;

Whereas the United States was the first country to appoint an Ambassador to the As-

sociation of Southeast Asian Nations and has now appointed a resident Ambassador to the ASEAN Secretariat;

Whereas ASEAN significantly contributes to regional stability in East Asia;

Whereas over 40,000 students from ASEAN are studying in the United States and an increasing number of Americans are studying in ASEAN countries;

Whereas ASEAN partners with the United States Government to combat global terror;

Whereas the United States acceded to the Treaty of Amity and Cooperation in 2009;

Whereas ASEAN constitutes the fourth largest market for United States exports and, according to Department of Commerce figures, United States exports to ASEAN support over 450,000 jobs in the United States;

Whereas ASEAN has a population of approximately 600,000,000 persons;

Whereas two-way, United States-ASEAN trade totals approximately \$180,000,000,000 annually;

Whereas the nations of ASEAN are working toward economic integration;

Whereas ASEAN has entered into free trade agreements with India, China, Japan, South Korea, Australia, and New Zealand, covering nearly 50 percent of the world's population; and

Whereas the United States and ASEAN signed a Trade and Investment Framework Agreement (TIFA) over five years ago, and the United States and ASEAN continue to work on trade-related initiatives: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States Trade Representative, in consultation with other appropriate Federal agencies and interested stakeholders, should establish and articulate a strategy for initiating negotiations for a free trade agreement between the United States and ASEAN; and

(2) at the time of free trade agreement negotiations, any pending bilateral issues between the United States and Burma, including economic sanctions, investment prohibition, travel restrictions or otherwise, should not deter the United States from engaging with other ASEAN nations regarding a potential free trade agreement, nor should the United States encourage trade with Burma, absent significant reforms within that country.

SENATE RESOLUTION 219—DESIGNATING SEPTEMBER 13, 2011, AS "NATIONAL CELIAC DISEASE AWARENESS DAY"

Mr. NELSON of Nebraska (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 219

Whereas celiac disease affects approximately 1 in every 130 people in the United States, for a total of 3,000,000 people;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas when a person with celiac disease consumes foods that contain certain protein

fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas such problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, anti-tissue transglutaminase, and IgA anti-endomysium antibodies;

Whereas celiac disease can be treated only by implementing a diet free of wheat, barley, rye, and oats, often called a "gluten-free diet";

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of the skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjogren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, "if the patient can be cured at all, it must be by means of diet";

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 13, 2011, as "National Celiac Disease Awareness Day";

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe National Celiac Disease Awareness Day with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, and the Celiac Disease Foundation.

SENATE RESOLUTION 220—EXPRESSING THE SENSE OF THE SENATE REGARDING THE JUNE 30, 2011, OPENING OF THE TOM LANTOS INSTITUTE IN BUDAPEST, HUNGARY

Mr. KERRY (for himself, Mr. LUGAR, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 220

Whereas the late Congressman Tom Lantos was a champion of human and minority rights in Europe and around the world;

Whereas Congressman Lantos, the only Holocaust survivor to be elected to the United States Congress, was a leading voice on human rights and founding co-chairman of the Congressional Human Rights Caucus, now known as the Tom Lantos Human Rights Caucus;

Whereas Congressman Lantos always remained a proud Hungarian-American and an active promoter of strong cooperation between the country of his birth and the United States;

Whereas Congressman Lantos was a tireless advocate for tolerance and moderation, virtues embodied in the stated mission of the Tom Lantos Institute in Budapest;

Whereas the Tom Lantos Institute is a non-profit, non-partisan, and independent organization supported by the Government of Hungary and dedicated to the goal of promoting human and minority rights in Central and Eastern Europe;

Whereas educational programs on human and minority rights will lay the foundation for a more sustainable and inclusive peace; and

Whereas a strong transatlantic partnership is in the mutual interests of the United States and the countries of Central and Eastern Europe: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to recognize and applaud the opening of the Tom Lantos Institute;

(2) to acknowledge the Government of Hungary for honoring the legacy of Congressman Lantos through its contributions to the Institute;

(3) to express support for the principles of the Institute, including democracy, pluralism, and human and minority rights;

(4) to express support for the education of present and future generations in Central and Eastern Europe, which will contribute to regional cooperation, historical reconciliation, and tolerance throughout the Euro-Atlantic region; and

(5) to encourage the people and the governments of the United States and the countries of Central and Eastern Europe to continue to deepen and broaden their relations.

SENATE RESOLUTION 221—CONGRATULATING KAPPA ALPHA PSI FRATERNITY, INC., ON REACHING THE HISTORIC MILESTONE OF 100 YEARS OF SERVING LOCAL AND INTERNATIONAL COMMUNITIES, MAINTAINING A COMMITMENT TO THE BETTERMENT OF MANKIND, AND ENRICHING THE LIVES OF COLLEGIATE MEN THROUGHOUT THE UNITED STATES

Mr. WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, Mr. LEVIN, Mr. LUGAR, Mr. NELSON of Florida, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mr. LAUTENBERG, Mrs. HAGAN, Ms. MURKOWSKI, Ms. STABENOW, and Ms. CANTWELL,) submitted the following resolution; which was considered and agreed to:

S. RES. 221

Whereas Kappa Alpha Psi Fraternity, Inc., was founded on January 5, 1911, at Indiana

University in Bloomington, Indiana, by Elder Watson Diggs, John Milton Lee, Byron K. Armstrong, Guy Levis Grant, Ezra D. Alexander, Henry T. Asher, Marcus P. Blakemore, Paul W. Caine, Edward G. Irvin, and George W. Edmonds;

Whereas the founders of Kappa Alpha Psi were God-fearing, high-achieving, serious-minded young men who possessed the imagination, ambition, courage, and determination to defy custom and cultural challenges in pursuit of college educations and careers during a period in United States history in which such opportunities were not broadly available to African-Americans;

Whereas since its founding Kappa Alpha Psi has stressed high ideals and the importance of achievement in every field of human endeavor by instilling in African-American youth the noble aspiration of serving others and by training its members to positively influence their communities and society;

Whereas Kappa Alpha Psi membership has grown to include more than 150,000 college-educated men, with undergraduate chapters located on more than 360 college and university campuses and with alumni chapters located in more than 340 cities in the United States and in 5 foreign countries;

Whereas Kappa Alpha Psi hosts a biennial Undergraduate Leadership Institute, a comprehensive training- and skills-enhancement program for the top student leaders of Kappa Alpha Psi, to inspire them to become positive role models and to serve the good of society;

Whereas Kappa Alpha Psi partners with Habitat for Humanity and assists in building homes for local families in conjunction with each of its biennial national conventions;

Whereas Kappa Alpha Psi partners with St. Jude Children's Research Hospital, based in Memphis, Tennessee, and, with the help of local communities and churches, has raised more than \$1,000,000 for the continuation of the mission of that hospital;

Whereas Kappa Alpha Psi designated St. Jude Children's Research Hospital as the primary benefactor of its national fundraising efforts;

Whereas Kappa Alpha Psi sponsors Kappas on Capitol Hill, a 4-day conference in Washington, District of Columbia, that seeks to increase member awareness of the political process through workshops, seminars, and lectures, and that seeks to inform its members of the importance of the political process in bettering society;

Whereas Kappa Alpha Psi emphasizes financial literacy in its community-based outreach by partnering with the National Association of Bankruptcy Trustees, the National Foundation for Credit Counseling, and the National Pan-Hellenic Council to implement 2 major programs, Credit Abuse Resistance Education and Greeks Learning to Avoid Debt;

Whereas Kappa Alpha Psi, through its Kappa League and National Guide Right programs, matches thousands of at-risk youths throughout the United States with role models and mentors that encourage the youths to positively contribute to and become leaders in their communities;

Whereas, since 1990, the Kappa Alpha Psi Kappa Scholarship Fund has provided scholarship grants to more than 10,000 high school graduates to assist in furthering their education and has encouraged its undergraduate and alumni chapters to support similar endeavors to broaden the ability of economically disadvantaged youth to aspire to obtain a college education;

Whereas the oldest formal program of Kappa Alpha Psi, the Holiday Food Drive,

provides food, clothing, and toys to thousands of low income individuals in many metropolitan and rural communities throughout the United States;

Whereas the national theme of Kappa Alpha Psi, "One Kappa, Creating Inspiration: A Call to Service", has mobilized Kappa Alpha Psi members across the United States who are leaders in business, education, government, the humanities, arts and entertainment, science, and medicine to become better servant leaders for their families and communities, the United States, and the fraternity at large;

Whereas Kappa Alpha Psi partners with the United Negro College Fund, the National Association for the Advancement of Colored People, and the National Urban League;

Whereas Kappa Alpha Psi supports the National Education Association, the National Association of State Boards of Education, the Association of Fraternity/Sorority Advisors, the North-American Interfraternity Conference, and the National Pan-Hellenic Council; and

Whereas Kappa Alpha Psi Fraternity will hold its Centennial Celebration at its 80th Grand Chapter Meeting in Indianapolis, Indiana, July 5, 2011, through July 10, 2011: Now, therefore, be it

Resolved, That the Senate congratulates Kappa Alpha Psi Fraternity, Inc., on 100 years of serving local communities and enriching the lives of collegiate men throughout the United States.

SENATE RESOLUTION 222—RECOGNIZING THE AMERICAN REVOLUTION CENTER FOR ITS ROLE IN TELLING THE STORY OF THE AMERICAN REVOLUTION AND THE CONTINUING IMPACT ON STRUGGLES FOR FREEDOM, SELF-GOVERNMENT, AND THE RULE OF LAW THROUGHOUT THE WORLD, AND ENCOURAGING THE CENTER IN ITS EFFORTS TO BUILD A NEW MUSEUM OF THE AMERICAN REVOLUTION

Mr. CASEY submitted the following resolution; which was considered and agreed to:

S. RES. 222

Whereas the American Revolution secured the independence of the United States of America, and made possible a vibrant system of self-government based on liberty and equality;

Whereas the history and ideas of the American Revolution have sustained the Nation through its moments of greatest peril and inspired many of the greatest achievements;

Whereas the American Revolution Center (in this resolution referred to as the "Center") is the steward of a nationally significant collection of artifacts, manuscripts, and artwork from the period of the American Revolution;

Whereas the Center is actively working to be a "connector" to other American Revolution organizations and sites through its website and with collaborative programming;

Whereas the Center has committed itself to the establishment of a new "Museum of the American Revolution" that is to be built in Philadelphia, Pennsylvania, just steps from Independence Hall, the Liberty Bell, Carpenter's Hall, and Christ Church;

Whereas the Museum of the American Revolution will be built in one of our Nation's

most historic neighborhoods, visited by many millions of people from around the world each year;

Whereas the Museum of the American Revolution will tell the entire story of the American Revolution, providing a context for heritage tourists as they travel to other Revolutionary-era sites in Philadelphia and throughout the United States; and

Whereas the Center and the proposed Museum of the American Revolution will provide future generations with both a physical and a virtual venue to learn the story of the American Revolution: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contribution of the American Revolution Center to the preservation of the story of the founding of the United States; and

(2) expresses support for the Center's efforts to establish an appropriate museum to tell such story to future generations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 521. Mr. COBURN (for himself, Mr. UDALL of Colorado, Ms. COLLINS, Mrs. McCASKILL, Mr. BURR, Mr. PAUL, Mr. BROWN of Massachusetts, Mr. MCCAIN, Ms. AYOTTE, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent.

SA 522. Mr. HARKIN (for Mr. UDALL of New Mexico (for himself and Mr. HARKIN)) submitted an amendment intended to be proposed by Mr. HARKIN to the resolution S. Res. 116, *supra*.

SA 523. Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. LIEBERMAN, Ms. COLLINS, and Mr. CARPER) proposed an amendment to the resolution S. Res. 116, *supra*.

TEXT OF AMENDMENTS

SA 521. Mr. COBURN (for himself, Mr. UDALL of Colorado, Ms. COLLINS, Mrs. McCASKILL, Mr. BURR, Mr. PAUL, Mr. BROWN of Massachusetts, Mr. MCCAIN, Ms. AYOTTE, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent; as follows:

At the end of the resolution, insert the following:

SEC. ____ . PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS RESOLUTION.

(a) **SHORT TITLE.**—This section may be cited as the “Preventing Duplicative and Overlapping Government Programs Resolution”.

(b) **REPORTED LEGISLATION.**—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”;

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

“(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

(c) **SENATE.**—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“(6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

“(b) The analysis and explanation required by this subparagraph shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

“(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of a significant disruption to Senate facilities or to the availability of the Internet or a bill or joint resolution is designated as ‘emergency.’”.

SA 522. Mr. HARKIN (for Mr. UDALL of New Mexico (for himself and Mr. HARKIN)) submitted an amendment intended to be proposed by Mr. HARKIN to the resolution S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent; as follows:

At the end of the resolution, insert the following:

SEC. ____ . ESTABLISHING MAJORITY VOTE THRESHOLD FOR PROCEEDING TO NOMINATIONS.

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

“Is it the sense of the Senate that the debate shall be brought to a close?” And if that question shall be decided in the affirmative by three-fifths of the Senators duly chosen and sworn -- except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting -- then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until dis-

posed of. On a nomination to an Executive Branch position requiring the advice and consent of the Senate, the necessary affirmative vote shall be a majority of the Senators duly chosen and sworn.”.

SA 523. Mr. SCHUMER (for himself, Mr. ALEXANDER, Mr. LIEBERMAN, Ms. COLLINS, and Mr. CARPER) proposed an amendment to the resolution S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent; as follows:

On page 5, line 2, strike “15 to 21” and insert “6”.

On page 6, after line 24, insert the following:

(31) Chief Financial Officer, from the following:

(A) Department of Agriculture.
(B) Department of Commerce.
(C) Department of Defense.
(D) Department of Education.
(E) Department of Energy.
(F) Department of Environmental Protection Agency.

(G) Department of Health and Human Services.

(H) Department of Homeland Security.

(I) Department of Housing and Urban Development.

(J) Department of the Interior.

(K) Department of Labor.

(L) National Aeronautics and Space Administration.

(M) Department of State.

(N) Department of Transportation.

(O) Department of the Treasury.

(P) Department of Veterans Affairs.

(32) Assistant Secretary for Financial Management of the Air Force.

(33) Assistant Secretary for Financial Management of the Army.

(34) Assistant Secretary for Financial Management of Navy.

(35) Controller, Office of Federal Financial Management, Office of Management and Budget.

(36) Assistant Secretaries or other officials whose primary responsibility is legislative affairs from the following:

(A) Department of Agriculture.
(B) Department of Energy.
(C) Department of Defense.
(D) Department of Housing and Urban Development.

(E) Department of Commerce.

(F) Department of Treasury.

(G) Department of State.

(H) Department of Health and Human Services.

(I) United States Agency for International Development.

(J) Department of Education.

(K) Department of Labor.

(L) Department of Justice.

(M) Department of Veterans Affairs.

(N) Department of Transportation.

(37) Commissioner, Rehabilitative Services Administration, Department of Education.

(38) Commissioner, Administration for Children, Youth, and Families, Department of Health and Human Services.

(39) Commissioner, Administration for Native Americans, Department of Health and Human Services.

(40) Federal Coordinator, Alaska Natural Gas Transportation Projects.

(41) Assistant Secretary for Administration, Department of Commerce.

On page 7, strike line 5 and insert the following:

SEC. 4. COMMITTEE JUSTIFICATION FOR NEW EXECUTIVE POSITIONS.

The report accompanying each bill or joint resolution of a public character reported by any committee shall contain an evaluation and justification made by such committee for the establishment in the measure being reported of any new position appointed by the President within an existing or new Federal entity.

SEC. 5. EFFECTIVE DATE.**NOTICE OF INTENT TO OBJECT**

I, Senator TOM COBURN, intend to object to proceeding to S. 618, a bill to promote the strengthening of the private sector in Egypt and Tunisia, dated June 29, 2011.

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 29, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 29, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 29, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 29, 2011, at 10:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Barriers to Justice and Accountability: How the Supreme Court's Recent Rulings Will Affect Corporate Behavior."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on June 29, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on June 29, 2011, in the President's Room at 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Housing, Transportation, and Community Development, be authorized to meet during the session of the Senate on June 29, 2011, at 2 p.m. to conduct a hearing entitled "Promoting Broader Access to Public Transportation for America's Older Adults and People with Disabilities."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Securities, Insurance, and Investment, be authorized to meet during the session of the Senate on June 29, 2011, at 9:30 a.m. to conduct a hearing entitled "Emergence of Swap Execution Facilities: A Progress Report."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, be authorized to meet during the session of the Senate on June 29, 2011, at 2:30 p.m. to conduct a hearing entitled, "The Diplomat's Shield: Diplomatic Security and Its Implications for U.S. Diplomacy."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Kate Waters, Andrew Brau, and Jayme Wiebold of my staff be granted floor privileges for the duration of today's proceedings.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Derek Skinner from Senator BINGAMAN's office be given the privileges of the floor during the pendency of S. 679, the Presidential Appointment Efficiency and Streamlining Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that Sean Mills be given the privilege of the floor through the rest of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPENING OF THE TOM LANTOS INSTITUTE IN BUDAPEST, HUNGARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 220.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 220) expressing the sense of the Senate regarding the June 30, 2011, opening of the Tom Lantos Institute in Budapest, Hungary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that my name be added as a cosponsor of this important resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I served with Tom Lantos in the House of Representatives. He was one of the finest orators I have ever heard. He was an academic. He had a Ph.D. in economics. He was a wonderful Member of Congress. He was a survivor of the Holocaust, as was his wife. He was a courageous man. He was captured by the Nazis as a teenager on multiple occasions. He escaped, was brought back. His blond hair kind of gave him away. But he was just a wonderful human being, and I still miss him a great deal.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 220) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 220

Whereas the late Congressman Tom Lantos was a champion of human and minority rights in Europe and around the world;

Whereas Congressman Lantos, the only Holocaust survivor to be elected to the United States Congress, was a leading voice on human rights and founding co-chairman of the Congressional Human Rights Caucus, now known as the Tom Lantos Human Rights Caucus;

Whereas Congressman Lantos always remained a proud Hungarian-American and an active promoter of strong cooperation between the country of his birth and the United States;

Whereas Congressman Lantos was a tireless advocate for tolerance and moderation,

virtues embodied in the stated mission of the Tom Lantos Institute in Budapest;

Whereas the Tom Lantos Institute is a non-profit, non-partisan, and independent organization supported by the Government of Hungary and dedicated to the goal of promoting human and minority rights in Central and Eastern Europe;

Whereas educational programs on human and minority rights will lay the foundation for a more sustainable and inclusive peace; and

Whereas a strong transatlantic partnership is in the mutual interests of the United States and the countries of Central and Eastern Europe: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to recognize and applaud the opening of the Tom Lantos Institute;

(2) to acknowledge the Government of Hungary for honoring the legacy of Congressman Lantos through its contributions to the Institute;

(3) to express support for the principles of the Institute, including democracy, pluralism, and human and minority rights;

(4) to express support for the education of present and future generations in Central and Eastern Europe, which will contribute to regional cooperation, historical reconciliation, and tolerance throughout the Euro-Atlantic region; and

(5) to encourage the people and the governments of the United States and the countries of Central and Eastern Europe to continue to deepen and broaden their relations.

CONGRATULATING KAPPA ALPHA PSI FRATERNITY, INC.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 221.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 221) congratulating Kappa Alpha Psi Fraternity, Inc., on reaching the historic milestone of 100 years of serving local and international communities, maintaining a commitment to the betterment of mankind, and enriching the lives of collegiate men throughout the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 221) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 221

Whereas Kappa Alpha Psi Fraternity, Inc., was founded on January 5, 1911, at Indiana University in Bloomington, Indiana, by Elder Watson Diggs, John Milton Lee, Byron K. Armstrong, Guy Levis Grant, Ezra D. Alexander, Henry T. Asher, Marcus P. Blakemore, Paul W. Caine, Edward G. Irvin, and George W. Edmonds;

Whereas the founders of Kappa Alpha Psi were God-fearing, high-achieving, serious-

minded young men who possessed the imagination, ambition, courage, and determination to defy custom and cultural challenges in pursuit of college educations and careers during a period in United States history in which such opportunities were not broadly available to African-Americans;

Whereas since its founding Kappa Alpha Psi has stressed high ideals and the importance of achievement in every field of human endeavor by instilling in African-American youth the noble aspiration of serving others and by training its members to positively influence their communities and society;

Whereas Kappa Alpha Psi membership has grown to include more than 150,000 college-educated men, with undergraduate chapters located on more than 360 college and university campuses and with alumni chapters located in more than 340 cities in the United States and in 5 foreign countries;

Whereas Kappa Alpha Psi hosts a biennial Undergraduate Leadership Institute, a comprehensive training- and skills-enhancement program for the top student leaders of Kappa Alpha Psi, to inspire them to become positive role models and to serve the good of society;

Whereas Kappa Alpha Psi partners with Habitat for Humanity and assists in building homes for local families in conjunction with each of its biennial national conventions;

Whereas Kappa Alpha Psi partners with St. Jude Children's Research Hospital, based in Memphis, Tennessee, and, with the help of local communities and churches, has raised more than \$1,000,000 for the continuation of the mission of that hospital;

Whereas Kappa Alpha Psi designated St. Jude Children's Research Hospital as the primary benefactor of its national fundraising efforts;

Whereas Kappa Alpha Psi sponsors Kappas on Capitol Hill, a 4-day conference in Washington, District of Columbia, that seeks to increase member awareness of the political process through workshops, seminars, and lectures, and that seeks to inform its members of the importance of the political process in bettering society;

Whereas Kappa Alpha Psi emphasizes financial literacy in its community-based outreach by partnering with the National Association of Bankruptcy Trustees, the National Foundation for Credit Counseling, and the National Pan-Hellenic Council to implement 2 major programs, Credit Abuse Resistance Education and Greeks Learning to Avoid Debt;

Whereas Kappa Alpha Psi, through its Kappa League and National Guide Right programs, matches thousands of at-risk youths throughout the United States with role models and mentors that encourage the youths to positively contribute to and become leaders in their communities;

Whereas, since 1990, the Kappa Alpha Psi Kappa Scholarship Fund has provided scholarship grants to more than 10,000 high school graduates to assist in furthering their education and has encouraged its undergraduate and alumni chapters to support similar endeavors to broaden the ability of economically disadvantaged youth to aspire to obtain a college education;

Whereas the oldest formal program of Kappa Alpha Psi, the Holiday Food Drive, provides food, clothing, and toys to thousands of low income individuals in many metropolitan and rural communities throughout the United States;

Whereas the national theme of Kappa Alpha Psi, "One Kappa, Creating Inspiration: A Call to Service", has mobilized Kappa

Alpha Psi members across the United States who are leaders in business, education, government, the humanities, arts and entertainment, science, and medicine to become better servant leaders for their families and communities, the United States, and the fraternity at large;

Whereas Kappa Alpha Psi partners with the United Negro College Fund, the National Association for the Advancement of Colored People, and the National Urban League;

Whereas Kappa Alpha Psi supports the National Education Association, the National Association of State Boards of Education, the Association of Fraternity/Sorority Advisors, the North-American Interfraternity Conference, and the National Pan-Hellenic Council; and

Whereas Kappa Alpha Psi Fraternity will hold its Centennial Celebration at its 80th Grand Chapter Meeting in Indianapolis, Indiana, July 5, 2011, through July 10, 2011: Now, therefore, be it

Resolved, That the Senate congratulates Kappa Alpha Psi Fraternity, Inc., on 100 years of serving local communities and enriching the lives of collegiate men throughout the United States.

RECOGNIZING THE AMERICAN REVOLUTION CENTER

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 222.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 222) recognizing the American Revolution Center for its role in telling the story of the American Revolution and the continuing impact on struggles for freedom, self-government, and the rule of law throughout the world, and encouraging the Center in its efforts to build a new Museum of the American Revolution.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Mr. President, it goes without saying that the history of the American evolution is a major chapter of our Nation's history, of American history. Yet currently there is no single place where a person can go which tells the American story from its colonial past through present day. I believe that there should be a place where visitors can come to learn more about the revolution and can see artifacts, manuscripts, and artwork from this period. I believe there should be an institution dedicated to telling this important story.

Today, I am very happy to submit a resolution which not only expresses how important it is to tell the story of the American Revolution and the continuing impact on struggles for freedom, self-government and the rule of law throughout the world, but also to encourage the American Revolution Center in its efforts to build a new Museum of the American Revolution.

The American Revolution Center plans to open the Nation's first museum dedicated to this period. When built, the museum will house such

items as General George Washington's original sleeping and office tent and an original Revolutionary-era 13-star flag known as the Commander-in-Chief's Standard. By educating Americans and visitors from abroad, the museum will honor the sacrifices of the Founding generation by keeping the story alive.

I am particularly pleased that the American Revolution Center has decided to build this museum in Philadelphia, PA, just steps from Independence Hall, the Liberty Bell, Carpenter's Hall, and Christ Church. It is fitting that a museum dedicated to telling the rich, detailed story of America's founding should make its home in Philadelphia, the birthplace of the Declaration of Independence and the U.S. Constitution. Nearly 1 million people are expected to visit the museum, which will be located among the streets and buildings where armies once marched and where people debated powerful ideas about democracy and equality.

As someone who believes that there is much to learn from history, I strongly support the American Revolution Center and its effort to build a Museum of the American Revolution in Philadelphia.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 222) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 222

Whereas the American Revolution secured the independence of the United States of America, and made possible a vibrant system of self-government based on liberty and equality;

Whereas the history and ideas of the American Revolution have sustained the Nation through its moments of greatest peril and inspired many of the greatest achievements;

Whereas the American Revolution Center (in this resolution referred to as the "Center") is the steward of a nationally significant collection of artifacts, manuscripts, and artwork from the period of the American Revolution;

Whereas the Center is actively working to be a "connector" to other American Revolution organizations and sites through its website and with collaborative programming;

Whereas the Center has committed itself to the establishment of a new "Museum of the American Revolution" that is to be built in Philadelphia, Pennsylvania, just steps from Independence Hall, the Liberty Bell, Carpenter's Hall, and Christ Church;

Whereas the Museum of the American Revolution will be built in one of our Nation's most historic neighborhoods, visited by many millions of people from around the world each year;

Whereas the Museum of the American Revolution will tell the entire story of the

American Revolution, providing a context for heritage tourists as they travel to other Revolutionary-era sites in Philadelphia and throughout the United States; and

Whereas the Center and the proposed Museum of the American Revolution will provide future generations with both a physical and a virtual venue to learn the story of the American Revolution: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contribution of the American Revolution Center to the preservation of the story of the founding of the United States; and

(2) expresses support for the Center's efforts to establish an appropriate museum to tell such story to future generations.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at noon Thursday, June 30, the Senate proceed to executive session to consider Calendar No. 197; there be 2 hours of debate equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to vote, without intervening action or debate, on Calendar No. 197; that the motion to reconsider be considered made and laid upon the table; there be no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I may not have the opportunity tomorrow to speak on this nomination of David Petraeus. In the last 50 years, he is the most noted soldier that we have had in the U.S. military. This man could retire and go off into the business community and make millions and millions of dollars.

This man has a Ph.D. from Princeton. He is a highly decorated member of the Army. He is just such a fine man, and he is walking away from that money because—as he told me—he thinks he owes his country more public service. This is one of the finest people we have ever had as a public servant in our country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEE TO MEET

Mr. REID. Mr. President, I ask unanimous consent the Finance Committee be authorized to meet at 10 a.m. during

tomorrow's session of the Senate, Thursday, June 30, and they be permitted to meet beyond the 2-hour limit set forth under rule XXVI.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, appoints the following Senator as Vice Chairman of the U.S.-China Inter-parliamentary Group meeting to be held in Washington, DC, Tuesday, July 12, 2011: the Honorable SAXBY CHAMBLISS of Georgia.

ORDERS FOR THURSDAY, JUNE 30, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, June 30; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 12 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first hour and the Republicans controlling the second hour; that following morning business, the Senate proceed to executive session, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be at least one rollcall vote tomorrow at 2 p.m. on the confirmation of GEN David Petraeus to be Director of the Central Intelligence Agency.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:57 p.m., adjourned until Thursday, June 30, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DAVID NUFFER, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH, VICE DALE A. KIMBALL, RETIRED.

THOMAS OWEN RICE, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON, VICE ROBERT H. WHALEY, RETIRED.

DEPARTMENT OF JUSTICE

GREGORY K. DAVIS, OF MISSISSIPPI, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS, VICE DUNN LAMPTON, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. SCOTT M. HANSON

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. VERLE L. JOHNSTON, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DONALD P. DUNBAR

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks

section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 30, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 12

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JULY 13

10 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 958, to amend the Public Health Service Act

to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

Room to be announced

JULY 14

10 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Thursday, June 30, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of liberty, as America's birthday approaches, help us to know in this land the meaning and purpose of our freedom. May our Senators seek freedom with justice, freedom to choose righteousness, and freedom to do the right thing with judicious governmental intervention. Give our lawmakers such liberty of soul that their gratitude might merge with their commitment to honor You in word and deed. Give each of us a sense of responsibility for his or her share in the democratic processes, as we earnestly seek for good government, exercising our influence responsibly.

Lord, we pray that You would bless the members of our departing page class.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 30, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. MERKLEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business until noon. The first hour will be under the control of the majority, and Republicans will control the second hour. Following morning business, the Senate will be in executive session to consider the nomination of David Petraeus to be Director of the Central Intelligence Agency.

At about 2 p.m., then, there will be a vote on the confirmation of David Petraeus. Additional rollcall votes are possible during today's session of the Senate.

DEBT CEILING NEGOTIATIONS

Mr. REID. Mr. President, this weekend we will celebrate Independence Day and 235 years of this country's very proud history. This Nation was founded on the notion of liberty and justice for all. As we celebrate, we should remember that the pursuit of liberty is not just a journey with a destination but, rather, a quest to which we must recommit ourselves every single day. As we commit fully and firmly to liberty and justice, we must commit just as fully and firmly to the idea that the liberty and justice should be truly for all.

It is often said that with liberty comes responsibility. We should take that responsibility seriously. I am confident we do. That is why the Senate will reconvene on Tuesday, the day after the Fourth. We will do that because we have work to do. We will be in session that week—that is next week—with our first vote on July 5. We will determine what time that vote will be on July 5, likely in the afternoon because of the travel problems with the Fourth of July the previous day. There is still so much to do to put Americans back to work, cut our deficit, get our economy back to work. It is very important we do this. That moment is too important, the obstacles too steep, and the time too short to waste even a moment.

I hope my Republican colleagues will put politics aside and help Democrats fulfill Congress's responsibility to the American people. There are some Republicans in Congress who say the U.S. Government has less responsibility to pay its bills than struggling families all across our great country. As a default crisis approaches, Republicans are saying we should simply stop cutting checks for the national equivalent of the home mortgage, the credit card, the car payment. Republicans say this

crisis is about spending more or growing government. They are wrong. This crisis is about paying the bills for things we have already bought—for example, a decade of tax breaks for millionaires and billionaires, our war of choice in Iraq, the war in Afghanistan, those tax cuts for billionaires and millionaires and the wars unpaid for. What they are not saying is what the consequences would be of such an irresponsible decision to not pay our accrued bills—remember, the bills we already accumulated, have run up. If we did not pay our bills, it would plunge the United States not into a recession, not into the so-called double-dip recession, but into a full-blown depression. That is without a doubt. Without exception, the respected financial voices of our time have said the effects of a default crisis would be felt across the globe, not just here in the United States. I repeat, this would create a worldwide depression.

Many respected voices could not have spoken in clearer terms. From the private sector, the CEO of JPMorgan Chase, a man by the name of Jamie Dimon, said default would be “catastrophic.” He went on to say raising the debt limit is our “moral obligation.”

What does that mean? It means the world should “know that the United States is good for its money. Period.” That is what Jamie Dimon said, and I agree.

He is not the only one saying this. Business leaders have said it, economists have said it, banks have said it, and Republican advisers to Presidents Reagan and the first George Bush have said it. Perhaps more importantly, credit rating agencies have said it. Credit rating agencies Standard & Poor's and Moody's have said that if the United States misses even one payment, the Nation will immediately lose its high credit rating, interest rates would increase. Remember, for every 1-percent increase in the interest rates it would cost our country \$1.3 trillion—not million, not billion, trillion.

That is one more reason why defaulting on our debt to make a point about fiscal responsibility makes so little sense. If we default, it will actually cost our Nation more to meet our financial obligations in the future, and that is a gross understatement.

Democrats believe we must create jobs and get our economy moving again. We must cut spending and live within our means. We all know that. We must eliminate tax loopholes for millionaires, billionaires, and oil companies. Republicans must not put the

economy of this country and the world at risk for the sake of protecting special interests and the big donors. It is time we returned to the type of fiscal discipline Democrats brought to Washington in the 1990s, when Democrats in Congress and the White House balanced the budget and used the surplus—to do what? To pay down the debt. We were being criticized for paying down the debt too fast. President Bush changed that very quickly.

But a default crisis would do nothing to get our fiscal house in order. Instead, default, in effect bankruptcy, would derail our fragile economic recovery and plunge this Nation and the world back into not just a recession but a full-blown depression. I said that earlier. It is the truth. It would also risk millions of Americans' jobs, tax refunds, Social Security checks, Medicare payments, and paychecks for our troops.

There was a nice report written the day before yesterday by Alice Rivlin and one of George Bush's Assistant Secretaries of the Treasury and they said the same thing but in much more detail. Frankly, reading that was very frightening. Those risks are simply not worth taking.

Today, middle-class families in America are struggling to survive economically. They are living paycheck to paycheck in many instances. Meanwhile, Republicans walked away from the negotiations. Why did they walk away from the negotiations that would have cut the deficit and averted a catastrophic default? They did it in order to protect tax breaks for millionaires and billionaires. That is obvious. Republicans are willing to risk our economy to keep tax breaks for corporations and ship jobs overseas. Meanwhile, average Americans are struggling to find work here at home. Republicans are willing to risk our economy to protect tax breaks for owners of corporate jets and yachts and oil companies, while the average Americans are struggling to afford gas for their cars. Republicans are willing to risk our economy to protect tax breaks for millionaires and billionaires and average Americans are struggling to meet their mortgage payments for their homes.

I have said it before. Republicans simply have the wrong priorities. They have made it their mission to stand and shout for the richest few. We Democrats consider it our responsibility to stand and shout for all Americans. That is what this debate is all about.

ORDER OF PROCEDURE

Mr. REID. Mr. President, this has been cleared by my counterpart, Senator McCONNELL. Therefore, I ask unanimous consent the order of Wednesday, June 29, with respect to

the Finance Committee meeting today be vitiated.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S.J. RES. 23

Mr. McCONNELL. Mr. President, I understand there is a joint resolution at the desk that is due a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct. The clerk will read the joint resolution by title for the second time.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 23) proposing an amendment to the Constitution of the United States relative to balancing the budget.

Mr. McCONNELL. In order to place the resolution on the calendar under the provisions of rule XIV, I object to further proceeding.

The ACTING PRESIDENT pro tempore. The joint resolution will be placed on the calendar.

Mr. McCONNELL. I thank the Chair.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HONORING OUR ARMED FORCES

LANCE CORPORAL TIMOTHY MATTHEW JACKSON

Mr. McCONNELL. Mr. President, today I want to speak about a young man from Corbin, KY, who gave his life in service of our country. LCpl Timothy Matthew Jackson, a U.S. marine, was tragically killed while conducting combat operations in Helmand province, Afghanistan, on September 30, 2010. He was 22 years old.

Lance Corporal Jackson was deployed with the 2nd Battalion, 9th Marine Regiment, 2nd Marine Division, 2nd Marine Expeditionary Force, Fox Company, based out of Camp Lejeune, NC.

For his heroic service, he received many awards, medals, and decorations, including the Purple Heart, the Combat Action Ribbon, the Marine Corps Good Conduct Medal, three Sea Service

Deployment Ribbons, the Afghanistan Campaign Medal, two Iraq Campaign Medals, the Global War on Terrorism Service Medal, and the National Defense Service Medal.

Lance Corporal Jackson—who went by his middle name, Matt—attended Corbin Elementary School, Corbin Middle School, and Corbin High School, where he graduated in the class of 2007. Many who knew Matt in school knew of his desire to serve in the military after graduation. He was an enthusiastic participant in his school's Junior Reserve Officer Training Corps.

"All he ever wanted to do when he graduated was join the Marines and serve his country, and that's what he did," says COL Rick McClure, Matt's senior instructor in Corbin High's JROTC program.

Matt was an "outstanding young man. He was quiet. Always had a smile. Just a super young man," Colonel McClure says. "And as long as I knew him, what he wanted to do was to graduate from high school and be a marine . . . I'm just so thankful that we have guys like Matt that will go and give their lives for the freedoms we enjoy."

Matt's wife Nikki remembers the surprising way Matt asked her to marry him. It was on Christmas Eve. Matt and Nikki were with family, opening presents. One present was addressed to both of them, and Matt opened it to reveal a Cracker Jack box.

"He handed it to me and said open it," Nikki says. "When I did, everyone's hand shot for some, and by the time I could pour some in my hand it was crumbs. There fell the ring in my hand, and I looked at him and he was down on one knee and asked me to marry him. Of course I said yeah." Matt and Nikki were married on May 22, 2009.

For Matt's mom Jody Tonkin, it is too hard to pick just one memory of her son. "I don't have just one," she says. "As his mom, all my memories are the best."

Matt's aunt Theresa Jackson Hopkins, remembers when Matt was a little boy and went on a trip to Disney World. "He had a smile on his face the whole time," she says. "That had to be the highlight of his life, until he met Nikki."

Matt worked hard to prepare himself for the service, and joined the Marine Corps right after high school. In 2008 he was deployed to Iraq. He also served on missions in Haiti, the Dominican Republic, Nicaragua, and Cuba. After his military service concluded, he was looking forward to a career in law enforcement.

Matt's uncle Tom Jackson, remembers the day Matt came home from Afghanistan for a hero's funeral. At the terminal of the London-Corbin Airport waiting to meet the plane carrying Matt's body were over a hundred Patriot Guard Riders, with American

flags on their motorcycles, there to escort the fallen marine to the funeral home.

"As we followed the hearse from the airport, the Riders slowed, and there beside the road was a small group of men, women, and children waving flags as tears ran down their faces," says Tom Jackson. "I could read their lips saying 'thank you' and at that point in time there was an outward burst of emotion that I just could not contain. I was crying like a baby, a sight that I'm sure that my daughter and grandson had never seen from me."

The number of people who wished to thank Lance Corporal Jackson for his service was so great the funeral home chapel could not accommodate them all. The city of Corbin graciously donated the use of the Arena at the Southeastern Kentucky Ag & Expo Complex, where hundreds came to pay their respects.

We must keep Matt's friends and family in our thoughts as I recount his story for the Senate today. We are thinking of his wife, Nichole A. Jackson; his father, Timothy Wayne Jackson; his mother, Jody Tonkin; his brothers, Jericho Tonkin, Barry Daniel Powell, Dustin Johnson, and Wayne Spurlin; his stepmother, Lorrie Johnson; his stepfather, Billy Bowers; his grandmothers, Mary Jackson and Carol Gable; his uncle, Tom Jackson; his cousin, Michael Ryan Hopkins; his aunt, Theresa Jackson Hopkins; and many other beloved family members and friends. Matt was preceded in death by his grandfather, Edgar Jackson.

Matt's Uncle Tom can still recall a time he and a 9-year-old Matt were walking in the woods after dark and Tom feared they were lost. Matt was scared, but put on a brave face nearly until the end—when he finally said, "Uncle Tom, hold my hand," just as the two of them reached the truck.

The family of LCpl Timothy Matthew Jackson must be very proud that little boy grew up to become one of our country's most honored heroes, a brave marine. I want them to know this U.S. Senate honors Lance Corporal Jackson for his life of service. And we honor the immense sacrifice he made on behalf of a very grateful Nation.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

FISCAL POLICY

Mr. MERKLEY. Mr. President, we are involved in a very important national debate about our finances, our deficits, our debt, investments in our economy, including the creation of jobs, and how we take on those problems in the most effective manner to

build a strong financial foundation for our Nation going ahead and a strong set of opportunities for families to thrive. In the course of this debate, there has been a very interesting development that merits our attention, and that development is this: Some of my colleagues across the aisle have, over time, chosen to put key programs for the wealthy and well connected not in an appropriations bill but in tax legislation. There are advantages to doing so. With appropriations, programs have to be defended year after year. It has to be reviewed in committee. It may have to go through an authorization process as well as an appropriations process. But if a program for the wealthy and well connected is placed in the Tax Code, then, unless a sunset clause has been instituted, that program is a gift that keeps on giving, unexamined in the course of the standard appropriating process.

By putting these programs for the wealthy and well connected into the Tax Code, some of my colleagues across the aisle have said that as a result, there is an additional advantage. We can claim these programs are off-limits, and we can claim that if anyone seeks to examine these programs for the wealthy and well connected, they are seeking to "raise taxes," and we will scare the American citizens into revolt against that effort to examine these sacred cows.

I think this attitude, quite frankly, underestimates American citizens. American citizens understand very well what is up. They understand there is an effort to put programs for working Americans in legislation where it has to be authorized regularly, where it has to go through the appropriations process annually, but the programs for the most wealthy and well connected are put over here behind the fence where they don't have to go through that process, and then they say those are sacred cows and we can't touch them.

There is a big difference between fighting for fairness for working Americans and fighting to defend the benefits for the best off in our society. This is a debate that must be on the floor of the Senate.

It was in 1976 that I came here as an intern to Senator Hatfield. As it turned out, I was assigned to the Tax Reform Act of 1976. In that assignment, I was reading all the mail from Oregon. Then, as the debate came to this Chamber, I would meet Senator Hatfield at the elevator doors, just outside these double doors to the Chamber. Of course, in those days we didn't have a television camera in the Chamber, and in those days we didn't have e-mail to communicate. So staff members would line up and meet their Senators coming off the elevator and brief them about the debate: What were the ups and downs, what were people back home saying, what type of vote it was,

whether it was an up-or-down vote, a motion to table, and so on and so forth. Then I would run up to the seats for the staff to observe the debate, and then I would come back down when the next vote on an amendment came up.

That review in 1976 was a tough discussion, because anytime we talk about cutting a program, anyone who benefits from that program is very upset. But there was an understanding on both sides of the aisle that we owed it to the American taxpayer to spend every dollar in the best possible fashion, and, therefore, there could be no fence walling off programs for some for consideration, while the programs for others merit full examination. Everything needed to be talked about. Everything needed to be weighed as to the value it provided.

Again in 1986, a decade later, an even larger effort—a major effort—was undertaken to examine every tax program, whether it was one that benefited people here or people there, to weigh it in the context of our fiscal responsibility to the Nation. It was Senator Hatfield from Oregon who was head of the Finance Committee and who led that debate on the floor of the Senate. I emphasize that Senator Hatfield was a Republican. Republicans back then believed in fiscal responsibility. They didn't believe in setting off one part of the Tax Code for the wealthy and well connected that would never be examined again, while the programs for working Americans were on the table. No. They looked at everything across the entire spectrum.

So here we are not in 1976, not in 1986 but in 2011. It has been a quarter century since we have had a serious review of the programs embedded in the Tax Code. I must say we have every reason to examine every program funded, whether through the appropriations code or the Tax Code, because we face serious financial circumstances. It is in this context that I would have expected to hear the echoes of 1986—that every program is up for examination and every program is going to be tested against a rigorous set of circumstances to say it is the best use of our dollars. But, instead, my colleagues across the aisle take the position of putting up a very high fence around the tax provisions for the wealthy and well connected, saying their No. 1 goal is to protect those provisions. Programs for seniors are on the table. Dismantling Medicare is a Republican plan. Programs for those who don't have enough food to eat are on the table. Unemployment has been on the table. Funding for the infrastructure we need to rebuild our country is on the table, but this set of sacred cows is not, this set of sacred programs for the wealthy and well connected.

Quite frankly, that is wrong. That must change. We must bring that debate to the floor of the Senate as our

colleagues did a quarter century ago, as our colleagues did 35 years ago.

So when it comes to these programs, there must be no sacred cows and there must be no sacred horses. This chart says “running away with our tax dollars.” One of the tax programs my colleagues across the aisle are insisting be walled off from examination is a special writeoff for thoroughbred racehorses. Yes, racehorses. This is the bluegrass boondoggle which allows millionaire and billionaire racehorse owners to write off the cost of their horses in an accelerated manner, reducing the normal 7-year period to just 3 years. This bluegrass boondoggle will cost U.S. taxpayers, over the course of the coming 10 years, \$126 million, according to CBO estimates, after modeling the impact of this tax provision. This is equivalent to us writing a check over this coming decade for \$126 million. This is equivalent to a grant program. This is equivalent to subsidizing a loan program. No program, simply because it is in one bill—the tax bill—rather than in another bill—an appropriations bill—should be off-limits. Horseracing may have been called the sport of kings—

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator will suspend.

The Senator has used 10 minutes.

Mr. MERKLEY. Thank you, Mr. President. Is there a 10-minute rule in effect?

The PRESIDING OFFICER. There is.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I believe I am the next speaker. I ask unanimous consent to cede the Senator from Oregon 3 minutes of my 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. I thank my colleague from New York, and I appreciate those 3 minutes.

So horseracing may have been called the sport of kings, but that doesn't mean owners of horses—those millionaires and billionaires supporting those horses—need royal tax treatment. As long as these tax subsidies are preserved, the richest and best off will remain in the winner's circle, while working families don't even get a chance to compete.

There is no doubt that closing this loophole alone isn't going to solve our deficit problem, but it is a good place to start because, otherwise, we are going to cut \$126 million from Head Start or \$126 million from Medicare for our seniors or programs that help retrain laid-off workers. Giving “triple crown” treatment to millionaires, while workers are put out to pasture is not right, and it is not the American way.

I have proposed searching through the Tax Code to find wasteful tax sub-

sidies and eliminate unnecessary giveaways. This year is the right time to start. No one program should be singled out. We should set a series of standards and test each tax program against those standards on whether they create jobs, whether they make a stronger economy, whether they take America forward, and whether that \$126 million spent in this category or that is more important to the Nation than other cuts we might be entertaining. Those are the tests that need to be applied in a thoughtful and thorough manner. It is time to stop walling off the programs for the wealthy and well connected while attacking programs that make working America go forward in a stronger fashion.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12 noon, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first hour and the Republicans controlling the second hour.

The Senator from New York is recognized.

Mr. SCHUMER. First, Mr. President, I thank my colleague from Oregon. Once again, he is forthright, he is courageous, he is on the money, and people should listen to him because he says a lot of good things about a lot of subjects, including this one. I appreciate what he has said.

After weeks of stops and starts, we are now approaching crunch time in the debt ceiling talks. I believe a grand bipartisan bargain is possible but only if my colleagues on the other side of the aisle take off their partisan blinders. Neither side can afford to cling to their ideological positions any longer.

To get the economy humming on all cylinders again and avoid a default crisis, we need to say goodbye to a few sacred cows. Yet, mere weeks after voting to repeal ethanol subsidies, the other side's leader, the Senator from Kentucky, has drawn a line in the sand against including any and all revenue changes in the debt deal. He has said that repeal of special interest tax breaks is “politically impossible.” Well, that is a curious idea given that the Senator from Kentucky and 33 of his colleagues are on record as supporting the end of ethanol giveaways. It seems Leader McCONNELL would rather end Medicare as we know it and force cuts to Pell grants and cancer research than institute a little shared sacrifice.

On this side of the aisle, we want to repeal tax breaks that have no purpose whatsoever other than to bloat our budget deficit.

Today, I want to highlight one of the most egregiously wasteful loopholes in the Tax Code: the tax break for yacht owners. Yes, believe it or not, Uncle Sam subsidizes the purchase of sprawling, luxurious, 72-foot Viking yachts. As long as your yacht has a place to sleep and a place to—how shall I put it—relieve yourself, you can classify it as your “second home” and claim the mortgage interest deduction. That's right. The deduction Congress helped create for middle-class families to realize the American dream of home ownership is helping millionaires and billionaires get a 35-percent discount on their yachts. In fact, how-to books on tax avoidance advise readers that “if you're paying for your yacht in cash, you're paying too much.” Millionaires who would otherwise write a six-figure check for their yacht without batting an eye instead take out a loan so they can claim the mortgage interest deduction. The IRS's only requirement is that the yacht owner provide proof that they spend 14 days a year on the boat. If only Gilligan and the Skipper had taken a 14-day trip instead of a 3-hour tour, they could have expensed the cost to the S.S. Minnow.

There are tough choices ahead as we seek to achieve our dual goal of creating jobs and reining in the deficit. But repealing this insane tax break for yacht owners is not tough at all—not by a mile or, to put it in terms our nautical friends would understand, not by a league.

I want to make clear that I have nothing against yacht owners. God bless them. They are doing well for themselves, and in America we celebrate success and say: Enjoy your success. That is a great thing. But at a time when the government is tightening its belt and we are grappling with painful cuts to vital programs, it boggles the mind to continue to give boaters a tax break they do not need and never should have had in the first place.

It is a question of priorities. Both sides are for deficit reduction. If our side dug a line in the sand and said: No cuts to programs, we would be regarded as way off the deep end and not really wanting to compromise. Well, the mirror image is exactly true. Just as we must endure program cuts we consider painful, the other side must endure cuts they may consider painful on the tax side.

We will not get anywhere unless both sides compromise, and what we are doing here today—the Senator from Oregon, the Senator from Rhode Island, the Senator from Illinois, myself, and many others—is we are showing that there is plenty of room on the tax side—these are small; there are larger

ones—there is plenty of room on the tax side to eliminate waste, just as there is plenty of room on the spending side to eliminate waste, and we will not come to a compromise unless—we will not be able to raise the debt ceiling and get our fiscal house in order unless both sides give.

Lines in the sand do not help this country. I would plead with my colleagues, no more lines in the sand. There are just as many wasteful tax expenditures as there are program expenditures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, yesterday afternoon I spoke in this Chamber, and I quoted former Comptroller General David Walker saying that we as a country face “large, known and growing structural deficits that could swamp our ship of state.” To get our ship of state in trim, we need to make adjustments; we need to reduce the deficit and the debt.

I also discussed that when Republicans demand that all “revenue raisers” be taken off the table in our discussions about how we reduce that deficit and that debt, as the Republican leader has done just this week, what they are really defending is tax subsidies for profitable big oil companies; what they are really defending is corporations that dodge their U.S. taxes by setting up phony business locations in the Cayman Islands and elsewhere; what they are really defending is ultra-high-income individuals—the highest 400 income earners in the country—paying a lower actual tax rate than ordinary working Americans, in some years lower than truckdrivers, in some years as low as a hospital orderly.

Just last month, Republicans filibustered a measure that would have ended \$21 billion in completely unnecessary subsidies for the largest oil companies. We know those oil companies are enjoying record multibillion-dollar profits, the highest, in some cases, profits any corporation has ever made, and they do not need continued support from the American taxpayer—they just do not, not when these other cuts are being thought of. But our Republican friends went to bat for the big oil companies, and they fought back our attempt and they protected that bill oil subsidy.

To keep our ship of state afloat, Republicans are willing to end Medicare, kick children out of Head Start early education, knock down Pell grants, and eliminate PBS. But they will fight to protect special subsidies and tax breaks for big corporations and billionaires.

Today, I rise to discuss one such unjustifiable tax giveaway—a tax break for private jets for the use of CEOs and other top corporate executives that has no public policy benefit whatsoever.

The way this works, under current law companies that buy private jets—planes which can cost upward of \$50 million each—can deduct the value of that jet from their taxes over 5 years. There is a 5-year depreciation schedule. Airline carriers, on the other hand, the folks who carry 99 percent of the American public through the air, must depreciate the value of their planes over 7 years—2 years longer than for the private executive jets. Now, this may sound like a minor accounting anomaly, and I am sure that is what the corporate lobbyists who got this through and stuck into our Tax Code said when they got it done, but this is one that may cost the government \$3 billion in lost tax revenue over the next decade.

The special treatment of corporate jets, its advantage relative to jets that regular people fly on when they take to the air, is just one more example of a Tax Code that is riddled with custom-made provisions, earmarks in the Tax Code that benefit corporations and the wealthy. While middle-class families struggle to make car payments and face ever higher prices at the gas pump, our Tax Code subsidizes the private jet travel of millionaires and billionaires.

In a time of austerity, when we are being asked to cut education, when we are being asked to cut science, when we are being asked to cut health care, it is no time to be protecting a private jet subsidy that ordinary taxpayers have to make up for through their own taxes, and we should repeal it as part of a package to lower our budget deficits. I was disappointed when Senate Republicans rejected our attempt to repeal Big Oil giveaways, and I hope they will not do the same when we bring up a corporate jet loophole repeal for a vote.

As we continue to debate ways to close the budget gap, I hope my Republican colleagues will rethink their determination to defend tax loopholes for corporations and the wealthy while they are trying to get rid of Medicare. That is a terrible set of priorities. It is simply unconscionable for them to talk about cutting education and research and health programs while they are fighting on the floor to protect, at all costs, special interest tax subsidies that are on the books.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I thank my colleague from Rhode Island.

So people understand this debate, we have a deficit problem—serious. We borrow 40 cents from other countries for every \$1 we spend. We cannot sustain that. Our economy may be the strongest in the world, but it is being called into question every day. Look what is happening on the streets of Athens, Greece, and in Portugal and in Ireland because they went too far, they

crossed the point beyond which their creditors would not go. They were so deeply in debt that their creditors basically said: We are not going to loan you any more money unless you change dramatically the way you run your country.

That is the pain that is going through these countries today. We want to avoid that pain in the United States. To do it, we have to address the deficit honestly. We have to take a look at this debt we have and deal with it in honest terms.

Most people have forgotten the fact that 10 years ago—10 years ago—we were running a surplus in the Federal budget. The last 3 years of the Clinton administration were surplus years, and now we are in the deepest debt we have ever been as a nation. We are generating about \$1.4 trillion of additional debt every year.

How did we reach this point? Well, there are a lot of explanations. When you fight two wars and do not pay for them, it adds to the national debt. When you pass programs and do not pay for them, it adds to the debt. When you are already in debt and you give tax breaks to the wealthiest people in America, it makes your debt worse. Those, incidentally, were the three policies of the previous administration, which led us to the point where a surplus, in 8 years, became the biggest deficit in American history. So now we have to address it.

What we are saying to our friends on the Republican side of the aisle is, for goodness' sake, to end a deficit, you cut spending, right? Right. But to end a deficit, you also cut wasteful tax subsidies. If you listened this morning to my colleagues, you heard them describe a few.

The Senator from Oregon talked about in the Tax Code a tax subsidy for people who raise thoroughbred horses. I love horses. I like going to race tracks. But to think we are going to subsidize them at the expense of Medicaid recipients, the poorest children in America, makes no sense.

Then my colleague from New York, Senator SCHUMER, talked about tax subsidies for people who own yachts. For goodness' sake, if we cannot float the boat of Middle America, help working families across this country survive, why in the world are we giving a tax subsidy to yacht owners?

My friend from Rhode Island came and talked about corporate jet deductibility. I am sorry, I ride jet planes, but they are commercial jets. The fact that United Airlines and American and the rest of them do not enjoy the same preferential tax treatment as the wealthiest businesspeople in America and their yachts is just plain wrong. It is a subsidy we cannot afford. We should not be subsidizing highfliers in America when the Republican budget is calling for us to end Medicare as we know it. It makes no sense.

There is one other provision in the Tax Code I really find troubling. We literally subsidize American companies that want to ship jobs overseas. We give them one of the biggest tax breaks in the Tax Code to leave America, put their production facilities overseas.

So what is happening? Take a look at what has happened since the year 1999 and the number of foreign employees of U.S. multinational corporations. It goes up every single year—now up to 10 million foreign employees of American corporations. Now take a look at the U.S. employees of these same multinational corporations over the same period of time. Since the year 2000, the number of American employees of U.S. multinational corporations has continued to go down, almost without exception.

It is not just a matter of companies saying if they build a production facility overseas it is the right economic judgment for their business. It is a matter of the U.S. Tax Code that rewards them if they do it. What is wrong with this picture? Why are we not rewarding patriotic American corporations whose owners stay in this country, employ our people, pay a decent wage with benefits, and want to prosper here? Should that not be our highest priority rather than encouraging companies to move production overseas by giving them tax breaks?

Well, it is an issue I feel strongly about. I want to end the subsidy to ship American jobs overseas. At a time when we are facing unemployment in record numbers in some parts of our country, we should have a Tax Code that helps companies create and save jobs in America. I ask my friends on the Republican side of the aisle: Do you want to stand for the subsidies that ship American jobs overseas or do you want to stand by American workers and patriotic American companies that want to stay right here at home and create jobs?

Those are the choices. Anyone on the other side of the aisle who argues that to eliminate tax subsidies is to raise taxes—come on. What we are doing is giving a tax earmark, a tax special favor to those who are benefitting, whether they own yachts, racehorses, or whether they are trying to ship jobs overseas. These are the folks I think have to be willing to step up and sacrifice so we can reduce our deficit and do it in a meaningful way.

I see my colleague from Maryland is here.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I come to the floor today to talk about the crisis America is facing. We are facing two crises. We are facing a significant debt crisis, and we are facing a political leadership crisis. We need to deal with both. We need to be sure all

things are on the table and all people are at the table trying to find sensible, pragmatic solutions to be able to move our country forward and stabilize our economy so we can grow our economy.

Now, I am going to talk first about the debt crisis. Then I am going to talk about what we need to do to act like Americans. I am for a more frugal government. We have been voting on cuts in discretionary spending. I supported the ban on discretionary spending earmarks. You were a reformer in that area, and I joined with you in that area, Mr. President.

I also voted for \$41 billion in cuts in the continuing resolution. In April I voted for \$78 billion more in cuts. I wanted to avoid a tea party shutdown and work for this more frugal government. But now we have to lift the debt ceiling, and in order to do that we need to have a path forward dealing with both the deficit and debt. In order to do that, we need to, just as we cut the earmarks on discretionary spending, cut the tax break earmarks, those tax break earmarks that have gone to the well connected but who are disconnected from how we can help our economy grow.

I never thought a budget deal would be easy, but I believed we could agree on a few key principles. Well, we have not. The Republicans want to close Social Security Offices. I want to close tax loopholes. They want to get rid of teachers. I want to get rid of sacred cows. That is why I voted last week to end the tax break on ethanol production. Wow. Talk about a tax break earmark. It is ethanol. It has serious consequences to our budget. It also artificially raises the cost of corn. So what does that mean to **BARB MIKULSKI**?

Well, right now one of the most important industries on my eastern shore is poultry. Poultry has helped make Maryland great and provided jobs for thousands of Marylanders, people who work hard, get dirt under their fingernails, salute the flag.

Well, they want us to act like we salute the flag and work under the flag. Corn is now \$7 a bushel. I have companies that have been around for over 100 years filing for bankruptcy. Well, I cannot allow that to go on. We have to get rid of the artificial subsidies and deal with it and use that money to go into deficit reduction.

So I want part of any agreement that we make to make sure that eliminating the tax break earmark on ethanol is also in the budget. I also want to get rid of oil and gas tax breaks. Gas has reached \$4 a gallon in many parts of my State. Yet at the same time, the five biggest oil companies made \$36 billion in profits in the first 3 months—3 months they made \$36 billion.

Well, companies making billions in profits should again pay their fair share. We Democrats voted to end those subsidies and devote \$2 billion a

year to deficit reduction. Now, the Republicans want to keep tax break earmarks. I want to get rid of tax break earmarks. But they refuse to end these giveaways.

There are others. Senator **DURBIN** spoke eloquently about the tax breaks that send jobs overseas. Those jobs have left. They went on a slow boat to China, a fast track to Mexico. Other jobs are in dial 1-800 anywhere but in the USA. We have to have a patriotic Tax Code where we crack down on the tax cheats and invest the money back here at home.

It is not only the tax cheats, we legally give them money. We take the money of people who worked in manufacturing, who paid taxes, and when they paid those taxes, we gave subsidies to send their jobs overseas. Wow. No wonder people are mad at Congress. They ought to be mad at Congress.

But I worry about the consequences also of default. When I go around Maryland, people do not understand what that means. They think when we raise the debt ceiling it is going to raise their interest rates on their credit cards, their student loans, or their mortgages in some way if they have a variable rate. Oh, my gosh. It is just something. We need to make known in plain English what this means.

The fact that the United States of America might not pay its bills on August 3 is frightening. It is frightening from the standpoint of national honor. America should pay its bills. It has always paid its bills. Also, it is important for our economy. The consequences could be Draconian, unprecedented, and even well beyond the Armageddon of the Great Depression. We could, on August 3, not be able to pay our Social Security benefits. We could not be able to pay our veterans benefits.

This is shocking. We cannot allow this to happen. So we have to come to the table. That is why I said at the opening of my remarks we all have to be at the table, and all things have to be on the table.

Now, I am going to talk about political leadership. I want to talk about all of us at the table. I lived through a very serious crisis when Ronald Reagan was President, and Ronald Reagan, Tip O'Neill, and Howard Baker provided the political leadership. It was tough. It was scary.

In 1982, we were scared that we could not meet our obligations, that our Social Security checks would go out. The trust fund was running on fumes. America faced the fact that we would go into default with our senior citizens. President Reagan provided leadership. I did not agree with everything President Reagan wanted to offer. But he said: We have to put America first. He called up his friend Tip O'Neill. Tip O'Neill brought Democrats to the table. Bob Byrd was our party's leader

in the Senate. Those two men stood together as Americans, not as Democrats. We turned to Bob Dole, chairing the Finance Committee, and Howard Baker. They came to the table, not as Republicans but as Americans. That is what we need now. We have to come to the table as Americans.

I love being a Democrat. My family were Democrats. We are going to be Democrats forever. But what I love more is being an American. I got into politics as a protester. In other countries they would have thrown me in prison. Here they put me into politics to stand up for the people. I would not have been able to go to college; I would not have been able to pursue the American dream.

I love America and I want America to have a great future ahead of it. We have to stop acting as if we are the Red Party and the Blue Party. We have to start behaving as if we are the Red, White, and Blue Party.

Now, I have heard about these pledges to Grover Norquist. But I take one pledge. I take a pledge to the flag of the United States of America. One Nation, under God, indivisible, with liberty and justice—justice—for all. That is what we need to do.

I take an oath on the Constitution to protect and defend the people and the law that governs it. Let's get real and let's realize whom our first pledge is to.

So I say to my colleagues on both sides of the aisle: Go back to your Republican history books. Read what Ronald Reagan did in 1982. Read what Republican leadership did in 1986. I will do the same for Democrats. When Tip O'Neill brought us to the table, I had to make tough votes. We drank strong medicine. But you know what. At the end of the day we made our obligations. Seniors got their checks, we got the Social Security trust fund out of that crisis, and we became a stronger economy and a better America. We can do it. But let's realize to whom we take our pledge. Mine will always be not to the Democratic Party but to the United States of America. So let's be at the table and put all things on the table.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT CEILING

Mr. ISAKSON. Mr. President, I rise for a moment during this time of morning business to talk about what everybody is talking about—the crisis with our debt ceiling, the approaching dead-

line, and what we should do. Last night, as I thought about what I would say this morning, I thought back to that horrible month of September and October of 2008, when the greatest financial crisis since the Great Depression hit the United States. I was a Member of the Senate, and I was here the night the TARP vote came before us to try to salvage and save the financial system of the United States. That was probably the toughest vote I ever took. It was the right vote, because we stabilized the financial system. At that time, we were reacting to a crisis we were not in control of.

Today, we have a crisis we are totally in control of. It is ironic to me that 30 or 35 days before the deadline of August 2, we are fiddling around arguing with each other, when we should be talking to each other, looking at those things we can do to avert a crisis and move forward. I see that our leader has come to the floor. I will shorten my remarks so he can have his full time. This is a crisis of which we are in control, unlike 2008. We can make a difference.

The balanced budget amendment proposed by the Republican conference of the Senate is the straitjacket and the discipline we all need. When I was a State legislator for 17 years, we had a program on drug abuse that said "just say no." We taught kids not to use drugs. We need a way for Congress to "just say no" to spending, and have the discipline to have a constitutional restriction on our ability to have runaway spending without any accountability. It is the kind of discipline almost every State imposes upon itself.

In Georgia, we cannot deficit spend because our constitution won't let us. We cannot borrow more than 10 percent of our entire budget because the constitution will not let us. Those are the types of disciplines the Congress needs.

Before I yield to the leader, I will end the way I began. When the financial crisis hit in September 2008, we were dealing with issues over which we had no control. Today, we are dealing with an issue upon which we have total control. It is time to put on the straitjacket—the procedure and process to balance the budget and run our country as every American family has to run its budget.

I yield the floor.

The PRESIDING OFFICER. The minority leader is recognized.

REDUCING THE DEFICIT

Mr. MCCONNELL. Mr. President, I want to say a word about the President's press conference yesterday.

What I heard him propose is that we solve the debt crisis by spending more money—solve the debt crisis by spending more money; that we solve the jobs crisis by raising taxes—solve the jobs crisis by raising taxes.

I want to know, is there a single Member of Congress, Democrat or Republican, who thinks it is a good idea to raise hundreds of billions of dollars in new job-killing taxes at a time when 14 million Americans are out of work? If so, I haven't heard from any of them. But that is what the President was trying to defend yesterday.

Who thinks the answer to a \$1.6 trillion deficit is a second stimulus, that the answer is more deficit spending? Where in the world did that idea come from? That is what the President was trying to defend yesterday.

Look, the President needs to get serious about this. He said yesterday that reducing the deficit grows the economy. That part of his press conference he got right. Reducing the deficit grows the economy.

His own Small Business Administration has told him not to enact one of the tax hikes he was proposing at the press conference yesterday. This is what they said over at SBA: "This can force many small businesses to close their doors."

Fourteen million people are out of work, and he wants to take an action that could force small businesses across the country to close? That is his vision of shared sacrifice?

I think the American worker has sacrificed quite enough already. Besides, all of us know that Congress isn't going to approve hundreds of billions of dollars in tax hikes. It is simply not going to happen. We have known that for 6 months, and we have been saying it all along.

The President does not seem to get it. So let me do something that I think would be constructive. I want to invite the President to come to the Capitol today and meet with Senate Republicans anytime this afternoon that he is available; come on up to the Capitol and meet with Senate Republicans. That way, he can hear directly from Senate Republicans why what he is proposing will not pass. So I invite him to come up today and meet with Senate Republicans, hear directly from them, and we can discuss what he has in mind. Maybe we can start talking about what is actually possible.

The President says he wants us to get working. I can't think of a better way than to have him come right on over today—we are waiting—and hear from our conference about the legislative realities in Congress right now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague from Nebraska.

The PRESIDING OFFICER. Without objection, it is so ordered.

BALANCED BUDGET AMENDMENT

Mr. THUNE. Mr. President, our Nation has an over \$14 trillion debt and unless we can get a handle on it—I have a chart which I think shows what our future will look like if we stay on the current trajectory. You can see that the path leads higher and higher in debt to GDP levels. That level is unprecedented in American history. You have to go back to World War II when we had this kind of debt to GDP. The chart shows we are going to face an ever increasing burden and debt.

Without shoring up our finances, we know what our future will look like. This week, we saw that the country of Greece had to approve an austerity package to be eligible for their next disbursement of a multibillion dollar bailout loan from the IMF and other European countries. This austerity package included 28.4 billion euros in spending cuts and tax increases. That is exactly what will happen if we don't do anything. We will reach a time when we will be facing massive cuts in spending and tax increases, if we don't get our fiscal house in order.

But that isn't necessary, because there is a better way to solve this problem. Instead of more debt and spending, we can pass a balanced budget amendment that would prevent us from spending more than we can take in. We know what the effect of this will be on our future as well.

We have States across this country—49—that have some type of balanced budget requirement, including South Dakota. That is the reason why our State's budget is always balanced. Our legislature cannot go home until that happens. We need that same sort of discipline here in Washington, and a balanced budget amendment would bring that about.

I have with me on the floor a colleague from Nebraska, Senator JOHANNIS, who also served as his State's Governor. My understanding is that the Senator from Nebraska, when he was Governor, had a balanced budget requirement in Nebraska's constitution. I wonder if he can explain the effect that had on his State, and whether it forced them to make some of the tough choices necessary to get a budget balanced.

Mr. JOHANNIS. Mr. President, I appreciate the opportunity to speak about a topic that I think has made all the difference in the world for my State of Nebraska.

I did have the privilege, a few years back, of serving as the Governor of the State of Nebraska. Until I came out to join the Cabinet as Secretary of Agriculture, I served about 6 years. Before that, I was the mayor of our State capital in the community of Lincoln, a

great community. We followed the same pattern at the Governor's office that we did at the mayor's office. And we Governors had a simple principle: We did not spend money we did not have.

Before I talk about the balanced budget amendment, let me explain how that worked as mayor of Lincoln. My budget staff would go to work. They worked on the budget pretty much year-round—really, it was a year-round endeavor—and at some point in the process I would get a stack of paperwork that was about an inch thick, with line after line after line after line of items they were proposing we needed to spend money on to keep the city running. There would be everything from police cars to whatever, to salaries. I mean, imagine what it takes to run a city, and it would be on that list. I would go through item by item, page by page, studying each entry. Ultimately, we came to a conclusion for each entry: Yes, I believe this is necessary to keep our city going.

Well, somewhere in that thick stack of paperwork, I would turn over the page and I would come to a page where there was a red line drawn through the items. The significance of that red line was that everything above that red line we had money for and everything below that red line there was no money for. So if the next entry below the red line was something that I wanted to see happen as the chief executive of that community, I had to cut spending to eliminate something else because, you see, when I went to the city council I couldn't go to them and say: For operations, we are going to borrow a whole bunch of money. That didn't change at all when I became the Governor of the State of Nebraska.

Our constitution requires a balanced budget. It is very straightforward. It basically says: You can't spend more than what is coming in. You can't buy things you don't have money for.

Let me add another piece to this—and this makes our State quite a bit different, I think, than virtually any other State in the United States. Way back when our constitution was written, those who sat down to write the constitution—with amazing foresight—said: At some point politicians, in their passion to get reelected, are going to say to the people, they can have all of this, and then finance it by borrowing money. Well, they didn't want that. So there is literally a provision in our constitution that, in essence, says: You can't borrow any money. I think the limit is something like \$100,000 or \$500,000, and that is it.

If you drive across the roads in Nebraska, I will just point out, they are paid for. Why? Because we don't spend money we don't have. Our constitution will not allow us to do it. So year after year, when we get together, we look at the priorities of State. It might be edu-

cation, it might be something relative to human services, it might be roads. But whatever it is, the executive branch—me, as Governor, working with the legislature—would decide what we are going to fund and at what level.

Now, I could guarantee the people of Nebraska three things would happen by the end of the legislative session: No. 1, a budget would be passed; No. 2, it would be balanced; and, No. 3, we would not borrow money for those first two things to happen. A budget would be passed, it would be balanced, and we weren't going to borrow money to make that happen. That has been going on for decades and decades and decades.

Some of my colleagues are probably ready to rush down to the floor and say: Oh, MIKE, that sounds so backward. But here is what I have to say. During this very difficult economic time—and all of us agree it has been one of the toughest times since the Depression—unemployment in Nebraska has not gone over 5 percent. Unemployment today in Nebraska is 4.1 percent. Let me say that a bit differently. Ninety-six percent of people able to work in Nebraska have a job—96 percent.

This year our legislature actually recessed early and—I believe I remember this correctly—they unanimously passed the State budget. There are Democrats in the legislature, there are Republicans in the legislature, and there are Independents. One might ask: How did they do that? They did it because they felt a responsibility to the State and to their constitution to get a budget done, to make sure it was balanced, and not to borrow money to get there.

Let me contrast that with what is happening out here. What is happening out here is that for decades and decades and decades, we, as the Federal Government, have said to the people: Don't you worry. We can be all things to all people. We can give you this and we can give you that because we have this big credit card. Well, that credit card today is now at \$14.5 trillion and growing—growing and growing and growing.

When I go back home and do town-hall meetings, and I look across the room and I see young people or children, it pains me to tell them that I know who is going to be responsible to pay off the credit card. It is not MIKE JOHANNIS, who turns 61 this year, although it should be my responsibility; it is going to be our children and our grandchildren who will have their own priorities, their own desires, and their own wishes. They are going to be saddled with trillions and trillions and trillions of dollars of debt before they can even address their own priorities.

I will end with this thought. What is the merit of a balanced budget amendment? Well, when I was 20 years old, our Nation owed \$380 billion—\$380 billion. It is projected that when I reach

65, just 4 short years from now, our Nation will owe \$20 trillion. It is time to be honest with the American people. We will not solve this problem unless we put discipline in place—as our States have done; as the great State of Nebraska has done—which would essentially say, year after year, President after President, Senator after Senator, House Member after House Member, we have to live within our means.

That is what the balanced budget amendment is about. You see, without this, there will always be a way to get around it, to do something and not accept the responsibility of running this country with fiscal responsibility.

Mr. THUNE. Mr. President, I appreciate the comments of my colleague from Nebraska. As a former executive—both as mayor and Governor—he, obviously, has had to make the hard decisions necessary to get the books to balance both in the city of Lincoln and the State of Nebraska. As he has observed, the economic circumstances the State of Nebraska finds itself in today are so much better than other places around the country.

Now, granted, there are lots of factors that contribute to that. Part of it has to do with the business climate in some States around the country. But, clearly, it is also a function of the discipline the State of Nebraska imposes on itself through its balanced budget amendment and the decisions of the leaders in that State, both legislators and Governors, in order to make that possible.

So I think the experience of the Senator from Nebraska is valuable in helping us shape the debate that ought to occur on this balanced budget amendment. I would say one of the features of the balanced budget amendment that we are both cosponsoring is that it caps spending at 18 percent of our entire economy. That is not a number picked out of thin air. It is a number that comes from the historical level of taxation for the past 40 years. In the past five times the budget was balanced in Washington—and bear in mind five times probably in the last 40 years—spending averaged just under 18.7 percent of GDP—not too far off what the cap under the balanced budget amendment would require.

Further, we know in 2007—a year in which we had tax laws that are very similar to current tax laws—revenue was 18.5 percent of GDP. So if we could constrain spending to 18 percent of our entire economic output, we would be able to balance the budget without raising taxes.

Our colleagues on the other side continue to claim the problem could be fixed if we would only raise taxes on a few rich people, tax corporate jets, stop giving tax breaks to American energy production, and those sorts of things. The truth is, the tax proposals from Democrats put only a relatively minor

dent in the deficit. To truly balance the budget through tax increases we would have to see astronomical rate increases that would hit not only high-income earners and corporations but the middle class and small business as well.

This is clearly not what the American people want. It is not what I want. Simply raising taxes on job creators isn't going to improve our economy. It is only going to hurt it more. And tax increases aren't the only threat to our economy. We also know these current levels of debt are costing us about 1 million jobs a year as well, and these debt levels are only predicted to increase.

In his experience as a Governor, I guess I would ask my colleague from Nebraska whether when it came time to make these hard decisions about balancing the budget, did the notion of raising revenues, increasing taxes, come into play? I am sure that was a debate that was always raised. It always is. You can either reduce the amount of spending or you can raise taxes on someone.

It strikes me the problem we have in Washington is not that we don't have enough revenue. We have plenty of revenue. We just have too much spending. I am curious to know in the State of Nebraska what his experience was in terms of this debate we have about more taxes or less spending.

Mr. JOHANNIS. We adopted the philosophy in the State of Nebraska that we wanted to be job creators. We wanted to have that low unemployment. So we recognized it is not government that is going to create the jobs. After all, people don't want a bigger, grander, greater State government—or Federal Government, for that matter. Our responsibility was to create the right climate so a small business had an opportunity to grow and expand; that a large employer, looking across the United States for a great place to locate, would know they had an opportunity to grow and expand a business in the State of Nebraska. So we fought tooth and nail.

Let me give a current example. If we dial the clock back to about November of last year, our current Governor, David Heineman, was faced with a great challenge. He had about \$1 billion he had to somehow make up to balance the budget over a 2-year cycle. For a State such as Nebraska, that is a powerful amount of money. In Washington, where we talk about trillion-dollar programs, such as the stimulus, et cetera, that may not sound like much. But it is a huge amount of money to our State.

I suppose our Governor could have said: Well, if we just hit the taxpayer here more, and hit the taxpayer there more, then all of this will balance out. But he adopted very much the opposite view—which is exactly what I expected

of Governor Heineman. He said: We are going to balance the budget, and we are going to do it without raising taxes. That philosophy is absolutely right.

Families are tightening their belts, they are balancing their budgets, and they are doing everything they can. They are suffering through economic times that are tough. Why would we hit them harder? Why would we go to our families, who are already struggling, and say: I have to take more money out of your billfold and send it to the State capital?

So he led and he stepped forward and he said, Here is a plan to deliver a balanced budget. And do you know what. He didn't send somebody else to go into that room. He went himself and said this is the plan that I believe in for the future of our State. He was there through every minute, every hour, every second of the legislative session, and at the end of it, with no tax increases, they balanced the budget. I would have to check this, but if memory serves me correctly, I think that plan passed unanimously. In our State legislature we have members who are more liberal than others, more conservative; we have some who are Democrats, some who are Republicans. But do you know what. Our chief executive led. And, again, I draw a sharp contrast here.

There is one nationally elected official in our Nation, and we call him Mr. President. The President pays the filing fee and convinces the Nation that he or she is the right person to occupy that office, and there is no substitute for their leadership.

We need to have our Chief Executive, the man we call Mr. President, deliver a plan that he believes is the right direction for our country. That is the key to this issue.

I will be very clear. I like the plan of Governor Heineman. In tough times, you pull back. When the revenues are a little bit better, you can do some things and establish some new priorities. But what happens out here is there is no prioritization. It is spend on everything. Spend on everything that walks by. Some day our kids and grandkids are going to have to pay off the credit card. I don't think that is right.

Mr. THUNE. I thank the Senator from Nebraska for his observations. In a minute I want to turn to the ranking member of the Senate Budget Committee to talk about setting priorities, because that is something we are not doing here.

I do want to point out in the course of this discussion, however, that what you have said is exactly right. You cut spending and you grow the economy. One of the things you need to do is you have got to create jobs, you have to get economic expansion going. The way not to do that is to raise taxes, and that is the prescription many of our

colleagues on the other side would like: Let's get more revenue and raise taxes.

That is absolutely the opposite thing that you would do when you have got a downed economy and you are trying to create jobs. What we ought to be looking at is how do we reduce the size of government, get us living within our means, and getting the economy growing and expanding again and creating jobs.

I want to point out one thing. This is important, in my view. We are planning right now, to the extent that there is any planning going on here—and, unfortunately, without a budget it is very difficult to prioritize. But there are expectations about what revenues are going to be for the foreseeable future.

There was an interesting op-ed piece earlier this week in the *Wall Street Journal* written by Larry Lindsey, who is a former economic adviser to President Bush and also former Federal Reserve Governor, who pointed out that the current predictions for the debts and deficits in the coming years are very optimistic for a couple reasons.

One is that the White House and the CBO are using very optimistic numbers for growth in our economy. While I hope they are correct, I am concerned that they could be very much overstating the potential for growth in our economy. If more realistic numbers were used, what Larry Lindsey recognized in that story was that the impact of the financial crisis on our economy, our debt numbers could jump by an additional \$4 trillion over the next 10 years by assuming a more historic growth level, given the times that we have been through.

At the same time, the President and the CBO are also predicting that interest rates are going to remain much lower than they have historically. What Mr. Lindsey pointed out in this op-ed was that if interest rates normalize—in other words, reset to what are the historical averages—it would cost us an additional \$4.9 trillion more over the next 10 years to finance our debt than what we are currently expecting. So those two factors alone would have an \$8.9 trillion negative impact on these forecasts for the next decade. Again, it points to the importance of getting spending under control and doing it now.

He finally pointed out that the new health care law is another significant hidden cost. If you look at what employers are increasingly being faced with, many of them are going to choose to dump their employees into these public exchanges and you are going to see the additional costs of anywhere from about \$74 billion to \$85 billion a year over the next 10 years.

You start adding that up, you add in the economic growth assumptions—again, I hope they are right. But assuming they are wrong, you have lower

levels of economic growth, which I think are probably more realistic levels. If you have more realistic interest rates at least in terms of historical averages, these long-term predictions get awful in a real hurry.

The nice thing about having a balanced budget amendment is you are forced to make those decisions every year. Instead of dealing with these long-term predictions, which are often inaccurate, each and every year the budget has to be balanced. So if interest rates go up, the budget has to be balanced. If employers put their employees on the exchanges, the budget has to be balanced. If there are fictional savings from these independent payment advisory boards that are being created and those aren't realized, the budget has to be balanced. If taxes don't produce as much revenue as predicted, the budget has to be balanced.

This is the very simple solution that, as the Senator from Nebraska pointed out, so many States have come to, so many States have concluded that you have to have some sort of a requirement to balance the budget is the most powerful fiscal reform we could have here in Washington, DC.

We have credit agencies that are questioning our long-term budget outlook. If we did a balanced budget amendment, I think there wouldn't be any question that our country would be able to pay all of our bills.

I was a Member of the House of Representatives back in 1997. I think the Senator from Alabama was here at the time. There was a vote on a balanced budget amendment at that time. We didn't vote on it in the House because the Senate voted on it first. The Senate came within one single vote of passing a balanced budget amendment. Had they done that, we would have been able to pass it in the House. We had the votes for it. We could have sent it on to the States. I can't help but thinking how different our fiscal situation would be today if they had had that one additional vote back in 1997 to get us a balanced budget amendment.

Many of our colleagues here campaigned on a balanced budget amendment. Hopefully when we get a chance to vote on it—and I hope we do here in the next few weeks—we will see whether the rhetoric matches the actions.

But all that is to say we have a major fiscal challenge facing this country. For all the reasons the Senator from Nebraska noted, we are handing our children a burden of debt that is not fair to them, trillions and trillions of dollars. We have to bring some discipline to the process of budgeting around here. What is unfortunate—and this is why I want to turn to our colleague from Alabama, because he is the ranking member on the Senate Budget Committee—we have done nothing in 792 days to prioritize spending.

This Federal Government spends \$3.7 trillion annually of the taxpayers'

money, and we have not passed a budget for 792 days, let alone one that actually balanced.

My State of South Dakota spends annually about \$3 billion. This Federal Government borrows \$4 billion every single day. The borrowing of the Federal Government exceeds in 1 day what the State of South Dakota spends in an entire year. That is the dimension of the problem we are dealing with. All that being said, it has been 792 days since we produced a budget here in the Senate.

I say to my colleague from Alabama, clearly this is a problem that needs to be addressed. Wouldn't the Senator say this is reflective of the lack of political courage, the lack of political will, the lack of discipline around here? We have colleagues on the other side who say we don't need a balanced budget amendment. That is a gimmick. All we have to do is balance the budget. Well, where is it? Where is the budget, and where is the budget it is supposed to balance? It is not happening. So I think the balanced budget amendment is a simple, straightforward way in which to deal with a massive challenge facing us in the future, and we need some discipline imposed upon Federal spending on the Congress that so many States have, and as the Senator from Nebraska pointed out, as the Governor of his State he was able to exercise.

I would refer to my colleague from Alabama to ask him his thoughts about where we are with regard to the budget, and is our lack of discipline here—or, I should say, is our lack of willingness to pass a budget not a reflection of a lack of discipline that exists in the Congress today and an unwillingness to make the hard choices that are necessary to get this fiscal train back on track?

Mr. SESSIONS. I thank Senator THUNE so much for his comments, and that of Senator JOHANNES. They are raising a fundamental question.

We have never, ever been in a financial situation in our country that is as systemically deeply dangerous as we are today. You go through a war and you borrow a lot of money. You go through a recession, maybe your debt goes up some. We are systemically in a recession, but we are also in long-term projections of a dangerous surging level of debt, as your chart shows.

Last year the Democratic majority moved a budget out of committee. Senator THUNE is a member of that committee, and remembers that debate. Senator REID declared that he wasn't going to bring it up. It was never brought up on the floor of the Senate or even debated.

This year, apparently the majority leader decided once again we would not have a budget, and directed that the Budget Committee not even mark up a budget. So we have not even commenced work on a budget this year.

Indeed, the majority leader said it was foolish for the country to have a budget this year, which is stunning, since during the 792 days we have been without a budget the debt of the United States has increased some \$3.2 trillion. It is a stunning thing.

So, yes, I believe that history shows in the past, and based on the real crisis we face in the future, there has never been a more important time for us to do what so many States do: Have a balanced budget amendment that requires us each year to balance that budget. I believe this is the right thing for us, and it would be so much better for our country.

Senator JOHANNIS is here, and he talked about executive leadership. You and Senator THUNE were talking about how dangerous the debt path we are on is, how much greater it was in Nebraska's situation. Alabama has had to cut spending. But we are not cutting spending at all here. We haven't been. We have been increasing spending here.

I wanted to ask you a serious question. Do you feel that the first responsibility of a Chief Executive of the United States, the President, would be to honestly tell the American people that this is not just a political dust-up, but that we are facing a very serious debt crisis that could actually put us into an economic tailspin again, knock us down again, and the debt numbers we are seeing will look even worse? Do you feel he has that responsibility, and do you feel it has been met?

Mr. JOHANNIS. Senator SESSIONS raises an excellent point. Having served in the executive branch pretty much exclusively until I came to the Senate 2 years ago, there is only one leader. I not only believe that the Executive—in this case, the President of the United States—has that responsibility, but I feel very strongly that that responsibility has not been discharged.

I fully appreciate the need to go out there and drive a message and get votes and get yourself elected or re-elected. That, of course, is what democracy is all about. But there is a point at which the election is over and that needs to be set aside, and there needs to be someone who can lead on behalf of the entire United States.

We are all Senators, but it is the people of Nebraska who vote for me. We only have one nationally elected official, and that is the gentleman I referred to previously who is called Mr. President. There is no substitute for that, not in our system of government. It is absolutely incumbent upon the President to lay out in terms U.S. citizens can understand what we are facing.

I will be very candid. I could not be more disappointed with the President's comments yesterday. It is his podium. He is free to talk about whatever he chooses to talk about, and he does not

need the advice of MIKE JOHANNIS. But I will tell you what a great opportunity that was to talk about the dire situation of our budget and to lay out in stark detail what brings us to this situation and invite the American people to understand the difficulty we are facing and, most importantly, to put a plan out that the President stands behind.

Let me tell you what happened this year. The President put out a plan. The plan came to the floor of the Senate. It was so disregarded it did not get a single vote. It was not a serious plan. No one took it as a serious plan.

Think about that. No Republican, no Democrat, no Independent, no liberal, no conservative, no moderate said this is the right plan for the future of this great Nation; not a single one in this Senate. That is a very serious situation for our Nation.

It is time to be serious about this and present a serious proposal that makes the hard choices. Don't tell me you can solve this problem by, well, everybody is going to pay higher taxes who makes over a certain level. I did the math on that. When I first heard that I said: OK, let me understand that better. If you earn over \$250,000 a year, what would the tax rate have to be for those earners just to balance the budget for that year? I am not talking about the massive amount of debt that lies in front of our children and grandchildren. Just to balance the budget that year, the tax rate would be 90 percent. It has gotten worse because our deficit has grown to \$1.6 trillion—but 90 percent. Actually, I think, if I did that math, it would be closer to 100 percent.

That may be a great political talking point. It may be tested, it may be polled, it may be a 70-percent talking point, it may be an 80-percent talking point, but I tell you what, it is not going to solve the problem this Nation faces. It is not the pathway that deals with the massive problem we have, and there is no one else who can speak to the Nation like the President of the United States.

Senator SESSIONS cannot, Senator JOHANNIS cannot, Senator MCCONNELL and Senator REID, with all their stature, cannot either. That bully pulpit is unique to the President of the United States, and we have yet to see that responsibility met.

Mr. SESSIONS. I thank the Senator, the former Governor for those comments. I do believe it is difficult for Congress to ask the American people to make sacrifices if the President does not acknowledge clearly and articulately the deep crisis we are in and why those sacrifices have to be made. It is not that we want to; it is because we do not have the money and we have to make some changes in what we do. That is why a number of us called on Majority Leader REID to not recess next week. Let's stay and do something about the debt.

I understand we may now be staying next week, but I am not at all sure that the plan is to deal with anything involving the greatest threat to our Nation, which is our debt. Apparently, they want to talk about other issues. That was not what drove the concern. It was not about a patent bill—much as I would like to see it passed. That was not what we were concerned about when we said we need to be in next week. It is because, by the end of this month, maybe the first of August, we will see a monumental bill of some kind produced by the Democratic majority in the Senate, brought out here, and we are going to be asked to vote for it in a matter of hours, being told every minute that the country is about to sink into oblivion if we don't sign it and vote for it, not knowing fully what is in it, not fully having studied it, the American people not knowing what is in it. That is wrong policy. We object to that.

I believe the regular order in this Senate should be conducted, that we ought to have a proposal brought forth so it can be amended, so it can be analyzed, so it can be accounted for. How much taxes are going to be raised by the President? What taxes does he propose to raise? What does Senator REID want to do? Let's see those numbers and let's debate them and let's have amendments. That is why we need to be here next week, not to deal with a patent bill or some other legislation. That is why we called for it and I am prepared to work and I believe our colleagues are, but it needs to be on something significant.

The history of our Congress and the surging debt crisis we face is so significant that we have to have a balanced budget constitutional amendment. We almost passed that before. It would have been so much better had we done so. Let's do it this time and change the course of our country. Nothing clears the mind so well as the absence of alternatives. When Senators and Congressmen have no alternative but to live within their means, they will figure out a way to do it. But if we can find an alternative, history tells us too often we will, and we will act irresponsibly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER. There is 7 minutes 25 seconds.

Mr. CORNYN. Mr. President, I was, frankly, shocked by the comments of the President of the United States yesterday at his press conference, telling Congress it needed to get to work. I guess the President forgot his party controls the Senate, and Republicans, being in the minority, have no ability to place matters on the agenda or to force a vote on issues over the objection of Senator REID, the majority

leader, and the Democrats who control the Senate.

I guess the thing that rankled me so much is, rather than hold a press conference and tell Senator REID to get to work on the budget, the President should have picked up his telephone or invited Senator REID to come to his office and said: HARRY, we need to pass a budget. We need to take care of this debt crisis. We need to take care of this cliff we are getting ready to fall off on August 2, that Secretary Geithner has warned us would have, perhaps, calamitous impacts on markets and on the economy and on interest rates charged on our national debt, among other things.

I guess the most galling thing, listening to the President make this kind of outrageous speech, engaging in blatant electioneering, campaigning sort of rhetoric, class warfare, is that this comes from a person who, since January 2011, has had 31 fundraisers, including one tonight in Philadelphia. I wonder if he is going to cancel his fundraiser in Philadelphia tonight to meet with Leader MCCONNELL and Speaker BOEHNER to try to work on this threat that he was so emphatic about yesterday. I predict he will not cancel his fundraiser in Philadelphia tonight to get to work on something that only he can do, which is to negotiate a grand bargain with Republicans and Democrats that will solve this problem.

We know he had time on Monday to videotape an appeal to his donors who wanted to solicit donations from people so they might win a dinner with President Obama and the Vice President. He had time to do that. Yet it was not until Monday of this week that the President himself first took ownership of this issue, after Majority Leader CANTOR and Assistant Leader KYL said we cannot negotiate with the Vice President because they keep insisting on raising taxes, and we are not going to go there.

The President had his first meeting with Republican Leader MCCONNELL and the majority leader to talk about this issue that he was flailing Congress about not doing its job just yesterday. Frankly, he should be embarrassed. But, unfortunately, the threshold for embarrassment here in Washington seems to be much higher than in the rest of the country.

The President said Republicans were blocking the deal on the debt limit because they had taken tax increases off the table. That is right. We believe it is a terrible mistake, with unemployment at 9.1 percent—much higher in many regions of the country—to raise taxes on the very people whom you are depending on to create jobs. What is his message to people who cannot find a job because people are not hiring? What is his message to people who are out of work and they cannot pay their home mortgage and they lose their

home? It is higher taxes. Let's just raise taxes and everything will be fine.

We do not have a taxing shortfall. The American people pay plenty of taxes already. What we have is a spending binge by the Federal Government. Tax revenue is roughly 18 percent of our gross domestic product, but spending is 25 percent, hence the \$1.5 trillion deficit this year and the \$14.3 trillion debt so far, which threatens our Nation's future.

Frankly, it rankles many of us to have the President engage in such blatant demagoguery and blame-shifting, when he himself is unwilling to take responsibility for his duties, which are to lead by example. We are ready to work with the President to try to solve the Nation's problems. The House has passed a proposal. It is not perfect. I don't necessarily agree with all of it. But there are plenty of other proposals out there that will fix the Nation's fiscal problems, one of which is the President's own fiscal commission itself. He appointed it, a bipartisan fiscal commission that reported back in December, entitled "Moment Of Truth," otherwise known as the Bowles-Simpson Commission, a bipartisan commission the President appointed himself. But he has ignored it.

There is another one, the Domenici-Rivlin Commission, a bipartisan commission that made recommendations. The President has ignored it.

The President yesterday said: "Call me naive, but my expectation is that leaders are going to lead." That is what the President himself had the gall to say yesterday to the American people when he himself has displayed an astounding lack of leadership. As I said, we are ready to work with the President. I know Senator MCCONNELL invited him to come over to Congress and explain how this increase in taxes was somehow going to create more jobs in America; how we were going to solve the problems with Medicare—which is going to run out of money in a little over a decade. I hope the President takes him up on that invitation.

It is not a partisan issue. Secretary of State Hillary Clinton said our national debt sends a message of weakness internationally.

The Chairman of the Joint Chiefs of Staff, Admiral Mullen, said that "the single greatest threat to our National security is our debt." If America goes broke, how are we going to pay for our national defense and security that not only Americans depend on but so many countries around the world depend on America being strong to protect them from tyrants and dictators and terrorists? But if our economy goes bust, if interest rates go up to historic norms, our economy could spiral out of control. But there is not going to be a bail-out for the United States of America. Our economy is simply too big. The International Monetary Fund, the Eu-

ropeans, and others are not going to bail us out while we continue to spend recklessly about 43 cents out of every dollar in money borrowed from these young men and women here sitting in front of me. Every baby born in America today comes into this world \$46,000 in debt. It is irresponsible. It is wrong.

The American people sent a message in November of 2010 that they were sick and tired of Washington operating business as usual, and they were not going to take it anymore. And the American people should not take it anymore.

I believe we have an opportunity here. In Texas, we don't recognize problems; we recognize challenges and opportunities. We are a positive bunch of folks. This is a grand opportunity for Democrats and Republicans to come together to do the Nation's business, to be serious, not to be reckless, not to give speeches like the President gave yesterday as part of his reelection campaign. Absolutely disgraceful. He should be ashamed. I respect the office of the President of the United States, but I think the President has diminished that office and himself by giving the kind of campaign speech he gave yesterday.

We do have a solution. The Senator from Alabama, Mr. SESSIONS, and others of us have sponsored a balanced budget amendment to the Constitution. This would be a responsible way to deal with this problem, and I hope we will get a vote on that shortly. But in the meantime, there is no reason we cannot solve this problem. All we need is the President to step up and give us a proposal. So far, he has laid back and criticized everybody else and said: Where is your proposal? How come you haven't done your work? Well, he has not done his work by proposing a responsible solution.

We will have a debate. We will have amendments. We will make constructive suggestions. We will do it in the light of day and not behind closed doors, which is where these negotiations are occurring now. Why does this need to be done in secret? Why, as Senator SESSIONS said, are we, the elected representatives of the American people, left with a fait accompli shortly before the deadline that says: You either pass this or the country's economy goes down the tubes. That is not what the American people expect of us. That is not what they deserve.

Sure, there are going to be differences of opinion, but that is what this Senate is for—to work those out. We all understand we are not going to get what we want 100 percent of the time, but we do deserve to have a fair and open process, transparent and visible to the American people. I get to offer suggestions, they either win or they lose, and then ultimately the majority vote determines the outcome. We respect that as the process by

which these differences are resolved. But we cannot do our job when the President doesn't do his job and make a responsible proposal, when Senator REID will not bring a budget to the floor.

It has been 2 years since the Senate has had a budget. No one in the United States of America or anywhere around the world can operate with that sort of recklessness and irresponsibility. Everybody has to have a budget. My family has a budget. Every business has a budget. Only by having a budget can you determine what your priorities are. What are the things you have to have or do? What are the things you can put off until tomorrow? What are the things that maybe would be nice to have but you cannot afford?

Every family, every business has to go through that process but not the Senate and not, apparently, the President of the United States. The proposal he made, which doubled the debt in 5 years and tripled it in 10 years, called for huge new tax increases. Yet, when it came up for a vote—and only because Republicans forced a vote on that—it lost. It didn't get any support. I think it was 97 to 0. Not even our friends across the aisle could support the President's outrageous proposal back then. So why doesn't he come back with a new one? Why doesn't he stay at the table? Instead of going to Philadelphia tonight and raising money, why doesn't he call Senator MCCONNELL, Speaker BOEHNER, Minority Leader PELOSI, and Majority Leader REID into his office and sit down and do his job, just do his job?

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. On my way here, Mr. President, I had the great pleasure of running into the Redway family, a few minutes ago, visiting from the State of Connecticut. Jack Redway is a former public servant in the State, and he is here with his wife Sue and other members of his family. When I told them I was on my way here to talk on the floor of the Senate, they asked me what the subject was. When I told them the Senate is debating the debt, the deficit, and the budget, one of them said: Same old, same old.

We are here on the same old, same old issues. But the American people have had enough. They have had enough of the tax breaks and the special giveaways and the sweetheart deals that go to the special interests

and that have driven our deficit to sky-high, intolerable levels. We are now at a turning point and really at a precipice where we simply cannot afford these kinds of tax breaks and sweetheart deals any longer, and the people of Connecticut are saying enough is enough to the same old, same old deals with these special interests. We ought to come together on a bipartisan basis. Not only do we have a right and opportunity, we have a responsibility and an obligation to say enough is enough and to eliminate these kinds of tax breaks that squander and waste scarce resources.

The ethanol subsidies have been voted on by this body, overwhelmingly, by Republicans and Democrats, rejected. And the reason is quite simply that we can save \$400 million each month, close to \$2.5 billion by the end of this year if we eliminate these subsidies on ethanol. We shouldn't be divided on this issue going forward. We ought to be united on a bipartisan basis because these scarce resources are necessary to make sure we do not burden our children and their children with this kind of debt going forward.

The loophole that enables corporate jets to be depreciated at a faster and higher rate than commercial airplanes adds to the debt and the deficit in hundreds of millions of dollars. If we are serious about debt reduction and addressing the deficit, we should eliminate that loophole. It is about making the Tax Code fair and effective.

Over the last decade the big five oil companies have taken home more than \$1 trillion in profits while enjoying tens of billions of dollars in taxpayer subsidies. Those moneys, whether you call them revenues or taxes or breaks, whatever the nomenclature, whatever the rhetoric, they are a loss to the taxpayers and the people of the United States of America without any reason because these five oil companies are among the most profitable and lucrative in the history of the world, and they don't need that money.

It is time to say enough is enough to the kinds of hidden subsidies that go to special interests, and there are others that we ought to scrutinize and eliminate in the name of fairness and effectiveness in our government so that we can be serious about addressing our debt and our deficit.

Budgets are about choices. Some choices are not easy. We face tough choices, but we ought to put to use the common sense of the American people, to say enough is enough to the same old, same old hidden subsidies, tax breaks, special giveaways to special interests. Cutting Medicare benefits or Medicaid will not make us stronger. Firing teachers will not make us stronger. Forcing kids out of college will not make us stronger in Connecticut or across the country. None of these measures will make us stronger

or fairer as a nation, nor will rolling back our investments in innovation and research, which are vital to the high-tech jobs of the future, nor will cutting our investments in the essential means of transportation—high-speed rail, so important to Connecticut. None of these cuts will bring back jobs, which has to be our priority.

Economic growth and job creation must be put first, and the way to do it is to eliminate the wasteful tax subsidies, the breaks for special interests. Eliminating them will make us stronger, it will make us fairer as a nation.

I urge us to come together and put aside whatever the labels and the rhetoric and the nomenclature as we call them and do the right thing to make our Nation stronger and fairer.

Thank you, Mr. President. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. HAGAN). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DAVID H. PETRAEUS TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided and controlled in the usual form.

The Senator from California.

Mrs. FEINSTEIN. Thank you very much, Madam President.

I come to the floor as the chairman of the Select Committee on Intelligence to speak about the nomination of GEN David Petraeus to become the Director of the CIA. I wish to thank the majority leader for bringing this nomination to the floor in such a quick fashion because the committee, only earlier this week, on Tuesday, unanimously approved the nomination of General Petraeus.

I think there is no doubt but that General Petraeus is among the finest military officers and strategic thinkers of his generation. We are very lucky to have his service. He wrote the Army's counterinsurgency strategy and then applied it in Iraq, securing a military victory from what had appeared to be a descent into chaos and violence.

One year ago to this day, the Senate confirmed General Petraeus to replace

GEN Stanley McChrystal as the leader of American and International Security Assistance Forces in Afghanistan. Since then he has shifted the strategy, implemented the troop surge, kept our coalition together, and today our military and intelligence analysts point to gains in the security situation and in the Afghan military and ability of the police to secure their nation.

General Petraeus's willingness to take on the Afghanistan mission also demonstrates his extraordinary commitment to public service. At the time, he was serving in Tampa, FL, as the Combatant Commander for Central Command, no longer directly in charge of a war zone but with the responsibility for not just Afghanistan but for 19 other countries as well. He agreed to what was a step down in the military "org chart" to take on the hardest military challenge in the world and to deploy from Tampa to Kabul. The Nation certainly owes General Petraeus a debt of gratitude for 37 years in uniform.

When he is confirmed, General Petraeus will be taking off the uniform to become Director Petraeus. He has clearly considered the differences in culture and mission between the CIA and the military, and now he will shift his style to lead intelligence collectors and analysts rather than officers and enlisted troops.

As a matter of fact, in our hearing in Hart 216, there was a bit of levity when General Petraeus was asked the question about how he would transition from a four-star general to a civilian role as Director of the CIA. He said: You can be sure that when I arrive at the CIA, I will arrive without an escort and just simply get out of my automobile and walk into the building. Well, as we looked out in the audience at his confirmation hearing and we saw a phalanx of officers accompanying the general, it became very clear that it was, indeed, going to be quite a transition.

I believe—and I think this is the importance of this nominee—that General Petraeus understands the difference and is prepared to move into a civilian organization at a difficult time. Of our 16 different intelligence agencies, one is generally—and hopefully but generally—led by a civilian, although there have been seven military commanders in our history who have led the CIA. Of course, Leon Panetta is, in fact, a civilian.

I think we have to consider the timing of this: the winddown of two wars, Iraq and Afghanistan; the operation in Libya; a restive Middle East where the changes in an Arab spring are not fully known; an Israeli-Palestinian situation that has to it crisis dimensions; the North Korean situation with respect to the nuclear weaponry of that country; Iran, a very dangerous country with the potential of becoming a nuclear

country; and, above all things, the fact that this September is the tenth anniversary of 9/11, and where there is non-specific intelligence that this country may well have a revenge attack against it. Therefore, I think General Petraeus's military service will come in handy. I think his analytical skills and ability will come in very handy. I believe he is the right man for the job at this time.

Through the confirmation process, the Intelligence Committee has sought to understand General Petraeus's vision for the CIA and how he will lead it through the challenges I have just mentioned. I believe he has answered these questions and has laid out his views.

General Petraeus has testified that he had discussed this possible move to the CIA with Secretary Gates as far back as last year. He even demonstrated that he knows the CIA culture and the lingo, saying that right after being sworn in he will call an "all-hands" meeting for all CIA employees and "will tell them up front right there that you all should know that I'm here to recruit you and I know that you're here to recruit me."

He has met with just about every CIA former Director and received their advice on running the agency, and he plans to put that advice into practice.

General Petraeus has written and testified he fully appreciates the mission of the CIA is to provide unvarnished intelligence assessments to policymakers, whether they like it or not. That is a fundamental point. The intelligence must stand on its own. It must be good intelligence, it must be streamlined intelligence, and it must be intelligence which has been subject to the best of analysis and red-teaming.

This was one of the questions raised during his confirmation: Would General Petraeus put aside his military commander's assessments and carry forth the agency's analytic view? He answered the question head on, pointing out that he has experience in the analytical field and in debating assessments to reach the best judgment possible.

General Petraeus specifically pointed to his academic background as well as his military command experience. He, in fact, has earned—and I don't think many people know this—a master's of public administration and a Ph.D. in international relations from Princeton University's Woodrow Wilson School of Public and International Affairs. He has served as an assistant professor of international relations at the U.S. Military Academy at West Point, from which he graduated, and as a fellow at Georgetown University.

So the culture and debate in the CIA's Directorate of Intelligence will not be new to General Petraeus, and he understands the importance of presenting clear analytic views.

While all Members are familiar with General Petraeus's recent positions in Iraq and Afghanistan, let me touch on some of his prior experience. Prior to command in Iraq, he served at Fort Leavenworth, KS, during which time he oversaw the development of the Army and the Marine Corps Counterinsurgency Manual. The importance of that manual is that it has stood the test of time since then.

Earlier in his career, General Petraeus served in Bosnia, where he was the Assistant Chief of Staff for Operations of the NATO Stabilization Force and the Deputy Commander of the United States Counterterrorism Task Force-Bosnia.

Prior to his tour in Bosnia, he spent 2 years at Fort Bragg, NC, serving as the Assistant Division Commander for Operations of the 82nd Airborne Division, and then as Chief of Staff of the Airborne Corps.

In addition, he has served in a number of staff assignments, including aide to the Chief of Staff of the Army; Military Assistant to the Supreme Allied Command-Europe; Chief of Operations of the United Nations Force in Haiti; and Executive Assistant to the Chairman of the Joint Chiefs of Staff.

Not only is this a man who has great experience, this is a man who has commanded, who understands the military, and who has produced for the United States of America.

From my meeting and discussions with him, his responses before, during, and after our confirmation hearing, and based on his remarkable background, I am absolutely confident General Petraeus will make an excellent Director of the Central Intelligence Agency. I hope his confirmation vote will be unanimous. That makes it a real mandate.

While we are here to consider the nomination of David Petraeus, I also wish to note and recognize some other people. First and foremost, Defense Secretary Bob Gates, a former Director of Central Intelligence and the Secretary of Defense whose term ends today.

Secretary Gates has been a tremendously dedicated public servant throughout his career but never more needed and appreciated than his last 4½ years as Secretary of Defense. He has presided over the wars in Iraq and Afghanistan. He has managed the largest organization in the world at the Pentagon. He has earned the complete trust and respect of both President Bush and President Obama and of every single Member of this body. That almost makes him an endangered species.

Secretary Gates is the model of the professional government official, and his leadership and his character is truly an example to us all. I wish him well as he goes back to the State of Washington. Candidly, on a personal

level, I will never forget his service to our country.

Next, today is Leon Panetta's last day as Director of the CIA. I was very proud to be able to introduce Director Panetta as a native Californian at his confirmation hearing to be Secretary of Defense earlier this month. I can't say enough about the job he has done and my appreciation for the relationship we have had over the past 2 years. I think it is well known that when it first cropped up that he might be considered for CIA Director, I thought the service could be best served by someone with CIA experience. I can say here I couldn't have been more wrong. Director Panetta has stepped in when the Senate has had a hard time finding agreement and put together a note of confidence in this body that is unsurpassed, and I believe that is true at the Agency as well. He has raised morale. He understands the priorities. He has set the priorities. And he was eminently prepared to be the commanding officer in the takedown of Osama bin Laden. Mr. Panetta's service as CIA Director was both unique and very special. And it is worth noting that, in a time when the Senate has a hard time finding agreement, Leon Panetta received 100 votes on his confirmation to be the next Secretary of Defense.

I hope and expect the vote on General Petraeus will be overwhelming as well. It speaks of the President's choices of such qualified and respected nominees and of their willingness to continue service.

Quickly, I would also like to recognize a person who will be, as of tomorrow, the Acting Director of the CIA, Michael Morell.

I notice that the vice chairman of our committee, the distinguished SAXBY CHAMBLISS, is on the floor. I believe both of us think that Mike Morell has given our Intelligence Committee nothing but the unvarnished truth. He has come in to meet with us; he has been prepared to answer questions; he has presented the facts. He is an articulate, strong briefer. He knows the Agency. I believe he is going to lead the Agency well until the beginning of September, as General Petraeus will complete his tour in Kabul in July, and then there will be a transition period as he returns home and resigns his commission. In the interim, Mike Morell will be in charge at the CIA. I think we both believe the Agency will be well served by his service as Acting Director.

Finally, I want to thank Mrs. Holly Petraeus, the wife of David Petraeus and the Assistant Director of the Consumer Financial Protection Bureau, responsible for the Office of Servicemember Affairs.

General Petraeus mentioned at his hearing that Holly has been with him for 37 years and 23 moves, and we thank her for continuing to share her husband with our country.

Madam President, you and I both know how difficult it is when we have a spouse somewhere else, let alone having a spouse somewhere in great jeopardy in wartime far from America, in countries at which we are waging war, year after year after year. She, indeed, is a very special woman, and I think the general is very lucky to have her as his spouse.

In the position of Director of the CIA, he will carry out one of the most important posts in our government. The Director is a senior member of the President's national security team and provides candid and objective analysis on every single national security issue this Nation faces. But the Director is also in charge of clandestine and covert operations around the globe. It is one of the reasons our oversight responsibility is so important in these areas: to see that the law is followed and to see that missions are carried out with the full oversight of our committee. The CIA Director is responsible for the security of the people of his Agency and for making sure their efforts are in keeping, as I said, with the Nation's laws and ethics. It is a unique and difficult combination of management, of intellect, and, most importantly, of character because things can go awry and one might elect not to follow the law. I believe that will not be the case with General Petraeus. I believe he will follow the law and he will do an excellent job. So I fully, 100 percent, absolutely support his confirmation.

I am very pleased to yield the floor to the distinguished vice chairman of the committee, the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, first of all, let me thank and commend the chairman of the Select Committee on Intelligence for her great work not only on this issue but on every other issue we have had the opportunity to work on together over the past 6 months. She has, No. 1, reached out to me and my staff every day to make sure we are doing the intelligence work in the way we both agree it ought to be done. She has done a magnificent job of leading the committee.

The nomination of David Petraeus is a classic example of how she has led our committee; that is, we need a very smooth transition, a very quick transition when it comes to the leadership of the intelligence community. What Chairman FEINSTEIN did was, as soon as the announcement was made on Director Panetta's move to be the nominee for Secretary of Defense and David Petraeus was going to be the nominee for CIA Director, she made sure all the background was done immediately so we could go ahead and schedule a hearing well in advance of the movement by Director Panetta to the office of Secretary of Defense, preparing for the

confirmation of General Petraeus to be the next Director of the CIA. That is not always easy, but she made sure it got done.

I wish to commend, too, the majority staff director, David Grannis, as well as the minority staff director, Martha Scott Poindexter, for their work in doing the background that was needed to be done to allow this nomination to move very quickly.

It is a pleasure to work with Chairman FEINSTEIN. She certainly has the best interests of America and Americans at heart from an intelligence standpoint, and she is doing a terrific job. It is a pleasure to work with her.

Mrs. FEINSTEIN. I thank the Senator.

Mr. CHAMBLISS. I also rise to speak in favor of the nomination of David Petraeus to be the next Director of the Central Intelligence Agency. General Petraeus has had an exemplary military career, and I look forward to his confirmation as the Agency's 22nd Director.

Before I talk about him, I, too, would like to acknowledge his wife Holly for her service and support. In addition to supporting a military family during a number of long and unprecedented deployments and 23 moves, Holly Petraeus has also worked to protect military families from predatory lending practices. I appreciate her longstanding commitment and support of our men and women in uniform and want to thank her for joining her husband in answering our Nation's call of duty.

The strain on a military family cannot be overstated, and Holly Petraeus is certainly an individual who exemplifies everything that is good about how a military family needs to support the military member. I truly commend her for her great service to our country in that respect.

The nomination of David Petraeus comes at a pivotal moment in our history as we face threats from across the globe. As a warfighter, he brings a unique perspective, having seen firsthand the tactical value of accurate and timely intelligence. This experience, in an era of unparalleled cooperation between the Central Intelligence Agency and the Department of Defense, will not only benefit the military and the intelligence community but also the American people.

General Petraeus graduated from West Point in 1974, but he has spent the better part of the last decade on the battlefields of Iraq and Afghanistan. No matter what the task, David Petraeus has always answered this country's call. Most recently, after turning around the war in Iraq and putting us on a path to success, he left his position as commander of U.S. Central Command when he was again called upon for an unexpected deployment to Afghanistan. General Petraeus understood the importance of the mission

and accepted the assignment with vigor.

After leading the surge in Afghanistan, many expected him to retire from the military and public service, but not David Petraeus. He has decided to accept one of the most challenging positions in the U.S. Government. As Director of the CIA, General Petraeus will face a number of critical challenges, many of which cannot be anticipated. However, without a doubt, the threat from terrorism will remain the focal point for the CIA and for the new Director.

The successful strike on bin Laden removed al-Qaida's leader but not the threat from terrorism. The al-Qaida core has been weakened, but their extremism and violence continues to spread through affiliates such as AQAP in Yemen and other like-minded radicals. General Petraeus understands these threats, and I look forward to working with him to make sure the Nation remains vigilant through these very uncertain times.

I recall very vividly my first encounter with David Petraeus. It was in Iraq when he was in charge of the training of the Iraqi security police and the military personnel. I remember standing on a rooftop outside of Baghdad and observing an operation, a training mission that was going on where Iraqi security police and military personnel were interacting and carrying out this training mission with U.S. military personnel. Just being around David Petraeus that first day, you could sense there was something special and something different about this great leader. The respect he commanded from all of his subordinates and the respect he showed to his superior officers was evident, and it was pretty obvious there was something very unique about David Petraeus.

Obviously, he has gone on to provide the right kind of leadership that America has grown to expect from our great military leaders, and certainly David Petraeus has exemplified the very best the U.S. military has to offer.

It is also important that we note, as Chairman FEINSTEIN stated, that there are some other folks who are moving to different positions or leaving public service who have been so valuable to the intelligence community.

I have had the privilege of working with Secretary Bob Gates as a member of the Armed Services Committee on a fairly regular basis. Secretary Gates will be the first one to tell you, he and I have not always agreed on everything. That is part of what makes this institution work so well and what makes our country such a great country. But what a professional individual he is. He has provided the exact kind of service as Secretary of Defense that has been needed during his years at the Pentagon, which have not been easy years. These have been very difficult

years to move through the Iraq situation, the surge into Afghanistan, as well as to deal with all the other myriad of issues—from personnel, to health care, to weapons systems—the Secretary of Defense has to deal with on a daily basis.

I admire and respect Bob Gates so much, and obviously we certainly wish him the best in the private sector.

Leon Panetta moving from the CIA to the office of Secretary of Defense is a natural. As I have stated on this floor previously, I will miss him as the Director because I think he has done such an exemplary job. He came in without a lot of the experience from an intel standpoint that some folks thought the Director should have. But having worked with Leon Panetta when he was Chief of Staff to President Clinton, having worked with him as Director of OMB under President Clinton, I knew what kind of man he is. I knew Leon would adapt very quickly, and that is exactly what has happened.

He rolled his sleeves up and went to work. He has traveled around the world meeting not only with leaders of other nations, but he always makes sure he goes down and visits not just the station chief in the countries where he is visiting but the personnel who really are out there putting their lives on the line every day to try to protect America and Americans.

He has certainly gained the respect of every individual at the CIA, as well as Members of this body. Not only has he gained respect, but the morale at the CIA today is probably the highest it has been since I have ever been involved over the last decade with the CIA. I think he has done a magnificent job, and he is going to do likewise as the Secretary of Defense.

The chairman is right—Mike Morell stepping in for the next couple months will allow us to have a very seamless transition during the interim because Mike is such a gifted professional. He appears before the committee on a regular basis, and he does provide the direct, unfiltered, raw kind of information we need to hear. He is a great individual. He has been a great leader as the No. 2 person at the CIA, where he will continue to serve. During the interim, he is going to continue that kind of leadership we again have grown to expect from the Director of the Central Intelligence Agency. So I am very pleased Mike Morell is in the position he is at this point in time so we will continue to have the right kind of leadership at the Agency.

Let me say, we had a unanimous vote in the committee on reporting out the nomination of David Petraeus. I, like the chairman, hope we have a very outstanding, unanimous vote today for General Petraeus to be confirmed as the next Director of the CIA.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I thank the vice chairman for his remarks. I would like to thank him also for his willingness to work as a bipartisan team, which, as he said, we have done. I think the dividends have been great for our committee in that we have been able to get an authorization bill passed, we have been able to effect some changes. We have been able to work together. Our staffs work together. In particular, I would like to thank Majority Staff Director David Grannis, and I would like to thank Minority Staff Director Martha Scott Poindexter for her work in this regard.

I think it is extraordinarily important that Americans know there is in the Senate of the United States a team of oversight that is, in fact, working together on a true bipartisan basis.

So I say to the Senator, Mr. Vice Chairman, thank you so much for that—it has been wonderful for me—and particularly for your friendship as well.

I yield the floor.

Mr. INHOFE. Madam President, I rise today to applaud the military service of GEN David Petraeus and voice my support as he transitions from leading our Nation's troops in Afghanistan to leading our Nation's intelligence professionals at the Central Intelligence Agency. He is a man of outstanding moral integrity who has had a distinguished career in the U.S. Army.

Four years ago, General Petraeus was called "General Betray Us" by Moveon.org and other leftist groups. While I have always supported General Petraeus, others in this body have not. The general's rise, since 2007, to national prominence that supersedes party and ideology is indicative of the incredible nature of his service to our country.

When analysts discuss success of the Iraq surge in 2007 and 2008, credit is given to counterinsurgency tactics or to counterterrorism tactics. The "awakening" of the Sunni leadership has often been touted as the decisive factor as has the marginalization of the Shia extremist militias. But I would submit to the Senate that the success of the surge had a singular root in the leadership of General Petraeus.

After successfully leading U.S. and coalition forces in Iraq, our Nation once again called upon General Petraeus to lead combat operations in Afghanistan. As in Iraq, he developed and executed a strategy that took the momentum away from the enemy and began the process of providing a lasting stability in Afghanistan. General Petraeus has acknowledged that we have only begun to "get the inputs right" in that war-torn country. His leadership, rapport with the troops, interaction with our coalition partners, and efforts with the Afghan government have been decisive to the successes we have had in Afghanistan to date.

General Petraeus now moves on to a new challenge. He will lead the Central Intelligence Agency, which is now rightfully riding high in the wake of killing Osama bin Laden. His nomination to this position is an inspired choice that I am very happy to support. In General Petraeus, we have a leader whom we can trust as our Nation continues to prosecute the global war on terrorism.

Our Nation and its people owe General Petraeus and his family a debt of gratitude for their selfless service. They are an inspiration to this Nation, young and old, to spend their lives in service and support of our Nation—in the military where possible or in government service or private endeavors. There will be many speeches and many accolades for this inspiring leader, and rightly so. But let us give General Petraeus the tribute that any leader really craves—to look behind him, and see followers.

Mr. LIEBERMAN. Madam President, it is my great honor to speak today in support of President Obama's nominee to be the next Director of the Central Intelligence Agency, GEN David Petraeus.

I want to take a few moments to describe what, I believe, Dave Petraeus has meant to our country and why he will be a great CIA Director.

GEN David Petraeus is the most distinguished general officer of the U.S. Armed Forces of his generation—and his generation has many impressive general officers. He is a true American hero who has twice been called upon by our commander-in-chief to assume leadership of a faltering war effort. And twice he has not only answered that call, but led our forces out of the jaws of defeat and onto the path of victory. To my knowledge, no one else in American history shares that record with Dave Petraeus.

At a moment when cynicism too often infuses our national politics, and partisanship too often affects our national security, General Petraeus has won the confidence, gratitude, and respect of the American people—Democrats, Republicans, and yes, Independents. While commanding our extraordinary military in wars that have divided our country, General Petraeus has inspired and united our American family.

At a moment when too many of our fellow citizens fear our best days are behind us, General Petraeus' life and leadership have been a reminder that America is still a land of heroes—and that Americans are still very capable of achieving greatness.

This special debt of national gratitude extends beyond Dave Petraeus to his family, beginning with his remarkable wife, Holly. Holly Petraeus shares her husband's strength of character, intelligence, and devotion to the cause of public service. As many of you know,

she is currently leading a noble mission of her own—protecting our military families from exploitative and manipulative lending practices.

By my rough calculations, General Petraeus has spent more than twice as many months deployed in Iraq or Afghanistan over the last 8 years as he has back home in the United States. Throughout all that time, Holly has been supportive of her husband's service and taken care of their gifted children. So today I know we all want to say: Thank you, Holly Petraeus.

General Petraeus' background and accomplishments would make him a superb candidate for any of the top national security positions in the U.S. Government. But there are a special set of reasons why I believe he will make a truly superb Director of the CIA in this time of war.

First, GEN David Petraeus is someone whose very name inspires the trust and confidence of America's friends, and the fear and anxiety of America's enemies. As our commander in Iraq, at U.S. Central Command, and now in Afghanistan, he has stood at the epicenter of some of our toughest, most intensive, and most effective counterterrorism operations. David Petraeus knows our enemies.

At the same time, General Petraeus has also built close personal relationships with our key partners and allies in the Middle East, South Asia, the Euro-Atlantic community, and around the world. Dave has also proven himself to be a capable leader of large organizations, larger even than the CIA. And because he is a scholar as well as a soldier, he is well-suited to oversee and improve the critically important analysis done by so many who work at the CIA.

After all he has done, General Petraeus would be well-justified in seeking a quiet, personal retirement now. But fortunately for the rest of us, service to a cause larger than himself is General Petraeus' creed and destiny. The brave and skillful men and women of the Central Intelligence Agency will be in very good hands when he is given the opportunity to become their leader, and all Americans will be fortunate indeed, and safer, when General Petraeus is at the helm there.

And that is why I feel so personally honored to vote today for the confirmation of GEN David Petraeus to serve as the next Director of the Central Intelligence Agency.

Ms. MURKOWSKI. Madam President, I am pleased to support GEN David Petraeus to be Director of the Central Intelligence Agency. For the second time in as many weeks, this body endorsed an exceptional nominee for a critical post. General Petraeus brings to his new position an incredible resume of warfighting knowledge and experience, strengthened by meaningful excursions into academia. After lead-

ing our troops in combat operations overseas for nearly a decade, I think he is well qualified to lead our foremost Intelligence institution to serve the needs of our Armed Forces and the Nation at large.

One of the most respected military thinkers of his generation, General Petraeus literally rewrote the manual on counterinsurgency operations. Understanding that the ability to think is as critical as knowing how to fight, he translated difficult and sometimes counterintuitive principles into a winning formula for a flagging Iraq campaign. In his latest post, his leadership has inspired hope for a positive outcome to our endeavors in Afghanistan.

Threats to our national security are ubiquitous, with those who plot against us living in all corners of the world and in the elusive halls of cyberspace. To defend our liberty and way of life, we rely on an intelligence service that is agile and proactive to swiftly defeat threats before they can harm us. General Petraeus has the rare combination of professional acumen and keen intellect to lead the Central Intelligence Agency in a way that anticipates the moves of our adversaries and keeps them off balance.

General Petraeus and his wife Holly will again unselfishly answer the call of public service at a time when our Nation demands great leaders. After 37 years, they continue to serve with vigor and distinction and I look forward to following their continued success.

Ms. SNOWE. Madam President, I rise today in ardent support of the nomination of GEN David Petraeus to be the 20th Director of the Central Intelligence Agency, CIA.

First and foremost, General Petraeus deserves our Nation's unending gratitude for his unwavering commitment to this country over the nearly four decades that he has served in uniform. Since graduating from the U.S. Military Academy in 1974, General Petraeus has accumulated exceptional knowledge, acumen, and experience worthy of the legendary military giants who have matriculated at West Point. Throughout his long and distinguished career, he has demonstrated the highest levels of integrity and performance, exceeding our Nation's expectations time and time again.

His numerous awards, distinctions, and decorations reflect the fact that General Petraeus is one of the superior military leaders of this or any generation, as he is the recipient of the Bronze Star Medal for valor and two awards of the Distinguished Service Medal. His accomplishments extend beyond our own beloved shores around the world, as he has also received the Gold Award of the Iraqi Order of the Date Palm, the French Légion d'Honneur, the Polish Order of Merit,

the Order of Australia, and the National Defense Cross of the Czech Republic. Such accolades are a testament to the extraordinary leadership of General Petraeus and speak to an individual whose name is synonymous with excellence and respect.

One of the finest officers our Nation has produced, General Petraeus also possesses a brilliance that is only matched by his bravery. Consider just a few of the military milestones that have occurred under General Petraeus. He has directed operations that have halted and reversed the momentum in such Taliban strongholds as Kandahar and he positioned the United States to secure victory in Iraq when defeat often seemed inevitable. His tactical and strategic faculties are universally admired and are second to none. And as the commander leading U.S. and Coalition forces in both Afghanistan and Iraq, he clearly understands the absolute necessity of coordination between military special ops and intelligence covert actions—an imperative that was underscored with the remarkable May 1, 2011, take down of Osama bin Laden.

And I would be abjectly remiss if I did not recognize General Petraeus's wife Holly, their son Stephen, who has followed in General Petraeus's footsteps by serving in the Army, including a recent tour in Afghanistan, and his daughter Anne. His assignments since September 11, 2001, have taken him away from his family, far too often and for far too long. In fact, it is my understanding that General Petraeus has been deployed for more than 6½ years over the past decade, and I am sure that there have been many missed birthdays, holidays, and other family moments along the way. And so I would like to take an opportunity to acknowledge the family that has endured "23 moves" and state that all of you deserve recognition for your sacrifices and dedication to the Nation. Indisputably, our phenomenal military families at every level and in every branch of our Armed Forces are nothing short of indispensable to America's ultimate success in our missions. Our servicemen and women could not perform their duties as effectively without you nor could our Nation. Your sacrifices are your service and we cannot thank you enough.

Today, the U.S. Senate considers General Petraeus to lead the CIA at a time when daunting challenges to our national security threaten America's unique position and stature in the world, when the threat of retaliatory strikes in a post-bin Laden landscape are alarmingly high, when uprisings across the Middle East and northern Africa continue to spread, when Iran continues to flaunt its nuclear ambitions, when the makeup of the Libyan opposition is still unclear, when the threat of cyber intrusion and attack is distressingly persistent, and when Is-

lamic extremists continue to control large swaths of territory in such locations as Yemen.

Former Director—and now Defense Secretary—Leon Panetta has left the CIA on firm footing, having successfully rebuilt the agency's relationship with Congress, implemented efficiencies, and defended the best assets of the agency. General Petraeus will undoubtedly continue on this path, while striving to close such key intelligence gaps and others, as our security may depend on such efforts.

General Petraeus also will be tasked with leading the agency during a time of national austerity. As Senator FEINSTEIN, the chairman of the Senate Intelligence Committee, stated during General Petraeus's nomination hearing, "the nation's economic and financial struggles are requiring a new level of fiscal discipline, which means that the major increases of intelligence resources since 2001—and the CIA budget has virtually doubled in that time—will likely end and the intelligence community will have to do more with less." The arduous calibration between seeking efficiencies to reduce costs without diminishing in any way the agency's pivotal role in the national security apparatus requires the discerning vision and deft judgment that have been hallmarks of General Petraeus's illustrious tenure in service to our country.

General Petraeus must at the same time strengthen the bridges between our military commanders on the ground and the analysts in Washington. Intelligence assessments, which are so critical to the creation of sound policy, must accurately depict the situation on the ground and take into account the most recent tactical and strategic developments—fortunately, General Petraeus is supremely positioned to understand the needs of those commanders and to ensure that our intelligence meets their needs. As he stated during his nomination hearing, General Petraeus intends to "strive to represent the Agency position" and "convey the most forthright and accurate picture possible."

Like my colleagues in this Chamber, I applaud General Petraeus, who upon assuming the directorship, has pledged to retire from the military to which has given every fiber of his being. He recognizes and understands the necessity for independence. General Petraeus stated that he has "no plans to bring my military braintrust with me to the Agency" and that he would "in short, get out of [his] vehicle alone on the day that [he] report[s] to Langley" underscoring that understanding and avoiding the mistakes of some of his predecessors.

General Petraeus has described the professionals of the CIA as, "the ultimate selfless servants of our Nation, individuals with extraordinary exper-

tise, initiative, integrity, and courage in the face of adversity and physical danger." I could not concur with this assessment more, and frankly, we would be hard-pressed to find a nominee with stronger credentials than General Petraeus to lead this key national security organization.

The trust and the confidence that are lynchpins of General Petraeus's sterling reputation among all who have served under him extend to the U.S. Congress and the President. There is no doubt whatsoever that the general will arrive at Langley with an unprecedented combination of intellect and courage, and without reservation of any kind, I could not be more pleased to vote to confirm General Petraeus as Director of the Central Intelligence Agency.

THE PRESIDING OFFICER. The Senator from Arizona

Mr. KYL. First, let me acknowledge that two of the great leaders of the Senate have just made very ringing endorsements of General Petraeus to head the CIA, which we will be voting on in about an hour and a half. I associate myself fully with their remarks because they are in such a good position to know, as chairman and ranking member, respectively, of the Intelligence Committee.

I think my colleagues will defer to their judgment about this. But more than that, most of us have gotten to know General Petraeus because he has been so involved in so many of the important policy decisions of this country, that we have all been able to form our own judgments and reach the same conclusion that the chairwoman and ranking member of the committee have articulated so well just now. I am glad to associate myself with their remarks.

Noting that no one else is on the Senate floor to speak further about this nomination, I would ask unanimous consent to speak as in morning business for 10 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

HIGHER TAXES

Mr. KYL. Madam President, we are going to be foregoing a July 4 break to go back home to visit with our constituents in order to stay here, ostensibly, to work on the problem of the accumulating budget deficit and huge debt that the United States has taken on and the need to do something about that, in conjunction with the President's request that we raise the national debt ceiling.

What I would like to briefly address today is what seems to me to be an obsession on the part of the President to raise taxes. In fact, he is so fixed on this, it is so important to him to raise taxes, that he is willing to risk an economic crisis knowing that Congress will not raise taxes as part of this debt ceiling increase. And we should not,

Not because we are trying to protect somebody but because higher taxes on an already weak economy would just make things worse.

Now, we can point to a lot of what the President has done since he took office that has made things worse, but I do not know of a single economist who believes that American businesses will be more likely to hire people, will be more likely to create jobs, if they are faced with paying higher taxes.

They will not. Everyone knows that. So when the President talks about raising taxes, he is talking about killing jobs, and I would like to speak about the three specific taxes that he has talked about. I know because I was the Senate Republican delegate in the meetings with the Vice President at which this was discussed.

I am not going to break the commitment that we all made to each other to not discuss things that the President has not already made public. So I will not discuss the many things the Democrats took off the table. They talk about Republicans taking things off the table, I think they have already made it clear that, for example, they took any changes in ObamaCare off the table. I will not get into that. I will not discuss other things that were a part of our conversations.

But since yesterday the administration's spokesman and the President specifically identified three of the things they did put on the table and wanted to discuss with us, I believe I might as well explain to you why we are not willing to raise these kinds of taxes. They are all job-killing taxes. They would all inhibit growth, which is exactly the opposite of what we should be doing.

What are these job-killing tax increases on small businesses and American families and other businesses? It is not, first of all, just on millionaires and billionaires and corporate jets. President Obama and our colleagues on the other side of the aisle are obviously using poll-tested rhetoric about only raising taxes on millionaires and billionaires and corporate jets. That sounds good. They want ordinary Americans to believe they will not be affected by the President's tax increase proposals. But the truth is, the provisions they put forward during the debt limit meetings with Vice President BIDEN would target small businesses and other job creators and many Americans who are far from being millionaires or billionaires.

I should mention right off the top that they never discussed with us in these meetings anything having to do with corporate jets. So I have not gone to look to see how many American workers are employed in the general aviation business.

I note that it was on a list that they gave us, but they never checked—I suspect that is more in the realm of polit-

ical rhetoric since it does not, even under their proposal I have seen, raise very much money. But in any event, what have they actually discussed with us?

Well, the first thing they discussed was repealing something called LIFO. LIFO is a term—last in, first out—that is used by accountants as one of the methods of inventory accounting. For years there has been a question—and more than one-third of American businesses use this particular method of accounting. It is perfectly appropriate and legal and so on. But there has been some talk: Well, should we have everybody use the same standardized method of accounting? There have been proposals to do that in the past.

The problem is, what the Obama administration wants to do is not just to conform everyone to the same type of accounting but to actually go back and retroactively tax the businesses that have been using this accounting practice, which is perfectly legal, totally recognized by the IRS, and nothing is wrong with it. But they are going to go back and say: Because we are interested in raising revenue, we are going to put a retroactive tax on all of you who have been using this method of accounting.

They are more interested in getting money than in tax fairness, and that is why we are opposed to this. It would represent a retroactive tax increase on the 36 percent of American businesses that use this perfectly legal method of accounting.

Now, who uses it? Mostly it is people in retail businesses and manufacturers, many of whom are small businesses, I might add. To show what the impact of this would be—by the way, we first talk about creating jobs in the retail sector where consumers come in and buy things and in the manufacturing sector where they are made. These are the very folks who use this method of accounting.

Here is the effect that it would have on small businesses. In September 2009, the Small Business Administration's Office of Advocacy—which is under the Obama administration—wrote to the Tax Reform Subcommittee of the President's own Economic Recovery Advisory Board that repealing LIFO “would result in a tax increase for small businesses that could ultimately force many small businesses to close.”

Why on Earth would we impose a tax retroactively on folks who probably—at least according to the President's own Small Business Administration—would ultimately have to close their business as a result of the imposition of this tax? Why would we do that? Should that not at least be taken into account before you propose something such as this or are you so obsessed with finding somebody to raise taxes on or getting revenue that it does not matter?

With unemployment at 9.1 percent, we should not raise taxes on America's job creators.

Here is the second one they discussed: capping itemized deductions. They proposed capping itemized deductions for upper income taxpayers either at the 28 or 35 percent level. Obviously, this reduces the ability of taxpayers to buy homes, to make gifts to charity, to pay medical expenses, all of the things for which deductions are taken.

As the Wall Street Journal editorialized on June 29:

The political point of this exercise is to raise marginal tax rates without appearing to do so.

That is exactly what would happen. That editorial points out that President George H.W. Bush agreed to a similar proposal as part of his 1990 budget agreement that broke his “read my lips” promise not to raise taxes. But the fact is, half of all small business income falls into the top two brackets. So the ability of small businesses to grow and create jobs would obviously be harmed by this proposal.

The fact is, most high-income taxpayers—individual taxpayers—already lose the benefit of tax deductions and credits at their income level because of what is called the alternative minimum tax. Each year we eliminate the effect of the alternative minimum tax except on those making, I believe it is above \$250,000. So the very people who would be capped are already capped under the AMT. Who would get hurt?

Well, we know 50 percent of the taxes paid by small businesses are paid by these two upper brackets because they pay individually. It is those folks who cannot take this that would get hit by this because they have to take the deductions as part of their businesses. They would end up having their deductions capped and be unable, therefore, to invest that in hiring more people. Moreover, the tax increase would hit a much larger segment of American families than just millionaires and billionaires.

According to the IRS, in 2008, the last year for which we have numbers, only 319,000 tax returns showed income of \$1 million or more. But in that same year, the number of returns falling in the 33- and 35-percent brackets, which are the brackets most affected by this proposal, numbered more than 3.6 million. In other words, more than 10 times the number of filers would be hit if only millionaires and billionaires were affected.

So while the President likes to claim he only wants to tax millionaires and billionaires, the fact is his proposal would hit small businesses and millions of Americans who are not millionaires. But as I said, most importantly, it affects job creation because the people who would be hit by this are the people who are small business entrepreneurs,

who pay their taxes under these provisions, and would no longer be able to deduct their business job expenses.

Why, with economic growth at just 1.9 percent in the last quarter, would Congress want to raise taxes on small businesses and on American families? It just does not make sense.

Finally, oil and gas. It is always popular to talk about attacking Big Oil. Of course, millions of Americans and retired Americans own stock in oil companies, and raising taxes would have the effect of both reducing what they get in their pensions and so on, as well as undoubtedly result in higher gasoline prices because most of these kinds of taxes are passed right on through to the consumer.

So they want to raise taxes on U.S.-based oil and gas companies—not foreign-owned companies—U.S.-based oil and gas companies. Obviously, this tax could result in higher gas prices which contradicts the reason for releasing oil from the Strategic Oil Reserve. Why do that if it is going to get canceled out by imposing a new tax?

It could, obviously, hurt job creation because this industry supports over 9.2 million American jobs. It does not just target oil companies because they get some kind of special benefit. What these provisions do is eliminate a tax provision applicable to all businesses—any manufacturing business, for example, has the benefit of these particular three tax provisions.

So why single out one particular group of taxpayers, only about five in number, who would no longer be able to take advantage of provisions that every other American business can take advantage of? They are broadly available to American businesses in one form or another. They are three specific things: First, the so-called section 199 deduction available to all manufacturers. Second, the U.S.-based businesses are generally able to prevent double taxation. When they have to pay taxes abroad, those taxes are then credited against their American tax burden. Third, most businesses can expense their research and development costs.

These are the three things that would be taken away just from oil companies, the folks who find American oil so that we can drive our cars and conduct our businesses. So raising the cost of producing American oil would help our foreign competitors and make us more dependent on them, ship high-paying jobs offshore, increase our dependence on foreign oil, cause gas prices to rise, and hurt American families already suffering with high food and energy costs.

Why would we want to do this except to demagogue a political issue? Because it sounds good to punish success. America has never been about punishing success. America has been all about creating opportunities, and this

President's ideas of raising taxes as the sine qua non of an agreement to achieve an increase in the debt ceiling, as he has proposed, would be absolutely contrary to what we are all trying to do right now—which is to help our economy get healthy so that it can create more jobs, so we can reduce this tremendously high unemployment rate that we have right now, put Americans back to work, and help our families ironically, by getting healthier economically, making more money, and producing more revenue for the Federal Government to tax under our existing taxes. So if we want economic growth, improvement in the economy, the last thing we should be doing when our economy is ailing now is imposing a higher tax burden on it.

Why the President is so obsessed with this, I do not know. But I will tell you one thing: Republicans will resist these job-killing tax increases, not because we are trying to protect somebody—except the American people—but because we know that it is bad for our economy, for our families, for our businesses, and for job creation.

I ask unanimous consent that the Wall Street Journal editorial to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 29, 2011]

A STEALTH TAX HIKE—THE RETURN OF THE DEDUCTION PHASE-OUT GAMBIT

The White House wants Republicans to agree to tax increases that no one wants to call tax increases, and for an insight into this political method let's focus on one proposal in particular—the phase-out of itemized deductions for upper-income taxpayers. We hope the tea party is paying attention, because this kind of maneuver is why people hate Washington.

The idea is that once taxpayers earn a certain amount of money (say, \$200,000), they would begin to lose the value of the various deductions they're entitled to under the law. These include such IRS Form 1040 line items as the personal exemption, the deductions for state taxes and charitable contributions, even those for spouses and children. Earn enough money and soon the value of those deductions goes to zero.

The political point of this exercise is to raise marginal tax rates without appearing to do so. The top statutory individual rate would remain at 35%, so the politicians could claim they hadn't raised rates. But for those losing their deductions, the marginal rate would increase by between one and two percentage points until the phase-outs were complete.

We raise the alarm now because this sneaky bit of political fiddling last became law during a previous bipartisan budget summit—in 1990. Democrats proposed it then, too, and President George H.W. Bush and his budget chief Dick Darman agreed to it so they could appear to be raising tax rates less than they really were.

Those deduction phase-outs continued to be part of the tax code until the 2003 tax law finally phased out the phase-outs. They are scheduled to return when the George W. Bush tax rates expire at the end of 2012.

While the statutory top rate will then rise to 39.6%, millions of taxpayers will pay a top rate closer to 41% as they lose their deductions. This is in addition to the 3.8% payroll tax increase on investment income that will hit millions of these same taxpayers when ObamaCare gears up in 2013.

Only six months ago, President Obama endorsed the extension of the Bush rates (and the end of the phase-outs) for two more years, but now his negotiators want to renege on that deal. They want to reintroduce the phase-outs as part of a debt-ceiling deal, apparently so they can claim they got Republicans to agree to some "revenue increases" in return for spending cuts. Some Republicans might be tempted to go along claiming they didn't raise tax rates.

They'll deserve only scorn if they do. Republicans will be signing on to a tax increase, and one of the more dishonest varieties at that. The phase-out gambit is an attempt to shoe-horn more progressively into the tax code without admitting it, and to do so in such a way that only tax experts will know what's going on.

One goal of the tax reform that Republicans and Mr. Obama keep talking about is to simplify the tax code, but deduction phase-outs make the code far more complicated. Phase-outs make it impossible for taxpayers to add up their income, look at the tax tables, and know what they owe. The IRS taxpayer advocate service and even the head of the American Bar Association's tax section urged their repeal in the 1990s.

Democrats keep telling us Americans support raising taxes. If that's true, the least they can do is try to raise them honestly.

Mr. KYL. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Madam President, I thank Senator KYL for his eloquent speech on the issues of the day that are obviously very serious for the American people.

Madam President, I am here to speak on a couple of issues—first and foremost, regarding the Asset Forfeiture Responsibility Act of 2011, an act that I have filed and will speak on in a moment.

I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Massachusetts. Madam President, I want to comment on Secretary Gates' last day over at the Pentagon. I was over there doing some work, and I noted that he was being honored today. I thank him for his dedication and service to our country. He leaves behind an incredible record of service.

Our military and families, while strained, have never been more prepared to fight and win in today's conflicts. From my interaction with him, I have gained an enormous level of respect for his tireless leadership and committed resolve on behalf of our men and women in uniform and their families.

Mr. Secretary, thank you for your incredible service to this Nation. You have made us all proud.

Madam President, today, one of our Nation's finest officers, GEN David

Petraeus, leaves behind a distinguished record of military service and moves on to a new job. The wealth of experience he brings to this critical post will be invaluable as he and the other dedicated public servants at the Agency work to keep our Nation safe from harm. I have the utmost faith in his leadership and look forward to the contributions he will make to the Agency and to our country.

(The remarks of Mr. BROWN pertaining to the introduction of S. 1312 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BROWN of Massachusetts. On a side note, I am hopeful that we will continue to work together and try to get through a lot of these fiscal challenges we have. I, for one, along with many others, look forward to finding common solutions to move our country forward and step back from the financial precipice we are approaching.

I ask unanimous consent that the time during quorum calls be divided equally to both sides, and I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maryland is recognized.

Mr. CARDIN. Madam President, I ask unanimous consent that I be able to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. CARDIN. Madam President, I take this time to talk about the budget issues and the debt ceiling vote that is approaching. It is a serious issue that we need to deal with.

First, I think it is important to know how we got here. I say that because we don't want to repeat the mistakes we made in the past. It was just 10 years ago when we had not only a balanced budget, we had a budget that looked like we were going to pay off all of our privately held debt. I was part of the Congress that moved us toward that balanced budget and surplus. It was the Democrats who were prepared to do what was necessary to balance the Federal budget in the 1990s, and we got there. We didn't have a single vote from Republicans, but we balanced the budget in the 1990s. It was the right thing to do for our economy. As a result, our economy picked up and did extremely well.

We also know that the previous administration cut taxes twice, in 2001 and 2003. We also went to war in Iraq—a war that was one of choice—and we went to war in Afghanistan, and we didn't pay for either one of those wars. It was these unpaid-for wars and tax policies that led us from a surplus to a deficit. Our economy then turned, and we now have these large deficits. I say that because we need to pay attention to how we got here to make sure we

have a credible plan to get us out of this deficit.

I think it is very important that this country move toward a manageable debt. It is very important for our economy, and for job growth, that we manage our deficit and bring it down.

Let me give you what I think needs to be done in any plan that is presented to us for consideration. I hope we all agree that we need to raise the debt ceiling. That is after the fact. We have already spent the money. Now we have to pay the bill. We also would like to see a plan to bring our deficit under control. To do that, we have to have a credible plan, one that really does bring us within the realm of a manageable deficit.

Secondly, it has to be fair. I notice that my Republican friends ask our children to give up some of their help for a college education. They want to cut the Head Start Program, and they want seniors to pay more for health care. How about the well off? Should they not be part of the plan? I think we need to have a fair plan in order to accomplish our goal.

Third, we need to allow our Nation to move forward with economic growth. Jobs are critically important to deal with the deficit. As we create more jobs, we help our economy grow, it brings our budget into balance.

I am for a credible plan. To me, a credible plan needs to get the job done. Managing our deficit needs to be fair, including all elements of government spending, and it includes tax expenditures. It has to allow for economic growth. If we are going to get the job done, we have to bring down spending—we all acknowledge that—on the domestic side and the national security side. We can do better in bringing our troops home from Afghanistan and save military dollars.

There are things we can do, and we need to do that. But we also have to deal with the revenue side. Quite frankly, we can't get the job done without dealing with the tax loopholes and shelters that we have in the Tax Code. I am concerned that the Republican leader said we could not consider any revenue. Well, I have heard from a lot of my Republican colleagues who disagree with that. We need to include revenues in a credible plan or it can't get done. We cannot manage the deficit without closing those loopholes and eliminating those shelters.

Yesterday, I talked about one of those—the ethanol subsidy. We have nearly \$3 billion that we can save there. The ethanol subsidies are not needed. The market is there. More damaging, it is hurting our economy. I have the honor of representing the people of Maryland and the Delmarva Peninsula. The poultry industry is suffering because of the ethanol subsidies. It is costing more to produce poultry, making the industry less competitive.

We can save and create jobs by eliminating the ethanol subsidy, which will help us in balancing the budget.

Today, I want to talk about another tax shelter and loophole that we can deal with, and that is the section 199 manufacturing tax break used by the oil and gas industry. It is very interesting. We have seen gasoline prices rise, and we have seen the negative impact of that on our economy. But guess who is benefitting from the increase in the gasoline prices? You are right; it is the oil and gas industry. Their profits are up, while our economy has been suffering.

In the first 3 months of this year, the gas and oil industry, the five largest companies, had record profits of \$35.8 billion. Big Oil benefits from a variety of subsidies, including section 199, that amount to some \$4 billion annually. So we are subsidizing the Big Five, who are on course to make a projected \$140 billion profit in 2011, with \$4 billion in taxpayer contributions. It is not needed. These funds could be used to help reduce our deficit instead.

The worst part is that section 199 came about as a result of our Foreign Sales Act. What was that about? We wanted to put American manufacturers and producers on a level playing field for international competition. We tried to do that with a direct subsidy to help exporters, but the World Trade Organization held that to be illegal. So then we came back with this general manufacturers' credit, section 199, to try to help our exporters.

The gas and oil industry are not manufacturers exporting a product. They should never have qualified for this taxpayer-funded subsidy. I asked that question in the Senate Finance Committee when we had the Big Five oil companies' chief executive officers (CEOs) before us. Not one of the CEOs could justify the fairness of this subsidy going to the oil and gas industry. Their only answer was: Well, everyone else is getting it.

We need to reduce unnecessary government spending, whether it is on the appropriations side or the tax expenditure side. With regard to the oil and gas industry, repealing section 199 and the rest of the \$4 billion or so in subsidies these companies receive each year could help us balance the budget.

But the minority leader says we can't even consider that. He says we can't consider any of the revenues. To me, it is not a fair proposal, not a credible proposal, unless we tell the most wealthy and those companies that don't need the subsidies that they are going to be part of the plan to bring our budget into balance.

There are many more provisions in the Tax Code we can look at where we can get the savings. I have just mentioned two. If we are going to have a credible plan that will allow for economic growth and allow us to create

jobs—and the best way to deal with the deficit is to create more jobs—then we have to have a fair approach. So I urge my colleagues to get together on this.

Look, I understand it is not going to be the budget the Democrats want, but I will tell you this: it will not be the budget the House Republicans want either. We have to work together, Democrats and Republicans. I think we can find common ground. Earlier this year, I think 62 Senators signed a letter saying, let's use the framework of the debt commission. So I think there was that willingness. Let's get back to that.

Let's get the Democrats and Republicans working together in true compromise. We don't have to compromise our principles. We can get the job done, and that job means let's get our debt into a manageable state, let's do it in a way that is fair, so the well off also are part of a solution that includes revenues, and let's do it in a way that allows America to do what President Obama said we can do—out-educate, out-innovate, and out-build our competitors so we can create the jobs that won't just help us balance our budget but will keep America prosperous, too.

That is our charge. That is what we need to do. Let's get on with the work. With that, I yield floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, before I start my remarks, I would like to say that in about an hour we will start voting on the nomination of General Petraeus to lead the CIA, and I am going to enthusiastically support that nomination because I do think General Petraeus has shown the kind of military leadership that makes our country proud. He has come in at some of the hardest times in both Iraq and Afghanistan. I have met with him in Iraq to see exactly what he was doing, how he was implementing his counterinsurgency proposals, and I think he is a gifted leader.

I also believe in this war we are in—the war against terrorists—the CIA and the military have such a necessary link, and in many ways they are co-dependent on the information and the capabilities that each uniquely has. So I think he will do the same great job he has done in public service in this kind of arena that has become much more closely linked to the military, for sure. So I will support his nomination.

DEBT CEILING

Mr. President, today, so many people have been talking about this debt ceiling issue, which should be what we are talking about because we have perhaps only as long as 1 month—we are not exactly clear—when we will reach that over \$14 trillion debt ceiling. This is the most serious issue facing Congress and the President today, and we shouldn't be doing anything else except talking about how we are going to bridge this gap that would allow us to go forward with significant reforms.

I will not vote to raise the debt ceiling unless there are not significant reforms that assure we will not have to do it again; that we will begin to bring down the deficit that is causing this huge debt to accumulate. So I am looking for the leaders who are meeting in the different meetings—some I am privy to—to essentially come to an agreement so we can send that message.

People have talked about the message that would be sent to the world if the debt ceiling isn't lifted. I am concerned about the message that would be sent if we lift the debt ceiling without reforms. I wish to send the message to the global marketplace that we are going to deal with our financial situation, and we are going to deal with it responsibly; that we are going to cut the spending that has caused this debt to accumulate to such alarming levels. The message I wish to send to the world is, we are going to take this problem and we are going to solve it together; that we are not going to just do another pro forma lifting of the debt ceiling as if it were business as usual. Because business as usual it is not. We don't have a tax problem in this country, we have a spending problem, and we must attack it if we are going to have credibility.

That brings me to a bill I have introduced because I think it is important, as we are looking at this looming deadline, to have a plan B. If, in fact, we are not going to be able to come to an agreement—both Houses of Congress and the President—that would cut the spending levels sufficiently enough that many of us would be comfortable with in order to pass a bill raising the debt limit ceiling—if we don't meet that test—we should have a responsible plan B. This would be a plan that would say: If, in fact, we can't agree on what it will take to lift that debt ceiling, this is how we are going to treat the money that will be coming in. Because at that point our government will be limited in its expenditures by the revenue that is coming in.

We can allocate that revenue, and that is where I think we must have a plan B. We must make sure certain things are done. The No. 1 thing we all know that is going to be paid is the interest on the debt. That is our No. 1 responsibility because that will keep us from going into default, which none of us wants to do. The second thing is to pay our military—the people who are deployed overseas, in Iraq, Afghanistan, and the places that are supportive of those efforts. We must assure we are paying those people on time so their families, who are thousands of miles away in other parts of our country, will know they can pay their rent and are not going to go into extremist positions.

MILITARY PAY

I wish to talk about a bill I have introduced that has 80 cosponsors.

Mr. President, I ask unanimous consent to add Senator HELLER of Nevada to be a cosponsor of S. 724.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. I thank the Chair.

S. 724 is the Ensuring Pay for Our Military Act of 2011. There are 80 cosponsors of this legislation. It is very simple and straightforward. It ensures that in the event of a government shutdown, our Nation's men and women in uniform would continue to receive their military pay and allowances. That is what it does. This legislation will protect all Active-Duty men and women, including those in the Coast Guard and Reserve components.

I introduced this bill earlier this year because we were in the process of having a meltdown with our appropriations. We need to have a law that assures if there is a shutdown, whether it is on an appropriations issue or on a budget issue or on a debt ceiling issue, we know where the money will go—where the protections will be. I think our military should be front and center. I also think Social Security recipients should be front and center, but this bill is for the military because they are in harm's way as we speak in many places around the globe and we don't want to disrupt their families or have them worry for 1 minute about their families while they are doing their duty.

These military families have faced stress from repeated deployments since 9/11. The last thing they should worry about is not receiving their paycheck on time because Congress and the President have not been able to do the job they need to do.

Immediately after introducing this bill, I was contacted by a military spouse. Her husband was on his 10th deployment in support of operations in the Middle East. The spouse was at home raising their 1-year-old son. She was very concerned about whether she was going to be able to pay her bills. Multiply that story by many thousands and one can imagine the stress of these families across our Nation who have loved ones in harm's way. This should not be compounded by adding an unnecessary financial stress that is the fault of a Congress unable to pass an appropriations bill or a Congress and President unable to reach an agreement to cut our deficit so the debt ceiling will not have to be raised again.

At a time when our Nation has 100,000 troops in Afghanistan and 45,000 in Iraq, it would be unconscionable to ask our troops to serve on the front lines without ontime pay. From my home State of Texas, there are more than 28,000 soldiers, sailors, airmen, and marines currently deployed. This is second only to California in the highest number of deployed troops from one State.

I would like to especially recognize the soldiers from the 36th Infantry Division of the Texas National Guard. They are currently serving in the southern region of Iraq and are doing a great job. These brave Texans are working long hours in the extreme heat, facing a dangerous enemy. But the most remarkable aspect of their service is they all raised their hands to volunteer to do it. The very least we can do is pay them on time. It would be tremendously damaging for morale to tell our troops to go on long deployments, maybe multiple deployments, away from their families, and then not pay them at the normal time.

I know if there is one thing this Congress can agree on, it is our tremendous pride and support for the brave men and women in uniform. I think Congress has shown that time and time again. We all learned a lesson after what happened during the Vietnam war and after the Vietnam war, when the disagreement about the policies of the war were actually imputed to those who were following orders to implement that war. We will never let that happen again. It hasn't happened since, and it will not happen. There is not one Member of Congress who doesn't respect our military and the service they are giving—even if they disagree with the policies, which many often do. So I wasn't surprised when I introduced this bill to get 80 cosponsors immediately.

It is becoming clear that negotiations on a long-term deficit reduction plan may go down to the wire. The President said yesterday he will insist on tax increases to pay for a continued Federal spending spree. Republicans are clear: We must lower government spending to affordable levels, and there must be fundamental changes in how Washington spends the American taxpayer dollars. Now is the time for Congress to vote to assure that our troops will not miss a paycheck due to gridlock in Washington, not at midnight on August 2 or whenever we are adjourning, hopefully, for a recess so Members can get home and work in their districts.

If the Senate cancels its July 4 holiday recess—which is now on the books—it is time for us to spend that time on nothing else but this issue—long-term deficit reduction. We should start our work by making sure we have a plan B that our troops and their families will not be political pawns in the struggle between raising taxes and cutting spending. If we are here, it should be for one purpose and one purpose only; that is, debt reduction and the preparation for what happens if that deadline passes and there is not an agreement.

I can't think of a better way to say we are preparing for the worst while we are hoping for the best, and that is that we make sure certain essentials are done.

Obviously, interest on the debt is our first obligation. The second one is to pay our military personnel who are overseas, who are deployed, and to make sure they are not worrying about their families at home having the money to pay the mortgage and the bills that must be paid on top.

So I hope the Senate will take up this bill, and I am going to ask that we consider the Ensuring Pay for Our Military Act of 2011 is on the agenda if we are in session next week. That seems to be what is in the works right now. If that is the case, let's do something productive. I can't think of something more productive and more reassuring to our military than to pass S. 724, with 80 cosponsors. If it comes to the floor, it is going to pass. It will go to the House, and I assure you it will pass.

So let's start that process. If we are going to be here next week and a lot of plans are going to be disrupted, we are willing to do that. But let's make it worthwhile by passing significant legislation, such as ensuring that our military is paid on time if for any reason we are looking at a government shutdown.

Mr. President, I yield the floor.

THANKING SENATOR HUTCHISON

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, while the Senator from Texas is still on the floor, I just want to say how, personally, this Senator is going to miss her after the calendar year 2012, since she is retiring from the Senate. I say that with the utmost respect and affection for the Senator from Texas because what a great partner she has been in setting policy for this Nation's space program.

Had it not been for the Senator from Texas, we would not have that policy etched into law in the NASA bill that we passed last year and which now is the skeletal structure that we hang all the appropriations on going forward, giving a clear path, a clear direction, a clear roadmap for our Nation's space program. So I just wanted to thank the Senator from Texas in front of the Senate.

Mrs. HUTCHISON. Mr. President, I appreciate so much the words of the Senator from Florida because, of course, he is not mentioning the great leadership he has portrayed.

He is today the only Member of the Senate who has actually gone into space as an astronaut, and his love for and zeal for our space exploration is unsurpassed, and I appreciated working with him.

It was our joint bill that passed last year that assures a way forward for NASA; that assures that there will be manned space exploration; that we will use the space station, in which we have invested hundreds of millions of taxpayer dollars, for not only health bene-

fits for our country but also learning about dark energy. The dark energy and antimatter research that is being done right now, I witnessed myself last week when I visited the NASA facility at the Johnson Space Center in Houston, TX. We are now getting information on the cosmic rays that are coming into the spectrometer that has just been put on the space station by CDR Mark Kelly and his crew during the most recent shuttle mission, and we are going to possibly learn the genesis of the universe by this facility that was put aboard the space station and the research that is going to be done on dark matter and what happens when it meets matter. It is really exciting, and I believe that the way forward that Senator NELSON and I have put NASA on, I believe, is going to assure that we have private sector involvement; that there will eventually be a transition to the private sector, but in an orderly way so that we don't lose the expertise in which we have invested so much.

I hope later, before I leave, we will get a chance to talk about that. I am looking forward to going to the last launch of the space shuttle that America will put up. The systems that we have had will end after this last space launch that will happen in early July, and then we will be in the process of building the new vehicle which we have put in place in the law to begin to shorten the gap between the time that we can put Americans in space with our own vehicle. We are going to try to make that a shorter timeframe by the law that we passed.

So, Mr. President, I thank the Senator from Florida and look forward to having more opportunities to talk about the importance of space exploration and America's preeminence in that field.

I yield the floor.

Mr. NELSON of Florida. Mr. President, I want to thank the Senator again. We stood shoulder to shoulder and we were able to get these two additional flights, which the Senator from Texas just chronicled, that no sooner had Mark Kelly and his crew put the alpha magnetic spectrometer up on the space station that it started collecting these cosmic rays.

These are subatomic particles that are flying around in space that we try to duplicate down here on Earth by smacking atoms together in accelerators to understand subatomic particles, and we have them out there being collected right now on the space station in the AMS. It was on the station one day after they put it there. It is collecting this. It is going to help us learn all the way back to the origin of the universe.

Mrs. HUTCHISON. If the Senator would yield.

Mr. NELSON of Florida. Of course.

Mrs. HUTCHISON. When I was there last week, Dr. Samuel Ting, who is the

Nobel laureate from MIT who built the spectrometer and talked about and convinced us of the importance of putting it on the space station, he was there with Mark Kelly and myself, and he said they had 1 billion hits now of those cosmic rays and he was on a cloud, literally, about what they are learning already. Mark Kelly said, in a press conference that we had, that it was the most significant achievement that he has ever made in his entire career as an astronaut. I believe he will be proven right, and I think Dr. Samuel Ting will be eligible for another Nobel Prize in physics if we can really find the genesis of matter and antimatter in space, which he said we would; that you cannot duplicate on Earth except by trying to put these atom smashers and electron smashers on Earth but at much bigger expense than being able to do it in space where it just happens. Billions already, he said.

So thank you. I leave the floor. I know we digress, but it is very exciting.

Mr. NELSON of Florida. Well, Mr. President, as the Senator is leaving, I just want to say that she and I did have to stand shoulder to shoulder, and we had some fights. Of course, in the process we had some critics too. Now some of my critics wish that when I went into space it would have been a one-way ticket. But the fact is, it was a two-way, and we stood another day. The proof is in the pudding of what is happening up there.

I will have something later to say, Mr. President, about the winddown of the space shuttle program. But while the Senator from Texas was here, I just wanted her to know my profound gratitude for her collegiality, her friendship, her expertise, and working in the way this Senate ought to work, which is in a bipartisan way. I thank her profoundly for that example that she set for the Senate and for this country.

Mr. President, we are here about General Petraeus. I am a member of the Senate Intelligence Committee. I have had a chance to visit with him on a number of occasions in his capacity as general, as well as now the nominee, soon to be the new CIA Director.

I would simply say that I don't think for our national security's sake we could have two better nominees now: the former CIA Director, who has been confirmed by this Senate as the new Secretary of Defense, taking over from an extremely good and competent Secretary of Defense, Secretary Gates—and, of course, that is Leon Panetta—and then for his shoes, as the leader of the CIA, to be filled by General Petraeus. And what is happening today is illustrated by the modus operandi of the takedown of bin Laden. It is a marriage between the intelligence community and the military community.

Of course, the takedown of bin Laden was exactly that: painstaking years of

effort to get the intelligence, since bin Laden went dark after he slipped through our fingers in Tora Bora, and we knew he was communicating by a courier. So the question was, How did we find the courier? Once we identified who it was, where was he? Find him and follow him. That, of course, led us to the compound, and when married up with all of that intelligence on what was going on at that compound, then in came the U.S. military.

Although it was a CIA operation, as reported by the newspapers, led by Leon Panetta, in fact, it was a three-star admiral, a Navy SEAL, who conducted the actual raid from his headquarters. Of course, the SEALs took care of business and did it in such a proficient, effective, and magnificent way, and sequestered all of those women and children, save for the one woman, as reported in the newspaper, who got caught in the crossfire when the SEALs were fired at.

So it was an absolutely 100 percent operation, and it is illustrative of why this appointment of General Petraeus is so important and why the appointment of Leon Panetta as Secretary of Defense was so important. These two are going to be just like that, as we are protecting the national security for years to come.

That is what I want to say about General Petraeus.

Mr. President, I would like to speak on another subject—the budget—so I ask consent that I speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. NELSON of Florida. Mr. President, the negotiation over this deficit reduction and the debt ceiling package has hit the critical stage. It is beginning to come into the consciousness of the country and most of the people around here. Those people have in some cases wanted to push it off, in other cases have said: Oh, the debt ceiling? That is not such a big deal.

It is baffling that people would say that. The economic chaos that would reign in this country and the world financial markets if the Federal Government was not able to pay all of its bills would be catastrophic. How can any person in a responsible position say that?

But it is also baffling that there are so many people—and you know who they are—who have decided to draw a line in the sand on any deficit reduction and say: It is going to be my way or no way. That is part of the problem of what is going on in this country right now. This is a big, broad, diverse, complicated country. The very principle of a body such as this is that you respect the other fellow's point of view. When you have differences of opinion, you try, as the Good Book says, to say, "Come, let us reason together" and to

hammer out a workable solution. Yet you hear the rhetoric—it is going to be their way or no way, so no matter whether you talk about closing corporate tax loopholes—no. That has to do with tax revenue. It sure does, but certain people are not paying their taxes due to loopholes.

Two weeks ago, we acted on one of those tax loopholes overwhelmingly. This Senate voted to get rid of one of those tax loopholes. It was for corn ethanol, the big subsidy. It was multi-billions of dollars per year that was a tax credit—in other words, lost tax revenue. The Senate finally realized that was not worthwhile.

Why are we saying we should not put that in as a part of the package on deficit reduction? A dollar of deficit reduction is a dollar of deficit reduction regardless of where it comes from, whether it comes from actually whacking Federal spending or whether it is cutting some of the special tax breaks for some of this country's most profitable multinational corporations. The objective is to bring down the deficit.

What is a deficit? You have income coming in the form of tax revenue, you have outflow going out in the form of expenditures, and when the two are equal, that is a balanced budget. When I came into the Senate 11 years ago, we had 4 years of this. Tax revenue was above annual expenditures, and for 4 years, we had a surplus. But this is what has happened: The expenditures are up here and the tax revenue is down here.

If you are going to get the budget eventually in balance over the course of a decade, you have to do this. That doesn't mean just tax increases. It can be done by eliminating tax expenditures. Over the next 10 years, tax expenditures in the existing Tax Code are \$14 trillion. You don't have to get rid of all of them. Some of them we don't want to get rid of because they are good tax policy, they are good public policy. But you can sure get rid of some of them.

But we have the other side over there who will not even talk about some of these tax loopholes we ought to be cutting. They say that is increasing taxes. Now, the truth be known, it is because most of them, whether they like it or not, on that side of the aisle have taken a pledge to a fellow named Grover Norquist and said they will not vote for any new taxes, and it is being interpreted that tax expenditures—in other words, tax deductions, tax credits, or tax exclusions—that if you close those tax loopholes, that is going to be new taxes. Well, that is tax revenue that is not coming into the U.S. Treasury because some special interest is getting preferential treatment that we ought to question. A good example of this is what we just voted on in the removal of the tax subsidy for corn ethanol.

At the end of the day, for Americans, this debate is going to matter hugely. If we have to do something by just cutting expenditures and not remove the tax loopholes, then in order to address the deficit—remember, this is the deficit, this is expenditures, and this is tax revenue, and if we have to bring that into balance by only moving down the expenditures, we are going to have to take it out of the hide of retirees, out of the hide of hospitals, schools, what Senator HUTCHISON and I were just talking about, the space program, the coastal preservation programs, our national parks, and the Federal prisons. Are we going to put an end to the narrow tax breaks for the well-connected or are we just going to whack all of those programs?

The view of this Senator is that if you really want to get a package that is going to be serious and that is real money, that is not smoke and mirrors and budgetary sleight-of-hand, then you are going to have to get a package of about \$4 trillion in 10 years of deficit reduction.

There is no reason, if you are going to be serious about budget reduction, that special benefits for oil companies, for pharmaceutical companies, hedge funds, and other special interests should be a sacred cow and not to be touched. What message does it send to the everyday American about their government and whom that government represents if we just take it out of the hides of people such as those I just mentioned, like retirees?

Basically, I suggest you take a page from one of our illustrious former President, President Reagan. In 1984, the Federal Government was confronted by deficits as far as the eye could see. I was a young Congressman at the time. President Reagan understood that it was appropriate to close those tax loopholes as part of the deficit reduction process, and the Deficit Reduction Act of 1984 included more than 60 provisions aimed at shutting down tax shelters and ending abusive special interest tax breaks. That 1984 bill targeted foreign investors who sought to use the offshore havens to dodge U.S. taxes, and it targeted Wall Street's use of financial derivatives to evade U.S. income tax, and it included a provision targeting the windfall profits for oil companies.

That brings me to an example I want to discuss in some detail. For decades, oil companies have been enjoying the generous tax subsidies of the American taxpayer by using their ample resources to get tax benefits very generously given from the Federal Government. Oil and gas companies are experts at figuring out the narrow tax break, and it benefits their interest, and it does so particularly with regard to offshore drillers.

The largest of all the dedicated oil and gas tax breaks is the ability of the

oil companies to immediately expense intangible drilling costs. These costs include drilling and development work completed before a well begins production. Oil companies are able to deduct—in other words, to write off as an expense—those costs and do so immediately.

The tax break for intangible drilling expenses is going to cost the American taxpayer \$12.4 billion over the next decade if it is not repealed. The President has proposed its repeal. Several of us in the Senate have proposed the repeal and have filed a bill to do it. The repeal of this tax break on intangible costs for oil companies ought to be included in a deficit reduction package. Remember, it is a choice: Are we going to cut people like retirees and the space program and educational expenses and the environment and the Federal prisons or are we going to get tax revenue from special tax breaks like these?

For several years, oil companies working offshore have been devoting significant resources toward complex tax schemes to avoid paying taxes to Uncle Sam. Let's take a closer look.

Transocean, that is a name that ought to ring familiar. They were the ones, remember, who operated the defective blowout preventer, the one that did not work, that was supposed to jam the two cylinders together and cut off the oil flow when there was an explosion on the Deepwater Horizon oil rig.

Let's look at the record. In 1999, Transocean moved its place of incorporation from Delaware to the Cayman Islands. In 2008, it moved from the Cayman Islands to Switzerland. This tax-avoidance operation, referred to as "corporate inversion," had no real effect on where Transocean does business. Even after it moved to the Cayman Islands, it continued to be, in fact, managed and controlled from Houston, TX. It continues to have substantial drilling activities in American waters. And by changing its legal domicile from Delaware to a tax haven in the Caribbean, Transocean was able to cut its tax bill nearly in half. Martin Sullivan, a former economist at the Joint Commission on Taxation, estimates that Transocean's offshore tax scheme saved the company \$1.9 billion from 2002 to 2009. That is an example of one of these tax subsidies that ought to be eliminated. Congress shut down those corporate inversions in 2004 but only on a going-forward basis. Until Congress gets serious about taxing U.S.-managed companies that deceptively claim to be foreign corporations, Transocean and others will continue to benefit. Transocean is not alone. We know of at least five oil companies involved in offshore drilling that moved their legal domicile to a tax haven in the Caribbean in order to avoid paying U.S. income tax.

I will conclude by saying, unlike Transocean, BP has never been an

American corporation. But it has no problem in reaping the benefits of our porous Tax Code. We learned soon after the \$20 billion claims facility was announced that BP would be writing off the entire expense for tax purposes, writing off all of that expense for the oil that was spilled that hurt so many of our residents in Florida and all up and down the gulf coast. They are going to write that off as a tax deduction, and, therefore, pay less taxes. We estimate this will reduce the tax burden by nearly \$9 billion for BP. Several of us have introduced legislation to shut down this abusive tax break as well, and it is another that we ought to put in this deficit reduction package.

I conclude by saying these corporate tax loopholes for oil companies should be part of any deficit reduction package, and this Senator is going to continue to stand up and fight to ensure they are a part of that deficit reduction package.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. What is the pending business before the Senate?

The PRESIDING OFFICER. The Petraeus nomination. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. In a few minutes we will be casting, I am sure, a 100-0 vote to confirm General David Petraeus as the new Director of the Central Intelligence Agency, and obviously his nomination is supported by all Members of the Senate, and I am sure all Americans, especially those, such as the Senator from South Carolina and myself, who have had the great privilege and honor of knowing General Petraeus for many years and watching him lead the men and women serving in our military in a fashion that I have never seen surpassed. The Senator from South Carolina has had the unique privilege and responsibility to serve under General Petraeus in uniform, because, as most of our colleagues know, the Senator from South Carolina also serves as a colonel in the South Carolina National Guard and in the legal corps as a JAG officer.

The Senator from South Carolina has worked with General Petraeus both in Iraq and Afghanistan on many of the important issues concerning detainees as well as other issues. Before I ask the Senator from South Carolina for his comments, I wish to repeat what I said before. I don't believe that in my life, which has been blessed to know many outstanding military leaders of all branches of the service, I have ever quite encountered a military leader or civilian leader, for that matter, with

the combination of charisma and intellect General Petraeus possesses. The Senator from South Carolina, the Senator from Connecticut, Senator LIEBERMAN, and I had the unique opportunity, among many visits we made to Iraq and Afghanistan, one Fourth of July in 2007 to be present at a reenlistment ceremony that took place in the palace in Baghdad. There were a couple of thousand spectators and there were well over 200 young men and women who had agreed to reenlist, to continue to serve in Iraq when they could have fulfilled their commitment they made to serve in the military and gone home to their families and a grateful nation. Instead, they chose to reenlist, to stay, and continue the fight. Part of that ceremony was to administer the oath of citizenship to over 75 people who were not born in the United States of America, who were not citizens, who were green card holders, who were legally in the United States as green card holders but had joined the military in order to serve and to achieve an accelerated path to citizenship.

What struck me at that ceremony was that in the front row there were three empty seats with boots on them of individuals who were green card holders who were scheduled to take the oath of citizenship and who had been killed in the previous few days in action, serving their country in Iraq.

I was privileged to speak. The Senator from South Carolina spoke. The Senator from Connecticut spoke. But when General David Petraeus spoke to those assembled men and women who are serving their country, it was very obvious of the not only respect but admiration every one of those young Americans felt for the inspirational leadership General Petraeus had provided them. I might point out it was a time when most experts and many politicians and Members of this body predicted the surge would fail. Well, I think what they didn't take into account was the incredible leadership and implementation of a strategy that was embodied by GEN David Petraeus and the young men and women who are serving.

So I am confident as we continue the fight against al-Qaida and the radical Islamic extremists who want to attack and destroy our country, that now General Petraeus, soon to be Director of the CIA, will provide our Nation with the very best strategy, tactics, thought, and action to keep our Nation safe.

I don't very often come and talk about nominees and spend the Senate's time, but I know I express the appreciation and affection of all those men and women, both serving now and in the past, who had the great honor and privilege of serving under General Petraeus and to wish him a well done and smooth sailing and following winds as he assumes his new responsibilities

which will continue to keep America safe.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I think our American military will be studying the Petraeus tactics and strategy that he implemented in Iraq and Afghanistan for generations to come. In January of 2007 when the surge was announced, I had had the pleasure of being over in Iraq in April, but I remember a letter issued by General Petraeus to all those under his command and it was basically entitled "Hard is not Hopeless." He explained in great detail in the letter how we would move forward as a nation, that it would be difficult, it would be hard, but not hopeless. I have seen the inspiration he provides to our men and women in uniform, and I cannot tell you how much this country owes General Petraeus and his family. He has been deployed almost continuously since 2001, but what he was able to accomplish in Iraq with the help of those under his command, he will be the first to say, they deserve the credit.

And now Afghanistan. He came into Afghanistan under very difficult circumstances, losing a commander in the field. The progress in the last year has been stunning. The Taliban in the south has been knocked down hard. There is a 90,000 increase in the Afghan national security forces. We have a new training program to train Afghan security forces, and I think it will pay great dividends.

To the President, you have chosen wisely in picking David Petraeus to be the Director of the CIA.

I am confident Director Petraeus will do as good a job for the country as General Petraeus, and that is saying a lot. Following Leon Panetta, who did a great job, we are in good hands as a nation. I don't believe any single person understands the threats America faces better than General Petraeus. At the CIA he will have a chance to take the fight to the enemy in a different way. We will not have available forever 100,000 troops to be used in theaters of battle.

We are going to bring our troops home from Iraq and Afghanistan. I hope we do it smartly based on conditions. But this fight is morphing into other countries, Yemen, Somalia, the Horn of Africa, and the Nation is playing a more crucial role in our Nation's defense than at any time in the history of the CIA. We will be blessed to have David Petraeus to be Director of the CIA. He understands the threats. I think he will be able to marshal the resources of the CIA to keep the enemies on their heels and to reinforce to our allies that we are a reliable partner and to our enemies there is no place you can hide. There is no passage of time that will keep you safe from American justice.

I hope the Congress—I know Senator CHAMBLISS will, the Senate in par-

ticular—will listen to General Petraeus, who will soon be Director Petraeus, about how to make sure the CIA is equipped and funded to take on the enemy. In this war on terror, we are fighting an idea. There is no capital to conquer, there is no air force to down, there is no navy to sink. We are battling an idea. And the way we ultimately become safe is to empower those who have the will to fight the terrorists in their backyard to provide them with the capacity to let the terrorists organizations know we will follow you to the gates of hell, that we will never relent. The CIA and the brave men and women who serve in that organization are becoming the tip of the spear in this battle. What happened in Somalia yesterday, what is going to happen in the future in Yemen and Somalia is a direct result of good intelligence and national will.

To Senator MCCAIN and those who have gotten to know General Petraeus, I can assure you that President Obama chose wisely. This is the perfect job for David Petraeus to take up for the Nation. He has the understanding of the threats we face and the CIA is the platform we will be using against the enemy more effectively than any other platform I know.

With that, I look forward to casting my vote for Director of the CIA David Petraeus, and I hope everybody in this body will provide a vote of confidence to General Petraeus. He has earned this. America is in good hands with David Petraeus being the CIA Director.

I yield. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is on the Petraeus nomination.

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

I further announce that, if present and voting, the Senator from Vermont (Mr. LEAHY) and the Senator from New

Mexico (Mr. UDALL) would each vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—94

Akaka	Gillibrand	Murkowski
Alexander	Graham	Murray
Ayotte	Grassley	Nelson (NE)
Barrasso	Hagan	Nelson (FL)
Baucus	Harkin	Paul
Begich	Hatch	Portman
Bennet	Heller	Pryor
Bingaman	Hoeven	Reed
Blumenthal	Hutchison	Reid
Blunt	Inouye	Risch
Boozman	Isakson	Roberts
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kerry	Schumer
Carper	Kirk	Sessions
Casey	Klobuchar	Shaheen
Chambliss	Kohl	Shelby
Coats	Kyl	Snowe
Coburn	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Lee	Thune
Conrad	Levin	Toomey
Coons	Lieberman	Udall (CO)
Corker	Lugar	Vitter
Cornyn	Manchin	Warner
Crapo	McCain	Webb
DeMint	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Feinstein	Merkley	
Franken	Mikulski	

NOT VOTING—6

Boxer	Inhofe	Moran
Burr	Leahy	Udall (NM)

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SANDERS). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mrs. BOXER. Mr. President, I was absent for the rollcall vote on the nomination of GEN David Petraeus to be the Director of the Central Intelligence Agency. Had I been present, I would have voted "yea." •

• Mr. MORAN. Mr. President, today, I was unavoidably absent for vote No. 104. Had I been present, I would have voted "yea" on the nomination of GEN David H. Petraeus to be Director of the Central Intelligence Agency. •

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislation session.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the Finance Committee be authorized to meet today at 3 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I now ask unanimous consent that at 4 p.m. on Tuesday, July 5, the Senate proceed to the consideration of Calendar No. 88, S.J. Res 20, a joint resolution authorizing the limited use of the U.S. Armed Forces in support of the NATO mission in Libya.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Wisconsin. Mr. President, reserving the right to object, this is a very important issue. I understand a number of my colleagues have worked very hard to bring this issue to the floor.

But the fact is, it simply does not address the fact that we are bankrupting this Nation. I do object.

The PRESIDING OFFICER. Objection is heard.

ORDER OF BUSINESS

Mr. REID. Mr. President, I have conferred with my friend, the Republican leader. There will be no more votes today or tomorrow. Our first vote will be next Tuesday.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent to proceed to a period of morning business for debate only until 6 p.m. tonight, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

BIG OIL SUBSIDIES

Mr. MENENDEZ. Mr. President, I regret that our colleagues have objected to a consent request to go to some of the most critical issues the country is facing—to have the Finance Committee meet on trade agreements that could expand markets and ultimately create jobs in America, and that is what we need in America—to create jobs. On the question of whether there should be a limited use of force, the Congress, and particularly the Senate, should speak, and not being able to do that is pretty amazing to me. So I hear a lot about wanting to get the people's

work done, but then I hear objections to trying to move to get it done. It is pretty outrageous.

I came originally to the floor after this vote to thank President Obama for, yesterday, calling and echoing my call to end subsidies for Big Oil. It is a call that received a bipartisan vote in the Senate, a bipartisan majority vote in the Senate, but, of course, it did not pass because of our colleagues' insistence on a filibuster or a supermajority amount. But it is time that our friends on the other side of the aisle put the interests of taxpayers ahead of Big Oil and allow these wasteful subsidies to finally end.

As the President said, we have strategies to reduce the deficit, such as my legislation to cut oil subsidies, that are already introduced and ready to go. All we have to do is pass it. A vote to allow that to happen is a simple choice for everyone in this Chamber: Are you on the side of working-class families and seniors or are you on the side of Big Oil?

There are lots of ways to cut the deficit, but saving taxpayer subsidies for Big Oil while ending Medicare as we know it and cutting student loans is not, in my mind, a solution. It makes no sense to give a taxpayer-funded subsidy to the big five oil companies, which are earning \$12 billion in profits a month—they are going to earn about \$144 billion in profits this year alone—and say to families: Oh, no, you have to sacrifice even more.

Those on the other side of the aisle would tell a middle-class student whose family earns a median family income of about a little over \$50,000 that, no, you cannot go to college, you cannot get a Pell grant from the Federal Government, but ExxonMobil, a company that will earn \$42.6 billion in profits this year, needs government assistance. And they will continue to come to the floor and look Americans in the eye and say that somehow is commonsense deficit reduction. There simply is no commonsense explanation for balancing the budget on the backs of working families and letting multibillion-dollar oil companies keep billions in taxpayer dollars.

We have this debate about the deficit and how we deal with the debt ceiling, but we don't seem to want to have the shared sacrifice of having the special interests in this country, whether it is Big Oil or ethanol, which had a huge bipartisan vote here in the Senate—that they should not face any consequences but that, in fact, middle-class working families should.

We all know oil companies are among the largest, most profitable companies in the world, but it is hard to understand the scale of their wealth. This chart shows it clearly. This is the median income for families in this country, and this is Big Oil's profit.

Whose side are you on?

This is about closing loopholes and, given the current budget climate, you would think we would all be for closing those loopholes.

Let me give an example of what one of those loopholes is. Under the law as it exists today, we allow the big five oil companies to go to other countries in the world and say to them: You know, tax us in a way that we can ultimately reduce our obligations in the United States.

U.S. taxpayers are taxed on their income worldwide but are entitled to a dollar-for-dollar tax credit for any income they pay to a foreign government, which makes sense because we don't want to tax our companies twice. But U.S. oil and gas companies have very smart lawyers and accountants. They figured out that if they go to a foreign government, such as Indonesia, and say: Don't charge me a license fee or a royalty, which is what we do in the United States to permit these companies to explore on Federal lands and waters for oil and gas—no, they say to Indonesia and other countries: Charge me a tax. Why? Because then I can take all of that tax—which really is a license fee but is now paid as a tax—and I can deduct it back here in the United States. What does that mean? That means American taxpayers are subsidizing foreign oil production. That is not in the national interest of the United States, it is not in the interest of taxpayers in the United States, and it is not about shared sacrifice when we are talking about how to deal with the deficit and debt in this country. Just closing that loophole would mean \$6.5 trillion to the Treasury that could be applied directly to deficit reduction.

As a matter of fact, I am only talking about closing two loopholes for the big five oil companies, which are going to make \$144 billion in profit. Just closing those two loopholes would save the U.S. taxpayer \$21 billion over the next 10 years.

Now, some of my friends on the other side of the aisle say: Oh, if you do that to those poor oil companies, they are just going to raise the price of gasoline. That is simply not true. First of all, we are talking about \$21 billion over 10 years or roughly \$2 billion a year. So those poor oil companies, if they would only make \$142 billion in profits this year instead of \$144 billion in profits this year, would not have to raise gas prices. They are making \$142 billion a year, so they certainly don't need to raise gas prices. And we certainly don't need to incentivize their exploration because they are making record profits in this country and in the world. They don't need us to incentivize them when they are making \$144 billion in profits. So let's save the taxpayers that \$21 billion and put it directly to deficit reduction.

Only in Washington would my Republican friends suggest that stopping

those subsidies to Big Oil is somehow going to be a tax increase. Only in Washington could ending \$21 billion in subsidies to the big five oil companies—we are not even talking about the independents—that are going to make \$144 billion in profits this year—somehow be a tax increase. Yet we can take away Pell grants or cut seniors under Medicare or the poor under Medicaid, and that is OK. Well, something is wrong with that vision of America.

To back up my point that the argument is simply fallacious, you need to look no further than the definitive report by the CRS that explains that my proposal to end oil subsidies will not lower the production of oil and will not raise gasoline prices.

So, Mr. President, you drive up to the pump, you pay nearly \$4 a gallon already, which has a real impact on your family and on your income, and it has a real impact on your choices and has a real impact on food prices and has a real impact in so many areas, and yet we are still supposed to give the oil companies another \$21 billion in tax breaks from the American taxpayers.

It is time to stand for the people's interests, not the special interests. It is time to end these tax breaks. It is time to put it as a revenue source into our challenges in terms of meeting our debt and dealing with our deficit, and our proposal would do exactly that.

I don't know how you can look the American people in the eye and say: We are going to cut so many things that are going to affect your life, but on this issue we are going to keep Big Oil whole. We will not touch a penny from their pockets. That is fundamentally wrong, and the American people know it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues for up to 30 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Wisconsin. First of all, I am happy to hear that our Democratic colleagues agree to allow us to come back next week and not go on a recess. It is important that we start work on the single greatest issue, the single most important issue facing this Nation—our debt and deficit issue.

A couple of minutes ago, I objected to what the leadership wanted to move to, which was an important debate on Libya, but it is not addressing what we need to address. The fact is that in the Senate this year—we have been here 6 months, and we have not passed a budget. As a matter of fact, we have not passed a budget in the Senate for over 2 years. We have missed all of the budget deadlines. We should have passed a budget by April 15. Appropria-

tions bills should have been completed by June 10. We are simply not addressing the single greatest issue facing this country—that we are bankrupting America. Only six bills have been passed in the Senate that have actually become law. Three of those were cleaning up last year's business. They were continuing resolutions funding the government, when what should have happened a year ago is those bills should have already been passed. President Obama's budget that he sent over here in January was so unserious that actually it lost 0 to 97 in the Senate. Not a single Democratic Senator voted for that budget.

We have an awful lot of work to do. Our budget deficit this year—the highest estimate I have heard is about \$1.65 trillion. We have incurred over \$4 trillion in just the last 3 years. If anybody in America wants to understand why our economy is in a coma, it is exactly that. People look to Washington and they see how reckless and out of control our spending is.

As a former manufacturer, as somebody who made investments and created jobs, I realize that when the Federal Government is spending so much money that it doesn't have, eventually the Federal Government is going to take in the form of higher taxes, possibly in the form of higher inflation.

The other thing that is overhanging the economy that is preventing job creation is overregulation. I cannot tell you how many Wisconsin businesspeople come into our office and talk about that regulation or this regulation that one of the agencies is trying to impose on them.

One thing that is interesting about many of these regulations is they are not being implemented. Just like the health care law; over 3 million waivers have been granted. Why is that? I believe it is because this administration actually understands that if they implement the health care law and these regulations—they understand exactly the harmful effect that will have on our economy and on job creation.

The fact is, what this administration has done—they came into office with a tough situation, no doubt about it, but their actions—passing the health care law, the 1,600-page Dodd-Frank financial bill—have made job creation far harder. They have made the situation far worse.

I think Senator RAND PAUL has a few things to say.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I agree with Senator JOHNSON. I come to the floor in support of this movement, which is that we should be talking about what America says we should be talking about—the debt.

Yesterday, the President went on national television and chastised Congress. He said to Congress that Members of Congress need to cancel things.

Do you know what. I agree. I am here today, though, Mr. President. Where are you?

My understanding is that the President is campaigning and has a fundraiser in Philadelphia tonight. I don't believe he is here tackling the Nation's problems today. He could send us the Vice President, but I don't think he is here either. I think he is in Las Vegas campaigning tonight.

This is a two-way street. If he is going to go on television and chastise us for not doing work—we are saying we want to be working on the Nation's problems; we are here saying the Nation's debt is a problem; his administration has said the No. 1 national security threat we face is the debt—where is the President? Campaigning.

We are here, Mr. President. We will have an offer. We don't want to raise the debt ceiling. We don't want more debt. Do you know what. As Republicans, for the good of the country, we are willing to raise the debt but only—and I repeat “only”—if we have significant budgetary reform.

We have to balance the budget by law. Force Congress to do it by changing the Constitution. It is the only way it will ever change. There is a pathology here. The pathology is that we do not have a spine. We are spineless and cannot do what it takes to cut the spending, and we will only get there if we change the Constitution.

So, Mr. President, we are here. We are here, and we welcome you to come back to town in between fundraisers and talk about how we would fix this. But we would fix this by saying: Yes, we will raise the debt ceiling, contingent upon a balanced budget amendment to the Constitution. Seventy-five percent of the public is in favor of saying we have to balance our budget. Let's come back and discuss what the American people want.

I commend Senator JOHNSON for leading this fight, and I think this is just the beginning. But I don't plan on saying we should go to any other subject until we have addressed the debt ceiling.

Mr. JOHNSON of Wisconsin. I totally agree with my colleague from Kentucky, and I believe Senator RUBIO has a few words to add to that.

Mr. RUBIO. I thank Senator JOHNSON, and I too yesterday watched the President's lecture on television. I watched it again this morning just to make sure I was well informed before I came here.

My reaction is twofold. One, I am disappointed, and the other is I was alarmed. First, I am disappointed because America does not have a tradition of class warfare. It has never been a part of our Nation. In fact, one of the things that distinguishes us from the world is Americans have never believed that somehow we have to take money away from somebody else in order to be

better off. On the contrary, we have always looked to advance the cause of everyone in the belief we can all be prosperous and in the hopes of growing our economy that way. That is the American tradition, and that has served our Nation well.

Unfortunately, you wouldn't know that from the speech yesterday—the rhetoric that, quite frankly, was deeply disappointing. The idea that if we raise taxes, as the President said yesterday, on millionaires and billionaires, raise taxes on oil companies, raise taxes on owners of private jets, that will somehow make a difference in America's debt in terms of having a real impact, is not only misleading, it is, quite frankly, disappointing. It is class warfare and the kind of language you would expect from the leader of a Third World country, not the President of the United States.

I am also alarmed and worried about the speech because I think from it you can take only two things. Either the President doesn't truly understand the nature of the problem we face or he has decided this is a political issue and not a policy one. I say perhaps he doesn't understand the nature of the case because, for example, he mentioned the corporate jet tax six different times. Yet the impact that would have is so insignificant, the White House, to this moment, cannot give an estimate of what that means in terms of a dollar figure. Going further, by the way, it is important to note that exact tax provision was part of the President's now infamous stimulus plan that passed in February of 2009.

The bigger problem, though, is maybe the President fundamentally doesn't understand how jobs are created. Politicians don't create jobs. U.S. Senators don't create jobs. Senator JOHNSON pointed out that jobs are created by everyday people from all walks of life who start a business or expand an existing one. Our job in government is to make it easier for them to do that, not harder. Threatening to raise taxes, threatening to wage class warfare does not accomplish that purpose.

Here is what I would suggest to the President. I would suggest we have done this before as a people in America—things such as a simpler Tax Code; people around here are in favor of tax reform; simpler tax reform; a manageable and sane regulatory environment and, of course, a government that doesn't spend money it doesn't have. These things have worked before and they will work again, and I urge the President to lead us in that direction.

Mr. JOHNSON of Wisconsin. I thank the Senator from Florida for those comments, and I want to pick up on one point the Senator just made about class warfare.

Certainly, as a job creator myself of 31, 32 years, I know an awful lot about entrepreneurs, and I have to point out

how incredibly dispiriting it is to have leaders in Washington attack you day in and day out, demonize you, when all you are trying to do is make a good life for yourself, your family, and provide solid employment for other good Americans.

So, again, I need to point out class warfare does not work. It does nothing—it does nothing—to help improve our economy.

Senator LEE.

Mr. LEE. I thank the Senator from Wisconsin.

There is no issue that is more important or more pressing for the American people than this one right now, where we have reached a point where our debt-to-GDP ratio is about 95 percent. Our economy can't long endure that kind of borrowing. It has an effect that will result in an estimated loss of about 1 million jobs a year for each year we remain above the 90-percent, debt-to-GDP ratio. We simply can't endure that, and the American people can't endure that.

We need to increase revenues. The only way to increase revenues is to allow the economy to recover. That won't happen as long as we keep borrowing more and more money while doing nothing to control the underlying problem—the systemic problem that requires a structural reform.

The American people understandably, justifiably, and very correctly are demanding that before we raise the Nation's debt limit yet again, before we extend yet another credit card for the United States of America, we commit to some kinds of cuts. Future borrowing requires us to make future cuts. The problem with that is the moment that debt is actually used up, the moment it is incurred, the American people are under an obligation. But if we make a promise today that we are going to cut, let's say, \$2 trillion or \$3 trillion or \$4 trillion over the next 10 or 12 or 14 or 15 years, that is a promise we can't make. That is a promise we can't really commit to because this Congress, the one that sits right now, will not be the same Congress that convenes in January of 2013 or January of 2015 or in future years.

We have to make changes right now. The only way we can commit to future cuts, to future structural reforms—the only way we can bind future Congresses—is by amending the U.S. Constitution to change the way we spend money, to limit spending as a percentage of GDP, and to require a supermajority to spend more than we have or to raise taxes.

That is what we are demanding. We are willing to work and to come to the table on the debt limit, but we demand some kind of solution that will put us on course toward sanity. That is why we are here.

Mr. JOHNSON of Wisconsin. I thank the Senator.

Senator AYOTTE.

Ms. AYOTTE. I thank my colleagues. I think those who are watching this will see we are new Senators back here in the back corner of the Senate. As a new Member of this Chamber, I am deeply disappointed by the lack of work that we have been doing in the Senate. The majority leader has put us in a position where we haven't been focusing on the fiscal crisis that is facing our Nation right now, when we look at the fact it has been 792 days since we have had a budget.

I was so excited as a new member of the Budget Committee to roll up my sleeves and get together and put out a responsible blueprint for this country. Unfortunately, we were told by the majority leader that would be foolish—to put together a responsible blueprint for this country and to do the work of the Budget Committee.

One of the reasons I came to the Senate is I am tired of business as usual. I know my freshman colleagues back here share that. I am the mother of two children—I know the President mentioned his children yesterday—but if we care about our children and the future of this country, we owe it to our children to not continue to kick the can down the road. We should be in the Senate today and next week talking about how we are going to put together a blueprint that makes sure that we do not continue to borrow from countries such as China; that we do not continue to enslave our children with the debt this country is accumulating.

We know if we do not address this, the greatest country in the world will go bankrupt. I, for one, want to follow through on the American promise that we have always made to the next generation, which is that we will leave them with a better country. That is so threatened right now with what is happening in Washington.

I share with my colleague, Senator JOHNSON, the belief we should be addressing nothing next week but spending and debt. We have the debt ceiling vote coming up, so why aren't we rolling up our sleeves right now, working on a solution with real spending reforms and putting those handcuffs on Congress that we know we need, such as a balanced budget amendment, spending caps, and a budget for our country that reduces spending so we don't have to have this continuing resolution situation.

We do not have a tax problem in this country, we have a spending problem. We need to create a positive climate for our private sector and do the hard work in Washington—the same way our families do—and live within our means. So I think next week we should be doing the work that needs to be done.

Mr. President, you called on us yesterday to work. We are here working. The only financial and fiscal blueprint that you have offered—your budget for

2012—did not even get one vote from a member of your party in this Chamber. This budget blueprint would have added another \$14 trillion to our debt.

So I say to our President: We are willing to roll up our sleeves and get to work with you to avert this looming fiscal crisis, but where is your plan that will reduce spending and get us on a responsible fiscal path to preserving the greatest country in the world?

Mr. JOHNSON of Wisconsin. I thank Senator AYOTTE.

Senator VITTER.

Mr. VITTER. I thank Senator JOHNSON, and I am honored to join him and all our colleagues here to echo the same important message. Everyone knows—everyone paying attention across the country knows—our greatest challenge is out-of-control spending and debt. Everyone knows we face a mounting crisis and an important deadline in terms of the debt limit. So when are we going to face these crucial issues, the top challenges we face as a country? When are we going to face them squarely, directly, constructively on the floor of the Senate? It is just that simple. Let's get to the important matter at hand. Let's debate in a constructive way and let's vote on proposals to curb spending and debt.

Yesterday, we stood together, under Senator JOHNSON's leadership, and said just that. We said we are going to block any effort to go into a recess or a pro forma session next week—the July 4 recess. We have done that. We have successfully blocked that recess, and we did that because we need to roll up our sleeves. We need to go to work, not go on vacation, and deal with this crucial challenge of spending and debt.

Interestingly, President Obama, in many ways, said the same thing yesterday. He chastised Congress and said: You need to go to work, not go on vacation, and address this crucial issue. Well, great. We have succeeded in canceling that recess. That is a first important step. But why are we continuing to try to move to every other issue under the Sun except the biggest challenge our country faces? Why don't we face this issue, debate it in a constructive way?

Senator REID, why don't you put measures on the floor that directly address this issue?

With that in mind, those of us who joined together yesterday to block our July 4 recess have written Senator REID a letter today, and I think it summarizes our point and our position very clearly, so I will read it. It is not long.

Dear Leader Reid:

Yesterday we came together to make it clear that we believe the Senate should not go on vacation while our country goes bankrupt. We vowed to block any recess or pro forma session next week.

We're glad you have accepted that reality. But let's not be in session just to try to fool the American people into thinking the Senate is working on the Nation's fiscal crisis.

Let's actually begin a constructive debate on the biggest challenge our country faces—spending and debt.

With that goal, we write to ask a few simple fundamental questions: When will you put serious bills on the floor to directly address spending and debt?

The Budget Act of 1974 requires the Senate Budget Committee to mark up a budget by April 15th, and tomorrow will mark the 793rd day since the Democratic-led Senate has passed a budget and the 11th week since missing that deadline this year. When will the Budget Committee meet to mark up a budget proposal, and when will you put such a proposal on the floor?

The American people want us to enact meaningful, effective spending caps. When will you put a spending cap bill on the floor?

We clearly need the enforced discipline of a balanced budget constitutional amendment. This measure failed by a single vote last time it was debated on the floor of the Senate. When will you put a balanced budget amendment on the floor?

We await your response and your leadership.

So, again, Mr. President, to summarize, we banded together yesterday and said: As the country goes bankrupt, we shouldn't go on vacation. We are going to block any recess, any pro forma session next week. And we did. But we did it to turn to this challenge: to debate spending and debt in a constructive way, to have votes on that, not to continue to avoid the issue and turn to every other issue under the Sun.

So through the Chair, I would again ask Senator REID, why don't we turn to this most important challenge of our country. Please put serious bills on the Senate floor that directly address spending and debt. Let's get on with the people's work.

Mr. JOHNSON of Wisconsin. I thank Senator VITTER.

Senator SESSIONS.

Mr. SESSIONS. I thank Senator JOHNSON for his leadership on this issue.

As the ranking Republican on the Budget Committee, I share my colleagues' disappointment that we have not functioned. It is good to see Senator AYOTTE and Senator JOHNSON, who are members of that committee. We worked hard to get prepared some weeks ago on the assumption that the Senate would meet its statutorily required duty; that is, to produce a budget.

I am holding up title 2, section 632 of the United States Code, and it is the Budget Act. It requires that the Congress annually produce a budget. We have now gone 792 days without a budget.

The first line of the act is: On or before April 15 of each year, Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning October 1 for the next fiscal year.

We haven't done that. It also says we should meet by April 1.

Senator CONRAD, our Budget chairman, Democratic chairman and able,

experienced chairman, was prepared to go forward. It is pretty clear to me that the majority leader decided we shouldn't have a budget process.

Last year, the Budget Committee produced a budget out of committee, but the majority leader failed to bring it up for vote on the floor. As the leader, he has the power generally to control that fact and was able to do so. This year, he said it would be foolish to have a budget; and, basically, we would not even meet in committee to have a budget.

So we are facing the most serious systemic debt crisis in our Nation's history. The numbers are so serious and our path is so unacceptable that it is clearly the No. 1 issue of our time.

The Chairman of President Obama's debt commission gave a written statement to the Budget Committee that said this Nation has never faced a more predictable economic crisis. When asked, Erskine Bowles, President Clinton's Chief of Staff, said it could be 2 years, a little before, a little after.

What I am saying is, these individuals, particularly the ones who just finished a campaign, traveled all over their State, talked to hundreds of thousands, millions of people in their State, got a feel for it. They are bringing new vitality and new insight into what is happening, and what is happening is nothing. Six months have gone by, and we have not had any hearings, we have not had any votes on the floor. We haven't seen any legislation. So I think this is an unacceptable method. I think it undermines the classic constitutional duty of Congress to appropriate money and deal with taxes.

It is our responsibility. But have you observed mayors who say: I am not going to present a budget to city council. I am going to let them decide. Do you see Governors not presenting budgets to the State legislatures and then fight for what they believe in? Look what is happening with Governor Christie, Governor Cuomo in New York, Governor Brown in California, Governor Bentley in Alabama.

It helps to have that one single person elected to represent everybody, to provide some impetus, and it is astounding to me that we haven't seen that from the majority leader in the Senate or from the President. He submitted a budget but then backed away from it and it was voted down 97 to 0 on the floor just a few weeks ago, but it was never seriously considered.

So what are we looking to do? We are heading to a time where we may be asked in a few hours to vote on a monumental multitrillion-dollar deal to raise the debt limit of the United States. What will be in it? Will we be changing the trajectory of our Nation or will it be business as usual? We are not going to have time to review it. That should be on the floor now. People should be standing and casting

votes right now. How much do you want to increase taxes? Do you? Which ones? How much do you want to cut? Where?

Let's have the vote down here. That is what we should be doing. I think it will help the American people understand how serious our problem is, and what it will take to get out of it. It is much more serious and our problem is greater than most people realize.

I thank my colleagues for their good comments and the enthusiasm they have brought and the passion they have brought to this critical issue.

Mr. JOHNSON of Wisconsin. I thank Senator SESSIONS. I will point out that business as usual here in Washington is bankrupting America.

Senator VITTER.

Mr. VITTER. I thank Senator JOHNSON.

I am glad our Republican freshmen did not get the memo that they were supposed to be seen but not heard. It is exciting for this old dusty establishment when the people who just walked in the door are the ones who are leading it. So I thank all the freshmen who are sitting here.

Washington is addicted to spending, and the "addict in chief" is President Obama. He has promised many times to quit, to quit spending, to live within our means, but he keeps falling off the wagon. Now, for the fourth time since he has been President, he is asking Congress to refill the bottle so he can keep spending and keep borrowing and keep increasing America's debt.

Members of the Senate often brag about the fact that we have the power of the purse. Part of that power is to pass laws to limit how much the administration can borrow. It has been a tradition. But both parties over the years have consistently blown through that legal debt limit and increased it whenever we wanted another drink.

The debt limit is supposed to be a stop sign, to stop the administration from spending more than we can afford as a nation. Instead, they have turned it into a green light, where we can just speed through and continue to pour more and more debt onto our children.

But now we have gone from it being just a wink and a nod, where we brag about how much bacon we take home to we are at the point where we could seriously lose our Nation. I think Americans sense that everywhere.

Congressmen and politicians constantly exaggerate and cry wolf, but I think there is a sense all across America that goes beyond partisanship to real worry. That is what I hear everywhere I go.

People somehow intuitively know that if we have debt almost the size of our economy and projecting to even double that over the next 10 years, what they see on TV in Greece and around the world of countries literally coming unglued could very well happen

much quicker than we think in the United States.

We have over \$14 trillion in debt. We know the President is not serious about quitting this spending binge because the budget he sent us practically doubles that. As we have gone through these last few months of talking about raising the debt limit once again, we have not gotten one proposal from the President to deal with this issue. He has played dozens of rounds of golf and had many fundraisers around the country, but he has been AWOL on this issue.

So not only has he added over \$3 trillion of debt since he became President, he has been missing in action when it comes to actually dealing with it. His condescending speech yesterday that told Congress to solve the problem ignored the fact that he was elected as President to lead. Yet he is not even following when it comes to this issue.

We do have a spending addiction, and the only way we are going to stop it and keep our country from going over the cliff is if we have a constitutional requirement that we have to stop spending more than we are borrowing.

Outside Washington that doesn't sound as if it is an extraordinary thing to say. But here last week, one of the Democratic Senators called me extreme for suggesting we needed to balance our budget. American families have to do it, businesses have to do it, 49 States have to do it, and sometimes it is painful. But we don't have to do it here. The reason we have an unlimited government is that we have unlimited spending in Congress.

We are at a point where we have to make a decision. We have obligated ourselves to borrow more money. We don't have a good choice at this point. But if we are going to give the President more money to spend to meet obligations he has already made, we have to make sure this is the end of this spending addiction. The only way for that to happen is if we in Congress give the people of the United States, and the 50 States, the opportunity to decide for themselves if they want their Federal Government to have a balanced budget.

That is what our condition is. We will help the President deal with this debt ceiling, but he is going to have to agree with us, and so will the Democratic Party, that we are going to send to the States a balanced budget amendment that the States can ratify. Five years after they ratify it, this Federal Government must be in balance.

If we can't do that, if we can't make that commitment to the American people that we are going to stop this addiction, stop bankrupting our country, then we are going to have to go through the pain we have caused ourselves, along with this President, when we don't raise that debt limit.

We need the help of Americans today because the people in Congress do not

have the willpower to do what I just said. We need millions of Americans to call us and e-mail us and tell the President and tell Members of Congress that this debt limit should not be raised again, ever, unless we permanently solve this problem for the American people.

The PRESIDING OFFICER (Mr. BEGICH). The Senator has used the 30 minutes of the colloquy.

Mr. VITTER. I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Hearing no objection, 2 minutes is granted.

Mr. VITTER. This is very little to ask this Congress to do—to agree, within 6 or 8 years, to do the hard work to balance our budget in return for giving the President more authority to borrow more money.

We owe it to the American people to let them decide for themselves and let the States ratify it. This is a huge decision. All we are asking our Democratic colleagues to do is to let America decide if we should have a balanced budget. Let America decide if it is a radical, extreme idea that we live within our means and stop spending more than we are bringing in. I know how America is going to answer that question, and that is why I want to give them the chance to answer it.

Mr. President, you have the money you need to meet our obligations, but once and for all we need to mean what we say and stop spending this country into bankruptcy.

I thank the Chair. I yield.

Mr. JOHNSON of Wisconsin. I thank Senator VITTER for his leadership on this issue. It is the most important issue facing this Nation.

I wish to thank my colleagues for joining me and for the leadership they have shown as well.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I am pleased to be here today with the senior Senator from Colorado to talk about these important issues. The first thing I want to talk about is the debt ceiling itself. People at home are asking me constantly: MICHAEL, what in the world is going on back there? We are dealing with our budget at the local level, we are dealing with our budget at the State level, we are making choices that are not popular and are not easy to make but we are moving ahead and making decisions in our businesses and making decisions at home. We are moving ahead. What is wrong with Washington, DC?

Part of the problem in this place is that people are not just entitled, it seems, to their own opinions, they are also entitled to their own set of facts. I think when you are getting paid by the taxpayer you have an obligation to actually not play with your own set of facts but to come out here and say what the facts are.

What the facts are on the debt ceiling, the debt ceiling and the vote, is that this is not a case of deciding as you are sitting at the kitchen table and you are spending too much and so you are going to cut up your credit card. I would be for that. That is not what we are talking about here. This is about bills that have already been incurred by the United States. These are debts already owed by the United States. What this is about is not cutting up your credit card, it is about sitting at home and saying: You know what, I didn't budget very well last month, I didn't budget very well last year, so even though I watched cable happily all year long, I am not going to pay my cable bill this month. I am not going to do it. Even though I lived in this house all year, I am not going to make my mortgage payment this month. I am not going to do it.

That is not fiscally responsible for a family to do and it is not fiscally responsible for the Federal Government to do.

At home, if you do that what you discover is that your mortgage rate goes through the roof because the bank says to you: MICHAEL BENNET, you did not pay your mortgage last month and I am not going to lend you money on the same terms that I lent you money before because you are a lousy risk. That is exactly what this is about. It is not about new money. It is important for everybody to understand that because if we do not raise the debt limit and we say to the creditors of the United States you are not getting paid—not to mention our veterans and our seniors and the men and women who are fighting in Afghanistan—but to our bondholders, you are not going to get paid, they are going to raise our interest rates, and every percentage point increase in our interest rate is going to drive us 1.3 trillion more dollars into debt. There are people coming out here saying it is the fiscally responsible thing to do, not to raise the debt ceiling when, if we do not, we are going to have \$1.3 trillion more of debt to pay and the interest on that debt and nothing to show for it.

It is not surprising to me that, Washington being Washington, there are people who see this as an opportunity to create leverage over things, to have a negotiation about the direction of this country. I understand that. I believed for a very long time that we have to get hold of our deficit and our debt. We have a \$1.5 trillion deficit. We have almost \$15 trillion of debt on our balance sheet. I think we have a moral obligation not to constrain the choices of our kids and grandchildren.

I have 3 kids of my own who are 11, 10 and 6. One of them heard me say that during a townhall meeting and she followed me out to the sidewalk and she said: Daddy?

This is Caroline, the oldest, and I said: What?

She said: Just to be clear—

She was making fun of me because I use that expression sometimes.

She said: Just to be clear, I am not paying that back.

That is the right attitude for her to have. We need to be advocates for Caroline Bennet and all the kids living across this country, not just to be fiscally responsible, which we need to be, not just asking what we are going to cut, which we need to do, but also prioritizing what we are spending to make sure we are maintaining the American dream, to make sure we are honoring the legacy of our parents and grandparents and their parents and grandparents and honoring our national creed.

It is our job, not as Senators but as Americans, to provide more opportunity, not less, to the people who are coming after us, and the debt and deficit is a huge piece of that. But, you know what, it is not the only thing. I lie awake at night worrying about the fact that if you are poor in this country it is hard for you to get a decent education. If you are born into a ZIP Code that is defined by poverty in the United States, your chances of graduating with a college degree in the 21st century in the greatest country in the world are 9 in 100. That means 91 of you are consigned to a future where you cannot participate meaningfully in the democracy, you can't participate meaningfully in this economy. We need to deal with that.

The fact is we have an economy that is not generating jobs, where median family income for the first time in our history is falling, not rising. People are coming to my townhall meetings and saying: I have done everything I can do over the last decade, but I am earning less at the end than I was at the beginning. They are saying to me: MICHAEL, we sent our first kid to the fancy school, but we are not going to be able to send our second kid there, or we cannot send our kid to the best college they got into.

We need to be working on that.

We have an energy policy in this country right now—maybe it is better to say a lack of an energy policy in this country right now—that forces us to ship billions of dollars a week of our treasury to the Persian Gulf to buy oil. That doesn't make any sense.

I was on a call last week with farmers from my State, saying to me they are being driven out of business by the broken immigration policy we have.

I think the people at home are sick and tired of the screaming match. I think people at home are sick and tired of the partisanship. I believe that people do not think it is going to address these issues and I think they look at this deficit and debt situation and they say to themselves: This is such a reflection of incompetence that we are fearful to have a conversation about all

the other things we have to do for our kids and for our grandkids. Their standard of what they want us to do is extremely clear to me.

The senior Senator and I are from the most beautiful State in this country, but we are also proud of the fact that it is a third Democratic, a third Republican, and a third Independent. What I have taken out of the townhall meetings I have had is this: They want us to materially address this problem. They do not believe we are going to fix it all at once—unfortunately, they are right about that—but they want us to materially address it. They want to know we are all in it together, that everybody has some role to play in helping preserve choice and options for the next generation of Americans and to make sure business understands that we are going to make good on the accounts we have.

That is not Washington speak, though; that is Colorado speak. It is tougher around here. And they want it to be bipartisan because they do not believe in either party's go-it-alone approach on this question.

I would add a corollary to all of that, which is that the capital markets need to be assured that their paper is going to be worth what they paid for it.

We need a comprehensive approach. It is an approach that is going to require us to cut discretionary spending. It is an approach that is going to require us to reform our entitlement system. It is an approach that is going to require us to do real tax reform in this place. We are not great here at walking and chewing gum at the same time but that is what we need to start doing. These are comprehensive and complicated questions.

No one would rather vote on something than I would that did not raise any taxes, but the math doesn't work. It is clear at the end of the day for us to move ahead we are going to have to have an agreement that has all of those aspects in it: discretionary spending cuts, entitlement reform, tax reform.

That is why Senator JOHANNIS and I, a Republican here, circulated a letter to the President that had those three elements in it. Thirty-two Democrats and thirty-two Republicans signed the letter—the Presiding Officer of the Senate signed the letter—agreeing that all these elements were going to be part of a final product here.

What I want to do this afternoon is simply implore all of us to do our jobs, to get this behind us, to begin the building of America again in the 21st century, to make sure we are not the first generation of Americans to leave less opportunity to our kids and our grandkids. There is a lot more agreement behind closed doors in this place than there is out on the floor. We need to bring some of that agreement out here, because if we fail to reach some conclusion before this debt limit vote

and we unintentionally or intentionally end up in a place where we have turned our back on the debts we owe, we are not going to be able to solve this problem. The choices are going to make these look like easy choices.

We are going home for a few days this weekend, the senior Senator and I, to celebrate the Fourth of July, Independence Day, to spend some time with our families and friends and our neighbors. Then we are coming back next week. My hope is that everybody comes back—everybody, on both sides—with more of a seriousness of purpose than we have had, with an ability to see not just political benefit but the benefit to the country of coming to agreement.

If I can go home and say to people that we have reached a deal that meets the terms I mentioned earlier, my view is that will be perfectly fine in Democratic parts of the State and in Republican parts of the State. That is what we should strive to do.

I hope the American people will hold the people in this Chamber accountable in the way they hold people at the local level and the State level accountable. No mayor would ever say I am going to willingly or wantonly jeopardize the credit rating of my city—the Presiding Officer was a mayor—and live to fight another day, and we should not do that either.

I hope we move past the rhetoric of this debt ceiling discussion and actually get into a conversation that will solve the fundamental problems and challenges that are facing our country, because if we do not do that, we are not going to do the even more important work than that, which is to support the aspirations all of us have for this country and for our children in a world that is becoming more complex and uncertain every single day.

I thank the senior Senator from Colorado for his incredible leadership on these issues. I believe if we continue to try to reach out and continue to try to work together, ultimately we are going to find a path.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I want to acknowledge the leadership of my colleague from Colorado, particularly underlining the salient points he made during his remarks. I think most important to note about Colorado is it is a third Republican, a third Democratic, and a third Independent in our political and electoral makeup. I think it drives us to find bipartisan solutions and bipartisan ground. That is why we came to the floor this afternoon. It was in the hope that our colleagues from both sides of the aisle would join us in the discussion about how we move forward, not just on lifting the debt ceiling, for the reasons Senator BENNET outlined, but

for the reasons that we think are as follows:

We will lay a new foundation for our 21st century economy, we will send a message to the markets and the business community that we are serious about dealing with our annual deficits and our long-term debt. In effect, in doing such we will inject a healthy dose of confidence into our country, into our markets, and into our business community. Taking those steps will be a way of moving forward, as the Senator said.

I ask unanimous consent to enter into a colloquy with my colleague Senator BENNET.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. One of the things Senator UDALL said reminded me of a conversation I had a number of months ago with somebody who is in the capital markets and who watches everything going on down here pretty closely, but quizzically. He cannot figure out what in the world we are doing. I saw him, I think maybe it was in February, sometime in that timeframe. I asked him, as I always do: What are you doing? He is one of the smartest investors I know.

He said: I am buying gold.

I said: Why are you buying gold?

He said: I don't have any confidence that you guys are going to be able to work this out and get our deficit and debt under control.

First, think how unproductive that is. I am not telling anybody to buy or sell gold, but it doesn't create jobs in this economy. We want people investing in companies so they can grow and hire people and create jobs.

Anyway, I saw him again about 6 weeks ago. We started talking about the debt ceiling conversation.

He said: It is beyond the realm of my comprehension that you guys would fail to lift the debt ceiling.

Here is a guy cynical enough about the way this place works who is saying he is buying gold, but it is even beyond his comprehension that we could fail to lift the debt ceiling. The reason is, he actually understands what the facts are around this.

I think we will lift the debt ceiling. I certainly hope we will. But the more important point is what the Senator has been working on for all these many months, which is coming to a comprehensive plan that actually addresses the underlying problem of our debt and deficit.

I thank the Senator.

Mr. UDALL of Colorado. My colleague and I hosted the Colorado Capital Conference a few weeks ago. We had Coloradans from all sections of the State, all walks of life. We had the three main political points of view represented: Democrats, Independents, Republicans. They remarked to Senator BENNET and to me, as well as hearing

from a broad range of our colleagues who were gracious enough to take time to speak to our constituents and answer questions, that we all had identified the problem and we all had identified the solution, which was a comprehensive plan that we implemented together. We are here again on the floor this afternoon to call on all of our colleagues to join us in working together, finding that common ground, because there is a lot at stake but there is enormous opportunity. My colleague was a successful businessman in one of his previous lives, but he may want to comment on the capital conference as well.

Mr. BENNET. It is clear to me, if this decision were left up to 100 Coloradans, we would scratch our head and we would probably argue out some things. But I think it would probably take about a day for us to come to a set of solutions that would solve the problem or at least move us down the road, and we would feel pretty patriotic about what we had done; that we had done something useful for our kids at the end of this process, if we are able to deliver something like that. I think that is how we ought to feel. There are too many days around this place where I feel like we have lost sight of all that. In that conversation the Senator talked about—Al Simpson was such a big part of, Gary Hart was there, Alice Rivlin, and a number of people—it was abundantly clear, blindingly obvious to the people in that room that we couldn't approach this problem by drawing bright lines and saying: No, we cannot touch this or, no, we cannot touch that.

They knew everybody was going to have to give a little bit in order to make this work. Unfortunately, some of that line drawing is what we are seeing around here that we have to find a way to get past.

Mr. UDALL of Colorado. If the Senator would yield, I would comment on two elements my colleague just alluded to. Let's talk about Social Security. There are those in our party who have said keep your hands off Social Security. I know what a strong and important program Social Security has been. It has allowed me and my wife to raise our children. My parents were treated with dignity in their latter years. They also had the assurances of Medicare. If we think because Social Security on paper is solvent, we ought to think again because there is \$3 trillion owed to the Social Security trust fund by the Federal Government, and, yes, Social Security isn't responsible for that shortfall because we have taken those dollars and put them in the general fund, but that \$3 trillion is going to have to come from somewhere. There are some commonsense fixes we can put in place that will protect and serve and strengthen Social Security.

On the other hand, we hear in the Chamber tax revenues, I should say

more appropriately, are off the table. Every economist and every observer points out we cannot get there from here, there being a balanced Federal budget, without additional revenues. Why can't we start, as the Bowles-Simpson commission proposed, eliminating many of the subsidies and loopholes and special deals in our Tax Code that total something over \$1 trillion. That is a great place to start. If we follow that with tax reforms, lowering rates for corporations and businesses, that is an even bigger step we can take. There is a broad agreement in the Chamber—certainly in our conversations with people across the country who represent their States here—those are commonsense steps forward.

Mr. BENNET. I completely agree, and why wouldn't we want to look at our Tax Code and our regulatory code. I hear about that from the other side, and I share their view. I have been in government. Listen, I was a school superintendent for almost 4 years. If one thinks I don't understand what it is like to be on the receiving end of well-intentioned legislation from Washington, DC, that by the time it gets to a school or classroom, makes no sense at all, believe me, I lived it every single day. So why wouldn't we look at our Tax Code and our regulatory code and ask ourselves: Are these things more or less likely to drive innovation in the United States? Are these aspects more or less likely to grow our economy and to create jobs? It is clear we have the highest corporate tax rate in the world now. It used to be second, but Japan either changed theirs or is about to change theirs. That is sending a very uncompetitive message to the world.

On the other hand, we have so many loopholes, so many special interest loopholes that underlie the Tax Code, we are not actually getting the revenue we would be suggesting as high rates. So in a way, this isn't a partisan issue, but it is the worst of all possible worlds because we are sending out an anti-competitive message to the world that says we are closed for business, and we have a whole bunch of loopholes that may or may not—and I suspect in many cases do not—drive innovation in this country.

In fact, most of them are looking backward into the 20th century. They may have made sense in the middle of the 20th century, but they don't necessarily make sense to build new industries here, to develop things such as a new energy economy that is so important to our State which, by the way, would help lead us toward energy independence from the Persian Gulf. There is no reason to think all these things that have been written down are written in stone, and, frankly, our job is to make sure it is working better for people. So I think the debt and deficit commission made some excellent recommendations on that side.

The other side is on personal income tax. What they said there was, we can actually lower rates and raise more revenue. Why? Because there are so many deductions that are part of the code, and only 30 percent of the people in this country itemize, get the benefit of those deductions. We can imagine a world where everybody gets the benefit of a lower rate but we are able to have revenue to drive us forward. We can get there. The thing on the debt and deficit commission is, TOM COBURN, who is one of the most conservative Members of this body—I don't think he would mind my saying that—and DICK DURBIN, one of the most liberal Members of this body, both voted for that deficit and debt commission report. That is almost good enough for me.

Mr. UDALL of Colorado. I was proud of the Senate when five of the six Senators on the Commission voted for the Bowles-Simpson recommendations, not without some concerns, not without an interest in working to fill in and flesh out the plan, but five of the six Senators from across the political spectrum said this is a very good starting point.

Mr. BENNET. I see we are joined by Senator COONS from Delaware, and I am going to stop, but along that line, just to give people who are here in the Chamber or might be watching some optimism, just 2 weeks ago we took a vote on one subsidy, an ethanol subsidy, and I think it was Senator COBURN and Senator FEINSTEIN who put it on the floor, a Democrat and Republican, and it had like 73 votes. I get in trouble with my kids. It wasn't "like" 73 votes, it was 73 votes to end that subsidy.

By the way, there were around 40 Democrats and 30-some Republicans who supported that. We need more of that around here. I think it would—if we keep working at it and keep chipping away at it, in the end, we will be able to see common sense will prevail over politics.

Mr. UDALL of Colorado. Mr. President, Senator COONS would like to share his thoughts.

Mr. COONS. Mr. President, the two Senators from Colorado have inspired me to come to the floor and join them in a colloquy about the challenges facing our country. I say to the Senators from Colorado, I am pleased and impressed with their leadership and have greatly enjoyed serving with them to date.

I agree that the vote on one of our tax expenditures on the ethanol subsidy was an encouraging and inspiring moment because we saw both Democrats and Republicans from all over the country casting a vote to end a tax expenditure or subsidy that, many would argue, has outlived its usefulness in the current marketplace.

In my home State, we recently saw the bankruptcy of our second largest

poultry company, and they have communicated to me their grave concern about the ethanol subsidy. There are lots of folks on both sides of that particular debate. I think the larger point that is important for us to get to is certainty in the markets. I spent a number of years in the private sector in business before running for and being elected to office, and I know the mantra Senator BENNET is well familiar with, Senator UDALL is well familiar with, both parties are well familiar with, is certainty is what the markets look for. Certainty is also what our people look for. We have alarmed them, concerned them by not being able to reach a broad, bipartisan, responsible plan that lays out a framework for how it is we are going to address both the Nation's record deficits and record debt. Our debt today, as we know, is roughly \$14 trillion. Our deficit has hit an alltime record, and we are working on borrowed time. I have heard some suggest we need to better understand the situation we are in. The situation we are in, I believe, is that we are about to risk defaulting on America's mortgage. We have made commitments as a nation. We have expended ourselves at home and abroad in a lot of different ways, and I am worried we are on the verge of failing to meet our commitments. Just as America's households hesitate before ever defaulting on their mortgage, I think we, as a nation, as a people, have to hesitate, have to think deeply about the consequences of it.

I asked the folks who work with me on economic policy to quantify it. They looked at a number of different studies around the country and gave me chilling numbers. Should we fail to meet the August 2 deadline that Secretary Geithner has repeatedly, since January, in writing and testimony, suggested to us is the absolute last date by which we can reach a bipartisan compromise and a path forward, we will lose hundreds of thousands of jobs. One study said 640,000 jobs. The markets may lose as much as 10 percent of their value, which would mean a loss of almost \$1 trillion of market equity value. That means pension funds, personal savings, 401(k)s would take an enormous hit. The average homeowner would see an increase in costs, whether it is their credit cards or mortgages or car loans. It is easy to think this is an abstract argument. But in reality, I think the problem we are causing, the lack of confidence in the markets, could have a sudden, sharp, grinding effect on our economic world, and that is because investors act more like animals than they do like machines. When spooked, they act the way herds do and they run off in a certain direction. My concern is, as a country, we are so used to having a AAA bond rating, to being the world's reserve currency, to being the gold

standard in security. I am gravely concerned that intransigence, an unwillingness to come to a reasonable compromise is putting us at real risk of spooking the markets, of harming the average American homeowner, and putting our rating at risk as a country.

At the end of the day, so far in my short 6 months here, I have observed some things about how Washington works that worry me. If I could offer a metaphor, it seems to me there are a lot of sacred cows here. It seems to me the trillions of dollars we spend in our Tax Code through tax loopholes and special tax provisions and the trillions we spend through direct spending are broken up into these sacred cows, and I feel as if I have gone into dairy. I feel as if I am surrounded by a whole herd of sacred cows, and what we need is a deliberate and clear bipartisan effort to thin the herd, to make some tough choices.

As I know Senator BENNET said previously, I wish to commend the hard work of the Gang of 6, the so-called Gang of 6, the bipartisan group who came up with processes and a path forward. The Bowles-Simpson commission presented to those of us on the Budget Committee, presented to this body in writing, a proposal. There are paths forward. There are ways to make these tough choices. I hope before the time runs out, this body will embrace these proposals, make the tough choices and the sacrifices we need to come to the center and lay out a path. I, frankly, don't think we have until August 2. If we are going to put at risk the markets by injecting uncertainty, frankly, the timeline may be more like the middle of July. It is my hope the Senators from Colorado will be joined by Senators from both sides of this body and both sides of this Capitol in crafting a responsible bipartisan solution.

Mr. UDALL of Colorado. Mr. President, the Senator, in effect, is saying that rather than this being a problem, although it is, this is an enormous opportunity for the country to chart a new course. If we agree to do it first and foremost as Americans—

The PRESIDING OFFICER. The Senators have spoken collectively for 30 minutes.

Mr. UDALL of Colorado. We thank the Chair for that notification. We look forward to next week continuing this conversation.

I wish to thank my colleague for joining me and Senator BENNET in this discussion this afternoon.

Mr. COONS. Mr. President, I would like to express my gratitude to the Senators from Colorado to allow me to join them and look forward to continuing this conversation.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I have had the opportunity to listen to my colleagues from across the aisle and

while my purpose is to address another subject, I do want to respond to what we have just heard from three Democratic Senators and a number of Republicans regarding the need to address the serious issue of debt and deficit and how we are going to proceed before we run into a situation of national default with consequences we cannot begin to imagine. I think it is appropriate to say there is bipartisan support for serious debate and discussion. I was disappointed, obviously—in fact, I was more than disappointed. I was very frustrated yesterday with the President's press conference, the President essentially said the Congress is not doing its job and compared what was being done here to undisciplined children, who couldn't do their homework. He was targeting the opposition, which sounded like a lot of campaign rhetoric. This is very disappointing. At a time when we face a serious fiscal crisis, he shouldn't even be thinking about the election of 2012 and focusing on any campaign rhetoric—we ought to be thinking about and working to address the crisis before us that is going to have implications for every American now. If we don't come to an agreement on how to proceed before August 2, we are going to see how the financial markets react to what we have not been able to do. But to suggest we haven't been doing anything and that the Congress needs to take the lead, I think, goes even against the President's own thoughts when he was a Member of this body.

I wish to quote from a statement he made when President Obama was Senator Obama. That quote is as follows:

The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. . . . Increasing America's debt weakens us domestically and internationally. Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.

Yes, Americans do deserve better. But, obviously, that famous sign that used to be on the desk of Harry Truman when he was President, "The Buck Stops Here," has been taken off that Presidential desk and shifted over to the responsibility of the Congress. We do have a responsibility, but it is fair to say and accurate to say that without Presidential leadership, no matter what we do here will not become law. The President needs to be engaged in supporting what we do. Otherwise, it will not become law.

I think most of the American public thinks, based on the inferences made yesterday by the President in his press conference, Republicans are on one side, the Democrats are on the other side, and they don't see the problem the same way. I think what we just heard—eloquent speeches and important speeches from both Republicans

and just now Democrats—indicates there are adults here, not just children. We have been working hard ever since day one of this session to try to address the train wreck we see coming. First, it was estimated to come on May 16, and now August 2. We bought a little bit of time, I guess. But the clock is ticking and we see a train wreck coming and we are trying to do something about it.

There are serious people making serious efforts to have serious dialogue and debate as to how we best go forward in the interests of our country and not in the interests of the 2012 election; in the interests of our grandchildren and children, not in the interests of our political careers.

I came back to the Senate for one reason and one reason only, and that is that I was not going to stand idly by and watch our country sink deeper into debt. I was not going to watch my generation be the first generation to hand our children a country in worse shape than the one we inherited and a hole they could never dig out of. They will not be able to enjoy all the benefits my generation has had of peace and prosperity.

It is clear—and I am not here to go through all the statistics. I have made several speeches on this topic and we hear this on the floor every day. There are so many facts in support of the need to take serious action to address this serious problem. There is so much handwriting on the wall, and the wall is about to collapse. Economists from the conservative side to the liberal side and everybody in between—analysts, financial markets, and so forth—are taking action and saying we need to take action here. We see Democratic and Republican Governors across this country in various States taking action.

I am proud of what we have done in the State of Indiana in the last 6 years under the leadership of Governor Daniels. We have balanced our budget. We have dug out of a deep deficit left by his predecessor. We have a AAA credit rating. We have made some tough choices. We have had to cut and slash government jobs. There was a lot of bloat and a lot of excess there. We made tough choices, and we paid a financial price for it, but we are in better shape today than we have been in a long time as a result of taking these actions.

We see countries around the world having to belly up to the reality of the facts. They have overspent and have promised more than they can deliver. Yet the United States of America should be the leader of this effort in terms of getting its economy in shape. It is a place where the dollar was sound. It is the place to invest your money and know it was the safest place. All of that now has come into question.

I have been a part of these talks across the aisle. The two Senators from

Colorado who just spoke, the Senator from Delaware who just spoke, and others, are taking this seriously. They are not putting their political fortunes ahead of the necessity to deal with these issues. They are saying that what transcends politicians, what transcends reelection is the fact that we have a serious crisis that has to be dealt with now and tough choices have to be made. We are talking in earnest behind closed doors, working in open sessions and closed sessions, trying to fashion an appropriate response. But without the President's leadership, no matter what we do, no matter what package we put together, we cannot succeed.

So it appears the President has decided to engage in the politics of the 2012 elections, and it is very disappointing. I hope that is not the case. I hope this shift we have seen from needing to get involved to "what is wrong with you men and women?" is just a temporary lapse. When we get frustrated, it is easy to say childish things, and that is why I waited overnight so I wouldn't come down here to be characterized as someone who says childish things. The problems we face are too serious for us not to take seriously.

I too believe we can fashion a plan that is in the best interests of the American people and the future of America, but we can't do it by pointing fingers at each other. We can't do it without Presidential leadership. Right now, the one missing element is Presidential leadership. As has been said before, the President was invited to come and meet with us today and to talk to us about the seriousness of this issue. We are willing to demonstrate to him that our doors are open and we are willing to go there, but it takes a commitment on both sides in order to accomplish that. Instead, I guess a couple of fundraisers were scheduled—one in Philadelphia, one in Las Vegas—and, apparently, that takes precedence. So I think the President's words are pretty hollow.

IRAN

I came here to talk about another issue, and I wish to do that now. Our necessary focus on the economic situation and what we need to do and the impending debt crisis we are facing should take precedence, but we can't overlook the fact we have serious issues on an international level that will have an impact on our country in the future. Those of us here have a responsibility to deal with not only domestic issues but with international security and foreign policy issues. Tomorrow is the first anniversary of the Comprehensive Iran Sanctions Accountability and Divestment Act that was passed by an overwhelming majority—bipartisan majority—in the last Congress. In fact, the vote in the Senate was 99 to 0.

This act expanded sanctions on the Iranian regime as it continues its quest

for nuclear weapons capability. Clearly, more needs to be done. I am here to talk about it and the implications, but I needed to say something about what has happened in the previous 24 hours that has been so disconcerting to not only me but to the American people and both Republicans and Democrats who are trying to make a serious effort at solving the problems we face.

Put on the back burner because of all these discussions is this question about Iran and where it is going and what the consequences of the future with a nuclear-armed Iran would be. This month my colleagues and I, because we believe these sanctions have not yet accomplished the goal we have intended and that we need even tougher sanctions against Iran, have introduced a bill entitled "The Iran, North Korea, and Syria Sanctions Consolidations Act of 2011" that further tightens the noose on the Iranian regime. We need strong support from this body and collective efforts to prevent a nuclear Iran.

I will take a few minutes now to explain why I believe this work is of such dramatic and growing importance to our Nation.

The enormous changes being wrought by the Arab spring and the potential consequences—both positive and negative—of that movement have captured our attention. Those of us who care passionately about the future of the Middle East and understand the consequences to our national security as a consequence of that, whether it is economic security because of energy resources we get from the Middle East or whether it is diplomatic security or just national security in terms of conflict that potentially draws us into that effort, all of this is at stake. We are hoping, of course, that the democratic instincts of the Arab spring will develop, but we look at this with a mixture of both hope and concern.

The democratic impulse in the region has not yet brought meaningful change to the Iranian people who continue to suffer under an autocratic, savage, and ruthless regime. As that regime continues to crush every plea for greater democratic liberties, it also pursues its vision of nuclear weapons capability. Welcome signs of democratic progress elsewhere in the region must not deflect our attention from the growing danger in Iran.

Three American Presidents, including this current President, have declared that a nuclear weapons-capable Iran is unacceptable. To give meaning to that repeated commitment to do whatever is necessary to prevent Iran from gaining that dangerous capability remains an urgent and highly significant matter facing the United States and international security. The consequences of a nuclear weapons-capable Iran are not tolerable, not acceptable, and must motivate the most powerful

and effective efforts possible to prevent that from happening.

A nuclear-armed Iran would threaten the entire region and its enormous energy resources. It would motivate broad nuclear proliferation throughout the Middle East. It would further destabilize the region already in turmoil. It would encourage radicalism and terrorism, and it would threaten the destruction of the State of Israel.

This last danger alone—the potential destruction, the declared destruction of the nation of Israel—that alone potentially raises the danger to which Israel is the last resort, but almost certainly we have to respond to it to ensure its survival. That alone compels us to be clear-eyed and determined to find a solution before we have to face that potential decision.

I have been working in recent years with the Bipartisan Policy Center to press for a robust, comprehensive three-track effort to raise the stakes on the Iranian regime and to compel it to live up to its commitments and halt its weapons program. The first track we proposed was enhanced diplomatic efforts. People say, Why diplomatic efforts? That is just going nowhere.

We felt we needed to enhance those efforts to at least give that a chance, so that those who would say sanctions should not be imposed until we have tried diplomatic efforts—we said: OK, let's continue to give that a shot, but let's do that in parallel with some of these other approaches.

But this enhanced diplomatic effort, where we create and invigorate and motivate an international coalition devoted to the same objective to prevent Iran from gaining nuclear weapons, has been tried, and it has not succeeded.

Now, this effort does not mean simply repeated outreaches to the Iranian regime to engage them in dialog. The Obama administration came into office promising such discussions, but this has gone nowhere. International talks in Geneva last year accomplished nothing. Talks in Turkey earlier this year broke down in the afternoon of the very first day. Clearly, lack of any flexibility and goodwill on behalf of the Iranian regime has dissuaded any further attempt to renew dialog efforts. Dialog with the Iranians is in a deep freeze.

The PRESIDING OFFICER (Mr. WEBB). The Senator has used his 10 minutes.

Mr. COATS. Mr. President, I was not aware I had asked for 10 minutes.

The PRESIDING OFFICER. The order is for 10 minutes.

Mr. COATS. That is news to me.

I ask unanimous consent for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COATS. Mr. President, I will just try to see how I can wrap this up.

I might ask, Mr. President, is there an order in place that I am not aware of?

The PRESIDING OFFICER. The order is that the Senate is in morning business with 10 minutes to be consumed by each Senator.

Mr. COATS. All right. I apologize. I did not know that.

The PRESIDING OFFICER. Although consent has been given for larger blocks of time, and the Senator has just been given consent.

Mr. COATS. All right. Thank you, Mr. President.

The second track for solutions are sanctions. We currently have the Sanctions Act in place. We want to impose an additional sanctions track. That is why I have sponsored and cosponsored this new act. The impact of this, I think, could potentially be significant. But, so far, we have not seen success as a result of sanctions.

Since the international community first began to face this challenge—in the form of IAEA inspections and reports, various U.N. Security Council sanctions resolutions, and protracted negotiations to construct an effective coalition strong enough to have meaning—none of these actions have seriously thwarted the Iranian regime's nuclear ambitions.

That takes us to the third track of a comprehensive approach. Those of us in the Bipartisan Policy Center, working with experts on all sides of this issue, came to the conclusion that certain military options can be put in place that deserve serious and open discussion. Since diplomacy and sanctions have proven to be too weak, we need an extra kick to this process in order to achieve the desired result.

I am suggesting discussion and debate and dialogue. No one should suppose that including a military option in this package means anything other than preparing the ground for the logical, necessary access to measures of last resort, should they be needed.

Through the Bipartisan Policy Center, we participated in an exhaustive analysis of all the means and consequences of potential military action against Iran's nuclear weapons program. There were no war advocates in that room—none of us. Nevertheless, if it is true that a nuclear weapons-capable Iran is “unacceptable,” then our Nation and the international community as a whole must see with vivid clarity what measures remain, should the first two tracks fail.

The Iranian regime must be especially clear-eyed and nondelusional about those potential consequences should it not change its behavior. Indeed, to give the diplomatic and sanctions tracks the essential credibility they require, the military option must be entirely believable.

Military options themselves include a multipronged, comprehensive strat-

egy, not all of which are “kinetic” or mean an actual attack with our Armed Forces. Such a strategy would include constructing the alliances needed to station U.S. forces in position to confront Iran and then a series of steps designed to demonstrate to Iran that the United States and its coalition partners are capable of decisive military action, if necessary, to stop its nuclear program.

At the end of the day, we have to decide whether we will tolerate an Iran with nuclear weapons. If other States, including, importantly, China and Russia, become convinced of this core reality, they will make different calculations about their own self-interests in this matter. If they come to believe that we so desperately need them to accept modest sanctions on Iran, then they can compel us to take off the table the sanctions proposals with real teeth. We have become hostage to their views on this vital issue and also to their related economic interests.

So if these and other States come to realize that when we say “unacceptable,” we mean it, they will come to different conclusions about how their own interests can be best served.

In conclusion, a nuclear weapons-capable Iran that we believe can be contained is not one that we are therefore prepared to tolerate. If we think we can solve this problem through diplomatic efforts and sanctions, we have not been able to do so, and the likelihood of doing so diminishes as every day goes by. The nuclear clock keeps ticking in Iran. This is an illusion and one that makes our task much harder. If others, however—especially Iran, but also including our allies and other coalition partners—come to believe that we would consider tolerating a nuclear Iran because it can somehow be contained, then none of this will work. The result then will not be a contained and tolerated nuclear Iran; it will be the military action we all hope to avoid, whether it is ours or another's.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

THE BUDGET

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to lend my voice to the others who have been here—my colleagues—to talk about the need to come to the table and come up with an agreement around how we are going to deal with raising the debt limit by the August 2 deadline and include some sort of package to address our debt and our deficits.

I listened carefully to my colleague and friend from Indiana, and I think we agree on a lot of what he said. I certainly agree that both sides of the aisle have been working hard to look at ways we can address this issue. I agree we need Presidential leadership to address this challenge we are facing. That

is why I was so pleased to see the President come out yesterday and say, very strongly, that in order to address this, we are going to have to put revenues on the table, make sure they are in the mix, because we cannot get there without looking at revenues, with just looking at cuts to the budget.

So I think there is a lot of agreement. But every negotiation I have been part of means that every side has to give a little. So drawing a line in the sand and saying: We are not going to look at revenues at the same time we are looking at spending cuts is not the way for us to solve this challenge.

Now, we all know that negotiations are ongoing between the President and leadership in both the House and the Senate. They are looking at all kinds of measures to reduce the deficit and raise the legal debt limit. There is no doubt we have to address the long-term debt and deficits. I repeatedly called for a bipartisan package that includes reforms to everything that is deficit related. So that means domestic, defense, and mandatory spending, as well as looking at revenues. I support including deficit-reduction measures in the vote to raise the debt limit. I believe that reducing the deficit is important to strengthening the long-term health of our economy.

But that being said, failure to increase the debt limit would do exactly the opposite. It would devastate the economy. To be clear, raising the debt limit does not mean spending more. It means meeting our existing obligations—obligations made by both parties over many years. Failure to raise the debt limit means default. It means, for the first time in the history of the United States of America, we would not pay our creditors, and that disruption would cause the worldwide economy to have devastating consequences—consequences that would be incredibly expensive to American taxpayers.

I think Warren Buffett said it very well when he said: If Congress did that, it would be the “most asinine act ever.”

Fed Chairman Ben Bernanke said it would cause severe disruptions in the financial markets, it would slow our economic recovery, and make the deficit problem worse.

The U.S. Chamber of Commerce said it absolutely must be done, the debt limit must be raised.

Economist and former Reagan adviser Larry Kudlow said default would be “catastrophic.”

All these experts have pointed out that the disruption to world financial markets would plunge us into another financial crisis, and America would lose the trust of world investors, which would result in higher borrowing costs for the government, and that would ultimately be borne by taxpayers.

It would also mean higher interest rates for consumers, making it more

expensive to buy a house, pay for college, or even pay your credit card bill.

In a recent report, the nonpartisan Congressional Research Service estimated that if we do not raise the debt limit, the Federal Government would have to eliminate all spending on discretionary programs, cut nearly 70 percent of spending for programs such as Social Security and Medicare, or increase taxes by more than 60 percent. That is not just speculation. That is what will happen if we fail to raise the debt limit.

We should not be playing politics with this issue. We all have a stake in making sure this gets done. That is why it makes no sense to me that the leadership on the other side of the aisle is refusing to entertain any discussion about eliminating any tax loopholes.

I think it is important to highlight some of those tax loopholes, and there are two I want to talk about that have been mentioned on the floor in the last couple of days. I would think we could all agree that these are the kinds of tax loopholes we ought to be closing.

First, we have a special deduction for yacht owners. If the yacht is big enough, like the yacht shown in this picture I have in the Chamber—so if it has beds and a bathroom and a kitchen—then yacht owners can claim it as a second home, and they can get the same mortgage interest deduction on their taxes that we give to middle-class homeowners.

I think this is a clear abuse of the Tax Code. The mortgage deduction provision is meant to increase home ownership, not yacht ownership. There are as many as a half million yachts in the United States that qualify for this exemption, and the yacht industry actually includes this tax loophole in their marketing.

Now, the second loophole that, again, has been mentioned before on the Senate floor is a tax break for racehorse owners. The current Tax Code allows racehorse owners to depreciate the cost of their horses at an accelerated rate.

Yachts and racehorses, these are tax breaks that just do not make sense. We all know we are grappling with a truly historic long-term deficit. To continue to ignore the revenue side of that deficit is irresponsible. Our Tax Code is riddled with hundreds of arbitrary tax breaks just like the one for racehorses and the one for yachts. In fact, we give away more in tax breaks in a year than we take in through individual and corporate income taxes. These tax breaks are, too often, granted based on who has the most clout in Congress rather than based on what is best for the economy or what is fair for people in this country.

So the result is that some businesses are paying nearly the full corporate tax rate while others are paying almost nothing. We need a fairer system. We need a tax system that drives innova-

tion and keeps our economy competitive on the global stage.

Do we really want to continue supporting tax breaks for yachts and racehorses? If we want to eliminate waste in government, isn't this exactly the kind of spending we should be targeting?

Lastly, we must consider the price of refusing to deal with these tax breaks, of refusing to say we are going to look at these kinds of tax breaks because we know that meaningful deficit reform will mean trillions of dollars in changes. In avoiding revenues, Republicans have, instead, proposed steep cuts that are dangerous both to the health of the American people and to the strength of our economy.

Eliminating funding for basic women's health care, ending Medicare as we know it, dangerous cuts to nursing home care, slashing Pell grants that will help train the next generation of engineers, stopping the development of new energy technologies, and halting efforts to retool the economy to compete in the 21st century—these are the alternatives that Republicans are proposing to save tax breaks for yachts and racehorses.

We know we need to continue these kinds of basic services and investments in the economy. The President's bipartisan commission has said it, the business community has said it, and Americans know it. We also know that finding a compromise on the debt limit is critical if we want to avoid plunging our economy back into chaos. We know that many of these tax breaks just do not make sense.

So I urge my colleagues, let's look at the facts. Let's work together for what we all know needs to happen—reduce the deficit, raise the debt limit, and keep America working.

I ask unanimous consent that Senator JACK REED from Rhode Island be the next speaker on our side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. REED. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. We are in morning business. The Senator is recognized.

Mr. REED. Mr. President, the bills from a decade of ineffective tax cuts and unpaid wars and a recession fueled by lax regulation have come due. I did not support the policies that generated these bills, but pretending these bills do not have to be paid is not an option. Indeed, playing chicken, literally, with the full faith and credit of the U.S. Government is a recipe for disaster. If the U.S. defaults on its debt, every single expert tells us, it will have a huge and immediate impact on the lives of every American all across this country, from the poorest to the most well off. And particularly for those who are struggling, it will be devastating at a

time when they can least afford it. Not only could it cause a stoppage of Social Security and veterans' benefits checks, but, more systemically, it would undermine our Nation's opportunity to build a more lasting and more prosperous recovery.

We have seen some progress, but it is not enough. This step, if we default, would seriously undermine our ability to function as an economy and would seriously, perhaps decisively affect our ability to mount and continue to mount a reasonably recovery. We are still recovering from the worst depression since the 1930s. Much of it is based on the policies I mentioned previously: two unfunded wars, the expansion of an entitlement program that was unpaid for, deep tax cuts that were unpaid for—all of it put on the tab, and the tab is coming due. But now to suggest that we walk away from our obligation to provide at least the legal means to pay our debt is irresponsible.

My colleagues on the other side of the aisle like to talk about taking a scalpel to wasteful spending and about the primacy of severely curtailing investments in our society. They continue to talk about an economic philosophy that I think has been disproven by the last several years, particularly from 2000, when President Bush and the Republican Congress inherited a projected multitrillion-dollar surplus and turned it into a huge deficit under the premise that these types of cuts in taxes, these types of policies would stimulate jobs.

In fact, there has been talk that we are now focusing on cutting spending on Medicare and Medicaid, which is so central to all Americans. It is difficult also to imagine that they are asking for these cuts at a time when so many families throughout this country are struggling—struggling to stay in their homes, struggling simply to pay their bills each week, struggling to ensure their children can continue on with their education. All of this needs a government that supports these Americans, not reneging on commitments we have made, particularly commitments we have made financially to essentially pay for the obligations that have been run up, particularly beginning in 2000 and continuing through the Bush administration.

We all understand we have to reach a principled compromise, but in that compromise, as so many of my colleagues have suggested, an exclusive focus on cutting expenditures will not get us there, I think, simply based on the arithmetic, but more than that, it will impose huge burdens on families who are struggling, and it will continue to reward the most prosperous in this Nation. I do not think that is the right way to do it or the fair way to do it.

The priorities I have heard expressed on the other side are to continue to

talk about very deep tax cuts, at a time when we have the lowest revenues we have had in decades, and then talk about cutting expenditures—education, health care, and, indeed, under their proposed budget, Medicare and Medicaid, which is so central to so many people.

We know we have to focus on not just expenditures but also revenue, and we also have to begin the very difficult and arduous task of entitlement reform. We began that in the last Congress. In fact, I think it is ironic, as I recall the debate on the affordable care act, that most of the amendments my colleagues on the other side were offering were to send back to committee proposed changes in Medicare that would have reduced costs and, I would argue, would actually have improved quality. That was their focus. Now their focus has suddenly shifted to how we must cut Medicare and Medicaid.

What we have to do is provide the same kind of reasonable, balanced approach that took place in the 1990s. Again, without any Republican support in 1993 and 1994 but with a Democratic President and Democratic votes, we were able to begin to balance the budget. It was a multiyear process. It required difficult choices. But we have to continue to pursue that path of a balanced, reasonable response to this problem.

As I said before, one of the issues that is so central to this country is not directly related just to the issue of the deficit, it is also related to jobs. They are obviously closely interrelated. The more jobs we have, the more people who are participating in the economy, the better our fiscal position is in Washington.

Sadly, what we saw, particularly at the tail end of the Bush administration, was a collapse in our jobs market. The U.S. economy lost 8.7 million private sector jobs in 2008 and 2009. We experienced—under the Bush administration—principally—25 consecutive months of job losses. That, again, has contributed to these huge deficits. If people do not work, they do not contribute to the taxes. If people do not work, they are likely to get unemployment benefits. People who lose part of their wages may qualify for other programs.

Since the President has come to office, we have seen a rebound. We have not seen the full, robust recovery we need, but we have seen a rebound. We gained 2.081 million jobs, a little over 2 million jobs in 2010 and 2011. We have experienced 15 consecutive months of private sector job creation—not enough, but we have reversed the collapse and 25 months of job decline by creating jobs and continuing on a sustained basis as a result of difficult decisions that were made by President Obama and the Democratic Congress in the Recovery Act.

My home State of Rhode Island has been particularly hard hit by the policies we saw in the first part of this decade. We have the third highest unemployment rate at 10.9 percent. We have seen a significant foreclosure problem. We have seen very crippling impacts on the working families of Rhode Island.

Now we hear that the only solution we have and the best way to correct jobs is to continue to do what was done under the Bush administration: Let's just cut taxes, particularly for the wealthiest Americans. The evidence suggests that does not produce the kinds of jobs—not even the kinds of jobs we have seen in the last 15 months. The economy did not add a single new job during the 3 years under the Bush tax cuts. The economy had 132 million jobs in June 2001 when we passed—against my opposition—the Bush tax cuts. That was the month it was first signed into law. Three years later, in June 2004, there were just 131.4 million jobs. We actually lost some jobs.

If you take a step back and look at the course of the entire Bush Presidency, from January 2001 through January 2009, there was a decline in the number of private sector jobs of approximately 650,000. That is over the course of the whole administration. In fact, the only net job creation that occurred was in the public sector. Nearly 1.75 million government jobs were created over the course of the Bush Presidency.

Revenue as a percentage of our economy, as a percentage of GDP, was 14.9 percent in 2010. It is the lowest level since 1950 when it dropped to 14.4 percent. By comparison, government revenue was averaging about 18 percent over the previous 30 years. So you see, under the Bush policies, which essentially my colleagues want to emulate, reconstitute, no job growth and a significant decline in revenue.

At a time when revenue as a percentage of GDP is the lowest it has been in 60 years, now we are talking about further tax cuts in the Republican budget, but we are certainly talking—my colleagues are talking about maintaining the current taxes. Frankly, there are so many tax expenditures that my colleagues talked about that are not worthy of retention, that are loopholes that we can, in fact, eliminate, and we should. Some examples: tax break for people who breed alpacas; deductions for film and TV production; favorable tax depreciation for racehorse owners, horse breeders tax credit; an exemption for wooden practice arrows used by children; NASCAR motorsport racing facility tax credit; withholding tax breaks on horse and dog track winnings. The list can go on and on.

The PRESIDING OFFICER. The Senator has used his 10 minutes.

Mr. REED. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. I thank the Senator from Illinois for his deference.

We understand we have to make tough choices. They have to include expenditure cuts. We have already started with the continuing resolution of the last year where we reduced spending significantly. But we have to have revenue on the table. As Federal Reserve Chairman Bernanke said:

[. . .] a sharp fiscal consolidation focused on the very near term could be self-defeating if it were to undercut the still-fragile economy.

We need to create jobs. We need to balance deficit reduction with job creation. We need to put everything on the table, and we need to recognize that the consequences of default on our debt will be staggering, felt by every American. One figure that continues to be impressed upon me is the fact that for every 1 percent increase in the interest rate over the 10-year period, we increase our deficit by over \$1 trillion. I think the first response to a default would be a rise in the interest rates we have to pay for our debt.

I would urge progress on the efforts to have a comprehensive solution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. KIRK. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senator is in morning business. The Senator is recognized.

LINCOLN LEGACY INFRASTRUCTURE DEVELOPMENT ACT

Mr. KIRK. Mr. President, beyond the debt limit extension, which has rightly consumed the attention of this body, we face another challenge—the funding for our roads, airports, and railroads.

Our best estimate is that current needs would total \$225 billion annually, but revenue from the main source of funding for these programs, the gasoline tax, only totaled \$90 billion.

The law requires balance in the transportation trust fund. So how would we respond? There are basically three major options.

Option 1: Let funding fall. This would be a catastrophe, especially for the construction industry, where already in Illinois upwards of 30 percent of construction workers are without work.

Option 2: Increase the gas tax. But that is one of the most regressive taxes that hits the working poor harder than almost any other citizen in our country. The slowdown in our economy as a result of a gas tax increase would probably cause unemployment to go up and could jeopardize our extremely fragile recovery.

There is a third option, but before I describe that, let me ask a question.

Arguably, what is the third biggest thing that the Lincoln administration was known for? First would be the emancipation proclamation. Second would be the victory in the Civil War. What is No. 3? I argue that it was the 1862 Transcontinental Railway Act—an act that, in 1862, when the Lincoln administration was borrowing as much money as it could from as many creditors as possible to fund the expansion of the Union Army, with credit already stretching to the limit—and does this sound familiar—the Lincoln administration launched the largest infrastructure development program in the history of the United States. We built a 2,000-mile railroad in only 6 years, and created 7,000 American towns. We did it with only \$50 million in appropriations.

How did we fund the rest? The answer is that this was the ultimate public-private partnership. I am particularly worried that in this Congress—especially as it considers a transportation bill next year—we have forgotten our own economic legacy, especially from the time that we built one of the largest infrastructure development projects in history.

To recall, the Federal Government granted 20 square miles in alternating sections on either side of the railroad for every mile of track they laid for those railroads. The railroads were also granted timber, stone, and mineral rights on this land. In addition, for every mile of track they laid, the railroads were authorized to issue a set amount of bonds—loans they received—which interest payments were backed by the Federal Government. This guarantee allowed 30-year bonds to be issued at a low rate of 6 percent. This was one of the largest development projects in the history of the United States. That is why it is an example for how we respond to our transportation needs today.

When we look at our own economic legacy and look at the funding shortfall for new roads, airports, and rail, I think we should recover that legacy to respond to the challenge for next year. That is why I have introduced the Lincoln Legacy Infrastructure Development Act.

This legislation removes a number of Federal restrictions on public-private partnerships, providing States greater flexibility to generate transportation revenues and enhanced access to private capital for road, rail, aviation, transit, and port infrastructure. Under the Lincoln Legacy Infrastructure Development Act, we could mobilize over \$100 billion for new infrastructure investment.

Specifically, this legislation lifts caps on cost recovery programs for highways; it incentivizes partnerships in transit; it removes barriers to airport privatization; it increases resources for the Transportation Infrastructure Finance and Innovation Act,

sometimes called TIFIA; and it makes improvements to the Railroad Rehabilitation and Improvement Financing Program, which are backed by the U.S. High Speed Rail Association and the American High Speed Rail Association.

The legislation also stands on the premise that the taxpayer should be protected in these types of arrangements. Indiana showed us what a properly structured deal should look like. Governor Mitch Daniels reaped a windfall from the 2006 lease of the Indiana toll road that netted his State \$3.8 billion for new transportation upgrades. Most of the money has now been reinvested in highway projects throughout his State, but leaders shrewdly placed \$500 million in an interest-bearing account to fund future road projects. This is one of the many reasons why the Indiana economy has grown at twice the rate of the Illinois economy.

We have seen public-private partnerships take off not only in our own country, where they were invented, but in other countries, especially British Columbia and Australia, where they have authorized \$30 billion for transportation infrastructure—almost 20 percent of their total, using this innovative financing means.

In these times of deficit and debt, we could let America grind to a halt, we could raise taxes and sock it to the working poor, we could slow down our economy with a new government burden, or we could recall our own economic legacy, written by Abraham Lincoln's administration itself, to use public-private partnerships as a way of growing jobs and incomes in the United States, without increasing taxes.

I urge this body to review this legislation as we come up with a new transportation bill, and to see it as a way to improve jobs, income, and our infrastructure—which is so critical to the crossroads of the Nation, Illinois—and do it in a way that doesn't hurt our economy or the working poor.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

THE DEBT CEILING

Mr. LEVIN. Mr. President, we must raise the debt ceiling, period. This is not an opinion, it is a fact. The consequences of failing to act are simply too catastrophic to consider any other course. Negotiations are underway now to seek an agreement to raise the debt ceiling as part of a larger agreement on deficit reduction. But there is a major obstacle to agreement: a refusal on the part of the Republican leadership to compromise, a refusal to understand that sacrifice must be shared.

The sacrifice, they say, must come from middle America—those struggling to pay for a college education or for health care for their kids or for long-term care for their parents. The Republican leader demands that this sacrifice

be made by the middle class in order to protect the Bush tax cuts and other tax breaks for the wealthiest among us—despite the huge and growing gap in the distribution of income in our country between the wealthy and the middle class.

One example of the kind of tax breaks and tax loopholes that we Democrats seek to change is the unconscionable tax break given to hedge fund managers. Hedge fund managers generally make their money by charging their clients two fees. First, the manager receives a management fee, typically equal to 2 percent of the assets invested. Second, the manager typically receives 20 percent of the income from those investments above a certain level. This 20-percent share of the investment returns from hedge funds is known as “carried interest.” Under current law, most hedge fund managers claim that this carried interest qualifies as a long-term capital gain, currently subject to a maximum tax rate of 15 percent, rather than being taxed as ordinary income, currently subject to a maximum tax rate of 35 percent.

But a moment's analysis shows that this money is ordinary income by any fair definition and should be treated that way. The 20-percent fee is not capital gains, because it applies not to capital that the hedge fund manager has invested, but to the payment he receives for investing capital that other people provide. Pretending that the 20-percent fee is capital gains when, in fact, it is payment for a service is an “Alice in Wonderland” argument that elevates fiction over fact.

We Democrats seek to end this fiction. We are ready to call carried interest what it is—ordinary taxable income. Recognizing carried interest for what it is would increase tax fairness for working Americans who pay their fair share of taxes. They have the right to expect that the wealthy do the same. It would reduce the deficit—if we did this—by an estimated \$21 billion over the next 10 years.

Republicans seek to protect this loophole. They say the income of investment managers is at risk from year to year and, therefore, deserving of a lower tax rate. Well, ask the factory worker, who just saw his or her job move overseas; ask the store clerk, who saw his employer close because of the damage from the financial crisis; ask the part-time worker, whose hours and earnings go up and down from week to week—ask all of them just how much risk working Americans face right now.

Republicans say taxing this income as ordinary income would discourage investment in job creation, and that is absurd. The people who are actually risking their capital—investors in these funds—will continue to see their profits taxed at the lower capital gains

rate. The issue in this case is income that these managers receive for serving their clients. If you are a hedge fund manager, your job is to manage a hedge fund. The income you receive for that job is no different than the income a waitress receives for waiting tables, or a janitor receives for scrubbing floors. The idea that the income of millionaire fund managers should be taxed at a lower rate than that of their staff or other workers is an absurdity.

This nonsensical loophole is deeply unfair at a time when working families are struggling, while the wealthiest among us continue to prosper greatly. Recent decades have seen a massive and growing prosperity gap between ordinary Americans and the wealthy. How wide has that gap become? In 1980, the top 1 percent of American earners took home about 10 percent of our Nation's total income. A few decades later, that figure had increased to 24 percent of our Nation's total income. That is just the wealthiest 1 percent that now have over 20 percent of our total income. It is hard to argue that properly taxing their income will impose great hardship on investment fund managers, who have done awfully well in recent years.

How well have those investment fund managers done? According to a survey by a magazine covering the hedge fund industry, the top 25 hedge fund managers earned \$22.7 billion last year. The two managers who topped the list earned \$80 billion each—that is billion with a “B.” The typical American household earned perhaps \$60,000 or \$62,000 in 2008. Those hedge fund managers earned in about 4 minutes what it took a typical working family a year to earn. Yet they paid drastically lower rates on those massive incomes than the low-wage worker who cleaned their office. The Republicans would protect these unconscionable tax breaks while, at the same time, wanting to cut programs that provide an education for our kids and provide health care for our seniors.

It gets worse. Adding insult to injury, Republicans are protecting another tax loophole—one that many of these hedge fund managers, by the way, use to avoid taxes entirely. This loophole allows corporations and wealthy individuals to take income earned here in the United States and shift it to overseas tax havens, dodging U.S. taxes that they rightly owe.

I have long sought to end this abuse, because these offshore tax havens increase the tax burden on those who pay the taxes they owe. In the last Congress, I introduced the Stop Tax Haven Abuse Act, which would seek to recover tax revenue now lost to offshore tax dodging.

Ending this loophole is significant if we seek to properly tax the income of hedge fund managers. At one hearing of the Permanent Subcommittee on In-

vestigations, which I chair, three well-known hedge funds that claim to be based in the Cayman Islands admitted under questioning that they did not have a single employee in the Cayman Islands. Closing the offshore loophole would make our effort to equitably tax carried interest all the more effective, by shutting off a major avenue that hedge funds and other investment funds use to dodge taxes.

Democrats have rightly proposed addressing the carried interest loophole and offshore tax havens and other unfair tax loopholes as part of a balanced deficit reduction strategy. We believe it is grossly unfair to cut programs that help young Americans get a college education or help train working Americans for new jobs in order to protect tax loopholes that benefit the wealthiest Americans.

The Republican response? To walk out of negotiations and say they will not accept any deficit reduction package if it includes revenue measures.

Mr. President, what is the time situation?

The PRESIDING OFFICER (Mr. FRANKEN). The Senator has 30 seconds remaining.

Mr. LEVIN. If there is no other Senator waiting, I ask unanimous consent to be permitted to continue for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I thank the Presiding Officer.

What the Republicans have done is to walk out of negotiations and say they will not accept any deficit reduction package if it includes revenue measures. So let's call this what it is. If Republicans refuse to consider compromise solutions, they are threatening all of us, the whole country, with economic catastrophe in order to protect the sky-high income of millionaire hedge fund managers and offshore tax avoiders. Those are two of the loopholes—two of many loopholes—we have identified that should be closed that Republicans refuse to consider closing. So what they are doing—and we should make no mistake about this—is holding the well-being of all Americans hostage to the tax breaks of a wealthy few.

We all agree we must act to reduce the deficit. We have acknowledged, as Democrats, the need for spending cuts, even painful cuts to programs we support. That is why I am so troubled by the utter refusal of the Republicans to consider even modest compromises in the direction of new revenue.

There is an overwhelming consensus among budget experts that we cannot achieve serious deficit reduction with spending cuts alone. There is an overwhelming consensus among economists that drastic cuts in Federal outlays will threaten our economic recovery—just as such cuts have throttled recovery in other nations. And despite the

fantasies of some in Congress, it is abundantly clear a failure to raise the debt ceiling would do incalculable harm to the recovery and to our standing in the world. Drawing lines in the sand, as the Republicans have done, and refusing to compromise by walking out, has no place in the situation we face.

I urge the Republican leadership to abandon their uncompromising positions, to embrace solutions to the deficit and recognize that we all must sacrifice to address the deficit problem. The well-being of all of us, of all Americans, should not be held captive in the service of the most fortunate few.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, if people have been following the debate on the Senate floor this afternoon, they understand it is focused almost exclusively on the Federal budget deficit and what we are going to do about it. It is a legitimate and timely question, because we are now in negotiations at the highest levels—between the President and the leaders in the House and Senate—to try to find some way through our impasse.

The challenge is to find a way to reduce America's deficit and, at the end of the day, to extend our debt ceiling. The debt ceiling has a deadline of August 2. We have never in our history failed to extend our debt ceiling. To fail to do so would be the equivalent of defaulting on a mortgage payment. And, of course, we all know the consequences to any homeowner or family if that occurs. You understand your credit rating is not going to be the best after you have defaulted. The same thing would be true with America. You also may find the next time you need a mortgage that particular bank may not want to lend to you again. The same thing is true with America. It has a negative impact on your lifestyle. All of a sudden you are in a suspect class and it isn't as easy to borrow money to buy a car or to make some other purchase.

That is the risk we are running at the highest possible level when it comes to this debt ceiling vote on August 2. We have never—underline the word never—defaulted on a debt ceiling extension in the history of the United States of America. That is the reason why the securities and bonds and stocks that are sold in this country enjoy a financial reputation better than most of the world. The United States is powerful, big, and trust-

worthy. We are going to lose that last word—trustworthy—if we default on the debt ceiling. That is what we face on August 2.

There is a group in town here called the Bipartisan Policy Center, and they have kind of spelled out in specific terms what it would mean if we end up in default, and it is pretty grim. I have some charts here that talk about what we would face if we defaulted on the debt ceiling extension on August 2.

The revenues for the month of August if we default will be \$12 billion in the United States, and the bills due on August 3 will be \$32 billion. The first day we will be \$20 billion in the red, which means choices will have to be made if we fail to extend the debt ceiling. And they are hard choices. Let's take a look at some of those choices we would have to face if we didn't have enough money to pay our bills.

Which of these don't get paid if Congress doesn't raise the debt ceiling? Social Security? Medicare/Medicaid? Veterans' benefits? Those firms that are supporting our war in Iraq and Afghanistan? IRS refunds to individuals and businesses? All of these would have to be brought into question, because we cannot pay them all if we fail to extend the debt ceiling.

This bipartisan policy center said, Let's consider one of the options. Let's protect the biggest programs. Let's pay interest on America's debt so we don't have any further default. Let's of course pay Social Security; elderly folks, many of them, have no other source of income. We had better pay Medicare and Medicaid, because hospitals and doctors across America are taking care of sick people who are elderly and poor. We had better pay those defense firms, because if they withdraw their services it can endanger our troops. And we had better pay unemployment compensation, because for these families there is no other source of income. So if we pay those, the ones I just listed, we would be unable to pay the salaries of those in active military service. We would be unable to pay veterans' benefits. We would be unable to keep the courts open or pay the FBI. We couldn't provide the money for education—that would be Pell grants, college student loans—and virtually everything else in government. What would everything else include? Air traffic controllers, the guards at Federal prisons.

If you think what I am describing here is just a scare tactic, it is not. It is the reality of what happens when you default, and it is a reality that is being ignored by many on the other side of the aisle.

In fact, a fringe publication called the Washington Examiner, which is a very conservative Republican publication, today said: Don't worry about it. Default on the debt ceiling. We can figure out a way through this.

Well, I am sorry, but the reality of the choices facing us is that if we choose not to extend the debt ceiling, then we are going to have nothing but terrible choices.

Here is another scenario, if you thought the first one was stark. Let's assume that we want to protect the most vulnerable in America where, in the month of August, we have \$170 billion in income and \$300 billion in bills. So we pay interest on the debt, Social Security, Medicare/Medicaid, veterans, food stamps, housing for people who are poor, unemployment benefits, and education for the kids. Unpaid would be the defense firms again, those men and women serving in our military, even those in combat, the FBI, the courts, and everything else in government. The options are grim and real.

I have heard my colleagues on the Republican side come to the floor today, and they are upset. They are upset at a speech given by the President yesterday. Well, the President understands the gravity of the decision that is before us. The President has urged Members of Congress to get busy and help to solve the problem. I think he has a right to be upset, to some extent, and impatient.

It was 2 weeks ago that we had a negotiation underway with Vice President BIDEN, a bipartisan negotiation, Democrats and Republicans from the House and Senate. It fell apart when Congressman CANTOR, ERIC CANTOR, the House Republican leader, walked out and announced publicly, I am no longer part of this conversation. I think we have to stop this negotiation, this bipartisan negotiation. I am handing it over to the Speaker of the House JOHN BOEHNER. He can talk to the President.

That, to me, was the height of irresponsibility. If you are given a responsibility to sit in those sessions to try to spare the United States from this terrible outcome, picking up your marbles and going home is not a good option, even if you hand it over to your boss, the Speaker of the House. What it did was to break down those bipartisan negotiations. What we thought might lead to a solution has fallen apart when the House Republican leader walked out. Now the President is trying to pick up the pieces and put it back together and move us toward a solution, and if he was impatient about it yesterday, he has a right to be.

One of the very serious problems we face is if we want to deal with this deficit in real terms, make a real impact on it, we have got to have more bipartisan cooperation. That is a cliché around here, but it is a fact.

I was on the President's Deficit Commission, the Bowles-Simpson Commission. I sat there for almost 10 months, and I listened to everything. I tried to learn as best I could what we were facing, and at the end of the day I voted

for the Commission report. Eleven out of 18 of us did, a bipartisan report. It was tough and it wasn't easy, and there were parts of it that I hated as a Democrat. Yet I knew that if we were going to solve this problem, there was no other way to do it. We had to say to those on the Republican side of the aisle, you have to step up with us and find ways to bring revenue to our government.

Today we are bringing in 14 percent of our gross domestic product in Federal revenue, Federal tax receipts. Gross domestic product is the sum total of our economy, all the production of goods and services; 14 percent of it comes in in Federal revenue, 24 percent goes out in Federal payments, spending. That 10-percent difference equals the annual deficit.

Ten years ago, we were in balance. When President William Jefferson Clinton left office, the Federal budget was balanced, 10 years ago. At that moment in time, the net national debt of the United States of America, from George Washington through William Jefferson Clinton's 8 years, was \$5 trillion.

Eight years later, when President George W. Bush left office, the national debt had grown from \$5 trillion to \$11 trillion, more than doubled in an 8-year period of time. You ask yourself, how could that happen in 8 years that we would fall so deeply into debt? There are three basic reasons it happened:

We fought two wars and we didn't pay for them. So the expense of those wars was added directly to our national debt. The President's economic theory was: The best way to move the economy was for us to give tax breaks to the wealthiest people in America, and he did it in the midst of a war, something no President had ever done, which directly added to the debt, and he signed into law programs that weren't paid for, expensive programs. So we ended up with an \$11 trillion debt facing the new President, then President Obama, being sworn in and a failed economic policy with hundreds of thousands of Americans out of work and losing jobs by the day. That is what the President inherited.

He has tried to right the ship and move us forward, and it has been hard and it has been slow and it has been frustrating. I think he has done his best, and I think he has done a good job at it.

First, he put in a stimulus package of about \$800 billion. As the Presiding Officer here knows, 40 percent of that was tax cuts, tax cuts to the families across America to help them out of the recession. Another 25 percent of it went to building roads and bridges and highways and high-speed rail, infrastructure that will serve America for generations. The remainder of that went into helping State and local governments get through difficult times. We sent extra money to States because we

knew a lot of people were out of work. They would need unemployment checks, they would need help to pay their hospital bills. We put that money into a stimulus package to stop what was a hemorrhaging in this economy, and I think it worked to slow down the decline. It did not turn it around as quickly as we liked.

Then last December the President said, on a bipartisan basis I will agree with the Republicans to extend all tax cuts for everybody, highest income to lowest income, and extend unemployment benefit payments. We passed that as well.

The President has tried, and we are coming forward out of the recession ever so slowly. Now we run the very risk of not extending the debt ceiling and plunging ourselves back into a recession even worse than where we started. So is the President impatient? You bet he is. Impatient to the point where he invited Congress to maybe come to work next week.

Many of us had felt we could spend a few days back home. I was going to spend the time after the 4th of July traveling around my State. It is a big State; but I guess it is clear now that my job is to be here, and I will be, along with other Members.

The House will be in session. We are in a strange period of time here where the House of Representatives comes and goes even when the Senate is in session, so we kind of see each other in passing. Well, we will both be together next week, and I hope we will stay here and get this job done. The House is scheduled to go into another recess July 17 to 23, and I certainly hope they don't do that. They had better stay in town. Let's get this done before August 2.

We have a serious problem facing us with job creation in this country. There is no question about it. I think we can move forward as long as we understand some basics.

The key to creating jobs in America is an expanding positive economy. It is a feeling by people in this country and around the world that we are moving forward. And, sadly, people are not going to get that feeling unless we get our act together in Washington. It means Democrats and Republicans working together.

I have tried for about 5 or 6 months now with a bipartisan group of Senators to come up with a way to do this; and, unfortunately, one of the Republican Senators from Oklahoma walked away from that conversation as well. But we still have a job ahead of us, and it is one that we ought to face.

I sincerely believe that the Bowles-Simpson Commission is the right paradigm, the right direction for us in terms of where our Nation and our budget should go. It calls for some changes many Democrats will find painful and changes Republicans will

have to struggle to accept as well, but those are the changes that will be needed.

If we fail to include revenue in this discussion about reducing the debt, if it is just spending cuts, it can only go so far. If we include revenue, we can talk about a much bigger package of deficit reduction, much more credible, with a more positive impact.

During the course of the last 2 days, we have tried to identify on the floor some parts of the Tax Code that can be changed to save money for our economy. Each year, our Tax Code, that body of laws relating to taxes in America, provides deductions and credits and exclusions and special treatment that spares individuals and companies from paying \$1.1 trillion in taxes each year. It includes such things as the employers exclusion of health insurance premiums, mortgage interest deductions, charitable deductions, State and local tax payments. All of these things and many others are included in that Tax Code. It is rare that we open that Tax Code and ask the question, Is this needed?

In the last few days we have come to the floor and talked to the tax subsidies and tax breaks that aren't needed that, frankly, have to be sacrificed in order to get this economy back on its feet. We talked about one that is incredible. In the first quarter of this year, ExxonMobil declared profits of \$10 billion, one of the most profitable quarters in the history of American business, and we as taxpayers continue to subsidize ExxonMobil. Why? They are doing quite well. And remember the last time you filled your tank with gas? It doesn't look as though they are sparing us when it comes to raising the price of a gallon of gas. So I think that subsidy should go. Subsidies to the oil and gas companies at this moment in history are unacceptable. We have a thriving profitable industry that does not need a Federal tax crutch.

Take a look at some of the others we have talked about as well. Do you know we provide tax subsidies for American businesses that want to ship their jobs overseas? We call it deferral of income. It is one of the most expensive parts of the Tax Code. It says if you want to move your business overseas and produce overseas and generate a profit, you can hang on to that money. You don't have to pay taxes on it. We defer the payment of taxes. There is a tax break for a company that has decided to pick up and leave America and go someplace else. Why? Why would we create a tax incentive to do that? If a company decides that is the way to make a profit, so be it. I am sorry they would be leaving America, but for goodness sake, they shouldn't expect us and we shouldn't volunteer to subsidize that decision that costs good-paying jobs in our country.

There are a variety of other smaller tax subsidies, those we have to raise

questions about. That is for sure. Tax subsidies for people who are lucky enough to own a yacht? We want to give them a tax subsidy? Or people who are lucky enough to own a jet plane? People who are lucky enough to have thoroughbred horses? Most of the winners who stand at the winner's circle of these race don't look like regular working stiff. They look like folks who are doing pretty well in life. Why is the Tax Code subsidizing that particular industry? I think it is a valuable and important question.

Why don't we put these things on the table? Why don't we ask ourselves whether, at a time of deficit, when we need to not only reduce spending but come up with revenue, that there are some things we can no longer afford under our Tax Code?

Bowles-Simpson went a step further and said, If you start making substantial changes and reducing the tax expenditures, deductions, and credits, you can actually reduce marginal income tax rates for individuals and businesses. I think that is a valuable thing to look at. We don't have to eliminate everything in the Tax Code, but making substantial changes could result in a fairer, more comprehensive tax system.

Let me say one other thing that I think is guiding me in this debate and I think you as well. I think about an America, a nation of values that has always said we have got to care for the most vulnerable people in our country. Some of these people, through no fault of their own, were born with physical and mental shortcomings and limitations. Some of them are dealing with illnesses that we wouldn't wish on anyone. Many come from an impoverished background and are struggling to make do with the basics in life. I feel, at the end of the day, we can make this economy move forward, and we can do it in a sensible and humane way. We can protect the basic safety net. One of the elements in that safety net is Medicaid.

Yesterday, I had a meeting with some people I respect very much. They came in to see me. They represented the heads of children's hospitals from all over the United States, even from your State. My family has relied on those children's hospitals in Washington, DC, and in Chicago and other places, and thank goodness they are there. I do not know of a more caring, competent profession in America.

More than most hospitals, children's hospitals bring in patients on Medicaid. These are patients who are not from families who are wealthy, they are not from families who have private health insurance policies—no, by and large, they are the poorest families.

One-third of the children in America are covered by Medicaid. That is where they get their health care. If we talk about cutting back on Medicaid, this

program for low-income and disabled people, those children will be unfortunate victims in that budget discussion. Also, a large part of Medicaid goes for elderly people who have spent their life savings and are living their last years in nursing homes and convalescent centers. Medicaid pays that. Cutbacks in Medicaid run the real risk of pushing those people out of quality care into lower quality care or the streets.

Is that what America is all about? Would we preserve a tax break for a person who owns thoroughbred horses and then say that unfortunately that elderly lady has to leave the nursing home she has been in? Would we preserve a tax break for someone who owns a yacht and say that unfortunately we will not be able to cover the cost of a needed surgery for a poor child at a children's hospital in Chicago.

If that sounds like an exaggeration, it is not. That is what this debate comes to—whether we want to defend tax breaks for the well-off people in America at the expense of the most vulnerable. We are better than that, and most well-off people whom I know—and I have friends who are doing very well in life—would not be afraid to pay a little bit more in taxes to make sure America continues to move forward. They feel blessed to be part of this country and blessed to be successful in this country, and they do not resent the suggestion that they need to pay a little more when times are difficult. They are certainly prepared to sacrifice.

Some come to the floor here and think it is an outrage to ask oil companies not to take a subsidy in their most profitable year. They think it is an outrage to ask the most wealthy people in America to give up a tax break on a jet they happen to own and use for personal purposes or business purposes. I don't think that is what America is about, and I don't think that is what we should be about.

Let's come together in a bipartisan fashion and make the spending cuts which need to be made, both on the defense side and the nondefense side, and then deal with revenue sources, either making certain that those in the highest income categories are paying their fair share of taxes or at least do not receive the current tax subsidies that are going their way, and let's deal with the reality of this budget deficit.

Time is a-wasting. If we wait until August 1 to get this done, it may be too late. At some point, if we are not careful, 30 bond dealers somewhere in the United States or some other country may start this ball rolling before we do. If they do, questioning the credit reputation of the United States of America, interest rates will start moving up and we will not be able to move fast enough to stop it. That is why the President was impatient yesterday.

That is why we should be in session this next week. And that is why we need to start rolling up our sleeves and stop walking out of meetings on budget negotiations and stay in the room until we get the job done.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I want to be sure where we are now. Are we in morning business at this point in time?

The PRESIDING OFFICER. Yes.

Mr. LAUTENBERG. Mr. President, I ask that only so I have some recognition of what the time availability is. I do not plan to take too long.

The PRESIDING OFFICER. There are 10-minute grants.

Mr. LAUTENBERG. Mr. President, I wonder what the American public thinks about when they see an empty Chamber, hear mutterings about class warfare. What puzzles me is, which class is making war against which class and where are the casualties? As we look around, I ask the question, Are we picking on the poor rich folk, those with abundant wealth, those who earn over \$1 million a year, those who have been fortunate enough to have been able to bring their talent, their ability, to the world's most important stage? Are they immune from taking a bit part on the stage of human concerns once in a while because they are being asked to make an extra contribution to the well-being of our country? I don't think so. I don't think so. I am one of those who are fortunate and feel lucky enough to succeed because of a government action. Few of us—certainly not me—who served in the military achieved the status of a hero like our friend, DAN INOUE, who sacrificed so greatly for his country and has the highest medal awarded for bravery America can give. But because I did my duty, I was serious about it, and I served overseas, I was rewarded with the GI bill to pay my college education and even given a little stipend with that. It turned my life around. It enabled me to be one of three founders of a company called ADP, a company employing 45,000 people.

Our parents were poor. We worried about meals on the table. We couldn't afford the right kind of clothing. We couldn't afford a bicycle that my mother bought me for my birthday. My father argued about whether it had to be taken back because it was \$1 a week and we couldn't afford it.

Mr. President, 45,000 people. ADP is one of America's most successful companies. I don't want to dwell on this,

but it's one of the companies with the longest growth record in profits, 10 percent each and every year, for 42 years in a row—42 years in a row. A kid from the back of the candy store.

So I look at our country, and I look at what it is we are trying to do, and it is hard to figure out. What happened? Why are we looking at these drastic cuts in programs that can help people? Why are we not engaged in ways to help people, to continue to provide help and assistance to help them get along in life and to be prepared to take over the leadership of the future.

Are our friends on the Republican side willing to end Medicare as we know it, decimating one of the most successful programs in the history of our country? They are willing to unravel the very fabric of our Nation and critical services that helped families struggling to give their kids a decent education, good health, a future, a job opportunity? What is it they want to take away with these cuts?

I can tell you, as a businessman for a long time—30 years before I got here—I am accustomed to looking at business sheets and financial statements. And one doesn't have to be an accountant or executive to understand that on a financial statement there are two parts, two significant parts: one is expenses, costs; the other is revenues. Revenues is the income you have to get in order to be able to afford to pay the expenses. If all you want to do is just cut expenses, then you are cutting the sinew and the flesh and there is not much left.

Here is what ought to happen—we should be saying to those who are the wealthiest: living with wealth is a pleasure, but that doesn't mean you don't have an obligation to the country and to have to do something a little different. Instead, they are making the wealthy wealthier, the most privileged more privileged than they have been, and that is true.

When you look at the big oil companies pocketing \$4 billion a year each and every year, those are tax breaks that are unconscionable. But when you look at this—and I think about a period of time when I was growing up, and I look at a time during the war, World War II, and we had a program called the Excess Profits Tax. We said those companies are making so much money, they have to do their share and be helpful to the country at large and to make certain they pay some share of what the country is going through.

I just checked because I wanted to be sure. To date we have lost 4,400 Americans to the war in Iraq. We have lost over 1,600 to the war in Afghanistan. Those are homes that are without a son, a daughter, a brother, a father at home. Where is the sacrifice on the part of the others here? No, no. We have to take care of the rich. We have to make sure they are more com-

fortable than they are. Whether it is a bigger yacht or a bigger airplane or a bigger house, we have to protect those people. They don't need any protection. What they need to do is share in the pain America is going through, and this is a reminder for me.

Make no mistake, greed is the fuel that drives Big Oil, and it is time we end their free ride on the taxpayers' dime. The big five oil companies have made almost \$1 trillion in profit in the past decade. That is quite a reward for these folks. BP, \$7.1 billion in the first 3 months of 2011 as they ground out the environment in the Gulf of Mexico. Imagine, \$7.1 billion. ExxonMobil, \$10 billion in a quarter. Shell, \$8 billion. These are rounding numbers in a quarter. They don't need help. What they need is to help their country work its way through the crisis that we are in now.

But then we see what is being asked by those on the other side: They want us to have sympathy, have sensitivity toward the wealthiest among us because they cannot afford extra money. They cannot afford it—no, they cannot afford it because the other people are doing the sacrificial work and they don't want to help those kids get an education. They don't want to help those families to be able to provide a future for their children. They don't want to be able to help the families who need health care for the job market. That is not what they are about. So why should we use some of the money to invest in America, take down our debt, prepare young people for responsibilities for the future.

Big Oil's greed is helping to inflate our deficit and every day Americans are footing the bill, going up to the gas station. When somebody has to spend \$40 to \$50 to fill up a tank of gas, very often it is at a sacrifice for other things in their lives. It is terrible. And you see this all over.

We have a Republican Governor in the State of New Jersey right now, who is doing major cutting, and the result is that a family who makes \$24,000 a year now, family income, will have to spend over \$1,000 a year more for their health services. Mr. President, \$1,000 to a family making \$24,000 gross. A family who earns \$60,000 will have to spend over \$3,000 to pay for their health care.

Why wouldn't my colleagues on the other side—there are a lot of intelligent people, and I am sure they are sympathetic people—want to put a stop to this madness? Why wouldn't they say: Time to run up the flag, and we are all proud to be Americans, and we are grateful for what has happened to us? Instead they are saying: You have to have more. If you make \$10 million a year, you have to have more. If you make \$20 million or more—whatever it is—you need more. It is an outrage.

Big Oil is doing everything in its power to protect its subsidies, and the

Republicans are doing everything in their power to help them. Last month 45 Republican Senators voted against ending these wasteful subsidies and using the money to reduce the deficit. Last week they chose to walk out on deficit-reduction negotiations rather than even considering putting a stop to Big Oil giveaways.

Making oil companies pay their fair share in taxes is not going to hurt the industry. It just means Big Oil executives might have to do with a smaller swimming pool or wait a little while longer to buy a bigger yacht. It is clearly offensive, and they are not helping. They are not helping lift the spirit of America. People are discouraged. They are worried about losing their homes. They are worried about their kids not being able to get an education that they are emotionally, intellectually qualified for because they don't have the money because it is not available to them.

When we look at what has happened here—and you have to be fair. When this poor guy, the CEO of Exxon, is earning only \$29 million a year, come on. Give him a break. He has to have a chance to preserve more of that income. Why should he pay to help this country weather the storm, weather the wars, weather the recession?

ConocoPhillips, he is not doing as good as the first guy. He only made \$18 million in 2010. The third one, Chevron, their CEO only made \$16 million. You know how the money gets to them? Through nickels, dimes, quarters, and dollars at the gasoline pump. That is how the money gets to them. How else can this CEO pay be afforded except from those who pull up to the gas station and say they have to buy 10 gallons of gas. Mr. President, 10 gallons of gas around here is about \$45. It is a lot of money.

But instead of being fiscally responsible by ending the Big Oil big windfall, Republicans have another idea. They want to cut the deficit by ending Medicare as we know it, the most successful program in American history, perhaps, next to Social Security.

Seniors are struggling, Big Oil certainly is not. I don't think these fellows are struggling. I don't think they are doing without anything. I wish the other side would listen a little more closely to what the American people want. Almost three-quarters of the Americans want us to stop giving billions of tax breaks to big oil companies each year. The American people know these subsidies are unnecessary, ineffective, and basically immoral.

We should take the \$4 billion we give away to Big Oil each year and use that money to pay down our deficit. That is a good idea. If we can do that, then it starts to make things a lot easier to continue to provide the services that are critical, essential to the average family.

We cannot restore fiscal sanity here until we start paying more attention to the revenue column in our ledger. As I said before, I was a CEO for many years, 30 years before I got here, and I know you cannot run a company or a country without a good, strong revenue flow. So I call on my colleagues, please, listen to what your country needs. See what you can do to make the country stronger. If our middle class, our modest-income class starts to fail along the way, we will not be able to conduct business as usual. It is for your own protection. Get with it. Make sure they understand that you cannot just get more of what is coming out; that you have to give something back to this great country of ours.

I call on my colleagues: Get Big Oil off the Federal welfare roll. Let's invest in our country's future and not have larger windfalls for oil industry lobbyists and lawyers. We have to make sure our children and our grandchildren inherit a country that is fiscally sound, morally responsible, able to provide health care, able to provide an education, able to guarantee that a child can prepare to be a leader in the future. We have to make sure that everybody sees a chance for themselves to succeed, to not be dependent on government programs, but at least be able to have those programs to get them started in life.

Mr. President, I yield the floor.

HONORING OUR ARMED FORCES

CHIEF WARRANT OFFICER KENNETH R. WHITE

Mr. BENNET. Mr. President, today we honor the life and heroic sacrifice of CWO Kenneth R. White of Fort Collins, CO. He died on June 5, 2011, in Khost Province, Afghanistan, of injuries sustained when his helicopter crashed during combat. He was 35 years old.

Chief Warrant Officer White's family remembers him as a wonderful man of God, an extraordinary husband, and a loving father to his three children. He was a respectful and courageous friend, who demonstrated those attributes in abundance as a successful officer.

After joining the Army in 1994, Chief Warrant Officer White grew in his career and attended warrant officer flight training in 2002. He fought bravely during two tours in Iraq and one in Afghanistan. Most recently, he served in support of Operation Enduring Freedom as a member of the 1st Battalion, 10th Aviation Regiment, 10th Aviation Combat Brigade, 10th Mountain Division based at Fort Drum, NY.

His bravery and outstanding service quickly won the recognition of his commanders. Chief Warrant Officer White earned, among other distinctions, the Bronze Star Medal, the Air Medal, the Army Commendation Medal, the Army Achievement Medal, the National Defense Service Medal with Bronze Service Star, the Afghani-

stan Campaign Medal with Bronze Service Star, the Iraq Campaign Medal with Bronze Service Star, and two Global War on Terrorism Service Medals.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Chief Warrant Officer White's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

I stand with people in Colorado and nationwide in profound gratitude for Chief Warrant Officer White's tremendous sacrifice. At substantial personal risk, he fought in Afghanistan with unwavering courage to protect America's citizens and the freedoms we hold dear. For his service and the lives he touched, Chief Warrant Officer White will forever be remembered as one of our country's bravest.

I ask my colleagues to join me in honoring Chief Warrant Officer White's parents, John and Linda, his wife Sarah, their three children, and his entire family, who carry on his memory and will forever remind us of his sacrifice.

FOURTH OF JULY MESSAGE FOR THE TROOPS

Mr. NELSON of Florida. Mr. President, 235 years ago this weekend, John Adams proclaimed that July 2 would mark the most memorable epoch in the history of America. It was on that day the Continental Congress declared the 13 colonies free and independent of Great Britain's Crown. It was 2 days after that when Thomas Jefferson's Declaration of Independence was adopted.

And when did Americans first celebrate their independence?

Philadelphia threw a big party on July 8, 1776, including a parade and the firing of guns. George Washington, then camped near New York City, heard the news on July 9 and celebrated then. But in 1781, Massachusetts became the first State to recognize July 4 as a State celebration. Ten years later, the young Nation's celebration was dubbed Independence Day.

This Independence Day I hope every American will stop and think for just a minute about our freedoms—and just how much we owe those who came here long before us and mutually pledged to each other their lives, their fortunes, and their sacred honor. And let us also remember the young men and women who have died in defense of those freedoms.

We traditionally observe the Fourth with fireworks and fanfare, pomp and parade. But today we remain engaged in far-away struggles to promote and protect the rights of others who, like us, value freedom and independence.

Many of our soldiers, sailors, airmen, marines and coastguardsmen are spending their Fourth in Iraq and Afghanistan and other parts of world.

I recently was reminded of the commitment and selfless sacrifice demonstrated by one of America's World War II veterans, who lives in my State of Florida.

U.S. Army SSG Robert Rickel, of Boca Raton, served as a waist gunner on a B-17 Flying Fortress. Sergeant Rickel survived the daring bombing campaign of Schweinfurt, Germany, in October 1943, and was awarded the Distinguished Flying Cross for his heroism or extraordinary achievement.

Sergeant Rickel and all the military members and all their families knew the risks and sacrifices they were making were worth it. As President Reagan once said, "Some things are worth dying for . . . democracy is worth dying for, because it's the most deeply honorable form of government ever devised by man."

Indeed, our democracy is something to celebrate. Mr. President, I wish everyone a Happy Fourth of July.

WOMEN WORKING IN NON TRADITIONAL (WIN) JOBS ACT

Ms. MIKULSKI. Mr. President, I strongly support the Women Working in Non Traditional Jobs Act, introduced by Senators GILLIBRAND and myself late last week. This legislation would encourage local and State workforce systems to think differently about how they train and prepare women for jobs in which they are not well-represented. Women currently represent half of our Nation's workforce, but two-thirds of these women are concentrated in 21 of 500 occupational jobs. Nontraditional jobs, in which women make up 25 percent or less of employees, pay 20-30 percent more than traditionally female jobs. Because of this discrepancy, it is important to establish a program that will aid women in moving away from occupations they have traditionally held, which are by and large lower paying than occupations where men are concentrated. I have always been a strong advocate for equal opportunity in the workforce. This bill would create a new Federal grant program designed to help women find these high-wage nontraditional jobs.

Currently, there is only one Federal grant program designed to train women for nontraditional jobs: the Women in Apprenticeship and Non-traditional Occupations, WANTO, but this program is under-resourced and overly narrow in scope. WANTO is 17 years old, has been funded at only \$1 million for years, and is specifically designed to increase women's participation in the construction industry. The Women WIN Jobs Act would expand the work of WANTO by authorizing up to

\$100 million for recruiting, training, placing, and retaining women in non-traditional occupations that are high-demand, and high-growth.

Women have difficulty entering non-traditional fields because they lack sufficient information about career opportunities and pathways. Without sufficient training, preparation, or information, women will not be able to fully participate in the Nation's workforce and will continue to be underrepresented in high-earning and in-demand fields. This bill would address that problem by encouraging workforce systems to give women the support and preparation they need to compete for nontraditional jobs. Preparing women for work in nontraditional fields is crucial to success in the workforce and general economic success for our country.

ADDITIONAL STATEMENTS

TRIBUTE TO GLENN M. ENGELMANN

• Mr. CARPER. Mr. President, today I wish to recognize a respected member of Delaware's business community and a valued leader in our community, Glenn M. Engelmann, as he embarks upon his retirement following a long and distinguished career.

A native of Brooklyn, NY, Glenn earned a bachelor of arts degree in political science from the State University of New York at Binghamton and later went on to receive his juris doctor from the prestigious University of Chicago Law School.

In 1986, Glenn joined the law department of ICI Americas Inc, later known as Zeneca Group PLC. In that role, he provided legal advice principally for ICI Americas' pharmaceuticals business. Glenn then served as counsel to the advanced materials business and, in 1991, was appointed as group counsel for ICI Pharmaceuticals. A few years later, in 1993, Glenn was appointed vice president, general counsel and secretary for Zeneca. He remained as the leader of Zeneca's, and later AstraZeneca U.S.'s, legal affairs and promotional regulatory review until today. This month, Glenn will leave his post as vice president and general counsel for AstraZeneca U.S. and commence his retirement.

Outside of AstraZeneca U.S., Glenn is no stranger to his community. In addition to helping to lead one of the world's largest pharmaceutical companies, Glenn is the president of the board of directors for the Jewish Federation of Delaware and honorary board member of Children & Families First, an organization that provides services, training and support to thousands of people across the State of Delaware each year. He has also served on the board of Jewish Family Services

of Delaware, where he was president from 2000 to 2002.

When he is not working or serving our community, one could probably find Glenn at Citizens Bank Park watching the Philadelphia Phillies or at the Wells Fargo Center cheering for the Philadelphia 76ers. Or perhaps he might be reliving his "glory days," listening to The Boss Bruce Springsteen—the Rolling Stones or the Beatles. And while I have heard nothing but jokes regarding Glenn's golf game, I assume he is trying to get better. Maybe he can improve during retirement.

A devoted family man, Glenn and his wife Michelle have three children: Harris, Jason and Rachel, as well as a dog named Cleo. He has no doubt had a profound influence on his children's academic and career paths. Harris is going to be a junior at Washington University in St. Louis this fall. Jason is embarking on his second year at Duke Law, and Rachel recently earned a master's in Public Health from the University of Michigan and now works for Abbott Pharmaceutical. Upon his retirement, Glenn will leave behind a legacy of commitment to his work and public service both for his children and for the generations that will follow them.

I join Glenn's family and colleagues in congratulating him—a leader in his field and in our community—as he celebrates the completion of a successful career and begins a new chapter in his life. I wish him and his family only the very best in all that lies ahead for each of them.●

REMEMBERING PAULINO "PAUL" ZATICA

• Mr. CRAPO. Mr. President today I wish to honor the life of Paul Zatica, a husband, father, community leader, businessman and exemplary Idahoan.

At the core of Paul Zatica's accomplishments were his dedication to family, strong sense of community and his ability to connect with his customers. After serving in the U.S. Navy from 1946 to 1948, graduating from Boise Jr. College and the University of Denver and marrying his wife of nearly 63 years, Erma Jean, Paul Zatica opened Paul's market in Homedale, ID, in December of 1955. He grew the business into eight stores throughout southwestern Idaho. Paul's Market has been credited with providing jobs and scholarships to numerous students. Paul also devoted decades of service on the Homedale City Council, the Homedale School Board and Owyhee County Rodeo Board and helped form the Homedale Development Company. Paul has been recognized for his commendable skills through honors, such as his selection as Idaho Retailer of the Year in 1988 and grand marshal for the 2006 Owyhee County Fair and Rodeo Parade.

I join Paul's wife; four children, Stan, Paulette, Bryan and Steve; eight grandchildren; three great-grandchildren; other family members; many friends; the Homedale community; and the numerous people he inspired in mourning his loss and expressing gratitude for his contribution. Paul Zatica will be missed, and his legacy of devotion to his family and community will not be forgotten.●

KAPPA ALPHA PSI FRATERNITY, INCORPORATED

• Ms. LANDRIEU. Mr. President, this year we are celebrating the 100th birthday of Kappa Alpha Psi Fraternity Incorporated. Next week, thousands of members and guests from all over the world are coming to Indianapolis, IN, to participate in a week-long program of forums and seminars with a focus on leadership, brotherhood, and service, known as the 80th Grand Chapter Meeting and Centennial Celebration.

Kappa Alpha Psi was founded on January 5, 1911, on the campus of Indiana University in Bloomington, IN. Led by the vision of Elder Watson Diggs, it was founded by 10 God-fearing, serious-minded young men who possessed the imagination, ambition, courage, and determination to defy custom in pursuit of college educations and careers during an oppressive time in American history for African Americans.

Now, the membership has grown to more than 360 undergraduate chapters and 347 alumni chapters located throughout the United States and five foreign countries including 35 chapters in Louisiana. Today, the fraternity boasts a membership of more than 150,000 college-trained young men.

Kappa Alpha Psi has been an instrumental group in raising the profile of African-American men and has worked tirelessly to knock down barriers to advancement in our society. The brotherhood has consistently encouraged achievement in every field of human endeavor.

I also would like to take this opportunity to commend attorney Dwayne Murray. Professionally, Dwayne not only founded and continues to manage his own law firm but he became the first African American appointed to the District 7 Panel of Trustees for the U.S. Middle District Bankruptcy Court. He was recognized by the Louisiana Legislature as an "Honorary State Representative" and the Governor's Office as an "Outstanding Citizen" for his community service and efforts to bring lay and professional people into the political process. Today Dwayne currently serves as the 31st Grand Polemarch of Kappa Alpha Psi Fraternity, Incorporated, and is a resident of the great State of Louisiana. Under his extraordinary leadership, the organization has initiated several community service projects, including "Sunday of

Hope." Through this effort, Kappa Alpha Psi has raised well over \$500,000 for St. Jude Children's Research Hospital during the past 2 years. Dwayne has also spearheaded the "Greeks Learning to Avoid Debt" or GLAD Program. This program will ensure that college students receive the necessary training to use credit wisely and remain financially stable through college and beyond. A final noteworthy accomplishment, Dwayne founded Kappa Kamp, a rigorous leadership institute for elementary and middle school aged young men. The Baton Rouge Alumni Chapter continues to raise money to support Dwayne's project through the annual Walter Banks Golf Classic.

In the aftermath of Hurricanes Katrina and Rita in 2005, Kappas from all over the country came to the aid of hurricane survivors along the gulf coast and helped with our recovery effort.

Thus, it is with great pride that we not only congratulate all members of Kappa Alpha Psi Fraternity, Inc. on the occasion of their centennial celebration, but I would also like to recognize my constituent and friend, Dwayne Murray, as he approaches the end of his tenure as Grand Polemarch of this great organization.●

PROFESSIONAL VOWS OF SISTER MARY OF THE SAVIOR

● Mr. LEAHY. Mr. President, on Saturday, August 6, Sister Mary of the Savior, O.P., will reaffirm her professional religious vows on the 25th anniversary of her vows. My dear friend Bishop Moses Anderson, S.S.E., will preside.

I have known Sister Mary as long as I can remember. She was Cathleen Going, and she and her dear sister Patricia grew up near the Leahy family in Vermont. Her parents and my parents were the closest of friends, and when I look at the picture taken 25 years ago at her professional vows I see my mother, Alba Leahy, in the front row.

Sister Mary of the Savior has given her life to help others, both through her deeds and her prayers. In a world when too little of that is done, my wife Marcelle and I so appreciate people like her.

I knew first of this from our friend, Moses Anderson, who has also given of his life and the two of us have talked about Cathleen and what she has done.

It is wonderful to have people like that in one's life, and I want the Senate to know about this remarkable woman.●

REMEMBERING HENRY G. MARSH

● Mr. LEVIN. Mr. President, I would like to pay tribute to Henry G. Marsh, a tireless and dedicated community leader in Saginaw, MI, who passed away on May 11, 2011. Mr. Marsh was an important figure in the civil rights

community in Saginaw, as well as in politics, for many years. He accomplished much throughout his professional life and has forged an impressive legacy that will surely inspire many for years to come.

Henry G. Marsh was born on October 11, 1921, to Thomas and Saidye Marsh. Upon graduating from Greenwood High School, Mr. Marsh joined the Army. After his military service, Mr. Marsh earned a degree from Knoxville College in Knoxville, TN, and later a law degree from Wayne State University.

In 1954, Mr. Marsh moved to Saginaw and quickly became actively involved in community affairs in the city. He would soon accept a position as legal counsel for the NAACP, and would eventually become chairman of the Human Relations Commission. Henry Marsh was committed to serving the needs of the Saginaw community and served in various positions and as chairman of many committees and boards throughout his adult life in Saginaw, MI.

In 1961, Mr. Marsh became the first African American to be elected to the Saginaw City Council, and in 1967, became Saginaw's first Black mayor. Shortly after becoming mayor, he formed a 220-member Committee on Civil Rights, made up of homemakers, factory workers, ministers, business owners and members of civil rights organizations, that sought to bring the city together to solve the many issues the city faced at the time. Reflecting on his stint as mayor, he was quoted in the Saginaw News in a 2000 interview as saying that the commission was "the most important thing I ever did. We discussed the legitimate concerns of this city."

Henry Marsh was a devoted husband and family man. He was married to his wife Ruth for 63 years, and they were blessed with three children, Michael, Walter and Teresa.

This is, indeed, a great loss to the many people who knew Henry Marsh and to the many more that have benefited from his life's work. I know my colleagues join me in paying tribute to the life and work of Henry G. Marsh. I am sure his family takes comfort in knowing that his accomplishments will be honored and remembered for years to come.●

TRIBUTE TO LIEUTENANT GENERAL ROBERT E. DURBIN

● Mr. REED. Mr. President, I rise today to pay tribute to an exceptional officer in the U.S. Army. LTG Robert E. Durbin will retire on August 1 after more than 36 years of distinguished service to the Army and the Nation.

Throughout his career, General Durbin has personified the Army values of duty, integrity, and selfless service across the many missions to which he has contributed.

General Durbin, a resident of Pennsylvania, graduated from the U.S. Military Academy in 1975 and then went on to receive a master's degree in mechanical engineering from Pennsylvania State University.

He has served in a variety of command and staff assignments, leading men and women during times of peace and war. Over the course of almost four decades of service, he has commanded at the platoon, company, battalion, and brigade levels.

Furthermore, he served as the commanding general of the Combined Security Transition Command—Afghanistan, the command that plays such a critical role in training the Afghan National Security Forces. He subsequently became the commanding general of the 1st Infantry Division and Fort Riley.

General Durbin has spent the last 3 years serving as the director of the Army's Office of Business Transformation, where he was responsible for leading the Army's efforts to operate more cost-consciously while still providing the best trained and equipped force. During one of the most challenging economic periods in our history, General Durbin has helped foster and institutionalize better business practices among our Army's senior leaders. His personal efforts were instrumental in leading the Army through significant changes in the way it grows, resets, modernizes, and transforms. He made these processes more relevant to current operational requirements and significantly increased the Army's capability to support combatant commanders.

In all of his assignments, General Durbin has provided outstanding leadership, integrity, and sound advice on numerous issues of importance to the Army and our nation.

I would like to thank General Durbin, his wife Diana, and his entire family for their commitment, sacrifices, and service to our nation. Congratulations and best wishes.●

TRIBUTE TO JOHN CALLOVI

● Mr. RUBIO. Mr. President, today I recognize John Callovi, a summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

John is a graduate of Wellington High School in Wellington, FL. Currently, he is a rising senior pursuing a major in economics at the University of Florida. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to John for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO STEPHEN CASSCELLS-HAMBY

• Mr. RUBIO. Mr. President, today I recognize Stephen Casscells-Hamby, a summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Stephen is a graduate of Trinity Preparatory School in Winter Park, FL. Currently, he is a rising junior pursuing a double major in business and economics at the University of North Carolina at Chapel Hill. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Stephen for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JOSHUA FORDIN

• Mr. RUBIO. Mr. President, today I recognize Joshua Fordin, a summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Joshua is a graduate of Pine Crest School in Fort Lauderdale, FL. Currently, he is a rising senior pursuing a major in international relations at Johns Hopkins University. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Joshua for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO CRISTINA HACKLEY

• Mr. RUBIO. Mr. President, today I recognize Cristina Hackley, a summer intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Cristina is a graduate of Groton School in Groton, MA. Currently, she is a rising sophomore at the School of Foreign Service at Georgetown University. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Cristina for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO CHARLES KLUG

• Mr. RUBIO. Mr. President, today I recognize Charles Klug, a summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Charles is a graduate of Berkeley Preparatory School in Tampa, FL. Currently, he is a rising senior pursuing a double major in political science and religion at Wake Forest University. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Charles for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MAGGIE MARTINEZ

• Mr. RUBIO. Mr. President, today I recognize Maggie Martinez, a summer intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Maggie is a graduate of Lake Highland Preparatory School in Orlando, FL. Currently, she is a rising senior double majoring in art history and English at Vanderbilt University. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Christina for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ANTHONY SOTO

• Mr. RUBIO. Mr. President, today I recognize Anthony Soto, a summer law intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Anthony is a graduate of Florida International University in Miami, FL, where he majored in political science. Currently, he is entering his last year at Florida State University Law School. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Anthony for all the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING NORTHERN MAINE DISTILLING COMPANY

• Ms. SNOWE. Mr. President, my home State of Maine is home to countless young entrepreneurs who are working to ensure that our State and Nation have a vibrant, growing economy for years to come. Two of these remarkable individuals reside in northern Maine, where they have begun a booming business based on a college project. Today I recognize the founders of the Northern Maine Distilling Company for their tremendous accomplishments in such a short period of time.

Scott Galbiati and Jessica Jewell were students at Rensselaer Polytechnic Institute when they worked on a class project together to design a business plan. They chose to create a distillery. And after getting married in 2006, they took their venture to the next level, deciding that this would not remain an abstract plan developed in a classroom, but that they would see this business to its fruition. Most exciting of all, they decided they would create their company in Maine.

After many trial runs and much hard work, Scott and Jessica based their company in Houlton, a small community on the State's eastern border with Canada. By utilizing the town's high quality water supply, the locally made and distilled Twenty 2 Vodka, the distillery's flagship product, has quickly become recognized as a truly unique product of Maine.

Northern Maine Distilling uses only American made products in their production process, resulting in the creation of 50 gallons of vodka per batch. Additionally, by using their Web site and other social media sites in a smart and effective manner, Scott and Jessica have been able to reach out to communities across the country, sharing recipes and ideas with people nationwide.

Twenty 2 Vodka has won several awards over the course of its short existence on the shelves. It received the bronze medal at the New York International Spirits Competition and the 2010 World Beverage Competition, and last year bested all competitors at both the Consumer Judged SIP Awards and San Francisco World Spirits Competition, taking home the gold at both. The vodka has quickly won wide acclaim, and can be found in a variety of locations across the State.

But perhaps the biggest achievement for Scott and Jessica thus far was being named the 2011 Entrepreneurs of the Year by the Leaders Encouraging Aroostook Development, or LEAD, and Momentum Aroostook. These two organizations are dedicated to fostering economic growth and development in Maine's northernmost county, and by recognizing Jessica and Scott with this prestigious award, they have identified two of Maine's rising stars in the business world.

Starting and growing a business is not any easy task, as any entrepreneur will tell you. But successful business owners demonstrate critical characteristics, like perseverance, commitment, and pragmatism. The Northern Maine Distilling Company was born out of these traits, which clearly shine through in Jessica Jewell and Scott Galbiati. I thank everyone at the Northern Maine Distilling Company for their hard work, and wish them much success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

S.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

S. 1317. A bill to allow individuals to choose to opt out of the Medicare part A benefit.

S. 1323. A bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2342. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Criteria Used to Order Administrative Detention of Food for Human or Animal Consumption" (RIN0910-AG67) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2343. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Civil Money Penalty Amount for Inflation" (RIN2501-AD52) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2344. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Libyan Sanctions Regulations" (31 CFR Part 570) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2345. A communication from the Associate Director, Office of Foreign Assets Con-

trol, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alphabetical Listings: Specially Designated Nationals and Blocked Persons; Blocked Vessels; Persons Determined to be the Government of Iran" (31 CFR Chapter V) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2346. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report on the competitiveness of the export financing services for the period from January 1, 2010 through December 31, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-2347. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2010 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-2348. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA483) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2349. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2011 and 2012 Harvest Specifications for Groundfish; Correction" (RIN0648-XZ90) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2350. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA376) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2351. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XA394) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2352. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; West Coast Salmon Fisheries; 2011 Management Measures; Correction" (RIN0648-XA184) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2353. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the re-

port of a rule entitled "Fisheries of the Northeastern United States; 2011 Specifications for the Spiny Dogfish Fishery" (RIN0648-XA163) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2354. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Snapper-Grouper Management Measures" (RIN0648-BA70) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2355. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation and Maintenance of the Neptune Liquefied Natural Gas Facility Off Massachusetts" (RIN0648-AX09) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2356. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XA109) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2357. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Monkfish; Amendment 5" (RIN0648-AX70) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2358. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Native American Graves Protection and Repatriation Act Regulations-Definition of 'Indian tribe'" (RIN1024-AD98) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Energy and Natural Resources.

EC-2359. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the decision to procure additional services on a noncompetitive basis under an existing contract for environmental clean-up work at the Idaho National Laboratory; to the Committee on Energy and Natural Resources.

EC-2360. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report for fiscal year 2010 relative to the Medicaid Integrity Program, the Center for Program Integrity, and the Centers for Medicare and Medicaid Services; to the Committee on Finance.

EC-2361. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report relative to Supplemental Security Income (SSI)

non-medical redeterminations; to the Committee on Finance.

EC-2362. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, transmitting, pursuant to law, a report on progress toward a negotiated solution of the Cyprus question covering the period February 1 through March 31, 2011; to the Committee on Foreign Relations.

EC-2363. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Foreign Relations.

EC-2364. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2365. A communication from the Deputy Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program. . . ." (CFDA Nos. 84.133A-6, 84.133A-7, and 84.133A-8) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2366. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the financial aspects of the Prescription Drug User Fee Act, as amended; to the Committee on Health, Education, Labor, and Pensions.

EC-2367. A communication from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Performance of Functions; Claims for Compensation Under the Federal Employees' Compensation Act; Compensation for Disability and Death of Noncitizen Federal Employees Outside the United States" (RIN1240-AA03) received in the Office of the President of the Senate on June 29, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2368. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011 and the Attorney General's Semi-Annual Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC-2369. A communication from the Director, Administrative Office of the U.S. Courts, transmitting, pursuant to law, a report relative to the applications for the interception of wire and other communications during fiscal year 2010; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2055. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. No. 112-29).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 1305. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

By Mrs. HAGAN (for herself, Mr. WHITEHOUSE, Mrs. MURRAY, and Mr. KOHL):

S. 1306. A bill to provide for secondary school reform; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1307. A bill to authorize the Secretary of Commerce to convey real property, including improvements, of the National Oceanic and Atmospheric Administration in Ketchikan, Alaska, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, and Mr. RUBIO):

S. 1308. A bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mr. GRASSLEY):

S. 1309. A bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care; to the Committee on Finance.

By Mr. DURBIN:

S. 1310. A bill to improve the safety of dietary supplements by amending the Federal Food, Drug, and Cosmetic Act to require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration and to amend labeling requirements with respect to dietary supplements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. BINGAMAN, Mr. BENNET, and Mrs. HAGAN):

S. 1311. A bill to amend the Elementary and Secondary Education Act of 1965 regarding 21st century community learning centers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN of Massachusetts:

S. 1312. A bill to strengthen and improve monitoring in the fisheries across the United States and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE (for himself, Mr. VITTER, Mr. LIEBERMAN, and Mr. CARDIN):

S. 1313. A bill to amend the Federal Water Pollution Control Act to reauthorize the Na-

tional Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 1314. A bill to amend title 38, United States Code, to require the Secretary of Labor to establish minimum funding levels for States for the support of disabled veterans' outreach program specialists and local veterans' employment representatives, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for himself and Mr. LIEBERMAN):

S. 1315. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers; to the Committee on the Judiciary.

By Mr. ENZI:

S. 1316. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget.

By Mr. DEMINT (for himself, Mr. COBURN, Mr. VITTER, Mr. PAUL, Mr. SESSIONS, Mr. LEE, Mr. RISCH, Mr. CHAMBLISS, Mr. GRAHAM, Ms. AYOTTE, Mr. TOOMEY, Mr. JOHNSON of Wisconsin, and Mrs. HUTCHISON):

S. 1317. A bill to allow individuals to choose to opt out of the Medicare part A benefit; placed on the calendar.

By Ms. KLOBUCHAR (for herself, Mr. BLUNT, Ms. LANDRIEU, and Mr. JOHNSON of South Dakota):

S. 1318. A bill to enhance pre- and post-adoptive support services; to the Committee on Finance.

By Mr. SCHUMER:

S. 1319. A bill to direct the Attorney General to establish a system of background checks for employers and employees of the electronic life safety and security system installation and monitoring industry, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Ms. LANDRIEU):

S. 1320. A bill to require the Secretary of Energy to offer to enter into temporary used fuel storage facility agreements; to the Committee on Environment and Public Works.

By Mr. LUGAR:

S. 1321. A bill to establish energy policies to make measurable gains in reducing dependence on foreign oil, saving Americans money, increasing United States competitiveness, improving energy security, improving environmental stewardship, and for other purposes; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. RISCH, Mr. HATCH, and Mr. LEE):

S. 1322. A bill to permit commercial vehicles at weights up to 129,000 pounds to use certain highways on the Interstate System in the State of Idaho, and for other purposes; to the Committee on Environment and Public Works.

By Mr. REID:

S. 1323. A bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU:

S. Res. 223. A resolution designating July 1, 2011, as "National Caretakers Day"; to the Committee on the Judiciary.

By Mr. MORAN (for himself and Ms. STABENOW):

S. Res. 224. A resolution congratulating the Soil Science Society of America on its 75th anniversary; considered and agreed to.

By Mr. GRAHAM (for himself and Mr. DEMINT):

S. Res. 225. A resolution congratulating the University of South Carolina baseball team for its gritty and record-breaking pursuit of back-to-back National Collegiate Athletic Association Division I Baseball National Championships; considered and agreed to.

ADDITIONAL COSPONSORS

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 259

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 259, a bill to require that the Government give priority to payment of all obligations on the debt held by the public and payment of social security benefits in the event that the debt limit is reached.

S. 382

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 382, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits.

S. 414

At the request of Mr. DURBIN, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 501

At the request of Mr. THUNE, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 501, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 581

At the request of Mr. BURR, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 581, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 724

At the request of Mrs. HUTCHISON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 724, a bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 898

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 898, a bill to amend title 23, United States Code, to direct the Secretary to establish a comprehensive design standard program to prevent, control, and treat polluted stormwater runoff from federally funded highways and roads, and for other purposes.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 968

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added

as cosponsors of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 988

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 988, a bill to ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian.

S. 1002

At the request of Mr. KYL, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Ohio (Mr. PORTMAN), and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1059

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1059, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 1096

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1096, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under the Medicare part B program by extending the minimum payment amount for bone mass measurement under such program through 2013.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1219

At the request of Mr. BARRASSO, the names of the Senator from Idaho (Mr. RISCH), the Senator from Idaho (Mr. CRAPO), the Senator from New Hampshire (Ms. AYOTTE), and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1219, a bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes.

S. 1293

At the request of Ms. MURKOWSKI, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1293, a bill to direct the Secretary of Commerce to establish a demonstration program to adapt the lessons of providing foreign aid to underdeveloped economies to the provision of Federal economic development assistance to certain similarly situated individuals, and for other purposes.

S. 1297

At the request of Mr. BURR, the names of the Senator from Florida (Mr. RUBIO), the Senator from Iowa (Mr. GRASSLEY), the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. RISCH), and the Senator from Nebraska (Mr. JOHANNES) were added as cosponsors of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S.J. RES. 17

At the request of Mr. McCONNELL, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 170

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. Res. 170, a resolution honoring Admiral Thad Allen of the United States Coast Guard (Ret.) for his lifetime of selfless commitment and exemplary service to the United States.

S. RES. 175

At the request of Mr. GRAHAM, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 221

At the request of Mr. WICKER, the name of the Senator from Alaska (Ms. MURKOWSKI) was withdrawn as a cosponsor of S. Res. 221, a resolution congratulating Kappa Alpha Psi Fraternity, Inc., on reaching the historic milestone of 100 years of serving local and international communities, maintaining a commitment to the betterment of mankind, and enriching the lives of collegiate men throughout the United States.

At the request of Mr. WICKER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 221, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1305. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to introduce the No Firearms for Foreign Felons Act of 2011. This bill would close a loophole in current law, by ensuring that people convicted of foreign felonies and crimes involving domestic violence cannot possess firearms. We must close this gap in our laws before it is exploited by terrorists, drug gangs, and other dangerous criminals who threaten our communities.

Under current Federal law, people who are convicted in the United States of violent felonies like rape, murder and terrorism are prohibited from possessing firearms. But, shockingly, Federal law does not bar criminals convicted of these same violent crimes in foreign courts from possessing guns. This outrageous loophole for foreign convicts is the result of a 2005 U.S. Supreme Court decision in the case of *Small v. United States*.

In that case, the Court analyzed the 1968 Gun Control Act, which states that anyone who has been convicted of a felony "in any court" cannot possess firearms. The Court concluded that the phrase only applied to American courts, despite the fact that the Gun Control Act had been applied to foreign felonies since 1968, the year it took effect.

At the time, the Supreme Court was very much aware that its ruling could have serious consequences. As Justice Clarence Thomas noted in his dissent, "the majority's interpretation permits those convicted overseas of murder, rape, assault, kidnapping, terrorism and other dangerous crimes to possess firearms freely in the United States." But whatever one may think of the Court's ruling, it is now the law of the land.

We must make every effort to close this dangerous loophole and the bill I am introducing today would do just that.

Under this bill, section 921 of Title 18 would be amended to state that "[t]he term 'any court' includes any Federal, State, or foreign court." Similar changes would be made in other sections of the Gun Control Act. Where there are references to "state offenses" or "offenses under state law," the bill would expand these terms to include convictions of offenses under foreign law.

In other words, the bill would make it clear that if someone was convicted in a foreign court of an offense that would have disqualified him from possessing a gun in the U.S., then they will be disqualified from gun possession under U.S. law. The only exception will be if there is reason to think the con-

viction entered by the foreign jurisdiction is somehow invalid.

Under the bill, a foreign conviction will not constitute a "conviction" under the Gun Control Act, if either: the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States, or the conduct on which the foreign conviction was based would be legal if committed in the United States.

I expect that these circumstances will be fairly rare, but the bill does take them into account and will provide a complete defense to anyone with an invalid foreign conviction. In any event, it is clear that we should not keep in place a dangerous policy which essentially treats every foreign conviction as invalid.

Particularly in these times, America cannot continue to give foreign-convicted murderers, rapists and even terrorists the right to buy firearms in the United States.

With each passing day, we run a risk that foreign felons are exploiting this loophole in our law. This is unacceptable.

Criminals convicted in foreign courts should not be able to have guns when U.S. law forbids those convicted of the same crimes on U.S. soil from possessing guns. We should not wait for lives to be lost before we act to close this loophole.

I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "No Firearms for Foreign Felons Act of 2011".

SEC. 2. NO FIREARMS FOR FOREIGN FELONS.

(a) DEFINITIONS.—

(1) COURTS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

"(36) The term 'any court' includes any Federal, State, or foreign court."

(2) EXCLUSION OF CERTAIN FELONIES.—Section 921(a)(20) of title 18, United States Code, is amended—

(A) in subparagraph (A), by striking "any Federal or State offenses" and inserting "any Federal, State, or foreign offenses";

(B) in subparagraph (B), by striking "any State offense classified by the laws of the State" and inserting "any State or foreign offense classified by the laws of that jurisdiction"; and

(C) in the matter following subparagraph (B), in the first sentence, by inserting before the period the following: ", except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct

that would be legal if committed in the United States”.

(b) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(2) in subparagraph (B)(ii), by striking “if the conviction has” and inserting the following: “if the conviction—

“(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

“(II) has”.

(c) PENALTIES.—Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended—

(1) by striking “an offense under State law” and inserting “an offense under State or foreign law”; and

(2) by inserting before the semicolon the following: “, except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States”.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, and Mr. RUBIO):

S. 1308. A bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today I am introducing legislation to help protect children from Internet predators and pornographers. I am joined by the distinguished senior Senator from Minnesota, Senator KLOBUCHAR, with whom I serve on the Judiciary Committee and who is herself a former prosecutor. The same bill has been introduced in the House by Judiciary Committee Chairman Rep. LAMAR SMITH and Rep. DEBBIE WASSERMAN SCHULTZ.

Technology can do so much for us today, but it also has a dark side. Students and Senators can use it, but so can predators and pornographers. Sadly, in some ways children are more at risk than ever and we must do whatever we can to protect them. This means equipping law enforcement with the tools they need to combat the sexual exploitation of children wherever it occurs.

This bill does several things. First, it makes it a crime to financially facilitate access to child pornography. Second, this bill requires companies such as Internet service providers to retain information such as subscriber network addresses for at least 18 months. Third, it expands existing authority to issue administrative subpoenas while investigating federal offenses involving the sexual exploitation or abuse of children. Fourth, it provides for protecting from intimidation or harassment child witnesses and victims in

criminal investigations and prosecutions. Finally, it provides for enhancing criminal penalties or sentences for crimes such as the sex trafficking of children or child pornography.

Several of these provisions may look familiar. The provisions relating to subpoena authority, protection of child witnesses, child sex trafficking, and sentencing come directly from S. 2925, the Trafficking Deterrence and Victims Support Act of 2009, which Senator WYDEN introduced in the 111 Congress.

In preparing this bill for introduction today, Senator KLOBUCHAR and I met or spoke with law enforcement groups, financial institutions, communications companies, and child advocates. Many of them are stepping up their own voluntary efforts through coalitions such as the Financial Coalition Against Child Pornography and the Family Online Safety Institute. I have worked with many of these organizations and companies for years and look forward to doing so again on this important legislation.

This is a strong bill, a balanced bill, which will provide effective tools for addressing these threats to our children. I know that many divisions exist today, in the country and in the Congress, on many issues. But I trust that those divisions will disappear when it comes to protecting children from sexual exploitation. That must be an ongoing commitment and I hope that all of my colleagues, on both sides of the aisle and across the political spectrum, will join me and Senator KLOBUCHAR in supporting this legislation and helping us get it enacted into law.

By Mr. DURBIN:

S. 1310. A bill to improve the safety of dietary supplements by amending the Federal Food, Drug, and Cosmetic Act to require manufacturers of dietary supplement products with the Food and Drug Administration and to amend labeling requirements with respect to dietary supplements; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1310

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Dietary Supplement Labeling Act of 2011”.

SEC. 2. REGULATION OF DIETARY SUPPLEMENTS.

(a) REGISTRATION.—

(1) IN GENERAL.—Section 415(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350d(a)) is amended by adding at the end the following:

“(6) REQUIREMENTS WITH RESPECT TO DIETARY SUPPLEMENTS.—

“(A) IN GENERAL.—A facility engaged in manufacturing dietary supplements that is required to register under this section shall comply with the requirements of this paragraph, in addition to the other requirements of this section.

“(B) ADDITIONAL INFORMATION.—A facility described in subparagraph (A) shall submit a registration under paragraph (1) that includes, in addition to the information required under paragraph (2)—

“(i) a description of each dietary supplement product manufactured by such facility;

“(ii) a list of all ingredients in each such dietary supplement product; and

“(iii) a copy of the label and labeling for each such product.

“(C) REGISTRATION WITH RESPECT TO NEW, REFORMULATED, AND DISCONTINUED DIETARY SUPPLEMENT PRODUCTS.—

“(i) IN GENERAL.—Not later than the date described in clause (ii), if a facility described in subparagraph (A)—

“(I) manufactures a dietary supplement product that the facility previously did not manufacture and for which the facility did not submit the information required under clauses (i) through (iii) of subparagraph (B);

“(II) reformulates a dietary supplement product for which the facility previously submitted the information required under clauses (i) through (iii) of subparagraph (B); or

“(III) no longer manufactures a dietary supplement for which the facility previously submitted the information required under clauses (i) through (iii) of subparagraph (B), such facility shall submit to the Secretary an updated registration describing the change described in subclause (I), (II), or (III) and, in the case of a facility described in subclause (I) or (II), containing the information required under clauses (i) through (iii) of subparagraph (B).

“(ii) DATE DESCRIBED.—The date described in this clause is—

“(I) in the case of a facility described in subclause (I) of clause (i), 30 days after the date on which such facility first markets the dietary supplement product described in such subclause;

“(II) in the case of a facility described in subclause (II) of clause (i), 30 days after the date on which such facility first markets the reformulated dietary supplement product described in such subclause; or

“(III) in the case of a facility described in subclause (III) of clause (i), 30 days after the date on which such facility removes the dietary supplement product described in such subclause from the market.”.

(2) ENFORCEMENT.—Section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amended by adding at the end the following:

“(z) If it is a dietary supplement for which a facility is required to submit the registration information required under section 415(a)(6) and such facility has not complied with the requirements of such section 415(a)(6) with respect to such dietary supplement.”.

(b) LABELING.—

(1) ESTABLISHMENT OF LABELING REQUIREMENTS.—Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by inserting after section 411 the following:

“SEC. 411A. DIETARY SUPPLEMENTS.

“(a) DIETARY SUPPLEMENT INGREDIENTS.—Not later than 1 year after the date of enactment of the Dietary Supplement Labeling Act of 2011, the Secretary shall compile a list

of dietary supplement ingredients and proprietary blends of ingredients that the Secretary determines could cause potentially serious adverse events, drug interactions, contraindications, or potential risks to subgroups such as children and pregnant or breastfeeding women.

“(b) IOM STUDY.—The Secretary shall seek to enter into a contract with the Institute of Medicine under which the Institute of Medicine shall evaluate dietary supplement ingredients and proprietary blends of ingredients, including those on the list compiled by the Secretary under subsection (a), and scientific literature on dietary supplement ingredients and, not later than 18 months after the date of enactment of the Dietary Supplement Labeling Act of 2011, submit to the Secretary a report evaluating the safety of dietary supplement ingredients and proprietary blends of ingredients the Institute of Medicine determines could cause potentially serious adverse events, drug interactions, contraindications, or potential risks to subgroups such as children and pregnant or breastfeeding women.

“(c) ESTABLISHMENT OF REQUIREMENTS.—Not later than 2 years after the date on which the Institute of Medicine issues the report under subsection (b), the Secretary, after providing for public notice and comment and taking into consideration such report, shall—

“(1) establish mandatory warning label requirements for dietary supplement ingredients that the Secretary determines to cause potentially serious adverse events, drug interactions, contraindications, or potential risks to subgroups; and

“(2) identify proprietary blends of ingredients for which, because of potentially serious adverse events, drug interactions, contraindications, or potential risks to subgroups such as children and pregnant or breastfeeding women, the weight per serving of the ingredient in the proprietary blend shall be provided on the label.

“(d) UPDATES.—As appropriate, the Secretary, after providing for public notice and comment, shall update—

“(1) the list compiled under subsection (a);

“(2) the mandatory warning label requirements established under paragraph (1) of subsection (c); and

“(3) the requirements under paragraph (2) of subsection (c).”

(2) ENFORCEMENT.—Section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amended—

(A) in subsection (q)(5)(F)(ii), by inserting “, and for each proprietary blend identified by the Secretary under section 411A(c)(1)(B), the weight of such proprietary blend,” after “ingredients”; and

(B) in subsection (s)(2)—

(i) in subparagraph (A)(ii)(II), by inserting “, and for each proprietary blend identified by the Secretary under section 411A(c)(1)(B), the weight of each such proprietary blend per serving” before the semicolon at the end;

(ii) in subparagraph (D)(iii), by striking “or” at the end;

(iii) in subparagraph (E)(ii)(II), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(F) the label or labeling does not include information with respect to potentially serious adverse events, drug interactions, contraindications, or potential risks to subgroups such as children and pregnant or breastfeeding women, as required under section 411A(c); or

“(G) the label does not include the batch number.”

(c) CONVENTIONAL FOODS.—The Secretary of Health and Human Services, not later than 1 year after the date of enactment of this Act and after providing for public notice and comment, shall establish a definition for the term “conventional food” for purposes of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.). Such definition shall take into account conventional foods marketed as dietary supplements, including products marketed as dietary supplements that simulate conventional foods.

By Mr. BROWN of Massachusetts:
S. 1312. A bill to strengthen and improve monitoring in the fisheries across the United States and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BROWN of Massachusetts. Mr. President, I rise to speak about overregulation—something that is really putting a wet blanket on many businesses throughout our country, and especially in Massachusetts. That is why I am introducing a bill to reform the National Oceanic and Atmospheric Administration’s—or NOAA’s—asset forfeiture fund.

The fund, as you may know, is authorized by the Magnuson-Stevens Fishery and Conservation Act and allows NOAA to retain fines and penalties collected as a result of enforcement actions for legitimate enforcement purposes.

As the Department of Commerce inspector general’s excellent work revealed, NOAA has mismanaged that fund for many years, wasting taxpayer funds on exorbitant foreign travel and unauthorized purchases of vehicles. As a matter of fact, they purchase more vehicles than they actually have employees. So that speaks for itself. They also purchased a \$300,000 luxury boat with the funds collected in that forfeiture fund.

The reason I am standing on the floor of the Senate today is because the way the fund has been implemented has actually corrupted the relationship between the fishermen and the regulators. Fishermen have complained for years about the arbitrary fines, overzealous enforcement, and violations of their due process rights when it comes to dealing with NOAA. After decades of such complaints, mostly in the Northeast, the Department of Commerce appointed a distinguished retired judge to serve as a special master and investigate enforcement actions and abuses by NOAA.

In one case, a New Bedford, MA, fisherman lost his livelihood and a farm that had been in the family since the 1640s. He was forced to sell due to punitive NOAA penalties. Incredibly, the Commerce Department’s own special master concluded that the perverse incentive to fill the asset forfeiture fund with funds was a motivating factor in how NOAA handled that case. Larry Yacubian got not only a check but an apology from Washington because of those abuses, but he will never get his home back.

That is why in my role as ranking member of the Federal Financial Management Subcommittee, I, along with my dear friend, Senator TOM CARPER of Delaware, held a field hearing in Boston on June 20 to identify a lot of these longstanding problems and identify the problems with the asset forfeiture fund itself.

Unfortunately, the hearing revealed that while NOAA has instituted some reforms to its management of the asset forfeiture fund, including auditing the funds for the first time in nearly four decades, it still intends to utilize the seized assets of fishermen to pay for foreign travel, which is inappropriate.

The years of NOAA’s mismanagement and abuse of the asset forfeiture fund have bred mistrust among fishermen and Federal officials, and it can only be broken by removing the fund from NOAA.

It is for these reasons that today I am introducing the Asset Forfeiture Responsibility Act of 2011, which will hopefully end this sad chapter in Federal financial management by this agency by replacing the existing funds with a new fisheries investment fund. Funds will be kept—like most every other fund—at the Treasury Department for the benefit of regional councils and NOAA, and the fund will be audited for the next 3 years to make sure they are getting their act together.

The fishing investment fund will direct monies from those fishermen who break the rules toward assisting fishermen with the ever-growing costs of regulatory compliance and to reimburse the legal fees incurred by fishermen whose fines were remitted by the recommendation of the Special Master.

Currently, appropriated funds assist fishermen with the costs of compliance, but in these difficult fiscal times this funding is actually at risk. This legislation would provide a more reliable source of funds to offset the increasing cost of compliance, while allowing the fishing councils the flexibility to address other priorities, such as preparing fishing impact statements and addressing other priorities to rebuild or maintain the fishery and the fishing stocks.

As I have always said, since I was elected and got involved in this issue, all the fishermen want is to have a level playing field and an assurance that those who break the rules will be caught and they will be fined appropriately. That is why I have maintained funding for NOAA’s legitimate law enforcement responsibilities.

However, in the end, we should be focused, quite frankly, in this Chamber on bettering the economic security and ability of the American people to make an honest living. This bill will bring back jobs to the hard-working men and women of the American fishing industry while restoring their trust in government. It is the right thing to do.

By Ms. MURKOWSKI (for herself and Ms. LANDRIEU):

S. 1320. A bill to require the Secretary of Energy to offer to enter into temporary used fuel storage facility agreements; to the Committee on Environment and Public Works.

Ms. MURKOWSKI. Mr. President, I rise to introduce legislation to help address one of the glaring issues our domestic nuclear industry faces—what to do with the used nuclear fuel being stored at over 100 sites across the country. I am pleased to be joined by Senator MARY LANDRIEU in introducing this bill.

Typically, a nuclear power plant stores its used fuel in a spent fuel pool located within the reactor site's exclusion zone. When there is no more room in the pool, and the used fuel is sufficiently cooled, the fuel can be moved to dry cask storage nearby the plant in what are called independent spent fuel storage installations.

Although there are 104 nuclear reactors producing power across the United States, not all have been in operation long enough to fill their spent fuel pools and require dry cask storage. So at present, there are 63 independent spent fuel storage installations at 56 sites in 33 States. Of those, 7 sites are from decommissioned plants. Two decommissioned plant sites still have fuel in their spent fuel pool. That means there are 9 sites, from 10 decommissioned reactors, with 2,800 metric tons of used fuel that is being stored and guarded, whether in dry cask or fuel pools, but no operating power plant nearby. These are orphan sites, and but for the remaining spent fuel the land could be used for other purposes.

Under the Nuclear Waste Policy Act of 1982, the Federal Government is contractually obligated to take title to spent nuclear fuel from commercial nuclear power plants starting in 1998. Our Government has not fulfilled that requirement and as a result we face continuous lawsuits from the utilities operating those commercial power plants to cover the costs of storing the spent fuel on-site.

According to the Department of Justice, as of June 24, 2011, \$1.12 billion has been paid out in settlement of these lawsuits, with an additional \$220 million paid in judgments. Another \$157 million is authorized, but has not yet been paid in settlement. And \$937 million in outstanding judgments remains on appeal or remand. So, the total authorized payment level, so far, is roughly \$1.5 billion, with close to another \$1 billion dollars in payment going through the legal process. These are not lawsuits that go away once they are settled. Every year that the Government is in breach of its contractual obligation, the same company can bring a similar lawsuit as had been previously settled. As more nuclear power

plants fill up their spent fuel pools and turn to dry cask storage, more lawsuits for breach of contract will be filed. The Department of Energy estimates that even if the Government starts to accept the spent fuel by 2021, the total cost of the lawsuits will be \$13.1 billion.

While the Government anticipates a liability of \$13.1 billion, utilities estimate the final tally could exceed \$50 billion. But both the DOE and private sector estimates were developed before the Administration took steps to withdraw the Yucca Mountain application. More recent estimates suggest a cost of \$100 billion.

I take special note of what our future liability could be. The Department of Energy expects the Federal Government's liability to increase by \$500 million annually if waste is not accepted by 2021—10 years from now. It took us 30 years to get this far on Yucca Mountain. If we are to begin the search for a permanent repository anew, as it appears the Administration would like us to do, it seems increasingly likely the Government's liability costs will greatly exceed the earlier \$50 billion estimate. At a time when we are already racking up trillions of dollars in debt for future generations, the administration has freely chosen to incur additional future taxpayer liability in terms of tens of billions of dollars by withdrawing the Yucca Mountain repository license application.

Fortunately for the administration, I have a solution. The Nuclear Fuel Storage Improvement Act of 2011 that I am introducing seeks to establish up to two interim used nuclear fuel storage facilities to centralize the used fuel spread across this nation, end the lawsuits against the Federal Government, and help the domestic nuclear industry, and the communities that host nuclear power plants, partially resolve the long-standing problem of what to do with the used nuclear fuel stored on-site.

The bill would provide financial incentives to a local unit of government, as well as the state in which that unit of government is located, to serve as a host of an interim used nuclear fuel storage facility. The facility itself would be privately owned and operated, and licensed by the Nuclear Regulatory Commission, but the host entity would be entitled to financial payments from the Federal Government for its willingness to locate the storage facility within its jurisdiction. Up to two locations would be eligible for the financial agreement, funds for which would come from the Nuclear Waste Fund set up by the Nuclear Waste Policy Act of 1982.

Importantly for the Federal Government, under the legislation the Secretary of Energy can contract with the private entity operating an interim storage facility to store used fuel from civilian nuclear power plants. Priority of acceptance is given to the used fuel

being stored at plants that have been permanently shut down and decommissioned—the orphan sites. The Secretary is then authorized to enter into an agreement with those which it has contractual obligations to under the Nuclear Waste Policy Act, to settle all claims and liabilities for the Government's failure to take title of the used nuclear fuel, thus saving the Government, and future taxpayers, billions of dollars.

I want to be clear. In no way shape or form does this legislation diminish or replace the need for a permanent repository. I have been, and continue to be, supportive of using Yucca Mountain for that purpose. Until such a repository can be opened, however, we have a responsibility to put a plan into action that will consolidate the used fuel sitting at all of these sites across the nation, as well as settle the Federal Government's liability for its failure to take title to that spent fuel, costing the American taxpayer millions of dollars each year. I believe this legislation moves us in that direction.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nuclear Fuel Storage Improvement Act of 2011".

SEC. 2. DEFINITIONS.

In this Act:

- (1) COMMISSION.—The term "Commission" means the Nuclear Regulatory Commission.
- (2) SECRETARY.—The term "Secretary" means the Secretary of Energy.

SEC. 3. INCENTIVES FOR SITING OF TEMPORARY USED FUEL STORAGE FACILITIES.

(a) DEFINITIONS.—In this section:

- (1) AGREEMENT.—The term "agreement" means a temporary used fuel storage facility agreement entered into under subsection (e).
- (2) FIRST USED FUEL RECEIPT.—The term "first used fuel receipt" means the receipt of used fuel by a temporary used fuel storage facility at a site within the jurisdiction of a unit of local government that is a party to an agreement.

(3) NUCLEAR WASTE FUND.—The term "Nuclear Waste Fund" means the Nuclear Waste Fund established under section 302 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222).

(4) UNIT OF LOCAL GOVERNMENT.—The term "unit of local government" means any borough, city, county, parish, town, township, village, or other general purpose political subdivision of a State, or association of 2 or more political subdivisions of a State.

(5) USED FUEL.—The term "used fuel" means nuclear fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing.

(b) AUTHORIZATION.—The Secretary shall offer to enter into temporary used fuel storage facility agreements in accordance with this section.

(c) NOTICE FROM UNITS OF LOCAL GOVERNMENT TO SECRETARY.—Not later than January 1, 2013, representatives of a unit of local government, with the written approval of the Governor of the State in which the jurisdiction of the local government is located, may submit to the Secretary written notice that the unit of local government is willing to have a privately owned and operated temporary used fuel storage facility located at an identified site within the jurisdiction of the unit of local government.

(d) PRELIMINARY COMPENSATION.—

(1) IN GENERAL.—The Secretary shall make payments of \$1,000,000 each year to not more than 3 units of local government that have submitted notices under subsection (c).

(2) MULTIPLE NOTICES.—If more than 3 notices are received under subsection (c), the Secretary shall make payments to the first 3 units of local government, based on the order in which the notices are received.

(3) TIMING.—The payments shall be made annually for a 3-year period, on the anniversary date of the filing of the notice under subsection (c).

(e) AGREEMENT.—

(1) IN GENERAL.—On the docketing of an application for a license for a temporary used fuel storage facility, in accordance with part 72 of title 10, Code of Federal Regulations, at a site within the jurisdiction of a unit of local government by the Commission, the Secretary shall offer to enter into a temporary used fuel storage facility economic impact agreement with the unit of local government.

(2) TERMS AND CONDITIONS.—An agreement between the Secretary and a unit of local government under this subsection shall contain such terms and conditions (including such financial and institutional arrangements) as the Secretary and the unit of local government determine to be reasonable and appropriate.

(3) AMENDMENT.—An agreement may be—

(A) amended only with the mutual consent of the parties to the agreement; and

(B) terminated only in accordance with paragraph (4).

(4) TERMINATION.—The Secretary shall terminate an agreement if the Secretary determines that any major element of the temporary used fuel storage facility required under the agreement will not be completed.

(5) NUMBER OF AGREEMENTS.—Not more than 2 agreements may be in effect at any time.

(6) PAYMENT SCHEDULE.—

(A) IN GENERAL.—If the Secretary enters into an agreement under this subsection, the Secretary shall make to the unit of local government and the State in which the unit of local government is located—

(i) payments of—

(I) on the date of entering into the agreement under this subsection, \$6,000,000;

(II) during the period beginning on the date of entering into an agreement and ending on the date of first used fuel receipt or denial of the license application for a temporary used fuel storage facility by the Commission, whichever is later, \$10,000,000 for each year; and

(III) during the period beginning on the date of first used fuel receipt and ending on the date of closure of the facility, a total of the higher of—

(aa) \$15,000,000 for each year; or

(bb) \$15,000 per metric ton of used fuel received at the facility for each year, up to a maximum of \$25,000,000 for each year; and

(ii) a payment of \$20,000,000 on closure of the facility.

(B) TIMING OF ANNUAL PAYMENTS.—The Secretary shall make annual payments under subparagraph (A)(i)—

(i) in the case of annual payments described in subparagraph (A)(i)(II), on the anniversary of the date of the docketing of the license application by the Commission; and

(ii) in the case of annual payments described in subparagraph (A)(i)(III), on the date of the first used fuel receipt and thereafter on the anniversary date of the first used fuel receipt, in lieu of annual payments described in subparagraph (A)(i)(II).

(C) TERMINATION OF AUTHORITY.—Subject to subparagraph (A)(ii), the authority to make payments under this paragraph terminates on the date of closure of the facility.

(F) FUNDING.—Funding for compensation and payments provided for, and made under, this section shall be made available from amounts available in the Nuclear Waste Fund.

SEC. 4. ACCEPTANCE, STORAGE, AND SETTLEMENT OF CLAIMS.

(a) IN GENERAL.—The Secretary shall offer to enter into a long-term contract for the storage of used fuel from civilian nuclear power plants with a private entity that owns or operates an independent used fuel storage facility licensed by the Commission that is located within the jurisdiction of a unit of local government to which payments are made pursuant to section 3(e).

(b) SETTLEMENT AND ACCEPTANCE OF USED FUEL.—

(1) IN GENERAL.—At the request of a party to a contract under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)), the Secretary may enter into an agreement for the settlement of all claims against the Secretary under a contract for failure to dispose of high-level radioactive waste or used nuclear fuel not later than January 31, 1998.

(2) TERMS AND CONDITIONS.—A settlement agreement described in paragraph (1)—

(A) shall contain such terms and conditions (including such financial and institutional arrangements) as the Secretary and the party to the contract determine to be reasonable and appropriate; and

(B) may include the acceptance of used fuel from the party to the contract for storage at a facility with respect to which the Secretary has a long-term contract under subsection (a).

(c) PRIORITY FOR ACCEPTANCE FOR CLOSED FACILITIES.—

(1) IN GENERAL.—If a request for fuel acceptance is made under this section by a facility that has produced used nuclear fuel and that is shut down permanently and the facility has been decommissioned, the Secretary shall provide priority for the acceptance of the fuel produced by the facility.

(2) SCHEDULE.—Spent nuclear fuel and high-level radioactive waste generated by a facility in existence as of the date of enactment of this Act shall be offered a schedule in accordance with the priority established pursuant to Article IV.b.5 of the contract entitled “Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste”, as specified in section 961.11 of title 10, Code of Federal Regulations.

(d) TRANSPORTATION OF USED FUEL.—

(1) IN GENERAL.—The Secretary shall provide for the transportation of used fuel accepted by the Secretary under this section.

(2) SYSTEMS AND COMPONENTS.—

(A) IN GENERAL.—The Secretary shall procure all systems and components necessary to transport used fuel from facilities designated by contract holders to 1 or more storage facilities under this section.

(B) CASKS.—The Secretary shall—

(i) use transportation and storage casks that are approved by the Commission in use at facilities designated by contract holders; and

(ii) compensate the owner and operator of each facility for the use of the casks.

By Mr. REID:

S. 1323. A bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit; placed on the calendar.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SENSE OF THE SENATE ON SHARED SACRIFICE.

(a) FINDINGS.—Congress makes the following findings:

(1) The Wall Street Journal reports that median pay for chief financial officers of S&P 500 companies increased 19 percent to \$2,900,000 last year.

(2) Over the past 10 years, the median family income has declined by more than \$2,500.

(3) Twenty percent of all income earned in the United States is earned by the top 1 percent of individuals.

(4) Over the past quarter century, four-fifths of the income gains accrued to the top 1 percent of individuals.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any agreement to reduce the budget deficit should require that those earning \$1,000,000 or more per year make a more meaningful contribution to the deficit reduction effort.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 223—DESIGNATING JULY 1, 2011, AS “NATIONAL CARETAKERS DAY”

Ms. LANDRIEU submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 223

Whereas caretakers provide necessary support to a variety of individuals, including children, the elderly, and the mentally or physically disabled;

Whereas an estimated 80 percent of caretakers who work with adults provide assistance to those adults every day of the week;

Whereas childcare providers offer a safe environment for the development of children that might not otherwise be available;

Whereas individuals who received dependable childcare as children are more likely to have greater success in school, lower rates of juvenile crime, and a reduced risk of teen pregnancy; and

Whereas childcare providers enable the physical, emotional, intellectual, and spiritual growth of children: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 1, 2011, as “National Caretakers Day”; and

(2) recognizes the contributions of caretakers to their communities in the United States.

SENATE RESOLUTION 224—CONGRATULATING THE SOIL SCIENCE SOCIETY OF AMERICA ON ITS 75TH ANNIVERSARY

Mr. MORAN (for himself and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 224

Whereas the Soil Science Society of America was founded on November 18, 1936;

Whereas Richard Bradfield served as the first President of the Soil Science Society of America;

Whereas the Soil Science Society of America was established during the dust bowl era, a time of extreme soil degradation;

Whereas since the dust bowl era, the Soil Science Society of America has continued to provide an understanding of the sustainable use of soil and the role soil plays in society;

Whereas soil is an essential natural resource, and soil professionals serve a critical role in managing that resource;

Whereas the core purpose of the Soil Science Society of America is to advance soils as fundamental to life;

Whereas the Soil Science Society of America is 1 of the premier scientific societies and is comprised of more than 6,000 members in the United States and internationally, including scientists, practicing professionals, and students;

Whereas soil is a dynamic system that performs many functions and services vital to human activities and ecosystems;

Whereas soil, plant, animal, and human health are intricately linked, and the sustainable use of soil affects climate, water, and air quality, human health, biodiversity, food safety and security, and bioenergy;

Whereas soil faces increasing human-linked threats from contamination, unplanned urban development, desertification, salinization, mismanagement, and erosion;

Whereas the Soil Science Society of America provides the knowledge and tools to ensure sustainable use of soils in support of societal needs, including food and energy security and ecosystem services;

Whereas the Soil Science Society of America promotes the awareness and education of soils to elementary and secondary students, undergraduate and graduate students, practicing professionals, and the public; and

Whereas the Soil Science Society of America promotes effective research, disseminating scientific information, facilitating technology transfer, fostering high standards of education, maintaining high standards of ethics, promoting advancements in the soils profession, and cooperating with other organizations with similar objectives: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Soil Science Society of America on its 75th anniversary;

(2) commends the Soil Science Society of America for its dedicated service to advance the science and management of soil; and

(3) supports the promise of the Soil Science Society of America to continue to enrich the lives of all people of the United States by improving stewardship of the environment, combating world hunger, and enhancing the quality of life for the future.

SENATE RESOLUTION 225—CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA BASEBALL TEAM FOR ITS GRITTY AND RECORD-BREAKING PURSUIT OF BACK-TO-BACK NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BASEBALL NATIONAL CHAMPIONSHIPS

Mr. GRAHAM (for himself and Mr. DEMINT) submitted the following resolution; which was considered and agreed to:

S. RES. 225

Whereas, on June 28, 2011, the University of South Carolina Gamecocks won the 2011 National Collegiate Athletic Association College World Series with a 5-2 victory over the University of Florida Gators at TD Ameritrade Park in Omaha, Nebraska;

Whereas the University of South Carolina baseball team has secured the University's second national championship in men's athletics since the founding of the University in 1801;

Whereas the University of South Carolina baseball team became just the sixth team in college baseball history to win back-to-back national championships;

Whereas the University of South Carolina baseball team won a record 11 consecutive games at the College World Series;

Whereas the University of South Carolina baseball team won a record 16 consecutive games at the National Collegiate Athletic Association baseball tournament;

Whereas the University of South Carolina baseball team, in its 10th appearance at the College World Series, became the first team to go 10-0 in the National Collegiate Athletic Association tournament;

Whereas head coach Ray Tanner won his second national title as Head Coach in his 15th season at the University of South Carolina;

Whereas second baseman Scott Wingo was named Most Outstanding Player of the 2011 College World Series;

Whereas first baseman Christian Walker, catcher Robert Berry, second baseman Scott Wingo, shortstop Peter Mooney, pitchers Michael Roth and Matt Price, and designated hitter Brady Thomas were named to the 2011 College World Series All-Tournament Team;

Whereas the State of South Carolina was proud to send the University of South Carolina baseball team to the College World Series for the second consecutive season; and

Whereas the University of South Carolina baseball team is the 2011 National Collegiate Athletic Association Division I Baseball Champion: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of South Carolina Gamecocks for winning the 2011 National Collegiate Athletic Association College World Series;

(2) recognizes the achievement and dedication of all players, coaches, and support staff who battled and made winning 2 consecutive national championships possible;

(3) congratulates the people of South Carolina, the University of South Carolina, and Carolina Gamecocks fans everywhere; and

(4) requests that the Secretary of the Senate submit an enrolled copy of this resolution to—

(A) Dr. Harris Pastides, President of the University of South Carolina;

(B) Eric Hyman, Director of Athletics at the University of South Carolina; and

(C) Ray Tanner, Head Coach of the University of South Carolina baseball team.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 12, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 1160, the Department of Energy Administrative Improvement Act of 2011; S. 1108, the 10 Million Solar Roofs Act of 2011; and S. 1142, the Geothermal Exploration and Technology Act of 2011.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to AbigailCampbell@energy.senate.gov.

For further information, please contact Jonathan Epstein or Abby Campbell.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 14, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing entitled "Native Women: Protecting, Shielding, and Safeguarding Our Sisters, Mothers, and Daughters."

Those wishing additional information may contact the Indian Affairs Committee.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on June 30, 2011, at 2 p.m. to conduct a hearing entitled "FDIC: Deposit Insurance, Consumer Protection, and Financial Stability."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 30, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing on S.

1262, the Native Culture, Language, and Access for Success in Schools Act—Native CLASS.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTING
OVERSIGHT

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the senate on June 30, 2011, at 10 a.m. to conduct a hearing entitled, "Afghanistan Reconstruction Contracts: Lessons Learned and Ongoing Problems."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 30, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT
AND THE COURTS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Administrative Oversight and the Court, be authorized to meet during the session of the Senate, on June 30, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Financial Fraud Enforcement Task Force."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR
SAFETY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the committee on Environment and Public Works be authorized to meet during the session of the Senate on June 30, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, "Oversight: Review of EPA Regulations Replacing the Clean Air Interstate rule (CAIR) and the Clean Air Mercury Rule (CAMR)."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITY AND
INTERNATIONAL TRADE AND FINANCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Security and International Trade and Finance be authorized to meet during the session of the Senate on June 30, 2011, at 10 a.m. to conduct hearing entitled "Stakeholder Perspectives on Reauthorization of the Export-Import Bank of the United States."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WESTERN HEMISPHERE,
PEACE CORPS, AND GLOBAL NARCOTICS AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 30, 2011, at 10 a.m., to hold a Western Hemisphere, Peace Corps and Global Narcotics Affairs subcommittee hearing entitled, "The State of Democracy in the Americas."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that floor privileges be extended to Britta Lakting and Lucy Kissel.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and consider the following nominations: 102, 120, 174, 175, 176, 177, 178, 179, 180, 181, 186, 187, 188, 189, 190, 191, 192, 193, 195, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 227, 228, 229, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, and nominations placed on the Secretary's desk in the Air Force, Army, Coast Guard, Foreign Service, and Navy; that the nominations be confirmed en bloc, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations, any statements related to the nominations be printed in the RECORD, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF THE TREASURY

Jenni Rane LeCompte, of the District of Columbia, to be an Assistant Secretary of the Treasury.

David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes.

Timothy G. Massad, of Connecticut, to be an Assistant Secretary of the Treasury.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

Subject to qualifications provided by law, the following named officer for temporary appointment to the grade indicated in the National Oceanic and Atmospheric Administration.

To be rear admiral (lower half)

Michael S. Devany

IN THE COAST GUARD

The following named officers for appointment in the United States Coast Guard to

the grade indicated under Title 14, U.S.C., Section 271:

To be rear admiral upper half

Rear Adm. (lh) Vincent B. Atkins
Rear Adm. (lh) Robert E. Day, Jr.
Rear Adm. (lh) John H. Korn
Rear Adm. (lh) William D. Lee
Rear Adm. (lh) Stephen E. Mehling
Rear Adm. (lh) Charles D. Michel
Rear Adm. (lh) Michael N. Parks
Rear Adm. (lh) Sandra E. Stosz

DEPARTMENT OF JUSTICE

Felicia C. Adams, of Mississippi, to be United States Attorney for the Northern District of Mississippi for the term of four years.

Ronald W. Sharpe, of the Virgin Islands, to be United States Attorney for the District of the Virgin Islands for the term of four years.

George Lamar Beck, Jr., of Alabama, to be United States Attorney for the Middle District of Alabama for the term of four years.

TENNESSEE VALLEY AUTHORITY

Richard C. Howorth, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2015.

NUCLEAR REGULATORY COMMISSION

William Charles Ostendorff, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2016.

Wilma Antoinette Lewis, of the District of Columbia, to be Judge for the District Court of the Virgin Islands for a term of ten years.

DEPARTMENT OF JUSTICE

Thomas Gray Walker, of North Carolina, to be United States Attorney for the Eastern District of North Carolina for the term of four years.

Charles F. Salina, of New York, to be United States Marshal for the Western District of New York for the term of four years.

Robert William Mathieson, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

Juan Mattos Jr., of New Jersey, to be United States Marshal for the District of New Jersey for the term of four years.

EXECUTIVE OFFICE OF THE PRESIDENT

Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy.

DEPARTMENT OF JUSTICE

Alfred Cooper Lomax, of Missouri, to be United States Marshal for the Western District of Missouri for the term of four years.

David L. McNulty, of New York, to be United States Marshal for the Northern District of New York for the term of four years.

Ryan C. Crocker, of Washington, Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Afghanistan.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert R. Allardice

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bradley A. Heithold

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stanley E. Clarke

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Paul J. Selva

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Terrence A. Feehan

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. James D. Thurman

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Kathleen M. Gainey

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. John A. Hammond

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. James T. Walton

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be major general

Brig. Gen. Stephen L. Jones

Brig. Gen. Richard W. Thomas

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brigadier General Marcia M. Anderson

Brigadier General William G. Beard

Brigadier General Nickolas P. Tooliatos

Brigadier General Jimmie J. Wells.

To be brigadier general

Colonel Margaret E. Barnes

Colonel Robert D. Carlson

Colonel Scottie D. Carpenter

Colonel Allan W. Elliott

Colonel Thomas P. Evans

Colonel Janice M. Haigler

Colonel Kurt A. Hardin

Colonel Kenneth D. Jones

Colonel Christopher R. Kemp

Colonel Michael A. Mann

Colonel James H. Mason

Colonel Cynthia A. O'Connell

Colonel Alan L. Stolte

Colonel George R. Thompson

Colonel Tracy A. Thompson

Colonel Kevin R. Turner

Colonel Bryan W. Wampler

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Keith M. Huber

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. A. C. Roper, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Curtis M. Scaparrotti

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Daniel P. Bolger

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John F. Campbell

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. James K. Brown, Jr.

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Antonio J. Vicens-Gonzalez

IN THE MARINE CORPS

The following named officer for appointment to the grade of general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. John R. Allen

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Mark J. Belton

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) George W. Ballance

Rear Adm. (lh) Robin R. Braun

Rear Adm. (lh) Russell S. Penniman, IV

Rear Adm. (lh) Gary W. Rosholt

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Althea H. Coetzee

Capt. Valerie K. Huegel

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Captain Sandra E. Adams

Captain Mark L. Leavitt

Captain Jon G. Matheson

Captain Kerry M. Metz

Captain John F. Weigold

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Thomas C. Traaen

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) William M. Roberts

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. William H. McRaven

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. John G. King

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) William E. Leigher

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Annie B. Andrews

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Robert V. Hoppa

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Captain Richard W. Butler

Captain Matthew J. Carter

Captain Lawrence E. Creevy

Captain Mark W. Darrah

Captain Christopher W. Grady

Captain Michael E. Jabaley, Jr.

Captain Colin J. Kilrain

Captain David M. Kriete

Captain Joseph W. Kuzmick

Captain William C. McQuilkin

Captain Victorino G. Mercado

Captain DeWolfe H. Miller

Captain Stuart B. Munsch

Captain Kenneth M. Perry

Captain Fernandez L. Ponds

Captain John C. Scorby, Jr.

Captain Dwight D. Shepherd
 Captain Michael E. Smith
 Captain Richard P. Snyder
 Captain Scott A. Stearney
 Captain Hugh D. Wetherald

DEPARTMENT OF STATE

Lewis Alan Lukens, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau.

Kenneth J. Fairfax, of Kentucky, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kazakhstan.

D. Brent Hardt, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Co-operative Republic of Guyana.

Donald W. Koran, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Rwanda.

Geeta Pasi, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Djibouti.

James Harold Thessin, of Virginia, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay.

Lisa J. Kubiske, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras.

Michael H. Corbin, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Emirates.

Jeanine E. Jackson, of Wyoming, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malawi.

Matthew H. Tueller, of Utah, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

Susan Laila Ziadeh, of Washington, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Qatar.

Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Personal Rank of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Arab Republic of Egypt.

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

Dereth Britt Glance, of New York, to be a Commissioner on the part of the United

States on the International Joint Commission, United States and Canada.

Richard M. Moy, of Montana, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Ariel Pablos-Mendez, of New York, to be an Assistant Administrator of the United States Agency for International Development.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN593 AIR FORCE nominations (4) beginning TODD A. EADS, and ending NICHOLE L. INGALLS, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2011.

PN690 AIR FORCE nominations (2) beginning JEFFREY B. WARNER, and ending GARY S. WOLLAM, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

IN THE ARMY

PN594 ARMY nomination of Shaun A. Price, which was received by the Senate and appeared in the Congressional Record of May 23, 2011.

PN595 ARMY nominations (2) beginning CHRISTOPHER R. BRADEN, and ending CM DYER, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2011.

PN640 ARMY nomination of Matthew B. Phillips, which was received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN641 ARMY nominations (2) beginning MICHAEL E. LOESCHER, and ending LESLIE W. ROBERSON, which nominations were received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN642 ARMY nominations (5) beginning ERIC G. PUTTLER, and ending PRASAD V. YALAVARTHI, which nominations were received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN643 ARMY nominations (3) beginning JAMES L. BENJAMIN, and ending GILBERTO RUIZ, which nominations were received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN644 ARMY nominations (16) beginning ENRIQUE A. ARANIZ, and ending Clifford W. WILKINS, which nominations were received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN655 ARMY nominations (137) beginning ERIC D. AGUILA, and ending OMAHA H. YOUSSEF, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN656 ARMY nominations (16) beginning ALFRED C. ANDERSON, and ending MARK A. VANCE, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN657 ARMY nominations (92) beginning TIMOTHY S. ADAMS, and ending HEATHER L. ZUNIGA, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN658 ARMY nominations (91) beginning GINA E. ADAM, and ending D006403, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN659 ARMY nominations (17) beginning ASMA S. BUKHARI, and ending D005266, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN660 ARMY nominations (18) beginning STEVEN A. BATY, and ending CHAD A. WEDDELL, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN691 ARMY nomination of Karyn L. Armstrong, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN692 ARMY nomination of Jodi L. Smith, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN693 ARMY nomination of Jayme M. Sutton, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN694 ARMY nominations (2) beginning ROBERT HWANG, and ending ANTHONY C. KIGHT, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN695 ARMY nominations (5) beginning FARRUKH HAMID, and ending ERIC W. SIMONS, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN696 ARMY nominations (2) beginning JENNIFER L. FELTWELL, and ending JOSHUA P. STAUFFER, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN697 ARMY nominations (2) beginning ANDREW C. BROWN, and ending JOHN W. EANES, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN698 ARMY nominations (4) beginning COLLEEN M. MURPHY, and ending JAMES T. NORA, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN699 ARMY nominations (4) beginning AMY A. BLANK, and ending PETER V. HUYNH, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN700 ARMY nominations (8) beginning MARTI J. BISSELL, and ending CARLA S. ROMERO, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN701 ARMY nominations (8) beginning DAVID A. AUCH, and ending JAMES M. ROLLINS, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

IN THE COAST GUARD

PN432 COAST GUARD nominations (3) beginning MICHAEL J. PLUMLEY, and ending MARIETTE C. OGG, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN556 COAST GUARD nomination of Kristin L. Conville, which was received by the Senate and appeared in the Congressional Record of May 18, 2011.

PN557 COAST GUARD nomination of Edward L. Lacy, which was received by the Senate and appeared in the Congressional Record of May 18, 2011.

PN558 COAST GUARD nomination of Jason M. Biggar, which was received by the Senate and appeared in the Congressional Record of May 18, 2011.

IN THE FOREIGN SERVICE

PN544 FOREIGN SERVICE nominations (203) beginning Naadia Lisa Porter, and ending Mara R. Tekach-Ball, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 2011.

IN THE NAVY

PN444 NAVY nomination of Jose Ayala, which was received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN446 NAVY nomination of Michael B. Tanner, which was received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN447 NAVY nomination of Kenneth S. Mitchell, which was received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN448 NAVY nomination of Gregory D. Mitchell, which was received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN449 NAVY nomination of Theresa H. Dewitt, which was received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN450 NAVY nominations (2) beginning THOMAS J. LOPEZ, and ending GREGORY D. ROWE, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN451 NAVY nominations (2) beginning RANDY L. CRYSEL, and ending SUSAN M. HELLER, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN452 NAVY nominations (2) beginning KATHERINE A. MCCABE, and ending JAY M. STANDRING, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN453 NAVY nominations (6) beginning MARK G. BENTON, and ending SCOTT W. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN454 NAVY nominations (4) beginning THOMAS M. ADKINS, and ending CHRISTOPHER T. SCHOLL, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN455 NAVY nominations (45) beginning PETER B. BELL, and ending ERIC A. WILLS, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN456 NAVY nominations (17) beginning ERRIN P. ARMSTRONG, and ending LYLE D. STUFFLE, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN457 NAVY nominations (17) beginning BRIAN M. ACKERMAN, and ending FRANK J. ZELENKA, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN458 NAVY nominations (11) beginning BRADLEY H. BOYER, and ending THOMAS J. VONKOLNITZ, which nominations were received by the Senate and appeared in the Congressional Record of May 2, 2011.

PN545 NAVY nomination of William L. Nooney, which was received by the Senate and appeared in the Congressional Record of May 12, 2011.

PN596 NAVY nomination of Calvin B. Suffridge, which was received by the Senate and appeared in the Congressional Record of May 23, 2011.

PN597 NAVY nominations (2) beginning ELIZABETH J. JACKSON, and ending JOHN M. MIYAHARA, which nominations were received by the Senate and appeared in the Congressional Record of May 23, 2011.

PN606 NAVY nomination of Jeffrey R. Macris, which was received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN607 NAVY nomination of Toby C. Swain, which was received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN608 NAVY nomination of Daniel J. Hernandez, which was received by the Senate

and appeared in the Congressional Record of May 26, 2011.

PN609 NAVY nominations (4) beginning RAYMOND R. DELGADO, III, and ending STEVEN P. SOPKO, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN610 NAVY nominations (5) beginning JOHN S. CRAWMER, and ending JOSEPH A. RODRIGUEZ, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN611 NAVY nominations (6) beginning CLIFFORD W. BEAN, III, and ending ANDREW D. STEWART, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN612 NAVY nominations (6) beginning STEVEN J. AVERETT, and ending JOHN A. WATKINS, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN613 NAVY nominations (7) beginning LOUIS W. ARNY, IV, and ending BRIAN A. TREAT, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN614 NAVY nominations (8) beginning CHRISTOPHER D. BOWND, and ending KARIN A. VERNAZZA, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN615 NAVY nominations (9) beginning JAMES T. DENLEY, and ending THOMAS B. WEBBER, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN616 NAVY nominations (9) beginning ELIZABETH J. FRENCH, and ending YVONNE TAPIA, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN617 NAVY nominations (10) beginning THOMAS W. ARMSTRONG, and ending JAMES S. TALBERT, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN618 NAVY nominations (10) beginning JOHN W. CARSON, III, and ending CHARLES S. WILLMORE, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN619 NAVY nominations (12) beginning KARL A. ANDINA, and ending NORMAN M. TOBLER, II, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN620 NAVY nominations (13) beginning SYED N. AHMAD, and ending SCOTT F. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN621 NAVY nominations (17) beginning THOMAS J. ANDERSON, and ending ALLAN R. WALTERS, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN622 NAVY nominations (17) beginning KYLE B. BECKMAN, and ending TRACY A. VINCENT, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN623 NAVY nominations (21) beginning TIMOTHY A. ACKERMAN, and ending RANDALL J. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN624 NAVY nominations (26) beginning ANTHONY A. ARITA, and ending JONATHAN P. WILCOX, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN625 NAVY nominations (26) beginning RAYMOND W. BICHARD, and ending ED-

WARD L. ZAWISLAK, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN626 NAVY nominations (90) beginning KARLYNA L. D. ANDERSEN, and ending TARA J. ZIEBER, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN627 NAVY nominations (183) beginning LYNN ACHESON, and ending JOHN M. ZUZICH, which nominations were received by the Senate and appeared in the Congressional Record of May 26, 2011.

PN645 NAVY nomination of Roger S. Thompson, which was received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN646 NAVY nomination of Monserrat Jorden, which was received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN647 NAVY nomination of Timothy W. Grasmick, which was received by the Senate and appeared in the Congressional Record of June 7, 2011.

PN661 NAVY nominations (2) beginning JEANETTE D. GROENEVELD, and ending JOHN T. SCHOFIELD, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN662 NAVY nominations (275) beginning DAVID A. ABERNATHY, and ending JAMES G. ZOULIAS, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN663 NAVY nominations (18) beginning KERTRECK V. BROOKS, and ending MICHAEL G. WHEELER, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN664 NAVY nominations (35) beginning JOHN A. ANDERSON, and ending BENJAMIN D. ZITTERE, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN665 NAVY nominations (10) beginning RYAN G. BATCHELOR, and ending CHRISTOPHER M. SYLVESTER, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN666 NAVY nominations (10) beginning JAMES M. BELMONT, and ending DAVID A. VONDRACK, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN667 NAVY nominations (12) beginning GREGORY A. FRANCIOSCH, and ending WILLIAM J. YODER, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN668 NAVY nominations (7) beginning MICHAEL CORNELIUS, and ending DOUGLAS T. WAHL, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN669 NAVY nominations (14) beginning JAMES W. ADKISSON, III, and ending SHERRI R. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN670 NAVY nominations (10) beginning MARC C. FRYMAN, and ending JAMES J. WATSON, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN671 NAVY nominations (42) beginning CHRISTOPHER R. ANDERSON, and ending DAVID P. WOLYNSKI, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN672 NAVY nominations (54) beginning AMY R. ALCORN, and ending MICHAEL A.

ZURICH, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2011.

PN702 NAVY nomination of Gregory A. Pinkley, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN703 NAVY nomination of Li Sung, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN704 NAVY nomination of Gregory C. Pedro, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN705 NAVY nomination of Chad W. Gagnon, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN706 NAVY nomination of Julie R. Wetmore, which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN707 NAVY nomination of Phillip E. Lee, Jr., which was received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN708 NAVY nominations (2) beginning PAUL D. HANSON, and ending MICHAEL J. STIGLITZ, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN709 NAVY nominations (2) beginning CARMEN I. BOIS, and ending BRENT B. HUTSON, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN710 NAVY nominations (3) beginning CHRISTOPHER A. ASSELTA, and ending ERNST K. WALGE, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN711 NAVY nominations (3) beginning REBECCA L. DUNAVENT, and ending CHRISTINE C. RIVERA, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN712 NAVY nominations (11) beginning HEATHER C. BEASLEY, and ending RUSSELL J. VERBY, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN713 NAVY nominations (8) beginning KEVIN J. BARTOL, and ending BRUCE J. WEIDNER, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

PN714 NAVY nominations (12) beginning SHANE A. BOWEN, and ending WARREN D. WOLLIN, II, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2011.

Mr. REID. Mr. President, I express my appreciation to Senator SANDERS and Senator LEAHY, my longtime friend, former employee in the Department of Justice Ron Wyche, and the Attorney General and others for working to help us get through this stalemate in which we were involved. S

NOMINATION OF DAVID S. COHEN

• Mr. LEAHY. Mr. President, I support the confirmation of David S. Cohen to be Undersecretary of the Treasury for Terrorism and Financial Crimes. Mr. Cohen previously served as the Assistant Secretary for Terrorist Financing, and has previously served in the Department of the Treasury's General Counsel's Office. His strong record of service is commendable and his expertise will serve him well in this new role.

Mr. Cohen's nomination has been carefully considered by the Committee on Finance and the Committee on Banking, Housing and Urban Affairs, both of which favorably reported the nomination of Mr. Cohen to the full Senate.

The Committee on the Judiciary has jurisdiction over some of the crimes that Mr. Cohen will fight in his new role at the Department, both at the international and domestic level. I appreciate Mr. Cohen's commitment to me that he will make himself available to the Committee on the Judiciary for hearings and activities within the committee's legislative and oversight jurisdiction that overlap with the Undersecretary's responsibilities. As the committee considers terrorism financing, material support for terrorism, and money laundering, among other topics, I look forward to working with Mr. Cohen. •

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the HELP Committee be discharged from the following nominations: PN 678 Public Health Service nominations beginning with Mary J.W. Choi and ending with Christopher P. Morris; that the nominations be placed on the Executive Calendar; the nominations be confirmed en bloc; the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

U.S. PUBLIC HEALTH SERVICE

To be surgeon

Mary J. W. Choi

To be dental officer

Brooks B. Horan

To be senior assistant dental officer

Ethan F. Higson

To be assistant dental officer

Tiara L. Applequist

Timothy B. House

Cara B. Schriener

Lauren B. Sims

Meredith A. Snyder

To be nurse officer

Patina S. Walton-Geer

To be assistant nurse officer

Michelle A. Krayner

Heidi M. Sabol

To be junior assistant nurse officer

Kenia P. Altamirano

Shannon C. Best

Rebecca M. Kibel

Timothy N. Onserio

Herbert P. Partsch

Justin R. Plott

Brandy Torres

To be junior assistant health services officer

Jaren T. Meldrum

Christopher P. Morris

Mr. REID. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of the following nominations:

PN341, MG Michael J. Walsh, U.S. Army, to be a member and President of the Mississippi River Commission; PN342, RADM Jonathan W. Bailey, NOAA, to be a member of the Mississippi River Commission; that the nominations be placed on the Executive Calendar; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and that the Senate then resume legislative session.

The PRESIDING OFFICER (Mr. WARNER). Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

MISSISSIPPI RIVER COMMISSION

Major General Michael J. Walsh, United States Army, to be a Member and President of the Mississippi River Commission.

Rear Admiral Jonathan W. Bailey, NOAA, to be a Member of the Mississippi River Commission.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended for another hour, for debate only, and that Senators be allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 79; that the nomination be confirmed; that any statement related to the nomination be printed in the RECORD, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF THE INTERIOR

Daniel M. Ashe, of Maryland, to be Director of the United States Fish and Wildlife Service.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DAY OF THE AMERICAN COWBOY

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 165, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 165) designating July 23, 2011, as National Day of the American Cowboy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 165) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 165

Whereas pioneering men and women, recognized as "cowboys", helped establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy is an excellent steward of the land and its creatures, who lives off the land and works to protect and enhance the environment;

Whereas cowboy traditions have been a part of the culture of the United States for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the Nation who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, and rodeo is one of the most-watched sports in the Nation;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an icon in the United States; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 23, 2011, as "National Day of the American Cowboy"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

HONORING ADMIRAL THAD ALLEN, U.S. COAST GUARD, RETIRED

Mr. REID. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. Res. 170, and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

The resolution (S. Res. 170) honoring Admiral Thad Allen of the United States Coast Guard (Ret.) for his lifetime of selfless commitment and exemplary service to the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 170) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 170

Whereas Admiral Thad Allen, the 23rd Commandant of the United States Coast Guard, retired from the Coast Guard on June 30, 2010, after 39 distinguished years of service;

Whereas Admiral Allen graduated from the United States Coast Guard Academy in 1971 and served in a number of capacities, including serving as the Principal Federal Official for response and recovery operation for Hurricanes Katrina and Rita, Coast Guard Chief of Staff, and most recently as National Incident Commander for the Deepwater Horizon Disaster in the Gulf of Mexico;

Whereas Admiral Allen commanded with distinction the foremost Coast Guard in the world from 2006 to 2010 and has embodied the Coast Guard's enduring values of honor, respect, and devotion to duty;

Whereas Admiral Allen, during his tenure as Commandant, focused the Coast Guard on modernization and improved readiness in responding to natural disasters;

Whereas Admiral Allen, during his tenure as Commandant, worked to ensure the safety of professional mariners and millions of recreational and commercial vessels, facilitate commerce, protect the ports and maritime infrastructure of the United States from terrorism, conduct humanitarian operations, protect our marine environment, secure United States borders, combat drug trafficking, support anti-piracy efforts, and support Operation Iraqi Freedom and Operation Enduring Freedom;

Whereas Admiral Allen demonstrated the vision and transformational leadership that will provide the United States with a Coast Guard that is not only capable of meeting and exceeding the ever-changing maritime challenges of the United States, but also able to better anticipate future challenges and missions;

Whereas Admiral Allen provided steady leadership in times of crisis;

Whereas as Dwight Eisenhower, the 34th President of the United States once said, "The qualities of a great man are vision, integrity, courage, understanding, the power of articulation, and profundity of character"; and

Whereas as we bid fair winds and following seas to Admiral Allen, it is appropriate that he be remembered as exemplifying such trademark characteristics exhibited by great leaders: Now therefore, be it

Resolved, That the Senate—

(a) recognizes and honors Admiral Thad Allen of the United States Coast Guard (retired), on behalf of a grateful Nation, for his lifetime of selfless commitment and exemplary service; and

(b) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to Admiral Thad Allen.

CONGRATULATING THE SOIL SCIENCE SOCIETY OF AMERICA

Mr. REID. I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 224.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

The resolution (S. Res. 224) congratulating the Soil Science Society of America on its 75th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 224) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 224

Whereas the Soil Science Society of America was founded on November 18, 1936;

Whereas Richard Bradfield served as the first President of the Soil Science Society of America;

Whereas the Soil Science Society of America was established during the dust bowl era, a time of extreme soil degradation;

Whereas since the dust bowl era, the Soil Science Society of America has continued to

provide an understanding of the sustainable use of soil and the role soil plays in society;

Whereas soil is an essential natural resource, and soil professionals serve a critical role in managing that resource;

Whereas the core purpose of the Soil Science Society of America is to advance soils as fundamental to life;

Whereas the Soil Science Society of America is 1 of the premier scientific societies and is comprised of more than 6,000 members in the United States and internationally, including scientists, practicing professionals, and students;

Whereas soil is a dynamic system that performs many functions and services vital to human activities and ecosystems;

Whereas soil, plant, animal, and human health are intricately linked, and the sustainable use of soil affects climate, water, and air quality, human health, biodiversity, food safety and security, and bioenergy;

Whereas soil faces increasing human-linked threats from contamination, unplanned urban development, desertification, salinization, mismanagement, and erosion;

Whereas the Soil Science Society of America provides the knowledge and tools to ensure sustainable use of soils in support of societal needs, including food and energy security and ecosystem services;

Whereas the Soil Science Society of America promotes the awareness and education of soils to elementary and secondary students, undergraduate and graduate students, practicing professionals, and the public; and

Whereas the Soil Science Society of America promotes effective research, disseminating scientific information, facilitating technology transfer, fostering high standards of education, maintaining high standards of ethics, promoting advancements in the soils profession, and cooperating with other organizations with similar objectives: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Soil Science Society of America on its 75th anniversary;

(2) commends the Soil Science Society of America for its dedicated service to advance the science and management of soil; and

(3) supports the promise of the Soil Science Society of America to continue to enrich the lives of all people of the United States by improving stewardship of the environment, combating world hunger, and enhancing the quality of life for the future.

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA BASEBALL TEAM

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 225.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 225) congratulating the University of South Carolina baseball team for its gritty and record-breaking pursuit of back-to-back National Collegiate Athletic Association Division I Baseball National Championships.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 225

Congratulating the University of South Carolina baseball team for its gritty and record-breaking pursuit of back-to-back National Collegiate Athletic Association Division I Baseball National Championships.

Whereas, on June 28, 2011, the University of South Carolina Gamecocks won the 2011 National Collegiate Athletic Association College World Series with a 5-2 victory over the University of Florida Gators at TD Ameritrade Park in Omaha, Nebraska;

Whereas the University of South Carolina baseball team has secured the University's second national championship in men's athletics since the founding of the University in 1801;

Whereas the University of South Carolina baseball team became just the sixth team in college baseball history to win back-to-back national championships;

Whereas the University of South Carolina baseball team won a record 11 consecutive games at the College World Series;

Whereas the University of South Carolina baseball team won a record 16 consecutive games at the National Collegiate Athletic Association baseball tournament;

Whereas the University of South Carolina baseball team, in its 10th appearance at the College World Series, became the first team to go 10-0 in the National Collegiate Athletic Association tournament;

Whereas head coach Ray Tanner won his second national title as Head Coach in his 15th season at the University of South Carolina;

Whereas second baseman Scott Wingo was named Most Outstanding Player of the 2011 College World Series;

Whereas first baseman Christian Walker, catcher Robert Berry, second baseman Scott Wingo, shortstop Peter Mooney, pitchers Michael Roth and Matt Price, and designated hitter Brady Thomas were named to the 2011 College World Series All-Tournament Team;

Whereas the State of South Carolina was proud to send the University of South Carolina baseball team to the College World Series for the second consecutive season; and

Whereas the University of South Carolina baseball team is the 2011 National Collegiate Athletic Association Division I Baseball Champion: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of South Carolina Gamecocks for winning the 2011 National Collegiate Athletic Association College World Series;

(2) recognizes the achievement and dedication of all players, coaches, and support staff who battled and made winning 2 consecutive national championships possible;

(3) congratulates the people of South Carolina, the University of South Carolina, and Carolina Gamecocks fans everywhere; and

(4) requests that the Secretary of the Senate submit an enrolled copy of this resolution to—

(A) Dr. Harris Pastides, President of the University of South Carolina;

(B) Eric Hyman, Director of Athletics at the University of South Carolina; and

(C) Ray Tanner, Head Coach of the University of South Carolina baseball team.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 1317 AND S. 1323

Mr. REID. Mr. President, I ask unanimous consent the following bills which are at the desk be considered to have been read twice en bloc and placed on the calendar: S. 1317 from Senator DEMINT, S. 1323 from Senator REID of Nevada.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING THE LIMITED USE OF THE UNITED STATES ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 88, S.J. Res. 20.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 20) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya.

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 88, S.J. Res. 20, a joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya.

Harry Reid, John F. Kerry, Daniel K. Inouye, Jeff Bingaman, Joseph I. Lieberman, Benjamin L. Cardin, Al Franken, Jack Reed, Richard J. Durbin, Richard Blumenthal, Carl Levin, Ben Nelson, Jeanne Shaheen, Mark R. Warner, Dianne Feinstein, Bill Nelson, Mark Udall.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture occur at 5 p.m. on Tuesday, July 5, and the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, JULY 1, 2011, AND TUESDAY, JULY 5, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., on Friday, July 1, for a pro forma session only, with no business conducted; that when the Senate adjourns on Friday, July 1, it stand adjourned until 2 p.m., on Tuesday, July 5; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 88, S.J. Res. 20, the Kerry-McCain resolution regarding Libya.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the first vote will occur next Tuesday, July 5, at 5 p.m., on cloture on the motion to proceed to S.J. Res. 20. We will run longer than usual to accommodate Senators returning after the Independence Day holiday.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent we adjourn under the previous order.

There being no objection, the Senate, at 6:51 p.m., adjourned until Friday, July 1, 2011, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL TRANSPORTATION SAFETY BOARD

DEBORAH A. P. HERSMAN, OF VIRGINIA, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

THOMAS CHARLES KRAJESKI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BAHRAIN.

ROBERT A. MANDELL, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LUXEMBOURG.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADES INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be captain

RICHARD R. WINGROVE

JOHN J. ADLER
ERIC W. BERKOWITZ
JON D. SWALLOW
JOSEPH A. PICA

To be commander

MARK M. SWEENEY
DEVIN R. BRAKOB
JOE C. BISHOP
PETER V. SIEGEL
MICHAEL F. ELLIS
NANCY L. ASH
ELIZABETH I. JONES

To be lieutenant commander

CHRISTIAN J. SLOAN
JUSTIN N. KIBBEY
DONALD E. BEAUCAGE
KATHERINE R. PEET
PATRICK D. DIDIER
NICOLA S. VERPLANCK
COLIN D. LITTLE

To be lieutenant (junior grade)

STEVEN T. LOY
ALEXANDER G. JOHNSTON
ALICE E. DRURY
LEIGH C. HEDGEPEETH
ADAM C. PFUNDT
AMBER M. PAYNE
JASON P. WILSON
ALISE N. PARRISH
LINH K. NGUYEN

DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH MARY J. W. CHOI AND ENDING WITH CHRISTOPHER P. MORRIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

MAJOR GENERAL MICHAEL J. WALSH, UNITED STATES ARMY, TO BE A MEMBER AND PRESIDENT OF THE MISSISSIPPI RIVER COMMISSION.

REAR ADMIRAL JONATHAN W. BAILEY, NOAA, TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 30, 2011:

DEPARTMENT OF THE INTERIOR

DANIEL M. ASHE, OF MARYLAND, TO BE DIRECTOR OF THE UNITED STATES FISH AND WILDLIFE SERVICE.

DEPARTMENT OF THE TREASURY

JENNI RANE LECOMPTE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DAVID S. COHEN, OF MARYLAND, TO BE UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES.

TIMOTHY G. MASSAD, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be rear admiral (lower half)

MICHAEL S. DEVANY

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral upper half

REAR ADM. (LH) VINCENT B. ATKINS
REAR ADM. (LH) ROBERT E. DAY, JR.
REAR ADM. (LH) JOHN H. KORN
REAR ADM. (LH) WILLIAM D. LEE

REAR ADM. (LH) STEPHEN E. MEHLING
REAR ADM. (LH) CHARLES D. MICHEL
REAR ADM. (LH) MICHAEL N. PARKS
REAR ADM. (LH) SANDRA E. STOSZ

DEPARTMENT OF JUSTICE

FELICIA C. ADAMS, OF MISSISSIPPI, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.

RONALD W. SHARPE, OF THE VIRGIN ISLANDS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF THE VIRGIN ISLANDS FOR THE TERM OF FOUR YEARS.

GEORGE LAMAR BECK, JR., OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.

TENNESSEE VALLEY AUTHORITY

RICHARD C. HOWORTH, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2015.

NUCLEAR REGULATORY COMMISSION

WILLIAM CHARLES OSTENDORFF, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2016.

THE JUDICIARY

WILMA ANTOINETTE LEWIS, OF THE DISTRICT OF COLUMBIA, TO BE JUDGE FOR THE DISTRICT COURT OF THE VIRGIN ISLANDS FOR A TERM OF TEN YEARS.

DEPARTMENT OF JUSTICE

THOMAS GRAY WALKER, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

CHARLES F. SALINA, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

ROBERT WILLIAM MATHIESON, OF VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

JUAN MATTOS JR., OF NEW JERSEY, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW JERSEY FOR THE TERM OF FOUR YEARS.

EXECUTIVE OFFICE OF THE PRESIDENT

MAJOR GENERAL MARILYN A. QUAGLIOTTI, USAF (RET.), OF VIRGINIA, TO BE DEPUTY DIRECTOR FOR SUPPLY REDUCTION, OFFICE OF NATIONAL DRUG CONTROL POLICY.

DEPARTMENT OF JUSTICE

ALFRED COOPER LOMAX, OF MISSOURI, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS.

DAVID L. MCNULTY, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

DEPARTMENT OF STATE

RYAN C. CROCKER, OF WASHINGTON, PERSONAL RANK OF CAREER AMBASSADOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.

CENTRAL INTELLIGENCE AGENCY

DAVID H. PETRAEUS, OF NEW HAMPSHIRE, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT R. ALLARDICE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRADLEY A. HEITHOLD

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STANLEY E. CLARKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. PAUL J. SELVA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. TERRENCE A. FEEHAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. JAMES D. THURMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KATHLEEN M. GAINY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN A. HAMMOND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES T. WALTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. STEPHEN L. JONES

BRIG. GEN. RICHARD W. THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL MARCIA M. ANDERSON

BRIGADIER GENERAL WILLIAM G. BEARD

BRIGADIER GENERAL NIKOLAS P. TOULIATOS

BRIGADIER GENERAL JIMMIE J. WELLS

To be brigadier general

COLONEL MARGARETT E. BARNES

COLONEL ROBERT D. CARLSON

COLONEL SCOTTIE D. CARPENTER

COLONEL ALLAN W. ELLIOTT

COLONEL THOMAS P. EVANS

COLONEL JANICE M. HAIGLER

COLONEL KURT A. HARDIN

COLONEL KENNETH D. JONES

COLONEL CHRISTOPHER R. KEMP

COLONEL MICHAEL A. MANN

COLONEL JAMES H. MASON

COLONEL CYNTHIA A. O'CONNELL

COLONEL ALAN L. STOLTE

COLONEL GEORGE R. THOMPSON

COLONEL TRACY A. THOMPSON

COLONEL KEVIN R. TURNER

COLONEL BRYAN W. WAMPLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KEITH M. HUBER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. A. C. ROPER, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CURTIS M. SCAPARROTTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DANIEL P. BOLGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN F. CAMPBELL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JAMES K. BROWN, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ANTONIO J. VICENS-GONZALEZ

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN R. ALLEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) MARK J. BELTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) GEORGE W. BALLANCE

REAR ADM. (LH) ROBIN R. BRAUN

REAR ADM. (LH) RUSSELL S. PENNIMAN IV

REAR ADM. (LH) GARY W. ROSHOLT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ALTHEA H. COETZEE

CAPT. VALERIE K. HUEGEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPTAIN SANDRA E. ADAMS

CAPTAIN MARK L. LEAVITT

CAPTAIN JON G. MATHESON

CAPTAIN KERRY M. METZ

CAPTAIN JOHN F. WEIGOLD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) THOMAS C. TRAAEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) WILLIAM M. ROBERTS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. WILLIAM H. MCRAVEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN G. KING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) WILLIAM E. LEIGHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ANNIE B. ANDREWS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ROBERT V. HOPPA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN RICHARD W. BUTLER

CAPTAIN MATTHEW J. CARTER
CAPTAIN LAWRENCE E. CREEVY
CAPTAIN MARK W. DARRAH
CAPTAIN CHRISTOPHER W. GRADY
CAPTAIN MICHAEL E. JABALEY, JR.
CAPTAIN COLIN J. KILRAIN
CAPTAIN DAVID M. KRIETE
CAPTAIN JOSEPH W. KUZMICK
CAPTAIN WILLIAM C. MCQUILKIN
CAPTAIN VICTORINO G. MERCADO
CAPTAIN DEWOLFE H. MILLER
CAPTAIN STUART B. MUNSCHE
CAPTAIN KENNETH M. PERRY
CAPTAIN FERNANDEZ L. PONDOS
CAPTAIN JOHN C. SCORBY, JR.
CAPTAIN DWIGHT D. SHEPHERD
CAPTAIN MICHAEL E. SMITH
CAPTAIN RICHARD P. SNYDER
CAPTAIN SCOTT A. STEARNEY
CAPTAIN HUGH D. WETHERALD

DEPARTMENT OF STATE

LEWIS ALAN LUKENS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SENEGAL, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA-BISSAU.

KENNETH FAIRFAX, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KAZAKHSTAN.

D. BRENT HARDT, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO-OPERATIVE REPUBLIC OF GUYANA.

DONALD W. KORAN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF RWANDA.

GEETA PASI, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI.

JAMES HAROLD THESSIN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

LISA J. KUBISKE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.

MICHAEL H. CORBIN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED ARAB EMIRATES.

JEANNE E. JACKSON, OF WYOMING, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI.

MATTHEW H. TUELLER, OF UTAH, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

SUSAN LAILA ZIADEH, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF QATAR.

ANNE W. PATTERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, PERSONAL RANK OF CAREER AMBASSADOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARAB REPUBLIC OF EGYPT.

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

DERETH BRITT GLANCE, OF NEW YORK, TO BE A COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA.

RICHARD M. MOY, OF MONTANA, TO BE A COMMISSIONER ON THE PART OF THE UNITED STATES ON THE INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ARIEL PABLOS-MENDEZ, OF NEW YORK, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH TODD A. EADS AND ENDING WITH NICHOLE L. INGALLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFREY B. WARNER AND ENDING WITH GARY S. WOLLAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

IN THE ARMY

ARMY NOMINATION OF SHAUN A. PRICE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER R. BRADEN AND ENDING WITH CM DYER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2011.

ARMY NOMINATION OF MATTHEW B. PHILLIPS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MICHAEL E. LOESCHER AND ENDING WITH LESLIE W. ROBERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 2011.

ARMY NOMINATIONS BEGINNING WITH ERIC G. PUTTLER AND ENDING WITH PRASAD V. YALAVARTHI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 2011.

ARMY NOMINATIONS BEGINNING WITH JAMES L. BENJAMIN AND ENDING WITH GILBERTO RUIZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 2011.

ARMY NOMINATIONS BEGINNING WITH ENRIQUE A. ARANIZ AND ENDING WITH CLIFFORD W. WILKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 7, 2011.

ARMY NOMINATIONS BEGINNING WITH ERIC D. AGUILA AND ENDING WITH OMAHA H. YOUSSEF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

ARMY NOMINATIONS BEGINNING WITH ALFRED C. ANDERSON AND ENDING WITH MARK A. VANCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

ARMY NOMINATIONS BEGINNING WITH TIMOTHY S. ADAMS AND ENDING WITH HEATHER L. ZUNIGA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

ARMY NOMINATIONS BEGINNING WITH GINA E. ADAM AND ENDING WITH D006463, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

ARMY NOMINATIONS BEGINNING WITH ASMA S. BUKHARI AND ENDING WITH D005266, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

ARMY NOMINATIONS BEGINNING WITH STEVEN A. BATTY AND ENDING WITH CHAD A. WEDDELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

ARMY NOMINATION OF KARYN L. ARMSTRONG, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JODI L. SMITH, TO BE MAJOR.

ARMY NOMINATION OF JAYME M. SUTTON, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ROBERT HWANG AND ENDING WITH ANTHONY C. KIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH FARRUKH HAMID AND ENDING WITH ERIC W. SIMONS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH JENNIFER L. FELTWELL AND ENDING WITH JOSHUA P. STAUFFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH ANDREW C. BROWN AND ENDING WITH JOHN W. EANES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH COLLEEN M. MURPHY AND ENDING WITH JAMES T. NORA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH AMY A. BLANK AND ENDING WITH PETER V. HUYNH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH MARTT J. BISS-ELL AND ENDING WITH CARLA S. ROMERO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

ARMY NOMINATIONS BEGINNING WITH DAVID A. AUCH AND ENDING WITH JAMES M. ROLLINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

IN THE NAVY

NAVY NOMINATION OF JOSE AYALA, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL B. TANNER, TO BE CAPTAIN.

NAVY NOMINATION OF KENNETH S. MITCHELL, TO BE CAPTAIN.

NAVY NOMINATION OF GREGORY D. MITCHELL, TO BE CAPTAIN.

NAVY NOMINATION OF THERESA H. DEWITT, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH THOMAS J. LOPEZ AND ENDING WITH GREGORY D. ROWE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH RANDY L. CRYSEL AND ENDING WITH SUSAN M. HELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH KATHERINE A. MCCABE AND ENDING WITH JAY M. STANDRING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH MARK G. BENTON AND ENDING WITH SCOTT W. THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH THOMAS M. ADKINS AND ENDING WITH CHRISTOPHER T. SCHOLL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH PETER B. BELL AND ENDING WITH ERIC A. WILLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH ERRIN P. ARMSTRONG AND ENDING WITH LYLE D. STUFFLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH BRIAN M. ACKERMAN AND ENDING WITH FRANK J. ZELENKA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATIONS BEGINNING WITH BRADLEY H. BOYER AND ENDING WITH THOMAS J. VONKOLNITZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

NAVY NOMINATION OF WILLIAM L. NOONEY, TO BE CAPTAIN.

NAVY NOMINATION OF CALVIN B. SUFFRIDGE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH ELIZABETH J. JACKSON AND ENDING WITH JOHN M. MIYAHARA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2011.

NAVY NOMINATION OF JEFFREY R. MACRIS, TO BE CAPTAIN.

NAVY NOMINATION OF TOBY C. SWAIN, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH RAYMOND R. DELGADO III AND ENDING WITH STEVEN P. SOPKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH JOHN S. CRAWMER AND ENDING WITH JOSEPH A. RODRIGUEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH CLIFFORD W. BEAN III AND ENDING WITH ANDREW D. STEWART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH STEVEN J. AVERETT AND ENDING WITH JOHN A. WATKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH LOUIS W. ARMY IV AND ENDING WITH BRIAN A. TREAT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER D. BOWNS AND ENDING WITH KARIN A. VERNAZZA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH JAMES T. DENLEY AND ENDING WITH THOMAS B. WEBBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH ELIZABETH J. FRENCH AND ENDING WITH YVONNE TAPIA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH THOMAS W. ARMSTRONG AND ENDING WITH JAMES S. TALBERT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH JOHN W. CARSON III AND ENDING WITH CHARLES S. WILLMORE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH KARL A. ANDINA AND ENDING WITH NORMAN M. TOBLER II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH SYED N. AHMAD AND ENDING WITH SCOTT F. THOMPSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH THOMAS J. ANDERSON AND ENDING WITH ALLAN R. WALTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH KYLE B. BECKMAN AND ENDING WITH TRACY A. VINCENT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY A. ACKERMAN AND ENDING WITH RANDALL J. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH ANTHONY A. ARITA AND ENDING WITH JONATHAN P. WILCOX, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH RAYMOND W. BICHARD AND ENDING WITH EDWARD L. ZAWISLAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH KARLYNA L. D. ANDERSEN AND ENDING WITH TARA J. ZIEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATIONS BEGINNING WITH LYNN ACHESON AND ENDING WITH JOHN M. ZUZICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 26, 2011.

NAVY NOMINATION OF ROGER S. THOMPSON, TO BE COMMANDER.

NAVY NOMINATION OF MONSERRAT JORDEN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF TIMOTHY W. GRASMICK, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JEANETTE D. GROENEVELD AND ENDING WITH JOHN T. SCHOFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH DAVID A. ABERNATHY AND ENDING WITH JAMES G. ZOULIAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH KERTRECK V. BROOKS AND ENDING WITH MICHAEL G. WHEELER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH JOHN A. ANDERSON AND ENDING WITH BENJAMIN D. ZITTERER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH RYAN G. BATCHELOR AND ENDING WITH CHRISTOPHER M. SYLVESTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH JAMES M. BELMONT AND ENDING WITH DAVID A. VONDRAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH GREGORY A. FRANCOCH AND ENDING WITH WILLIAM J. YODER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH MICHAEL CORNELIUS AND ENDING WITH DOUGLAS T. WAHL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH JAMES W. ADKISSON III AND ENDING WITH SHERRI R. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH MARC C. FRYMAN AND ENDING WITH JAMES J. WATSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER R. ANDERSON AND ENDING WITH DAVID P. WOLYNSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATIONS BEGINNING WITH AMY R. ALCORN AND ENDING WITH MICHAEL A. ZURICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2011.

NAVY NOMINATION OF GREGORY A. PINKLEY, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF LI SUNG, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF GREGORY C. PEDRO, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CHAD W. GAGNON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JULIE R. WETMORE, TO BE CAPTAIN.

NAVY NOMINATION OF PHILLIP E. LEE, JR., TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH PAUL D. HANSON AND ENDING WITH MICHAEL J. STIGLITZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

NAVY NOMINATIONS BEGINNING WITH CARMEN I. BOIS AND ENDING WITH BRENT B. HUTSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER A. ASSELTA AND ENDING WITH ERNST K. WALGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

NAVY NOMINATIONS BEGINNING WITH REBECCA L. DUNAVENT AND ENDING WITH CHRISTINE C. RIVERA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

NAVY NOMINATIONS BEGINNING WITH HEATHER C. BEASLEY AND ENDING WITH RUSSELL J. VERBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

NAVY NOMINATIONS BEGINNING WITH KEVIN J. BARTOL AND ENDING WITH BRUCE J. WEIDNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

NAVY NOMINATIONS BEGINNING WITH SHANE A. BOWEN AND ENDING WITH WARREN D. WOLLIN II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH MICHAEL J. PLUMLEY AND ENDING WITH MARIETTE C. OGG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 2, 2011.

COAST GUARD NOMINATION OF KRISTIN L. CONVILLE, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF EDWARD L. LACY, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF JASON M. BIGGAR, TO BE LIEUTENANT COMMANDER.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH NAADIA LISA PORTER AND ENDING WITH MARA R. TEKACH-BALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 12, 2011.

MISSISSIPPI RIVER COMMISSION

MAJOR GENERAL MICHAEL J. WALSH, UNITED STATES ARMY, TO BE A MEMBER AND PRESIDENT OF THE MISSISSIPPI RIVER COMMISSION.

REAR ADMIRAL JONATHAN W. BAILEY, NOAA, TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION.

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH MARY J. W. CHOI AND ENDING WITH CHRISTOPHER P. MORRIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2011.

SENATE—Friday, July 1, 2011

The Senate met at 11:00 and 1 second a.m., and was called to order by the Honorable MARY LANDRIEU, a Senator from the State of Louisiana.

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 1, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARY LANDRIEU, a Senator from the State of Louisiana, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Ms. LANDRIEU thereupon assumed the chair as Acting President pro tempore.

ADJOURNMENT UNTIL TUESDAY,
JULY 5, 2011, AT 2 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, July 5, 2011, at 2 p.m.

Thereupon, the Senate, at 11:00 and 35 seconds a.m., adjourned until Tuesday, July 5, 2011, at 2 p.m.

HOUSE OF REPRESENTATIVES—Friday, July 1, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LANDRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 1, 2011.

I hereby appoint the Honorable JEFF LANDRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend William George, Archdiocese of Washington, D.C., offered the following prayer:

Almighty God, how wonderful is this country You have given us, the United States of America. We are grateful to be a nation under You, our God.

Without Your goodness and love, what would we be?

Today, we share freedoms You intended, beauty between two oceans that is beyond one's comprehension and telling; our children learn the laws of Your universe in freedom to think and work at understanding Your handiwork; we can worship You however You inspire us.

Thank You for Your love.

Your gift of our government of the people, for the people, by the people is special to us, the most diverse on Earth. Our House reflects Your care for us, sensitive to the needs of all Your children. Fill each Member with the grace of wise governance, its leaders with wisdom and insight to inspire the making of just laws.

This we pray to You, our loving God. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 29, 2011.

Hon. JOHN A. BOEHNER,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 29, 2011 at 5:45 p.m.:

That the Senate passed S. 679.

With best Wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore HARRIS on Tuesday, June 28, 2011:

H.R. 2279, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, July 1, 2011.

Hon. JOHN A. BOEHNER,
Speaker, The Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 1(k)(2) of H. Res. 895, One Hundred Tenth Congress, and section 4(c) of H. Res. 5, One Hundred Twelfth Congress, I transmit to you notification that Yvonne Burke, Karan English, Bill Frenzel, Porter J. Goss, Abner J. Mikva, David E. Skaggs, Omar Ashmawy, William H. Cable, Laura Cole, Mary K. Flanagan, Scott Gast, David Hartzler, Kedric L. Payne, Paul Solis, and Nathaniel Wright have signed an agreement to not be a candidate for the office of Senator or Represent-

ative in, or Delegate or Resident Commissioner to, the Congress for purposes of the Federal Election Campaign Act of 1971 until at least 3 years after he or she is no longer a member of the board or staff of the Office of Congressional Ethics.

Copies of the signed agreements shall be retained by the Office of the Clerk as part of the records of the House. Should you have any questions regarding this matter, please contact Ronald Dale Thomas.

Sincerely,

KAREN L. HAAS,
Clerk, U.S. House of Representatives.

ADJOURNMENT TO TUESDAY, JULY 5, 2011

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet at 1 p.m. on Tuesday, July 5, 2011; and further when the House adjourns on that day, it shall adjourn to meet at 2 p.m. on Wednesday, July 6, 2011.

There was no objection.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

January 31, 2011:

H.R. 366. An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

February 25, 2011:

H.R. 514. An Act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011.

March 2, 2011:

H.J. Res. 44. A joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

March 4, 2011:

H.R. 662. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

March 18, 2011:

H.J. Res. 48. A joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

March 31, 2011:

H.R. 1079. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

April 9, 2011:

H.R. 1363. An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

April 14, 2011:

H.R. 4. An Act to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes.

April 15, 2011:

H.R. 1473. An Act making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

May 12, 2011:

H.R. 1308. An Act to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes.

May 31, 2011:

H.R. 793. An Act to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Velloza Post Office".

H.R. 1893. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

June 8, 2011:

H.R. 754. An Act to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intel-

ligence Agency Retirement and Disability System, and for other purposes.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

February 17, 2011:

S. 188. An Act to designate the United States courthouse under construction at 98 West First Street, Yuma, Arizona, as the "John M. Roll United States Courthouse".

April 25, 2011:

S. 307. An Act to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the "W. Craig Broadwater Federal Building and United States Courthouse".

S.J. Res. 8. A joint resolution providing for the appointment of Stephen M. Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

May 26, 2011:

S. 990. An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

June 1, 2011:

S. 1082. An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business

Investment Act of 1958, and for other purposes.

June 24, 2011:

S.J. Res. 7. A joint resolution providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9. A joint resolution providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. HARRIS.

H.R. 2279. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 1 p.m. on Tuesday, July 5, 2011.

There was no objection.

Accordingly (at 10 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Tuesday, July 5, 2011, at 1 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the third quarter of 2009, the second quarter of 2010, and the first and second quarters of 2011 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO QATAR, IRAQ, AND ISRAEL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 5 AND MAY 10, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Nancy Pelosi	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Roscoe Bartlett	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. George Miller	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Ed Markey	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Nick Rahall	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Anna Eshoo	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Carolyn Maloney	5/6	5/8	Qatar		577.53		³ 4,256.00				4,833.53
Hon. Steve Israel	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Cedric Richmond	5/6	5/8	Qatar		681.30		(3)				681.30
John Lawrence	5/6	5/8	Qatar		681.30		(3)				681.30
Dr. Brian Monahan	5/6	5/8	Qatar		681.30		(3)				681.30
Reva Price	5/6	5/8	Qatar		681.30		(3)				681.30
Andrew Hammill	5/6	5/8	Qatar		681.30		(3)				681.30
Bridget Fallon	5/6	5/8	Qatar		681.30		(3)				681.30
Stacy Kerr	5/6	5/8	Qatar		681.30		(3)				681.30
Hon. Nancy Pelosi	5/7	5/7	Iraq				(3)				
Hon. Roscoe Bartlett	5/7	5/7	Iraq				(3)				
Hon. George Miller	5/7	5/7	Iraq				(3)				
Hon. Ed Markey	5/7	5/7	Iraq				(3)				
Hon. Nick Rahall	5/7	5/7	Iraq				(3)				
Hon. Anna Eshoo	5/7	5/7	Iraq				(3)				
Hon. Carolyn Maloney	5/7	5/7	Iraq				(3)				
Hon. Steve Israel	5/7	5/7	Iraq				(3)				
Hon. Cedric Richmond	5/7	5/7	Iraq				(3)				
John Lawrence	5/7	5/7	Iraq				(3)				
Dr. Brian Monahan	5/7	5/7	Iraq				(3)				
Hon. Nancy Pelosi	5/8	5/10	Israel		932.00		(3)				932.00
Hon. Roscoe Bartlett	5/8	5/10	Israel		849.45		(3)				849.45
Hon. George Miller	5/8	5/10	Israel		757.00		(3)				757.00
Hon. Ed Markey	5/8	5/10	Israel		932.00		(3)				932.00
Hon. Nick Rahall	5/8	5/10	Israel		932.00		(3)				932.00
Hon. Anna Eshoo	5/8	5/10	Israel		932.00		(3)				932.00
Hon. Steve Israel	5/8	5/10	Israel		932.00		(3)				932.00
Hon. Cedric Richmond	5/8	5/10	Israel		932.00		(3)				932.00
John Lawrence	5/8	5/10	Israel		932.00		(3)				932.00
Dr. Brian Monahan	5/8	5/10	Israel		848.00		(3)				848.00
Reva Price	5/8	5/10	Israel		852.00		(3)				852.00

July 1, 2011

CONGRESSIONAL RECORD—HOUSE, Vol. 157, Pt. 7

10297

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO QATAR, IRAQ, AND ISRAEL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 5 AND MAY 10, 2011—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Andrew Hammill	5/8	5/10	Israel		932.00		(³)				932.00
Bridget Fallon	5/8	5/10	Israel		932.00		(³)				932.00
Stacy Kerr	5/8	5/10	Israel		932.00		(³)				932.00
Committee total											26,998.18

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. NANCY PELOSI, June 8, 2011.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Eni F.H. Faleomavaega	3/21	3/28	Chile		945.20				4 4.25		949.45
Hon. Brian Higgins	2/03	2/03	Spain		459.00						459.00
Hon. Donald A. Manzullo	2/21	2/23	New Zealand		340.58		(³)		4 12,480.81		12,821.39
Hon. Tom Marino	3/22	3/23	United Arab Emirates		508.31		(³)		4 2,979.33		3,487.67
Committee totals					2,253.09				15,464.39		17,717.48

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

⁴ Indicates delegation costs.

HON. ILEANA ROS-LEHTINEN, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Brian Turbyfill	8/29	8/31	Australia		429.95		13,700.80				14,130.75
Thomas McDaniels	8/31	9/3	Thailand		366.00						366.00
Holly Canevari	8/29	8/31	Australia		429.95		13,700.80				14,130.75
Mario Cantu	8/31	9/3	Thailand		366.00						366.00
Karis Gutter	8/29	8/31	Australia		429.95		13,700.80				14,130.75
I. Lanier Avant	8/31	9/3	Thailand		366.00						366.00
Michael Beland	8/29	8/31	Australia		429.95		11,758.80				12,188.75
Cory Horton	8/31	9/3	Thailand		366.00						366.00
Shane Wolfe	8/29	8/31	Australia		429.95		15,393.74				15,823.69
Joseph Vealencis	8/31	9/3	Thailand		366.00						366.00
Michael Stroud	8/29	8/31	Australia		429.95		11,758.80				12,188.75
Chris Beck	8/31	9/3	Thailand		366.00						366.00
Carla Zamudio-Dolan	8/29	8/31	Australia		429.95		11,758.80				12,188.75
Amanda Halpern	8/31	9/3	Thailand		366.00						366.00
Hon. Ben Lujan	8/29	8/31	Australia		429.95		13,700.80				14,130.75
	8/31	9/3	Thailand		366.00						366.00
	8/4	8/5	Turkey		300.00		(³)				300.00
	8/5	8/6	Afghanistan		26.00		(³)				26.00
	8/6	8/7	Qatar		341.00		(³)				341.00
	8/7	8/8	Kuwait		416.00		(³)				416.00
	8/8	8/9	Iraq		11.00		(³)				11.00
	8/9	8/10	Germany		310.00		(³)				310.00
Committee total					12,547.30		181,850.08				194,397.38

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. BENNIE G. THOMPSON, June 3, 2011.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2010

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Brian Turbyfill	6/2	6/4	Singapore		412.37		11,052.60				11,464.97
	6/2	6/6	Malaysia		254.00						

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2010—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Thomas McDaniels	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		10,635.60				11,047.97
	6/4	6/6	Malaysia		254.00						
Mandy Bowers	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		10,635.60				11,047.97
	6/4	6/6	Malaysia		254.00						
Luke Burke	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		11,236.60				11,648.97
	6/4	6/6	Malaysia		254.00						
Patricia Zavala	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		11,052.60				11,464.97
	6/4	6/6	Malaysia		254.00						
I. Lanier Avant	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		10,635.60				11,047.97
	6/4	6/6	Malaysia		254.00						
Galen Bean	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		11,361.60				11,773.97
	6/4	6/6	Malaysia		254.00						
Cory Horton	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		12,011.60				12,423.97
	6/4	6/6	Malaysia		254.00						
Nicole Tisdale	6/6	6/8	Hong Kong		388.00						
	6/2	6/4	Singapore		412.37		10,635.60				1,047.97
	6/4	6/6	Malaysia		254.00						
Stephen Vina	6/6	6/8	Hong Kong		388.00						388.00
	6/2	6/4	Singapore		412.37		16,481.60				16,893.97
	6/4	6/6	Malaysia		254.00						
Pizza Ashley	6/6	6/8	Hong Kong		388.00						388.00
	6/2	6/4	Singapore		412.37		10,635.60				11,047.97
	6/4	6/6	Malaysia		254.00						
Michael Russell	6/6	6/8	Hong Kong		388.00						388.00
	6/2	6/4	Singapore		412.37		11,758.80				12,171.17
	6/4	6/6	Malaysia		254.00						
Kim Alton	6/6	6/8	Hong Kong		388.00						388.00
	6/2	6/4	Singapore		412.37		10,635.60				11,047.97
	6/4	6/6	Malaysia		254.00						
Carla Zamudio-Dolan	6/6	6/8	Hong Kong		388.00						388.00
	6/2	6/4	Singapore		412.37		13,812.30				
	6/4	6/6	Malaysia		254.00						
	6/6	6/8	Hong Kong		388.00						388.00
Committee total					14,761.18		85,971.10				100,732.28

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BENNIE G. THOMPSON, July 2, 2010.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 1425. A bill to reauthorize and improve the SBIR and STTR programs, and for other purposes; with an amendment (Rept. 112-90, Pt. 2). Committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. BACHUS: Committee on Financial Services. H.R. 33. A bill to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act; with an amendment (Rept. 112-131). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. First Semiannual Report of the Activities of the Committee on Natural Resources for the 112th Congress (Rept. 112-132). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLINE: Committee on Education and the Workforce. First Semiannual Report on the Activities of the Committee on Education and the Workforce for the 112th Congress (Rept. 112-133). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. First Semiannual Report on the Activities of the Per-

manent Select Committee on Intelligence for the 112th Congress (Rept. 112-134). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committee on Armed Services discharged from further consideration. H.R. 1425 referred to the Committee of the Whole House on the State of the Union.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 466: Ms. MATSUI and Mr. FRANK of Massachusetts.

H.R. 530: Mr. AL GREEN of Texas.

H.R. 640: Mr. PLATTS.

H.R. 721: Mr. HULTGREN.

H.R. 1170: Mr. FILNER.

H.R. 1219: Mr. RICHMOND.

H.R. 1242: Mr. STARK.

H.R. 1881: Mr. WATT and Mr. KUCINICH.

H.R. 2117: Mr. THORNBERRY, Mr. SMITH of New Jersey, Mr. SHUSTER, Mr. SMITH of Nebraska, Mr. CONAWAY, Ms. GRANGER, Mr. CHAFFETZ, Mr. HULTGREN, Mr. GUINTA, Mr. REED, Mr. FORBES, Mrs. BLACKBURN, Mr. BENISHEK, Mr. COHEN, and Mr. BURTON of Indiana.

H. Res. 130: Ms. MOORE.

H. Res. 306: Mr. OLVER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: MR. AMASH

AMENDMENT No. 45: At the end of the bill (before the short title), insert the following:
SEC. _____. None of the funds made available by this Act may be used to carry out or enforce section 2461(a)(1)(F) of title 10, United States Code.

H.R. 2219

OFFERED BY: MR. AMASH

AMENDMENT No. 46: Page 49, strike lines 12 through 18 and insert "to the Department of Defense; and".

H.R. 2219

OFFERED BY: MR. AMASH

AMENDMENT No. 47: At the end of the bill (before the short title), add the following:
SEC. _____. None of the funds made available by this Act may be used for the continued deployment of United States Armed Forces participating in North Atlantic Treaty Organization Operation Unified Protector.

H.R. 2219

OFFERED BY: MR. AMASH

AMENDMENT No. 48: At the end of the bill (before the short title), add the following:
SEC. _____. None of the funds made available by this Act may be used for the use of force against Libya.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 49: Page 9, line 6, after the dollar amount, insert “(reduced by \$650,000)”.

Page 33, line 18, after the dollar amount, insert “(increased by \$500,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 50: Page 9, line 6, after the dollar amount, insert “(reduced by \$600,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$500,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 51: Page 9, line 6, after the dollar amount, insert “(reduced by \$350,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$250,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 52: Page 9, line 6, after the dollar amount, insert “(reduced by \$1,500,000)”.

Page 33, line 18, after the dollar amount, insert “(increased by \$1,000,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 53: Page 9, line 6, after the dollar amount, insert “(reduced by \$600,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$500,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 54: Page 9, line 6, after the dollar amount, insert “(reduced by \$350,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$250,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 55: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act under the heading “Defense Health Program” may be used in contravention of chapter 55 of title 10, United States Code.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 56: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act under the heading “Defense Health Program” may be transferred.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 57: Page 9, line 6, after the dollar amount, insert “(reduced by \$1,500,000)”.

Page 33, line 18, after the dollar amount, insert “(increased by \$1,000,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 58: Page 9, line 6, after the dollar amount, insert “(reduced by \$650,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$500,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 59: Page 9, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 33, line 18, after the dollar amount, insert “(increased by \$500,000)”.

H.R. 2219

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 60: Page 9, line 6, after the dollar amount, insert “(reduced by \$350,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$250,000)”.

EXTENSIONS OF REMARKS

HONORING ANNE LUCILLE
CAPRARA

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Anne Lucille Caprara, 102, of Gonzales, who passed away peacefully at her home Wednesday, June 22, 2011. She was born January 11, 1909 in Salinas. She was a member of St. Theodore's Catholic Church and Pro Ticino of Northern California. Anne always said, "You're ok as long as you can still get out of bed," and she was able to do that until days before her passing. She was born in Salinas, but was a lifelong resident of Gonzales. She graduated in 1927 from Gonzales High School where she was recently honored for being the longest living alumni.

She met and married a dashing young man from Switzerland, Victor Caprara. They had three children. Anne was a devoted wife and mother. Being a homemaker was her priority in life. The "famiglia" loved having their family and friends gather around their table, enjoying conversation and eating delicious food which Anne enjoyed preparing. Roasting chestnuts was a must during the holidays.

She and her husband traveled to Switzerland twice to meet Victor's family and visit her relatives in Canton Ticino. Her parents were also Swiss immigrants. They looked forward to the annual Swiss Picnics and dancing to Swiss polkas. Anne's family wishes to express their deepest gratitude to her kind and very caring care-givers, Margaret and Leticia and her long time physician, Dr. Christine Ponzio. Anne was preceded in death by her husband, Victor Caprara in 1973; mother, Angelina Sgheiza; father, Valentino Sgheiza; sisters, Corina Tomasini, and Alice Berry; brother, Leo Sgheiza; granddaughter, Lorelei Ann Farmer; and grandson, Michael Dennis Farmer.

She is survived by her daughters, Loraine Farmer and Dolores (John) Billman both of Salinas; son, Dennis (Janice) Caprara, of Gonzales; grandchildren, Robert Lee Farmer, John "Bowdie" Billman, Bren Billman, Anne Marci, Brian Caprara, Leslie Lombardi, and Sheri Hayes, 17 great-grandchildren and several devoted nieces and nephews.

JUSTICE FOR LAURA CERNA

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Mr. POE of Texas. Mr. Speaker, as a former prosecutor and judge in Texas for 30 years, and now as the founder and co-chair of the Congressional Victims' Rights Caucus, I have

heard and seen the gamut of crimes against individuals, families and property. But I have also, unfortunately, heard and seen far too many cases of justice denied.

I hope that this will not be the case in the prosecution of Laura Cerna's murderer Antonio Gordillo.

Laura Cerna was an American mother living her dream in Spain teaching English when she became the victim of a brutal murder, her body mutilated and thrown into a river. Her son was left without his mother and her grieving family without their daughter and sister.

Spanish authorities have a suspect, Antonio Gordillo, in custody and are currently charging him with "Basic Homicide." This charge comes with a penalty of only 10–15 years in prison.

I am calling on Spain to ensure that justice is served and to prosecute Antonio Gordillo to the fullest extent permitted by Spanish law.

Laura Cerna's family deserves to know that her murderer is behind bars for a very long time, unable to harm others. Americans need to know that they will be safe when travelling to Spain and that authorities will do all that they can to pursue justice, not just for their own citizens but for those visiting from abroad as well.

Laura Cerna was not "just some foreigner" as her murderer described her, but a mother, daughter, sister, teacher, and friend. Antonio Gordillo must be brought to justice and receive the maximum penalty for his heinous crime.

And that's just the way it is.

RECOGNIZING AYDIN TURGUT

HON. ROBERT T. SCHILLING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Mr. SCHILLING. Mr. Speaker, I rise today to recognize the incredible achievement of Aydin Turgut, an extremely talented 6½-year-old constituent of mine. Aydin is the son of Tansel and Ava Turgut from Decatur, Illinois.

At 6½-years old, Aydin won the United States Chess Federation National Elementary Championship that was held in Dallas, Texas from May 6–8th. He successfully completed a perfect tournament by winning all seven of his matches, securing first place out of 294 players.

Success does not come without hard work and dedication. Realizing this at a young age, Aydin spends a half hour practicing chess every morning before catching the school bus. While most of his free time outside the classroom is focused on chess, Aydin also plays the piano, soccer, and tennis.

When asked who his hero was in the game of chess, Aydin grinned and pointed to his father Tansel, who is the highest ranking correspondence chess player in the country. In a

recent father-son chess match, the two competitors played to a draw.

Aydin is well on his way in following the footsteps of his father. I congratulate Aydin on his accomplishments and wish him best of luck in his very bright future.

IN HONOR OF EUGENE J.
VAILLANCOURT FOR HIS 24
YEARS OF DEDICATED SERVICE
TO THE CITY OF BOSTON AND
THE VETERANS' SERVICES DE-
PARTMENT

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Mr. LYNCH. Mr. Speaker, I rise today in honor of Eugene J. Vaillancourt in recognition of his 24 years of dedicated service to the City of Boston and the Veterans' Services Department. Throughout his nearly quarter century of service to the City, Gene worked passionately and tirelessly advocating on behalf of veterans.

Gene Vaillancourt was born on October 5, 1942, and raised in South Boston. On February 3, 1963, Gene married the late Rita Calla. They had 2 children, Gene and Billy. Gene has 3 grandchildren, Jennifer, Jordan and Erin.

After graduating from South Boston High School in 1960, he entered the United States Marine Corps (USMC). During his career he served in all 4 Marine divisions at Hawaii, Alaska, Japan and several stateside bases. A disabled combat veteran, Gene served 2 tours in Vietnam in both the 1st and 3rd Marine divisions from 1966–1967 and 1970–1971; for his brave and admirable contributions, Gene was decorated with a Purple Heart. A highly decorated veteran, he was also awarded the Meritorious Service Medal for Outstanding Service, the Combat Action Ribbon, and the Vietnamese Cross of Gallantry with Palm. He retired from USMC as a Sgt. Major in 1987 with 27 years of service.

In August of 1987, Gene was hired by the city of Boston Veterans' Services Department and was appointed the assistant commissioner in 1992. During his 24 years with the department Gene played a very active role with various veteran related issues and projects including assisting in the installation of many veteran memorials throughout the City of Boston.

During his time at the Veterans' Services Department, Gene lobbied for well earned benefits for veterans including real estate abatements, increased annuities for 100 percent disabled veterans, and annuities for both Gold Star Mothers and Gold Star Wives. On July 1, 2003, Gene proudly accepted his appointment as the Commissioner of the City of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Boston Veterans' Services Department, and continues to advocate on behalf of his fellow veterans.

Mr. Speaker, it is my distinct honor to join with Gene's family, friends, fellow veterans, and the city of Boston to thank him for his incredible service to his country and his dedication and commitment to veterans. I hope my colleagues will join me in celebrating Gene's distinguished career and in wishing him good health and success in all of his future endeavors.

RECOGNIZING THE 100TH ANNIVERSARY OF THE PORT OF LONG BEACH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Ms. RICHARDSON. Mr. Speaker, I rise today to commemorate the 100th Anniversary of one of the world's busiest transportation centers, the Port of Long Beach. In my District, one out of every 8 people is employed by the Port, and over 300,000 jobs across Southern California are directly involved in its operations.

As a Member of the House Committee on Transportation and Infrastructure, I look to the Port of Long Beach as a model seaport, bringing business and economic opportunities to our area through ever more efficient methods of facilitating economic trade, guided by a philosophy that is sensitive to our environment and prepared for emergencies.

Mr. Speaker, on June 24, 1911, the Port of Long Beach, located on 800 acres of marshland at the mouth of the Los Angeles River, was officially opened to the world. The S.S. *laqua* unloaded 280,000 feet of redwood lumber at a small pier of wood and concrete, becoming the first ship to call on the Port of Long Beach. The port now services nearly 5,000 vessels and handles more than \$100 billion worth of goods each year.

After the Los Angeles Dock and Terminal Company, the Port's original owner, declared bankruptcy in 1916, the City of Long Beach acquired the harbor and appointed a Board of Harbor Commissioners to direct its operations. In 1925, it was decided that the Port ought to be an independent city department with its own independent board.

Since then, the histories of Long Beach and its port have been intertwined. After nearly a decade of dredging and harbor improvements, in 1926 the Port of Long Beach attained "deep water" port status and recorded 1 million tons of cargo having passed through its piers since the *laqua*. The 1930's witnessed the expansion of the San Pedro Bay breakwater and the discovery of oil, ushering in an era of unprecedented growth for the Port and the City of Long Beach.

The U.S. Navy established a facility in 1940 at Terminal Island that would become the Long Beach Naval Shipyard, which provided critical support to America's operations in the

Pacific during World War II, and remained a major military facility until 1997.

The port continued to grow in size, capacity, and technological sophistication. It became the first of its kind in the Americas to install a shore-based radar system in 1949, and Time Magazine dubbed the Port of Long Beach "America's Most Modern Port." In 1973 the Port of Long Beach became the first port in the Western Hemisphere to receive the Environmental "E" Award from the American Association of Port Authorities for its efforts to prevent oil spills, process sewage, clean the harbor, and monitor water quality, and received the E-Star Award from the United States Department of Commerce one year later.

In 1980, the Port of Long Beach was the first American port of call for Chinese ships following normalized relations. 1996 and 1997 saw the Port of Long Beach handling more shipping containers than any other U.S. port. Today, nearly 1 out of every 5 American shipping containers pass through its facilities.

The Port also continues its legacy of environmentally sensitive operations through its Green Port Policy and its Clean Air Action Plan which have become the model for similar facilities around the world seeking to improve water quality, reduce emissions, prevent contamination, protect wildlife, and implement sustainable practices in daily operations.

In recent years, the Port of Long Beach has taken unprecedented steps to connect with its surrounding communities, offering free tours of the Port to the public, holding community forums, awarding scholarships, pioneering trade-related educational programs, and hosting the annual Green Port Fest.

Mr. Speaker, I call on my colleagues to join me in recognizing the Port of Long Beach for a century of innovation and the critical role it plays in American trade with the world. I am thankful for the contributions to American shipping made during the Port's history, and I acknowledge the critical importance of the Port to America's continuing prosperity and future trade for the next 100 years.

HONORING TWO ITALIAN MAYORS

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge two Italian mayors who serve some of the most popular destinations in Italy: Dott. Antimo Silvestre, Mayor of Casandrino, Italy, and Dott. Antonio Di Brino, Mayor of Termoli, Italy. As an Italian-American and a former mayor of a Pennsylvania city rich in Italian culture, I believe it is important to recognize my counterparts in my family's native country.

Located in southern Italy, Casandrino is part of the Greater Naples area, which has a population exceeding one million people. The Palace of Capodimonte, the Napolitan National Gallery, and the Catacombs of San Gennaro all surround the city center of Casandrino, at-

tracting visitors from around Italy and the world. Casandrino remains at the center of Italy's culture of art, history, and commerce.

Termoli has a rich history as a seaside village on the Adriatic coast of Italy. It is known for the purity of its waters and white, sandy beaches. Less developed and more historical than other seaside towns of Italy, Termoli features restored Romanesque architecture and many fine restaurants and resorts. Termoli humbly welcomes thousands of Italian and foreigners each year.

Mr. Speaker, I commend the vital role mayors hold in our local communities. I understand that mayors face many similar challenges around the world, and I recognize my friends and colleagues Dott. Antimo Silvestre and Dott. Antonio Di Brino as distinguished leaders in their communities.

HONORING JANICE SCOTT

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 1, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Fresno resident Janice Scott; and to recognize Janice for her dedication to changing her life's path. Over the past three years Janice has worked hard to overcome many challenges, an achievement which deserves to be recognized.

Less than a year ago, Janice, a 36-year-old Fresno native, was homeless and lived in a tent city located in downtown Fresno. After being involved in an abusive relationship for three years, Janice had no job, no educational degree, and no hope. Janice struggled to meet her basic needs and be a productive member of society. During this time, Janice was approached by Mr. Greg Barfield, Fresno's "Homeless Czar", and was given the opportunity to move off of the streets and into her own apartment provided by the City of Fresno.

The City of Fresno's community-wide initiative known as "Fresno First Steps Home," provided Janice with a more stable environment. Janice not only took advantage of this opportunity, she used it as a springboard to work toward a better life. She enrolled in the North Campus of Heald College with a full-ride scholarship, and is on track to graduate with honors. Upon graduation, she is excited to pursue a career in Medical Administration. Janice knows that her future career will allow her to give back to the community which provided her the opportunity for not only a new home, but to begin a new life. Earlier this year, Janice's accomplishments and hard-work were recognized by Fresno Mayor Ashley Swearingin, who presented Janice with a prestigious award, entitled the "Key to the City".

Mr. Speaker, please join me in commending Janice Scott for her hard work to better her life and provide hope to others around her, and wishing her great success in her future endeavors.

HOUSE OF REPRESENTATIVES—Tuesday, July 5, 2011

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of South Carolina).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 5, 2011.

I hereby appoint the Honorable JEFF DUNCAN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and Gracious God, we give You thanks for giving us another day.

As the Members of this assembly return from days away celebrating our Nation's birth, grant them a safe and restful journey. May they return ready to assume a difficult work which must be done.

We pray for the needs of the Nation and world and all of creation. Bless those who seek to honor You and serve each other and all Americans in this House through their public service. May the words and deeds of this place reflect an earnest desire for justice, and may men and women in government build on the tradition of equity and truth that represents the noblest heritage of our people.

May Your blessing, O God, be with us this day and every day to come, and may all we do be done for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 2 p.m. tomorrow.

There was no objection.

Accordingly (at 1 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 6, 2011, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2244. A letter from the Under Secretary, Department of Defense, transmitting authorization of 11 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

2245. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final "Major" rule — Family Offices [Release No.: IA-3220; File No. S7-25-10] (RIN: 3235-AK66) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2246. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final "Major" rule — Rules Implementing Amendments to the Investment Advisers Act of 1940 [Release No.: IA-3221; File No. S7-36-10] (RIN: 3235-AK82) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2247. A letter from the Assistant Deputy Secretary for Innovation and Improvement, Department of Education, transmitting the Department's final rule — Investing in Innovation Fund [Docket ID: ED-2011-OII-0001] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2248. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR)—Disability Rehabilitation Research Project (DRRP)—Disability in the Family [CFDA Number: 84.133A-09] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2249. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priorities and Selection Criterion; National Institute on Disability and Rehabilitation Research (NIDRR)—Spinal Cord Injury Model Systems (SCIMS) Centers and SCIMS Multi-Site Collaborative Research Projects [CFDA Numbers: 84.133N-1 and 84.133A-15] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2250. A letter from the Secretary, Department of Health and Human Services, transmitting the annual financial report to Con-

gress required by the Medical Device User Fee and Modernization Act of 2002 (MDUFMA), covering FY 2011; to the Committee on Energy and Commerce.

2251. A letter from the Acting District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 1st Quarter of Fiscal Year 2011", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

2252. A letter from the Director, Peace Corps, transmitting the semi-annual report of the Inspector General of the Peace Corps for the period beginning October 1, 2010 and ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2253. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2011 through June 30, 2011 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112-42); to the Committee on House Administration and ordered to be printed.

2254. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Alternative Simplified Credit under Section 41(c)(5) [TD 9528] (RIN: 1545-BH32) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2255. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Extension of Interim Guidance on Modification of Section 833 Treatment of Certain Health Organizations [Notice 2011-51] received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2256. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Requirements for taxpayers filing Form 5472 [TD 9529] (RIN: 1545-BK01) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2257. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2011-49] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2258. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Credit for Carbon Dioxide Sequestration 2011 Section 45Q Inflation Adjustment Factor [Notice 2011-50] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2259. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Request for Comments on Funding of Patient-Centered Outcomes Research Through Fees Payable by Issuers of Health Insurance Policies and Self-Insured Health Plan Sponsors

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

[Notice 2011-35] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

71. The SPEAKER presented a memorial of the House of Representatives of the State of Iowa, relative to House Resolution No. 44 supporting the positive impact of the CSBG program in Iowa; to the Committee on Education and the Workforce.

72. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 75 opposing the withholding of federal road funding based on the passage of the STAND UP Act; to the Committee on Transportation and Infrastructure.

73. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Concurrent Resolution 27 declaring that the death of Osama Bin Laden represents a measure of justice and relief for the friends and family of the men and women who lost their lives on September 11, 2001; jointly to the Committees on Armed Services and Intelligence (Permanent Select).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 466: Mr. CARSON of Indiana, Mr. HULTGREN, and Mr. VAN HOLLEN.

H.R. 530: Mr. TOWNS.

H.R. 733: Mr. KEATING, Mr. BERMAN, Mr. CLEAVER, Mr. CICILLINE, and Mr. POSEY.

H.R. 866: Mr. RANGEL.

H.R. 891: Mr. MCKINLEY.

H.R. 905: Mr. ROSS of Arkansas.

H.R. 1218: Mr. HARRIS.

H.R. 1639: Mr. GRAVES of Missouri.

H.R. 1723: Mr. FINCHER and Mr. MCKINLEY.

H.R. 1845: Mr. DEUTCH.

H.R. 1856: Mr. CARSON of Indiana.

H.R. 2054: Mr. GRIFFITH of Virginia.

H.R. 2104: Mr. LUJÁN and Ms. MOORE.

H.R. 2125: Mr. McDERMOTT.

H.R. 2267: Mr. DeFAZIO, Mr. COBLE, and Mr. PLATTS.

H.R. 2313: Ms. JENKINS.

H. Res. 268: Mr. SCHILLING, Mr. KIND, Mrs. LUMMIS, Ms. KAPTUR, Mr. RYAN of Wisconsin, Mr. TURNER, Mrs. ROBY, Ms. BUERKLE, Mr. DICKS, Mr. FRANK of Massachusetts, Mr. ROO-

NEY, Mrs. BLACKBURN, Mr. ROGERS of Michigan, Mr. GRIFFIN of Arkansas, Mr. WILSON of South Carolina, Mr. HALL, Mr. ROKITA, Mrs. NAPOLITANO, Mr. CRITZ, Ms. NORTON, Ms. BASS of California, Mr. VAN HOLLEN, Mr. MANZULLO, Ms. HAYWORTH, Mr. WEBSTER, Mr. GARY G. MILLER of California, Mr. RENACCI, Mr. ROGERS of Kentucky, Mr. COSTELLO, Ms. HIRONO, and Ms. ROYBAL-ALLARD.

H. Res. 317: Mr. PIERLUISI, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. ENGEL, and Mr. BURTON of Indiana.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

13. The SPEAKER presented a petition of the Board of County Commissioners, Miami, Florida, relative to Resolution No. R-204-11 urging the Congress to refrain from eliminating, reducing, or rescinding funding to programs under the Workforce Investment Act; to the Committee on Appropriations.

14. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 285 urging the House of Representatives to pass H.R. 1268; to the Committee on Energy and Commerce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: Ms. FOXF

AMENDMENT NO. 61: At the end of the bill (before the short title), insert the following:
SEC. ____ . None of the funds made available by this Act may be used in contravention of section 7 of title 1, United States Code (the Defense of Marriage Act).

H.R. 2219

OFFERED BY: Mr. AMASH

AMENDMENT NO. 62: Strike section 8015.

H.R. 2219

OFFERED BY: Mr. BURTON OF INDIANA

AMENDMENT NO. 63: At the end of the bill (before the short title), insert the following:
SEC. ____ . None of the funds made available by this Act may be used to initiate or carry out training for members of the Armed Forces serving in combat zones related to implementation of any repeal of section 654 of title 10, United States Code, by section 2 of Public Law 111-321.

H.R. 2219

OFFERED BY: Mr. MICHAUD

AMENDMENT NO. 64: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used in contravention of section 2533a of title 10, United States Code (popularly known as the "Berry Amendment").

H.R. 2219

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT NO. 65: Page 9, line 6, after the dollar amount, insert "(reduced by \$600,000)".
Page 33, line 18, after the dollar amount, insert "(increased by \$500,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$500,000)".

H.R. 2219

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT NO. 66: Page 9, line 6, after the dollar amount, insert "(reduced by \$350,000)".
Page 33, line 18, after the dollar amount, insert "(increased by \$250,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$250,000)".

H.R. 2219

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT NO. 67: Page 9, line 6, after the dollar amount, insert "(reduced by \$600,000)".
Page 33, line 18, after the dollar amount, insert "(increased by \$500,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$500,000)".

H.R. 2219

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT NO. 68: Page 9, line 6, after the dollar amount, insert "(reduced by \$350,000)".
Page 33, line 18, after the dollar amount, insert "(increased by \$250,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$250,000)".

H.R. 2219

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT NO. 69: Page 9, line 6, after the dollar amount, insert "(reduced by \$650,000)".
Page 33, line 18, after the dollar amount, insert "(increased by \$500,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$500,000)".

H.R. 2219

OFFERED BY: Ms. JACKSON LEE OF TEXAS

AMENDMENT NO. 70: Page 9, line 6, after the dollar amount, insert "(reduced by \$1,500,000)".

Page 33, line 18, after the dollar amount, insert "(increased by \$1,000,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$1,000,000)".

SENATE—Tuesday, July 5, 2011

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, our guardian and guide, deepen our trust in Your will and Your purposes. Lord, use our lawmakers as diligent partners in doing Your will on Earth. May they not lose heart or become discouraged because of the daunting problems they must solve, but each day may they resolve to faithfully labor to please You. Help them to be good stewards of the gifts You have given by striving for peace and justice, sacrificing for the needy, and transcending differences for the sake of the common good.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 5, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will re-

sume consideration of the motion to proceed to S.J. Res. 20. At 5 p.m. today the Senate will vote on the motion to invoke cloture on the motion to proceed to the Libya resolution. This vote will be longer than usual to accommodate Senators returning after the holiday which occurred yesterday, but that doesn't mean it will be open forever. I will be happy to be a little lenient, but we will do the best we can.

DEBT CEILING

Mr. REID. In one of his poems, T.S. Eliot wrote, "Hurry up please. It's time." He could have been writing about us in the U.S. Senate.

Yesterday, this great Nation celebrated its 235th birthday. In those 235 years, we have accomplished many admirable things, and we have done it together. We have landed on the Moon, invented new ways to save lives, and fought for democracy and freedom all around the world. Now we stand poised to make a different kind of history.

For the first time, the United States of America stands at the brink of defaulting on our financial obligations. The Chief Economist for the U.S. Chamber of Commerce said allowing America to default on the debt "would be tantamount to writing a bad check."

Unless we take action, tarnishing this great Nation's sterling reputation will be the least of our concerns. We also risk the very fate of this country's economy and the world's economy along with it. The last time this country was plunged into a major recession, just 3 short years ago, we took the world with us.

When Wall Street greed caused the financial collapse of our financial system, Americans across the country lost their jobs, their homes, and their savings, and so did people across the globe. This country is only beginning to recover and the world with us. But the crisis we now face is one of even greater proportion without exception. The most respected business economists and business minds of our time have said if America defaults on its debt, it will have dire consequences here and around the world. "Catastrophe," they called it.

That same U.S. Chamber of Commerce economist said a failure to avert this crisis "is not a possibility." He could not even conceive the Republicans in Congress could shirk their duty. Defaulting on our debt would risk millions of American jobs, halt tax refunds, Social Security checks, Medicare payments, and even paychecks for

our troops. The depression it would cause at home would ripple around the globe. Some have suggested instead of getting Social Security checks, Social Security recipients would get an IOU from the Federal Government.

This default crisis is not a new problem. It has been around for months. But we no longer have months or even weeks to avert this catastrophe. We have days. Yet my Republican colleagues have walked away from the negotiating table when we were nearing a solution—and so close to disaster. Why? To protect oil companies, to protect the owners of yachts and corporate jets, to protect corporations that ship jobs overseas, to protect millionaires and billionaires from paying their fair share.

Twenty percent of all the income earned in this Nation is earned by less than 1 percent of its citizens. It is this top approximately 1 percent the Republicans are determined to protect. Republicans walked away from the negotiations to protect them. Meanwhile, the rich are getting richer and the poor are getting poorer, and all that the middle-class Democrats have worked to make stronger is disappearing. Middle-class families are struggling to make ends meet.

That is why I brought to the floor legislation demanding millionaires and billionaires contribute their fair share to this crucial deficit reduction struggle. When Republicans talk about shared sacrifice, they mean the sacrifice should be shared by those who can least afford it. Democrats believe that sacrifice should be shared by the richest 1 percent as well. The others have all sacrificed too much already.

As we debate in the Senate this week, negotiations with the Vice President and the President should continue. The invitation to Republicans to help prevent a catastrophic default remains out there. To become part of the solution rather than part of the problem, all Republicans have to do is accept our invitation. The time is here for my Republican colleagues to put politics aside. Simply put, we are out of time. But Democrats cannot negotiate with ourselves. When one side comes to the table and the other refuses, it is impossible to negotiate. So this week we will debate the solution to this crisis with the Republicans, like it or not.

Democrats will be clear about what is at stake: the fate of our country and the global economy. We will be clear about our priority: to avert a catastrophic default and protect our fragile economic recovery. We will be clear

about the middle ground we have already found: We must cut the deficit in order to get our fiscal house in order.

Democrats are willing to compromise, but compromise does not mean allowing our Republican colleagues to put the wants of a few millionaires and billionaires ahead of the needs of the Nation and the world.

I repeat the words of T.S. Eliot: "Hurry up please. It's time."

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

ORDER OF PROCEDURE

Mr. McCONNELL. When we subsequently go on the motion to proceed, I ask unanimous consent that the speakers on the Republican side be limited to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEBT CEILING

Mr. McCONNELL. Mr. President, Washington is engaged in a debate right now over the kind of country we want to be. The specific issue is this: At some point over the next several weeks, the Federal Government will no longer be able to borrow the money it needs to cover the cost of promises it has already made. So the President wants Congress to raise the statutory debt limit set by Congress. He wants us to raise the limit on the national credit card.

Now, what Republicans have said is that the only way we will do it is if Democrats agree to change their ways so we don't end up with the kind of situation that we are witnessing over in Greece. Make no mistake, that is exactly where we are headed if we don't do something significant and do it now. Democrats so far have refused. Instead, they are making what can only be described as a bizarre request under the circumstances.

In the middle of what we all agree is a debt crisis, they would like to spend even more. They want a second stimulus, more deficit spending. In the middle of the jobs crisis, they want to raise taxes that we know would kill even more jobs when even the President has said raising taxes would leave job creators with less ability to hire. These are their solutions. This is what the President came off the campaign trail to defend last Thursday, and this is what Republicans oppose.

Our view is that the way to solve a debt crisis is to go on a diet, not a shopping spree. Our view is the way to create jobs is to make it easier for

businesses to hire, not harder. Frankly, we don't think the voters sent a wave of Republicans to Washington last November because they wanted us to raise taxes. They sent us here to restore some sanity. But the President and his Democratic allies in Congress don't seem to get it just yet.

Right now they are calling for a tax on aircraft manufacturers because they think it is good politics. It is their cheap attempt to try to make anybody who opposes it look bad. What they forgot is many of them voted to repeal a similar tax during the Clinton administration because of the devastating effect it had on jobs. They made the same arguments then, that we need to raise taxes on luxury goods to get more money, and it backfired. The shipbuilding industry alone lost tens of thousands of jobs.

Our Democratic colleagues surely must remember this, but apparently they would rather have fun trying to caricature their political opponents than working out a bipartisan solution that would actually enable us to balance the books.

Here is the point: Washington needs to find a way to spend less. Taxing more is their easy way out. They will start with aircraft manufacturers. Then when that is enough, and it never is, it is some other industry. Then another, and before we know it we are going after absolutely everybody. Why? Because it is easier to find a bill than it is to make tough choices. But most Americans know what it is like to make tough choices, and they want to know if they have to do it, why can't Washington.

That is why I invited the President over here last Thursday to talk with Republicans. My hope, as I made clear, is that he would listen to Republicans and hear firsthand why we think raising taxes in a weak economy is a bad idea and what the realities are over here.

My goal, as I said on Thursday, was to get together and talk about what is actually possible. The Obama administration said it wasn't a conversation worth having. Republicans in Congress believe finding a way to reduce the deficit and put Medicare on a more secure footing is a conversation worth having.

So today I would like to reextend the offer. I think the best way to solve this impasse is for the President to hear what needs to be done and how we can do it; hear what can actually pass in Congress. He needs to understand the principles at stake from our point of view.

It is not about rich and poor. It is not about an election. It is about Washington taking the hit for a change. It is about having Washington make some tough choices for a change.

Americans want to see accountability here in Washington. They have seen Democrats spending trillions of

dollars we don't have, and they have seen the economic situation get worse in many respects than it was several years ago. The facts speak for themselves.

Since the President took the oath of office, nearly 2 million more people are unemployed. That is a 17-percent increase in the unemployment rate under President Obama. Gas prices have nearly doubled—up 86 percent since January of 2009. In the past 2 years, the Federal debt has increased 35 percent. Debt per person has increased by over \$11,000. Health insurance premiums for working families have shot up 19 percent. All this while home values across the country have declined by 12 percent. They have clearly made the economy worse.

Americans get this. They think Washington, DC, should find a way to pay its bills or scale back its commitments, as everybody in the country is doing. Americans have made enough sacrifices the past few years. It is time for Washington to learn to make some sacrifice of its own.

Hopefully, the President will agree that reducing the debt is indeed a conversation worth having. I think we can do it. But I think he needs to understand what the legislative realities are and why and we are committed to a result that will restore the people's confidence not only in our economy but in our government.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I understand the clerk is about to report a motion to proceed.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

AUTHORIZING THE LIMITED USE OF THE U.S. ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 20, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the joint resolution (S.J. Res. 20) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya.

Mr. REID. Mr. President, I withdraw my motion to proceed to Calendar No. 88, S.J. Res. 20.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 93, S. 1323.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk in that regard.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Harry Reid, Richard J. Durbin, Charles E. Schumer, Frank R. Lautenberg, Al Franken, John D. Rockefeller IV, Jack Reed, Sheldon Whitehouse, Sherrod Brown, Bernard Sanders, John F. Kerry, Jeff Merkley, Debbie Stabenow, Daniel K. Akaka, Daniel K. Inouye, Patrick J. Leahy, Benjamin L. Cardin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I now withdraw my motion to proceed to Calendar No. 93, S. 1323.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

AUTHORIZING THE LIMITED USE OF THE U.S. ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, I move to proceed to Calendar No. 88, S.J. Res. 20.

The ACTING PRESIDENT pro tempore. The motion is before the Senate.

Mr. REID. Mr. President, I ask unanimous consent that the time until 5 p.m. be equally divided between the two leaders or their designees and that any time spent in a quorum call be equally divided. There is already an order in effect that Republicans will be limited to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INTERNATIONAL TRADE

Mr. WYDEN. Mr. President, international trade is one of the best ways to create more good-paying jobs for our people—as long as our workers and our

companies are treated fairly in the tough global markets in which they compete.

That is not the case today. Chinese trade cheats, after being found guilty of dumping their goods in America, now launder these goods by illegally shipping them through Korea and other countries. This illegality is undercutting our workers, undercutting our companies, and is driving hard-working Americans out of jobs. All this is taking place under the sleepy eyes of America's so-called trade enforcement agencies.

Because this trade rip-off is growing and the Senate will soon take up trade agreements that could fix this problem, I wish to take just a few minutes this afternoon to make clear how this scam actually works. The reason I have this information is because as chairman of the Senate Finance Subcommittee on International Trade, my staff set up a dummy company that intervened directly with suppliers in China in order to learn firsthand how the Chinese firms brazenly shirk America's trade laws.

First, after a thorough and substantial investigation, what happens is that the U.S. Department of Commerce imposes antidumping duties on certain Chinese merchandise that was shown to be dumped, which is to say the merchandise is being sold at below-market prices. The next thing that happens is the Chinese supplier of the merchandise is tagged with the antidumping duties. Rather than stop selling and dumping goods into the United States, the Chinese essentially shore up their American buyers by soothingly conveying that these duties are not going to impact their prices. The suppliers sometimes characterize complying with U.S. trade law as merely a political issue.

After that, the Chinese goods are shipped into Korea, for example, where the goods are repacked into boxes that say "Made in Korea." The documentation then follows the merchandise that is also going to be altered or forged to suggest that the merchandise indeed originates in Korea rather than China. From there, the merchandise enters our country, often at the Port of Long Beach in California, and U.S. Customs officials declare the goods to not be subject to antidumping duties because, purportedly, if one looks at all the labeling, they don't originate in China.

This transshipment is laundering, plain and simple, and it is a rip-off of the American worker.

My concern is once the U.S.-Korea Free Trade Agreement goes into force, Korea would become a supermagnet for this kind of merchandise laundering. Why would any Chinese supplier launder merchandise through Singapore, for example, when doing so through Korea would bless their merchandise with the duty-free status that the U.S.-

Korea Free Trade Agreement provides? The answer is obvious. They wouldn't.

That is why the Congress needs, through legislation, to send clear instruction to the Bureau of Customs and Border Protection—and these are our cops. They are the commercial cops at America's ports. They need to be instructed about how to identify and combat the invasion of America's trade laws. In my view, this is absolutely critical to ensuring the U.S.-Korea Free Trade Agreement is not a tool that further empowers unscrupulous Chinese exporters.

For almost a century, our trade laws, the antidumping and the countervailing duties, have been enforced by Democratic and Republican administrations. They represent the frontline defense that protects our American workers. They are the laws that protect our businesses and our families from unfair and unscrupulous trade practices employed by foreign competition. But what we are seeing around the country is that these antidumping and countervailing duties are being evaded, and the problem is growing. What we have seen is, it takes years for the government to look into and conclude investigations on merchandise laundering. During this period of foot-dragging, our companies get hammered by foreign trade cheats, and when the cheats get caught, the enforcement agencies have almost never taken the steps necessary to ensure that the duties that are owed are actually collected.

The discrepancy between how much the U.S. Government is owed by these foreign trade cheats and how much is actually collected is embarrassing. We are collecting something on the order of 20 percent of what is owed to our government, and that is only from the companies that actually got caught and were prosecuted. The fact is, there are many more that are missed every year.

So I hope colleagues, as we go to the trade debate, understand that the point of trade agreements is, it is possible to export more of our goods and services around the world. What we want in trade agreements is to grow things here. We want to make things here. We want to add value to them here, and we want to ship them somewhere. So we want to export our goods and services, not export our jobs. But, unfortunately, again and again, as a result of our competitors evading the trade laws, we have a broken enforcement process.

That is why three Democrats and three Republicans in the Senate have joined me in introducing a piece of legislation that puts the teeth back in our trade laws. Senators SNOWE and BLUNT and MCCASKILL and BROWN of Ohio and PORTMAN and SCHUMER and I all joined—three Democrats and three Republicans—to introduce S. 1133.

This legislation requires Customs to quickly and transparently investigate duty evasion. It requires the Customs agency to use existing law to ensure that it can collect the correct duties on merchandise. The legislation requires Customs to appropriately share this information with other Federal agencies because we have seen, again and again, that often one of the agencies doesn't talk to the other. Finally, it requires the appropriate agencies to make sure that in the future, they are going to report to the Congress promptly on what is being done to fully address the problem.

Let me wrap up—I see colleagues on the floor—by simply saying that I believe trade agreements create more jobs for our people, but the fact is trade agreements without enforcement can cost our people jobs. So this time, as the Congress goes forward with considering trade legislation, it is important to show the American people that as our trade agenda moves forward and moves forward aggressively in the days ahead, instead of major trade competitors laundering merchandise, as we have seen in our committee's investigation, to avoid the trade laws, our trade laws would finally be fully enforced.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, I understand I have 10 minutes to speak on the resolution before us.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. CORKER. Mr. President, if the Chair would let me know, if I speak for 8 minutes or longer, when I have 2 minutes left, I would appreciate it.

Mr. WICKER. Mr. President, I wonder if my colleague from Mississippi will yield at this time.

Mr. CORKER. Yes, sir. It is my understanding the Senator from Mississippi wishes to speak for 2 minutes.

Mr. WICKER. Yes, I appreciate that.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

THE FEDERAL DEBT

Mr. WICKER. Mr. President, this weekend, a local newspaper in Mississippi ran a lead editorial that wondered aloud whether the cancellation of the Senate's Independence Day recess signaled a "serious effort on the part of Senate leaders" and the White House to make headway in addressing the Federal debt. Regrettably, the answer to that question is obviously no. For that reason, I wish to announce at this point that I will be voting no this afternoon on the motion to invoke cloture on the motion to proceed to a debate on Libya.

Clearly, Libya is an important issue. I am a member of the Armed Services Committee. I have the greatest of respect for both my chairman and the ranking member. But I will remind col-

leagues what the Chairman of the Joint Chiefs of Staff said recently: The most important national security issue facing the United States of America is the national debt and we should not move to a vote on Libya and to a discussion on Libya—which, frankly, is almost academic at this point—until we debate the crucial issue facing the Senate; that is, the issue of the national debt.

If we had a serious effort to talk about the national debt, in this week of recess that has been canceled, we would be convening the Budget Committee today and asking them to report a budget on the floor for the first time in almost 800 days so we could have a debate on the floor about the budget.

The ACTING PRESIDENT pro tempore. The Senator has used 2 minutes.

Mr. WICKER. Mr. President, I ask unanimous consent to have another minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WICKER. If the Senate majority were serious about their efforts to reduce the Federal debt, the administration would not be continuing its efforts to spend our way to prosperity. We would be bringing to the floor a budget to cut spending, to make a serious effort against these huge Federal deficits we are seeing. We would not be engaging in the politics of fear. We would not be engaging in the politics of class warfare. We would be getting to business this week. I hope that is what we will do.

The only way I know to get that debate is to vote "no" on the motion for cloture this afternoon. I think a number of my colleagues will be doing so. If some 41 of us can muster a "no" vote on the motion to invoke cloture, then we can have the debate on Libya at another time and we can get today and this week to the one and only reason we are back in town; that is, this debt that consumes us, that threatens our national security, our national well-being and we are called upon to debate by our colleagues and our constituents.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. WICKER. I thank my friend from Tennessee for yielding.

Mr. CORKER. Mr. President, I thank the Senator from Mississippi for his comments.

As I mentioned, I rise to speak about S.J. Res. 20. I think there has been some misinformation about what we are doing this afternoon. I know the Acting President pro tempore and I were in a Foreign Relations Committee meeting last week and offered several amendments that were not passed. But many people have said what we are going to be debating, possibly this evening—I hope we do not—is something the President has asked for. The

Acting President pro tempore, I know, knows differently.

The President did not ask for what it is we are going to be debating this evening. The President earlier asked for a resolution of support but not an authorization for this third war we are undertaking right now in Libya. That is not what the President asked for.

As a matter of fact, the President, in a very cutely worded letter to Congress, tried to state that we were not involved in hostilities in Libya, and he did so in order to circumvent a law that has been on the books now for many years called the War Powers Act. So the President is not seeking what the Senate is getting ready to debate on the floor at all. As a matter of fact, the President is trying to circumvent the War Powers Act. So there is no question, in my opinion, the President should be made to seek authorization.

But then that brings us to the issue at hand. There is no way anything we do on the Senate floor—other than possibly pulling our troops out of Libya, which is not what the resolution is about—is going to affect anything we are doing in Libya one iota. Let me say that one more time. If the resolution we are debating, possibly this evening, were to actually be debated and passed, it would not affect one iota of what we are doing in Libya. The fact is the House has already turned down the same resolution. So, basically, we are burning a week's time on something that is totally irrelevant to what is happening in Libya and certainly irrelevant as it relates to what is before us as a country.

As the Senator from Mississippi mentioned, the biggest issue facing our country today is this issue of the debt ceiling and our debt, the fact that we have \$14.2 or \$14.3 trillion in indebtedness, and we are moving beyond that, the fact that we have \$1.5 trillion in deficits this year, the fact that we are spending \$3.7 trillion and only have \$2.2 trillion, the fact that we are borrowing 40 cents of every dollar we spend every day we are here, and that 47 percent of that is coming from people overseas. That is the most important issue before us. That is the reason we are back here this week during the July recess. I am glad we are here. But we need to focus on the issue at hand.

To speak to how dysfunctional the Senate is, we are here over the debt ceiling, we are here over the fact that we have huge deficits, and we do not have an agreement to deal with that. But instead of focusing on the issue at hand, which is what most people back in Tennessee or Virginia or some other place would do if they had a problem, we are going to focus on something possibly that is irrelevant and has nothing whatsoever to do with the issue at hand, just to make the American people think we are doing something.

I also will vote against cloture this evening, and I am here on the floor to urge my colleagues on both sides of the aisle—I have gotten calls since I landed this morning from Tennessee, from Democratic Senators who want to figure out a way to resolve this issue, from people who understand that our country is heading for a train wreck as it relates to our debt ceiling because there have not been serious negotiations that have taken place.

So the Senator from Mississippi is right. Believe it or not, in a body that spends \$3.7 trillion a year, we have not had a budget in 797 days. I cannot believe that as a citizen. I certainly cannot believe that as a Senator. I do not think most citizens in our country realize we are spending, right now, \$3.7 trillion of their money this year and we do not even have a budget that is passed. One has not come out of committee, a committee that, by the way—not to be pejorative here—has a majority of people on the other side of the aisle who could easily, if they wanted to, pass a budget out to the Senate floor to be debated.

I know sometimes things are difficult to get done around here. But certainly it is difficult to address the No. 1 issue we have before us in our country: these huge deficits which are creating this issue of the debt ceiling that “has to be raised.” The fact is, again, we are possibly, this evening, getting ready to move to an issue that is totally irrelevant—very important and certainly something that has been mishandled tremendously—but certainly something that, whatever action we take this week in the Senate, is going to be unaffected. It is not going to have any effect on it whatsoever other than Senators feeling good about the fact that they did something that actually ends up bearing no fruit.

I urge people on both sides of the aisle to vote against cloture to take up this issue—that we are in a third war, a war the President does not want to call a war by saying we are not involved in hostilities. Obviously we are. We have Predators doing what Predators do. We have aircraft bombing military installations. If North Korea were in our country bombing military installations and using Predators to do what Predators do, I think we would say that is hostilities. No doubt we are involved in hostilities, and that issue should not be left aside and undealt with. But, again, today, the big issue—the issue of the day—is our debt ceiling. The issue is our debt. The issue is we do not have a balanced budget. The issue is we do not have a fiscal straitjacket to cause us to act responsibly. I urge my colleagues on both sides of the aisle to vote “no” this evening for cloture. Let’s not take up an issue we will have no effect on, that has nothing to do with the debt ceiling, and let’s move to those kinds of issues that will.

I know there is not a budget, unfortunately, to debate at present. It is my understanding the chairman of the Budget Committee is going to unveil some plans. That would be wonderful. There are some budget process issues that are at least relevant to the topic at hand. So I urge people to vote “no” this evening.

Mr. President, I thank you for the courtesy of time and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. LUGAR. Mr. President, I understand our leader, Senator MCCONNELL, is asking we speak for no more than 10 minutes, but I ask unanimous consent that I be allowed to speak for 25 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. LUGAR. I thank the Acting President pro tempore.

Mr. President, our debate today takes place in the context of deep economic uncertainty at home, coupled with extraordinary dangers overseas. Our country is suffering from high unemployment, with 9.1 percent of Americans out of work—many for years. Our national debt stands well above \$14 trillion, and our credit rating is in doubt. Gas prices are still near \$4 a gallon in many locations. The number of Americans requiring food stamp assistance has reached 45 million. Some businesses are returning to profitability but long-term economic growth is threatened by numerous forces, including the skyrocketing national debt, declining home values, high energy costs, and increased competition for export markets.

Overseas, almost 100,000 American military personnel are fighting a difficult war in Afghanistan. More than 1,600 of our troops have been killed in Afghanistan, with roughly 12,000 wounded. Meanwhile, we still have 46,000 troops in Iraq, a deployment that has cost almost 4,500 American lives, with more than 32,000 wounded. Our troops have experienced multiple deployments over the last 8 years that have strained our Armed Forces. Tensions on the Korean Peninsula are extremely high, with no resolution to the problem of North Korea’s nuclear program. We continue to pursue international support for steps that could prevent Iran’s nuclear program from producing a nuclear weapon. We remain concerned about stability in Pakistan and the security of that country’s nuclear arsenal. We are attempting to counter terrorist threats emanating from Pakistan, East Africa, Yemen, and many other locations.

Into this confluence of economic and national security commitments, the President has involved our Nation in a civil war in Libya. We find ourselves in a situation where Congress is debating vast cuts in domestic programs to

make essential progress on the deficit, even as President Obama has initiated an expensive, open-ended military commitment in a country that his Defense Secretary said is not a vital interest.

Any Member who has been here to witness the last 10 years should understand that war is an inherently precarious enterprise that is conducive to accidents, unintended consequences, and miscalculations. The last 10 years have also illuminated clearly that initiating wars and killing the enemy is far easier than achieving political stability and reconstructing a country when the fighting is over.

This is why going to war should be based on U.S. vital interests. It is also why Congress has an essential role to play in scrutinizing executive branch rationalizations of wars and their ongoing management. This holds true no matter who is President or which war is being fought.

The President stated he intervened in Libya in conjunction with the international community to save lives that would have been lost had Qadhafi’s forces been left unchecked. But saving lives alone cannot be our standard for using military force. There is no end to the global humanitarian emergencies in which U.S. military and economic power might be devoted. Saying that American military power in Libya is morally justified is not the same as saying it is wise. There are many other questions that must be answered in a disciplined examination of whether to go to war.

The administration placed much weight on expressions of approval by the United Nations and the Arab League. It is better to have international support than not when considering war. But neither of those institutions is determinative to an assessment of U.S. vital interests.

Even after Qadhafi leaves power, we will be at risk of substantial costs. Already NATO has called for a U.N. peacekeeping force to be deployed on the ground in Libya to help secure a transitional government. As the largest contributor to the United Nations, the U.S. probably will bear a significant share of that cost, even if no American troops participate. What follows Qadhafi’s regime will be a true nation-building exercise. Despite massive natural resources, Libya was a poor and largely undeveloped country before the first NATO bomb fell. We have been assured that the Libyans will have the financial resources to pay for this reconstruction effort, but we have heard this assurance before. We have had ample experience during the last decade with the difficulties of reconstructing nations in which we have intervened.

In justifying our intervention in Libya’s civil war, the President has claimed that failure to do so would have emboldened other dictators to resort to violence in the face of popular

protests. At a minimum, the unfolding tragedy in Syria is evidence that our intervention in Libya has done little, if anything, to deter such repression.

In fact, I think it is more likely that dictators such as Bashar al-Assad have learned the opposite lesson from the Libyan example. That lesson is do not let an opposition force gain control of territory or the West might intervene to protect it from the sky. Is this the thinking behind the Syrian government's brutal military takeover of the cities along its border with Turkey? At the same time, our Libyan involvement has made it more difficult to obtain Security Council action of any sort, even rhetorical, against the Syrian regime.

American intervention in Libya did not come as a result of a disciplined assessment of our vital interests or an authorization debate in Congress. In the broader strategic context that I have described, a civil war in Libya is not a priority that required American military and economic investments. It is an expensive diversion that leaves the United States and our European allies with fewer assets to respond to other contingencies.

President Obama's assertion that he does not need a congressional authorization to wage war in Libya represents a serious setback to the constitutional limits on Presidential war powers. Historians will point out that this is not the first time that a President has gone to war unilaterally. But saying that Presidents have exceeded their constitutional authority before is little comfort. Moreover, the Libya case is the one most likely to be cited the next time President Obama or a future President chooses to take the country to war without congressional approval.

Declarations of war are not anachronistic exercises. They force the President to submit his case for war to Congress and the American public. They allow for a robust debate to examine that case, and they help gauge if there is sufficient political support to commit American blood and treasure. And they define the role and strategy of the United States. Neither U.N. Security Council resolutions nor administration briefings are a substitute for a declaration of war or other deliberate authorizations of military operations.

Actions leading up to the wars in Iraq and Afghanistan at least acknowledged that congressional authorization was vital to initiating and conducting war. Despite deep flaws in the process of authorizing those wars, there was recognition that both required a deliberate affirmative vote by Congress.

During this debate there will be appeals to set aside discussion of war powers issues in favor of expressing support for the military mission underway. We will be asked to send a message to Colonel Qadhafi, notwithstanding our displeasure with President Obama's unilateralism.

I understand that one can be for the Libya mission while simultaneously being critical of the President's failure to involve Congress in his decisionmaking. But I also believe that it would be difficult to render a judgment on the Libya operation without reference to the process failures that have preceded this debate, for two reasons. First, in the long run, the significance of the war powers precedent created by President Obama's unilateral intervention in Libya and his subsequent rationalization for not needing congressional authority may be far more significant than the short term geopolitical consequences of what happens in Libya. Second, we are debating an authorization that the President has taken no affirmative action to seek, that he asserts is not necessary under the Constitution or the War Powers Act, and that presumably will have little impact on his actions.

Even if one believes that the President somehow had the legal authority to initiate and continue U.S. military operations in Libya, it does not mean that going to war without Congress was either wise or helpful to the operation. There was no good reason why President Obama should have failed to seek congressional authorization to go to war in Libya. A few excuses have been offered ranging from an impending congressional recess to the authority provided by U.N. Security Council Resolution 1973. But these excuses do not justify the President's lack of constitutional discipline. Twelve days before the United States launched hostilities I called for the President to seek a declaration of war before taking military action. The Arab League resolution, which is cited as a key event in calculations on the war, was passed a full week before we started launching cruise missiles. There was time to seek congressional approval, and Congress would have debated a war resolution if the President had presented one.

That debate would not have been easy. But Presidents should not be able to avoid constitutional responsibilities merely because engaging the people's representatives is inconvenient or uncertain. If the outcome of a congressional vote on war is in doubt, it is all the more reason why a President should seek a debate. If he does not, he is taking the extraordinary position that his plans for war are too important to be upset by a disapproving vote in Congress.

The Founders believed that Presidents alone should not be trusted with war making authority, and they constructed checks against executive unilateralism. James Madison, in a 1797 letter to Thomas Jefferson, stated, "The Constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has ac-

cordingly with studied care, vested the question of war in the legislature."

Clearly, there are circumstances under which a President might be justified in employing military force without congressional authorization. But as Senator JIM WEBB has pointed out systematically, none of the reasons apply to the Libyan case.

Our country was not attacked or threatened with an attack. We weren't obligated under a treaty to defend the Libyan people. We were not rescuing Americans or launching a one-time punitive retaliation. Nor did the operation require surprise that would have made a public debate impractical.

In this case, President Obama made a deliberate decision not to seek a congressional authorization of his action, either before it commenced or during the last 3 months. This was a fundamental failure of leadership that placed expedience above constitutional responsibility.

Moreover, the highly dubious arguments offered by the Obama administration for not needing congressional approval break new ground in justifying a unilateral Presidential decision to use force. The accrual of even more war making authority in the hands of the Executive is not in our country's best interest, especially at a time when our Nation is deeply in debt and our military is heavily committed overseas.

At the outset of the conflict, the President asserted that U.S. military operations in Libya would be "limited in their nature, duration, and scope." Three months later, these assurances ring hollow. American and coalition military activities have expanded to an all but declared campaign to drive Qadhafi from power. The administration is unable to specify any applicable limits to the duration of the operations. And the scope has grown from efforts to protect Libyan civilians under imminent threat to obliterating Libya's military arsenal, command and control structure, and leadership apparatus.

Most recently, the administration has sought to avoid its obligations under the War Powers resolution by making the incredible assertion that U.S. military operations in Libya do not constitute hostilities, a view that has been rejected by many supporters of the war.

Let us be clear that we are deliberately trying to overthrow the government of Libya with military force. We were instrumental in putting the alliance together, we were the major force behind the U.N. resolution authorizing the war, we set the table for the NATO operation through an intensive bombing campaign to open the war, our planes and drones continue to bomb Libya, and most missions flown by allied pilots are dependent on the intelligence and refueling capabilities that we are providing. The means that

we are using to overthrow the Libyan government are limited in the sense that we could be applying more military force to the task, but the goal of the operation is not limited. We are using military force to achieve regime change. Defining these actions as something less than hostilities requires extraordinary legal contortions.

Administration analysis focuses on the question of whether U.S. casualties are likely to occur, thereby minimizing other considerations relevant to the use of force. Such an interpretation would deny Congress a say in other questions that are obviously implicated in decisions to go to war, including the war's impact on U.S. strategic interests, on our relations with other countries, and on our ability to meet competing national security priorities.

The administration also implies that because allied nations are flying most of the missions over Libya, the U.S. operations are not significant enough to require congressional authorization. This characterization underplays the centrality of the U.S. contribution to the NATO operations in Libya. We are contributing 70 percent of the coalition's intelligence capabilities and the majority of its refueling assets. The fact that we are leaving most of the shooting to other countries does not mean that the United States is not involved in acts of war. If the United States encountered persons performing similar activities in support of al Qaida or Taliban operations, we certainly would deem them to be participating in hostilities against us.

This state of affairs is at odds with the President's own pronouncements on war powers during his Presidential candidacy. For example, in December 2007, he responded to a Boston Globe question by saying: "The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation."

American combat forces are so efficient at certain types of operations and our over-the-horizon technology is so potent that the use of the military instrument to right wrongs exists as a tremendous temptation for Presidents. If we fail to come to grips with this now, I fear that we are setting the stage for Presidents to undertake other humanitarian interventions without congressional approval.

The President does not have the authority to substitute his judgment for constitutional process when there is no emergency that threatens the United States and our vital interests. The world is full of examples of local and regional violence, to which the U.S. military could be applied for some altruistic purpose. Under the Constitution, the Congress is vested with the authority to determine which, if any, of these circumstances justify the con-

sequences of American military intervention.

The Foreign Relations Committee markup of S.J. Res. 20 significantly improved the resolution in several key respects. First, the committee adopted amendments that Senator WEBB and I introduced, establishing legally binding prohibitions on the introduction of American ground troops and contractors into Libya. The original resolution addressed this issue only through non-binding language that the President could have ignored.

Second, the committee adopted an amendment I offered requiring specific reports on the Libya operation from the administration on strict deadlines. These deadlines were strengthened further by an amendment from Senator BOB CORKER. The original resolution lacked sufficient provisions for congressional oversight of the operations, their costs, and their potential impact on other U.S. national security objectives.

Third, I offered an amendment specifying that the War Powers resolution applies to current U.S. military operations in Libya, and that continuation of those operations requires congressional authorization. This was adopted by acclamation after Members on both sides delivered statements supporting the amendment. In doing so, the committee repudiated the administration's contention that U.S. operations in Libya do not constitute "hostilities" and therefore are not subject to the War Powers resolution.

Fourth, the committee adopted a sense of the Congress amendment stating that postwar reconstruction costs should be borne primarily by the Libyan people and Arab League nations.

Even with the success of these amendments, S.J. Res. 20 remains overly broad, despite its stated purpose of authorizing a limited use of force. Specifically, it contains no meaningful limits on the use of American air assets over Libya.

This resolution clearly would give the President the authority to escalate the American role in the bombing campaign. I understand that some Members of the Senate may favor that course. But Members who have concerns about a re-escalation of the U.S. combat role should understand that passage of the resolution not only gives the President that authority, it makes such a re-escalation more likely.

The defining limitation in S.J. Res. 20 is U.N. Security Council resolution 1973, which calls on nations to protect Libyan civilians. Effectively, any use of airpower consistent with this U.N. resolution is permitted under S.J. Res. 20. Using resolution 1973 as justification, the President already engaged in an intensive bombing campaign against Libyan targets at the beginning of our intervention. By definition, the administration and our allies would regard

S.J. Res. 20 as permitting at least the intensity of American bombing that was undertaken in the first week of the war.

Moreover, President Obama publicly has defined the removal of Colonel Qadhafi as in the interest of protecting Libyan civilians. From the administration's point of view, almost any airstrike that degrades Libyan military capabilities or contributes in some way to the potential for the ouster of Qadhafi can be justified as contributing to the protection of civilians. This could include the use of slower fixed wing aircraft flying close air support missions and perhaps helicopters.

Passage of this resolution does not guarantee that there will be a full-scale re-escalation, but if President Obama is armed with this resolution and if the Libyan operation drags on, it is almost inevitable that the American role in Libya will expand. We know that some of our allies are running short of munitions. We also know that public opinion in some allied nations may trend against continuing this mission. Our military is the best and most capable in the world. If the President has this broad authorization from Congress in hand, allies will be far more confident that the United States will pick up the slack if they withdraw or limit their participation. In a recent press conference, the President said, "There's no risks of additional escalation." But the only barrier to escalation would be the decision-making of the President himself.

I do not believe that our intervention in the Libyan civil war was prudent in the context of U.S. vital interests. I continue to be concerned that the U.S. role in Libya will escalate, that Libya reconstruction burdens could fall on our country, and that the Libyan operation siphons attention and resources away from more important national security priorities. I cannot support the broad mandate that this resolution would give to the President to expand U.S. military activities over Libya. I urge my colleagues to join me in opposing adoption of S.J. Res. 20.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I would like to just briefly say that the matter of the merits of the Libya resolution the majority leader wants to move to is not something I am addressing at this point. It is a significant issue, and good Senators can disagree about that, but the reason we are here this week is because 46 Senators from

the Republican side objected to the Memorial Day recess, because we have done nothing on the budget, and were clearly going to object again when it came to the Fourth of July because we have the debt ceiling issue that we are told creates an emergency by August 2.

We haven't passed a budget in 797 days. The Democratic majority has not even brought one to the floor in that time. The country is spending itself into decline and damaging our future. We know that. It has been talked about for months. We have had no discussion in the Budget Committee, of which I am ranking member, about marking up any kind of budget this year. The Budget Act in the United States Code says we should pass the budget by April 15. So the objection I and others had to going home and recessing this week was not in order to discuss the Libya resolution; it was to get to work now to confront the financial situation we are in.

We are not going to be serving our constituents well if some sort of secret agreement comes to fruition and a bill is plopped down on the Senate floor on August 1 that has to be passed by August 2. That is not responsible. It is not acceptable. Even the President understands that. Last week, he said this:

And so there's no point in procrastinating. There's no point in putting it off. We've got to get this done. And if by the end of this week, we have not seen substantial progress, then I think members of Congress need to understand we are going to start having to cancel things and stay here until we get it done.

He is talking about spending—debt, the debt ceiling, the limit on the amount of money the U.S. Government can borrow. That is what he said last week. And that is what we have been saying for over a month.

Regardless of how one feels about the Libya resolution, that is not what we need to be doing this week. The letter we wrote to Senator REID concerning the Memorial Day recess said this. This was a month ago.

Until a budget plan is made public, and until that plan is scheduled for committee action, on what basis can the Senate justify returning home for a 1-week vacation and recess when our spending and debt continue to spiral dangerously out of control?

That is what we said then and it remains true now. This Congress is acting in an irresponsible manner and it is not healthy for us. I am beginning to wonder if the Senate is, in fact, beginning to lose its reason for being. Are we supposed to just sit here and wait for two, three, four, or five people to meet in secret and then tell us at the eleventh hour that we have to pass a bill? Is that legislating? Is that what Congress should do?

We certainly are in violation of the Budget Act, which says a budget should be marked up in the Budget Committee by April 1 and passed by April 15. We haven't even called one up, and we haven't passed one in 797 days.

I recall, as we make the decision on our vote today, what Chairman of the Joint Chiefs of Staff Admiral Mullen said recently, which is that the greatest threat to our national security is the debt. That is what he said. The President has not asked for a Libyan resolution. It is not something he cares about, apparently. He hasn't asked for it. He doesn't consider it important.

I will tell you one thing we have to do: We have to fulfill our responsibility as a Congress, as the people who control the purse. That is our ultimate constitutional responsibility. We are not fulfilling it and, therefore, I urge my colleagues not to move to the Libyan resolution but to send a message to our Democratic leadership that we insist on moving toward solving the financial crisis this Nation faces.

I thank the Chair. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, as of now, we are scheduled to vote on a motion to proceed to S.J.R. 20 regarding Libya. We have been called into session—having made plans to spend this week in our States meeting with constituents, as we try to do at least once a month—because there is a budget crisis in this country, because we have a debt ceiling of over \$14 trillion that is getting ready to be hit and we need to focus on that and that alone during this week. We have been talking about it, we have been talking around it, but, honestly, we don't seem to be making much progress. If we are going to do anything this week, we should be talking about how we are going to address this issue.

This is what is on the minds of the people of our country today. I was home over the weekend, having just gotten back, and everyone I talked to is scared to death about this debt, about what is going to happen. People think there does need to be significant change, reform, a different way of doing business than borrowing and borrowing and borrowing. They are also concerned about hitting the debt ceiling and not lifting it. They are wondering what in the heck we are going to do.

So now we are back here in session because of that crisis, and somehow we are talking about Libya. Libya is important. It is important because there are American troops, part of a coalition that was put there by the President without consulting Congress, and now there is a resolution, which, frankly, I cannot support. I will not give the President authority to continue. I

think we need a full and fair debate. But now is not the time to be doing this, when we are 4 weeks away from a potential debt crisis that could affect the people in our country right now—people who depend on our government to function—as well as our global standing.

So let's talk about what we could do. What we could do is produce a budget. It has been 797 days or so since the Senate has passed a budget resolution. So we haven't set the level of spending and the priorities for spending that are our constitutional responsibility. It is Congress's responsibility to pass a budget. We haven't passed a budget in almost 2 years—almost 2 years.

We have to do that because we are coming up on—in about 3 months—the end of a fiscal year. We should be passing appropriations bills that are based on a budget. But we don't have a budget. So I would say, let's get back to basics. When you have a big problem, you go back to the basics, where you have to start to solve a problem. And the basics are a budget. I think we all agree if we get a budget on the floor there is going to be a lot of amendments. There is going to be a lot of amendments to a budget resolution. Let's get started. Let's use this week to produce a budget resolution and let's start having the amendments about spending levels, about spending priorities. That will be a way we can start the process of determining if we can, in fact, lift the debt ceiling.

There are significant cuts in spending we can make as a country that would show the rest of the world—those holding our debt, as well as the American people who are living with this government and holding part of the debt—that we are serious; that we are going to get our financial house in order, and we are going to do it with a budget resolution that cuts spending and sets priorities as every family and every business in this country is required to do. Most States, by the way, are required to do it as well. A few don't, and we see them sort of ambling over toward the “B” word—bankruptcy—which is just not a possibility. That is not a possibility for this country. We need to take the reins right now to assure the world knows we are not going to handle our fiscal responsibilities by continuing to borrow when we know we don't have the revenue coming in to pay for all these programs.

So I am going to vote against cloture today. I am going to vote against cloture, along with, I know, many people for different reasons. Some people are voting against cloture because they do not think we ought to be giving the President the authority to continue going into another country's civil war when we have such commitments in Afghanistan and Iraq, when we are over-deploying our troops, when we are

spending money that we are having to borrow, when we are taking the lion's share of this responsibility for our allies. Many of us think we shouldn't be adding another country, where it is supposed to be a support function, when we all know that is what leads to something more, and then something more. I thought Senator LUGAR said it very well when he said that then you have the aftermath of the end of a civil war and the responsibilities for that. This is not the time, in my opinion, to be giving that kind of authority to the President.

But above that—above that—we are here because there is a crisis upon which I think we have a united view of the goal, and that is to put our fiscal house in order. But we are not united in the Senate about how to do it. So let's have that debate this week. Let's have that debate that says we should be spending more or we should be spending less; that we should be taxing more or taxing less, because we have real disagreements on that.

I am in the spend less, tax less group, but there are views that are differing. Let's put it out there and start the debate. Because if we have a budget resolution, then everything can be solved from there. If we have a budget resolution that we can agree is the right amount of spending for the debt crisis we are in, then we will know the way forward to dealing with the debt crisis. That is a real possibility, and that is what we ought to be talking about.

I will not support cloture on a motion to proceed to a Libya agreement that says the President can continue the involvement. I think we need to deal with the crisis that Congress has a say in doing. Certainly Congress had a say in producing it, and we are the ones responsible to the American people for solving the problem that has been created.

I urge my colleagues not to vote for cloture on the motion to proceed to the Libya resolution and, instead, turn to the budget, put a budget resolution out, and, for the first time in almost 2 years, we can begin to talk together to solve this problem by passing a budget resolution that will lower spending and hopefully keep taxes low so our fragile economy can continue on the path toward improvement, that would have businesses feel confident to hire people, rather than putting obstacles in place, and get this unemployment rate of over 9 percent off the books. That would be the answer for this week, in my opinion.

I hope the majority leader will turn to the budget and let's solve the crisis at hand. I think that is why we are in session this week.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, the Senate was scheduled today at 5 p.m. to vote on the motion to invoke cloture on the motion to proceed to the bipartisan Libya resolution, which is sponsored by Senators KERRY, MCCAIN, LEVIN, KYL, DURBIN, FEINSTEIN, GRAHAM, and others. I spoke with the Republican leader just a short time ago, and we have agreed that, notwithstanding the broad support for the Libya resolution, the most important issue for us to focus on this week is the budget. So we will work to set up the vote on the sense-of-Senate resolution that I have offered on shared sacrifice and perhaps a Republican alternative as well. Meetings are in process now and will continue on the debt limit and on larger budget matters throughout the Capitol and I am confident everyone knows the White House is involved.

I ask unanimous consent that the cloture motion, with respect to the motion to proceed to Calendar No. 88, S.J. Res. 20, be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I withdraw my motion to proceed to Calendar No. 88, S.J. Res. 20.

The PRESIDING OFFICER. The motion is withdrawn.

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED—Continued

Mr. REID. I now move to proceed to Calendar No. 93, S. 1323.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Mr. REID. Mr. President, there will be a vote at 5 p.m. today on a motion to instruct the Sergeant at Arms to notify Senators of their need of attendance in the Senate at this important time in our country's history.

I would note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUDIT OF DEPARTMENT OF DEFENSE

Mr. GRASSLEY. Mr. President, I want to extend some remarks I made on the Senate floor on June 6. The report I was reporting on on June 6 evaluated audits produced by the Depart-

ment of Defense Office of Inspector General in fiscal year 2010. I called that report a report card because that is exactly what it was. Each of the 113 unclassified reports published in fiscal year 2010 was reviewed and evaluated and graded in five categories. My report was produced by the Department of Defense Office of Inspector General in fiscal year 2010. After each report was graded individually, all the scores for each report in each category were added up and averaged to create a composite score for all 113 reports.

Although 15 top-quality audits were highlighted in the report, the overall score awarded to the 113 was basically D-minus. That is low, I know. Maybe the score should have been a little higher. Clearly, none reflected any of the reforms Inspector General Heddell, DOD, put in place in December of 2010, as all were published well in advance of that date.

My oversight staff read these reports as educated consumers. We expected these reports to provide leverage in the monumental day-to-day Department of Defense oversight task. We want them to provide assurance that the Defense Department is spending taxpayers' money wisely. Some reports did that but most did not.

This report, prepared by this Senator from Iowa, is sure of one thing: The audits which are the subject of my report card are not somehow exempt from oversight and public scrutiny. In other words, these audits should just not sit on the shelf and collect dust; they need, as well, to be put under the public microscope, especially when they cost almost \$1 million apiece to produce. Mr. President, \$1 million for an audit report is a heck of a lot of money. So that is exactly what we did in the report card—put these reports in the public spotlight, and I will keep them there until I see sustained improvement at the inspector general of the Department of Defense.

As the report states and as I explained in my speech on June 6, this grading system was subjective and imperfect. However, as subjective and inexact as it may be, I believe it provided a reasonable and rough measure of audit quality.

Following my speech, Defense Department Inspector General Heddell pounced on my report. He expressed strong opposition to the low score. He complained that it did not adequately reflect \$4.2 billion in what he called "achieved monetary benefits," identified in fiscal year 2010 reports.

To address IG Heddell's concerns, my staff asked the audit department to prepare an information paper that linked the \$4.2 billion in savings to the audit where those savings were reported. That information was provided to me on June 20. I call it a crosswalk. It takes me to the exact page in each

report where the savings were discussed. This document listed \$4.4 billion in identified potential monetary benefits and collections of \$4.2 billion.

After reviewing the crosswalk, I have concluded that Inspector General Heddell had a legitimate gripe about my report card. He is right. It should have included a section that addressed potential savings. So I will address those issues right now, focusing on four reports that contain almost all of the \$4.2 billion in savings listed in the collections column.

In grading these reports, we did not give sufficient credit for potential savings and inefficiencies. They were a casualty of the grading system for one simple reason: If the exact dollar amounts of the alleged fraud and waste were not verified using primary source accounting records—and using primary source accounting records is very important—then they did not pop up on my oversight radar screen.

My staff is attempting to work with the audit office to develop a mutually agreed upon set of standards for grading audits. The purpose of these discussions would be to create a grading process that would accurately capture the true quality of all reports, including policy reviews that uncover real savings and efficiency.

From the beginning, I have been very critical of the audit office for producing far too many policy reviews and far too few hardcore contract and payment audits. For the most part, the policy audits have no measurable monetary impact whatsoever. However, I have learned recently that at least a few are important for other reasons. I am told that some of these reports are a real value in the work of our Armed Services Committee here in the Senate. Contract and payment audits are also very important and I would say most important. They go right to the heart of the IG's core mission: to root out and deter fraud, waste, and theft. If done right, they, too, can produce big payoffs. Those audits earned top scores in my report card. I am not saying the audit office should do nothing but contract and payment audits. What I am saying is this: The current mix of audits creates a huge imbalance in favor of policy reviews as opposed to monetary reviews. So a better balance needs to be established by the Inspector General's Office.

That said, I have an admission to make to my colleagues. I finally found a policy audit that I like. This report is entitled "Recapitalization and Acquisition of Light Tactical Wheel Vehicles." That audit report is No. 2010-039, dated January 29, 2010. It identified potential savings of \$3.84 billion. That is 90 percent of the savings uncovered in all the fiscal year 2010 audits.

In my report card, I gave this audit a low grade. This audit failed to connect the dots on the money trail and verify

dollar amounts using primary source contracts and payment records, plus it took 16 months to complete. When you add the 4 to 6 months of planning that often precedes an audit start date, you are probably looking at 2 years to complete the audit, and that is far too long. But this report had other important qualities that were overlooked. It uncovered gross violation of applicable procurement regulations, including the use of sole-source contracting arrangements. It also determined that the proposed vehicle might duplicate the capabilities of existing vehicles.

In the midst of this audit, for reasons that remain unclear, the project manager decided to stop the program "and put the \$3.84 billion in funding to better use in fiscal years 2010-2013." This language suggests that all of the money was reallocated within Army accounts for other purposes. Clearly, the audit may have helped to stop \$3.84 billion in potential waste. That is excellent. But this does not constitute savings in the classical sense, as all the money was shifted to other Army projects. Waste could have happened in those other projects as well.

It reminds me, while we are here in session in what normally would be a recess and I am reporting that the inspector general found \$3.84 billion in potential waste, now that they are trying to find trillions to cut down on the budget deficit, it might be a time to look at the Defense Department and stop the reprogramming of money. If it is going to be saved, it ought to be saved, and that means it will cut down on the deficit.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator has used 10 minutes.

Mr. GRASSLEY. I would like to continue, if there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Using a modified grading system to reflect the good quality of this audit, it would have earned a higher score were it not for an excessively long completion time. In this particular case, however, the impact of the audit was apparently felt while the audit was still in progress, so the timeliness rule may not apply here and probably should be set aside.

There are three other audits containing savings and inefficiencies that I would like to discuss.

The next one is entitled "Implementation of the Predator/Sky Warrior Acquisition Decision Memorandum," No. 2010-082, dated September 10, 2010. The purpose of this audit was to determine whether the Air Force and Army had complied with the Department of Defense directives and law to combine the Predator and Sky Warrior drone programs. The Defense Department estimated that \$400 million could be saved by merging the two programs.

While the audit was in progress, the Department of Defense pulled the rug

out from under the auditor. A new directive was issued stating that the two programs did not have to be combined. To counter this move, the auditors recommended administrative action against those who failed to comply with the original directive. The Department of Defense nonconcurred and tossed the auditors a bone. The Department of Defense wiggled out of harm's way by offering to do a meaningless lessons-learned exercise. In the end, the auditors caved in, agreeing that the Department of Defense plan was responsive and backed off.

Despite what appeared to be an unsuccessful outcome, the Office of Inspector General still claimed that this audit produced \$60 million in savings. The audit itself indicates that the \$60 million was, in fact, "reprogrammed to meet higher priority operations." That means it was reallocated to other Department of Defense accounts and thus not saved.

Since this audit was all about an opportunity to save \$400 million and the Department of Defense balked, maybe these so-called savings might be better characterized as lost savings. In my report card, this audit earned low scores mainly because it failed to verify actual costs of two drone contracts using primary source accounting records, and it failed to assess the validity of the Department of Defense estimated savings of \$400 million. I am not convinced this audit deserves a higher score, especially since it took 22½ months to complete, and the recommendations, though initially tough, were watered down in the end.

The last one I wish to report on is entitled "Deferred Maintenance and Carryover on the Army Abrams Tank," No. 2010-43, dated March 2, 2010. This report concluded that contrary to the Army's claim, depot maintenance on M-1 tanks was not deferred in fiscal year 2008. All planned overhauls were, in fact, completed, but a large sum of money was left over. The Army requested and received a formal, written waiver to carry over \$346 million in unneeded and unused fiscal year 2008 M-1 maintenance funds for use in 2009 and beyond. The reason given was inadequate capacity at the Lima, OH, tank plant. Without the waiver, this money would have been canceled and lost.

The report concluded that the Army documents contained "inaccurate, misleading" information that may have caused a violation of the Antideficiency Act. It recommended that the waiver be rescinded and \$275 million in fiscal year 2008 money be canceled and reprogrammed or reduced.

The Army appeared to agree with the recommendations to disclose the \$275 million carryover to Congress but did not concur with other recommendations.

This report does not point to any real savings. This report probably deserves

higher scores except for the timeliness and strength of the recommendations. It was untimely, taking 22 months to complete.

In addition, there were unresolved issues about the waiver document. Did the official who signed the waiver know that the document may have allegedly contained false and misleading information? And was he questioned about its truthfulness? If so, the report should have recommended that he be held accountable.

The last of four reports uncovered \$2.2 million in purported savings, but this one appears to be more about helping the Army spend—not save—money.

It is entitled “Controls Over Unliquidated Obligations for Department of the Army Contracts,” number 2010-073, dated July 19, 2010.

This report deserves high scores for hitting most of the dots on the money trail, including verification of exact dollar amounts using primary source accounting records. Such nitty gritty accounting work is highly commendable.

Unfortunately, the objective of this audit appears to be questionable. The report finds that sloppy Army accounting work “could increase the risk that funds are unavailable for other needs because funds available for de-obligation are not identified in a timely manner.” Now what does that really mean?

It means the money in question is no longer needed and is at risk of being “lost” because it is about to expire.

Having un-needed money lying around in the Pentagon is almost always a recipe for more waste. In the Pentagon, there is no such thing as un-needed money. Every dollar has a mission.

This report is all about managing money to make sure every cent is spent before it expires. Avoiding the loss of appropriations is the primary responsibility of the Army Comptroller or Chief Financial Officer—not the IG.

In this scenario, the IG’s primary focus should be to ensure that “lost” appropriations are not used illegally—or that un-needed monies are not wasted by being shifted to another questionable project. Money that is not needed should be reported to Congress and returned to the Treasury.

Although this audit deserves high scores in several categories, its long completion time—16 months—and questionable focus lowers its overall score.

To summarize, there are two main problems with these four reports on savings and collections. The fourth one I am not going to go into now to save time, but I will include that for the RECORD. None was timely, No. 1. No. 2, reported savings are unverified and elusive.

First, these four reports took an average of 19 months to complete. Two took a total of 45 months, or almost 4 years, to finish. That does not include

the 4 to 6 months it takes, I am told, to get an audit rolling. As I have said on other occasions, the power of top quality audit work is greatly weakened by stale information.

Secondly, these four reports supposedly produced \$4.2 billion in collected savings. But all of that money appears to have been shifted to other Department of Defense accounts and spent. To the best of my knowledge, not one cent was saved or redeposited in the taxpayers’ bank account. Only in government could all the money be spent and still claim savings.

What we are talking about here is lost savings that grew out of waste that was thankfully discovered and avoided. Waste that is avoided surely has monetary benefits.

In closing, I wish to share a simple observation with my colleagues. For some reason, auditors in the Office of Inspector General show a great reluctance to use the word “waste”—w-a-s-t-e—in their reports. That word rarely, if ever, appears in their audits. At the same time, auditors seem overly eager to tout savings and efficiency. Why would that be? Could it be that their superiors in the Pentagon take a dim view of the word “waste”?

Savings may be nothing more than the flip side of waste. Auditors detect and verify potential waste and then convert it to potential savings by proposing remedies to eliminate the waste. Maybe the auditors need to start calling it what it is—call it waste—and then talk about savings.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent to speak as in morning business for such time as I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

PILOTS’ BILL OF RIGHTS

Mr. INHOFE. Madam President, first of all, we came back. We weren’t anticipating coming back from this recess that we were going to be on. I can’t help but think a lot of that was a result of the statements President Obama made, criticizing the Senate for leaving at a time when the debt was so bad when, in fact, I think that is a bum rap. We have a serious problem I think we need to address and that is spending. All of these things President Obama is doing right now to make everyone think we are trying to address it—appointing committees and groups to get together; having the Vice President head up this group and the other group; and Republicans and Democrats meeting—all the President has to do is quit spending.

I have been here for a few years and I remember during the Clinton administration in 1995, I came down to this podium on the floor complaining that President Clinton had come out with a

new budget and that budget was \$1.5 trillion. I said, this is unbelievable. It is not sustainable. We can’t do it. That was \$1.5 trillion to run this country for a period of 1 year. Now this President has come up with three budgets. Each one of the budgets is a multitrillion-dollar deficit budget. The last one was \$1.65 trillion. This is more than the total amount of money it took to run the entire country. It is all in the President’s budget. It comes out initially \$800 billion for stimulus that didn’t stimulate. This was something that—I don’t know why—either nobody cares or the American people aren’t listening. It is very simple. We have a problem because the President spends money as no one else has in history. Here he has right now actually raised the debt—from every President, George Washington to George W. Bush—yet he comes out and says, What are we going to do about spending? The answer is to quit spending.

I hope the American people remember this. This is not the reason, frankly, why I am down here today. In spite of what we have been led to believe in various publications, other things are going on.

There is one piece of legislation I will be introducing tomorrow. I have been working on it for about 6 months, and I have talked to people. We have caucuses in the Senate about every kind of concern. We have an Army caucus, and we have an Air Force caucus. We have caucuses on caucuses. One of the caucuses we have is a general aviation caucus. I am particularly sensitive to this in that I have been flying airplanes for over 50 years, and it is one where we are dealing with single issue people.

Anyway, tomorrow, Wednesday, I am going to introduce legislation that is going to be very important to people who are the single issue people who fly airplanes. I know a lot of us don’t even care. I have heard people say they are all fat cats. I defy anyone to go up to Osh Kosh once a year, the last weekend of every July, and see the hundreds of thousands of people there who are not wealthy people, they are single issue people. Many of them have made experimental airplanes in their garages. This is something we have enjoyed for many years, and it is something I have enjoyed. I think because of my involvement, I have probably received more complaints and more requests from people out there in the real world—pilots—over things that have happened when the Federal Aviation Administration has cause to try to either revoke their license or give them the fear of revocation.

Over the years, there have been several instances where I have passed legislation to fix the system by which the FAA proceeds in these enforcement actions. I can remember back in the year 2000. Probably yet today the greatest

single pilot, most gifted pilot in America is a guy named Bob Hoover. Bob Hoover is up in years now. He is actually older than I am. As am I, he is still flying airplanes. They did what is called an emergency revocation on Bob Hoover. I never did find out what allegedly he did wrong. But it was actually in the field where this great pilot would take a twin engine Shrike up to 10,000 feet, come down and roll right up where the crowd is. He does all of that with a glass of water up there on his dash. He is one of these unbelievable human beings.

Anyway, he came to me and said, What am I going to do? They have taken away my livelihood. All of these airline pilots who make a living flying airplanes could have a revocation. I passed a law. It took 2 years to do it—and it shouldn't have—so if something happens with a pilot and he gets his license revoked, there is a process he can go through that offers appeals and makes it a fair process. So I have been dealing with this for a long period of time. I have to say this: With any bureaucracy that has the power to take action against an individual, it is our job in Congress to ensure there are appropriate safeguards in place to prevent agency overreach. This bill provides that. The bill does simply four things. Those out there who are pilots will understand exactly what I am talking about. First, it requires in an FAA enforcement action against a pilot, in a case where there is enforcement action, the FAA has to grant to the pilot all the relevant evidence, such as the air traffic communications tapes, flight data, investigative reports, flight service station communications, and other relevant air traffic data 30 days before any action can proceed, an enforcement action against the pilot. That is a matter of fairness. If a person is going to be accused of something, he has to know what he is being accused of. This is currently not done. It often leads to a pilot being grossly uninformed of his alleged violation and recourse.

The same section of the bill requires the FAA to advise a pilot who is the subject of an investigation relating to approval, denial, suspension, modification, or revocation of an airman certificate of the nature of the investigation, that an oral or written response to a letter of investigation is not required, that no action can be taken by the FAA against a pilot for declining to respond, that any response can be used as evidence against the pilot, and that the FAA's investigative report is available.

That sounds like a lot of talk. All we are saying is the pilot is entitled to have all the information other people have. I will give a good example. One of the things we know—and I have heard this all of my 55 years of flying—is that when you talk to a controller—he can

be a controller at a control tower or anything else—that they have to keep that recording and the pilot can have access to the recording. I have always thought this was true until something happened to me and I found out that isn't true. So this means that until we change it, that is not going to happen.

Secondly, it clarifies “statutory deference”—that is a legal term—as it relates to the National Transportation Safety Board on actions by the FAA. This is what happens. The FAA would do something, and this could theoretically be appealed to the NTSB. The problem with that is, the NTSB—the National Transportation Safety Board—has routinely rubberstamped anything that comes from the FAA. It is called statutory deference. So that decision has been able to take place in the appeals process.

To give an example, in fiscal year 2010, there were 362 aviation certificate appeals filed with the NTSB's Office of Administrative Law Judges. The Board's judges held 61 hearings on these appeals and reversed the FAA order only 5 times. Also during this time period there were 40 petitions seeking review of FAA emergency determinations. Of these, 6 were procedurally defective and were dismissed and on that basis, and 10 were voluntarily withdrawn. The remaining 24 petitions were considered on their merits with only 1—1—being granted out of 23 being denied. So we know this is a serious problem.

What this does is not only clean up statutory deference, but it does a second thing. It allows an airman at his own discretion to be able to appeal to the Federal District Court.

The third thing the bill does is require that the FAA undertake a notice to airmen. This is kind of complicated. But a notice to airmen is called a NOTAM. A NOTAM is something they are supposed to involve the people in—the pilots flying—so if they are going to go to a certain airport, they will have all the information as to what is wrong with that airport—a system might be down; a number of things can take place. But, nonetheless, it simplifies that system. Any pilot knows what a NOTAM is, but for those who don't, they are notices provided by the FAA to give information to pilots about air space, runways, flight conditions, and all that. The procedure hasn't worked, because they have actually said there are NOTAMs and they didn't even file the NOTAMs and there is no way for the pilot to be able to tell if there is a NOTAM out there, even though he is required to determine that there is. The current system says it is the pilot's responsibility to be aware of a NOTAM even if the FAA has not posted it.

Fourth and finally, the FAA's medical notification process has long been known for a multitude of problems. Of

all the requests for assistance the Aircraft Owners and Pilots Association receives each year—28 percent of all of the legal assistance—28 percent are related to the FAA's medical certification process. The bill requires a review of the FAA's medical certification process and forms, to provide greater clarity in the questions and reduce the instances of misinterpretation that have, in the past, led to allegations of intentional falsification against pilots. Nonprofit general aviation groups, aviation medical examiners, and other qualified medical experts will make up an advisory panel to advise the Administrator, again giving the right people a voice in the overall determination. So this is just an advisory board. The same way with revamping the NOTAM process. These are advisory boards that are to work with the FAA in coming up with a system.

There are two provisions in the bill that will require an FAA review of current practices and two other provisions that make the system specifically fairer for pilots.

After years of intervening to help fellow pilots, I was never fully appreciative of the feeling of desperation until it happened to me. This happened last October. I was flying a group of nonpilots in my twin engine—one of my planes, a twin engine, it holds six people—we were flying into Cameron County Airport. A lot of people don't realize how big Texas is. It is way down on the tip of Texas. It is about the same distance south as Key Biscayne, FL, or some place down there, but it is way down there. I used to be a builder and developer there. I have landed there over 200 times. I was flying a group down there. The Corpus Approach handed me off to Valley Approach who took me all the way down to runway 13. I will actually read what they said. Approach control said: You are cleared for visual approach to runway 13. Then I responded, and he said: Yes, 115 echo alpha roger, before you go there is traffic that appears to be in the pattern landing there at 900 feet. That is fine.

So this is what they do. That is wonderful.

I started landing, and you get to a point in a twin-engine plane full of people where you have slowed down enough where you cannot make a go-around. I was almost touching down when I saw they were working on the runway. It was too late to go around.

The three problems I had and have heard about countless times from pilots, which we correct with this legislation: When I tried to get the voice recording, it took me 4 months, and I am a Senator. I thought: What about these people out there and the frustration they are going through? We will correct that. I was required to respond to allegations within 10 days or they would proceed in an enforcement action against me. By the time I received

the 10-day notice, there were only 4 days left to respond to the accusations, enforcement actions, and I did not even know the reason for the enforcement actions. And, No. 3, we found out the NOTAMs were never posted by the FAA until 11 days after this took place. In other words, I did nothing wrong. But at any time I could have suffered a revocation of my license.

I think it is important to mention that most of the people who work at the FAA—be it the controllers, inspectors, investigators—are helpful.

This year is my 32nd consecutive year to attend the Osh Kosh fly-in. The first thing I always do is go up there and talk to all the controllers. They are up there as volunteers, and I thank them for what they are doing.

Less than 2 weeks ago, I was flying from Oklahoma to Wyoming. I called on an instrument flight. I had to get an IFR clearance at 5 o'clock in the morning. The guy was so courteous, I asked him his name. It is Bill Liebeno. He could not have been more helpful to me. Talk about giving me all the NOTAMS, he said: The localizer is out, the DME is out, Runway 14-32 is closed, taxiway B is closed, the approach lights are out. He could not have been more factual.

I have a lot more to talk about. I know there are others who want to speak before this very significant vote that is coming up at 5 o'clock, which I think is a live quorum call. I would only say this: I am going to introduce this bill on Wednesday. If there is anyone here—we already have Senators BEGICH and JOHANNIS, who are the co-chairs of the Senate Aviation Caucus. Of course, this is bipartisan. They are on as cosponsors. We have several others as cosponsors.

I would say to any staff—I know no Members are listening—who happen to be listening right now, if your Member wants to at least be sensitive to the needs of general aviation, this may be his or her only chance this year. I suggest those individuals who care about the problems I outlined become cosponsors of this legislation before I introduce it tomorrow afternoon.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAUL. Madam President, I, as well as many Americans, am concerned about the future of our country. I am concerned we may not be able to continue to pay our bills. I am concerned one day in the near future we could look like Greece. I do not want to see America rioting in the streets because we cannot pay our bills. That day is coming. It is coming in the near future if we do not wake up to the problem.

I am not alone. Members of the President's own administration have said that the No. 1 threat to our national security is our national debt. It is out of control. August 2 is fast approaching. August 2 is when the debt ceiling is reached.

What is the debt ceiling? It is like reaching your credit card limit. If you have a \$5,000 a month credit card limit, and you have reached it, do you call the company and say: Give me more credit or do you try to live within your means? Do you try to only spend what money you have? We as a country have been spending money we do not have. But it has now gotten out of control. We owe China \$1.1 trillion. We owe Japan nearly \$1 trillion. A spending addiction is our problem. It is out of control.

We are spending \$10 billion a day. Of that \$10 billion a day, we are borrowing \$4 billion. We are spending \$100,000 every second. Of that \$100,000 a second, we are borrowing \$45,000 a second.

We are paying for our debt at historically low interest rates, about 2.5 percent. But many of us have lived through a time when interest rates were much higher. The historic average is over 5 percent. If interest rates go back to the historic average, we will be swamped in debt. Interest will become, over the next 10 years, \$5 trillion.

This is what looms. Our future is not a good one unless we get things under control. So last week a group of us said no more. We do not want to discuss anything else until we start discussing solutions for the debt, solutions for the looming debt crisis. We said no more. So today we will win and draw attention back to the debt ceiling. We are not going to talk about anything until we resolve this issue. But we have to have a real discussion. It has to include Republicans and Democrats and Independents and everyone. But do you know what is going on. There is a resolution before the Senate now. The Democrats say: Raise taxes and that will fix the problem.

The problem is not revenue. The problem is spending. We used to spend about 1 in 5 dollars up here. Now we are spending 1 in 4 dollars. So 1 in 4 dollars of the economy is coming to Washington. Twenty-five percent of the GDP is spent in Washington. That is money that is not left in the marketplace, not left in the hands of those who earned it, and not left in the hands of people who can create jobs. It is being wasted up here.

We are not spending the money wisely. We spend more than we take in, so the interest to finance this profligate spending is bankrupting us. The vast majority of our problem is interest, and it will grow. It is growing exponentially. You can look at this chart I have in the Chamber and you will see that interest is going to consume us. As you can see from the chart, as the

debt rises, it rises exponentially in the next few years, unless we do something about it.

Unfortunately, I do not think the Democrats are serious. They have produced a resolution that says they can raise taxes, which is a nonstarter. It is a horrible prescription for an economy in the middle of a recession, and it is not going anywhere.

We have proposed a resolution that could fix the problem. Our resolution says that government can simply not act any differently than individuals, that they should have to balance their budget. We have introduced a resolution that says we, as Republicans, will vote to raise the debt ceiling if we do three things: significant cuts in Federal spending, at least back to the percentage we were before we got into this administration; statutory caps, saying we are limited as to how much money we can spend each year; and the third thing is we want a balanced budget amendment. If we have these, we will raise the debt ceiling. But short of that, we cannot possibly vote to raise the debt ceiling unless government changes its ways.

Government is not spending your money wisely. People cannot account for—even the Pentagon cannot balance its books. They refuse to be audited because they say they are too big to be audited. We have to do something about a government that is out of control. But we want a serious dialog with the other side. Instead what we are getting is frivolousness.

What I would say to the Democrats today is: You want to vote on raising taxes? You think that is an answer? They have a resolution. I do not want to filibuster their resolution. I will vote on it tonight. If you want a vote on raising taxes—if the Democratic Party wants to be the party of raising taxes, I am happy to be in the party that says that is not the answer.

I call for a vote immediately, today. If Democrats want to raise taxes, let's do it. I am happy to vote on that today because it is not the answer. If the other side wants to have a full-throated debate on this issue, let's do it. Let's debate over the next 2 days, and then we have a solution. Let us vote on raising the debt ceiling. We will do it in the next 2 days. We do not have to wait. Raise the debt ceiling, contingent upon a balanced budget amendment. The American people demand it, and I think we should ask for nothing less.

I yield back.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to engage in a colloquy with my colleague from South Carolina after I make a few remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIBYA

Mr. MCCAIN. Madam President, it is pretty obvious that the Senate feels that its priorities—and I think they are well placed, particularly in light of the fact that the Fourth of July recess was canceled because of the issue of the debt limit and the deficit and our lack of action and need for action on the issue—I understand that and have suggested and agreed that this resolution on Libya be delayed. However, I would point out that the Senate does need to have a debate about United States policy and military action in Libya.

Whether my colleagues are supportive of what we are doing in Libya or not I think is an issue that needs to be debated on the floor of the Senate. I believe the Senate does play a constitutional role and maybe even a more unique one than the other body. So I think it is time we did have a debate, discussion of this issue, and an opinion rendered in keeping with the War Powers Act.

Unfortunately, the administration has made it far more difficult than it otherwise might have been if we had carried out our responsibilities and the President carried out his responsibilities some months ago. The fact is this conflict would have been over if we had taken a leadership role and declared a no-fly zone when the rebel forces were on their way to Benghazi.

The fact is, if the United States had used the full weight of its air assets in this conflict, Qadhafi would be gone now. And I would tell my colleagues, have no doubt, Qadhafi will go. He will go. The question is when. And what role did the United States of America play in supporting these people who are fighting for freedom? What role did the United States of America play in trying to free up Qadhafi's ill-gotten gains and have them given to the Transitional National Council? What role did the United States play in leading from behind in Libya?

The United States of America leads, not NATO. We lead NATO. And when someone says NATO is leading on this conflict, I would remind my colleagues, of the 28 members of NATO, only 8 members are actually in the fight, and one of our major allies, Germany, has taken a hike.

So if we had used the AC-130 gunships, the A-10 Warthog close air support capability, Qadhafi would be gone now. But the fact is, he will go, and it is up to us, in my view, to express our support of people who are seeking the same rights and freedoms that are guaranteed to us.

I would remind my colleagues who said we never should have been involved in any way, it is a fact that Qadhafi and his forces were at the gates of Benghazi, a city of 700,000 people, and Qadhafi has said he would go house to house and kill—and kill—whoever they thought had resisted them.

We say we should never have allowed Srebrenica, where 8,000 people were massacred. We say we should never have allowed Rwanda to happen. We say we should never have allowed the Holocaust to happen. The United States did the right thing by stopping Qadhafi's forces at the gates of Benghazi and preventing the massacre of I do not know how many thousands of innocent civilians.

There is no doubt what Qadhafi has promised if he is able to remain in power—a man who has the blood of Americans on his hands because of the bombing of Pan Am 103, because of terrorist acts he supported in Africa—he will do so again and has pledged to do so.

When my colleagues ask what American national security interests are at stake, look at the man's past actions and look at what he has promised to do if he is able to stay in power; and that is, to pose a direct threat to the United States of America's vital national security interests.

We are involved in Libya. My colleague from South Carolina will testify we are providing refueling. We are providing intelligence. We are providing all kinds of assistance. We are including using Predators, which are killing the bad guys. So to somehow allege that the United States is not engaged in hostilities which would trigger the War Powers Act is simply sophistry. The Senate has been silent on this issue for too long, in my view.

But I also want to caution my colleagues about preventing United States action as well as authorizing.

The last time the Congress of the United States of America engaged in cutting off funding was at the end of the Vietnam war. Whether historians or people happen to acknowledge it, a lot of bad things happened after we cut off funding in Vietnam. Amongst them was millions of Vietnamese put in re-education camps and thousands slaughtered. So I would caution my colleagues about actions of Congress which prohibit certain actions on the part of the administration. But most of all, America should lead.

We should use our air assets, not our ground assets, to get rid of this brutal dictator and his regime. Every day that goes by innocent civilians in Libya are wounded and killed.

So I would ask my colleague from South Carolina if he has a few words, but also to address the issue of how much U.S. involvement actually is there, which would then—by most objective observers—trigger the Congress's requirement to act in keeping with the War Powers Act and our constitutional obligations.

Mr. GRAHAM. Well, I thank the Senator. I will give my thoughts as briefly as I can. My first thought is that we live in incredibly dangerous times—exciting and dangerous. What is the Arab

spring about? What are people asking for in Libya? They are asking to replace Qadhafi and form a new government where they will have a say. I do not think that is too much to ask.

All I can say is that America's freedom is best secured when she, America, is assisting others to obtain theirs. And the one thing history tells us, free people settle their differences without resorting to the evils of war. So to those in this body and throughout the country—I know we are broke. We are here today to supposedly talk about the budget. Well, we are not doing anything but talking. We are \$14.3 trillion in debt. There are all kinds of ideas between Republicans and Democrats about how to get the country's fiscal house in order. It is July 5. We are here looking at each other doing nothing. But there is another part of the world, as the Senate and the House basically talk about America being in debt, where people are dying, as I speak, trying to change their government for the better.

What should we do? I will tell you what we should do. We should help where we can. Senator MCCAIN has experienced war unlike very few people in this body. He knows when we go to war bad things happen to good people. The idea that he or myself or anybody else relishes trying to go to war or being in war is offensive, quite frankly. He knows better than I, and I have a pretty good understanding of what happens when we go to war.

But here is what happens when we do not go to war sometimes: Bad people are able to do incredible things that we wind up having to confront later, and it costs everybody more to have waited.

So what are we doing in Libya? We are following rather than leading. Now, to Senator MCCAIN's question. NATO's bombing activities are being done without American air power. We spend more money than all NATO nations combined on defense. I know a lot of Americans do not like that. I do not like it either, but it is the way it is. We are the arsenal of democracy.

When America does not fly, wars go on longer, more people get raped, more people get killed. Let me tell you, if Qadhafi survives this is the end of NATO.

If you do not want America to go alone in this dangerous world, count me in. But who are we going to partner with? If the U.N. is seen by the American people as an unreliable group to deal with dictators—and it is—what if NATO is no longer an organization that people throughout the world respect on the side of good, and the evil side of the ledger does not care if NATO gets involved because they do not have the will to do anything about it?

So we should be involved with our NATO partners. Our NATO partners depend on Libya more than we do. They

came to Afghanistan not because they were attacked but because we were attacked. They are our friends. They are our allies. They have been with us trying to make sure Afghanistan never goes back into the darkness, a place that attacked us or them again.

So when they need us, I will tell President Obama: Now is not the time to sit on the sidelines. I know we are a war-weary Nation, but there is no upside to Qadhafi staying in power. That is a national security nightmare for this country.

Here is a recent headline: Qadhafi threatens to attack Europe over airstrikes. Colonel Qadhafi has threatened to carry out attacks against homes, offices, families in Europe unless NATO stops its campaign of air strikes against his regime in Libya. He actually means it. Hitler meant it. He means it.

So we should be talking about the debt; we are not. We should be taking a stand against Qadhafi in an effective way. As Senator McCAIN said, we are leading from behind. I just cannot tell you how upset I am with policies coming from this administration that are sending the signal to our allies that we are not as reliable as we should be, and to our enemies that we do not have the same amount of will to protect our freedom as they do to take it away from us.

Mr. McCAIN. I would ask my friend, is it not true that we are providing tanker support, logistics support, Predator strikes, intelligence, and all kinds of assets to those eight nations that are involved in the fight? When we are using Predators and killing people, that pretty well fits the definition of "hostilities." Yet, for reasons which are still not clear to me, the administration fails to acknowledge that.

Could I also say one thing that is very concerning as well is this recognition of the Transitional National Council. I know my colleague—because we were just in Turkey—noticed that another country, Turkey, one of the most important nations in the Middle East, just recognized the Transitional National Council, froze the assets that Qadhafi has. Yet this administration refuses to do so. There is some \$30 billion, I am told, of Qadhafi assets that we could freeze and make available to the Transitional National Council. It may require some legislative action, but it requires administration leadership. They could then pay people, could provide arms and weapons to their own people, as well as subsidies for the government.

Again, an example of leading from behind—the French, the Italians, the Turks, and other nations have all now recognized the Transitional National Council. Yet the United States has failed to do so.

Mr. GRAHAM. If I could try to answer the hostility question. When we

are using Predator drones to bring down military targets, that, to me, is an acceptable situation in Libya. I do not want ground troops in Libya. The people in Libya do not want a ground invasion by NATO forces. They want our help. And what do we have to offer better than anybody in the world? Intelligence gathering. These platforms that are gathering information about targets are unique to America.

The target packages that are being put together are being done mostly by Americans, and we are turning these target packages over to NATO countries. Some of the aircraft that are flying—and God bless our allies for taking this risk—are 30 years old. No one has the ability like the American Air Force and naval forces to carry on aerial campaigns.

But some people in this body have a right to have their say like we do. We should be debating this, but the administration's position that a Predator drone attack is not a hostile act is dangerous because in Yemen, the administration, with my full support, is taking the fight to Yemen today. They are using Predator drone attacks against al-Qaida groups in Yemen. We just had special forces involved in killing al-Qaida operatives in Somalia. We have to be on the offensive. We need to be hitting these people over there before they can reorganize and hit us here.

So I support the administration's ability and constitutional right to take the fight to the enemy. But for them to tell the body these are not hostile acts is the ultimate confusion. It is confusing to the enemy; it is confusing to our allies; it is confusing to the American people. I reject this definition being offered by this administration that using Predator drones to attack targets is not a hostile act.

I believe the War Powers Act is unconstitutional. There are two things we can do in this body as a Member of Congress: We can declare war and we can cut off funding when we do not like things the way they are going. We very seldom declare war in this Nation from a congressional point of view for a reason. But we have constantly engaged forces that wish to attack us and our allies without declarations of war. If you do not like what we are doing in Libya, cut off funding. Do not try to micromanage the war through congressional fiat.

So \$30 billion is available to the Libyan people. It is money frozen, stolen by Qadhafi. The Turkish Government, the French, the British in some sense have recognized this Transitional National Council. If we would do that, they would have access to the \$30 billion.

Senator McCAIN met with the leadership of this council. I have too. They would gladly pay us back for any assistance we could provide if they could get their hands on the money. Does the Senator agree with that?

Mr. McCAIN. I have been assured personally by the leadership of the Transitional National Council—by the way, one who has a doctorate from the University of Pittsburgh, and their Finance Minister was an economics professor at the University of Washington. So let's dispel any illusions about we do not know who they are. They are good and decent people who have risen up against an oppressive and repressive dictator and murderer. They want to reimburse the United States for our expenses, the way the Kuwaitis and the Saudis did after Operation Desert Storm.

But the point is that, again, anybody who believes that it is not in America's national security interest to see Qadhafi gone has paid no attention to his words and his actions. History will record how the United States stood on people who were struggling both peacefully and where it necessitated the use of force of arms, is where the United States of America was.

Mr. GRAHAM. If I may, we have our good colleague, a Naval intelligence officer, Senator KIRK from Illinois, and we will certainly yield to him now. But one last thought.

America needs to do two things quickly: We need to get our fiscal house in order. We need to balance our budget and decide among ourselves how important is this national security. To me, it is the No. 1 thing we should do in Congress. If we do not get that right, there is nothing else that is going to matter. There will never be economic prosperity in America if the world is in the hands of evil people who will make it very difficult to travel and trade and do business.

The other thing we need to do, after we balance our budget, is to have a clear vision of who we are and what we believe. I believe we are destined to lead the free world. I do not consider it a burden. I consider it the birthright of all Americans, not only to maintain our freedom but to help others secure theirs.

A word of warning: The day that America rejects that leadership role is a day we will eventually lose our freedom and more damage will be done to this country if we disengage than if we do engage.

So with that, I would like to recognize Senator KIRK from Illinois.

Mr. KIRK. I would like to agree with the Senator on the Libya resolution. But I understand from the majority leader that we are not going to take up the Libya resolution now. I would just urge them—before we descend into any potential partisan warfare on any other issue, there is a bill that is ready for the Senate's consideration right now that was overwhelmingly, unanimously approved by Democrats and Republicans on the Appropriations Committee, and it is ready for Senate consideration this week.

My hope is that we will now, or maybe tomorrow, take up the Military Construction and VA appropriations bill, which Senator JOHNSON and I have coauthored, and which Senator INOUE and the Senator COCHRAN have approved. It is \$1.2 billion in discretionary spending below the President's request. It is \$620 million below the enacted level. It is even \$2.6 million in budget authority below the House mark. This is ready to go.

So absent debate on some other resolution which has little to no future in the House of Representatives, my hope is that we will follow the House that has already approved the VA-MILCON appropriations bill, and we will take up overwhelmingly bipartisan legislation that benefits our men and women in uniform and those veterans, and that we will not waste this week on legislation that has little to no future. Instead, we will achieve something this week by having taken up the MILCON-VA bill, which was so overwhelmingly approved by the Senate Appropriations Committee just last week.

I yield the floor.

Mr. REID. Mr. President, I appreciate my friend's advice. We are working to make sure the week is spent relating to the No. 1 issue facing the country today; that is, how to make sure we get a handle on deficit spending.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 3]		
Casey	Kirk	Schumer
Cornyn	McCain	Stabenow
Graham	Nelson (NE)	Tester
Isakson	Paul	Webb
Johanns	Reid	

The PRESIDING OFFICER. A quorum is not present.

Mr. REID. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion of the majority leader. The yeas and nays were ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. DEMINT), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. KYL), the Senator from

Alaska (Ms. MURKOWSKI), and the Senator from Utah (Mr. LEE).

The PRESIDING OFFICER. Are there any other Senators desiring to vote or change their vote?

The result was announced—yeas 83, nays 8, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—83

Akaka	Grassley	Nelson (FL)
Ayotte	Hagan	Paul
Baucus	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Hoeven	Reed
Bingaman	Hutchinson	Reid
Blumenthal	Inouye	Risch
Blunt	Isakson	Roberts
Boozman	Johanns	Rockefeller
Boxer	Johnson (SD)	Rubio
Brown (MA)	Johnson (WI)	Sanders
Brown (OH)	Kerry	Schumer
Cantwell	Kirk	Sessions
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Landrieu	Snowe
Chambliss	Lautenberg	Stabenow
Coats	Leahy	Tester
Cochran	Levin	Thune
Collins	Lugar	Toomey
Conrad	Manchin	Udall (CO)
Coons	McCain	Udall (NM)
Corker	McCaskill	Warner
Crapo	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Franken	Moran	Wyden
Gillibrand	Nelson (NE)	

NAYS—8

Barrasso	Enzi	McConnell
Coburn	Graham	Vitter
Cornyn	Inhofe	

NOT VOTING—9

Alexander	Heller	Lieberman
Burr	Kyl	Murkowski
DeMint	Lee	Murray

The motion was agreed to.
The PRESIDING OFFICER. A quorum is present.

The Senator from Pennsylvania.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

Mrs. BOXER. Mr. President, I rise today to pay tribute to 39 service members from California or based in California who have died while serving our country in Operation Enduring Freedom since December 7, 2010. This brings to 276 the number of service members either from California or based in California who have been killed while serving our country in Afghanistan. This represents 17 percent of all U.S. deaths in Afghanistan.

CPL Kenneth E. Necochea Jr., 21, of San Diego, CA, died December 12 in Kandahar Province, Afghanistan, of wounds suffered when insurgents attacked his unit with an improvised explosive device. Corporal Necochea was

assigned to the 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

CPL Derek T. Simonetta, 21, of Redwood City, CA, died December 12 in Kandahar Province, Afghanistan, of wounds suffered when insurgents attacked his unit with an improvised explosive device. Corporal Simonetta was assigned to the 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

SSgt Justin E. Schmalstieg, 28, of Pittsburgh, PA, died December 15 while conducting combat operations in Helmand Province, Afghanistan. Staff Sergeant Schmalstieg was assigned to the 1st Explosive Ordnance Disposal Company, 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Jose L. Maldonado, 21, of Mathis, TX, died December 17 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Maldonado was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Cpl Eric M. Torbert Jr., 25, of Lancaster, PA, died December 18 while conducting combat operations in Helmand Province, Afghanistan. Corporal Torbert was assigned to the 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

PFC Conrado D. Javier Diaz Jr., 19, of Marina, CA, died December 20 in Kandahar Province, Afghanistan, of wounds suffered when enemy forces attacked his vehicle with an improvised explosive device. Private First Class Javier Diaz was assigned to the 3rd Squadron, 2nd Stryker Cavalry Regiment, Vilseck, Germany.

LCpl Kenneth A. Corzine, 23, of Bethalto, IL, died December 24 of wounds received December 5 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Corzine was assigned to the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Cpl Tevan L. Nguyen, 21, of Hutto, TX, died December 28 while conducting combat operations in Helmand Province, Afghanistan. Corporal Nguyen was assigned to the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

MAJ Evan J. Mooldyk, 47, of Ranch Murieta, CA, died January 12 in Khowst Province, Afghanistan, in a noncombat-related incident. Major Mooldyk was assigned to the 19th Sustainment Command, 377th Theater Sustainment Command, Belle Chasse, LA.

PO2 Class Dominique Cruz, 26, of Panama City, FL, was found during

search and rescue operations January 19 in the Gulf of Oman after being reported missing January 18. Petty Officer 2nd Class Cruz was assigned as an operations specialist to the USS Halsey homeported in San Diego, CA.

Sgt Jason G. Amores, 29, of Lehigh Acres, FL, died January 20 while conducting combat operations in Helmand Province, Afghanistan. Sergeant Amores was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Rudolph R. Hizon, 22, of Los Angeles, CA, died February 28 in Logar Province, Afghanistan, of wounds suffered when insurgents attacked his unit using an improvised explosive device. Specialist Hizon was assigned to the 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division, Fort Polk, LA.

SGT Jason M. Weaver, 22, of Anaheim, CA, died March 3 in Kandahar Province, Afghanistan, of wounds suffered when insurgents attacked his unit using an improvised explosive device. Sergeant Weaver was assigned to the 504th Military Police Battalion, 42nd Military Police Brigade, Joint Base Lewis-McChord, WA.

Cpl Jordan R. Stanton, 20, of Rancho Santa Margarita, CA, died March 4 while conducting combat operations in Helmand Province, Afghanistan. Corporal Stanton was assigned to the 2nd Reconnaissance Battalion, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC.

SSG Mark C. Wells, 31, of San Jose, CA, died March 5 in Helmand Province, Afghanistan, of wounds suffered when insurgents attacked his unit with an improvised explosive device. Staff Sergeant Wells was assigned to the 45th Sustainment Brigade, 8th Theater Sustainment Command, Schofield Barracks, HI.

SSG Eric S. Trueblood, 27, of Alameda, CA, died March 10 in Kandahar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Trueblood was assigned to the 391st Combat Sustainment Support Battalion, 16th Sustainment Brigade, Spinelli Barracks, Mannheim, Germany.

PFC Arturo E. Rodriguez, 19, of Bellflower, CA, died March 12 in Paktika Province, Afghanistan, of wounds suffered when insurgents attacked his unit using small arms fire. Private First Class Rodriguez was assigned to the 2nd Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

SPC Rudy A. Acosta, 19, of Canyon Country, CA, died March 19 in Kandahar Province, Afghanistan, of wounds suffered when he was allegedly shot with small arms fire by an individual from a military security group.

Specialist Acosta was assigned to the 4th Squadron, 2nd Stryker Cavalry Regiment, Vilseck, Germany.

SPC Jameson L. Lindskog, 23, of Pleasanton, CA, died March 29 of wounds suffered when enemy forces attacked his unit with small arms fire in Konar Province, Afghanistan. Specialist Lindskog was assigned to the 2nd Battalion, 327th Infantry Regiment, 1st Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

LCpl Harry Lew, 21, of Santa Clara, CA, died April 3 while supporting combat operations in Helmand Province, Afghanistan. Lance Corporal Lew was assigned to the 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force, based out of Marine Corps Base Kaneohe Bay, HI.

HN Benjamin D. Rast, 23, of Niles, MI, died April 6 while conducting a dismounted patrol northeast of Patrol Base Alcatraz, Helmand Province, Afghanistan. Hospitalman Rast was assigned to the 1st Battalion, 23rd Marine Regiment, 2nd Marine Division stationed at Naval Medical Center, Expeditionary Medical Force Detachment, San Diego, CA.

LCpl Joe M. Jackson, 22, of White Swan, WA, died April 24 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Jackson was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPL Preston J. Dennis, 23, of Redding, CA, died April 28 in Kandahar Province, Afghanistan, of injuries sustained when enemy forces attacked his unit with an improvised explosive device. Corporal Dennis was assigned to the 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division, Fort Drum, NY.

SGT Ken K. Hermogino, 30, of Edwards Air Force Base, CA, died May 9 in Herat Province, Afghanistan, of injuries sustained in a noncombat-related vehicle accident. Sergeant Hermogino was assigned to the 7th Squadron, 10th Cavalry Regiment, 1st Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

LtCol Benjamin J. Palmer, 43, of Modesto, CA, died May 12 while supporting combat operations in Helmand Province, Afghanistan. Lieutenant Colonel Palmer was assigned to Marine Wing Headquarters Squadron 2, 2nd Marine Aircraft Wing, II Marine Expeditionary Force, Cherry Point, NC.

SSG Kristofferson B. Lorenzo, 33, of Chula Vista, CA, died May 23, in Kunar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Lorenzo was assigned to the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI.

TSgt Kristoffer M. Solesbee, 32, of Citrus Heights, CA, died May 26 in the Shorabak district of Kandahar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Technical Sergeant Solesbee was assigned to the 775th Civil Engineer Squadron, Hill Air Force Base, UT.

SGT Aaron J. Blasjo, 25, of Riverside, CA, died May 29, in Wardak Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Sergeant Blasjo was assigned to the 3rd Special Forces Group, Fort Bragg, NC.

Cpl Paul W. Zanowick II, 23, of Miamisburg, OH, died June 3 while conducting combat operations in Helmand Province, Afghanistan. Corporal Zanowick was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

LCpl Nicholas S. O'Brien, 21, of Stanley, NC, died June 9 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal O'Brien was assigned to the 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Jason D. Hill, 20, of Poway, CA, died June 11 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Hill was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Sean M. N. O'Connor, 22, of Douglas, WY, died June 12 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal O'Connor was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Jared C. Verbeek, 22, of Visalia, CA, died June 21 from wounds received while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Verbeek was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA.

Cpl Gurpreet Singh, 21, of Antelope, CA, died June 22 from wounds received while conducting combat operations in Helmand Province, Afghanistan. Corporal Singh was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA.

SSG Nigel D. Kelly, 26, Menifee, CA, died June 25, in Kunar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with small arms fire. Staff Sergeant Kelly was assigned to 3rd Brigade Special Troops Battalion, 3rd Heavy Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI.

SPC Kevin J. Hilaman, 28, of Albany, CA, died June 26, in Kunar Province, Afghanistan, of wounds suffered when insurgents attacked his unit using

small arms fire. Specialist Hilaman was assigned to the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI.

LCpl Mark R. Goyet, 22, of Sinton, TX, died June 28 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Goyet was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

LCpl John F. Farias, 20, of New Braunfels, TX, died June 28 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Farias was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Sgt Chad D. Frokjer, 27, of Maplewood, MN, died June 30 while conducting combat operations in Helmand Province, Afghanistan. Sergeant Frokjer was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

I would also like to pay tribute to the six service members from California or based in California who have died while serving our country in Iraq since December 7, 2010. This brings to 891 the number of service members either from California or based in California who have been killed while serving our country in Iraq. This represents 20 percent of all U.S. deaths in Iraq.

SPC Jose A. Torre, Jr., 21, of Garden Grove, CA, died January 15 in Baghdad, Iraq, of wounds suffered when insurgents attacked his unit with a rocket-propelled grenade. Specialist Torre was assigned to the Special Troops Battalion, 2nd Advise and Assist Brigade, 1st Infantry Division, Fort Riley, KS.

SGT Martin J. LaMar, 43, of Sacramento, CA, died January 15 in Mosul, Iraq, of wounds suffered when an Iraqi soldier from the unit with which he was training shot him with small arms fire. Sergeant LaMar was assigned to the 1st Squadron, 9th Cavalry Regiment, 4th Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

SrA Michael J. Hinkle II, 24, of Corona, CA, died March 16 due to a non-combat-related incident in Southwest Asia. Senior Airman Hinkle was assigned to the 28th Communications Squadron, Ellsworth Air Force Base, SD.

PFC Ramon Mora Jr., 19, of Ontario, CA, died May 22 in Baghdad, Iraq, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Private First Class Mora was assigned to the 1st Battalion, 63rd Armor, 2nd Brigade Combat Team, 1st Infantry Division, Fort Riley, KS.

SPC Christopher B. Fishbeck, 24, of Victorville, CA, died June 6 in Baghdad, Iraq, of wounds suffered when enemy forces attacked his unit with in-

direct fire. Specialist Fishbeck was assigned to the 1st Battalion, 7th Field Artillery Regiment, 2nd Heavy Brigade Combat Team, 1st Infantry Division, Fort Riley, KS.

SSG Russell J. Proctor, 25, of Oroville, CA, died June 26, in Diyala Province, Iraq, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Proctor was assigned to the 4th Squadron, 9th Cavalry Regiment, 2nd Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

DEMOCRACY AT RISK IN HUNGARY

Mr. CARDIN. Mr. President, this week in Budapest there are two events of particular interest to Americans. First, Hungary has unveiled a statue of President Ronald Reagan in front of the U.S. Embassy in honor of his contribution to the goal of ending communist repression and commemorating the 100th anniversary of his birth. Second, Hungary dedicated the Lantos Institute, named after Tom Lantos, our former colleague from the House of Representatives who worked tirelessly to promote democracy and human rights in the country of his birth. Former Secretary of State Condoleezza Rice and Secretary of State Clinton have represented the United States at these respective events.

These gestures shine a light on Hungary's historic transformation as well as the close bonds between our two countries. Unfortunately, other developments in Hungary have cast a dark shadow over what should otherwise be happy occasions.

Last year, Hungary held elections in which a right-of-center party, FIDESZ, won a landslide, sweeping out eight years of socialist government rejected by many voters as scandal ridden and inept. With FIDESZ winning 52 percent of the vote, Hungary has the distinction of being the only country in Central Europe since the 1989 transformations where a single party has won an outright majority—not necessarily a bad thing, especially in a region where many governments are periodically hobbled by factionalism.

Those elections were also notable because more than 850,000 Hungarians—16 percent of the vote—cast their ballots for Jobbik, an anti-Semitic, anti-Roma, irredentist party. While Jobbik is an opposition party, it has clearly and negatively influenced public policy discourse.

Under Hungary's electoral system, FIDESZ's 52 percent of the vote has translated into a two-thirds majority of the seats in parliament. The government of Prime Minister Viktor Orban has used that supermajority to push through one controversial initiative after another.

One initiative that has generated particularly sharp criticism is Hun-

gary's new media law. The OSCE Representative on Freedom of the Media warned it could be used to silence critical media and public debate, it overly concentrates power in regulatory authorities, and it harms media freedom. In Ukraine, where democracy has put down only shallow roots, the Kyiv Post editorialized that "Hungary's media law should not come here."

Another area of concern stems from the government's fixation on ethnic Hungarian identity and lost empire in ways that can only be seen as unfriendly by other countries in the region. One of the government's first acts was to amend Hungary's citizenship law to facilitate the acquisition of Hungarian citizenship by ethnic Hungarians in other countries—primarily Romania, Serbia, Slovakia, and Ukraine. This expansion of citizenship was pushed through even though, in a 2001 statement submitted to the Council of Europe, the Hungarian Government firmly renounced all aspirations for dual citizenship for ethnic Hungarians.

In a further escalation of provocative posturing, a few weeks ago Speaker of the Hungarian Parliament Laszlo Kovar said that military force to change the borders with Slovakia—a NATO ally—would have been justified and, in any case, he added, the ethnic Hungarians in Slovakia are "ours."

If one side of the nationalism coin is an excessive fixation on Hungarian ethnic identity beyond the borders, the other side is intolerance toward minorities at home. For example, one increasingly hears the argument, including from government officials, that while the Holocaust was a 20th-century tragedy for Jews, the worst tragedy for Hungarians was the 1920 Treaty of Trianon—the treaty that established the borders for the countries emerging from the defeated Austro-Hungarian Empire.

This comparison is offensive and disturbing. Ethnic Hungarians were never targeted for extermination or subjected to mass murder by Trianon. Moreover, this line of argument presents Hungarians and Jews as mutually exclusive. But more than 400,000 Jews were sent from Hungary to Auschwitz, and more than 10,000 Jews were shot along the banks of the Danube—were they not also Hungarian? How could this not be a tragedy for Hungary?

The government has also used its supermajority to adopt a completely new Constitution which has been reviewed by the Council of Europe's Venice Commission on Democracy through Law, a body of judicial experts.

The Venice Commission expressed particular concern with the requirement that numerous issues can now only be addressed through supermajority or so-called cardinal laws. In other words, "The more policy issues are transferred beyond the powers of

simple majority, the less significance will future elections have and the more possibilities does a two-thirds majority have of cementing its political preferences and the country's legal order."

In short, the Commission concluded, "the principle of democracy itself is at risk."

This combines, by the way, with a court-packing scheme—the expansion of the size of the Constitutional Court from 11 to 15—and a reduction of the retirement age for ordinary judges from 70 to 62, which will reportedly mean 10 percent of all judges will be replaced.

To make exactly clear what he has intended with these reforms, Prime Minister Orban declared that he wants to tie the hands not only of the next government, but of the next 10 governments—that is, future Hungarian governments for the next 40 years.

It is no wonder then that in Freedom House's latest "Nations in Transit" survey, released this week, Hungary had declined in ratings for civil society, independent media, national democratic governance, and judicial framework and independence.

Ironically, just as attention shifts to the tantalizing possibility of democratic reform in the Middle East, the red flags in Budapest keep multiplying: Transparency International has warned that transferring the power to appoint the Ombudsman from the parliament to the president means that he or she will not be independent of the executive. NGOs have warned that a new draft religion law may result in a number of religions losing their registration. Restrictions by Hungarian authorities on pro-Tibet demonstrations during last week's visit to Budapest of the Chinese Premier were seen as an unnecessary and heavyhanded limitation of a fundamental liberty. Plans to recall soldiers and police from retirement so that they may oversee Romani work battalions have predictably caused alarm.

In 1989, Hungary stood as an inspiration for democracy and human rights advocates around the globe. Today, I am deeply troubled by the trends there. I understand that it sometimes takes new governments time to find their bearings, and I hope that we will see some adjustments in Budapest. But in the meantime, I hope that other countries looking for transformative examples will steer clear of this Hungarian model.

ADDITIONAL STATEMENTS

REMEMBERING PETER FALK

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Peter Falk, the iconic actor who entertained generations of Americans throughout an illustrious 50-year

acting career. Mr. Falk passed away on June 23, 2011, at his home in Beverly Hills, CA. He was 83 years old.

Peter Falk was born in New York City on September 16, 1927. Despite the loss of his right eye from a surgery to remove a malignant tumor at the age of 3, he became a standout 3-letter athlete, a debate team member and senior class president in high school. It was in high school that he developed a love for acting when he first appeared on stage in a musical.

After graduating from high school, Mr. Falk fulfilled a 1-year commitment as a cook in the Merchant Marines. In 1953, he earned a master's in public administration from Syracuse University and landed a job with the Connecticut State Budget Bureau in Hartford.

While in Hartford, he pursued his love for acting by joining the Mark Twain Maskers, a community theatre group, and learned under the tutelage of actress Eva Le Gallienne at White Barn Theatre. At the age of 28, he quit his job and moved to New York City to become a professional actor.

Mr. Falk first gained acclaim for his portrayal of a bartender in the 1956 Off-Broadway production of "The Iceman Cometh." Over the next half century, he embarked on a career that included Broadway, television, and movies. He received two Academy Award nominations for best supporting actor for roles in "Murder, Inc." and "Pocketful of Miracles." In 1962, he won the first of five Emmys for a role in "The Dick Powell Show."

Mr. Falk became a household name in 1971 for his title role in the detective series, "Columbo." His portrayal of the iconoclastic Los Angeles Police Department homicide detective made the character one of the most memorable and beloved in television history. Columbo placed 7th in TV Guide's 1999 ranking of "TV's Fifty Greatest Characters Ever."

Mr. Falk's legendary career and his many successes on stage, the small screen and the silver screen highlighted his talents as an actor. A consummate professional, his love for performance and acting brought joy to generations of fans across the world. He will be missed.

I send my deepest sympathies to his family, especially to his wife Shera, and daughters Catherine and Jackie. •

REMEMBERING VIRGINIA WAGNER

• Mr. COCHRAN. Mr. President, our State of Mississippi lost one of its finest citizens when Virginia Wagner of Bay St. Louis died last week.

I ask that the article entitled "Virginia Wagner Left Legacy of Generosity" which was posted by the Sun Herald in Gulfport, MS, be printed in the RECORD.

The article is an excellent tribute to the life and legacy of one of our State's finest citizens.

She and her family are in our thoughts and prayers.

The information follows.

VIRGINIA WAGNER LEFT LEGACY OF GENEROSITY

(By Michael Newsom)

Bay St. Louis resident Virginia Wagner—member of a prominent Hancock County family known for good deeds—died Monday. Friends said she left her own legacy of generosity.

Wagner was the daughter of Leo W. Seal Sr. and Rebecca Baxter Seal, and also the younger sister of the late Leo W. Seal Jr., a well known Coast philanthropist, businessman and community leader. Wagner, 81, died Monday morning, a few days after a fall at her home. Her husband, Fred Wagner, said his "extraordinary" wife spent her life helping others.

"She was from a distinguished family who valued public service and helping other people and looking for opportunities to be responsible citizens," he said. "There was a heritage of that in her family. Her brother was very much that way and her mother and father were very much that way. She constantly was interested in and concerned about others. You don't see that kind of philosophy often. A great part of it was her spiritual heritage and her faith. She was a committed Christian."

Fred and Virginia met in the early 1950s when they both lived in New Orleans. A mutual friend introduced them and 57 years after their marriage, Fred Wagner remembered his wife Monday when speaking to the Sun Herald as "absolutely the most wonderful wife any man could ask for" and "a wonderful mother to our children."

Her daughter, Lisa Yearwood, said that even into her 80s, Virginia Wagner kept a social calendar that would rival most people 60 years younger. She kept recent letters from her mother that laid out her entire week's plans that involved meetings, charity work and other engagements. The writings serve as a testament to her tirelessness.

"She was not a typical 81-year-old lady," Yearwood said.

Yearwood said she would remember her mother for the way she treated others—something she tries to mimic.

"She was amazingly welcoming and hospitable," Yearwood said. "That was across the board. Whether that was with a waiter in a restaurant or people in Washington, it didn't matter. She was incredibly loving and welcoming and I hope I picked that up from her."

She kept a busy schedule. In May, Wagner worked a booth at the Bay Bridge Fest selling T-shirts, despite the sweltering temperatures. She was a member of Gulf Coast Blessings, a women's Bible study group. Years ago, Wagner and others began teaching children how to swim and that evolved into a swim team that competed in events across the state. She was also an avid tennis player in the 1950s and 1960s—at a time when her husband said there weren't many others on the Coast playing the sport. She worked as a chaperone for the Miss USA pageant when it was held on the Coast for several years in the late 1970s and early 1980s.

Virginia Wagner also organized a Mardi Gras marching club known as "The Marching Fools From Istanbul" and she carried a silver whistle that helped her keep the group in line.

"She was a fun person and she was always in charge," Fred Wagner said.

Friend Carrie Rester said she will remember Virginia Wagner's generosity and "giving heart."

"She loved people and wanted to share that love whether it was with a birthday card, inviting people into her home, delivering a treat she made or checking in by phone or email," Rester said. "She was always thinking about others, going the extra mile for her friends and family."●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1326. A bill to implement the President's request to increase the statutory limit on the public debt.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER (for herself, Mr. VITTER, and Mr. BLUMENTHAL):

S. 1324. A bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 1325. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 1326. A bill to implement the President's request to increase the statutory limit on the public debt; read the first time.

By Mr. HATCH:

S. 1327. A bill to amend the Act of March 1, 1933, to transfer certain authority and resources to the Utah Dineh Corporation, and for other purposes; to the Committee on Indian Affairs.

ADDITIONAL COSPONSORS

S. 44

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 44, a bill to amend part D

of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 148

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 148, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 556

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 556, a bill to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Virginia (Mr. WEBB) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 968

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1058

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1058, a bill to amend the Public Health Service Act to ensure transparency and proper operation of pharmacy benefit managers.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1197

At the request of Mr. COATS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1197, a bill to provide for a feasibility study before carrying out any Federal action relating to the Chicago Area Water System.

S. 1235

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1235, a bill to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors.

S. 1283

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1283, a bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1304

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1304, a bill to make funds available to reimburse certain fishermen for legal fees and costs incurred in

connection with improper fines and for other purposes.

S. 1312

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1312, a bill to strengthen and improve monitoring in the fisheries across the United States and for other purposes.

S. 1317

At the request of Mr. DEMINT, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1317, a bill to allow individuals to choose to opt out of the Medicare part A benefit.

S. 1323

At the request of Mr. REID, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 132

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 180

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU:

S. 1325. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in

the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I rise today to introduce legislation entitled the Lower Mississippi River National Historic Site Study Act. This bill will direct the Secretary of the Interior to study the suitability and feasibility of designating sites in Plaquemines Parish along the Lower Mississippi River Area as units of the National Park System. This area in Southeastern Louisiana has contributed much to our Nation's history and there are many stories that have yet to be preserved for future generations. Unless Congress acts to preserve these historical assets, they will be lost forever. That is why I am again, for the third time, introducing this legislation. It is important that this legislation become law and I look forward to working with my colleagues to enact it.

In order to be designated as a unit in the National Park System, the Department of Interior must first conduct a special resources study to determine whether an area possesses nationally significant natural, cultural or recreational resources to be eligible for favorable consideration. This is exactly what my bill does. It asks the Department of Interior to take the first step in determining what I already know, that the Lower Mississippi River Area would be a suitable and feasible asset to the National Park Service.

As many from Louisiana are already aware, this area has vast historical significance and is rich with cultural history. In the 1500s, Spanish explorers traveled along the banks of the river. In 1682, Robert de LaSalle claimed all the land drained by the area. In 1699, the area became the site of the first fortification on the Lower Mississippi river, known as Fort Mississippi. Since then, it has been home to ten different fortifications, including Fort St. Philip and Fort Jackson.

Fort St. Philip, which was originally built in 1749, played a key role during the Battle of New Orleans when American soldiers blocked the British Navy from going upriver. Fort Jackson was built at the request of General Andrew Jackson and partially constructed by famous local Civil War General, P.G.T. Beauregard. This fort was the site of the famous Civil War battle known as the "Battle of Forts" which is also referred to as the "night the war was lost." Mr. President, as you can see, from a historical perspective, this area has many treasures that provide a glimpse into our past. These are treasures that have national significance and they should be maintained and preserved.

In addition, there are many other important and unique attributes to this area. This area is home to the longest continuous river road and levee system

in the U.S. It is also home to the ancient Head of Passes site, to the Plaquemines Bend, and to two National Wildlife Refuges.

Finally, this area has a rich cultural heritage. Over the years, many different cultures have made this area home, including Creoles, Europeans, Indians, Yugoslavs, African-Americans and Vietnamese. These cultures have worked together to create the infrastructure for the transport of our Nation's energy, which is being produced by these same people off our shores in the Gulf of Mexico. They have also created a vibrant fishing industry that contributes to Louisiana's economy.

I think it is easy to see why this area would make an excellent addition to the National Park Service. However, the longer Congress takes to act, the greater the opportunity for these treasures and their rich history to erode away. Unfortunately, this area has weathered the passing of several hurricanes, including Katrina, and is now suffering from the impacts of the BP oil spill. All of these events threaten to destroy these historical assets, but this need not be the case. These assets need protection and this is the first step in securing it. That is why I am reintroducing this bill to conduct a study to determine the suitability and feasibility of including this area in the system and ultimately to begin the process of adding this area as a unit of the National Park Service. I look forward to working with my colleagues to quickly enact this bill.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, July 12, 2011, at 2:30 p.m. to conduct a hearing entitled "The Power of Pensions: Building a Strong Middle Class and Strong Economy".

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224-5441.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 13, 2011, at 10 a.m. to conduct a mark-up of the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. ____, the Workforce Investment Act Reauthorization of 2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224-5375.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that John Daley, who is detailed to the Foreign Relations Committee from the State Department, be granted privilege of the floor for the duration of the debate on S.J. Res. 20.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 1326

Mr. CASEY. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1326) to implement the President's request to increase the statutory limit on the public debt.

Mr. CASEY. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JULY 6, 2011

Mr. CASEY. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it adjourn until 10 a.m., on Wednesday, July 6; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 93, S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with the time until 12:30 p.m. equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each; and that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly party conferences; further, that the time from 2:15 p.m. until 6 p.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. CASEY. Mr. President, the majority leader filed cloture on the motion to proceed to S. 1323. Unless further agreement is reached, this vote will be on Thursday.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. CASEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:14 p.m., adjourned until Wednesday, July 6, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

THOMAS J. CURRY, OF MASSACHUSETTS, TO BE COMPTROLLER OF THE CURRENCY FOR A TERM OF FIVE YEARS, VICE JOHN C. DUGAN, RESIGNED.

MARY JOHN MILLER, OF MARYLAND, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE JEFFREY ALAN GOLDSTEIN.

DEPARTMENT OF STATE

WENDY RUTH SHERMAN, OF MARYLAND, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS), VICE WILLIAM J. BURNS, RESIGNED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

MATTHEW G. OLSEN, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE MICHAEL E. LEITER, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C. SECTION 211(A)(2):

To be commander

KATHLEEN A. DUIGNAN

EXTENSIONS OF REMARKS

CONGRATULATING MR. LES CROSS ON HIS NEARLY TWO DECADES OF SUCCESS AT THE HELM OF DJO AND HIS CHARITABLE CONTRIBUTIONS TO THE SAN DIEGO COMMUNITY

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 5, 2011

Mr. BILBRAY. Mr. Speaker, today I rise to honor Les Cross, the CEO and President of DJO Global, Inc., one of the leading global providers of high-quality, orthopedic devices with a broad range of products used for rehabilitation, pain management, and physical therapy. Under his leadership, DJO's impact on the San Diego region has grown tremendously. He is a true testament to the American entrepreneurial spirit.

During his time at DJO, Mr. Cross has implemented a business model that demonstrates creativity and innovation in product development and services. DJO is unique in that it offers healthcare professionals and patients a diverse range of orthopedic rehabilitation solutions to address the entire spectrum of preventative, pre-operative, post-operative, clinical and home rehabilitation care.

Most impressive are his philanthropic efforts. Les Cross has made the Community Outreach Program a priority at DJO. This program has provided exceptional support to

communities in and around the San Diego Area. Some of DJO's largest multi-year contributions to date have been to support the Vista Community Clinic, and the U.S.S. Midway Educational Programs, with employees raising thousands of dollars for Boys and Girls Clubs of America, Leukemia & Lymphoma Society, and many other charitable organizations. Les Cross and DJO have also done extensive work to end the homeless cycle including recognizing North County Solutions for Change with a multi-year sponsorship, and The Monarch School, which provides accredited education to homeless and at-risk kids while caring for basic daily needs. Furthermore, since September 2001, DJO has provided multiple scholarships each year to San Diego children through the Marine Corps Scholarship Foundation.

Les Cross has received many honors from the San Diego community including Ernst & Young Master Entrepreneur of the Year, and Boys & Girls Clubs Man of the Year. Most recently in 2010, the Boy Scouts of America and the City of Vista, CA named him Distinguished Citizen of the Year.

Not only has Les Cross played a significant role in the benefit of our community, but he has professionally developed a culture of urgency, accountability, high performance, continuous improvement and teamwork to drive growth and profits through DJO's people. I wish Mr. Cross well in his retirement and thank him for his many years of service to the San Diego area.

AMENDMENT TO H.R. 2219—THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 2012

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 5, 2011

Mr. KING of New York. Mr. Speaker, I rise today to offer an amendment to H.R. 2219, the Department of Defense Appropriations Act of 2012, which would transfer \$12,000,000 from the account entitled Other Procurement, Army to the account entitled Operation and Maintenance, Defense-Wide. This transfer would fund the Supply Our Soldiers Act of 2011, which passed the House in the National Defense Authorization Act for FY 2012.

While our soldiers do not have to pay for the letters they send home, their families often spend hundreds of dollars to send care packages and letters of their own. The program funded by this amendment would provide soldiers serving active duty in Iraq and Afghanistan with one postal voucher every other month to transfer to their loved ones to send letters and packages to these soldiers at no cost.

I fully support this postal benefits program and urge my colleagues to vote in favor of my amendment.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Wednesday, July 6, 2011

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign God, Lord of the nations, You have magnified Your word above Your Name. As our lawmakers grapple with unyielding problems, give them the wisdom to turn to You for help. Lord, You have promised to supply all of our needs, so give our Senators what they need to meet the complex challenges of these days. May they take risks for the sake of truth and justice as they acknowledge with humility their need of Your abundant blessings. Bless them with a fresh regenerating touch of Your power.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 6, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will resume the motion to proceed to S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit. The time until 12:30 today will be equally divided and controlled between the two leaders or their designees. The Senate will recess from 12:30 until 2:15 for our weekly party caucuses. The time from 2:15 until 6 p.m. is also equally divided and controlled between the two leaders or their designees.

Yesterday, I filed a cloture motion on a motion to proceed to S. 1323. This vote will occur tomorrow.

MEASURE PLACED ON THE CALENDAR—S. 1326

Mr. REID. S. 1326 is at the desk. It is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for a second time.

The legislative clerk read as follows:

A bill (S. 1326) to implement the President's request to increase the statutory limit on the public debt.

Mr. REID. Madam President, I object to any further proceedings with respect to this matter.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar under rule XIV.

BUDGET NEGOTIATIONS

Mr. REID. Madam President, yesterday my distinguished Republican counterpart said the debate over how to avert the looming default crisis is really a debate over what kind of a country we are going to be. I agree. That is certainly true. So will we be the kind of country that protects tax breaks and giveaways for the richest people and corporations while sacrificing seniors and the middle class? That is the America my Republican colleagues have proposed, and those priorities are simply backwards.

Democrats, on the other hand, believe that in a nation where half the

country's wealth is controlled by probably less than 1 percent of its people, perhaps that 1 percent should not be exempt from the sacrifices asked of everyone else. If these negotiations will determine what kind of nation we are going to be, they will also determine the character of the Republican Party as well.

Will they be the party who came to Washington to help govern, to craft solutions to the difficult issues facing this Nation in cooperation with patriots on both sides of the aisle or will they be the kind of single-issue, ideological party that walks away from reasonable compromise for the sake of politics? That is the question.

David Brooks, a conservative columnist for the New York Times, was hired for that reason, that usually liberal editorial page. They wanted someone who wrote well and was a certified conservative. David Brooks is who they chose. David Brooks believes it has obviously turned into an ideological party that walks away from reasonable compromise for the sake of politics. This is what he said yesterday—not me. Conservative columnist David Brooks said it yesterday, about the illogical and ideological Republican Party that has emerged.

Here is what he said:

If the debt ceiling talks fail, independent voters will see that Democrats were willing to compromise but Republicans were not.

He said: If we default, it will be the fault of the "Republican fanaticism." That fanaticism is making compromise impossible no matter how much Democrats are willing to give. Independent voters, Brooks says, "will conclude that Republicans are not fit to govern. And they will be right." David Brooks, conservative columnist, said this. The Republican Party has been taken over by ideologues devoted to or terrified by Grover Norquist and his no-tax pledge. These Republicans refuse to believe countless respected voices that have said over and over how serious a crisis we face if we fail to avoid default.

They have refused a deal that Brooks called the "mother of all no-brainers" because it violates an arbitrary pledge. Never mind that the deal is in the best interest of the country and gives the Republicans much of what they say they want. They walked away from the table.

The statesman, Dean Acheson—and he was one of our great diplomats and, certainly, a statesman—said negotiating "assumes parties more anxious to agree than to disagree." It is no wonder, then, that Republicans have refused to negotiate. They will not

even admit to supporting their own long-held positions if Democrats also support those positions.

We should all be able to agree we need to reduce the deficit and get the fiscal house in order. Democrats and Republicans alike have said that. We should all be able to agree we need to avert the global economic disaster the American default would cause. Business leaders and economists alike have said that exact same thing.

We should all be able to agree millionaires and billionaires, oil companies and the owners of yachts and jets don't need special tax breaks the rest of Americans don't get. Yet Republicans have defended those tax breaks again and again. They claim Democrats want to raise taxes on shipbuilders and airplane manufacturers. That couldn't be further from the truth.

In fact, Democrats want to end special tax breaks for the millionaires and billionaires who are lucky enough to be able to afford private jets and yachts. We are happy that we stand in that way politically. These tax breaks aren't available to middle-class Americans. They can't write off the family station wagon or the rowboat they take fishing with the grandkids or the motor boat they go out with every week to see if they can catch a bass or trout. These breaks are available for multimillion-dollar toys that only a handful of Americans can afford.

I repeat: I am proud that Democrats are standing up for America's middle-class families instead of the richest of the rich. As my Republican colleagues defend tax breaks for special interests and the wealthiest 1 percent of Americans, I ask them again what kind of political party they want to be. They must ask themselves whether they want to be the kind of party that David Brooks, a conservative, described—a party of unreasonable fanatics who don't want to compromise, no matter how sweet the deal for their side might be and no matter how grave the consequences for our Nation if they don't agree.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TREATMENT OF SOMALI TERRORIST

Mr. McCONNELL. Madam President, yesterday afternoon we learned that over the weekend a Somali terrorist who had been held and interrogated on a U.S. Navy ship for the past 2½ months has been flown to New York to face criminal charges in a civilian court—a Somali terrorist flown to New York to be tried in a civilian court.

I strongly disagree with this decision. Mr. Warsame is a foreign enemy combatant, and he should be treated as one. He should be sitting in a cell in Guantanamo Bay and eventually tried before a military commission.

Warsame is an admitted terrorist. In 2009, Warsame trained and fought with the militant Islamic group al-Shabaab in Somalia. Over the last 2 years, Warsame has provided support and training to al-Qaida in Yemen.

Since the day President Obama signed the Executive order to direct the closure of the military detention facility at Guantanamo Bay and end the Central Intelligence Agency's enhanced interrogation program, Senate Republicans have been asking the administration what would be done with an unlawful enemy combatant captured overseas in a place other than Iraq or Afghanistan. At one point, CIA Director Leon Panetta speculated that if Osama bin Laden had been captured alive, he would have been sent to Guantanamo. Over time, it became clear that the administration did not have a policy in place that could address this circumstance. So without a straight answer, we were left in the dark on how this administration would handle an enemy combatant captured overseas.

Finally, after waiting 18 months, I think we have our answer. As was disclosed yesterday, Warsame has been in military custody for months, during which time he has been interrogated by various law enforcement agencies. However, now he has been read his Miranda rights. This is a Somali terrorist captured overseas who has now been read his Miranda rights. Why? Why? Why is a man who is a known terrorist and enemy of the United States being afforded the protections of an American citizen? Now he is in the hands of civilian authorities and will be given all the rights accorded to a U.S. citizen in a civilian court. It is truly astonishing that this administration is determined—determined—to give foreign fighters all the rights and privileges of U.S. citizens regardless of where they are captured.

In the case of Alwan and Hammadi, two enemy combatants who fought and killed U.S. soldiers in Iraq, they were captured in Bowling Green, KY, my State, and are now awaiting trial in a Bowling Green courtroom—a decision being summarily condemned by Kentuckians and most of their elected leaders from both parties at the State and Federal levels. And now Warsame, an enemy combatant with ties to al-Qaida who was captured overseas and detained by the military for months, is now inside the United States awaiting trial as a civilian criminal suspect. It is not necessary to bring or continue to harbor these terrorists within the United States. The infrastructure is already in place to handle these dan-

gerous individuals at Guantanamo. However, it has become abundantly clear that the administration has no intention of utilizing Guantanamo unless an enemy combatant is already being held there. Instead, the administration has purposely imported a terrorist into the United States and is providing him all the rights of a U.S. citizen in court. This ideological rigidity being displayed by the administration is harming the national security of the United States of America.

Alwan, Hammadi, Warsame, and all future enemy combatants belong in Guantanamo. They do not deserve the same rights and privileges as American citizens. The administration's actions are inexplicable, create unnecessary risks here at home, and do nothing at all to increase the security of the United States.

BUDGET NEGOTIATIONS

Mr. McCONNELL. Madam President, yesterday I accepted the President's invitation to the White House to discuss what the two parties can do together to reduce our Nation's out-of-control deficit and debt, to create jobs, and to put the American economy back on solid footing.

As I have said for many months, the upcoming vote on the debt limit should be viewed as an opportunity to do something big that would send a clear message to the American people and the world that we could come together and put our fiscal house in order.

It is notable that the President, who not that long ago preferred we raise the debt ceiling without any corresponding plan to do any of these things, now wants to discuss the need to do something about our crushing debt burden. Thursday's meeting will give us a chance to see if the President means what he says. It is an opportunity to see if the President is finally willing to agree on a serious plan to pay our bills without killing jobs in the process.

Until now, the President's proposals have been inadequate and, frankly, indefensible. It is ludicrous for the administration to propose raising hundreds of billions in taxes at a time when 14 million Americans are looking for work and job creators are struggling. Just last December, the President acknowledged that preventing a tax hike meant more resources were available for job creators to add employees. That was the President just last December in describing why he decided to extend the current tax rates for 2 more years—because, he said, it would be bad for job creators. That was just 6 months ago, and I do not think anybody thinks the economy is in better shape now than it was 6 months ago. Does the President now think the economy is doing so well, that unemployment is so low, and economic

growth so rapid that we can take billions of dollars away from these very same job creators? That seems to be what he is saying now. It is equally ludicrous to propose more stimulus spending as part of a deficit reduction package. Republicans and, yes, some Democrats oppose these ideas because they will not solve the debt crisis and they certainly will not create any jobs.

Americans expect that in a negotiation about a debt crisis we would actually do something to significantly reduce the debt. And with so many still out of work, we expect the President to not insist on proposals his own administration says will put even more people in the unemployment line.

We are eager to meet with the President to see if he is really willing to do something big for the country. We do not think it is absolutist to oppose more stimulus spending. We do not think it is maximalist to oppose hundreds of billions of dollars in tax hikes in the middle of a job crisis. We have a better term for it: common sense.

We are ready to meet with the President on Thursday. Maybe he will have changed his mind and returned to his commonsense approach just back in December when he said that preventing tax hikes means "freeing up other money to hire new workers." Hopefully, we can finally do something big to reduce the deficit, put people back to work, and prevent Medicare's bankruptcy. That should be our goal.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1323, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. will be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Georgia.

Mr. ISAKSON. Madam President, I rise this morning to talk about the meeting tomorrow the President has called at the White House—a summit, I think it has been referred to, one for which I have great hope. I hope it will be a summit where both sides leave their weapons at the door, sit across

the table from one another, and begin talking about a comprehensive solution to a comprehensive problem. The solution to that problem, though, does not lie in creating villains and enemies. In the last 2 weeks, we have heard a lot of rhetoric coming from the White House demonizing people who have corporate jets or demonizing people who make over \$1 million.

I was reminded in this debate about millionaires in the debate in 1969 in America. It was one of the first debates I ever watched. I had returned home from the service, I had begun my business, and a report came out in the newspaper that 155 Americans who made over \$1 million paid zero taxes. I personally was astounded. Everybody else was astounded. Congress went to work to close the loophole, and they did it by creating something known as the alternative minimum tax—something to make sure someone who paid no tax at least paid "their fair share," and I put that in quotes.

Today, it is not 155 millionaires who are paying the alternative minimum tax; 34,200,000 Americans are, because oftentimes when Congress goes to target one person, they catch everybody in a bigger loop.

I do not think we need to demonize those who employ Americans, those who create the jobs, those who make our economy run, any more than we should villainize people who want to try to save Social Security or Medicare.

The President in his two speeches last week targeted millionaires, he targeted job creators, he created villains, and he created enemies. None of that will help us to solve a problem.

Now, the President is not the only one playing that game. A little bit of criticism can go to both sides.

As we look at this chart that has been on the floor in the last 2 weeks about what has happened in the last 30 months since the President was elected as to critical things, unemployment is up by 1.9 million people—17 percent in terms of the rate—gas prices are almost double, and the Federal debt is up 35 percent. But, remember, it was \$10 trillion when the President was elected, so it is not just the President's fault, but he is making it worse. Debt per person is now up by \$11,258, and health insurance premiums are up by almost 20 percent. In fact, the only thing that is down in the last 30 months is the expectations of the American people—expectations of what our future is going to be like.

So for a moment I would like to offer some historical suggestions as to what both sides can do tomorrow at the White House, when they leave the weapons at the door, sit at the table, and really begin to negotiate.

One is to look back in history when we have had big problems and we came up with big solutions. The 1980s is a

particular time. I was in the State legislature then. I followed what was happening in Washington. In fact, when I was 39 years old in 1983, Ronald Reagan and Tip O'Neill had a meeting at the White House. I was not there, but allegedly it went something like this:

The President said: Well, Social Security is going broke in about 20 years. We just got that report. We need to fix it.

O'Neill said: I agree.

The President said: I am willing to work on it, but I am not willing to raise the tax.

O'Neill said: Well, I am willing to work on it, but I don't want to cut the benefit.

They looked at the Actuary and said: What do we do?

The Actuary said: Well, you push the eligibility out, and you get the system back in actuarial soundness.

I was 39 in 1983. I would have been collecting Social Security at the age of 65 in 2010. But because Reagan and O'Neill got together, they pushed my eligibility out by 1 year to age 66, not age 65, and now incrementally it goes up 2 months a year to age 67 in a few years. That put the system in actuarial soundness for 67 years. The reason it is now all of a sudden in trouble again is the protracted economy, and these difficulties have caused people—baby boomers—to now go to the bank of Social Security and collect early Social Security at age 62. So we have had a rush to Social Security because of the unemployment and the uncertainty in our economy. But Reagan and O'Neill fixed Social Security by pushing the eligibility out. They did not raise the tax, but they did raise the ceiling upon which it was levied.

I think it is interesting politically—I note the President should understand and all of us should recognize—the next year was 1984, and President Reagan won 49 of 50 States, a year after he fixed Social Security.

So I do not think we ought to demonize people for trying to solve the bigger problems of our debt and deficit. Everybody in this room knows you could cut every discretionary dollar out and you would still owe \$300 billion in the deficit. The only way we are going to fix Social Security and Medicare is if we are going to fix the debt and deficit.

On Medicare, I was disappointed that when PAUL RYAN in the House came up with a forthright plan, he was immediately demonized. In fact, he was invited to the White House and criticized face to face at a conference the President had. That was just for trying.

It is about time all of us start trying, we start trying to find common ground, we start to look at our solutions in a comprehensive way. It is a time where we stop calling names and instead we start calling numbers, we start looking at what it is we can do within our control to put our spending

back in line, amortize our debt over time to a reasonable amount, and reduce our deficit over time. It is not going to be fixed with one stroke of a pen or one single piece of legislation, but it is going to begin to be fixed when both sides sit down at the table and understand that this is the fourth quarter of the "major super bowl" of the future of the United States of America. Continuing to shoot each other and throw bricks and bats and create victims and create enemies and not talk about the real problems is just making it worse for all of us. It is time we made it better for the American people.

I spent the weekend with the American people who live in the State of Georgia celebrating our independence on the Fourth of July and spending some time with five of my nine grandchildren. I remember Saturday night watching my grandchildren play in the den, looking down at them. They were not looking at me. I was just watching them play, and I thought about their future. I thought about what their future was going to be like in a country that ran unlimited debt and deficits, that inflated its dollar, lowered its expectations, and was not the America I had been fortunate enough to live, work, and be born in.

Recognizing my age and my time, I know my future—the years I have left—is all about those children and those grandchildren. I want to be a part of the solution for the problem today but a part of their expectations for the future. I do not want them to look back and say: Granddad made it worse. I want them to look back and say: Granddad made it better.

Tomorrow is an opportunity for the President of the United States to lead. He has templates with which he can lead. He can either choose to take isolated enemies and isolated arrows and shoot them at people or he can, instead, look back at his deficit commission. His deficit commission, which I voted for, by the way—I was one of the Republicans who voted for the creation of the deficit commission—came back in December with a comprehensive recommendation that should have come to the floor for debate. It dealt with Social Security. It did not deal with Medicare. It dealt with the Tax Code. It dealt with spending. It dealt with expenditures. It lowered tax rates and raised opportunity. The President did not even let it come to the floor of the Congress of the United States. He looked the other way.

It is time we look straight in each other's eyes and say there are solutions out there that good people of good will can find a way to do, just as Ronald Reagan and Tip O'Neill did. But I do not want to be a part of making it worse. I want to be a part of making it better.

I hope those at the conference tomorrow sit down with that type of atti-

tude—we do not create enemies and villains, we do not make it worse, but we begin a platform and a template where in the next 3 to 4 weeks we can begin to amortize our debt over time, reduce our deficit over time, raise the expectations of the American people, and cause a brighter future for our children and for our grandchildren.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, I am going to speak to another issue first. But I want to thank my colleague from Georgia for his comments. We are in different political parties, but I listened to him and I know he is sincere. I think it is that spirit that can lead us to a solution. I hope we can find it. I will address the specifics of it later in my remarks.

TRYING WARSAME

But first I wish to address the comments made by the Republican Senate Minority Leader MCCONNELL. It relates to a front-page story across the United States this morning, where we have apprehended the man Ahmed Abduikadir Warsame, a Somali individual who is now being charged with terrorist crimes and going to be tried in the State of New York.

This man apparently was apprehended and held for several months on a naval vessel of the United States where he was interrogated about his involvement in terrorism and then they brought in prosecutors, criminal prosecutors from the United States, who interrogated him about what they thought would be actionable crimes that could be prosecuted in the United States.

He is now being brought to New York for a trial. The statement made by Senator MCCONNELL this morning on the floor of the Senate suggests that this was a bad decision on the part of our President and the Department of Justice to try this man in the criminal courts of the United States.

Senator MCCONNELL has made this speech many times before. He believes that trying terrorists in the courts of the United States makes America less safe, and it less likely that we could convict them. He argues they should be held at Guantanamo and tried in military tribunals. His argument has some surface appeal unless you know the facts.

The facts are that under President Bush after 9/11 and under President Obama, more than 400 suspected terrorists have been tried in the criminal courts of America, article III constitutional courts, and convicted. They have been tried in our courts and convicted. They are serving time in the prisons of the United States of America. That is right: convicted terrorists, convicted in criminal courts, now serving time in prisons across America, including in my home State of Illinois at the Marion Federal Penitentiary.

So to argue that we cannot successfully convict a terrorist in the United States, as Senator MCCONNELL did this morning, is to ignore reality. The reality is that President Bush used his Department of Justice and our courts to successfully prosecute terrorists. During the period of time since 9/11, only around 5 accused terrorists were tried in military tribunals—400 in article III criminal courts, 5 in military tribunals.

Senator MCCONNELL makes the argument—and others have joined him—that the only place to try them is in military tribunals. The fact of the matter is, we do not have a very good record in military tribunals trying would-be terrorists. There is a variety of reasons for it. The Supreme Court did not agree with our procedures. Some of the cases were not very good. The bottom line, though, is to say to any President, whether it is Republican George Bush or Democrat Barack Obama, Congress is going to tell you the best place to try a terrorist—do we have that expertise? I do not. I am not sure Senator MCCONNELL does. I think it is up to the President, the Secretary of Defense, the Central Intelligence Agency, and the Attorney General to make that call.

Take the would-be terrorist to the court where we are most likely to convict. Take him to a tribunal where they are going to get a fair hearing in the eyes of the world, and conviction is most likely. That is what I think the American people want.

To come here and second guess the President because he has held a man for 2 months in military interrogation and now is being prosecuted in our criminal courts is totally unfair, unfair because the same standard was not applied to the Republican President who tried hundreds of would-be terrorists—accused terrorists—in our criminal courts successfully. That is a fact. That should be on the record.

I meant what I said about Senator ISAKSON of Georgia. He is a Republican, I am a Democrat. He is my friend. I like him. We do not agree on everything. Our voting records are much different. But what he had to say this morning was the right thing. And what he had to say this morning, I think, should open the eyes of America about where we need to go.

Yesterday, the President sat down and said, we need to be serious about deficit reduction. We do not need a mini deal, we need something that speaks authoritatively to the world that the United States understands its deficit challenge and is prepared to make the hard choices to address it. I think the President is right.

I was interviewed this morning by a Quincy, IL, radio station. They said: Well, why would not you take a mini deal and get it over with? Well, if you think you will take a mini deal, you

will probably be offered a mini, mini deal. At the end of the day, little or nothing will happen. Here is the problem we face. It is a real problem. For every dollar we spend in Washington, we borrow 40 cents. We borrow it from countries all around the world. The No. 1 creditor of the United States is China. China loans us money so that we can spend for government purposes.

How do we spend the money? Well, if you look at Federal employees, more than half of the Federal employees in the United States of America work for one department, the Department of Defense. If you look at expenditures, some of the fastest growing sections of our budget have been on the military side as we wage wars in Iraq and Afghanistan, and participate in the NATO exercise in Libya.

That is a pretty expensive undertaking. We know that that has gone up 84 percent—military spending in the last 10 years, gone up 84 percent. We know at the same period of time that spending on mandatory programs, such as Social Security, Medicare, Medicaid, agriculture payments, veterans payments, spending for those payments over the last 10 years has gone up 32 percent.

We know that the rest of the budget, the so-called domestic discretionary spending, which would include things such as building highways, keeping Federal prisons open, providing Pell grants to college students, giving children from poor families early childhood education, putting money at the National Institutes of Health for medical research, that is one section of the budget—it comprises 12 percent of our budget—and in the last 10 years, that part of our budget has gone up zero percent; no increase in spending in that section.

Most of our spending goes into the military—84 percent increase over 10 years—and mandatory programs—32 percent over 10 years. The biggest driver, in terms of Federal spending, the thing we cannot seem to get hold of, is health care costs. And you know that as an individual, whether you are trying to buy health insurance for your family, run a small business and trying to cover the owners and workers, or look at it from a State and local viewpoint when it comes to public employees.

I could analyze the health care system, I do know about it. But I will tell you that it is a model that is unsustainable. You cannot watch the cost of health care go up beyond inflation every single year and expect to control deficits, whether it is your family deficit, your city deficit, or your national deficit. But that is the reality of where we are today as we face the current situation.

I listened as the Senator from Georgia, whom I respect very much, talk about what President Obama inherited.

I wish to add a little perspective to it. The last time the Federal Government balanced the budget, ran a surplus, was in the final 2 years of the Clinton administration, William Jefferson Clinton, Democratic President of the United States.

We generated a surplus in those years; that is, we collected more money in taxes and revenue than we paid out. That had not happened for decades. At that point, as William Jefferson Clinton left office as President, the national debt of America, the accumulated net national debt of America from George Washington through William Jefferson Clinton was \$5 trillion—\$5 trillion, and we had a surplus in our annual budget. When President George W. Bush took over and President Clinton handed him the keys to the White House, he said: Next year, if you follow my budget, you will have a \$120 billion surplus.

That is what President George W. Bush inherited: \$5 trillion national debt, a government running a surplus of \$120 billion in the next year.

Fast forward 8 years later. At the end of President George W. Bush's 8 years in office, let's take a snapshot. What did it look like then? The national debt was no longer \$5 trillion 8 years later, it was almost \$11 trillion. It more than doubled in an 8-year period of time. And, when President Obama took office, instead of being handed a budget for the next year with a \$120 billion surplus, as President Bush was handed by President Clinton, President Obama was given a budget and he said: Next year, if you follow our budget you will have a \$1.2 trillion deficit, 10 times the amount that President Bush had in surplus. President Obama was told: You will have that in deficit. You will owe that much. The books do not balance.

What happened in 8 years? Well, several things happened. First, we waged two wars in Iraq and Afghanistan and we did not pay for them. I think back in my history, and I can remember as a kid that every birthday I would receive a savings bond, U.S. savings bond. I used to think it was interesting. They would hand me these \$25 U.S. savings bonds, and I knew they cost \$18.75. But if I did not do anything with them and held onto them for almost 10 years, they would be worth \$25. So Grandma and Grandpa would give me the \$25 savings bond—I would think it is only \$18.75, and I stuck it away. You know. The reason I bring it up is those savings bonds were the way we financed wars. Americans sacrificed and loaned money to their government, and they bought savings bonds.

It was my family tradition. It was a tradition of America. But when it came to the two most recent wars, in Iraq and Afghanistan, that did not happen. We borrowed the money from other countries. So during that 8-year period

of time, under President Bush, we waged two wars and borrowed the money and added it to the national debt.

We did something else. No President in the history of the United States of America ever has cut taxes in the midst of a war. You know why? Because you have your ordinary budget of government. You have got to pay for it. Now you have got a new expenditure, with hundreds of thousands of troops in the field, and families saying, keep them safe and bring them home, and you are spending billions of dollars there. How could you cut taxes?

That is what happened. During the Bush administration, they cut taxes. Two wars unpaid for, cut taxes, and then President Bush signed into law programs—dramatically expensive programs that were not paid for. Medicare prescription Part D was one of them. So you had these programs signed into law, wars not paid for, taxes cut, and, at the end of an 8-year period of time, the national debt rose from \$5 trillion to over \$10 trillion, almost \$11 trillion.

The Republican Party has a philosophy, the Democratic Party has a philosophy. There are those of us who think that sometimes we should listen to one another and try to learn from one another. I think this is one of those occasions. But I will say to my friends on the Republican side of the aisle in the Senate and the Republican leaders in the House, those who are arguing that the best way to get the American economy moving forward at this point is to give tax cuts to the wealthiest people in America, they have forgotten their history. That is exactly what we did under President George W. Bush, and look what happened—the biggest deficits in the history of the United States. When Barack Obama raised his hand off of that Lincoln Bible, taking the oath of office, that month we lost 700,000 jobs in America. Unemployment was running rampant and kept going.

Using the Republican economic theory of tax cuts for the wealthiest people in America—it did not work then. It will not work now. It is a tired old idea. It may give them points in opinion polls. It does not give America points and credibility around the world. It is a position they are taking.

Having said that, I guess I could stop here and they would say: DURBIN, that was a heck of a Democratic speech.

Let me go a little further. I was on the deficit commission. I sat there for 10 months and listened to everything. It was split, Democrats and Republicans, and the President appointed the commission. There were Democratic and Republican Senators, and the same thing with House Members. I came to the conclusion that there were some positions the Republicans had taken that were wrong, and there were positions that Democrats had taken that

were also wrong. It was time for us to try to do something smart and do it bipartisanship. I voted for the deficit commission; 11 out of 18 of us did. I think I surprised more people than I ever imagined. But I think it was the right thing to do.

The morning I voted for it, my son, who happens to live in Brooklyn, in the Presiding Officer's State, sent me an e-mail saying: Thanks, Dad, you are doing the right thing. Well, every dad wants to hear that once in a while. I said that at this commission meeting. It meant a lot to me that my son, whom I greatly love, would have that kind of respect for that kind of decision.

Here is what we did and what we need to do now. Here is what we need to say to the American people: We can get out of this mess. America is a good, strong nation. We are good people, smart, hard working, and we have a great tradition when it comes to dealing with challenges, whether it is waging wars, or fighting recessions, or putting a man on the Moon. We can do it. We have done it, and we will do it again. Start with that premise. Don't bad-mouth this country, because we are blessed to be living here. This country and its history have proven over and over again that it can tackle the biggest challenges and meet them head on. Do you know who wins this battle? It is average Americans—those who have waged our wars, who were the soldiers and went off to war, my brothers in the Korean war, and others, regular old families who said it is our patriotic duty and we will serve. They continue to do it time and again.

When it comes to sacrifice, Americans know that spirit as well—not only the can-do spirit, but the spirit of, sure, my brothers each gave 4 years of their lives to the U.S. Navy, and so many others did. It says that Americans are willing to step up and participate in a national effort. When they think we are all together as a nation moving in the right direction, they want to be part of it, I want to be part of it, America wants to be part of it. When we talk about solutions to problems, we talk about everybody rolling up their sleeves and getting involved.

I know the poorest of the poor can't. They don't have the resources, or they may not have the physical or mental ability, whatever their circumstance, and I am ready to help the most vulnerable people. Asking them to sacrifice and pitch in is maybe too much in some circumstances. The rest of us should pitch in.

Here is what we ought to do. First, we should not say that anybody in America who is wealthy and comfortable in life is going to be spared in sacrifice. Everybody has to give. Those who are better off than some should give more. I don't think that is unfair. Life has been good to them; America

has been good to them. When we need them, they should be asked to help. So the notion of raising taxes on the wealthiest people should not be something we automatically reject. It should be part of the conversation.

Second, we have a Tax Code that you could not carry with two arms because it is so big, loaded with laws and regulations and, frankly, most people don't know what is in it. I will tell you the people who do know: the special-interest lobbyists in Washington, the tax lawyers, and some people in congressional committees. In there, you will find that we spend almost \$1.2 trillion in tax expenditures. Most people don't understand that. I learned a little about it in the deficit commission; \$1.2 trillion in tax expenditures in the Tax Code equals all the credits, all the deductions, all the exclusions, and everything that you can take to reduce your tax burden. And \$1.2 trillion also represents the entire amount of discretionary spending each year in the United States. It is a big sum of money. So we spend it in our expenditure levels, from the Defense Department all the way through the Agriculture Department, and everything in between; and we forgive, or don't collect, the same amount in the Tax Code.

Who benefits from that? Let's look at the basics. Seventy percent of the American taxpayers do not itemize on their tax returns. They file a standard return. So the Tax Code doesn't mean anything to them. If there is a special deduction, unless it is a refundable tax credit—a rare category—it doesn't help them. Seventy percent of Americans don't touch it. What are the biggest deductions under the U.S. Tax Code today? In all my wisdom and education and experience on Capitol Hill, I said it is the mortgage interest deduction, right? Wrong. The biggest single deduction is the employers' exclusion for health care premiums. Employers are able to exclude from income the amount of money they spend for health insurance for their employees. No. 2 is the mortgage interest deduction. I use it. My wife and I bought our home and thought about it ahead of time. OK, we have mortgage interest deduction, maybe we can buy a little more home. A lot of families do. When you look at the mortgage interest deduction and realize that 70 percent of Americans don't itemize, look at the 30 percent who do, it turns out that mortgage interest deduction—the lion's share of that money goes to the very highest income categories in America. So that comes as a surprise. Do you think it is a middle class tax cut? It is not. It is, by and large, a tax cut for wealthy people.

I want to preserve that part that protects middle-income families. But, again, shouldn't those in the highest income categories be willing to see a change in that deduction if it means

America's deficit is going to be finally brought under control?

When we look at the Tax Code, we need to be honest about it. There are things in there we cannot afford to do any longer—things that maybe we never should have done. We can clean up that Tax Code. What we found in the deficit commission is that by cleaning it up, we could actually produce enough revenue to lower marginal tax rates. I hope my Republican friends tune in at this point. They applaud this, and I do too. If we can lower marginal tax rates for families—even businesses in America—that is a good thing; I am for it. But it means being honest and tackling the Tax Code.

The other thing we have to look at is entitlements. This is where it gets dicey on my side. I like PAUL RYAN. Congressman PAUL RYAN is from the Midwest, and maybe I am partial as a result. He is from Janesville, WI. He studied this issue and knows it well. We come to different conclusions, but he did tackle the entitlements. I think he went too far with Medicare. Doubling the out-of-pocket expenses for people under Medicare is a nonstarter. Eliminating Medicare as we know it and putting these folks in the "loving arms" of health insurance companies in their sixties and seventies is not any kind of favor for the elderly in America. So I disagreed with his conclusions. I would not vote for that. In fact, I voted against him.

I don't disagree with PAUL RYAN saying that we have to look honestly at Medicare. If we don't do that, in 10 or 12 years it will go broke. We cannot let that happen. So we have to look at Medicare in a sensible way to reduce the costs of Medicare.

Let me give one example. In the Medicare prescription Part D Program, prescription drugs for seniors, I think Medicare ought to offer an option. The government ought to have an option that people can choose voluntarily, one way or the other, to try to buy pharmaceutical drugs in bulk, reducing their costs, so that seniors pay less. Is that a radical concept? No. It is exactly what we do in the Veterans' Administration. We can do it under Medicare prescription Part D, reducing that program and the costs to seniors, and create as part of the spectrum of competition a Medicare prescription program—one people can opt into if they want to. So there are ways to save money in Medicare without endangering basic benefits.

Here is the last thing I will say. I see my colleague from Louisiana here. I don't want to keep him waiting. Tomorrow, I will be honored to be invited to the White House with Senator REID to meet with the President and the leadership in the House and Senate—Democrats and Republicans. The President said: Leave your ultimatums at the door. That is good advice. He understands that if we don't extend the

debt ceiling by August 2, it will have a dramatic negative impact on the American economy. It is as if you would default on your mortgage—same result. Our creditors around the world will say: Oh, America is not going to pay its bills on time, so maybe we won't loan them money. Maybe if we loan them money, we will raise the interest rate. If they raise the interest rate on our government, they will raise the interest rates across our economy, whether you are borrowing for a home, a car, or whatever it is. It would be the height of irresponsibility for us to default on America's debt. That debt ceiling needs to be extended so that interest rates don't go up, because if they do, it will hurt our economic recovery and put more Americans out of work.

The template for our meeting tomorrow should be the President's deficit commission. I will only take exception to one thing Senator ISAKSON said earlier. He said that the President did not let it come to the floor for a vote—his deficit commission. In fairness to Senator ISAKSON, that wasn't the President's responsibility. It is our responsibility to bring it to the floor for a vote. I have been trying for 6 months now, with a handful of other colleagues—Democrats and Republicans—to bring this to the floor so that we would have a vote on it. I will keep on trying, as we should. I think it remains the best way to approach the deficit challenge. Let's put everything on the table. Look to the deficit commission, the Simpson-Bowles commission, which gave us guidance as to how to get out of this. If we do get it done—and we can do this—I think it is going to inspire people around the world to believe again in America's future as an economy, to invest in America, and we will create jobs. It is going to be like the turnaround that occurred when Bill Clinton came to office and said, "I am taking the deficit seriously," and he passed the deficit reduction plan by one vote in the House—I was there—and by one vote in the Senate when Vice President Al Gore cast the deciding vote. Look what happened to the economy. There was a dramatic increase in business ownership, business creation, and home ownership.

That, to me, can happen again if we come up with a bipartisan, sensible, inclusive budget deficit plan of the magnitude the President called for yesterday.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Madam President, will the Chair inform me when I have consumed 12 minutes?

The ACTING PRESIDENT pro tempore. Yes.

Mr. VITTER. Madam President, first, I rise to celebrate that we are finally, after months and months of doing everything under the Sun but facing our

gravest challenge, which is spending and debt, focused on that on the floor of the Senate. That is progress. We have a long way to go, but at least that is progress.

For months, I have been urging us as a body, urging the majority leader, who controls the floor, please, let's focus on our gravest challenge, Federal spending and debt, and not wait until the eleventh hour, not wait for a crisis atmosphere. Let's put on the floor meaningful legislation about spending and debt.

For months and months, unfortunately, we did everything but that on the floor of the Senate. The majority leader looked for every bill and every topic but that, and it was all sorts of cats and dogs—many of them, quite frankly, trivial, unnecessary legislation, particularly compared to this grave challenge of spending and debt.

Finally, last week, a group of conservatives here said enough is enough. We should not go out on our planned July 4 recess, which was scheduled to be all of this week. We said we are going to block that. It takes unanimous consent for that to happen. We said we would block it and, sure enough, we did. We said, wait a minute, we are not blocking that just to be here. We are not blocking that to be here and continue to move on to every other issue under the Sun but spending and debt. We did that to finally focus on the floor of the Senate on the gravest of all of our current challenges—Federal spending and debt.

We said we are going to vote against the motion to proceed to the Libya debate. Libya is an important matter. In fact, that debate is long overdue in Congress. Those votes are long overdue. But that challenge does not rise to the level of our greatest fundamental challenge right now as a nation, which is spending and debt. We said we are going to block that motion to proceed to yet another unrelated matter, and we did. We rounded up the votes in the last half week and got those necessary votes to block that motion to proceed. As a result, the distinguished majority leader pulled that vote, he vitiated that cloture vote yesterday.

Finally, we have an instrument on the Senate floor—a motion—about this central challenge we face, spending and debt. So that is progress. I urge all of my colleagues to come down and join this most important debate. I continue to urge the majority leader to put meaningful, substantive legislation on the floor about this topic. We have motions on sense-of-the-Senate resolutions. It focuses us on the proper topic, spending and debt. That is progress.

But, of course, a sense-of-the-Senate resolution does not do anything or change anything. We still have further to go in terms of bringing meaningful legislation to the floor, our gravest challenge, Federal spending and debt.

Why do I insist this is our top challenge at hand? The facts speak for themselves. Of every \$1 the Federal Government spends—of every \$1—over 40 cents is borrowed money—over 40 cents of every \$1. Imagine if we ran our household that way. It wouldn't take long for one to hit a financial dead end and virtual bankruptcy—if out of every \$1 our family was spending, 40 cents of it was borrowed money.

What does that mean? It means we are collecting, as a nation—as a Federal Government—about \$2.2 trillion a year. That is a lot of money, \$2.2 trillion. The problem is we are spending \$3.7 trillion—way, way, way more than we are collecting.

The distinguished majority whip mentioned entitlement spending, and I agree with him that is a big part of the issue which we must face in a careful, substantive way because Medicare is one of those big entitlement programs. It, too, is on an unsustainable path. The average American pays about \$110,000 into Medicare over his or her lifetime—a lot of money—but, on average, that average American receives in benefits over \$430,000 under Medicare. There again, it is not tough to do the math. That is unsustainable, when the average American pays in \$110,000 and receives in benefits over \$300,000.

Social Security is another huge entitlement program. This year, it is taking in less than it is spending on current retirees. That day of reckoning was going to be several years down the road, but it has been accelerated. It is here now—right now. Social Security is taking in, in tax revenue, less than it is paying out in benefits to retirees.

What does this mean? This adds up and up and up. So we have more new debt under this administration—more new debt under President Obama—than the debt compiled under all the previous Presidents combined, from the first George Bush to the latest George, George W. Bush. We have more new debt under this President than the debt accumulated from all those previous Presidents combined. We must do something, and we must do something about the real problem, spending and debt.

Washington, in a bipartisan way, has a spending problem. The fundamental problem isn't that we are undertaxed. We all know that, no matter what station in life we come from. The fundamental problem is, Washington doesn't live within its means, such as we as families do as we sit around our kitchen tables and look at our budgets. Washington has a fundamental spending and debt problem, and we need real solutions—rigorous, disciplined solutions—to get that under control.

How do we go about that? To me, it comes down to three important things: cut, cap, and balance—cut, cap, and balance. Cut: We need to cut the budget now. We need to cut the budget this

year and next year. We need immediate meaningful cuts. That is why I support those immediate meaningful cuts in the Federal budget. We can't put off meaningful cuts for 1 year or 5 years or 10 years. We need them right now.

A few weeks ago, we had some budget proposals on the floor. We had several Republican proposals and we had President Obama's proposed budget. The Obama budget didn't cut in a meaningful way. In fact, it doubled the debt in 5 years and tripled the debt in 10. On the Republican side, we had three different alternatives, all of which cut the budget in a meaningful way, and I voted for all three. We need to start now, today, with cuts.

But that is not enough. That is short term. We need immediate cuts, we need medium-term caps, and we need balance. So let's discuss caps. What do I mean by a cap? I mean we need established spending caps in each major category of the budget that takes some sort of extraordinary supermajority in the Congress to supercede. We need a glidepath to actually get through those caps to a balanced budget in a reasonable period of time.

There are several proposals in this body. There are several proposals in the House, mostly from the Republican, conservative side—virtually all of them—to establish those caps, to get us on that disciplined mandatory path so we reach that balanced budget.

Third, and finally, balance: The goal needs to be a balanced budget, and it can't be a goal generations off. It can't be a goal decades off. It needs to be a goal within our sight. The only way, ultimately, I believe, we can absolutely ensure that is through a constitutional amendment to balance the budget.

I am very proud to be a coauthor, along with all my Republican colleagues—every single one of us—of a strong, meaningful, substantive balanced budget constitutional amendment. This has been debated in this body and the House for some time. The last time it was voted on, on the floor of the Senate, it came within one vote of passing. We need to have this ultimate protection and straitjacket and enforced discipline to say we are getting to a balanced budget, we are going to stay there, and we are not going to get in this state again.

Virtually every State in the country has such a balanced budget constitutional amendment under their State constitution, and that enforced discipline works. That straitjacket at the State level works. It works in my State of Louisiana. We have such a provision in our State constitution which says we can't have a State budget which is out of balance. That mandate, that requirement for a balanced budget works. Every year, the legislature, working with the Governor, produces a balanced budget. If they go out of session and 1 month later revenues fall

and the budget goes out of balance, they have to come back in within a set period of time and they have to rebalance that budget. It is not fun. It is not easy. It has been particularly difficult in this horrible economy for the last several years, but because of that mandate, because of that constitutional provision, it gets done. That is what we need at the Federal level. We need a balanced budget constitutional amendment.

So I repeat: cut, cap, and balance. It is an important formula. It is simple but substantive and it will get us where we need to be.

The ACTING PRESIDENT pro tempore. The Senator has consumed 12 minutes.

Mr. VITTER. I thank the Chair.

I urge all my colleagues, Democrats and Republicans, to come together and continue this debate and move it to the next level.

As I said when I began, the first thing I wish to do is recognize and celebrate progress because, after months of resistance from the distinguished majority leader, we are finally on the Senate floor actually talking about our most pressing challenge, spending and debt. But it is a sense-of-the-Senate resolution. It is a procedural motion.

Let's get to the real substance by having meaningful legislation—cut, cap, and balance legislation—on the floor of the Senate, open to amendments and open to wide-ranging debate. That is the history and tradition of the Senate. Unfortunately, it hasn't been the practice of the Senate all that much in recent years, but we are trying to get back to that. So let's put that meaningful, substantive legislation about spending and debt on the floor of the Senate, have that debate, have amendments, and have a free flow of ideas.

Cut, cap, and balance—we can get there. We can do the work of the American people. We can rein in this runaway Federal spending and debt, and we must. We must do it now. Because if we fail to meet this challenge this year—if we fail to meet this challenge this year—I believe there are going to be dire consequences for our economy and for all American families as a result.

Having this topic on the floor of the Senate is a start, but it is only a start. Let's build on this, put substantive legislation on the floor about spending and debt, and act on that meaningful, substantive legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, before I begin on my time, I would like to ask my colleague from Louisiana if he would answer a question.

Mr. VITTER. I would be happy to.

Mr. SCHUMER. I thank my colleague.

My colleague is right. We should move on this, this year. We certainly agree with that. Of course, the balanced budget amendment wouldn't take effect for years to come. But my colleague just voted for the Ryan budget, which actually increased the deficit. Not only did it not move deficit numbers down, but it increased the deficit. So how can he reconcile all this nice, grandiose talk about a balanced budget amendment with voting for a budget that actually increased the deficit?

Mr. VITTER. Well, first of all, I voted for that budget as well as the Toomey budget. The Toomey budget, which was my first choice and preference, balances the budget in 10 years. That would be my first choice.

The Ryan budget gets us way down the path compared to anything else proposed on the Democratic side, such as the President's budget, which on the Senate floor actually got 0 votes out of 100. So while the Ryan budget is not my first choice, it is a dramatic improvement on the path we are currently on.

Mr. SCHUMER. I would note, for my colleague—reclaiming my time—the Ryan budget is not a dramatic step in that direction. The Ryan budget, as I understand it, does not do a thing in the first decade to reduce the deficit. It cuts a lot of spending, but it also cuts taxes and it raises defense spending.

Mr. VITTER. If I may respond, through the Chair.

Mr. SCHUMER. Please.

Mr. VITTER. That is not true. It reduces the deficit. It doesn't balance the budget within the 10-year window, which is my strong preference—the Toomey budget does do that—but it gets us going in the right direction. It reduces the deficit, and it is a particularly dramatic improvement over anything proposed by this administration.

I thank my colleague.

Mr. SCHUMER. I thank my colleague.

I would say it is time to walk the walk, not talk the talk. Whenever folks refuse to step to the plate to actually balance the budget—the last President to do so being Bill Clinton—they start talking about a way distant, future balanced budget amendment. This balanced budget amendment they talk about is not going to solve our problem in the next 5 years. We have to get to work right now, and that is what we are trying to do on this side, with a fair and balanced approach.

The balanced budget amendment my colleague speaks about would, if we look at the amounts—18 percent GDP—cut deeper than the Ryan budget. It would end Medicare as we know it. It would mean things we take for granted, such as food safety inspectors and flight inspectors, would have to be cut, and then it makes it impossible to close tax loopholes for millionaires and

billionaires. It is not a balanced budget amendment; it is an unbalanced budget amendment because it simply reflects an ideological view that my good colleague and friend from Louisiana has but does not reflect the views of either a majority of this Chamber or certainly the American people.

So let's walk the walk. Let's not just talk the talk. I think that is very important to note. Cutting spending, which is done in the Ryan budget, is not going to work in terms of balancing the budget. It just can't, unless we decimate programs, such as Medicare, without revenues.

That is what I am here to talk about today. I rise today in support of the sense of the Senate on shared sacrifice. The clock is ticking. Time is running short to reach a deal on reducing the deficit and raising the debt ceiling. We are walking the walk and not simply talking the talk about some ephemeral balanced budget amendment that is unbalanced and will not pass.

Yesterday, the President said we needed to reach a deal within 2 weeks in order to avoid roiling the financial markets. Democrats are working in good faith, identifying spending cuts and tax loopholes to close. And what are our Republican colleagues doing?

Well, since stalking out of the negotiations 2 weeks ago, they are now sticking to their blind ideology and playing political games, such as inviting the President to come to the Capitol, when they know he can't, to deliver a message he has already heard. The Republican leader has continued to insist that we can't raise a single dollar in revenue, no matter how wasteful the tax break or how generous the substance.

Madam President, here is what it is coming down to. In the home stretch of negotiations, our Republican colleagues seem to be willing to tank the economy rather than end a single tax subsidy. Democrats are committed to reducing the deficit and getting our Nation back on a sensible fiscal track, but we know everyone must pay their fair share. We know there has to be compromise to get things done. We can't just draw a line in the sand and say: My way or no way; it will lead to fiscal Armageddon.

So over the past several weeks, we have offered a number of wasteful tax breaks that should be ended as part of the debt ceiling deal: ending subsidies for the oil and gas industry making record profits; the ethanol industry, which 36 Members on the floor, including the majority leader, supported, to their credit, and corporate jet owners, will save us tens of billions of dollars.

Now, paradoxically, our Republican colleagues are now arguing that tax breaks for oil companies and corporate jet owners are too small to consider ending. They have argued that because they will only save taxpayers tens of

billions of dollars. They say that is not enough and so we shouldn't be discussing them now.

Well, I disagree. Tens of billions of dollars that we can save on wasteful subsidies are certainly worth pursuing.

But let's turn our attention to the matter at hand, one of the biggest of all taxpayer giveaways that Democrats are trying to end: tax breaks for millionaires and billionaires.

I rise today in strong support of the Senate resolution that says, simply, instead of ending Medicare as we know it, instead of cutting college scholarships and cancer research, instead of balancing the budget solely on the backs of the middle class, let's end some breaks. Let's end tax breaks for millionaires and billionaires.

Let me repeat that because that is the essence of our dispute, of our disagreement. You can't varnish it any other way. I know the other side tries to say we are raising taxes, trying to imply that we want to do it on middle-class people. We don't. We are not going to touch a person whose income is below \$250,000. Some of us would even go higher, \$500,000, \$1 million. But every one of us on this side says: If you are a millionaire, you should share some of the sacrifice. The other side resists, and then they try to hide by saying it is raising taxes. It is not raising taxes on average folks. It is not raising taxes at all. It is simply going back to the level under Bill Clinton where we had record prosperity, record jobs, and record income growth for the highest end people as well as for middle-class people who got income growth as well.

So let me repeat the nub of this and why we have this resolution on the Senate floor. Here is what it says: Instead of ending Medicare as we know it, instead of cutting college scholarships and cancer research, instead of balancing the budget on the backs of the middle class, let's end tax breaks for millionaires and billionaires. This would save over \$100 billion a year and hundreds and hundreds of billions in the long run. It is not just a small amount.

I ask my Republican colleagues, is that savings significant enough to at least merit discussion and not just take it off the table?

The GOP budget would end Medicare as we know it to give hundreds of billions of dollars in tax breaks to the wealthiest Americans. The resolution says, simply: Don't let that happen.

Let me say this: I respect people who have made a lot of money. There are many of them in my State. They work hard. God bless them. But many of them, when you talk to them, are the first to say they should share in the sacrifice. There are some who would say no, but I don't think they represent mainstream America or mainstream American opinion.

In normal times this would be a consensus opinion, the fact that we

shouldn't end Medicare as we know it to give hundreds of billions of dollars in tax breaks to the richest Americans. In normal times that would be a consensus position.

Republican Presidents and political leaders have long supported raising revenue combined with cutting spending to reduce deficits. Ronald Reagan, for instance, because he wanted to shrink government, but he was fiscally responsible. But the Republican Party has been dragged so far to the right by an ideological fringe that they now see this balanced approach as an extreme position.

What it comes down to is this: Would Republicans rather end Medicare than end tax breaks for billionaires? It is a simple choice, and this resolution will make the answer to that question clear.

Again, will Republicans do anything, even risk default, to protect tax breaks on the highest income people, millionaires and billionaires? And would they rather end Medicare and solely rely on cuts that hurt the middle class than admit that some tax subsidies, such as those for big oil companies and corporate jet owners, are a waste of taxpayer dollars? Well, Madam President, we will soon find out.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Madam President, I ask unanimous consent to speak to the Chamber for not to exceed 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COATS. I don't anticipate taking 20 minutes of time. I hope to be back on the Senate floor this afternoon talking about a related subject, but I do want to take the opportunity essentially to bring us back to the central problem we are facing in this Chamber and in this country; that is, dealing with an out-of-control spending program in Washington, DC, that has occurred over many years.

In fact, the accumulation of debt not only is at the federal level, but it has been at the State level. It has been at the local level. It has been at the personal and the private level. We have been in a cycle of debt accumulation that simply is coming to an end, and it is coming to an end because we can no longer afford to pay the interest and can no longer afford to fulfill the promises that have been made on a political basis to people over a whole series of years, both by Democrats and Republicans, and only accelerated in a dramatic fashion in the last 3 years where we have seen an explosion of spending at the Federal level. This simply cannot continue and be paid for under any system of taxation at all.

So what we have seen is a nice deflection away from the central issue, a deflection into—well, the whole thing

comes down to whether we tax millionaires and billionaires. The President's speech last week, which set the stage for all this discussion, is a nice deflection away from what we all know we need to do. And what we need to do is address this out-of-control deficit, out-of-control accumulation of debt that is simply unsustainable.

Now, it is pure arithmetic and it is easy arithmetic. When we spend \$3.7 trillion a year, and revenues coming in are only \$2.2 trillion a year, we are racking up, on a year-by-year basis, a deficit of \$1.5 trillion or greater a year. And that deficit has to be paid. How is it paid? Well, 40 cents of every dollar that is spent has to be borrowed in order to pay for the promises that have been made.

So until we as a body put aside this "gotcha" stuff that may allow political positioning for the 2012 election but doesn't address the real problem, we are not going to solve this problem. There has been a lot of posturing going on, and I am not here to address that in specific detail at this particular point in time except to say that we need to refocus on the real task before us. The real task before us is understood by the American people. They understand that we cannot continue spending money at the rates that we are spending it.

Our debt has skyrocketed 35 percent to a limit of \$14.3 trillion in just the last 2 years. Our annual deficit, our yearly deficit, is now three times greater than the highest deficit of the previous administration. Today, as a result of a stagnant economy and as a result of uncertainty imposed on our economic system, we have 14 million Americans out of work, and that number is conservative because those are the ones who are looking for work. Those who have given up looking for work amount to a significant number, and those who may never have an opportunity to get back into the workforce ought to be of great concern to us.

These facts, combined with the warnings that have been given to us by the financial markets, should make it clear to all of us, from the President to Members of Congress and both parties and to the American people, that this current plan we are operating under, the President's economic plan, is not working; that the plan of spending more and borrowing more is not getting our economy back to where it ought to be and not getting people back to work.

Over the weekend, I was privileged to be able to give the Republican address following the President's weekly address to the Nation. In that address I suggested that instead of the current plan that we are following under, we ought to look at models that are functioning much better and working to see what we can learn.

Representing the State of Indiana, I am proud to be able to say that the model that our State has used has taken us from a deficit position to a surplus position without raising taxes. By reducing spending and actually cutting taxes and balancing our budget, we have now seen a significant change in the financial fortune of the State of Indiana and Hoosiers who occupy that State.

This administration has increased spending, increased borrowing, raised taxes, and expanded the growth of government. Now the credit agencies are looking at our Federal Government and warning of dire consequences and downgrading of our debt, at the same time the model used in Indiana, which cut taxes, cut spending, and balanced our budget, resulted in a AAA credit rating, the best rating you can get.

Now, the President's plan during this time, the only one that we can work off of, is his \$4 trillion budget, which would have increased deficit spending not decreased it. Interestingly enough, the only plan that we have in front of us—a comprehensive plan at this point in time from the President or his party—is the plan the President introduced. We have had some nice speeches, and we have had some nice rhetoric. We have heard about the dire consequences of not coming up with a sensible plan before we hit the debt limit ceiling now scheduled for August 2. But the only concrete plan proposed to us in this Chamber and in the House of Representatives from Democrats is a \$4 trillion budget which was voted on in the Senate and was defeated by unanimous vote. Not one Democrat voted for the President's budget plan. Yet no alternate plan has been proposed. There may be one in the works. We would like to see it. We would like to work off of it.

I don't understand how you can negotiate any kind of a final proposal if you don't have something to work with and the only thing we now have before us is simply a resolution on the matter of whether we ought to tax millionaires and billionaires.

Even if we went forward and did that, even if we took 100 percent of all of the income earned by all of those who are in the millionaire and billionaire category, it would be a drop in the bucket compared to what we need to do. It would do nothing to adjust and reform spending programs and duplication of spending and bureaucratic overlap in Washington that has been accumulating year after year after year. So it is a nice diversion. It is a nice way to set yourself up for some good talking points back home, positioning yourself for some good rhetoric if you are running for reelection. But it doesn't address the problem we have.

Here we are, having canceled our July 4 recess in order to discuss the

budget and the plight we are in and try to come together and fashion a plan. We need a plan that we can assure the American people will put us on a much sounder fiscal path; calm the financial markets and the credit rating agencies; and reassure those from all over the world who invest their money in America that we finally have our hands around the problem, we are coming up with sensible solutions, America will continue to be a safe place to invest your money and the dollar will continue to be a sound currency in which the world can put their confidence.

I was encouraged by the President's statement recently that we ought to move forward. I hope the President's remarks on the budget last week were perhaps to satisfy his base or to politically position himself for more serious negotiations. I hope that is the case. The President has indicated, I believe, that we must take bold steps and take them now in anticipation of what needs to be done by August 2; and therefore he has called for a summit tomorrow. It is time we put aside the political rhetoric and the gamesmanship. It is time we get down to some serious bargaining and negotiating and come up with what I think most of us believe is necessary in order to accomplish what we need to in addressing this very critical problem that has steep consequences.

There is agreement, I trust, that we need serious spending reductions—some have estimated that in the \$2 trillion range over a 10-year period of time. Others say to really get at the problem, it needs to be double that or more, in the \$4 trillion to \$5 trillion range.

There also needs to be a commitment to restructure entitlement programs. We all understand and know the three major entitlement programs—Medicaid, Social Security, and especially Medicare—are running out of money, are not sustainable under the current program, and need to be restructured.

Once again, this is something that is ripe for political positioning and posturing. The fact is that unless we address structural changes in the entitlement programs, those programs will have to be drastically reduced, if not eliminated, in the future because they simply are not sustainable, given the current number of recipients drawing benefits as opposed to the money that is going into most programs. Anyone who says we are doing this on the backs of senior citizens, on low-income people, is not realistically acknowledging the facts. These programs are going broke. There are those, on both sides of the aisle, who are standing and saying this has to be part of our solution to our spending and deficit problem. Those who are saying this is not part of the solution simply are telling seniors we are going to allow your program to go broke or there are going to be severe consequences.

Those who are advocating this, to the contrary, are saying we are trying to save those programs. We are trying to ensure that the needed health care benefits under Medicare and needed benefits under Medicaid and needed income under Social Security that people are depending on will be preserved in the future. We are trying to save those programs and keep those programs solvent so that a few years from now, as the trustees have indicated in their latest report on Medicare—a few years from now we will not run into a much more serious problem, which will require much more drastic action.

Also, what we need to do is ensure that we have enforcement programs in place so whatever program cuts and changes and reforms that are made are not overturned by a future Congress. We need enforcement programs to do what we are obligated to do on this floor but often do not seem to have the political will to address effectively, programs that will automatically kick in to ensure the goals we established are reached, whether or not we have the political will to go forward and do it ourselves.

I support a balanced budget. If we had had that balanced budget passed in the mid-1990s, when we came close, but failed by one vote each time, we would not find ourselves in this position now. We would have done what States across America had to do; that is, be straight out with their constituents and simply say: Yes, you can have this new program; yes, we can expand spending, but constitutionally we are mandated to balance our budget so we have two options of getting there. We can either reduce spending in other areas, if this is more important and has a higher priority, and use that money to pay for it or we can raise your taxes. Let's decide which you want to do. Is this program of such necessity and does it have the majority support in the State or the locality and is the public willing to support it with increased taxes? That is not unlike the school referendums, where the school puts forward a plan to improve the facilities or hire new teachers and puts a referendum before the people of the school district and says: If you are willing to raise your property taxes, we add this program or do this with the education system. Sometimes they pass. Sometimes they fail. But it gives the public the opportunity to determine whether to pay for it. It leaves the ultimate financial position at a level of balance.

We should address that. If there is a dispute or difference of opinion as to what the components of a balanced budget should be, we should have that debate. We should go forward on that and work toward some sensible solution. But the only way we are going to guarantee to the American people we are not going to return to our profoligate ways is to establish and enact

and give to the States the opportunity to enact a constitutional amendment to balance the budget for future spending.

Finally, I wish to include the need for comprehensive tax reform. As many in this Chamber know, Senator WYDEN and I, on a bipartisan basis, have introduced comprehensive tax reform. We are going to talk about that a little bit later this afternoon. We have essentially said that the Tax Code is dysfunctional. It does not promote growth and efficiency. It needs to be reformed. There is a general consensus on that.

We have proposed a way to do it. We are open to suggestions of better ways if someone else has some better ideas. We do believe a lot of the subsidies and tax exclusions and expenditures in the Tax Code are unfair. They are put in for the benefit of a few and not the many. That part needs to be reformed.

There is a very interesting editorial this morning in the Wall Street Journal, talking about the ability to broaden the tax base by eliminating many of these exclusions but, in return, lowering the rates—whether they be individual or corporate rates. That would give us the opportunity to promote growth, which is an essential part of our reaching fiscal balance and fiscal sanity.

The time is now. The time is not after the 2012 election. The dire situation in which we find ourselves is being watched worldwide by financial markets, by all those who lend us money. They want to know what the financial future of the United States is going to be. They want to know whether we have the will and the commitment to address our very serious financial situation and the political situation that goes along with it. Are we willing to rise above the politics and do what is appropriate and necessary for this country?

The President said: "Right now, we've got a unique opportunity to do something big." I could not agree more with that statement. I am glad the President finally has come on board and said let's get engaged together and negotiate something big, something that will solve the problem. Now is the time for us and the unique opportunity for the President to lead.

But, frankly, we need more than rhetoric. We need specifics. We need to put it on the table. We need more than some kind of a rant against those who fly on corporate jets, as if that subsidy—which is the depreciation issue in the Tax Code, is going to solve the problem or whether we are going to impose a higher tax on billionaires and millionaires, which didn't even pass a Democratic Congress in December. Even if those taxes on the wealthy went up to 100 percent, it is a drop in the bucket. This is not a responsible way to go forward and negotiate what we need to negotiate.

The American people understand it. They voted at the polls in November of 2010 in a way that should send a signal that we understand what is going on and we want to send people to Washington who will address this very problem. As this thing has cascaded into 2011 and we have dithered and pushed off and rethought through what the schedule is, the American people are getting increasingly frustrated over our inability to come to terms with this current situation we face.

Now is the time. Now is the time to put politics secondary to what is right for America and what is right for Americans. We have that opportunity, a unique opportunity. In one sense, it is good we are running up against this debt limit crisis because it is forcing us to stop pushing this problem down the road, to stop delaying and waiting until after the next election. It is forcing us to take action now.

We have about 4 weeks to do what is right for the American people but, more important, what is right for the future of America, our children and grandchildren and generations to come. If we are going to be that generation which saddles them with debt they cannot climb out of and they are unable to live the simple American dream of raising a family, owning a home or a place to live, providing for the education of their children and participating in the wonderful experience this country has had through sacrifice and commitment and dedication over all these years—if we are turning that over to our children with that broken dream and broken promise, we have not done our job.

We are here to do it now. The time is now. Let's have the political will to do it. Let's subordinate our political considerations for 2012, do what is right, and then we will have left a legacy—win, lose or draw politically—a legacy that is important for this country.

I yield any time left, the remainder of that time.

The ACTING PRESIDENT pro tempore. The Senator has consumed his 20 minutes.

The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, first, I stand in total agreement with everything my good friend from Indiana has said, particularly the emphasis on the time is right; it is now. We have been talking about a balanced budget amendment. We have been talking about this problem for many years. To me, I feel great frustration that I am even in the Chamber right now.

Quite often what I do—I have a very regular schedule. If I am not on a weekend in Iraq, Afghanistan or Africa, someplace having to do with the duties I have as the second ranking member of the Armed Services Committee, I am back in Oklahoma. I have been a pilot for 50 years and I get in a little plane

and I go out and talk to real people. People shake their heads and say: Why are we still talking about this? Why aren't we doing it? Why is it we are so wrapped up in this thing?

There is not an easy answer. We are supposed to be back here, I guess, talking about a Libya resolution. We all realize that is something that kind of diverts the attention of the American people from the real problem. The real problem of course is the deficit. As I see where we are and look at some of the alternatives they have—the Senator from Indiana said the Democrats want to, I guess tomorrow morning, vote on some kind of a bill that is going to be a tax increase on the millionaires. We are right back again with our class warfare. If we are to rephrase that statement from an economic perspective we would say something like this: It is the sense of the Senate that we should raise taxes on America's job creators and entrepreneurs to prevent the economy from recovering from this recession.

That is exactly what we would be doing. Yesterday, I searched through a database of the IRS, their historical tax data. If we were to tax all the income of those individuals making \$1 million or more at a 100-percent tax rate—in other words, take every cent they have, tax them all—the total amount of revenue that would be generated would be \$700 billion.

Stop and think about that, \$700 billion is way less than half the deficit President Obama gave us just this year, a \$1.65 trillion deficit. It is clearly a deceptive thing. The American people, I think they assume they are so dumb they can tax millionaires and get us out of this mess. According to the Joint Committee on Taxation, the 750,000 Americans in the highest tax bracket report less than half of the total net business income earned in this country. This is income that comes from flow-through entities such as the LLCs and partnerships. In other words, it comes from small businesses. If we were to tax the small businesses as they are going to attempt to do by saying they are taxing the millionaires, who is going to be able to grow their small businesses? I don't know. No one, I guess, has the answer. There is no answer.

There is no question we have a serious problem in Washington. Our debt is at the legal limit of \$14.3 trillion, and what caused this problem is spending. In the short 2½ years since coming to office, President Obama has managed to increase spending by 30 percent. Thirty percent. He incurred a trillion dollar deficit each year and pushed our national debt up by 35 percent. The statistic that no one seems to care about, and we say it over and over, is this President has increased the debt of America more in his 2½ years than all Presidents throughout the history of

America from George Washington to George W. Bush. Let me say this is not the first time this is coming up. Every time you turn around in this administration: Well, we are going to have to increase the debt limit. If not, some great crisis will take place. We did this on February 17, 2009. I voted against it. They increased the debt limit at that time. If you remember, that was the \$800 billion stimulus bill. In December of 2009, a stand-alone bill to increase the debt limit of \$290 billion passed. We remember so well Tim Geithner saying if we don't do this, it will ruin our credit nationwide. Then again in February of 2010, \$1.9 trillion. They increased it again. The same thing. You have to draw the line someplace. There is going to be some point at which you are going to say, no, we are not going to do it unless we get some reductions and some fiscal sanity that is built into it. Right now, since reaching the legal limit, the Treasury has been shuffling money around to pay bills and they will run out of ways to do this on August 2. If an agreement to raise the debt limit has not been reached by then, Treasury will have to decide which bills to pay and which bills not to pay, and nobody wants that.

In order to raise the debt ceiling, we have to lock in the reforms necessary to permanently prevent this income debt crisis. We all know the scary statistics, but, to me, solving the problem is easy. We spent our way into this problem so we need to stop spending to get out of it. Tax revenue has not been our problem. Tax hikes should not be a part of the solution. Regardless, President Obama has made very clear he wants tax increases to be included in any kind of a debt limit deal. Sure, he may say he wants to raise taxes on millionaires and billionaires. You are going to hear it over and over. All these people out here are supposed to believe this. It is not true.

I said earlier the folks he is targeting are those who own small businesses and ones that are creating jobs. When you target tax hikes on folks such as these, you hurt everybody. This is not what we need to do. Our economy is stalling and our unemployment rate is still above 9 percent. We need to cut spending in the short term. This is a program that many people adhere to now. I don't know how many we have. I think the pledge includes about 30 Members who say we need to cut spending in the short term, cap spending in the medium term, and balance the budget in the long term to put the Nation on a sustainable, limited government path. This is the only way out of this mess.

I have been a leader here. I can remember back when I introduced the HELP Act. That was when this President first came in and he wanted to take the discretionary nondefense spending and freeze it at the new level

after he increased it by 20 percent. I said, no, let's go back to 2008 levels. If we had done that, we would not be facing the problems we have.

Decades ago when I was in the State legislature, there was a great Senator from Nebraska named Carl Curtis. He came to me one day and he said, I have been trying to pass a balanced budget amendment here in the Senate for decades. The argument they use against it is the States will never ratify it. So he came up with the idea, let's preratify a balanced budget amendment to the Constitution. Well, that sounded great to me so I introduced a resolution in the Oklahoma State Senate preratifying, which we did, a balanced budget amendment to the Constitution. That was kind of fun. We came within two or three States of doing this. Had it passed, we wouldn't be here today with the problems we are facing. When you look and you say it is going to be difficult, it is not difficult. But I believe the only way to be able to pull this off and to resolve the problem is to do something about a balanced budget amendment. We have proposed one. It is out there. Senator HATCH is active in this. We are all looking at it. During peacetime the amendment would require a two-thirds majority in both Chambers of Congress to authorize the specific deficit funding level for a fiscal year. We all understand emergencies can come up. We have wars in which case we need to do something about it. This allows an escape, but it means two-thirds of the majority of the House and the Senate would have to agree to it.

Importantly, the balanced budget amendment would require a two-thirds majority in both Chambers to pass any kind of a tax increase. Our problem is our tax increases. That is what the President wants more of. The balanced budget amendment is the only reform that will put our Nation on a true path to permanent fiscal stability. This is what we need to do. This balanced budget amendment is the reform we need, and I pledge to oppose any deal to increase the debt limit that does not immediately cut the spending in the short term, cap the spending in the medium term, and include a balanced budget amendment to the Constitution.

I urge the Members to seize upon this opportunity. We have not had a serious opportunity at a balanced budget amendment now for decades. The time is here because we have never faced this before. We have never had a President who has proposed and passed \$5 trillion of deficit in 2½ years. The people of America are not dumb. They know we cannot sustain that. They are going to say, all right, we all have to bite the bullet and do this thing. We need to do it. The time is right. I agree with the Senator from Indiana who said, there hasn't been a time before

that is right, but this time is right. Now that this legislative agenda is dead that we have been talking about, the President has pursued aggressive regulations, especially through the EPA, that seriously harm the economy. I think a lot of people are confined in their thinking about the fact that we are spending too much money. They don't realize there is also a cost to overregulation. Right now almost everything the liberals have tried to pass through here, such as cap and trade, the President and his colleagues in the House and the Senate are trying to do through regulation through the EPA, and that is as expensive as spending money.

I don't think this is rocket science. It is something we can pass, the balanced budget amendment to the Constitution, and put Americans back to work and these are the only things that will resolve our debt problems.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I have been listening to the debate this morning. It is concerning to me because as a physician, I am trained to diagnose disease. Disease, if you break that word up, is "dis" and "ease." We are not at ease, and I hear us talking all around. I listened to the senior Senator from New York very carefully and what he had to say, and I wanted to spend a few minutes actually disputing what he had to say. Because the premise he said was if we don't raise taxes, the vital things that are legitimate roles for the Federal Government would have to be eliminated, and I find that very curious because what is lacking in the Senate body today is an actual knowledge of all that we are doing.

I go back to March when the GAO report came out on the levels of duplication within the Federal Government, and that report was eye opening to many Senators. The fact is that report only covered the first third of the Federal Government. I have long said during the past 7 years in the Senate one of our problems is the government is so big, we don't know everything it does. What came out of the report was a tremendous list of duplication, programs that do exactly the same thing in multiple different agencies. For example, we have 124 different programs to encourage students in math, science, engineering, and technology. Why would we do that? Why would we pay for 124 sets of administration? Why would we have the first program for science, technology, engineering, and math

that doesn't have a metric on it to see if it works? Well, you know what the report said. None of them have a metric on it to measure whether they are effective.

We have 47 different job training programs. The report said all but three of them overlapped one another and none of those have any metric to see if they are effective or work. They cost \$18 billion a year.

We have 42 different programs to teach Americans how to be credit-worthy and financially sound. Mr. President, 42 across 6 different agencies? The fact is the Senate doesn't know what it is talking about. When we make statements that say if, in fact, we make major cuts in the discretionary portion of our budget, the things we count on will have to be sacrificed, it is not true, for there is at a minimum \$350 billion a year spent on duplication within the Federal Government, and waste. It doesn't count fraud, which is at least \$100 billion a year in Medicare. It doesn't count the Pentagon, where we have the Pentagon having duplicate weapons systems, noncompetitive contracts, cost-plus contracts where we have requirement creep so they end up costing much more than they ever should because we don't have the responsible person over there saying, no, you can't have everything you want. What you want is to have the things you need.

This whole idea that the sacrifices that need to be made are going to be highly paid for is not true because that is how much waste there is in the Federal Government—at least \$350 billion a year, and that doesn't count the \$100 billion in Medicare that is defrauded and wasted and wrongly paid. Their improper payment rate, which is 97 percent overpayments, is in excess of \$10 billion a year. So if you have \$100 billion worth of fraud, and then an improper payment rate that is around 10 percent, we could easily solve our budget problems by eliminating duplication and eliminating fraud, but it requires a lot of hard work to do the oversight. It requires a lot of legislative work to eliminate duplication. It requires us to stand and do what is necessary for our country. We don't have a problem, in general, with revenues. What we have a problem with is the Federal Government is taking 26 percent of our GDP to operate itself and 40 percent of that is borrowed.

As a physician, what my training would tell me to do is go directly to the disease. Don't treat the symptoms of the disease, go directly to where the disease is, and the disease is we have a magnitude, orders of magnitude, of duplication, all well meaning, all well intentioned, that we won't sit down and work on eliminating.

I thought I would spend a few minutes going through by department. The Department of Agriculture has 130 du-

plicative programs—130. I will submit for the record a few of these because I don't want the record to have too many. For example, biomass programs at the Department of Agriculture. We have the Biomass Crop Assistance Program, the Biorefinery Program for Advanced Fuels Program, the Biobased Products and Bioenergy Program, the Biorefinery Repowering Assistance Program, the New Era Rural Technology Competitive Grants Program for biomass.

Those could all be combined into one at one-third the cost with exactly the same results. But we do not have the energy, the time or the motivation to go solve these problems. So the problem is not the debt and deficit, the problem is the Congress, the lack of a work ethic to roll up our sleeves and dig into it.

We have 16 export assistance programs just for the Department of Agriculture; the Department of Commerce, 18 different duplicative programs; the Department of Education, 230 identical, duplicative programs in different branches. The only reason we know that is because the Department of Education is the only Department in the Federal Government that actually knows all their programs. There is not one other agency that actually knows all their programs. That is why it was important to get the GAO report, and we have just seen the first third of it. When we get the other two-thirds—the next third will come in February of next year, and we will have two-thirds of the Federal Government.

Do you know what it is going to show? Over \$400 billion worth of duplication. The problem is not that we do not have enough revenue, the problem is we are wasteful in almost everything we do because Congress will not do the appropriate oversight for the things that are legitimate roles for the Federal Government—the first person who does not have to have any risk of no food safety, the first person who does not have to have any risk of not having Medicare or not having their Social Security, the first person who does not have to have any risk if the Congress will actually do its job. Yet we refuse to do our job because each one of these little programs has a little political body in itself that is taking and sucking off the Federal Government, many times not a legitimate role under the enumerated powers of the Constitution that is a role for the Federal Government.

I get letters all the time in my office: Please fund this. Please fund this. My answer back is: Show me in the enumerated powers where it is the role of the Federal Government to do that. If it is truly our role, I am for us doing it. But if, in fact, the enumerated powers—as originally written and as evidenced by the Federalist Papers—say it is not a role for the Federal Government, then the States ought to be

doing it. Better yet, we as citizens ought to be helping other citizens who have a need.

But the fact is, we have created this monster, an out-of-control Federal Government. I am talking out of control because nobody is in control of it. Nobody has the information, which is the power to do it, which is why knowing all this stuff is so frustrating. We will not eliminate the easy things that will have no impact on 99 percent of Americans. The only people impacted are the people who are benefiting directly from administering or gaming the programs.

The Department of Energy. When the Department of Energy was created, it was to eliminate our dependence on foreign energy. Our dependence at that time was 30 percent. It reached a peak of 67 percent. Thankfully, due to horizontal drilling and environmentally sound fracking, we now are at 47 percent. We have gone down 16 points since the technology was developed to go after resources that are here.

The Congressional Research Service says—and this is a report published this year—that America has energy resources greater than the combined energy resources of China, Canada, and Saudi Arabia. We are the only country in the world where the citizens own the resources and their own government will not let them have it. We deny our own resources to our own people. Consequently, we see \$4 gasoline, not because it has to be there—and we blame speculators and we blame the large oil companies. The reason gas is \$4 is because the Federal Government will not let us utilize the very resources we have.

Mr. President, 92 percent of the 650 million acres the Federal Government owns is unavailable for resource production that can be done in a clean, environmentally friendly way, with no impact whatsoever. Yet supply us with valuable energy that does not make us dependent on countries that are not supportive of our liberties and our freedom.

So you are going to hear a lot of speeches today talking about those who have actually lived the American dream, people who have made it. I am not saying there is not excesses. I am one of the very few people on my side who thinks we ought to change the Tax Code, we ought to eliminate all the brackets, we ought to flatten the Tax Code, that it will be clearer, it will create confidence, it will create certainty, and we will see the money—the \$2 trillion that is sitting on the sidelines that could be creating jobs in this country—actually come in and create jobs.

But our problem is not the people who have been successful. Our problem is we, the Members of Congress, are not successful in accomplishing the task we were sent to do.

The Department of Homeland Security. More unregulated grants, 32 duplicative programs, no followup on the grants, no checking to see if a grant that was given actually performed the purpose. There is a significant amount of fraud, a significant amount of improper payments, significant layers of duplication. Not even the Department of Homeland Security knows what is going on, let alone Congress, because we will not do oversight.

There are 40 duplicative programs inside the Department of the Interior. Then we have all the duplicative programs across agencies. I did not list all of them here. There are 35 duplicative programs in the Department of Labor, 53 in the Department of Justice, 6 in the Department of State, 19 at the Department of Transportation. Who knows how many there are at the Defense Department because the Defense Department does not even know.

The problem we need to address is our lack of aggressiveness in reviewing and oversighting the Federal Government and eliminating the duplication.

It is frustrating to me as a physician to see us continue to treat the symptoms and never go after the disease. This disease will eventually kill us. It is bleeding us now, like it is bleeding us as we borrow \$5 billion a day—\$5 billion. That is the entire budget of the State of Oklahoma every day we are borrowing. Now we have political games being played, finger-pointing, putting our finger in the eyes of those across political lines rather than getting down to work and solving the real problems America faces.

We do not have one problem in front of us that we cannot solve as a nation. We can balance our budget. We can accomplish what we are called upon to accomplish if, in fact, we will. But the one little thing that creeps in, that is nauseating, is the vast majority of the Members of Congress are not thinking about the problems that are in front of us right now. They are thinking about the next election: How do I advantage?

When you see that happen, what you see and what you should question is, what is the motivation of the Members of Congress? Is it just to get reelected or is it to fix the very real and urgent problems in front of us? I think too often it is about us and not our country, it is about us secure in the next election rather than our children and grandchildren secure in the next generation.

I would put forward, as you hear the debate over the class warfare and the unfairness that is propagated—that somebody has become successful and that 20 percent of Americans now pay 74 percent of all the taxes paid, that we want to tax those people more—I believe everybody in this country ought to pay taxes. I do not care who you are. I do not care what program you are on, if you get a benefit from the Federal

Government that is rightly under the enumerated powers, something the Federal Government should be doing, you ought to pay a tax on it. Then you are participating. Then we would not have 55 percent of the eligible population voting; we would have 75 or 85 percent because they would have an involvement.

We have an earned-income tax credit program which we pay people who are working. We actually pay them every year. But fully 25 percent of that is fraud. That is \$17 billion a year paid out to people who are not working who are defrauding the IRS. We have not done anything about it. Mr. President, \$17 billion over 10 years is \$170 billion. That goes a long way toward reducing our structural deficit and debt. But we will not do that. The same thing on the child tax credit. That is a fraudulent program. Fully 20 percent of it is fraud. Yet we have not done anything about it.

The PRESIDING OFFICER. The Senator has used more than his 10 minutes.

Mr. COBURN. Mr. President, I ask unanimous consent to continue, since nobody is on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. I am sorry. I will finish in just a short period of time.

The question then comes over why we would not allow the States to decide whether they think we ought to have a balanced budget. It is true, it will take 5 to 7 years for it to be fully effectuated. But the sooner we start down that road and give the States the option of saying: We think you ought to live under the same rules we live under—we have all sorts of reasons why we should not have a balanced budget amendment but not one of them makes sense, not one of them fits with common sense, not one of them does anything except continue down the road we are on today.

Again I would say, as you hear the debate, think about the real disease we have rather than listening to the symptoms. The disease is we are outside the enumerated powers of the Congress. We have \$350 billion worth of waste and duplication every year that Congress will not address. We have a Tax Code that costs one-quarter of a trillion dollars a year just to comply with and then still is not fair. Yet we will not address the real disease.

The way you address the real disease is identify the real disease and then give it the treatment it needs. The treatment it needs is discipline forced on Congress by a balanced budget amendment. I guarantee you, if we were to pass it out of here, the States would pass it and send it back to us and our children and grandchildren would be much better off with it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, on August 2, the United States will face the debt ceiling. I am one who thinks we should be debating it every day, every week until we find a solution. But in order to find a solution, we have to first admit we have a problem. We have a significant problem. Raising the debt ceiling is sort of like not paying your credit card bill and then saying to the credit card company: I want to increase my limit. We have been doing that year after year, decade after decade. Both parties have done it. This is not just one party's problem. It is both parties' problem, and it is the country's problem.

How big is the problem? We are spending \$10 billion a day. Of that \$10 billion, we are borrowing \$4 billion a day. We are spending \$100,000 a second, and we are borrowing \$45,000 a second.

Senator DEMINT, the other day, said it was akin to a drug addiction. You know that to get better from a drug addiction, the first thing you have to admit is: I am addicted. You have to admit you have a problem. That is what is going on. We have to admit as a country we have a problem. But then we get into this debate, and each side seems to have a different position. Is the problem that we are spending too much or is the problem that we are taxing too little?

You can look at the numbers and you can actually come up with an objective answer. The answer is we are spending too much. You can look at it in terms of what is spending as a percentage of our gross domestic product? What is spending as a percentage of our economy?

Spending under Clinton and under Bush, for about 16 years, was between 19 and 20 percent of our GDP. What is it now? It is about 25 percent of our GDP. So under any objective standard, we are spending more than we were previously.

Some would argue—they say: Well, the Bush tax cuts caused this. If we could just get rid of the Bush tax cuts. We are not taxing people enough. But if you look at the numbers, the numbers do not bear out. The numbers are that basically, in 1987, revenue was about 18 percent of GDP.

In 1995, revenue was about 18 percent of GDP. In 2003, Bush passed the tax cuts—Congress passed these tax cuts. In 2006, revenue was still at about 18 percent of GDP. Right now, revenue is under 15 percent. So revenue has gone down in 2008, 2009, and 2010.

But what happened in 2008? A severe recession, the worst recession since the Great Depression. When we have fewer people working, we have fewer people paying taxes. It has absolutely nothing to do with the Bush tax cuts. They happened in 2003. Revenue stayed steady at 18 percent, which it has historically for 60 years until 2007, 2008. The recession hits, revenue goes down. So we have a

lack of revenue. But if you raise rates, you will not get more revenue. If you want more revenue to try to balance our books, you need an economy that employs more people, you need a growing economy. It is all about getting out of the recession. But that is why some of us fear raising rates now, because we think that will harm us and make it more difficult to come out of a recession.

Many on the other side say: Well, the rich just need to pay more. They think the rich are not paying enough. They want to somehow say: If the rich would pay more, we could get out of this. But you have to once again look at the facts.

There is a resolution on the floor now that the Democrats are promoting. It says that the rich—the people who make more than \$1 million a year—that they earn or bring in 20 percent of the Nation's economy. Well, that is true, but they pay 38 percent of the income tax. So the question is, Are the rich paying enough? Well, they bring in 20 percent of the income, and they are paying 38 percent of the revenue. I do not know.

The other question is, If you just stick it to the rich and say, well, let's make the rich pay more, what will that do to the rest of us? Do you think we will have more jobs or less jobs if we tax people more?

The question also is, Will you get more or less revenue if you do this? Historically, no matter what the rates have been, we bring in about 18 percent of GDP. For example, back in the 1950s, we had tax rates as high as 70 percent on the wealthy. When we did, we brought in 18 percent of GDP. When Reagan came in, he lowered tax rates to 28 percent for the upper limit. We still brought in 18 percent of GDP. The difference was when we brought in lower rates, we brought in a booming economy, more jobs, and we expanded the number of people paying taxes. You expand the tax base.

Now we get back to the impasse. There is an impasse up here. The other side says: The rich must share more of the burden. There is a way to do it without raising taxes. There is ultimately a compromise that I think brings both sides together, gets beyond the debt ceiling. If they would talk about it, if we would have a debate down here or an informal discussion, we could fix this tomorrow.

If you want the rich to share more of the burden, ask them to pay for their Medicare. I see no reason why the wealthy should not pay the full cost of Medicare. Ask the rich to take less in Social Security benefits. If you means test Social Security benefits—if you say: If you are a wealthy person, guess what, we don't have enough money to give you what we said we were going to give you and you will have to take less—I am perfectly willing to accept

that. So there are ways you can do it without damaging the economy.

I think raising taxes damages the economy and damages jobs for the working class. We tried this before. About 10 years ago we said let's get those rich people. They put a special tax on yachts. Guess who it hurt. The guy making \$40,000 a year building the yachts lost his job; the rich went to the Caribbean and bought their yachts somewhere else. It does not work. It is not good for the economy. It hurts the working class to raise taxes.

But if you want to say the rich need to absorb more of the burden, simply have the rich pay more for their benefits or get fewer benefits. I am willing to accept that. Many Republicans are. It is the compromise. Republicans aren't willing to raise taxes. Democrats want to raise taxes. Where do we compromise? Come together and say that the rich can absorb more of the burden by paying more for their benefits or getting fewer benefits. This is a compromise that would work. We could actually get together and raise the debt ceiling.

I have said I will vote to raise the debt ceiling if and only if we decide to do something different in this Congress. Congress really has done a poor job. Do you wonder why Congress has a 14-percent approval rating? Because they have been a poor steward with your money—a poor steward. The Congress has not done a good job watching over your money. They have been profligate spenders.

So I think that in order for the American people to believe we are going to do a better job, we need a new rule. We need a balanced budget amendment. So I will propose, along with other Senators, to raise the debt ceiling contingent upon a balanced budget amendment so that we balance our budget by law.

Some have said: Well, let's just promise to cut spending over the next 10 years. Let's raise the debt ceiling \$2 trillion, and then we will promise to cut spending \$2 trillion.

The problem is that we are not very believable because we have not kept our word in the past and we cannot bind the next Congress. The next Congress will be elected by a new set of people. They will come up here, and they do not have to go by what we are promising. If we amend the Constitution, though, the next Congress will be bound by this, and the next Congress would have to live within its means.

I believe this is very important. There is becoming a consensus in our country that says the debt is a real problem. I think the two sides could come together—Republican and Democrat—and say: This is how we would work it out. But I think it means significant cuts in Federal spending. It means statutory caps, meaning government should have to live within its

means each year. And I believe we need to amend the Constitution. But if the Democrats say they have to have it that the rich pay more somehow, let's have the rich pay more for their benefits. That is ultimately the compromise. I think you can get the vast majority of Republicans to agree to that, Democrats could agree to that, and we could fix the problem. The American people would be amazed that we got together and we fixed the problem and we moved on. That is what needs to happen. It is not happening in this body.

This body needs to debate the debt ceiling, we need to come up with a solution, and we need to move on. We have not had one committee hearing about the debt ceiling. We have not passed a budget in 2 years. We have not passed an appropriations bill in 2 years. We are not doing what we are supposed to be doing. The American people say they want results. They want us to at least have a debate. We do not have to agree on everything, but let's debate and admit what the problem is and move forward. But instead we get obfuscation, and we talk about something that is not really pertinent to what our problems are. We have to, like the drug addict, admit we have a problem. Our problem is spending. It is not a taxation problem. It is not a revenue problem. We have less revenue because we are in a recession. We have a spending problem. The numbers are clear as day.

I would say to this body and to the American people, let's balance our budget. Raise the debt ceiling, but let's go ahead and have a balanced budget amendment to the Constitution.

I hope we will recognize those problems and move forward.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, like many of my colleagues, I was back in my State for the Fourth of July celebrations, and what struck me about those visits I made and visiting and interacting with people—and I remember riding my bike around my neighborhood on the Fourth, and there were lots of families, lots of lawn parties and pit fires and get-togethers, family get-togethers, people shooting off fireworks, and all of that sort of thing. It occurred to me as I was riding around that a lot of the people who live in those neighborhoods probably are not thinking about what is going to happen if we do not do something to address this spending and debt problem we have in this country. And we are very near a debt crisis.

We have seen what has happened in other countries around the world. When you start looking at the increase in interest rates that occurs when you get into a debt crisis—and Greece is perhaps a good example of that because now they are facing, on 2-year debt, 24-percent interest rates.

As we all know, Treasury interest rates, Federal borrowing, Treasury notes, bonds, bills—those sorts of things are sort of what drive interest rates in other areas of our economy. So if you are one of those homeowners in South Dakota and you are looking at perhaps refinancing your home or buying a new home or being a first-time home buyer, if you are looking at an auto loan, if you are looking at a loan for your child's education, you could very well, if we do not get things turned around here, be looking at much higher interest rates. That would put an even bigger crimp on the budgets of most families across this country.

It was interesting because last week there was an op-ed in the Wall Street Journal in which Larry Lindsey, who was a former Federal Reserve Board Governor and also served in the Bush administration as an economic adviser, pointed out that if you had interest rates return to their 20-year average—in other words, if you went back to a more normalized type interest rate environment—it would actually increase the borrowing costs of the Federal Government over the next 10 years by \$4.9 trillion. So think about how much money, how much we are spending every single year now to pay for our borrowing, and compound that by increased interest rates. It would make the fiscal situation we are facing much worse and even more dramatic than it already is.

So the point I am making is that we have to get the spending and the debt issue addressed here in Congress. Why? Well, because we are saddling future generations with an enormous burden of debt. We are putting the country on a path to a debt crisis, which would be a huge mistake for this country for so many reasons, but probably most fundamentally is because it has a profound impact on the economy.

I think most Americans are concerned right now about jobs and the economy. That is the No. 1 issue in front of most Americans. And it strikes me that if you look at what we can do to get people in this country back to work, obviously creating conditions for economic growth means keeping taxes low, balancing the Federal budget, having an energy policy that promotes American production, improving market access through moving some of these free-trade agreements, and clamping down on the overreaching regulations we are seeing coming out of a lot of the agencies in Washington, DC.

There are a whole series of things that can and should be done if we are serious about getting people back to work. But it means we can't be raising taxes on the job creators. There is a big debate right now about how do we get ourselves out of this fiscal mess. I submit to my colleagues that the real issue here is spending. If you go back to the foundation of our country, in the year 1800, we were only spending 2 percent of our economic output on the Federal Government. This year, we will spend 24 to 25 percent. The historical average over the past 40 years is about 20.6 percent. We are now dramatically higher in terms of what we spend on the Federal Government as a percentage of our entire economy.

To me, clearly, we have a spending issue, not a revenue issue. That suggests we ought to get after Federal spending—particularly spending that is duplicative, redundant. There is so much in the Federal Government we spend money on that is wasteful, and we need to cut that type of wasteful spending out of Washington, DC.

We have to also focus on long-term programs, such as Social Security, Medicare, Medicaid, entitlement programs that drive much of Federal spending—around 60 percent of the money that is spent by the Federal Government. So far there is no appetite among our Democratic colleagues to do that. We have now gone 798 days without a Federal budget. The only votes we have had on the budget in the Senate were on the Ryan plan and the Obama budget. The President's budget—the Obama budget—that was voted on in the Senate, prescribed more taxes and spending and more debt. It failed by a vote of 97 to 0. Again, the budget presented by the President failed 97 to 0 in the Senate.

We don't have a budget in the Budget Committee that has been shown to us yet. This week, we are voting on a non-binding sense-of-the-Senate resolution that doesn't even say how we should contribute to deficit reduction. Is it going to put higher tax on people? Are people going to have fewer deductions? Are people going to be ineligible for farm income payment programs? Should they have to contribute more to Medicare or receive less Social Security benefits than those who are less fortunate? We don't know. We don't have a budget presented to the Senate for consideration. All we have in front of us this week is a sense-of-the-Senate resolution, which is very vague and could be interpreted lots of different ways.

The White House meeting is tomorrow, with leaders of both parties. I hope it will lead to substantive cuts and an agreement about how we are going to reduce spending and get this debt and year-over-year deficits under control. It should not lead to more taxes. The reason is that higher taxes

only hurt job creation and make our economic situation much worse.

We were reminded of the need to do this this week when Moody's downgraded the status of the Portuguese debt to junk. This is despite the fact that their government is pushing through an austerity plan that cuts spending and hikes taxes. We have seen that in lots of European countries that are dealing with sovereign debt crises.

That is our future if we don't get this issue under control. It has been 798 days since this Senate has passed a budget. That is where it starts—determining how we are going to set priorities, and how we are going to spend taxpayer dollars, and rein in runaway Federal spending and make a dent in this \$14 trillion debt that we are saddling on future generations.

I hope we can get a budget before the Senate. This sham of a resolution this week—the sense-of-the-Senate resolution—is certainly not the way to do that. I hope we can get to a meaningful discussion of what we are going to do about spending and debt and jobs in this country.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARDIN).

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time until 6 p.m. will be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from California.

Mrs. BOXER. Mr. President, I want to make note of the fact that this is the first time since the Watergate scandal the Senate has canceled its Fourth of July recess, and the reason is so that we can continue working on this issue of reducing our deficit and our debt, and—from my point of view, and I know I speak for many—doing it in a way that doesn't savage our senior citizens, our children, our families, our environment, and our economic growth, but doing it in a way that is fair, doing it in a way that is fair so that we don't wind up with people such as Warren Buffett or Donald Trump paying less of an effective tax rate than their secretaries or a nurse or a firefighter. That is why we are here. That is why I am here.

I want to apologize to my constituents in California. I had to cancel sev-

eral events that were scheduled, but we will do those things certainly at another time. It is critical to end the current standoff, and that, it seems to me, means sticking to three principles: First, we must agree great nations do not default on their debt. Both sides need to compromise so that doesn't happen. Nobody gets everything they want in a compromise. I speak as a Senator, a former House Member, a former county supervisor, a mother, a grandmother, and a daughter. The fact is you don't get everything you want if you truly are negotiating and compromising. You don't take your marbles and go home, and you don't take your little teddy bear and leave. You stick with it and understand that in true compromise everyone gives just a little bit.

Now, let's look at the government as it is today—as the people wanted it. The people decided they wanted a Democratic President, and we have one in President Obama. They decided they wanted a Republican House of Representatives, and they have that. They decided they wanted a Democratic Senate, and they have that. So we have the three arms, and two-thirds of them are controlled by Democrats and one by Republicans.

If I then said, because of this, I want two-thirds of what Democrats want, I might have a leg to stand on. But I am not even saying that. I am saying let's meet each other halfway. That is fair. That is very fair. And I think most Americans of independent mind would think so.

This is not a parliamentary system. In the parliamentary systems we see around the world, the ruling party gets everything they want and the others get to talk and maybe somehow work themselves into the equation. So first and foremost, we need to compromise.

Second, we need to take a lesson from history and follow what worked the last time we balanced the budget in the mid-1990s—the early to mid-1990s. Believe me, we did it. With President Clinton, we did it. We passed a budget that some of my friends on the Republican side said would be a disaster; that it would never balance. It did. As a matter of fact, it produced surpluses. We passed a budget without one Republican vote, and it laid out the plan that some of my Republican friends said would put us into a depression. We went into the longest period of sustained economic growth and 23 to 24 million jobs were created.

So we know how to do this because, guess what. We did it before. We had a plan that cut unnecessary spending, and it asked the upper income people—the very wealthiest among us—to pay a fair share, and it created all those jobs and we had surpluses.

Our friends on the other side say: Don't talk to us about that. We don't want to talk about it. But we have to

talk about it because otherwise we are going to do what the Republicans did to the seniors in their House budget, which is to end Medicare as we know it and to put the burden of all this on their backs and on the backs of the middle class.

So, first, we need to compromise; second, we need to do what works—cut the things you don't need, invest in the things that will create the jobs, and ask the wealthy to pay their fair share.

Third, we have to put our country ahead of politics. Let me read from a couple of very interesting recent editorial comments. Actually, they were yesterday. This is from USA Today.

GOP rigidity on taxes threatens debt deal.

Let me repeat that:

GOP rigidity on taxes threatens debt deal. . . . if the GOP walkout is anything more than a negotiating tactic, it is breathtakingly irresponsible, considering the risks of default. . . . the Nation has used trillions of dollars in borrowed money to finance two wars, Medicare's prescription drug program and President George W. Bush's broad tax cuts—all initiated with the GOP controlling both the White House and the Congress. Now Republicans have belatedly decided that borrowing is bad, too, but they dogmatically resist even the most sensible and painless tax hikes.

This says it all. This, again, is from USA Today.

Then there is a David Brooks article—a leading Republican columnist—which says:

If the debt ceiling talks fail, independent voters will see that Democrats were willing to compromise but Republicans were not. If responsible Republicans don't take control, independents will conclude that Republican fanaticism caused this default. They will conclude that Republicans are not fit to govern. And they will be right.

Again, this is written by a leading Republican—well, actually, I would call him a leading intellect in the Republican Party.

So we see that people on the outside are noticing what is happening. You cannot take your marbles and go home when the full faith and credit of the United States of America is at stake.

A lot of people think raising the debt ceiling is so we can do more spending in the future. No, no. Raising the debt ceiling is to take care of the debts that were incurred in the past—two wars, unpaid for; a huge tax cut to the millionaires and billionaires, unpaid for; a prescription drug benefit, unpaid for. While my Republican friends said, no; Medicare could not negotiate for lower prescription drug prices. So the cost of it is just going through the roof.

So if we don't put revenues on the table, if we don't talk about closing those tax loopholes that benefit millionaires and billionaires, all the cuts go to the middle class. All we have to do is look at the Ryan budget that passed the House to understand what is going to happen if we don't do this.

Now, the Republicans had this budget, and they gave it a name over in the

House: "The Path to Prosperity: Restoring America's Promise." Well, I took some liberty and wrote my own title. I think their budget is "The Path to Poverty: Breaking America's Promise" because that is what that budget does.

The Republican budget would end Medicare as we know it. A 65-year-old who becomes eligible for Medicare would pay more than \$12,000 in health care costs the first year the plan goes into effect—twice as much as what they pay under current law. Imagine a senior citizen—a grandma or great-grandma—who maybe lives off Social Security, who is paying \$6,000 for health care, is suddenly paying \$12,000. We might as well tell her to forget it. She is going to have to get down on her knees and pray she doesn't get sick.

But that wasn't enough to pay for the tax cuts for their rich friends, so their budget cuts Medicaid by 49 percent by 2030. By the way, a lot of that is paying for nursing homes for the poorest of the poor.

The Republican budget would cut education grant awards by one-half, so that 1.4 million students would lose access to financial aid. That is what this country has been about—giving hope to our young people, and hope means an education. So Pell grants, cut in half.

They say over and over: Washington doesn't have a tax problem, we have a spending problem. Well, let's take a look at that. If we look at nondefense discretionary over the years, what we find when we add in inflation is that it hasn't grown at all, while the military spending has gone up 74 percent. So, clearly, we have a roadmap just in terms of fairness that shows we can get to where we have to get.

Let's not keep cutting what we have already cut. Let's cut the waste, let's cut the fraud, let's cut the abuse, and let's cut these tax expenditures.

Mr. President, I ask unanimous consent for an additional 5 minutes, and then I will yield to my friend.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I thank the Chair.

So defense spending, they may look at it, but they are not happy about it even though it has gone up 74 percent over the last 10 years.

Now, again, we should look at Warren Buffett. Warren Buffett made the point that he paid only a 17.7 percent tax on his \$46 million in earnings while his receptionist paid 30 percent on her wages. Imagine, in 2008, the 400 richest income-tax filers paid an effective rate of about 18 percent.

Take ExxonMobil: They paid an effective rate of 18 percent on \$7 billion, whereas the average family making a combined \$100,000 had a higher effective rate. Let's give tax breaks to the middle class, not to the wealthiest who have everything and more and whose children's children's children's children

will be fine. This is America. This isn't prerevolutionary France, where the King had everything. If there was a family supported by two teachers, and they made \$106,000, they had a higher tax rate than ExxonMobil. But, still, if we look around the country at Republican legislators and governors, they are going after the teachers—who are so wealthy—while the people who are making the millions and the billions they give more and more to. I don't understand it. It is trickle down, I guess. Somehow somebody will spend something at the very top, and it will trickle down. That is all fine, but they have enough to trickle down already, so we don't have to add to it.

A family supported by a truckdriver and a dental hygienist who made a combined income of \$107,000 had a higher tax rate than ExxonMobil.

The tax break for corporate jets is \$3 billion over 10 years. Subsidies to the biggest five oil companies are costing us \$21 billion over 10 years.

So what I am saying is, we don't have to balance the budget on the backs of the senior citizens who need their Medicare or on the students who need their Pell grants. We don't need to do that.

I am the chairman of the Environment and Public Works Committee. The House budget, which I say breaks America's promise, is so bad on transportation, it cuts 36 percent across the board. Thousands and thousands of construction workers, whether they are in Utah or California or Maryland—or you name your town, your city—will be cut. This is an area where there has been so much unemployment because of the housing crisis that we could fill 20 Super Bowl stadiums with unemployed construction workers—2 million. That is how many there are.

So look at what President Clinton did. He increased taxes on the wealthiest and created tax incentives for small businesses. He invested in education, retirement savings, research and development, and the Republicans fought us tooth and nail. As a matter of fact, Senator GRASSLEY said at the time:

I really do not think it takes a rocket scientist to know this will cost jobs.

That is what he said created 24 million jobs—23 million on the low side—and surpluses of \$236 billion.

Let me conclude by saying this is a tough time in our history. We are at the precipice for the first time in my lifetime of hearing threats of defaulting on the full faith and credit of America. When we lift the debt ceiling, we do it in order to pay for the debts that were incurred. Sadly for us, after having a surplus under Bill Clinton, the policies of George W. Bush caused us to go into deep holes and deficit and debt. We were on the way to a great place, but never forget when George W. Bush came out and said these surpluses we are running belong to the American

people. What he meant was the rich people because that is who got the lion's share of that. So we can keep the tax rates low for the middle class, we can make sure the wealthy pay their fair share, we can come to the table and negotiate with an open heart and an open mind and knowing well that we will not get everything each of us wants.

I will close by reading a quote from Ronald Reagan. President Reagan wrote the following:

The full consequences of a default—or even the serious prospect of default—are impossible to predict and awesome to contemplate. Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and on the value of the dollar in exchange markets. The Nation can ill afford to allow such a result.

President Reagan was right. It is time to stop playing politics with this, the greatest country that gave us everything we have ever hoped for.

I say to Americans, call the Senate. Ask for a fair budget plan, with the parties meeting each other halfway.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, it is nice to hear asking for a fair budget plan. We haven't had a budget from this administration now in almost 800 days. They have control of the Senate. Yet we haven't seen a budget from this administration.

I get a little tired of the Obama approach toward shared sacrifice. Shared sacrifice is something. It sounds good. But I would prefer the Republican approach to shared prosperity, and that is what I think we are all about.

When we talk about what shared sacrifice is, think about this. It is pretty irrefutable that the bottom 51 percent of all wage earners of all households do not pay income taxes. The top 1 percent of the so-called wealthy pay 38 percent of all income taxes; the top 10 percent are paying 70 percent of all income tax; the top 50 percent pay somewhere near 90 percent of all income taxes; 51 percent don't pay anything.

But Democrats say, well, they pay payroll taxes. Everybody does that because that is Social Security, and they pay about one-third of what they are going to take out over the years in Social Security. On ObamaCare, a family of four earning over \$80,000 a year gets subsidies. Think about that. And that is what we call the poor? We wonder why the money doesn't go far enough? When are we going to wake up and realize that the other side just spends and spends and spends. They want to tax and tax and tax so they can spend some more. My gosh. When are we

going to wake up in this country and realize they are spending us into oblivion?

I hear how they are so caring for the poor and so forth. The poor need jobs, and they also need to share some of the responsibility. We don't want the very poor people who are in poverty to pay income taxes—but 51 percent of all households? That is going up, by the way, because of our friend down in the White House and his allies.

I wish I didn't like him so much. I would like to be able to let go here. I like him personally, and I want him to be successful, but he is not going to be successful by just taxing the daylights out of everybody around here.

This Congress is currently engaged in as consequential a political debate as this Nation has seen in decades. Whether and what we raise the Nation's debt ceiling is a question that has consumed the markets in the Nation.

I serve the people of Utah and I hear about this issue every day and the sustainability of a government that has grown far beyond any reasonable or constitutional limit and the cost of paying for all this government is foremost on the minds of tax-paying citizens who will be left holding the bag, even when President Obama is back in Hyde Park and Members of Congress no longer serve. The decision to spend less is only for a moment, but the debt incurred to pay for these government programs lasts forever. Fifty-one percent of all households don't pay income taxes.

The Democrats say: Well, they pay payroll taxes. Yes, they do—everybody does because that is Social Security—and 23 million of them get refundable tax credits that are more than they pay in payroll taxes.

I wish I could report to my constituents that Washington is serious about addressing this spending problem. Unfortunately, in the last week, we seem to have hit a new low. President Obama's contribution last week was a press conference temper tantrum, where he offered policy proposals that might appeal to his leftwing base but will do nothing to avoid our coming national bankruptcy.

Not to be outdone, Democratic leadership in the Senate has offered a non-binding resolution designed solely to score some cheap political points that will jazz up the activist left through demagogic class warfare against individuals with high incomes. He is going to raise \$3 billion over 10 years by taxing jet planes. It would take 1,000 years to reach what we have as a deficit for this year just from that one tax to jack up enough money to pay for just the deficit this year.

Facing a full-blown debt crisis, this is how the Senate Democrats, following the President's lead, have chosen to spend this week, debating a nonbinding resolution. Episodes such as this leave

me convinced the only real solution to our Nation's spending problem is a balanced budget constitutional amendment. Only a specific constitutional restraint will force Congress to make the tough decisions necessary to restrain the size of government, restore the integrity of the States, and protect the liberties of the American citizens and taxpayers.

To demonstrate my commitment to restoring constitutional limits on the Federal Government, I have signed the cut, cap, and balance pledge. Along with a growing number of my colleagues in the Senate, Members of the House, grassroots groups, and Presidential candidates, I have committed myself to cutting spending, capping spending, and passing a balanced budget constitutional amendment as a condition for any debt limit increase.

As this debate over how best to address our growing debt and annual deficits continues, I wish to address a technical but critical matter in these negotiations. I am talking about tax expenditures. I am ranking member on the Senate Finance Committee and I know a little bit about these. Over the next few days I am going to discuss this matter of tax expenditures and debt. Today, I am going to talk in general about what a tax expenditure is and what a tax expenditure is not. I will next turn to the tax policy areas implicated by current tax expenditures.

For instance, home ownership is favored in our tax base with a tax expenditure. There is a deduction for home mortgage interest, a deduction for real property taxes, and an exclusion for income from home sales. These are tax expenditures.

The Tax Code also encourages charitable contributions. Charitable deductions are available to citizens when they give to a nonprofit crisis pregnancy center, when they put money in the basket at church or when they give to their alma mater, just to mention a few charitable donations.

In a third speech, I will attempt to shed some light on a widespread misconception about tax expenditures. That misconception is that tax expenditures disproportionately benefit high income taxpayers. But let's not get ahead of ourselves.

My remarks are remarks about what a tax expenditure is. Unfortunately, my remarks are also largely about Democrats' plans to increase taxes. President Obama and his liberal allies are calling for a balanced approach on a revenue piece to deficit reduction. They want shared sacrifice. I want shared prosperity.

We hear this from the press all the time. New revenues need to be a part of any deal to reduce the deficit. These are simply code words for a tax hike. I guarantee this. If we raise taxes, my friends on the other side will spend

every dime of it. That is how they have kept themselves in power. Yet claiming they are helping the poor. Are 51 percent of our households so poor they can't participate in saving this country?

It is clear the professional left is insisting that President Obama include tax increases in any negotiated agreement to raise the debt ceiling. Threading this tax hike needle through an electorate resistant to giving the government more money to spend is no easy task. Although his campaign team talks a big game about the popularity of tax increases, the President's own words suggest otherwise.

Last week, in a shameful display of class warfare, the President did specifically call for some tax increases on the rich. That includes 800,000 small businesses, by the way, where 70 percent of the jobs come from. But that is the exception that proves the rule. By and large, the President avoids the effectual truth of his mission to get rid of tax expenditures—massive tax increases on the middle-class American families, to whom he promised immunity from tax increases when he was running for President. Instead, he and other members of the party of tax increases refer to tax expenditures as spending through the Tax Code. How seriously should we take his rhetoric?

When the President said he wanted to address the Nation's debt by reducing spending through the Tax Code, it proved too much for even Jon Stewart. This is Stewart's analysis of the President's contention that we could reduce the deficit by attacking spending through the Tax Code:

You manage to talk about a tax hike as a spending reduction. Can we afford that and the royalty checks you are going to have to send to George Orwell? That's the weirdest way of "just say tax hike." That's like saying, I am not going on a diet. I'm going to add the calories to my excluded food intake.

That was Jon Stewart. He hit the nail on the head. For sure it is easy to make fun. But what the President is trying to do with tax expenditures is no laughing matter.

Liberals talk about tax expenditures as though they were just getting rid of wasteful spending. First, as a legal matter, tax expenditures are not expended. Outlays are checks cut from the Treasury Department and are defined as spending under the Congressional Budget Act. Yet most tax expenditures only lose revenue and do not include an outlay portion. Tax expenditures that only lose revenue contain no spending as defined by the Congressional Budget Act and as scored by the official scorekeepers for Congress, the Joint Committee on Taxation and the Congressional Budget Office.

Second, as a policy matter, when it comes to tax expenditures, one person's loophole is another person's opportunity to save for college and retirement, finance a home, and tithe to your church.

Here is the bottom line. Taking away or reducing tax expenditures is a tax increase, unless a tax cut of an equal or greater amount is enacted.

One crucial myth I would like to dispel is that tax expenditures are spending. This chart, "Revenue Loss Does Not Equal Spending," the Federal Government cannot spend money it never touched and never possessed.

What tax expenditures do is let taxpayers keep more of their own money. The American people are the ones who earn their money through their ideas, their risks, and their labor. Whether we are talking about a successful business owner or a part-time worker just starting out, the money they earn is theirs. It is their money, and only by their consent is the government permitted to take some of it in taxation to pay for certain public goods.

But Democrats have a different view. It is this view—one that is fundamentally at odds with our classical liberal Constitution and our Founders' respect for property rights—that contributes to the confusion over tax expenditures.

Liberals think that all of the money that you earn belongs to the government. You have no independent right to the fruit of your own labors, because only by dint of big government are you ever able to make something of yourself. This view is foreign to most Americans—Republicans or Democrats. It is a view that Alexander Hamilton and Benjamin Franklin and Abraham Lincoln would take issue with. But this is the political philosophy of the modern left.

So when you hear tax hike proponents come to the Senate floor and say we are giving these businesses and individuals all this money in tax expenditures, they are incorrectly assuming that the government has that money to give in the first place. The government does not have this money to give. That money belongs first to the people that earn it—those businesses and individuals who are the American taxpayers.

There are critical differences between spending and tax expenditures. For one thing, the government never touches the money that a taxpayer keeps due to benefitting from a tax expenditure; whereas, with spending the government actually collects money from taxpayers and then spends it.

Here is a more telling difference. Reducing or eliminating a tax expenditure without lowering rates enough to reach a revenue neutral level will cause the size of the Federal Government to grow, while reducing or eliminating spending causes the size of the Federal Government to shrink.

I am open to looking at eliminating or reducing some tax expenditures as part of comprehensive tax reform but only if tax rates are lowered enough to reach a revenue neutral level. Alternatively, reduction or elimination of

tax expenditures could be balanced with new tax cuts that are of equal or greater value to the revenue generated by the eliminated expenditures. But if tax expenditures are reduced or eliminated without tax rates being lowered enough to reach a revenue neutral level, that is a tax increase, plain and simple.

We have made clear that as a matter of law and political theory, tax expenditures are not spending.

Now let's turn to an examination of what they are.

Fortunately, we have definitions available.

The Joint Committee on Taxation generally defines tax expenditures as deliberate departures from generally accepted concepts of net income, usually by way of special exemptions, deductions, credits or exclusions. Therefore, tax expenditures generally arise for individual income taxes and corporate income taxes.

The Treasury Department differs from the Joint Committee on Taxation slightly in how it defines a tax expenditure. For example, the Joint Committee on Taxation labels deferral as a tax expenditure but Treasury does not. But whichever definition one uses, it is clear that the President and the liberal proponents of tax increases are using their own politically motivated dictionary.

Tax expenditures have been erroneously described by many as loopholes. This is deliberately inaccurate. A loophole is something that Congress did not intend and would generally shut down, at least going forward, once it learned of the loophole. Tax expenditures, by contrast, were generally placed by Congress into the tax code deliberately. For example, the largest tax expenditure is the exclusion for employer-provided health insurance and benefits. The second-largest tax expenditure is the home mortgage interest deduction. We all know why they are there, and they are there for good reason.

Tax expenditures are not loopholes. We are not talking here about some fancy tax scheme that a lawyer or accountant has discovered and now promotes to his clients as a way to game the system. These are broad-based tax incentives that benefit many Americans. The deduction for charitable contributions is not some loophole. It was a deliberate inclusion in the code that acknowledges the need for religious citizens to contribute to their churches.

Even some of the smaller dollar tax expenditures were designed by Congress to go to particular industries or types of taxpayers—for example, the tax expenditure to encourage the purchase of corporate jets that Democrats included in the stimulus and that the President is now criticizing.

Whether you agree with these particular tax expenditures or not, an hon-

est debate requires recognition that they were designed by Congress with economic or social goals in mind and are not inadvertent loopholes.

As a matter of law, policy and constitutional government, I fundamentally disagree with those who are pushing these tax increases as part of a deal to raise the debt ceiling.

Our problem is spending that has grown out of control, not a lack of revenue.

According to CBO's June 2011 long term budget outlook, taxes are already heading higher than they have historically been. From 1971 to 2010, revenues as a percentage of GDP have averaged 18 percent. Since the post-World War II era, from 1946 to 2010, revenues have averaged 17.7 percent of GDP.

Yet CBO also projects that revenues as a percentage of GDP will exceed 20 percent by 2021. Even if all the bipartisan tax relief contained in the 2001 and 2003 tax acts is extended, revenues as a percent of GDP will increase to 18.4 percent.

So I ask the question: With taxes already going higher than where they have historically been, should we raise them even more?

For me, the answer is no.

I know that most Utahns would agree, I believe most people in this country would agree, and I suspect that even most Democrats would as well. They certainly would if President Obama and the liberals who pose as advocates for the middle class came clean about just how high taxes on working families would have to go to pay for the hard core left's preferred level of government. The numbers do not lie.

The deficit is a symptom of out-of-control spending that has grown dramatically in recent years and is reaching crisis levels.

It is not a result of too little in taxes. Democrats can close all the loopholes they want, and it still won't balance the books.

And the Democrats who are talking about the need to close loopholes and eliminate spending through the Tax Code need to be asked which middle class tax relief they want to get rid of as part of their deficit reduction plan.

Do they want to get rid of the charitable deduction or maybe the mortgage interest deduction?

Maybe they want to go after people's 401(k)s or IRAs or 529s.

What is it going to be?

Let me say something here. I am very concerned about where we are going. We have risen this year to 25.3 percent of GDP in spending. The last time we hit that figure was in 1945 at the height of the Second World War, when the government was taking over almost everything to keep us from losing that war. It is certainly over 23 percent right now. What is it going to be?

At a press event tantrum last week, the President answered absolutely

none of these questions. He needs to. He needs to get serious about cutting spending.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that the division of time under the quorum call be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, it has been almost 800 days since the Senate Democratic majority produced a budget. I do not expect one to appear from the majority today, but at least the Democratic majority canceled the Fourth of July recess to work toward an agreement to deal with our budgetary crisis. With the possibility of default looming, our caucus, led by Senator SESSIONS, has been pushing the Democratic majority to keep the Chamber working over the recent recesses. After refusing past calls to remain in session, the Democratic majority finally recognized that we cannot sort this out if we are not here to focus on it. I, for one, am glad the Democratic majority listened.

The American people deserve an honest and open conversation about the very difficult situation we are in. More importantly, they deserve a commitment that we will work in good faith to end this impasse. Unfortunately, I am not sure we will get that from the Democratic majority or the President. We are in session this week specifically to deal with the budget ceiling crisis, and the only vote the majority leader had scheduled from the outset was a resolution on the Libya conflict. I say "had" because the Democratic majority rightly canceled that vote after intense pressure from our side to keep the Senate focused on the debt ceiling issue.

President Obama has been absent from this debate for months. Only recently he started showing up to tell Americans that his solution to the crisis is raising taxes instead of cutting spending. Meanwhile, we have inched closer and closer toward defaulting on our obligations.

It is interesting that we are here today specifically to work out a solution to our financial crisis 1 week after scenes of Athens on fire as a result of rioting over Greece's own debt crisis dominated the airwaves. One week after passing tough austerity measures to secure further financial aid—the very same measures that sparked the rioting—the Greek Government is far from out of the woods. Standard & Poor's says the proposals for restructuring Greek debt would effectively constitute a default instead of helping the country avoid one.

I mention all of this not to generate fear but, rather, to shed light on the gravity of our situation. We could very well end up like Greece if we do not handle this crisis properly. This is the last thing we want to experience in our great country, and that is why we need to reform our fiscal policy in the way that we have done business in the past. There is too much at stake not to take action now. We are at the point where our Nation can no longer borrow money. The IMF has harsh words for our soaring budget deficits, and credit rating agencies such as Moody's and S&P have threatened to downgrade our government's AAA rating.

President Obama likes to blame our economic mess on the previous administration, but the reality is that over the past 2 years, our debt has increased 35 percent under his watch. That is not the previous administration's fault, nor is it their fault that the annual deficit is now three times greater than the highest deficit during the Bush years. If American families ran their households like Washington runs its budget, the utilities would be shut off and the collection agencies would be knocking on their doors. If they maxed out a credit card, they wouldn't have the luxury of telling someone else to pay their bills. Yet this is what the President is demanding by sticking to tax increase proposals.

I said this last week, but since the President continues to push tax increases as the answer, I will say it again: President Obama, take tax hikes off the table. We got into this mess by excessively spending. We can't fix the problem unless we stop excessively spending.

The White House remains focused on tax hikes. If we look at their agenda, we can see why. The big-ticket items they have already passed, specifically the President's stimulus and health care bills, have put our country on the path of unprecedented levels of spending that will keep us in the red for my lifetime, my children's lives, and well beyond. The administration's refusal to cut excessive spending, much of which the Nation never asked for, will put us on the course for a Greek-like catastrophe. Without action, annual interest payments on the national debt alone will exceed 40 percent of GDP by 2080.

So with that in mind, the President is working behind closed doors with his allies in Congress to figure out ways to raise revenue. As we all know, revenue is a Washington euphemism for taxes. Instead of further exasperating our economy by raising taxes and putting us in a position that will affect our recovery and our Nation's future, the solution must be tailored to the problem. Washington does not have a revenue problem; we have a spending problem. Any proposal that does not start in that truth should be taken off the table.

If the White House-engineered agreement for raising the debt ceiling does not include significant cuts and a spending cap mechanism, such as a balanced budget amendment, to prevent us from having to raise it again, then I can assure you they will not get my vote. Anything short of that is irresponsible. I know I am not alone in these demands. Many of my colleagues feel just as strongly and will not back down either. The President and the Senate Democratic majority need to understand we are committed to these principles because millions of Americans feel exactly the same as we do. We are here to do the people's work. Let's listen to them instead of trying to tell the people what is best for them.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

COLLECTIVE BARGAINING

Mr. BROWN of Ohio. Mr. President, we just went through the July 4 weekend celebrating our independence on July 4, 1776. On July 5, 76 years ago, something else happened that was very important in our country and very symbolic of what we stand for as a nation. I heard the Presiding Officer from Maryland talk a moment ago about the values we hold as a nation and how important it is to convey those values in everything we do in this body.

What happened on July 5, 1935, was President Roosevelt signed something called the National Labor Relations Act, and we know what came out of the National Labor Relations Act and the other reforms of that era, in addition to Social Security and the CCC and some other things, was the concept and the implementation of collective bargaining. Collective bargaining is a right the American people have to join voluntarily in a collective bargaining

unit—generally a labor union—and negotiate on behalf of hundreds or thousands of fellow workers for wages, health care, pensions, vacation days, and other things.

I mentioned that because just late last week something remarkable happened in my State of Ohio. In Columbus, in response to the State legislature taking away those collective bargaining rights and a radical departure from 75 years of collective bargaining, national private sector success, and 30 years of Ohio collective bargaining for public employees' success, the legislature passed a radical act earlier this year to take away those collective bargaining rights for public employees. We know it is a direct assault on the middle class. We know it will mean a declining and shrinking middle class. We know the biggest threat to this country today, to our economy, to our country, and to our country's families is that the middle class is shrinking and the middle class is declining. I call them radicals because it is a direct hit, a direct violation of what we stand for as a nation: the right to organize and bargain collectively and voluntarily.

We have seen these public employees—and who knows what is next—have those rights taken away. We know what will be next: prevailing wage, the right to work—all the kinds of things that procorporate conservative politicians have tried to do for some years. We basically had a consensus in this country. We had a consensus on Medicare, a consensus around minimum wage, a consensus about safe drinking water and clean air, a consensus about collective bargaining rights on which 80 percent, 90 percent of the country agreed. We had disagreements around the edges on the environment or safe drinking water, Medicare, but by and large there was a consensus on what we did here. What we saw earlier this year in Ohio was an assault directly on those values. They are going after collective bargaining rights.

In another piece of legislation they are going after voter rights. In another piece of legislation they are going after women's rights. In Washington they are going after Medicare.

Let me go back to collective bargaining. What happened last week is something remarkable. In Ohio, unlike many States, after a bill passes and becomes law and is signed by the Governor, there are 90 days to gather signatures. I believe in Ohio's case 250,000 signatures are needed to place on the ballot a referendum. In other words, if this goes on the ballot, the voters have a chance to repeal that bill.

When the radicals in the legislature took away collective bargaining rights and the Republican Governor signed it, a group of Ohio citizens put on the ballot a repeal of taking away collective bargaining rights. They needed about 250,000 signatures. You know how many

they had? They submitted last week 1.3 million signatures. Mr. President, 1.3 million people signed saying: We want this to go on the ballot to repeal this radical measure of the State legislature Republicans. No Democrats in either House voted for this to repeal what they were doing. That's 1.3 million signatures.

In fact, they brought a truckload of boxes of signatures. In the Office of the Secretary of State they had to send in a structural engineer, literally, to make sure the floor—I think it is on the 14th floor—could support the weight of these 1.3 million signatures.

I note Senator CARDIN and Senator WHITEHOUSE, when they come to the floor, oftentimes talk about the overreach, the radical nature of what conservative far-right politicians are doing in this country right now. The overreach, going after bargaining rights, going after Medicare, going after minimum wage, putting tax breaks—tax breaks are really earmarks for the rich in the Tax Code—all of these kinds of things they are trying to do are unravelling so much of what we fought for as a nation for so many years.

The good news in Ohio this week: 1.3 million people said they have had enough. We are not going to stand for this. We are not going to tolerate this radical overreach that Governor Kasich and legislators are doing in Columbus and House Republicans and far too many Members of the Senate are doing in this body. That is good news. I think we move forward from there.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, let me thank the senior Senator from Ohio, Mr. BROWN, for his leadership for working families. We were colleagues in the House of Representatives and there was no more effective voice on behalf of working families than Congressman BROWN, now Senator BROWN. I just want to thank him for bringing these issues to our attention.

He is absolutely right, there has been an all-out assault on the dignity of working families in this country at all levels. I will talk a little bit about the budget deliberations because I believe here, also, we find an assault on the middle-income families. As President Kennedy said, "to govern is to choose." We have never had a clearer choice of two different visions of America.

I wish to talk a little bit about that because I know we are all working hard to reach a fair compromise, and I am one of those who believe the final agreement will not be what the Democrats want or what the Republicans want. We will have to do a compromise. But I think the people of this Nation need to know the types of choices we are making here in Washington.

I see the Republicans—and I have heard some of the speeches that were recently given on the floor—are really trying to protect the very wealthy, the millionaires. In the Republican budget, millionaires would get another \$200,000 of tax cuts, where at the same time that budget would cost our seniors, who live on fixed incomes, an extra \$6,000 a year in health care costs if their plan on Medicare were to become law.

Those are the types of choices we are being asked to make here, being asked to continue the gas subsidies—the tax subsidies for the five biggest oil companies in this country. That is what the Republican budget would protect. They would protect those tax breaks. Let me remind you that those five companies in the last decade made \$1 trillion in profits, that during the time we saw escalating gas prices here and our economy being hurt by it, people could not afford to fill up their gas tanks. Yet at the same time those five oil companies had record profits. So we say: Let's take away the government subsidies. Yet the choice for our Republican friends is to say: No, we can't do that. Instead, they look at cutting nutrition programs and Pell grants to make it more expensive for children to be able to go to college or nutrition programs to try to have a healthier America.

Well, what we are pushing for is a balanced approach in how we deal with this budget deficit. We could talk a long time about how we got here, the policies of the previous administration. Just 10 years ago, we had these large surpluses. The previous administration cut taxes not once but twice, the second time using the credit card in order to pay for those tax cuts, went to war not in one country but in two countries and used the credit card in order to pay for those wars, and are wondering why we have all this debt today.

Well, it is our responsibility to take care of this deficit because this deficit is affecting the strength of America. We know we need to have a balanced approach in order to do it. I, along with the Presiding Officer, am a member of the Budget Committee. We are working hard on the Budget Committee to come up with a way we can deal with it. The Democrats on that committee are united that there is a better way than the Republican budget that came over from the House of Representatives.

Let me talk a little bit about whether this is class warfare. I have heard that mentioned many times. This might surprise you. I might agree with my Republican friends. I think the Republican budget is an attack on class. The Center on Budget and Policy Priorities said the Republican budget "would produce the largest redistribution of income from the bottom to the top in modern U.S. history." We are asking the poor and working families to contribute so the wealthy can get more tax breaks. That is just wrong.

What we want to see is a balanced approach, an approach that says: Look, this deficit is very serious. We have to ask and save money wherever we can to balance the Federal budget. It starts by looking at our domestic spending. We have been willing to say: Look, for programs that are not high-priority programs, we have to cut back on them. Programs that are not working we are going to have to eliminate. Let's get rid of duplicate programs.

We say we are prepared to do that. But you also have to look at the non-domestic programs—our military programs and security programs. We know we are in the process now of bringing our combat troops home from Afghanistan. That can produce savings. Let's use that to reduce the budget deficit. There are ways we can get this deficit down.

I was listening to one of my colleagues on the other side of the aisle talk about the so-called tax expenditures. Let me put this in context for one moment. Our Tax Code spends about \$1.4 trillion a year in special provisions to give special breaks to different taxpayers. I think none of us are saying all of those should be eliminated. What we are saying is, when you find tax loopholes, when you find shelters, when you find tax havens, let's get rid of them.

I have taken to the floor to talk about two areas where I think there is broad consensus. The ethanol subsidy—we do not need it any longer. It is questionable whether we ever needed it. The industry will do just fine without the subsidy. But let me tell you what the subsidy causes. It causes my poultry farmers in Maryland to pay a lot more for their corn, costing jobs in Maryland. So there is a tax subsidy we can get rid of. We had a vote on the floor, and it was quite obvious that the overwhelming majority agrees with that. Why can't we use that for deficit reduction?

We talked about the gas industry. Why are we giving them subsidies? There is no need for them. So we can take those tax shelters, we can take those tax havens, and we can take those loopholes and use that.

And, yes, I think there is a question as to why millionaires are going to continue to get a tax cut that was meant to be temporary in nature when we need as much revenue as we can get to pay off our bills. I think there is an issue here as to whether that is fair. How do we tell students they have to pay more for college, how do we tell families that fewer will be able to go to Head Start, how do we tell our seniors they have to pay more and yet we tell the millionaires they are going to get additional tax cuts? That is not fair, and it does not make good sense for our economy.

There is a better way. I know my colleague from Rhode Island will speak

next. He also serves on the Budget Committee. We Democrats have a better way of doing this. We know how we can reduce the budget deficit by even more than the Simpson-Bowles deficit commission proposed, where we can bring in the deficit and bring it under control to make it a reasonable amount of our economy rather than uncontrolled, as it is today. We can do that by bringing in not just domestic spending but also our defense spending in order to reduce spending more in this country.

We can do that, and we can do it in a way that protects the integrity of Medicare. We do not want our seniors at the risk of private insurance companies. We do not want private insurance companies telling our seniors when they can get care and when they cannot. We tried that before we created Medicare, and we know the problems that were created by that. So in our budget, we want to protect the integrity of Social Security and Medicare and the programs that are critically important to our seniors.

We will close the tax loopholes. We will eliminate shelters. We will make sure everybody is part of the solution. We can do it in a way that will help build this great Nation.

Let me tell you what our objectives are, quite frankly. Our objectives are to manage our deficit, bring it down, bring it under control in a real way, to protect those who are most vulnerable in our country, and to invest in America's future so we can create more jobs, so we can continue to build our roads and our bridges, our water systems, so we can continue to invest in education, and, yes, so we can protect our Federal workforce and pay them decent salaries and compensation benefits. We can do all that. But if we are going to get the job done, Democrats and Republicans have to be honest in their debate and their compromise. It will not be what one side wants. We are going to have to compromise for the good of the American people.

I took the time today to share with the people of Maryland and the Nation where I believe our vision should be in regard to the budget of this Nation. I hope we are able to achieve those objectives because I really do believe our children's and grandchildren's future depends on us getting this right. If we work together, we can pass a budget that is in the best interests of the American people and will allow our economy to grow to create jobs, which is the best answer to deal with our deficit.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am honored to follow my distinguished colleague from Maryland in this discussion about our priorities as we address the debt limit we are approach-

ing. I think Leader REID was wise to choose to cancel the scheduled Fourth of July recess so we could continue to work toward an agreement to prevent defaulting by the United States on our government debt and the financial consequences that would ensue here in America and around the world.

As we negotiate an end to this debt limit standoff, we also, obviously, have to address our looming budget deficits and our looming debt, which threaten to cripple our potential for economic growth in years to come. Where we are on this, of course, is that President Clinton put our budget on course to permanent surpluses. We would be a debt-free nation right now if the predictions the nonpartisan Congressional Budget Office had put in place when President Clinton left office had been kept. In fact, there were changes. President Bush and a Republican Congress squandered away those surpluses with unnecessary tax cuts and unwise spending increases. Our multitrillion-dollar deficits have resulted. We must now fix the budget and bring it back into balance.

So where are we in this standoff? Well, we need to cut spending. Democrats and Republicans agree on that. We need to protect ordinary families who enjoy ordinary levels of income from tax increases. Democrats and Republicans agree on that. The disagreement is whether we also need to raise some revenues in other areas to help balance the budget, areas such as oil and gas and ethanol subsidies, closing corporate tax loopholes, and putting an end to high-income tax-dodge schemes.

On that front, I rise in support of Leader REID's resolution calling for a deficit reduction package that includes a "more meaningful contribution" from millionaires and billionaires.

The Republicans are threatening that they would rather let this government default on its obligations than to what they call "raise revenues" by requiring the wealthy to pay their fair share. Just last week, Senate Republican leader MITCH MCCONNELL called on President Obama to take any raised revenues "off the table" and to balance the budget solely on spending cuts that affect the middle class and lower income families. In an opinion piece on cnn.com, Senator MCCONNELL proclaimed that "tax hikes can't pass the Congress."

Well, let's pull the curtain back and take a little glimpse behind it as to whom the Republicans are fighting so hard to protect.

As shown in this picture I have in the Chamber, here is a building in New York City on Park Avenue, the Helmsley Building. Because this building is large enough to have its very own ZIP Code, we know from actual IRS information—not projections, not guesses, not conclusions drawn from rates; from actual paid-in IRS information—that the wealthy and successful

individuals and corporations that call this building home paid a 14.7-percent total Federal tax rate in the last year they have done the calculation, 2007. That is lower than the actual tax rate, on average, of the New York City janitor or doorman or security guard who would work in this building. It is upside down. The people who serve the occupants of this building pay a higher tax rate than the occupants of this majestic building. The tax gimmicks that let those occupants pay a lower rate than the people who take care of the doors and the cleaning and the security for them—that is what the Republicans are fighting to protect.

This problem is not just a fluke in the Helmsley Building. Each year, the Internal Revenue Service publishes a report that adds up all the taxes paid by the 400 highest income earning Americans. I spoke earlier this year—several times, actually—on last year's report, which included data from 2007, like the same year as for the Helmsley Building. In that year, these super-high-income earners, making, on average, \$½ billion, approximately—billion with a “b”—paid a lower tax rate in 2007—the 400 of them did, on average—than an average hospital orderly who is a single payer pushing a cart down the halls of a Rhode Island hospital at night.

In May, the IRS published updated data on the top 400 income earners for 2008. Let's take a look at the status of the top 400 earners in that more recent year. Well, they are down from \$½ billion, on average, to over \$¼ billion each. Certainly we can applaud that kind of success in America. That is definitely the American dream come true. But, on average, they paid an average tax rate of 18.2 percent. That is what they actually paid. That is what they put into the IRS. Once you get through all the tax dodges, all the different schemes, all the different deductions, all the different rates, when you actually put the pen to the paper at the bottom line, it is 18.2 percent.

We spent a lot of time around here debating whether the top income tax rate should be 35 percent or 39.6 percent. Folks, that is not what they are paying. The Tax Code is so filled with special provisions that tend to exclusively or disproportionately benefit the wealthy that the highest 400 income earners, earning more than \$¼ billion in 1 year, paid an average tax rate of 18.2 percent.

This means that the 400 highest earning individuals in the Nation, in 2008, paid the same effective tax rate as a truckdriver in Rhode Island. According to the Bureau of Labor Statistics, on average, an ordinary truckdriver earns \$40,200, which is about the place in the Tax Code, on the way up, where you first hit paying 18.2 percent of your income in taxes.

So what the Republicans are asking as part of the debt limit compromise is

that we cut employment and job training support now, at a time of record joblessness, while they continue to fight to make sure that people making a quarter of a billion dollars a year pay lower Federal tax rates than average middle-class families.

Here is another building that has a little story to tell. This is a building called Ugland House. It is over in the Cayman Islands. This building does not look like much. It is pretty nondescript. But over 18,000 corporations claim to be doing business out of this building—18,000 out of that little building. Clearly what is going on is that those corporations are hiding through shell companies, phony corporate identities that they and wealthy taxpayers use to hide assets and play tax games with the IRS.

This kind of mischief down in the Cayman Islands and elsewhere through these tax dodges is estimated to cost us as much as \$100 billion every year. As part of a debt limit compromise, the Republicans are asking us to cut America's investments in science, cut America's investments in technology at the same time they are fighting to protect corporations that hide in offshore tax havens so that the honest American taxpayer has to pick up the burden for them. That is what they are fighting for when you pull back the curtain.

When all is said and done, everyone, Democrat and Republican, agrees that there needs to be cuts. And everyone, Republican and Democrat, agrees there should be no tax increases on ordinary middle-class families. Those concerns are not at issue. Where is the dispute? What is the blockade? Again, pull back the curtain and you will see that the Republicans are willing to let us as a nation default for the first time in our history on our debt, which would devastate our economy, all to defend tax rates for millionaires and billionaires that are lower than those paid by regular hardworking Americans; all to defend offshore tax havens that are used to evade taxes while ordinary families are expected to pay their taxes; all to defend corporate and special interest tax loopholes, earmarks for the wealthy and well-connected. That is where they have chosen to stand their ground. That is where they have chosen to pick a fight.

As our Nation rushes toward the August 2 deadline and the agreement deadline before August 2 when we must have something in place in order to get the President's signature on a bill by August 2—as we rush toward that, as the world's economy and America's economy are imperiled by the threat of our debt limit not being lifted, what are they fighting for? That is what they are fighting for, for the super-privileged, for the super well-connected, for the tax dodges they take advantage of, and for the lower rates the superrich pay compared to the rest

of all of us. Those are the interests that Republicans are protecting when they reject any revenue increases to bring down our unsustainable deficit. They say it is tax increases they are against. Well, the answer to that should be Americans asking the question back: Tax increases for who? Because if it is tax increases for the guy who is making a quarter of a billion dollars, and is paying a lower tax rate than a truckdriver, that is okay with me. That is a tax dodge we can get rid of. If it is a tax increase for a company that is going to hide in this building in the Cayman Islands to shelter its incomes so that Rhode Island corporations and Oregon corporations, American corporations have to make up the difference—American taxpayers have to make up the difference, and they cannot hide their income down there any longer, that is a tax increase I can live with. I do not think that is what ordinary Americans have in mind when they say we do not want tax increases. They mean we do not want our rates to go up. But ordinary Americans know that our Tax Code is filled, riddled with gimmicks and tricks and loopholes and deductions that have been put in it over the years by lobbyists. They are earmarks, they just happen to be earmarks in the Tax Code. They spend America's money through the Tax Code just as much as if it were an appropriation.

But what is the big difference? The big difference is it takes being a very wealthy individual or a very big corporation to be able to take advantage of those tricks, to be able to hire a lobbyist who can build that trick into the Tax Code, and to have the revenues and the resources to be able to maneuver through the Tax Code in that way. Ordinary Americans do not do that.

You can ask pretty much anybody in Rhode Island, show them the thousands of pages of the Internal Revenue Code and ask them: Who has a special provision in it for you? Nobody does. They are regular Americans. They pay regular taxes. They do things the way they are supposed to be done. The gimmicks and the tricks are all at the upper end, and it is time to clean house, particularly now when we so badly need the revenues to balance our budget.

It is simply inexcusable that our tax system permits billionaires to pay lower tax rates than truckdrivers, that it allows the wealthy to avoid taxes by hiding assets in phony offshore corporations. Even if we had no budget deficit, just being fair, honoring the principle of equality would demand that we address these inexcusable discrepancies that favor the wealthy and the well-connected. Our budget crisis, however, brings real urgency to the problem. So as we continue to work to avoid a debt default by the United States of America and to bring down

our budget deficits and to reduce our crippling national debt, I hope Senator MCCONNELL and the Republican Conference will revisit the potential to significantly cut the deficit by addressing tax loopholes, tax gimmicks and, frankly, outright injustice to the ordinary American taxpayer that they are now defending here in the Senate.

I see the distinguished Senator from Alabama arriving.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I understand that President Obama has summoned certain congressional leaders to the White House tomorrow to discuss spending, debt and deficits, and the debt limit we now operate under. The President has summoned congressional leaders to the White House on at least eight different occasions in recent weeks to discuss budget and debt issues, not including the private talks involving Vice President BIDEN.

Yet with only weeks to go before the debt limit deadline—we are told August 2—secret discussions have failed to produce any grand bargain. Talk is not an action. I do think that is a problem the President has. He thinks making a speech or having an announcement is something that actually involves changing course in America and it has some effect, when it is pretty clear it does not.

We have had lots of talks and we have heard lots of speeches, so I think we should stop paying attention to these private talks, from which no details emerge and no public discussion is heard. We are getting much too close to the point at which it will be too late to involve the public and allow Congress to fulfill its constitutional duty on spending and taxes.

In remarks yesterday, the President said, “To truly solve our debt problem, we need to take on spending and domestic programs and defense programs and entitlement programs.” Well, I agree. Yet the only plan he has put forward proposed increases in his spending for next year in the budget he submitted. He submitted a budget earlier this year. He made a speech backing away from it a little bit but not a lot, because his speech, when we carefully tried to study it, did not do much to change what the trajectory is in his budget.

But this is what the budget calls for next year that we are supposed to be working on now and are not. This budget proposes to increase spending in 2012, beginning October 1, 2012—well, the inflation rate is projected to be 1.3 percent. It may be a little higher than that. Defense called for a 4.3-percent increase in spending. The Energy Department called for an 8.9-percent increase in spending, that big bureaucracy that is trying to make sure we block production of American energy.

It proposes for the State Department a 9.3-percent increase in spending, and the Education Department a 13-percent increase in spending, at a time this country is in incredibly difficult straits. We are having double-digit increases.

Then in the Transportation Department, he proposes a 62.4-percent increase. Do we really need to have high-speed rail within walking distance of 80 percent of all Americans? We do not have the money to do that. Most of the high-speed rails are not working—are not paying for themselves around the world. They can work in certain highly congested areas in good locations, perhaps. This idea that we are going to have a massive national interlocking system of maybe \$700 billion of high-speed rail is not realistic in the short term. But his budget called for a 62-percent increase.

We asked where the money would come from. They said it is a tax.

What kind of tax?

Well, it is not a gas tax.

So I called it the “not gas tax tax.”

What tax then do you propose, Mr. Secretary, before the Budget Committee?

Well, we will talk with Congress about that.

Well, the Congressional Budget Office, which is required to analyze expenditures against revenues, said that is not a proposal of revenue, and they scored that as all expenditures without any revenue, because we are not going to pass a big tax to increase this kind of spending. Give me a break. If we do, we ought to use some of the money to pay down the debt, not continue to surge spending in this fashion.

I wish again to point out that President Bush in his last year in office had the largest deficit I believe the country had had in recent modern times. The largest he had was \$450 billion. That was large. It was roundly criticized. It included a lot of the TARP money that they threw in at the last minute.

But what about President Obama's first year? That was \$1.2 trillion in deficit. The second year: \$1.3 billion. And this year, it is projected around \$1.5 trillion, going into 2011, ending September 30. Then September 12, he has got these kinds of increases. What kind of responsible behavior is that? For the President of the United States to say that we need to truly solve our deficit problems, we need to take on spending in domestic programs and defense programs and entitlement programs, and this is what we get as a proposal, to increase spending at double-digit rates, basically. I mean what is this? There is no proposal whatsoever to deal with entitlements. Those long-term

unsustainable programs threaten the future of our country economically. Indeed, we are in more trouble right now than a lot of people realize from our debt situation.

So the only plan the President put forward, as I said, is increasing these

expenditures and not confronting entitlement programs at all. And when the House Members passed a far-reaching, historic, honest, fact-based budget that would have actually changed the debt trajectory of our country over a period of years, it was considered to be tough, but even it did not balance within 10 years.

We are in a deep hole. It is hard to balance this budget. The House proposed that and they laid out a plan, after 10 years, altering Medicare so that it would help put Medicare back on a sound basis. All of it was slammed by the President of the United States. He even had a speech at the White House and invited Congressman RYAN, who is the brilliant chairman of the House Budget Committee, and had him sit right in front of him, and then he slammed his bill. Congressman RYAN had courage and integrity and he produced an honest budget that would have made a difference for America. Would we have agreed with everything in it? Of course not. But he didn't deserve to be hammered by the President of the United States.

To begin to change the debt trajectory we are on, we need to cut at least \$6 trillion of spending over 10 years. That is not enough, but we need to do that. If we do that, it will make a huge difference. Just \$1.5 trillion or \$2 trillion in cuts will not be enough. It will not be enough. The President's budget, which he submitted in December—the only budget we have gotten from the Democratic side—would increase the debt by \$13 trillion, and \$2 trillion in spending cuts is not enough.

We are long past the point when the President needs to share his vision with the country and admit that he cannot keep up this spending rate. His budget was a failure to confront the reality that we don't have the money to keep up unsustainable spending.

According to Bloomberg News, Democratic officials claim that a deal will have to be reached between July 15 and July 22 “in order to write a bill and comply with congressional rules requiring advance publication before consideration.” In other words, we have as little as 3 days to see the legislation.

I have proposed legislation that says we ought to have 7 days to consider this historic piece of legislation that would raise the debt ceiling. We want to see how much change in spending the bill would mandate. In other words, if we are going to raise the debt ceiling, because we have limited how much debt America can approve—Congress has—and to keep borrowing—we are borrowing 40 cents of every dollar we spend—if we keep borrowing, we have to raise it. What we, and the American people, are saying is we don't like raising it, but if we do, you better show us that you have changed your ways and you are not continuing this reckless spending, when we don't have the money.

Every bit of that increase is borrowed. We can't continue that. I truly believe that Congress needs to assert its role, step up and accept responsibility for the crisis we are in and begin to develop the procedures openly and publicly and get us out of this fix.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I rise today to speak about the daunting fiscal challenges our country faces and the urgent need for comprehensive bipartisan action to address our Nation's debt.

As we debate the path to securing our country's fiscal future, Greece is battling to keep from defaulting on its bonds. It is in the news. There are legitimate concerns that a default in Greece would send shock waves through the world financial markets, with an impact potentially as devastating as the 2008 collapse of Lehman Brothers.

To avert bankruptcy, Greece has enacted austerity measures so drastic that violent rioting has broken out in its streets. Despite these measures, and despite the aid of other European countries, many economists believe Greece will eventually succumb to its rising debt burden and default. Standard & Poor's warned Monday that even with the planned bailout by European banks, Greece's credit rating could be still downgraded to "selective default." While better than a full-blown default, this will almost certainly roil the markets and cut off Greece's access to credit.

Alarming, Standard & Poor's gave a similar warning to the United States last week. In a statement to Reuters, Standard & Poor's said it would drop the United States triple A rating to "selective default" if the Treasury Department misses its repayment on \$30 billion in maturing bills on August 4.

Although our long-term fiscal challenges are serious, they are not what caused Standard & Poor's to issue this warning at this very moment. Instead, what caused the warning was a growing concern that the Congress would fail to come together to pass a bipartisan deal on the debt ceiling—something Congress has done without incident almost 100 times since the limit was established.

We must get serious about tackling the deficit and putting our country back on sound fiscal ground. But the problem we are facing now is not only a crisis of the dollars and the cents, it is also a crisis of the divide and the deadlock.

We know what we need to do in order to avoid default and bring down the deficit. We have all the tools and information necessary to do it and avoid a situation such as we are seeing in Greece. Yet instead of working together to craft a fair and responsible

path forward, some have chosen to draw lines in the sand and take the debt limit—and our Nation's economy—hostage.

Addressing our country's fiscal challenges is something I have taken seriously. Since coming to the Senate, I have worked to reform the way Congress conducts its own business—reducing the budget of Congress, fighting for appropriations project reform, and working to restore the pay-as-you-go rule. I was one of a handful of Senators who fought for the creation of the fiscal commission, and I have supported efforts from both Republicans and Democrats to responsibly reduce the deficit.

While I believe we have reached a defining moment as a country which should not be wasted, I also know we can't afford to play Russian roulette with our economy.

What our country needs is for Congress to come together and build consensus around a comprehensive long-term deficit reduction package that will put us on the track to prosperity.

Ever since the economic downturn, families across the country have huddled around the kitchen table, making tough choices about what they hold most dear and what they can learn to live without. They expect and deserve their leaders to do the same. The American people are counting on us to put politics aside, pull together, not pull apart, and agree on a plan to live within our means and make America strong for the long haul.

If we are going to succeed in this challenge, we will ultimately have to accept things that we don't necessarily agree with. It is the only way to develop a plan that is both balanced and comprehensive.

We already know much of what will need to be done. Our failure to act has not been because we lack solutions, but because too often Congress has lacked the political will to get behind a consensus proposal. After months of debate, it is clear what sort of plan is needed to garner the support necessary to get us across the finish line.

First, a solution should match the scale of the problem. I want to see one that produces around \$4 trillion in deficit reduction over the next decade.

Second, it should include a mix of revenue with realistic spending cuts. One example we are seeing right now is biofuels. The biofuels industry has been willing to put a big chunk of change on the table, right in the middle of the year, as we are working with Senators THUNE and FEINSTEIN on an agreement in which it would be a template, where one industry says, OK, we understand that we have a big problem, and we are willing to put money upfront for the debt. We are willing to look at what we need to do in the long term to have a secure energy policy, but also help with the debt and end this subsidy. We

want to see oil do the same thing. We want to see a lot of these loopholes closed, a lot of these subsidies end, and do it in a smart way. The budget Senator CONRAD has been working on with the Budget Committee is an example of a mix of those revenues and spending cuts. That is what we have to look at.

Third, we must be able to achieve bipartisan support with a proposal, which is why I continue to support the work that has been done by the Gang of 6.

It is time we get serious about advancing a plan that is both fair and achievable. On August 2, the borrowing authority of the United States will be exhausted. No one benefits if we are unable to reach an agreement by this deadline. Every day that passes without a deal only increases uncertainty in the markets and puts the brakes on economic activity. Failure to bring the national debt under control threatens America's future, but the danger of default threatens our economy today.

The way I see it, we have two options. We can either set a precedent of holding our debt hostage to political maneuvering, raising the cost of borrowing and increasing the deficit, or we can show the world that we are serious about addressing our fiscal challenges, reducing the cost of borrowing and strengthening our financial outlook. I believe the choice is clear.

The sooner we can agree on a long-term package, the better for our economy and our country. I hope we can put partisan differences aside to work on an agenda that strengthens our economy, promotes fiscal responsibility, and increases global competitiveness, because if we refuse to have an honest conversation about this, if we insist on using the debate as a vehicle for rhetoric only, we will not just be doing ourselves a disservice, we will be cheating our children and grandchildren out of knowing the America we grew up in. The deficit isn't going to fix itself. We all know that. We all know we can't close our eyes, click our heels, and wish the debt would go away.

In their report, the National Commission on Fiscal Responsibility wrote that "every modest sacrifice we refuse to make today only forces far greater sacrifices of hope and opportunity upon the next generation." They are right. The longer we wait, the more wrenching the choices become. Look at Greece. Who will be making those painful choices? Our children and our children's children.

None of us wants to see interest rates soar by playing Russian roulette with our economy. Democrats don't want it, Republicans don't want it. So what are we waiting for? It is time for Congress to step forward and show some leadership. It is time for us to work together to show the American people that

Washington isn't broken, and that instead we are willing to put aside politics to do what we were elected to do—to do what is right for America.

This is our challenge, and it will be a hard challenge to meet. But I am confident we can come together to make these tough choices, to do what is right for our economy, and to renew the American promise of progress and opportunity for generations to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I rise to talk about the debt crisis our Nation is facing and how we can come together to fix it. We do talk about how we are putting this debt on our children and grandchildren. The time is on us right now. The bill is coming due.

We are facing the most predictable crisis in our Nation's history with our current financial situation. It is a problem we can all see and that we can all acknowledge must be fixed. Of course, acting is not as easy as talking. If it were that easy, we would not be so far in debt.

For some time, we have been talking about reining in spending and making sure that our grandchildren aren't saddled with the enormous debt our country is facing. Now we are facing the reality of reaching the debt ceiling—a cap that has increased to \$14 trillion—that is trillion, with 12 zeros—more than \$2 trillion over the previous debt limit of \$12 trillion—a little over a year ago, in February of 2010.

We have raised the debt ceiling 74 times since 1962, and we have raised the limit 10 times since 2001. Listen to this. In the last 4 years, we have raised the debt ceiling five times. It is accelerating.

What does this tell us about our spending habits? The numbers don't lie. It tells us we have had to raise the debt ceiling to keep up with increased Federal spending. It tells us we have forgotten entirely how to live within our means, and that we need to make serious decisions about cutting Federal spending. We need to make those decisions now.

We have all been talking about it. Republicans have come to the Senate floor and talked about the country's financial future. They have talked about our debt, projections for the future, and agreed that this path is unsustainable.

Republican and Democratic administrations and Congresses for decades have continually increased Federal spending. No one party holds all the blame for the situation we are in, but clearly the road we are traveling on is leading to a crisis.

Last week, the President held a press conference where he lectured Republican Members of Congress. He told us we need to stay in Washington to get things done. After listening to his press

conference, we invited the President to meet with Senate Republicans. We hoped to explain to the President that the political reality makes it so that a bill containing tax increases cannot pass the House or the Senate. After lecturing us about the need to be in Washington and the need to get our work done, one would assume the President would take us up on our offer to meet. Instead, his spokesperson said meeting with Senate Republicans was "not a conversation worth having." Rather than staying in Washington to work on the debt and deficit, the President chose to fly to a fundraiser in Philadelphia.

Republicans have been engaged in efforts to fix the debt and deficit since the election last fall. House Republicans passed a serious budget that would cut \$6.2 trillion over the next decade—not enough but substantial. After demagoging the Ryan budget as an effort to kill Medicare and push grandma off the cliff, Senate Democrats have yet to bring any budget to the floor.

I heard just a few minutes ago that one is being considered, but it is being considered in a very partisan way, and I don't know if we will get to see it before it comes to the floor. But we have gone 800 days without passing any sort of budget. Even though the media reported that Senate Democrats have reached a budget agreement, they still haven't brought the budget to the floor or shared it with Republicans. Why? I can only assume it is because it includes trillions of dollars in tax increases that would be unpalatable to the majority of Americans.

The President presented a budget and we voted on that budget. In fact, it was voted on 0 to 97. The President couldn't get a single vote for his budget. I didn't see that in many headlines, but it happened. Check on it.

While Democrats continue to ignore the problem, Republicans look for solutions. All 47 Senate Republicans have signed on as cosponsors of a constitutional amendment to balance the budget. Senator TOOMEY and Senator PAUL put forward their own budget efforts that would balance the budget. I have introduced legislation that creates 2-year budgeting and other legislation that would reduce spending by 1 percent each year for 7 years until we balance the budget. If Congress can't reduce spending by a single percentage point each year, it basically has given up and decided to leave this huge and growing pile of debt to tower over our children and our grandchildren and us, casting a grand shadow over their future and ours.

I remember a hearing we had in the Finance Committee and pretty much what everybody said was: Quit digging. You are in a big hole, quit digging. Phil Gramm talked on taxes and said: Don't penalize America with a tax every time

Congress fails to do its job, which is to balance the budget, to spend reasonably. Failure on Congress's part doesn't warrant taxing Americans.

So where do we go from here? Republicans are ready to work, but we need Democrats to work with us. We need the President to take a realistic look at the situation and realize that tax increases are not the answer because the votes aren't there to pass a tax increase. We need to come up with a solution to the budget crisis we face and we need to do it now.

If we are serious about fixing the problem—and I believe many of us are—we have to come to the table willing to work. We have to stop pointing fingers. We have to stop playing political games. We have to stop demagoging ideas that are proposed. We need the President to step to the plate and explain to the American people the problem we face if we don't get our debt and deficit under control and then give the solutions, not just tax raises.

The President is the only person in the Nation who has the bully pulpit necessary to teach the American people what happens if we don't get a budget and don't get timely appropriations. The President talked about some of the taxes he would increase. The deficit commission suggested those taxes could be used, but they suggested they should be used to lower company rates so we can compete internationally, which would increase revenues. They didn't suggest they should be used to pay for new programs, and they are not even being suggested to reduce the deficit.

Rather than taking the lead in selling the plan, the President has tried to stay above the fray and instead spent his time criticizing Republicans who have come up with a variety of plans. That isn't productive, it isn't helpful, and it will not lead to a deal. We need to end the finger-pointing and show the plan. Show us the plan. Bipartisanship is not about compromise, it is about what we leave out or finding an alternate way to accomplish a mutually agreeable way.

I know it works. I have seen it happen. The late Senator Ted Kennedy and I were able to put this theory into practice when we worked together on the Health, Education, Labor, and Pensions Committee. He and I came from opposite sides on most issues, but we chose to focus our time and energy on what we knew we could get done. It amazed people, but we sure got results. All in all, when Senator Kennedy and I led the HELP Committee, we got 35 bills reported out of committee and 27 signed into law.

These kinds of results are possible today, but we have to get to work. We can't keep raising the debt ceiling. We can't tax more every time we have a good idea. We have to address the

spending problem in Washington, and we have to figure out some solutions to correct our long-term budget outlook. These aren't easy issues to address, but we have been sent to do a job, and that job includes rolling up our sleeves and finding a way out of the mess.

We are here through this July recess, but we are still not doing anything that is proactive or productive. The Democrats are in the Senate majority. They control the floor. Yesterday, we did a nothing vote to see if everybody was back. We will not vote until tomorrow now, and it is just a political ploy put up by the leader. It is messaging, and messaging will not pay the bills. Let's get something done in this session.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Massachusetts.

Mr. KERRY. Madam President, what is the order at this point?

The PRESIDING OFFICER. The Senate is on the motion to proceed to S. 1323 until 6 o'clock, with Senators permitted to speak for 10 minutes.

Mr. KERRY. Madam President, I ask unanimous consent that I be able to proceed for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. KERRY. I thank the Chair.

Madam President, I listened to my colleague just now and I have listened to colleagues over the last weeks and there are a lot of crocodile tears being shed on the floor of the Senate about why we are not doing something, all of which completely ignores the fact that everything we try to do, the folks on that side of the aisle make us take longer and longer and longer than we have ever taken before because they push every single procedural objection possible. Even the most routine thing we try to do on the floor of the Senate requires 60 votes or requires a motion to proceed. The most perfunctory, simple thing requires us to go through every procedural hoop and parliamentary process because they have persistently pursued a strategy aimed at gridlock.

The idea is to make Americans see the dysfunction and then blame it on the party in power and run against them. It is the most cynical, craven, and dangerous policy I have ever seen in the 27 years I have been in the Senate, and I regret it for our country.

There is a reason Democrats are standing, as a matter of principle, against the Ryan budget and against the proposals our Republican friends keep proposing. That is because they are the only party who have consistently stood and said: We are not going to consider everything. We are just going to give you a tiny, little menu, and you have to balance the budget out of spending cuts only. That is all that

is in their budget. The only thing in their budget is spending cuts. Twelve percent of the entire budget is all they have put on the table in order to try to do something responsible about the deficit of our country.

We, on the other hand, have consistently said: We will put everything on the table—everything—Medicare, Medicaid, reforms—not benefits. We are not going to cut the benefits on people because we don't have to in order to deal with this problem, but we can reform them. We can certainly be more effective and efficient, and we are prepared to do that. There are a lot of other things we are prepared to do—defense spending, wars, and a whole series of things.

Last week, one of our newest colleagues made a very interesting and I thought revealing observation. The Senator from Delaware, CHRIS COONS, who balanced budgets in county government, who took cases all the way to the Supreme Court, who has seen decisions made in the business world as well as in the nonprofit world and who is an enormously capable person but new to the Senate, made the observation that some people are actually looking into the language of the 14th amendment and the debt limit in order to learn whether "there might be some way to save us from ourselves."

That observation brought home to me how absurd this place must look right now, not just to a new Senator who came here with hopes of getting the business of our Nation done but to the average American, to people who invest in the extraordinary mythology that surrounds this great institution we are all a part of—the greatest deliberative body in the world. We can laugh at that one today. There is an absence of deliberation—a great absence of deliberation—and I think a lot of people are alarmed by the dysfunction they see with respect to this great institution.

It is extraordinary when we have to look at the language of the Constitution to find possible ways to do what Congress and the Senate are supposed to do on their own—take tough votes, look at the tough issues, make tough decisions but, most importantly, do it in the interest of the United States, not in the interest of either party or of some ideology.

Here we are, less than 5 weeks from August 2, the day the U.S. Government will default on its obligations for the first time in its history, and Washington is still playing the same old political game—a dangerous game of chicken—with enormous consequences for our economy and our future in every respect—economic, social, and national security.

I hear this in my travels. Senator MCCAIN and I were in Egypt recently, and we had people turning to us and saying: Hey, how about you guys? Can

you get your act together before you are telling everybody else what they ought to be doing with respect to their future?

You are promoting democracy. How is your democracy doing back there in the United States? Working out all right, right now?

Washington is stuck, and it is stuck because we have a few ideologues and some people outside of the U.S. Senate who cower our fellow colleagues with threats of primaries. People are going to run against them if they move off of the orthodoxy of extremism. The result is that nothing is happening. Fear has gripped the Senators who raised their right hand and said: I swear to uphold the Constitution of the United States.

Well, everyone here I think acknowledges that defaulting on our obligations would be disastrous for our country. Everyone here simultaneously says they don't want the default to happen. But here we are with a small minority holding the debt limit hostage to an ideological agenda, saying they will not consider an approach that most observers consider indispensable and reasonable in reaching an equitable solution to our crisis.

Frankly, the consequences of not doing something are not far off in the future. Every day that we are here not getting this decision made, we are weakening our economy and we are making our government and, through it, our country look helpless and adrift. The fact is that it is already having consequences with respect to business decisions. Capital is holding back. Businesspeople are reluctant to invest, uncertain of what the budget of the United States is going to look like, uncertain of what kinds of signals we are going to send to the marketplace. Certainty. I keep hearing colleagues say we have to send certainty. But when they look at this chaotic debate, what kind of certainty could any businessperson possibly take from what is not happening in Washington today?

Our friends on the other side of the aisle say they want to create jobs, but Moody's chief economist, Mark Zandi, has said that hiring is only going to resume if we can get our act together and settle this debate, and the sooner, the better. At the beginning of the month, Moody's announced that it might downgrade our country's credit rating if Congress isn't able to come to an agreement by the middle of July. That is a week away. If that happens, I promise you our economic recovery is going to halt in its tracks. Maybe some people want that. I hope not. But today investors are looking at the scene here in Congress, and they are wondering if we are ever going to get it together. And the longer we wait to get serious, the higher the interest rates are going to move. That hurts everyone in America. Everyone who owns a home or runs a small business is going to be squeezed

while Congress is in this ideological standoff.

I read David Brooks' column this morning in the New York Times, a brilliant column talking about the unreasonableness of taking things off the table in this discussion.

Recently, 235 economists, including 6 Nobel Prize winners, sent a letter to congressional leadership urging them to raise the debt limit immediately. Not doing so, they said, could have a substantial, negative impact on economic growth at a time when the economy looks a bit shaky, and, at worst case, it could push the United States back into recession. So are we going to listen to 235 economists, including 6 Nobel Prize winners, or are we going to be driven by this extremist position that does not allow for reasonable discussion about what ought to be on the table?

I think this is a dangerous and irresponsible moment in our country. Not raising the debt limit would result in a crisis potentially far more severe than the financial crisis of 2008 and 2009. The consequences would include any number of things, from increases in State and local government borrowing costs, increases in corporate borrowing costs, including mortgage interest, declines in equity prices and home values, declines in 401(k)s and other retirement savings, reductions in the willingness of investors here and around the world to invest in the United States, and job losses on a significant scale.

Now, as I have said, I don't believe that is going to happen. But the question is, Are we going to get a deal that hurts America or helps America? If we eat America's seed corn in this deal—by that, I mean don't invest in America's infrastructure, don't invest in education, don't invest in the research and development that is so critical to the creation of new jobs—if all we do is what the other folks in the House said we ought to do by just looking at 12 percent of the budget and cutting spending, if that is all we do, we will eat America's seed corn, and the next generation will pay the price. Without investing in our future, we could face an economic downslide unlike anything we have seen in recent memory.

In 1983, President Reagan wrote:

Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and on the value of the dollar in exchange markets. The Nation can ill afford such a result.

Nearly 30 years later, we are facing that kind of incalculable damage.

The fact is, Chairman Bernanke and Secretary Geithner have already used extraordinary measures to try to keep the Nation from default and keep the economy moving.

Already, Treasury Secretary Geithner has used extraordinary measures to keep our Nation from default. And, these measures have bought us

some time to deal with congressional negotiations, but it happens that some Republicans have proven themselves willing to sacrifice our Nation's economy in a misguided attempt to score political points. I know they will protest and say "we're just trying to solve our debt crisis," but the truth is there is more than one way to do that not just their way and particularly not when that way can have disastrous consequences on the economy.

Federal Reserve Chairman Ben Bernanke says failing to raise the debt ceiling on time could cause "severe disruptions" in the markets. He said:

We should avoid unnecessary actions or threats that risk shaking the confidence of investors in the ability and willingness of the U.S. government to pay its bills.

As of this moment, no one knows for sure how much time our financial markets will give Congress to come up with a solution before severe disruptions could occur. According to a J.P. Morgan analysis, the delay in raising the debt ceiling is likely to negatively impact markets, as investors undertake risk management actions in preparation for a potential Treasury default.

These effects could include immediate liquidity shortages as borrowers attempt to raise additional cash and increase the tenor of their borrowings, large auction concessions especially if Treasury were to postpone an auction, increases in open volatility that cover the June/July period, and general weaker demand for Treasury securities. As time goes on, failure to raise the debt ceiling could touch off a mini-financial panic, perhaps throwing the fragile economy back into recession.

If you don't believe me about moments like this, just look at our history and you don't have to look far. Just look back 3 years to September 2008, when Congress initially voted down Treasury Secretary Paulson's \$700 billion plan to provide assistance to financial institutions. Investor confidence was brutally shaken and the Standard & Poor's 500-stock index plunged 8.8 percent that day.

If we do not act and act very soon indeed those who lend us resources will eventually demand higher interest rates. Government borrowing will crowd out private investment. A larger share of our Federal budget will be devoted to interest payments instead of productive investments like education, national security, and programs for our elderly and most vulnerable. Higher borrowing costs for American households and businesses will discourage future private investment, lowering our capital stock, reducing our economic growth and depressing our standard of living.

Mr. President, this isn't half as complicated as some have chosen to make it. We are not as far apart as this debate would imply. We can all agree

that deficits are too high. We can all agree that we shouldn't be borrowing 40 cents on every dollar that we spend. We even agree that we need \$4 trillion in deficit reduction to put us on a sustainable path.

But in the end, this budget debate can't just be about just cutting spending which is all the Republicans have offered. Our future is at stake—literally. Everyone says that job creation and investments in infrastructure, clean energy, and medical research are essential. We need to give the economy the tools to recover. As Ben Bernanke affirmed just the other day, we can't just cut our way to jobs and recovery. The Americans who sent us here understand that and want investment in our future.

I believe there are better choices that we face. This is not half as complicated as some have chosen to make it. In fact, I don't think we are as far apart in this debate, when you talk to a lot of our reasonable colleagues on the other side of the aisle, as some want to imply. Everybody can agree deficits are too high. We can all agree we shouldn't be borrowing 40 cents on every dollar we spend. We can all agree we need about \$4 trillion in deficit reduction to put us on a sustainable path. But in the end, this budget debate cannot be just about cutting spending, even though it must include cutting spending.

Everyone has said that job creation and investments in clean energy, infrastructure, and medical research are essential, and I think we need to do the things that would make our economy move. Let me give an example of this. In America today, we are living off of the investments our parents and our grandparents made. The Interstate Highway System didn't just sprout up one day; it was a government program investing taxpayer dollars in building a nationwide road system that helped America to grow and be unparalleled in its strength compared to any other nation in the world. That was a President Eisenhower program.

The truth is that today we are falling further and further behind other nations in terms of our investment in the infrastructure of the future. The United States is spending less than 2 percent of its GDP on infrastructure. Compare that. China is spending 9 percent of GDP on infrastructure. Europe is spending 5 percent of GDP on infrastructure. They have trains and airports and other things that work and get people where they want to go faster than our trains.

We are looking at a country now that has about a \$2.2 trillion deficit in the infrastructure of our Nation. We have 69,000-plus bridges that are structurally deficient. We need to invest in them so they don't fall down like the bridge in Minnesota. We need to invest in our

airport structures so we don't have airport delays or potential of collisions in our aircraft.

According to one study, \$1 billion in investment in infrastructure results in 18,000 jobs. So at a time when America is begging for more jobs, why would we not be investing in infrastructure in this country? You go to Germany or Brazil, and they are investing huge amounts in their future, and right now both countries are threatening to leave the United States behind with respect to alternative and clean energy investments of the future.

Millions of Americans know we can do a lot better. Frankly, in the 1980s you couldn't find three more ideologically different people than Tip O'Neill, Bob Dole, and Ronald Reagan, but they put politics aside and they saved Social Security. And they didn't capitulate. They compromised. They found common ground. They did it because they knew America's future was more important than either party.

I often hear my colleagues on the other side of the aisle only talking about the spending problems of the country.

Madam President, may I ask how much time I have used?

The PRESIDING OFFICER. The Senator has used 14 minutes.

Mr. KERRY. I thank the Chair.

I often hear my colleagues talking about the spending problem. What they forget about is we had a surplus we created in the 1990s by making the tough decisions. We invested in the future of our country, and we created 23 million new jobs. And in the 1990s, when we balanced the budget—let's not forget that. Some of us were here and made those tough votes, and we balanced the budget, and we created 23 million jobs. Every income level in America went up—every single income level—and we did it at a time when the total relationship of spending-to-GDP was exactly where many of us believe we ought to take it today, somewhere around 21 or 22 percent.

The fact is that it was President Bush's tax cuts for the wealthiest Americans that we couldn't afford and a war that he refused to pay for in Afghanistan and then Iraq—both wars totaling approximately \$2 trillion. The tax cuts and the wars account for approximately \$7 trillion in deficits in 2009 and going forward.

The facts are clear. The tax cuts President Bush put in place contributed to the deficit, and the revenues have to be addressed if we are going to go forward and deal with this. Federal revenues today—the money the government takes in—is at its lowest level since 1950. We have had a 60-percent reduction in revenue and a 60-percent increase in expenditures, and right now we are at the lowest level of revenue taken in that we have been at since the 1950s, and they are only about 14 per-

cent of the total GDP. The fact is that the last five times we balanced the budget, those revenues were about 19 or 20 percent of GDP. So here we are at 14 percent, we have balanced the budget five times previously, and the revenues were at about 19.5 to 20 percent of GDP. Doesn't that tell us something?

There is another problem we have. It is right here on my desk. We have a Tax Code. The Tax Code has 8 volumes, over 72,500 pages. This is the Internal Revenue Code, 4,052 pages. I would ask any American, do you have your own page in this Tax Code? How many Americans have their own page in this Tax Code? Well, I have got news for you: 72,500 entities—a lot of businesses—have found a way to get their little break in the Tax Code.

Last month, the Senate, by a vote of 73 to 27, sent a clear signal that we ought to start looking at some of these subsidies. This entire Tax Code is riddled with special deals which lobbyists have worked against the interests of average Americans in most cases. Let me give you a couple of examples.

Section 168 in this Code has a special rule for racehorse depreciation. How many folks in America are worried about their racehorse today and the depreciation on it? But they have a provision in here that allows the depreciation of racehorses to go from 7 years to 3 years, and the difference of 7 years to 3 years costs the average American money. The average American is supporting that because it is a foregone revenue. We are giving away the revenue, and we are giving it back to somebody who doesn't fundamentally need it.

The Tax Code includes a definition of 3-year property. Get this: any horse other than a racehorse which is more than 12 years old at the time it is placed in service. I mean, who writes this stuff? Where does this come from? Not only is that a waste of taxpayer money, it makes the Tax Code more complex, and it requires more regulations and more confusion.

A lot of tax lawyers love these eight volumes, but the average American ought to be furious at these volumes because these volumes are stealing America's opportunities in a host of other choices we could be making, such as education, investment in energy, energy independence, taking care of our veterans—doing a whole bunch of things that are substitutes for some of the choices that are made.

Let me give a couple of other examples. Here is a provision. It is included in one of the regulations.

On April 2000, E acquires a horse to be used in E thoroughbred racing. On October 1, 2003, F buys the horse from E and will use the horse in F's horse breeding business. The use of the horse by E in its racing business prevents the original use of the horse from commencing with F. Thus F's purchase price of the horse does not qualify for the additional first year depreciation deduction.

How ridiculous can it get that we are getting into specific cases like that which run contrary to the common sense of average Americans? One has to be able to afford a lobbyist to be on one of these pages.

Last year, more than \$3.5 billion was spent on lobbying in Washington, DC. There are more than 13,000 lobbyists trying to influence the legislation in Washington. Believe me, it works. Look at the last 50 years.

Back in 2004 we passed a bill which the New York Times described as including "goodies for almost every kind of corporation" and that "perhaps the most amazing provision might be called the foreign gambler relief act."

Under prior law, if a person is lucky and they win big at the horse or dog track, their winnings are subject to a withholding tax. It is kind of logical. But now foreigners do not have to pay tax on their winnings. They found a lobbyist and they got it in the Tax Code and we passed it somehow.

Section 872 of the Tax Code excludes from gross income, "income derived from wagering transactions in certain parimutuel pools." It specifically says, "gross income derived by a nonresident alien individual from a legal wagering transaction initiated outside the United States in a parimutuel pool with respect to a live horse race or dog race in the United States."

Until I read this I was not absolutely certain what a parimutuel pool was, but I do know a provision like that does not get in here without lobbying. It comes at the expense of a lot of other choices because the problem is all these breaks—whether it is subsidies for oil or subsidies for gas exploration—which made sense 60 and 70 years ago, but here we are with record profits coming into these companies, \$35 billion of profit just for the last quarter, 3 months. Yet they get a break. That break comes at the expense of average folks having the school they deserve, having the road they want to ride on properly, and having decent public transportation. Those are the choices and those are some of the things for which we are fighting.

Not only are lobbyists arguing for tax breaks, highly skilled tax lawyers have a history of finding looping holes for corporations to exploit. We use to have a provision in the Tax Code which was finally eliminated that provided a tax credit for synthetic fuels for coal. I found this process questionable and one company admitted it was profitable just because of this tax credit. Some firms getting this credit were simply spraying newly mined coal with diesel fuel or some other substance. We need to work together to find these type of provisions and remove them.

If there is a loophole, someone will find a way through it. I think we all remember how one oil company was getting a tax credit for co-processing animal fat with biodiesel from biomass.

We shut that one down but other loopholes have opened.

Last year, we thought that we had seen the end of the "black liquor boondoggle." Paper mills were using a mixture of diesel fuel and a byproduct of the pulping process as an energy source for the mill. The intended purpose of this credit is to produce motor fuels from biomass. These companies were getting a windfall that was never intended. I am now hearing that some companies are still finding a way to benefit from black liquor. I have also heard that some are trying to benefit from this same credit for alternative fuels by adding cow waste and other waste to diesel fuel. This was not the intended purpose of this provision. In past Congresses, I have introduced line-item veto legislation which included tax benefits. These are abuses that we can all agree to end.

For years, we have been trying to repeal subsidies for major oil companies. Just last month, we failed to eliminate \$2 billion a year in tax incentives for oil companies. These incentives are no longer needed. We needed to jointly review the Tax Code and remove the deadwood. Some subsidies are no longer needed. And some are completely necessary. The Tax Code has become riddled with special interests. Over the past 25 years, Congress has introduced billions of dollars of worth of special tax breaks, loopholes and subsidies into the Tax Code—making total tax expenditures now exceed \$1 trillion.

With the future of our country at stake we have to decide if we want to care for our elderly and educate our children or provide tax breaks for those who do not need them. Would we rather invest infrastructure or allow race horse owners a shorter period to depreciate their horse?

As we consider legislation to increase our debt limit, our colleagues in the minority refuse to even discuss eliminating any of the tax expenditures that these lobbyists have helped enact into law. Not one permanent tax expenditures. I guess they prefer to increase the spending cuts that hurt low and moderate-income families.

I think we need to review the \$1 trillion in expenditures and decide what is really needed instead of slashing programs which will weaken our economy. It is time for us in Congress to stop falling prey to corporate lobbyists and stand up for our future. To reduce the deficit we need to make hard choices and we should not be afraid of saying "no." If we do not start eliminating tax expenditures, we will not be able to reduce the deficit without gutting Medicare or Medicaid.

We hear a lot about the Ryan budget, but make no mistake: the House passed budget does not eliminate the deficit. It just makes a series of spending cuts to provide tax cuts to those at the very top even greater than the existing 2001/2003 tax cuts.

And Chairman RYAN may call his budget the "Path to Prosperity," but that is not where its path would take our seniors. At least two-thirds of the over \$4 trillion in budget cuts come from programs serving those of modest means. To be clear, the House budget is not about reducing the debt. It is about putting in place Republican priorities—increasing tax cuts for the wealthy and slashing social programs that people depend on.

We should examine all spending and not leave defense spending off the table. For example, we should be cutting programs like the Medium Extended Air Defense System, MEADS, which had a budget request of \$406 million for fiscal year 2012 but the Pentagon said was running over schedule and running over cost. Or the F-22 raptor fighter jet, which in 2009 we were able to cut \$1,750,000,000 in procurement funds of a plane that was costing too much money and wasn't appropriate for the 21st century wars we are engaged in. We should aggressively go after fraud and abuse, eliminate erroneous payments to health providers, and better coordinate health care for people who receive both Medicare and Medicaid. These dual eligible beneficiaries account for only 15 percent of Medicaid enrollment but constitute nearly 40 percent of Medicaid spending.

Instead of digging more ideological trenches, we should look at the last time we actually achieved a path to fiscal stability. The bipartisan 1990 budget agreement included discretionary caps and revenue increases. It was a real compromise that looked at both sides of our budget equation. And in January of 2001, the Congressional Budget Office projected that the debt would be erased by 2006 and that by 2011, there would be a \$2.3 trillion surplus.

Yet somehow, in the years since this real bipartisan success, too many people in this building seem to have forgotten that there are two sides of the budget ledger.

Just look at the balanced budget amendment House and Senate Republican leaders proposed. It caps Federal spending in any fiscal year at a completely unrealistic 18 percent of GDP. It wouldn't just result in unthinkable cuts to Social Security, Medicare, and Medicaid; it would also impose arbitrary limits on the Federal Government's ability to respond to the recession. So the recession could be deepened by increasing the number of unemployed, decreasing business investment, and withholding services needed to jump-start the economy. And yet this same proposal would require a two-thirds vote to increase revenues, making it nearly impossible to eliminate wasteful tax loopholes or unnecessary tax giveaways.

So let's be realistic. We need to set ourselves on a course to rein in deficits

and debt. No one disputes it. To do this, the budget negotiations should include a budget enforcement mechanism—and it can't result in a sequestration of spending only; if a budget enforcement mechanism only focuses on spending cuts, we are only addressing part of the problem. It would slash essential programs while ignoring revenues. That is simply not a responsible long-term budget solution, and it would never get bipartisan support.

For an enforcement mechanism to work, both sides should not want the trigger to occur. We shouldn't be hoping for automatic spending tax cuts or increased revenues. A tough budget enforcement mechanism will force us to make difficult choices, both substantively and politically.

It is time to end the polarization over how to resolve our budget crisis. We can't hide behind global spending caps, unrealistic constitutional amendments, or pledges vowing opposition to tax increases. The cuts that would be required to meet the spending targets of a cap would have to be as drastic as or even worse than proposals included in the House-passed budget resolution.

Spending for Social Security, Medicare, and Medicaid are driven by factors beyond the programs' control. Under spending caps, their percentage cuts would be bigger than the percentage cut in discretionary programs and they would be subject to automatic large cuts.

We need to think hard about what is fair in America. The only tax President Obama or we Democrats have talked about is on the wealthiest people. Millionaires. People who earn more than \$1 million a year. That is about 7,000-plus lucky families and individuals in the United States. All we are doing is talking about asking those who benefit enormously from the strength of our economy and the strength of our military and all the things we need to do—we are just asking them is it too much to go from 36.9 percent up to 39.6 percent, which is where they were in the year 2000, before President Bush gave them a tax cut we could not pay for.

It is not as if they have done badly these last 10 years. The fact is, more wealth has been accumulated in the hands of the smallest part of America, the top 1 percent, than at any time in America's history. The wealthy are far wealthier than when we had no income tax and when we had the great names of the 1920s and 1930s and the industrial revolution: Pierponts, Morgans, Carnegies, Mellons, Rockefellers, and so forth. They are much wealthier today. Yet they are paying far less of their share than at any time in modern history.

Here we are with a deficit problem. They are talking about cutting Medicaid. They are talking about cutting Medicare. They are talking about cutting education loans, making it more

expensive for kids to go to college—the one thing we desperately need in order to compete with the rest of the world, people who have a college education. I do not hear anybody in America saying make it harder for my kid to go to college, but that is what they are doing in their budget. That is exactly what they are doing. But they stand up adamantly and say: No way will we allow people earning more than \$1 million a year to pay anything additional into the system. It is just wrong. It is morally wrong. It is repugnant in this country we are condoning the institutionalization of a larger and larger gap between the haves and the have-nots, between the people who have already gotten their brass rings and the people who are trying to reach it. That is not the American story. I believe we need to fight to have a balanced approach.

President Obama and the Democratic proposals I have seen and we have talked about—and I hope people will hear more about in the next days—give a tax cut to about 98 percent of America. The only people we are talking about asking to kick in and give us some more revenue are people earning the most.

If a person is earning \$500,000 a year, they would not pay any additional tax on their first \$250,000. On the next \$250,000 all they would pay is \$12,000 of additional tax. Let me ask—no, I will say I know this. There is not one business person, there is not one millionaire for whom \$12,000 will change one consumer purchase, one decision of investment—not one. All this talk about how it will slow down the economy or hurt America is just bunk. It is not true.

We need to have a real discussion. We need to have a real effort that I think matches the greatness of this institution with this moment. This can be the world's greatest deliberative body, but we need to put all of these issues on the table. We need to debate them openly. We need to have the courage of our convictions and vote up or down and do what is needed to put our country on track because right now we are losing countless investment opportunities, countless job opportunities. If we do not make the right choices we are going to have a very difficult time living up to the promise all of us hope to live up to in our time in this office.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I ask unanimous consent for 15 minutes to address this body as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, it is well known to all Americans who have observed, and certainly the media and certainly Members of this body, the Congress, that the debt limit talks are bogged down. There has been little if

any progress, certainly not any perceptible to the American people. We are in a gridlock, a gridlock that is not favored by many Americans. In fact, I continue to hear from my constituents the call: Why can't you all sit down and work this out? Why can't we not be faced with a shutdown of the government and the loss of the important services that the Federal Government gives to the American people—most of which they have earned and all of which they deserve?

Here we are with the President of the United States demanding that there be tax increases and the Republicans, certainly many of them, are insisting on a balanced budget amendment which cannot pass the Congress of the United States.

On the one hand, President Obama and my friends on the other side of the aisle insist on tax increases and argue somewhat inflammatory and populist issues such as corporate jets, carried interest for private equity, oil and gas. Those are hard to defend.

At the same time it is very clear that the American people spoke and administered what the President of the United States called a “shellacking” last November. They want us to stop mortgaging our children's and our grandchildren's future and get the spending under control. I have yet to meet a constituent who wants their taxes increased.

We are in a gridlock. There will be a meeting tomorrow on the debt crisis again, this time between the President and leaders of Congress. We all hope it will succeed, but it is my view the way to break this gridlock is to agree to certain tax increases and closing loopholes, but only in return for an overall reduction of the corporate tax rate. That way, Republicans can say we have not raised taxes overall, and the administration and the Democrats can say they eliminated loopholes and indeed made the taxation of Americans more fair.

It is time we got serious. The debt, as we all know, is \$50,000 for every man, woman, and child living in America today. That is why we have seen the rise of the Tea Party and the fiscal conservatives. I hope these negotiations can be made visible to the American public by C-SPAN so they can see what is being discussed.

As I said, the debt stands at \$14.5 trillion. We cannot continue to sit idly by while saddling future generations of Americans with the burden. So if we are serious about our commitment to reduce our debt and eliminate the deficit, then Congress needs to start making some serious decisions, and we need to start now.

I would like to remind my colleagues, particularly in light of the impassioned speech I just listened to from my friend from Massachusetts, here is what President Obama's thoughts on the

debt limit were in 2006 when he was a Member of this body. I quote him from a speech he made on the floor of this Senate:

The fact we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government cannot pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our Government's reckless fiscal policies. . . . Increasing America's debt weakens us domestically and internationally. Leadership means that “the buck stops here.” Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.

Then-Senator Barack Obama on the floor of this Senate.

I guess it shows on some issues with then-Senator Barack Obama it is not where one stands, it is where one sits. I could not agree more with what then-Senator Obama said in 2006. Americans do deserve better. We are in this mess today because of a serious lack of leadership. It is not the fault of just one of the political parties; it is the fault of both parties. Year after year of uncontrolled spending by both Republicans and Democrats has brought us to the brink of bankruptcy. The point at which we will begin to default on our obligations is now just weeks away, and it is shameful. It should be inconceivable that the greatest Nation in the history of the world should face such crippling debt while its leaders engage in such partisan bickering instead of solving this problem.

I would like to bring to the attention of my colleagues the lead editorial in today's Wall Street Journal, which I believe holds the answer to this stalemate.

Madam President, I ask unanimous consent that today's editorial in the Wall Street Journal entitled “A Debt-Limit Breakout” be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 5, 2011]

A DEBT-LIMIT BREAKOUT

The debt-limit talks in Washington are bogged down in the hedgerows, with some Republicans insisting on a balanced budget amendment that can't pass Congress and President Obama insisting on tax increases that Republicans oppose. What this debate needs is a breakout strategy—to wit, Republicans should answer Mr. Obama's tax call by accepting his business tax increases in return for a lower corporate tax rate.

We've long favored such a reform, and last year so did the Simpson-Bowles deficit commission and the White House economic advisory council headed by Paul Volcker. But the cause has now acquired no less a convert than Bill Clinton. Speaking Saturday at something called the Aspen Ideas Festival, the former President admitted that he had once raised tax rates on corporations.

“It made sense when I did it. It doesn't make sense anymore. We've got an uncompetitive rate,” he said. “We tax at 35% of income, although we only take about 23%. So

we should cut the rate to 25%, or whatever's competitive, and eliminate a lot of the deductions so that we still get a fair amount, and there's not so much variance in what the corporations pay."

We opposed Mr. Clinton's tax increases, not least because corporations don't pay taxes so much as they serve as a collecting agent. But on the rest of Mr. Clinton's riff, Milton Friedman and Robert Mundell couldn't have put it better, though perhaps they'd think that 25% is still too high.

We'd prefer 15% ourselves, but Mr. Clinton is exactly right on the failure of the 35% rate (39% on average including the states) to capture that share of corporate income in government revenue. We wrote earlier this year about Whirlpool, which had an effective tax rate of zero due to its many write-offs. Everyone knows the notorious case of GE.

The average effective corporate rate varies by industry but is far less than the 35% rate, and the injustice is that some pay much less than others if they can afford lobbyists to write loopholes or they invest in politically correct purposes. Anyone not in thrall of class-war symbolism understands that the U.S. corporate tax code provides the worst of both worlds: It makes U.S. companies less competitive even as it raises much less revenue than advertised. Mr. Obama and Treasury Secretary Tim Geithner have acknowledged this in the past, the President as recently as this year's State of the Union address.

As for the debt-limit politics, this is also a winner. Democrats and Republicans say they've agreed privately on sizable spending cuts over a 10-year budget window. No doubt some of those cuts are less real than others, and future Congresses could rewrite any enforcement provisions passed this year. But Republicans still have an incentive to set spending on a downward path, and Mr. Obama has an incentive to show he is no longer a hostage of Nancy Pelosi as he runs for re-election.

The political sticking point is Mr. Obama's desire for some Republican buy-in on raising revenues. His political left is still sore that he agreed to extend the Bush tax rates through 2012. Thus he's pounding Republicans to agree to eliminate certain business tax deductions that political advisers David Axelrod and David Plouffe have told him will be hard for Republicans to defend. Corporate jets. Carried interest for private equity. Oil and gas. Even LIFO accounting, which few understand but can be made to sound nefarious.

Whatever their individual merits, each of these would be a tax increase on business, and Republicans campaigned last year on not raising taxes. But the politics is different if they can offset these revenue raisers with lower tax rates. That would let Republicans honestly claim they didn't support a net tax increase, even as Mr. Obama could say he raised revenue.

Our own guess is that such a reform would raise far more money than the official scorers would predict, since it would lead to a more efficient allocation of capital and less tax evasion. This would also promote economic growth, breaking out of the austerity mentality driven by debt reduction. If Mr. Obama really is worried that lower federal spending will hurt the economy, then this tax reform is also his best growth policy.

In offering his grand bargain on Saturday, Mr. Clinton included the caveat of "how can they do that by August 2?" Mr. Geithner says that is the date when he can no longer finagle federal finances to escape a potential

default on the debt, or must at least cut some federal spending, to avoid breaching the \$14.3 trillion debt limit.

But where there's political self-interest there's always a way. Both sides could agree to a short-term debt-limit reprieve of a month or two with some spending cuts that everyone agrees on. That would give them more time to cut a larger deal that includes corporate tax reform.

Think about it. On the current path both sides are headed at best for a de minimis deal that makes everyone look bad, at worst for a major political crack-up. Perhaps Mr. Obama wants a crack-up to portray Republicans as extreme. But Republicans should at least call his bluff and answer his demands for fewer business tax deductions by saying yes—in return for lower tax rates.

Mr. MCCAIN. I quote from it:

The debt-limit talks in Washington are bogged down in the hedgerows, with some Republicans insisting on a balanced budget amendment that can't pass Congress and President Obama insisting on tax increases that Republicans oppose. What this debate needs is a breakout strategy—to wit, Republicans should answer Mr. Obama's tax call by accepting his business tax increases in return for a lower corporate tax rate.

The Wall Street Journal goes on to say:

We've long favored such a reform, and last year so did the Simpson-Bowles deficit commission and the White House economic advisory council headed by Paul Volcker. But the cause has now acquired no less a convert than Bill Clinton. Speaking Saturday at something called the Aspen Ideas Festival, the former President admitted that he had once raised tax rates on corporations.

"It made sense when I did it. It doesn't make sense anymore. We've got an uncompetitive rate," he said. "We tax at 35% of income, although we only take about 23%. So we should cut the rate to 25%, or whatever's competitive, and eliminate a lot of the deductions so that we still get a fair amount, and there's not so much variance in what the corporations pay."

The editorial goes on to say:

Anyone not in thrall of class-war symbolism understands that the U.S. corporate tax code provides the worst of both worlds: It makes U.S. companies less competitive even as it raises much less revenue than advertised. Mr. Obama and Treasury Secretary Tim Geithner have acknowledged this in the past, the President as recently as this year's State of the Union address.

As for the debt-limit politics, this is also a winner. Democrats and Republicans say they've agreed privately on sizable spending cuts over a 10-year budget window. No doubt some of those cuts are less real than others, and future Congresses could rewrite any enforcement provisions passed this year. But Republicans still have an incentive to set spending on a downward path, and Mr. Obama has an incentive to show he is no longer a hostage of Nancy Pelosi as he runs for re-election.

The political sticking point is Mr. Obama's desire for some Republican buy-in on raising revenues. His political left is still sore that he agreed to extend the Bush tax rates through 2012. Thus he's pounding Republicans to agree to eliminate certain business tax deductions that political advisers David Axelrod and David Plouffe have told him will be hard for Republicans to defend. Corporate jets. Carried interest for private equity. Oil

and gas. Even LIFO accounting, which few understand but can be made to sound nefarious.

Whatever their individual merits, each of those would be a tax increase on business, and Republicans campaigned last year on not raising taxes. But the politics is different if they can offset these revenue raisers with lower tax rates. That would let Republicans honestly claim they didn't support a net tax increase, even as Mr. Obama could say he raised revenue.

Our own guess is that such a reform would raise far more money than the official scorers would predict, since it would lead to a more efficient allocation of capital and less tax evasion. This would also promote economic growth, breaking out of the austerity mentality driven by debt reduction. If Mr. Obama really is worried that lower federal spending will hurt the economy, then this tax reform is also his best growth policy.

The Journal argues that we can offset the costs to businesses of closing loopholes and eliminating subsidies with a cut in the corporate tax rate. I completely agree. We should be open-minded when considering what should be eliminated. For instance, the distorting effect of subsidies is clearly evident in the energy sector. We should eliminate these subsidies, lower the corporate tax rate, and allow the marketplace to pick winners and losers, not the government.

The ethanol tax is a perfect example. This year the ethanol tax credit cost taxpayers almost \$6 billion in addition to the \$41.2 billion we have already spent in subsidies on ethanol since 1980.

A recent CRS, Congressional Research Service, report indicates that tax credits and subsidies for solar, wind, and geothermal power will cost \$8.6 billion from 2008 to 2012. For the oil and gas industry, the eight tax breaks recommended for elimination by President Obama would eliminate \$43.6 billion in spending over 10 years. The largest among these tax breaks is the section 199 manufacturing tax subsidies that will cost approximately \$18 billion over 10 years. We should eliminate the section 199 tax subsidies for all industries to avoid arbitrarily picking winners and losers. Why should we value manufacturing over other service providers?

Additionally, we should eliminate all agricultural subsidies, including sugar programs, end corporate welfare, and end tax breaks for corporations for things such as corporate jets. We need to put aside the rhetoric of corporate jets, which is just a poll-tested political phrase concocted behind one-way mirrors. Everyone knows eliminating all tax breaks on corporate jets would not amount to any real progress, but if we seriously looked at curbing corporate subsidies, such as the ethanol subsidy I just mentioned, then all Americans would benefit.

I feel the need to provide my colleagues with some straight talk. As the Journal notes, some of my Republican colleagues are "insisting on a balanced

budget amendment that can't pass Congress." Let me be clear—I am an avid supporter of a balanced budget amendment to the Constitution. Since 1983, I have introduced or cosponsored more than a dozen bills or amendments calling for a balanced budget amendment to the Constitution no less than 13 times in my Congressional career. I applaud my colleagues for their tireless dedication to this cause. But our reality today dictates that we do not have the votes in this body to enact such a measure. Perhaps that will change after next year. I hope so. But for our purposes today, in order to avoid what could be disastrous consequences for our markets, our economy as a whole, and our standing in the world, I encourage my colleagues to lay aside, at least temporarily, their insistence that amending the Constitution be a condition of their support for a solution to this terrible problem.

The Wall Street Journal editorial ends with this:

Think about it. On the current path both sides are headed at best for a de minimis deal that makes everyone look bad, at worst for a major political crack-up. Perhaps Mr. Obama wants a crack-up to portray Republicans as extreme.

As my colleague from Massachusetts just did.

But Republicans should at least call his bluff and answer his demands for fewer business tax deductions by saying yes—in return for lower tax rates.

I couldn't agree more with the Wall Street Journal. This debate desperately needs a breakout strategy. I am pleased to see that President Clinton has joined the Wall Street Journal in embracing a commonsense solution to this problem. I hope President Obama will follow former President Clinton's lead and the example set by the great Ronald Reagan and put aside politics, work with the Congress on this matter, and accept a compromise that will allow us to responsibly deal with our debt while creating jobs and spurring economic growth.

I would like to point out again:

The average effective corporate rate varies by industry but is far less than the 35 percent rate, and the injustice is that some pay much less than others if they can afford lobbyists to write loopholes or they invest in politically correct purposes. Anyone not in thrall of class-war symbolism understands that the U.S. corporate tax code provides the worst of both worlds: It makes U.S. companies less competitive even as it raises much less revenue than advertised.

So the fact is, the corporate Tax Code needs to be reformed anyway, and we need to cut it to 25 percent. It is either the first or the second highest tax rate in the world. Yet somehow major corporations such as Whirlpool and GE end up paying no taxes, but yet small businesspeople who can't afford a lobbyist here in Washington end up paying

the 35-percent rates if they are incorporated. It is time we tell the American people who are frustrated by our lack of leadership, by our failure to come together. It is time to end the rhetoric, fulfill the commitment we made to the American people last November who resoundingly sent the message that they want the spending cut and the mortgaging of our children's future stopped. This is a reasonable proposal that I believe, with spending cuts, can be a breakthrough that we can proudly return to our constituents and say we are taking care of them, not the special interests and not hide-bound ideology.

I yield the floor.

Mr. UDALL of Colorado. Madam President.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. I ask unanimous consent that the time of the debate of the previous order be extended until 7 p.m., with all the provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. I ask unanimous consent I be able to speak for 15 minutes as in morning business and that Senator COONS be allowed to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. Madam President, I believe we may be in a situation where we are exchanging speeches one side and the other. May I withdraw my unanimous consent request for Senator COONS?

The PRESIDING OFFICER. The consent is vitiated.

Mr. UDALL of Colorado. Madam President, I came to the floor to deliver a speech on the debt ceiling and all the activity surrounding the need to increase our debt ceiling, but I took the time to listen to Senator MCCAIN while I was here, and I have to say I agree with Senator MCCAIN. We need a breakout strategy. We need cooler heads to prevail, and I think many, if not all, of us can agree our tax system is overly complex. It ought to be simplified. We ought to lower rates. We ought to end the loopholes and the subsidies and the deductions and let the free market reign. I look forward to working with the Senator from Arizona as we, hopefully—and hope sometimes is a strategy—but we get a broad agreement, we go big. We deal with our debt, we strengthen our entitlement programs, we reduce spending, and find ways to generate more revenues.

I thank the Senator from Arizona for his comments.

I rise, as I just implied, because I think the fiscal challenges that confront us demand a bipartisan solution. Both parties approach the issues before us from very different points of view,

but time is truly running out on our Nation's structural deficits and our long-term debt and the need for us to address those. I want leaders in both parties to show genuine commitment to action. How about if we set aside our talking points so we can get some work done. If any other Members believe the solution to our deficit and debt demands comprehensive and bipartisan solution such as the fiscal commission or the Gang of 6, I would invite them to come down to the floor and let our colleagues know we are clearly racing toward a crisis that seems like we can't let go of the partisanship and the political posturing that creates gridlock in the Capital City of Washington. It sure strikes me as childish. I think it strikes many Americans and Coloradans as that way as well.

We are more broadly having this debate because the time is upon us to decide the economic future of our country. Yes, we have to raise the national debt, but this is about our economic future, and this is the country we inherited by our children and grandchildren. Quite simply, we are not going to win the global economic race of this 21st century unless we start taking action now to improve our economy, grow American jobs, and get our debt under control. With these challenges, as large as they are facing us, this is the time to set aside our political differences and challenge ourselves to put our country first.

A few basic facts focus the attention. Our national debt is \$14 trillion and it is growing. Today, each citizen's share of that debt is over \$46,000 per individual. If we remain on this path, which is irresponsible, there is no question about that. The Government Accountability Office projects that by 2050, our Nation could owe more interest on our debt than the Federal Government raises in taxes in a given year, and our sky-rocketing debt is not only spooking international markets, but it is a serious threat to our national security. Listen to Secretary of Defense Gates or Chairman of the Joint Chiefs Admiral Mullen, they will make that point in a compelling fashion. Look, we got here in ways that are not simple. But unquestionably two unpaid-for wars, two rounds of massive tax cuts, unpaid-for prescription drug benefits, and drastic rescue measures needed to address the most serious economic downturn since the Great Depression have all contributed to the current situation.

The solutions are even more difficult. While we may disagree about the path forward, I think we all know in our hearts that we cannot get to a solution unless we all agree to come to the negotiating table willing to compromise to ensure that our country, the United States—the largest economy in the world—can honor our bills and begin to pay down our debts. That is the challenge, that is the problem, that is the

opportunity, as I see it, that brings us to the Senate floor today.

We began this year with serious and, I believe, earnest conversations about this in not one but two groups of lawmakers in the House and Senate. Yet, despite all the talk and a lot of hard work, rather than nearing an agreement, we seem to be coming to an impasse. In the last few weeks, the state of negotiations seems to have fallen apart, with key players choosing to walk away rather than compromise. We hit the same roadblock that always inhibits action when things get tough: Politics get in the way.

In fact, it seems as if everybody in the world except the Congress seems to know time is running out. Think back to April. Standard & Poor's cut the U.S. ratings outlook to "negative" due to the uncertainty over budget deficits and the debt ceiling. This month, Moody's piled on, warning that it too may downgrade the U.S. ratings outlook to "negative" as early as July—it is July 6—because of concern over gridlock in Washington.

I have to say the American people are running out of patience as well. Back home in Colorado, people are wondering what in the world we are doing in Washington. I was not up for reelection in 2010, but I was listening to what the voters were saying. They clearly said to us they want us focused on jobs, the economy, and the debt. And they want us to work together.

Consider the direction I got recently from Curt, who is a constituent in Arvada, CO. He wrote:

I am counting on you to put the interests of everyday Americans above party politics and join your legislative colleagues on both sides of the aisle in finding sensible solutions to our long-term national debt problem.

Many more Coloradans have sent me similar messages. I got one from a Boy Scout, David, in Evergreen, CO, whose words were stronger than mine. He said:

I think the United States government should stop spending unnecessary money. We should first focus on what is necessary. . . . It is amazing how much money our country owes. It is constantly going up! I just looked at information about the United States debt clock, and I think this debt is way too high. People in the federal government in Washington D.C., are spending money as if they had all the money in the world.

David, if you are listening, I agree.

No question, Americans want quality roads, a safety net for the sick and elderly, and strong investments in education and research that will spur innovation and good-paying jobs. But we need to commit to ensuring we have the financial stability to pay for them.

For too long, the American people have collectively been told by us here in Washington that they can have more of everything they want without us fully paying for it. But to preserve a promising future for our children—for Curt's children, for David—we are

going to need to face up to some hard truths.

Fifty years ago, my father, former Arizona Congressman Mo Udall, supported what should only seem natural: tying spending directly to revenues. Let me give you a couple examples. If we want to give oil companies \$1 billion in tax subsidies, then let's raise taxes by \$1 billion to pay for them. The same thing, though, goes for overseas conflicts, agricultural subsidies, infrastructure, and, yes, even entitlements.

Coloradans from across my home State have told me they want to see their leaders try using some common sense—the kind of common sense Americans use when they are faced with the hard job of balancing their own budgets when money is tight.

As a Senator, I have successfully led the fight to end wasteful earmark spending, proposed measures to cut redundant government programs, demanded line-item veto authority for the President, and, yes, pushed—and I see my colleagues from the other side of the aisle here—for a very sensible balanced budget amendment to our U.S. Constitution. But these measures only serve as tools to get Washington to clean up its act, and that is not enough. We need to suck up our courage and actually make the tough budgeting decisions.

If we are going to get anywhere, we have to realize we all have skin in the game and we have to check ultimatums at the door—especially on issues such as Social Security and taxes. The challenge facing us is so great we cannot afford to let partisanship or electioneering get in the way—and both parties are guilty.

For example, we cannot seriously address debt reduction without looking at Social Security. If we do nothing, by 2036, Social Security benefits will have to be cut by 20 percent. Congress will undoubtedly be under enormous pressure to fill in that hole in lieu of telling seniors their benefit checks would be reduced. To say Social Security—when you look at it that way—must be divorced from deficit reduction, as many Democrats do, is to ignore the problem.

In a similar vein, it is unrealistic to maintain, as my Republican colleagues do, that raising revenues cannot be a part of the deficit and debt reduction equation. We should all be honest enough to admit a simple fact: No amount of spending cuts alone will reduce our deficits without unreasonably harming Social Security and Medicare. For some to say that revenues should not be part of the deficit reduction picture is either a sign that they are not serious about getting our debt situation under control or they are being disingenuous about the dangerous implications spending cuts alone would have on our hard-working constituents who rely on these important programs.

What is so agonizing about the last 6 months is that we have a bipartisan solution in front of us, one that I know—I don't just believe but I know—would responsibly reduce our debt while also allowing the economy to grow and protect our middle class.

In December 2009, I know the Presiding Officer and I, along with a number of other Senators, pushed for the creation of the President's National Commission on Fiscal Responsibility and Reform, which was then chaired by Erskine Bowles, a North Carolinian, and Alan Simpson, a Wyoming resident. They did an exhaustive study of what it would take to get our debt under control, and last year they delivered a report on how to reduce the debt by over \$4 trillion in the next decade and bend the curve back to a much more sustainable Federal budget situation. They comprehensively addressed all of the issues that must be on the table; namely, spending cuts, reasonable entitlement reform, and some new revenues. The plan has already received bipartisan support, including from Senators of each party who were members of the commission. Rather than arguing, we could be acting on these recommendations. And, look, if we do not want to follow those exact recommendations, let's all at least agree that everything must be on the table in these ongoing debt discussions.

Many of us here simply want to roll up our sleeves and get to work. I see some of my colleagues on the other side of the aisle. I know they share that sentiment, even if our leaderships in both parties are demanding that we be quiet. But I think we can all focus our attention on a sensible, bipartisan plan, work together, and pass it into law before our national credit rating is downgraded and we damage our chances of winning the global economic race.

The Presiding Officer knows, my colleagues know, I am not a particularly dramatic person. But I have to tell you, I believe that nothing less than the fate of the U.S. economy hangs in the balance, and I am certainly willing to stay here day and night, weekends and holidays, in Washington, DC, to help put a plan in motion.

Madam President, thank you for your attention.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

MR. COONS. Madam President, I rise to follow the comments of my colleague from Colorado, and I appreciate the forbearance of my colleagues from Florida and New Hampshire.

I simply want to follow on the comments of the Senator from Colorado in emphasizing the sense of urgency, the sense of frustration and of deep concern I know many of us feel in the Senate of the United States.

On the Fourth of July, as I went up and down the State of Delaware to different parades and picnics and gatherings, I had the opportunity to meet with and talk to thousands of Delawareans. Over and over, I would go up to men who were wearing hats that showed they served, whether in the Korean war, the Vietnam war, the Second World War, and I thanked them for their service. Repeatedly, I would hear the same thing back: We have done our job. We hope you will do yours.

When I was elected in 2010 to serve in the Senate, I heard the same message from the folks across Delaware that I just heard Senator UDALL reflect from the people of Colorado: Help the private sector create good jobs, deal with the deficit and debt, and do it in a bipartisan and responsible way.

I am gravely concerned we are on the verge of the most predictable financial crisis in modern American history as we slowly grind toward the predicted default on America's mortgage on August 2.

Treasury Secretary Tim Geithner has warned us since the beginning of this year with a letter he sent to us on January 6, with repeated testimony in front of various committees of the Senate. We have gone well past the May 16 deadline, and the Department of the Treasury is now using extraordinary measures to prevent us from defaulting on America's commitments.

I have heard other analogies used, but they are mistaken. This is not about cutting up the credit cards or ending the blank check for our current President. This is about whether we will continue to meet the commitments America has already made, whether we will continue to make the payments that were already committed to for our troops in the field, for contractors who are providing military supplies and equipment, for our Federal workforce, and for all the different programs and benefits the Senator who spoke before me mentioned: Medicare, Medicaid, Social Security, and others.

We cannot afford the consequences of default. One study says we would lose 640,000 jobs—more than a half a million additional Americans needlessly thrown out of work because of a foolish game of chicken. The cost to home mortgages, to car loans, the daily cost of living, including for food and gas, would go up needlessly if we simply fail to uphold the tradition of meeting our commitments as a nation.

I am here to say today that we cannot afford to have America become a bad investment. The best thing we can do going forward is to restore certainty to our markets, to put some confidence back in the American economy, to make certain the international community continues to regard us as the safest and best investment in the world. The way to do that is to come together in a bipartisan way around a

big deal, around \$4 trillion in savings, at least.

The Senator from Colorado went into some detail as to the bipartisan Debt and Deficit Commission, chaired by Erskine Bowles and Alan Simpson, the Democratic former Chief of Staff and the Republican former Senator from Wyoming, with the 11 members of that commission, including Members of this body, currently serving Senators, Republican and Democrat, who came together around a plan that would make \$4 trillion in savings over the next decade.

I think we should do no less than that. I think the plan we should be working on in detail now should include all four major areas where we have to have savings: reductions in discretionary domestic spending, reform to our entitlement programs, reductions in Pentagon spending, and increases in Federal revenue through tax reform. All four of these have to be on the table. In my view, our values ask no less than that.

As we work through a recovery, we need to continue to invest in education, in infrastructure, in innovation. But we also need to responsibly put together a bipartisan path that will take on the sacred cows of this institution and of America's Tax Code.

Three weeks ago, we had more than 70 Senators cast votes to end the \$6 billion in needless annual ethanol subsidies. I hope that was an opening door toward a recognition that on both sides of the aisle and in both Chambers of this Congress we need to be willing to make the tough votes even though they will upset treasured constituencies, even though they will end up causing us potential political harm, to reduce reckless Federal spending, whether through the Tax Code or through unsustainable Federal programs.

In the end, I simply wanted to come to the floor today and add my voice to that of many of my colleagues on both sides of the aisle who are expressing our grave concern. As the clock ticks away and as the hours left to August 2 shrink, we need to come together.

What Americans have done for generations is sacrificed. What legislators need to do now is compromise. There are in front of us reasonable, solid, bipartisan proposals that have been available to us since March and that this body and our leadership need to be willing to make responsible compromises to make happen.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE.) The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I ask unanimous consent that I be permitted to enter into a colloquy with my Republican colleague Senator RUBIO for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Mr. President, it is an honor to be here with my esteemed colleague from Florida, Senator MARCO RUBIO. My husband Joe and I are blessed to be the parents of two wonderful children, our daughter Kate, who is 6 years old, and our son Jacob, who is 3 years old.

This Fourth of July we walked together as a family in the parade in Wolfeboro, NH. As I watched my children in the parade hand out candy to other New Hampshire children while they were standing with their parents, it reminded me again of why I am here and how concerned I am about the future of our country for Kate and Jacob and for all of our children.

As parents, we all want to provide our children with a brighter and at least the same if not greater opportunities we have all had in the greatest country on Earth. That is the American dream, that a young woman like me from a middle-class family can have the opportunity to serve in this Chamber; that someone like Senator RUBIO, the son of Cuban immigrants, could serve as a Senator from Florida, a leader of our great country who has come here to address our challenges.

I am fearful that we are the first generation that will not pass on the American dream to the next generation. With the accumulation of \$14 trillion in debt, we are borrowing 40 cents on the dollar to fund our government. Half of our debt we have borrowed from other countries, including the country of China, a country that does not share our values. I am concerned with the amount of debt we have accumulated, that if we do not address this debt crisis right here and now, we are ensuring our children will have less opportunities than we have all had.

We have seen what is happening in Greece. If we do not address our debt, with real, substantive legislative proposals, ideas we have already proposed in this Chamber, Members of both side of the aisle—the balanced budget amendment, spending cap legislation, how about a real budget resolution that reduces spending and puts forth a responsible fiscal plan for this country—we will be setting up our children to pay for our failure to act today with either massive tax increases or the value of our dollar will be diminished and everything they own will be worth less and everything that we own, and it will diminish their economic opportunities in this great country.

I know Senator RUBIO is the father of four young children. What is it the Senator is most concerned about with respect to the future of our great country?

Mr. RUBIO. Well, first I want to thank the Senator from New Hampshire for allowing me the opportunity to do this together because it is important. She brings a tremendous amount of credibility to this discussion. She is

not just a mother and a Senator, but she is also a small business owner who has run a small business, been there on the front lines with her husband running a small business, who recently got off the campaign trail, as I did, and heard from job creators all across the State as to what they are talking about, and we are going to get back to that in a moment.

But as the Senator rightfully outlined, I am the father of four young children, four children whom I think deserve to inherit a country that is as great as the one my parents and their generation left us, and that is what we are debating here at the end of the day.

If you look at the numbers, they are absolutely startling. I think these numbers have been said before, but you cannot say them enough—\$14.3 trillion of debt. Trillion is not a number or a figure I have ever used in my life until I got to Washington. I do not know where else in the world that applies other than in the Congress, the term trillion—\$14.3 trillion is our debt.

Our kids already owe \$46,000. My oldest is only 11 and already owes \$46,000. Our total debt is about to reach the size of our entire economy. That is kind of the framework in which we are operating when we discuss this.

I actually think we are closer to some sort of an agreement than a lot of people realize. I have heard the term thrown around in the last couple of days, “a balanced approach” to dealing with it. And I think there is agreement that there has to be a balanced approach. I certainly have always said you cannot simply cut your way out of this problem. You have to have a combination of cuts and growth, growth in revenues to government. I think the debate is—the debate is—how do you accomplish these two things. I am not going to focus so much on the cut part of it today. I want to focus on the revenue part of it, because that is the part the President and some of my colleagues here have focused on over the last days, this idea of getting more revenue, or this new term “revenue enhancers” which is Washington talk for more money to the government.

According to the President, for some in his party—most in his party, I should say—the idea is simple. They think there is a bunch of people out there in America who are making a lot of money, more money than maybe they should be making, and they need to pay more in taxes; if these people pay more in taxes, then all of these problems will get a lot easier to deal with. That is kind of the viewpoint they bring to this debate.

I know tomorrow we will be voting here on the floor on something the majority leader has offered, something called a sense of the Senate, which people watching at home are probably wondering what that is about. Well, that basically means what is on the Senate’s mind.

The sense of the Senate we are going to be voting on tomorrow is basically that you have a bunch of people in this country who make over \$1 million, and that these people need to do more to help with the debt. That is basically the sense of the Senate that there is going to be a vote on tomorrow. It is very interesting. So I looked at it, because ultimately this is a serious issue. So let’s explore this with an open mind. Let’s not be doctrinaire. Let’s not be blindly ideological. Let’s look at this from a commonsense perspective, this idea that if all of these millionaires and billionaires paid more taxes, these problems will be solved. Let’s analyze it, because this is all about math.

Here is the fact. The fact is it does not solve the problem. First of all, if you taxed these people at 100 percent—basically next year you said: Look, every penny you make next year the government is going to take from you—it still does not solve the debt.

Not only does that not solve the debt problem, but I looked at a host of other—there are some great publications that came out today from the Joint Economic Committee. Our colleague Senator DEMINT is the chairman. It kind of outlines some of the tax increases being proposed by our colleagues in the Democratic Party and the President to solve the debt problem.

You add them all up, you add all of these things up—the jet airplanes, the oil companies, all the other things they have talked about. You put them all together in one big batch, and you know what it does? It basically deals with 9 days and 23 hours worth of deficit spending—9 days and 23 hours—it does not even get to 10 days of deficit spending. That is how much it solves.

So all of this talk about going after people who make all of this money, it buys you 9 days and 23 hours. Let’s round it off. Let’s give them the benefit of the doubt. It buys them 10 days of deficit spending reduction. That is what all of this rounds up to.

Here is the bottom line. These tax increases they are talking about, these so-called revenue enhancers, do not solve the problem. So what do we do then? Because clearly we have to do two things. One, we have to hold the line on spending. If you keep digging yourself in the hole, the hole is going to bury you. But the other thing is, how do you start generating revenue for government so it can start paying down this debt. That is what the debate should be about.

We already know these taxes they are talking do not work. So here is what works. Here is what I would suggest works, in a balanced approach—using the President’s terminology. Let’s stop talking about new taxes and start talking about creating new taxpayers, which basically means jobs.

Here in Washington, this debt is the No. 1 issue on everyone’s mind, and rightfully so. It is a major issue. But everywhere else in the real world, the No. 1 issue on people’s minds is jobs. And I will tell you every other problem facing America—the mortgage crisis, home foreclosure crisis, this debt problem—all of these issues get easier to deal with as people are gainfully employed across America. The impact that unemployment is having across this country is devastating. We hear about unemployment in facts and figures. They give us numbers: Oh, X percent people are unemployed. Well, there are stories behind every one of those people.

Do you know who a lot of these people are who are unemployed in America? They are people who have done everything they have been asked to do and they have done it right. Maybe they served their country overseas. Maybe they went to college and got a degree and now came back home. Maybe they worked for 10 or 20 years and did a good job at work. And now you know what, they cannot find a job, or maybe they were lucky enough to find a job after losing their original job, but it pays them half as much and they work twice as long. That is the real face of unemployment in America, of people who are hurting.

Our job here is to do everything we can to make it easier for them to find a job, not harder. I think that is what we have to do when it comes to a balanced approach and when we talk about revenue. We do not need new taxes. We need new taxpayers, people who are gainfully employed making money and paying into the tax system. Then we need a government that has the discipline to take that additional revenue and use to it pay down the debt and never grow it again. That is what we should be focused on. That is what we are not focused on.

So you look at all of those taxes that are being proposed. Here is what I say: I say we should analyze every single one of them through the lens of job creation, issue No. 1 in America. I want to know which one of these taxes they are proposing will create jobs. I want to know how many jobs are going to be created by the plane tax. How many jobs are going to be created by the oil company tax that I heard so much about? How many jobs are created by going after the millionaires and billionaires that the President talked about? I want to know how many jobs do they create.

Because I will tell you—and I am going to turn it over to Senator AYOTTE in a second, because I am interested in her perspective of this as a job creator, as a spouse of a job creator who runs a small business, as someone like me who just came off the campaign trail.

Let me tell you something. I traveled the State of Florida for 2 years campaigning. I have never met a job creator who told me they were waiting for the next tax increase before they started growing their business. I never met a single job creator who has ever said to me: I cannot wait until government raises taxes again so I can go out and create a job. I am curious to know if they say that in New Hampshire, because they do not say that in Florida.

So my view on all this is, I want to know how many jobs these tax increases the President proposes will create, because if they are not creating jobs and they are not creating new taxpayers, they are not solving the problem.

I do not know what the Senator's perspective is on that.

Ms. AYOTTE. Mr. President, I could not agree more with what my colleague from Florida has said, that we need to create a positive climate to create jobs. But one thing we do know is that does not happen by more spending in Washington. The recent report that came out about the President's stimulus package has shown that it cost \$278,000 per job created by that stimulus package. Yet we had to borrow so much money, nearly \$1 trillion to create a limited number of jobs that cost us \$278,000 a job.

I do come from a small business family. My husband started a landscaping and snow-plowing business. I worked with him to start that business. New Hampshire is a small business State. As I campaigned up and down our State, I talked to so many small business owners. I never had a small business owner tell me they were being taxed too little, please tax me more.

What I did hear was too many burdensome regulations from Washington were coming down and making it difficult for our small businesses to thrive and grow. Frankly, some of the taxes coming down from Washington were making it difficult. In the health care bill, there was a tax on medical device companies. New Hampshire has nearly 50 of those companies. And what I heard from those companies—and I have heard that even more recently—is the tax in that health care bill on medical device companies is going to take away significant amounts of their research and development budget to create new products that will improve the quality of our health care and save lives.

So with the actions we are taking in Washington, we need to create a positive climate for our small businesses, not thinking that we create the jobs here in Washington. We know that it is those small businesses and the hard-working entrepreneurs and those who have a great idea in this country in the private sector who create those jobs. They do not need more taxes and burdens from Washington. What we need

to do is frankly get out of their way and allow them to thrive and grow and to create jobs for all of our children going forward.

I do not know if the Senator heard from businesses in Florida about the regulatory concerns and burdens from Washington hurting economic growth in the private sector.

Mr. RUBIO. Well, the truth is that throughout the campaign and even now, that is what I hear all of the time from people, that these regulations are making it harder, not easier, for them to create jobs. That, combined with the uncertainty of the Tax Code—they do not know what the taxes are going to be next year. But they read the newspaper, they listen to the news, and every time they hear talk about this tax increase stuff, it scares job creators. They make this decision: Oh, wait. You know what, maybe this is not the year to hire people, because we still do not know how much it is going to cost to hire people.

The other great phrase here—both Senator AYOTTE and I have only been here a few months so I think we are still learning the language of Washington; I hope it never becomes part of my permanent vocabulary, but one of the things I have been hearing recently is this notion of everything should be on the table, which is funny because everything is not on the table according to the President and others.

For example, there is no serious discussion of a spending cap. I would love to have a vote. Why do we not have a vote on the balanced budget amendment? Why is that not on the table? Why is a balanced budget amendment not on the table? Why are we not voting on that tomorrow? Because a balanced budget amendment basically says you cannot spend money you do not have, which makes all of the sense in the world for the rest of the people who live in the real world. But, apparently, that doesn't apply here, and the results are these problems we face. I think something should be off the table. Bad ideas should be off the table. If something is a bad idea, it should not be on the table. It is a bad idea to pass things that will make it harder to hire people. How much higher do you want unemployment to be?

Here is what I think we have to ask ourselves: These tax increases Senator AYOTTE pointed out, along with the regulations that kill job creation in America—these do not raise enough money to do anything significant about the debt. They don't create jobs; in fact, they kill them. How could the tax increases they are outlining be part of the solution? Why is it being offered? These are smart people. They know the math. The answer lies in the politics of this, which is clear.

This appears to be an effort to save face. Everybody here knows there will have to be spending reductions at some

level because we have a spending problem. It is the reason we are in this mess today. It is not because we don't pay enough taxes. We spend more money—a lot more money—than we have.

It appears to me that the President and others in his party are positioning and looking for some pound of flesh in return for these cuts so they can go to their political base and say: We got something out of this. We went after the people who make all this money—the greedy billionaires and millionaires and the oil companies—even though it has nothing to do with the debt.

That is the only explanation for why this is even on the table. I think anything that kills jobs should be off the table. I think anything that hurts the ability of the job creators to grow their business should be off the table. I think anything that helps increase the unemployment rate should be off the table. I think that is what should be off the table—anything that hurts our ability to grow our economy.

Things that force this government, once and for all, to put itself back on the path of sanity should be on the table. Sanity means we stop having a government that spends money it doesn't have.

I will turn it back over to Senator AYOTTE to close. I thank her for this opportunity. I thought it was important to bring these points to the floor.

Ms. AYOTTE. I thank Senator RUBIO for his leadership on this issue and for the important issues he has raised today because he is absolutely right that class warfare is unproductive.

The proposals the President has made are not serious in terms of how much revenue they would even address—not even 10 days' of our debt. Unfortunately, right now, the leader of the Senate has brought forward a resolution, a nonbinding sense of the Senate, that does nothing to address the spending in Washington, and we are spending over 24 percent of our GDP, or our economy, right now. Historically, we have spent about 20 percent of our GDP. Our spending is way out of line from where we have been over the 40-year historical level. Common sense tells us, why not a balanced budget amendment? Why aren't we addressing that instead of a nonbinding resolution that, again, will have no effect—will not reduce our deficit, will not help create any jobs, and will not help our economy thrive? We should be addressing real legislation—a balanced budget amendment.

I could not agree more with my colleague from Florida about living within our means. Families sit around their kitchen tables and make the tough decisions. They see the revenue coming in and the expenditures going out. Washington should do the same. Spending caps will ensure that we put handcuffs on Congress to make sure we are

not spending this drastic 24 percent of our GDP and putting ourselves on a more responsible spending path going forward, and a budget resolution.

It has been nearly 2 years since the Senate has passed a budget. No business would run without a budget. Families make budgets. Here in the Senate, what we should be bringing to the floor is a real budget resolution that the parties can debate to put ourselves on a responsible fiscal path going forward rather than voting on a sense of the Senate that will, again, not have any impact and the full force of law.

With this August 2 deadline, it is time for real legislative proposals and solutions. We have put some ideas out there—a balanced budget amendment, a spending cap amendment, a real budget resolution. I hope my colleagues on the other side of the aisle will come forward so we can work on this fiscal crisis here and now so that my children and Senator RUBIO's children and all of our children and grandchildren will have greater opportunities in the greatest country on Earth.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, there is no question that we are at a point where we have to take substantial and painful steps to get our Nation's fiscal house in order. That is why we are rightfully working to tighten our Nation's belt at a time when American families are doing the same.

I am here to talk about one major difference in the way Republicans have proposed to go about addressing our budget and the way American families, who understand shared sacrifice and equal burden, have done it. I will point out one glaring omission in the Republicans' plan amid all their tough talk about fiscal responsibility.

I am here to ask Republicans why they are asking everyone to sacrifice except those who can afford it the most?

I am here to ask them why they are willing to risk not only defaulting on our Nation's debt but also the health care and benefits our veterans rely on, pay for our troops, Social Security benefits, and the Medicare system our seniors are counting on—all to defend tax breaks for oil and gas companies, sweetheart deals for corporations, and the most generous tax rates wealthy Americans have enjoyed in 60 years.

Sometimes it is hard for me to listen to some of my Republican colleagues talk at length about their newfound fiscal sensibilities on the Senate floor and in the press. It is difficult because, like many of them, I was here in 2000. I remember when President Clinton left office. We were on a course to completely pay down the \$5.6 trillion debt by 2012. I remember the projection of surpluses. I remember the efforts by many of us to safeguard that funding for our seniors and to pay down that

debt. But I can also remember at that time many Republicans could not wait to get their hands on the Nation's credit card. When they did—when President Bush took office—they spent lavishly.

A lot of that spending went to some of our Nation's wealthiest individuals and companies. Throughout the Bush years—and particularly in the Bush tax cuts of 2001 and 2003—trillions of dollars in tax breaks went to the very wealthiest Americans.

There were capital gains tax rollbacks, tax breaks designed to benefit corporate giants, and a new tax bracket that provided wealthy Americans the lowest tax rates they have enjoyed since World War II. These tax breaks were all unpaid for, all handed out to those who could most afford to pay, and they were all put on the Nation's credit card.

Now that that credit card bill has come due, guess who will not be asked to pay their fair share? Unfortunately, under the Republican plan, it is the wealthy companies and individuals who have benefited the most from their spending. It is corporations such as ExxonMobil that despite reporting a profit of over \$10 billion in the first quarter of this year—at the same time, by the way, that gas prices for families across this country are rising—they are being protected from a rollback of tax subsidies for oil and gas giants.

It is corporate CEOs who are lobbying against closing the tax loophole that they enjoy for private jets and yachts. It is companies that all too often ship American jobs overseas but still enjoy offshore tax havens.

Guess who has drawn a line in the sand to protect these corporations and wealthy individuals? It is the very same Republicans who were so quick to break out the Nation's credit card when we were running a surplus, the same Republicans who have repeatedly pledged to block any new revenue—even as we have met them far beyond halfway in these negotiations.

Finally, guess who it is who is left to pick up the credit card tab under the Republican plan? Unfortunately, it is everybody else. It is seniors who, under the Republican budget, will lose access to Medicare as we know it; it is students who will be asked to pay more even as tuition rises; it is family farmers and those who can't afford health care for their children; it is the middle-class families who have found themselves living paycheck to paycheck.

If Republicans get their way, it will be everybody but those who can afford it most who will be left to sacrifice alone.

Unfortunately, the Republican approach is something that has become all too common in the aftermath of this recession.

While the effect of this recession is being felt profoundly by working families in lost jobs, lower wages, and less

financial security than ever before, the very wealthiest Americans seem to be doing pretty darn fine.

On Sunday I picked up the New York Times and noticed they ran an article that showed that the salaries of CEOs at America's largest companies grew by an average of 23 percent over last year's mark. However, the same article noted that over the past year, the pay for average workers had declined. It didn't even mention the thousands of layoffs at the same companies where those bonuses have skyrocketed.

Unfortunately, that is the same economic theory that Republicans are bringing to the budget negotiations. For those who can't afford it, their budget provides all the perks, none of the sacrifices; all of the tax breaks, none of the revenues; all of the benefits, none of the pain.

It doesn't have to be this way. We can have a plan that works for middle-class families and invests in our Nation's future, a plan that balances tough but necessary spending cuts with new revenues that ensure corporations and wealthy Americans are also paying their fair share; that restores fairness to this process by making sure that in these difficult times we are not balancing our budget solely on the backs of seniors and students and middle-class families; and, most importantly, a plan that recognizes that, yes, we have a budget deficit and we need to address that, but we also have an infrastructure deficit, and we have an education and a skills deficit and, most importantly, we have a jobs deficit.

The only way that we will address those deficits is to invest in education, energy, and infrastructure—areas that will produce jobs both now and in the future.

Workers who lost their jobs through no fault of their own don't just want to hear about cuts, cuts, cuts. They want to hear about how we are going to create jobs. A small business owner who had to shut her doors when the recession hit and customers stopped coming in doesn't want to hear about debt ceilings. She wants to hear about how we are going to get the economy back on track.

It cannot just be about slashing; it also has to be about investing in jobs and workers in America. That is what we should be working together toward.

I understand that time is not on our side in this debate. The truth is, Republicans aren't merely offering their "everybody pays except the rich" philosophy up for debate; they are holding our Nation's economy hostage with it.

By refusing to accept new revenues from corporate tax loopholes and tying that refusal to the Nation's debt limit, they are rolling the dice on default. In fact, in my 18 years on the Senate Budget Committee, I have never seen anything like what Republicans are

willing to risk in these budget negotiations and who they are willing to risk it all for.

Last week, the Bipartisan Policy Center put out a report authored by a former Bush Treasury official about what would happen if Republicans continued to play chicken with default and the administration was forced to make desperate spending decisions in August. The scenarios were worse than grim.

Potentially at risk are the benefits and health care we owe our veterans, loans for struggling small businesses, food stamps for people who are struggling to buy groceries, Social Security checks for our seniors, unemployment benefits for millions of workers who are desperately seeking jobs, and even Active-Duty pay for our military. Yet by rejecting revenues in this deal, and by not asking everybody to sacrifice, and by dealing in ultimatums rather than compromise, Republicans are willing to put all these Americans at risk; and they are willing to risk it all in order to go to the mat to protect millions of dollars in tax breaks for the wealthiest few.

They are willing to chance loans for Main Street businesses in order to defend offshore tax breaks for multinational companies. They are willing to jeopardize troop pay in order to stand up for hedge fund managers. They are willing to gamble default on tax breaks for horse tracks.

I believe that is a bet we all lose.

Mr. President, we were elected to work for all Americans, not just the privileged few at the top. It is time for our Republican colleagues to come to the table with flexibility. It is time for compromise. It is time for common sense. And it is time to ask everyone to sacrifice to meet a challenge we all face together.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I have heard a lot of talk on the Senate floor, including from the last speaker, and certainly from the President of the United States about shared sacrifice. The White House spin is that the Democrats in the negotiations about extending the debt ceiling have conceded hundreds of billions of dollars in savings and Republicans have conceded nothing and therefore Republicans need to be willing to raise taxes. That is the mantra. That is the spin.

But there are two things wrong with this spin: First, it is wrong as a matter of fact, as I will point out, and second, it would result in very bad policy. As Senator RUBIO said a moment ago, the only thing that should be off the table is bad policy, and certainly anything that would hurt our economy and job creation at this time is bad policy.

First with regard to the assertion from some in the White House that Democrats have made all the conces-

sions and so it is the Republicans' turn—the last speaker, as a matter of fact, said, and I will quote her directly, “Everybody pays except the rich.” Well, I would like to point out why that is absolutely not the case.

The negotiations Vice President BIDEN has presided over have talked about two different kinds of savings: on the discretionary side, which is the budget we deal with every year, and on the mandatory side, which is spending programs such as Medicare, Medicaid, some of TRICARE, some veterans' benefits, Social Security, and things of that sort.

If the savings the White House has attempted to portray as all coming from Democratic concessions refers to the discretionary part of this pie, then I would simply say that is a false statement because we haven't discussed it. What we have talked about is setting a top-line budget number—a so-called 302(a) number in budget parlance—and that is what the Members of the House and Senate would then have to spend. But there has been no discussion of where those savings come from, so it simply would be wrong to say there has been any kind of negotiation about where those savings come from and the Democrats have made all of the concessions. There have been no concessions made by either side, as a matter of fact.

If it is the mandatory side we are talking about, it is true we have had a lot of discussion about savings that can result from changes in the way we operate some of these mandatory programs. Now, we are not talking about any major reform of Medicare or anything of that sort, but if I can just sort of characterize something in a very loose way as waste, fraud, and abuse, there are a lot of savings that can occur in various programs, and there are even some revenue increases that can result from increased fees and that sort of thing that do result in some additional savings overall on the mandatory side.

In terms of the revenue increases, I would point out that between \$153 billion and over \$200 billion of the money on that side of the ledger actually comes from increased revenues. So when the White House says: Well, revenues have to be on the table, the fact is that revenues have been on the table. We have been talking about increased revenues. We are not talking about increasing taxes. But if the government sells something and gets money from it, that is revenue. If there is a user fee of some kind and we want to raise that to keep up with the times, that is revenue. And if you add up all of the revenues we have agreed to, we Republicans have agreed to between \$150 billion and \$200 billion. So it is simply false to suggest that we haven't been willing to talk about revenues and that all of the concessions have been on the Democratic side.

We have also had some spending reductions or less rate in the growth of spending in some of these mandatory programs on the table for discussion, and about 60 percent of those, in my calculation, are concessions Republicans have made, and about 40 percent are concessions Democrats have made. My Democratic counterparts would probably argue it is somewhat different, from their point of view, but the fact is both sides have made concessions. And even if you concede they are 50-50, the fact is, therefore, Republicans have made as many concessions in these negotiations as have our Democratic colleagues.

By the way, one reason we have both been willing to make concessions is we agree we are in a dire circumstance here, and we sometimes have to get out of what we call our comfort zone and agree to what in ordinary times we would never agree to but we realize now we have to make some changes. So we are willing to make concessions that ordinarily we wouldn't, and we have, and so have the Democrats. The net result, as I said, I think it is 60-40 on our side, plus all the revenues we have conceded. But if somebody on the other side said: No, it is 50-50, or something on that order, I wouldn't argue. But the fact is, it is false and misleading for the White House to suggest that all of the concessions have been made by the Democrats and none have been made by Republicans. That is simply factually incorrect.

The second thing that is wrong with this spin is that, as Senator RUBIO said, bad ideas should be off the table, and it is a bad idea to raise taxes on an economy that is already sick. I mean, the last thing we should be doing is raising taxes, as a result of which job creation would be inhibited. It is the worst medicine for a sick economy.

I asked one of my Democratic colleagues why, since we shouldn't be raising taxes at this point in time, there was such an insistence on his side. His response was: Well, you have to understand, with us, it is kind of theological. Well, maybe it is theological, but I would argue that ideology here has a place to the extent that it is backed up by reality, but ideology that is not backed up by reality has no place in these negotiations. And raising taxes just for the sake of raising taxes, so that somebody can say to their constituency: Well, we did it, we were able to raise taxes, is not a sound way to approach the problem.

Thomas Sowell, one of the most erudite observers of the American scene, wrote, in National Review Online on July 5, a piece he titled “Politics vs. Reality.” It goes to this point.

Mr. President, I ask unanimous consent to have printed in the RECORD this article at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. The whole point here about raising taxes is this should not be about shared sacrifice. It shouldn't be about sacrifice at all. We are not talking about austerity. We should be talking about prosperity—in other words, the conditions by which everyone can do well, and specifically, how we can create jobs, how we can put Americans back to work, and how our economy can grow.

As I said, the worst medicine for a sick economy is raising taxes, and that is why Republicans oppose tax hikes and not because, for example, I have some interest in protecting some Hollywood movie millionaire. I don't. The person is probably not in my political party. What I have an interest in is protecting America's small businesses so they do not go broke and so they do not have to close up shop because higher taxes were imposed on them. That is exactly what the President's own Small Business Administration Office of Advocacy said would happen with one of the taxes they propose to raise; that is, repealing LIFO, which is an accounting term meaning last in, first out. The SBA Office of Advocacy said repealing LIFO "would result in a tax increase for small businesses that could ultimately force many small businesses to close." That is from the President's own Office of Advocacy for the SBA. That is what I oppose—putting small businesses out of business just because of some theological attachment to raising taxes.

Accountants have talked for a long time about what the best method of accounting is. The IRS has always said LIFO is perfectly acceptable, and about 36 percent of American businesses—primarily retailers and manufacturers—use this accounting technique. It would be fine if we decide to say: Well, we are going to go to a different technique. What would be wrong is to retroactively impose a tax on people who have been using this accounting method as though they have been doing something wrong. They haven't. The IRS has always said LIFO is fine. But it is all about revenue. We need more money to spend, so we are going to retroactively tax 36 percent of American businesses that use this accounting method. That is wrong, and that is why the Small Business Administration Office of Advocacy has said this could put many small businesses out of business. It is why we shouldn't be considering it.

What are the other taxes they propose? Well, one of them is to cap itemized deductions, so you would only be able to deduct either 28 percent or maybe up to 35 percent of your income. Obviously the first effect of this is to make it much more difficult for Americans to contribute to charity, to buy homes because they wouldn't have the advantage of the mortgage interest de-

duction, or to pay medical expenses, and so on. As the Wall Street Journal has editorialized, this is just a backdoor way of raising marginal tax rates without actually appearing to do so.

But the biggest problem with this capping of deductions is not that it is going to hurt the millionaires. They are either going to be caught by the AMT or their income is so high they are even going to be paying above AMT rates notwithstanding these limits on deductions. The real people this hurts are the small business owners who pay in the higher bracket. We know that 50 percent of small business income falls in the top two brackets. Businesses have deductions that are the ordinary and necessary part of doing business. All businesses are allowed to take them, both corporate and noncorporate. Why would we eliminate the ability of small businesses to take the same kinds of deductions corporations can take by capping the amount of deductions that could be taken in income reported in the top two brackets?

The final point about this is we know that efforts to tax millionaires and billionaires always end up taxing a lot more people than that. According to the IRS, in 2008 there were only about 319,000 tax returns that showed an income of \$1 million or more, but the number of returns falling in the top two brackets—the ones affected by this proposal of the Democrats—numbered more than 3.6 million people. These would be the people who are affected by this proposed increase in taxes.

I would just parenthetically note two others. The last millionaire tax was the alternative minimum tax. It was created in 1969 and targeted against 155 millionaires. Guess how many people it will apply to this year. It will apply to 34.4 million Americans. So when you aim for the millionaires, you end up getting everybody else.

The third tax the Democrats talk about raising is the old favorite: Big Oil. This is so targeted, it only hits five companies in the whole world, five American companies. Never mind that we are punishing American businesses—American oil companies—that are in the same business as other companies all over the world that are not being punished. No, we are going to attack American businesses that, by the way, employ 9.2 million Americans. We are going to say they have to pay higher taxes than other businesses just like them.

There are three particular tax provisions.

Other businesses get to take an R&D tax credit—research and development. Aren't we all for research and development? Yes, but not in the oil and gas industry. And where might they put that research and development money? Well, for example, into ensuring that when they sink a well deep in the Gulf of Mexico, it will be environmentally

safe. Nope, you can't deduct that. All other businesses will be able to but not you. What sense does that make? It is bad policy.

How about the usual and necessary business expense, the deduction for writeoffs for business investment? All other companies get to deduct that, but we would say to the oil companies: You don't get that same deduction.

Perhaps most perniciously, we are trying to compete with foreign businesses, so we would say to Americans who earn income abroad: You can deduct against the taxes you would owe here the taxes you pay over there. All of the other world nations get to do that. They would take that away from these particular kinds of companies.

So this is discriminatory, it is job killing but, most of all, it impacts American consumers directly because every dollar of increased taxes is going to find its way into the price we pay at the gas station when we buy gas. Now, whom does that hurt, therefore? Does it hurt some millionaires and billionaires? Who owns the oil companies? Well, a lot of pensions do, a lot of retired teachers and firefighters and so on.

People have to think this through. You are not hitting millionaires and billionaires. I know it sounds like good rhetoric, but when you are hitting American businesses that try to compete around the world and that develop a product we would like not to have to pay four bucks a gallon for, the last thing you want to do is to play politics by saying: Well, for those particular folks, we are going to raise their taxes.

I remember the last time we raised taxes on another millionaire kind of outfit, the yachts. It was a luxury tax that we opposed back in 1990, and it seemed like a good idea, just like this tax they were talking about imposing on airplanes. They didn't actually talk about that in our meeting, so I don't know exactly what it is. But they say it would raise \$3 billion over 10 years, which pays for hardly a fraction of the \$14 trillion debt we have. Nonetheless, they want to go after private airplanes.

I don't know how many people work in the private airplane manufacturing business. But it was interesting that in 1990 when the luxury boat tax was passed, there were 7,600 jobs lost in the boating industry. Very quickly the people who made the boats, a lot of them up in Massachusetts, decided this wasn't such a hot idea and so they repealed the tax in 1993. By the way, it lost revenue because of the unemployment benefits and lost income tax revenue had to be developed in order to offset the loss in business.

The point of all of this is that when the administration and others talk about shared sacrifice, of making some kind of rich business or rich person pay taxes, you have to think through what the effect is on the American economy

and on job creation. The reason Republicans oppose these is not because we love the person who pays the tax so much as we wish for American jobs to be created, or at least not have more jobs lost. And the people who are proposing these tax cuts seem to be absolutely oblivious to the effect their proposals would have on hard-working Americans.

My colleague from Washington State a moment ago said, and I will quote her again: Everybody pays except the rich under Republicans' idea of how things ought to be.

I think I pointed out that is not true. But in case anybody needs a reminder of who pays income taxes in the country: The top 1 percent pays 38 percent of all income taxes. The top 10 percent pays 70 percent. The bottom 40 percent pays no personal income tax.

So is it true that everybody pays except the rich? No. The rich pay by far and away most of the taxes paid in this country, and a lot of people believe that is as it should be. We have a progressive system. The rich can afford to pay more, and so we expect more from them. But let's not demagog the issue and suggest that isn't true. It is true. The rich do pay more, and we have decided in this country that they should. But how much more do you want them to pay? Ninety percent? Ninety-five percent? How about 100 percent? How much revenue do you think we could get from somebody if we said he is going to have to pay 100 percent of what he earns in income taxes? We know there are two rates at which you generate exactly zero revenue: zero and 100.

So when we talk about shared sacrifice, let's put this into perspective and let's realize we are not talking about sacrifice in the sense of trying to hurt people or austerity so much as we are talking about prosperity. And you don't create more prosperity with job-killing taxes.

I want to add one other thing for the record here. There are two publications that note areas in which we could save hundreds of billions of dollars if we were willing to discuss them. When we talk about things that are on the table or off the table, here are two things our Democratic friends have said are not on the table: We will not talk about fraud in the unemployment insurance system or fraud in Medicare and Medicaid. According to these two articles, which I will ask to be put in the RECORD, there are tens of billions of dollars in each where we could save the taxpayers money, money that is being paid out now to either downright crooks or being paid inappropriately to people who don't qualify.

Since 1986, the GAO has published at least 158 reports about Medicare and Medicaid fraud, for example. In 1993, Attorney General Janet Reno declared health care fraud America's No. 2

crime problem, right behind violent crime. These are off the table, some of our Democratic friends say. Well, we think this is a way in which we can save money without requiring others to have to sacrifice.

Mr. President, I ask unanimous consent to have printed in the RECORD the piece by Michael Cannon in the National Review On Line dated July 4, and the piece by Paul Davidson from USA Today dated July 5 at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

(See exhibit 2.)

Mr. KYL. I appreciate my colleagues' indulgence here.

Mr. President, the bottom line is that when we talk about shared sacrifice, we need to appreciate that in the negotiations that have been occurring Republicans have made a lot of concessions, and that the reason we oppose the concession of raising taxes is not because we have some ideological attachment to somebody who makes a lot of money but, rather, because we have an ideological attachment to the American worker who needs a job or who needs his or her job protected. From what we understand, the taxes that have been proposed by our Democratic colleagues would all be job killers. At the time our economy is in the unhealthy state it is, the worst medicine is job-killing taxes.

Mr. WHITEHOUSE. Would the Senator yield for a question?

Mr. KYL. Mr. President, I would be happy to yield. I am also happy to conclude. I think we are rotating between Democrat and Republican.

Mr. WHITEHOUSE. I don't want to step on your colleagues' time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. One of the things I have been tracking is the share of wealth, income, and taxes at various percentages toward the top. The Senator was good enough to mention that the top 1 percent pays about 28 percent of the taxes, the top 5 percent pays a little over 44 percent of the taxes, and the top 10 percent pays 55.4 percent of the taxes.

But I think in order to get a complete picture, it is also important to note that the top 1 percent controls 24 percent of the income, the top 5 percent controls 39 percent of the income, and the top 10 percent controls 50 percent of the income. If you go to wealth, the top 1 percent controls 33.8 percent of the wealth, the top 5 percent controls 60.4 percent of the wealth, and the top 10 percent controls 71.5 percent of the Nation's wealth.

So if you are in the top 10 percent and you control 71.5 percent of the Nation's wealth, it doesn't seem to be unreasonable that you should be paying 55 percent of the Nation's taxes, par-

ticularly if you are taxing based on dollars and not on just number of people.

I don't know if those numbers are wrong. We got them from the Federal Reserve Board, from the IRS, and from the Congressional Budget Office. I think they are accurate. It would appear to show that at the very high end, although these individuals are paying considerable taxes toward our Nation's economy, they are paying considerably less than the amount of wealth they control and not much more than the amount of income they control. In a graduated system of progressive taxation, which we are supposed to have, that is not surprising. In fact, what is surprising is that the top 24 percent of the income only pays 28.3 of the taxes.

Mr. KYL. Mr. President, I am not sure where the question is in there. But what I would say in response is, with all due respect to my colleague, his numbers are absolutely wrong. I don't have at my fingertips the precise figures, but I can tell you this—by the way, I don't also know what you mean by "in charge of wealth." In terms of who owns wealth or income, the people in the upper brackets pay far more in taxes than the percentage of wealth as a percent of the economy, and I would be happy to supply those figures to my colleague. And there is a difference between income taxes and all other taxes as well, and that chart doesn't suggest which is which.

I would be happy, though, to demonstrate to my colleague that whether you are talking about income taxes or all taxes, the upper income level pays far and away the higher percentage than those in the lower portion, and in taxes they pay more than the percentage of wealth that they create or that they earn.

The bottom line is that I think anybody making the argument that there is not shared contribution to the revenues of the country by the upper income would be making a false argument. I know that is not the argument my colleague is making, because he agrees with the progressive income tax system and has pointed out that it is progressive even by the numbers you have.

But let's do this, because I respect my colleague. I will get the numbers I rely upon, you get the numbers you think you rely upon and the sources of each, and you and I can agree to come to the floor at an appropriate time convenient to us both, and then we can both have the data at our fingertips from which we can make our respective arguments.

Mr. WHITEHOUSE. I would be delighted to do that. And I might actually throw in the data from the IRS that shows that the top 400 income earners in the country in the most recent period that they have actually gone back and done the calculation

paid 18.2 percent total taxes, which is less than I think the average American, certainly the average middle-class American family pays. So there is this reversal at the high end where people actually end up paying less.

Indeed, in one building in New York, the payment for the most recent year was 14.7 percent from the occupants, whereas janitors and doormen and security guards are paying up in the 20-percent ranges. It is not progressive in that sense. It is regressive at the high ends, according to those things. So let's get the information together, and we will have that discussion.

Mr. KYL. Sure. And on that last point, it makes a larger point. When Congress tries to get the millionaires and the billionaires, those are the very people who can adjust their way of earning and of giving and of living so that they end up paying less in taxes. That is why it doesn't much matter what the rate of taxes is at the upper income. They are never going to pay more than a certain percentage, because they can afford the lawyers and the accountants to make sure that they don't pay more. It is the people in the middle income who can't do that, and they end up paying up what the IRS says they owe, and they can't adjust their way of living and giving in order to pay less in the way of taxes. Whatever deductions they get, they get, and they are going to have to live with those.

When we try to hit the upper income with higher rates, it generally doesn't work. That is another reason why we think it is an ineffective way.

Mr. WHITEHOUSE. That is why I think the loopholes need to be closed, and I thank the distinguished Senator for the colloquy.

EXHIBIT 1

[From the National Review Online, July 5, 2011]

POLITICS VS. REALITY

(By Thomas Sowell)

It is hard to understand politics if you are hung up on reality. Politicians leave reality to others. What matters in politics is what you can get the voters to believe, whether it bears any resemblance to reality or not.

Not only among politicians, but also among much of the media, and even among some of the public, the quest is not for truth about reality but for talking points that fit a vision or advance an agenda. Some seem to see it as a personal contest about who is best at fencing with words.

The current controversy over whether to deal with our massive national debt by cutting spending, or whether instead to raise tax rates on "the rich," is a classic example of talking points versus reality.

Most of those who favor simply raising tax rates on "the rich"—or who say that we cannot afford to allow the Bush "tax cuts for the rich" to continue—show not the slightest interest in the history of what has actually happened when tax rates were raised to high levels on "the rich," as compared with what has actually happened when there have been "tax cuts for the rich."

As far as such people are concerned, those questions have already been settled by their talking points. Why confuse the issue by digging into empirical evidence about what has actually happened when one policy or the other was followed?

The political battles about whether to have high tax rates on people in high income brackets or to instead have "tax cuts for the rich" have been fought out in at least four different administrations in the 20th century—under Presidents Calvin Coolidge, John F. Kennedy, Ronald Reagan, and George W. Bush.

The empirical facts are there, but they mean nothing if people don't look at them, and instead rely on talking points.

The first time this political battle was fought, during the Coolidge administration, the tax-cutters won. The data show that "the rich" supplied less tax revenue to the government when the top income tax rate was 73 percent in 1921 than they supplied after the income tax rate was reduced to 24 percent in 1925.

Because high tax rates can easily be avoided, both then and now, "the rich" were much less affected by high tax rates than was the economy and the people who were looking for jobs. After the Coolidge tax cuts, the increased economic activity led to unemployment rates that ranged from a high of 4.2 percent to a low of 1.8 percent.

But that is only a fact about reality—and, for many, reality lacks the appeal of talking points.

The same preference for talking points, and the same lack of interest in digging into the facts about realities, prevails today in discussions of whether to have a government-controlled medical system.

Since there are various countries, such as Canada and Britain, that have the kind of government-controlled medical systems that some Americans advocate, you might think that there would be great interest in the quality of medical care in these countries.

The data are readily available as to how many weeks or months people have to wait to see a primary-care physician in such countries, and how many additional weeks or months they have to wait after they are referred to a surgeon or other specialist. There are data on how often their governments allow patients to receive the latest pharmaceutical drugs, as compared with how often Americans use such advanced medications.

But supporters of government medical care show virtually no interest in such realities. Their big talking point is that the life expectancy in the United States is not as long as in those other countries. End of discussion, as far as they are concerned.

They have no interest in the reality that medical care has much less effect on death rates from homicide, obesity, and narcotics addiction than it has on death rates from cancer or other conditions that doctors can do something about. Americans survive various cancers better than people anywhere else. Americans also get to see doctors much sooner for medical treatment in general.

Talking points trump reality in political discussions of many other issues, from gun control to rent control. Reality simply does not have the pizzazz of clever talking points.

EXHIBIT 2

[From the National Review Online, July 4, 2011]

ENTITLEMENT BANDITS

(By Michael F. Cannon)

The budget blueprint crafted by Paul Ryan, passed by the House of Representa-

tives, and voted down by the Senate would essentially give Medicare enrollees a voucher to purchase private coverage, and would change the federal government's contribution to each state's Medicaid program from an unlimited "matching" grant to a fixed "block" grant. These reforms deserve to come back from defeat, because the only alternatives for saving Medicare or Medicaid would either dramatically raise tax rates or have the government ration care to the elderly and disabled. What may be less widely appreciated, however, is that the Ryan proposal is our only hope of reducing the crushing levels of fraud in Medicare and Medicaid.

The three most salient characteristics of Medicare and Medicaid fraud are: It's brazen, it's ubiquitous, and it's other people's money, so nobody cares.

Consider some of the fraud schemes discovered in recent years. In Brooklyn, a dentist billed taxpayers for nearly 1,000 procedures in a single day. A Houston doctor with a criminal record took her Medicare billings from zero to \$11.6 million in one year; federal agents shut down her clinic but did not charge her with a crime. A high-school dropout, armed with only a laptop computer, submitted more than 140,000 bogus Medicare claims, collecting \$105 million. A health plan settled a Medicaid-fraud case in Florida for \$138 million. The giant hospital chain Columbia/HCA paid \$1.7 billion in fines and pled guilty to more than a dozen felonies related to bribing doctors to help it tap Medicare funds and exaggerating the amount of care delivered to Medicare patients. In New York, Medicaid spending on the human-growth hormone Serostim leapt from \$7 million to \$50 million in 2001; but it turned out that drug traffickers were getting the drug prescribed as a treatment for AIDS wasting syndrome, then selling it to bodybuilders. And a study of ten states uncovered \$27 million in Medicare payments to dead patients.

These anecdotes barely scratch the surface. Judging by official estimates, Medicare and Medicaid lose at least \$87 billion per year to fraudulent and otherwise improper payments, and about 10.5 percent of Medicare spending and 8.4 percent of Medicaid spending was improper in 2009. Fraud experts say the official numbers are too low. "Loss rates due to fraud and abuse could be 10 percent, or 20 percent, or even 30 percent in some segments," explained Malcolm Sparrow, a mathematician, Harvard professor, and former police inspector, in congressional testimony. "The overpayment-rate studies the government has relied on . . . have been sadly lacking in rigor, and have therefore produced comfortably low and quite misleading estimates." In 2005, the New York Times reported that "James Mehmet, who retired in 2001 as chief state investigator of Medicaid fraud and abuse in New York City, said he and his colleagues believed that at least 10 percent of state Medicaid dollars were spent on fraudulent claims, while 20 or 30 percent more were siphoned off by what they termed abuse, meaning unnecessary spending that might not be criminal." And even these experts ignore other, perfectly legal ways of exploiting Medicare and Medicaid, such as when a senior hides and otherwise adjusts his finances so as to appear eligible for Medicaid, or when a state abuses the fact that the federal government matches state Medicaid outlays.

Government watchdogs are well aware of the problem. Every year since 1990, the U.S. Government Accountability Office has released a list of federal programs it considers at a high risk for fraud. Medicare appeared

on the very first list and has remained there for 22 straight years. Medicaid assumed its perch eight years ago.

How can there possibly be so much fraud in Medicare and Medicaid that even the “comfortingly low” estimates have ten zeros? How can this much fraud persist decade after decade? How can it be that no one has even tried to measure the problem accurately, much less take it seriously? The answers are in the nature of the beast. Medicare and Medicaid, the two great pillars of Pres. Lyndon Johnson’s “Great Society” agenda, are monuments to the left-wing ideals of coerced charity and centralized economic planning. The staggering levels of fraud in these programs can be explained by the fact that the politicians, bureaucrats, patients, and health-care providers who administer and participate in them are spending other people’s money—and nobody spends other people’s money as carefully as he spends his own. What’s more, Medicare and Medicaid are spending other people’s money in vast quantities. Medicare, for example, is the largest purchaser of medical goods and services in the world. It will spend \$572 billion in 2011. Each year, it pays 1.2 billion claims to 1.2 million health-care providers on behalf of 47 million enrollees.

For providers, Medicare is like an ATM: So long as they punch in the right numbers, out comes the cash. To get an idea of the potential for fraud, imagine 1.2 million providers punching 1,000 codes each into their own personal ATMs. Now imagine trying to monitor all those ATMs.

For example, if a medical-equipment supplier punches in a code for a power wheelchair, how can the government be sure the company didn’t actually provide a manual wheelchair and pocket the difference? About \$400 million of the aforementioned fines paid by Columbia/HCA hospitals were for a similar practice, known as “upcoding.”

And how does the government know that providers are withdrawing no more than the law allows? Medicaid sets the prices it pays for prescription drugs based on the “average wholesale price.” But as the Congressional Budget Office has explained, the average wholesale price “is based on information provided by the manufacturers. Like the sticker price on a car, it is a price that few purchasers actually pay.” Pharmaceutical companies often inflate the average wholesale price so they can charge Medicaid more. Teva Pharmaceuticals recently paid \$27 million to settle allegations that it had overcharged Florida’s Medicaid program by inflating its average wholesale prices, and the Department of Justice has accused Wyeth of doing the same. Merck recently settled a similar case.

Most ominously, how does the government know that people punching numbers into the ATMs are health-care providers at all? In his testimony, Malcolm Sparrow explained how a hypothetical criminal can make a quick million: “In order to bill Medicare, Billy doesn’t need to see any patients. He only needs a computer, some billing software to help match diagnoses to procedures, and some lists. He buys on the black market lists of Medicare or Medicaid patient IDs.” With this information in hand, Billy strides right up to the ATM, or several at a time, and starts punching in numbers. “The rule for criminals is simple: If you want to steal from Medicare, or Medicaid, or any other health-care-insurance program, learn to bill your lies correctly. Then, for the most part, your claims will be paid in full and on time, without a hiccup, by a computer, and with no

human involvement at all.” These schemes are sophisticated, so Billy might hire people within Medicare and at his bank to help him avoid detection.

Last year, the feds indicted 44 members of an Armenian crime syndicate for operating a sprawling Medicare-fraud scheme. The syndicate had set up 118 phony clinics and billed Medicare for \$35 million. They transferred at least some of their booty overseas. Who knows what LBJ’s Great Society is funding?

And there are other forms of fraud. An entire cottage industry of elder-law attorneys has emerged, for instance, to help well-to-do seniors appear poor on paper so that Medicaid will pay their nursing-home bills. Medicaid even encourages the elderly to get sham divorces for the same reason. It’s all perfectly legal. It’s still fraud.

Medicaid’s matching-grant system also invites fraud. When a high-income state such as New York spends an additional dollar on its Medicaid program, it receives a matching dollar from the federal government—that is, from taxpayers in other states. Low-income states can receive as much as \$3 for every additional dollar they devote to Medicaid, and without limit. If they’re clever, states can get this money without putting any of their own on the line. In a “provider tax” scam, a state passes a law to increase Medicaid payments to hospitals, which triggers matching money from the federal government. Yet in the very same law, the state increases taxes on hospitals. If the tax recoups the state’s original outlay, the state has obtained new federal Medicaid funds at no cost. If the tax recoups more than the original outlay, the state can use federal Medicaid dollars to pay for bridges to nowhere. As Vermont began preparations for its Obamacare-sanctioned single-payer system this year, it used a provider-tax scam to bilk taxpayers in other states out of \$5.2 million. In his book *Stop Paying the Crooks*, consultant Jim Frogue chronicles more than half a dozen ways that states game Medicaid’s matching-grant system to defraud the federal government.

Since 1986, the GAO has published at least 158 reports about Medicare and Medicaid fraud, and there have been similar reports by the HHS inspector general and other government agencies. In 1993, Attorney General Janet Reno declared health-care fraud America’s No. 2 crime problem, after violent crime. Since then, Congress has enacted 194 pages of statutes to combat fraud in these programs, and countless pages of regulations.

Yet federal and state anti-fraud efforts remain uniformly lame. Medicare does almost nothing to detect or fight fraud until the fraudulent payments are already out the door, a strategy experts deride as “pay and chase.” Even then, Medicare reviews fewer than 5 percent of all claims filed. Congress doesn’t integrate Medicare’s myriad databases, which might help prevent fraud, nor does it regularly review the efficacy of most of the anti-fraud spending it authorizes. Many of the abuses noted above, such as those of the Brooklyn dentist, were discovered not by the government but by curious reporters poking through Medicaid records. The amateurs at the New York Times found “numerous indications of [Medicaid] fraud and abuse that the state had never looked into,” but “only a thin, overburdened security force standing between [New York’s] enormous program and the unending attempts to steal from it.

The federal government’s approach to fraud is sometimes so inept as to be counterproductive. Sparrow testified that a defect in

the strategy of Billy, our hypothetical criminal, is that he doesn’t know which providers and patients on his stolen lists are “dead, deported, or incarcerated.” But Medicare’s anti-fraud protocols help him solve this problem. When Medicare catches those claims, it sends Billy a notice that they have been rejected. “From Billy’s viewpoint,” Sparrow explained, “life could not be better. Medicare helps him ‘scrub’ his lists, making his fake billing scam more robust and less detectable over time; and meanwhile Medicare pays all his other claims without blinking an eye or becoming the least bit suspicious.”

Efforts to prevent fraud typically fail because they impose costs on legitimate beneficiaries and providers, who, as voters and campaign donors respectively, have immense sway over politicians. At a recent congressional hearing, the Department of Health and Human Services’ deputy inspector general, Gerald T. Roy, recommended that Congress beef up efforts to prevent illegitimate providers and suppliers from enrolling in Medicare. But even if Congress took Roy’s advice, it would rescind the new requirements in a heartbeat when legitimate doctors—who are already threatening to leave Medicare over its low payment rates—threatened to bolt because of the additional administrative costs (paperwork, site visits, etc.).

Politicians routinely subvert anti-fraud measures to protect their constituents. When the federal government began poking around a Buffalo school district that billed Medicaid for speech therapy for 4,434 kids, the New York Times reported, “the Justice Department suspended its civil inquiry after complaints from Senator Charles E. Schumer, Democrat of New York, and other politicians.” Medicare officials, no doubt expressing a sentiment shared by members of Congress, admit they avoid aggressive anti-fraud measures that might reduce access to treatment for seniors.

It’s not just the politicians. The Legal Aid Society is pushing back against a federal lawsuit charging that New York City overbilled Medicaid. Even conservatives fight anti-fraud measures, albeit in the name of preventing frivolous litigation, when they oppose expanding whistle-blower lawsuits, where private citizens who help the government win a case get to keep some of the penalty.

Sparrow argued that when Medicare receives “obviously implausible claims,” such as from a dead doctor, “the system should bite back. . . . A proper fraud response would do whatever was necessary to rip open and expose the business practices that produce such fictitious claims. Relevant methods include surveillance, arrest, or dawn raids.” Also: “All other claims from the same source should immediately be put on hold.”

Some of the implausible claims will be honest mistakes, such as when a clerk mistakenly punches the wrong patient number into the ATM. And sometimes the SWAT team will get the address wrong, or will take action that looks like overkill, as when the Department of Education raided a California home because it suspected one of the occupants of financial-aid fraud. How many times would federal agents have to march a handcuffed doctor past a stunned waiting room full of Medicare enrollees before Congress prohibited those measures?

“It seems extraordinary,” Sparrow said, that the HHS Office of Inspector General recommends “weak and inadequate response[s]”

... to false claims and fake billings" and that Medicare "fail[s] . . . to properly distinguish between the imperatives of process management and the imperatives of crime control." Extraordinary? How could it be any other way? Anti-fraud efforts will always be inadequate when politicians spend other people's money. Apologists for Medicare and Medicaid will retort that fraud against private health plans is prevalent as well, but this only drives home the point: Since employers purchase health insurance for 90 percent of insured non-elderly Americans, workers care less about health-care fraud, and have a lower tolerance for anti-fraud measures, than they would if they paid the fraud-laden premiums themselves.

The fact that Medicare and Medicaid spend other people's money is why the number of fraud investigators in New York's Medicaid program can fall by 50 percent even as spending on the program more than triples. That is why, as Sparrow explained in an interview with *The Nation*, "The stories are legion of people getting a Medicare explanation of benefits statement saying, 'We've paid for this operation you had in Colorado,' when those people have never been in Colorado. And when you complain [to Medicare] about it, nobody seems to care."

The Ryan plan offers the only serious hope of reducing fraud in Medicare and Medicaid. Its Medicare reforms, especially if they were expanded later, would make it easier for the federal government to police the program, and its Medicaid reforms would increase each state's incentive to curb fraud.

To see how the Ryan plan would reduce Medicare fraud, imagine that the proposal really were what its critics claim it is: a full-blown voucher program, with each enrollee receiving a chunk of cash to spend on medical care, apply toward health-insurance premiums, or save for the future. Instead of processing 1.2 billion claims, Medicare would hand out just 50 million vouchers, with sick and low-income enrollees receiving larger ones. The number of transactions Medicare would have to monitor each year would fall by more than 1 billion.

Social Security offers reason to believe that a program engaging in fewer (and more uniform) transactions could dramatically reduce fraud and other improper payments. As a Medicare-voucher program would, Social Security adjusts the checks it sends to enrollees according to such variables as lifetime earnings and disability status. The Social Security Administration estimates that overpayments account for just 0.37 percent of Social Security spending. Overpayments are higher in the Supplemental Security Income (SSI) program (8.4 percent), a much smaller, means-tested program also administered by the Social Security Administration. But total overpayments across both programs still come to less than 1 percent of outlays.

In reality, the Ryan "voucher" is much closer to the current Medicare Advantage program, through which one in four Medicare enrollees selects a private health plan and the government makes risk-adjusted payments directly to insurers. Skeptics will rightly note that, judging by the official improper-payment rates, Medicare Advantage (14.1 percent) is in the same ballpark as traditional Medicare (10.5 percent). Therefore, the Ryan plan should be seen not as a solution to Medicare fraud in itself, but as a step toward a vastly simplified, Social Security-like program in which the task of policing fraud is less daunting.

The Ryan plan would also vastly increase the states' incentive to curb Medicaid fraud.

Just as a state that increases funding for Medicaid gets matching federal funds, a state that reduces Medicaid fraud gets to keep only (at most) half of the money saved. As much as 75 percent of recovered funds revert back to the federal government. In a report for the left-wing Center for American Progress, former Obama adviser Marsha Simon noted that "states are required to repay the federal share . . . of any payment errors identified, even if the money is never collected." The fact that Albany splits New York's 50 percent share of the spending with municipal governments may explain why the Empire State is such a hot spot for fraud: No level of government is responsible for a large enough share of the cost to do anything about it. The result is that states' fraud-prevention efforts are only a tiny fraction of what Washington spends to fight Medicare fraud.

Ryan would replace Medicaid's federal matching grants with a system of block grants. Under a block-grant system, states would keep 100 percent of the money they saved by eliminating fraud. In many states, the incentive to prevent fraud would quadruple or more. Block grants performed beautifully when Congress used them to reform welfare in 1996. They can do so again.

The Ryan plan would not reduce Medicare and Medicaid fraud to tolerable levels, but neither would any plan that retains a role for government in providing medical care to the elderly and disabled. What the Ryan plan would do is reduce how much the fraudsters—many of whom sport congressional lapel pins—fleece the American taxpayer. And that is no small thing.

[From USA Today, July 5, 2011]

JOBLESS-BENEFITS FRAUD IS ON THE RISE

(By Paul Davidson)

State and federal regulators are cracking down on waste and fraud in the unemployment-insurance system, abuses that have hit record levels as unemployment claims surge in a weak economy.

In the 12 months through March, the overpayment rate was 11.6 percent—more than \$1 for every \$9 paid out. Labor Department figures show.

That's up from the 12 months ending in June 2010, when a record \$16.5 billion, or 10.6 percent of the \$156 billion in unemployment benefits disbursed to Americans, should not have been paid, according to the department.

The overpayment rate was 9.6 percent in fiscal 2009 and 9.2 percent in 2008.

Officials partly blame soaring unemployment, which forced state officials to use fraud-prevention workers to help handle an unprecedented wave of claims.

"They were using every person they could find," said Gay Gilbert, Labor's unemployment-insurance administrator.

Lawmakers say excess payments could go to legitimate jobless claims and help keep state unemployment trust funds solvent. About 9.3 million Americans receive benefits.

The main reason for overpayments is that some workers continue to receive unemployment checks even after they land a new job.

Another problem is that many employers fail to adequately provide state officials the reason an employee left the company so the worker's eligibility can be determined. Also, some workers receive benefits even when they don't comply with state job-search requirements.

How state and federal officials are trying to reduce overpayments:

A national directory of new hires lets states identify workers still receiving benefits even after they get a new job.

By the end of the year, all states must use the directory. Labor officials also plan to provide funds so overtaxed states can more frequently follow up and collect overpayments from scofflaws.

A new computer system makes it easier for employers to report why workers left their jobs. Only a few states use it, but the Labor Department is providing funds to encourage wider adoption.

New rules let states recover improperly paid benefits from U.S. income-tax refunds.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. It scared me for a minute, I thought we were almost engaging in a debate on the Senate floor. This could get interesting here.

I have great respect for both my colleagues who were making comments, and it will be an interesting discussion on the floor when they both have their respective numbers and we will look forward to that.

I want to say to my colleague from Arizona that what he says is exactly right. Raising taxes in tough economic times is a very difficult thing to do and is not stimulative of the economy. The way we need to see revenues increased—and I don't think there is any disagreement from anybody in the Senate or in the House that the 14.5 percent of GDP we are now seeing in revenues has got to be increased. But the way we need to increase it is enacting policies, whether they be tax policies or spending policies or otherwise, that will truly grow the economy, and we can do that with the right kind of policies that will not only in the short term stimulate the economy and show an increase in revenues, but will also have the same impact on the other side of the ledger, which is reducing spending.

We are now at an all-time high since World War II on the spending side, we are at an all-time low on the revenue side, and that is what has gotten us into this terrible fiscal problem we have today.

I concur with what the Senator from Arizona said, and I look forward to continuing to dialog with him as well as the Senator from Rhode Island about what needs to be done to get this gap closed.

Mr. President, I rise tonight to discuss the need for the American government to fundamentally change the way it conducts business. Congress and the President can no longer fail to make significant meaningful changes to our fiscal path. We must act now to ensure the safety and security of our Nation.

There is a mutual understanding from all involved in the ongoing debate that the current fiscal path our country is on will lead us to ruin. It is simply unthinkable to believe that we can continue to run deficits in excess of \$1 trillion, on top of \$14.3 trillion in accumulated debt, and remain the leader of the global economy. It is well known that the Federal Government will soon

risk a potentially catastrophic default on its credit obligations. Clearly, any increase in the debt ceiling must come with substantial policy reforms and commitments that future spending and deficits are being addressed appropriately. Against this backdrop, we are being provided with a unique opportunity to review the underlying causes of our current path and potential effects we face.

Last week, the Congressional Budget Office released its long-term budget outlook. Their release shows debt increasing to approximately 200 percent of GDP by 2035, unless drastic and immediate changes are made.

Economists have told me that a debt equaling 90 percent of GDP is the tipping point, and that after that it is impossible to turn the situation around.

Under the same CBO scenario, interest costs alone in 2035 would reach 9 percent of GDP, and 9 percent of GDP is more than the United States currently spends on both Social Security and Medicare.

This body spends a considerable amount of time deliberating on matters of national security and, indeed, that is extremely important work. We must stay vigilant that any threats to this country are swiftly dealt with. However, ADM Mike Mullen, the Chairman of the Joint Chiefs, has said emphatically over and over again that our debt is the single greatest threat to our national security.

Admiral Mullen is not alone. The co-chairs of the President's own fiscal commission warned him of the need for swift action. Mr. Bowles and Mr. Simpson continue to speak almost daily of the importance of addressing our fiscal situation and continue to make impassioned pleas that this situation must be corrected and must be done so in the short term.

It is during these hard times that most Americans look to their elected representatives and the Chief Executive of the United States for guidance on these issues. The American people have waited for leadership on this issue and have demanded fiscal discipline. It is reprehensible that an issue of this magnitude and significance is subject to the partisan bickering and gamesmanship that often rears its head in politics. This is an issue that will determine the fate of our country. It deserves careful, serious, thoughtful deliberation and not political theater.

Not long ago the Senate held a series of votes on budget resolutions that everyone knew were destined to fail. The American people expect and deserve an honest budget debate and a honest budget process. While I am glad the President is now engaging in this debate, he, too, has not been forthcoming in helping to decide America's budget fate. He has not given those in his party instructions or guidance on how to address our fiscal situation, nor has

he given the Congress as a whole a relevant plan. It would be reprehensible for these White House negotiations that are now underway to produce a last-minute proposal that leaves Congress no time to review the merits of the legislation or the immediate and lasting effects to the American people.

I have been on record many times before stating everything must be on the table when it comes to solving our debt problems, and I seriously mean that. We see daily the effects of oppressive debt on countries such as Greece and the fear and panic it creates for the citizens of that country. We must take the steps now to ensure we do not fall off the precipice, and that means looking at all of our options.

We must reduce discretionary spending, reform entitlements, simplify the individual and corporate code, and lower tax rates. This is a proven path to prosperity because the solution is based on both spending reduction and economic growth.

We have a model for this. The model is what Tip O'Neill and Ronald Reagan did in 1986. We saw an economy stimulated at a time when it really needed it by the elimination of tax expenditures and the lowering of tax rates—particularly on the corporate side. It is important on both the personal and corporate, but if we are truly going to expand our tax base and see revenues increase, then we need to put the corporations in this country that manufacture the finest quality of products of anybody in the world on the same level playing field as their competitors across the globe.

So it is of critical importance that we reform our Tax Code, make it simpler and more fair, and, particularly from a corporate level, make it more competitive from a worldwide perspective.

We must cut Federal spending in any way we can. Our current levels of discretionary and mandatory spending simply cannot be sustained. But we cannot solve our problems simply by reducing spending. We have to reform entitlements. We have to look at those issues that are very difficult for a lot of us to deal with, and we have to make some hard and tough decisions. The unfortunate part about this is we do not have a lot of time to do it.

I do not know the window. The window may be 6 months, it may be 12 months, it may be 2 years. No economist will give an exact definite prediction of how long this window continues. But we do know we were not able to predict the financial crisis that occurred in 2008. As Mr. Bowles has said time and time again, this is one crisis we can predict, so now is the time for policymakers in Washington to act.

It is job creation that will ultimately be the benefit to Americans once a strong and balanced Federal budget is

in place. Slower economic growth results in dramatic job loss. Christina Romer, the former Chair of the White House Council of Economic Advisers, equated 1 percentage point of GDP with 1 million jobs annually.

We cannot allow the American people to suffer by not providing the economic basis for recovery and growth. A balanced Federal budget that is free of excessive debt will lead to a healthy economy and long-term sustainable job creation activities.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today deeply concerned that our Republican colleagues, in their ideological haze, have lost sight of the facts and the real people at home whose lives will be affected by the choices we make. They are lost in an ideological haze, a political dust storm that is distorting the facts and confusing process and policy with political propaganda.

As the conservative columnist David Brooks has said, "A normal Republican Party would seize the opportunity to put the country on a sound fiscal footing." He calls it "the mother of no-brainers." But it is true, as many have said, that this Republican Party is not your grandfather's Republican Party. It is not even Ronald Reagan's Republican Party. This Republican Party is so far to the right that it cannot even see the center, where ideologies converge and good governance begins. This Republican Party sees the processes governing as one-sided—their side and no other.

Today, those on the far right wave the Constitution that established a form of government to protect us from tyranny yet see any form of compromise as defeat and the only clear victory is total surrender to their position.

Here we are, working to try to ensure that reason prevails. We have offered the largest spending cuts in a generation, asking that those cuts be accompanied by closing tax loopholes and ending tax giveaways and unreasonable subsidies to those who need them the least. But because almost every Republican has signed Grover Norquist's Americans for Tax Reform pledge to never ever raise any tax, and because they define closing tax loopholes as a tax increase even when the recipients themselves have said they do not need those tax breaks, we are forced into this position, hoping that logical, moderate voices on the other side will rise up, demanding that we do what is right for the American people.

In my view, ending subsidies to big oil companies does not fall under that pledge. Only in Washington would Republicans call ending \$21 billion in tax breaks for big oil companies that will make \$144 billion in profits a tax increase. It is not. It is not a tax increase; it is a measure of fairness. It is

exactly what we need to do under the circumstances, and it is a reasonable offer by those of us on this side of the aisle.

Our job, in a representative democracy, is to represent the values of those who sent us here to do what is right for them, not wave a pledge and conveniently interpret the elimination of oil subsidies for multibillion-dollar profitable corporations or ethanol subsidies to the tune of \$2 billion as a tax increase. That is nonsense. We are offering a reasonable compromise, as that conservative columnist David Brooks says, "the mother of no-brainers."

Even USA Today said in their editorial:

Compromise is an essential part of democracy, but negotiating with Republicans over taxes has become as futile as trying to bargain with the Taliban over whether girls should be allowed to attend school.

That is a pretty stark comparison, I admit, and I may not have gone that far. But, frankly, our Republican brethren seem to hold to their ideology almost as religiously. They see all things in black and white. They act as though they believe those who disagree with that ideology are unpatriotic or heretics, and that the only truth is their truth. What they have forgotten is that negotiating with those with whom we disagree and reaching a compromise is what good governance is all about.

There is another falsehood. Spending is not a Democratic value, as our friends on the other side of the aisle would have us believe, but a Republican reality. It was the reckless spending of Republicans combined with a reckless tax policy and an ideology that let Wall Street run wild, turning a free market into a free-for-all market, that brought us to where we are today.

Let's remember, it was not long ago that the budget was, in fact, balanced during another Democratic administration when we had budget surpluses as far out as the eye could see. The day President Clinton left office he handed the incoming President a \$236 billion surplus with a projected surplus of \$5.6 trillion over the following 10 years.

When President Bush left office he had turned a \$236 billion budget surplus into a \$1.3 trillion budget deficit with projected shortfalls of \$8 trillion over the next decade. He handed the new President an economy that was headed off the cliff into a near depression.

We have spent \$786 billion, unpaid for, on President Bush's ill-advised, wrongheaded war of choice in Iraq because of some false allegations of weapons of mass destruction, a political experiment that distracted us from a war of necessity in Afghanistan, keeping us there far longer than necessary at an additional cost of \$430 billion, unpaid for. The total cost for both wars, unpaid for, was \$1.2 trillion.

The Republican Party that will not now agree to one penny in revenue and

demands only more spending cuts has fought to make tax breaks for the wealthy permanent that would cost this Nation another \$5 trillion. They have favored big business and Wall Street in a Tax Code that has resulted in major multibillion-dollar corporations paying no taxes—yes, no taxes at all.

In fact, a detailed Government Accountability Office study of corporate income taxes from 1998 to 2005 showed that 55 percent of large U.S. corporations reported no tax liability for at least 1 of those 8 years. Yet those same Republicans will look us in the eye in defense of their defenseless position and tell us that most individuals do not pay taxes either. What they will not say is that those individuals who do not pay taxes do not pay taxes for a reason: They do not earn enough to pay income tax, and many of them are among the poorest of the poor. Only in Washington could such an indefensible position be accepted as defensible and logical.

Only in Washington could Republicans support policies that benefit the wealthiest at the expense of the middle class. Only in Washington could Republicans tell a construction worker in New Jersey, who has cut his budget to the bone and needs to work another job to pay the bills, that we do not need to end tax loopholes and tax breaks to help pay the Nation's bills; that we only have to cut more spending and give more money to the top 1 percent of the wealthiest in the country who control 45 percent of all of the wealth in America and that they will create more jobs—*notwithstanding the fact that 12 years of tax cuts for the wealthiest created virtually no jobs at all.* When Ronald Reagan and Bill Clinton increased the revenue side of the equation, it brought the greatest economic progress in the last half century. But our Republican colleagues do not let the facts get in the way of their ideology.

The fact is, if Joe the construction worker in New Jersey cut his budget and his spending and has made the difficult choices about what he can afford and what he can't and still can't meet the bills he has to pay with the money he earns, then he has to get a second job or work more hours or find a way to increase his income. Yet our Republican colleagues will look that construction worker in the eye and tell him he doesn't need to earn more, he needs to cut more and then cut again. Cut to the bone, if necessary, but never, never do what needs to be done to increase the revenue side. Only in Washington does such an argument seem reasonable. Only in this Republican Party does such an absurd argument try to make sense.

Never before has America waged two wars at the same time, struggled to invest in our infrastructure to create

new jobs—and done so at a time of decreased revenue—and not seen the need at least to discuss the idea of closing tax loopholes and tax breaks for Big Oil and multibillion-dollar corporations. Never before has any party claimed we can do all of that and at the same time balance the budget on the backs of seniors, students, middle-class families, and not even consider the shared sacrifice—a sacrifice that would end tax breaks for multibillion-dollar corporations that in many cases don't even pay taxes. Never before has such illogic passed for logic. But our Republican colleagues will not take yes for an answer. We have said yes to spending cuts, more spending cuts than we have seen in a generation. Now they must say yes to common sense, fair increases in revenue, and choose good governance over political ideology.

David Brooks, the conservative columnist to whom I referred, said, "The members of this movement talk blandly of default and are willing to stain their Nation's honor," meaning that the country will not meet its obligations. We teach our children that you have to meet your obligations, but this movement tells the country you don't have to meet your obligations.

He goes on to say:

If debt ceiling talks fail, independent voters will see that Democrats were willing to compromise but Republicans were not. If responsible Republicans don't take control, independents will conclude that Republican fanaticism caused this default. They will conclude that Republicans are not fit to govern.

I would very rarely agree with Mr. Brooks, but I would agree his observations in this case are absolutely right. This is about not only standing up for the Nation's honor, it is about standing up for the Nation's obligations. It is about standing up to make sure there is a fair and shared sacrifice, not just on the backs of middle-class working families in this country and those who have the least among us. That is the choice Republicans would have us make. It is a wrong choice for the Nation, and I hope we get to some sense of reality in this Chamber that can help us move forward, have the Nation be upheld in its obligations both here and abroad and not start a ripple effect that will cause an enormous consequence to this Nation's economy.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. I ask unanimous consent to speak for up to 10 minutes, followed by Senator INHOFE for up to 10 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. We heard the Senator from Georgia talk about the upcoming predictable crisis, and our Nation faces an Olympic crisis right now, and it is a predictable crisis.

Back in 2006, then-Senator Obama called raising the debt ceiling "a sign

of leadership failure.” So why 5 years later is it now-President Obama who is asking us to raise the debt ceiling, and why is he doing it with no plan on how to pay back the new debt we continue to accumulate?

In his press conference last week, the President called on this party to “go ahead and make the tough choices.” When it comes to cutting spending, his allies in Congress refuse to make any choices. The President has attacked this body for not getting a deal done on time. Yet he declined to meet with Republicans about these very issues and about our ideas. According to the White House Press Secretary—the Press Secretary said this was “not a conversation worth having.” Well, he has finally agreed to meet tomorrow with leaders from both parties.

The White House and Congress have a choice: Do we want America to be broke or do we want America to be balanced? Facts are stubborn things, and the numbers do not lie. Our debt is swallowing our economy whole. Every day Washington borrows \$4.1 billion more—borrowed over \$4.1 billion yesterday, \$4.1 billion today, and it will borrow \$4.1 billion again tomorrow. That is over \$2 million a minute, every minute. In a single day, Washington borrows enough to buy tens of thousands of new homes. In a single hour, Washington borrows enough to buy 2 million barrels of oil. In a single minute, Washington borrows enough to send 53 students a year to the most expensive colleges in America. In a single second, Washington borrows enough to buy two new Ford Mustang cars. Washington did all of that yesterday, and it will do it all today, and it will do it all tomorrow.

Well, of every dollar Washington spends, 41 cents of it is borrowed. Much of it is borrowed from China. Every American child born today, born tomorrow, and born the next day is born with a debt of over \$45,000. Next year, of every dollar Washington spends, 68 cents will go for Social Security, Medicare, Medicaid, and interest on the debt alone.

If those numbers don't sound scary yet, they will. Interest on our debt cost \$196 billion last year. It costs nearly \$23 million an hour. It costs over \$370,000 a minute, every minute. It costs \$6,000 a second, every second, interest alone on our debt. In the time it takes to give this speech, as well as my colleague's previous speech and the speech coming up after that, in those 10 minutes, Washington will have spent millions of dollars on interest payments alone.

The President has railed against tax breaks for private jets. He did it in a press conference last week. He mentioned it six times. What he didn't tell you is that every \$100 of the huge deficit of this year alone—of every \$100, only two cents of that \$100 would be

dealt with with the tax he proposes and holds out as the No. 1 thing. What about the other \$99.98? What the President won't tell you is that the interest on our debt costs enough to buy over 100 private jets every day—for the interest we pay on the debt alone. His party wants to end tax breaks for yachts. Yet the interest on our debt would buy over 50 luxury yachts every hour. Most Americans are feeling severe pain at the pump. Yet Washington could buy nearly 2,000 gallons of gas at current prices every second with the money we spend on interest on our debt.

If we, as a nation, continue down this path, Washington will spend all of what it takes in on Medicare, Medicaid, Social Security, and interest on this colossal debt. Everything else, from defense to education, will be paid for on a budget of borrowed money. So where is the money going to come from? How will we ever pay it back? A lot of it will come from other countries, countries that do not always have America's best interest at heart.

Debt isn't just a disaster for the distant future; our debt is so unsustainable and irresponsible that even our military leaders have condemned it. ADM Mike Mullen, Chairman of the Joint Chiefs of Staff, has said the biggest threat to our national security is our debt. The debt is the threat. We do not and we should not take the biggest threat to our national security lightly.

The amount of debt we owe right now today is so high that it is hurting our employment at home. Experts continue to tell us that our debt is costing us millions of jobs. Meanwhile, the Weekly Standard reports that every “stimulus job” costs over \$¼ million. In other words, the White House could have just cut a check of \$100,000 for every American who got a job through the stimulus, and taxpayers still would have come out ahead by \$427 billion. Spending like this cannot create jobs because by nature it makes it harder for the private sector to grow, and no growth means no jobs. Because of this, it is harder for American families to buy gas, groceries, cars, and homes, to pay tuition for their kids to go to college, and it is harder to create jobs for those kids who will be graduating this year and next year and every year until we get this spending under control.

Everyone seems to claim they understand that the situation is irresponsible and unsustainable. Two years ago, back in February of 2009, the President called experts to the White House. He called them in for what he called a fiscal responsibility summit. In his opening remarks, here is what the President had to say:

Contrary to the prevailing wisdom in Washington these past few years, we cannot simply spend as we please, and defer the con-

sequences to the next budget, the next administration, or the next generation.

Well, I agreed with the President. He was right. So my question to the President is, What have you done about it?

One thing he has done is to call together a debt commission. Late last year, the debt commission released their report on America's fiscal situation, and the findings were sobering. According to the report, they said the problem was real; the solution will be painful; there is no easy way out; everything must be on the table. You know what else they said. They said Washington must lead.

Washington has not led. Instead, the administration has offered nothing but empty promises. As the White House makes promise after promise and speech after speech with no action to back it up, it is clearer than ever that in Washington spoken promises have become broken promises.

This administration's allies in Congress have no plan other than raising taxes. While they claim to have already accepted the idea of cutting trillions of dollars from the budget, I have yet to hear the Democratic leadership endorse any spending cuts. Where is their plan to cut wasteful Washington spending? So far, they have only talked about tax increases that will kill jobs and hurt our economy. Raising taxes will only make matters worse.

The fundamental difference in this fight is more than just practical, it is also philosophical. We can argue over whether raising taxes on this or on that industry will lower the debt or just raise the costs for the American people.

Let me make this very simple. I am not interested in raising taxes to expand and sustain the size and scope of our Federal Government. I want less government, less costly government, and that means I am not interested in ferreting out new ways to tax people or businesses. I am looking for ways to cut spending to shrink the size of government. I want to dramatically reshape government, spend less, do less, and put power back into the private sector. That is how you raise revenue—you slash government, you put people back to work. Washington's persistent push to put our fiscal crisis off until tomorrow is unacceptable and must end now.

So I come to the floor and say, as someone from Wyoming, where we live within our means, where we balance our budget every year, it is time for this body, this Congress, and this President to sign into law a balanced budget amendment to the Constitution. That is an amendment which would force Washington to live within its means.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, just one comment on the subject at hand, and

then I want to talk about something completely different that is very significant happening today.

I listened to the Senator from New Jersey down here. He kept talking about only in Washington what can happen, only in Washington. Yet never was anything said about cutting spending. It was all about passing tax increases, and that is what we will be faced with tomorrow.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 1335 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent that the time for debate be extended until 7:30 p.m., with all of the provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, I wasn't going to come to the floor today, but I was in the chair and I have been hearing some of the debate that is going on about this debt ceiling and I decided that, once again, I needed to stand and remind people what this vote is about when we get to it. The Presiding Officer has heard me talk about this before.

Our failure to lift the debt ceiling is not like the United States cutting up its credit card and saying we are not spending money anymore. It is exactly like a household at home, back in Colorado, saying we overspent, we weren't careful, and we are not going to pay the cable bill this month even though we owe it or we are not going to pay our mortgage this month even though we owe it. Those are the kinds of things that in the real world lead in worst cases to bankruptcy but in a lousy case can lead to interest rates going up because the bank says we are not going to let people pay a lower interest rate for their mortgage because they are not a good credit risk. That is exactly what is going to happen to the United States of America if we renege on the full faith and credit of the United States.

That is why I was so pleased to see an editorial today in the Wall Street Journal called "A Debt-Limit Breakout." The Journal observed that:

What this debate needs is a breakout strategy—to wit, Republicans should answer Mr. Obama's tax call by accepting his business tax increases in return for a lower corporate tax rate.

The Journal goes on to observe directly—and by the way, I said this for 2½ years, the last 2½ years in Colorado—"... the U.S. corporate Tax Code provides the worst of both worlds: It makes U.S. companies less competitive" because we have one of the highest rates, if not the highest rate, in the world, "even as it raises much less rev-

enue than advertised." Because there are so many special interest loopholes that even though we have this high rate we are projecting, we are not, as the Presiding Officer knows, collecting the revenue we need.

Finally, the Journal says:

Think about it.

Talking about these negotiations.

On the current path both sides are headed at best for a de minimis deal that makes everyone look bad, at worst for a major political crack-up.

I think the Journal has it exactly right, and I think both of those outcomes are unacceptable to the people of Colorado and should be unacceptable to the Members of this body. A de minimis deal that somehow gets us through this but doesn't actually address the fundamental structural issues we face is unacceptable, and a political crackup is absolutely unacceptable as well not because of the political fate of anybody in this Chamber, but because of what is going to happen to our economy if our interest resets because we have failed to deal with this debt ceiling issue.

I have spent a lot of time in the capital markets and I know that once those interest rates reset, they will be reset for the rest of my life. I am so worried the posturing and the politicking that has been going on in this Chamber is going to put us in a place where we actually run out of time to do the right thing.

I wanted to come down here today to say thank you to two Republicans who came out today. One is Senator JOHN MCCAIN from Arizona who came out with this Wall Street Journal editorial—and, by the way, I ask unanimous consent that the Journal article I have been referring to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 5, 2011]

EDITORIAL: A DEBT-LIMIT BREAKOUT

The debt-limit talks in Washington are bogged down in the hedgerows, with some Republicans insisting on a balanced budget amendment that can't pass Congress President Obama insisting on tax increases that Republicans oppose.

We've long favored such a reform, and last year so did the Simpson-Bowles deficit commission and the White House economic advisory council headed by Paul Volcker. But the cause has now acquired no less a convert than Bill Clinton. Speaking Saturday at something called the Aspen Ideas Festival, the former President admitted that he had once raised tax rates on corporations.

"It made sense when I did it. It doesn't make sense anymore. We've got an uncompetitive rate," he said. "We tax at 35% of income, although we only take about 23%. So we should cut the rate to 25%, or whatever's competitive, and eliminate a lot of the deductions so that we still get a fair amount, and there's not so much variance in what the corporations pay."

We opposed Mr. Clinton's tax increases, not least because corporations don't pay

taxes so much as they serve as a collecting agent. But on the rest of Mr. Clinton's riff, Milton Friedman and Robert Mundell couldn't have put it better, though perhaps they'd think that 25% is still too high.

We'd prefer 15% ourselves, but Mr. Clinton is exactly right on the failure of the 35% rate (39% on average including the states) to capture that share of corporate income in government revenue. We wrote earlier this year about Whirlpool, which had an effective tax rate of zero due to its many write-offs. Everyone knows the notorious case of GE.

The average effective corporate rate varies by industry but is far less than the 35% rate, and the injustice is that some pay much less than others if they can afford lobbyists to write loopholes or they invest in politically correct purposes. Anyone not in thrall of class-war symbolism understands that the U.S. tax code provides the worst of both worlds: It makes U.S. companies less competitive even as it raises much less revenue than advertised. Mr. Obama and Treasury Secretary Tim Geithner have acknowledged this in the past, the President as recently as this year's State of the Union address.

As for the debt-limit politics, this is also a winner. Democrats and Republicans say they've agreed privately on sizable spending cuts over a 10-year budget window. No doubt some of those cuts are less real than others, and future Congresses could rewrite any enforcement provisions passed this year. But Republicans still have an incentive to set spending on a downward path, and Mr. Obama has an incentive to show he is no longer a hostage of Nancy Pelosi as he runs for re-election.

The political sticking point is Mr. Obama's desire for some Republican buy-in on raising revenues. His political left is still sore that he agreed to extend the Bush tax rates through 2012. Thus he's pounding Republicans to agree to eliminate certain business tax deductions that political advisers David Axelrod and David Plouffe have told him will be hard for Republicans to defend. Corporate jets. Carried interest for private equity. Oil and gas. Even LIFO accounting, which few understand but can be made to sound nefarious.

Whatever their individual merits, each of these would be a tax increase on business, and Republicans campaigned last year on not raising taxes. But the politics is different if they can offset these revenue raisers with lower tax rates. That would let Republicans honestly claim they didn't support a net tax increase, even as Mr. Obama could say he raised revenue.

Our own guess is that such a reform would raise far more money than the official scorers would predict, since it would lead to a more efficient allocation of capital and less tax evasion. This would also promote economic growth, breaking out of the austerity mentality driven by debt reduction. If Mr. Obama really is worried that lower federal spending will hurt the economy, then this tax reform is also his best growth policy.

In offering his grand bargain on Saturday, Mr. Clinton included the caveat of "how can they do that by August 2?" Mr. Geithner says that is the date when he can no longer finagle federal finances to escape a potential default on the debt, or must at least cut some federal spending, to avoid breaching the \$14.3 trillion debt limit.

But where there's political self-interest there's always a way. Both sides could agree to a short-term debt-limit reprieve of a month or two with some spending cuts that everyone agrees on. That would give them

more time to cut a larger deal that includes corporate tax reform.

Think about it. On the current path both sides are headed at best for a *de minimis* deal that makes everyone look bad, at worst for a major political crack-up. Perhaps Mr. Obama wants a crack-up to portray Republicans as extreme. But Republicans should at least call his bluff and answer his demands for fewer business tax deductions by saying yes—in return for lower tax rates.

Mr. BENNET. Senator JOHN MCCAIN came out and said we might not like everything in here, but it makes a great deal of sense and we need a game changer to deal with this debt debate we are having right now. I wish to applaud him for that. When someone comes to the Senate they say a person can have two mentors, one is a Democrat and one is a Republican, but one has to ask the person if they will do it. I asked Senator MCCAIN if he wouldn't mind being my Republican mentor and he thought about it a little bit, he came out on the floor and he said, I will take you to lunch. Even though he didn't exactly support me in my last campaign, he has given me a lot of advice over the last number of months. To see him out here today saying, you know what, we may need to think differently about this, gave me some hope that maybe we are not going to run out of time.

The other person I wish to thank is Senator CHAMBLISS from Georgia who was speaking when I was sitting in the chair and said that everything needs to be on the table. This isn't a time to draw bright lines. It is a time to pull ourselves together, roll up our sleeves and do what is right. We have the outlines of a plan from the deficit and debt commission. I don't love everything in it—but we have to find a way to compromise and come together for the benefit of our kids and for our grandkids, and I think importantly, in the short term, to give American business the confidence it needs to invest again in this economy.

There is \$2.3 trillion of cash sitting on the balance sheets of our Nation's businesses. There may be a lot of reasons for that, but I know one is they are uncertain about our ability to straighten out the fiscal quagmire we face.

We have spent a lot of time on this, but we haven't made a lot of progress and we are running out of time. So I urge all of my colleagues to come to the floor in the spirit of people who want to work across the aisle, who are not interested in drawing these bright lines, and come to a big deal—not a small deal—one that gets to the \$4.5 trillion that the deficit commission recommended or in that direction generally, and gives us the chance to feel as though we have done something useful for our kids, one that will give us the chance to feel patriotic, that we actually have honored the legacy of our

parents and grandparents, and that we have passed along more opportunity to the next generation. I want the Presiding Officer to know, and I know he feels the same way, that we will work with anybody on the other side of the aisle to try to get this done.

Thank you, Mr. President. I yield the floor.

Mr. MORAN. Mr. President, I ask to speak for up to 15 minutes.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, it is appropriate that we are here on this July 4 holiday week. I joined a number of my colleagues last week who made it clear it was important for us to be here. Raising the debt ceiling is a significant issue we face, and while I am pleased to see the discussion ongoing on the Senate floor today, we do need actions that speak louder than our words. I say that knowing I am coming here to talk about an issue that we have attempted to bring to the attention of my colleagues in the Senate now for a long time.

We have a looming financial crisis. All the Democratic leadership was capable of bringing up on the Senate floor this week was a sense of the Senate that wealthy Americans should pay their fair share of something.

I suppose we will have a discussion about that, which has begun and will continue for the next few days. But I believe Americans deserve leadership in our Nation's Capital to confront the real fiscal challenges—not just this desire to kick the can down the road and ignore the crisis we face.

In my view, our President and the Senate leadership have failed to lead. They have failed to adopt the President's own Deficit Reduction Commission report. The President has not proposed the results of that report. They have failed to pass a budget in over 2 years. They have failed to introduce a budget even in our committee this year, and the President's budget that he did propose this year is woefully inadequate in addressing the fiscal crisis, the deficits we face.

Crafting a budget is one of the basic responsibilities of Congress, but it has not happened. No country, business, or family can operate responsibly without a budget. I serve on the Appropriations Committee. I would love to have a budget that set the guidelines for us to begin the process of determining how much money we should spend, what things might be increased, decreased, or eliminated. Without a budget, the appropriations process continues to falter and, in fact, it would not be surprising that once again we end up with either an omnibus spending bill or a continuing resolution.

The President and Senate Democrats have said they are serious about dealing with our Nation's debt crisis, but actions will speak louder than words.

The truth is the President's budget and the policies of this administration have made our problems worse.

During the last 2 years, the government has spent more than \$7.3 trillion and increased the Nation's debt in just 2 years by more than \$3.2 trillion. The President is missing and the Senate is dysfunctional. The struggling economy we are experiencing and the financial collapse around the corner is the most expected economic crisis in our lifetime. Yet nothing is being done to stop it.

The cochairs of the President's own Fiscal Commission have said the same thing and have warned that if we fail to take swift and serious action, the U.S. faces "the most predictable economic crisis in its history." They predict such an event could occur in 2 years or less.

It is time to move past empty rhetoric and get serious about confronting the debt crisis. Delaying difficult decisions and simply increasing the debt ceiling once again without making any changes to the way Washington spends taxpayer dollars should not be an option. We cannot afford business as usual.

The President's solution is to raise revenues to balance the budget. But does anyone really believe that increased taxes will be used to pay down the debt or will it just be used for even more spending? History shows that money raised in Washington, DC, results in more spending in Washington, DC.

When families struggle to pay the bills, they do not simply ask for a pay raise; they cut their spending. The revenue increases we need are not tax increases but increased revenues that come from a growing economy.

The last time we had a balanced budget was at the end of President Clinton's term. Yes, there was some spending restraint, and Republicans and Democrats could not get along well enough to agree to spend a bunch of money, but the real reason the budget was balanced was that people were working and paying their taxes. We need a growing economy once again to balance the budget.

Increasing taxes reduces the chances of economic growth and the ability to create more and better jobs. If we increase taxes, we reduce the chance of economic growth and we reduce the chance of more and better paying jobs.

In Kansas, for example, the President proposes we increase taxes on those who own a business plane. Airplanes are a pretty important component of our State's economy, and this proposal would have a devastating impact upon the Wichita economy, which has already suffered the loss of thousands of jobs under declining business in this country.

Now is not the time to penalize a U.S. industry that produces the best

quality airplanes in the world. The U.S. and North America ship a significant amount of business jets worldwide, more than any other region in the world. But because of the recession, nearly every aircraft manufacturer has had to cut jobs, some up to 50 percent of their workforce.

We see this in Kansas day in and day out, and yet the proposal is to make it more expensive to own an aircraft. This does not punish the owners of aircraft. It punishes the people who work every day to make an airplane.

To turn our economy around and put people back to work, Congress and the Obama administration should be implementing policies that encourage job creation, not diminish the chances; rein in burdensome government regulations; replace our convoluted Tax Code with one that is fair, simple, and certain; open foreign markets for American manufactured goods and agricultural products; and develop a comprehensive energy policy. Yet none of these are being done by this Senate.

Spending more has failed to stimulate our economy. Instead, we should cut government spending to reduce our deficit, cap spending so it does not continue to eat up more and more of our gross domestic product, and balance our budget so we do not get back in this mess once again.

First, it is time to cut government spending and change the way Washington, DC, spends taxpayer dollars. Mr. President, 40 cents of every dollar our Federal Government is spending is borrowed. One hundred percent of our tax revenue is spent on mandatory spending and interest payments on the debt. Everything else—defense, homeland security, energy, education—is borrowed. This year we will collect \$2.2 trillion and spend \$3.7 trillion—a \$1.5 trillion deficit.

CBO, the Congressional Budget Office, now projects that debt held by the public will exceed 100 percent of gross domestic product by 2021 under current policies. This is a 10-percent increase in debt relative to CBO's projections of only a year ago.

The debate over government spending is often seen as one that is philosophical or partisan bickering that always goes on in Washington, DC. And certainly I have heard, all of my adult life, the conversations that go on in Washington, DC, and on the talk shows, and in the newspapers, that talk about Republicans and Democrats arguing about balancing the budget and how much money we can spend, but the reality is this time it is different, and our failure to act will have dramatic consequences on the daily lives of Americans.

This is about whether Americans can find a job, can make their payments on their homes and automobiles, whether their kids have a bright future and can pursue the American dream. This is

not a philosophical discussion for Washington, DC. This has real consequences for every American family.

We are not, unfortunately, immune from the laws of economics that face every nation. The failure to get our financial house in order and borrowing under control will lead to increased inflation, higher interest rates, fewer jobs, and a lower standard of living for every American. Our creditors may one day decide we are no longer creditworthy, and we will suffer the same consequences that other countries are now suffering that followed that path. We should learn from them.

Secondly, it is time to cap discretionary spending this year and next. We must demand enforceable statutory caps to return Federal spending to 18 percent of gross domestic product, where it has been for almost all of the past 60 years. Current Federal spending is now nearly 25 percent of gross domestic product and remains on track to be high over the course of the next 10 years.

Third, we must pass a balanced budget amendment. This amendment to the U.S. Constitution is the best way to discipline government officials. This amendment would require the President to submit and Congress to pass a balanced budget each and every year, cap Federal spending at no more than 18 percent of gross domestic product, and require a two-thirds vote of the House and the Senate to raise taxes.

Nothing here is unreasonable. Cut spending, cap the percentage of spending to GDP, and pass a balanced budget amendment. When did it become radical or even irresponsible to live within our means? We know what is going to happen if we do not act, and it would be immoral for us to look the other way or to kick the can down the road because the politics of these issues are too difficult to deal with.

Officials from the Obama administration warn that the failure of Congress to raise the legal debt limit would risk default. But the bigger economic threat that confronts our country are the consequences of allowing our country's pattern of spending and borrowing to continue without a serious plan to reduce that debt. Our out-of-control debt is slowing our economic growth and threatening the prosperity of future generations who will have to pay for our irresponsibility.

Our government is not on the verge of a financial meltdown because Republicans will not vote to raise the debt ceiling. We are at the point of financial collapse because Republicans and Democrats have spent money we do not have for way too long. We must use the leverage that raising the debt ceiling now presents to force elected officials to do something they otherwise would not do: curb spending, grow the economy, and balance the budget.

If we fail to respond, if we fail to act as we should, if we let this issue one

more time pass for somebody else to solve because it is so difficult, we will reduce the opportunities the next generation of Americans have to pursue the American dream.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, we are here trying to figure out where America goes in the near future, but also where it goes in the long term because the decisions we make here are going to have a long lasting effect.

What we hear and the American people are witnessing over TV is the Republicans are playing with fire, and millions of Americans are in danger of getting scorched. It reminds us some of those who played the fiddle while Rome burned. The Republicans are willing to allow our country to go into default rather than ask the wealthiest among us to pay their fair share.

The Republican side of the Capitol is clear. They say: Don't ask our millionaire friends to contribute anything more to keep our ship of state afloat. Yes, the ride is going to be bumpier for everyone, but that is life. Why shouldn't the middle class pay something, they ask. After all, there are so many of them.

In fact, a Republican Senator was on the floor this afternoon saying the wealthy are overburdened. It is not easy, I guess, to pick out a new car every year, maybe make sure your reservations for your trip abroad are made, and renovations for the house are in order. Life gets complicated if you are rich. These decisions do not come easy.

The Senator who spoke this afternoon complained that the poor and the middle class—and I quote him here—“need to share some of the responsibility.”

So there it is. It is the poor and the middle class who need to sacrifice once again, but not the wealthy. The fat cats sit purring on the front deck while middle-class workers are breaking their backs.

Middle-class workers should not have to explain to their kids why they cannot afford to help them get a college education. Democrats know the way to keep our country strong is to educate every young person capable of learning.

Now, what is the real cost of millionaire protection? This risk is an economic calamity for middle-class families across the country if we make a mistake here as we deal with the raising of the debt ceiling, as we deal with the problems of the budget.

It is time to stop protecting millionaires when so much is needed from everyone who can help this country regain its footing. If the Republicans force default on our debt, it could mean tens of millions of Americans might not receive their Social Security checks. Retirees and disabled Americans on fixed incomes depend on Social Security for survival.

But Social Security is only the beginning. If the Republicans insist on pushing the government into default, the men and women who wear our country's uniforms may not even get their paychecks. Right now there are 140,000 brave Americans risking death and injury in Afghanistan and Iraq. Do we reduce our responsibility to them because Republicans do not want to burden millionaires?

Additionally, payments to doctors under Medicare and Medicaid could be suspended. Where do the seniors and needy Americans turn then in the event of an urgent medical problem?

At a time when nearly 14 million Americans are out of work and struggling to keep food on the table, unemployment benefits could lapse. We are talking about the possibility of people without incomes, people unable to sustain their basic needs. In addition to destroying the safety net for ordinary Americans, a default crisis would likely threaten America's position as the economic giant of the world, as we see the possibility of widespread panic on Wall Street and the damage to the credit markets that could lead to the loss of millions of jobs across the country.

The question has to be answered: Why are the Republicans willing to walk on this economic tightrope to win favor among wealthy contributors? It is because they do not sufficiently value the human infrastructure that enabled the millionaires to make their millions. They are insisting on protecting tax breaks for millionaires and billionaires.

They want to keep subsidizing big oil companies to the tune of \$4 billion a year in tax breaks. I look at what our leader, the majority leader, has proposed. I am proud to be a cosponsor of a commonsense resolution introduced by Senator REID.

The resolution says: Americans who earn \$1 million or more a year should pick up the shovel and help their country dig its way out of the disaster instead of just playing politics.

The American people see through the Republican games of protecting the rich, while middle-class families lose jobs, homes, and the belief that their children have a chance of success that their forebears dreamt about. In poll after poll, survey after survey, they say we should ask the very wealthy to pay more to reduce the deficit. Yet the Republicans refuse to close outrageous tax loopholes for oil companies that

are rolling in profits. We cannot ask them to sacrifice.

Look at what the CEOs of these companies are being paid. ExxonMobil, they made over \$11 billion in a quarter. The CEO made, in 2010, \$29 million. ConocoPhillips, their CEO made \$18 million in 2010. Chevron, the CEO was paid \$16 million in 2010.

The facts are clear and so are the Republican priorities. They do not want the giant corporations and the wealthy to lose their lucrative tax loopholes. The Republicans want to end Medicare as we know it, forcing seniors to pick up an extra \$6,000 a year for their health care. The question has to be asked: Why are the Republicans trying to slow the economic recovery? Why run the risk of financial collapse just 3 years after the last one? Do they believe destroying the economy now will help them during next year's election? What a terrible thought that is. We heard the minority leader say his No. 1 priority is stopping this President from winning another term.

Our No. 1 priority ought not to be to destroy lives for political gain. It ought to be about restoring our economy, restoring jobs, making sure all Americans can share in what this great country has to offer.

The question lurks: What is it that propels this unyielding refusal to ask those who make \$1 million a year or more to participate some in restoring our economic viability? The bottom line is, avoiding a default crisis requires all to participate or we could witness the failure of a nation that has survived for more than 200 years—200 years as a beacon of freedom, liberty, and democracy—with great risk of substantial failure in the future if we do not raise the debt ceiling.

The Democrats feel the need to protect the basic values that have made this dream heard only in America, over centuries, a reality. Going forward into the future, we have to continue to protect the values we treasure in our society.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO MEET

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that if the Finance Committee meets tomorrow at 9 a.m., it be authorized to meet during tomorrow's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SERGEANT WILLIAM J. WOITOWICZ, U.S.M.C.

Mr. KERRY. Mr. President, on June 7, 2011, Groton, the State of Massachusetts, and our country lost a brave young man who gave his life defending the Nation he loved. Sergeant William "Billy" Woitowicz died serving with the U.S. Marine Corps in Afghanistan, fighting as a part of Operation Enduring Freedom.

In the difficult days that followed this awful news, the entire Groton community came together to show their support for his family and to remember Billy's dedication and selflessness. Joe Moore, a family friend, described Bill movingly in a tribute that was itself an act of great devotion. I ask that it be printed in the RECORD so that all of us can reflect on the sacrifice of a courageous marine tragically lost much too soon in service to a grateful nation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EULOGY FOR SERGEANT WILLIAM J. WOITOWICZ

(Delivered by Joseph F. Moore)

Before I begin, I would like to read the statement I prepared for the media on behalf of the Woitowicz family this past Tuesday. It did not make its way to the individuals and communities that poured love from their hearts for Billy and his family.

On behalf of the Woitowicz family, I would like to thank everyone for their heartfelt condolences, the kind words, the outpouring of emotion, gifts of food, offers of help, cards, and prayers. I can't tell you how much that has meant to my friends. They appreciate your kindness very much.

They would also like to thank the Marines for the tremendous support of their family and the respect they've shown Billy in the way they have treated him as they've brought him home. My father was a Marine during World War II and I've always had a tremendous respect for the Corps. The actions of these Marines, in the way they've treated my friends, especially Sergeant Owens, only enhances that admiration.

If I could pause for a moment—Would you please stand and join me in a round of applause for the United States Marine Corps, and the Marines joining us today to honor

their fallen comrade, to show them how much we appreciate the sacrifices they make for us?

Billy was a wonderful person. You only need to see the flags lining the streets of Groton and Westford, the messages of love, the swollen eyes, to see how people cared about him. It is because he cared for them—that was Billy, always more interested and concerned for you than he was for himself.

Although we mourn for Billy and our hearts ache for the loss of him, we know there is a celebration in heaven for the return of one of God's favorite sons and soldiers.

I am pleased to announce the Groton Dunstable Youth Basketball League, which I have great pride in saying I served for 15 years, has named their 3-on-3-basketball tournament after Billy. Thanks so much to the Board members; this means a lot to the Woitowicz family and to me.

Our State Representative Sheila Harrington is spearheading a movement to create the Sergeant William J. Woitowicz Memorial Trust. The trust will fund a scholarship named after Billy and other activities chosen by the family. Thank you, Sheila. We appreciate your efforts.

Billy's second mother, my wife Karen, said, "For a kid who didn't like attention, he sure drummed up a lot of it."

Billy, did you see us on the tarmac waiting for you to come home?

Did you see the respect of your fellow Marines as they gently held you?

Did you see the people standing in honor as we drove through Hanscom?

Did you see Mr. Clickner with tears in his eyes holding a basketball?

Did you see the gentleman, also a Marine, at the exit with the sign that read, "Thank you Corporal Woitowicz, I try to be worth dying for."

Did you see the cherry pickers with American flags flowing down from them at the rotary?

Did you see the fire trucks from Acton and Maynard, Boxboro and Littleton, parked on the overpass, with their ladders extended and connected in a salute of honor, and the firemen standing on top of their trucks?

Did you see people who simply stopped by the procession and got out of their cars with their hands over their hearts?

Did you see along the route you traveled, the rescue squads, state police, sheriffs, and the police and firemen from Lexington, Concord, Acton, Watertown, Melrose, Medford, Lowell, Maynard, Boxboro, Lancaster, Littleton, Harvard, Ayer, Dunstable, Groton, and Westford?

Did you see the older veterans, in their uniforms, standing at salute?

Did you see the people pouring out of their offices as your procession passed by?

Did you see the elderly gray-haired woman, standing by herself in Harvard, holding an American flag?

Did you see the lines of people in bordering towns with genuine looks of anguish?

Did you see the rows of people on Main Street in Groton? And did you notice they were patiently waiting when we returned from the high school to honor you twice?

Did you see the Groton-Dunstable High School administrators, teachers, and students in respectful alignment? The students were proud to attend the same high school as you.

Did you see that we stopped at Orr Road, to pay tribute to where you grew up?

Did you see the fire trucks from Groton and Westford, your two home towns, with

their ladders outstretched over 225, forming a gateway for your return?

Did you see the people in Forge Village, waiting patiently for you?

Did you see the little kids of Norman E. Day Elementary School saluting and waving?

Did you see the people holding flags in front of St. Catherine's?

Did you know your friend Kelly was going to give up her vacation to drive back from California because she loves you so much?

Kevin and Rose, and my wife Karen and I have seven children. Their children are ours and ours, theirs. Just as I know Kevin and Rose love our kids, we love Chris, Bill, and Mandy as our own. Billy was like a son and, for reasons that I never completely understood he seemed to be attached to me. Rose and Karen would often say, "Billy really likes talking to you. He looks up to you, Joe. Talk to him." And when my dearest friend Rosemary asked me to do this eulogy, Karen said, when I hung up the phone, "He loved talking to you. You should do it. Share how much we all love him, respect him, and how much we now miss him."

Please bear with me as I give honor, through this eulogy, to my friend and hero, Sergeant William J. Woitowicz, USMC. It is a great privilege that you have bestowed on me, Kevin and Rose. Thank you.

At the same time that I was saying yes to Rose, I was wondering how I would ever get through this without breaking down. I knew I couldn't, but nothing could ever keep me from it, not even the fear of losing my composure in front of all of you, once my friends Kevin and Rose asked me to do this for them.

Do me a favor. In the minutes that it might take me to recover, please raise your eyes to heaven and look for Billy's smiling face. And while you focus on him, pray for his mom and dad, and his brother and sister. I would ask that you to pray for Bill but I know he is in a better place, happy to be home. Even if he did need our prayers, it would be the preference of our unselfish Bill that you turn your thoughts not to him but to his family.

And please get comfortable, as this might take longer than one of Father Peter's sermons. We sometimes pack a lunch for the 11:00 Mass when we know he is preaching.

Speaking of Father Peter, some of you may not know that prior to being a parish priest, he was at a monastery for which he had to take a vow of silence. He was only allowed to say two words every seven years. After the first seven years the elders called him in and asked for his two words. "Cold floors," he said. The elders nodded and sent him away. Seven more years passed. They brought him back in and asked for his two words. He cleared his throat. "Bad food," he said. They nodded and sent him away. Seven more years passed. They brought him in for his two words. "I quit," he said. "That's not surprising," the elders said. "You've done nothing but complain since you got here."

You might think it inappropriate to begin this eulogy with a joke, but it is exactly what Bill would have wanted. There is not a doubt in my mind that Billy is saying right now, "Way to go, Mr. Moore." That happens to be one of his favorite expressions. I will try to paint a picture of Billy to help you understand why this is so.

In 1996, Karen and I moved our family from Allentown, Pennsylvania, to Groton. We were building a new house and it was not completed before the start of the school year so we crammed into a suite at the Westford

Regency Hotel for six weeks. Prior to trekking to Groton, we had signed our kids up for soccer, and on our first Saturday as New Englanders we drove our kids to a match held behind St. Anne's Church in Littleton. As fate would have it, Chris, Billy, and our son Mike were all on the same team.

We knew no one in the area and Karen was determined to find a doctor for our kids. She happened to approach Rosemary on the sideline—she liked how Rose was cheering so loudly for her kids—and, as Rosie would, she went out of her way to be helpful to Karen. As they spoke, they connected partly because our kids went to Catholic schools. Let me interject here that Karen and Rose have not stopped talking since that day—literally, just ask our kids. Also while they chatted our daughters Jenny and Mandy struck up a friendship and, although they don't burn through their cell phone minutes talking like their mothers do, they have remained best friends.

The mothers figured out during their discussion that we lived near each other and Rose told us that she knew a short cut. We were headed to see how our house was coming along so we followed them home and pulled up to thank Rose for her help. It was then that we saw our first glimpse of Billy's tremendous charisma. Before we pulled away, little eight-year-old Bill looked at us and said, "Do you want to come in for coffee? My mom made muffins." He then glanced at his mother as if to say, "Come on, of course were going to invite them in—right, mom?"

The rest, as they say, is history. Our older boys also became best friends. Drew became the younger brother to all of the kids and they each had a hand in raising him. Kevin and myself and even our dogs, Freckles and Maya, became friends. They all grew up together as our families intertwined.

When Billy decided to become a Marine, his parents, of course, tried to talk him out of it. So did many others. No one could change his mind. Finally, Rosemary asked me to talk to Bill about his decision. She told me that he seemed so committed, and that it was so very important to him that I shouldn't try to talk him out of it. But, even though she wanted him to follow his dream, she was hoping I could convince him to change his mind. I tried but failed. He listened—looking off into a place I could not see—patiently and politely. We ended our conversation with Bill telling me, "Don't worry Mr. Moore, everything will be okay." Billy had made his decision and no one could change it.

On other occasions when I talked to Bill about things that might be troubling him, he would listen intently but I always sensed that he had figured out his own answer. He would masterfully turn our conversations and I would walk away feeling as though it was he who had lectured me. And, as if he sensed my thoughts, he would give me his standard but heartfelt response, "Don't worry Mr. Moore, everything's okay."

Part of the connection Bill had with me, I believe, was that my father was also a Marine. He was a proud member of the First Marines and fought in World War II. He was at Guadalcanal, the first victory for America in the Pacific after suffering so many horrific losses. He fought at Peleliu, which had the highest percentage casualty rate of any battle in the Pacific, called, by some, the bitterest battle of the war for the Marines.

Bill constantly asked me questions about my dad and wanted me to tell him the stories I knew about his war experiences. He listened, riveted, as I told him that of the 200-

plus men in my father's unit on Peleliu, only 27 returned unharmed. His face wore a look of reverence as I told him my father watched his closest friend, Sandy, die in front of him.

He loved to look at dad's medals, dog tags, and his old green-covered book about the First Marines, The Old Guard. The two of us watched a black-and-white video together that my father had given me about the battle of Peleliu—Bill could not take his eyes off of the television screen. Then again, when the mini-series "The Pacific" was released, I sat with Bill in our basement watching as it amazingly replayed the exact stories that I had told Bill about my father, including a scene where the soldier on whose life it was based, on leave in Australia, slept—just as my dad had—with other wounded and fatigued soldiers in a soccer stadium where the bleachers had been removed and replaced by cots. It also chronicled many of the horrific battle scenes. Bill, who could never sit still, did not move a muscle.

On several occasions Billy said to me, "I hope I will make your dad proud, Mr. Moore." And, just prior to leaving for Afghanistan, he asked me, "Do you think your dad will be proud of me, Mr. Moore?" I told him, "Billy, my dad is already proud of you."

I would like to share an email that Bill sent me this past April from Afghanistan. It will give you a good sense of his character, his humor, and what was important to him.

mr moore,
glad to hear from you . . . just headed off to bed, going to be a long day tomorrow—and my pack is starting to get heavy—as the afghans say in their broken English noooooooo goooooo hahah. its been warm and rainy the last two days. i wonder what your dad would think of this war. probably a cake walk compared to WWII; but all i can do is try and make him proud. i bet he's watching down on all marines up there in heaven with a big smile on his face every time we have success. cant wait to be back home and have a relaxing day by the moore pool after a good game of bball. hope works been great and everyone's been staying out of trouble—I know its probably hard for drew this day in age haha. anyways tell the whole family i said hi, and tell matt to catch up with me on email—I called and left a message on his phone the other day. my beards nice and thick and the hair is nice and long (im trying to give ole tom brady a run for his money haha) ill keep in touch but write soon and often. its funny, last year for my 22nd bday i was in the middle of losing 20lbs being chased by dogs in the woods, now im turning 23 and being chased by dogs in afghanistan haha . . . wouldn't want it any other way

love,
Bill

This is a list of the Marine Core Leadership Traits. Reading them, a vision of the man that Billy became appears:

Dependability
Bearing
Courage
Decisiveness
Endurance
Enthusiasm
Initiative
Integrity
Judgment
Justice.
Knowledge
Tact
Unselfishness
Loyalty

Certainly, these are all words that describe Bill.

To quote Albert Einstein, "Life is not worth living unless you live it for someone else." Joining the Marines was an unselfish act, and a decision Bill made with certainty. Bill was not just a Marine, but part of MARSOC, or United States Marine Corps Special Operations Command—think Navy SEALs on steroids.

Its core objectives are to direct action, special reconnaissance, and foreign internal defense. MARSOC has also been directed to conduct counter-terrorism, information operations, and unconventional warfare. MARSOC comprises roughly 2,500 Marines. About 30% of those that attempt make it through. If the Marines are the best of the best, MARSOC is the best—of the best of the best. Kevin told me that when Bill said he had to re-enlist to complete MARSOC, he started to tell Bill all the reasons he might want to reconsider. Frustrated, Bill finally told his dad he didn't need a "Plan B" because he would not fail. He was right. Billy also was one of only 1% of all Marines with a perfect score on the required physical fitness test.

Some of you may not know that Bill volunteered to go to Afghanistan ahead of his own unit. As a matter of fact, they are still here in the United States. Due to an injury to a soldier that had to return, there was a position open and Bill volunteered to go early, ahead of his unit. That was Bill, anxious to get going and positive he would make an impact.

The following is a note sent to Mandy from one of Billy's fellow Marines.

I worked with your brother in Miramar and I was the Sergeant in charge of the division that he was assigned to. I like to think I taught him most of what he knew as a computer repair tech at his first duty station. I was grief stricken to hear of his passing but please know that for a Marine as dedicated to the Corps as your brother, there is no more honorable way to leave us. I wish the best for you and your family and am truly sorry for this tragic loss.

Sincerely,

Jonathan Sypole

One Christmas Billy gave me a Marine flag as a present. If it hasn't yet come through clearly to you, Bill loved and dedicated himself completely to the Corp. Bill, like my dad, passed away from us taking his fierce pride in being a Marine with him.

I believe we live our earthly lives simultaneously on two planes, the physical and the spiritual. In the ongoing struggle to overcome the physical and live more in the spiritual, there are a few saints and mystics who succeed. Advanced souls like Saint Thomas Aquinas, Padre Pio, and Mother Teresa, to name a few, are on Earth to help others rather than live for themselves. Some fail miserably, succumbing to the earthly pull. Most of us live our lives somewhere in between. I believe Billy, like the saints and mystics, was one of the more advanced souls, one that influenced others even if they were not aware. When you looked into his eyes, it seemed like he understood things that the rest of us couldn't comprehend.

C. S. Lewis said, "You don't have a soul. You are a soul. You have a body." Not many of us fully grasp this concept while here on Earth, but I believe our Billy did. He knew that this was just a temporary parking place for his soul; his real home is in heaven. I think that is why he was so impatient, why he couldn't sit still. Just maybe he was anxious to get back where his vibrant, loving soul belonged. Why he was with us for so short a time.

On the physical plane, Billy certainly had faults, like the rest of us. But, as we know, even the Apostles Jesus selected weren't perfect. I think Billy was a lot like St. Peter—a bit impulsive, temperamental, impatient, and blindly loyal. Most of you never saw that side of him, but it was there. Far outweighing it, however, was his other side, loving and caring, unselfish and kind, and extremely loyal—he was one of the good ones. In his book *The Imitation of Christ*, Thomas a Kempis wrote, "The grace of the Holy Spirit always seeks a meek and humble heart." If so, the Holy Spirit was a permanent tenant in the heart of Billy Witowicz.

We all loved and respected the Billy of the physical plane, but to really understand the depth of him you needed to look much deeper. I don't mean look so much as I mean feel. To know him, you had to feel Billy's spirit, the energy that exuded from him. Many of us don't slow ourselves down enough to feel the soul of another. We are too busy with our day-to-day. We waste our time idolizing athletes and movie stars. We pay too much attention to what we own, how we look, what we wear, and what others think of us. Bill cared nothing about these things—he cared about others.

Those who truly knew Bill took the time to know his spirit and they could not help but fall in love with his pure, unadulterated soul. Although I miss the Bill that I could see and hear and touch, it is the loss of his soul next to mine that has tilted my world askew. I've heard many stories from many people about Bill, including his family, my family, his friends, teachers, and others that loved him. I can't tell them all but would like to share a few that I hope you will enjoy.

Billy always seemed to be in a hurry. He didn't like staying in one place he was always talking and moving. More than once he came into our house and, as I was engrossed in a television program or movie, he would start asking me questions. "So, Mr. Moore," (he loved to begin his sentences with the word "so"), "have you seen that show on sharks yet?" "Mr. Moore, have I told you the story about my buddy?" He referred to most everyone, it seemed, as his buddy. "Mr. Moore, what do you think of the change in the economy?" "Mr. Moore, I have a great business idea. What do you think—Grilled Cheese, a restaurant where that's all we serve. I'll let you in on it." And, invariably, he would ask, "So, Mr. Moore, how is work going for you?" Now, that isn't the type of question I typically get from a 20 year old. But Bill was anything but typical.

Karen summed up Bill when she said, "I guess what Billy always gave most was his time. He always had time for you." My son Mike said, "Bill always did what you wanted rather than what he wanted, and when you talked to him he asked about you. He rarely spoke about himself."

Mike went on to say, "There is a great debate about which I've studied in many of my philosophy and psychology classes, whether altruism in humans really exists. While to this day there is no definitive proof for or against, Billy's life, and the way he lived it, makes one hell of a case in support of its existence."

A close friend, Matt McElroy, echoed this theme in a beautiful letter he wrote to the Witowicz family. I would like to read a part of it to you:

Bill was instantly likeable and I think I know why. I noticed it in a conversation I had with him around Christmas this year. He called me at school to see how I was doing

and soon our conversation turned into him telling me how much he admired me for studying to become a lawyer and working hard towards a career. As Bill went on, I remember feeling immediately rejuvenated and energized—It is an incredible feeling to be admired like that! I tried to reciprocate the praise as much as I could because I was just as proud of him for working so hard to achieve excellence in his own profession. After thinking about our conversation that day, I reflected on past experiences with Bill and finally realized why Bill connected with so many people. I remembered Bill admiring the way I played basketball and asking for advice on how to get better; I remembered at the gym he would tell me how strong I was and saying he wanted to look like me. Even though I had seen Bill do these things before, I wasn't mature enough to realize his emotional genius, but now I know. Bill's secret was his ability to identify your best traits and tell you what they were. What an unbelievable gift! And he did it in such a genuine and honest way—never insincere. It is so rare to see that in anyone, let alone someone that young.

When Karen read Matt's letter she said immediately, That describes Rose, Joe. Rosie, it is from you that he received this wonderful trait.

Bill never wanted attention. Even though he could get a discount at some stores because he was military, he did not use it. This past December, I listened as he spoke on the phone to a store from which he had ordered three new suits. He ordered them in plenty of time for Christmas and New Years, the last time he could wear them before shipping out. But a clerk made an error and Bill was told the suits would not be there in time. He spoke patiently trying to find a way to make it happen. I said to Bill, "Tell them you are a Marine and headed to Afghanistan." He would not. I told him to give me the phone, I would talk to them. He would not. The suits did not make it; they have never been worn.

Bill did not care about money. When Chris and Matt discussed who would pick up a dinner check, the conversation turned to how some people never offer to pay. Bill replied, "People should not be so focused on money I like spending my money on friends." When a close high school friend expressed concern about how she was going to pay her college tuition, he told her not to worry, he had plenty of money.

Chris, Matt, Mike, Matt McElroy, and a group of their friends formed what they call the Power Group. They share inspirational sayings and their own thoughts with each other. Bill sent the following note to the group from Afghanistan.

hey chris, send this around to the power group if you think it makes the cut-its short and sweet.

(1) perception is reality, no matter what you think

(2) word travels fast, so fast that what you say about someone may travel faster than expected, and now your trying to backtrack on what was said.

(3) life is short, even to usama life was probably too short.

(4) if there's one thing i learned through this deployment so far is that what's said can be taken back, but if you don't take it back today, tomorrow may be too late.

(5) and finally, stressing over the small stuff only makes things look fuzzy around the edges and the goal is harder to accomplish.

anyways i thought i might contribute to the power group because every day i strive to

be looked at as a professional, and more importantly be a professional.

eat your vegetables,
woita

Riding a dirt bike was Billy's first love. As a kid, he was determined he was going to be a professional dirt bike rider. He and Mike would often bomb up and down our driveway popping wheelies. I would hear the whine of Bill's dirt bike in the woods behind our house, it was the signal that Bill was paying us a visit. Matt's laptop screen is a picture of Bill popping a wheelie on a dirt bike in Afghanistan. Billy's Sergeant, Danny Draher, told Kevin that they use dirt bikes in Afghanistan to travel to remote areas. Each time he put Bill out on point he'd just be gone, ahead of the pack, and Sergeant Draher had to keep reeling him back in. He asked Kevin where Bill learned to ride like that. Bill was a natural. And, just like Bill, he was having fun no matter where he was.

Bill loved to eat. Rose said that when he was an infant in his crib, you could hear him from the other room making sucking sounds, looking for food. She said he was that way the rest of his life. He was eating steak at 10-months-old. One of his favorite sayings was "Eat big, get big."

One of his greatest gifts was how he could build your self-esteem. One night during dinner at our house he turned to Drew and said, "So, Drewman, are you going to play in the NBA or the NFL?"

He was a people person. When Bill was home on leave you would often find him in the Village chatting with people of any age, asking them endless questions, never turning the conversation to himself.

Kevin told me Bill loved hypotheticals. He would propose, "Dad, if we drove by a dirt bike laying along the side of the road every day for three weeks and no one claimed it, couldn't you just take it? That wouldn't be stealing would it?" Another example. Matt and Bill were having lunch together and they struck up a conversation with the man at the next table. He turned out to be the co-founder of Safety Insurance and he told the boys that he had cashed out and now lived his life helping others. He said he was a deacon at his church. Bill, who could be skeptical of organized religion, posed a hypothetical. "So, let's say that I steal something and die. I learned that it is a mortal sin and if I die without confessing the sin I go to hell. But, another guy commits murder. He confesses his sin before dying and he doesn't go to hell. Explain to me how that is right?" Kevin and Chris would sometimes tease Billy about his hypotheticals. "So, Bill, if that house was sitting empty for a year could we just move in?" Bill would see the humor and laugh along with them.

Bill was a prankster. As he grew physically strong through his training, he loved to wrestle Matt, Chris, Mike, or Drew. We would be sitting talking or watching TV and, unexpectedly, he would jump up, grab one of them, and try to wrestle him to the ground. All the while, laughing and taunting, "Let's see what you got."

My daughter Jenny had gym class with Bill when she was a freshman and he was a junior. They were playing dodge ball and one of the boys hit her in the head at close range with a ball, which made her teary eyed. Billy noticed, sought out the perpetrator, took aim, and hit him square in the face. Bill the White Knight had defended her honor.

When Billy was learning to read from a picture book, the kind with one sentence per page, his dad said that any time he made a mistake he would close the book, go back to

the beginning, and start over. If he made ten mistakes, that's how many times he would start again. If anyone helped him pronounce a word, he did the same. Of course, Chris enjoyed tweaking his brother by helping him with a word even if he didn't need it. Bill would yell, "You're messing me up," slam the cover shut, and start again.

Bill's Grandfather Labelle said, "All I can say about him as a child was that wherever he went he was on the run. That kid never stopped moving."

Kevin recounts another story. One hot summer afternoon when Billy was around 13 years old, Kevin was taking the kids for a drive. Just past the Village, Bill pushed a ballpoint pen into the side of a hot can of Pepsi, and it sprayed everybody and everything and made Bill roar with laughter. Kevin, furious, pulled over and yelled at Billy to start walking. Bill was laughing when got out of the car, unfazed by his dad's punishment. But, after driving away, Amanda was crying so hard for her brother, Kevin had to grudgingly go back to pick him up. There stood Bill, with a big grin still on his face, deciding whether he would get back in the car or not. After he got in, they all laughed about Bill's antics and being sticky with soda. They headed home to wash up.

On another occasion, when Bill was eight or nine, he was shopping with his dad and as they were walking back to the car there was a group of rowdy teenagers pushing and shoving each other in the parking lot. As they got closer to the teenagers, Kevin saw that they were watching them and it was clear to him they were claiming the space between them and their car. Kevin stopped and tried to move Billy to the opposite side of him, away from the teens. As he tried, Billy stopped, pushed back, and looked up at his dad and said in a loud voice, "Dad, you don't need to be afraid!" While Kevin thought he was protecting his son, Billy was looking out for his dad. Kevin said he has never forgotten how fearless Bill was.

Bill's Uncle Larry told me, "If I had a dollar for every time I heard Kevin yell, 'Billy, don't!' I would be rich. But, the amazing change in him from his childhood to adulthood is beyond comprehension." His Uncle Al said that even the growth in him from the time he started boot camp to when he graduated from MARSOC was the difference between a boy and a man.

We spend every Christmas Eve with the Woitowicz family. We have shared our home with them and our good friends the Roccas, Hutchinsons, MacDonalds, and Decoteaus for many years. My son Matt describes it as the best night of the year. Karen goes all out decorating our home, everyone brings food, and Mr. Rocco makes his phenomenal Christmas punch. We all have some wonderful Billy memories tied to this annual celebration of our Lord's birthday and the friendship shared by our families. On a few occasions, Billy partook a bit too much of the Christmas punch and entertained us.

Typically, these events happen at the end of the evening, in our kitchen, as everyone is preparing to leave. One year Billy was telling a story, gesturing with his hands as he tended to do, and accidentally knocked our sugar bowl off the counter. It shattered as it hit the floor. We all looked at him. The expression on his face was priceless, as was his response. "I really don't know how that happened!" As we all burst into laughter he bent down and started scraping the sugar into his hands in an attempt to clean it up. He apologized to "Mrs. Moore" for days after that.

One of the best Christmas Eve memories was the year he told his parents he couldn't

make it home. Matt gathered all of us in the kitchen for the purpose of making a toast to Billy. As we raised our glasses, Billy burst through the kitchen door, shocking the rest of us—especially his parents. This time the priceless expression was pasted on the faces of his parents. They were frozen, not moving, not believing—as if he were a vision. Billy the magician had made himself appear.

This past Christmas, our kids gave Kevin, Rose, Karen, and me a gift of a cruise to Bermuda. It was Billy's idea, and he was determined to do it for us. He took charge and, in his larger-than-life way, gestured through telling us how we married folk could use the time away and should enjoy some rest and relaxation. Billy the marriage counselor was taking care of us.

As in past years, at the end of the evening, around 1:00 a.m., those remaining were in the kitchen saying good-bye. Kevin and I had spent a good bit of time herding the boys up from the basement toward the door. The kids had been joking through the night about the song "Teach Me How to Dougie," which they thought was funny. I was teasing Billy that I was going to show him how to Dougie but he kept pushing me back saying he would show me. He started dancing and we all laughed as he Dougied in his tipsy state. Finally, I was able to move Billy toward the door, but he stopped abruptly, turned away, and started toward the door. Just as abruptly, he turned around, walked quickly toward me and shouted as he pointed at my chest, "Good day, sir. I said good day!" He turned again and walked out the door. We couldn't stop laughing for a long time. We tell this story often.

We have all been struggling to make sense of the loss of Billy. On the day we received the news, as Rose hugged me, she asked, "Oh, Joe what are we going to do?" My good friend Kevin and I sat and tried to make sense of it and he said, "I have always been able to fix things but I can't fix this." Kevin's nickname at the fire station is MacGyver because he really can fix almost anything, but, although we wish so much he could, this is not fixable.

I can feel the pain of his brother and sister, Chris and Mandy, and my kids, his other brothers and sister, Matt, Mike, Jenny, and Drew. I see the hurt behind the eyes of my good friends Jay, Peter, Ralph, and Mark, and many others that were so close to Billy. I see the swollen eyes of his young friends. And I feel the unbelief and numbness as I read the letters, e-mail, and texts from those that loved him. Karen and I can't stop crying. But most of all, I can barely endure the grief I see in Kevin and Rose.

Casey Mahoney, the daughter of Brian and Kirsten Mahoney, and friends of Billy's family wrote a beautiful poem for Bill. God bless Billy for all of his love, God bless the loving father above, God bless Billy's family and friends, We all pray that war will end.

Oh, Bill Boy, where have you gone? Why did you leave us? What answer do I give your mother if she asks me again, "What are we going to do now?" And, Dear Lord our God, why did you take our Billy away?

Maybe there is no answer, or at least not one we can understand. Saint Thomas Aquinas wrote [paraphrased]. Above all God destines us an end beyond the grasp of reason; according to Isaiah, Our Eyes cannot see, O God, without your help, what you have prepared for those that love you. Many things are shown that are above the understanding of men.

As to your question, Rosie, I can only say that we will endure through the love that we

have for Bill, and he for us. He is with you. He will be able to help you more now, where he is, than when he was here. He loves his parents, he told me that during one of our many conversations, and he wants you to be happy. He respects you, Kevin. He will be with you, Chris, when you move to Virginia. You know that he will try to wrestle you to the ground, even from heaven. He will guide your hand, Mandy, as you learn to become a nurse like your mother. He is standing next to all of you right now, right there, and he is looking at me saying, "Don't worry Mr. Moore, they will be okay. I will make sure of it."

To my last question, I received a reply in a dream the other night. God said, "Remember, Joe, he was my son too. And, although I did not call him home—that was his choice—my heart ached, as yours does now, when I released him to Earth at his request to be with and guide Rose and Kevin, Chris and Mandy, you and your family, and his many friends. That was his mission, and like everything he does, he chose it enthusiastically."

As to where Billy has gone, I am certain I know that answer. He is sitting next to God our Father. His arm is around Bill and He has a look of great pride on His face. Bill is bathed in the pure love and light of God the Holy Spirit. And, he is chatting up his friend Jesus, asking him a thousand questions. "Are those gates really made of pearl, or do they just say that?" "Can I ride my dirt bike here?" "Yo, Jesus, would you introduce me to Mr. Moore's dad?" "Do I get to eat here, and do you have grilled cheese?" "Dude, have I told you the story about my friend?" And, invariably, "How is your work going for you, Jesus?"

The Blessed Virgin Mother Mary is hugging him while smiling and saying, "Welcome back, Billy, I missed you. You have always been one of my favorites." He is teaching the Cherubim and Seraphim how to Dougie. He is receiving a salute from the greatest military heroes of all time—there are rows and rows of them, as far as you can see, and the Marines are out in front, just as in battle. Chesty Puller, the great Marine, is shaking Bill's hand and pinning the highest award given in heaven to soldiers who sacrifice their lives for others, the Wooden Cross of Jesus.

When Jesus introduces them, my dad says, "Yes, Billy, I am very proud of you."

And, he is wrestling St. Peter to the ground.

He is reading a poem that he wants me to share with you now.

Do not stand at my grave and weep,
I am not there, I do not sleep.
I am in a thousand winds that blow,
I am the softly falling snow.
I am the gentle shower of rain,
I am the field of ripening grain.
I am the morning hush,
I am the graceful rush,
Of beautiful birds in circling flight,
I am the star shine of the night.
I am in the flowers that bloom,
I am in a quiet room.
I am in the birds that sing,
I am in each lovely thing.
Do not stand at my grave and cry,
I am not there, I do not die.

He is whispering in my ear, "Don't worry Mr. Moore. Everything will be okay."

I know it will, Bill. Eventually. But, before you go, there is something you need to hear. And this time, please listen carefully.

Your mom wanted me to tell you, "I want you to know that as soon as I could pull my-

self together, I had our family say a prayer of gratitude to you because underneath my deep grief is the tremendous joy of loving you for 23 years."

I love you too, Billy, and I promise never to forget how much you've meant to me.

Semper Fi [salute my friend]

"Good day, sir. I said, good day."

CAPTAIN MATTHEW GUNNAR NIELSON

Mr. GRASSLEY. Mr. President, I rise to pay tribute to a noble fallen warrior. CAPT Matthew Gunnar Nielson of Jefferson, IA, gave his life for his country on June 29, 2011, during an attack by insurgents in Badrah, Iraq. He was 27 years old. My prayers are with Captain Nielson's parents, Roger and Christine, and all his family and friends who are feeling his loss.

In a statement, his family said, "Since Matt was a small boy he loved anything military, so he died doing what he loved best. Serving others was of the utmost importance to him and how he wanted to spend his life. He always gave his all, whatever he was doing. Matthew was a beloved son, brother, friend and Soldier. He's already home, and we know we'll be together again someday. Apart, but forever in our hearts. Psalms 11." What can I say about such selfless service and sacrifice? We just celebrated 235 years of independence and liberty, which is an occasion to reflect on the incalculable debt we owe to Matt and his comrades in arms over the years who have secured that legacy for us and for posterity. So long as we continue to have brave patriots like Matthew Nielson who are willing to give their all for their fellow Americans, our heritage as a free people will be in safe hands.

TRIBUTE TO JOE BYKOWSKI

Mr. KERRY. Mr. President, today I want to take a few minutes to offer special congratulations to Joseph "Joe" Bykowski, an extraordinary young man who has served Massachusetts and the United States in remarkable ways.

After returning home from service in the Iraq war, Joe wanted to give something back to his fellow veterans. So since 2007 he has interned in my Boston office for 4 days a week, working with my senior staff on behalf of active servicemembers, veterans and their families. He is also an active member of the American Legion and the Catholic War Veterans Organization, where he volunteers in assisting wounded veterans and their families. And as if that is not enough, all the while he has also been working toward an undergraduate degree at UMass Boston.

This spring, Joe completed his degree's requirements. During the university's commencement ceremony, UMass Boston Chancellor J. Keith Motley cited Joe as an inspiration to all

his classmates. "Joseph Bykowski served our country for eight years, from Ground Zero, to Iraq, before he joined us to major in history and political science," Chancellor Motley said. "He is a leader in veterans' affairs on campus and at the State House, where he's testified before the legislature, interned for Senator JOHN KERRY, and helped found the nation's first program dedicated to our veterans' mental health. Joe has overcome tremendous personal obstacles to get where he is, and he lifts others up with him."

I couldn't agree more. I have known Joe for 5 years, and I have been impressed all along by his dedication to public service and his devotion to his fellow veterans. It was Joe's idea to organize a "Welcome Home Cruise" to honor wounded Massachusetts vets who had just returned home from Iraq and Afghanistan. Joe worked with my office and leveraged his ties to Massachusetts Vets organizations, working together to invite hundreds of vets and their families to join us for an evening on the water in Boston. I was honored to have the chance to present several of our wounded heroes with Purple Hearts on that boat—a memory I treasure, and one I don't think would have been possible without Joe's creativity and initiative.

Joe is still reaching out to veterans. Just this month, Joe helped us arrange an honorary GED for Vietnam veteran Ron Estrella, a longtime patient at the Brockton VA spinal care unit who was diagnosed with terminal cancer. To earn the GED, Ron worked with UMass-Boston's Upward Bound, a program that helps students finish high school—no surprise, it is just one more program where Joe himself is an active leader and member.

President Kennedy once said that "the highest appreciation is not to utter words, but to live by them." He would have recognized that quality in Joe Bykowski. Joe has lived—and continues to live—a life devoted to service to country, in many forms. Whether he's serving on the other side of the world on the frontlines in Iraq, or down the street at the New England Center for Homeless Veterans serving a spaghetti dinner, there's one constant: Joe lives for service.

I have no doubt that he will put his UMass-Boston degree to the same great use.

I congratulate Joe Bykowski on his graduation, thank him for his service these last years in my office, and salute all that he's accomplished. We can't wait to see what he does next.

TRIBUTE TO MICHAEL E. LEITER

Mrs. FEINSTEIN. Mr. President, today I wish to recognize Michael Leiter, the Director of the National Counterterrorism Center and a good friend of the Senate Select Committee

on Intelligence. This is Mike's last week and I want to thank him for his service and wish him the very best in the next steps in his career.

Director Leiter has been at the National Counterterrorism Center, or NCTC, for most of its existence. He was the principal deputy director from February 2007 to November of that year when he became the acting director. President Bush nominated him to be the Director on March 31, 2008, and he was confirmed by the Senate on June 10, 2008.

Mike has served in both the Bush and Obama administrations which speaks to his bipartisan and professional approach to the Nation's security, and the support that he has earned from the Congress and within the executive branch.

His leadership at the NCTC has brought stability and continuity to our Nation's counterterrorism efforts, and he should take pride in the fact that under his tenure, there have been no successful attacks against the United States homeland by foreign terrorists. In this threat environment, that is an impressive accomplishment indeed.

As is often the nature of the intelligence business, much of the successes of the National Counterterrorism Center go unrecognized. Terrorists plotting and carrying out attacks are captured through good intelligence and law enforcement work, and through strong cooperation with allies and partners around the world. Often, terrorist plots fail to proceed because of the barriers to recruit, travel, raise funds, get training, or gain access to destructive materials that have been erected through the efforts of the United States and other nations.

Even in counterterrorism victories that become known, such as the cases of Najibullah Zazi in the United States or the identification of Usama bin Laden's compound in Abbottabad, the National Counterterrorism Center's important—sometimes absolutely critical role—is often not well known.

So I am pleased today to be able to recognize Mike Leiter for his work in keeping our Nation safe for the past 4½ years.

As a member, and now as chair of the Intelligence Committee, I have come to rely on Mike's analysis and judgment. He has been willing to admit that at times our counterterrorism policies or practices haven't been what they should be.

He has appeared regularly before the committee and has been very accessible for the committee's staff as well. In addition to the regularly scheduled meetings we hold, I have received secure calls from Mike often, apprising me on new threats and the status of investigations. He is, without fail, available to provide updates and assessments, and I appreciate the importance he has placed on keeping the com-

mittee, and me personally, fully informed.

Director Leiter has also worked tirelessly to achieve the goals set out for the National Counterterrorism Center in the Intelligence Reform and Terrorism Prevention Act of 2004. The NCTC was established to bring together information and officers from across the intelligence community and from other parts of the government involved in the spectrum of counterterrorism, including counter-radicalization, detection, and prevention of attacks.

Even after the experiences of 9/11 and the findings of the 9/11 Commission, it was a difficult and enormously frustrating challenge to truly integrate the Nation's counterterrorism efforts. It speaks to Director Leiter's energy and dedication that he was, eventually, able to bring together analysts from the Central Intelligence Agency, the Federal Bureau of Investigation, the Defense Intelligence Agency, the National Security Agency, the Department of Homeland Security, and military services to share the threat streams that each one collected and assessed.

The result has been the ability to better connect the intelligence information that points to suspicious activity, to develop the case when a terrorist or a terror plot is identified, and to take coordinated action to disrupt that plot.

The NCTC now produces, on a daily basis, its own counterterrorism analysis that provides Intelligence Community-wide assessments and warning. Analysts at the NCTC are among the finest we have, and Director Leiter has fostered a productive environment through analytical roundtables and weekly forums in which analysts share information, provide briefings, and develop improved analytic tradecraft.

In fact, I recently learned that as the CIA was developing its assessment that Usama bin Laden was in the Abbottabad compound, it turned to NCTC analysts to "red-team" the intelligence case and give their assessments. And Director Leiter was involved in the briefings and discussions with the President that led to the decision to carry out the operation.

Director Leiter has demonstrated leadership in hard times, as well. After the failed terrorist attack on a Detroit-bound airliner on December 25, 2009, investigations uncovered significant failures and shortcomings in our counterterrorism efforts. The Senate Intelligence Committee's review found 14 specific "points of failure" across the government that enabled Umar Farouk Abdulmutallab to come so close to carrying out a major attack.

While several of our conclusions and recommendations fell to other agencies, Director Leiter moved quickly to implement the changes that we and

others suggested. Since early 2010, the NCTC has vastly improved its methods for screening counterterrorism data and watchlisting individuals who pose a threat to our Nation.

In response to the finding that no agency in the government was ensuring that all terrorist leads were pursued, Mike implemented "Pursuit Groups" at NCTC, teams of highly skilled analysts who sift through massive amounts of data to identify disparate pieces of intelligence and find linkages that identify terrorists, their plans, and their networks before they reach the point of plot execution.

In addition to his service at the National Counterterrorism Center, Mr. Leiter helped establish the Office of the Director of National Intelligence as its deputy chief of staff, having previously served as the deputy general counsel and assistant director of the very well-regarded WMD Commission led by Senator Chuck Robb and Judge Laurence Silberman.

From 2002 to 2005, he was an assistant U.S. attorney in the Eastern District of Virginia, one of the most active jurisdictions for national security cases. He clerked for Justice Stephen Breyer and for Chief Judge Michael Boudin of the U.S. Court of Appeals for the First Circuit.

Most people do not know that Mike was also a naval aviator, flying EA-6B Prowlers with action in operations in the former Yugoslavia and in Iraq.

In short, he has served the Nation in a wide variety of capacities over the past 20 years.

I thank Mike for his exemplary service in keeping this Nation safe and for his very positive relationship with the Intelligence Committee as we have carried out our oversight duties.

I expect that this will not be Mike's last service to the Nation, and I wish him all the best.

REMEMBERING SECOND LIEUTENANT ROBERT EMERSON

Ms. COLLINS. Mr. President, I rise today to honor 2LT Robert S. Emerson who is coming home to Maine more than 60 years after he served his country during World War II. Lieutenant Emerson perished when the B-24 aircraft he was flying in crashed in the Philippines on April 3, 1945.

His body was recovered in 1947, and he was buried in Leyte, Philippines. In 1949, his remains were moved from his resting place in the Philippines to Jefferson Barracks National Cemetery in St. Louis, MO. In 2008, his remains were exhumed and transferred to the jurisdiction of the Joint POW/MIA Accounting Command in Hawaii, bringing him one step and thousands of miles closer to his home State of Maine. Thanks to the persistent efforts of the relatives of Lieutenant Emerson's family and the other airmen that served with him on

his B-24, the Department of Defense was able to guarantee the return home of this fallen service member.

Lieutenant Emerson's long and remarkable journey home is finally coming to an end. On Saturday, July 9, 2011, he will finally be brought to home, to rest alongside his mother and father in Norway, ME. After more than 66 years since he first left home, it is a privilege to welcome home, and honor, a fallen warrior who gave his life in World War II in defense of our Nation.

While no words of mine can console the grief that Lieutenant Emerson's family has felt for too long, I know Mainers and the American people are profoundly grateful for his service. Like so many throughout our history, Lieutenant Emerson left the comfort and safety of home to answer the call of duty to our country. He is now among that valiant legion that has journeyed through the darkest valley to a place of quiet waters and now able to rest at home.

ADDITIONAL STATEMENTS

CATOCTIN MOUNTAIN PARK

• Mr. CARDIN. Mr. President, this year marks the 75th anniversary of Catoctin Mountain Park, one of Maryland's most spectacular national parks. Located in northern Frederick County in western Maryland, Catoctin, MD, is a popular wilderness refuge just a few hours away from the bustling urban centers of Baltimore and Washington, DC. People of all walks of life visit Catoctin Mountain, whether it is working Maryland and Pennsylvania families taking a weekend camping trip to Misty Mount or U.S. Presidents taking a weekend retreat to Camp David to work or relax without the distractions of Washington. I am proud to celebrate the diamond anniversary of this wonderful natural treasure in my home State.

Catoctin Mountain Park is 5,810 acres of wilderness in the foothills of Maryland's Blue Ridge Mountains. The name Catoctin is what the Algonquians, the predominant Native American tribe of the Mid-Atlantic region prior to European settlement, called the region where Catoctin Mountain Park is located. The Algonquians were known to use rhyolite rocks found throughout the rocky terrain for spearheads and European settlers and Algonquians alike would fish for trout in mountain streams that also supplied water for early agricultural settlements in the valleys around the mountain.

The growth of the settler population in Maryland during colonialism and postrevolutionary America, gave rise to agriculture and industry in western Maryland. The growing industrial age changed the ecological and social con-

dition of the wilderness of the eastern United States and western Maryland was no exception. Logging activities for ship and structural building, iron ore extraction and the arrival of the Western Maryland Railroad drastically changed the culture and natural state of Catoctin.

The Great Depression of the 1930s slowed economic progress and thwarted industrial growth across the country. The extractive industries of the Mid-Atlantic suffered greatly. The Franklin Delano Roosevelt's New Deal ushered in sweeping public works programs to help get Americans back to work building America's infrastructure and renewing the stewardship of our Nation's great resources. Catoctin Mountain Park is a testament to the success of the New Deal's Works Progress Administration and the Civilian Conservation Corps.

In May of 1933 the Federal Emergency Relief Administration was appropriated \$300,000,000 to be spent on public works projects designed to provide work for struggling Americans. In 1934 a land planning committee established under the Federal Emergency Relief Act was examining how to put fallow land to better use. Conrad L. Wirth, Assistant Director to the Chief Branch of Planning of the National Park Service served on the land planning committee. Based on the findings in a 1928 report of the Joint Committee on Recreational Survey of Federal Lands, Wirth decided one of the answers to the report's "urgent need" to "provide quality outdoor recreation facilities at the lowest cost for the benefit of people of lower and middle incomes" on natural areas near urban areas was to establish a recreational area in western Maryland proximate to Baltimore and Washington.

By 1934, years of agricultural, logging and resource extraction activities had taken its toll on the economic value of the land comprising Catoctin. With \$25 million transferred to Public Works Administration the Department of the Interior was able to purchase the "submarginal" lands that now make up Catoctin Mountain Park. Catoctin was officially placed into the program in January of 1935 and within a year and a half, and hundreds of man hours of work, Catoctin Recreational Demonstration Area was officially opened on August 8, 1936.

In the years immediately following Catoctin's official placement under the National Park Service's jurisdiction, The Works Progress Administration and Civilian Conservation Corps provided work for hundreds of men looking to learn a trade, earn a wage and develop leadership skills. These programs are responsible for providing some of the base training these men needed before going off to fight in World War II. The programs themselves reforested the park and restored its

natural beauty. The CCC planted thousands of Maples, Pine and Oak trees in the park. The CCC also helped restore mountain streams and create suitable habitat for native fish and wildlife to return to the mountain. These hard-working men also built many park structures still in use today including the Blue Blazes Contact Station which is now the Catoctin Mountain Park Visitor Center, Camp Round Meadow and Camp Misty Mount.

The legacy of the hard work of these Depression-era CCC and PWA workers lives on today and will continue to be enjoyed for years to come.

President Roosevelt personally experienced the success of the CCC and WPA at Catoctin on many occasions. This is because one major component of the Works Progress Administration's at Catoctin was to build Hi-Catoctin camp for Federal Government agents, now known as Camp David.

FDR hosted Winston Churchill at Catoctin in May of 1943 and every President since FDR has made use of Camp David. Perhaps most famously is President Jimmy Carter who brought Egyptian President Anwar Sadat and Israeli Prime Minister Menachem Begin to Camp David where he brokered the Camp David Peace Accords in September of 1978. But many Presidents and their families go to Camp David, for the same reason everyone else does, to simply enjoy the spectacular outdoor recreational opportunities the park has to offer.

More than 80,000 visitors a year come to Catoctin Mountain Park to experience the park's extensive trail system, scenic vistas, and terrific camping opportunities. When hiking around Chimney Rock or the old Whiskey Still or Sawmill it is not uncommon for visitors to see white tail deer, wild turkey, coyotes, dozens of species of songbirds or even the occasional black bear.

With further dwindling resources for the National Park Service it has become increasingly challenging for the NPS to manage the park resources. Invasive species like the emerald ash borer threaten the health of the park's forest and the sustainability of park habitat for the wildlife that make the park so popular. It is essential that Congress and the Federal Government recognize the importance of preserving these natural resources. That is why I have been a staunch champion for robustly funding the National Park Service because I believe the treasures the NPS work to protect for the public's enjoyment and enrichment is invaluable and it is the responsibility of the Federal government to do this work.

Despite tough fiscal times, the leadership at Catoctin Mountain Park is doing an outstanding job providing fun and educational activities for park visitors and have put together a wide range of special programs and activi-

ties to celebrate the park's 75 anniversary.

I congratulate Catoctin Mountain Park and the National Park Service for 75 wonderful years and encourage my colleagues to take a trip to experience this wonderful located in the backyard of your home away from home just outside of Washington.●

CONGRATULATING SISTERS OF THE PRESENTATION

● Mr. JOHNSON of South Dakota. Mr. President, with great honor, I congratulate the Aberdeen congregation of the Sisters of the Presentation of the Blessed Virgin Mary who are in the process of celebrating their 125 years of service.

Founded on December 25, 1775 by Nano Nagle in Cork, Ireland, with the mission to educate poor children and minister to the sick, the Sisters of the Presentation of the Blessed Virgin Mary retain a strong dedication to their founding principle of providing for people's unmet needs. Arriving in the Dakota Territory from Dublin, Ireland, in 1880, the Sisters of the Presentation endured the hardship of isolation and harsh weather to teach the children of the early settlers of South Dakota.

Teaching and healing remain the foundation of the work performed by the Presentation Sisters. Today the sisters have expanded their work into less traditional forms. From teaching the young to counseling individuals in spiritual growth, the services provided by the Sisters have grown steadily outside the classroom to provide deeper healing. Assisting in such healing has also led the Sisters to become involved in a wide range of activities—from walking alongside those with HIV to facilitating healing and counsel to individuals after traumatic life events. In addition, the Sisters continue to sponsor Presentation College and Avera Health, along with having sisters actively engaged in those ministries.

While recognizing the need to adapt to the changing needs of those they serve, the common thread that binds all the work the Sisters perform is their steadfast adherence to their apostolic tradition of joyfully going where the calls of need ring out most loudly. They are guided in this mission by the words of Bishop Walsh who advocated for the need to go where they are needed, but not necessarily wanted, and stay until they are wanted but no longer needed.

I am proud to have this opportunity to honor the Aberdeen Congregation of the Sisters of the Presentation of the Blessed Virgin Mary for 125 years of exemplary service. It is an honor for me to share with my colleagues the strong commitment the Sisters of the Blessed Virgin of Mary have demonstrated over these many years. I strongly commend

their years of hard work and dedication, and I am very pleased that their substantial efforts are being publicly honored and celebrated.●

STRANDBURG, SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the community of Strandburg, SD, on reaching the 125th anniversary of its founding. Strandburg is a community that embodies the spirit of hospitality, beauty, and an exceptional quality of life that is well known in South Dakota. The people of Strandburg celebrated this momentous occasion on the weekend of July 2-3.

The city of Strandburg was settled in 1886 and named after the town's first homesteader John Strandberg. John was the man that applied for a post office to be opened in Strandburg, and served as the first postmaster. With the help of the railroad, Strandburg soon prospered and grew like many South Dakota towns of the time.

Today, Strandburg has come a long way from its beginning days. The town is currently working on developing the old town gymnasium to a new community center as an effort to bring the community closer. The beautiful and historic Swedish Lutheran Church still stands today and is known as the Tabor Lutheran Church, and was, recognized on the National Register of Historic Places in 1978.

Residents of Strandburg plan to commemorate the anniversary with many community events including a craft show, wagon train, and parade. On Sunday the community will come together in the historic Tabor Lutheran Church for a service to conclude the celebration.

South Dakota's small communities are the bedrock of our economy and vital to the future of our state. Towns like Strandburg and its citizens truly know what it means to be South Dakotan, and I am proud to honor Strandburg on this historic milestone.●

REMEMBERING CHARLOTTE BLOOMBERG

● Mr. KERRY. Mr. President, most New Yorkers knew Charlotte Bloomberg as Mayor Michael Bloomberg's spirited, independent mother whose example shined through in her son.

But for us in Massachusetts, Mrs. Bloomberg was a presence and a fixture in a city where neighborhood ties run deep—Medford. There she was known and loved as a schoolteacher, a community icon, and a beloved and caring friend.

Mrs. Bloomberg passed away at her home in Medford, in the same house that she turned into a home with her husband and children. In his farewell, Mayor Bloomberg remembered his

mother for her "constant love." In Medford, Mrs. Bloomberg's generosity in sharing caring and compassion was well known. Charlotte Bloomberg showered attention on her neighbors and friends, and her modesty, her grace, and unflagging energy was infectious. She was a fixture at the Temple Shalom, which the Bloomborgs founded and where she served as copresident well into her eighties. Neighbors remember that they could always count on Mrs. Bloomberg to be one of the first people to arrive for Friday services because she wanted the chance to say hello to everyone, especially the children.

She was an energetic campaign volunteer—even in her midnineties, she was frequently out on the campaign trail, telling anyone who would listen why her son was the best choice for mayor. And when she couldn't be there physically, she was still present because she was tightly weaved into her son's life and as a result his political speeches. Her values were instilled in her children—hard work, intellectual curiosity, and ambition. These were values Charlotte Bloomberg lived day-in and day-out. She graduated high school at 16 and went to New York University. She raised two great children—Michael and Marjorie Tiven. And when her husband died while Michael was in college, Charlotte forged forward and became the family breadwinner. Mayor Bloomberg later wrote, above all his mother was a woman who lived according to the belief that "we've got to take care of each other." That is a lesson we should all hold close.

Mr. President, if there is an example we can all learn from the life of Charlotte Bloomberg, it is that we can always do more for our community, our State, and our country. So today we join the Bloomberg family in mourning the passing of Charlotte Bloomberg, but we also join to rejoice in the blessings she shared with everyone who knew her and the indomitable spirit her friends won't ever forget—a spirit that is the very best of Medford, MA.●

TRIBUTE TO JACLYN LICHT

● Mr. KERRY. Mr. President, student activism has always been at the forefront of every step forward we have taken as a country and as a society. It was true for my generation in the civil rights movement, the women's movement, and the effort to end the Vietnam war. In recent years it was students—young people—who put issues like AIDS in Africa and global poverty front and center on the Nation's agenda when few others showed much interest in the fight.

Today I would like to recognize the special efforts of a student activist in my State—Jaclyn Licht, a young woman carving out time from her studies to raise awareness about the brutal

tactics of the Lord's Resistance Army, LRA, in east and central Africa. Right now Jaclyn is lobbying to maintain the integrity and funding for the landmark LRA disarmament bill that passed in the 111th Congress. And she recently penned an insightful article about the important role that all citizens play in promoting democracy and peace throughout the world. Jaclyn's article appeared in "The Vanguard," the student newspaper of Buckingham Browne & Nichols Upper School in Cambridge, MA. She writes convincingly about the right of Americans to petition their government and urges her fellow Americans not to waste that right, especially given the uncertain fate of the LRA disarmament bill. Jaclyn reminds us that "students . . . have the greatest ability to take advantage of this right" and urges activism on the part of her classmates.

Along with representatives from the group Resolve, Jaclyn recently met with staff in my Boston office to discuss how important this legislation is for the people of east and central Africa. She also shared her views about America's role in protecting the people most vulnerable to the brutalities of the LRA.

For Jaclyn, of course, activism is in her DNA—an inheritance from two parents who have always made the cause of justice their concern. But Jaclyn is already writing her own chapter in that family history of urging change.

Mr. President, I am submitting the text of Jaclyn's article to the RECORD as an example to all of us.

The information follows.

[From *The Vanguard*, June 9, 2011]

STUDENT ACTIVISTS LOBBY TO PROTECT LRA DISARMAMENT BILL (By Jaclyn Licht)

In the First Amendment of the United States Constitution, citizens are guaranteed the right to free speech, including the right to "petition the government for a redress of grievances." Though many students may easily overlook the meaning of these words, it is students, in fact, who have the greatest ability to take advantage of this right.

In early April, I received an email from Resolve, an organization dedicated to raising awareness about the terror of the Lord's Resistance Army (LRA) in Central and East Africa. The email outlined a nationwide lobbying campaign taking place throughout the month and offered an opportunity for Massachusetts residents to attend a meeting with a staff member at the office of Senator John Kerry. Last year, President Obama signed into law the LRA Disarmament and Northern Uganda Recovery Act, a bill unanimously passed by Congress that ensures the United States will aid in dismantling the rebel group and protect affected civilians. Though this bill only requires less than .002 percent of our national budget, economic challenges have brought about risks of foreign aid budget cuts and the possibility of losing the bill's budget completely. Therefore, Americans throughout the country attended lobby meetings with their local government representatives in order to guarantee that the LRA Disarmament Act budget will remain intact.

The meeting was led by a student from Worcester Polytechnic Institute, and the group of ten comprised Resolve supporters who were mainly high school or college students. We were greeted warmly by Senator Kerry's representative at his Boston office. After taking our seats around a large table in a spacious conference room, we commenced our discussion. The discussion lasted for almost 30 minutes, longer than we had anticipated. Each of the group members outlined the current issues posed by the LRA and proceeded to explain the need for our government representatives to support these efforts as well. As Chairman of the Senate Foreign Relations Committee, Senator Kerry could hold much influence in this area of concern. The staff member nodded his head vigorously throughout our discussion, frequently asking questions about the situation in central Africa and about Resolve. He explained that Senator Kerry and his staff were already familiar with the deadly situation in countries such as Uganda, the Democratic Republic of the Congo, and South Sudan. He assured us that the Senator was very concerned about the situation in the region, as well, and even outlined useful tips to help us carry out additional meetings with other government officials. After outlining the key information we hoped would be passed on to Senator Kerry, we prepared to depart and began to thank him for his time. However, the senator's representative interrupted us and asked us each how we became involved in Resolve's efforts. Our reasons for becoming involved varied, but each one shared a similar message: that we could not allow such violence by this African rebel group go unnoticed.

The dedicated interest of the government officials in our concern for this issue reflects not only the overwhelming number of opportunities available in this democratic country, but also the true power of student activism in particular. Throughout this country, students frequently raise awareness for issues of local or global concern often only in their own communities. While it is absolutely crucial to rally whole communities around the cause, the opportunity to lobby government officials or their staff directly is widely overlooked. While citizens of several countries around the world are prohibited from such petitioning, this country and its officials welcome the opinions of those they are representing. Moreover, American students must not hesitate to contact their government leaders to express concern for any issue. Throughout the United States' history, young adults have instilled many lasting changes in the country through many modes of activism. Therefore, government officials take much interest in meeting with student lobbyists, for it grants them the ability to learn and hear firsthand from an influential segment of the population. Moreover, students have the ability to take action immediately through direct contact with government officials to advocate for changes that will shape the history of our country and our world.●

TRIBUTE TO ALAN MACDONALD

● Mr. KERRY. Mr. President, we are lucky in Massachusetts to have men and women who—at the community level—give of themselves to make lasting contributions to our quality of life, our neighborhoods, and our economic footing. I have always thought it was no coincidence that when

DeTocqueville came to America to study the country's "character," he spent much of his time in Massachusetts and reflected there that "America is great because Americans are good."

DeTocqueville would find much of that character still abides in Alan Macdonald, executive director of the Massachusetts Business Roundtable, whose life has been defined by good old fashioned civic leadership—for 23 years a driving force making Massachusetts a better place to live, to work and to raise a family.

Today, as Alan prepares for a much-deserved retirement, I thank him for everything he has done for our State.

Throughout 23 years at the helm of the Massachusetts Business Roundtable, Alan brought together the policymakers, industries and educators who make Massachusetts the center of economic growth, educational excellence and health care innovation it is today. The Massachusetts Business Roundtable set a laser focus on strengthening our State's long-term economic health. Alan himself oversaw the creation of task forces on health care, on education and workforce development, on transportation and infrastructure and corporate social responsibility.

The results are clear for all to see. Massachusetts is creating jobs faster than almost every other State, our economy is expanding at twice the national growth rate, and our students are outperforming their peers around the country. Now, there are a lot of people to thank for that, and many who have played a part in the success of our State—but one of them is very definitely Alan Macdonald. Thanks in part to the strategic thinking under Alan's leadership, Massachusetts became the model for health care reforms that expand coverage and lower costs. It is one of the reasons that a well-educated work force is our State's calling card in the global economy. And it is one of the reasons our State has a competitive edge in building a 21st century infrastructure and developing clean energy. Thank you, Alan.

Alan's retirement gives him more time to spend with his wife Jane, more time with his two sons, Alan and Daniel and their families, and more time with his four grandchildren. And I think we can all agree that he has earned the extra time for his other great passions—baseball and golf.

But fortunately, the Massachusetts Business Roundtable has made Alan its president emeritus. So as the roundtable navigates the coming challenges, it is comforting to know that Alan Macdonald won't be far away.●

RECOGNIZING MORNING GLORY NATURAL FOODS

● Ms. SNOWE. Mr. President, our economy relies on small businesses, par-

ticularly small, family-owned firms that have been in operation for generation after generation. One such small business, Morning Glory Natural Foods in Brunswick, will be celebrating its "30 Years on Maine Street" on July 15, complete with festivities for the whole community. Today I wish to commend Morning Glory Natural Foods for its remarkable achievement.

Morning Glory Natural Foods opened its doors in May of 1981, proudly serving the mid-coast community of Brunswick with fresh, local, and organic products—from delicious local produce to organic cotton clothing, and everything in between. Since then, the firm has grown to incorporate dozens of other Maine-made products in its catalogue of goods that truly exemplify the virtues of a local economic leader.

Like so many small Maine businesses, Morning Glory is rooted in family tradition. The Tarpinian family has continually operated the store since its opening 30 years ago. It is particularly pleasing to acknowledge the successes of small, family-owned businesses, because these companies help maintain the strong, community-oriented character of Main Street America. And certainly Brunswick's Maine Street is a shining example of this uniquely American proposition.

The long-term success and longevity of Morning Glory Natural Foods and the Tarpinian family is a byproduct of the strong work ethic, customer service, and decision to sell quality, local products at affordable prices. Indeed, this business serves the local community on two levels: by providing fresh, environmentally responsible products to Maine citizens, while also supporting other local businesses by electing to sell their products. Morning Glory Natural Foods and the Tarpinians are a true testament to the rewards of hard work and perseverance.

On Friday, July 15, Morning Glory Natural Foods will be holding a celebration of "30 Years on Maine Street," a storewide celebration being held at their location in the middle of Brunswick. Events include free food and drink, raffles, and sampling throughout the day, a way to say thanks to the community and the store's loyal customers. Morning Glory also plans to have an abundance of local food vendors and farmers lining the street, another wonderful way to promote and encourage growth in the local economy.

Small businesses like Morning Glory Natural Foods are the heart and soul of our Nation's communities. Main Streets across America are chock full of restaurants, grocery stores, and shopping boutiques which provide citizens with the goods and wares they need in a friendly and convenient location and deserve our recognition. Indeed, Morning Glory Natural Foods is a prime example of a small business that

has persevered through a turbulent economy time and again, and has come out on top each time. I congratulate everyone at Morning Glory for this incredible milestone and wish them many more years of success.●

REMEMBERING ROGER WILLIAMS

● Mr. WHITEHOUSE. Mr. President, today I wish to reflect on a recent article on one of the most influential heroes from the earliest days of our Nation's history: Roger Williams of Rhode Island.

Roger Williams' legacy is well known in my home State of Rhode Island—the State he helped found after being banished from Massachusetts for his beliefs about religious tolerance.

Roger Williams argued that religious beliefs should be kept separate from government policies and that government should not impose a specific set of religious beliefs on its citizens. The separation of church and state is widely embraced today, both in the United States and in many countries around the world. But in the 1600s, this was a scandalous idea. The Puritans who colonized the Massachusetts Bay Colony fled England because of religious persecution, but they had no intention of allowing religious freedom in the new colonies. Rather, they established the Massachusetts Bay colony as a theocracy that enforced adherence to their particular religious beliefs with the gallows and the lash.

Roger Williams rejected this framework, and was forced to flee Massachusetts. Upon arriving at the northwestern shore of Narragansett Bay in 1636, he negotiated an agreement with the Narragansett Indians to establish a new colony on that land. As Williams wrote, "...having made covenant of peaceable neighborhood with all the sachems and natives round about us, and having, in a sense of God's merciful providence unto me in my distress, called the place Providence, I desired it might be for a shelter for persons distressed for conscience." Later on these views would be enshrined in Rhode Island's founding charter, providing "full liberty in religious concerns."

Williams' principles of tolerance are the foundation on which our state, and afterwards our nation, were built. To this point, I request to have printed in the RECORD a recent op-ed from the Providence Journal by Rhode Island College Professor J. Stanley Lemons entitled "Assessing the global importance of Roger Williams," which does an excellent job of capturing this piece of American history.

The information follows.

[From the Providence Journal, Friday, June 24, 2011]

ASSESSING THE GLOBAL IMPORTANCE OF
ROGER WILLIAMS

(By J. Stanley Lemons)

The greatest contribution that the U.S. has made to world religion is the concept

and practice of separation of church and state, and that was started in Providence with Roger Williams in 1636.

Even if nothing in the rest of the history of the state was remarkable, Providence would still have that one world-class contribution to its credit. It was the first place in modern history where citizenship and religion were separated, where freedom of conscience was the rule.

While his ideas were reviled and attacked in the 17th Century, they became embodied in the U.S. Constitution in 1789 and the Bill of Rights, appended to it in 1791.

Have you wondered why there is a Roger Williams Lodge of B'nai B'rith? Why the oldest synagogue (Touro Synagogue, in Newport) in America is in Rhode Island? Have you ever wondered why Rhode Island never had a witch trial? Or blasphemy trials? Nor hanged, whipped or jailed people because of religion? All the other colonies executed witches, but not Rhode Island. Most had blasphemy trials, but not Rhode Island.

Nearly everywhere else in colonial America, people of faith were persecuted, but not in Rhode Island. Massachusetts hanged four Quakers, and Virginia imprisoned dozens of Baptists. Maryland, which was created as a haven for Roman Catholics, came to outlaw Catholic priests and prohibited Roman Catholics from inheriting property. These things did not happen here because Roger Williams founded Providence to be a "shelter for those distressed of conscience." Rhode Island's freedom of religion prevented such religious laws and abuses.

It is well to recall how this came about. Roger Williams got into serious trouble in Massachusetts when he challenged both the political and religious establishments by asserting that the government had no role in religion. Moreover, he challenged the legitimacy of the colony itself by charging that it had stolen its land from the Indians. So he was tried and convicted of sedition, heresy and the refusal to take an oath of allegiance to the colony that required him to swear in God's name. In October 1635 he was ordered banished to England, whence he had fled in 1630 because of religious persecution.

Before the banishment could be carried out, however, he fled from Salem into the snow in January 1636 and trekked to the Narragansett Bay. In June he left the shelter of the Wampanoags and crossed the Seekonk River into the domain of the Narragansetts. From Miantonomi and Canonicus he acquired Providence. His relations with the Narragansetts were so cordial that Providence and the Narragansetts remained allies for the next 40 years against the efforts of Massachusetts, Connecticut and Plymouth colonies to destroy them both.

When the householders first gathered in Providence to form their town government, they agreed that they could make rules and laws in "civil matters only." In 1644 when Williams secured his charter for the "Province of Providence Plantations in Narragansett Bay in New England," that charter was for a "civil government." It did not mention religion because Williams did not believe that government had any role to play in religion. "Soul liberty" was God's gift to all humanity; it was not something granted by any government.

Soul liberty was the freedom of every person to follow the dictates of conscience. A government could only acknowledge this freedom and stand aside to allow full freedom of religion. This meant that one had to have complete separation of church and state. For Roger Williams, separation of

church and state was for the protection of the church from the corrupting effects of government. Williams wrote repeatedly that true religion needs no support of the government and that government support invariably corrupts religion.

All of the neighboring colonies regarded Providence Plantations with undisguised horror and worked for the first hundred years to dismember and destroy this "hive of heretics." But they failed, and the principle that Roger Williams planted in Providence in 1636 came to be the law of all of Rhode Island and then a basic principle of the United States. And, Roger Williams, whose ideas were roundly rejected by everybody in his lifetime, would be seen by the 20th Century as the quintessential American of the 17th Century. What was the founding principle of Providence—freedom of religion (which demands separation of church and state)—now holds out a hope for the whole world where religious intolerance is the basis of so much strife.

Williams believed that it was God's command that everyone (including people that he regarded as heretics, pagans, atheists, and infidels) had a right to freedom of conscience. He believed that anyone had a right to be wrong, and that only civil debate could be used to change a heart or mind. The only tools of religion were those of the spirit, never the sword. For him, the state had no role to play in religion. He believed that whenever and wherever the government tried to meddle with religion by trying to define it or control it or enforce it, or even to support it, religion was corrupted by such efforts.

Williams and his good friend John Clarke, of Newport, shared the view that the key to a peaceful society was complete separation of church and state. Nearly everyone else believed just the opposite: They believed that peace was possible only when everyone was united in a single church in a single state. Williams's core religious principle held that each person had freedom of conscience and freedom to practice their faith. Nearly everyone else thought that the state had to punish and coerce those who had divergent religious beliefs, wrong practices, or wayward ideas.

His position on freedom of religion was wildly radical in his day and, nearly four centuries later, this basic principle is still wildly radical in great swathes of today's world. Religious freedom does not exist in most nations on the planet.

What would Roger Williams think of the idea that our nation was founded as a Christian nation? Certainly Providence and Rhode Island were not founded as a Christian government. It is deeply troubling to know that a pastor of one of the largest churches in Texas declared on national TV that "separation of church and state is the product of some infidel's mind."

To call Roger Williams an infidel reveals profound ignorance of our nation's history. Roger Williams utterly rejected any such concept and regarded the idea of a "Christian nation" as "blasphemy." So, he established a government that was confined to "civil matters only," and this has become a model for the world.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1326. A bill to implement the President's request to increase the statutory limit on the public debt.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2370. A communication from the Chief of Planning and Regulatory Affairs, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child and Adult Care Food Program: Improving Management and Program Integrity" (RIN0584-AC24) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2371. A communication from the Chief of Planning and Regulatory Affairs, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National School Lunch Program: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010" (RIN0584-AE11) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2372. A communication from the Chief of Planning and Regulatory Affairs, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Exclusion of Combat Pay from WIC Income Eligibility Determinations" (RIN0584-AE04) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2373. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2374. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Prompt Corrective Action; Amended Definition of Low-Risk Assets, 76 FR 16234 (March 23, 2011)" (RIN3133-AD81) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2375. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Prompt Corrective Action; Amended Definition of Low-Risk Assets, 75 FR 66298 (October 28, 2010)" (RIN3133-AD81) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2376. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2377. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Certification, Compliance,

and Enforcement for Consumer Products and Commercial and Industrial Equipment" (RIN1904-AC23) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Energy and Natural Resources.

EC-2378. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Fee Schedules; Fee Recovery for Fiscal Year 2011" (RIN3150-AI93) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2379. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation to Mitigate the Misfueling of Vehicles and Engines with Gasoline Containing Greater Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs" (FRL No. 9428-2) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2380. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Oregon; Regional Haze State Implementation Plan and Interstate Transport Plan" (FRL No. 9425-3) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2381. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District" (FRL No. 9427-9) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2382. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Louisiana" (FRL No. 9323-7) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2383. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Kern County Air Pollution Control District, and Ventura County Air Pollution Control District" (FRL No. 9425-4) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2384. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Kern County Air Pollution Control District, and Ventura County Air Pollution Control District" (FRL No. 9429-1) received in the Of-

fice of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2385. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Update to Materials Incorporated by Reference" (FRL No. 9314-6) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2386. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Determination of Termination of Section 185 Fees" (FRL No. 9430-2) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2387. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9428-7) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Environment and Public Works.

EC-2388. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulations Regarding Major Life-Changing Events Affecting Income-Related Monthly Adjustment Amounts to Medicare Part B Premiums" (RIN0960-AH06) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Finance.

EC-2389. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of February 21, 2011 through April 20, 2011; to the Committee on Foreign Relations.

EC-2390. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Ear, Nose, and Throat Devices; Classification of the Wireless Air-Conduction Hearing Aid" (FDA-2011-N-0361) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2391. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Group Health Plans and Health Insurance Issuers: Rules Relating to Internal Claims and Appeals and External Review Processes" (RIN0938-AQ66) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2392. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Admin-

istrative Simplification: Adoption of Operating Rules for Eligibility for a Health Plan and Health Care Claim Status Transactions" (RIN0938-AQ12) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2393. A communication from the Program Manager, Centers for Disease Control, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "World Trade Center Health Program Requirements for Enrollment, Appeals, Certification of Health Conditions, and Reimbursement" (RIN0920-AA44) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2394. A communication from the Director of Congressional Affairs, Central Intelligence Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Central Intelligence Agency, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Select Committee on Intelligence.

EC-2395. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-53; Introduction" (FAC 2005-53) received in the Office of the President of the Senate on July 5, 2011; to the Committee on Armed Services.

EC-2396. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the operations of the National Defense Stockpile (NDS); to the Committee on Armed Services.

EC-2397. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Exemptions for Security-Based Swaps" (RIN3235-AL17) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2398. A communication from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Dallas, transmitting, pursuant to law, the Bank's management report for fiscal year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-2399. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2010 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-2400. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42; Federal-State Joint Board on Universal Service, CC Docket No. 96-45; Lifeline and Link Up, WC Docket No. 03-109" ((RIN3060-AF85) (FCC 11-97)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2401. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant

to law, the report of a rule entitled "Personnel Monitoring Device—Direct-Reading Pocket Dosimeters" (Regulatory Guide 8.4) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Environment and Public Works.

EC-2402. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Qualification for Cement Grouting for Prestressing Tendons in Containment Structures" (Regulatory Guide 1.107, Revision 2) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2011; to the Committee on Environment and Public Works.

EC-2403. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension and amendment of the Agreement Between the Government of the United States of America and the Government of the Republic of Colombia Concerning the Imposition of Import Restrictions on Categories of Archaeological Material from the Pre-Columbian Cultures and Certain Ecclesiastical Ethnological Material from the Colonial Period of Colombia; to the Committee on Finance.

EC-2404. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles, including, technical data, and defense services to support Proton Rocket Launch Vehicle integration and launch of the Astra 2F commercial communications satellite for the United Kingdom in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2405. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan for the manufacture, assembly, inspection, installation, test, and sale of auxiliary power units for use in CH-47, SH-60K, UH-60J, SH-60, and UH-60 helicopters and landing craft air cushions in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2406. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the Agency's response to the GAO report entitled "Afghanistan Development: Enhancements to Performance Management and Evaluation Efforts Could Improve USAID's Agricultural Programs"; to the Committee on Foreign Relations.

EC-2407. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2010, through December 31, 2010; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. ROCKEFELLER, and Mr. WHITEHOUSE):

S. 1328. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 1329. A bill to amend the Workforce Investment Act of 1998 to establish a pilot program to facilitate the provision of education and training programs in the field of advanced manufacturing; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mrs. GILLIBRAND):

S. 1330. A bill to amend the Internal Revenue Code of 1986 to provide a temporary payroll increase tax credit for certain employers; to the Committee on Finance.

By Mr. WEBB (for himself and Mr. WARNER):

S. 1331. A bill to provide for the inclusion of Lease Sale 220 in the outer Continental Shelf leasing program for fiscal years 2012–2017, to revise the map for the Mid-Atlantic planning area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 1332. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Hudson River Valley, New York; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Mr. HARKIN, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. SCHUMER, Mr. LEAHY, Mr. CASEY, and Mr. BLUMENTHAL):

S. 1333. A bill to provide for the treatment and temporary financing of short-time compensation programs; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 1334. A bill to amend the Small Business Act to ensure that certain Federal contracts are set aside for small businesses, to enhance services to small businesses that are disadvantaged, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself, Mr. BEGICH, Mr. JOHANNES, Mr. BOOZMAN, Ms. SNOWE, Mr. MORAN, Mr. PRYOR, Ms. COLLINS, Mr. CRAPO, Mr. THUNE, Mr. CORNYN, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. BARRASSO, Mr. CHAMBLISS, Mr. COATS, Mr. HOEVEN, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. ROBERTS, Mr. BLUNT, Mr. COBURN, Mr. RISCH, and Mr. WICKER):

S. 1335. A bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 57, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels.

S. 169

At the request of Mr. VITTER, the name of the Senator from Alabama

(Mr. SESSIONS) was added as a cosponsor of S. 169, a bill to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

S. 294

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 294, a bill to enhance early care and education.

S. 312

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 312, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 383

At the request of Mr. UDALL of Colorado, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 383, a bill to promote the domestic production of critical minerals and materials, and for other purposes.

S. 398

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 426

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 426, a bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 539

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 542

At the request of Mr. BEGICH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 542, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 556

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 556, a bill to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes.

S. 609

At the request of Mr. INHOFE, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Mississippi (Mr. COCHRAN), the Senator from Indiana (Mr. COATS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 609, a bill to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

S. 769

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 769, a bill to amend title 38, United States Code, to prevent the Secretary of Veterans Affairs from prohibiting the use of service dogs on Department of Veterans Affairs property.

S. 778

At the request of Mr. MORAN, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1145

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1145, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1189

At the request of Mr. PORTMAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1279

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1279, a bill to prepare disconnected youth for a competitive future.

S. 1297

At the request of Mr. BURR, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Utah (Mr. HATCH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. MERKLEY) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mr. MCCONNELL, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S.J. Res. 17, *supra*.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. ROCKEFELLER, and Mr. WHITEHOUSE):

S. 1328. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleagues Senators COCHRAN, MURRAY, ROCKEFELLER, and WHITEHOUSE, the Strengthening Kids' Interest in Learning and Libraries Act bill.

Our bipartisan legislation will reauthorize and strengthen the school library program of the Elementary and Secondary Education Act. The key improvements to the program include ensuring that elementary, middle, and high school students are served; expanding professional development to include digital literacy instruction and reading and writing instruction across all grade levels; focusing on coordination and shared planning time between teachers and librarians; awarding grants for a period of three years; and ensuring that books and materials are appropriate for and gain the interest of students with special learning needs, including English learners.

The SKILLS Act will also strengthen Title I by asking state and school district plans to address the development of effective school library programs to help students develop digital literacy skills, master the knowledge and skills in the challenging academic content standards adopted by the state, and graduate from high school ready for college and careers. Additionally, the legislation will broaden the focus of training, professional development, and recruitment activities under Title II to include school librarians.

Since 1965, more than 60 education and library studies have produced clear evidence that school libraries staffed by qualified librarians have a positive impact on student academic achievement. Knowing how to find and use information are essential skills for college and careers. A good school library, staffed by a trained school librarian, is where students develop and hone these skills.

The SKILLS Act will build on the success of the Improving Literacy through School Libraries programs that was part of the No Child Left Behind Act and is the only Federal initiative solely dedicated to supporting and enhancing our Nation's school libraries. The Department of Education's January 2009 evaluation of the program found that it had been successful in improving the quality of those school libraries receiving the grants. Unfortunately, even in the face of all the evidence of the role school libraries play in boosting student achievement and the efficacy of the program itself, the Administration opted not to use its authority to provide funding for the school library program under the fiscal year 2011 continuing resolution.

This was a very short-sighted decision. Since its enactment in 2002, the Improving Literacy through School Libraries program has been making a difference for students across the country.

In Rhode Island, for instance, this program supported the Get READY, Get Ready, Empowered And Determined Youth, project of the Woonsocket school district, which encompassed a comprehensive strategy to improve the reading skills and academic achievement of 6,296 students, in grades K-12, by addressing critical elements of an effective school library program. Grant funds allowed the district to replace outdated library materials, add one to two books per student at each library, extend library hours, and add new computers to connect students to information at other libraries. The funds also increased resources for professional development in technology training for teachers and librarians.

Absent the Federal program, the libraries in many of our high poverty schools will languish with outdated materials and technology. This is a true equity issue, which is why I will continue to fight to sustain our Federal investment in this area and why renewing and strengthening the school library program is of critical importance.

I urge my colleagues to join in co-sponsoring the Strengthening Kids' Interest in Learning and Libraries Act.

Mr. President I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1328

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Strengthening Kids' Interest in Learning and Libraries Act" or the "SKILLS Act".

SEC. 2. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

TITLE I—IMPROVING EDUCATION THROUGH SCHOOL LIBRARIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Section 1002(b)(4) (20 U.S.C. 6302(b)(4)) is amended to read as follows:

"(4) IMPROVING LITERACY THROUGH SCHOOL LIBRARIES.—For the purpose of carrying out subpart 4 of part B, there are authorized to be appropriated such sums as may be necessary for fiscal year 2012 and for each of the 5 succeeding fiscal years."

SEC. 102. STATE PLANS.

Section 1111(b)(8) (20 U.S.C. 6311(b)(8)) is amended—

(1) in the matter preceding subparagraph (A), by inserting "or include" after "describe";

(2) in subparagraph (D), by striking "and" after the semicolon;

(3) by redesignating subparagraph (E) as subparagraph (F); and

(4) by inserting after subparagraph (D) the following:

"(E) an assurance that the State educational agency will assist local educational agencies in developing effective school library programs to provide students an opportunity to develop digital literacy skills and the knowledge and skills described in the challenging academic content standards adopted by the State; and".

SEC. 103. LOCAL EDUCATIONAL AGENCY PLANS.

Section 1112(c)(1) (20 U.S.C. 6312(c)(1)) is amended—

(1) in subparagraph (N), by striking "and" after the semicolon;

(2) in subparagraph (O), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(P) assist each school served by the agency and assisted under this part in developing effective school library programs consistent with section 1111(b)(8)(E)."

SEC. 104. SCHOOLWIDE PROGRAMS.

Section 1114(b)(1)(D) (20 U.S.C. 6314(b)(1)(D)) is amended by inserting "school librarians," after "teachers,".

SEC. 105. TARGETED ASSISTANCE PROGRAMS.

Section 1115(c)(1)(F) (20 U.S.C. 6315(c)(1)(F)) is amended by inserting "school librarians," after "teachers,".

SEC. 106. IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS.

Subpart 4 of part B of title I (20 U.S.C. 6383) is amended to read as follows:

"Subpart 4—Improving Literacy and College and Career Readiness Through Effective School Library Programs

"SEC. 1251. IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS.

"(a) PURPOSE.—The purpose of this subpart is to improve students' literacy skills and readiness for higher education and careers, by providing students with effective school library programs.

"(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

"(1) a local educational agency in which 20 percent of the students served by the local educational agency are from families with incomes below the poverty line; or

"(2) a consortia of such local educational agencies.

"(c) RESERVATION.—From the funds appropriated under section 1002(b)(4) for a fiscal year, the Secretary shall reserve—

"(1) one-half of 1 percent to award assistance under this section to the Bureau of Indian Education to carry out activities consistent with the purpose of this subpart; and

"(2) one-half of 1 percent to award assistance under this section to the outlying areas according to their respective needs for assistance under this subpart.

"(d) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

"(1) IN GENERAL.—From amounts appropriated under section 1002(b)(4) and not reserved under subsection (c), the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to carry out the authorized activities described in subsection (e).

"(2) SUFFICIENT SIZE AND SCOPE.—The Secretary shall award grants under this section of sufficient size and scope to allow the eligi-

ble entities to carry out effective school library programs for which the grant funds are provided.

"(3) DISTRIBUTION.—The Secretary shall ensure that grants under this section are equitably distributed among the different geographic regions of the United States, and among eligible entities serving urban and rural areas.

"(4) DURATION.—The Secretary shall award grants under this section for a period of 3 years.

"(5) LOCAL APPLICATIONS.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include, for each school that the eligible entity identifies as participating in a grant program under this section, the following information:

"(A) a needs assessment relating to the need for literacy improvement at all grade levels and the need for effective school library programs, based on the age and condition of school library resources, including—

"(i) book collections;

"(ii) access to advanced technology;

"(iii) the availability of well-trained, State certified or licensed school librarians; and

"(iv) the current level of coordination and shared planning time among school librarians and classroom teachers;

"(B) a description of which grade spans will be served, and an assurance that funding will be distributed to serve students in elementary, middle, and high schools;

"(C) how the eligible entity will extensively involve school librarians, teachers, administrators, and parents in the activities assisted under this section, and the manner in which the eligible entity will carry out the activities described in subsection (e) using programs and materials that are grounded in scientifically valid research;

"(D) the manner in which the eligible entity will effectively coordinate the funds and activities provided under this section with Federal, State, and local funds and activities under this subpart and other literacy, library, technology, and professional development funds and activities, including those funded through the Institute of Museum and Library Services; and

"(E) the manner in which the eligible entity will collect and analyze data on the quality and impact of activities carried out under this section by schools served by the eligible entity.

"(e) LOCAL ACTIVITIES.—Funds under this section may be used to develop and enhance effective school library programs, which may include activities to—

"(1) acquire up-to-date school library resources, including books and reading materials that—

"(A) are appropriate for students in all grade levels to be served and for students with special learning needs, including students who are limited English proficient; and

"(B) engage the interest of readers at all reading levels;

"(2) acquire and use advanced technology, incorporated into the curricula of the school, to develop and enhance the digital literacy skills of students;

"(3) facilitate Internet links and other resource-sharing networks among schools and school libraries, and public and academic libraries, where possible;

"(4) provide—

"(A) professional development in the acquisition of digital literacy skills and literacy instruction that is appropriate for all

grades, including the assessment of student literacy needs, the coordination of reading and writing instruction across content areas, and training in literacy strategies in all content areas for school librarians; and

“(B) activities that foster increased collaboration among school librarians, teachers, and administrators; and

“(5) provide students with access to school libraries during nonschool hours, including the hours before and after school, during weekends, and during summer vacation periods.

“(f) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds expended to carry out activities relating to library, technology, or professional development activities.

“(g) ACCOUNTABILITY AND REPORTING.—Each eligible entity that receives funds under this section for a fiscal year shall prepare and submit a report to the Secretary regarding how the funding was used and the extent to which the availability of, the access to, and the use of, up-to-date school library resources in the elementary schools and secondary schools served by the eligible entity was increased.”.

TITLE II—PREPARING, TRAINING, AND RECRUITING HIGHLY EFFECTIVE TEACHERS, SCHOOL LIBRARIANS, AND PRINCIPALS

SEC. 201. TEACHER, SCHOOL LIBRARIAN, AND PRINCIPAL TRAINING AND RECRUITING FUND.

Title II (20 U.S.C. 6601 et seq.) is amended—
(1) in the title heading, by striking “**HIGH QUALITY TEACHERS AND PRINCIPALS**” and inserting “**HIGHLY EFFECTIVE TEACHERS, SCHOOL LIBRARIANS, AND PRINCIPALS**”; and

(2) in the part heading, by striking “**TEACHER AND PRINCIPAL**” and inserting “**TEACHER, SCHOOL LIBRARIAN, AND PRINCIPAL**”.

SEC. 202. PURPOSE.

Section 2101(1) (20 U.S.C. 6601(1)) is amended to read as follows:

“(1) increase student achievement through strategies such as—

“(A) improving teacher, school librarian, and principal quality; and

“(B) increasing the number of highly effective teachers in the classroom, highly effective school librarians in the library, and highly effective principals and assistant principals in the school; and”.

SEC. 203. STATE APPLICATIONS.

Section 2112(b)(4) (20 U.S.C. 6612(b)(4)) is amended by inserting “, school librarians,” before “and principals”.

SEC. 204. STATE USE OF FUNDS.

Section 2113(c) (20 U.S.C. 6613(c)) is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking “principals,” and inserting “highly effective school librarians, and highly qualified principals and”; and

(B) in subparagraph (B), by striking “, principals,” and inserting “, highly effective school librarians, and highly qualified principals”; and

(2) in paragraph (6), by striking “teachers and principals” each place the term appears and inserting “teachers, school librarians, and principals”.

SEC. 205. LOCAL USE OF FUNDS.

Section 2123(a) (20 U.S.C. 6623(a)) is amended by inserting after paragraph (8) the following:

“(9)(A) Developing and implementing strategies to assist in recruiting and retaining highly effective school librarians; and

“(B) providing appropriate professional development for school librarians, particularly related to skills necessary to assist students to improve the students’ academic achievement, including digital literacy skills and preparation for higher education and careers.”.

TITLE III—GENERAL PROVISIONS

SEC. 301. DEFINITIONS.

Section 9101 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (16), (17), and (18) through (43) as paragraphs (17), (18), and (20) through (45), respectively;

(2) by inserting after paragraph (15) the following:

“(15) DIGITAL LITERACY SKILLS.—The term ‘digital literacy skills’ has the meaning given the term in section 202 of the Museum and Library Services Act.”; and

(3) by inserting after paragraph (18) (as redesignated by paragraph (1)) the following:

“(19) EFFECTIVE SCHOOL LIBRARY PROGRAM.—The term ‘effective school library program’ means a school library program that—

“(A) is staffed by a State certified or licensed school librarian;

“(B) has up-to-date books, materials, equipment, and technology (including broadband);

“(C) includes regular collaboration between classroom teachers and school librarians to assist with development and implementation of the curriculum and other school reform efforts; and

“(D) supports the development of digital literacy skills.”.

SEC. 302. CONFORMING AMENDMENTS.

(a) TABLE OF CONTENTS.—The table of contents in section 2 of the Act is amended—

(1) by striking the items relating to subpart 4 of part B of title I and inserting the following:

“SUBPART 4—IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS

“Sec. 1251. Improving literacy and college and career readiness through effective school library programs.”;

(2) by striking the item relating to title II and inserting the following:

“TITLE II—PREPARING, TRAINING, AND RECRUITING HIGHLY EFFECTIVE TEACHERS, SCHOOL LIBRARIANS, AND PRINCIPALS”;

and

(3) by striking the item relating to part A of title II and inserting the following:

“PART A—TEACHER, SCHOOL LIBRARIAN, AND PRINCIPAL TRAINING AND RECRUITING FUND.”.

Mr. REED (for himself, Mr. HARKIN, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. SCHUMER, Mr. LEAHY, Mr. CASEY, and Mr. BLUMENTHAL):

S. 1333. A bill to provide for the treatment and temporary financing of short-time compensation programs; to the Committee on Finance.

Mr. REED. Mr. President, today I am introducing the Layoff Prevention Act, legislation to strengthen and expand work sharing programs to keep Americans on the job and provide employers with a practical alternative to layoffs that is good for business.

While the U.S. has experienced 15 consecutive months of private-sector job creation, too many Americans, nearly 14 million, remain out of work. Like everyone in my State, I am fully focused on finding ways to create jobs. As we work to stabilize employment, our efforts should also be aimed at preventing the loss of jobs in the first place.

This is where work sharing programs make a real difference. If you are a business owner faced with the prospect of having to let go some percentage of your highly-skilled workforce because of a rough patch, work sharing allows you to keep your workers on the job with reduced hours until you can bring them back on full time when business rebounds. In this way, a business does not lose out on the considerable expense and time it has put in to hire and train these workers. This initiative helps workers by lessening the impact of those reduced hours on workers and their families because workers receive a proportionate share of unemployment benefits.

Work sharing has proven to be effective not only in my State of Rhode Island, but in the more than 20 States and the District of Columbia that have adopted it across the Nation. At the height of the recession in 2009, there was a significant jump in employer participation, demonstrating the program’s value to small, medium, and large businesses. Indeed, according to the Department of Labor, work sharing programs saved approximately 165,000 jobs in 2009, nearly triple the number the year prior. As the overall economy improved in 2010, the system continued to be a valuable tool, saving 100,000 jobs. But these numbers could be much larger if more States adopted work sharing.

Although work sharing has played an increased role in preventing layoffs, it remains underutilized. Some States are not actively promoting its use; while in many other States it is simply not available.

Despite these limitations, the current economic circumstances have shined a bright light on the value of job sharing and these initiatives have been front and center as States are increasingly turning to them to prevent job losses. A growing number of States with Republican and Democratic Governors have taken action. In just the past few weeks, Maine and Pennsylvania have enacted laws to create work sharing systems, following Colorado, Oklahoma, and New Hampshire last year. The President has also recognized the potential of work sharing to stave off further job losses by including in his fiscal year 2012 budget proposal that expanded on legislation I introduced last Congress.

The bill I am introducing today along with Senators HARKIN, MURRAY, SCHUMER, SHERROD BROWN, WHITEHOUSE,

LEAHY, CASEY, and BLUMENTHAL builds on this momentum and encourages States with existing lay off prevention systems to utilize them more frequently and incentivizes States without work sharing to create them. It strengthens the legislation that I authored last Congress by including changes suggested by the business community, States, economists, and other stakeholders. As in past versions, it provides States that have approved programs with temporary Federal financing for 100 percent of work sharing benefits paid to workers, limited to 26 weeks worth of benefits spread out over the course of a year. This financing is available for three years.

While the bill is designed to incentivize States to enact permanent laws to create work sharing, the bill also includes provisions to allow States to get work sharing up and running more quickly. Specifically, a State can reach an agreement with the Department of Labor to create a temporary program under which they would receive 50 percent Federal financing. This financing incentive would be available for 2 years, and such States would be eligible for a third year of 100 percent federal funding if they pass a permanent law.

In addition, the bill provides flexible grants to State labor agencies at a time when they are doing more with less. States that enact work sharing programs are eligible for grants to improve implementation and administration, and there are also grants for promotion and enrollment. These resources will play a critical role in ensuring that States are efficiently able to inform employers of its benefits, and encourage greater use of work sharing to stave off layoffs. Moreover, as work sharing programs take hold, States will see their unemployment insurance systems less burdened as fewer individuals will need to avail themselves of full unemployment benefits.

Simply put, this legislation will help more workers, businesses, and communities stay afloat, while the country works its way through these tough economic times. Moreover, the bill lays a needed foundation to protect businesses and workers from any future recession. It is a win-win for all.

First, work sharing helps speed economic recovery. Economist Mark Zandi estimates that temporary financing of work share offers a very high "bang for the buck" of \$1.69. That is, every \$1 devoted to finance State work share programs results in \$1.69 in real GDP.

Second, work sharing allows businesses to retain skilled workers, temporarily cut costs, and maintain employee morale.

Third, it keeps people working while receiving a share of unemployment benefits to make up for lost wages and retaining health insurance and retire-

ment benefits. This means workers can continue to pay their mortgages and bills, provide for their families, and support businesses in their local communities.

Keeping workers attached to the workforce is a key element of ensuring economic growth.

This legislation does not reinvent the wheel, it is not a mandate on employers or States, and it is not telling anyone what they must do.

Instead, it takes a proven jobs-saving initiative, that is increasingly being used by States, and strengthens and expands it. It gives more employers in more States the opportunity to take advantage of its benefits.

I urge my colleagues to join us in supporting this important legislation. It is my hope that we can proceed in a bipartisan manner as has been accomplished in the more than 20 States where work sharing has been adopted and take swift action to pass this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1333

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Layoff Prevention Act of 2011".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Treatment of short-time compensation programs.

Sec. 3. Temporary financing of short-time compensation payments in States with programs in law.

Sec. 4. Temporary financing of short-time compensation agreements.

Sec. 5. Grants for short-time compensation programs.

Sec. 6. Assistance and guidance in implementing programs.

Sec. 7. Reports.

SEC. 2. TREATMENT OF SHORT-TIME COMPENSATION PROGRAMS.

(a) **DEFINITION.**—

(1) **IN GENERAL.**—Section 3306 of the Internal Revenue Code of 1986 (26 U.S.C. 3306) is amended by adding at the end the following new subsection:

"(v) **SHORT-TIME COMPENSATION PROGRAM.**—For purposes of this chapter, the term 'short-time compensation program' means a program under which—

"(1) the participation of an employer is voluntary;

"(2) an employer reduces the number of hours worked by employees in lieu of layoffs;

"(3) such employees whose workweeks have been reduced by at least 10 percent, and by not more than the percentage, if any, that is determined by the State to be appropriate (but in no case more than 60 percent), are eligible for unemployment compensation;

"(4) the amount of unemployment compensation payable to any such employee is a pro rata portion of the unemployment compensation which would otherwise be payable

to the employee if such employee were totally unemployed;

"(5) such employees are not expected to meet the availability for work or work search test requirements while collecting short-time compensation benefits, but are required to be available for their normal workweek;

"(6) eligible employees may participate, as appropriate, in training (including employer-sponsored training or worker training funded under the Workforce Investment Act of 1998) to enhance job skills if such program has been approved by the State agency;

"(7) the State agency shall require employers to certify that the employer will continue to provide health benefits and retirement benefits under a defined benefit plan (as defined in section 414(j)) and contributions under a defined contribution plan (as defined in section 414(i)) to any employee whose workweek is reduced under the program under the same terms and conditions as though the workweek of such employee had not been reduced;

"(8) the State agency shall require an employer to submit a written plan describing the manner in which the requirements of this subsection will be implemented (including a plan for giving advance notice, where feasible, to an employee whose workweek is to be reduced) together with an estimate of the number of layoffs that would have occurred absent the ability to participate in short-time compensation and such other information as the Secretary of Labor determines is appropriate;

"(9) in the case of employees represented by a union, the appropriate official of the union has agreed to the terms of the employer's written plan and implementation is consistent with employer obligations under the applicable Federal laws; and

"(10) upon request by the State and approval by the Secretary of Labor, only such other provisions are included in the State law that are determined to be appropriate for purposes of a short-time compensation program."

(2) **EFFECTIVE DATE.**—Subject to paragraph (3), the amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(3) **TRANSITION PERIOD FOR EXISTING PROGRAMS.**—In the case of a State that is administering a short-time compensation program as of the date of the enactment of this Act and the State law cannot be administered consistent with the amendment made by paragraph (1), such amendment shall take effect on the earlier of—

(A) the date the State changes its State law in order to be consistent with such amendment; or

(B) the date that is 2 years and 6 months after the date of the enactment of this Act.

(b) **CONFORMING AMENDMENTS.**—

(1) **INTERNAL REVENUE CODE OF 1986.**—

(A) Subparagraph (E) of section 3304(a)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

"(E) amounts may be withdrawn for the payment of short-time compensation under a short-time compensation program (as defined under section 3306(v));"

(B) Subsection (f) of section 3306 of the Internal Revenue Code of 1986 is amended—

(i) by striking paragraph (5) (relating to short-time compensation) and inserting the following new paragraph:

"(5) amounts may be withdrawn for the payment of short-time compensation under a short-time compensation program (as defined in subsection (v)); and"; and

(ii) by redesignating paragraph (5) (relating to self-employment assistance program) as paragraph (6).

(2) **SOCIAL SECURITY ACT.**—Section 303(a)(5) of the Social Security Act is amended by striking “the payment of short-time compensation under a plan approved by the Secretary of Labor” and inserting “the payment of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986)”.

(3) **UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1992.**—Subsections (b) through (d) of section 401 of the Unemployment Compensation Amendments of 1992 (26 U.S.C. 3304 note) are repealed.

SEC. 3. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION PAYMENTS IN STATES WITH PROGRAMS IN LAW.

(a) **PAYMENTS TO STATES.**—

(1) **IN GENERAL.**—Subject to paragraph (3), there shall be paid to a State an amount equal to 100 percent of the amount of short-time compensation paid under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)) under the provisions of the State law.

(2) **TERMS OF PAYMENTS.**—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) **LIMITATIONS ON PAYMENTS.**—

(A) **GENERAL PAYMENT LIMITATIONS.**—No payments shall be made to a State under this section for short-time compensation paid to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment.

(B) **EMPLOYER LIMITATIONS.**—No payments shall be made to a State under this section for benefits paid to an individual by the State under a short-time compensation program if such individual is employed by an employer on a seasonal, temporary, or intermittent basis.

(b) **APPLICABILITY.**—

(1) **IN GENERAL.**—Payments to a State under subsection (a) shall be available for weeks of unemployment—

(A) beginning on or after the date of the enactment of this Act; and

(B) ending on or before the date that is 3 years and 6 months after the date of the enactment of this Act.

(2) **THREE-YEAR FUNDING LIMITATION FOR COMBINED PAYMENTS UNDER THIS SECTION AND SECTION 4.**—States may receive payments under this section and section 4 with respect to a total of not more than 156 weeks.

(c) **TWO-YEAR TRANSITION PERIOD FOR EXISTING PROGRAMS.**—During any period that the transition provision under section 2(a)(3) is applicable to a State with respect to a short-time compensation program, such State shall be eligible for payments under this section. Subject to paragraphs (1)(B) and (2) of subsection (b), if at any point after the

date of the enactment of this Act the State enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a), the State shall be eligible for payments under this section after the effective date of such enactment.

(d) **FUNDING AND CERTIFICATIONS.**—

(1) **FUNDING.**—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of carrying out this section.

(2) **CERTIFICATIONS.**—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(e) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of Labor.

(2) **STATE; STATE AGENCY; STATE LAW.**—The terms “State”, “State agency”, and “State law” have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 4. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION AGREEMENTS.

(a) **FEDERAL-STATE AGREEMENTS.**—

(1) **IN GENERAL.**—Any State which desires to do so may enter into, and participate in, an agreement under this section with the Secretary provided that such State's law does not provide for the payment of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)).

(2) **ABILITY TO TERMINATE.**—Any State which is a party to an agreement under this section may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) **PROVISIONS OF FEDERAL-STATE AGREEMENT.**—

(1) **IN GENERAL.**—Any agreement under this section shall provide that the State agency of the State will make payments of short-time compensation under a plan approved by the State. Such plan shall provide that payments are made in accordance with the requirements under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a).

(2) **LIMITATIONS ON PLANS.**—

(A) **GENERAL PAYMENT LIMITATIONS.**—A short-time compensation plan approved by a State shall not permit the payment of short-time compensation to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment.

(B) **EMPLOYER LIMITATIONS.**—A short-time compensation plan approved by a State shall not provide payments to an individual if such individual is employed by an employer on a seasonal, temporary, or intermittent basis.

(3) **EMPLOYER PAYMENT OF COSTS.**—Any short-time compensation plan entered into by an employer must provide that the employer will pay the State an amount equal to one-half of the amount of short-time compensation paid under such plan. Such amount shall be deposited in the State's unemployment fund and shall not be used for purposes of calculating an employer's contribution rate under section 3303(a)(1) of the Internal Revenue Code of 1986.

(c) **PAYMENTS TO STATES.**—

(1) **IN GENERAL.**—There shall be paid to each State with an agreement under this section an amount equal to—

(A) one-half of the amount of short-time compensation paid to individuals by the State pursuant to such agreement; and

(B) any additional administrative expenses incurred by the State by reason of such agreement (as determined by the Secretary).

(2) **TERMS OF PAYMENTS.**—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) **FUNDING.**—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of carrying out this section.

(4) **CERTIFICATIONS.**—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(d) **APPLICABILITY.**—

(1) **IN GENERAL.**—An agreement entered into under this section shall apply to weeks of unemployment—

(A) beginning on or after the date on which such agreement is entered into; and

(B) ending on or before the date that is 2 years and 13 weeks after the date of the enactment of this Act.

(2) **TWO-YEAR FUNDING LIMITATION.**—States may receive payments under this section with respect to a total of not more than 104 weeks.

(e) **SPECIAL RULE.**—If a State has entered into an agreement under this section and subsequently enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a), the State—

(1) shall not be eligible for payments under this section for weeks of unemployment beginning after the effective date of such State law; and

(2) subject to paragraphs (1)(B) and (2) of section 3(b), shall be eligible to receive payments under section 3 after the effective date of such State law.

(f) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of Labor.

(2) **STATE; STATE AGENCY; STATE LAW.**—The terms “State”, “State agency”, and “State law” have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 5. GRANTS FOR SHORT-TIME COMPENSATION PROGRAMS.

(a) **GRANTS.**—

(1) **FOR IMPLEMENTATION OR IMPROVED ADMINISTRATION.**—The Secretary shall award grants to States that enact short-time compensation programs (as defined in subsection (i)(2)) for the purpose of implementation or improved administration of such programs.

(2) **FOR PROMOTION AND ENROLLMENT.**—The Secretary shall award grants to States that

are eligible and submit plans for a grant under paragraph (1) for such States to promote and enroll employers in short-time compensation programs (as so defined).

(3) ELIGIBILITY.—

(A) IN GENERAL.—The Secretary shall determine eligibility criteria for the grants under paragraph (1) and (2).

(B) CLARIFICATION.—A State administering a short-time compensation program, including a program being administered by a State that is participating in the transition under the provisions of sections 2(a)(3) and 3(c), that does not meet the definition of a short-time compensation program under section 3306(v) of the Internal Revenue Code of 1986 (as added by 2(a)), and a State with an agreement under section 4, shall not be eligible to receive a grant under this section until such time as the State law of the State provides for payments under a short-time compensation program that meets such definition and such law.

(b) AMOUNT OF GRANTS.—

(1) IN GENERAL.—The maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying \$700,000,000 (less the amount used by the Secretary under subsection (e)) by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 1103) for purposes of determining such State's share of any excess amount (as described in subsection (a)(1) of such section) that would have been subject to transfer to State accounts, as of October 1, 2010, under the provisions of subsection (a) of such section.

(2) AMOUNT AVAILABLE FOR DIFFERENT GRANTS.—Of the maximum incentive payment determined under paragraph (1) with respect to a State—

(A) one-third shall be available for a grant under subsection (a)(1); and

(B) two-thirds shall be available for a grant under subsection (a)(2).

(c) GRANT APPLICATION AND DISBURSAL.—

(1) APPLICATION.—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and complete with such information as the Secretary may require. In no case may the Secretary award a grant under this section with respect to an application that is submitted after December 31, 2014.

(2) NOTICE.—The Secretary shall, within 30 days after receiving a complete application, notify the State agency of the State of the Secretary's findings with respect to the requirements for a grant under paragraph (1) or (2) (or both) of subsection (a).

(3) CERTIFICATION.—If the Secretary finds that the State law provisions meet the requirements for a grant under subsection (a), the Secretary shall thereupon make a certification to that effect to the Secretary of the Treasury, together with a certification as to the amount of the grant payment to be transferred to the State account in the Unemployment Trust Fund (as established in section 904(a) of the Social Security Act (42 U.S.C. 1104(a))) pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer to the State account within 7 days after receiving such certification.

(4) REQUIREMENT.—No certification of compliance with the requirements for a grant under paragraph (1) or (2) of subsection (a) may be made with respect to any State whose—

(A) State law is not otherwise eligible for certification under section 303 of the Social

Security Act (42 U.S.C. 503) or approvable under section 3304 of the Internal Revenue Code of 1986; or

(B) short-time compensation program is subject to discontinuation or is not scheduled to take effect within 12 months of the certification.

(d) USE OF FUNDS.—The amount of any grant awarded under this section shall be used for the implementation of short-time compensation programs and the overall administration of such programs and the promotion and enrollment efforts associated with such programs, such as through—

(1) the creation or support of rapid response teams to advise employers about alternatives to layoffs;

(2) the provision of education or assistance to employers to enable them to assess the feasibility of participating in short-time compensation programs; and

(3) the development or enhancement of systems to automate—

(A) the submission and approval of plans; and

(B) the filing and approval of new and ongoing short-time compensation claims.

(e) ADMINISTRATION.—The Secretary is authorized to use 0.25 percent of the funds available under subsection (g) to provide for outreach and to share best practices with respect to this section and short-time compensation programs.

(f) RECOUPMENT.—The Secretary shall establish a process under which the Secretary shall recoup the amount of any grant awarded under paragraph (1) or (2) of subsection (a) if the Secretary determines that, during the 5-year period beginning on the first date that any such grant is awarded to the State, the State—

(1) terminated the State's short-time compensation program; or

(2) failed to meet appropriate requirements with respect to such program (as established by the Secretary).

(g) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, to the Secretary, \$700,000,000 to carry out this section, to remain available without fiscal year limitation.

(h) REPORTING.—The Secretary may establish reporting requirements for States receiving a grant under this section in order to provide oversight of grant funds.

(i) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of Labor.

(2) SHORT-TIME COMPENSATION PROGRAM.—The term "short-time compensation program" has the meaning given such term in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a).

(3) STATE; STATE AGENCY; STATE LAW.—The terms "State", "State agency" and "State law" have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 6. ASSISTANCE AND GUIDANCE IN IMPLEMENTING PROGRAMS.

(a) IN GENERAL.—In order to assist States in establishing, qualifying, and implementing short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)), the Secretary of Labor (in this section referred to as the "Secretary") shall—

(1) develop model legislative language which may be used by States in developing and enacting such programs and periodically review and revise such model legislative language;

(2) provide technical assistance and guidance in developing, enacting, and implementing such programs;

(3) establish reporting requirements for States, including reporting on—

(A) the number of estimated averted layoffs;

(B) the number of participating employers and workers; and

(C) such other items as the Secretary of Labor determines are appropriate.

(b) MODEL LANGUAGE AND GUIDANCE.—The model language and guidance developed under subsection (a) shall allow sufficient flexibility by States and participating employers while ensuring accountability and program integrity.

(c) CONSULTATION.—In developing the model legislative language and guidance under subsection (a), and in order to meet the requirements of subsection (b), the Secretary shall consult with employers, labor organizations, State workforce agencies, and other program experts."

SEC. 7. REPORTS.

(a) INITIAL REPORT.—

(1) IN GENERAL.—Not later than 4 years after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress and to the President a report or reports on the implementation of the provisions of this Act.

(2) REQUIREMENTS.—Any report under paragraph (1) shall include the following:

(A) A description of best practices by States and employers in the administration, promotion, and use of short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2(a)).

(B) An analysis of the significant challenges to State enactment and implementation of short-time compensation programs.

(C) A survey of employers in States that have not enacted a short-time compensation program or entered into an agreement with the Secretary on a short-time compensation plan to determine the level of interest among such employers in participating in short-time compensation programs.

(D) Other matters related to the implementation of the provisions of this Act as the Secretary of Labor determines appropriate.

(b) SUBSEQUENT REPORTS.—After the submission of the report under subsection (a), the Secretary of Labor may submit such additional reports on the implementation of short-time compensation programs as the Secretary deems appropriate.

(c) FUNDING.—There are appropriated, out of any moneys in the Treasury not otherwise appropriated, to the Secretary of Labor, \$1,500,000 to carry out this section, to remain available without fiscal year limitation.

By Mr. INHOFE (for himself, Mr. BEGICH, Mr. JOHANNIS, Mr. BOOZMAN, Ms. SNOWE, Mr. MORAN, Mr. PRYOR, Ms. COLLINS, Mr. CRAPO, Mr. THUNE, Mr. CORNYN, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. BARRASSO, Mr. CHAMBLISS, Mr. COATS, Mr. HOEVEN, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. ROBERTS, Mr. BLUNT, Mr. COBURN, Mr. RISCH, and Mr. WICKER):

S. 1335. A bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. INHOFE. Mr. President, just a few minutes ago I did introduce and we

have a bill number that is S. 1335. It is the Pilot's Bill of Rights. It is very significant that we get this done today, and I will explain why.

First of all, when Senator John Glenn from Ohio retired, that left me as the last active commercial pilot in the Senate. Consequently, I probably get more complaints than anybody else does about problems and abuses with the FAA.

I have to say this: I was very complimentary yesterday to so many of the people. The vast majority of the inspectors, the controllers, and others at the FAA are so talented. In fact, the first thing I do when I go up to Oshkosh every year, the largest air show in the world, is I go up to where they are all gathered together and I compliment them on the fact that they are taking on the toughest job for a 6-day period in Oshkosh as a volunteer. So I love their virtues. However, we have to keep in mind that any bureaucracy can become abusive.

So I have introduced the Pilot's Bill of Rights. The reason I am speaking right now is because we have 25 cosponsors at this time, which means 25 percent of the Senate has signed on as cosponsors.

The way the rules work around here, any of the Members who might be listening right now—and I know the occupier of the Chair is very concerned about this and he is very active with me on this legislation—any staffers who are watching, they should advise their Members that they have until close of business today, probably 1 more hour, to put their names down as original cosponsors.

Now, the bill simply does four things. First of all, it requires the FAA, for any enforcement action, to make sure the pilot is fully aware of what he is being accused of before any ultimatums are put forth. Consequently, that pilot is able to defend himself.

The second thing is it clarifies what they call statutory deference. Right now, statutory deference relates to the National Transportation Safety Board. The NTSB is the only area of appeal, so that if a pilot is accused of something and he looks at it and thinks it is unfair, he would have to go to the NTSB. Yet because of deference, they merely rubberstamp in almost all cases what the FAA does. As an example, of the emergency determinations that were made last year, only one was actually granted and the rest of them were denied. This bill will allow, in terms of fairness, that if something is going on and they refuse to consider a case, there will be an appellate process where the pilot can go to the Federal District Court and be heard there.

The third thing it does is it has to do with notice. That is notice to airmen. That is very significant. Those of us who are pilots know that when we go into a field, we check and see what the

NOTAMs are, so that if there is any work on the runway, any problem there, any taxiways that are closed, they will give the pilot that information. However, the problem is it is the pilot's responsibility to do this and the FAA many times doesn't even post these NOTAMs. So what we are saying with our FARs, or our laws, is we are saying to a pilot, You have to be responsible to know what is going on at the airport, where you are going to be landing. Yet there is no place you can find out. So this requires that they revamp this system so that there is a central location. We specify that in the legislation, so that can be found.

Then the fourth and final thing, there is another problem in terms of medical certification. Those of us who are pilots have to have medicals and we have to have a certification process. This has been a problem for a long period of time. I have had countless people call me and talk about the problems they are having with their medical certification. In fact, of all the requests for assistance to the Aircraft Owners and Pilots Association—they represent hundreds of thousands of pilots—of all the requests for assistance they receive each year, 28 percent are related to the FAA's medical certification process. So I would say this of this very simple legislation. Two sections actually change the statutes so that it offers protection to pilots, but the other two are working together to come up with a system where we can have a central location for NOTAMs as well as having a fair process for medical evaluations.

I think it is very obvious that there are a lot of bureaucracies where one or two people can be bad. When I was in Tulsa, I can remember all it took was one or two bad cops and that gave a black eye to everybody else. I remember actually, when I was running—it is the whole reason I ran for office in the first place. When I was out in the private sector, I was doing things that I thought I was supposed to be doing, and I had one old building called the Wrightsman Oil Estate. I was going to take this old eyesore and make it into a building and preserve it as it was originally. Old, in my city of Tulsa, OK, in this case was maybe 1910 or 1912. We weren't even a State until 1907. This is something everybody wanted.

I went to the city engineer and I said, I want to take this eyesore of a fire escape on the second floor and move it from the south to the north end. It is the same thing; it will service the same number of people, but it is an eyesore and this gets it out of the way. No one is against it. He said, You can't do that until this committee meets. So let's see. You have to have notice. That would be 3 more weeks before you can get notice. A month after that, you can get on the agenda. I said, Look, everyone is for it. He said, That is your prob-

lem, not mine. I said, I will run for mayor and fire you, and I did, and I fired him. This can happen in any bureaucracy.

So the reason there is a sense of urgency is because we have already told all of the groups—the Experimental Aircraft Association, ALPA, all of these groups that represent these different organizations—that we are going to be getting this bill ready with all of our original cosponsors and then cosponsors so that when we arrive and when I arrive at the end of July, at Oshkosh, WI, I am going to do the same thing I did in 1994 that caused us to be able to pass the first product liability bill on aviation and aviation products that had the effect of changing us from a major importer of aviation products and of airplanes to a major exporter, just by changing that. It was an 18-year repose bill. I did that at Oshkosh with an audience of 200,000 people. These are single issue people. I can assure my colleagues that they will be just as interested in this bill.

So I will be presenting this, and I am going to encourage Members of the Senate who want to get their name in today, they can be cosponsors, original cosponsors, as is the occupier of the chair at the present time, and myself, and 23 other Members of the Senate.

One last reminder. This is S. 1335. This is the last chance. Colleagues have 1 more hour to be an original cosponsor. I hope my colleagues will join me in sponsoring this legislation.

ORDERS FOR THURSDAY, JULY 7, 2011

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, July 7; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume the motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with the time until 10 a.m. equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each; that at 10 a.m., the Senate conduct a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 1323.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LAUTENBERG. Mr. President, there will be a vote tomorrow morning at approximately 10 a.m.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. LAUTENBERG. Mr. President, if
there is no further business to come be-

fore the Senate, I ask unanimous con-
sent that it adjourn under the previous
order.

There being no objection, the Senate,
at 7:24 p.m., adjourned until Thursday,
July 7, 2011, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, July 6, 2011

The House met at 2 p.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

As the House reconvenes, we ask Your blessing upon deliberations informed by the experiences and interactions of the Members with their constituents.

We thank You for the time to be together with family and friends as our Nation celebrated 235 years of being a marvelous experiment in the self-governance of a people brought together by ideals and trusting in the ability of a free people to govern themselves in justice and peace.

Mindful of this great heritage, and the hard work and sacrifices of so many American ancestors to us all, may the Members of this people's House deliberate in good faith, mindful not only of short-term interest, but of their place in history and of the tremendous responsibility to govern wisely for a bright future for our Nation.

May all that is done this day in the wake of our national celebration be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

UNIVERSITY OF SOUTH CAROLINA BASEBALL DOES IT AGAIN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the University of the South

Carolina men's baseball team ended the College World Series this season just as they did last year: The Gamecocks are national champions again, back-to-back victories, by beating the Florida Gators on June 28 at Omaha, Nebraska's TD Ameritrade Park. The University of South Carolina became only the sixth team in NCAA history to win back-to-back baseball national championships.

The Gamecocks won the national title in record-setting fashion. This is the first team ever to go 10-0 in an NCAA tournament. The Gamecocks' streak of 16 NCAA tournament wins and 11 straight in the College World Series are both all-time records.

In the title game, the Gamecocks rode the arm of Michael Roth as he only allowed two runs by the Gators. He was helped by Series Most Outstanding Player Scott Wingo, who not only batted in a couple of runs, but made defensive plays throughout the tournament. Coach Ray Tanner should be credited with putting the pieces together once again in steering the Gamecocks to a 55-win season, capped off by this national championship victory.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

REMEMBERING AND HONORING THE LIFE OF ART HENRI JERBERT

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Mr. Speaker, I rise to honor the life of Arthur Jerbert of North Stonington, Connecticut. As we approach the 1-year anniversary of his passing, it's important for this House to remember Art's remarkable service to our Nation and his community.

Art was a member of the Greatest Generation, entering the U.S. Navy during World War II, serving in the submarine force for 20 distinguished years. His career in the Navy included time aboard one of the subs that executed the "wolf pack" attack strategy in the Sea of Japan. That strategy was instrumental in asserting allied naval supremacy in the Pacific, an essential ingredient to final victory. During the conflict, he earned the Bronze Star and after the war rose to the rank of commander, retiring in 1962.

After leaving the Navy, Art applied his talents to improving the quality of life in southeastern Connecticut. He taught math to high schoolers all

across the State, he coached little league, served on the North Stonington Board of Education, and became Ledyard's first mayor in 1971. What an amazing guy.

Art is deeply missed by his loving wife, Marilyn; his children; grandchildren; and great-grandchild. His example of human excellence and service is an inspiration for us all today and for generations to come.

PERSECUTION OF EGYPTIAN CHRISTIANS

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, we were all glued to our televisions and the Internet watching the Egyptian people, Christian and Muslim alike, demand free and fair elections for the first time.

The history of the Christian church in Egypt far exceeds that of Islam. Even now, Coptic Christians make up 10 percent of Egypt's population of 80 million people.

Unfortunately, some fringe groups of extremist Muslims took this opportunity to attack their fellow Egyptians simply because they are Christians in an attempt to drive them out of Egypt. In some cases, they were successful.

Our country was founded on the principles of religious freedom. As a Christian and a Member of the House of Representatives, I'm hopeful that this example of a broad range of beliefs of our 435 Members will stand as an example to the Egyptian people.

I would ask the Egyptian people and the current military leadership to stand with the Christian minority in Egypt and ensure their ability to freely practice their faith is not impugned by the current leadership or the one that may be elected in the future.

I will continue to keep the Coptic Christians in Egypt in my prayers, and I would ask my colleagues to do the same.

YELLOWSTONE RIVER PIPELINE SPILL

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, last weekend while most Americans were celebrating the Fourth of July, Montanans were, unfortunately, immersed in what has become a new American tradition: cleaning up oil spills.

After Exxon's Silvertip pipeline failed and spewed 40,000 gallons of toxic oil into the Yellowstone River, Exxon quickly labeled the incident a "freak accident"—a phrase commonly used by the oil industry after major spills. But an exhaustive history of Big Oil's spills makes it clear that these incidents are not "freak accidents" but evidence of Big Oil's neglect.

Perhaps the most blatant, recent exhibit of empty safety promises belongs to TransCanada, who dubbed the Keystone pipeline "the safest pipeline ever built." A year and 12 spills later, Keystone was shut down and deemed an "imminent threat to life, property, and the environment."

Before we permit the Keystone XL pipeline—another deadly TransCanada pipeline—we need to reauthorize our pipeline safety legislation because our pipelines need to be as consistent as Old Faithful.

ENERGY INDEPENDENCE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, this last weekend we celebrated America's Independence Day; and as I visited with constituents, they asked that we create another independence movement, independence from Middle Eastern oil, and I agree.

Unfortunately, rather than pursuing energy independence, the Obama administration keeps fostering an energy-dependence policy that costs American jobs, brings higher prices at the pump, and endangers our national security by making us more dependent on unstable Middle Eastern governments.

House Republicans have responded by introducing and passing four bills to increase our domestic energy production and create American jobs. But the Senate has taken no action. Liberal Democrats are obstructing the opportunity for jobs for Americans, lower energy costs, and a new era of independence.

It's time, Mr. Speaker, to declare independence from Middle Eastern oil and start using our own resources for the benefit of all Americans.

U.S. MILITARY INVOLVEMENT IN LIBYA

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, within the next 24 hours, the House will have the opportunity to end U.S. military involvement in Libya. And we should do so for the following reasons:

First, the war is illegal under the United States Constitution and our War Powers Act because only the U.S. Congress has the authority to declare

war, and the President has been unable to show that the U.S. faced an imminent threat from Libya. The President even ignored his top legal advisers at the Pentagon and the Department of Justice, who insisted he needed congressional approval before bombing Libya.

Second, the war has reached a stalemate and is unwinnable without the deployment of NATO ground troops, effectively an invasion of Libya. The whole operation was terribly ill-considered from the beginning.

While NATO supports the Benghazi-based opposition situated in the oil rich northeast, there is little evidence that the opposition has the support of the majority of Libyans. The leading opposition group, the National Front for the Salvation of Libya, which had been reportedly backed by the CIA in the 1980s, should never have launched an armed civil war against the government if they had no chance absent a massive NATO air campaign and the introduction of NATO troops.

It's time to put an end to this war. Vote to cut off funds.

□ 1410

REPUBLICAN JOBS PLAN

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, rising unemployment continues to populate the headlines. An article last week by the AP points out that several cities in my State of Michigan, including Battle Creek, which I have the privilege of representing, endured big increases in unemployment. Michigan's unemployment stands at over 10 percent. The policies of this administration exacerbate bad situations. We do not need more overspending, higher taxes, rising energy costs, government takeover of health care, and more regulations.

My Republican colleagues and I have put forth a jobs plan. We know government cannot create jobs. Instead, we can support an environment where the private sector flourishes and creates jobs. Our jobs plan will reduce regulatory burdens, which are currently costing small businesses over \$10,000 per employee each year, requiring congressional approval for any regulation that has significant impact on the economy. Our jobs plan will fix the Tax Code, streamlining and lowering tax rates. Our jobs plan will encourage entrepreneurship. Our jobs plan will increase domestic energy production and will cut unsustainable spending that creates crushing burdens of debt.

At home last week, I was constantly reminded how the lack of good-paying jobs is affecting my constituents. It's truly time for America to stand up for its liberty and its next generation.

MINNESOTA GOVERNMENT SHUTDOWN

(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, this week in Minnesota our State government is shut down due to a budget crisis. I want to applaud Governor Mark Dayton for negotiating in good faith, making productive compromises, and for never forgetting the needs of Minnesotans, especially our most vulnerable citizens.

The Republicans controlling the Minnesota Legislature issue ultimatums, and they want to mortgage our State's future by cutting health, education, and law enforcement. In Congress and in Minnesota, Republicans use the same playbook: First, create a crisis, put jobs at risk and the economy in peril; then ignore the needs of middle class families, and then fight to protect the interests of millionaires and billionaires.

What we are seeing in Washington and St. Paul is the radical tea party Republican extremism threatening jobs and the economy with destruction in the name of political advantage. This is a dangerous political strategy, and it needs to end now. Democrats and Republicans need to work together to solve our Nation's problems. The American people and Minnesotans expect that of their elected leaders.

ALLOW THE JOB CREATORS TO CREATE JOBS

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, I stand to tell a rare success story that I saw firsthand last week. Custom Aluminum Products, a local manufacturing business employing more than 360 people, is celebrating its 50th anniversary this year. Throughout those 50 years, they have grown from a small local manufacturer to a nationally recognized leader in the aluminum industry.

I tell their story today because Custom Aluminum is a thriving local business—expanding, employing, and excelling despite the economic and regulatory burdens. We have much to learn from stories like this: that if given the opportunity to excel, our small businesses will answer the call; and that it is never the role of the Federal Government to create jobs. Instead, government must get out of the way of small businesses by reducing job-killing regulations and bureaucratic red tape and allowing the job creators do what they do best: create jobs.

We must bring back certainty to the small business community and rebuild their confidence in our economy so that we can get Americans working

again and celebrate many more local success stories like this in the coming months and years.

AFFORDABLE CARE ACT DESTROYS PATIENT ACCESS

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, I wanted to bring your attention to the front page of USA Today. The story is titled, "Medicaid Payments Go Under the Knife." This is an issue that, unfortunately, is going to continue to get worse. Medicaid isn't just going under the knife; it's being slashed.

The simple truth is that Medicaid has become a coverage without access and only an empty promise for the people who arguably may legitimately need its services. And the Affordable Care Act is only going to exacerbate the problem with patient access to physicians. The new health care law has changed what was a program that was designed for the poorest of the poor, pregnant women, children, and the elderly, and turned it into a one-size-fits-all government program. States will add 16 million new people to the program, millions of younger adults, putting an even greater strain on the State budgets.

The health care law never addressed the root problem. We need to ensure that Medicaid spending is directed in a fashion that provides an actual safety net for those in need and allows States to create a range of products to give Medicaid patients access to their physicians and better care. We actually need to get back to the basics. And it is essential that we examine Medicaid and realize the ramifications before our States sink even deeper into a budgetary crisis.

CHINA HOSTED INDICTED WAR CRIMINAL

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, China recently rolled out the red carpet, pictured behind me, for Sudanese President Omar Bashir, an internationally indicted war criminal facing charges on 10 counts, including murder, extermination, forcible transfer of population, torture, and rape.

Prior to the visit, I wrote a letter to President Hu Jintao urging the Chinese Government to withdraw their invitation. Not only is Bashir wanted for his role in genocide in Darfur, but, as I speak, atrocities are unfolding against Christians in the Nuba Mountains—reliable reports of door-to-door targeting and killings, mass graves, Antonov bombers indiscriminately shelling civilian populations.

Consider this reality: Bashir is a wanted war criminal. His murderous aims are unchanged. The Chinese Government treats him as a friend and extends every diplomatic grace. And China owns our debt.

What is wrong with this picture? An indicted war criminal with the President of China.

DISMANTLING MEDICARE AS WE KNOW IT

(Mr. CONNOLLY of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today in response to our friend from Texas who spoke just a few minutes ago, talking about Medicaid. It is true that entitlement programs need to be reformed. It's also true that costs need to be reined in. That's what affordable health care reform actually did.

The answer certainly does not lie in the Republican budget passed earlier this year on a party-line vote, which would dismantle Medicare as we know it, turning it into a voucher system, the Ryan plan, and would turn Medicaid into a block grant program which would further impoverish our States at a delicate moment of their recovery.

We need reform in entitlement programs, but the Republican budget, Mr. Speaker, is not the answer. It is the death knell for a program that covers a third of all Americans' health care.

SOLVE THE DEBT PROBLEM

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. Mr. Speaker, today I rise after spending the week of July 4th in the heartland of America, central Oklahoma, where I had the opportunity to hear the thoughts of the families in my district regarding our economy and the debt.

No one approached me during the last week to tell me they wanted more government spending to create jobs. No one asked me to create more instability in our economy by raising taxes. In fact, no one told me they wanted to celebrate Independence Day by seeing more government dependence.

But over and over again, people asked me to work on solving the problem of the debt, not just voting for another blank check debt ceiling. We need real spending limits to offset our serious budget shortfall. We can't pretend that we can borrow forever with no consequences.

There is a limit to how much debt this Nation can carry and our worldwide markets can sustain. Our current real debt equals our GDP. And I would hope that many others in this House would see that as a problem as well.

Second, we need to address our entitlements. These programs are critical safety nets for the neediest Americans, but they will be worthless for everyone if we allow them to go insolvent.

And, finally, we need a balanced budget amendment to our Constitution, with real teeth to hold Washington accountable. There is simply no other way to bring future stewardship of taxpayer money. Fifteen years ago, the Balanced Budget Amendment failed to pass the Senate by one vote after it passed this House with overwhelming bipartisan support. Our fiscal reality would be very different.

Mr. Speaker, we are at a crossroads in our nation's history. We do not have a debt ceiling vote crisis, we have a debt crisis. We need to stop focusing on a single vote and instead focus on the future consequences of our actions. It is time to put America back on track to debt reduction and job growth.

□ 1420

THE DEATH PENALTY AND THE MURDER OF ADRIA SAUCEDA

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, 16-year-old Adria Saucedo was abducted, raped, and strangled in 1994. Her skull was crushed with a rock and her nude body was left with a stick protruding from it on a dirt road in San Antonio, Texas.

Fifteen years ago, Humberto Leal, a Mexican national, was convicted of the grisly murder and sentenced to death by a Texas jury. Tomorrow, he is to be executed in Texas.

But the Mexican government and the administration say that Texas violated an international treaty and should have allowed Leal to see a Mexican consulate when he was arrested. So the administration has asked the Supreme Court to stop the execution.

However, the Supreme Court has already ruled that States are not bound by such international treaties unless Congress intervenes. Our Federal Government ought to have as much concern and compassion for murder victims as it does for their foreign killers or Mexico's feelings about the death penalty.

Justice should not be denied for Adria Saucedo.

And that's just the way it is.

SUPPORT THE REPUBLICAN ENERGY BILLS

(Mr. BROUN of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROUN of Georgia. Madam Speaker, today we asked President Obama, through his virtual town hall, why he won't support the energy bills

that have been passed in this House. We also asked President Obama why his administration is keeping American offshore energy resources off-limits.

An example of those bills that were passed by this House are three that came out of the Natural Resources Committee that would have created 1.2 million jobs. President Obama won't support those.

The sad truth is that we already know the answers to these questions, because the administration has made it clear that they want to export American jobs and invest in other countries' resources rather than developing our own. Republicans want to help our economy by creating jobs and creating energy independence, but liberals in Congress are standing in the way.

Madam Speaker, I urge my colleagues to consider all the good Republican energy bills would do for jobs, our economy, and our gas tanks. It is imperative that the Senate signs these bills and the President signs them into law.

ENERGY CREATES JOBS

(Mrs. CAPITO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPITO. Mr. Speaker, right now the President is hosting his first ever Twitter town hall to gather input from concerned Americans.

Here's some input from some concerned West Virginians: People are having to choose whether to buy groceries or gas as energy prices skyrocket and the economy continues to remain slow and unrecovered. If West Virginians are wondering about one thing, it's why the President isn't doing more to lower energy costs and get our economy back on track.

America is truly blessed to have an abundant supply of natural resources. But instead of tapping into these rich minerals, the President has approved extreme regulations that are killing jobs and are hurting our economy.

Frankly, I am stunned as to why the President hasn't connected that a good, solid jobs plan is a good, solid energy plan. Just last month, AEP announced it will shut down five plants in West Virginia and Ohio, costing jobs and payrolls, and will raise electricity 10 to 15 percent. According to AEP, this is a direct response to new and burdensome regulations levied by the EPA within the last year.

It's time to take advantage of the resources found right here in America. Doing so will launch our economy in the right direction and create thousands of good-paying jobs.

ENERGY

(Mrs. ELLMERS asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. ELLMERS. Mr. Speaker, the Obama administration has moved our country backwards in terms of energy production.

The de facto moratorium on offshore drilling is causing a significant decline in American energy production. When President Obama took office, these offshore areas were open to drilling and production. Since that time, President Obama has taken steps to effectively reimpose an offshore drilling ban.

Mr. Speaker, this is an issue of common sense. Failure to develop our offshore energy resources is increasing our dependence on foreign sources of oil and denying much-needed revenue to help pay down the national debt. But, most importantly, it is costing us American jobs.

We have an abundant supply of natural resources off of our shores. Common sense dictates the use of our own resources to meet our energy needs.

I cosponsored and voted in favor of H.R. 1231, Reversing President Obama's Offshore Moratorium Act. Not surprisingly, the Senate has failed to consider this bill.

We will continue to push for access to our energy resources.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 1, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 1, 2011 at 11:50 a.m.:

Appointments:
United States-China Interparliamentary Group.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

GENERAL LEAVE

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2219.

The SPEAKER pro tempore (Mrs. ELLMERS). Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 320 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2219.

□ 1427

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 23, 2011, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2219

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2012, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$43,859,709,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$27,141,334,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities,

permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$13,480,436,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$28,264,646,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,333,507,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,948,544,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$645,422,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title

10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,711,653,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,607,345,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,099,629,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$34,581,321,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$39,385,685,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,036,996,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity

for confidential military purposes, \$36,065,107,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$30,682,265,000: *Provided*, That not more than \$47,026,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$34,311,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,420,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

□ 1430

AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 31, line 17, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. First, I want to thank Chairman YOUNG, Ranking Member DICKS, and their staffs for coordinating with my office on this amendment and for their work to address operational energy challenges faced by DOD.

According to the Department of Defense, operational energy represented 74 percent of the military's energy costs in 2010; and despite a 9 percent reduction in energy use, costs increased

by 19.7 percent. Air conditioning alone for American forces in Iraq and Afghanistan cost \$20 million each year. Last year's bill to heat, cool, and light 539,000 DOD buildings represented at least \$4 billion in direct costs to taxpayers.

More than 3,000 American warfighters and contractors have been killed in the line of duty while moving or defending fuel convoys. We cannot continue sacrificing American lives as a result of failing to improve energy use by our military.

Included in the bill is a targeted investment of \$82 million for Marine Corps expeditionary energy equipment to prevent our marines from carrying more than 13 million pounds of gear and will help taxpayers avoid nearly \$40 billion in annual energy-related costs.

Thank you, Chairman YOUNG and Ranking Member DICKS, for including this funding in the bill. This bipartisan amendment would complement that investment in operational energy by increasing funding for the Strategic Environmental Research and Development Program, known as SERDP, from 56.4 to 66.4 million, which matches both the President's budget request and the House-passed National Defense Authorization Act recently passed on a strong bipartisan vote.

I offer this amendment on behalf of myself and Mr. BARTLETT of Maryland and Mr. HINCHEY of New York. As members of the Armed Services and Appropriations Committees, respectively, they have been leaders in the efforts to improve our energy security. And I appreciate the bipartisan support of this amendment.

Unfortunately, without the funding that this amendment would provide, the Pentagon would be forced to delay or cancel several strategic environmental programs. For example, this funding would support the joint sensitive technology and munitions program which develops alternatives to TNT. These alternatives are less toxic and have lower cleanup costs. The amendment also supports sustainable wastewater treatment technology for forward-operating bases in combat zones. The purpose of this program is not to protect the environment near the bases but to reduce water and fuel consumption associated with waste treatment.

Mr. Chairman, this amendment will also help our military adapt to climate change. In Virginia, the Norfolk Naval Base is located at sea level. We are largely witnessing rising water levels already in the Chesapeake Bay and Atlantic Ocean. This amendment simply provides funding equivalent to that which was authorized already by the House Armed Services Committee and by the full House and recommended by the President.

I do not believe we should risk delaying or canceling these critical defense

programs, and I ask my colleagues to support this bipartisan amendment.

With that, I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in support of the gentleman's amendment.

This amendment would realign 10 million from defense-wide accounts to support additional work within the Strategic Environmental Research and Development Program. The program was established in 1990 and is jointly planned and executed by the Department of Defense, the Department of Energy, the Environmental Protection Agency, and other Federal agencies and industry.

The program improves DOD mission readiness and environmental performance by providing new scientific knowledge and cost-effective technologies in the areas of environmental restoration, munitions response, resource conservation, and weapons systems and platforms.

SERDP enhances military operations, improves military systems' effectiveness, enhances military training and readiness, sustains DOD's training and test ranges and installation infrastructure, and helps ensure the safety and welfare of military personnel and their dependents by eliminating or reducing the generation of pollution and use of hazardous materials and reducing the cost of remedial actions.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, this amendment would offer \$10 million to restore a cut that the committee had already made in the operation and maintenance, defense-wide account. Actually, the Defense Department offered this up when we were looking to achieve \$9 billion in savings to reach our allocation. This is one of the areas where the Defense Department indicated that there was no problem with taking a cut. You will hear me discussing this throughout the day and evening as long as we're dealing with this bill.

We had to come up with \$9 billion in reductions from the President's request. This is a part of where we found the \$9 billion. And since the Department did not have any objection to this, in fact, offered this up as a possible way of helping with the savings, I must oppose this amendment and ask that the Members do so.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount insert "(reduced by \$216,556,400)".

Page 161, line 12, after the dollar amount insert "(increased by \$216,556,400)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would reduce the operating budget of the Office of the Defense Secretary by 10 percent, moving roughly \$217 million to the spending reduction account.

I have spent a considerable amount of time here on the floor of the House during this appropriations process working hard to find spending cuts across every level of the Federal Government and across nearly every agency.

The Office of the Secretary has roughly \$2.1 billion included in this bill for its operation for this fiscal year, which is four times the combined operating budget of the Secretaries in our three previous fiscal year 12 appropriations bills.

□ 1440

I understand the challenges that the Secretary of Defense faces on a daily basis and the enormity of the department he is tasked with overseeing, but even the Department of Defense must do its part to reduce the deficit. I urge support of this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in very strong opposition to the gentleman's amendment. The decrease appears to be directed at funding provided in operation and maintenance defense-wide for the Office of the Secretary of Defense.

The operation and maintenance defense-wide account received a thorough review during the committee process and has already been reduced by \$258 million from the budget request.

The Office of the Secretary of Defense account has similarly been reduced by \$36.4 million based on a detailed review of specific programs within this account. Adjustments have been

made to duplicative efforts and to programs that were poorly justified.

Further reductions risk harm to operations in the defense-wide account such as special operations activities; education programs like the National Defense University and the Defense Acquisition University; and organizations that perform basic operational functions like finance and human resources.

I urge all my colleagues to vote against this amendment.

Mr. BROWN of Georgia. Would the gentleman yield?

Mr. DICKS. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I appreciate the gentleman yielding. Actually, this just cuts the money, 10 percent, out of the Office of the Secretary of Defense. It doesn't go into cutting Special Ops or other funds that the gentleman from Washington, my good friend, Mr. DICKS, was talking about. It just cuts 10 percent out of the Secretary's operating budget.

I just wanted to clear that up. I thank the gentleman for yielding.

Mr. DICKS. Unfortunately, that is not the way the gentleman wrote his amendment; so I would stand with my provision which says further reductions risk harm to operations in the defense-wide account.

So if you take 10 percent out of the account, it is going to affect Special Operations activities; education programs like the National Defense University, Defense Acquisition University—and Lord knows, we need help in acquisition; and organizations that perform basic operational functions like finance and human resources. I stand by my statement.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I rise in opposition to the amendment, and I do so reluctantly because I know my good friend is very sincere about this. However, Mr. DICKS has spoken the position established by the subcommittee very well, and I endorse the comments that Mr. DICKS made and rise in opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROWN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. CONNOLLY OF VIRGINIA

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$15,000,000)".

Page 31, line 17, after the dollar amount, insert "(increased by \$15,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Chairman, I am offering this amendment on behalf of Mr. BLUMENAUER, Mr. HINCHEY, and Mrs. CAPPS, who were unable to arrange flight schedules to get back here for this consideration.

Mr. BLUMENAUER's amendment would increase funding for the Environmental Security Technology Certification program by \$15 million to match the authorization of the National Defense Authorization Act passed by the House earlier this spring.

According to the Department, facilities energy represented at least \$4 billion in direct costs to the taxpayer in fiscal year 2010. The Department is paying to heat, cool, light, and operate 539,000 buildings and structures that hold 2.2 billion square feet.

The Environmental Security Technology Certification program is focused on finding ways to decrease energy demand, develop smart distribution systems, and increase the use of alternative and renewable energy at U.S. military installations.

ESTCP was established in 1995 to promote the deployment of proven innovative technologies to field or production use. The program demonstrations collect cost and performance data for new technologies to help these new technologies overcome the barriers to development. The goals are to identify the most promising new technologies to help DOD improve its environmental remediation, such as unexploded ordnance, cleanup, energy performance, and cost savings.

ESTCP funds projects in five program areas: energy and water; environmental restoration; munitions response; resource conservation and climate change; and weapons systems and platforms. The program uses an energy test bed concept that is focused on finding ways to decrease energy demand, develop smart distribution systems, and increase the use of alternative and renewable energy at military installations worldwide. These projects include energy-efficient lighting, heating, and air conditioning such as daylight harvesting, personalized dimming, combustion control systems, and high-performance cooling technology.

ESTCP is funding initiatives that will make advancements in building

control and retrofits such as the advanced building energy management systems and the Zero Energy Housing, which generate 100 percent of their power requirements through on-site renewable and demand reductions.

Another project, the LED street lighting system, will deliver 50 percent energy reductions over existing street light systems at DOD facilities around the United States.

An additional \$15 million above the President's budget request will help address the immense challenge our military's facilities' energy requirements represent. The HASC has authorized ESTCP at \$45 million, which includes a \$15 million increase; and in doing so the authorizers created account number 82A for that purpose.

I appreciate Mr. BLUMENAUER's work on energy security issues, including this amendment; and I ask for its favorable consideration.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, the amendment would redistribute \$15 million of Army operation and maintenance account funding in order to finance the Energy Security and Technical Certification program. The program is not authorized. It was added by the House Armed Services Committee, but the defense authorization bill is not law. This program currently is not authorized; and because of that, the amendment had to be written in such a way, as just a straight increase or decrease, without actually mentioning the actual program, to avoid being out of order.

Further, the Army operation and maintenance account is funded at over \$34.5 billion. Should this project remain in the final authorization bill and the Department concurs that it is a high enough priority, then there are more than enough funds for the Department to execute the program.

Unfortunately, however, I don't have the ability to make that determination for the Department on the floor. And because of these and other objections, I must oppose the amendment.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Regrettably, I have to oppose this amendment. My good friend from Oregon, Mr. BLUMENAUER, is one of our most thoughtful Members and has been a leader on environmental issues. But in this case, we have already doubled the funding for this. I think this is unnecessary at this time. We have to constrain spending.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$3,600,000)".

Page 33, line 18, after the dollar amount, insert "(increased by \$3,600,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$3,600,000)".

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH. Mr. Chairman, today, along with the support of my colleague, Representative ESHOO, I am offering this amendment to help an estimated 250,000 ailing veterans of the first gulf war, over one-third of those who served. It will bring the modest budget for the Gulf War Illness Research program within the congressionally directed Medical Research program in line with that of its peer programs, to \$10 million.

□ 1450

Too many veterans of the first gulf war suffer from persistent symptoms, such as chronic headache, widespread pain, cognitive difficulties, unexplained fatigue, gastrointestinal problems, respiratory symptoms, and other abnormalities that are not explained by traditional medical or psychiatric diagnoses. Research shows that, as these brave soldiers age, they are at double the risk for ALS, or Lou Gehrig's disease, as are their non-deployed peers. There may also be connections to multiple sclerosis and Parkinson's disease. Sadly, there are no known treatments for the lifelong pain these veterans endure.

In a new landmark report, the Institute of Medicine has recognized that and has called for a major national research effort to identify treatments. The scientific community has responded with a dramatic increase in the quality and quantity of proposals that are submitted to the Congressionally Directed Medical Research Programs, otherwise known as CDMRP.

In the FY12 Defense appropriations bill, CDMRP programs, with direct relevance to current forces, received a 25 percent increase. The research conducted by the Gulf War Veterans Illnesses Research program is vital not only for ill gulf war veterans but also

for other U.S. military forces. As summarized by the IOM committee chair on the topic, Dr. Stephen Hauser, gulf war illnesses research is "vital to the health and effectiveness of current and future military forces in addition to gulf war veterans."

Most encouraging, CDMRP-funded researchers have completed the first successful pilot study of a medication to treat one of the major symptoms of gulf war illness. Just last month, a report was released on the first successful medication treatment study in the history of gulf war illness research. The study showed that the low-cost supplement, CoQ10, produced significant improvement in one of the most serious symptoms of gulf war illness, fatigue with exertion, as well as improvements in nearly every other symptom. It is not a cure, and the study needs to be replicated in a larger group; but the result is extremely encouraging. The next step is for clinical trials, which will only be funded by the CDMRP.

The amendment's offset comes from the Pentagon channel, which is costly—over \$29 million in the past 3 fiscal years. It's redundant. There are eight other Armed Forces Network Television services which provide news, entertainment, lifestyle, documentary, and religious programming to service-members and their families across the globe, and it doesn't provide a vital service; but this research is critical to our troops in the field now as well as to those who will be fighting in the future.

According to the VA's Research Advisory Committee on Gulf War Veterans' Illnesses, the known causes of gulf war illness are from exposures incurred in Iraq, like certain pesticides, or are from exposures incurred before deployment, like pyridostigmine bromide, which is a drug taken as an antidote to the nerve gas sarin. There is also some evidence of a link between gulf war illness and a low-level exposure to nerve agents, a close proximity to oil well fires, the receipt of multiple vaccines, and combinations of gulf war exposures.

Current forces in Iraq and Afghanistan can still incur each of these exposures. That is why the chair of the IOM committee's report on gulf war illnesses said: "This IOM report makes findings and recommendations vital to the health and effectiveness of current and future U.S. military forces in addition to gulf war veterans."

This is a time for us to say thank you to those who have served, to say that we understand the suffering that gulf war veterans have had with this illness and that we are dedicated to finding higher levels of research to make sure that we can relieve their suffering.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I believe that the Gulf War Illness Program is an important medical research area, the program to which Mr. KUCINICH speaks; but this bill already contains \$6.4 million for the program. In addition, the Military Construction and Veterans Affairs appropriations bill has already included an additional \$15 million for the program.

The committee has been extremely careful to guarantee that medical research programs are funded at the level at which they can be adequately dealt with as far as the medical researchers are concerned. But in the days of having to reduce our budget by \$9 billion, we believe that we have already adequately funded this program at \$6.4 million, in addition to the \$15 million added by the Subcommittee on Military Construction and Veterans Affairs. Therefore, I rise in opposition to this amendment.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I have followed this issue closely ever since the gulf war, and I feel that the gentleman has made a very compelling case. I think we should add this money, and the offset is acceptable. So I urge a "yes" vote on the Kucinich amendment.

I yield back the balance of my time.

Mr. FILNER. Mr. Chair, I urge Members to support an amendment to the Fiscal Year 2012 Department of Defense Appropriations Act (H.R. 2219) to restore funding for the Gulf War Illness Research Program (GWIRP) of the Congressionally Directed Medical Research Programs (CDMRP).

The FY2012 Defense Appropriations bill, as passed by the Committee, cut many CDMRP programs by 20%. The amendment offered would restore \$3.6 million to the GWIRP, bringing funding for the program back to FY2008 levels.

This program has made dramatic progress during the past year and deserves additional funding.

In a landmark Gulf War and Health report, the Institute of Medicine (IOM) has recognized that the chronic multi-symptom illness affecting 250,000 Gulf War veterans is a serious disease—not caused by psychiatric illness—that also affects other U.S. military forces, and called for a major national research effort to identify treatments. The scientific community has responded with a dramatic increase in the quality and quantity of proposals submitted to GWIRP. Most encouraging, GWIRP-funded researchers have completed the first successful pilot study of a medication to treat one of the major symptoms of Gulf War illness.

This effective small program demonstrably merits continuation and expansion, even in a time of fiscal austerity. As stated by the Institute of Medicine Chair, Dr. Stephen Hauser, it is "vital to the health and effectiveness of current and future military forces, in addition to Gulf War veterans."

The GWIRP is the only national program studying this issue. It is a competitive peer-reviewed program open to any doctor or scientist on a competitive basis. By contrast, Veterans Affairs (VA) research programs are only open to VA doctors, few of whom have expertise in chronic multi-symptom illness. To effectively address a difficult and specialized problem like this, it is necessary to enlist the entire medical scientific community.

Most importantly, it is working. GWIRP-funded researchers at the University of California, San Diego, will reported in June on the first successful medication treatment study in the history of Gulf War illness research. The study showed that the supplement CoQ10 produced significant improvement in one of the most serious symptoms of Gulf War illness, fatigue with exertion. It is not a cure, and the study needs to be replicated in a larger group, but the result is extremely encouraging.

At long last, the scientific community has recognized the severity and scope of this problem and is engaged in its solution. Congress has created this superb program, which is succeeding where others have failed. Congress must provide the necessary resources to continue this progress.

Additional funding would be used for pilot studies of promising treatments, for clinical trials of treatments shown effective in earlier pilot studies, and for the execution of collaborative research plans developed by consortiums of scientists funded in prior years.

As you know, our nation owes a sacred debt to the men and women who willingly serve and sacrifice while wearing our country's uniform. At this critical time in researching and understanding Gulf War illness, it is vital that bipartisan leadership points out the accomplishments of this small program to our colleagues, to ensure that it survives the current legislative session and its benefits are not lost to veterans of the Gulf War and future wars.

I urge my colleagues to support this important amendment to ensure the continuation of the Gulf War Illness Research Program.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 69 OFFERED BY MS. JACKSON
LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$650,000)".

Page 33, line 18, after the dollar amount, insert "(increased by \$500,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$500,000)".

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I want to express my appreciation to Mr. YOUNG, who is the chairman of the subcommittee, and to Mr. DICKS, who is the ranking member, for their long years of service.

To my colleagues, good news today: the announcement came that the President of the United States would send the same sympathy letter to families of those soldiers who committed suicide in battle as of those who had fallen in different ways in battle. The reason that is good news is, in a sentence I am reminded of, the President and his office indicated that they did not want to stigmatize the mental health concerns of our soldiers.

I want to pay tribute to the Defense appropriations committee for its work on post-traumatic stress disorder and to make note of our late friend, Congressman John Murtha, who worked with Houston on establishing a new post-traumatic stress disorder center. I am grateful for that because, as in all of our States, many of us are facing a large numbers of returning soldiers from both Iraq and Afghanistan.

So I ask for my amendment to be supported to increase research and development funding for post-traumatic stress disorder and traumatic brain injury, which affects our men and women who serve selflessly and bravely in our Nation's armed services. My amendment would increase research and development funds for PTSD and TBI by \$500,000. It will be offset by reducing general operations and maintenance and activities of the Department of Defense.

□ 1500

I believe this is critical in ensuring our country's military strength as we move toward the 21st century.

We obviously were aware of post-traumatic stress for those who follow the military in all of our wars. We've seen it every day by our Vietnam soldiers, those who came home without welcome. We see it in the numbers of homeless soldiers, many of them Vietnam vets.

Over the years, members of the military and veterans have seen a drastic increase in the number of cases of PTSD and TBI. PTSD cases in the military have risen from 1,614 total cases in 2000 to 88,719 total cases in 2010. Additionally, it is reported that 17 percent of all active duty soldiers, 25 percent of reserve soldiers, and 19 percent of Vietnam veterans suffer from PTSD. Traumatic brain injuries in the military have increased from 10,963 total cases in 2000 to 178,876 total cases in 2010.

We know that the kinds of explosives that are now used in war cause greater damage, or more damage, or damage of this kind to our soldiers. Also, in May of this year, a three-judge panel of the Ninth Circuit U.S. Court of Appeals ruled that the Department of Veterans

Affairs' treatment of mentally ill veterans is so inadequate it is unconstitutional. We are grateful for the work that has been done, but this court said many veterans with severe depression or post-traumatic stress disorder are forced to wait weeks for mental health referrals and are given no opportunity to request or demonstrate their need for expedited care. This is simply unacceptable. The courageous men and women of the Armed Forces brave IED attacks, injury, and horrific violence to protect the safety and security of the United States.

I was listening to a soldier on the television speak about his injuries and then he mentioned the fact that a soldier in front of him, his comrade, his friend, stepped on the IED, but the vast damage was to all of those who were around him. And so we know the collateral damage is as severe as it might be in any other form of mass war.

We see the loss of life, but we see the injuries remaining. We must in turn care for them, and when they return home we must make it a priority—as I know this committee has done—to increase the resources. Members of Congress may disagree when it comes to the level of commitment and resources of the United States to foreign wars and conflicts, however we must not allow these debates and discussions to cause us to fail to properly care for these brave soldiers when they return home or when they are injured. I believe in Congress and its wisdom, and I believe it is committed to taking care of our warriors.

As the members of the military return to their homes and their families, they come without the desire for glory or appreciation. But whenever you talk to a vet, they are looking to make sure that they have the care that they need. Increasing the amount of resources, however small this amendment offers, helps in finding ways to prevent and better treat post-traumatic stress disorder and TBI, and is the first step that Congress can add to the work that is already being done. Access to post-traumatic stress disorder treatment is especially important since veterans living in areas that are outside of some of our largest centers are less likely to be diagnosed.

We should not wait. I believe we are of good mind and good will when it comes to our soldiers. I ask my colleagues to support the amendment.

Mr. Chair, today I rise to ask for support of my amendment to increase research and development funding for Post Traumatic Stress Disorder, PTSD, and Traumatic Brain Injury, TBI, that affects our men and women who serve selflessly and bravely in our Nation's Armed Services. My amendment will increase research and development funds for PTSD and TBI by \$500,000, and will be offset by reducing the general operations and maintenances and activities of the Department of Defense. I believe this is critical to ensuring

our country's military strength as we move forward into the 21st century.

Also in May of this year, a three judge panel of the 9th U.S. Circuit Court of Appeals ruled that the Department of Veterans Affairs' treatment of mentally ill veterans is so inadequate, it is unconstitutional. The decision said, "many veterans with severe depression or post-traumatic stress disorder are forced to wait weeks for mental health referrals and are given no opportunity to request or demonstrate their need for expedited care."

This is simply unacceptable.

The courageous men and women of the Armed Forces brave IEDs, attacks, injury, and horrific violence to protect the safety and security of the United States, and we must, in turn, care for them when they return home. We must make this a priority and increase the resources available to help prevent and treat PTSD and TBI.

Members of Congress may disagree when it comes to the level of commitment and resources of the United States to foreign wars and conflicts. However, we must not allow those debates and discussions to cause us to fail to properly care for these brave soldiers when they return home or when they are injured. Congress must separate the war from the warrior, and Congress should never fail to care for our warriors.

As the members of the military return to their homes and their families, they do not come home seeking glory or appreciation, but no soldier should have to come home to inadequate treatment or care for the injuries they sustained protecting the freedom of all Americans.

Increasing the amount of resources specializing finding ways to prevent and better treat post-traumatic stress disorder and TBI is the first step Congress can take to providing veterans with the services they need. Access to post-traumatic stress disorder treatment is especially important since veterans living in such areas are less likely to be diagnosed and treated for post-traumatic stress disorder.

America shouldn't wait until soldiers with these injuries are discharged to begin treatment. The Department of Defense needs to spend more resources on how to detect and treat PTSD and TBI earlier.

These soldiers need to be certain that Members of Congress will ensure that they receive the necessary treatment to guarantee that their adjustment back into society is a successful one. Mr. Chairman, I urge the adoption of my amendment to ensure no soldier is left behind.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, there is no doubt that this is a tremendously important issue. Traumatic brain injury is something that we don't even know what the needs are going to be in the future.

Our warriors are coming home wounded, yet full of high spirit, morale, and wishing to go back to the

fight if they were medically able. Some of our warriors today don't even know that they have or will be exposed to having traumatic brain injury in the future. It is something we just don't know the answer to.

We also know that the medical professionals tell us that they cannot use money just to spend it, but they have to use it effectively, and they have to use it where it has produced results. In view of this, I think it is important to guarantee that we have an adequate source of funding for this medical research and the treatment of these wounded warriors who suffer with this affliction. And so in view of that, I rise in support of the amendment.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Mr. Chairman, I rise in support of the amendment.

I would just point out that the committee has added \$125 million this year and \$454 million over the last several years, going back to when Mr. Murtha and I were chairmen. So we completely concur that this is an important issue. The gentlelady has made a very compelling case. I rise in support.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I am a physician, and I represent Fort Gordon, Georgia. We have a tremendous amount of soldiers as well as vets from the Vietnam area with post-traumatic stress disorder. I am also in the Navy reserve. I was seeing patients earlier today, and I saw a lady who was a sailor, who was an intelligence sailor in Afghanistan. She is suffering from PTSD and all the problems associated with that.

At Fort Gordon, Georgia, we are trying to expand the facilities there to treat PTSD, to do the research and development—that's a teaching hospital as well as a hospital that cares for soldiers. So I applaud my friend from Houston's amendment here. It is certainly an extremely important issue that we are going to face. We are going to face this issue for the next five, six, seven decades as a Nation. We cannot put as much emphasis as this issue is going to demand over the next few decades even. So it's actually an extremely important amendment. I congratulate Ms. JACKSON LEE on this amendment, and I rise in support of the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 67 OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$600,000)".

Page 33, line 18, after the dollar amount, insert "(increased by \$500,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$500,000)".

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I want to take a moment, since I have just followed my amendment, to thank Mr. YOUNG and Mr. DICKS for seeing an expanded category of individuals suffering from PTSD and accepting my amendment and working with us. I want to thank Dr. BROUN for his service and for his direct view of what happens to great Americans, soldiers who have sacrificed and they cannot function because of PTSD. So I am grateful for that.

And the reason why I say that, Chairman YOUNG and Ranking Member DICKS, is because many people don't realize the work that the Defense Appropriations and the Pentagon does on a number of health issues. One of them happens to be cancer. I have heard in coffee clutches or around dinner tables that cancer is an epidemic. It seems appropriate for the Defense Department, which has been at the cutting edge of technology over the years, such as the Internet—can be in the lead.

So I intend to offer an amendment that I would like to discuss with Mr. YOUNG and Mr. DICKS, but I intend to withdraw. But it is very important. This amendment would increase funding under title 6, Defense Health Programs, by \$500,000 in order to fund research related to triple negative breast cancer, and will be offset by reducing the general operations and maintenance and activities at the Department of Defense.

□ 1510

I am hoping my colleagues will work with me on this, and I hope they will be reminded of a young woman by the name of Yolanda Evette Williams, who was an outstanding medical professional who fought against this triple-negative strain of cancer and left behind a husband, a mother, and two children. It is a specific strain of breast cancer for which no targeted treatment is available. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

I offer this amendment to increase funding for research, not to take away moneys from others, but I would certainly like to, out of this discussion,

have this kind of cancer looked upon as we are doing our research to develop a targeted treatment for the triple-negative breast cancer strain. Breast cancers with specific, targeted treatment methods such as hormone- and gene-based strains have higher survival rates than the triple-negative subtype, highlighting the need for a targeted treatment.

Just to say a word about Yolanda, she was a dedicated member of the Good Hope Baptist Church. She was a graduate of Texas Southern University. She received a number of degrees. She was a member of the Jack and Jill. Her mother was a medical professional, Dr. Lois Moore. She was a chief clinical officer for the Atrium Medical Center Hospital in Stafford, Texas, having a long history, even though she was very young, of her commitment as a nurse to medical care. This young woman did not have a chance because of this enormous strain that does not have a high survival rate. It is treatment, is hormone- and gene-based strains, and it has, as I said, a difficult time of survival.

Mr. DICKS. Will the gentlelady yield?

Ms. JACKSON LEE of Texas. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate the sincerity and the gentlelady's commitment to these programs. I have been a supporter of these programs over the years. Triple-negative breast cancer is a very, very aggressive and difficult type of cancer. As the Department goes through its work, peer-reviewed research, we will bring this up next year in our hearings and ask them what they're doing about this.

Ms. JACKSON LEE of Texas. I appreciate it.

Let me just say, breast cancer accounts for one in four cancer diagnoses among women. The American Cancer Society estimates that in 2011, more than 26,000 African American women will be diagnosed with breast cancer and another 6,000 will die. This impacts all women, of all backgrounds, and my interest is to make sure that every subset has a seat at the table, Chairman YOUNG, so that no matter what ethnic background you come from, you will not, in essence, suffer the opportunity for full research.

My amendment was \$500,000. It is in tribute to the honor and the leadership and the life of Yolanda Williams. I would like to ask my colleagues here on the Appropriations Committee to allow me to engage with you and to possibly modify, as we go forward, language to just say that this money will be available for difficult strains of cancer so that her life will be honored and that we would be able to move forward.

In conclusion, I would indicate that I had the privilege and honor of paying tribute to Ms. Williams at her homegoing service. I want to offer to her

family again, her husband, her children, her mother and all her family members, my deepest sympathy for this valiant American woman. With that, I know that we will work together.

Mr. Chair, I rise today in support of my amendment #67 to H.R. 2219, the "FY2012 Department of Defense Appropriations Act." My amendment would increase funding under Title VI Defense Health Programs by \$500,000 in order to fund research related to triple negative breast cancer, and will be offset by reducing the general operations and maintenances and activities of the Department of Defense.

Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates." I offer this amendment to increase funding for research in order to develop a targeted treatment for the triple negative breast cancer strain. Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country. It is also the most commonly diagnosed cancer among African American women. The American Cancer Society estimates that in 2011, more than 26,000 African American women will be diagnosed with breast cancer, and another 6,000 will die from the disease.

Between 2002 and 2007, African American women suffered a 39 percent higher death rate from breast cancer than other groups. African American women are also 12 percent less likely to survive five years after a breast cancer diagnosis. One reason for this disparity is that African American women are disproportionately affected by triple negative breast cancer. More than 30 percent of all breast cancer diagnoses in African American are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

Mr. Chairman, last month, I spoke at a funeral for Yolanda Williams, one of my constituents in the 18th Congressional District of Texas. Yolanda died from her battle with triple negative breast cancer. Like many other women who are diagnosed with this aggressive strain, she did not respond to treatment. Yolanda, wife and mother of two daughters, was only 44 years old.

This strain of breast cancer is not only more aggressive, it is also harder to detect, and more likely to recur than other types. Because triple negative breast cancer is difficult to detect, it often metastasizes to other parts of the body before diagnosis. Seventy percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

Research institutions all over the nation have started to focus on this dangerous strain of breast cancer. In my home city of Houston, Baylor College of Medicine has its best and brightest minds working tirelessly to develop a targeted treatment for the triple negative

breast cancer subtype. It is time for the Department of Defense to follow that example and commit additional funding to study the triple negative strain.

I urge my colleagues to join me in protecting women across the nation from this deadly form of breast cancer by supporting my amendment.

I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,047,033,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,323,134,000.

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$271,443,000.

OPERATION AND MAINTENANCE, AIR FORCE
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,310,459,000.

OPERATION AND MAINTENANCE, ARMY
NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$6,979,232,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,094,380,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,861,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$346,031,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$308,668,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$525,453,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$10,716,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$276,495,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (con-

sisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$107,662,000, to remain available until September 30, 2013.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$508,219,000, to remain available until September 30, 2014.

DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$105,501,000.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$6,487,481,000, to remain available for obligation until September 30, 2014.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,464,223,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF WEAPONS AND TRACKED
COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to

approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,178,886,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,952,625,000, to remain available for obligation until September 30, 2014.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$9,371,952,000, to remain available for obligation until September 30, 2014.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$17,804,750,000, to remain available for obligation until September 30, 2014.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$2,975,749,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$633,048,000, to remain available for obligation until September 30, 2014.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program (AP), \$554,798,000;
Virginia Class Submarine, \$3,221,314,000;
Virginia Class Submarine (AP), \$1,461,361,000;
CVN Refueling (AP), \$529,652,000;
DDG-1000, \$453,727,000;
DDG-51, \$1,978,314,000;
DDG-51 (AP), 100,723,000;
Littoral Combat Ship, \$1,755,093,000;
LHA Replacement, \$1,999,191,000;
LPD-17, \$1,833,444,000;
Joint High Speed Vessel, \$185,106,000;
Oceanographic Ships, \$89,000,000;
Moored Training Ship (AP), \$131,200,000;
Service Craft, \$3,863,000;
LCAC Service Life Extension Program, \$84,076,000;

For outfitting, post delivery, conversions, and first destination transportation, \$270,639,000; and

Completion of Prior Year Shipbuilding Programs, \$73,992,000.

In all: \$14,725,493,000, to remain available for obligation until September 30, 2016: *Provided*, That additional obligations may be incurred after September 30, 2016, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for

replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,996,459,000, to remain available for obligation until September 30, 2014.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,453,602,000, to remain available for obligation until September 30, 2014.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$13,987,613,000, to remain available for obligation until September 30, 2014.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$5,689,998,000, to remain available for obligation until September 30, 2014.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private

plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$522,565,000, to remain available for obligation until September 30, 2014.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,260,619,000, to remain available for obligation until September 30, 2014.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$5,046,447,000, to remain available for obligation until September 30, 2014.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$29,964,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$9,381,166,000, to remain available for obligation until September 30, 2013.

□ 1520

AMENDMENT NO. 24 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 30, line 11, after the dollar amount insert “(reduced by \$25,798,000)”.

Page 161, line 12, after the dollar amount insert “(increased by \$25,798,000)”.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. This amendment eliminates both the Environ-

mental Quality Technology Research account and the management support set to accompany that research under the Department of Army, sending \$25.7 million to the spending reduction account.

Much of the research conducted by the Army is of merit and deserves the funding provided. Without some of these research programs, we would not have many of the technologies that protect our servicemembers and make them more effective soldiers. However, I do not see the need for the Army to conduct research on technologies pertaining to environmental quality. This type of research would be best conducted in the university or in the private sector.

Asking the Army to research something that does not directly coincide with their direct mission is imprudent, and these funds would be better used in reducing the burden of debt on our Nation.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The Army's environmental research program develops technologies that support the long-term sustainment of Army training and testing activities by improving the Army's ability to comply with the requirements of Federal, State, and local environmental and health laws and reducing the cost of this compliance.

The program develops technologies to decontaminate or neutralize Army unique hazardous and toxic waste at sites containing waste ammunition, explosives, heavy metals, propellants, chemical munitions, and other organic contaminants. This research concentrates on technology to avoid the potential for future hazardous waste problems by reducing hazardous waste generation through process modification and control, materials recycling, and substitution.

This program also supports military readiness by developing technologies to predict and mitigate range and maneuver constraints associated with current and emerging weapon systems, doctrine, and regulations. This program supports both DOD and environmental stewardship and military requirements. Therefore, I urge my colleagues to reject the gentleman's amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, the Army budget documents submitted to the committee during our lengthy hearing process—and they were lengthy—stated that funding in

the request for this purpose is to support the long-term sustainment of Army training and testing activities by improving the Army's ability to comply with requirements mandated by Federal, State, and local environmental laws.

In other words, what we're dealing with here is an issue that the military is mandated to comply with by existing law.

We have already—and I said this before, and I'm going to say it again probably numerous times today—we have already reduced the President's budget request for the defense bill for fiscal year 2012 by \$9 billion. It wasn't easy. We made a lot of cuts, and I just don't think that we should take this cut. And so I object and I oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

AMENDMENT NO. 25 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 30, line 11, after the dollar amount insert “(reduced by \$22,796,000)”.

Page 161, line 12, after the dollar amount insert “(increased by \$22,796,000)”.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment zeroes out the HIV research RDT&E funding under the Department of Army, moving \$22.7 million to the spending reduction account. Again, here we see research being conducted by a military that does not focus on the core mission of national security.

HIV research is being conducted in my home State of Georgia at the Centers for Disease Control, as well as at the National Institutes of Health. It is this type of duplication the American people have demanded that Congress eliminate.

This may mean agencies and departments coordinating more effectively to share information, but we must all work together, more sufficiently in the name of reduced spending. I urge support of this amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. HIV poses a threat to military personnel in terms of readiness and force protection, and may affect the stability and security of many nation states.

American troops deployed to areas of the world such as sub-Saharan Africa

and Asia face an increased risk of exposure to the HIV virus. Targeted research into prevention of infection, treatment, and cures is needed to reduce this threat to U.S. military personnel, protect U.S. military readiness, and decrease treatment costs for the Department of Defense health infrastructure.

The bill provides a total of \$24 million above the request, including \$8 million in the defense health program and \$16 million in Research, Development, Test and Evaluation, Army, related to HIV/AIDS research. This funding will enhance efforts to prevent new HIV infections in the military, develop better tests and treatment options for military personnel and health care beneficiaries, and provide for a comprehensive program of research and development on preventive HIV vaccines. I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment, which would eliminate all of the funds for the Army's military HIV research program.

Since 1986, the military has recognized the HIV epidemic as a threat to U.S. and allied forces worldwide, and this program has evolved to become an important international partner in efforts to combat this disease. With over 33 million infections worldwide, HIV poses a significant threat to our own military who are serving our Nation throughout the world.

Additionally, HIV has been identified as a national security priority in the President's national security strategy since 2002.

□ 1530

Previous funding for the Military HIV Research Program has helped ensure a safe blood supply for our warfighters. More recently, funding has supported the first vaccine clinical trial, which showed a reduction in the risk of HIV infections to humans.

This funding for the Military HIV Research Program will continue to support the development of an HIV vaccine, ensure accurate HIV testing for the Army, track the prevalence of HIV in the military population, and assess the risk of HIV exposure to U.S. and allied forces deployed overseas.

This amendment would eliminate all \$22.8 million of funds for this very important Army program, and so I must oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,798,950,000, to remain available for obligation until September 30, 2013: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

AMENDMENT NO. 26 OFFERED BY MR. BROWN OF
GEORGIA

Mr. BROWN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 30, line 18, after the dollar amount insert "(reduced by \$21,714,000)".

Page 161, line 12, after the dollar amount insert "(increased by \$21,714,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROWN of Georgia. Mr. Chairman, my amendment eliminates the environmental protection research under the Department of the Navy, sending \$21.7 million to the spending reduction account. Again, we see research being conducted that is not directly related to the Armed Forces' mission, which could and should be conducted elsewhere.

Currently, the Department of Energy, EPA, Department of the Interior, and NASA are all conducting similar environmental protection research like the Department of Defense. This is yet another example of duplicative programs conducting duplicative research. Instead, let's free up the Navy to research technologies that fulfill their constitutional obligation of providing for the common defense of our Nation and its citizens, while decreasing unnecessary spending.

I urge support of this amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Many environmental laws, regulations, and policies impose restrictions on Navy vessels, aircraft, and facilities that would impede Navy operations if not met. The Navy must be able to conduct its national security mission in compliance with applicable environmental requirements in the U.S. and abroad without compromising performance, safety, or health, while simultaneously minimizing the cost of compliance.

This program develops and evaluates processes, hardware, systems, and operational procedures which allow the Navy to operate in U.S., foreign, and

international waters, air, space, and land areas while complying with environmental laws, regulations, Executive orders, policies, and international agreements. Projects funded in this program support Navy compliance with the Clean Water Act, the Act to Prevent Pollution from Ships, the International Convention for the Prevention of Pollution from Ships, and numerous others.

I come from an area where the Navy operates very effectively in the State of Washington, and these kinds of onboard waste disposal are absolutely critical; because when you serve on a nuclear submarine, you are out there for many, many days, and you have got to have things onboard ship as well to deal with these kinds of problems.

So I think this is in the best interests of the Navy, and I urge a "no" on the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The amendment was rejected.

AMENDMENT NO. 21 OFFERED BY MR. BROWN OF
GEORGIA

Mr. BROWN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 30, line 18, after the dollar amount insert "(reduced by \$9,140,000)".

Page 31, line 17, after the dollar amount insert "(increased by \$9,140,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROWN of Georgia. Mr. Chairman, my amendment would eliminate the Navy's funding for NATO research and development and transfer \$9.1 million to the Israeli Cooperative Program.

The Secretary of Defense has gone on record stating that, and I quote, "The NATO alliance has been used by many European nations as a means to subsidize their own defense spending with U.S. taxpayer money." I cannot agree more with the Secretary. Many members of NATO refuse to bear their share of the cost and risk.

Instead, Mr. Chairman, we should invest our valuable research dollars in an ally who is more than willing to pull its weight and take the fight to the enemy. The Israeli Cooperative Program is a ballistic missile program co-managed by Israel and the United States that will ensure the capability of our two missile defense programs.

Mr. Chairman, we have never had a greater need for missile defense, not only in this Nation, but in the Middle East with our great ally Israel. We have no greater ally in the Middle East than Israel. And our research programs should reflect our commitment to those allies who stand ready and willing to partner with us to protect our

mutual interests. This would strengthen that mutual interest and strengthen that partnership.

Mr. Chairman, I urge support of this amendment.

I yield back the balance of my time.
Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. NATO funding in this bill should not be curtailed because the U.S. and the NATO nations are one another's closest partners, and the NATO alliance has been a vital and successful part of U.S. foreign policy dating back to its formation in 1949. While the alliance must evolve in light of changing world events, there is no other practical option to structure U.S. strategic and security cooperation with our European allies.

For all NATO nations, the alliance allows for security capabilities and a structure to control operations that the allies on their own could not afford to maintain. Active participation in NATO also allows the U.S. to pursue defenses against emerging threats, such as implementation of improved missile defense capabilities. To maintain its commitment to NATO, the U.S. must continue to contribute funding to NATO programs.

I urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.
Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to this amendment.

NATO has been a very, very important part of keeping peace in the world. Are there some changes that might be necessary in NATO as we see the world unfold and the world develop differently? Maybe so. But it should not be done in a hit-or-miss, helter-skelter way.

Mr. DICKS and I, as the leaders of the Defense Appropriations Committee, have already had several lengthy meetings on this subject. And we have agreed that following the completion of this fiscal year's Defense appropriations bill, we plan to hold hearings and look thoroughly into what we see as the role of NATO today, tomorrow, and next year. But in the meantime, it's important that we don't do any serious damage to NATO, which is probably one of the most effective international organizations at maintaining peace that we have in the world. So I must object to the gentleman's amendment.

I yield back the balance of my time.
The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROWN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1540

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$26,313,196,000, to remain available for obligation until September 30, 2013.

AMENDMENT OFFERED BY MR. WELCH

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 6, after the dollar amount, insert "(reduced by \$297,023,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$297,023,000)".

The Acting CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Mr. Chairman, as you know, to govern is to choose. To write a budget is where governing makes choices.

My amendment raises the question as to whether or not spending \$297 million for research in the next generation of fighter is the right choice to make at this time.

Mr. DICKS. Will the gentleman yield?

Mr. WELCH. I yield to the gentleman from Washington.

Mr. DICKS. It's not a fighter; it's a bomber.

Mr. WELCH. Bomber, yes.

Mr. DICKS. It's a much different type of airplane.

Mr. WELCH. I misspoke. The gentleman is correct—\$297 million for the next generation of bomber. Is that the right choice?

Here's the question: Number one, it may be desirable, but is it affordable? The Office of Management and Budget did not include this as a recommendation in the budget, nor did the President, who is charged more than anyone else in this country with our national defense. We have the right, as a Congress, and the constitutional responsibility to make our own judgments.

Mr. DICKS does a great job at that, as does Mr. YOUNG.

But we have to ask the question as to whether or not, when our Office of Management and Budget, our House Armed Services Committee both say that the current fleet of bombers—bombers, Mr. DICKS—is functioning very well, can we afford at this time \$297 million for additional research?

Now, the question is, it may be desirable but is it affordable when we have this horrendous budget squeeze that we know is dividing this Congress because we have to make some very tough choices in the future.

The second question that comes up is whether something that may be desirable comes at a cost that is unacceptable. Now, the Defense budget is large, unnecessarily so; but it is the one item of spending that has been exempt from cuts.

The Environmental Protection Agency is going to be down 15 percent, NASA down 10 percent. Yet the spending increase in the Pentagon is going to be substantial despite the enormous budget pressures in this ongoing, very serious debate we are having about revenues and taxes that embraces both sides of the aisle.

The third question is if it's necessary, is there some burden on those who have the responsibility of overseeing taxpayer dollars in the Defense budget to poke around and find that \$300 million somewhere else in a nearly \$700 billion budget?

So those are the questions. It's not a direct assertion that we must suspend forever research on the next generation of bombers, but it is asking those questions in this time: Just because something is desirable, does that make it affordable?

If it's desirable, at what cost does it come and, if it's necessary, are there other places in a \$700 billion budget that we can find this \$300 million to do research that will allow us to proceed, and that's what this amendment asks. It says tough choices for America have to begin here, and they have to include tough choices within the Pentagon budget.

I yield back the balance of my time.
Mr. DICKS. I rise in very strong opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. First of all, I have to again correct the record here that the President of the United States, OMB and Defense Department requested \$197 million.

Our committee held hearings with the Air Force and found, from a lot of dialogue with the three companies that are competing, that we might be able to accelerate this bomber replacement program if we could get an additional \$100 million. So the President requested \$197 million, and we added \$100 million to that because we see that this program is vitally important.

Now, I led the fight many years ago in the House on the B-2 bomber, and my colleagues got very tired of listening to me on this. But we started with that program at 125 bombers, and we wound up with only 20. So we need another stealth bomber, which can reach

around the world as we have seen the B-2 do just recently.

This is a very high priority of the Air Force. I mean, next to tankers, the replacement of the bomber and along with the Joint Strike Fighter, are going to be the top priorities for the Air Force. So this would be a catastrophic blow to terminate this program.

And though I have the greatest respect for the gentleman from Vermont, I would say that I would stay with the committee, which unanimously supported this program, has always supported modernization of our strategic bombers and our strategic modernization of our submarines, which are two of the major issues that our committee is dealing with.

So, again, I urge a "no" vote on this amendment.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise in very strong opposition to this amendment.

I have suggested so many times that I would not do anything, produce any bill or support any bill, that negatively affects our soldiers or that negatively our affects readiness.

Well, this bomber is a long time from production because it takes time to develop a new bomber due to the nature of that vehicle. But by the time it gets online, we are going to need the new bomber because the old bombers are going to be old.

Now, without going into all the details that Mr. DICKS did, and he did a very good job of explaining in detail why this new bomber is needed, just let me relate a story that happened to me as a freshman and a member of the Armed Services Committee after a lengthy hearing with the United States Marine Corps.

This very, very distinguished, very powerful-looking marine came to me after the hearing and he said, listen, son—he called me son back in those days—he said, listen, son, we marines will go anywhere to fight any war our country sends us to. We will fight on the beach, we will fight on the sea, we will fight in the hills, we will fight in the jungle. Just promise me that as a Member of Congress you will do everything in your power to make sure that any airplane that flies over the battlefield is an American airplane. You can certainly understand why the troops on the battlefield would want that to be the case, why he would want that bomber flying overhead to be an American, why he would want that fighter flying overhead to be an American, why he would want that strike fighter flying over the battlefield to be an American. It just makes good common sense that if you are going to send

troops to war, make sure that the aircraft that fly over the battlefield belong to us and not to the enemy.

And, having said that, I again say I strongly oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WELCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

□ 1550

AMENDMENT NO. 22 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 6, after the dollar amount insert "(reduced by \$4,424,000)".

Page 31, line 17, after the dollar amount insert "(increased by \$4,424,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, this amendment is nearly identical to the amendment that transfers NATO research to U.S.-Israeli missile defense. This one simply takes the \$4.4 million in the Air Force's NATO R&D program and places those funds in the Israeli Cooperative Program for Israel and the United States, who are cooperating to develop a missile defense system that will help them and, as well, help us.

We must stand by Israel now and always. My amendment makes a positive step towards growing our relationship and solidifying security in the Middle East. It will help Israel, but it will help the United States also.

I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. NATO funding in this bill should not be curtailed because the United States and the NATO nations are one another's closest partners, and the NATO alliance has been a vital and successful part of U.S. foreign policy dating back to the formation in 1949 during the Truman administration. While the alliance must evolve in light of changing world events, there is no other practical option to structure U.S. strategic and security cooperation with our European allies.

For all NATO nations, the alliance allows for security capabilities and a

structure to control operations that the allies on their own could not afford or maintain. Active participation in NATO also allows the U.S. to pursue defenses against emerging threats such as implementation of improved missile defense capabilities.

To maintain its commitment to NATO, the United States must continue its contribution to all aspects of the NATO program, including research and development activities.

I urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I associate my remarks with the ranking member from Washington State in opposing this amendment.

NATO is a strong ally. We have a multiple-year generational commitment to NATO. We do a lot of joint projects, a lot of research and development that is jointly developed, and we need their support and they need our support.

I rise in opposition to Mr. BROUN's amendment.

I yield back the balance of my time.

Mr. NADLER. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I rise in support of this amendment. I think it is a very good amendment offered by the gentleman from Georgia.

And while I certainly concur with the words of the distinguished ranking member of the committee and the earlier words of the chairman for how important NATO is, the fact of the matter is that, as Defense Secretary Gates told us a couple of weeks ago, the European members of NATO are not pulling their weight. They're not spending the kind of money that we are spending. They're not spending the kind of money that Israel is spending on their own defense. They're not putting in very much effort at all. We're carrying the burden.

And the fact of the matter is, as we're seeing in Libya where they're running out of ammunition after a couple weeks' fighting with a nothing power, NATO, or at least the European allies, simply aren't spending money. They're relying on us to do it. They ought to get used to spending a little of their own money on this.

The fact of the matter is that Israel is spending 7½ percent of its GDP on the military. She has to because she is the object of the Iranians and others who want to destroy her. And we are getting our money's worth because Israel's technical expertise in anti-missile defenses in the Iron Dome,

which we are helping with, is feeding back to us.

So switching these funds from NATO to Israel will benefit the United States in terms of antimissile technology; will benefit Israel, which is putting in 7½ percent of GDP; and may give a little more weight to Secretary Gates' words when he says to the European members of NATO that if they want to pull their weight, they ought to start pulling their weight and spending a little more money instead of—I think they're spending under 2 percent of GDP for defense now. And if they want to be allies of the United States, which we need them to be and which they should be, it can't be a one-way alliance.

This amendment will help Israel, will help us, will help the cause of opposing terrorism generally, and send a little message to the European allies: Maybe you ought to start thinking, if you're going to pull your weight in NATO, pull your weight in NATO.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I thank the gentleman for yielding. I appreciate his support of this amendment.

And I will remind Members that Iran is developing short-range, medium-range as well as long-range missile technology, as well as it is developing a nuclear weapon. We have never needed this kind of joint research with the Israelis to help prevent not only a missile attack or further missile attacks on Israel, which they get every day, but we need, for our own defense, to put more money into this instead of supporting NATO.

I think this is extremely important that we plus up this missile defense research for Israel, for our own selves, and I thank the gentleman for supporting the amendment.

Mr. NADLER. Reclaiming my time, to sum up, this helps the Israelis; it helps the United States; it helps the general security; and it sends the message to the European allies they should start looking into maybe putting some real effort into NATO, which they haven't been doing in recent years, as our Secretary of Defense Gates said recently.

Let's support Secretary of the Department of Defense Gates and let's get them to start making a little effort and send them a little message here.

So I support the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$19,324,865,000, to remain available for obligation until September 30, 2013.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 17, after the dollar amount, insert "(reduced by \$16,000,000)".

Page 33, line 18, after the dollar amount, insert "(increased by \$16,000,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$16,000,000)".

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. STEARNS. Mr. Chairman, this is a very simple amendment. Basically, I am taking 16 million, not billion, \$16 million from a part of the Department of Defense budget, which is called defense-wide appropriations, where there's almost 20 billion. So I'm asking to take roughly .0008, or .08 percent, from this defense-wide appropriations which is used for other than military departments. So it is not even applicable to the Army, Navy, and Air Force, not the military departments, but it is used by the Secretary of Defense for the maintenance, lease, and operation of facilities and equipment. And what I'm doing is taking this \$16 million and I'm transferring it to the Peer-Reviewed Prostate Cancer Research Program.

Funding levels, my colleagues, for this program, has gone down dramatically since 2001. Right now, it's funded at \$64 million. It was funded in 2001 at 100. It has continually come down and down and down. So I'm not asking to take it up to the 2001 level; I'm just asking to take it up to perhaps what it was in 2005.

□ 1600

I think, without going into all of the details, this is a very wise move because funding levels for this program have continually decreased, yet prostate cancer is the second-leading cause of male cancer-related death in the United States, with an estimated 27,360 casualties just last year. There are no noticeable symptoms in early stages. The use of widespread testing, however, has led to 9 out of 10 cases of early detection. That is why this very paltry

amount of \$16 million in funding would be better spent for prostate cancer research for our military than abroad.

According to the Prostate Cancer Research Program, the PCRP, active duty males are twice as likely to develop prostate cancer than their civilian counterparts. Research funded by the PCRP advances treatment and procedures for warfighters exposed to chemical weapons, soldiers exposed to chemical agents such as Agent Orange, and those exposed to depleted uranium. Congress has consistently supported funding levels of over \$80 million annually for this important cause, yet it is only funded at \$64 million.

The PCRP funds innovative high-risk, high-reward research projects supporting basic and clinical research in both the individual and multidisciplinary collaborative group setting. Funding for the PCRP enables research to advance faster and to be better prepared to apply for future funding from the National Institute of Health or to advance clinical trials. Unlike any other Federal cancer research programs, any other, the PCRP award review panels are made up of the country's top researchers and prostate cancer survivors, together making sure that innovative ideas rapidly benefit all men and families burdened by this disease.

In 2010, the PCRP, along with the Clinical Consortium, helped shepherd two new drugs through clinical trials. Both drugs are designed to prolong a man's life with prostate cancer. These drugs moved through the clinical trials process and have made their way to the bedside of men dying from prostate cancer to extend their lives. This public-private partnership is an incredible way to maximize productivity of government funded and privately funded medical research.

So I ask my colleagues to support my simple amendment to transfer \$16 million from defense-wide appropriation, which is other than military which they use presently for maintenance, lease, operational facilities and equipment, and it represents a 0.08 percent reduction of this other military-wide funding.

With that, Mr. Chairman, I include the letter to me regarding the Department of Defense Prostate Cancer Research Program from the Prostate Cancer Foundation for the RECORD.

PROSTATE CANCER FOUNDATION,
Santa Monica, CA, July 6, 2011.

Hon. CLIFF STEARNS,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR CONGRESSMAN STEARNS: Founded in 1993, the Prostate Cancer Foundation (PCF) has raised more than \$450 million to fund more than 1,500 prostate cancer research programs at nearly 200 research centers in 12 countries. Our research enterprise aims to improve prostate cancer prevention, diagnosis, and treatment for the more than 16 million men and their families battling prostate cancer worldwide. PCF also serves as a

primary source for new standard-of-care and research information.

Prostate cancer poses a substantial public health burden in America. A total of 240,890 new cases of prostate cancer and 33,720 deaths from the disease are anticipated in the United States in 2011, making it the most frequent nondermatologic cancer among U.S. males. A man's lifetime risk of prostate cancer is one in six. Prostate cancer is the second leading cause of cancer death in men, exceeded only by lung cancer.

At this time, the Prostate Cancer Foundation would like to express our strong support for increasing the \$64 million provided for the Department of Defense's Prostate Cancer Research Program (DoD PCRP) by the fiscal year 2012 Defense Appropriations Act, H.R. 2219 by an additional \$16 million. Without this addition, the 20% decrease from the fiscal year 2011 \$80 million appropriation would effectively return the DoD PCRP funding level to what it was ten years ago. This decrease will mean that we lose hundreds of thousands of American lives to lethal prostate cancer in the next few years.

In a unique public-private partnership with the Prostate Cancer Foundation, the Department of Defense Prostate Cancer Research Program co-sponsors the Prostate Cancer Clinical Trials Network (PCCTC), which is the world's most comprehensive "first in man" phase I/II clinical trials group for prostate cancer composed of 13 Centers of Excellence in genitourinary oncology. The Consortium has helped to bring to market 2 new medicines for men with advanced prostate cancer that were approved by the FDA in 2010-11: namely, XGEVA™ (denosumab)—Amgen Inc. and ZYTIGA™ (abiraterone acetate)—Johnson & Johnson. More than 2,700 patients have had access to 83 clinical trials since 2005 through the Department of Defense's sponsorship of this Consortium.

Since 1997, when the DoD PCRP was initiated, about \$1.1 billion has been appropriated by Congress and used to fund more than 2,000 prostate cancer research studies across the U.S. Since 2006, this program has been funded at \$80 million per year. The Department of Defense Prostate Cancer Research Program is America's leading undiluted support to find and fund the best prostate cancer research. The research funded by DoD PCRP has led to many dramatic improvements in our Nation's prostate health, from decreases in deaths due to prostate cancer to increased life expectancy for men facing terminal diagnoses.

Today, continued life-saving progress for prostate cancer patients is threatened because of the possibility of decreased funding through the Department of Defense Prostate Cancer Research Program. The funding for the Department of Defense Prostate Cancer Research Program is not duplicative with funding at the National Cancer Institute. While PCF understands and appreciates the budgetary constraints currently facing our Nation, PCF also believes that advances in prostate cancer research must remain a very high national priority.

Critical funding is needed in order to maintain clinical and translational research that will lead to the development of new cancer therapies and technologies that will help prostate cancer patients. On behalf of the Prostate Cancer Foundation, our Board of Directors, and the two million men and their families battling prostate cancer in America, I urge you to restore funding for the Department of Defense Prostate Cancer Research Program at \$80 million per year in fiscal year 2012.

Thank you for your careful consideration of this important request.

Sincerely,

JONATHAN W. SIMONS, MD,
President and Chief
Executive Officer.

DAVID H. KOCH,
Chair.

THE PROSTATE CANCER CLINICAL
TRIALS CONSORTIUM,

New York, NY, July 5, 2011.

PROSTATE CANCER FOUNDATION BOARD OF DIRECTORS,

Fourth Street,

Santa Monica, CA.

LADIES AND GENTLEMEN OF THE BOARD: The Prostate Cancer Clinical Trials Consortium (PCCTC) is the nation's premier prostate cancer clinical research group, established in 2005 in response to unmet needs identified by physician investigators and prostate cancer advocates. Our infrastructure, jointly supported by the Prostate Cancer Foundation (PCF) and appropriations to the U.S. Department of Defense (DOD) budget via the Congressionally Directed Medical Research Program (CDMRP), enables the 13 member institutions to capitalize on their scientific and clinical expertise in order to fulfill our singular mission: to design, implement and complete hypothesis-driven early-phase trials of novel agents and combinations that could prolong the lives of men with prostate cancer. Crucial to our capacity to turn scientific discoveries into improved standards of care is the continued sponsorship of the PCCTC's unique approach to multi-institutional clinical research.

A model for successful drug co-development, the PCCTC established an organizational structure that accelerates and streamlines the clinical research process by facilitating collaboration between key stakeholders while centralizing scientific, logistical, and regulatory components of trial management. To keep the pipeline primed with promising novel agents, we select and prioritize clinical development opportunities based on the strength of the science and design highly informative trials incorporating biomarkers to measure medically significant results. Moreover, the diverse array of our expertise including genomics, cancer biology, trial design and biomarker development, uniquely qualifies PCCTC investigators to translate discoveries made from highly innovative prostate cancer research funded by the PCF beginning in the early 1990s into robust clinical programs.

By addressing the barriers to efficient trial activation and completion our centralized management of research activities has affected the progress in prostate cancer research beyond PCCTC member institutions. Notable accomplishments include: since inception, the PCCTC has enrolled over 2700 men—greater than 10% from disproportionately affected populations—to 90 clinical trials, evaluating more than 50 therapeutic strategies; PCCTC designated as the clinical trials group for the NCI-sponsored Specialized Programs of Research Excellence (SPORE) in prostate; nearly 25% of early-phase interventional prostate cancer trials conducted in the U.S. are led by PCCTC investigators; over 85% of PCCTC trials are activated within 1 year; consortium investigators integral to the development of the prostate cancer clinical states model, standard clinical trial endpoints (PCWG2) and Bone Scan Tool for uniform interpreting and reporting of bone scintigraphy data; consortium programs have directly led to phase III

testing of eight drugs including MDV3100, tasquinimod, ipilimumab and the FDA-approved drug abiraterone (Zytiga).

Despite the PCCTC's substantial advances, the threat of CDMRP funding cutbacks is of great concern to the consortium and prostate cancer community. With no known substitutes for the public-private partnership between PCF and DOD, early withdrawal of funding will drastically compromise our continued progress. The PCCTC depends on these funds to execute an expanding portfolio of services which foster the unprecedented collaboration between investigators and industry sponsors, strategically positioning us to lead exciting new programs (e.g., XL184 and ARN-509). Before we can implement a business model that would allow us to function independently, these vital resources remain necessary if we are to attract potential sponsors with our built-in advisory boards, expedited regulatory processes, unified contracting and budgeting and our track record of quickly accruing patients to trials at diverse and reputable institutions. However, the most significant impact will be on our ability to impact the lives of men with prostate cancer without the infrastructure to support the high-risk, high-reward projects that have become the hallmark of PCCTC research.

Critical unmet needs in prostate cancer remain. Preserving the PCCTC's distinctive drug development paradigm allows the nation's most talented clinical investigators to fulfill our mission of delivering needed therapies to men with prostate cancer faster by designing and executing hypothesis-driven phase I and phase II trials. Your foresight to strategically support the PCCTC and its investigators from inception of the organization is commendable. These investments originate in many forms and our gratitude for your confidence and continued support is immense.

Sincerely,

Howard I. Scher, MD; Robert DiPaola, MD; Elisabeth Heath, MD; Michael A. Carducci, MD; George Wilding, MD; Maha H. Hussain, MD, FACP; Daniel George, MD; Celestia Higano, MD, FACP; Walter M. Stadler, MD; Christopher J. Logothetis, MD; Charles Ryan, MD; Tomasz M. Beer, MD; Mary-Ellen Taplin, MD.

10 THINGS EVERYONE SHOULD KNOW ABOUT PROSTATE CANCER

1. 1 in every 6 men will get prostate cancer sometime in his life. It was projected that over 192,000 cases were diagnosed in 2009.

2. The chances of getting prostate cancer are 1 in 3 if you have just one close relative (father, brother) with the disease. The risk is 83% with two close relatives. With three, it's almost a certainty (97%).

3. African-American men are at special risk for the disease, with the highest rate of prostate cancer in the world: 1 in 4 men. African American men are 2.5 times more likely to die from the disease.

4. Prostate cancer is the second-leading cause of male cancer-related death in the United States. An estimated 27,360 men died from prostate cancer last year.

5. There are no noticeable symptoms of prostate cancer while it is still in the early stages. This is why getting tested is so critical.

6. Every man age 45 or over should resolve to be tested annually. African-American men or those with a family history of the disease should start annual testing at 40.

7. Before early detection through PSA testing, only 1 in 4 prostate cancer cases were

found while still in the early stages. With the widespread use of testing, about 9 out of 10 cases are now found early—giving men a fighting chance.

8. Nearly 100% of men diagnosed with prostate cancer while it is still in the early stages are still alive 5 years from diagnosis*. Of men diagnosed in the late stages of the disease, 33.4% survive 5 years*.

9. Testing for prostate cancer involves a simple blood test and a physical exam. It takes about 10 minutes and is covered by health insurance in many states.

10. Obesity is a significant predictor of prostate cancer severity. Men with a body mass index over 32.5 have about ½ greater risk of dying from prostate cancer. Research shows high cholesterol levels are strongly associated with advanced prostate cancer.

*Does not include those who died from causes other than prostate cancer.

All prostate cancer statistics are 2009 estimates reported by the American Cancer Society.

UNDERSTANDING PROSTATE CANCER WHAT IS THE PROSTATE?

The prostate gland is part of the male reproductive system; it produces fluid for semen. The prostate is about the same size and shape as a walnut, and sits in front of the rectum and below the bladder, where it surrounds the urethra that carries urine out from the bladder.

WHAT IS PROSTATE CANCER?

Normally, cells grow and divide in an orderly way. Sometimes this normal process can go wrong. If abnormal cells continue to divide, they can form cancer tumors. Prostate cancer tends to occur in the cells lining the prostate. Its growth is usually slow and supported by male hormones. Prostate cancer cells can spread to other parts of the body.

There are no noticeable symptoms of prostate cancer while it is still in the early stages, which is why testing is so critical. In more advanced stages, symptoms may include difficult or frequent urination, blood in the urine or bone pain.

WHO IS AT RISK?

45 is often considered the age to begin annual prostate cancer testing. Men at higher risk, such as African-American men and those with a family history of prostate cancer, should begin getting tested no later than age 40. All men should start discussing early detection with their doctors at age 40.*

TOOLS FOR EARLY DETECTION

The goal of early detection is to find the disease in its early stages when treatment is most likely to be effective. There are two widely used tests to aid in the early detection of prostate cancer.

Blood Test—PSA. This simple blood test measures the level of protein called prostate-specific antigen (PSA). Normally, PSA is found in the blood at very low levels. Elevated PSA readings can be a sign of prostate cancer; however, PSA levels can be elevated for reasons other than cancer.

Physical Exam—DRE. The digital rectal exam (DRE) is a simple, safe and only slightly uncomfortable physical exam performed by your physician.

These exams are usually done together to increase the accuracy of diagnosis. Although PSA will detect most high-risk cancers, there can be cancers that will be missed by this test and can be detected by the physical exam.

*According to the National Comprehensive Cancer Network.

ZERO, THE PROJECT TO END PROSTATE CANCER, Washington, DC.

TO WHOM IT MAY CONCERN: ZERO—The Project to End Prostate Cancer is the nation's leading prostate cancer organization providing advocacy for increased federal funds for life-saving research, education and free testing. Our goal at ZERO is to create "Generation ZERO" the first generation of men free from prostate cancer.

One of the government initiatives that we strongly support is the Congressionally Directed Medical Research Program and the Prostate Cancer Research Program. The PCRP strives to conquer prostate cancer by funding medical research that will eliminate death and suffering from the disease. The PCRP labors to reach this goal by funding innovative research with near-term impact, sponsoring multidisciplinary synergistic research, funding translational studies, investing in research on patient survivorship and improving quality of life.

An example of the innovative nature of the PCRP is the Clinical Trials Consortium. To address the significant logistical challenges of multicenter clinical research, the PCRP began support of a clinical trials consortium for rapid Phase I and Phase II clinical trials of promising new treatments for prostate cancer.

Since their first PCRP award in 2005, each site has fulfilled key responsibilities to clinical trials and design and recruitment. Nearly 70 trials with more than 1,800 patients have taken place, leading to potential treatments that will soon be at patients' bedsides. Two recently approved drugs (XGEVA and ZYTIGA) benefited from PCRP funding and the consortium accelerating their approval time by more than 2 years.

The Department of Defense Appropriations Act for FY2012 contains a 20 percent cut to the funding of the PCRP. If enacted, the funding for the PCRP will be cut from \$80 to \$64 million. This amount would be the lowest amount of funding the program has received since 1999 when Congress allocated \$50 million to the PCRP.

ZERO requests that the PCRP funding levels for FY2012 be restored to 2011 levels. Continuing our commitment to prostate cancer research is crucial to the more than 240,800 men that will be diagnosed and the 33,720 who will die from prostate cancer in 2011.

With Sincere Appreciation,

KEVIN S. JOHNSON,
SVP Government Relations
and Advocacy.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to speak in favor of the amendment.

I have been very much involved in peer-reviewed prostate cancer research in my home State. I have certainly made a commitment to that community to support additional funds. We are willing to accept the gentleman's amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Washington.

Mr. DICKS. I am so thrilled that the gentleman from Florida has an amend-

ment that I can support. I join with you, and I urge everyone to support the gentleman's amendment.

Mr. STEARNS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Florida.

Mr. STEARNS. I thank the gentleman from Washington.

Oftentimes, I give him an amendment which he has very little time to look at. Again this happened, but I am very pleased he is supporting my amendment.

With that, obviously I will not call for a vote. I appreciate the appropriators supporting my amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 17, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 33, line 18, after the dollar amount, insert "(increased by \$10,000,000)".

Page 34, line 1, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, first, I would like to recognize the gentleman, C.W. "BILL" YOUNG, who is a stalwart not only to this Congress but also to the men and women of the United States military, for his hard work in support of not only making sure our men and women have what they need, but making sure that he stands behind that, making sure that they get money well spent on behalf of the taxpayers.

Also, I would like to thank Chairman HAL ROGERS and certainly the gentleman from Washington (NORM DICKS) for their hard work and dedication and trying to work on traumatic brain injury, known as TBI, and also posttraumatic stress disorder, PTSD, and to thank all three of them, and others in this Congress, for their continued support by increasing funding for TBI and PTSD in this overall bill by \$125 million.

While I understand the long-standing practice of the committee for not designating specific TBI funds, my amendment confirms the House's support for this amendment which I have offered many times, and certainly related to TBI in May of this year to the National Defense Authorization Act of 2011.

Mr. DICKS. Would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. DICKS. The gentleman explained to me that the \$10 million would not be

part of the government program, that this would give people with traumatic brain injury, posttraumatic stress disorder, an option to go to the private sector?

Mr. SESSIONS. In fact, that is correct. What has previously been in the Defense Armed Services Committee, the policy that would allow men and women of the military who have TBI to be able to take these funds and be able to use them outside of the Department of Defense to what I would call private sector.

Mr. DICKS. What about TRICARE, which is a private company?

Mr. SESSIONS. They could take it where they choose to, not where they are designated to go by the Department of Defense; that would be correct.

Mr. DICKS. I thank the gentleman for yielding.

Mr. SESSIONS. On May 26, 2011, during the NDAA debate, the House unanimously adopted an amendment to create a pilot program administered by the Department of Defense that would begin treating our troops coming back home from theater with TBI and PTSD. Today, Congress has the opportunity to appropriate funds that would be used to treat our active duty and veterans suffering from TBI and PTSD.

My amendment specifically moves \$10 million from the more than \$19 billion in the Research, Development, Test and Evaluation Defense Program to increase the defense health program by \$10 million. Once again, this money will assist directly these soldiers and others in the military who have TBI-related injuries to be able to go to private sector facilities with the utilization of taxpayer dollars for them to get leading-edge treatments on these issues.

In April 2007, the Department of Veterans Affairs screened veterans who were serving in Iraq and Afghanistan since 2001 for symptoms associated with TBI. More than 19 percent of these veterans screened positive for TBI symptoms. This is a big issue.

According to the U.S. Army, the number of soldiers leaving active duty service has increased by 64 percent from 2005 to 2009 due to brain health, whether it was TBI, PTSD, or a mental illness. A 2009 Rand study estimates that costs related to depression, PTSD, and TBI in our soldiers ranges from \$4 billion to \$6.2 billion over a 2-year period of time.

Today, health care providers all over this country are treating brain injury patients with new and innovative treatments with remarkable results. Unfortunately, many of these treatments are not available within military or veteran medical facilities for our heroes that I have previously discussed who are suffering from TBI.

Our troops put themselves on the line every day, and I think they deserve every opportunity to receive this treat-

ment that is available for their recovery. This pilot program created in NDAA will provide for that treatment and recovery.

As has been talked about here on the floor of the House of Representatives, \$10 million out of \$19 billion should be allocated to this. I appreciate all of my colleagues not only learning more about this issue, also wanting to be a part of how we can help these men and women making groundbreaking treatments for our Nation's veterans and active duty soldiers.

I yield back the balance of my time.

□ 1610

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR (Mrs. MILLER of Michigan). The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. We accept the gentleman's amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Washington.

Mr. DICKS. We accept the amendment too.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$191,292,000, to remain available for obligation until September 30, 2013.

TITLE V

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,575,010,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$1,100,519,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and

spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$32,317,459,000; of which \$30,497,735,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2013, and of which up to \$16,092,272,000 may be available for contracts entered into under the TRICARE program; of which \$632,518,000, to remain available for obligation until September 30, 2014, shall be for procurement; and of which \$1,187,206,000, to remain available for obligation until September 30, 2013, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,554,422,000, of which \$1,147,691,000 shall be for operation and maintenance, of which no less than \$103,097,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$30,615,000, for activities on military installations and \$72,482,000, to remain available until September 30, 2013, to assist state and local governments; and \$406,731,000 to remain available until September 30, 2013, shall be for research, development, test and evaluation, of which \$401,768,000 shall be only for the Assembled Chemical Weapons Alternatives (ACWA) Program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,208,147,000: *Provided*, That the funds appropriated under this heading shall be available

for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act: *Provided further*, That \$23,000,000 may not be obligated or expended until the Secretary of Defense submits an implementation plan for the expansion of prescription drug testing to the congressional defense committees.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$220,634,000, to remain available until September 30, 2014, for Staff and Infrastructure: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That not later than 60 days of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the intended management and use of the amounts provided under this heading: *Provided further*, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of the Fund: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$346,919,000, of which \$286,919,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which \$1,000,000, to remain available until September 30, 2014, shall be for procurement; and of which \$1,600,000, to remain available until September 30, 2013, shall be for research, development, testing, and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$513,700,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$458,225,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*,

That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2012: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2012: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That

transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advanced procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

UH-60M/HH-60M and MH-60R/MH-60S Helicopter Airframes; and MH-60R/S Mission Avionics and Common Cockpits.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2012, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2013 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2013 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2013.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of

this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

AMENDMENT NO. 62 OFFERED BY MR. AMASH

Mr. AMASH. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike Section 8015.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. AMASH. Madam Chair, within the last month, the House has voted to strike problematic and anticompetitive

A-76 language from H.R. 2017, the Department of Homeland Security appropriations bill, and from H.R. 2112, the Agriculture appropriations bill. The same change and reversal of bad policy should be adopted in this legislation by striking section 8015.

My amendment does just that. As drafted, section 8015 prohibits the Department of Defense from contracting out any function unless it will save a minimum of \$10 million or 10 percent of the department's performance costs even if the contractor is less costly overall and can perform the work more efficiently.

Independent studies have found that public-private competitions lower costs by between 10 and 40 percent regardless of whether the competition is won by a private contractor or the government. Rather than stand in the way of public-private competitions, Congress should cut the redtape and make the use of this cost-saving process easier, not harder.

The requirements in section 8015 are largely codified in existing statute. Retaining section 8015 will obstruct and potentially nullify any current efforts to reform the system in ways that improve public-private competitions and bring much needed consistency and reliability to the process.

Instead of complicating the use of competitions that improve service and lower costs, we should be encouraging agencies to find the most efficient way to deliver services. This amendment will send that message by reducing restrictions on the Department of Defense and by making it easier to achieve reforms that will increase the availability of cost-saving competitions throughout the department.

I urge my colleagues to support this commonsense, taxpayer-first amendment to H.R. 2219.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. This amendment would repeal section 8015 of the bill, which in various forms has been included in the bill for the past 14 years.

This section requires that, before work is contracted out, the Department of Defense must conduct a formal cost comparison to determine whether privatization would actually save money. The section also provides an exemption to ease contracting with businesses owned by disadvantaged persons, qualified nonprofit entities for disadvantaged persons, or businesses owned by Native Americans. In cases where outsourcing is appropriate, one of the fundamental reasons would be to lower government operating costs.

Requiring the DOD to actually conduct this analysis under the A-76 review is reasonable and should be in-

cluded in this bill, so I urge my colleagues to reject this amendment. I must say we have done these A-76 reviews across the country, and many times we find that the government entity reorganizes itself and can actually do the work at a lesser cost than the private sector.

□ 1620

And the other problem with this whole thing is, once the private sector gets it, the costs go right through the roof.

So you need to have an analysis done after contracting out is done to make sure that you're not getting ripped off. So I strongly oppose the gentleman's amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. AMASH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

(TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section, substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds available to the Department of Defense, herein and hereafter, may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8019. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than \$30,945,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$27,838,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) \$2,190,000 shall be available from "Air-craft Procurement, Air Force"; and

(3) \$917,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2012 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2012, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2013 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$125,000,000.

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement

may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8026. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

AMENDMENT OFFERED BY MS. SUTTON

Ms. SUTTON. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, line 9, insert after the period the following: "Such report shall also indicate whether such items or parts of such items are available for purchase in the United States."

Mr. YOUNG of Florida. Madam Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from Ohio is recognized for 5 minutes.

Ms. SUTTON. Madam Chair, I rise today to shine a light on how America is spending defense dollars.

This week, we will vote on a \$530 billion Defense budget. Some of that

money will go towards pay for our soldiers; some of that money will go towards ensuring our military families are cared for. But when it comes to buying everything from building materials to fighter jets, as much of that money as possible should go towards buying American. Every dollar we spend on a part or a piece of equipment manufactured overseas when we can easily build it at home is doing our men and women in uniform and our manufacturing base a disservice.

This is a clarifying amendment that will increase transparency within the Department of Defense by having the Department indicate whether parts purchased overseas are available here in the United States.

Taxpayers deserve to know where the Defense dollars are going. They want to see their taxpayer dollars used to purchase quality products and materials produced right here in the United States by American workers; and when that doesn't happen, they want and deserve to know why.

Currently, the Department of Defense is granting tens of thousands of waivers to allow for taxpayer dollars to buy equipment made overseas. If our tax dollars are going to buy a part made overseas, taxpayers deserve to know if that part is available in Michigan or Ohio or anywhere else in the United States. My amendment simply uses the current Department of Defense data and the requirements set forth in this section and adds more transparency by highlighting areas where our government is sending money overseas instead of keeping it at home.

If we are truly to put Americans back to work, we must make sure that Congress is doing everything it can towards that end. This amendment is one small step that we can take right now. This clarifying amendment will only serve to shine a light on taxpayer dollars being invested in the wrong place and show where those funds can be diverted in a way that can make a difference for jobs here at home.

I encourage my colleagues to pass this commonsense clarifying amendment to ensure increased transparency for American taxpayers and encourage our Department of Defense to buy American, because that is what taxpayers want and that is what American workers deserve.

Madam Chair, I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Madam Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if

changing existing law.” This amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

Ms. SUTTON. Madam Chair, I rise in opposition to the point of order. This is simply a clarifying amendment. It clarifies information that is already being gathered in this section.

Since 2007, Congress has mandated that the Department of Defense begin tracking waivers that allow the Department to buy products from overseas. Currently, to qualify for a waiver from the Buy America requirements, the Department of Defense has to comply with one of eight criteria. One of those criteria is proving that there is no domestic product available. This section of the bill already requires the Department of Defense to report back to Congress on the amount of their purchases from foreign entities and the dollar value of items for which the Buy American Act was waived.

My amendment simply uses the current Department of Defense data and the requirements set forth in this section and adds more transparency by highlighting areas where our government is sending money overseas instead of keeping it at home.

□ 1630

As I said, if we are truly to put Americans back to work, we must make sure that Congress is doing everything it can towards that end. It would seem ashamed for this objection to stand to an amendment that just ensures transparency in a section that is already being used to gather information.

The Acting CHAIR. Does any other Member wish to speak to the point of order? If not, the Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment constitutes legislation in violation of clause 2 of rule XXI.

Section 8028 of the bill constitutes legislation. It has been permitted to remain in the bill by way of a waiver of that point of order. Under the precedents, it may be modified by a germane amendment, as long as the amendment does not contain additional legislation.

The amendment modifies the terms of a report required by section 8028(b) of the bill. It requires the inclusion in the report of certain information regarding domestic availability of certain products.

By requiring additional detail in the report, the amendment is not “merely perfecting” but, rather, proposes additional legislation. It therefore violates clause 2 of rule XXI.

The point of order is sustained.

Mr. YOUNG of Florida. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I do so to make this announcement: that there are a number of points of order lying on amendments that we will be considering shortly. It will be my hope that we can reserve the point of order so that the Member propounding the amendment can also have their 5 minutes to explain the amendment. As long as that courtesy is not abused, I will continue to allow that, but if it does appear to be abused, then we will raise the point of order immediately.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2012. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and main-

tenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8032. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2013 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2013 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2013 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8033. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2013: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2013.

SEC. 8034. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8035. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8036. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8037. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to ensure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8038. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8039. The Secretary of Defense, notwithstanding any other provision of law, act-

ing through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"National Defense Sealift Fund", 2002/XXXX, \$20,444,000;

"National Defense Sealift Fund", 2003/XXXX, \$8,500,000;

"National Defense Sealift Fund", 2004/XXXX, \$6,500,000;

"Aircraft Procurement, Navy", 2010/2012, \$90,000,000;

"Aircraft Procurement, Navy", 2011/2013, \$55,000,000;

"Weapons Procurement, Navy", 2011/2013, \$35,427,000;

"Procurement of Ammunition, Navy and Marine Corps", 2011/2013, \$8,612,000;

"Shipbuilding and Conversion, Navy", 2011/2015, \$110,351,000;

"Aircraft Procurement, Air Force", 2011/2013, \$30,000,000;

"Missile Procurement, Air Force", 2011/2013, \$122,500,000;

"Other Procurement, Air Force", 2011/2013, \$90,000,000;

"Procurement, Defense-Wide", 2011/2013, \$45,000,000;

"Research, Development, Test and Evaluation, Navy", 2011/2012, \$34,771,000;

"Research, Development, Test and Evaluation, Air Force", 2011/2012, \$105,000,000;

"Research, Development, Test and Evaluation, Defense-Wide", 2011/2012, \$318,000,000.

Notwithstanding any other provision of law, none of the funds provided may be used for the construction of additional sealift capacity, as described under the heading "National Defense Sealift Fund" in Public Law 107-117, Public Law 107-248, and Public Law 108-87, or for the purposes described in section 115 of division H of Public Law 108-199, as amended by section 1017 of division A of Public Law 109-13.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the

National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for

use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following—

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for

Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limi-

tation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8060. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy, and its estimated annual and total cost, has been provided in writing

to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8061. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8062. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8063. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8064. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary-tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8065. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8066. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic

beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$124,493,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8068. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2012.

SEC. 8069. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$235,700,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$110,500,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$15,000,000 shall be for production activities of David Sling Weapon System missiles in the United States and in Israel to meet Israel's defense requirements,

consistent with each nation's laws, regulations, and procedures, \$66,200,000 shall be available for an upper-tier component to the Israeli Missile Defense architecture, and \$59,000,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8071. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", \$73,992,000 shall be available until September 30, 2012, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading "Shipbuilding and Conversion, Navy, 2005/2012": LPD-17 Amphibious Transport Dock Program \$18,627,000.

Under the heading "Shipbuilding and Conversion, Navy, 2006/2012": LPD-17 Amphibious Transport Dock Program \$23,437,000.

Under the heading "Shipbuilding and Conversion, Navy, 2008/2012": LPD-17 Amphibious Transport Dock Program \$31,928,000.

SEC. 8073. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(1) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(2) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8074. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for Fiscal Year 2012.

SEC. 8075. None of the funds provided in this Act shall be available for obligation or

expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8076. The budget of the President for fiscal year 2013 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8077. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8078. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8079. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8080. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8081. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8082. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8083. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8084. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8085. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8086. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2013.

SEC. 8087. For purposes of section 1553(b) of title 31, United States Code, any subdivision

of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8088. Notwithstanding any other provision of law, not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of \$130,000,000 or higher.

SEC. 8089. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.

(1) For procurement programs requesting more than \$10,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$5,000,000 in any fiscal year, the R-1, RDT&E Program; R-2, RDT&E Budget Item Justification; R-3, RDT&E Project Cost Analysis; and R-4, RDT&E Program Schedule Profile.

SEC. 8090. The Secretary of Defense shall create a major force program category for space for each future-years defense program of the Department of Defense submitted to Congress under section 221 of title 10, United States Code, during fiscal year 2012. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8091. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities pursuant to section 8092 of this Act for fiscal year 2012: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center, project, and subproject; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer pursuant to section 8092 of this Act until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing 15 days in advance to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8092. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) that—

(1) creates a new program, project, or subproject,

(2) eliminates a program, project, or subproject,

(3) increases funds or personnel by any means for any program, project, or subproject,

(4) for which funds have been denied or restricted,

(5) relocates an office or employees, or

(6) reorganizes or renames an office; unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) in excess of \$1,000,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or subprojects,

(2) reduces by 10 percent funding for any existing program, project, or subproject or the number of personnel by 10 percent as approved by Congress, or

(3) results from any general savings, including savings from a reduction in personnel costs, which would result in a change in existing programs, projects, or subprojects as approved by Congress;

unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 8093. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8094. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8095. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8097. Of the funds appropriated in the Intelligence Community Management Ac-

count for the Program Manager for the Information Sharing Environment, \$22,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this section: *Provided further*, That the Director of National Intelligence shall notify the Committees on Appropriations of the House of Representatives and the Senate of such transfers pursuant to section pursuant to the reprogramming procedures established in sections 8091 and 8092.

SEC. 8098. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8099. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8100. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to:

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection,

a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8101. (a) PROHIBITION ON CONVERSION OF FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act or otherwise made available to the Department of Defense may be used to begin or announce the competition to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A-76.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the award of a function to a contractor or the conversion of a function to performance by a contractor pursuant to a study conducted under Office of Management and Budget (OMB) Circular A-76 once all reporting and certifications required by section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) have been satisfactorily completed.

□ 1650

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 8101.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Madam Chairman, this month the House has voted twice to strike problematic and anti-competitive A-76 language from H.R. 2112, the Agriculture appropriations bill, and H.R. 2017, the Department of Homeland Security appropriations bill. The same change and reversal of bad language should be adopted in legislation today by striking this anti-competitive language.

My amendment would strike section 8101 of this legislation, which as drafted prohibits the use of funds in the underlying bill to convert any functions performed by Federal employees to private competition pursuant to a study conducted under OMB Circular A-76.

A-76 cost competitions between the public and private sector bring the best value to the taxpayer. Lifting the current moratorium will reform the way the Department of Defense does business, allowing the flexibility to manage the most effective and efficient cost ways in supporting the mission of the Department of Defense. The role of government should be to govern, not to operate business inside the government.

Currently, the Federal Government employs some 2 million executive branch, nonpostal, full-time, and permanent employees; 850,000 of these employees hold jobs that are commercial in nature. The underlying principle of A-76 is that the government should consider private sector performance of commercial services where appropriate. This notion has been consistently embraced by administrations of both political parties for more than 60 years.

Over the past 2 years, the Obama administration has pushed for an insourcing campaign within DOD. Secretary Gates put a halt on that practice recently due to what *Forbes* magazine on March 7, 2011, called, and I quote, “a victim of bad planning and disappointing results.” Two years of shutting out private competition resulted in zero taxpayer savings.

According to a Small Business Administration study, 71 percent of A-76 goes to small business. This work is important, and must be done well, but should be done also where the taxpayer sees results and the cost benefit. Any time Congress places a restriction on agencies’ ability to implement A-76, such action denies opportunity for small business.

Our Nation’s unemployment rate stands at 9.1 percent. We must allow the private sector the ability to create jobs without an unfair disadvantage. The A-76 process allows the private sector just this opportunity. If competition is deemed fair, it doesn’t matter who wins. As long as both sides are allowed equal opportunity for the job, the taxpayer ultimately wins.

I urge all my colleagues to support this commonsense, taxpayer-first amendment, and to ensure that cost-saving competition is available throughout the Department of Defense.

Madam Chairman, I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The gentlemen’s amendment strikes section 8101 from the bill. This section provides that the Defense Department must certify compliance with a fiscal year 2008 law which requires DOD to provide an inventory of its service contracts, review those contracts, and then integrate those results

into the budget process before using the OMB Circular A-76 privatization process. I rise in opposition to the gentleman’s amendment.

This provision is included in the fiscal year 2012 budget request. It requires that DOD exercise responsible stewardship over its contractors by providing an inventory of such contractors, a review of associated contracts, and an explanation of how these contracts are integrated into the budget. The provision requires the Department of Defense to maintain better accountability of the thousands of contractors performing services for the Department every day, and therefore maintain better accountability of funds. Striking this section releases the Department from this responsibility.

And I must tell the gentleman from Texas, who is a good friend, that we had a terrific problem getting the Department of Defense to even be able to tell us how many contractors they have. We had this problem in Iraq, we had this problem in Afghanistan, and we are still struggling. Now they give us a quarterly report of how many contractors and how many contract employees there are.

I have always believed in the A-76 review process. In fact, I had an amendment probably 25 years ago that said after you do A-76, if you contract out to the private company—if they win the competition between the government unit and the private sector—that you have to keep on analyzing what has happened to the cost. And what we found was, as soon as the thing was contracted out, the prices started to go up until we had an auditing process that looked into it. That process was taken out I think in the nineties. So we didn’t have this mechanism to ensure that we were getting the best deal. And there were problems associated with pensions. Could you compare government pensions with private sector pensions?

A lot of this was worked out. But the idea of not being accountable, not having these companies, not having the government, the Defense Department know how many service contractors it has and how much. And if we are going to reduce spending, we have got to know that. We have got to understand that. And I hope that we could continue to work on this problem, because the idea that Congress doesn’t get the information that is necessary to know how many people we have contracted out to is, I think, ridiculous. And I think Congress has to insist that we get this information.

Mr. SESSIONS. Would the gentleman yield?

Mr. DICKS. I yield, of course.

Mr. SESSIONS. I think the gentleman brings up not only very pertinent questions that the gentleman has dealt with throughout his career about how do we effectively utilize taxpayer

dollars, but I would like to suggest to you we are talking about commercial activities, mowing grass, painting buildings, lots of other things too, but doing things which are very essential to the upkeep and operation, but that within the Department of Defense the base commander has a good grasp on this.

Those people that are in the architecture group, those people that are in the operations group, they know who they’re getting. And they’re getting regular people who can come in and do the jobs that are specified, then leave; not have full-time employees that change oil, mow grass, do the painting, do all these things. And not in every location is it advantageous, but in some it is. And we’re talking about where they can use it to their advantage. That’s where this would be utilized.

So NORM, I’d like to spend a little time with you, but where it’s an advantage for the Department, we’re giving them the opportunity. That’s what this amendment’s about.

I thank the gentleman, and I yield back.

Mr. DICKS. I think the A-76 process has been a worthy one. Sometimes the contractor wins, and sometimes the unit of government reorganizes itself, and they compete, and it comes out that the government wins. So I think the A-76 process has worked. I hate to see us get rid of that.

Now, the other thing is, I think the Department has to do a better job of accountability, of being able to report how many civilian employees, how many military employees, how many contractors.

The Acting CHAIR. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. That is what I am trying to get to. I think the idea that they can submit their budget but not be able to tell us how many contractors there are, how many contract employees there are, is just ridiculous.

Mr. SESSIONS. Would the gentleman yield?

Mr. DICKS. Yes, I yield.

Mr. SESSIONS. If you want to get your grass mowed at a big base, where you have a lot going on, do you care how many employees, or just that you have the guy that’s supposed to cut the grass, you hold him accountable even if he has 80 people working for him? That’s the point that we’re trying to make. You don’t have to know how many employees. You have to know that it got done at the right price. We’re not doing away with the A-76 process. Your points are well made. The gentleman is dead on, and I appreciate him yielding.

Mr. DICKS. I agree with the gentleman. If we can get a better deal,

let's try to get a better deal. If we can do it less expensively, we can do it less expensively.

I yield back the balance of my time.

□ 1700

Mr. NADLER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I am sort of surprised by this amendment. It seems to me that if we want to have control over the contracts in the procurement process, if we want Congress to be able to know what is going on, if we want to be able to save money, which is what we keep talking about, you want the process that we have here.

Perhaps you want an improved process, but you want an inventory. I mean, certainly no one will deny that some, perhaps many, of the private contracts that the Pentagon lets have been wasteful. Many have not been, but certainly an inventory so that Congress can keep a closer eye on it is calculated to reduce the waste, to reduce the wasteful expenditures, to enable us to have better oversight.

So why you would want to change that? And I am given to understand that this provision originated with the Republican Congresses during the Bush administration, and, frankly, it was a good innovation. Congress ought to be able to watch more closely what any government agency that is spending the kind of money the Pentagon is spending, hundreds of billions of dollars, much of it to private contractors—we ought to be able to watch what they're doing, watch what they're doing more closely, keep an eye on it, and be able to rein it in and say, hey, wait a minute, that contract is being well administered but that one isn't; that contract we have a lot of questions about. So why would we want to eliminate that provision that has worked well?

Now, granted, it hasn't worked as well as we have wanted. Granted, we ought to improve it. Perhaps some of you can come up with an amendment with some language that would improve it.

But to get rid of it, to say we don't need that oversight, we don't need that inventory of contracts, let the Pentagon do that in the dark of night, let the Pentagon have their contracts, let their contracts and no one look at it? It seems to me rather unfrugal, rather wasteful, and not calculated to save the taxpayers money. Why would we want to do that? I don't know; so I have to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 8102. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the fiscal year 2012 no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than \$3,000,000, within the intelligence community without the approval of the Business Transformation Investment Review Board.

(b) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

SEC. 8103. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$132,200,000, shall be available for transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8105. The Secretaries of the Army, Navy, Air Force, and the Directors of the Defense Agencies and Field Activities (in coordination with the appropriate Principal Staff Assistant), in coordination with the Under Secretary of Defense for Personnel and Readiness, shall report to the congressional defense committees within 60 days of enactment of this Act their plan for documenting the number of full-time contractor employees (or its equivalent), as required by United States Code title 10, section 2330a.

SEC. 8106. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 124 Stat. 1871), as amended by Public Law 112-10, is amended by striking “2 years”

both places it appears and inserting “3 years”.

SEC. 8107. The Office of the Director of National Intelligence shall not employ more Senior Executive and General Schedule 15 equivalent employees than are specified in the classified annex: *Provided*, That, notwithstanding any other provision of law, the Office of the Director of National Intelligence shall select individuals for Senior Executive positions in a manner consistent with all requirements established in statute and all Office of Personnel Management regulations, guidance and procedures governing the appointment of individuals to the Senior Executive Service for other Federal agencies: *Provided further*, That the Director of National Intelligence shall certify within 90 days of enactment of this Act to the Committees on Appropriations of the House of Representatives and the Senate that the Office of the Director of National Intelligence, in consultation with the Director of the Office of Personnel Management, has revised its selection process for Senior Executive positions to conform with Office of Personnel Management regulations, requirements, and procedures: *Provided further*, That during fiscal year 2012, the Office of the Director of National Intelligence shall not appoint any individual to a Senior Executive position if that person was not serving in a Senior Executive position in fiscal year 2011 until the Director of National Intelligence has submitted its new policies and procedures to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8108. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8109. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8110. Of the amounts appropriated for Military Personnel under title I of the Act, not to exceed 1 percent of each appropriation shall remain available until September 30, 2013.

SEC. 8111. Of the amounts appropriated for “Operation and Maintenance, Defense-Wide”, \$33,000,000 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, to include addressing the need for vehicles and supplies for civilian student transportation, preservation and repository of artifacts unearthed during military construction, and construction of a mental health and substance abuse facility.

SEC. 8112. None of the funds made available by this Act may be used by the Secretary of Defense to operate more than 1,000 parking spaces provided by the combination spaces provided by the BRAC 133 project and the lease of spaces in the immediate vicinity of the BRAC 133 project.

SEC. 8113. (a) None of the funds provided in this title for Operation and Maintenance may be available for obligation or expenditure to relocate Air Force program offices, or acquisition management functions of major weapons systems, to a central location, or to any location other than the Air Force Material Command site where they are currently located until 30 days after the Secretary of the Air Force submits the initial report under subsection (b).

(b) The Secretary of the Air Force shall submit to the congressional defense committees a report which includes the following: a listing of all Air Force Material Command functions to be transferred and an identification of the locations where these functions will be transferred from and to; a listing of all Air Force Material Command personnel positions to be transferred and an identification of the locations these positions will be transferred from and to; and the cost benefit analysis and the life-cycle cost analysis underpinning the Secretary of the Air Forces decisions to relocate Air Force Material Command functions and personnel.

SEC. 8114. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume monthly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance federal civilian personnel salaries to the congressional defense committees.

SEC. 8115. In addition to amounts provided elsewhere in this Act, \$10,000,000 is hereby appropriated, for an additional amount for "Research, Development, Test and Evaluation, Army", to remain available until September 30, 2013. Such funds may be available for the Secretary of the Army to conduct research on alternative energy resources for deployed forces.

SEC. 8116. (a) None of the funds appropriated in this Act for the National Intelligence Program or the Military Intelligence Program are available to establish a new federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense or intelligence FFRDC, and no paid consultant to any defense or intelligence FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to a National Intelligence Program or Military Intelligence Program from any source during fiscal year 2012 may be used by a defense or intelligence FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the National

Intelligence Program or Military Intelligence Program during fiscal year 2012, the total level of funding and staff years of technical effort (staff years) for FFRDCs shall not exceed the allocation included in the classified annex accompanying this Act.

(e) The Secretary of Defense and the Director of National Intelligence shall, with the submission of the fiscal year 2013 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each FFRDC during that fiscal year and the associated budget estimates for the National Intelligence Programs and Military Intelligence Programs: *Provided*, That such information shall be provided in a classified manner.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for National Intelligence Program and Military Intelligence Program FFRDCs is hereby reduced by the amount specified in the classified annex.

SEC. 8117. The Secretary of Defense shall study and report to the Congressional Defense Committees the feasibility of using commercially available telecommunications expense management solutions across the Department of Defense by March 1, 2012.

SEC. 8118. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

SEC. 8119. None of the funds appropriated in title II in this Act for "Operation and Maintenance" may be used for Information Operations/Military Information Support Operations activities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8120. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,000,000,000 of the funds made available in this Act to the intelligence community and the associated Agencies for intelligence functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That such transfers shall be made only in accordance with sections 8091 and 8092 of the Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations of the House of Representatives and Senate for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2012.

SEC. 8121. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by \$501,800,000, the total amount appropriated in title III of this Act

is hereby reduced by \$484,800,000, and the total amount appropriated in title IV of this Act is hereby reduced by \$323,500,000: *Provided*, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8122. In addition to amounts provided elsewhere in this Act, there is appropriated \$250,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

SEC. 8123. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8124. (a)(1) Except as provided in paragraph (2), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(3) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(6) has agreed to share any information with the United States that—

(A) is related to the individual or any associates of the individual; and

(B) could affect the security of the United States, its citizens, or its allies.

(7) has agreed to allow appropriate agencies of the United States to have access to the individual, if requested.

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b) relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(d) For the purposes of this section:

(1) The term "individual detained at Guantanamo" means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the effective control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term "foreign terrorist organization" means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8125. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used to modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 8126. (a) IN GENERAL.—Of the funds made available to the Department of Defense under "Operation and Maintenance, Defense-Wide" in title II, \$1,000,000 shall be available to the Department to commission through a competitive, independent, private sector entity that is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in military affairs, to conduct a forward-looking, independent assessment of the current and prospective situation on the ground in Afghanistan and Pakistan, its impact on the surrounding region, and its consequences for United States interests. The entity shall examine 4 broad topic areas to include the strategic environment in and around Afghanistan and Pakistan, as well as security, political, and economic and reconstruction developments in those 2 countries.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the entity described in subsection (a) shall submit to the President and the Congress a report on the assessment conducted under subsection (a), including relevant policy recommendations relating thereto.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the entity described in subsection (a) should be modeled on the Iraq Study Group.

SEC. 8127. Not more than \$200,000,000 of the funds made available by this Act may be expended for military musical units (as defined in section 974 of title 10, United States Code).

□ 1710

AMENDMENT NO. 31 OFFERED BY MR. CARTER

Mr. CARTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 8127 (page 122, lines 6 through 9), relating to military musical units.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chair, I rise to address an issue that I think is very important to the patriotic men and women who fight and defend our country.

Representative MCCOLLUM, in good graces, asked that we restrict the military band funding by \$120 million in an attempt to save money, but the Congressional Budget Office has informed us that this reduction, this \$120 million reduction, will not save the American taxpayers one red cent, nor will it reduce the overall DOD spending.

The facts about our bands are that they are an integral part of the patriotism that keeps our soldiers' hearts beating fast. For example, over 10,000 funerals are held per year, and these bands attend these funerals. And many

of us, unfortunately, in this body have had to attend military funerals in the past, and they know how much that music means to the parents of the loved ones of our lost heroes.

I have had the real great pleasure of being at welcome home celebrations at Fort Hood, which are very dramatic. The buses pull up at night across the parade ground in the dark, and then the band strikes up military music and out of the dark comes marching our soldiers into the parade ground. And the tears flow. And parents and children of the soldiers and the loved ones of the soldiers, tears come to their eyes. And that music is an integral part of it. The concerts, the ceremonies, the funerals, and the welcome home celebrations are all part of what makes our military the patriotic body that it is.

The individual bands performed as many as 1,200 musical missions during the 12- to 15-month deployments. Military bands also perform at USO and other places. The number of bands right now in the Army is 132 active duty, 51 National Guard, and 17 Reserve; Air Force, 24; the Navy, 14; and the Marines, 14.

And speaking of the Marines, Friday before last I had the first time opportunity to go to the parade at the Marine barracks here in Washington, D.C., and everyone, every red-blooded American should attend that, and every Member of Congress should attend it. And it was my first chance to do it. And that is the most patriotic-striking thing you will ever experience. And to lose something like that will be a tragedy for this country.

The total cost for the bands is \$320 million, and 282 million of those dollars is personnel cost. Now, something that many don't understand is these band members that perform, and at least two of the services I'm familiar with, the Army and the Marine Corps, have other duties. Some of them in the Marine Corps are riflemen, just like every marine is a rifleman. In the Army, most of these people work in security or military police. And if the bands were not performing, they would still be in the military. They would still have personnel costs, housing costs, and other things that would be part of the DOD expenses. So this is no extra that we are doing here. These people are still going to be employed by the military, and they're still going have to those costs. So that's why there is no real savings here.

But we are saving something that's important to this country and that is this is what makes patriotic people join the military. This is what causes young men and women to have their hearts beat fast on behalf of their country. And to lose our military bands would be a tragedy. And therefore I am asking that we adopt this amendment and that we replace these

funds for these military bands so that we are able to continue this long tradition that goes back to the beginning of our country, to having bands play to celebrate military events.

I yield back the balance of my time.

Mr. YOUNG of Florida. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Madam Chairman, the gentleman's amendment supports the position of the subcommittee, and I support the gentleman's amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. And I do this very reluctantly, but I'm glad that the sponsor of the amendment has arrived, and we will let her talk about this.

Section 8127 limits spending for military bands to \$200 million for fiscal year 2012. Now, that is a lot of money and I'm a person who believes in music, believes in our bands. I have been at Fort Lewis out in my part of the country, now Joint Base Lewis-McChord, for many ceremonies. And there's no question about it; the music really does add to the whole event. But we are in a very tough fiscal period here.

During the full committee markup, this was agreed to by a voice vote. The amendment parallels similar language included in section 599(c) in the House-passed National Defense Authorization Act for fiscal year 2012. So we've had the authorization committee look at it, we've had the Appropriations Committee look at it, and I think that we ought to support the position that came out of the full committee.

I yield back the balance of my time.

Ms. MCCOLLUM. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Fellow Members, this amendment was adopted by voice in committee, and this amendment was not one that I lightly came up with. At a time when we are cutting back on WIC, which is supplements for children, at a time when we are cutting back on education and health care expenses, I kind of felt I had a duty as an appropriator to look at opportunities in which we could cut back on spending. And so I have come up with a few ideas, and I know that they, at times, haven't been the most popular. But one of them was cutting back on the amount of money we spend on military bands.

And I enjoy military bands. I have listened to a lot of them since birth. But the Army alone has over 100 bands, employing 4,600 professional musicians and support staff. The Air Force and

Navy and Marines and the National Guard have dozens of bands with professional musicians we all take great pride in.

Congress needs to conduct oversight on this portion of the budget. It has grown substantially over the years. And I think we need to figure out what is the right note to have with military bands.

So that's why this amendment that I offer that was adopted in full committee did cut, but it also continued to provide \$200 million for the Pentagon to continue this fine tradition.

As families and communities across this country see critical services being reduced or eliminated, including music in public education schools all across this country, I think it is time that we ask the Pentagon to make a small sacrifice in its musical budget. And so I would ask the committee to support the original language of the bill and to reject the Carter amendment.

With that, I yield back the balance of my time.

Mr. NADLER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. I will be brief.

First of all, I'm told that the amount in the bill here, \$200 million, is essentially the amount that is being spent now; so this is not really a reduction.

□ 1720

Secondly, I just want to add one thing to what the gentlelady from Minnesota said. Over the break we just had, I went to a food pantry operated by a church on Coney Island. There was a line out the door of about 70 or 80 people. They were giving food packets 3 days out of every month; 3 days out of every month, and trying to figure out how to scrounge enough money to give food packets 4 days out of every month. And, of course, we are cutting the budget for Women, Infants and Children. We are cutting the budget for food aid. We are cutting the budget for food stamps. We can maintain the military bands and not expand them. We have to keep this in perspective.

Yes, I love John Philip Sousa. I love military bands. I love marching bands. But people have to eat. And we are being savaged in the budget that we are passing and in the negotiations on the debt ceiling. We are being savaged on things for people to eat.

This seems the least we can do.

Mr. CARTER. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding.

I hear what you're saying about these good programs that are being cut and reduced. And if this actually put money in the pockets of those pro-

grams, it would be one thing. But the facts are that the cuts that we do here do not change any amount of spending that the DOD does. These people continue to have military jobs, and they continue to get a paycheck.

Mr. NADLER. Reclaiming my time, the limitation in the bill will simply make sure that it doesn't expand. The fact is that with all of the negotiations going on and the debt ceiling and everything else, there is going to be pressure to cut everything. This amendment simply says we can expand here even though we are cutting far more important things. I think the language in the bill is sufficient. The committee did a wise job. I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CARTER).

The amendment was agreed to.

Mr. YOUNG of Florida. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER) having assumed the chair, Mrs. MILLER of Michigan, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

□ 1730

REAFFIRMING COMMITMENT TO NEGOTIATED SETTLEMENT OF ISRAELI-PALESTINIAN CONFLICT

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 268) reaffirming the United States commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 268

Whereas the policy of the United States since 2002 has been to support a two-state solution to the Palestinian-Israeli conflict;

Whereas a true and lasting peace between Israel and the Palestinians can only be achieved through direct negotiations between the parties and acceptance of each other's right to exist;

Whereas Palestine Liberation Organization Chair Yassir Arafat pledged in a letter to Israeli Prime Minister Yitzhak Rabin on September 9, 1993, that "all outstanding issues relating to permanent status will be resolved through negotiations" a pledge that served as a critical basis for the Israeli-PLO Declaration of Principles signed 4 days later;

Whereas the unity agreement signed by Fatah and Hamas on May 4, 2011, was reached without Hamas being required to renounce violence, accept Israel's right to exist, and accept prior agreements made by the Palestinians (the "Quartet conditions");

Whereas Hamas, an organization responsible for the death of more than 500 innocent civilians, including 24 United States citizens, has been designated by the United States Government as a Foreign Terrorist Organization and a specially designated terrorist organization;

Whereas Hamas kidnapped and has held Israeli sergeant Gilad Shalit in captivity in violation of international norms since June 25, 2006;

Whereas Hamas continues to forcefully reject the possibility of peace with Israel;

Whereas Israel's Prime Minister Benjamin Netanyahu has accepted a two-state solution to the Israeli-Palestinian conflict and has consistently advocated for immediate direct negotiations with the Palestinians, who, in turn, have prevented negotiations by insisting on unprecedented pre-conditions;

Whereas, on April 22, 2009, Secretary of State Hillary Rodham Clinton stated, "We will not deal with nor in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority";

Whereas United States Ambassador to the United Nations, Susan Rice, stated on February 18, 2011, that it was "unwise" for the United Nations to attempt to resolve key issues between the Israelis and Palestinians;

Whereas Palestinian leaders are pursuing a coordinated strategy to seek recognition of a Palestinian state within the United Nations and directly from foreign governments;

Whereas, on December 15, 2010, the House adopted House Resolution 1765, which reaffirmed that the House of Representatives supports a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish state of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition and opposes any attempt to establish or seek recognition of a Palestinian state outside of an agreement negotiated between Israel and the Palestinians;

Whereas current United States law precludes assistance to a Palestinian Authority which shares power with Hamas unless that Authority publicly accepts Israel's right to exist and adheres to all prior agreements and understandings with the United States and Israel;

Whereas the United States annually provides more than \$550 million annually and has provided more than \$3.5 billion cumulatively in direct bilateral assistance to the Palestinians, who are among the world's largest recipients of foreign aid per capita;

Whereas United States aid to the Palestinians is predicated on a good faith commitment from the Palestinians to the peace

process including direct negotiations with Israel;

Whereas Palestinian abandonment of the Quartet conditions and inclusion of Hamas in a government would jeopardize the positive steps the Palestinian Authority has taken in building institutions and improving security in the West Bank in recent years; and

Whereas efforts to form a unity government without accepting the Quartet conditions, to bypass negotiations and unilaterally declare a Palestinian state, or to appeal to the United Nations or other international forums, or directly to foreign governments for recognition of a Palestinian state, violate the underlying principles of the Oslo Accords, the Road Map, and other relevant Middle East peace process agreements, all of which require resolution of the Israeli-Palestinian conflict through direct negotiations only: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms its strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish state of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition;

(2) states its firm belief that any Palestinian unity government must publicly and formally forswear terrorism, accept Israel's right to exist, and reaffirm previous agreements made with Israel;

(3) reiterates its strong opposition to any attempt to establish or seek recognition of a Palestinian state outside of an agreement negotiated between Israel and the Palestinians;

(4) urges Palestinian leaders to—

(A) ensure that any Palestinian government will seek peace with Israel;

(B) cease all efforts at circumventing the negotiation process, including through a unilateral declaration of statehood or by seeking recognition of a Palestinian state from other nations or the United Nations;

(C) resume direct negotiations with Israel immediately and without preconditions; and

(D) take appropriate measures to counter incitement to violence and fulfill all prior Palestinian commitments, including dismantling the terrorist infrastructure embodied in Hamas;

(5) supports the Administration's opposition to a unilateral declaration of a Palestinian state and its use of the veto at the United Nations Security Council on February 18, 2011, the most recent example of a longstanding United States policy of vetoing unbalanced United Nations Security Council resolutions regarding Israel and the Israeli-Palestinian peace process;

(6) calls upon the Administration to announce that it will veto any resolution on Palestinian statehood that comes before the United Nations Security Council which is not a result of agreements reached between Israel and the Palestinians;

(7) calls upon the Administration to lead a diplomatic effort to oppose a unilateral declaration of a Palestinian state and to oppose recognition of a Palestinian state by other nations, within the United Nations, and in other international forums prior to achievement of a final agreement between Israel and the Palestinians;

(8) affirms that Palestinian efforts to circumvent direct negotiations and pursue recognition of statehood prior to agreement with Israel will harm United States-Palestinian relations and will have serious impli-

cations for the United States assistance programs for the Palestinians and the Palestinians Authority;

(9) supports the position taken by Secretary of State Hillary Rodham Clinton on April 22, 2009, that the United States "will not deal with or in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority";

(10) urges the administration to consider suspending assistance to the Palestinian Authority pending a review of the unity agreement; and

(11) reaffirms the United States statutory requirement precluding assistance to a Palestinian Authority that includes Hamas unless that Authority and all its ministers publicly accept Israel's right to exist and all prior agreements and understandings with the United States and Israel.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on House Resolution 268.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of H. Res. 268, sponsored by Majority Leader CANTOR and Minority Whip HOYER, and would like to thank them for their leadership in bringing this important resolution to the floor today.

We face a perilous juncture in the history of the Middle East. Our adversaries are far from dormant, and are focused on an international effort to isolate and demonize Israel. That is why it is all the more important for the United States to stand by our democratic ally at this critical time. So let's get the facts straight, Madam Speaker.

As even Secretary Clinton noted, this Israeli Government has made unprecedented concessions in pursuit of peace. Israel has always been willing and able to make the tough sacrifices. Israel has proven its commitment to peace. Unfortunately, Israel does not have a partner for peace and security as the Palestinian leadership continues to never miss an opportunity to miss an opportunity.

Abu Mazen can utter all the right words to the Obama administration and the Europeans, who appear gullible enough to believe him; but the problem is, whenever the Palestinian leadership, past and present, has actually

been asked to sign a peace agreement with Israel, it has always refused. Abu Mazen also continues to refuse to recognize Israel as a Jewish state, yet demands that Israel recognize a Palestinian state; and the media he controls through the Palestinian Authority publishes a nonstop barrage of anti-Semitic propaganda.

The Palestinian Authority has rejected every offer of peace from Israel. The PA has refused to negotiate directly with Israel. The PA has refused to recognize Israel's right to exist as a Jewish state. It has failed to crack down on violent extremism and anti-Israel incitement. Indeed, it has even tolerated and encouraged such behavior. It has also supported boycotts of Israeli goods, and the Palestinian Authority Prime Minister, whom some consider to be a moderate, even participated in a mass burning of such goods.

Instead of negotiating directly with Israel, the Palestinian Authority is pursuing unilateral recognition of a Palestinian state, from various foreign governments, with an eye to recognition of such a state by the U.N. this fall. Palestinian leaders also keep threatening violence to extract concessions.

Abu Mazen has not only failed to recognize Israel's right to exist as a Jewish state, but recently signed a coalition agreement with Hamas, which is committed to Israel's destruction.

To demonstrate that they are true partners for peace, what Palestinian leaders must do is simple, Madam Speaker—the opposite of what they have been doing: sit down and negotiate directly with Israel, without preconditions; encourage Palestinians to accept Israel instead of tolerating and encouraging violent extremism and anti-Israel incitement; and recognize Israel's right to exist as a democratic Jewish state.

We must no longer demand that Israel take actions or make additional unilateral concessions that would compromise our democratic ally's safety and security.

Recent calls for Israel to return to the 1967 borders are unacceptable and dangerous. Continuing to provide assistance to the Palestinians—assistance amounting to \$2.5 billion in the last 5 years alone—is certainly not the answer. Congress must not agree to the administration's 2012 budget request, which would provide yet another \$400 million bailout to the West Bank and Gaza, including another \$200 million directly to the PA.

There are also many other steps that Congress and the administration can and must take to support our ally Israel and to encourage the advancement of peace and security in the region:

The U.S. could show its support for the Jewish state's sovereignty and

right to exist by moving our Embassy to Jerusalem, Israel's eternal and undivided capital. We should demand that the United Nations stop its relentless activities to demonize Israel and the Jewish people, and put our money where our mouth is.

The most recent example of this bias is a cartoon posted by Richard Falk, which was apparently taken down just minutes ago. The U.N. Human Rights Council has appointed Mr. Falk as an "expert" to investigate and condemn Israel. I'm sure that the viewers could see or they could pull it up on the Internet what this cartoon depicts. It depicts Americans and Jews as blood-thirsty dogs.

This is not the first time that Mr. Falk has spread such venom. He has compared Israel's treatment of the Palestinians to the Holocaust, and has questioned the veracity of the 9/11 attacks, but he continues to work for the U.N. Human Rights Council, with over 20 percent of his expenses and staff support paid for by U.S. taxpayers.

Has the U.N. High Commissioner for Human Rights ever condemned Falk and demanded that he resign his U.N. post? Never. To the contrary, her office has published an attack by Falk on his critics. I understand that he says now that his account was hacked into and that he has taken that drawing down, but I say enough is enough.

The administration should withdraw from the biased Human Rights Council, and Congress should withhold funding from the council and other U.N. bodies that do not advance our national security interests and condition U.S. contributions on real reforms. What a concept.

Finally, Madam Speaker, instead of dealing directly with the Muslim Brotherhood, which seeks Israel's destruction and condemned the killing of bin Laden, the U.S. should deny all legitimacy to that group no matter what fake name or label it now uses as it tries to camouflage itself into a legitimate political party in Egypt.

I am glad that this body is doing the right thing today, Madam Speaker. We have much more to do to defend our national security interests and our indispensable ally, Israel.

I thank the gentleman from Virginia, our distinguished majority leader, for authoring this important resolution.

Madam Speaker, I reserve the balance of my time.

Mr. BERMAN. I rise in strong support of H. Res. 268, the Cantor-Hoyer resolution, and I yield myself 4 minutes.

Madam Speaker, I believe negotiations are the only path to a two-state solution to the Israeli-Palestinian conflict. For this reason, the United States Congress has every reason to be concerned about efforts by the Palestinian Authority leadership to attain recognition of statehood while bypass-

ing the accepted negotiation process. These efforts run counter to the Palestinians' own internationally witnessed commitments at the 1991 Madrid Conference and under the 1993 Oslo agreement and the 2003 Roadmap.

That is but one reason I am deeply disappointed by the Palestinian leadership's recent push to seek recognition of an independent state at the United Nations. Indeed, even some Palestinian officials have acknowledged that such U.N. recognition of statehood gives the Palestinians nothing but an empty symbolic victory.

One thing is clear: There will be no recognition of Palestinian statehood by the Security Council, where I feel confident that the United States would use its veto, just as it has in the past, to prevent the passage of an unbalanced, anti-Israel resolution.

And what exactly would the U.N. General Assembly recognition of a Palestinian state do for the Palestinians? Absolutely nothing. It would not solve the Palestinians' need for recognized borders nor would it solve sensitive issues like the status of Jerusalem, water rights, or Palestinian refugees.

□ 1740

It would not enhance their prospect for successful negotiations. In fact, it would be seen by Israel and many others as an act of bad faith, creating yet another obstacle to successful talks.

As President Obama said in May, "For the Palestinians, efforts to delegitimize Israel will end in failure. Symbolic actions to isolate Israel at the United Nations in September won't create an independent state." A glance at recent history shows that he's right. In 1988, Yasser Arafat declared a state and garnered recognition from more than 100 nations. Now, 23 years later, there is still no Palestinian state. The Palestinian people don't want a bunch of declarations of statehood; they want a state—and they should have one through the only means possible for attaining one, negotiations with Israel.

I believe that Palestinian Authority President Abbas and Prime Minister Fayyad are committed to a peaceful resolution of their conflict with Israel. So I hope they will return to the negotiating table and abandon their flawed U.N. strategy.

The Congress has been very generous in its support of the Palestinian Authority's worthy efforts to build institutions and the economy in the West Bank. In fact, I believe we are the most generous nation in the world in that regard. So I think our Palestinian friends should understand that if they persist in pursuing a unilateralist path, inevitably, and however regrettably, there will be consequences for U.S.-Palestinian relationships.

Madam Speaker, I encourage all of my colleagues to support this important pro-negotiations, pro-peace resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am so pleased to yield 1 minute to our esteemed majority leader and co-author of this resolution, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentlelady, the chairman of the Foreign Affairs Committee, and I thank the leadership of the gentleman from California as well in support of this resolution.

Madam Speaker, we call today on Hamas and the Palestinian Authority to renounce the path they have set in planning to announce statehood in the upcoming United Nations session. By threatening to sidestep the principles of the Oslo Accords, the Palestinian Authority is beginning to dismantle the framework of future peace process agreements.

We have seen the death and destruction that Hamas perpetrated against both Israeli civilians and the Palestinian people in the Gaza Strip, yet Hamas refuses to accept responsibility for its actions or rein in terrorists called to strike at the heart of the Israeli people.

Today, we ask and call upon the Palestinian Authority to return to the negotiating table and join the Israelis in direct discussions to end this conflict. Furthermore, we call on the leadership of the Palestinian Authority to renounce the violence Hamas condones and teaches to its followers.

This resolution, Madam Speaker, directs the Palestinian Authority to be responsible actors on the world stage and to return to negotiations. For far too long, the Palestinian Authority has not acted on behalf of its people. Corruption has caused many to discredit its legitimacy. The people of the region deserve an honest broker that accepts and respects the state of Israel.

Israel has stood by America in its fights against extremist ideology. Madam Speaker, we stand by Israel as our most valued ally in a region in need of more who respect freedom of speech and the free assembly of people, a region that, frankly, must follow the example set by Israel in its work in promotion of human progress.

It is time for the Palestinian Authority to accept a peaceful solution to this conflict and teach their children that violence is never the answer to their problems. The Palestinian Authority must understand that peace is only achievable when they are willing to recognize the legitimacy of Israel to exist as a Jewish state. And they must understand that the solution to this conflict will only come through direct negotiations with the Israelis, and not by circumventing the peace process through international parliamentary gimmickry.

Mr. BERMAN. Madam Speaker, I am pleased to yield 2 minutes to the minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank Mr. BERMAN for yielding. I thank Ms. ROS-LEHTINEN for bringing this resolution to the floor. And I am pleased to join my colleague and friend, Mr. CANTOR, in strong support of this resolution.

I believe there is only one lasting solution to the Israeli-Palestinian conflict, a future of two states for two peoples living in security and peace with one another. Such a solution is in the best interests of regional peace and in the best interests of both parties. That is why I strongly believe that ensuring the long-term viability of the Jewish democratic State of Israel also requires supporting a homeland for the Palestinian people.

History teaches us that in conflicts such as this, one peace must be negotiated. It cannot and will not be imposed from outside or else it will rest on an unstable and temporary foundation. That is why I strongly oppose Palestinian efforts to impose a solution to the conflict at the United Nations, as well as Palestinian efforts to unilaterally declare statehood. I am concerned that a unilateral declaration will only encourage both sides to dig in and put a lasting negotiated peace further at risk.

As President Obama said, and as Mr. BERMAN has quoted—and I want to quote a little more of the President's remarks, but I will repeat some of what Mr. BERMAN said because I think it is relevant—I quote the President of the United States: "For the Palestinians, efforts to delegitimize Israel will end in failure. Symbolic actions to isolate Israel at the United Nations in September won't create an independent state. Palestinian leaders will not achieve peace or prosperity if Hamas insists on a path of terror and rejection. And Palestinians will never realize their independence by denying the right of Israel to exist."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman 1 additional minute.

Mr. HOYER. I believe the President is absolutely correct. By passing this resolution, the House will make it clear that it agrees that a real peace can only come through negotiations between the two sides. That peace will only last if both sides buy into it. We all know that those negotiations have been and are now relatively nonexistent, and they will be difficult even having been entered into. They will be painful. They will require courage and sacrifice on both sides. But the hard way is also the right way. And if there is to be any hope of peace, as surely all of us pray there is, both sides must return to the table without preconditions.

I urge my colleagues to support this resolution. And I will continue to urge America's allies to stand against quick, unilateral, and ultimately un-

stable solutions to the Israeli-Palestinian conflict.

I thank the gentleman and the chair for bringing this resolution to the floor.

Ms. ROS-LEHTINEN. Madam Speaker, I am so honored to yield 2½ minutes to the gentleman from Ohio (Mr. CHABOT), who is also the chairman of the Foreign Affairs Subcommittee on Middle East and South Asia.

Mr. CHABOT. I thank the distinguished chair for yielding. Israel has no greater friend than ILEANA ROS-LEHTINEN from Florida.

Despite some progress that has been made toward ensuring Israel's continued security, critical challenges still exist. Rejectionist elements within the Palestinian leadership still refuse to sit and negotiate in good faith even as Israel repeatedly expresses its commitment to the establishment of a Palestinian state. These elements spurn Israeli overtures and seek to establish a Palestinian state unilaterally through a vote of the U.N. General Assembly.

Although short-term security may be achievable unilaterally, peace is not. Palestinian rejectionism, whether by Hamas or Fatah, must be abandoned. U.S. taxpayer money should, under no circumstances, go to the Palestinian government, whose members do not all abide by the Three Quartet principles: recognizing the state of Israel's right to exist; renouncing terrorism; and abiding by previous agreements.

□ 1750

And just as the U.S. should not support a Palestinian government whose very composition is anathema to peace, so, too, should it not support an institution that offers an easy alternative to genuine peace through negotiations. That is why I recently introduced a resolution calling on the administration to cut all funding to the U.N. General Assembly should it vote to recognize a Palestinian state in direct defiance of the U.N. Security Council and the U.N. Charter. True Israeli-Palestinian peace will only be made between two peoples, Israelis and Palestinians, and not the 191 other members of the General Assembly.

Israel, like the United States, welcomes those who would make peace even as it fights those who would make war. Time and again, Israel has demonstrated its commitment to a Palestinian state living as its neighbor in peace and security, but there are no shortcuts on the path to this outcome, and there is no getting around the hard concessions that will have to be made. The U.S. must now stand with Israel and against those who would obstruct rather than advance the cause of peace.

I urge the adoption of this resolution.

Mr. BERMAN. I am very pleased to yield 1½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, I rise in support of this resolution, which reaffirms support for a solution to the Israel-Palestinian conflict reached through negotiations between the Palestinians and the Israelis, and our opposition to any unilateral declaration of Palestinian statehood, or recognition of such a declaration by the United Nations.

How can a dispute between two peoples ever be resolved by the unilateral decision of one? The path to peace has been clear for many years, and provided for by Security Council resolutions and by the 1993 Oslo Accords signed by the Israelis and the Palestinians. All these agreements provide for settlement negotiated between the parties, a settlement that will result in two states, a Jewish state of Israel and a state of Palestine.

Unilateral declaration of a Palestinian state is a way of avoiding negotiations on the tough issues: final borders, secure borders, Jerusalem, and the status of the Palestinian refugees of 1948 and their descendants. It is an attempt by the Palestinians to delegitimize Israel, to impose indefensible borders unilaterally, and to get their state while retaining the ability to keep fighting Israel and to use the refugees' alleged "right of return" to undermine the survival of Israel as Jewish state.

The Palestinian Authority should instead explain to its people that a Palestinian state can be achieved only by conceding the right of a Jewish state to live in peace and security next door. And, for that to happen, there must be a negotiated agreement recognizing two states for two peoples. Evading a negotiated agreement is a formula for future war.

I urge all Members to support this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), who is also the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights.

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Madam Speaker, I rise today in strong support of H. Res. 268, and deeply appreciate Majority Leader CANTOR; STENY HOYER; obviously the chairwoman, ILEANA ROS-LEHTINEN; and Mr. BERMAN, the ranking member, for authoring this resolution reaffirming the U.S. commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations.

H. Res. 268 speaks in very clear, unambiguous language about what this means: It means settlement through direct Israeli-Palestinian negotiations rather than through a highly misguided, counterproductive, unilateral Palestinian declaration of statehood,

or by Palestinians seeking recognition from other states or through the United Nations, sadly, the latter, a haven of anti-Israel and even sometimes anti-Semitic activity.

Direct Israeli-Palestinian negotiations have been a keystone of U.S. and Israeli policy toward the region for decades, and even PLO Chair Yasser Arafat pledged to accept this way back in 1993. Unfortunately, Hamas in its 2011 unity agreement with Fatah did not accept this commitment, nor did it renounce violence.

Madam Speaker, H. Res. 268 also outlines what a negotiated settlement should entail: negotiations in which each accepts the other's right to exist, and which are aimed at a two-state solution. Again, these have been key points of U.S. and Israeli policy, but Hamas, a State Department foreign terrorist organization, has rejected them.

The fact is, Madam Speaker, that U.S. law precludes foreign assistance to a P.A. which shares power with Hamas unless the P.A. publicly accepts Israel's right to exist and adheres to all prior agreements between Israel and the PLO. The U.S. Government has been extremely generous to the P.A., providing over \$550 million annually.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. SMITH of New Jersey. So the resolution wisely reaffirms this law and urges the administration to consider suspending assistance to the P.A. pending a review of the unity agreement between Fatah and Hamas.

It is our policy, and it is Israel's policy, Madam Speaker, to promote a realistic, sustainable peace process, one that entails negotiations between the two parties to the conflict, represented by groups that seek a two-state solution, and renounces violence. Hamas has shown none of that.

Mr. BERMAN. I am very pleased to yield 1 minute to the gentlelady from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today in support of H. Res. 268.

This important resolution reaffirms our Nation's unwavering commitment to a negotiated settlement of the Israel-Palestinian conflict, which can only be achieved through direct Israeli-Palestinian peace talks.

Since 1948, when the United States became the first country to recognize the Jewish State of Israel, we have always stood by her side as a strong ally and friend. This resolution is no exception. As each day brings a new set of complex changes to the Middle East, it is more vital than ever that we protect and strengthen that friendship. From insisting that Hamas reject terrorism and accept Israel's right to exist, to supporting the Obama administration's

opposition to the unilateral declaration of a Palestinian state, H. Res. 268 reaffirms the sense of the Congress and the Obama administration that we must continue to stand strong with our democratic ally against hostile enemies and attempts at delegitimization.

In doing so, we continue to demonstrate our stalwart support that we have provided as a country for more than six decades.

Ms. ROS-LEHTINEN. Madam Speaker, it is indeed an honor to yield 1 minute to the gentleman from Florida, my colleague, Colonel WEST, an American hero.

Mr. WEST. I thank the gentlelady for yielding.

Madam Speaker, I stand today in support of House Resolution 268, which does reaffirm the strong support of this body politic to a negotiated solution for Israel and Palestine.

The important thing that we have to see happen, though, is to urge the Palestinian leaders to first and foremost ensure that any Palestinian government will seek peace with Israel, as we sat here and listened to Prime Minister Netanyahu say, "There will not be peace until we have a dedicated peace partner."

The second thing, we must make sure that the leaders of the Palestinian people cease all efforts at circumventing the negotiation process, including through a unilateral declaration of statehood or by seeking recognition of a Palestinian state from other nations or the United Nations.

But third, and probably most important, that the Palestinian leaders must take appropriate measures to counter the incitement to violence and fulfill all prior Palestinian commitments, including dismantling the terrorist infrastructure that is embodied with Hamas.

Israel is a bright and shining beacon which is in a sea of despots, dictators, theocrats, and autocrats. The Palestinian leaders can choose to be a part of this light.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to a member of the House Foreign Affairs Committee, the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the ranking member.

I rise today in support of House Resolution 268 that affirms the United States' support for a negotiated solution to the Israel-Palestinian conflict.

Setting preconditions on negotiations is just an excuse to maintain the status quo. If President Abbas is serious about peace, then he should focus all of his energies and all the energies of his people on negotiations with Israel. An agreement won't be easy, but the outlines of an agreement are well-known. All that is really necessary now is leadership from both sides.

So this leadership sets firmly U.S. policy. We are a rock solid friend of Israel, and anyone else who seeks peace with them. But this also means that we stand against those who seek to circumvent the peace process by running to the U.N. General Assembly for a declaration that may score political points but is going to set back the peace process for years.

Now more than ever, Madam Speaker, with turmoil on every border of Israel, we need to stand with them as an ally. We want peace. Israel wants peace. Peace can only happen with negotiations. All we are missing is a true Palestinian partner.

□ 1800

Ms. ROS-LEHTINEN. I would like to yield 2 minutes to another Florida colleague (Mrs. ADAMS), a veteran of the U.S. Air Force.

Mrs. ADAMS. Madam Speaker, I rise today in support of H. Res. 268, which would reaffirm America's commitment to a negotiated solution to the Israeli-Palestinian conflict resulting in two states: a democratic Jewish State of Israel and a democratic Palestinian state living in peace and mutual recognition.

For six decades, throughout 12 American Presidents and 12 Israeli Prime Ministers, Israel has stood as a beacon of democracy in an unstable region and has remained a loyal and committed friend to the United States. As Americans, we must continue to honor the promise of democracy and liberty around the world—we owe no less than that to our closest friend in the Middle East. This is why we'll continue to stand with Israel, continue to honor our friendship, and to continue my commitment to encouraging a negotiated peace that both the Israelis and the Palestinians have agreed to—not one that is imposed upon them.

The United States should not and cannot dictate how peace can be reached with the Palestinians, especially when they are willing to allow Hamas, a terrorist organization, to participate in any of their elections. This is why I strongly disagree with the President's strategy to force Israel into a peace they have not negotiated.

Again, I want to rise in support of H. Res. 268. I believe that the only peace will be a negotiated peace between Israel and the Palestinians without any influence of terrorists.

Mr. BERMAN. I am very pleased to yield 1 minute to my friend and partner in so many of these efforts, the gentlelady from New York, the ranking member of the House Foreign Operations Subcommittee of Appropriations, Mrs. LOWEY.

Mrs. LOWEY. Madam Speaker, I rise in strong support of the resolution, and I thank the ranking member for his leadership, and the chair.

Last week I traveled to Israel, where I saw the determination, ingenuity,

and resourcefulness of that young nation. In a volatile region, Israel is a strong democracy. Despite many setbacks, the country still longs for peace. Yet unilateral actions by the Palestinian Authority diminish prospects for negotiations and threaten progress.

We must do everything within our power to stand by our ally Israel, to persuade the Palestinians to abandon their efforts in the U.N., break with the terrorist group Hamas, and return to the negotiating table with Israel without preconditions. This resolution is a strong statement in support of peace. I urge my colleagues to vote "yes."

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Speaker, I rise today in strong support of House Resolution 268.

This resolution reaffirms congressional support for direct negotiations between Israeli and Palestinian leaders in an effort to achieve peace in this over six-decade-long struggle.

While the Palestinian pursuit of a state is understandable, the attempt to bypass the peace process by going first to the United Nations is inappropriate. It is a disgrace and an offense to the U.N. Charter and all acceptable norms of international law to create or recognize a state that itself will not first forsake terrorism, violence, ethnic hatred, and genocide.

If a vote for Palestinian statehood comes to the U.N. Security Council, the U.S. must veto and do so until a peace agreement is achieved and maintained between the Israelis and the Palestinians.

Now is not the time for either party to remove themselves from the negotiating table. Peace will not be attained with only one side seeking it. I urge my colleagues to reassert American commitment to direct negotiations by supporting H. Res. 268.

Mr. BERMAN. Madam Speaker, may I ask for the time remaining on each side.

The SPEAKER pro tempore. The gentleman from California has 9 minutes remaining, and the gentlewoman from Florida has 3½ minutes remaining.

Mr. BERMAN. I am pleased to yield 1½ minutes to the gentleman from Florida, a member of the House Foreign Affairs Committee, Mr. DEUTCH.

Mr. DEUTCH. I thank the ranking member from California, and I thank the chair of the committee.

Madam Speaker, I rise to support House Resolution 268, reaffirming our Nation's unyielding support for our great ally Israel. Madam Speaker, the lack of progress in the peace process thus far stems from the Palestinians' refusal to negotiate despite historic Israeli concessions. They could choose dialogue, they could choose peace—in-

stead they have chosen violence and hatred by partnering with Hamas.

Israel cannot be expected to negotiate with an organization that refuses to accept the internationally recognized Quartet principles, continues to murder innocent Israelis, and refuses to free Israeli soldier Gilad Shalit.

This resolution comes to us as the PA pursues plans to avoid direct negotiations altogether and unilaterally declare statehood at the United Nations.

Madam Speaker, just weeks ago here in this Chamber, Israeli Prime Minister Netanyahu reminded us what we clearly already know—that peace cannot be imposed; peace must be negotiated. By passing this resolution, Congress will uphold this principle, will reaffirm our commitment to Israel's security, and will express our unyielding support for the Israeli people in their quest for a true and lasting peace. I urge a "yes" vote on this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 1 minute to the distinguished member of our committee, the ranking member of the Western Hemisphere Subcommittee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I rise in strong support of the resolution.

I come from the premise that if you want to work out a disagreement, you sit face to face at the negotiating table and negotiate. That's what happened in Ireland, and it should happen in the Middle East.

But the Palestinians are playing their cute little games. They want to establish a lot of preconditions, they want to make excuses not to sit and talk with Israel, and they think they can impose this at the U.N. and impose statehood without face-to-face negotiations.

So I say "no" to excuses, "no" to 1967 lines, "no" to all kinds of preconditions before Palestinians will even sit down and talk.

The only way, if the Palestinians are truly wanting peace, they have a willing partner in Israel. As Prime Minister Netanyahu said, There is no Palestinian state not because we don't support one; it's because the Palestinians won't recognize the Jewish State.

So I believe in two states side by side: a Jewish State of Israel and an Arab-Palestinian state. And, again, that can only happen with face-to-face negotiations. No preconditions. Let the parties sit down and talk.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1½ minutes to the gentleman from Texas, a former member of the Foreign Affairs Committee, Mr. GREEN.

Mr. GENE GREEN of Texas. I thank my colleague, the ranking member on

the Foreign Affairs Committee, for allowing me to speak.

I rise in strong support of H. Res. 268, a resolution reaffirming our Nation's commitment to a negotiated settlement of the Israeli-Palestinian conflict.

As cochair of the Democratic Israel Working Group, I would like to thank my colleagues, both Republican Leader ERIC CANTOR and our Democratic Whip STENY HOYER, for bringing this important bipartisan resolution to the floor.

I have been to Israel and the West Bank on numerous occasions. I can personally vouch for the desire of the people of Israel and the Palestinian territories to come to a peaceful settlement that will end decades of discord and violence.

A negotiated two-state settlement between the Israelis and Palestinians is the keystone of the peace process. It is the official policy of the U.S. government, the Israeli government, and, until recently, the Palestinian Authority.

Only through direct negotiations can difficult compromises be reached on core issues like borders, water, refugees, the status of Jerusalem, and security. Attempts to bypass direct negotiations and seek recognition of a unilaterally declared Palestinian state by the U.N. General Assembly will not help the Palestinian people. Instead, such a declaration will undermine the peace process and endanger the security and well-being of the very people it claims to support.

□ 1810

A unilaterally declared Palestinian state will lead to a greater height in tensions, turn the region into a powder keg, and invite terrorist groups such as Hamas and Hezbollah to take advantage. I urge my colleagues to support this resolution.

Mr. BERMAN. Madam Speaker, I yield 1½ minutes to a member of the committee, the ranking member of the Oversight Committee, the gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Madam Speaker, I rise to support H. Res. 268 and call upon my colleagues to strongly support this resolution.

It reaffirms the long-held U.S. commitment to Israel and the negotiated settlement by and between the Israelis and Palestinians. The future of Israel is inextricably linked to that of its neighbors in the Middle East and North Africa. With gas prices rising, conflicts in that region have a direct impact on Americans here at home.

I have long supported a two-state solution to the conflict, with Israel as the recognized home of the Jewish people and a strong Palestinian state to promote the well-being of the Palestinians as well.

The U.S. and our allies must support this process. We must allow the two

parties to come together and negotiate a settlement. This is the best avenue to achieve a lasting peace. I want to say that I strongly oppose Palestinian attempts for unilateral recognition through the U.N. that would delegitimize this peace process.

A fellow Missourian, Harry Truman, recognized Israel within minutes of its declaration of independence. We must continue this kind of support for Israel and for our allies striving for peace together. I urge support of this resolution and look forward to working with my colleagues on both sides of the aisle on this issue in the months ahead.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank my very good friend from California for yielding me the time.

Madam Speaker, the Middle East peace process is at risk of collapse, and I believe that only American leadership can save it. Both sides can and should do more to restart negotiations.

House Resolution 268, despite the fact that it has virtually unanimous support from this body and includes a laudable reaffirmation of the United States' commitment to a negotiated solution to the conflict, in fact falls short of the kind of leadership that I believe is needed. This resolution chastises the Palestinians for seeking to bridge the divide in their own community and for pursuing recognition of their state at the United Nations.

On the first point, I think we should give the Palestinian Authority, which has done an impressive job of developing institutions and its economy in the West Bank, some credit. They have tried to provide the leadership to pursue the goals that we have encouraged them to do; and they have, I think, done so in terms of developing democratic institutions in a way that we should be proud of because we had a role in that, a major role.

There is no indication they have any inclination to allow Hamas to jeopardize those gains that have been achieved in the West Bank. And thus far the reconciliation agreement between Hamas and Fatah has yet to yield any progress on a unity government. In fact, at this point it is unclear that it really will. So in many ways, the purpose for bringing forth this resolution is moot.

Should Hamas be invited to join a Palestinian unity government without accepting the conditions of The Quartet, the European Union, the United Nations, United States, Russia, those are the internationally designated bodies that have come forward with an agreement we have agreed to, if they invite Hamas to join a coalition government without accepting the conditions that we insist upon, it will have

very serious implications for our relationship. And that should be the reason why we should cut off financial aid.

In 2006, Palestinian elections, which in fact were advanced by the Bush administration, are what brought Hamas into power. In reaction, the United States, as well as The International Quartet, suspended assistance to the Palestinian Authority. And the Obama administration is continuing that policy. There is no aid going to Gaza.

We need to recognize that Palestinian unity is crucial to a long-term peace. Gaza's separation from the West Bank, though, has made it impossible to advance meaningful negotiations with Israel.

Madam Speaker, there is insufficient time to lay out the other argument.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. Madam Speaker, I yield the gentleman an additional 15 seconds.

Mr. MORAN. Madam Speaker, there is insufficient time to lay out the other side to what has been presented. I don't particularly have strong disagreement with many of the points that have been made, but I do think there is another perspective to this. It ought to be advanced in this body.

I thank my good friend for yielding me the time.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 45 seconds.

Mr. BERMAN. There are two important issues raised by this one resolution. One seems a little more distant than it did at the time it was introduced, and that was the possibility of a unity government that included an organization that is on our terrorist list, that subscribes to violence, to the elimination of the State of Israel, and refuses to recognize past agreements in a unity government. Hopefully, that agreement, the chances of it are diminishing.

The second point is a strategy which violates the Palestinians' own commitments that they made in Madrid, that they made part of the roadmap, that were made in the context of the Oslo agreements that they will negotiate directly with the Israelis to resolve this conflict. I think it is all appropriate to point out that should they pursue that course, the assistance that we have very generously given them, that they have put to good use, might well be terminated.

I urge an "aye" vote on this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BURTON), who is also the chairman of the Subcommittee on Europe and Eurasia in our Committee on Foreign Affairs.

Mr. BURTON of Indiana. I thank my chairman for yielding.

Israel's right to exist, Madam Speaker, should be guaranteed. And Israel has tried to work out over the years a peace agreement with the Palestinians so that there could be a two-state solution. In fact, twice, once during the term of Prime Minister Barak and again during the term of Prime Minister Olmert, Israel offered the Palestinians a very generous and fair final settlement. Both times those offers were flatly rejected and met with violence.

And what have the Palestinian Authority and the Palestinians done recently? They went and signed an agreement with Hamas. Hamas is a terrorist organization that has been lobbing bombs and missiles into Israel, trying to destroy the Israeli state. They are committed to the destruction of Israel. And the Palestinians have signed an agreement on May 4 of this year to work with them.

Israel went that extra step when they allowed Gaza to be turned open. And what happened right after that took place? Hamas came in there and took over and started attacking Israel day after day. Innocent women and children were running constantly from bombs being dropped on them because Gaza had been set in a position where they could open up to Hamas.

And so you have got a constant demand by the terrorists—Hamas, Hezbollah and others—to destroy the State of Israel. And Israel has been a great ally of the United States since its inception in 1948.

□ 1820

We need to send a very strong signal—I think we are doing it right now today—a very strong signal that this country, this Congress, and the Senate supports the State of Israel and does not want the Palestinians to go to the United Nations and try to have a unilateral settlement made by that body. This is something that has to be worked out at the conference table between Israel and the Palestinians and not at the United Nations.

So I would just like to conclude by saying that Israel is our best friend and ally in the Middle East. They are a stable element in the Middle East. We need to support them and make absolutely sure that Hamas, Hezbollah, and the other terrorist organizations do not have their way and destroy the State of Israel.

We are committed to that, this Congress is committed to that, and this whole debate has shown very clearly that almost unanimously the people of the United States stand with Israel.

Ms. BERKLEY. Madam Speaker, I rise today in support of H. Res. 268, reaffirming the United States' commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations.

We all know that the only way to achieve a true and lasting peace between Israel and the Palestinians is through direct negotiations between the parties. But the Palestinians have been refusing to negotiate with Israel for over a year, using excuse after excuse to stay away from the bargaining table. The Israelis, meanwhile, have accepted the principle of a two-state solution and have pushed for immediate, direct negotiations with the Palestinians.

If I were the Palestinian leadership, which claims simply to want an independent state, I would be clamoring for immediate, direct negotiations. Nothing could stop me from sitting down at the negotiating table and finding a lasting settlement to these issues so that my people could finally achieve statehood.

But while Israel waits for a partner at the bargaining table, the Palestinians have turned away and instead asked that the United Nations prematurely recognize a Palestinian state, though its borders have not been determined, the status of Jerusalem has not been settled and the Palestinians still insist on an unprecedented "right of return" for refugees. Further, Israel still faces real threats to its security in the form of terror attacks: between April and July of this year alone, Israel was on the receiving end of hundreds of missiles fired from Gaza. The Palestinians' end-run around the negotiations is just another attempt by the Palestinians to gain the upper hand and embarrass Israel rather than finding a peaceful solution to this tragic conflict.

Complicating matters further is the agreement signed between Fatah and Hamas, a terrorist organization, to form a unity government within the Palestinian Authority. Israel cannot be expected to negotiate with terrorists, and no one should ask them to do so. And yet, PA president Mahmoud Abbas decided to cast his lot not with the moderates but with the extremists and terrorists who seek Israel's destruction, rather than a peaceful solution to the conflict.

The United Nations and the world community must reject Hamas as a legitimate representative of the Palestinians and must turn back any Palestinian attempts to avoid the negotiating table. We must insist on immediate, direct negotiations as the only path to peace. I therefore urge strong support for this resolution.

Mr. PRICE of North Carolina. Madam Speaker, I do not intend to oppose this measure because I agree with its basic premise: that the United States Congress strongly supports a negotiated two-state solution to the Israeli-Palestinian conflict and opposes any action that will make such an outcome harder to achieve.

However, I have serious reservations about several of the assertions this resolution makes—as well as those it doesn't make—about recent developments in, and U.S. policy toward, Israel and the Palestinian territories. These concerns are more than abstract: at a time of generational change in the Middle East, the positions that this Congress takes on an issue of such vital importance will have lasting implications for our nation's goals and interests in the region.

For two decades, irrespective of which party has controlled the White House or Congress, the central aim of U.S. policy toward the

Israeli-Palestinian conflict has been to encourage a negotiated resolution based on the principle of a democratic, Jewish state of Israel living side by side in peace and security with a viable, democratic Palestinian state. Republican and Democratic presidents alike have affirmed that such an outcome will only be achieved through direct negotiations between the two parties, and have opposed any action by either side that undermines or diminishes the prospects for a negotiated peace.

To be sure, the Palestinian leadership's intent to pursue diplomatic recognition at the United Nations qualifies as such an action, and on this point I agree with the sponsors of this resolution. I also share their concerns about the prospect of a Palestinian unity government that does not recognize Israel's right to exist or renounce violence against innocent civilians. Either development would represent a major setback for the peace process as we know it, and Congress is right to warn Palestinian leaders about the consequences of their course of action.

But as usual, the resolution before us today tells only half the story. It says nothing about Israel's responsibility to act as a serious negotiating partner and abide by its previous commitments under the Road Map and other agreements. It says nothing about Israel's refusal to halt settlement construction in order to allow direct negotiations to resume—even when the Obama Administration offered a lavish package of aid and assurances for Israel to do something that was manifestly in its own interest to begin with. It condemns the Palestinian president for his unilateral actions while failing to comprehend that it has been Israel's intransigence that has led him to view the United Nations as his only recourse. And as usual, the resolution has been rushed to the floor without any serious debate or any opportunity for input from the many members of this body who care about this critical issue.

This resolution is also being considered at a pivotal moment in the history of the peace process, as well as the history of the broader Middle East. After years of false starts and broken promises, the prospects for a negotiated peace appear as dim today as at any time in recent memory, and may grow dimmer still as the political winds in the Arab world shift in unpredictable ways. Now, perhaps more than ever before, strong and decisive U.S. leadership is needed to persuade both sides of the urgency of the moment and bring them back to the negotiating table. It is only a matter of time before there is no table left around which to negotiate.

Yet instead of urging the President to redouble his commitment to the pursuit of peace, we are urging him to lead a diplomatic initiative to oppose Palestinian recognition. Instead of encouraging him to bring the full weight of American ideas, influence, and resources to bear on this critical issue, we are asking him to suspend U.S. assistance to the Palestinian Authority—the very assistance that has been so essential to laying the foundations for a future Palestinian state. Instead of congratulating him for his efforts to revive the stalled negotiations by outlining his ideas for the boundaries of a future Palestinian state, too many of my colleagues seem more interested in manufacturing a controversy for political

gain. Unfortunately, the current Israeli prime minister seems all too willing to play along, despite the fact that the two previous U.S. presidents—not to mention at least two former Israeli prime ministers—have advocated positions nearly identical to that outlined by President Obama.

So while I will cast my vote in favor of H. Res. 28, I am reminded of the story of Nero playing the fiddle as Rome burns. The Middle East is transforming before our eyes, and the window of opportunity for the United States to achieve a just and lasting resolution to this age-old conflict may be closing rapidly. We should seize this moment of opportunity and recommit ourselves to the pursuit of peace before it is too late.

Mr. PAUL. Madam Speaker, I rise in opposition to this resolution. While I certainly share the hope for peace in the Middle East and a solution to the ongoing conflict, I do not believe that peace will result if we continue to do the same things while hoping for different results. The U.S. has been involved in this process for decades, spending billions of dollars we do not have, yet we never seem to get much closer to a solution. I believe the best solution is to embrace non-interventionism, which allows those most directly involved to solve their own problems.

This resolution not only further entangles the U.S. in the Israeli/Palestinian dispute, but it sets out the kind of outcome the United States would accept in advance. While I prefer our disengagement from that conflict, I must wonder how the U.S. expects to be seen as an “honest broker” when it dictates the term of a solution in such a transparently one-sided manner. In the resolution before us, all demands are made of only one side in the conflict. Do supporters of this resolution really believe the actors in the Middle East and the rest of the world do not notice? We do no favors to the Israelis or to the Palestinians when we involve ourselves in such a manner and block any negotiations that may take place without U.S. participation. They have the incentives to find a way to live in peace and we must allow them to find that solution on their own. As always, congressional attitudes toward the peace process in the Middle East reveal hubris and self-importance. Only those who must live together in the Middle East can craft a lasting peace between Israel and Palestine.

Ms. RICHARDSON. Madam Speaker, I rise today as a proud co-sponsor and strong supporter of H. Res. 268, which reaffirms our national commitment to a settlement of the Israeli-Palestinian conflict through direct negotiations between Israel and the Palestinians.

Madam Speaker, the Israeli-Palestinian conflict has persisted for generations. It has claimed thousands of lives and has contributed to instability in the world's most volatile region. Few things would do more to advance the cause of world peace than the achievement of the two-state solution which recognizes Israel's right to exist as a Jewish state with secure borders and the right of the Palestinians to govern themselves in an autonomous state with the resources and factor endowments to enable the Palestinian people to live in dignity.

Israeli Prime Minister Benjamin Netanyahu, a strong and vocal advocate for direct negotia-

tions, has already accepted a two-state solution, only to be continually rebuffed by the Palestinians at every turn.

Madam Speaker, attempts by Palestinian leadership to circumvent direct negotiations with Israel and instead seek direct recognition from the United Nations and foreign governments is counter-productive and undermines the work that has been done over the last several decades to come to a peaceful and mutually beneficial resolution.

The unilateral declaration of statehood by the Palestinian Authority shows a disregard for and violation of the underlying principles of Middle East peace agreements, including the Oslo Accords, the Road Map, and most recently the Annapolis Conference.

Madam Speaker, a two-state solution is the only feasible resolution to this long-standing conflict. Therefore I strongly applaud the Administration for opposing international recognition of a Palestinian state that is not reached in direct negotiation with Israel.

I urge the President to direct the United States Ambassador to the U.N. to exercise our veto with respect to any resolution of the United Nations Security Council to the contrary and call upon Palestinian leaders to return to the negotiation table in a good faith effort to reach a mutually acceptable agreement to bring about the two-state solution, which is one and sure path to the just and lasting peace we all seek.

For these reasons, I strongly support H. Res. 268 and urge my colleagues to join me.

Mrs. MALONEY. Madam Speaker, I rise to express my strong support for H. Res. 268, reaffirming America's support for direct Palestinian-Israeli negotiations as the best means to settle the conflict and the only path to statehood for the Palestinians.

A Palestinian state created in the middle of this conflict would be a state created to make war.

Nothing would be more dangerous or more unworkable than for the Palestinians to gain the status of statehood without at the same time taking on the duties of a responsible state—namely, a commitment to peace with its neighbors and basic rights for all of its citizens.

The United Nations—a body established as a place of peace—should not create a state that is committed to destroying its neighbor. And, until the Palestinians agree to recognize Israel's right to exist and disarm the terrorists, there is no chance that a Palestinian state would be committed to peaceful co-existence with its neighbor.

This resolution is a simple, basic, common-sense restatement of the clear fact that the dispute between the Palestinians and the Israelis cannot be resolved unilaterally; it cannot be resolved by UN fiat; it cannot be resolved by outside forces; it cannot be resolved if the Palestinians refuse to recognize Israel as a Jewish state; it cannot be resolved if Palestinians refuse to forswear terrorism against Israel and take actions to dismantle their terrorist infrastructure; it cannot be resolved if the Palestinians continue to set preconditions for coming to the bargaining table; and, it cannot be resolved unless all members of the Palestinian unity government agree to abide by previous agreements with the United States and Israel.

This conflict can only be resolved by both parties sitting down at a table and hammering out an agreement on the basic issues that divide them.

The Palestinians must understand that they will only have a state once they make peace with Israel.

I hope the United States would make clear its intention to veto any unilateral declaration of statehood at the United Nations and to penalize the Palestinians if they are foolhardy enough to pursue a path that will only lead to more conflict and bloodshed.

That's why I strongly urge my colleagues to join me in voting for H. Res. 268 and in opposing the Palestinians' dangerous and desperate effort to obtain an empty declaration of statehood without peace at the United Nations.

Mrs. CAPPS. Madam Speaker, I will vote yes on this resolution because I oppose a unilateral declaration of Palestinian statehood in the U.N.

We all know the status quo in Israel, Gaza and the West Bank is unsustainable. It's bad for Israelis, it's bad for Palestinians, and it's bad for the United States.

I believe that a negotiated agreement between both the Israelis and Palestinians is the only way to reach a just and lasting peace in the region. But peace will never be achieved with senseless terrorism or soaring speeches or military might. Only through direct, honest, and earnest negotiations will the dream of peace be realized.

That is why I believe that both sides must put aside their preconditions and come to the table immediately.

As former Prime Minister Ehud Olmert recently wrote, peace will only be achieved “with the courage to take decisions that will change a reality which is increasingly creating a substantive threat on the State of Israel's stature, on the international support it receives, and on its future as a Jewish democratic state.”

Yet, I'm concerned this resolution—instead of rising to Olmert's noble challenge—is yet another missed opportunity for the U.S. to advance peace in the region.

Just last December this House passed unanimously a substantially similar resolution opposing the unilateral declaration of Palestinian statehood. What are we accomplishing by restating our opposition?

Madam Speaker, I worry that we have become too engrossed in the rhetorical debate of peace and are neglecting to fully pursue it. We could easily fill this Chamber with the words spoken over the years debating this conflict, but the room filled with actions taken to end it would sadly be much, much smaller.

This is a pivotal moment—a moment that demands bold, courageous leadership from Prime Minister Netanyahu, from President Abbas, and from President Obama. It is a moment that requires everyone—Israeli and Palestinian, friend and foe—to come together and resolve this crisis once and for all.

Congress can and should play a constructive role in this debate. But I'm concerned that repeatedly criticizing the Palestinians—and only the Palestinians—risks pushing Israelis and Palestinians further apart rather than bringing them closer together. Unfortunately, both Israelis and Palestinians are engaged in

activities that are undermining peace efforts, and we must not ignore this mutual responsibility for the conflict.

And I'm also concerned that this resolution further isolates the United States and Israel and undermines our credibility as a serious broker for peace. There is no denying that both Israel and the United States are growing increasingly isolated in the international community. As President Obama said, "the international community is tired of an endless process that never procures an outcome." This resolution does nothing to change that.

Rather than spending our time reiterating the already established position against a unilateral declaration of statehood, we should be focusing on concrete measures that advance peace.

We should be looking for ways to help Israel adapt to the new realities of the Arab Spring rather than simply reinforcing the status quo.

And we should be encouraging both the Palestinians and Israelis to negotiate rather than just criticizing the Palestinians for not doing so.

At this critical juncture, with so much uncertainty and unrest throughout the Middle East, the U.S. needs to engage in constructive dialogue with all parties and help them bring this tragic conflict to an end. The U.S. cannot make peace in the region, only the parties can. But the U.S. has always been an indispensable agent in brokering peace.

That is why it is imperative that we reclaim that constructive role and foster a negotiated settlement that ensures the security of Israel, recognizes the legitimate aspirations of the Palestinian people, and promotes U.S. national security interests.

Mr. GEORGE MILLER of California. Madam Speaker, the effort to establish a lasting peace in the Middle East does not lend itself to a simple up or down vote on a resolution in Congress, and so I rise to offer my thoughts on the resolution before us today.

While I voted in favor of H. Res. 268, because it reinforces the importance of direct talks for a two-state solution, I was disappointed with the resolution regarding the Israeli-Palestinian conflict that was brought to the floor today. The fact is that this resolution was made possible because of the absence of a viable peace process.

I am disappointed with the resolution not so much because of the general contents of the resolution, but because this resolution does not treat the issue with the serious and careful consideration that it deserves. It is simply one in a series of votes in the House that fail to address the entirety of the conflict and take instead political shots at one side of the conflict.

Israel is and has always been a close friend and ally of the United States, and rightfully so. We share many goals and values, including a strong commitment to a vibrant democracy and diverse economy. Too often, however, Congress uses resolutions regarding the Middle East as referenda on whether or not a particular Member supports or does not support Israel, even though such support is not in question. That is unfortunate and does a disservice to the effort to establish peace between Israel and the Palestinians.

The Obama Administration, like its predecessors, has been working to keep the two

parties at the table and to try to ensure that they can make the necessary compromises to ensure that type of lasting peace. Here in Congress, we should be supporting these important efforts, rather than playing political games, given the real-life consequences that this conflict is having on millions of people's lives and on our own country's security interests.

I am glad to see that today's resolution encouraged the formation of a two-state solution through the process of direct negotiations. I am also glad to see that it acknowledges the work that President Obama has done to try and ward off unilateral attempts to break out of the negotiating process. This resolution also importantly notes the violent and harmful actions of Hamas.

Yet I am disappointed that the resolution specifically criticizes the Palestinians for their actions but does not acknowledge that the Israeli government has also not always moved productively toward peace—in particular, through the ongoing construction of new settlements in the West Bank.

Furthermore, the truth of the matter is that the failure of the peace talks has provided the opening for an alliance between the Palestinian Authority and Hamas and, in their view, a reason for them to go before the United Nations, rather than continue direct talks. I support the continuation of direct talks and do not believe this issue should be resolved before the U.N. But make no mistake that the failure to achieve sufficient progress in talks has provided momentum to this latest effort to seek the U.N.'s involvement. That is all the more reason why Congress should prioritize real progress over political games.

I am further disappointed that the resolution misstates U.S. law, incorrectly claiming that current law precludes the United States from providing aid to the Palestinian Authority if it agrees to share power with Hamas. Current law rightfully provides an exception to the prohibition in order to enhance border security and the peace process.

In addition, I do not believe it would be beneficial to cut off aid to the Palestinian Authority. This aid provides Fatah with negotiating leverage among their fellow Palestinians against Hamas. Security experts, including Israeli Defense Minister Ehud Barak and others, have warned against such a cutoff, since it could destabilize the security situation on the West Bank. Fortunately, the language of the resolution only asks that the Administration consider withholding such aid, yet this is still unwise.

Congress could—and Congress should—take the peace process in the Middle East more seriously than it has with this resolution and similar resolutions before it.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to express my concern that H. Res. 268 threatens Palestinians with sanctions if they attempt to get UN membership this fall. This resolution, which addresses the Israeli-Palestinian conflict, unfairly demands more of the Palestinians than it does of Israel. The United States cannot be a force for peace by unfairly singling out one party and ignoring the faults of another. While the United States concerns about Hamas's inclusion in the Palestinian unity government are valid, we should not prematurely pull the rug

underneath the feet of the Palestinian unity government.

In an effort to achieve peace, the United States must hold both Israeli and Palestinian decision-makers accountable for upholding past agreements and negotiating a new one. I urge my colleagues to support more balanced policies and actions that seek a solution to the Israeli-Palestinian conflict.

As our country continues to help move the peace process forward, I remain committed to preserving the peace negotiations between all parties. I will continue to work with the Administration in honoring our commitment to a peaceful resolution in the Middle East.

Mr. FARR. Madam Speaker, I voted for H. Res. 268 because I believe in the bill's underlying premise of a negotiated two-state solution to end the Israeli-Palestinian conflict and bring enduring stability to the region. I have always used my voice and my vote to promote peace in the Middle East. Too many lives have been lost and too much violence has been wrought to do anything else. Citizens throughout the region deserve better.

However, my vote is not without reservations about the provisions in this resolution. At this moment of incredible regional volatility, we should be encouraging the President to deploy America's full diplomatic capacity to pursue peace in the region not discourage recognition of a Palestinian state, as this resolution does. We should be encouraging the promotion of stability and dialogue with all parties involved, not discouraging assistance to the Palestinians, as this resolution does. And we should be calling on every actor involved to be a serious broker for peace.

I just traveled to the Middle East and saw firsthand the need for a sustainable two-state solution. The question I came away with is: What can be done to bring a just and lasting peace? While I hope that this resolution can bring us closer to a peaceful solution, I fear that it leaves too many hard questions unanswered and too many issues unaddressed.

While I voted for this resolution, I will also continue to support a constructive dialogue that can bring this conflict to a permanent end. The time for peace is now. We cannot wait a moment longer.

Mr. DINGELL. Madam Speaker, I rise to reluctantly support H. Res. 268. I support the resolution because I strongly agree in principle that the Israelis and Palestinians must negotiate a two-state solution.

H. Res. 268 contains much with which I disagree. We have seen such resolutions in the past. Unfortunately, their intent is to advance a specific narrative that I believe is at odds with the urgency of a negotiated peace. The resolutions are brought to the floor without the ability for Members of Congress to provide input at either the committee level or during consideration on the House floor. As a strong supporter of Israel and her right to self-defense, I take issue with this approach.

My biggest concern with H. Res. 268 is its call to cut aid to the Palestinians. Such a move would be at best premature and at worst detrimental to the prospects of resuming negotiations. The unity agreement between Hamas and Fatah is tenuous and the path forward for a potential unity government is unknown. Let me be clear: I would never advocate United

States aid for Hamas or any government that contains Hamas. Hamas' charter calls for the destruction of Israel; it has never supported the peace process and it sympathizes with America's enemies like al Qaida and Iran. But at a time when much of the Middle East is shifting toward democracy, it is irresponsible and against our own interests to withhold dollars that we know are being used by the Palestinian Authority in the West Bank to promote greater economic stability and physical security—for both the Israelis and Palestinians. Cutting off aid would be a setback for those working toward peace. Indeed, as the New York Times argues in its editorial on May 8, 2011, such a move may “shift the political balance dangerously toward Hamas.”

In addition, H. Res. 268 is as egregious for what it includes as what it leaves out. The resolution does not suggest that the United States should play a strong role in bringing both sides back to the negotiating table. It does not say that both sides must continue negotiating without preconditions. Nor does it say both the Israelis and Palestinians must cease unilateral actions. The omissions raise serious questions. How can we as leaders of our nation reaffirm our commitment to a lasting two-state solution without acknowledging that U.S. leadership is critical to bringing about that solution? How can we ask one side and not the other to make difficult concessions?

The stakes in reaching a negotiated peace agreement are as high as ever as the window for a two-state solution narrows. The United States must help both sides rejoin negotiations, not pass resolutions laden with threats, grandstanding, and obfuscation. As the President stated in his speech at the U.S. State Department in May, “At a time when the people of the Middle East and North Africa are casting off the burdens of the past, the drive for a lasting peace that ends the conflict and resolves all claims is more urgent than ever. That's certainly true for the two parties involved.”

My stance on this conflict is well known. I support a two-state solution that results in a Jewish and democratic state of Israel living side-by-side in peace and security with a Palestinian state. H. Res. 268 does nothing to achieve this outcome.

Mr. BLUMENAUER. Madam Speaker, there is no region of the world more critical to achieving peace and security for Americans than the Middle East, yet no series of interconnected issues that has been more complex or vexing.

Since coming to Congress I have been an advocate of stronger United States engagement to advance negotiations for a two-state solution and for a vision of a secure Israel and an independent Palestinian state living side by side.

I, along with the rest of Congress and the administration, share the goal of preventing a vote for Palestinian statehood in the United Nations this September. Such a course of action will not hasten the creation of an independent Palestine, and will undermine progress.

Unfortunately, the message delivered by H. Res. 268 was undercut by failing to present an evenhanded document. There was no acknowledgement of the administration's bal-

anced approach to Middle East policy and the Israeli-Palestinian peace process in particular. The policy is consistent by political and historical standards—calling for a negotiated two-state solution along the 1967 borders with mutually agreed land swaps as the starting point in this dialogue. This is the language of current and previous U.S. administrations and was employed by the Israeli Prime Minister within the last year.

The resolution would have been more credible by mentioning the unfair comments of Benjamin Netanyahu during his recent visit to Washington. A mention of U.S. opposition to Israel's unilateral construction of settlements would get the attention of the Palestinians, who after all we are trying to influence.

To the extent that Congress is going to opine, it should do so in a balanced way. That is how we can move forward.

Ms. LEE. Madam Speaker, I have always strongly supported Israel's security and rights as a nation, and I continue to support a two-state solution that would lead to the establishment of a Palestinian state, which is essential to achieving peaceful reconciliation among Israel, the Palestinians and their neighbors in the region. Consistent with those principles, yesterday I voted “present” on House Resolution 268 because it did not move the parties forward on negotiations or toward these goals. My concern has always been to bring the parties to the table so they can resolve their differences.

Mr. MARKEY. Madam Speaker, I rise to express my support for House Resolution 268, which reaffirms the United States' long-standing policy of support for Israel and a fair, negotiated conclusion to the ongoing Israeli-Palestinian conflict. This resolution clearly describes the final outcome that the United States has envisioned for so long: two democratic states—one Israeli, one Palestinian—living side-by-side in peace, security, and mutual recognition.

Attempts by the Palestinians to circumvent direct negotiations between the two nations, most recently through attempts to hold a U.N. vote on Palestinian statehood, have greatly undermined the peace process. The United States must continue to oppose such one-sided attempts and work to ensure that the final peace settlement is reached through fair negotiations between the Israelis and the Palestinians.

The resolution also confirms the United States' refusal to recognize any Palestinian government that has not publicly and formally renounced terrorism. This declaration is especially important in the wake of the recent union of the Fatah and Hamas factions, the latter of which the United States and the European Union deem a terrorist organization. Peace talks cannot continue until Palestinian leaders dismantle all terrorist infrastructure embodied within Hamas, take all necessary steps to counter incitements to violence, and accept Israel's right to exist. This position is in keeping with current American policy, including statutory requirements for U.S. funding to the Palestinian Authority.

I believe strongly in the need to protect the lives of innocent civilians on both sides of the conflict, including the need to recognize and promptly address the dire humanitarian needs

of Palestinians living in the Gaza strip. I strongly condemn the actions of Hamas, which has embedded its fighters and leaders in private homes and mosques as they use Palestinian civilians as human shields, target Israeli civilians, and force Israel to take decisive action in the Gaza Strip to protect its population living under the daily threat of rocket attacks. The United States should continue to pressure Hamas to abandon its reckless endangerment of both the Palestinian and the Israeli people, and to fully renounce violence so that humanitarian aid to Gaza can continue and true peace talks can proceed. It is only through such peace talks that the two countries will be able to reach a negotiated settlement that will bring peace, security, and stability to the Israelis and Palestinians.

Ms. MCCOLLUM. Madam Speaker, as someone who cares deeply about the State of Israel and the rights of the Palestinian people, I have serious concerns with H. Res. 268. This resolution does not advance U.S. interests, fails to contribute constructively to reviving the dormant peace process, and ignores the courageous efforts of Israelis and Palestinians willing to take the very difficult steps needed to achieve peace. Therefore, I cannot endorse a congressional statement that does not further the cause of peace and security for Israelis and Palestinians.

Last month, I visited Israel and the West Bank as a member of a fact finding mission sponsored by the J Street Education Fund. In every meeting I had with Israelis and Palestinians they shared their hopes for the future. They expressed their desires for peace. They want to live with security. They want the opportunity to make their own futures. Everyone I met with, from Israeli government officials to regular citizens, from President Abbas to Palestinian civil society leaders, said the status quo is unacceptable and a “two-state solution” is the only outcome that will ensure security and a lasting peace.

Yet, is a “two-state solution” achievable? This is increasingly unclear as Israel and Palestinians continue to take unilateral steps that weaken the prospect for negotiations leading to a comprehensive and final peace agreement. This is both disappointing and detrimental to the ultimate goal both sides claim they seek.

For example, the Palestinian Authority's diplomatic quest to seek recognition from the United Nations for an independent “State of Palestine” is a mistake, despite the legitimate and deeply felt desires of the Palestinians to live in their own free, independent and sovereign state. I told senior Palestinian officials directly when I was in the West Bank that such a move is not helpful to their goal or U.S. efforts to advance the peace process. Regardless of the outcome of any actions taken at the United Nations in September, the only path to a legitimate, lasting Palestinian state will be the result of a negotiated agreement with Israel. This is the path that both sides must continue to pursue.

With regard to the unity government between Fatah and Hamas, it will likely be impossible for a legitimate peace process and final negotiated agreement to take place with the Palestinian people governed by two distinct political entities. Hamas and Israel are at

war, thus the term: Israeli-Palestinian conflict. A peace process that allows the Palestinians to be fragmented and factionalized will not yield peace or security, only lasting conflict—Palestinian against Palestinian, as well as Palestinian against Israeli.

Hamas must agree to the Quartets conditions, but then again there is no possibility that Israel would ever negotiate a final agreement without such conditions. If in-fact Fatah and Hamas (with the on-going help of Egypt) can work together to achieve legitimacy within the international community by renouncing terrorism and recognizing the State of Israel then there is a real opportunity for a path to peace. If this is not possible then I am doubtful the peace process will advance to the point where a Palestinian state can be created.

H. Res. 268 highlights that the U.S. has “provided more than \$3.5 billion cumulatively in direct bilateral assistance to the Palestinians” and calls for an end of U.S. assistance if the unity government does not embrace the Quartets principles. The foreign assistance the U.S. provides the Palestinian Authority contributes to economic stability, security training, infrastructure development, and the building of democratic institutions—the foundation of a future Palestinian state. This aid not only benefits the Palestinian people and their nascent institutions, but Israel as well. Israel cannot negotiate a peace agreement and end the occupation of Palestinian lands if a future a Palestinian state is not viable. Cutting off aid would harm both Palestinian and Israeli interests.

If Congress actually were to cut off aid it would also send a signal to the entire Arab world that the U.S. has abandoned the Palestinian people. The damage to the U.S. status in the Arab and entire Muslim world would be incalculable.

Based on the text of H. Res. 268 it would appear that it is only the actions of Palestinians that undermine the possibility of a negotiated peace. There is no mention in the resolution of, for example, illegal Israeli settlement expansion into Palestinian lands. Obviously illegal Israeli settlements and outposts are a contentious and serious obstacle to peace. Israeli settlements and their continued expansion have been universally condemned by the world community because they make a contiguous Palestinian state increasingly impossible to achieve. If a “two-state solution” is ever to be achieved the settlement issue must be confronted, not ignored as Congress has chosen to do in this resolution.

The policy realities that must be confronted and resolved to achieve a “two-state solution” are complex, sometimes painful, and often fraught with traps. Yet, for many in Congress, “two-state solution” has become a phrase that has many different definitions, most of which could never result in a peace agreement or the creation of a Palestinian state. Member of Congress can utter the phrase “two-state solution” and then act to make such a solution less possible. This resolution is an example of such a proclivity.

In my estimation achieving a “two-state solution” will require the U.S. to maintain its traditional role as honest-broker in this decades long conflict. During my visit to the region I was constantly surprised by both Israelis and

Palestinians who innocently and insistently called upon the U.S. to resolve the conflict, create the environment for negotiations, and achieve the goal of a two-state solution. I reminded everyone I encountered that the responsibility and burden of making the difficult political choices for peace were theirs and not something the U.S. can dictate.

There is no doubt that the U.S. must maintain and strengthen the special relationship we have with the State of Israel. Israel is a trusted ally and will remain so long into the future. At the same time the U.S. has the opportunity to play a historical role in the creation of a new Palestinian state, allowing for the self-determination of the Palestinian people and greater security for Israel.

These relationships provide the U.S. with the opportunity and obligation to remain faithful to facilitating negotiations and putting the difficult, uncomfortable issues to be resolved on the table with the goal of achieving a final peace agreement. President Obama deserves credit for holding both sides accountable and for making both sides feel uncomfortable. If the U.S. abandons our traditional honest-broker role to become an advocate for Israel or Palestinians then this conflict will never be resolved, it will likely simmer and boil over into a future of violence that we should all fear.

Israelis and Palestinians—and the Americans who care deeply about the future of Israel as well as a future Palestinian state—deserve much more than this resolution offers. They deserve an honest, open, and constructive debate that advances U.S. interests for peace, security, democracy, dignity, freedom, and self-determination throughout the Middle East. The future of Israel is at stake. The future is at stake for millions of Palestinians seeking a national identity and the freedom to make their own state. The American people deserve more than what H. Res. 268 offers.

On H. Res. 268 I will vote present. This resolution is another example of U.S. domestic political interests trumping the best interests of U.S. foreign policy. If a “two-state solution” is to be a reality this resolution does not get Israelis or Palestinians one inch closer to negotiations. Congress should be investing its time and energy as an honest-broker encouraging both sides to end the posturing and cease the obstructions to negotiations. Time is running out and we should be encouraging a revival of the peace process and focused negotiations—before it is too late.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 268.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Madam Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

BELARUS DEMOCRACY AND HUMAN RIGHTS ACT OF 2011

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 515) to reauthorize the Belarus Democracy Act of 2004, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Belarus Democracy and Human Rights Act of 2011”.

SEC. 2. FINDINGS; STATEMENT OF POLICY.

Sections 2 and 3 of the Belarus Democracy Act of 2004 (Public Law 109-480; 22 U.S.C. 5811 note) is amended to read as follows:

“SEC. 2. FINDINGS.

“Congress finds the following:

“(1) The Government of Belarus has engaged in a pattern of clear and uncorrected violations of human rights and fundamental freedoms.

“(2) The Government of Belarus has engaged in a pattern of clear and uncorrected violations of basic principles of democratic governance, including through a series of fundamentally flawed presidential and parliamentary elections undermining the legitimacy of executive and legislative authority in that country.

“(3) The Government of Belarus has subjected thousands of pro-democratic political activists to harassment, beatings, and jailings, particularly as a result of their attempts to peacefully exercise their right to freedom of assembly and association.

“(4) The Government of Belarus has attempted to maintain a monopoly over the country's information space, targeting independent media, including independent journalists, for systematic reprisals and elimination, while suppressing the right to freedom of speech and expression of those dissenting from the dictatorship of Aleksandr Lukashenka, and adopted laws restricting the media, including the Internet, in a manner inconsistent with international human rights agreements.

“(5) The Government of Belarus continues a systematic campaign of harassment, repression, and closure of nongovernmental organizations, including independent trade unions and entrepreneurs, and this crackdown has created a climate of fear that inhibits the development of civil society and social solidarity.

“(6) The Government of Belarus has subjected leaders and members of select ethnic and religious minorities to harassment, including the imposition of heavy fines and denying permission to meet for religious services, sometimes by selective enforcement of the 2002 Belarus religion law.

“(7) The Government of Belarus has attempted to silence dissent by persecuting human rights and pro-democracy activists with threats, firings, expulsions, beatings and other forms of intimidation, and restrictions on freedom of movement and prohibition of international travel.

“(8) The dictator of Belarus, Aleksandr Lukashenka, established himself in power by orchestrating an illegal and unconstitutional referendum that enabled him to impose a new constitution, abolishing the duly elected parliament, the 13th Supreme Soviet, installing a largely powerless National Assembly, extending his term in office, and removing applicable term limits.

“(9) The Government of Belarus has failed to make a convincing effort to solve the cases of disappeared opposition figures Yuri Zakharenka, Viktor Gonchar, and Anatoly Krasovsky and journalist Dmitry Zavadsky, even though credible allegations and evidence links top officials of the Government to these disappearance.

“(10) The Government of Belarus has restricted freedom of expression on the Internet by requiring Internet Service Providers to maintain data on Internet users and the sites they view and to provide such data to officials upon request, and by creating a government body with the authority to require Internet Service Providers to block Web sites.

“(11) On December 19, 2010, the Government of Belarus conducted a presidential election that failed to meet the standards of the Organization for Security and Cooperation in Europe (OSCE) for democratic elections.

“(12) After the December 19, 2010, presidential election the Government of Belarus responded to opposition protests by beating scores of protesters and detaining more than 600 peaceful protesters.

“(13) After the December 19, 2010, presidential election the Government of Belarus jailed seven of the nine opposition presidential candidates and abused the process of criminal prosecution to persecute them.

“(14) After the December 19, 2010, presidential election, the Government of Belarus disrupted independent broadcast and Internet media, and engaged in repressive actions against independent journalists.

“(15) After the December 19, 2010, presidential election, Belarusian security services and police conducted raids targeting civil society groups, individual pro-democracy activists, and independent media.

“(16) After the December 19, 2010, presidential election, Belarusian officials refused to extend the mandate of the OSCE Office in Minsk.

“(17) After the December 19, 2010, presidential election, opposition candidates and activists have been persecuted and detainees have been physically mistreated, and denied access to family, defense counsel, medical treatment, and open legal proceedings.

“(18) After the December 19, 2010, presidential election, lawyers representing those facing criminal charges related to the post-election protest have been subjected to the revocation of licenses, disbarment, and other forms of pressure.

“(19) After the December 19, 2010, presidential election, the Government of Belarus has convicted political detainees to harsh prison sentences.

“(20) After the December 19, 2010, presidential election, the United States and European Union imposed targeted travel and financial sanctions on an expanded list of officials of the Government of Belarus.

“(21) After the December 19, 2010, presidential election, the United States fully restored sanctions against Belarus's largest state-owned petroleum and chemical conglomerate and all of its subsidiaries.

“(22) After the December 19, 2010, presidential election, the United States has engaged in assistance efforts to provide legal and humanitarian assistance to those facing repression and preserving access to independent information, and has pledged resources to support human rights advocates, trade unions, youth and environmental groups, business associations, think-tanks, democratic political parties and movements, independent journalists, newspapers and

electronic media operating both inside Belarus and broadcasting from its neighbors, and to support access of Belarusian students to independent higher education and expand exchange programs for business and civil society leaders.

“(23) The Department of State, the Department of the Treasury, and other executive branch agencies have heretofore made effective use of this Act to promote the purposes of this Act, as stated in section 3 of this Act.

“SEC. 3. STATEMENT OF POLICY.

“It is the policy of the United States to—
“(1) condemn the conduct of the December 19, 2010, presidential election and crackdown on opposition candidates, political leaders, and activists, civil society representatives, and journalists;

“(2) continue to call for the immediate release without preconditions of all political prisoners in Belarus, including all those individuals detained in connection with the December 19, 2010, presidential election;

“(3) continue to support the aspirations of the people of Belarus for democracy, human rights, and the rule of law;

“(4) continue to support the aspirations of the people of Belarus to preserve the independence and sovereignty of their country;

“(5) continue to support the growth of democratic movements and institutions in Belarus, which empower the people of Belarus to end tyranny in their country;

“(6) continue to refuse to accept the results of the fundamentally flawed December 19, 2010, presidential election held in Belarus, and to support calls for new presidential and parliamentary elections, conducted in a manner that is free and fair according to OSCE standards;

“(7) continue to call for the fulfillment by the Belarusian government of Belarus's freely undertaken obligations as an OSCE participating state;

“(8) continue to call for a full accounting of the disappearances of opposition leaders and journalists in Belarus, including Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky, and the prosecution of those individuals who are in any way responsible for the disappearance of those opposition leaders and journalists;

“(9) continue to work closely with the European Union and other countries and international organizations, to promote the conditions necessary for the integration of Belarus into the European family of democracies;

“(10) call on the International Ice Hockey Federation to suspend its plan to hold the 2014 International World Ice Hockey championship in Minsk until the Government of Belarus releases all political prisoners; and

“(11) remain open to reevaluating United States policy toward Belarus as warranted by demonstrable progress made by the Government of Belarus consistent with the aims of this Act as stated in this section.”

SEC. 3. RADIO AND TELEVISION BROADCASTING TO BELARUS.

Section 5 of the Belarus Democracy Act of 2004 (Public Law 109-480; 22 U.S.C. 5811 note) is amended to read as follows:

“SEC. 5. RADIO, TELEVISION, AND INTERNET BROADCASTING TO BELARUS.

“It is the sense of Congress that the President should continue to support radio, television, and Internet broadcasting to the people of Belarus in languages spoken in Belarus, by Radio Free Europe/Radio Liberty, the Voice of America, European Radio for Belarus, and Belsat.”

SEC. 4. SANCTIONS AGAINST THE GOVERNMENT OF BELARUS.

Section 6 of the Belarus Democracy Act of 2004 (Public Law 109-480; 22 U.S.C. 5811 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “or expression, including those individuals jailed based on political beliefs or expression in connection with repression that attended the presidential election of December 19, 2010” before the period at the end;

(B) in paragraph (2), by inserting “, including politically motivated legal charges made in connection with repression that attended the presidential election of December 19, 2010” before the period at the end;

(C) in paragraph (5), by inserting “and violations of human rights, including violations of human rights committed in connection with the presidential election of December 19, 2010” before the period at the end; and

(D) in paragraph (7), by striking “internationally recognized observers” and inserting “OSCE observers”;

(2) in subsection (c)—

(A) in paragraph (2)—

(i) by striking “subparagraph (A)” and inserting “paragraph (1)”; and

(ii) by striking “or” at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(4) is a member of any branch of the security or law enforcement services of Belarus and has participated in the violent crackdown on opposition leaders, journalists, and peaceful protesters that occurred in connection with the presidential election of December 19, 2010; or

“(5) is a member of any branch of the security or law enforcement services of Belarus and has participated in the persecution or harassment of religious groups, human rights defenders, democratic opposition groups, or independent media or journalists.”;

(3) in subsection (e), by striking “of each international financial institution to which” and inserting “at each international financial institution of which”; and

(4) in subsection (f)(2)(B)(ii), by striking “(as defined in section 40102 of title 49, United States Code)”.

SEC. 5. REPORT.

Section 8(a) of the Belarus Democracy Act of 2004 (Public Law 109-480; 22 U.S.C. 5811 note) is amended—

(1) in the matter preceding paragraph (1), by striking “this Act” and inserting “the Belarus Democracy and Human Rights Act of 2011”;

(2) in paragraph (1), by striking “sale or delivery of weapons or weapons-related technologies” and inserting “sale or delivery or provision of weapons or weapons-related technologies or weapons-related training”;

(3) in paragraph (2), by striking “involved in the sale” and inserting “or weapons-related training involved in the sale or delivery or provision”;

(4) in paragraph (3), by inserting “or weapons-related training described in paragraph (1)” before the period at the end; and

(5) by adding at the end the following new paragraph:

“(5) The cooperation of the Government of Belarus with any foreign government or organization for purposes related to the censorship or surveillance of the Internet, or the purchase or receipt by the Government of Belarus of any technology or training from any foreign government or organization for

purposes related to the censorship or surveillance of the Internet.”.

SEC. 6. DEFINITIONS.

Section 9 of the Belarus Democracy Act of 2004 (Public Law 109-480; 22 U.S.C. 5811 note) is amended—

(1) in paragraph (1), by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”; and

(2) in paragraph (3)—
(A) in subparagraph (B)(i), by striking “and prosecutors” and inserting “, prosecutors, and heads of professional associations and educational institutions”; and

(B) in subparagraph (C), by striking “Lukashenka regime” and inserting “Government of Belarus”.

SEC. 7. FUNDING FOR REPORT.

The requirement to prepare and transmit the report required under section 8 of the Belarus Democracy Act of 2004 (Public Law 109-480; 22 U.S.C. 5811 note), as amended by section 5 of this Act, shall be performed within current levels of authorized and appropriated funding.

The SPEAKER. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 515.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

I would like to thank Chairman SMITH and Chairman BACHUS for their cooperation in allowing this bill to proceed so swiftly to the floor.

Madam Speaker, I rise today in strong support of H.R. 515, the Belarus Democracy and Human Rights Act of 2011.

I would like to thank my distinguished colleague and friend, Mr. SMITH, for introducing this timely and important measure.

Belarus has been correctly deemed the last dictatorship of Europe. Under the iron hand of Lukashenko, the Belarusian people have endured the systemic denial and violation of their basic freedoms and human rights.

The authorities in Belarus have severely restricted free speech and independent media. Prodemocracy political activists are subject to beatings and imprisonment. The regime's heavy-handed tactics were fully utilized in last December's fraudulent election for president.

According to our own Department of State's Human Rights Report: “Authorities denied citizens the right to change their government, manipulating the December 19 presidential election to ensure that the president would not be seriously challenged.

“Security forces beat detainees and protesters, used excessive force to disperse peaceful demonstrators, and reportedly used torture during investigations.

“A crackdown on post-election demonstrations led to the arrest of over 700 activists, including criminal charges against five presidential candidates and numerous activists and journalists.”

Unfortunately, the regime, despite its repeated promises of reform, continues this campaign of repression against its own people.

In response to the rumors that peaceful protesters were planning to gather on Belarusian Independence Day, July 3, just recently, to show their opposition to the regime by clapping their hands, the dictator stated, “Stomping, clapping, bellowing and roaring on squares and streets cannot solve problems. The state has the resources and power to pacify those who violate the law and the constitution.”

We have now seen Lukashenko did indeed use the state's power to pacify the demonstrators. How? He ordered the authorities to start by firing tear gas at the protesters, followed by the violent beating and imprisonment of those who dared to clap their hands. Over 300 activist were arrested and today 140 were convicted on such dubious charges as being hooligans or participating in unsanctioned demonstrations.

This unrelenting persecution of the Belarusian people by the regime is simply unacceptable. The U.S. and other responsible nations must support the prodemocracy forces in Belarus and hold the authoritarian regime in Minsk accountable for its growing abuses.

That's why I am pleased to support this important measure which, among other things, condemns the conduct of the recent presidential elections and the crackdown on opposition candidates and activists, expresses a sense of Congress that the President should continue to support radio, television and Internet broadcasting to the people of Belarus and expand on existing sanctions, including the denial of visas to any member of the Belarusian Government who participated in the crackdown on opposition leaders, journalists, and peaceful protesters that occurred in connection with the December elections.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 5, 2011.

Hon. ILEANA ROS-LEHTINEN,
Chairman, House Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: I am writing in response to your letter concerning H.R. 515, the “Belarus Democracy Reauthorization Act of 2011,” which the Committee on Foreign Affairs reported favorably. As a result of your having consulted with us on provisions in H.R. 515 that fall within the Rule X jurisdiction of the Committee on the Judi-

ciary, we are able to agree to discharging our Committee from further consideration of this bill in order that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 515 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I appreciate your including our exchange of letters on this matter in your committee report, or in the CONGRESSIONAL RECORD during floor consideration of H.R. 515.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 5, 2011.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: On April 14, 2011, the Committee on Foreign Affairs reported H.R. 515, the Belarus Democracy Reauthorization Act of 2011, by a unanimous recorded vote of 34 to 0. As you know, the Committee on Financial Services was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over international financial and monetary organizations, banks and banking.

Upon review of H.R. 515, it is clear that the legislation will not alter the current statutory directives pertaining to the votes of the U.S. Executive Directors at the Multilateral Development Banks. Since no policy change is being made with respect to the narrow matter within the jurisdiction of the Financial Services Committee, I will waive consideration of the bill by the Financial Services Committee so that it may be considered expeditiously by the House. By agreeing to waive its consideration of the bill, the Financial Services Committee does not waive its jurisdiction over H.R. 515. In addition, I do so with the understanding that this will not prejudice the Committee on Financial Services with respect to its prerogatives on this or similar legislation. Further, the Committee on Financial Services reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Financial Services for conferees on H.R. 515 or related legislation.

Lastly, I request that you include this letter and your response as part of your committee's report on the bill and insert them in the CONGRESSIONAL RECORD during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,
Chairman.

Madam Speaker, I reserve the balance of my time.

I ask unanimous consent that the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, the gentleman from New Jersey (Mr. SMITH), be allowed to manage the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey will control the balance of the time.

There was no objection.

Mr. BERMAN. Madam Speaker, I will be the only speaker to speak from our side on this resolution, and I yield myself such time as I may consume.

Madam Speaker, I rise in support of this legislation. On December 19 of last year, Belarus' President, Alexander Lukashenko, staged a fraudulent election. Immediately afterward, he had the opposition candidates arrested, and this May almost all of them were sentenced to prison.

The Lukashenko regime has continued to harass members of opposition political parties, human rights activists, civil society and to suppress Belarusians' access to free press and information. Over the past month, an increasing number of Belarusians have gathered to protest against Lukashenko and the deteriorating economic situation there.

The Obama administration has reacted strongly to the fraudulent elections and post-election crack down. On February 2, the U.S. significantly expanded the list of Belarusian officials subject to travel sanctions and to have their assets blocked and restored full U.S. sanctions against Belarus's largest state-owned oil and gas concern.

On July 2, Secretary Clinton met with activists from Belarus during her visit to Lithuania for a meeting of the Community of Democracies and repeated her demand that Belarus release political prisoners and embark on the path of democratic reform. In coordination with the European Union, the administration has significantly expanded democracy assistance to Belarus for this year from \$11 million to \$15 million.

We must continue to call for the reopening of the OSCE office in Minsk and for the Government of Belarus to fully cooperate with an OSCE fact-finding mission requested by 14 participating states under the Moscow mechanism.

And we must continue to demand the release of many heroic individuals still languishing in Belarusian prisons without access to their families or legal counsel. Europe's last dictatorship should not be allowed to stand unchallenged.

I support this legislation and encourage my colleagues to do the same.

I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

First of all, let me thank Chairwoman ILEANA ROS-LEHTINEN for her leadership in bringing this bill to the floor today, the majority leader and the Speaker for scheduling it, and to HOWARD BERMAN for his strong support of it as well and his very eloquent statement just a moment ago.

□ 1830

Madam Speaker, I rise in strong support of H.R. 515, the Belarus Democracy and Human Rights Act of 2011. The bill demonstrates our strong and sustained promotion of human rights, democracy, and the rule of law in Belarus through targeted sanctions against this brutal dictatorship of Alexander Lukashenko.

H.R. 515 reinforces earlier law, the Belarus Democracy Act of 2004 and the Belarus Democracy Reauthorization Act of 2006, both of which passed the House and Senate with overwhelming bipartisan support and were signed into law.

This legislation is timely and necessary. The fraudulent December 19 elections in 2010 in Belarus and the ongoing crackdown on democracy activists and independent journalists by the Lukashenko dictatorship underscore the need for democracy-promoting legislation. Immediately after the election, the government responded to peaceful protests against electoral fraud with savage mass beatings and large-scale detentions—over 700 people.

Later on, Madam Speaker, I will put in the RECORD the list of many of the activists, many of whom were already in jail, their sentences—and these are men and women whose only crime was asking that Belarus matriculate from dictatorship to a democracy.

Of those charged, 40 have been convicted, with some receiving very harsh sentences—up to 6 years. And, of course, after those 6 years are over, what Lukashenko and his cronies usually do is find some reason to extend those jail sentences. So these sentences are awful indeed.

As ILEANA ROS-LEHTINEN pointed out a moment ago, the chairwoman of our committee, this also includes five of the nine Presidential candidates who ran against Lukashenko, their families, lawyers, journalists, and democratic activists who continue to be harassed and intimidated. It is the worst political crackdown in Europe in over a decade. And it's ongoing, Madam Speaker.

The repressive regime in Belarus was in full force earlier this week as police broke up protesters attempting to mark their country's independence day. Hundreds were detained, and 140 already received administrative sentences or fines, including independent journalists reporting on rallies held across the country.

The post-election has followed the pattern of repression that has charac-

terized Lukashenko's 17-year rule. Through a series of rigged elections, large-scale intimidation and suppression of independent media and civil society, the dictator has long since consolidated his control over virtually all national institutions. This dictatorship, as has been said, is the worst of any in Europe today.

Perhaps most significantly about the legislation, the bill supports targeted sanctions. It expresses the sense of the Congress to deny the privilege of visiting our country to senior Belarus officials, their immediate families and others involved in human rights violations and anti-democracy actions, including those involved in the December 19 post-election crackdown. Likewise, it has provisions prohibiting U.S. Government financing, except for humanitarian goods and agricultural products or medical products and nonhumanitarian loans from international financial institutions to the Belarusian Government; and blocking assets owned by the Belarusian Government's senior leadership or their families and others involved in antidemocratic actions. These sanctions are aimed at the senior leadership of a dictatorship that displays utter contempt for the dignity and rights of the Belarusian people, and with these sanctions we stand with the Belarusian people against their oppressors.

H.R. 515 requires the State Department to issue a new report to Congress on the sale, delivery or provision of weapons or weapons-related technologies or training, Lukashenko's personal wealth and assets, and cooperation by the Belarusian government with any foreign government or organizations related to censorship or surveillance of the Internet.

H.R. 515 states a U.S. government policy of strong support for the Belarusian people in their struggle against the Lukashenko dictatorship, aspiring to live in a free and independent country where their human rights are respected, they can choose their government, and officials apply just laws that they themselves are subject to.

This bill encourages those struggling for decency and basic rights against the overwhelming pressures from the anti-democratic regime. It calls for the immediate and unconditional release of all political prisoners in Belarus, including those detained in the post-election crackdown and refuses to recognize the results of the flawed elections. It calls for a full accounting of the 1999–2000 disappearances of opposition leaders and a journalist in Belarus and the prosecution of those responsible. At the same time it explicitly opens the door to the re-evaluation of U.S. policy towards the Belarusian government should it take significant steps toward democracy and respect for human rights.

H.R. 515 supports radio, television and Internet broadcasting to Belarus, specifically Radio Free Europe/Radio Liberty, Voice of America, European Radio for Belarus and the satellite television station Belsat.

Madam Speaker, this bill comes to the floor as the Belarusian people are increasingly taking to the streets in protest against the dictatorship, and the EU Council is ramping up sanctions on Belarus. The Belarusian people deserve far better than the Lukashenka dictatorship—this bill is an act of support of their heroic struggle for human rights and democracy and is an act of profound respect and friendship for the people of Belarus.

Madam Speaker, I'd like to add to my earlier remarks in support of this legislation that, as part of a Helsinki Commission visit in to Minsk in June 2009, I had the opportunity to press Lukashenka directly on his dismal human rights record and denial of democratic freedoms.

While making clear our support for Belarus' independence, I and other members of the delegation reiterated the long-standing U.S. message that the only way to improve relations between our two countries was and is for him to take steps to increase political freedom and respect human rights. We told Lukashenka that the ball was in his court. There were even small, tentative steps in the right direction, but since December 19 any hopes for change have been crushed.

The December 19, 2010 fraudulent election, which the OSCE condemned as not having met international standards, and the continuing crackdown on democracy activists and independent journalists by the Lukashenka regime underscore the need for this legislation and our continued attention to the further deterioration of human rights and freedoms in Europe's remaining dictatorship. This ongoing repression is the harshest we have seen in Europe in more than a decade and a stark illustration that Belarus remains an anomaly—a pariah state—in today's Europe.

Peaceful protests against electoral fraud were met with mass beatings and detentions. Some of the jailed were abused and even tortured. Their families, lawyers, journalists and democratic activists have been harassed and intimidated. Students have been expelled from universities. Belarus now has more political prisoners than at any time under Lukashenka's rule, as the Belarusian tyrant has squelched dissent by convicting nearly 40 activists within the last few months on charges of mass rioting and disturbing the public order. Some, including several opposition leaders who ran against Lukashenka in December and other political activists and civil society leaders, received severe, completely unjustified prison sentences of up to six years. Their trials were a politically motivated farce, in which policemen sometimes were not even able to identify the defendants, and which saw unexplained discrepancies between witness testimony favoring the defendants, and the judges return of guilty verdicts.

The now-6-month-long crackdown only magnifies the pattern of repression and gross and systematic human rights violations that has characterized Lukashenka's 17-year rule. He has systematically consolidated power over virtually all institutions through a series of rigged presidential and parliamentary elections, repeated violations of fundamental freedoms and the suppression of independent media and civil society, creating a climate of fear that pervades the country.

Thanks to this dictator's misrule, Belarus has the worst democracy and human rights record in Europe. Furthermore, Belarus's Soviet-style, structurally unreformed state-dominated economy is facing its worst crisis since Lukashenka came to power. Russian cut offs of energy subsidies and the explosion of the country's budget deficit following heavy state spending ahead of December's presidential elections in a populist bid to increase Lukashenka's waning popularity have contributed. Since then, Belarus has witnessed devaluation of its currency, a jump in inflation and increase in unemployment, and, in recent weeks, growing public protests.

Notwithstanding the almost universal condemnation and punitive measures by the U.S. and EU, Alexander Lukashenka continues to turn a deaf ear to the international community, and, more importantly, to the Belarusian people. The Belarusian autocrat has clearly manifested his profound mistrust of—and contempt for—the long-suffering Belarusian people at whose expense he has enriched himself for the past 17 years.

Clearly, the need for a sustained U.S. commitment to foster democracy and respect for human rights, and sanction Lukashenka and his cronies remains. I want to stress that both the Bush and Obama administrations have made good use of the previous Belarus Democracy Acts, of 2004 and 2006, reinforcing to the Belarusian government that the elected representatives of the American people—by overwhelming bipartisan majorities—support the policy of condemning and sanctioning the Belarusian government for its brutal human rights violations.

The visa bans and targeted financial and economic sanctions instituted by President Bush in response to the earlier legislation have been maintained, and in some ways expanded by President Obama since December 19th. Most recently, on May 27 President Obama issued a statement in which he condemned the conviction and sentencing of five opposition candidates, asserting that the United States considers these candidates, along with the other courageous activists arrested and charged in the crackdown, as political prisoners. The President also pledged to pursue new sanctions against select Belarusian state-owned enterprises, which H.R. 515 strongly encourages.

Unfortunately, two decades after the demise of the Soviet Union, Belarus remains in a time warp—unreconstructed politically and economically and isolated from its European roots, due to one man's dictatorial rule. His tactics are a chilling reminder of a darker time, more than two decades ago when the Soviet KGB hounded dissidents. It is a tragedy for the Belarusian people—who have suffered so much over the course of the last century—that Lukashenka is yet again choosing the path of self-isolation and squelching the desire for freedom. He is, yet again, making a mockery of Belarus' freely undertaken OSCE obligations.

The Belarusian people wish to live in a country where human rights are respected, democracy flourishes and the rule of law is the norm. I remain convinced that the time will soon come when Belarus will be integrated with the family of democratic nations. We must

continue to resolutely stand at their side as they struggle to lift themselves from the yoke of this oppressive regime.

BELARUS—CANDIDATES OR ACTIVISTS UNDER CRIMINAL CHARGES RELATED TO THE DECEMBER 19-20 POST-ELECTION DEMONSTRATION

Persons charged with organizing and participating in mass disturbances (article 293 para 1 and 2 of the Criminal Code, penalties of up to 15 years in jail)

Detainees, In detention, Trial date, Conviction and charge:

1. Andrey Sannikau, European Belarus coalition coordinator, Charter97, presidential candidate, Yes, April 27-May 14, Five years in a high security jail; organization of mass disturbances.

2. Mikalay Statkevich, Narodnaya Hramada Social Democratic party leader, presidential candidate, Yes, May 11-18, May 26, Six years in a high security jail; organization of mass disturbances.

3. Ales Mikhalevich, For Modernization NGO, presidential candidate, No (abroad).

4. Dzmitry Us, presidential candidate, Yes, May 11-18, May 26, Five years and six months in a high security jail; organization of mass disturbances.

5. Alyaksandr Atroshchankau, Sannikau's spokesperson, Yes; appeal denied April 5, March 01-02, Four years in a high security jail; participation in mass disturbances.

6. Natallya Radzina, Charter97 editor, No (abroad).

7. Anatol Lyabedzka, United Civic Party chair, No.

8. Alyaksandr Klaskouski, former police officer, Yes, May 11-18, May 26, Five years in a high security jail; participation in mass disturbances, insult of an official, unauthorized assumption of rank or powers of an official.

9. Uladzimir Kobets, Sannikau's campaign team leader, No.

10. Alyaksandr Arastovich, Statkevich's aid, No.

11. Anatol Paulau, Ramanchuk's aid, No.

12. Aleh Korban, Ramanchuk's aid, No.

13. Ivan Haponau, a Russian citizen, No, February 22, March 10, 10,500,000-ruble fine (\$3,450); participation in mass disturbances.

14. Artsyom Breus, a Russian citizen, No, February 22, March 10, 10,500,000-ruble fine (\$3,450); participation in mass disturbances.

15. Mikita Likhavidi, For Freedom movement activist, Yes, March 22-23, March 29, Three years and six months in a high security jail; participation in mass disturbances.

16. Dzmitry Novik, BPF member, Yes; appeal denied April 5, March 01-02, Three years and six months in a high security jail; participation in mass disturbances.

17. Aleh Fedarkevich, a demonstration participant, Yes, May 5-12, Three years and six months in jail; participation in mass disturbances.

18. Uladzimir Khamichenka, a demonstration participant, Yes, April 27-May 5, Three years in a high security jail; participation in mass disturbances.

19. Dzmitry Myadzvedz, a demonstration participant, No, March 01, March 10, Partial house arrest that requires regular reporting to police and restricts travel without prior permission from authorities; participation in mass disturbances.

20. Uladzimir Loban, a demonstration participant, Yes, May 5-12, Three years in jail; participation in mass disturbances.

21. Pavel Vinahradau, "Tell the truth" activist, Yes, April 27-May 05, Four years in a high security jail; participation in mass disturbances.

22. Andrey Paznyak, a demonstration participant, No, May 11-18, May 26, Three years

of partial house arrest; participation in mass disturbances.

23. Alyaksandr Malchanau, a demonstration participant, Yes; appeal denied April 5, March 01-02, Three years in a high security jail; participation in mass disturbances and desecration of state symbols.

24. Ilya Vasilevich, a youth activist, Yes, April 27-May 14, Three years in a high security jail; participation in mass disturbances.

25. Dzmitry Bulanau, a demonstration participant, Yes, May 11-18, May 26, Three years in a high security jail; participation in mass disturbances.

26. Alyaksandr Kvyatkevich, a demonstration participant, Yes, May 11-18, May 26, Three years and six months in a high security jail; participation in mass disturbances.

27. Vasil Parfyankou, "Tell the Truth" activist, Yes; appeal denied March 25, February 17, Four years in a high security jail; participation in mass disturbances.

28. Artsyom Hrybkou, a demonstration participant, Yes, May 11-18, May 26, Four years in a high security jail; participation in mass disturbances.

29. Fyodar Mirzayanau, a demonstration participant, Yes, April 27-May 14, Three years in a high security jail; participation in mass disturbances.

30. Ales Kirkevich, Malady Front activist, Yes, April 27-May 5, Four years in a high security jail; participation in mass disturbances.

31. Dzmitry Drozd, Sannikau's campaign team member, Yes, April 27-May 5, Three years in a high security jail; participation in mass disturbances.

32. Syarhey Kazakou, European Belarus activist, Yes, May 5-12, Three years in jail; participation in mass disturbances.

33. Uladzimir Yaromenka, Malady Front activist, Yes, April 27-May 14, Three years in a high security jail; participation in mass disturbances.

34. Dzmitry Daronin, a demonstration participant, Yes, May 5-12, Three years and six months in jail; participation in mass disturbances.

35. Andrey Pratasenya, Ramanchuk's campaign team volunteer, Yes, April 27-May 5, Three years in a high security jail; participation in mass disturbances.

36. Aleh Hnedchyk, Nyaklyaeu's campaign activist, Yes, April 27-May 14, Three years and six months in a high security jail; participation in mass disturbances.

37. Vital Matsukevich, a demonstration participant, Yes, May 5-12, Three years in a high security jail; participation in mass disturbances.

38. Yauhen Sakret, Sannikau's campaign activist, Yes, May 5-12, Three years in jail; participation in mass disturbances.

Persons charged with organizing, arranging, and actively participating in activities that severely violate public order (article 342 para 1 of the Criminal Code, penalties up to three years in jail)

1. Uladzimir Nyaklyaeu, "Tell the Truth" campaign leader, presidential candidate, No, May 5-20, Two years suspended sentence.

2. Vital Rymasheuski, Belarusian Christian Democracy co-chair, presidential candidate, No, May 5-20, Two years suspended sentence.

3. Alyaksandr Fyaduta, Nyaklyaeu's aid, No, May 5-20, Two years suspended sentence.

4. Andrey Dzmitryeu, Nyaklyaeu's campaign team leader, No, May 5-20, Two years suspended sentence.

5. Syarhey Vaznyak, Nyaklyaeu's aid, No, May 5-20, Two years suspended sentence.

6. Nasta Palazhanka, Malady Front deputy chair, No, May 5-20, One year suspended sentence.

7. Pavel Sevyarynets, Belarusian Christian Democracy co-chair, Rymasheuski's aid, No, May 11-16, Three years of "khimiya," a form of internal exile.

8. Zmitser Bandarenka, European Belarus coalition coordinator, Charter97, Yes, April 26-27, Two years in jail.

9. Syarhey Martsaleu, Statkevich's aid, No, May 11-16, Two years suspended sentence.

10. Iryna Khalip, independent journalist, Sannikau's wife, No, May 11-16, Two years suspended sentence.

Persons suspected of organizing and participating in mass riots (article 293 para 1 and 2 of the Criminal Code, penalties of up to 15 years in jail)

1. Ryhor Kastuseu, BPF deputy, presidential candidate, No.

2. Anton Davydenka, a demonstration participant, No.

3. Usevalad Kavalenka, a demonstration participant, No.

4. Syarhey Klyueu, "Tell the truth" activist, No.

5. Mikita Krasnou, a youth activist, No (abroad).

6. Dzmitry Apishau, a demonstration participant, No.

7. Leanid Navitski, Sannikau's aid, No (abroad).

8. Andrey Mikalayeu, a demonstration participant, No.

9. Alyaksandr Vasileuski, a demonstration participant, No.

10. Dzyanis Shydouski, a demonstration participant, No.

11. Alyaksey Sharstou, a demonstration participant, No.

12. Dzmitry Huseltsau, a demonstration participant, No.

13. Vital Stazharau, a demonstration participant, No (abroad).

Persons convicted of severe hooliganism committed by a group of individuals inflicting bodily harm (article 339 para 2 and 3, penalties of up to ten years in jail); detained December 18

1. Zmitser Dashkevich, Malady Front leader, Yes, March 22-24, Two years in jail; severe hooliganism (para 2).

2. Eduard Lobau, Malady Front activist, Yes, March 22-24, Four years in a high security jail; severe hooliganism (para 3 involving armaments).

Students Expelled after December 19 (for political reasons).

Belarusian Committee for defense of the repressed "Salidarnasc" reports ten expelled students:

1. Yauheni Bely, Belarusian State University.

2. Uladzimir Syarheyau, Belarusian State University.

3. Alyaksandr Lukashou, Belarusian State University.

4. Katsyaryna Davydzik, Belarusian State University.

5. Katsyaryna Klimko, Institute of Journalism, Belarusian State University.

6. Aleh Anufyenka, Institute of Journalism, Belarusian State University.

7. Viktorya Petrakouskaya, Maxim Tank Belarusian State Pedagogical University.

8. Viktoryia Kruchkova, Maxim Tank Belarusian State Pedagogical University.

9. Tatsiana Hrybouskaya, Maxim Tank Belarusian State Pedagogical University.

10. Andrey Luhin, Maxim Tank Belarusian State Pedagogical University.

11. Artsyom Khvastysyuk, Belarusian State University of Informatics and Radioelectronics.

12. Uladzimir Yaromenak* Belarusian State University of Informatics and Radioelectronics.

13. Ilya Zhakhavets, Belarusian Institute of Law.

14. Yauhen Tsarykau, Minsk State High Radiotechnical College.

15. Ilyia Vasilevich* Minsk State Polytechnic College.

16. Boris Zakharchuk, Hrodna State University named after Kupala.

17. Yauhen Busko, Hrodna State University named after Kupala.

18. Arseni Asmanau, Homel State University named after Skaryna.

19. Mikita Likhavid* Minsk Institute of Entrepreneurship.

20. Fyodar Mirzayanau* Belarusian State Economic University.

*Tried and Sentenced to terms in prison
Other sources report (unconfirmed):

1. Ales Krot (Member of Studentskaya Rada [independent Student Council], Belarusian National Technical University.

2. Anna Baraban, Belarusian State University.

3. Alina Litvinchuk, Brest State University.

4. Syarhey Sadouski, Belarusian State University of Informatics and Radioelectronics. According to "Salidarnasc", one student was expelled before December 19 (for political reasons).

1. Mikhail Mikulich Maxim Tank Belarusian State Pedagogical University.

Mr. QUIGLEY. Madam Speaker, I rise today in support of H.R. 515, the "Belarus Democracy Reauthorization of 2011." In recent years the Belarusian government, lead by Alexander Lukashenko, has engaged in atrocious human rights violations against opposition leaders and journalists. I believe that it is time that the United States call for an end of these practices and I urge my colleagues to vote in favor of H.R. 515.

Seven years ago the "Belarus Democracy Act of 2004" was passed into law as a measure to help promote the values of democracy, human rights, and to end the violations of fundamental freedoms in the Republic of Belarus. Since this time, the Belarusian dictator, Alexander Lukashenko, has continued to harass and persecute pro-democracy political dissenters and regularly engages in human rights violations against his people. The "Belarus Democracy Reauthorization Act of 2011" calls for Lukashenko to cease all persecution and urges the Belarusian government to work to promote the conditions required for integration of Belarus into the European family of democracies.

This legislation carries a larger significance as it is coming to a vote on the eve of a poignant time in Belarus's involvement within the global community. The International Ice Hockey Federation's (IIHF) 2014 World Ice Hockey Championship has recently been awarded to Belarus and will be hosted in Minsk resulting in fanfare and praise. It is my belief that the IIHF should suspend this great honor until the iron grip of Lukashenko's police state is lifted and all political prisoners are released. The United States Senate unanimously, passed a resolution in April of 2011 expressing the dire need for a moratorium on the 2014 World Ice Hockey Championships in Belarus until justice has been brought to Lukashenko's victims.

It is with sincere urgency that I ask my colleagues to support the passage of H.R. 515, "Belarus Democracy Reauthorization Act of

2011." We must continue the strong tradition of promoting democratic values around the world and let Alexander Lukashenko know that his behavior will not be condoned or tolerated by the United States of America.

Mr. PAUL. Madam Speaker, I rise in opposition to the "Belarus Democracy Act" reauthorization. This title of this bill would have amused George Orwell, as it is in fact a U.S. regime-change bill. Where does the United States Congress derive the moral or legal authority to determine which political parties or organizations in Belarus—or anywhere else—are to be U.S.-funded and which are to be destabilized? How can anyone argue that U.S. support for regime-change in Belarus is somehow "promoting democracy"? We pick the parties who are to be supported and funded and somehow this is supposed to reflect the will of the Belarusian people? How would Americans feel if the tables were turned and a powerful foreign country demanded that only a political party it selected and funded could legitimately reflect the will of the American people?

I would like to know how many millions of taxpayer dollars the U.S. government has wasted trying to overthrow the government in Belarus. I would like to know how much money has been squandered by U.S. government-funded front-organizations like the National Endowment for Democracy, the International Republic Institute, Freedom House, and others meddling like the old Soviet Union in the internal politics of a country that has neither threatened nor attacked the United States. It is the arrogance of our foreign policy and we call it "democracy." We wonder why we are no longer loved and admired overseas.

Finally, I strongly object to the sanctions that this legislation imposes on Belarus. We must keep in mind that sanctions and blockades of foreign countries are considered acts of war. Do we need to continue war-like actions yet another country? Can we afford it.

I wish to emphasize that I take this position not because I am in support of the regime in Belarus, or anywhere else. I take this position because it is dangerous folly to be the Nation that arrogates to itself the right to determine the leadership of the rest of the world. As we teeter closer to bankruptcy, it should be more obvious that we need to change our foreign policy to one of constructive engagement rather than hostile interventionism. And though it scarcely should need to be said, I must remind my colleagues today that we are the U.S. House of Representatives, and not some sort of world congress. We have no constitutional authority to intervene in the wholly domestic affairs of Belarus or any other sovereign nation.

Ms. RICHARDSON. Madam Speaker, I rise in support of H.R. 515, the Belarus Democracy Reauthorization Act of 2011, which will support human rights in Belarus by encouraging the free expression of ideas among pro-democracy activists.

I would like to commend Mr. SMITH, the gentleman from New Jersey, for sponsoring this legislation and the Chairman and Ranking Member of the House Committee on Foreign Affairs, Ms. ROS-LEHTINEN and Mr. BERMAN, for their efforts in bringing this legislation to the floor.

Madam Speaker, Belarusians have the same right to self-government and free speech as their neighbors and through the reauthorization of assistance to their civil society, H.R. 515 will help them regain rights which have been repressed by the ruling regime.

Since he was elected as his country's first president in 1994, Aleksandr Lukashenko has steadily consolidated his power, reversing promising reforms put in place following the dissolution of the Soviet Union. The CIA World Factbook describes Belarus as "a republic in name, although in fact a dictatorship." Former Secretary of State Condoleezza Rice called it "the last true remaining dictatorship in the heart of Europe."

Belarus has been criticized for its dismal human rights record by the U.N. Security Council, the U.S. State Department, the Organization of Security and Cooperation in Europe (OSCE), the OSCE Parliamentary Assembly, the Council of Europe, the Parliamentary Assembly of the Council of Europe, the European Council, the European Parliament, the European Commission, and the NATO Parliamentary Assembly.

As a result of its human rights violations and a steady record of state-sponsored political repression, Belarus is subject to numerous sanctions from both the United States and the European Union. In 2004, Congress unanimously passed the Belarus Democracy Act, which authorizes assistance for political parties, non-governmental organizations, and independent media toward democratic and humanitarian reforms.

This legislation affirms that it remains in the interest of our country that Belarus returns to its rightful place among its fellow European democracies. Unfortunately, recent events validate its current designation as a rogue state. The White House released the following statement regarding its last Presidential election which saw widespread violence and voting irregularities:

The flawed December 2010 Presidential election in Belarus and its aftermath—the harsh violence against peaceful demonstrators; the continuing detention, prosecution, and imprisonment of opposition Presidential candidates and others; and the continuing repression of independent media and civil society activists—all show that the Government of Belams has taken steps backward in the development of democratic governance and respect for human rights.

Madam Speaker, the focus of H.R. 515 is on the Government of Belarus, not its people.

Many of my constituents and their families came to this country fleeing repression from totalitarian regimes. Hearing their stories, I am constantly reminded that a government which respects human rights, free speech, independent courts, and transparent elections is essential to personal liberty. As we pursue sanctions against the government of Belarus, we must provide support to the pro-democracy movement.

With H.R. 515, we will send a message that governing through fear, censorship, and the threat of violence has no place in a legitimate republic. As we mark the 235th birthday of the United States and the rights we enjoy, let us encourage those who wish to apply our principles to their own governments.

With this legislation, we support the political activists, the independent journalists, and the

civil society leaders who risk so much for the good of Belarus.

I urge my colleagues to support H.R. 515.

Mr. SMITH of New Jersey. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 515, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2354, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. WEBSTER, from the Committee on Rules, submitted a privileged report (Rept. No. 112-135) on the resolution (H. Res. 337) providing for consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 320 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2219.

□ 1836

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. BISHOP of Utah (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 31, printed in the CONGRESSIONAL RECORD, offered by the gentleman from Texas (Mr. CARTER), had been disposed of and the bill had been read through page 122, line 9.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. CONNOLLY of Virginia.

Amendment No. 23 by Mr. BROWN of Georgia.

Amendment No. 2 by Mr. CONNOLLY of Virginia.

An amendment by Mr. KUCINICH of Ohio.

Amendment No. 21 by Mr. BROWN of Georgia.

An amendment by Mr. WELCH of Vermont.

Amendment No. 22 Mr. BROWN of Georgia.

Amendment No. 62 by Mr. AMASH of Michigan.

An amendment by Mr. SESSIONS of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in the series.

AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 241, not voting 15, as follows:

[Roll No. 495]

AYES—175

Ackerman	DeGette	Johnson, E. B.
Andrews	DeLauro	Kaptur
Baca	Deutch	Kildee
Baldwin	Dicks	Kind
Bartlett	Dingell	Kissell
Bass (CA)	Doggett	Kucinich
Becerra	Doyle	Langevin
Berkley	Edwards	Larsen (WA)
Berman	Ellison	Larson (CT)
Bishop (GA)	Engel	Lee (CA)
Bishop (NY)	Eshoo	Levin
Boswell	Farr	Lewis (GA)
Brady (PA)	Fattah	Lipinski
Braley (IA)	Filner	Loeb sack
Brown (FL)	Forbes	Lofgren, Zoe
Butterfield	Frank (MA)	Lowe y
Capps	Fudge	Luján
Capuano	Garamendi	Lynch
Carnahan	Gibson	Maloney
Carney	Gonzalez	Markey
Carson (IN)	Green, Al	Matsui
Castor (FL)	Grijalva	McCarthy (NY)
Chandler	Gutierrez	McCollum
Chu	Hanabusa	McDermott
Ciциline	Hastings (FL)	McGovern
Clarke (MI)	Heinrich	McNerney
Clarke (NY)	Higgins	Meeks
Clay	Himes	Michaud
Cleaver	Hinojosa	Miller (NC)
Clyburn	Hirono	Miller, George
Cohen	Hochul	Moore
Connolly (VA)	Holden	Moran
Conyers	Holt	Murphy (CT)
Costa	Honda	Nadler
Courtney	Hoyer	Napolitano
Critz	Inslee	Neal
Crowley	Israel	Olver
Cuellar	Jackson (IL)	Owens
Cummings	Jackson Lee	Pallone
Davis (CA)	(TX)	Pascarell
Davis (IL)	Johnson (GA)	Pastor (AZ)
DeFazio	Johnson (IL)	Payne

Pelosi	Sanchez, Loretta
Perlmutter	Sarbanes
Peters	Schakowsky
Pingree (ME)	Schiff
Polis	Schrader
Price (NC)	Schwartz
Quigley	Scott (VA)
Rangel	Scott, David
Reyes	Serrano
Richardson	Sewell
Richmond	Sherman
Rothman (NJ)	Sires
Roybal-Allard	Slaughter
Ruppersberger	Smith (WA)
Rush	Stark
Ryan (OH)	Sutton
Sánchez, Linda T.	Thompson (CA)
	Thompson (MS)

NOES—241

Adams	Gallegly	Meehan
Aderholt	Gardner	Mica
Akin	Garrett	Miller (FL)
Alexander	Gerlach	Miller (MI)
Altmire	Gibbs	Miller, Gary
Amash	Gingrey (GA)	Mulvaney
Austria	Gohmert	Murphy (PA)
Bachmann	Goodlatte	Myrick
Bachus	Gosar	Neugebauer
Barletta	Gowdy	Noem
Barrow	Granger	Nugent
Barton (TX)	Graves (GA)	Nunes
Bass (NH)	Graves (MO)	Nunnelee
Benishek	Green, Gene	Olson
Berg	Griffin (AR)	Palazzo
Biggert	Griffith (VA)	Paul
Bilbray	Grimm	Paulsen
Bilirakis	Guthrie	Pearce
Bishop (UT)	Hall	Pence
Black	Hanna	Peterson
Blackburn	Harper	Petri
Bonner	Harris	Pitts
Boren	Hartzler	Platts
Boustany	Hastings (WA)	Poe (TX)
Brady (TX)	Hayworth	Pompeo
Brooks	Heck	Posey
Brown (GA)	Hensarling	Price (GA)
Buchanan	Herger	Quayle
Bucshon	Herrera Beutler	Rahall
Buerkle	Huelskamp	Reed
Burgess	Huizenga (MI)	Rehberg
Burton (IN)	Hultgren	Reichert
Calvert	Hunter	Renacci
Camp	Hurt	Ribble
Campbell	Issa	Rigell
Canseco	Jenkins	Rivera
Cardoza	Johnson (OH)	Roby
Carter	Johnson, Sam	Rogers (AL)
Cassidy	Jones	Rogers (KY)
Chabot	Jordan	Rogers (MI)
Chaffetz	Kelly	Rohrabacher
Coble	King (IA)	Rokita
Coffman (CO)	King (NY)	Rooney
Cole	Kingston	Ros-Lehtinen
Conaway	Kinzingler (IL)	Roskam
Cooper	Kline	Ross (AR)
Costello	Labrador	Ross (FL)
Crawford	Lamborn	Royce
Crenshaw	Lance	Runyan
Davis (KY)	Landry	Ryan (WI)
Denham	Lankford	Scalise
Dent	Latham	Schilling
DesJarlais	LaTourette	Schmidt
Diaz-Balart	Latta	Schock
Dold	Lewis (CA)	Schweikert
Donnelly (IN)	LoBiondo	Scott (SC)
Dreier	Long	Scott, Austin
Duffy	Lucas	Sensenbrenner
Duncan (SC)	Luetkemeyer	Sessions
Duncan (TN)	Lummis	Shimkus
Elmiers	Lungren, Daniel E.	Shuler
Emerson	Manzullo	Shuster
Farenthold	Marchant	Simpson
Fincher	Marino	Smith (NE)
Fitzpatrick	Matheson	Smith (NJ)
Flake	McCarthy (CA)	Smith (TX)
Fleischmann	McCaul	Southerland
Fleming	McClintock	Stearns
Flores	McCotter	Stivers
Fortenberry	McHenry	Stutzman
Fox	McKeon	Sullivan
Franks (AZ)	McKinley	Terry
Frelinghuysen	McMorris	Thompson (PA)
	Rodgers	Thornberry
		Tiberi

Tipton	Webster	Wolf
Turner	West	Womack
Upton	Westmoreland	Woodall
Walberg	Whitfield	Yoder
Walden	Wilson (SC)	Young (FL)
Walsh (IL)	Wittman	Young (IN)

NOT VOTING—15

Blumenauer	Guinta	Roe (TN)
Bono Mack	Hinchey	Speier
Cantor	Keating	Towns
Culberson	Mack	Watt
Giffords	McIntyre	Young (AK)

□ 1900

Mr. FRANKS of Arizona and Mrs. LUMMIS changed their vote from “aye” to “no.”

Ms. WASSERMAN SCHULTZ and Messrs. BRADY of Pennsylvania, HOLDEN, and CLEAVER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. BROWN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 328, not voting 16, as follows:

[Roll No. 496]

AYES—87

Adams	Goodlatte	Poe (TX)
Amash	Gowdy	Polis
Bachmann	Graves (GA)	Pompeo
Barton (TX)	Griffith (VA)	Price (GA)
Bass (NH)	Gutierrez	Reed
Benishek	Hensarling	Renacci
Brady (TX)	Herrera Beutler	Rohrabacher
Braley (IA)	Huelskamp	Rokita
Brown (GA)	Huizenga (MI)	Royce
Buerkle	Hultgren	Ryan (WI)
Burgess	Hurt	Schilling
Burton (IN)	Johnson (IL)	Schrader
Campbell	Labrador	Schwartz
Chabot	Lance	Schweikert
Clarke (NY)	Lee (CA)	Scott (SC)
Coble	Lummis	Sensenbrenner
Conyers	Manzullo	Sessions
DeFazio	McClintock	Southerland
Duffy	Miller (FL)	Stearns
Duncan (SC)	Miller (MI)	Stivers
Duncan (TN)	Mulvaney	Stutzman
Edwards	Murphy (PA)	Terry
Filner	Myrick	Tierney
Flake	Nugent	Tonko
Frank (MA)	Paul	Upton
Garamendi	Paulsen	Walsh (IL)
Garrett	Payne	Waters
Gibbs	Petri	Westmoreland
Gibson	Pitts	Woodall

NOES—328

Ackerman	Altmire	Bachus
Aderholt	Andrews	Baldwin
Akin	Austria	Barletta
Alexander	Baca	Barrow

Bartlett	Fudge	McDermott	Sullivan	Velázquez	Whitfield	Kucinich	Napolitano	Schwartz
Bass (CA)	Galleghy	McGovern	Sutton	Visclosky	Wilson (SC)	Langevin	Neal	Scott (VA)
Becerra	Gardner	McHenry	Thompson (CA)	Walberg	Wittman	Larsen (WA)	Oliver	Scott, David
Berg	Gerlach	McKeon	Thompson (MS)	Walden	Wolf	Larson (CT)	Pallone	Serrano
Berkley	Gingrey (GA)	McKinley	Thompson (PA)	Walz (MN)	Womack	Latham	Pascrell	Sewell
Berman	Gohmert	McMorris	Thornberry	Wasserman	Woolsey	Lee (CA)	Pastor (AZ)	Sherman
Biggert	Gonzalez	Rodgers	Tiberi	Schultz	Wu	Levin	Paulsen	Sires
Bilbray	Gosar	McNerney	Tipton	Waxman	Yarmuth	Lewis (GA)	Payne	Slaughter
Bilirakis	Granger	Meehan	Tsongas	Webster	Yoder	Lipinski	Pelosi	Stark
Bishop (GA)	Graves (MO)	Meeks	Turner	Welch	Young (FL)	Loeb sack	Perlmutter	Sutton
Bishop (NY)	Green, Al	Mica	Van Hollen	West	Young (IN)	Lofgren, Zoe	Peters	Thompson (MS)
Bishop (UT)	Green, Gene	Michaud				Lujan	Pingree (ME)	Tierney
Black	Griffin (AR)	Miller (NC)				Lynch	Polis	Tonko
Blackburn	Grijalva	Miller, Gary	Blumenauer	Hinchey	Towns	Maloney	Quigley	Tsongas
Bonner	Grimm	Miller, George	Bono Mack	Johnson, E. B.	Watt	Markey	Reyes	Van Hollen
Boren	Guthrie	Moore	Buchanan	Keating	Wilson (FL)	McCarthy (NY)	Richardson	Wasserman
Boswell	Hall	Moran	Culberson	Mack	Young (AK)	McDermott	Richmond	Schultz
Boustany	Hanabusa	Murphy (CT)	Giffords	McIntyre		McGovern	Rigell	Waters
Brady (PA)	Hanna	Nadler	Guinta	Roe (TN)		McNerney	Roybal-Allard	Waxman
Brooks	Harper	Napolitano				Meeks	Rush	Welch
Brown (FL)	Harris	Neal				Michaud	Ryan (OH)	Wilson (FL)
Bucshon	Hartzler	Neugebauer				Miller, George	Sánchez, Linda	Wittman
Butterfield	Hastings (FL)	Noem				Moore	T.	Woolsey
Calvert	Hastings (WA)	Nunes				Moran	Sarbanes	Wu
Camp	Hayworth	Nunnelee				Murphy (CT)	Schakowsky	Yarmuth
Canseco	Heck	Olson				Nadler	Schrader	
Cantor	Heinrich	Oliver						
Capito	Herger	Owens						
Capps	Higgins	Palazzo						
Capuano	Himes	Pallone						
Cardoza	Hinojosa	Pascrell						
Carnahan	Hirono	Pastor (AZ)						
Carney	Hochul	Pearce						
Carson (IN)	Holden	Pelosi						
Carter	Holt	Pence						
Cassidy	Honda	Perlmutter						
Castor (FL)	Hoyer	Peters						
Chaffetz	Hunter	Peterson						
Chandler	Inslee	Pingree (ME)						
Chu	Israel	Platts						
Ciilline	Issa	Posey						
Clarke (MI)	Jackson (IL)	Price (NC)						
Clay	Jackson Lee	Quayle						
Cleaver	(TX)	Quigley						
Clyburn	Jenkins	Rahall						
Coffman (CO)	Johnson (GA)	Rangel						
Cohen	Johnson (OH)	Rehberg						
Cole	Johnson, Sam	Reichert						
Conaway	Jones	Reyes						
Connolly (VA)	Jordan	Ribble						
Cooper	Kaptur	Richardson						
Costa	Kelly	Richmond						
Costello	Kildee	Rigell						
Courtney	Kind	Rivera						
Cravaack	King (IA)	Roby						
Crawford	King (NY)	Rogers (AL)						
Crenshaw	Kingston	Rogers (KY)						
Critz	Kinzing (IL)	Rogers (MI)						
Crowley	Kissell	Rooney						
Cuellar	Kline	Ros-Lehtinen						
Cummings	Kucinich	Roskam						
Davis (CA)	Lamborn	Ross (AR)						
Davis (IL)	Landry	Ross (FL)						
Davis (KY)	Langevin	Rothman (NJ)						
DeGette	Lankford	Roybal-Allard						
DeLauro	Larsen (WA)	Runyan						
Denham	Larson (CT)	Ruppersberger						
Dent	Latham	Rush						
DesJarlais	LaTourrette	Ryan (OH)						
Deutch	Latta	Sánchez, Linda						
Diaz-Balart	Levin	T.						
Dicks	Lewis (CA)	Sanchez, Loretta						
Dingell	Lewis (GA)	Sarbanes						
Doggett	Lipinski	Scalise						
Dold	LoBiondo	Schakowsky						
Donnelly (IN)	Loeb sack	Schiff						
Doyle	Lofgren, Zoe	Schmidt						
Dreier	Long	Schock						
Ellison	Lowe	Scott (VA)						
Ellmers	Lucas	Scott, Austin						
Emerson	Luetkemeyer	Scott, David						
Engel	Luján	Serrano						
Eshoo	Lungren, Daniel	Sewell						
Farenthold	E.	Sherman						
Farr	Lynch	Shimkus						
Fattah	Maloney	Shuler						
Fincher	Marchant	Shuster						
Fitzpatrick	Marino	Simpson						
Fleischmann	Markey	Sires						
Fleming	Matheson	Slaughter						
Flores	Matsui	Smith (NE)						
Forbes	McCarthy (CA)	Smith (NJ)						
Fortenberry	McCarthy (NY)	Smith (TX)						
Fox	McCauley	Smith (WA)						
Franks (AZ)	McCollum	Speier						
Frelinghuysen	McCotter	Stark						

NOT VOTING—16

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
One minute remains in this vote.

□ 1906

Ms. EDWARDS and Mr. GUTIERREZ
changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Stated against:

Mr. BUCHANAN. Mr. Chair, on rollcall No.
496 I was unavoidably detained. Had I been
present, I would have voted “no.”

AMENDMENT OFFERED BY MR. CONNOLLY OF
VIRGINIA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on amendment No. 2 offered by
the gentleman from Virginia (Mr. CON-
NOLLY) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 152, noes 266,
not voting 13, as follows:

[Roll No. 497]

AYES—152

Andrews	Cohen	Gonzalez
Baca	Connolly (VA)	Green, Al
Baldwin	Conyers	Grijalva
Bass (CA)	Courtney	Gutierrez
Becerra	Crowley	Hanabusa
Berkley	Cummings	Hastings (FL)
Berman	Davis (CA)	Heinrich
Bishop (GA)	Davis (IL)	Higgins
Bishop (NY)	DeFazio	Himes
Boswell	DeGette	Hinojosa
Brady (PA)	DeLauro	Hirono
Braley (IA)	Deutch	Holt
Brown (FL)	Dingell	Honda
Butterfield	Doggett	Hoyer
Capps	Doyle	Inslee
Capuano	Edwards	Israel
Carnahan	Ellison	Jackson (IL)
Carson (IN)	Engel	Jackson Lee
Castor (FL)	Farr	(TX)
Chandler	Fattah	Johnson (GA)
Chu	Finer	Johnson (IL)
Ciilline	Forbes	Johnson, E. B.
Clarke (MI)	Frank (MA)	Kaptur
Clarke (NY)	Fudge	Kildee
Clay	Garamendi	Kind
Cleaver	Gibson	Kissell

NOES—266

Ackerman	Dreier	Lamborn
Adams	Duffy	Lance
Aderholt	Duncan (SC)	Landry
Akin	Duncan (TN)	Lankford
Alexander	Ellmers	LaTourrette
Altmire	Emerson	Latta
Amash	Eshoo	Lewis (CA)
Austria	Farenthold	LoBiondo
Bachmann	Fincher	Long
Bachus	Fitzpatrick	Lowe
Barletta	Flake	Lucas
Barrow	Fleischmann	Luetkemeyer
Bartlett	Fleming	Lummis
Barton (TX)	Flores	Lungren, Daniel
Bass (NH)	Fortenberry	E.
Benishke	Fox	Manzullo
Berg	Franks (AZ)	Marchant
Biggert	Frelinghuysen	Marino
Bilbray	Gallegly	Matheson
Bilirakis	Gardner	Matsui
Bishop (UT)	Garrett	McCarthy (CA)
Black	Gerlach	McCauley
Blackburn	Gibbs	McClintock
Bonner	Gingrey (GA)	McCollum
Boren	Gohmert	McCotter
Boustany	Goodlatte	McHenry
Brady (TX)	Gosar	McKeon
Brooks	Gowdy	McKinley
Broun (GA)	Granger	McMorris
Buchanan	Graves (GA)	Rodgers
Bucshon	Graves (MO)	Meehan
Buerkle	Green, Gene	Mica
Burgess	Griffin (AR)	Miller (FL)
Burton (IN)	Griffith (VA)	Miller (MI)
Calvert	Grimm	Miller (NC)
Camp	Guthrie	Miller, Gary
Campbell	Hall	Mulvaney
Canseco	Hanna	Murphy (PA)
Cantor	Harper	Myrick
Capito	Harris	Neugebauer
Cardoza	Hartzler	Noem
Carney	Hastings (WA)	Nugent
Carter	Hayworth	Nunes
Cassidy	Heck	Nunnelee
Chabot	Hensarling	Olson
Chaffetz	Herger	Owens
Clyburn	Herrera Beutler	Palazzo
Coble	Hochul	Paul
Coffman (CO)	Holden	Pearce
Cole	Huelskamp	Pence
Conaway	Huizenga (MI)	Peterson
Cooper	Hultgren	Petri
Costa	Hurt	Pitts
Costello	Issa	Platts
Cravaack	Jenkins	Poe (TX)
Crawford	Johnson (OH)	Pompeo
Crenshaw	Johnson, Sam	Posey
Critz	Jones	Price (GA)
Cuellar	Jordan	Price (NC)
Davis (KY)	Kelly	Quayle
Denham	King (IA)	Rahall
Dent	King (NY)	Rangel
DesJarlais	Kingston	Reed
Diaz-Balart	Kinzing (IL)	Rehberg
Dicks	Kline	Reichert
Dold	Labrador	Renacci
Donnelly (IN)		Ribble

Rivera	Schweikert	Tiberi	Clarke (NY)	Israel	Pingree (ME)	Foxx	Lucas	Rogers (MI)
Roby	Scott (SC)	Tipton	Clay	Jackson (IL)	Poe (TX)	Franks (AZ)	Luetkemeyer	Rohrabacher
Rogers (AL)	Scott, Austin	Turner	Cleaver	Jackson Lee	Polis	Frelinghuysen	Marchant	Rooney
Rogers (KY)	Sensenbrenner	Upton	Clyburn	(TX)	Price (GA)	Garrett	Marino	Ros-Lehtinen
Rogers (MI)	Sessions	Velázquez	Coble	Johnson (GA)	Price (NC)	Gerlach	McCarthy (CA)	Roskam
Rohrabacher	Shimkus	Visclosky	Cohen	Johnson (IL)	Quigley	Gibbs	McCaul	Ross (FL)
Rokita	Shuler	Walberg	Connolly (VA)	Johnson (OH)	Rahall	Gingrey (GA)	McClintock	Royce
Rooney	Shuster	Walden	Conyers	Johnson, E. B.	Rangel	Gohmert	McCotter	Ryan (WI)
Ros-Lehtinen	Simpson	Walsh (IL)	Costello	Jones	Reichert	Gowdy	McHenry	Scalise
Roskam	Smith (NE)	Walsh (MN)	Courtney	Kaptur	Renacci	Granger	McKeon	Schmidt
Ross (AR)	Smith (NJ)	Webster	Critz	Kildee	Reyes	Graves (GA)	McKinley	Schock
Ross (FL)	Smith (TX)	West	Crowley	Kind	Richardson	Graves (MO)	Mica	Schweikert
Rothman (NJ)	Smith (WA)	Westmoreland	Cuellar	Kinzinger (IL)	Richmond	Griffin (AR)	Miller (FL)	Scott (SC)
Royce	Southerland	Whitfield	Cummings	Kissell	Roe (TN)	Hall	Miller, Gary	Scott, Austin
Runyan	Speler	Wilson (SC)	Davis (CA)	Kucinich	Rokita	Harper	Murphy (PA)	Shimkus
Ruppersberger	Stearns	Wolf	DeFazio	Labrador	Ross (AR)	Hastings (WA)	Myrick	Shuler
Ryan (WI)	Stivers	Womack	DeGette	Lance	Rothman (NJ)	Hayworth	Neugebauer	Shuster
Sanchez, Loretta	Stutzman	Woodall	DeLauro	Langevin	Roybal-Allard	Hensarling	Noem	Simpson
Scalise	Sullivan	Yoder	Dent	Larsen (WA)	Runyan	Huizenga (MI)	Nugent	Smith (NE)
Schiff	Terry	Young (FL)	Deutch	Ruppertsberger	Rush	Hultgren	Nunes	Smith (TX)
Schilling	Thompson (CA)	Young (IN)	Dicks	Lee (CA)	Ryan (OH)	Hunter	Nunnelee	Stivers
Schmidt	Thompson (PA)		Dingell	Levin	Sánchez, Linda	Issa	Pearce	Stutzman
Schock	Thornberry		Doggett	Lewis (CA)	T.	Jenkins	Pence	Thompson (PA)
			Donnelly (IN)	Lewis (GA)	Sánchez, Loretta	Johnson, Sam	Pitts	Thornberry
			Doyle	Lipinski	Sarbanes	Jordan	Platts	Tiberi
			Duffy	LoBiondo	Schakowsky	Kelly	Pompeo	Walberg
			Edwards	Loebuck	Schiff	King (IA)	Posey	Walsh (IL)
			Ellison	Lofgren, Zoe	Schilling	King (NY)	Quayle	Webster
			Engel	Lowe	Schrader	Kingston	Reed	Whitfield
			Eshoo	Luján	Schwartz	Kline	Rehberg	Wittman
			Farr	Lummis	Scott (VA)	Lamborn	Ribble	Wolf
			Fattah	Lungren, Daniel	Scott, David	Landry	Rigell	Womack
			Finler	E.	Sensenbrenner	Lankford	Rivera	Yoder
			Fincher	Lynch	Serrano	LaTourette	Roby	Young (FL)
			Fitzpatrick	Maloney	Sessions	Latta	Rogers (AL)	Young (IN)
			Fortenberry	Manzullo	Sewell	Long	Rogers (KY)	
			Frank (MA)	Markey	Sherman			
			Fudge	Matheson	Sires			
			Galleghy	Matsui	Slaughter			
			Garamendi	McCarthy (NY)	Smith (NJ)			
			Gardner	McCollum	Smith (WA)			
			Gibson	McDermott	Southerland			
			Gonzalez	McGovern	Speier			
			Goodlatte	McMorris	Stark			
			Gosar	Rodgers	Stearns			
			Green, Al	McNerney	Sutton			
			Green, Gene	Meehan	Terry			
			Griffith (VA)	Meeks	Thompson (CA)			
			Grijalva	Michaud	Thompson (MS)			
			Grimm	Miller (MI)	Tierney			
			Guthrie	Miller (NC)	Tipton			
			Gutierrez	Miller, George	Tonko			
			Hanabusa	Moore	Tsongas			
			Hanna	Moran	Turner			
			Harris	Mulvaney	Upton			
			Hartzer	Murphy (CT)	Van Hollen			
			Hastings (FL)	Nadler	Velázquez			
			Heck	Napolitano	Visclosky			
			Heinrich	Neal	Walden			
			Herrera Beutler	Olver	Walsh (MN)			
			Higgins	Owens	Wasserman			
			Himes	Palazzo	Schultz			
			Hinchev	Pallone	Waters			
			Hinojosa	Pascrell	Waxman			
			Hirono	Pastor (AZ)	Welch			
			Hochul	Paul	West			
			Holden	Paulsen	Westmoreland			
			Holt	Payne	Wilson (FL)			
			Honda	Pelosi	Wilson (SC)			
			Hoyer	Perlmutter	Woodall			
			Huelskamp	Peters	Woolsey			
			Hurt	Peterson	Wu			
			Inslee	Petri	Yarmuth			

NOT VOTING—13

Blumenauer	Hinchev	Towns
Bono Mack	Keating	Watt
Culberson	Mack	Young (AK)
Giffords	McIntyre	
Quinta	Roe (TN)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in this vote.

□ 1909

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Chair, on July 6, 2011, I missed 3 recorded votes because my return flight from Tennessee to Washington was significantly delayed.

I take my voting responsibility very seriously. Had I been present, I would have voted “no” on recorded vote numbers 495, 496, and 497.

AMENDMENT OFFERED BY MR. KUCINICH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 167, not voting 11, as follows:

[Roll No. 498]

AYES—253

Ackerman	Bilirakis	Capps
Altmire	Bishop (NY)	Capuano
Amash	Boren	Cardoza
Andrews	Boswell	Carnahan
Baca	Brady (PA)	Carney
Bachmann	Braley (IA)	Carson (IN)
Baldwin	Brown (FL)	Castor (FL)
Barrow	Burgess	Chabot
Bass (CA)	Burton (IN)	Chandler
Becerra	Butterfield	Chu
Berkley	Calvert	Cicilline
Berman	Camp	Clarke (MI)

Adams	Boustany	Cravaack
Aderholt	Brady (TX)	Crawford
Akin	Brooks	Crenshaw
Alexander	Brown (GA)	Davis (KY)
Austria	Buchanan	Denham
Bachus	Bucshon	DesJarlais
Barletta	Buerkle	Diaz-Balart
Bartlett	Campbell	Dold
Barton (TX)	Canseco	Dreier
Bass (NH)	Cantor	Duncan (SC)
Benishak	Capito	Duncan (TN)
Berg	Carter	Ellmers
Biggart	Cassidy	Emerson
Bilbray	Chaffetz	Farenthold
Bishop (GA)	Coffman (CO)	Flake
Bishop (UT)	Cole	Fleischmann
Black	Conaway	Fleming
Blackburn	Cooper	Flores
Bonner	Costa	Forbes

NOES—167

NOT VOTING—11

Blumenauer	Quinta	Towns
Bono Mack	Keating	Watt
Culberson	Mack	Young (AK)
Giffords	McIntyre	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in this vote.

□ 1914

Mr. CHABOT changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENTS NO. 21 AND 22 OFFERED BY MR.

BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on amendment Nos. 21 and 22, to the end that they stand disposed of by the voice votes thereon.

The Acting CHAIR. The Clerk will redesignate each amendment.

The Clerk redesignated the amendments.

The Acting CHAIR. Is there objection?

Without objection, the requests for a recorded vote are withdrawn and amendment Nos. 21 and 22 stand as not adopted.

There was no objection.

AMENDMENT OFFERED BY MR. WELCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. WELCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 322, not voting 11, as follows:

[Roll No. 499]

AYES—98

Amash	Griffith (VA)	Pallone
Baldwin	Grijalva	Paul
Bass (CA)	Gutierrez	Payne
Becerra	Harris	Pelosi
Benishek	Higgins	Peters
Boswell	Hirono	Petri
Braley (IA)	Holt	Pingree (ME)
Campbell	Honda	Polis
Capps	Inslee	Quigley
Capuano	Jackson (IL)	Rahall
Carson (IN)	Johnson, E. B.	Reed
Chu	Jones	Roybal-Allard
Clarke (NY)	Kind	Ryan (OH)
Cohen	Kucinich	Sarbanes
Conyers	Labrador	Schakowsky
Crowley	Lee (CA)	Schrader
Cummings	Lewis (GA)	Sensenbrenner
DeFazio	Loeb sack	Serrano
DeGette	Lofgren, Zoe	Slaughter
Deutch	Lummis	Speier
Doyle	Lynch	Stark
Duffy	Maloney	Thompson (CA)
Duncan (TN)	Markey	Tierney
Edwards	Matsui	Tonko
Ellison	McDermott	Tsongas
Eshoo	McGovern	Velázquez
Farr	Michaud	Waters
Filner	Miller, George	Waxman
Frank (MA)	Mulvaney	Welch
Fudge	Nadler	Wilson (FL)
Gibson	Napolitano	Woolsey
Graves (GA)	Neal	Yarmuth
Green, Gene	Oliver	

NOES—322

Ackerman	Cardoza	Farenthold
Adams	Carnahan	Fattah
Aderholt	Carney	Fincher
Akin	Carter	Fitzpatrick
Alexander	Cassidy	Flake
Altmire	Castor (FL)	Fleischmann
Andrews	Chabot	Fleming
Austria	Chaffetz	Flores
Baca	Chandler	Forbes
Bachmann	Cicilline	Fortenberry
Bachus	Clarke (MI)	Fox
Barletta	Clay	Franks (AZ)
Barrow	Cleaver	Frelinghuysen
Bartlett	Clyburn	Gallely
Barton (TX)	Coble	Garamendi
Bass (NH)	Coffman (CO)	Gardner
Berg	Cole	Garrett
Berkley	Conaway	Gerlach
Berman	Connolly (VA)	Gibbs
Biggart	Cooper	Gingrey (GA)
Bilbray	Costa	Gohmert
Bilirakis	Costello	Gonzalez
Bishop (GA)	Courtney	Goodlatte
Bishop (NY)	Cravaack	Gosar
Bishop (UT)	Crawford	Gowdy
Black	Crenshaw	Granger
Blackburn	Critz	Graves (MO)
Bonner	Cuellar	Green, Al
Boren	Davis (CA)	Griffin (AR)
Boustany	Davis (IL)	Grimm
Brady (PA)	Davis (KY)	Guthrie
Brady (TX)	DeLauro	Hall
Brooks	Denham	Hanabusa
Broun (GA)	Dent	Hanna
Brown (FL)	DesJarlais	Harper
Buchanan	Diaz-Balart	Hartzler
Bucshon	Dicks	Hastings (FL)
Buerkle	Dingell	Hastings (WA)
Burgess	Doggett	Hayworth
Burton (IN)	Dold	Heck
Butterfield	Donnelly (IN)	Heinrich
Calvert	Dreier	Hensarling
Camp	Duncan (SC)	Herger
Canseco	Ellmers	Herrera Beutler
Cantor	Emerson	Himes
Capito	Engel	Hinchey

Hinojosa	McNerney	Sánchez, Linda
Hochul	Meehan	T.
Holden	Meeks	Sanchez, Loretta
Hoyer	Mica	Scalise
Huelskamp	Miller (FL)	Schiff
Huizenga (MI)	Miller (MI)	Schilling
Hultgren	Miller (NC)	Schmidt
Hunter	Miller, Gary	Schock
Hurt	Moore	Schwartz
Israel	Moran	Schweikert
Issa	Murphy (CT)	Scott (SC)
Jackson Lee	Murphy (PA)	Scott (VA)
(TX)	Myrick	Scott, Austin
Jenkins	Neugebauer	Scott, David
Johnson (GA)	Noem	Sessions
Johnson (IL)	Nugent	Sewell
Johnson (OH)	Nunes	Sherman
Johnson, Sam	Nunnelee	Shimkus
Jordan	Olson	Shuler
Kaptur	Owens	Shuster
Kelly	Palazzo	Simpson
Kildee	Pascrell	Sires
King (IA)	Pastor (AZ)	Smith (NE)
King (NY)	Paulsen	Smith (NJ)
Kingston	Pearce	Smith (TX)
Kinzingler (IL)	Pence	Smith (WA)
Kissell	Perlmutter	Southerland
Kline	Peterson	Stearns
Lamborn	Pitts	Stivers
Lance	Platts	Stutzman
Landry	Poe (TX)	Sullivan
Langevin	Pompeo	Terry
Lankford	Possey	Thompson (MS)
Larsen (WA)	Price (GA)	Thompson (PA)
Larson (CT)	Price (NC)	Thornberry
Latham	Quayle	Tiberi
LaTourette	Rangel	Tipton
Latta	Rehberg	Turner
Levin	Reichert	Upton
Lewis (CA)	Renacci	Van Hollen
Lipinski	Reyes	Visclosky
LoBiondo	Ribble	Walberg
Long	Richardson	Walder
Lowey	Richmond	Walsh (IL)
Lucas	Rigell	Walz (MN)
Luetkemeyer	Rivera	Wasserman
Lujan	Roby	Schultz
Lungren, Daniel	Roe (TN)	Webster
E.	Rogers (AL)	West
Manzullo	Rogers (KY)	Westmoreland
Marchant	Rogers (MI)	Whitfield
Marino	Rohrabacher	Wilson (SC)
Matheson	Rokita	Wittman
McCarthy (CA)	Rooney	Wolf
McCarthy (NY)	Ros-Lehtinen	Womack
McCaul	Roskam	Woodall
McClintock	Ross (AR)	Wu
McCollum	Ross (FL)	Yoder
McCotter	Rothman (NJ)	Young (FL)
McHenry	Royce	Young (IN)
McKeon	Runyan	
McKinley	Ruppersberger	
McMorris	Rush	
Rodgers	Ryan (WI)	

NOT VOTING—11

Blumenauer	Quinta	Towns
Bono Mack	Keating	Watt
Culberson	Mack	Young (AK)
Giffords	McIntyre	

□ 1920

Mr. PASCRELL changed his vote from “aye” to “no.”

Ms. SPEIER changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 62 OFFERED BY MR. AMASH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. AMASH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 208, not voting 11, as follows:

[Roll No. 500]

AYES—212

Adams	Goodlatte	Nunes
Aderholt	Gosar	Nunnelee
Akin	Gowdy	Olson
Alexander	Granger	Palazzo
Amash	Graves (GA)	Paul
Austria	Graves (MO)	Paulsen
Bachmann	Griffin (AR)	Pearce
Bachus	Griffith (VA)	Pence
Barletta	Guthrie	Petri
Bartlett	Hall	Pitts
Barton (TX)	Hanna	Poe (TX)
Bass (NH)	Harper	Pompeo
Benishek	Harris	Possey
Berg	Hartzler	Price (GA)
Biggart	Hastings (WA)	Quayle
Bilirakis	Hayworth	Reed
Black	Heck	Rehberg
Blackburn	Hensarling	Reichert
Bonner	Herger	Renacci
Boustany	Herrera Beutler	Ribble
Brady (TX)	Huelskamp	Rigell
Brooks	Huizenga (MI)	Rivera
Broun (GA)	Hultgren	Roby
Buchanan	Hunter	Roe (TN)
Bucshon	Hurt	Rogers (KY)
Buerkle	Issa	Rogers (MI)
Burgess	Jenkins	Rohrabacher
Burton (IN)	Johnson (IL)	Rokita
Calvert	Johnson (OH)	Rooney
Camp	Johnson, Sam	Roskam
Campbell	Jordan	Ross (FL)
Canseco	Kelly	Royce
Cantor	King (IA)	Runyan
Capito	King (NY)	Ryan (WI)
Carter	Kingston	Scalise
Cassidy	Kinzingler (IL)	Scalise
Chabot	Kline	Schilling
Chaffetz	Labrador	Schmidt
Coble	Lamborn	Schock
Coffman (CO)	Lance	Schweikert
Conaway	Landry	Scott (SC)
Cravaack	Lankford	Sensenbrenner
Crawford	Latham	Sessions
Davis (KY)	Latta	Shuster
Denham	Lewis (CA)	Simpson
Dent	Long	Smith (NE)
DesJarlais	Luetkemeyer	Smith (TX)
Diaz-Balart	Lummis	Southerland
Dold	Lungren, Daniel	Stearns
Dreier	E.	Stivers
Duffy	Manzullo	Stutzman
Duncan (SC)	Marchant	Terry
Duncan (TN)	Marino	Thompson (PA)
Ellmers	McCarthy (CA)	Thornberry
Farenthold	McCauley	Tipton
Fincher	McClintock	Turner
Flake	McCotter	Upton
Fleischmann	McHenry	Walberg
Fleming	McKeon	Walder
Flores	McKinley	Walsh (IL)
Forbes	McMorris	Webster
Fortenberry	Rodgers	West
Fox	Mica	Westmoreland
Franks (AZ)	Miller (FL)	Whitfield
Frelinghuysen	Miller (MI)	Wilson (SC)
Gallely	Miller, Gary	Wittman
Gardner	Mulvaney	Womack
Garrett	Murphy (PA)	Woodall
Gibbs	Myrick	Yoder
Gibson	Neugebauer	Young (FL)
Gingrey (GA)	Noem	Young (IN)
Gohmert	Nugent	

NOES—208

Ackerman	Becerra	Boren
Altmire	Berkley	Boswell
Andrews	Berman	Brady (PA)
Baca	Bilbray	Braley (IA)
Baldwin	Bishop (GA)	Brown (FL)
Barrow	Bishop (NY)	Butterfield
Bass (CA)	Bishop (UT)	Capps

Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa

Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeback
Lofgren, Zoe
Lowey
Lucas
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson

Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (AL)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Benishek
Berg
Biggart
Bilbray
Bilirakis
Black
Blackburn
Bonner
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Connolly (VA)
Cravack
Crawford
Crenshaw
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson

NOT VOTING—11

Blumenauer
Bono Mack
Culberson
Giffords

Guinta
Keating
Mack
McIntyre

Towns
Watt
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in the vote.

□ 1925

Mr. CONYERS and Ms. JACKSON LEE of Texas changed their vote from “aye” to “no.”

Messrs. TURNER and NUGENT changed their vote from “no” to “aye.”
So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were

postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 204, not voting 10, as follows:

[Roll No. 501]

AYES—217

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Connolly (VA)
Cravack
Crawford
Crenshaw
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson

Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Gutierrez
Hall
Hanna
Harris
Hartzer
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer

Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—204

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bishop (UT)
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi

Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeback
Lofgren, Zoe
Lowey
Lucas
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens

Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (AL)
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth

NOT VOTING—10

Blumenauer
Bono Mack
Culberson
Giffords

Guinta
Keating
Mack
Towns

Watt
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
One minute remains in the vote.

□ 1930

So the amendment was agreed to.
The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 8128. Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on

the approximately \$100,000,000,000 in efficiency savings identified by the military departments in the defense budget covering fiscal years 2012 through 2016 that are to be reinvested in the priorities of the military departments. Such report shall include an analysis of—

(1) each savings identified by the military departments, including—

(A) the budget account from which such savings will be derived;

(B) the number of military personnel and full-time civilian employees of the Federal Government affected by such savings;

(C) the estimated reductions in the number and funding of contractor personnel caused by such savings; and

(D) a specific description of activities or services that will be affected by such savings, including the locations of such activities or services; and

(2) each reinvestment planned to be funded with such savings, including—

(A) with respect to such reinvestment in procurement and research, development, test and evaluation accounts, the budget account to which such savings will be reinvested, including, by line item, the number of items to be procured, as shown in annual P-1 and R-1 documents;

(B) with respect to such reinvestment in military personnel and operation and maintenance accounts, the budget account and the subactivity (as shown in annual—1 and O-1 budget documents) to which such savings will be reinvested;

(C) the number of military personnel and full-time civilian employees of the Federal Government affected by such reinvestment;

(D) the estimated number and funding of contractor personnel affected by such reinvestment; and

(E) a specific description of activities or services that will be affected by such reinvestment, including the locations of such activities or services.

Mr. MCGOVERN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, I rise in support of amendments to this title that cut funds, reduce our military footprint, and move to bring our troops home from Afghanistan. And I rise in opposition to the underlying bill.

I want to commend the ranking member of the committee, Congressman NORM DICKS from Washington, for his leadership in calling for a fresh look at how we carry out military operations in Afghanistan and the need for a strategy that brings our troops home sooner rather than later.

Mr. Chairman, I just returned from a trip to Afghanistan. I cannot describe how impressed I am with the commitment, the dedication, and the work carried out every single day by our men and women in uniform, and those in the civilian services. I met and spoke with them in Kabul, Marja, at large bases like Bagram Air Force Base, and in small villages. Quite simply, Mr. Chairman, they are incredible.

But over and over and over again I heard the same message: This is not sustainable. The strategy that we are

pursuing in Afghanistan is not sustainable. And it is costing us too much in human lives and financial resources to continue. It can't continue for another 18 months, as called for by the President, let alone even longer.

I stand here tonight more convinced than ever that it is time to forge a new path, a new strategy, built upon past and present accomplishments, but more aggressively focused on more rapidly reducing the U.S. military footprint in Afghanistan than the plan described last month by the President, accelerating the transition of combat operations to Afghanistan authorities, and an intense international and regional effort to secure a political solution to the Afghan conflict and define a genuine regional coordinated effort that safeguards the region and the world from terrorist threats.

While I was in Afghanistan, General Petraeus invited me and two Members I was traveling with, Congressman ALLEN WEST and DUNCAN HUNTER, Jr., to attend a ramp ceremony. We may not always agree on policy, but we were united in how respectful, emotional, and moving we found the ceremony honoring the fallen soldiers who were being transported by the C-130 on their final journey home.

Mr. Chairman, 1,650 American service men and women have sacrificed their lives in the Afghanistan war. While I was in Afghanistan, six more were killed. It was a reminder of the enormous sacrifice that our soldiers are paying. 2010 was the deadliest year of conflict to date in the Afghanistan war for U.S. and coalition forces, and for Afghan civilians. This year, 2011, is on pace to be the deadliest year of the war. We need to end the war, not sustain it, Mr. Chairman.

We are borrowing \$8 billion to \$10 billion each month for military operations alone. Borrowing, Mr. Chairman, borrowing. We know we can't sustain that. And we know that the Afghan Government and security forces don't have the resources or the political will to sustain that level of resources once we leave. We need to find a new strategy and purpose to help bring this conflict to an end.

The President and congressional leaders are in negotiations, grappling with how to deal with the national debt. It can't be done if we don't find the means and the political will to end this war sooner rather than later. According to CBO, we could save \$1.3 trillion by ending these wars. That's trillion with a "t," Mr. Chairman. We have spent approximately \$3.7 trillion since 9/11 in Iraq and Afghanistan. We cannot afford another decade like the last one. It is simply not sustainable.

We need to also understand that jobs and economic security and economic strength are central parts of our national security. While we serve as an ATM machine for a corrupt govern-

ment in Kabul, we tell our own people that we have no money for roads, and bridges, and schools, and teachers, and police, and firefighters, and jobs here at home. Enough. I urge all my colleagues on both sides of the aisle to support amendments that reduce our spending and military footprint in Afghanistan, help bring our troops home sooner rather than later, and call for a new strategy and a new direction in Afghanistan.

Mr. Chairman, I will be submitting for the RECORD two articles, one from the Washington Post entitled "CBO: Ending the Wars Could Save \$1.4 Trillion," and an article that appeared in Scientific American entitled "Legacy of Mental Health Problems From Iraq and Afghanistan Wars Will Be Long-lived."

Mr. Chairman, the time has come for us to come together and find a different strategy in Afghanistan, one that will bring our troops home sooner rather than later. It is time to end this war.

[From The Washington Post, June 23, 2011]

CBO: ENDING THE WARS COULD SAVE \$1.4

TRILLION

(By Ezra Klein)

It's increasingly clear that a deal on the budget deficit will have to include a lot of spending cuts that Democrats can deny are spending cuts and at least some tax increases that Republicans can deny are tax increases. I'll get to the tax increases in a future post. But if you're looking for the spending cuts, look no further than the wars.

Last night, President Obama announced that "the tide of war is receding," and that he will soon bring the Iraq and Afghanistan wars "to a responsible end." Left unsaid is the effect that could have on our projected deficits. According to the Congressional Budget Office, we're talking big money: \$1.4 trillion, to be exact.

That has less to do with the likely cost of the wars than the way CBO officials estimate future spending. In the case of discretionary spending—which is the pot of money that goes to the wars—they simply take current spending and assume it grows at the rate of inflation. So though it's clear our wars are winding down, they won't count the savings from them in their projections until there's explicit government policy that winds them down.

But if they can be convinced, they've made clear that they're willing to count big savings. "In 2010, the number of U.S. troops (active-duty, reserves, and National Guard personnel) deployed for war-related activities averaged about 215,000," CBO said its *January budget outlook* (pdf). "In the alternative scenario presented here, the number of military personnel deployed for war-related purposes would decline over a five-year period to an average of 180,000 in 2011, 130,000 in 2012, 100,000 in 2013, 65,000 in 2014, and 45,000 in 2015 and thereafter. Under this scenario, total discretionary outlays over the 2012-2021 period would be \$1.1 trillion less than the amount in the baseline. Debt-service costs would bring the cumulative savings relative to the baseline to about \$1.4 trillion over the coming decade."

I'm told that a big chunk of these savings were included in the debt-ceiling deal that, until today, Eric Cantor and Jon Kyl were negotiating with the Democrats. But eventually, we're going to have some kind of deal

on the debt ceiling, and I'd bet quite a bit of this money will be in there. The best type of deficit reduction, after all, is the kind you were going to do anyway.

[From the Scientific American, June 27, 2011]
LEGACY OF MENTAL HEALTH PROBLEMS FROM
IRAQ AND AFGHANISTAN WARS WILL BE
LONG-LIVED

(By John Matson)

As Operation Enduring Freedom, the war on terror in Afghanistan, winds down and some 33,000 U.S. servicemen and service-women return from overseas in the next year, a plan announced by President Obama on June 22, the psychological issues that veterans face back home are likely to increase.

Some of the key psychological issues affecting the approximately two million American troops deployed to Iraq and Afghanistan since 2001 have been traumatic brain injury (TBI), depression and post-traumatic stress disorder (PTSD)—and the diagnoses often overlap. A 2008 report by the RAND Corp. think tank estimated that more than 26 percent of troops may return from the wars on terror with mental health issues.

It is reasonable to expect a continuation of these brain and mental health trends, only multiplied by the anticipated dramatic uptick in returning troops. On top of that, such issues also tend to crop up several months or even years after service members settle in, rather than directly after homecoming, as researchers learned following America's wars in the late 20th century. A false honeymoon can deceive health care workers and family into a perception that all is well among members of the military reentering society stateside.

After the withdrawal of U.S. soldiers from Vietnam in 1973 "the only thing that happened is that rates of problems went up," says George Mason University assistant professor of clinical psychology Keith Renshaw. "The longer people are back, the more people come forward as potentially struggling." A study in the April issue of the *Journal of Affective Disorders* showed that among service members injured in Iraq or Afghanistan, health care usage—and psychiatric problems—increased over time.

The influx of veterans from Iraq and Afghanistan into the military mental health system has yet to peak, but it is already well underway. There is some concern, however, that the health care system is unprepared to handle the care of returning troops. A 2010 report from the Institute of Medicine identified a "critical shortage of health care professionals—especially those specializing in mental health—to meet the demands of those returning from theater in Iraq and Afghanistan and their family members."

TBI is especially common: roughly 30,000 servicemembers were diagnosed annually in 2008, 2009 and 2010, according to U.S. Department of Defense (DoD) figures. Most of those diagnoses were for concussions or other relatively mild forms of brain injury. PTSD is also worryingly prevalent—in a RAND survey, 13.8 percent of veterans and returning soldiers from Iraq and Afghanistan met the criteria for PTSD, meaning that some 275,000 U.S. service members may be affected in total.

The RAND report predicted that the mental health needs of returning Iraq and Afghanistan veterans will increase over time. "There are a lot of concerns that what we see now are underestimates, if anything," Renshaw says.

Many of the afflicted veterans will not seek help, and others will not do so for some

time. "There's a lag time between when people serve and when they actually come in," says Shira Maguen, an assistant professor at the University of California, San Francisco, School of Medicine and a psychologist at the San Francisco Veterans Affairs (VA) Medical Center. "For many of those people there are a lot of barriers at this point, the biggest of which is probably stigma." Renshaw notes that some soldiers who remain active in the armed forces resist seeking help because they do not want to endanger their military careers by acknowledging psychological issues. Others seek help in civilian practice rather than in the military health system.

The DoD and the VA have taken steps to prepare for the forecast rise in PTSD cases, highlighting two approaches to treatment—cognitive processing therapy and prolonged exposure therapy—that studies have shown to be effective. And June 27 has been designated National PTSD Awareness Day. "They're rolling out a massive dissemination effort," Renshaw says. "But I don't think we're at the point that we're ready yet."

New veterans suffering from PTSD may well fare better than their predecessors who served in Vietnam, as the disorder was only recognized by the American Psychiatric Association in 1980. "I think we've learned a tremendous amount from Vietnam and from prior conflicts," Maguen says. "I think we're in a unique position now to deal with it."

Even with lessons learned from Vietnam and the Persian Gulf wars, however, veterans of Operation Enduring Freedom and Operation Iraqi Freedom present a special treatment challenge. In some ways the new crop of veterans have had similar combat experiences to Vietnam veterans. Both groups fought in wars without clearly delineated front lines, where ambush and insurgency are a constant threat. But the types of combat exposure have changed, as have the potential triggers for negative psychological reactions later in life. For instance, Renshaw says, the urban component of the wars on terror and the threat of improvised explosive devices have made driving and traffic jams problematic triggers for some veterans. "Our methodology is still evolving to catch up with the nature of these conflicts," he says. "I think this is something we're going to be working on and dealing with for a long time."

I yield back the balance of my time.

□ 1940

Mr. JONES. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. JONES. Mr. Chairman, I join in this effort.

I tell you, without any pride but with humility, that this past weekend I signed 31 letters to families and extended families who have lost loved ones in Afghanistan and in Iraq.

At this time I have signed over 10,374 letters because of my mistake in voting to send our kids to Iraq, which was an unnecessary war with misinformation led by the previous administration. So I join my colleagues today on both sides of the aisle, and I thank those who offered this amendment.

This past weekend I decided to email my adviser, who is a former commandant of the Marine Corps, and said,

What do you think about President Obama's plans?

I will read just two short points to you: "I think the time is too long. I think he needs to increase the number of troops coming out of the country more and quicker."

And his last point: "Get real with training and army and police force. All we are doing is training eventual new members of the Taliban. Trainers are doing a wonderful job, but we don't have the time to make an army. Every day someone dies. Every day an American dies or gets his or her legs blown off."

Mr. Chairman, to the left of me is a poster that was in the Raleigh, North Carolina, paper. Too many times, as we debate and there are eloquent speakers on the floor of the House, but we don't see any faces. We don't see any broken arms or legs.

Here is a young lady holding a little baby in her arms, and the little baby is looking at the officer who is presenting her with a draped flag. How often does this happen throughout America? We never see it.

It is time to bring our troops home. They have done everything they were asked to do by President Bush, to get al Qaeda, who was responsible for 9/11, to get bin Laden. We have done all of that. We have done everything we can do.

And as my friend from Massachusetts said, \$10 billion a month and we can't fix the schools, we can't fix the roads here in North Carolina and throughout America.

I'm from North Carolina. I know what's happening to my State. I know what's happening to the other States.

Mr. Chairman, it is time to bring them home. We don't need any more babies coming to their moms and dads and saying, when is daddy coming home? When is mother coming home? And they are being told they are not coming home. They are gone.

They have given their lives for America. We have done enough for Afghanistan. It has a corrupt leader and a corrupt government, and we need to come home.

I yield back the balance of my time.

Mr. NADLER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, there will be a number of amendments offered in the next little while by Mr. GARAMENDI, by Ms. LEE, myself and Mr. JONES and by others all in various ways seeking to speed our exit from Afghanistan. I support them all.

Two weeks ago, the President proposed that we continue fighting in Afghanistan for at least 3½ more years. In those 3½ years, more of our soldiers will die, more of our Treasury will be spent and, in the end, we will not be

any closer to creating a stable Afghanistan or to enhancing our safety.

The whole premise of this war is wrong. Fighting in Afghanistan does not enhance the security of the United States. Ten years ago we were attacked on 9/11 by al Qaeda. Al Qaeda had bases in Afghanistan, and at that time it made sense to go in and destroy those bases, and we did.

But the CIA tells us that there are now fewer than 100 al Qaeda personnel in all of Afghanistan. So why are we still fighting there? Why will we still have 70,000 troops in Afghanistan at the end of 2012, troops who will continue to risk their lives every day in a war that has already claimed too many American lives?

And we will continue pouring billions of dollars into an intractable mess when we should be devoting taxpayer funds to our own economy, to our own jobs, our own housing, our own social programs and our own education.

Afghanistan is in the middle of what is so far a 35-year civil war. If we continue on this course, in 3 years there will be several thousand more American soldiers dead, several hundred billion more dollars wasted, and two or three more provinces labeled pacified.

But as soon as we leave, now, or in 2014, or 2016 or whenever, those provinces will become unpacified. The Taliban and the warlords will step up the fighting, and the Afghan civil war will resume its natural course.

Our troops are fighting valiantly, Mr. Chairman, but they are in the wrong mission. We should recognize that rebuilding Afghanistan is both beyond our ability and beyond our mandate to prevent terrorists from attacking the United States.

To delay withdrawal of our forces and continue this terrible policy at so high a cost is quite simply unconscionable. It is unjustifiable to sacrifice more lives and more money on this futile endeavor.

Mr. Chairman, we should withdraw our troops now, all of them, as rapidly as physically possible.

I yield back the balance of my time.

Mr. HONDA. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Mr. Chairman, on March 16, 2011, I joined my cochairs of the Congressional Progressive Caucus Task Force on Peace and Security and 76 other Members of Congress in sending a letter to the President asking him to move swiftly to end America's longest war, the war in Afghanistan.

Since then, the cochairs have continued to call on the administration to move towards a significant, swift and sizeable reduction in our troops in Afghanistan, meeting or exceeding the number of troops on the ground before the escalation.

Similarly, the Democratic National Committee, of which I am vice chair, called for a "sizeable and significant" drawdown beginning in July. Even the U.S. Conference of Mayors called for an end to the Afghanistan war. In poll after poll, the majority of Americans are consistently calling for an end to this war.

A significant redeployment of U.S. troops from Afghanistan, beginning of this month, would have sent a clear message that the United States does not seek a permanent presence in Afghanistan.

This move would recognize that we cannot afford the war in Afghanistan, costing nearly \$10 billion per month, while American families struggle to stay afloat amid the slow recovery of our Nation's economy.

The cochairs of the CPC Task Force on Peace and Security believe that a significant, swift, and sizeable troop reduction in Afghanistan is necessary, especially given the fact that the CBO reported recently that ending the wars in Afghanistan and Iraq will save this country \$1.7 trillion, and especially given the fact that a recent Brown University study shows that the United States has spent \$3.7 trillion in these wars since 2001.

Anything less hurts our Nation's future and is unacceptable. It is time to focus on securing a future of economic opportunity and prosperity for the American people, and the President must move swiftly and boldly to end the war in Afghanistan and bring our troops home now.

The President's announcement last month does not reflect a significant policy change in Afghanistan. This strategy does not represent a drawdown in Afghanistan, but rather aims at maintaining the status quo through the end of 2012.

Simply removing the 30,000 surge troops from Afghanistan means that by the end of the summer of 2012 we will be exactly where we were in late 2009. Tens of thousands of American soldiers will continue to fight a battle that their commanders insist will only end with a political solution.

Peace in Afghanistan will depend ultimately on an Afghan solution, not on American soldiers. Everyone seems tired of this war, from Republicans and Democrats in Washington, to Afghans in Kabul, to Americans in Kansas. Administration officials acknowledged that due to America's mounting debt and deficits, war costs at nearly \$120 billion annually for Afghanistan alone are no longer sustainable.

□ 1950

Republicans gave similar ground with Appropriations Chair HAROLD ROGERS and Defense Subcommittee Member JACK KINGSTON expressing concern about the costs, the mission, and the lack of progress—bolstering Repub-

lican Senator DICK LUGAR's call for troop withdrawal from Afghanistan. Nearly half the House weighed in during the recent Defense authorization debate with a call for an accelerated plan to draw down troops and transition to Afghan control.

Moving beyond what Washington wants, consider the Afghans, who are at the receiving end of all of this. After a series of serious civilian casualties resulting from multiple indiscriminate NATO bombings, Afghan President Hamid Karzai had declared opposition to any and all air strikes on Afghan homes. This adds to Karzai's insistence that foreign forces must end night raids, stop unilateral operations, and stay off roads and out of Afghan villages.

The Afghan people are no more pleased than Karzai with America's continued presence, hardly a surprise given that General Petraeus has increased bombing throughout the country by 80 percent in the last year alone. According to a recent poll, nearly six out of 10 Afghans said Western troops must leave on or before the original July 2011 withdrawal date. Only 17 percent say that the deployment should be maintained longer.

After spending hundreds of billions of American tax dollars, the security and day-to-day life in many regions of Afghanistan aren't improving. Crime, economic opportunity, and freedom of movement are getting worse, not better. Availability of electricity, food, medical care, and schools has shown little or no improvement in recent years.

So, for all these reasons and more, the case is clear: We need to end this war in Afghanistan, Mr. Chairman.

Mr. GARAMENDI. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. I rise in opposition to the underlying bill and will seek an amendment shortly.

Memorial Day was a time when four of my colleagues and I traveled throughout Afghanistan. We learned a great deal, and what we did learn we brought home.

1,650 American men and women have died in Afghanistan, and yet the incredible dedication of American soldiers was easy to see. They risk their lives every day. And it is with the utmost respect that we honor them on Memorial Day and beyond. I have great respect for the President and recognize the difficult situation, the decisions that he must make; but, frankly, I think he made the wrong decision.

The killing of bin Laden gave us the opportunity to pivot, to go in the direction that we must ultimately go, which is to focus like a laser on al Qaeda, wherever it is in this world, including our own country. We must do

that. And yet the decision to maintain in Afghanistan a troop level that really reflects what existed in 2009 is not sustainable. It's costing us a fortune, a fortune that we can ill afford.

This entire town is caught up in a debate over the deficit and the pending default crisis, and yet we seem to want to continue to pour money into Afghanistan, into a five-way civil war for which there is no military solution. Negotiations are essential. Yet is this country pushing forward the negotiations? If so, it's in secret, and I certainly hope it is there, because therein lies the solution.

I think we don't need 100,000, 50,000, 60,000, troops in Afghanistan. We really only need a handful to focus on al Qaeda, wherever they may be in that region. And so if we were to draw down our troops in the next 18 months to 25,000 in Afghanistan and then 10,000 in 2013, we would begin to get to a level over an appropriate course of time. And it is this House's responsibility to put forth an appropriation bill that provides money for only that, and no more, to limit the funding.

It's pretty clear the President has the power to initiate a war. It's equally clear that we have the only power, the only power to fund the war. And if we say no, then this war will cease. If we say only this amount of money for only this purpose, then this war will rapidly diminish. There will be amendments on the floor shortly to achieve that goal. And we ought to proceed in that way.

We need to rebuild America. We need to bring the money and the troops home and rebuild this Nation. We can do so when this war is over. Until then, this is a sump in which we are pouring the lives of American men and women and even more Afghan men and women and our treasure to the detriment of this Nation's economic strength.

I oppose this war, along with my colleagues, and I would ask this House, Democrat and Republican alike, to use the power of the purse to bring this war to a rapid and appropriate close and fund the negotiations, fund the war on al Qaeda, not the war in Afghanistan.

Mr. MCGOVERN. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I want to thank the gentleman for raising the issue of cost, but I want my colleagues to understand what we are actually paying for military operations in Afghanistan.

We are borrowing \$10 billion per month, \$2.3 billion per week, \$328.3 million per day, \$13.7 million per hour, \$228,000 per minute. And we are having a debate right now over how we get the debt under control. And these borrowed moneys are not even a subject of discussion. If you want to get the debt down, you've got to deal with these war costs. And I can't believe that for those who are advocating the status quo that

they don't want to pay for it, it's going on our credit card, and I think that is unacceptable. This is an enormous cost to us here in our own country.

I thank the gentleman.

The Acting CHAIR. The time of the gentleman has expired.

Ms. CHU. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. CHU. I am opposed to the underlying bill because it does not do enough to withdraw our troops from Afghanistan.

Earlier this month, the President made an important announcement. He plans to withdraw 10,000 troops from Afghanistan in the next 6 months and another 20,000 by next summer. This is a step in the right direction, and I commend the President for following through with the drawdown plan.

But the American people are crying for a significant and sizable drawdown, and we are still too far from that. Even after these troops come home, which won't be for another year and a half, we will still be exactly where we were in 2009. Seventy thousand American soldiers will still be serving in Afghanistan, and I can't help but wonder why.

The ongoing financial and human costs of this war are now indefensible. We spend \$2 billion a week on the war effort in Afghanistan. And what's worse is that our own money is working against us.

Last year, I was outraged to learn that taxpayers are spending \$2.16 billion on private contractors in Afghanistan. These contractors use part of the money to pay off local warlords, which then ends up in the Taliban's hand. So, in effect, we are funding both sides of the same war.

This corruption and waste of hard-earned American dollars is the direct result of unreliable counsel and a lack of perspective, and it's costing us a whopping \$100 billion a year. That's five times more than we spend on Pell grants every year, financial aid to put American kids through college. That's double what we spend on Medicaid that keeps all Americans healthy regardless of income. And \$100 billion would completely pay for the Homeland Security Department, Commerce Department, Department of Science and the entire judicial branch combined. When money is tight and Congress is trying to slash Medicare and Social Security to keep this Nation afloat, it is irresponsible to keep writing blank checks for this war.

But, sadly, that's not the largest toll of this war. Since 9/11, we've lost over 1,600 American lives. Over 11,000 troops have been wounded, and an untold number of Afghan civilians have lost their lives after a decade of war.

□ 2000

And it is not getting any better. In fact, last year was the most deadly

year on record for U.S. troops in Afghanistan.

Al Qaeda is no longer in Afghanistan but scattered around the world. It did not take 100,000 troops to find Osama bin Laden, and it does not take a military occupation of Afghanistan to protect us from terrorist threats. By failing to significantly draw down the number of troops in Afghanistan, we continue to focus efforts away from the terrorists and needlessly put American soldiers in the line of fire.

But this story is about more than just numbers and figures; it is about real people who sacrifice everything to keep us safe. On Sunday, April 3, of this year, a 21-year-old young marine named Harry Lew died while serving the country in Afghanistan. He was the son of Sandy and Allen Lew, the brother of Carmen Lew, and he was my nephew.

Harry died while serving on watch duty in Helmand Province. His unit's goal was to provide security to locals and to promote development in the region. But 3 short months before he was set to return home, he was gone.

Ending this war will save American lives. Ending it will let us focus on fighting terrorism around the globe. Ending the war will save money at a time when we need it the most. It is time to end the war in Afghanistan, bring our troops home, and begin seriously addressing our real security needs.

I yield back the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. I very much appreciate the time, Mr. Chairman, and I rise only because I can't help but be moved by the Progressive Caucus' interest in getting us out of Afghanistan as quickly as possible.

I know of those who are very concerned about America being involved in wars anywhere. It was not my intention to speak about this subject until I heard my friend, the gentleman from California (Mr. GARAMENDI) who has an amendment later that would strike the funding for approximately 2½ months of the proposed cost of this effort in Afghanistan.

And as I thought about that, I would want to caution my friend, Mr. GARAMENDI, and others, about the role in Afghanistan. Indeed, it is important for us to note, those of us who may have read "Charlie Wilson's War," and I am sure my colleague has read it thoroughly, but Charlie Wilson was a colleague of mine on the Subcommittee on Defense who first raised the prospect of challenges in Afghanistan.

At that point in time, the Soviet Union was attempting to move into Afghanistan to take over that entire country, giving them access to the entire region, a warm water port, and

otherwise. If it had not been for, in my judgment, the effort as a result of Charlie Wilson's war and the efforts of Pope John Paul, who was then the bishop from Poland, perhaps it is very possible that the Soviet Union never would have fallen. But, indeed, Charlie Wilson's war created a circumstance where the Soviets did withdraw from Afghanistan. And so we were right on the edge of opportunity and peace and freedom in Afghanistan.

And what I would caution my colleague from California about is, following that, what did America do? America did what we often do in the world where there is strife and struggle, where we are asked to play a role in leadership, providing for opportunity and change for peace. The vacuum that was left in Afghanistan as a result of our walking away after the war, after the Soviets left, was that vacuum. And within the vacuum, there came terrorists who would have America and freedom in mind. Indeed, as a result of that vacuum, al Qaeda, Taliban, and others got strength and found a terrorist center. And now we are involved in a war that involves the future of the world, not just peace for the world but American peace as well.

Indeed, I would be very cautious as we go about suggesting that we ought to automatically walk away from the commander in chief's plan. Indeed, if we are not careful, the vacuum will catch up with us, and America will find itself in a much broader and a much more intense struggle.

I yield back the balance of my time.

Mr. COHEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR (Mr. GRIMM). The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Before I yield to my colleague from California to respond, I would like to mention, and I appreciate Mr. LEWIS' history, but I would suggest to you that al Qaeda could have found a base in Yemen, they could have found a base in the Sudan, they could have found a base in other places. There was nothing particularly unique about Afghanistan that allowed them to have that base there. The fact is that we went into a country to fight al Qaeda, which was all in the mountains in Pakistan, and even in the cities in Pakistan, probably with the knowledge of the Pakistani government, and we have wasted a lot of money and lives in an area where we didn't need to be because that war will continue.

There are only 100 al Qaeda, give or take, left in Afghanistan, but there are al Qaeda in other spots in the Middle East, and al Qaeda's people have plotted terrorist activities from Germany and from other places in Europe. They don't need Osama bin Laden's base to have activity. There is nothing unique with Afghanistan.

As far as the Soviet Union, the Soviet Union went down for goodly rea-

sons, because of all of the money they spent in Afghanistan. True, we were there fighting them; but their attempt at gaining empire, which has been the cause of the loss of many empires, stretching too far and going beyond their supply lines, killed them. They spent money there. And they'd like us to stay there. They are being real nice to us. They're helping us with bases to bring in armaments and troops and supplies.

Come on, America, spend your money. Break your government. Come like we are, broken.

It was a mistake.

I believe that we need to get out of Afghanistan because we are losing lives and money, and doing it for a reason that is not going to make our country any better.

Mr. LEWIS talked about strife in places in Afghanistan. I will tell you about strife—in the United States of America, in my city, in Detroit, in Philadelphia, in Boston, in Chicago. You go to the inner cities of America, and you will see people without hope and without opportunity. That is where infrastructure needs to be built. That is where education needs to be affirmed, not in projects in Afghanistan, but in the United States of America. And that is what the Conference of Mayors said, that we cannot afford this; while our cities go to decay and our people lose their opportunity and our middle class is destroyed, we fight a war in Afghanistan which was the war of another generation, which we should have learned from history and the Soviets' experience and what happened to them. If you don't learn from history, you are doomed to make the same mistakes. I see that happening.

Admiral Mike Mullen said national debt is our biggest security threat. Admiral Mullen: National debt is our biggest security threat.

He said at a breakfast just last month in a tribute to our troops that that is the biggest problem we have. And when you have a problem like that that is a security interest, you go to your biggest spot where you can save money, which is the defense budget, and this war that is draining and has cost us so much—Afghanistan and Iraq.

I have some amendments coming which I am going to offer that would reduce the amount of money that we spend with the forces, and also the amount of money that we spend with the infrastructure and the development there in Afghanistan.

The fact is, just like in Iraq, we put in equipment and buildings and then we leave, and they don't have the ability to maintain those buildings or maintain that equipment, and it goes to waste. We don't need to be wasting our resources, leaving them there where they will just go to waste. We need to spend those resources in America and create jobs in America, and hope and opportunity for America.

I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I thank the gentleman for his comments.

I just want to respond to something that Mr. LEWIS said, who is a good friend of mine and whom I respect very much. He talked about the need for us to be cautious. Well, I wish we were more cautious where we committed our young men and women in the field of battle.

It is politicians that put our service men and women in harm's way, and it is politicians that keep this war going. The fact of the matter is that we have an unreliable partner in Afghanistan. President Karzai is corrupt. He fixed the last election. I mean, he is denigrating our service men and women. When I was over there, one of our soldiers from Massachusetts said to me, What bothers me most is we are risking our lives to try to help improve the quality of life of people in this country, and the President of this country, Mr. Karzai, denigrates us, diminishes what we do, calls us names, accused the United States of using nuclear weapons in Afghanistan.

The Massachusetts soldier said to me, Do you know what that feels like?

□ 2010

Look, we need to rethink our policy in Afghanistan. Nobody is talking about walking away. What we're saying is that the current policy of counterinsurgency is going broke.

Mr. COHEN. I yield back the balance of my time.

Ms. LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. I yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentlelady from California.

Previously, my good friend with whom I've worked for more than 35 years in various levels of government challenged me on the position I take with regard to winding down quickly the war in Afghanistan. His recitation of history, while accurate, is woefully incomplete.

Much of what we are now fighting was actually begun by Charlie Wilson, morphed over this period of time perhaps by Pakistan. But we're caught in the middle of a civil war, not just a civil war, but a five-way civil war, one that has gone on for at least the last 35 years. We are, as my friend Mr. McGovern just stated, backing a government that is, on the face of it, corrupt by any standard.

So what are we doing here? What is this all about?

In fact, we went into Afghanistan to get al Qaeda, and we did. There is only a handful there. There are probably far more al Qaeda sympathizers—and

maybe active members—in the United States than in Afghanistan.

So why do we have over 100,000 American troops and another 40,000 NATO troops in Afghanistan?

I did not suggest that we leave in a vacuum. Instead, I said we leave a small force behind that goes after al Qaeda. Take them out wherever they happen to be. Bring our troops back home. Go back to the original mission in Afghanistan. Go after al Qaeda.

You're quite correct, my colleagues. They're in Somalia; they're in Yemen; and they're in other parts of this world. The more troops we have in Iraq and Afghanistan, the more reason we give to those who want to recruit yet more al Qaeda members. This makes no sense going forward. Yes, we will have a continuing obligation, but if you take a look at the strategy that is now in place, one that calls upon America to maintain its troops, then you can count on a larger deficit. That makes no sense to me. Let's bring our troops home rapidly. The amendments that will be on the floor will cause that to happen.

We have the power of the purse here. This Nation can no longer sustain \$120 billion a year in Afghanistan when our bridges are crumbling, when our children are not educated, when we cannot afford in the budget you're putting forth to feed our children or to care for our elderly. This war must end, and it must end soon.

I have great respect for the President, but he has got the wrong strategy. He is continuing on the strategy that by the proof on the ground does not work. Pivot. Go back to what we once said was our goal. Get al Qaeda. Take them out wherever they happen to be. We know we can do it. We have done it.

Anybody who wants to play the al Qaeda game on their side, know that this Nation has the capability to take you out.

My good friend, Mr. LEWIS, the next time you want to recite the history of Afghanistan, recite the full history of Afghanistan, including this Nation's 10-year effort and all of the mistakes that we have made. Let us not compound those mistakes by continuing on the same course for another 3, 4, 5 years and beyond. It's time to end this war. It's time to focus on the true enemy here—al Qaeda.

Ms. LEE. I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BOSWELL

Mr. BOSWELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 122, line 10, strike "Not" and insert "(a) Not".

Page 124, after line 7, insert the following:

(b) It is the sense of Congress that suicide prevention programs should be a priority of

the military departments with respect to re-investing the efficiency savings described in subsection (a).

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Iowa is recognized for 5 minutes.

Mr. BOSWELL. This is a very simple amendment. It clarifies that the Defense suicide prevention programs are a priority and should always remain a priority.

I am not alone in my concern for the rates of suicide among our servicemembers in the active duty, Guard, and Reserve components. I, like some of the rest of you, have had that experience with my own constituency back in the Iowa Reserve.

The Department of Defense has identified large potential savings from improved efficiencies, totaling as much as \$100 billion over the next 5 years. Section 8128 directs the Secretary to report to Congress on how it will redirect those savings into priorities of the military departments. However, there is no direction that ensures that the Secretary include existing suicide programs as "priorities" for reinvestment from these savings.

This amendment simply clarifies that suicide prevention programs—which already exist and have already been authorized—are a priority and will remain a priority. We must do everything in our power to reduce the suicide rates of our men and women in uniform, and this amendment fulfills that obligation.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill; therefore it violates clause 2 of rule XXI. The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

This amendment proposes to state a legislative position, and I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard?

The gentleman from Iowa.

Mr. BOSWELL. Mr. Chairman, as you might expect, respectfully I rise in opposition to the point of order.

In accordance with clause 2 of rule XXI, this amendment does not make a new appropriation; it does not re-appropriate unused funds; it does not restrict the availability of funds; and it does not change existing law.

In fact, Defense suicide prevention programs have already been authorized by law, for example, the Yellow Ribbon Program, which helps support National Guard and Reserve servicemembers and

families. This amendment simply clarifies that suicide prevention programs—which already exist and have already been authorized—are a priority and will always remain a priority. So I humbly suggest that no one in good conscience could suggest otherwise.

The Acting CHAIR. Does any other Member wish to be heard? If not, the Chair will rule.

The Chair finds that this amendment includes language expressing the sense of Congress.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

□ 2020

The Clerk will read.

The Clerk read as follows:

SEC. 8129. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

SEC. 8130. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$6,822,635,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 125, line 6, insert after the dollar amount the following: "(reduced by \$3,438,789,000)".

Page 125, line 12, insert after the dollar amount the following: "(reduced by \$445,117,000)".

Page 125, line 18, insert after the dollar amount the following: "(reduced by \$337,774,000)".

Page 125, line 24, insert after the dollar amount the following: "(reduced by \$665,978,000)".

Page 126, line 5, insert after the dollar amount the following: "(reduced by \$103,610,000)".

Page 126, line 11, insert after the dollar amount the following: "(reduced by \$20,878,000)".

Page 126, line 17, insert after the dollar amount the following: "(reduced by \$12,714,000)".

Page 126, line 23, insert after the dollar amount the following: “(reduced by \$13,411,000)”.

Page 127, line 5, insert after the dollar amount the following: “(reduced by \$315,703,000)”.

Page 127, line 11, insert after the dollar amount the following: “(reduced by \$4,719,000)”.

Page 127, line 18, insert after the dollar amount the following: “(reduced by \$11,012,116,000)”.

Page 127, line 24, insert after the dollar amount the following: “(reduced by \$2,021,929,000)”.

Page 128, line 5, insert after the dollar amount the following: “(reduced by \$1,160,729,000)”.

Page 128, line 11, insert after the dollar amount the following: “(reduced by \$3,010,749,000)”.

Page 128, line 17, insert after the dollar amount the following: “(reduced by \$1,948,995,000)”.

Page 130, line 10, insert after the dollar amount the following: “(reduced by \$70,707,000)”.

Page 130, line 16, insert after the dollar amount the following: “(reduced by \$20,000,000)”.

Page 130, line 23, insert after the dollar amount the following: “(reduced by \$11,731,000)”.

Page 131, line 12, insert after the dollar amount the following: “(reduced by \$119,794,000)”.

Page 131, line 18, insert after the dollar amount the following: “(reduced by \$10,159,000)”.

Page 131, line 25, insert after the dollar amount the following: “(reduced by \$1,625,451,000)”.

Page 133, line 6, insert after the dollar amount the following: “(reduced by \$154,418,000)”.

Page 135, line 15, insert after the dollar amount the following: “(reduced by \$4,161,156,000)”.

Page 138, line 22, insert after the dollar amount the following: “(reduced by \$21,099,000)”.

Page 139, line 6, insert after the dollar amount the following: “(reduced by \$5,546,000)”.

Page 139, line 13, insert after the dollar amount the following: “(reduced by \$34,740,000)”.

Page 139, line 20, insert after the dollar amount the following: “(reduced by \$223,174,000)”.

Page 140, line 9, insert after the dollar amount the following: “(reduced by \$6,847,000)”.

Page 140, line 17, insert after the dollar amount the following: “(reduced by \$52,352,000)”.

Page 140, line 24, insert after the dollar amount the following: “(reduced by \$40,179,000)”.

Page 141, line 5, insert after the dollar amount the following: “(reduced by \$210,224,000)”.

Page 141, line 19, insert after the dollar amount the following: “(reduced by \$4,738,000)”.

Page 142, line 3, insert after the dollar amount the following: “(reduced by \$15,423,000)”.

Page 142, line 10, insert after the dollar amount the following: “(reduced by \$483,835,000)”.

Page 142, line 17, insert after the dollar amount the following: “(reduced by \$61,480,000)”.

Page 143, line 15, insert after the dollar amount the following: “(reduced by \$941,192,000)”.

Page 144, line 17, insert after the dollar amount the following: “(reduced by \$1,419,000)”.

Page 144, line 25, insert after the dollar amount the following: “(reduced by \$8,253,000)”.

Page 145, line 8, insert after the dollar amount the following: “(reduced by \$22,523,000)”.

Page 145, line 17, insert after the dollar amount the following: “(reduced by \$30,609,000)”.

Page 145, line 24, insert after the dollar amount the following: “(reduced by \$133,194,000)”.

Page 161, line 12, relating to the spending reduction account, insert after the dollar amount the following: “(increased by \$33,000,124,000)”.

Ms. LEE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. Let me just first thank Chairman ROGERS, our ranking member, Mr. DICKS, and my colleagues on the Appropriations Committee for their hard work in putting together this bill.

I rise today to offer the Lee-Jones amendment, joined by Representatives NADLER; WOOLSEY; OLIVER; STARK; JESSE JACKSON, JR.; HONDA; CONYERS; GRIJALVA; PAUL; and AMASH. And I want to thank each of my colleagues for joining Representative JONES and me on this important amendment.

This amendment would end the war in Afghanistan by ending the funding for combat operations but would provide funds to bring our troops home in a safe and orderly manner. And while I would have preferred to offer the Lee amendment, which I have offered in the past—to fence off and to limit funding to the safe, orderly withdrawal of all U.S. Armed Forces in Afghanistan—I was unable to do so today given that we are debating on an appropriations bill. So I want to emphasize again this important point: that while this amendment cuts war funding, it cuts combat operations funding, but it does leave enough funding to provide for the safe and orderly return of all U.S. forces from Afghanistan.

I speak today as the daughter of a lieutenant colonel who fought in several wars, one who knows the trauma and devastation of wars on families. I want to be clear that our servicemen and -women have performed with incredible courage and commitment in

Afghanistan. They are doing everything we asked them to do. But the truth is that they have been put in an impossible position. They are fighting in a way with no military solution and no end in sight. Only a political and diplomatic solution and a regional stabilization strategy will end this war.

In fact, this concern of “war without end” is why I opposed the resolution authorizing military force on September 14, 2001. It began a series of blank checks that we have been writing for nearly a decade now.

There are few things that we know with certainty regarding the situation in Afghanistan:

We know that corruption persists unabated, and in many cases has been fueled by the U.S. occupation and influx of foreign cash. President Karzai has proven himself time and time again unwilling—or, at the very least, unable—to meaningfully root out corruption within his own administration;

We know that the United States troop presence has increased from 4,000 troops in 2002 to almost 100,000 in 2011. At the same time, military and civilian casualties have increased at record rates, and violence is on the rise;

We also know that al Qaeda's presence in Afghanistan has been all but eliminated, and Osama bin Laden is dead. It's not feasible or in our national security interest to address this threat through a military-first, boots-on-the-ground strategy in Afghanistan; And we know, as military and foreign policy experts from across the political spectrum have told us repeatedly, that the situation in Afghanistan will not be resolved by a military solution.

We need to bring our troops home safely and swiftly, and that is why I am offering this amendment.

This war is costing us too much. With over 1,600 troops killed and tens of thousands more seriously wounded in Afghanistan, the human toll continues to mount every day. And we have already spent over \$400 billion fighting in Afghanistan. It is past time to admit that we can no longer afford to send more blank checks for a war without end.

The United States has squandered more than \$1.1 trillion on the wars in Iraq and Afghanistan. Economists estimate that the total direct and indirect costs of these two wars by their end may total as much as \$6 trillion.

With no military solution, we need to redirect these funds to job creation and supporting those efforts for the most vulnerable, including those who have been unemployed for over 2 years and have no more unemployment benefits. While we spend \$2 billion a week—mind you, \$2 billion a week—on this decade-long war, critical programs like Medicare are on the chopping block as we seek to get our Nation's finances in order.

The American people are sick and tired of this war and the massive unending spending that it requires.

Just last month, the United States Conference of Mayors passed a resolution to end the wars and to use the savings to build bridges and schools and infrastructure here at home where it is needed. The resolution specifically calls on the President and the United States Congress to end the wars as soon as strategically possible and bring these war dollars home to meet vital human needs, promote job creation, rebuild our infrastructure, aid municipal and State governments, and develop a new economy based on renewable, sustainable energy and reduce the Federal debt.

We need to bring our troops back and use the savings to address our Nation's fiscal challenges. The American people recognize this. It's time to say that enough is enough. It's time to begin with safe and orderly withdrawal of United States troops from Afghanistan. This amendment does just that by ending the funding of combat operations in Afghanistan while maintaining funds for a safe and orderly withdrawal.

This is not a cut-and-run amendment. This is a responsible amendment to bring our troops home now. I urge my colleagues to vote "yes" on this amendment, helping to bring our servicemen and -women home safely and ending the war in Afghanistan.

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I withdraw my reservation of the point of order, and I rise in opposition to the amendment.

The Acting CHAIR. The reservation is withdrawn.

The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, the gentlewoman has an amendment to reduce the overseas contingency operation—aka the war on terror—by \$33 billion. She intends for this amendment to support, as she says, an orderly withdrawal of troops from Afghanistan. However, such a reduction would, in fact, severely disrupt and suspend a redeployment from Afghanistan. The magnitude of her funding reduction would also threaten the ability to support troop pay and safety.

The committee has provided funds to begin the redeployment of troops in Afghanistan. If the redeployment from Afghanistan were to be accelerated, there would be significant increases in personnel, equipment, and transportation costs in fiscal year 2012.

Mr. Chairman, I oppose the amendment and urge others to do likewise.

I yield back the balance of my time. Ms. WOOLSEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, I rise in support of the amendment offered by my dear friend Congresswoman LEE and the rest of the authors.

Congresswoman LEE is a courageous voice for peace in Afghanistan and around the world, and what she says—this is the bottom line of this amendment—is clear: We should not spend one more dime waging war in Afghanistan. The only money we appropriate must be used to wind down the war with the safe, orderly, complete, and long overdue military redeployment out of Afghanistan.

□ 2030

The White House announced about 2 weeks ago that we would have a troop withdrawal from Afghanistan. I believe that announcement was tragically inadequate. Actually, I was hoping to hear that at least 50,000 troops would be coming home by the end of 2011. Instead, the President announced his intention to wait another year, the summer of 2012, before removing the 33,000 troops that were added with the surge. Too slow, too cautious, too modest.

I don't know how much clearer the writing on the wall has to be, Mr. Chairman. Afghanistan remains in terrible disarray, with a terribly corrupt central government and a security force actually incapable of enforcing security. Our military footprint isn't doing enough in Afghanistan. It is actually causing more harm than good. Meanwhile, the human cost here at home is nothing short of devastating. Casualties have spiked. Americans are dying in Afghanistan at an unacceptable rate, more than 200 troops so far this year and over 1,600 troops since the war began nearly a decade ago.

And, Mr. Chairman, making it home alive doesn't mean making it home whole. Thousands upon thousands of servicemembers will spend the rest of their lives coping with the wounds and the scars they acquired in this unnecessary war. Many have left limbs behind in Afghanistan. Others will never regain their mental health or their peace of mind, suffering the devastating effects of PTSD.

Why would we continue to throw another dollar at a war that has done so much to hurt our people and Afghan civilians and done so little to help Afghanistan in general? This week, as a matter of fact, all of Washington is abuzz about the debt ceiling negotiations. Commentators are asking us, where will we find consensus that preserves the full faith and credit of the United States of America? Well, Mr. Chairman, there is a consensus in the United States, a consensus among the American people, and that is that the \$10 billion a month that we're spending in Afghanistan is roughly \$10 billion too much. But war spending is not on the table in these talks. Instead, Medicare cuts are on the table, while my colleagues on the other side of the aisle are clinging tight to loopholes and subsidies for oil companies, corporate jets, and the horse racing industry. Their

spending priorities are just totally warped.

Mr. Chairman, it's time to bring all this in line with the priorities of the American people. It's time to end this war. It's time to stop investing money that we need right here at home, and it is time to invest only in bringing our troops home safely.

With that, Mr. Chairman, I strongly urge all of my colleagues to support the Lee amendment.

I yield back the balance of my time.

Mr. NADLER. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I won't take 5 minutes.

I rise to speak in support of the Lee amendment, which I have the honor of cosponsoring. My views on Afghanistan, I expressed a little while ago, but I just want to make a couple of comments.

The gentleman from California (Mr. LEWIS) said we have to be careful, that we have to be wary of a vacuum should we pull out. He analogized it to what happened with the Soviets when the Soviets lost and there was a vacuum because we turned our backs on it. And he was right. We should not have turned our backs on helping, on helping with schooling and other things in Afghanistan at that time. But the fact of the matter is the world's history is full of empires that threw away their substance on silly military adventures. This is a silly military adventure. It's a total waste, because it is a classic, where we are fighting when we have forgotten why we are fighting.

We went into Afghanistan to get rid of the al Qaeda bases. That took a week. For good measure we spent another week and got rid of the Taliban government. And now what are we fighting for for the last 8 years? To put a government in our image? It's not going to happen. To install and see that there is a government that can rule from Kabul? There hasn't been a government in Kabul who has run the entire country since Alexander the Great. That's not going to happen.

We can't settle their civil war, which has now gone on for 35 years, nor will settling their civil war aid our security, which we can't do anyway, and we don't have to. Our security is fighting the terrorists, but the terrorists are all over the place. And maybe we have to, if they develop a base in Pakistan, maybe we have to bomb it or send in special forces. Ditto for Somalia, Yemen, or God knows where.

Every sovereign country as a condition of its sovereignty must make sure that its territory is not used to attack someone else, and if territory of some country is being used to attack us, or to plot mayhem against us, we have the right and the duty, if necessary, to

deal with that. But that's not the question in Afghanistan. The CIA, as I said before, tells us there are fewer than 100 people there. Why do we need 70,000 troops? Those troops could be better occupied back home in the United States training, helping fight disasters. Our money could be better occupied dealing with our serious fiscal problems, building up our infrastructure, building up our schools, building up our social services, and even building up our military for real threats.

There are real threats in the world. Pakistan is dangerous because they have nuclear weapons. We have to pay attention to it. But I fail to see any purpose whatsoever for having tens of thousands of troops, tens of billions of dollars in Afghanistan where we vanquished the enemy 10 years ago. We ought to declare victory, we should have pulled out, and we should do so right now.

I thank the gentlelady for her amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 125, line 6, after the dollar amount, insert "(reduced by \$2,695,031,000)".

Page 125, line 12, after the dollar amount, insert "(reduced by \$348,845,000)".

Page 125, line 18, after the dollar amount, insert "(reduced by \$264,718,000)".

Page 125, line 24, after the dollar amount, insert "(reduced by \$521,937,000)".

Page 126, line 5, after the dollar amount, insert "(reduced by \$81,201,000)".

Page 126, line 11, after the dollar amount, insert "(reduced by \$16,362,000)".

Page 126, line 17, after the dollar amount, insert "(reduced by \$9,964,000)".

Page 126, line 23, after the dollar amount, insert "(reduced by \$10,511,000)".

Page 127, line 5, after the dollar amount, insert "(reduced by \$247,421,000)".

Page 127, line 11, after the dollar amount, insert "(reduced by \$3,698,000)".

Page 127, line 18, after the dollar amount, insert "(reduced by \$8,662,596,000)".

Page 127, line 24, after the dollar amount, insert "(reduced by \$1,584,616,000)".

Page 128, line 5, after the dollar amount, insert "(reduced by \$909,681,000)".

Page 128, line 11, after the dollar amount, insert "(reduced by \$2,359,569,000)".

Page 128, line 17, after the dollar amount, insert "(reduced by \$1,527,457,000)".

Page 130, line 10, after the dollar amount, insert "(reduced by \$55,414,000)".

Page 130, line 16, after the dollar amount, insert "(reduced by \$15,674,000)".

Page 130, line 23, after the dollar amount, insert "(reduced by \$9,193,000)".

Page 131, line 12, after the dollar amount, insert "(reduced by \$93,884,000)".

Page 131, line 18, after the dollar amount, insert "(reduced by \$7,962,000)".

Page 138, line 22, after the dollar amount, insert "(reduced by \$10,748,000)".

Page 139, line 13, after the dollar amount, insert "(reduced by \$17,697,000)".

Page 139, line 20, after the dollar amount, insert "(reduced by \$113,688,000)".

Page 140, line 9, after the dollar amount, insert "(reduced by \$3,488,000)".

Page 140, line 17, after the dollar amount, insert "(reduced by \$26,669,000)".

Page 140, line 24, after the dollar amount, insert "(reduced by \$20,468,000)".

Page 141, line 5, after the dollar amount, insert "(reduced by \$107,091,000)".

Page 141, line 19, after the dollar amount, insert "(reduced by \$2,414,000)".

Page 142, line 3, after the dollar amount, insert "(reduced by \$7,857,000)".

Page 142, line 10, after the dollar amount, insert "(reduced by \$246,473,000)".

Page 142, line 17, after the dollar amount, insert "(reduced by \$31,319,000)".

Page 143, line 15, after the dollar amount, insert "(reduced by \$737,626,000)".

Page 144, line 17, after the dollar amount, insert "(reduced by \$723,000)".

Page 144, line 25, after the dollar amount, insert "(reduced by \$4,204,000)".

Page 145, line 8, after the dollar amount, insert "(reduced by \$11,474,000)".

Page 145, line 17, after the dollar amount, insert "(reduced by \$15,593,000)".

Page 145, line 24, after the dollar amount, insert "(reduced by \$104,386,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$20,887,651,000)".

Mr. GARAMENDI (during the reading). Mr. Chairman, I ask unanimous consent to dispense with reading the rest of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

□ 2040

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. I thank my colleagues for bringing that recitation to an end, but I also urge my colleagues to pay careful attention to what we're trying to accomplish here. I'll try to explain it without reading each and every one of those lines.

The Afghan Study Group, Richard Haas and many others who are very familiar with the Afghanistan war and the way in which it is being conducted have suggested that by the end of 2012, America should have no more than 25,000 troops in Afghanistan and then further, wind down the war in 2013 to 10,000 troops focused on terrorists, focused on al Qaeda.

As I spoke a few moments ago on this issue, this amendment is to accomplish that goal, to wind down the war in a responsible way over the next 18 months so that at the end of the 18 months—that would be December 31, 2012—that

there'd be no more than 25,000 troops in Afghanistan.

Now, unfortunately, I can't add the rest of it, but I will at least give the reason for this. And that is to pivot on the success of getting bin Laden. We went to Afghanistan to get al Qaeda. We succeeded. And now we are involved in a civil war, a great civil war, a five-sided civil war, maybe a six- or seven-sided civil war; and we are supporting a government in that war that is at best corrupt and quite possibly even more inept. So what are we doing there besides spending \$120 billion a year?

Well, we are kind of fighting it out. We're losing a lot of Americans, and even more Afghans are dying. We're not going to be able to solve this with troops on the ground. This war needs to be negotiated. As much effort as we are spending on the troops, we should spend on negotiations. Unfortunately, little or no negotiations are going on that are at least talked about publicly; and I would hope they're going on privately, secretly, but I don't think that to be the case.

So we need a negotiated settlement; we need to pivot on the success of bin Laden. We need to focus like a laser on al Qaeda wherever they happen to be in the world. And we know that they are in Pakistan, Yemen, Somalia, other places in the world—including the United States. So our focus must be on that, not on this civil war. We cannot solve it with our troops in Afghanistan.

This amendment would cause us, as Members of Congress, to exert the authority given to us by the Constitution, that is, the power of the purse, and by denying funding for more than 25,000 troops at the end of 2012, we will accomplish the goal of rapidly, appropriately winding down the war. Not my words, but the words of the Afghan Study Group and Richard Haas—people who know these issues.

We must do this for our own good, for the good of this Nation. We're sitting here in the midst of a great debate upon a default crisis, a back-and-forth about how do we deal with the deficit. Well, one way we can deal with the deficit is to end this war; \$120 billion a year adds up to a third of a trillion dollars in just 3 years. We're not suggesting we can get that. We know we're going to have to maintain some sort of a presence there.

But surely we don't need to spend \$120 billion in Afghanistan when in our own country we are denying our children an education for lack of money. We are denying our elderly the health care that they need, for example, terminating Medicare for lack of money. We are not feeding our children; "60 Minutes" recently did a heart-wrenching story on homeless children living in cars and hotels in America because their parents have lost their jobs.

We have an unemployment rate that demands our attention, demands our

investment in America, rebuilding America's bridges, roads, rebuilding our manufacturing sector, making it in America once again, rebuilding the real strength of this Nation, its economy, and the middle class so that they can have jobs that will allow them to stay in their homes, provide for their children, live the good American life.

We must end this war. We must first wind it down. Were this more than an appropriation bill, I would have gone to step two, which is 10,000 at the end of 2013 with a mission that is the original mission, that is, going after the terrorists, not nation-building. We must, as the President said, rebuild our Nation. And unlike the President, this amendment offers us the opportunity to use our money to rebuild this Nation.

By the way, for you deficit hawks, it's all borrowed money. You're borrowing money for Afghanistan, or you're borrowing money to rebuild this Nation.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. We oppose this amendment for the same reason we opposed the gentlewoman's amendment from California on the last. It would be highly disruptive to our troops and, I think, put them at great risk for their personal safety. So we oppose the amendment.

Mr. PETERS. Mr. Chair, like many Americans, I have been growing increasingly concerned about the ongoing war in Afghanistan. The war that was launched in the aftermath of the September 11 terrorist attacks was designed to destroy the capability of the al-Qaeda terrorists responsible for those attacks and root out the Taliban government that was harboring them. Over the years, the purpose and goals of this war have changed, and we are now engaged in a long-term effort to build up the capacity of the Afghan Government and its security forces, to improve the infrastructure and economy of the country, and to provide an improved standard of living for its people.

These are admirable goals, but after almost a decade of war where we've tragically lost the lives of more than 1,600 American soldiers, we appear to be far from achieving them. I had the opportunity to visit Afghanistan last year to meet with our troops and commanders and see the situation on the ground for myself. Our men and women in uniform have been doing an outstanding job under incredibly difficult circumstances.

At the same time, my visit to Afghanistan also increased my concerns about our long-term goals and the viability of our mission there. Today, after having spent more than four hundred billion dollars, I believe we must ask ourselves how long we can continue spending \$6 billion every month for so little measurable gain.

I was disappointed by the President's announcement last month that we would be with-

drawing only 10,000 troops this year and 23,000 by next summer, and that is why I supported an amendment to the Department of Defense Appropriations Act that would have accelerated that withdrawal. The amendment I supported, offered by my colleague, Representative GARAMENDI, would have reduced funding for combat operations while allowing for a reserve force of 25,000 troops to protect American personnel, carry out anti-terrorism operations, and assist with the training of Afghanistan's security forces.

While I was disappointed this amendment did not pass, I cannot in good conscience vote against the underlying bill at this time. While our troops remain in harm's way, we have an obligation to ensure that they have the equipment, training, and support they need. However, I plan to continue to press for a plan that will quickly and responsibly bring more of our troops home from Afghanistan so that we can focus our resources on protecting our Nation and targeting the terrorists who threaten our security.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$919,034,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$675,360,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$1,436,353,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$207,162,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$44,530,000: *Provided*, That

each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$25,421,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$26,815,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$646,879,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$9,435,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$39,175,755,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AMENDMENT OFFERED BY MR. WELCH

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 127, line 18, after the dollar amount, insert "(reduced by \$200,000,000)".

Page 149, line 16, after the dollar amount, insert "(reduced by \$200,000,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$200,000,000)".

Mr. WELCH (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. YOUNG of Florida. I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Mr. Chair, one of the central questions that Congress must address is whether to continue the policy and nation-building in Afghanistan. As previous speakers have indicated, it's expensive. It's also very questionable as to whether it's anything but a failure.

□ 2050

The cornerstone of the nation building program is the Commander's Emergency Response Program. That gives

the commanders flexibility, at their own discretion, to authorize significant infrastructure projects in Afghanistan, the goal being to win hearts and minds of the Afghan citizens. When you lay it out by its intentions, it's a very reasonable tool to provide to our commanders. The problem is the evidence is in, and it has been a failure.

The \$400 million Commander's Emergency Response Program, CERP, is a central component of what I believe is a failed nation building strategy. And the fundamental question here is this: Does the Defense appropriations bill double down on the nation building approach which has been drawn into such question?

Now, of the CERP development dollars, according to the Special Inspector General for Afghanistan Reconstruction, SIGAR, about half of the CERP projects reviewed were unsustainable and fell into disrepair immediately following their transfer into Afghan hands. That failure of sustainment is real, and it is not subject to something that we can control here.

So the question that we have to ask on behalf of our military strategy is, is the money being used in a way that's effective? From the perspective of the Afghans, is it being used on projects that are sustainable? And the evidence, on the basis of our SIGAR report, is the answer is "no." And it's not surprising. You know, we've got to get a bit real about this, whatever your position is on Afghanistan. If you have a government that has no infrastructure of civil service, that doesn't even have the capacity to do the sustainment, they don't have a civil service that can go out and maintain and repair the roads and other projects, is it realistic to expect that they will?

When you have a government that is corrupt, for whatever reason, but where the money that gets injected by the U.S. taxpayer into these projects, with the best of intentions, gets siphoned off into paying off people who have positions of authority, is that a wise use of our taxpayer dollar? Is it going to help our military ultimately be successful? So the question that we have a responsibility to answer is whether this tool of nation building makes sense.

One of the other questions that I think is fair to ask: Many of us have been to Afghanistan, and we've met with some of our USAID people, our State Department people who are out there, our military people of course, trying to implement these projects, Mr. Speaker. The amount of security that is required in order to allow people to do the simplest of projects in the middle of a shooting war is an enormous expense. And the question that comes to mind for me, and I think many Americans, is this: Does it make sense to do these infrastructure projects, these hearts and minds

projects in the middle of a shooting war, or are those things that have to be done before or after? That's really the question.

So the intention of this program makes sense. The flexibility for our commanders they see as desirable. It is a tool that they can use. But we have had 10 years now of history. We have had a fully blown report by SIGAR that has said it just doesn't work. It just doesn't work.

So is it time for this Congress to call the question about the wisdom and the efficacy of this nation building tool, the CERP programs that fall into disrepair immediately upon their completion?

Our amendment calls the question, Mr. Speaker. And it would cut in half, which is about the amount that's documented to be wasted, the amount that is spent by U.S. taxpayers on these nation building activities in Afghanistan.

I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the gentleman's amendment.

The amendment proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under section 3(j) of House Resolution 5, 112th Congress, because the amendment does not merely propose to transfer appropriations among objects in the bill, but also proposes language other than the amounts.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on this point of order? The Chair will rule.

To be considered en bloc pursuant to section 3(j)(1) of House Resolution 5, an amendment must propose only to transfer appropriations from an object or objects in the bill to a spending reduction account. Because the amendment offered by the gentleman from Vermont proposes other changes to the bill, namely changing the level of a limitation, it may not avail itself of section 3(j)(1) of House Resolution 5 to address the spending reduction account. The amendment is not in order.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 127, line 18, after the dollar amount, insert "(reduced by \$15,000,000) (increased by \$15,000,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I offer an amendment tonight that will save both blood and an immense amount of money. The amendment I am introducing along with Congressman BLUMENAUER designates already authorized funds in the amount of \$15 million to be used to insulate the shelters at forward

ward operating bases in Afghanistan. Properly insulating military shelters can significantly reduce energy consumption, which in turn can decrease the number of vulnerable fuel convoys needed to support our troops.

These fuel convoys cost us dearly. They are an absolutely vital supply link to our troops in the field, but they are exposed to constant and devastating attack. Despite the Pentagon spending \$24 billion a year to protect fuel convoys in Afghanistan, more than 3,000 troops and civilian contractors have been killed or wounded while riding on convoy. What's more, fully two-thirds of the fuel used in Afghanistan goes to provide electricity for air-conditioning and heat at military installations. If we can reduce the energy required to heat and cool shelters in the field, then we can reduce the number of vulnerable fuel trucks needed to support the operations. Simply put, insulating the structures in the field will save lives of people who will not be on convoys to be attacked.

We will also save money. Properly insulated shelters use up to 92 percent less energy for their heating and cooling. With more than 200,000 gallons of diesel fuel used every day to power our forward operating bases in Afghanistan, insulating our field shelters has the potential to significantly reduce fuel consumption. A similar insulation effort in Iraq has led to almost \$1 billion a year in savings and has taken more than 11,000 fuel trucks off the road. This in turn has helped to prevent an estimated 458 casualties in Iraq.

A little arithmetic will show you that this \$15 million invested in insulating the shelters in the forward bases in Afghanistan should save several billion dollars in costs, as well as thousands of lives.

I want to thank Congressmen BLUMENAUER, HINCHEY, and WELCH for their support of this amendment. Together, the amendment provides a common-sense way to reduce fuel consumption across the war zone. This would save about two-thirds of the 200,000 gallons used a day. With the total cost of fuel sometimes exceeding \$400 a gallon in Afghanistan, including the transport costs, and thousands of casualties suffered by fuel convoys, a small investment of \$15 million in energy efficient insulation can go a long way in saving thousands of lives and upwards of billions of dollars in resources.

I urge passage of this amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

□ 2100

Mr. YOUNG of Florida. Mr. Chairman, this amendment is very, very

similar to one that the House rejected earlier today.

The project that would be funded by this amendment, by the shifting of this money, is not an authorized program to begin with. But even if it were, the Army's O&M account in the OCO portion of the bill is funded at over \$39.1 billion.

And should this project remain in the final authorization bill and the Department concurs that it is a high enough priority, then there simply are ample funds to cover it with the \$39.1 billion.

So I see no reason for this amendment, and I oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. GARDNER). The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$6,749,489,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$3,571,210,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$10,739,587,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$9,312,876,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress): *Provided further*, That of the funds provided under this heading:

(1) Not to exceed \$12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation New Dawn and Operation Enduring Freedom.

(2) Not to exceed \$1,750,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation New Dawn and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence

of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 128, line 17, after the dollar amount, insert "(reduced by \$1,000,000,000)".

Page 129, line 1, after the dollar amount, insert "(reduced by \$1,000,000,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$1,000,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. POE of Texas. Mr. Chairman, this amendment deals with the money that we give Pakistan. It specifically deals with the reimbursement account that the United States pays for the war on terror to reimburse Pakistan for the spending that they do and the money that they request back from the United States, specifically takes \$1 billion out of the reimbursement account and applies it to the reimbursement or, excuse me, the Spending Reduction Act.

Since May 2, when Osama bin Laden was taken out and we learned more about the role that Pakistan is playing—or, shall I say, not playing—in the war on terror, they have become more and more an unfaithful ally. President Bush said, when the war on terror began, to the countries throughout the world, either you are with us or you are with the terrorists.

Pakistan has yet to prove which side they are really on, so much so that when Osama bin Laden was taken out by the American military, we did not trust Pakistan enough to even tell them that we were going to come into their country. Our distrust against that country has been proven over and over again since that date.

On May 16, the Wall Street Journal reported that over 40 percent of the money that Pakistan requests for reimbursement for military aid is denied by the Federal Government because

those claims are unfounded by the Federal Government. In one case last year, the United States paid millions of dollars to refurbish four helicopters to help Pakistan's Army transport troops into battle against the Taliban, but it turned out that Pakistan diverted three of those aircraft to peacekeeping duties in Sudan operations for which Pakistan receives compensation from the United Nations.

Other claims include a \$26 million charge for barbed wire and pickets and \$70 million for radar maintenance, although there is no enemy air threat related to the war on terror.

And on May 22, 15 to 20 militants stormed three hangars at the naval aviation base in Karachi. It took the Pakistan military over 15 hours to end that siege.

Two U.S. P-3Cs were destroyed. The P-3C is an anti-submarine and marine surveillance aircraft. Some reports now indicate it was an inside job, as the terrorists had military uniforms and knew exactly where the planes were located.

Then on June 14, reports confirmed that Pakistan now has arrested CIA informants that helped us locate Osama bin Laden, where he had been living under the eyes of the Pakistan military for years.

As reported in The New York Times on June 14, ISI arrested 30 Pakistani informants who helped the United States capture bin Laden. One was a Pakistani Army major who officials said copied the license plates of cars visiting bin Laden's compound at Abbottabad.

Then further, in June, when CIA Director Leon Panetta went to Pakistan to inform them that there was a factory that was making bombs or IEDs that could be used against Americans, by the time the Pakistani troops showed up, the militants had disappeared.

Not to be outdone, we told them again about a second place where IEDs were being made, more bomb-making facilities only days later, and once again the terrorists picked up and disappeared. Sounds like they had inside information.

And lastly, on June 29, Pakistan asked the United States to shut down a drone base that it had in Islamabad and ended U.S. operations at the Shamsi Air Base. Although the United States denies that occurred, Pakistan's defense minister said that it has ended those operations. And, of course, drones carry out strikes against the Taliban and al Qaeda militants on Pakistan's border with Afghanistan.

And lastly, Transparency International has rated 178 countries on corruption, and Pakistan, our so-called ally, is rated the 143rd most corrupt, beating out, of course, Bangladesh and Nigeria, who have less corruption in their governments.

So we are dealing with a corrupt government. We don't know where our

money is going. It may end up in the hands of people who hate us. It's being wasted. The Pakistan military, the Pakistan Government is trying to play at least two sides: our side, their side. They may be on a third side, who knows. But a billion dollars that we send them for so-called reimbursement of the war on terror, we can stop that. They are an unfaithful ally.

Only 17 percent of the Pakistani citizens say they even like the United States. That puts 83 percent that do not like the United States. We don't need to pay the Pakistan people to hate us. They will do it on their own.

So we no longer need to fund them. We need to take a billion dollars out of this account and put it into the deficit reduction spending account.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The bill includes approximately \$2.4 billion to support the Pakistani military. Of this amount, 1.1 billion is for the Pakistan Counterinsurgency Fund and approximately 1.3 billion is provided through Coalition Support Funds.

The Pakistani Counterinsurgency Fund provides for the training and equipping of Pakistani forces specifically to aid U.S. counterterrorism objectives. Coalition Support Funds are used to reimburse the Pakistani military for operations which generally support U.S. counterterrorism objectives.

In the wake of Osama bin Laden's killing by U.S. Special Forces, serious questions have arisen about Pakistan's reliability as a strategic partner. And I must say that I agree with much of what the gentleman from Texas has just said.

The relationship with Pakistan has always been difficult, but maintaining the relationship is essential. This relationship helped the U.S. make progress against terrorism, and the Pakistanis have allocated a significant part of their forces within their own borders to this mission.

A complete withdrawal of U.S. assistance would likely polarize Pakistan and exacerbate significant pro- and anti-American rifts with their military and their government generally. Aggravating this divide would be counterproductive to U.S. objectives in the region, and we must remember that they are also a nuclear power.

In addition to the counterterrorism activity, the fact of Pakistan's nuclear weapons capabilities provides ample reason for the U.S. to continue to try and engage Pakistan.

I urge my colleagues to reject the amendment.

I yield back the balance of my time.

□ 2110

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. The ranking member, Mr. DICKS, has eloquently pointed out why we are opposing this amendment. But like Mr. DICKS and like Mr. POE, the author of the amendment, I couldn't agree more. If this language included the word Pakistan, I would probably have to have a different attitude on this amendment because I share those concerns and I share them strongly. However, I understand the importance of our coalition and the coalition support fund that we have agreed to and the importance of maintaining that agreement.

But I would say that someone at a higher level who deals diplomatically with other countries, including Pakistan, has dropped the ball somewhere. I agree with Mr. POE, but I just don't think that we can be in a position where we can renege on our agreements and arrangements with our coalition partners, because they are very important to us and to the missions that we face.

So as reluctant as I might be because I share Mr. POE's thoughts, I also will oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. POE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY
RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$217,500,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$74,148,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$36,084,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, AIR FORCE
RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve",

\$142,050,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, ARMY
NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$387,544,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OPERATION AND MAINTENANCE, AIR NATIONAL
GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$34,050,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OVERSEAS CONTINGENCY OPERATIONS
TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated \$5,000,000,000 for the "Overseas Contingency Operations Transfer Fund" for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress): *Provided further*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, that the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 131, line 25, insert after the dollar amount the following: "(reduced by \$5,000,000,000)".

Page 161, line 12, insert after the dollar amount the following: "(increased by \$5,000,000,000)".

Ms. LEE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. I want to once again thank Mr. ROGERS and Ranking Member DICKS and my colleagues on the Appropriations Committee for their hard work on this bill. Let me also thank my colleagues who are joining Representative JONES and me on this bipartisan amendment: Representatives WOOLSEY, OLVER, HONDA, GRIJALVA and PAUL.

Mr. Chair, I rise to offer the Lee-Jones amendment to redirect the \$5 billion of the Overseas Contingency Operations Transfer Fund into a deficit reduction account. This amendment does nothing to undermine the efforts that our servicemen and -women have performed with incredible courage and with extreme commitment in Afghanistan, Iraq and around the world. They have done everything asked of them. And as the daughter of a military veteran, I take any matters that affect our troops very, very seriously.

But supporting our troops does not mean giving a blank check to the Pentagon. I have consistently said that we cannot afford to give any more blank checks to the Defense Department.

This amendment is about eliminating a giant \$5 billion check with a blank memo to fight the global war on terror anywhere, at any time, without any accountability. The Department of Defense just has to notify Congress that these funds are being transferred.

This \$5 billion giveaway, which is what it is, it's like a slush fund, it's like a war slush fund, another giveaway to the Pentagon. It's a \$5 billion check to use as it pleases with little or no congressional oversight. There's no accountability in how these funds are spent. While we understand that the Pentagon needs flexibility to address terrorist threats to this Nation and around the world, we need not create a separate slush fund, mind you, to do it. The flexibility has been given elsewhere in this bill, including \$119 billion in flexibility in this appropriations bill, a tremendous amount, at a time when we are cutting aid to American families who need assistance with buying food or receiving health care and also during a time when there are many calling for cuts in Medicare.

We already have a process in place for the Pentagon to get additional funds, as needed, outside of this appropriations bill; and the Congress has consistently responded well to the needs of the military. But Congress does not need to create a \$5 billion war slush fund. The Pentagon can incorporate its work to fight terrorism globally into its budget while taking steps to rein in waste, fraud, and abuse in an already bloated budget.

Sixty cents of every dollar of discretionary funds is already handed over to the Pentagon. There's no doubt that this war slush fund would give rise to opportunities for waste, fraud and abuse at the Pentagon, such as the

more than \$300 billion in major weapons system cost overruns identified by GAO.

It's time to address the culture of unlimited spending and no accountability at the Pentagon. Being strong on defense does not mean we have to give a free pass for irresponsible spending.

During such austere times, does the Pentagon really need another slush fund? Why can't the Pentagon budget for its wars, budget for preventing terrorist attacks? It's time to hold the Defense Department accountable for its bloated budget and rein in waste, fraud and abuse at the Pentagon by ending this war slush fund before it ever gets started.

I think the American people would be shocked to know what's taking place in this budget, especially this \$5 billion in war funding that's just put aside for the Pentagon to use as it pleases.

And so I hope my colleagues will vote "yes" to end this slush fund, and let's begin to start reining in these blank checks for the Pentagon. We're asking people who are vulnerable, we're asking our senior citizens, we're asking low-income individuals, we're asking everyone in this country to pay for this deficit and this debt. And we know how we got there.

But we need to really start beginning to look at deficit reduction in a real way, and in a way that is balanced, as the President said. And I don't think allowing a \$5 billion slush fund really moves us in the correct direction. It really is, I think, a sad day to think that we would allow for the Pentagon to have a \$5 billion slush fund when we cut funding for women and children and people who are hungry, when we won't extend unemployment for people who have exhausted their 99 weeks of unemployment compensation.

I can remember asking the Speaker to allow us to vote for unemployment compensation that would provide for 14 additional weeks of unemployment, but we were told there's no money and that was somewhere between 16, you know, to 20 billion that should have been designated as an emergency. Now we're dealing with a \$5 billion slush fund. So I ask for an "aye" vote to use this money for deficit reduction.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I wouldn't call this a slush fund. This is not an additional fund that was added by the subcommittee at the request of the Pentagon or the Department of Defense.

When the subcommittee analyzed the request at our hearings and in the subsequent material provided us to justify the budget of the Defense Department for the overseas contingency oper-

ations, we had a strong disagreement. We did not think that their figures were well thought out. So rather than appropriate that \$5 billion that they requested, we moved it to what we call this transfer fund. It is not any additional money; it is just taken out of one account and put into another account. This transfer fund is to give the Defense Department some flexibility when they do get their facts and figures together on what the actual costs are.

□ 2120

Now, the \$5 billion, again, is not a slush fund. They can't spend this money without reporting back to Congress. Any money spent from this transfer fund must be reported to Congress, and Congress has 15 days in which to respond to that request.

This was done to try to make sure that we had what they needed, that the Defense Department had what they needed for the overseas contingency operations, but that they had to justify exactly how they were going to use the money. And to the contrary, rather than being the potential slush fund, this is definitely not a slush fund, and so I oppose the amendment.

I yield back the balance of my time. Mr. COFFMAN of Colorado. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COFFMAN of Colorado. Mr. Chairman, war is not predictable. We have men and women today engaged in combat. And I am a combat veteran with the United States Marine Corps. I served in the first gulf war, and I served in the Iraq war. I wish that war was predictable. I wish we knew what the enemy was going to do and when they were going to do it, but we don't know that. This is a dedicated fund to the global war on terror. It provides flexibility that is necessary for our commanders in the field at this time.

I rise in opposition to this amendment and would hope that it would be voted down.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

AFGHANISTAN INFRASTRUCTURE FUND
(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States the "Afghanistan

Infrastructure Fund". For the "Afghanistan Infrastructure Fund", \$475,000,000, to remain available until September 30, 2013: *Provided*, That such sums shall be available for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, requiring funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded by this appropriation shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That for the purpose of the section the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AMENDMENT NO. 41 OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 133, line 6, after the dollar amount, insert "(reduced by \$200,000,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$200,000,000)".

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chairman, the Defense appropriations bill is one of our primary funding bills to help protect our country against threats. However, the chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, correctly said that our national debt is our biggest national security threat.

With that said, finding dollars that can be diverted from lower priorities to apply to deficit reduction will indeed make America safer. This amendment will reduce funding for the Afghanistan Infrastructure Fund by \$200 million and return those funds to help reduce the deficit. That is \$200 million to help reduce the deficit.

The Afghanistan Infrastructure Fund was established to provide funds for infrastructure projects, and some reports also indicate funds could be used for other purposes; but, predominantly, they are for infrastructure purposes. My amendment does not completely eliminate funding. It keeps over \$200 million in the infrastructure fund, but it reduces it so we can take a serious look at how we can achieve savings to reduce the deficit in funds spent overseas that are not being used properly and effectively.

With the death of Osama bin Laden, there is not a need for a large U.S. presence in Afghanistan. In fact, the killing of Osama bin Laden was the biggest deficit reduction action this country has known if we take advantage of that action and act on it to make it into a deficit reduction action. We need to rethink our goals and strategy in Afghanistan.

According to the World Bank, 97 percent of Afghanistan's gross domestic product is derived from military funding and foreign assistance—97 percent. If we build a vast infrastructure in Afghanistan, they will not be able to sustain it after we leave. The American people should not have to fund that infrastructure while sitting in traffic in our own Nation, in gridlock, seeing schools in disrepair, hospitals that can't provide services, and watching our own infrastructure crumble—infrastructure that can create and does create jobs carrying goods to market and providing jobs in America.

If House rules permitted, I would direct some of these funds toward building our own infrastructure. That's what we need to do. But that's not the case. The Afghan Government cannot spend all that we are giving to it, and our funding is only fueling corruption and profiteering.

Mr. POE mentioned Pakistan being third from the bottom ahead of Nigeria and another nation. Afghanistan is right there with them. They are fighting for the third to last place. Afghani-

stan is historically a corrupt nation, and what fosters corruption is money and the moneys that we give them; and 97 percent comes from us. It is going into the pockets of people who aren't using it to build that infrastructure to help their own people. We are fostering corruption. Afghans could build their own infrastructure for far less than we are investing.

We need to pull back some of this funding to focus on our domestic priorities, but we need to be concerned about our deficit. Let's keep America safe and strong on all fronts.

I urge my Republican colleagues to join with me in a bipartisan effort, stretching from Florida to Tennessee, the width of the Southeastern Conference, and Conference U.S.A., I may say as well for central Florida. I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, the AIF, Infrastructure Fund for Afghanistan was created by this Congress in the FY 2011 House-passed authorization bill. It was again fully authorized in the FY 2012 House-passed authorization bill. We support the objectives of Operation Enduring Freedom, including the Afghan Security Forces Fund. This is a counterinsurgency tool that General Petraeus placed the highest priority on when he recommended that we create the AIF in place of the CERP, the Commanders Emergency Response Program. So we did that. We took money from the CERP, put the money into the AIF as part of General Petraeus's counterinsurgency program.

So we think this is not a good amendment, and we are opposed to the amendment.

I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I rise to speak against my colleague from Tennessee's amendment.

General Petraeus testified before the House Armed Services Committee and stated that the current counterinsurgency strategy employed by U.S. forces and NATO in Afghanistan is seeing success.

I was there in mid-April; and having been there since 2005 through that time frame, the narrative there today is better than it has been since I started going over there in 2005. What we are doing there is working. The Afghan Infrastructure Fund is key to General Petraeus' counterinsurgency campaign as improvements to Afghanistan's infrastructure is necessary to obtain support from the local populace. General

Petraeus' successful counterinsurgency strategy is dependent on the local populace and the intelligence they provide.

Visible development projects increases the Afghan Government's legitimacy in relation to the Taliban, especially since these projects are conducted in areas vulnerable to Taliban influence. Furthermore, economic development increases security in Afghanistan by providing jobs for former insurgents and building markets for alternative crops to opium, thus reducing corruption.

Mr. Chairman, I oppose this amendment. The House Armed Services Committee has fully authorized this program. The House Appropriations Committee has gone through this bill with a fine-tooth comb. They believe that these funds will be properly used and properly supervised in the building of Afghan infrastructure as we continue to put in place the system we need so that when we leave, and we will leave, the Afghan people can sustain what we are doing.

One of the messages I got when I was there in April, unlike some of the previous efforts, we will build things to Afghan standards. That is not meant to be a pejorative; it is meant to face reality. When you build a road to U.S. standards, they cannot maintain that road to U.S. standards. But when you build a road to Afghan standards, they can in fact maintain that infrastructure. That is the new paradigm that they are working off of. Good enough for Afghanistan is not a pejorative; it is simply facing a reality that this country is different from the United States, and infrastructure projects there will be built to those Afghan standards.

I strongly oppose the gentleman's amendment.

I yield back the balance of my time.

□ 2130

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. CICILLINE

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 133, line 6, insert after the dollar amount the following: "(reduced by \$475,000,000)".

Page 161, line 12, insert after the dollar amount the following: "(increased by \$475,000,000)".

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Mr. Chairman, I rise today in opposition to the Afghanistan policy that is funded in the fiscal year 2012 Defense appropriations bill. I join the efforts of my colleagues in a variety of amendments designed to accelerate the end of the war in Afghanistan.

For more than 9 years now, our troops have been executing the American mission in Afghanistan with bravery, dedication and extraordinary competence; but what started out as a "quick war" in 2001 to bring Osama bin Laden to justice and to dismantle al Qaeda in Afghanistan has turned into the longest war in United States history. The original mission has now been largely accomplished, and with bin Laden's death in Pakistan, this provides an opportunity to reexamine our ongoing mission in Afghanistan, which some estimates indicate is costing us in excess of \$8 billion per month.

We should no longer be sending billions of American taxpayer dollars to the Afghan people for their schools, their hospitals, their roads, bridges, and police at the expense of making those same investments in our own country, especially when the Afghanistan Government, under the leadership of President Karzai, has proven itself incredibly corrupt.

In fact, Transparency International ranked Afghanistan the third most corrupt country in the world; and The New York Times recently reported about a road construction project, just one example in Afghanistan, funded by American taxpayers. It's a 64-mile-long project and is expected to cost \$176 million to build, which comes to \$2.8 million a mile. Undisclosed amounts of money have gone to pay off local strongmen to buy security while the project is ongoing, and it was reported that the people collecting these bribes staged attacks on the construction crews in order to make the bribes necessary in the first place.

With this kind of corruption and many other examples, we simply cannot afford to finance the infrastructure projects associated with this war. Don't forget, Mr. Chairman, that on top of everything else we're not even paying for this war. It's actually being financed on the national credit card. These are difficult economic and budgetary times. It is time to reassess U.S. involvement in Afghanistan so that we can focus on rebuilding our own economy, putting Americans back to work, and making sure our Nation can compete in the 21st century.

That is why I'm offering this amendment today, which will strike \$475 million from the Afghanistan Infrastructure Fund. Vital investments to our country's economic stability, the education of our children, the health of

our seniors, and the employment of our workforce have time and again been put on the chopping block in this Congress. We're told that we can't afford to adequately repair our crumbling infrastructure here in America; we're told that Pell Grants and student loans are too expensive; and we're told that we need to change the safety nets for our Nation's seniors and most vulnerable populations—and in the same breath, we're told we should continue to borrow billions and billions of dollars for nation-building in Afghanistan. What we really should be doing is nation-building right here at home. Instead of building roads and bridges and hospitals and schools halfway around the world in Afghanistan, we should be investing resources on the urgent needs of our own country.

Budgets are a reflection of our priorities.

Are we going to pay down our Nation's debt? Are we going to make the much needed investments in our own roads and bridges and ports? Are we going to protect our seniors? Are we going to ensure that access to college remains affordable? If we continue to spend billions and billions of dollars in Afghanistan, then we cannot have a balanced discussion of these priorities and these choices.

As we debate the merits of raising the debt ceiling and as we consider our domestic priorities, I urge my colleagues to support my amendment, which strikes \$475 million from nation-building in Afghanistan in order to keep those dollars right here at home—to invest in our future and to reduce our debt.

There was a recent report, Mr. Chairman, done by the Eisenhower Research Project at Brown University's Watson Institute for International Studies just this past week. This group's cost of war project has released new figures for a range of costs associated with U.S. military responses to September 11, including our activities in Iraq, Afghanistan and Pakistan. They project that the wars will cost Americans between \$3.2- and \$4 trillion and cost 225,000 lives.

It is time to end this spending. It is time to make these investments in infrastructure in our own country, and I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. This is pretty much the same debate we just had. The difference is that this particular amendment just eliminates the Afghanistan Infrastructure Fund altogether, and the other amendment didn't do that.

This account, this Afghanistan Infrastructure Fund, was created by Congress in the fiscal 11 authorization bill

and again in the fiscal 12 authorization bill—which we just passed a few weeks ago—at the request of General Petraeus, who made this one of the most important parts of his counterinsurgency strategy. Now, if you don't believe that General Petraeus knows what he's talking about, then maybe you should vote for this amendment; but those of us who have watched General Petraeus skillfully function as the leader in Iraq and there again at Central Command and there again in Afghanistan, we believe that this is not a good amendment and that it should be defeated, the same as the other amendment that we just defeated, so I rise in opposition to this amendment.

I yield back the balance of my time. Mr. CONAWAY. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. This amendment is very similar to the one we just debated except as to the amounts, and it does strike the entire infrastructure account. I would like to make a couple of points that I didn't make earlier with respect to the previous amendment.

None of the conversation that I was ever aware of prior to bin Laden's death remotely said that the war was over or that the fight was over if we killed bin Laden. Had my colleagues on the other side of the aisle been making that argument from start one, then it might have some validity to it; but quite frankly, that was just a marker in this long fight against Islamic jihadists and these terrorists.

The other issue of invoking past costs, or sunk costs, is informative as to how we got to this point in time and as to looking at where we go from here to when we have all American troops out of there; but how we make the intelligent decisions and intelligent investments in Afghanistan between now and then is the bigger question. Whatever it costs to fight in Afghanistan, whatever it has cost to fight in Iraq over the past 8 years or whatever, I understand those are big numbers; but we are looking forward as to how we push the Afghan security system to a point where they can take care of themselves and, in fact, begin to run their country as they should.

Most of my good colleagues' arguments were better suited for the conversation we had in April with reference to the overall budget. That budget passed. This amount that we are now going to spend on the Department of Defense fits under the discretionary spending cap that we put in place by the majority vote of this House back in April. The Subcommittee on Defense Appropriations had done their work, allocated their amount of moneys across a lot of priorities, said "no" to a lot of things, and said "yes" to this issue. So I rise in op-

position to my colleague's amendment, and I would urge my colleagues to oppose it as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CICILLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 39 OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, line 11, insert before the period at the end the following: "Provided further, That of the funds made available under this heading, the Secretary of Defense shall transfer \$236,000,000 to the Secretary of Transportation for the National Infrastructure Investments program".

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CLARKE of Michigan. This amendment would shift \$236 million from the Afghanistan Infrastructure Fund and would return that money back to the taxpayers of the United States—the U.S. Department of Transportation's National Infrastructure Investments program.

□ 2140

Look, I understand that we're trying to fight terrorism by spending all this money in Afghanistan, but the best way to protect the American people from terrorist attacks is to repair our roads and bridges, secure our ports, help fund secure rapid transit systems so we don't have to spend as much money buying foreign oil—and you know that some of that money that goes to these foreign countries when we buy oil ends up in the hands of terrorists. Let's redirect a share of the money that is going to rebuild roads in Afghanistan to build and invest in transit in America. Not only is this good for Americans, we're going to pave over all these potholes that are damaging our cars. And with rapid transit programs, we're going to help provide people who can't afford a car—or in my area, in metro Detroit, people can't afford auto insurance even though they have good driving records because they're red-lined. At least if we

transfer some of that money to transit, they will have a way to go to work and to other events for leisure.

But the bottom line is this: If we invest this money in the United States as opposed to spending it all in Afghanistan, we're going to create jobs here in the United States. That is the best way to secure our country—to make sure we put as many people as possible here back to work.

I urge your support on this amendment.

This amendment would shift \$236 million from the Afghanistan Infrastructure Fund, AIF, to the Department of Transportation's National Infrastructure Investments Program.

The Afghanistan Infrastructure Fund provides funding for infrastructure projects such as water, power and transportation and related maintenance and sustainment cost.

My amendment would cut the amount dedicated to this fund in half. While we can agree that this funding is helpful to the Afghan people, I believe that we need to invest in nation-building at home at least as much as we invest abroad.

My amendment would restore about half of the funding historically given to the National Infrastructure Investments Program, which is zeroed out in this bill.

The National Infrastructure Investments Program awards grants to state, local, and transit agencies on a competitive basis for highway, bridge, port and rail projects that stand to make a significant national or regional impact.

The Department of Transportation estimates that, for every \$1 billion invested in Federal highways, more than \$6.2 billion in economic activity is generated. Spending tax dollars in Afghanistan fails to create the same economic multiplier.

The U.S. has invested approximately \$51 billion in reconstruction and development for Afghanistan since 2002.

Our nation faces an "infrastructure deficit" as well as a fiscal deficit: federal investment in infrastructure has declined as a share of GDP over the past fifty years while the cost of building new infrastructure has risen.

A report from the American Society of Civil Engineers estimates that the nation needs \$2.2 trillion dollars of infrastructure expenditure over the next 5 years, but less than half that amount has been budgeted.

This is an important issue, and we need to make sure we are taking care of our country's infrastructure needs. I hope that we can work together to make sure that we have adequate funding for the highway, bridge, and port projects that create jobs and further commerce here at home. I think that as we reassess our mission in Afghanistan we should be able to fund these kinds of important programs and still devote significant savings to the deficit.

However, I understand that the House rules do not allow transfers such as are proposed in this amendment, so I will withdraw the amendment in the hopes we can work on this issue in the future.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against

the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to address the point of order?

The gentleman from Michigan is recognized.

Mr. CLARKE of Michigan. I understand the honorable Representative's point of order here.

You know, if there is anything that is not in order, it's the nature of these rules. There are people out here in this country who are taxpayers, they don't want to see their money spent or borrowed in Afghanistan rebuilding their roads when we have all these potholes right here. We should be able to, in this Congress—

Mr. YOUNG of Florida. Point of order, Mr. Chairman.

The Acting CHAIR. The gentleman's comments must be confined to the point of order.

Mr. YOUNG of Florida. Mr. Chairman, the gentleman is not debating the point of order, and so I insist on the point of order.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language imparting direction to transfer funds. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

AFGHANISTAN SECURITY FORCES FUND
(INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Security Forces Fund", \$12,800,000,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That up to \$15,000,000 of these funds may be available for coalition police trainer life support costs: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delin-

eating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 135, line 15, after the dollar amount, insert "(reduced by \$4,000,000,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$4,000,000,000)".

Mr. COHEN (during the reading). Mr. Chairman, I ask unanimous consent to waive the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Tennessee?

Mr. COFFMAN of Colorado. Mr. Chairman, I object.

The Acting CHAIR. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chairman, I do realize the result of this amendment probably. There is another Latin phrase besides "nunc pro tunc," which is "morituri te salutant," which is basically "we who are about to die salute you."

I understand the votes today, and I see them, but I find it hard to fathom, with the American public—and my colleagues on the other side of the aisle, who are indeed concerned about the deficit, not going at the place where you can really get to the deficit, which is in spending in the defense budget. That's Moby-Dick. You don't throw your harpoons at a minnow; you throw your harpoon at the whale. This is the whale. And Captain Ahab had a good point; you go out there and you see the big one, you go for it.

This would reduce the funds we are giving to the Afghanistan security forces by \$4 billion. It wouldn't take all of it. It would keep two-thirds—they would still have two-thirds. It would reduce it by \$4 billion and return those funds to help the deficit. The \$12.8 billion that is currently allocated to this fund is nearly equivalent to the entire GPD of Afghanistan. Their GPD is \$14 billion to \$16 billion. Let's understand this, Mr. Chairman: We are giving the Afghanistan people their entire GDP, and we're borrowing it from China and

other places. This makes no sense. We need to go after the big whale.

Six times the total annual revenue of the Afghan Government—which is approximately \$1.5 billion—is what we're giving them. I understand these funds are to be used to provide assistance to the security forces of Afghanistan, including training and providing equipment, supplies, and services. Well, I have seen soldiers killed over there, my constituents that were killed by Afghanistan soldiers that we trained. We don't know which ones are Taliban and which ones are going to turn on us, and we're training them and giving them weapons.

Roughly \$6 billion of the \$12.8 billion is for salaries and benefits. In light of the President's announcement of withdrawing troops from Afghanistan, we need to make reductions all around, and that includes reduction for these security forces. This country could not, should not fund the structure that the Afghanistan Government cannot fund and at a time when we need to take a look at our deficit.

Now I have heard General Petraeus' name over there. I'm a fan of General Petraeus too, but he's sometimes wrong. He's sometimes wrong. And I think he was for us supporting the President in Libya. And some of the folks over there that are so supportive of General Petraeus weren't so supportive of General Petraeus then. So they understand he's not always right, and he's not right on these funds either. These troops are not going to be trained in a way that they're going to be able to sustain the forces. They're not going to use the weapons, they're not going to be able to supply them. It's going to be a waste.

General Mike Mullen talked about our debt being our biggest security threat, and accordingly we need to re-adjust our priorities and find realistic ways to reduce our deficit. This is a way we can do it and save \$4 billion—still give them \$8.8 billion. It's plenty. I'd like to see it all cut, but I realize that's not realistic. But we are pulling out. We're not going to be able to train those troops to where they're going to be able to maintain the funds to pay those troops in the future. Most of it is salaries, and when we're gone they're not going to have the salaries.

I've been to Afghanistan, you've been to Afghanistan. It is beyond Third World—it's Fourth World, and we're giving them the last of our dollars. If you really, really, really, really care about reducing the deficit, you've got to go for the whale, you've got to go for the defense budget. And just giving this money to Afghanistan is I think a dereliction of duty.

I yield back the balance of my time. Mr. COFFMAN of Colorado. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COFFMAN of Colorado. Mr. Chairman, as we speak, our marines, soldiers, sailors, and airmen are fighting for freedom in some of the toughest places imaginable. A vote for this resolution is a vote to pull the support out from under our troops and to leave a legacy of failure in Afghanistan. I urge against supporting this amendment.

Although I applaud the bravery and skill of the personnel who brought Osama bin Laden to justice, it is important to remember that this is not justification to abandon our efforts to increase the security in Afghanistan. The men and women of our military are working tirelessly to increase the proficiency of Afghan security forces, but to transition lead responsibility for security to them is irresponsible at this time. The Afghan security forces did not suddenly become more proficient because of the death of Osama bin Laden. I am strongly supportive of transitioning responsibility to the Afghan security forces, but only when they are fully prepared to assume that responsibility.

□ 2150

I agree that nation-building should not be a principal tool for achieving America's national security objectives. Such campaigns are too expensive in both blood and treasure, particularly given the circumstances our Nation currently faces. However, this is not an excuse to negate the sacrifices our troops have made or the progress they have won in Afghanistan.

I believe that establishing an arbitrary time line for withdrawal will actually hobble any efforts for a political reconciliation with the Taliban. If they are certain that our forces are leaving before the currently planned transition time line of 2014, they lose all incentive to work with us and the Afghan Government on a political solution.

What this amendment, in fact, does, though, is cuts off funding for the development of Afghan security forces. Our entire exit strategy is based on developing Afghan security forces so that they are strong enough to allow us to pull our forces out to complete a transition whereby they assume operational control by 2014.

Mr. COHEN. Will the gentleman yield?

Mr. COFFMAN of Colorado. I yield to the gentleman from Tennessee.

Mr. COHEN. Half of the money we give them is for salaries. When we pull out, we don't pay the salaries. Their budget is only like 15 percent of everything we give them. They can't pay the salaries. They can't borrow from China. So what's going to happen then?

Mr. COFFMAN of Colorado. We have three security objectives in Afghanistan. The first is to make sure the Taliban don't take over the entire country. The second is to keep al Qaeda out of the country. And the

third is to have a permissive environment from which we can strike targets in Pakistan at will, as we did with Osama bin Laden.

Cutting the legs under the current strategy of giving them the capability of standing up their own security forces completely undermines where we are right now and undermines the President's goals of being able to do that transfer of operational control by 2014.

Mr. Chairman, I urge my colleagues to vote against the amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. First, I want to compliment the gentleman from Colorado for having made a very, very eloquent statement that really is factual and gets right to the point. But the reason I rise also is earlier in the day, just in case there are Members here tonight that weren't there early today, I did suggest that I might say this again and again and again during this debate. This subcommittee that recommends this bill in a very non-political way, in a very careful way, reviewed and analyzed all of the requests that we had from the administration in the President's budget request for fiscal year 2012 appropriations for national defense.

The original recommendation, we reduced by \$9 billion, and I think that is larger than the gentleman's whale, but it is a substantial cut and it was made without any regard to politics. We were extremely careful not to affect the war fighter. We were extremely careful not to affect our Nation's readiness. This is not a good amendment, and I oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT NO. 44 OFFERED BY MR. HOLT

Mr. HOLT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, line 15, insert after the dollar amount the following: "(reduced by \$35,000,000)".

Page 146, line 6, insert after the dollar amount the following: "(increased by \$20,000,000)".

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, my amendment is simple. It reduces the Afghan Security Forces account by about 1 part in 500, one five-hundredth, in order to increase the Defense Health Program account by \$20 million to save soldiers' lives. It will give the Pentagon a much-needed infusion of funds to address a serious gap in our military's suicide prevention.

I learned about this gap through the tragedy of a young constituent from New Jersey who fell through the cracks. He took his own life in September of 2008. But it is not just one soldier. We have a broad problem here. In each of the past 2 years, more American soldiers have died at their own hands than have been killed in war fighting.

Coleman Bean of East Brunswick, New Jersey, attended East Brunswick public schools, he enlisted in the Army in 2001, and he attended Airborne school at Fort Benning. His first assignment with the 173rd Airborne was in Italy. In 2003, he and the rest of the 173rd conducted a combat jump into Iraq.

Like many of his buddies, he saw the horrors of war firsthand, and, like some, he sought treatment from the VA for his diagnosed post-traumatic stress disorder when he returned home in 2004. He was honorably discharged from active duty in 2005, and, like other Army members, Coleman Bean still had 4 years of reserve duty commitment through what is known as the Individual Ready Reserve (IRR) program. He was recalled to duty in Iraq in 2007 through the IRR and was assigned to serve in northern Iraq. When he returned to New Jersey the following year, he was still suffering from the symptoms of PTSD but managed to conceal his condition from even those closest to him. No one reached out to him. Tragically, he took his own life in September 2008. Ironically, tragically, a few weeks after Coleman took his life, the VA called to say that his appointment was ready.

Two Federal agencies charged with helping prevent suicides among our returning soldiers utterly failed this soldier and his family. Indeed, earlier this year, the Ninth Circuit Court, siding with two veterans groups that sued the Department of Veterans Affairs for failing to provide timely care for veterans at risk of suicide, noted that an average of 18 veterans per day take their own lives. We must stop this epidemic. This amendment will help. We can't allow another family to lose a son or a daughter, a father or a mother, a husband or a wife because of buck-passing.

When I investigated Coleman Bean's tragedy, the VA confirmed that they don't offer dedicated suicide prevention programs for members of the IRR. They consider that a DOD responsibility. The DOD officials at TRICARE

said that treating IRR members is the VA's problem. Simply stated, if you are a member of the Individual Ready Reserve suffering from PTSD, you're on your own.

The same problem applies to other categories of reservists, such as the Individual Mobilization Augmentees (IMAs), and the members of the Inactive National Guard (ING). According to the Defense Department, there are at least 123,000 IRR, IMA, and ING members who have done at least one tour in Iraq or Afghanistan.

My amendment would give the Secretary of Defense the funding needed to expand the suicide prevention outreach program to ensure that members of these reserve units who have served a tour in Iraq or Afghanistan will receive a call from a properly trained counselor not less than once every 90 days so long as the servicemember remains in the IRR, the IMA or the ING. In these calls, the trained counselor would be required to determine the emotional, psychological, mental, medical and career needs and concerns of the reservist. Covered reservists identified as being at risk would be immediately referred to the nearest military treatment facility.

I have discussed this program with the Pentagon. The Undersecretary of Defense for Personnel and Readiness, Dr. Stanley, assures me that the Department has more than adequate legal authority to carry this out. What he needs is funding, and my amendment would provide that funding.

When we get the word out about these counseling services, we save lives. This amendment is budget neutral, it is vitally needed, and I ask my colleagues to support it.

The Acting CHAIR. The time of the gentleman has expired.

□ 2200

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in support of the amendment, and urge that we accept it.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. DICKS. I yield to the chairman.

Mr. YOUNG of Florida. We will accept the amendment.

Mr. DICKS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT NO. 37 OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 136, line 23, insert before the period at the end the following: “: *Provided further*, That of the funds made available under this heading, the Secretary of Defense shall transfer \$2,000,000,000 to the Secretary of Homeland Security to increase funds available for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605)”.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. This amendment redirects \$2 billion from Afghanistan Security Forces to the State Homeland Security Grants Program (SHSP).

My amendment makes sure that the Afghanistan Security Forces aren't funded at the expense of our country's Homeland Security efforts.

The State Homeland Security Grants Program ensures that states have strategies in place to protect, respond to, and recover from acts of terrorism and other catastrophic events.

State Homeland Security Grants Program was cut dramatically in the FY '12 Homeland Security Appropriations bill and was underfunded in the FY '11 bill. This amendment would restore grant funding to the FY '10 level to make sure our first responders have the resources they need to keep our communities safe.

My amendment does not jeopardize the training and equipping of the Afghanistan Security Forces. Even with my amendment, the Afghanistan Security Forces Fund is funded above the FY '10 level of \$9.1 billion.

This is an important issue, and we need to make sure we are taking care of our country's homeland security needs. I hope that we can work together to make sure that we have adequate funding for protecting ourselves from terrorism and catastrophic events. I think that as we reassess our mission in Afghanistan we should be able to fund these kinds of important programs and still devote significant savings to the deficit.

However, I understand that the House rules do not allow transfers such as are proposed in this amendment, so I will withdraw the amendment in the hopes we can work on this issue in the future.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: An amendment to a general appropriations bill shall not be in order if changing existing law. The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting CHAIR. Does another Member wish to be heard on the point of order?

Mr. CLARKE of Michigan. Mr. Chair, I would like to speak on the amendment.

The Acting CHAIR. A point of order is pending.

Mr. CLARKE of Michigan. I would like to speak on the point of order.

The Acting CHAIR. The gentleman is recognized.

Mr. CLARKE of Michigan. This bill, this amendment which transfers money from the Afghanistan Security Forces to Homeland Security, it better supports existing law, better supports this defense budget because it better protects the American people, less money by funding police and fire as opposed to blowing all that money in Afghanistan.

The Acting CHAIR. The gentleman must confine his remarks to the point of order.

Mr. YOUNG of Florida. Point of order.

The Acting CHAIR. The gentleman from Florida is recognized.

Mr. YOUNG of Florida. Again the gentleman is discussing the amendment and not the point of order.

The Acting CHAIR. The Chair will hear Members on the point of order.

The Chair is prepared to rule.

Mr. CLARKE of Michigan. Mr. Chair, just to clarify.

The Acting CHAIR. The gentleman is recognized.

Mr. CLARKE of Michigan. In order to explain my position on the point of order, I had to explain the merits of this amendment. This Defense budget is about protecting the American people. I'm saying redirect the money to Homeland Security.

The Acting CHAIR. The gentleman will confine his remarks to the point of order.

The Chair is prepared to rule. For the reasons stated in the previous ruling, the amendment violates clause 2 of rule XXI. The point of order is sustained. The amendment is not in order.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I made this announcement earlier in the day that I would allow the Member to have the 5 minutes to speak on the amendment even though it was subject to a point of order, if that courtesy was not abused. In recent points of order, that courtesy has been abused.

I will continue to show that courtesy to Members who do not abuse their 5 minutes and who do not abuse the point of order.

I yield back the balance of my time.

Mr. CLARKE of Michigan. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. As a new Member in this body, I have the utmost respect for this institution and to the chair. And to the extent that I appeared to be out of bounds, I do apologize.

It's the fact that this country is in crisis. We have a huge debt. We have so many people that need jobs. And since the budget resolution was passed, April 15, Osama bin Laden was captured and

killed, and that provided us with an opportunity to reassess our mission in Afghanistan.

I want us to take a little share of our money that we're spending in Afghanistan and return it here to protect the American people, and also take the remainder of the savings to pay down our debt.

And I do understand what the rules provide. It is just, Mr. Chair, in closing, I believe these rules are old and out of date. We need to, in this House, respond more quickly and nimbly and more effectively on behalf of the American people.

And my closing point is this. We've spent over \$50 billion in economic aid to Afghanistan. Let's take a share of that money, redirect it back home, create jobs here by repairing our roads and bridges. I understand that we don't want to have safe havens for terrorists around the world like Afghanistan. The best way to protect the American people is invest in homeland security, help fund our police and firefighters. They don't have the equipment that they need. The communication and radios with which they can talk to each other, they can share information.

And also, too, I believe it's the duty of this Congress to find a way to provide more equipment in funding for police and fire because this Congress in the past had failed to effectively address the foreclosure crisis which really dropped property values so our local units of government don't have the revenue to hire more police and fire.

So saying that, I want to say to the chairman that I respect your position; I respect this institution. I'm here trying to fight for my people I represent in metro Detroit and return American tax dollars back to Americans to create jobs here and to protect Americans here at home.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PAKISTAN COUNTERINSURGENCY FUND
(INCLUDING TRANSFER OF FUNDS)

For the "Pakistan Counterinsurgency Fund", \$1,100,000,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, with the concurrence of the Secretary of State, notwithstanding any other provision of law, for the purpose of allowing the Secretary of Defense, or the Secretary's designee, to provide assistance to Pakistan's security forces; including program management and the provision of equipment, supplies, services, training, and funds; and facility and infrastructure repair, renovation, and construction to build the counterinsurgency capability of Pakistan's military and Frontier Corps: *Provided further*, That the authority to provide assistance under this provision is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test

and evaluation; defense working capital funds; and to the Department of State, Pakistan Counterinsurgency Capability Fund to accomplish the purpose provided herein: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That funds so transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the Committees on Appropriations in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 137, line 4, after the dollar amount, insert "(reduced by \$1,000,000,000)".

Page 161, line 12, after the dollar amount, insert "(increased by \$1,000,000,000)".

Mr. POE of Texas (during the reading). I ask unanimous consent to waive the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. POE of Texas. Mr. Chairman, I'll be brief.

I had my argument on the other \$1 billion that I asked to be deducted from the reimbursement account to be sent to the spending reduction account.

This is a separate fund that also gives money to Pakistan, over a billion dollars. I'm asking that a billion dollars of that fund that goes into counterinsurgency also be sent to the spending reduction account.

There are several reasons for that, but the main one is the Pakistan Government is correct: we don't know where the money is going. We found out that after we took out Osama bin Laden, in that compound we found documents that revealed discussions of promises of no al Qaeda attacks in Pakistan in exchange for sheltering Osama bin Laden.

That's the type of things that we wonder about whether Pakistan is on our side or on the side of our enemies. We don't know whose side they're on. So I'd ask the adoption of our amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the final word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

I yield to the gentleman from California for any comments he may have.

Mr. LEWIS of California. Mr. Chairman, I rise to support the goals of this amendment which are to demand accountability from a nation that until recently has been one of our good friends.

Pakistan has faced serious problems throughout its history, and the United States has played a leading role in helping stabilize that troubled nation. We have spent billions and billion of dollars in military support and billions and billions more in economic assistance. We have worked as close as we can with Pakistan's military and intelligence agencies in order to stabilize the border region near Afghanistan where al Qaeda and the Taliban are trying to overthrow both Afghanistan and the Pakistan governments.

It is therefore hard to express the anger and frustration of all Americans when we discovered that Osama bin Laden, the man who had engineered the death of thousands on American soil, was living in comfort just a short drive from Islamabad. And we have asked in vain how this could occur. Rather than help us get to the bottom of how this international criminal could live for years within blocks of their military school, we received protests from Pakistani officials that our brave Special Forces captured and killed bin Laden under their noses.

□ 2210

But, Mr. Chairman, what has really outraged me and many of my colleagues is that the Pakistanis have had the audacity to arrest and detain the informants who helped us bring this ultimate terrorist to justice. It is almost too much to take, and it is time that we made it clear to the Pakistanis that our friendship is at the breaking point. For this reason, I am convinced that we must carefully scrutinize every dollar that we are spending in Pakistan in this bill, and especially in the Foreign Operations bill.

And, Mr. Chairman, while I want to support Chairman YOUNG and the work of Mr. DICKS, as well as the rest of my colleagues on this committee, I do want to serve notice that as we go forward and I am able to gather more information, I could very well be presenting a very similar amendment in the Foreign Operations bill. It is high time that we get the answers that we seek here and know really which friends are truly our friends.

Mr. FRELINGHUYSEN. I continue to be opposed, and I yield back the balance of my time.

Mr. COFFMAN of Colorado. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COFFMAN of Colorado. Mr. Chairman, there is no question that the Pakistanis are a troubled ally. They are an unstable Islamic country

with extremist tendencies and a country that has nuclear weapons. The funding that we are talking about right now is that which is for training them in counterinsurgency operations.

We have troops in combat at this time in Afghanistan. The Taliban, the Afghan Taliban who are fighting our forces in the field oftentimes have sanctuary in Pakistan. We are trying to stand up a Pakistani military that is not simply exclusively engaged or exclusively focused on a conventional war with India but is able to launch counterinsurgency operations, particularly in the Federally Administered Tribal Areas. I think this funding is critical so long as we have troops in the field in Afghanistan that we seek to maintain, or certainly increase the capability of the Pakistani military counterinsurgency operations.

With that, Mr. Chairman, I rise in opposition to this amendment and would urge my colleagues to vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$387,900,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$118,412,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$37,117,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$208,381,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,398,195,000, to remain

available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$492,060,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$41,070,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$317,100,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$249,514,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$1,183,996,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$440,265,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$46,920,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$139,510,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$3,213,010,000, to remain available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$406,668,000, to remain

available until September 30, 2014: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$1,500,000,000, to remain available for obligation until September 30, 2014, of which \$490,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, \$3,195,170,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That such funds transferred shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$8,513,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$53,884,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air

Force", \$182,000,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$192,361,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$435,013,000: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$1,228,288,000, which shall be for operation and maintenance: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

For an additional amount for "Drug Interdiction and Counter-Drug Activities", \$469,458,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Joint Improvised Explosive Device Defeat Fund", \$2,577,500,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$11,055,000: *Provided*,

That each amount in this paragraph is designated as being for the global war on terrorism pursuant to section 301 of H. Con. Res. 34 (112th Congress).

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for 2012.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$3,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2012.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund" or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U. S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$400,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Re-

sponse Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. (a) The Secretary of Defense shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by

this or any prior Act under each of the headings Afghanistan Security Forces Fund, Afghanistan Infrastructure Fund, and Pakistan Counterinsurgency Fund on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates for the accounts referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Afghanistan and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

SEC. 9010. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IX, up to \$20,000,000 may be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 125; 10 U.S.C. 10101 note).

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the services described in that subsection is in addition to any other amounts available in this Act for such services.

SEC. 9011. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9012. (a) The Task Force for Business and Stability Operations in Afghanistan may, subject to the direction and control of the Secretary of Defense and with the concurrence of the Secretary of State, carry out projects in fiscal year 2012 to assist the commander of the United States Central Command in developing a link between United States military operations in Afghanistan under Operation Enduring Freedom and the economic elements of United States national power in order to reduce violence, enhance stability, and restore economic normalcy in Afghanistan through strategic business and economic opportunities.

(b) The projects carried out under paragraph (a) may include projects that facilitate private investment, industrial development, banking and financial system development, agricultural diversification and revitalization, and energy development in and with respect to Afghanistan.

(c) The Secretary may use up to \$150,000,000 of the funds available for overseas contingency operations in "Operation and Maintenance, Army" for additional activities to carry out projects under paragraph (a).

SEC. 9013. From funds made available in this title to the Department of Defense for operation and maintenance, up to \$524,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support the United States Government transition activities in Iraq by undertaking facilities renovation and construction associated with establishing Office of Security Cooperation locations, at no more than ten sites, in Iraq: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site and the source of funds.

SEC. 9014. (a) Not more than 85 percent of the funds provided in this title for operation and maintenance may be available for obligation or expenditure until the date on which the Secretary of Defense submits the report under subsection (b).

(b) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on contractor employees in the United States Central Command, including—

(1) the number of employees of a contractor awarded a contract by the Department of Defense (including subcontractor employees) who are employed at the time of the report in the area of operations of the United States Central Command, including a list of the number of such employees in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(2) for each fiscal year quarter beginning on the date of the report and ending on September 30, 2012—

(A) the number of such employees planned by the Secretary to be employed during each such period in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(B) an explanation of how the number of such employees listed under subparagraph (A) relates to the planned number of military personnel in such locations.

SEC. 9015. Of the amounts appropriated or transferred to the Pakistan Counterinsurgency Fund (hereafter in this subsection referred to as the "Fund") for any fiscal year after fiscal year 2011—

(1) not more than 25 percent of such amounts may be obligated or expended until such time as the Secretary of Defense, with the concurrence of the Secretary of State—

(A) submits to the appropriate congressional committees a report on the strategy to utilize the Fund and the metrics used to determine progress with respect to the Fund; and

(B) notifies the appropriate congressional committees of the intent of the Secretary to obligate or expend amounts that are in excess of such 25 percent and a period of 30 days has elapsed following such notification.

(2) Notwithstanding any other provision of law, none of the amounts described in the matter preceding paragraph (1) shall be available for reprogramming.

(3) Such report shall include, at a minimum, the following:

(A) A discussion of United States strategic objectives in Pakistan.

(B) A listing of the terrorist or extremist organizations in Pakistan opposing United States goals in the region and against which the United States encourages Pakistan to take action.

(C) A discussion of the gaps in capabilities of Pakistani security units that hamper the ability of the Government of Pakistan to take action against the organizations listed in subparagraph (B).

(D) A discussion of how assistance provided utilizing the Fund will address the gaps in capabilities listed in subparagraph (C).

(E) A discussion of other efforts undertaken by other United States Government departments and agencies to address the gaps in capabilities listed in subparagraph (C) or complementary activities of the Department of Defense and how those efforts are coordinated with the activities undertaken to utilize the Fund.

(F) Metrics that will be used to track progress in achieving the United States strategic objectives in Pakistan, to track progress of the Government of Pakistan in combating the organizations listed in subparagraph (B), and to address the gaps in capabilities listed in subparagraph (C).

SEC. 9016. (a) Not to exceed \$176,575,000 from amounts made available to the Department of Defense in this Act or any other Act for fiscal year 2012 may be obligated for information operations or military information support operations: *Provided*, That such amount is to be derived from the amounts provided in title IX of this Act for the following accounts in this title as follows:

"Operations and Maintenance, Army", \$104,675,000;

"Operations and Maintenance, Navy", \$1,200,000;

"Operations and Maintenance, Air Force", \$20,400,000; and

"Operations and Maintenance, Defense Wide", \$50,300,000.

(b) Such amounts are to be allocated only in accordance with the direction and for the purposes specified in the classified annex accompanying this Act.

(RESCISSIONS)

SEC. 9017. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following account in the specified amount:

"Mine Resistant Ambush Protection Vehicle Fund", 2011/2013, \$595,000,000.

□ 2220

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 161, line 4, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 10001. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

AMENDMENT OFFERED BY MS. MCCOLLUM

Ms. MCCOLLUM. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. The total amount of appropriations made available by this Act is hereby reduced by \$124,800,000.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment is simple. It cuts \$124.8 million from the overall bill. For my colleagues who say they are committed to deficit reduction, this is your chance to prove it.

This amendment reduces government spending while protecting the Pentagon's national security mission by reducing the funding for military bands to the authorized level. Currently this bill and the Pentagon's budget includes a total of \$324.8 million for 154 military bands and more than 5,000 full-time professional military musicians.

This amendment would reduce the total funding for military bands to \$200 million. The limit set for spending on military bands included a voice vote in the 2012 defense authorization bill, H.R. 1540.

Let me be clear: This amendment brings the defense appropriations bill in line with the spending on military bands established in the defense authorization bill. Again, the House is already on record voting to limit spending on military bands to \$200 million.

Earlier, in debate on this bill, Representative CARTER of Texas had an amendment that struck the language that I had inserted in the defense appropriations bill that would limit the military bands to \$200 million. This amendment was agreed to on voice vote.

I do not believe that the majority of Republicans and Democrats in this House want to be on record adding, adding over \$124 million in spending for military bands.

This amendment gives all of my colleagues the opportunity to reduce the cost to government by cutting \$124 million from this bill, while allowing the Pentagon to continue to spend \$200 million for choirs, jazz bands, ensembles, and other musical missions.

There is no doubt that bands are important. We all enjoy listening to military bands and cherish the traditions of military music. But at a time of fiscal crisis, \$200 million must be enough for ceremonial music, concerts, choir performance, and country music jam sessions.

Maybe you believe that spending \$325 million in 2012 is in our national security interests, a national priority that cannot even be cut or reduced.

Well, I couldn't disagree more. There are really Members in this House who

in good conscience vote to cut nutrition for programs for poor, hungry women and infants, but vote to protect a military bands budgets? Is this House really capable of gutting investments on women's health care, but allow \$5 million increases in funding for military bands?

Republicans are forcing cuts in law enforcement, firefighters, homeless veterans, but they take a stand opposing limiting funding for military bands to \$200 million as a national security priority. Is this Congress really going to raise the debt ceiling so it can pay \$325 million for military bands next year with money borrowed from China? These are truly misplaced priorities.

Mr. Chairman, this Congress faces record deficits, and it's time for both smart investments and tough choices. In this \$650 billion defense appropriations bill, this amendment proposes an extremely modest test of this House's willingness to cut spending for non-essential military functions.

Last year the Army Materiel commander had a \$4.4 million state of the art building especially constructed for the Army Materiel Command Band. While schools, health care centers and food banks are getting cut, \$4.4 million is an example that seems to indicate to me that no one told the Pentagon that this is a fiscal crisis.

The Pentagon does not need any more band aid.

Mr. CARTER argued against reducing spending on military bands, saying the language didn't save 1 cent, and he was correct. This amendment saves U.S. taxpayers \$124.8 million, and that makes a lot of sense to the Minnesotans I represent. And it should make a lot of sense to my tea party Republican colleagues who march to their own drummers.

This amendment gives all my colleagues, Republicans and Democrats, a chance to show our constituents a deficit reduction. I urge my colleagues to support this reduction to unnecessary defense spending.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, the gentlewoman's amendment would essentially cap funding for military bands at \$200 million and reverse a decision of the body earlier this evening.

The band's main mission is music, with a secondary wartime mission for security. Band members train for security, and given the shortage of guards, security is often the band members' go-to-war mission. Every soldier is taught their basic combat skills and can secure the perimeter.

The Department of Defense strongly believes that military bands are vital

to recruiting, retaining, and community relations, and that they provide patriotic, inspirational music to instill in soldiers, sailors, and airmen the will to fight and win, and foster the support of our citizens and promote national interests.

Mr. Chairman, I oppose the amendment and urge others to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Minnesota will be postponed.

AMENDMENT OFFERED BY MS. MCCOLLUM

Ms. MCCOLLUM. Mr. Chairman, I have two amendments left, and this one will deal with the subject of NASCAR.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, add the following new section:

SEC. _____. Not more than \$20,000,000 of the funds made available by this Act may be used to pay motorsports drivers, racing teams, or racing cars in the National Association for Stock Car Auto Racing (NASCAR), the National Hot Rod Association (NHRA), the Indy Racing League Indy Car Series, or the American Motorcyclist Association (AMA) Super Bike Racing or otherwise conduct recruiting outreach through motor sports under the authority of section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-129).

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

□ 2230

Ms. MCCOLLUM. Mr. Chairman, my amendment requires the Department of Defense to limit what they spend on motorsports sponsorships for NASCAR, the National Hot Rod Association, the Indy Car Series, or AMA Super Bike Racing to no more than \$20 million in fiscal year 2012. With our Nation in a fiscal crisis, I can't imagine anyone wanting to spend more than \$20 million for taxpayer-funded racing teams.

As Members of Congress, we must make choices with what to do with America's taxpayer money. Congress needs to set priorities that will reduce the deficit and grow our economy.

This year, the Department of Defense will spend at least \$63 million in taxpayer funds to sponsor motorsports for so-called recruitment purposes. In the last decade, hundreds of millions of taxpayer dollars have been spent to sponsor motorsports racing.

And what do the American people get for their investment? Those millions of tax dollars buy decals—big stickers—on race cars. They pay for multimillion dollar race contracts for millionaire race car drivers and racing team owners. For example, the National Guard is currently spending \$20 million in taxpayers' funds to sponsor one race car driver, \$20 million, one race car driver.

At a time when our Nation is fighting two wars and facing a fiscal crisis, why are we borrowing money from China, Russia, and Saudi Arabia to pay for sponsorships and millionaire car drivers? How does that advance national security?

Now, many of my colleagues insist that these sponsorships are critical to the survival of an all-volunteer military. I disagree. But I respect their passion despite the fact there is no evidence to demonstrate that this motorsports program is effective in recruiting. And that is why my amendment maintains a significant and sufficient investment in motorsports sponsorships, \$20 million, to allow the Pentagon to demonstrate to us and to the taxpayers it does work.

Now as Members of Congress, we must do a better job of exercising our oversight over the Pentagon's recruiting budget. Right now, 75 percent of Americans ages 17 to 24 years old are not qualified—let me repeat—75 percent of young Americans ages 17–24 years old are not qualified to serve in the Armed Forces.

Motorsports sponsorships are not the answer to making America's youth more physically fit or more academically prepared to serve. And according to a 2010 report by a retired military leader entitled "Too Fat to Fight," the U.S. military faces serious long-term recruiting challenges.

Let me quote the report directly. When weight problems are combined with educational deficits, criminal records, and other disqualifiers such as asthma or drug abuse, 75 percent of Americans 17–24 years old are unable to join the military for one or more of those reasons. The military will have to have more fit young men and women if they are going to find enough recruits with the excellent qualifications needed for a modern military.

But we're not talking about \$63 million to sponsor academic decathlons, soccer leagues, or baseball teams.

With these alarming trends facing America's young people, the Pentagon needs to be leading a national effort to ensure young people around this country from coast to coast are educationally prepared, physically fit, morally sound, and dedicated to serving our country. Those young men and women aren't just found at racetracks. Yet that is where our branches of military are spending disproportionate amounts of recruiting budgets on an increasingly small number of recruiting targets.

Here is an example of a motorsport's recruiting power. In 2010, the National Guard spent \$645,000 to sponsor one single NASCAR race, the Air Guard 400. According to the Air National Guard, that \$650,000 sponsorship generated 439 recruits. Only six of those leads were qualified leads or recruited eligible.

How many enlistments for \$650,000? Zero. Zero enlistments, zero contracts signed. Other branches of the Armed Forces have found these sponsorships to be a waste. The Marine Corps, Coast Guard, and Navy have all canceled their motorsports sponsorships years ago, shifting their valuable recruitment dollars to more effective programs.

I respect the patriotism and passion of motorsports fans. I do. And I encourage the U.S. military to continue its longstanding relationship with motorsports like NASCAR. This amendment does nothing to the additional \$8 million the Army spends on outreach to NASCAR racing events or the millions spent on military recruitment at races. But we are wasting taxpayers' dollars on race cars and millionaire drivers with little or nothing to show from it.

I've heard from supporters of racing sponsorships talk about the passion points and media impressions these sponsorship dollars produce among television viewers. Really? Americans don't know that there is an Army or an Air Force, or the American people don't know that we are at war in Iraq and Afghanistan? They don't need a racing car to tell them that we have a volunteer military and our country is at war.

Already this year, the Republican Congress has voted to cut nutrition programs for poor, hungry women and infants. And this majority is cutting investments in energy efficiency at a time of high gas prices.

I urge my colleagues to support this amendment and to limit the sponsorship of motor racing to \$20 million.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I compliment the gentlelady for her determination. She has really worked this amendment hard on more than one occasion. The House has already spoken on this issue. When we considered earlier H.R. 1, this amendment was defeated by more than 100 votes, 448–281.

But this is a recruiting tool. I don't think any of us want to go back to a draft. I think we like the fact that we have an all-volunteer service. But if you feel an all-volunteer service means you have got to recruit, then you use more than just NASCAR or sporting events or advertising in newspapers to gain recruits so that we can have an all-volunteer military, as opposed to a conscripted, drafted military.

The Army National Guard estimated that it engaged more than 83,000 prospects in the year 2010. The Air Force reports that their NASCAR sponsorship is the second-highest source of accessions of all event sports sponsorships. The Army expects that they will, this year, engage 28,700 prospects and gain access to 182 schools through its sponsorship of NASCAR.

Now, the gentlelady, as I said, is persistent. She uses the occasion to mention the fact that the Marine Corps does not use sporting, does not use NASCAR for recruiting. Which is true. But that is not a reason why we should discontinue the program. The Navy and the Marine Corps do not sponsor motorsports, NASCAR. But they both use the sponsorship of sporting events as part of their recruiting programs. The Navy is a sponsor of the X Games, while the Marine Corps sponsors a variety of events, including the Ultimate Fighting Championship.

The fact of the matter is we spend a lot of money for recruiting, and the recruiting for our programs that are successful ought to be continued and should not be denied for whatever the reason that someone objects to using the money for sponsoring race car vehicles.

The National car took seventh place, by the way, in Daytona this past weekend. And not only do we get the sponsorship, the excitement of the crowds and many of whom go to the recruiting stations, but we get newspaper coverage for free, we get television coverage for free, coverage that we don't have to pay for because of these events that we do sponsor.

So, as we did in the Appropriations Committee, and as we did on H.R. 1 earlier in this year, I just hope that we will, once again, defeat this amendment, and I rise in opposition to this amendment.

Mr. PENCE. Mr. Chair, I rise in opposition to the amendment offered by the gentlelady from Minnesota, Ms. McCOLLUM.

The amendment would prohibit the Department of Defense from advancing their recruitment and retention goals through various athletic sponsorships.

At a time when our forces are undertaking operations in multiple theaters, I think it is wise that this body not end the very successful platform used by the Department of Defense to recruit men and women into their ranks.

Contrary to popular belief, sponsorships also go far beyond driver appearances, commercials and decals on race cars. In fact, the National Guard's Sponsorship of the Panther Racing IndyCar team has not only been successful in recruitment efforts, but it also has been successful in technology sharing.

J.R. Hildebrand, who drives the National Guard Indy car, wears ear sensors that measure the G-forces he experiences during a crash. That information is very useful for neurosurgeons who treat soldiers suffering from Traumatic Brain Injury, often the result of roadside bomb attacks.

Understanding the nature and effects of Traumatic Brain Injury advances the ways in which we protect and treat our fighting men and women, and those same sensors worn by J.R. Hildebrand will soon be deployed to our soldiers downrange.

These athletic sponsorships are great recruitment and marketing tools, and they also help improve the lives and care of our service men and women. I urge my colleagues to oppose the McCollum Amendment.

Mr. YOUNG of Florida. I yield back the balance of my time.

□ 2240

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Minnesota will be postponed.

AMENDMENT OFFERED BY MS. MCCOLLUM

Ms. MCCOLLUM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be provided to the Task Force for Business and Stability Operations in Afghanistan or used to carry out section 9012.

Ms. MCCOLLUM (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, Section 9012 of this Defense appropriations bill contains language authorizing the Pentagon, under the direction and control of the Secretary of Defense, to operate a task force for business and stability operations in Afghanistan.

The bill provides \$150 million to the Secretary of Defense to operate this business task force. Our brave military men and women have been in Afghanistan for 10 long years confronting the Taliban, killing terrorists, and helping secure a better future for the Afghan people.

When in the course of this long war did it become the Department of Defense's role to facilitate business opportunities for Afghan and foreign companies?

Is it really within the Pentagon's expertise or mission to excel at business development, farming, or mineral exploration?

This bill gives the Department of Defense authorization to carry out "projects that include private investment, industrial development, banking and financial system development, agricultural diversification and revitalization, energy development in and with respect to Afghanistan."

Afghanistan is an active war zone.

American servicemembers are under attack and our Department of Defense should be solely focused on their security. The Pentagon's focus should not be on starting up businesses or facilitating business development tours for corporate CEOs. Economic development is an important part of America's overall strategy in Afghanistan, but that is the role of civilian agencies like USAID, the Department of State, or the Department of Commerce.

Congress needs to invest in America's civilian capacity to carry out this function. Unfortunately, the Republican leadership in this House does not believe international development activities are a component of national security. If they did, they would not cut vital foreign assistance capacity and programs.

Every House Member needs to ask why the Pentagon is supporting the development of the Afghan carpet industry while U.S. soldiers are under attack. Afghan carpets should not be a strategic priority for the Department of Defense.

Every House Member needs to ask why the Department of Defense is helping Kate Spade, an exclusive New York handbag designer, to source raw materials in Afghanistan? Since when did the Pentagon invest taxpayer dollars in promoting women's fashion?

The Deputy Under Secretary of Defense described his role in heading up the task force in *The Washington Post*: "We do capitalism. We're about helping companies make money."

Colleagues, helping companies make money is not the role of the Department of Defense. This is the worst example of mission creep. It is up to Congress to perform its oversight duty and rein in the Pentagon.

Getting people to work in Afghanistan is important. Afghans who are working on farms, in factories, in functioning government ministries, and in the police and military are likely not shooting at our troops. But this report that accompanied the Defense authorization bill that passed in May said it best, and I quote from the Defense authorization bill: "The function of private sector business development falls outside of the core competency of the Department of Defense."

The House Armed Services Committee's report went on to further state: "The mission of TFBSO should eventually fall under the jurisdiction of a different agency, likely USAID or possibly the Department of Commerce."

The Task Force for Business and Stability Operations in Afghanistan and

its \$150 million budget should not be funded and not authorized in the Defense appropriations bill. This function and this money belongs in the State and Foreign Operations appropriations bill.

This task force is another example of the militarization of foreign assistance that diverts the Pentagon from its core mission of security and war fighting. It also dangerously blurs the line between military-affiliated personnel in a war zone and civilian personnel carrying out development activities.

America needs the Department of Defense to take care of its top priority: ensuring the national security of our country. We all know there will be fewer and fewer military personnel in Afghanistan in the coming months. Troops stationed in Afghanistan will be in increasing danger. We must allow those troops to focus on their security mission.

If the Secretary of Defense truly believes business development and the work of the task force is vital to national security, then the Pentagon can contract with professionals at USAID to carry out this function.

I urge my colleagues to support this amendment and get the business development and cooperative investment support out of the Pentagon.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, some years ago, the Americans and our allies pretty much stabilized Afghanistan and neutralized the Taliban. But then before the job was completed, we all walked away. The Taliban resurged, came back, and created the situation that we face today and yesteryear and the year before. Let's not let that happen again.

Now this Task Force for Business and Stability is part of that operation to try to maintain stability once we clear out and neutralize the Taliban once again. The mission of the task force is to assist the commander of U.S. Central Command in developing a link between U.S. military operations in Afghanistan and economic elements of U.S. national power in order to reduce violence, enhance stability, and to restore economic normalcy in Afghanistan through business and economic opportunities such as agricultural diversification and energy development.

The Secretary may use up to \$150 million of available operations for overseas contingency operations. This amendment would prohibit that. This amendment would not permit us to do the things that we need to do after winning on the battlefield. After eliminating the combat areas, we have got to maintain an Afghanistan that is not

any longer under the jurisdiction and the influence of the Taliban.

As I said, we did that once before at great cost. We neutralized the Taliban. We basically stabilized Afghanistan, and then we walked away. We didn't do the things that this Business and Stability Operations Task Force would do.

So let's do them this time so we don't have to go back and refight the war against the Taliban in Afghanistan. It is not a good amendment. It is not a good amendment, and I rise in opposition to the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I agree with the gentleman on this particular amendment. I think we should vote it down.

Mr. YOUNG of Florida. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. McCOLLUM).

The amendment was rejected.

AMENDMENT NO. 43 OFFERED BY MR. HOLT

Mr. HOLT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to close the defense commissary store at Fort Monmouth, New Jersey.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, over 19,000 people in New Jersey depend on the goods and services provided by the commissary at Fort Monmouth. The looming closure of Fort Monmouth has cast a cloud over the future of this facility, causing considerable consternation among the active duty, Guard and Reserve, and military retirees who count on the commissary to help them save money and live their quality lives that we have promised them.

In February 2011, the Secretary of the Army recognized the importance of this facility and recommended to the Pentagon leadership that the facility remain open. Department regulations give the Pentagon the ability to decide whether to keep the commissary open after a base closes.

□ 2250

I should point out that the active personnel at Naval Weapons Station Earle, which does not have a commissary, depend on this commissary as well. We in New Jersey, in the New Jersey delegation, strongly agree with Secretary McHugh's recommendation, which is currently under consideration in the Pentagon.

The amendment I am offering, but will withdraw pursuant to a discussion,

a colloquy with my colleagues, would bar the use of fiscal 12 funds to close the commissary.

At this time, I yield to the gentleman from Washington (Mr. DICKS), the ranking member.

Mr. DICKS. I can completely understand the gentleman's concern here. I want the gentleman to know that I am prepared to work with him on this to see if we can talk to the powers that be over in the Pentagon. Hopefully, they can accept Secretary McHugh's recommendation.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. HOLT. I am pleased to yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Let me say that I agree with Mr. DICKS. We are more than happy to work with you in order to work out this problem.

Mr. HOLT. I thank both gentlemen. This means a great deal to the people of New Jersey, to whom we owe a great deal for their military work.

SECRETARY OF THE ARMY,

Washington, DC, February 25, 2011.

Hon. RUSH HOLT,

U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE HOLT: Thank you for your August 17, 2010 letter concerning the closure of the commissary and post exchange on Fort Monmouth, New Jersey.

As we have discussed, the post exchange stores at Fort Monmouth must close in preparation for the closure of Fort Monmouth. However, I have directed the Assistant Secretary of the Army for Installations, Energy and Environment to send an official request to the Under Secretary of Defense for Personnel and Readiness [USD(P&R)] to keep the Fort Monmouth commissary open for a transitional 2-year period following installation closure.

If USD(P&R) approves this request, the continued operation of the commissary for this 2-year period will be conditional on a volume of sales that supports operational costs. Defense Commissary Agency's (DeCA) projections indicate annual sales of \$9.2M in the year following closure. DeCA will continue to review sales and cost data and will advise the Army if sales decline significantly.

Thank you for your inquiry into this matter and for your continued support of our Soldiers and their Families.

Sincerely,

JOHN M. McHUGH.

With that understanding, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FRELINGHUYSEN) having assumed the chair, Mr. GARDNER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under con-

sideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

ADJOURNMENT

Mr. GARDNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 7, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2260. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Cooperative Inspection Programs: Interstate Shipment of Meat and Poultry Products [Docket No.: FSIS-2008-0039] (RIN: 0538-AD37) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2261. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diethylene Glycol MonoEthyl Ether (DEGEE); Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0474; FRL-8877-1] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2262. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — C9 Rich Aromatic Hydrocarbons, C10-11 Rich Aromatic Hydrocarbons, and C11-12 Rich Aromatic Hydrocarbons; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0517; FRL-8876-2] received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2263. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Turkey pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2264. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Bangladesh, pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2265. A letter from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting the Department's report for calendar year 2010 on the country of origin and the sellers or uranium and uranium enrichment services purchased by owners and operators of U.S. civilian nuclear power reactors, pursuant to Public Law 102-486, section 1015; to the Committee on Energy and Commerce.

2266. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's "Major" final rule

— Information Required in Prior Notice of Imported Food [Docket No.: FDA-2011-N-0179] (RIN: 0910-AG65) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2267. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Administrative Simplification: Adoption of Operating Rules for Eligibility for a Health Care Claim Status Transactions [CMS-0032-1FC] (RIN: 0938-AQ12) received June 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2268. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards No. 108; Lamp, Reflective Devices and Associated Equipment [Docket No. NHTSA-2004-18794] (RIN: 2127-AK85) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2269. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Plating and Polishing [EPA-HQ-OAR-2005-0084; FRL-9320-6] (RIN: 2060-AM37) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Stationary Compression Ignition and Spark Ignition Internal Combustion Engines [EPA-HQ-OAR-2010-0295, FRL-9319-5] (RIN: 2060-AP67) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Review of New Sources and Modifications in Indian Country [EPA-HQ-OAR-2003-0076; FRL-9320-2] (RIN: 2060-AH37) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2272. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's "Major" final rule — Revision of Fee Schedules; Fee Recovery for Fiscal Year 2011 [NRC-2011-0016] (RIN: 3150-AI93) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2273. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Decommissioning Planning [NRC-2008-0030] (RIN: 3150-AI55) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2274. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-16, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2275. A letter from the Secretary, Army, Department of Defense, transmitting annual audit of the American Red Cross consolidated financial statements for the year ending June 30, 2010; to the Committee on Foreign Affairs.

2276. A letter from the Acting Assistant Secretary, Legislative Affairs, Department

of State, transmitting Transmittal No. DDTC 11-049, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2277. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-040, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2278. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-061, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2279. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-037, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2280. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-026, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2281. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-053, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2282. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-048, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2283. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-052, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2284. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-055, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2285. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-050, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2286. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-039, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2287. A letter from the Secretary, Department of Agriculture, transmitting the Department's semiannual report from the office of the Inspector General for the period ending March 31, 2011; to the Committee on Oversight and Government Reform.

2288. A letter from the Deputy Secretary, Department of Defense, transmitting the Department of Defense Inspector General Semi-

annual Report, October 1, 2010 — March 31, 2011; to the Committee on Oversight and Government Reform.

2289. A letter from the Executive Director, Election Assistance Commission, transmitting Semiannual Report of the Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Oversight and Government Reform.

2290. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2291. A letter from the Board, Federal Labor Relations Authority, transmitting the semi-annual report of the Inspector General of the Federal Labor Relations Board for the period beginning October 1, 2010 and ending March 31, 2011; to the Committee on Oversight and Government Reform.

2292. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Implementation of Information Technology Security Provision [GSAR Amendment 2011-02; GSAR Case 2011-G503; (Change 50) Docket 2011-0012, Sequence 1] (RIN: 30900-AJ15) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2293. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Connecticut Advisory Committee; to the Committee on the Judiciary.

2294. A letter from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting the Department's "Major" final rule — Performance of Functions; Claims for Compensation Under the Federal Employees' Compensation Act; Compensation for Disability and Death of Noncitizen Federal Employees Outside the United States (RIN: 1240-AA03) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2295. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped with Rotax aircraft Engines 912 A Series Engine [Docket No.: FAA-2011-0504; Directorate Identifier 2011-CE-014-AD; Amendment 39-16702; AD 2011-11-03] (RIN: 2120-AA64) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2296. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F; Model MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No.: FAA-2010-1044; Directorate Identifier 2010-NM-033-AD; Amendment 39-16704; AD 2011-11-05] (RIN: 2120-AA64) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2297. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146 and Avro 146-RJ Airplanes [Docket No.: FAA-

2010-0673; Directorate Identifier 2009-NM-208-AD; Amendment 39-16705; AD 2011-11-06] (RIN: 2120-AA64) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2298. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Regulation of Fractional Aircraft Ownership Programs and On-Demand Operations; Technical Amendment [Docket No.: FAA-2001-10047; Amdt. No. 91-322] (RIN: 2120-AH06) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2299. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond aircraft Industries GmbH Model DA 42 Airplanes [Docket No.: FAA-2011-0231; Directorate Identifier 2011-CE-003-AD; Amendment 39-16706; AD 2011-11-07] (RIN: 2120-AA64) received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2300. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Transitional Relief under Internal Revenue Code Section 6033(j) for Small Organizations [Notice 2011-43] received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2301. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application for Reinstatement and Retroactive Reinstatement for Reasonable Cause under Internal Revenue Code Section 6033(j) [Notice 2011-44] received June 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER: Committee on Rules. House Resolution 337. Resolution providing for consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-135). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCNERNEY:

H.R. 2406. A bill to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Mr. LIPINSKI, and Mr. HUNTER):

H.R. 2407. A bill to protect the safety of America's roads by limiting the operation of

motor carriers domiciled in Mexico beyond municipalities and commercial zones on the United States-Mexico border to a pilot program; to the Committee on Transportation and Infrastructure.

By Mr. REICHERT (for himself and Mr. BLUMENAUER):

H.R. 2408. A bill to amend the Internal Revenue Code of 1986 to temporarily increase the investment tax credit for geothermal energy property; to the Committee on Ways and Means.

By Mr. BROUN of Georgia:

H.R. 2409. A bill to decrease the statutory limit on the public debt; to the Committee on Ways and Means.

By Mr. TOWNS (for himself, Mr. PAYNE, Mr. JACKSON of Illinois, Ms. MOORE, Mr. JOHNSON of Georgia, Ms. FUDGE, Mr. MEEKS, and Mr. CARSON of Indiana):

H.R. 2410. A bill to establish a temporary private education loan debt consolidation program to assist eligible borrowers in refinancing all or a portion of their private education debt as Federal Direct Consolidation Loans; to the Committee on Education and the Workforce.

By Mr. CRAWFORD (for himself, Mr. TIBERI, Mr. FINCHER, Mr. LANDRY, Mr. DENHAM, Mr. DOLD, Mr. FLORES, Mr. GRIFFIN of Arkansas, Mr. AUSTIN SCOTT of Georgia, Mr. HUIZENGA of Michigan, Mr. PALAZZO, and Mr. GUINTA):

H.R. 2411. A bill to provide for an employee election on Form W-4 to have amounts deducted and withheld from wages to be used to reduce the public debt; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. RUPPERSBERGER, Mrs. CAPPS, Mr. CONNOLLY of Virginia, Mr. GRIJALVA, Mr. MORAN, Ms. RICHARDSON, Mr. CAPUANO, Mr. FARR, Mr. ROTHMAN of New Jersey, Mr. NADLER, Mr. HINCHHEY, Ms. SCHWARTZ, Mr. BLUMENAUER, Mr. DAVIS of Illinois, Mr. CROWLEY, Mr. SIRES, Mr. KUCINICH, Mr. SERRANO, Mr. OLVER, Mr. SARBANES, Ms. TSONGAS, Ms. HIRONO, and Mr. QUIGLEY):

H.R. 2412. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment; to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself and Mrs. MCCARTHY of New York):

H.R. 2413. A bill to establish a sustainable Federal Secondary Market Facility for Residential Mortgages that is financed by private capital, to terminate the conservatorships of Fannie Mae and Freddie Mac and repeal the charter Acts of such enterprises, and for other purposes; to the Committee on Financial Services.

By Mr. LANKFORD (for himself and Mr. BOREN):

H.R. 2414. A bill to exempt certain farm vehicles from certain operating requirements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BARLETTA (for himself, Mr. BRADY of Pennsylvania, Mr. ALTMIRE, Mr. THOMPSON of Pennsylvania, Mr. GERLACH, Mr. FITZPATRICK, Mr. SHUSTER, Mr. MARINO, Mr. CRITZ, Ms. SCHWARTZ, Mr. DOYLE, Mr. DENT, Mr. PITTS, Mr. HOLDEN, Mr. MURPHY of Pennsylvania, Mr. MEEHAN, Mr. KELLY, and Mr. PLATTS):

H.R. 2415. A bill to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the "Trooper Joshua D. Miller Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BARLETTA:

H.R. 2416. A bill to extend temporarily the treatment of Monroe County, Pennsylvania, as a HUBZone, and for other purposes; to the Committee on Small Business.

By Mr. BARTON of Texas (for himself, Mr. AKIN, Mr. MCCLINTOCK, Mr. FLORES, Mr. HULTGREN, Mr. TURNER, Mr. WOLF, Mrs. LUMMIS, Mrs. CAPITO, Mr. SCALISE, Mr. MCKINLEY, Mr. BURGESS, Mrs. BLACKBURN, Mr. GOODLATTE, Mr. POE of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2417. A bill to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa (for himself and Mr. BOSWELL):

H.R. 2418. A bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization; to the Committee on Financial Services.

By Mr. CONNOLLY of Virginia:

H.R. 2419. A bill to amend title 38, United States Code, to clarify the meaning of "combat with the enemy" for purposes of service-connection of disabilities; to the Committee on Veterans' Affairs.

By Ms. DEGETTE:

H.R. 2420. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. CONYERS, Mr. JACKSON of Illinois, Ms. RICHARDSON, Ms. NORTON, Mr. GUTIERREZ, and Mr. CICILLINE):

H.R. 2421. A bill to provide for the treatment and temporary financing of short-time compensation programs; to the Committee on Ways and Means.

By Mr. GRIMM (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS, Mr. CROWLEY, Mr. NADLER, Mr. TOWNS, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Ms. HAYWORTH, Mr. GIBSON, Mr. TONKO, Mr. HINCHHEY, Mr. OWENS, Mr. HANNA, Ms. BUERKLE, Ms. HOCHUL, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H.R. 2422. A bill to designate the facility of the United States Postal Service located at 45 Bay Street, Suite 2, in Staten Island, New York, as the "Sergeant Angel Mendez Post Office"; to the Committee on Oversight and Government Reform.

By Mr. HINCHHEY:

H.R. 2423. A bill to amend title 41, United States Code, to increase the American-made content requirement for the Buy American Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RUSH:

H.R. 2424. A bill to amend the Small Business Act to ensure that certain Federal contracts are set aside for small businesses, to enhance services to small businesses that are

disadvantaged, and for other purposes; to the Committee on Small Business, and in addition to the Committees on Financial Services, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H.R. 2425. A bill to prohibit Fannie Mae, Freddie Mac, and Ginnie Mae from owning or guaranteeing any mortgage that is assigned to the Mortgage Electronic Registration Systems or for which MERS is the mortgagee of record; to the Committee on Financial Services.

By Mr. LONG:

H.R. 2426. A bill to amend title 23, United States Code, to limit claims in connection with decisions to issue permits, licenses, and approvals for highway and public transportation capital projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GARY G. MILLER of California (for himself, Mr. GALLEGLY, Mr. DENHAM, Mr. CALVERT, Mr. CARDOZA, Mr. BACA, Mr. ROHRBACHER, and Mr. COSTA):

H.R. 2427. A bill to amend the Federal Water Pollution Control Act to clarify a maintenance exemption regarding the removal of sediment, debris, and vegetation from certain structures; to the Committee on Transportation and Infrastructure.

By Mr. NEUGEBAUER (for himself, Mr. BACHUS, Mr. GARRETT, Mr. JONES, Mr. CANSECO, and Mr. POSEY):

H.R. 2428. A bill to protect the taxpayers of the United States by limiting the Federal payment of legal fees for current and former officers and affiliated parties of Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. NEUGEBAUER:

H.R. 2429. A bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel; to the Committee on Transportation and Infrastructure.

By Mr. SABLON (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. FALCOMA):

H.R. 2430. A bill to amend the percentage of funds appropriated under title I of the Elementary and Secondary Education Act of 1965 required to be reserved for outlying areas and the Secretary of the Interior; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi (for himself, Ms. CLARKE of New York, Mr. HIGGINS, Ms. HOCHUL, Ms. JACKSON LEE of Texas, and Ms. SPEIER):

H.R. 2431. A bill to amend title 18, United States Code, to prohibit the possession, transfer, or use of fraudulent travel documents, to amend title 49, United States Code, to require recurring training for transportation security officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VISLOSKY (for himself, Mr. PENCE, Mr. YOUNG of Indiana, Mr. CARSON of Indiana, Mr. DONNELLY of Indiana, Mr. BUCHON, Mr. ROKITA,

Mr. HULTGREN, Mrs. BIGGERT, Mr. STUTZMAN, Mr. BURTON of Indiana, and Mr. KINZINGER of Illinois):

H.R. 2432. A bill to provide for a feasibility study before carrying out any Federal action relating to the Chicago Area Water System; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H. Res. 338. A resolution welcoming His Holiness the 14th Dalai Lama to Washington, DC, and recognizing his commitment to world peace, nonviolence, human rights, religious freedom, and democracy; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCNERNEY:

H.R. 2406.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2.

By Mr. DEFAZIO:

H.R. 2407.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. REICHERT:

H.R. 2408.
Congress has the power to enact this legislation pursuant to the following:
“The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).”

By Mr. BROWN of Georgia:

H.R. 2409.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 2 of the Constitution grants Congress the power “to borrow Money on the Credit of the United States.”

By Mr. TOWNS:

H.R. 2410.
Congress has the power to enact this legislation pursuant to the following:
This Bill is enacted pursuant to Article I, Section 8, Clause 3 of the United States Constitution, known as the “Commerce Clause.” This provision grants Congress the broad power to “regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”¹

¹Please note, pursuant to Article I, section 8, Congress has the power “to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. CRAWFORD:

H.R. 2411.
Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, which include the power to “lay and collect taxes, duties, imports, and excises, to pay the debts. . .”

By Mr. MCGOVERN:

H.R. 2412.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. GARY G. MILLER of California:

H.R. 2413.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the general welfare of the United States); and Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mr. LANKFORD:

H.R. 2414.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 which states The Congress shall have the power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. BARLETTA:

H.R. 2415.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. BARLETTA:

H.R. 2416.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BARTON of Texas:

H.R. 2417.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BRALEY of Iowa:

H.R. 2418.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 2419.
Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, which states that Congress, among other things:

“Shall have Power To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; To provide and maintain a Navy”

By Ms. DEGETTE:

H.R. 2420.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

By Ms. DELAUNO:

H.R. 2421.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. GRIMM:

H.R. 2422.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 and Article I, Section 8, Clause 18, the Necessary and Proper Clause. Legislation to name a Post Office after an individual is constitutional under Article I, Section 8, Clause 7, which gives Congress the power to establish Post Offices and post roads.

By Mr. HINCHEY:

H.R. 2423.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Mr. RUSH:

H.R. 2424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power 'to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'"

By Ms. KAPTUR:

H.R. 2425.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, and Article I, Section 8, Clause 18

By Mr. LONG:

H.R. 2426.

Congress has the power to enact this legislation pursuant to the following:

Article I Section I

Article I Section 8 Clause 9

Article III Section 2

By Mr. GARY G. MILLER of California:

H.R. 2427.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NEUGEBAUER:

H.R. 2428.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NEUGEBAUER:

H.R. 2429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SABLAN:

H.R. 2430.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clause 1), which grants Congress the power to collect taxes and expend funds to provide for the general welfare of the United States.

By Mr. THOMPSON of Mississippi:

H.R. 2431.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. VISCLOSKY:

H.R. 2432.

Congress has the power to enact this legislation pursuant to the following:

Clause 8, Section 3, of Article I of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. HENSARLING, Mr. RENACCI, Mr. YOUNG of Alaska, and Mr. WOMACK.

H.R. 21: Mr. PALAZZO.

H.R. 56: Mr. HIMES.

H.R. 58: Mr. HENSARLING.

H.R. 85: Ms. BASS of California.

H.R. 157: Mr. ROE of Tennessee.

H.R. 178: Mr. ACKERMAN.

H.R. 181: Mr. BRALEY of Iowa, Mr. MORAN, Mrs. ROBY, and Mr. HONDA.

H.R. 186: Mr. MORAN.

H.R. 198: Mr. CARNAHAN.

H.R. 218: Ms. BASS of California.

H.R. 303: Mr. TIBERI.

H.R. 308: Ms. VELAZQUEZ.

H.R. 358: Mr. GOSAR.

H.R. 365: Mr. MEEHAN.

H.R. 376: Mr. FILNER.

H.R. 402: Mr. GENE GREEN of Texas.

H.R. 421: Mr. BROOKS.

H.R. 432: Mr. BERMAN.

H.R. 436: Mr. REHBERG.

H.R. 452: Mr. YODER, Mr. KELLY, Mr. RIVERA, Mr. ROSS of Florida, Mr. ROYCE, Mr. SCALISE, Mr. FINCHER, Mr. FLEISCHMANN, and Mr. BUCHANAN.

H.R. 456: Mr. RUSH, Mr. POLIS, Mrs. MALONEY, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. LYNCH, and Mr. ENGEL.

H.R. 459: Mr. BILBRAY, Mr. PRICE of Georgia, and Mr. MCGOVERN.

H.R. 494: Mr. LEWIS of Georgia and Ms. HIRONO.

H.R. 515: Mr. SHIMKUS.

H.R. 589: Mr. REYES and Mr. MARKEY.

H.R. 605: Mr. RUNYAN.

H.R. 607: Mr. TONKO.

H.R. 613: Mr. GENE GREEN of Texas and Mr. GRIJALVA.

H.R. 634: Mr. ROSS of Florida.

H.R. 645: Mr. FINCHER, Mr. MILLER of Florida, and Mr. HENSARLING.

H.R. 687: Mr. CONNOLLY of Virginia, Mr. HINOJOSA, Mr. BRALEY of Iowa, Mr. MORAN, Mr. ROSS of Florida, and Mr. HONDA.

H.R. 692: Mr. CHAFFETZ and Mr. MULVANEY.

H.R. 704: Mr. CHAFFETZ and Mr. MULVANEY.

H.R. 711: Mr. CONNOLLY of Virginia.

H.R. 721: Mr. HARRIS, Mr. LANDRY, Mr. BOREN, Mr. HINOJOSA, and Mr. HALL.

H.R. 733: Mr. KUCINICH, Mrs. SCHMIDT, Mr. NADLER, Mr. SHUSTER, and Mr. WILSON of South Carolina.

H.R. 735: Mr. BILBRAY, Mr. GRIFFIN of Arkansas, Mr. GINGREY of Georgia, Mr. STEARNS, and Mr. BROOKS.

H.R. 743: Mr. HIGGINS.

H.R. 750: Mr. MURPHY of Pennsylvania and Mr. MCCOTTER.

H.R. 765: Mr. BASS of New Hampshire.

H.R. 773: Ms. SCHAKOWSKY.

H.R. 774: Mr. CARSON of Indiana.

H.R. 795: Mr. DANIEL E. LUNGREN of California.

H.R. 798: Mr. NADLER.

H.R. 808: Mr. GEORGE MILLER of California.

H.R. 816: Mr. WESTMORELAND and Mr. SHIMKUS.

H.R. 820: Mrs. CHRISTENSEN.

H.R. 822: Mr. LOBIONDO.

H.R. 825: Mr. SIRES.

H.R. 835: Mr. BARLETTA.

H.R. 853: Ms. BASS of California.

H.R. 876: Ms. WOOLSEY.

H.R. 883: Mr. MICHAUD.

H.R. 912: Mrs. MALONEY.

H.R. 923: Ms. HIRONO and Mr. LOBIONDO.

H.R. 931: Mr. HUELSKAMP and Mr. WILSON of South Carolina.

H.R. 942: Mr. HOLDEN.

H.R. 959: Mr. CHABOT.

H.R. 972: Mr. BROOKS and Mr. STEARNS.

H.R. 1002: Ms. HAYWORTH, Ms. FUDGE, Mr. PAUL, Mr. HECK, Mr. MICHAUD, Mr. MCKEON, Mr. LABRADOR, Mr. MEEHAN, Mr. BENISHEK, Mr. DENHAM, Ms. ROS-LEHTINEN, Mr. KELLY, and Mr. HONDA.

H.R. 1005: Mr. MICHAUD and Mr. RAHALL.

H.R. 1041: Mr. DOLD.

H.R. 1057: Mr. KUCINICH, Mr. SCHIFF, and Mr. HANABUSA.

H.R. 1058: Mr. GUINTA.

H.R. 1070: Mr. PRICE of Georgia and Mr. ROE of Tennessee.

H.R. 1103: Mr. FILNER, Mr. PIERLUISI, and Mr. HONDA.

H.R. 1106: Mr. DOYLE and Mr. NADLER.

H.R. 1113: Mr. FRANK of Massachusetts and Mr. FARR.

H.R. 1127: Mr. GRIJALVA.

H.R. 1164: Mr. GOODLATTE.

H.R. 1166: Mrs. BLACKBURN, Mr. POSEY, and Ms. ROS-LEHTINEN.

H.R. 1173: Mr. MILLER of Florida.

H.R. 1193: Mr. BERMAN and Mr. ROTHMAN of New Jersey.

H.R. 1206: Mr. MILLER of Florida, Mr. ROE of Tennessee, and Mr. RENACCI.

H.R. 1219: Mr. LARSEN of Washington.

H.R. 1259: Mr. GARRETT, Mr. DAVIS of Kentucky, Mrs. MYRICK, Mr. ALEXANDER, Mr. MULVANEY, Mr. PITTS, Mr. KLINE, Mr. STEARNS, Mr. LONG, Mr. MCCLINTOCK, Mr. ROSKAM, Mr. LEWIS of California, Mr. ROGERS of Kentucky, Mr. WALSH of Illinois, and Mr. MANZULLO.

H.R. 1269: Mr. ANDREWS, Mr. FILNER, Mr. MCNERNEY, Mr. SIRES, and Mr. ELLISON.

H.R. 1278: Mr. GONZALEZ.

H.R. 1283: Mr. HINOJOSA and Mr. MORAN.

H.R. 1287: Mr. BERG.

H.R. 1297: Mr. HARRIS.

H.R. 1312: Mr. MANZULLO.

H.R. 1322: Mr. BOSWELL.

H.R. 1331: Mr. FRANKS of Arizona and Mr. ACKERMAN.

H.R. 1350: Mr. RUSH, Ms. HIRONO, Mr. HONDA, and Mr. CAPUANO.

H.R. 1351: Mrs. LOWEY, Mr. MEEKS, Mr. BASS of New Hampshire, Mr. KING of New York, Mr. CARNAHAN, Mr. CAPUANO, and Ms. SEWELL.

H.R. 1358: Mr. CHAFFETZ.

H.R. 1370: Mr. ROKITA, Mr. HANNA, Mr. ROE of Tennessee, and Mr. REHBERG.

H.R. 1380: Mr. COBLE.

H.R. 1385: Mr. DENT.

H.R. 1386: Ms. HIRONO, Ms. WATERS, and Mr. JOHNSON of Georgia.

H.R. 1390: Mr. GUINTA and Mr. LANDRY.

H.R. 1394: Mr. OLVER.

H.R. 1416: Mr. BACA, Mr. COFFMAN of Colorado, and Mr. COSTA.

H.R. 1418: Mr. YOUNG of Florida and Mr. MCCOTTER.

H.R. 1439: Mr. JORDAN, and Mr. SENSENBRENNER.

H.R. 1449: Mr. RANGEL and Mr. STARK.

H.R. 1462: Mr. KUCINICH, Ms. BASS of California, Ms. WATERS, and Mr. CUMMINGS.

H.R. 1463: Mr. MEEKS.

H.R. 1465: Mr. CONNOLLY of Virginia.

H.R. 1479: Mr. JOHNSON of Georgia.

H.R. 1489: Mr. CLARKE of Michigan, Mr. STARK, and Mr. CAPUANO.
 H.R. 1505: Mr. NUNES.
 H.R. 1506: Mr. CAPUANO, Mr. SIREN, Ms. SPEIER, and Mrs. MALONEY.
 H.R. 1524: Mr. POLIS.
 H.R. 1527: Mr. POLIS.
 H.R. 1547: Mr. LUJÁN.
 H.R. 1558: Mr. KINGSTON, Mr. BOSWELL, and Mr. DESJARLAIS.
 H.R. 1574: Mr. BILBRAY.
 H.R. 1580: Mr. OWENS, Mr. ROSKAM, Mr. OLSON, Mr. RIBBLE, Mr. HOLDEN, Mr. SCHRAEDER, and Mr. MCKINLEY.
 H.R. 1588: Mr. AUSTRIA, Ms. WILSON of Florida, Mr. DESJARLAIS, Mr. BOSWELL, and Mr. CLEAVER.
 H.R. 1591: Mr. ROSS of Arkansas, Mr. TURNER, Mr. MEEHAN, and Mr. LOBIONDO.
 H.R. 1636: Mr. TOWNS, Mr. POLIS, Mrs. CHRISTENSEN, and Mr. LUJÁN.
 H.R. 1639: Ms. JENKINS.
 H.R. 1672: Mr. RANGEL.
 H.R. 1699: Mr. GOODLATTE.
 H.R. 1706: Mr. HOLDEN.
 H.R. 1720: Mr. HIGGINS.
 H.R. 1744: Mr. FLORES, Mr. HANNA, Mr. BROOKS, and Mr. JOHNSON of Ohio.
 H.R. 1755: Mr. BARROW and Mr. CULBERSON.
 H.R. 1756: Mr. CRITZ and Mrs. MYRICK.
 H.R. 1774: Ms. WATERS.
 H.R. 1781: Mr. SIREN.
 H.R. 1796: Mr. SCOTT of Virginia.
 H.R. 1798: Mr. POSEY and Mr. BACA.
 H.R. 1802: Mr. TURNER, Ms. BROWN of Florida, Mr. MORAN, Mr. MEEKS, Ms. BERKLEY, Mr. CONNOLLY of Virginia, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. WEST.
 H.R. 1803: Mr. THOMPSON of Pennsylvania.
 H.R. 1815: Mr. VISCLOSKEY, Mr. ROSS of Arkansas, Ms. CHU, Mr. BUCHANAN, and Mrs. MYRICK.
 H.R. 1819: Mr. HUIZENGA of Michigan.
 H.R. 1831: Mr. REHBERG.
 H.R. 1834: Mr. COFFMAN of Colorado, Ms. HAYWORTH, and Mr. PAUL.
 H.R. 1842: Mr. McDERMOTT, Mrs. MCCARTHY of New York, Mr. CAPUANO, Mr. HINOJOSA, Mr. ACKERMAN, Mr. LEVIN, Ms. SPEIER, Mrs. MALONEY, and Mr. PASTOR of Arizona.
 H.R. 1846: Mr. PITTS.
 H.R. 1852: Mrs. ROBY, Mr. BONNER, Mr. ADERHOLT, Mr. MCCAUL, Mr. VAN HOLLEN, Mr. CARNAHAN, Mr. GINGREY of Georgia, Mr. DAVID SCOTT of Georgia, Mr. NADLER, and Mr. MEEHAN.
 H.R. 1856: Mr. FLEMING.
 H.R. 1860: Ms. WASSERMAN SCHULTZ, Mr. SENSENBRENNER, and Mr. GRIFFIN of Arkansas.
 H.R. 1897: Mr. SIREN, Mr. CARNAHAN, Ms. ESHOO, Ms. HIRONO, Mr. TIERNEY, Mr. CAPUANO, Mr. BOSWELL, Mr. DOYLE, and Mr. KING of New York.
 H.R. 1905: Mr. CRAVAACK, Mr. FLEMING, Ms. HIRONO, Mr. KINZINGER of Illinois, Mrs. LOWEY, Mr. LUCAS, Mr. MARINO, Mrs. McMORRIS RODGERS, Mr. NUNNELEE, Mr. RENACCI, Mr. ROONEY, Mr. RYAN of Wisconsin, Ms. WILSON of Florida, Mr. McCLINTOCK, Mr. PERLMUTTER, and Mr. LUJÁN.
 H.R. 1932: Mr. MULVANEY.
 H.R. 1933: Mr. HINOJOSA.
 H.R. 1946: Mr. ROSS of Florida and Mr. GERLACH.
 H.R. 1955: Mr. PAYNE.
 H.R. 1969: Mr. LEWIS of Georgia.
 H.R. 1970: Mr. KUCINICH.
 H.R. 1976: Mr. JONES, Mr. HENSARLING, Mr. SCALISE, Mr. LANKFORD, Mr. ROSS of Florida, Mr. CRAWFORD, Mr. SMITH of Nebraska, and Mr. WOMACK.
 H.R. 1978: Ms. BROWN of Florida, Ms. JENKINS, Mr. CONYERS, Mr. MORAN, and Mrs. CHRISTENSEN.

H.R. 1981: Mr. FLORES and Mr. FORBES.
 H.R. 1995: Mr. PAYNE.
 H.R. 2005: Mr. SCHOCK, Mr. CARSON of Indiana, Mr. McCOTTER, Mr. MORAN, Mr. MURPHY of Pennsylvania, and Mr. MARINO.
 H.R. 2008: Mr. ROKITA.
 H.R. 2009: Mrs. McMORRIS RODGERS.
 H.R. 2018: Mr. REHBERG.
 H.R. 2026: Mr. TONKO.
 H.R. 2033: Ms. SCHAKOWSKY and Mrs. DAVIS of California.
 H.R. 2041: Mr. MCHENRY, Mr. GINGREY of Georgia, Mr. DUNCAN of South Carolina, Mr. ROONEY, Mr. WESTMORELAND, Mr. CHAFFETZ, Mr. GUINTA, Mr. FRANKS of Arizona, Mr. BARTLETT, and Mr. LONG.
 H.R. 2046: Mr. STARK and Mr. KISSELL.
 H.R. 2054: Mr. POMPEO.
 H.R. 2068: Mr. CROWLEY and Mr. BARROW.
 H.R. 2069: Mr. MILLER of Florida.
 H.R. 2074: Mr. BACHUS.
 H.R. 2077: Mr. ROKITA.
 H.R. 2085: Mr. FRANK of Massachusetts.
 H.R. 2091: Ms. BERKLEY, Mr. LOEBSACK, Ms. TSONGAS, Mr. WU, and Mr. HOLDEN.
 H.R. 2093: Mr. JONES.
 H.R. 2098: Ms. FUDGE, Mr. HINOJOSA, and Mr. GRIJALVA.
 H.R. 2099: Mr. PAUL.
 H.R. 2100: Mr. PAUL.
 H.R. 2101: Mr. PAUL.
 H.R. 2108: Mr. ROE of Tennessee.
 H.R. 2123: Mr. FARR.
 H.R. 2145: Mr. HENSARLING and Mr. PITTS.
 H.R. 2146: Mr. CUMMINGS.
 H.R. 2159: Mr. RUNYAN.
 H.R. 2161: Ms. SCHAKOWSKY, Mr. FILNER, and Mr. ELLISON.
 H.R. 2164: Mr. HUNTER, Mr. WESTMORELAND, and Mr. JONES.
 H.R. 2169: Mr. POLIS, Mr. JACKSON of Illinois, Mr. RANGEL, Ms. CLARKE of New York, and Mr. STARK.
 H.R. 2182: Mr. BILBRAY.
 H.R. 2185: Mr. MCGOVERN, Ms. SCHAKOWSKY, and Mr. WELCH.
 H.R. 2187: Mr. KUCINICH.
 H.R. 2198: Mr. DAVIS of Kentucky and Mr. GRAVES of Missouri.
 H.R. 2216: Mr. DOGGETT.
 H.R. 2228: Mr. PAYNE.
 H.R. 2233: Mr. MICHAUD, Mr. GRIJALVA, Mr. KISSELL, and Mr. BUTTERFIELD.
 H.R. 2236: Mrs. CHRISTENSEN, Mr. STARK, Mr. SARBANES, Ms. HANABUSA, Mr. COSTA, and Mr. MARKEY.
 H.R. 2247: Mr. CONYERS, Mr. STARK, and Mr. OLVER.
 H.R. 2250: Mr. BENISHEK, Mr. SOUTHERLAND, Mr. GRIFFIN of Arkansas, Mr. PLATTS, Mr. GUTHRIE, Mrs. BLACKBURN, Mr. McINTYRE, Mr. ROE of Tennessee, and Mr. SIMPSON.
 H.R. 2258: Mrs. CHRISTENSEN.
 H.R. 2268: Mr. CALVERT.
 H.R. 2277: Mr. LUJÁN.
 H.R. 2299: Mr. HUELSKAMP, Mr. COSTELLO, Mr. FORBES, Mr. RYAN of Wisconsin, and Ms. JENKINS.
 H.R. 2321: Ms. LORETTA SANCHEZ of California and Mr. ADERHOLT.
 H.R. 2337: Mr. BRALEY of Iowa, Ms. SCHAKOWSKY, Mr. HONDA, Mrs. MALONEY, Mr. BURTON of Indiana, Mr. WELCH, Mr. TOWNS, Ms. HIRONO, Mr. PAYNE, Mr. THOMPSON of Pennsylvania, and Mr. RUSH.
 H.R. 2355: Mrs. MYRICK and Mr. GRIFFIN of Arkansas.
 H.R. 2359: Ms. DEGETTE and Ms. BERKLEY.
 H.R. 2360: Mr. PALAZZO.
 H.R. 2365: Mr. FILNER and Mr. FARENTHOLD.
 H.R. 2375: Mrs. McMORRIS RODGERS.
 H.R. 2393: Mr. LEWIS of Georgia.
 H.R. 2401: Mr. REHBERG.
 H.R. 2405: Mr. BURGESS.

H.J. Res. 8: Mr. JACKSON of Illinois.
 H.J. Res. 47: Mr. FARR.
 H. Con. Res. 4: Mr. JACKSON of Illinois.
 H. Res. 13: Mr. CUMMINGS.
 H. Res. 25: Mr. BOSWELL, Mr. FRELINGHUYSEN, and Mrs. SCHMIDT.
 H. Res. 60: Mr. HANNA, Mr. RYAN of Ohio, and Mr. ROGERS of Michigan.
 H. Res. 111: Mr. BURTON of Indiana and Mr. CARNEY.
 H. Res. 130: Mr. SERRANO.
 H. Res. 137: Mr. RANGEL and Mr. GONZALEZ.
 H. Res. 177: Mr. SHERMAN, and Mr. MARKEY.
 H. Res. 220: Mr. DEUTCH, Mr. MANZULLO, and Mr. JACKSON of Illinois.
 H. Res. 231: Mrs. BLACKBURN and Mr. COHEN.
 H. Res. 247: Mr. CHABOT and Mr. RIVERA.
 H. Res. 262: Ms. RICHARDSON, Mr. FILNER, Mr. KISSELL, Ms. NORTON, and Mr. BARLETTA.
 H. Res. 268: Mr. DUNCAN of South Carolina, Mr. CHABOT, Mr. DAVIS of Illinois, Mrs. BIGGERT, Mrs. ELLMERS, Mrs. BLACK, Mr. TONKO, Mr. SMITH of Washington, Mr. INSLEE, Mr. CLEAVER, Mr. CRAVAACK, Mr. GRIFITH of Virginia, Mr. HASTINGS of Washington, Mrs. DAVIS of California, Mr. HOLT, Mr. PITTS, Ms. HOCHUL, Mr. NEUGEBAUER, Mr. AKIN, Mr. BILBRAY, Mr. PALAZZO, Mr. GINGREY of Georgia, Mr. BROUN of Georgia, Mr. KINGSTON, Mr. MULVANEY, Mr. MILLER of Florida, Mr. BUCSHON, Mr. BERG, Mr. DUNCAN of Tennessee, Mr. LABRADOR, Ms. SPEIER, and Mr. POLIS.
 H. Res. 282: Mr. WU, Mr. SCHIFF, Mr. DOGGETT, and Mr. DAVIS of Illinois.
 H. Res. 295: Mr. KIND, Mr. BARLETTA, Mr. CARNAHAN, Mr. SESSIONS, and Mr. MCKINLEY.
 H. Res. 309: Mr. HASTINGS of Florida and Mr. FARR.
 H. Res. 315: Mr. CARDOZA and Mr. FORBES.
 H. Res. 333: Mr. CARSON of Indiana, Mr. GRIJALVA, Ms. WILSON of Florida, Ms. RICHARDSON, Mr. SABLON, and Mr. LOBIONDO.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: Ms. BASS OF CALIFORNIA

AMENDMENT No. 71: At the end of the bill (before the short title), insert the following:
 SEC. ____ None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

H.R. 2219

OFFERED BY: Mr. POE OF TEXAS

AMENDMENT No. 72: Page 137, line 4, after the dollar amount, insert “(reduced by \$1,000,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$1,000,000,000)”.

H.R. 2219

OFFERED BY: Mr. POE OF TEXAS

AMENDMENT No. 73: Page 128, line 17, after the dollar amount, insert “(reduced by \$1,000,000,000)”.

Page 129, line 1, after the dollar amount, insert “(reduced by \$1,000,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$1,000,000,000)”.

H.R. 2219

OFFERED BY: Mr. POE OF TEXAS

AMENDMENT No. 74: Page 137, line 4, after the dollar amount, insert “(reduced by \$500,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$500,000,000)”.

H.R. 2219

OFFERED BY: MR. POE OF TEXAS

AMENDMENT No. 75: Page 128, line 17, after the dollar amount, insert “(reduced by \$500,000,000)”.

Page 129, line 1, after the dollar amount, insert “(reduced by \$500,000,000)”.

Page 161, line 12, after the dollar amount, insert “(reduced by \$500,000,000)”.

H.R. 2219

OFFERED BY: MR. SHULER

AMENDMENT No. 76: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used to restrict cooperation between employees of the Department of Defense and employees of the Department of Homeland Security.

H.R. 2219

OFFERED BY: MR. HUELSKAMP

AMENDMENT No. 77: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to implement the curriculum of the Chaplain Corps Tier 1 DADT repeal training dated April 11, 2011.

H.R. 2219

OFFERED BY: MR. NUGENT

AMENDMENT No. 78: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for Operation Odyssey Dawn, Operation Unified Protector, or other military operations in Libya in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

H.R. 2219

OFFERED BY: MR. NUGENT

AMENDMENT No. 79: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for Operation Odyssey Dawn, Operation Unified Protector, or other military operations in Libya.

H.R. 2219

OFFERED BY: MR. SESSIONS

AMENDMENT No. 80: Strike section 8101.

H.R. 2219

OFFERED BY: MR. SESSIONS

AMENDMENT No. 81: Page 22, line 1, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 33, line 18, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$10,000,000)”.

H.R. 2219

OFFERED BY: MS. MCCOLLUM

AMENDMENT No. 82: At the end of the bill (before the short title), insert the following:

SEC. ____ . The total amount of appropriations made available by this Act is hereby reduced by \$119,800,000.

H.R. 2219

OFFERED BY: MS. MCCOLLUM

AMENDMENT No. 83: At the end of the bill (before the short title), insert the following:

SEC. ____ . Not more than \$20,000,000 of the funds made available by this Act may be used to pay motorsports drivers, racing teams, or racing cars in the National Association for Stock Car Auto Racing (NASCAR), the National Hot Rod Association (NHRA), the Indy Racing League Indy Car Series, or the American Motorcyclist Association (AMA) Super Bike Racing or other-

wise conduct recruiting outreach through motor sports under the authority of section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-129).

H.R. 2219

OFFERED BY: MS. MCCOLLUM

AMENDMENT No. 84: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be provided to the Task Force for Business and Stability Operations in Afghanistan or used to carry out section 9012.

H.R. 2219

OFFERED BY: MR. WELCH

AMENDMENT No. 85: Page 31, line 6, after the dollar amount, insert “(reduced by \$297,023,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$297,023,000)”.

H.R. 2219

OFFERED BY: MR. SESSIONS

AMENDMENT No. 86: Page 31, line 17, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 33, line 18, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 34, line 1, after the dollar amount, insert “(increased by \$10,000,000)”.

H.R. 2219

OFFERED BY: MR. MURPHY OF CONNECTICUT

AMENDMENT No. 87: Page 160, after line 3, add the following:

(G) A discussion of whether and how Pakistan discriminates against religious minorities by requiring denunciations of particular religious minorities or sects on passport applications and other instruments of state.

H.R. 2219

OFFERED BY: MR. CICILLINE

AMENDMENT No. 88: Page 133, line 6, insert after the dollar amount the following: “(reduced by \$475,000,000)”.

Page 161, line 12, insert after the dollar amount the following: “(increased by \$475,000,000)”.

H.R. 2219

OFFERED BY: MR. NEUGEBAUER

AMENDMENT No. 89: At the end of the bill (before the short title), insert the following:

Sec. ____ . None of the funds made available by this Act may be used to reduce the number of B-1 aircraft of the Armed Forces.

H.R. 2219

OFFERED BY: MR. WELCH

AMENDMENT No. 90: Page 127, line 18, after the dollar amount, insert “(reduced by \$200,000,000)”.

Page 149, line 16, after the dollar amount, insert “(reduced by \$200,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$200,000,000)”.

H.R. 2219

OFFERED BY: MR. LIPINSKI

AMENDMENT No. 91: At the end of the bill (before the short title), insert the following:

Sec. ____ . None of the funds made available by this Act may be used by the Department of Defense to replace an information technology system that stores classified information in the United States with an information technology system that stores such classified information outside the United States.

H.R. 2219

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 92: Page 125, line 6, after the dollar amount, insert “(reduced by \$2,695,031,000)”.

Page 125, line 12, after the dollar amount, insert “(reduced by \$348,845,000)”.

Page 125, line 18, after the dollar amount, insert “(reduced by \$264,718,000)”.

Page 125, line 24, after the dollar amount, insert “(reduced by \$521,937,000)”.

Page 126, line 5, after the dollar amount, insert “(reduced by \$81,201,000)”.

Page 126, line 11, after the dollar amount, insert “(reduced by \$16,362,000)”.

Page 126, line 17, after the dollar amount, insert “(reduced by \$9,964,000)”.

Page 126, line 23, after the dollar amount, insert “(reduced by \$10,511,000)”.

Page 127, line 5, after the dollar amount, insert “(reduced by \$247,421,000)”.

Page 127, line 11, after the dollar amount, insert “(reduced by \$3,698,000)”.

Page 127, line 18, after the dollar amount, insert “(reduced by \$8,662,596,000)”.

Page 127, line 24, after the dollar amount, insert “(reduced by \$1,584,616,000)”.

Page 128, line 5, after the dollar amount, insert “(reduced by \$909,681,000)”.

Page 128, line 11, after the dollar amount, insert “(reduced by \$2,359,569,000)”.

Page 128, line 17, after the dollar amount, insert “(reduced by \$1,527,457,000)”.

Page 130, line 10, after the dollar amount, insert “(reduced by \$55,414,000)”.

Page 130, line 16, after the dollar amount, insert “(reduced by \$15,674,000)”.

Page 130, line 23, after the dollar amount, insert “(reduced by \$9,193,000)”.

Page 131, line 12, after the dollar amount, insert “(reduced by \$93,884,000)”.

Page 131, line 18, after the dollar amount, insert “(reduced by \$7,962,000)”.

Page 138, line 22, after the dollar amount, insert “(reduced by \$10,748,000)”.

Page 139, line 13, after the dollar amount, insert “(reduced by \$17,697,000)”.

Page 139, line 20, after the dollar amount, insert “(reduced by \$113,688,000)”.

Page 140, line 9, after the dollar amount, insert “(reduced by \$3,488,000)”.

Page 140, line 17, after the dollar amount, insert “(reduced by \$26,669,000)”.

Page 140, line 24, after the dollar amount, insert “(reduced by \$20,468,000)”.

Page 141, line 5, after the dollar amount, insert “(reduced by \$107,091,000)”.

Page 141, line 19, after the dollar amount, insert “(reduced by \$2,414,000)”.

Page 142, line 3, after the dollar amount, insert “(reduced by \$7,857,000)”.

Page 142, line 10, after the dollar amount, insert “(reduced by \$246,473,000)”.

Page 142, line 17, after the dollar amount, insert “(reduced by \$31,319,000)”.

Page 143, line 15, after the dollar amount, insert “(reduced by \$737,626,000)”.

Page 144, line 17, after the dollar amount, insert “(reduced by \$723,000)”.

Page 144, line 25, after the dollar amount, insert “(reduced by \$4,204,000)”.

Page 145, line 8, after the dollar amount, insert “(reduced by \$11,474,000)”.

Page 145, line 17, after the dollar amount, insert “(reduced by \$15,593,000)”.

Page 145, line 24, after the dollar amount, insert “(reduced by \$104,386,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$20,887,651,000)”.

H.R. 2219

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT No. 93: Page 9, line 6, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 31, line 17, after the dollar amount, insert “(increased by \$10,000,000)”.

H.R. 2219

OFFERED BY: MS. LEE

AMENDMENT No. 94: Page 125, line 6, insert after the dollar amount the following: “(reduced by \$3,438,789,000)”.

Page 125, line 12, insert after the dollar amount the following: “(reduced by \$445,117,000)”.

Page 125, line 18, insert after the dollar amount the following: “(reduced by \$337,774,000)”.

Page 125, line 24, insert after the dollar amount the following: “(reduced by \$665,978,000)”.

Page 126, line 5, insert after the dollar amount the following: “(reduced by \$103,610,000)”.

Page 126, line 11, insert after the dollar amount the following: “(reduced by \$20,878,000)”.

Page 126, line 17, insert after the dollar amount the following: “(reduced by \$12,714,000)”.

Page 126, line 23, insert after the dollar amount the following: “(reduced by \$13,411,000)”.

Page 127, line 5, insert after the dollar amount the following: “(reduced by \$315,703,000)”.

Page 127, line 11, insert after the dollar amount the following: “(reduced by \$4,719,000)”.

Page 127, line 18, insert after the dollar amount the following: “(reduced by \$11,012,116,000)”.

Page 127, line 24, insert after the dollar amount the following: “(reduced by \$2,021,929,000)”.

Page 128, line 5, insert after the dollar amount the following: “(reduced by \$1,160,729,000)”.

Page 128, line 11, insert after the dollar amount the following: “(reduced by \$3,010,749,000)”.

Page 128, line 17, insert after the dollar amount the following: “(reduced by \$1,948,995,000)”.

Page 130, line 10, insert after the dollar amount the following: “(reduced by \$70,707,000)”.

Page 130, line 16, insert after the dollar amount the following: “(reduced by \$20,000,000)”.

Page 130, line 23, insert after the dollar amount the following: “(reduced by \$11,731,000)”.

Page 131, line 12, insert after the dollar amount the following: “(reduced by \$119,794,000)”.

Page 131, line 18, insert after the dollar amount the following: “(reduced by \$10,159,000)”.

Page 131, line 25, insert after the dollar amount the following: “(reduced by \$1,625,451,000)”.

Page 133, line 6, insert after the dollar amount the following: “(reduced by \$154,418,000)”.

Page 135, line 15, insert after the dollar amount the following: “(reduced by \$4,161,156,000)”.

Page 138, line 22, insert after the dollar amount the following: “(reduced by \$21,099,000)”.

Page 139, line 6, insert after the dollar amount the following: “(reduced by \$5,546,000)”.

Page 139, line 13, insert after the dollar amount the following: “(reduced by \$34,740,000)”.

Page 139, line 20, insert after the dollar amount the following: “(reduced by \$223,174,000)”.

Page 140, line 9, insert after the dollar amount the following: “(reduced by \$6,847,000)”.

Page 140, line 17, insert after the dollar amount the following: “(reduced by \$52,352,000)”.

Page 140, line 24, insert after the dollar amount the following: “(reduced by \$40,179,000)”.

Page 141, line 5, insert after the dollar amount the following: “(reduced by \$210,224,000)”.

Page 141, line 19, insert after the dollar amount the following: “(reduced by \$4,738,000)”.

Page 142, line 3, insert after the dollar amount the following: “(reduced by \$15,423,000)”.

Page 142, line 10, insert after the dollar amount the following: “(reduced by \$483,835,000)”.

Page 142, line 17, insert after the dollar amount the following: “(reduced by \$61,480,000)”.

Page 143, line 15, insert after the dollar amount the following: “(reduced by \$941,192,000)”.

Page 144, line 17, insert after the dollar amount the following: “(reduced by \$1,419,000)”.

Page 144, line 25, insert after the dollar amount the following: “(reduced by \$8,253,000)”.

Page 145, line 8, insert after the dollar amount the following: “(reduced by \$22,523,000)”.

Page 145, line 17, insert after the dollar amount the following: “(reduced by \$30,609,000)”.

Page 145, line 24, insert after the dollar amount the following: “(reduced by \$133,194,000)”.

Page 161, line 12, relating to the spending reduction account, insert after the dollar amount the following: “(increased by \$33,000,124,000)”.

H.R. 2219

OFFERED BY: MS. LEE

AMENDMENT No. 95: Page 131, line 25, insert after the dollar amount the following: “(reduced by \$5,000,000,000)”.

Page 161, line 12, insert after the dollar amount the following: “(increased by \$5,000,000,000)”.

H.R. 2219

OFFERED BY: MR. DEFAZIO

AMENDMENT No. 96: At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available in this Act may be used to enforce section 376 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

H.R. 2219

OFFERED BY: MR. FRANK OF MASSACHUSETTS

AMENDMENT No. 97: At the end of the bill (before the short title), insert the following:

SEC. _____. The total amount of appropriations made available by this Act is hereby reduced by \$8,500,000,000, not to be derived from amounts of appropriations made available—

(1) by title I (“Military Personnel”);

(2) under the heading “Defense Health Program” in title VI (“Other Department of Defense Programs”); or

(3) by title IX (“Overseas Contingency Operations”).

H.R. 2219

OFFERED BY: MR. COHEN

AMENDMENT No. 98: Page 133, line 6, after the dollar amount, insert “(reduced by \$200,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$200,000,000)”.

H.R. 2219

OFFERED BY: MR. COHEN

AMENDMENT No. 99: Page 135, line 15, after the dollar amount, insert “(reduced by \$4,000,000,000)”.

Page 161, line 12, after the dollar amount, insert “(increased by \$4,000,000,000)”.

H.R. 2219

OFFERED BY: MR. POSEY

AMENDMENT No. 100: At the end of the bill (before the short title), insert the following:

SEC. _____. After the National Aeronautics and Space Administration has completed the final space shuttle mission, the Secretary of Defense shall—

(1) to the maximum extent practicable, use the unique capabilities of the NASA Shuttle Logistics Depot of the National Aeronautics and Space Administration; and

(2) preserve the unique capabilities and the highly skilled, highly certified workforce of such facility.

H.R. 2354

OFFERED BY: MR. POMPEO

AMENDMENT No. 1: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to carry out the Vehicle Technologies Program of the Department of Energy.

H.R. 2354

OFFERED BY: MR. POMPEO

AMENDMENT No. 2: Page 23, line 4, after the dollar amount insert “(reduced by \$254,000,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$254,000,000)”.

H.R. 2354

OFFERED BY: MR. HARRIS

AMENDMENT No. 3: Page 62, after line 2, insert the following new section:

SEC. 609.

“None of the funds made available by this Act may be used to fund any portion of the International program at the Office of Energy Efficiency and Renewable Energy of the Department of Energy other than the U.S.-Israel energy cooperative.”

H.R. 2354

OFFERED BY: MR. HARRIS

AMENDMENT No. 4: Page 23, line 4, after the dollar amount insert “(reduced by \$6,000,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$6,000,000)”.

EXTENSIONS OF REMARKS

ANTIGUA'S BREACH OF BILATERAL AND INTERNATIONAL TREATIES

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, I would like to renew a discussion of an ongoing situation which requires our attention.

The expropriation of the Half Moon Bay Resort in Antigua, owned and developed by a group of American citizens since 1971, was entered into the CONGRESSIONAL RECORD almost three years ago by my predecessor, the Hon. Thomas Tancredo (September 24, 2008—E1891).

I would remind this House that the expropriation of this internationally recognized Resort has been the subject of ongoing legal proceedings from 2000 to June 2007, when the Privy Council in London allowed the Government of Antigua to "forcibly acquire" the property under its sovereign right of eminent domain, provided the owners' rights to payment of compensation were equally upheld.

Since that date, four years ago, the dispossessed owners have had to initiate a number of legal actions against the Government of Antigua to move the process of arriving at compensation as prescribed by Antigua's own laws and Constitution.

At this point, three issues still remain before the Courts: two in the Eastern Caribbean High Court and one before the Eastern Caribbean Court of Appeal. The subject matter of the cases have to do with the value of the property as established by a Government appointed Assessment Board, and with the owners' Constitutional Right to "fair compensation within a reasonable time."

By request of the Attorney General, representing the Government in each of these cases, the hearings scheduled for dates in the first half of this year have been adjourned without a return date being set.

The hearing before the Court of Appeal may occur during that court's next sitting in Antigua in September, but the Attorney General has already ignored a filing deadline ordered by that body, which may cause further postponement of that hearing.

Meanwhile, Antigua's Ministers have announced various agreements that are being signed with developers for the Half Moon Bay property. Even more outrageous is a statement released to the Antigua press by the Attorney General (who is also Antigua's Minister of Justice and Minister of Legal Affairs) that such re-development can legally commence prior to any compensation being paid to the dispossessed American owners.

It is an established fact that expropriation of American-owned property and business is a breach of the Caribbean Economic Basin Re-

covery Act (CBERA) and by ignoring the rights of the owners to prompt and fair compensation, the Government of Antigua has also breached the WTO International Trade and Investment Rules.

I urge the President, as mandated by the terms of the CBERA, to suspend Antigua's benefits and rights accorded to preferred trading partners.

While the financial effect of such alienation may be negligible, the political aspect of recognizing the breach is essential to maintain respect for the treaty and its signatories. Our citizens deserve no less.

RECOGNIZING THE WORK OF GARY LABELLA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. DONNELLY of Indiana. Mr. Speaker, today I pay tribute to an outstanding American citizen who has made significant contributions to northern Indiana's economy through his work on behalf of the recreational vehicle industry, Gary LaBella.

For more than three decades, Mr. LaBella was instrumental in enhancing the recreational vehicle (RV) industry's image, contributing to the RVIA and the industry's success. The efforts he led in the marketing of RVs has helped unify this industry and transformed the way consumers think about RVs in this country, now and for the future.

Known for his creativity, Mr. LaBella launched an aggressive industry-wide marketing program that earned high acclaim throughout the travel and recreation communities. Under his direction, RVIA and industry partners launched the Go RVing national advertising program in the mid 1990s, which is often referred to as one of the most successful programs in the industry's history.

In 2010, Mr. LaBella organized a celebration for the RV industry's Centennial, culminating with a widely attended June party on the grounds of the RV/Manufactured Housing Hall of Fame and Museum in Elkhart, Indiana. Elkhart is often referred to as the heart of the RV manufacturing community and the RV Centennial Celebration focused on saluting the workers who made the industry great.

RV Business, an industry trade journal, saluted Mr. LaBella in 2010 as one of the industry's 100 most influential executives of all time. Mr. LaBella received a similar honor in 2005, the year he was inducted into the RV Hall of Fame. At a celebration of his career on December 1, 2010, many of the speakers echoed the sentiment that Mr. LaBella perhaps is one of the most influential individuals in the industry's history. Mr. LaBella, a graduate of Utica College of Syracuse University who joined the

Reston, VA-based RVIA in 1978, has received an "Outstanding Achievement Award" from RVIA, and in 2010, he received both the Chairman's Award from the Recreation Vehicle Dealers Association and the prestigious Spirit Award from the RV/MH Hall of Fame. In his farewell to the industry before an appreciative audience of 1,200 at the Louisville, Kentucky trade show, Mr. LaBella said he was leaving the stage with "two overriding emotions—pride in what we all accomplished together to elevate this industry's image, and happiness that I leave RVIA with only friends." Today I rise on behalf of the citizens of Indiana's Second District, to salute his character, his personal achievements and his contributions to the RV industry.

JULY 4, 2011 NATURALIZATION CEREMONY IN HAMMOND

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. VISCLOSKEY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who took their oath of citizenship on July 4, 2011. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony took place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the Hammond Public Library and presided over by Magistrate Judge Andrew Rodovich, was held at The Pavilion at Wolf Lake in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the globe to the United States in search of better lives for their families. The upcoming oath ceremony was a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On July 4, 2011, the following people, representing many nations throughout the world, took their oath of citizenship in Hammond, Indiana: Karen Seballos Dela Cruz, Shimei Yan, Suryaprasad Veeravenka Padala, Juan Pablo Diaz Avila, Luis Eduardo Rivera Ramirez, Blagoja Jofceski, Kulvinder Singh, Horacio Garcia Leon, Samip Rabindra Fozdar, Radhika Ragamanjar Chillarige, Annaji Rao Venkata Chillarige, Tin-Chun Lin, Magdaleno Nevarez Sanchez, Ciprian Daniel Bargo, Leonel Alonso Cancino Ortiz, Mouna Youssef Mikhael, Maroun Elias Elias, Jasmina Salkovski, Pedro Flores Rodriguez, Agnes Joh Smith, Francisco Javier Jimenez, Xiao Yan

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Wang, Mui Hiong Nykaza, Michael Franco Calonia, Alira Mae Navarro Calonia, Zbigniew Jasek, Claudia Jeanette Darak, James Tan Geulen, Gay Karen Geulen, Dung Thi Lux, Naumka Prentoska, Carlos Bayron Martinez Valencia, Chaudhry Ahtsham Sarwar, Mohammed Yahya Moha Atef, Gabriel Eduardo Orta Gonzalez, Varalakshmi Vaddi, Emmanuelle Renee Fran Davallet Fortney, Daisy Ngina Bakary, Juan Carlos Nielo Uy, Stojanco Krstevski, Sandy Yuliana Meza De La Torre, Joan John Dordea, Rocio Galvan, Jose De Jesus Hernandez, Javier Julian, Mahnoush Nikki Malekan, Olama Ziyad Mohammed, Oliberio Ortiz, Jorge Ortiz, and Bernardino Perea.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country "... of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating these individuals who became citizens of the United States of America on July 4, 2011, the day of our Nation's independence. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate and welcome them.

THE BLACK AND GOLD IN THE ATL

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, since its founding, the Black and Gold in the ATL has been and continues to be a worthy instrument for reuniting people who have migrated from Pittsburgh, Pennsylvania, to Atlanta, Georgia; and

Whereas, over the past 20 years, the Black and Gold weekend celebration has been held to support the Pittsburgh Steelers and to fellowship with family and friends from Pittsburgh; and

Whereas, the Black and Gold in the ATL weekend has always promoted the concept of One Community—One Goal by working with and for individuals of all walks of life to make Atlanta a place where Pittsburgh natives are seen as well as heard; and

Whereas, its members give of themselves tirelessly and unconditionally to serve our community by being productive citizens; and

Whereas, the lives of many in our district are touched by the members of the Black and

Gold in the ATL, our district is a better place due to their commitment to excellence in all of their endeavors; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize their outstanding service to our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 25, 2011, as The Black & Gold in the ATL Day in the Fourth Congressional District.

Proclaimed, this 25th day of June, 2011.

CONGRATULATING THE ROCK BRIDGE BRUINS MEN'S TENNIS TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LUETKEMEYER. Mr. Speaker, I ask my colleagues to join me in congratulating the Rock Bridge Bruins Men's Tennis team for winning the Class 2 A Missouri State Championship on May 26.

These young men and their coaches should be commended for all their hard work throughout the regular season and bringing home the 2 A Tennis Championship to their school and community.

I ask that you join me in recognizing the Rock Bridge Bruins for a job well done.

RECOGNIZING CAPTAIN JOHN T. HARDIN OF THE UNITED STATES COAST GUARD

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. BUTTERFIELD. Mr. Speaker, I rise in recognition of the distinguished 27-year career of Captain John T. Hardin in the United States Coast Guard. Captain Hardin has served in the United States Coast Guard with distinction throughout his career, in particular as the commanding officer of Coast Guard Air Station Elizabeth City, which is located in the First Congressional District.

Captain Hardin graduated from the United States Coast Guard Academy in New London, Connecticut on May 23, 1984 with a Bachelor of Science Degree in civil engineering. His first duty station was aboard the USCG *Sherman* where he served as Engineer of the Watch, Auxiliary Officer, Electrical Officer, and Fueling Officer. Captain Hardin went on to attend Naval Flight Training and received his wings in May of 1987.

Captain Hardin's diverse career took him to multiple locations including Miami, San Diego, and San Francisco. During these assignments Captain Hardin served as Morale Officer, Public Works Officer, Aviation Material Officer, Rotary Wing Assistant Engineer, Aircraft Salvage Officer, HH-65A Instructor Pilot, Engineer Officer, and even President of the Flight Examining Board. Captain Hardin became dual-qualified in the HH-65A helicopter, the first

qualified copilot in the HU-25C Air Interceptor, and earned a Master's of Business Administration in Technologies Management.

Captain Hardin's connection to Elizabeth City, North Carolina began in 1999 with his first assignment as the HU-25 Product Line Manager at the Aircraft Repair and Supply Center. Later, in 2002, Captain Hardin transferred to the Engineering Industrial Supply Center as the Aircraft Repair and Supply Center Chief Engineer. In 2003, Captain Hardin became the commanding officer of the C-130J Aircraft Project Office, and his career culminated in July of 2008 when he assumed command of Coast Guard Air Station Elizabeth City.

Captain Hardin has dutifully served our country for the past 27 years, and eastern North Carolina for over 10 years while stationed at Coast Guard Air Station Elizabeth City. It brings me great joy to honor the dedication, sacrifice, and commitment to duty demonstrated by Captain Hardin.

I ask my colleagues to join me in congratulating Captain John T. Hardin on his retirement from the United States Coast Guard and offer my sincere appreciation for his many years of service to the United States of America.

25TH ANNIVERSARY OF AN OPEN DOOR CHURCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to congratulate An Open Door Church on its 25th anniversary. In honor of this momentous milestone, a celebratory reception will be held on Wednesday, July 6, 2011 at An Open Door Church in Hammond, Indiana. For 25 years, An Open Door Church has been committed to the spiritual and social conditions of residents living in the Hammond area as well as in the greater Northwest Indiana community.

Founded on July 6, 1986 in South Holland, Illinois, by Doctors and Pastors Meredith and Marilyn Shackelford, An Open Door Church began as a small congregation in the basement of the pastors' home. Quickly outgrowing this small space, the church began to rent space, and, after eight years, it was able to purchase its first building in Hammond. The church's congregation continued to grow and the church moved to its current location on Hohman Avenue in Hammond, Indiana six years ago. Currently, the church has an impressive membership of more than 350 congregants.

The church and its parishioners follow a visionary motto, "reaching people to reach the world," which is carried out through the church's various ministries and programs that work to support change in the lives of others. An Open Door Church places a strong emphasis on the family unit, and has built its organization around the belief that strong families build strong communities. The church's dedication to the welfare of residents in Northwest

Indiana is demonstrated through its many outreach projects which include: a summer concert series at Harrison Park where school supplies are distributed to children in need; Wee Care, a child development ministry; a food pantry ministry that feeds over 75 families per month; Give God a Chance, a marriage ministry; a prison outreach ministry; various children and teen ministries; and the Christian Academy, which provides education for grades kindergarten through grade eight. In addition, the church has partnered with numerous community organizations in order to improve the quality of life for countless individuals. These organizations include Calumet Project, Interfaith Worker Justice, and Northwest Indiana Reinvestment Alliance. An Open Door Church, its founders, and its ministry directors show uncompromising loyalty to the community of Northwest Indiana and they are worthy of the highest praise.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring An Open Door Church for its exceptional community service ministry and to congratulate the organization on its 25th anniversary. The founders and congregation of this truly admirable organization continue to touch the lives of numerous people, and for this selfless, lifelong service they are to be commended.

HONORING MAJOR CAMILLE MACK

HON. LARRY KISSELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KISSELL. Mr. Speaker, I rise today to recognize and pay tribute to Major Camille Mack, United States Army, on the occasion of her departure from the Army House Liaison Office to pursue a Master's Degree in Strategic Intelligence from the National Defense Institute at Bolling Air Force Base. I, and many other members of this chamber, have had the pleasure of working with her over the past three years as she served as a part of the U.S. Army Office of Legislative Affairs and as a Liaison Officer in the Army Liaison Office in the U.S. House of Representatives. Major Mack served in my personal office and was an essential part of my staff during that time.

In 1999, after completing Officer Candidate School at Ft. Benning Georgia, Major Mack was commissioned a second lieutenant in the Signal Corps Branch.

Major Mack's initial assignment was to Fort Bragg, North Carolina, where she served as a Psychological Operations Platoon Leader and Company Executive Officer in 4th Psychological Operations Group. She deployed on two consecutive tours in Iraq in support of 1st Marine Expeditionary Force and 3rd Psychological Operations Battalion.

For 22 months, Major Mack commanded the 45th Sustainment Brigade stationed in Schofield Barracks, Hawaii. While in command, her unit was dispersed to three locations throughout Iraq. Upon her return to the United States, Major Mack served on division staff as the network operations Officer in Charge (OIC) and then later was selected as

a Congressional Fellow and served a year in my personal office. During her time as a Fellow in my office, Major Mack showed great leadership and dedication; the very qualities that have helped her make this chamber, our U.S. Army and our nation a better place. She embodies the very core values of our armed services. I was honored to have her become such an integral and important part of our team.

Following her fellowship in the House of Representatives, Major Mack was assigned to the Army House Liaison Office. I have come to know Major Mack well during her assignment to the House of Representatives through her time working as a fellow in my Washington D.C. Office and as a regional liaison in the Army House Liaison Office. She has never failed to impress me with her energy and dedication to Soldiers, their families, and the United States Army. She is a superb representative of Army values.

Camille's personal contribution to our nation on behalf of not only the United States Army but also all of our armed services represents the finest of our military professionals. Camille's service is a remarkable example of patriotic and selfless service.

It is my great honor to congratulate Major Camille Mack on her service to the Army and our Nation and I ask my colleagues to join me in recognizing the outstanding accomplishments of this Soldier, citizen, and friend.

IN HONOR OF THE 200TH ANNIVERSARY OF THE CITY OF WESTLAKE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the City of Westlake, Ohio, in recognition of its bicentennial celebration. Since 1811, Westlake has been a shining community within Northeast Ohio.

In 1811, 16-year-old Leverett Johnson became Westlake's first resident when he began clearing land for a log cabin. This cabin served as lifelong home for him, his wife Abigail, and their nine children. Johnson went on to have a distinguished career in government, serving as a justice of the peace, township treasurer, Cuyahoga County Commissioner, and Ohio State Legislator.

Now, 200 years later, Westlake is a successful, vibrant community known for its unique appeal to both businesses and families. The City of Westlake is continuing to make improvements to the community; St. John Medical Center is being renovated, Cuyahoga Community College's new Westshore campus is near completion, and plans are underway for the construction of a new high school.

The residents of Westlake have planned a series of events to celebrate their city's rich history and vibrant future. Several events, such as a fence dedication, historic cemetery tour, marker dedication and time capsule burial will take place at the historic Evergreen Cemetery. The Evergreen Cemetery was

founded around 1820 by Leverett Johnson and several other early settlers. Today it serves as their final resting ground and one of Westlake's most historic locations. Other planned festivities include an art show, concert, Mayor's Ball, a 4th of July parade and fireworks and a Bicentennial Ball Drop on New Year's Eve.

Mr. Speaker and Colleagues, please join me in honor of the City of Westlake, Ohio as its residents celebrate the city's bicentennial. I extend my sincere congratulations to all members of the Westlake community.

IN RECOGNITION OF FATHER ANTON KCIRA'S RETIREMENT AFTER MORE THAN 40 YEARS OF SERVICE TO THE CATHOLIC CHURCH

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. PETERS. Mr. Speaker, I rise today to recognize Father Anton Kcira, a leader in Michigan's Albanian American community for the past 22 years and a fierce advocate for the rights of Kosova Albanians around the world, on the occasion of his retirement after 40 years of ministry in the Catholic Church.

As the son of a town mayor in Kosova, Father Anton learned at a young age the value of service to his community and the importance of standing up for one's own beliefs. Early in his life, Father Anton heard the call to serve his community as a priest in the Catholic Church and went on to serve several parishes for over two decades following his ordination. As a servant of the Church during the years of communist rule in Yugoslavia, Father Anton took great personal risk to provide spiritual guidance and leadership to the Kosova Albanian Catholic community during a time of great uncertainty.

As a community leader, it is clear that Father Anton believes strongly in the power of dialogue to bring his community together. During his time in Kosova he took it upon himself to step out into the community to resolve issues between brothers, sisters, friends and neighbors. He even took it upon himself to step in between the warring sides of blood feuds and brought peace between families who had been fighting for generations. Father Anton even reached out to Albania's Muslim community and through his skillful dialogue built an understanding and mutual respect between Albanian Muslims and Catholics.

After his many years of service to the Albanian community in Kosova, Father Anton was forced to flee his homeland to avoid persecution by Yugoslavia's communist government. Father Anton arrived in Michigan in 1989 and was appointed administrator of St. Paul's Albanian Catholic Church by the Archdiocese of Detroit. He brought with him the same sense of community that had served his parishioners so well in Kosova and under his administration St. Paul expanded its congregation from 50 families to over 1,100 members. Under his leadership, St. Paul's also found its new home in Rochester Hills and built an extraordinary

place of worship, which has allowed its members to better practice their spiritual fellowship.

Much as he did in Kosova, Father Anton has continued to play a central role within the community he serves. Father Anton rallied the Albanian community to support the many Albanian refugees who arrived, first fleeing from communism and then from genocide in the Balkans. In an even greater show of leadership, Father Anton called upon his parish to meet the challenges its brothers and sisters were facing in the Balkans and the St. Paul's parishioners responded by raising over one million dollars to help the wounded in Kosova. In addition, Father Anton has been an unwavering international voice for the needs of Kosova, advising Members of Congress, U.S. Presidents and world political and religious leaders on the need to support Kosova's ethnic Albanian minority. In 1999, he even sat as a member of the Rambuje Delegation which developed the peace that has allowed Kosova to become the independent nation that it is today.

Mr. Speaker, I ask my colleagues to join me today in celebrating a true leader, statesman and humanitarian as Father Anton Kcira celebrates his retirement after more than 40 years in the service to the Catholic Church. Father Anton has truly been a father to a community that has faced so much adversity and contributed immensely to improve the lives of millions around the world. I wish him happiness in his retirement and trust that he will continue to be a strong advocate for his community and for fairness and social justice around the world.

HONORING JAMES D. BOYD'S 50TH
ANNIVERSARY OF PUBLIC SERVICE
TO THE STATE OF CALIFORNIA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. COSTA. Mr. Speaker, Mr. GARAMENDI and I rise today to congratulate Mr. James D. Boyd on an exemplary 50 years of public service to the State of California. For five decades, Mr. Boyd has been a pioneer in the fields of renewable fuels, air quality, new vehicle technologies, bio-energy and climate change. He deserves great praise for his involvement and expertise, which has resulted in California becoming a leading example for the rest of the nation.

Jim graduated from the University of California, Berkeley in 1961 with a Bachelor's Degree in Business Administration, and a minor in Mechanical Engineering. He immediately went to work for the California Department of Water Resources, where he served as principal budget reviewer for the administration of major state public health and health care programs, as well as appeared before committees of the state legislature as principal advocate for these programs' budget needs.

From 1970 to 1976, Mr. Boyd worked at the California Health and Welfare Agency as the Deputy Director, and then as the Assistant Secretary of Operations. In the latter role, he directed operational, administrative and fiscal

policy for eight agencies with more than 30,000 employees and a budget exceeding \$3 billion. These departments operated the state's programs for Health (Public Health, Medicaid, Mental Health), Employment, Rehabilitation, Social Welfare, Corrections, and Youth Authority.

Following his tenure at the California Health and Welfare Agency, Jim was appointed chief executive officer of the California Air Resources Board (CARB). From 1981 to 1996, he directed the nation's largest state air pollution-control program, which included the adoption of regulations that required the use of cleaner burning gasoline and diesel fuel, lowering emissions of cars and trucks, and the implementation of electric vehicles on California roads. Due in large part to these efforts, the state now has the highest number of hybrid electric vehicles in the world. During his time as CARB's CEO, he successfully served under five chairmen and three governors with contrasting political views, which is a significant testament to his professionalism and problem-solving skills.

For the past decade, Mr. Boyd has served on the California Energy Commission, where he oversees transportation programs, and an annual \$100 million investment in alternative and renewable fuel and vehicle technologies. Because of his expertise, Jim was appointed by U.S. Energy Secretary Steven Chu to the National Petroleum Council to comprehend and explain the circumstances and fixtures surrounding transportation fuels of the future.

Jim has accomplished many feats in his careers including organizing California's first Bio-energy Interagency Working Group, as well as California's first Joint Agency Climate Change Team, which predated any current mandates pertaining to the issue. He has been honored for contributions to the field of air pollution control and serves on several nonprofit and public-private boards. For instance, his participation with the Baja Board of Governors and the Swedish government on renewable energy resulted in two Memorandums of Understanding between the State of California and Baja, and California and Sweden.

Additionally, Mr. Boyd was appointed California's liaison to the Nuclear Regulatory Commission in 2002 and became knowledgeable about issues facing nuclear power plants, particularly seismic vulnerability. Because of this experience, Jim was able to testify before Congress in the wake of Japan's Fukushima nuclear disaster in April 2011.

Mr. Speaker, Mr. GARAMENDI and I ask our colleagues to rise and thank Mr. Jim Boyd for his tireless dedication to the health and well-being of the great people of California, his decades of strong leadership, and for continuing to seek creative and cost-effective solutions to some of the state's most pressing issues.

IN RECOGNITION OF WOODVALE
CEMETERY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Woodvale Cemetery on the

occasion of its dedication as an Ohio Historical Marker.

The Woodvale Cemetery was established in the early 1800s after Mr. Fred G. Klink donated a half acre of land to be utilized as a burial ground. It was not until 1876 that the cemetery was named by Frank M. Stearns who proposed the unnamed cemetery be identified for the scenic wooded vale it abuts. In 1931, the Woodvale Cemetery covered 35 acres and was designated as a non-profit cemetery. Today the Woodvale Cemetery is owned by the cities of Middleburg Heights and Berea and spans nearly 50 acres.

The Woodvale Cemetery hosts some of Ohio's most historic and important graves. The oldest marked grave, dated 1858, is that of Fred G. Klink, the patron of the cemetery. Other notable sets of graves include those of John Baldwin and James Wallace's, the founders of Baldwin Wallace College.

There are also hundreds of veterans from every U.S. war buried in Woodvale Cemetery. There are entire areas dedicated to the graves of soldiers of the U.S. Civil War. Additionally, the first Ohioan to be awarded the Congressional Medal of Honor, World War I veteran Albert E. Baesel, is buried in the cemetery.

Mr. Speaker and colleagues, please join me in recognition of the Woodvale Cemetery on the occasion of its dedication as an Ohio Historical Marker.

COMMEMORATING THE CITY OF
CENTER LINE, MICHIGAN ON ITS
75TH ANNIVERSARY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LEVIN. Mr. Speaker, I rise to commemorate the city of Center Line, Michigan, as it celebrates its 75th anniversary of being incorporated as a city this weekend.

The city of Center Line is located north of Detroit in Macomb County and was incorporated in 1936. The city has a rich heritage, and is known as a warm, family-oriented and tight-knit community. Residents have always prided themselves on maintaining the community's distinct identity and small-town feel. After 75 years of growth and change, that local spirit remains embodied in the city.

The area incorporated as a village in 1925 and transitioned to cityhood in 1936. The Center Line name derives from the center of three Native American trails named by the French that led north from Detroit to other trading posts. The middle trail, known as the "Centre Line," became the main road used by early settlers travelling between the cities of Detroit and Utica. It became known as Center Line Road, and today is Sherwood Avenue.

The "center" of town became Van Dyke Avenue after construction of St. Clement Catholic Church in 1854. St. Clement has been one of the defining landmarks of the city. In addition to the many Catholic families that settled in Center Line, a large number of the residents that migrated from Detroit to settle in Center Line are of French, German, Belgium and Irish descent. These close-knit families have lived

in the city their whole lives, many now going on the three generations.

The city of Center Line embodies the American dream: Hard-working, middle class families, many of whom worked their way up the economic ladder through employment in the domestic auto industry and also serving honorably in our country's armed services.

As the city of Center Line commemorates this milestone, I ask all my colleagues to join me in congratulating its residents, elected officials, and businesses as they celebrate their history, preserve their rich local heritage, and look forward to growth and prosperity in the future.

IN HONOR OF MARY E. HARTMAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mary E. Hartman on the occasion of her retirement from the Western Campus of Cuyahoga Community College.

Ms. Hartman was raised in southeast Cleveland and is the youngest of five children. She graduated in 1970 from Marymount High School and proceeded to study at the Eastern Campus of Cuyahoga Community College, where she completed her associate of applied business degree in 1975.

While studying, Ms. Hartman was hired as the executive secretary to the college executive vice president at the district administrative offices. She then moved to the Western Campus in 1981 as a staff assistant to the Dean. In 1986 she began her current role as administrative assistant to Western Campus President Patricia Campbell Rowell, which includes managing the \$42 million budget of the Western Campus.

Ms. Hartman is also extremely active in her community and serves on the Parma Area Chamber of Commerce board of directors, a position she has held since June 2004. In addition, she is a member of the Parma City School District business education/executive assistant advisory committee.

Mr. Speaker and colleagues, please join me in honoring Mary E. Hartman, a woman whose tireless work ethic, collaborative spirit, and unending passion for her work enabled her to make invaluable contributions to Cuyahoga Community College and the community around her.

HONORING TOM W. WILLIAMS, JR.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Tom W. Williams, Jr., founding partner and CEO of Williams, Adley & Company, LLP (Williams Adley), and a dedicated community leader, husband, father and mentor. With Mr. Williams' passing on June 22, 2011, we are reminded of his life's journey and the joyful legacy he inspired.

Known for his business acumen, integrity and generosity, Mr. Williams was a giant in the Bay Area business community and accounting profession. A California licensed Certified Public Accountant with a bachelor's degree from Berkeley's Armstrong College, Mr. Williams entered a career in public accounting with KPMG, LLP in 1972.

After leaving KPMG in 1980, Mr. Williams co-founded Williams Adley in September of 1982. Bolstered by the partners' guidance and hard work, the firm grew from a small 8(a) entity, into one of the nation's leading minority-owned small business firms. With current California locations in Oakland and San Francisco, as well as offices in Huntsville, Alabama and Washington, D.C., Williams Adley has built a successful clientele, serving Federal agencies, State and local government, non-profit entities, small businesses and individuals. The firm has provided crucial audit, accounting, tax and management consulting services for nearly 3 decades.

Under Mr. Williams' leadership, Williams Adley has received numerous accolades from various government agencies and the surrounding business community. In fact, just this month, Assemblymember Sandré Swanson and the California State Legislature recognized Mr. Williams as the Assemblymember's Small Business Leader of the Year during its California Small Business Day reception.

Mr. Williams' passion for his company and staff was only surpassed by his incredible devotion to his family and community. He supported numerous civic organizations, professional associations and charities, acting as a founding director and past president of the San Francisco Chapter of the National Association of Black Accountants (NABA) and serving the Committee on Government Auditing of the California Society of Certified Public Accountants.

Mr. Williams was also an enthusiastic mentor to young professionals, encouraging them to pursue their goals through self-awareness, higher education and volunteerism. Williams Adley Oakland staff have volunteered countless hours of expertise and financial support to organizations such as the Alameda County Family Justice Center, United Way, American Cancer Society, National Association of Black Accountants, Girl Scouts, and the Alameda County Community Food Bank. Mr. Williams also shared his astute business talents on Capitol Hill. He spent countless hours educating Members of Congress about small and minority business issues. He was focused, persistent and patient, and my staff and I relied on his wisdom and "marching orders."

Tom was so much a part of my life on so many fronts. We were friends as well as colleagues. I will always remember the two conversations we had a few days prior to his death. He was cheerful, and as always, encouraging. Tom supported my campaigns, as he did many candidates, and his generosity helped me in so many ways. We will miss his smile, his voice, his phone calls, his meetings and his awesome presence in our lives.

Today, California's 9th Congressional District salutes and honors a great individual and a stalwart community leader, Mr. Tom W. Williams, Jr. Mr. Williams spent his entire career seeking to improve and expand business op-

portunities for small businesses and minority firms. The contributions he made to others throughout his life are countless and enduring. My thoughts and prayers are with his wife, his son and his extended group of loved ones and friends. He will be deeply missed. May his soul rest in peace.

IN REMEMBRANCE OF MRS.
DONNA SMALLWOOD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise in remembrance of Mrs. Donna J. Smallwood, a beloved wife, mother, and friend. Mrs. Smallwood was an active member in the Parma community and a tireless civic activist.

Born and raised in Parma, Ohio, Donna began working towards her legacy, the Donna Smallwood Activity Center and Office on Aging, at an early age. In 1964, Donna and the Parma Jaycees Wives recognized the underserved senior community in Parma and approached the city to start a program. When told that the city did not have funds for such a venture, the group took it upon themselves to hold fundraisers for the cause. They found a location, Parma Memorial Hall, and ran the center as volunteers. As the center grew, seniors began to request increased services and programs. Instead of giving up, the Parma Jaycee Wives petitioned Mayor John Petruska to apply for state and federal funding, and as a result, the Parma Sixty Plus Club was able to expand. Furthermore, Mayor Petruska was so impressed by Donna's work in convincing City Council to accept these funds, that he hired her as his first Senior Director, making her the first female department head in the City of Parma.

Between 1968 and 1987, the senior center flourished under Donna's management, as she acquired grants to kick-start programs that continue to exist today. During this time that transportation and meal services came to fruition, as did the Parma Commission on Aging, the governing body and fundraising arm of the Senior Center. Between 1988 and 1996, when Donna was not the Director, grants were lost and programs were discontinued. When Gerald M. Boldt took over as mayor, he quickly brought Donna back to revive the Senior Center, and she continued as Director from 1996 through 2003.

In addition to all of her work with the Senior Center, Donna still found time to be involved in many other aspects of the Parma community. She was President of Proud of Parma Inc., directed the Miss Parma Pageant, served on the Parma Area Chamber of Commerce Board of Directors and was on the Ridgewood Family YMCA Board of Directors. She also volunteered at Historic Stearns Farm and Homestead and was an active member and volunteer at Good Shepherd United Methodist Church.

In addition to all that she did for her community, Donna managed to be a devoted mother to her five children and wife to her husband of 41 years, Richard, with whom she owned and

operated a local business, The Treasure Aisle gift shop from 1987 to 1996.

Mr. Speaker and colleagues, please join me in honoring the life of Donna J. Smallwood, she will forever be a part of Parma, Ohio.

HONORING THOMAS A. HARGETT

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute an exceptional Hoosier, Thomas A. Hargett. Sadly, we lost Tom on June 27. I wish to express my condolences, thoughts and prayers to his family. We stood side by side fighting the "bad guys". He was my friend.

As a man of faith, I believe we were put on this earth to love one another and to make the best of the gifts our Lord has provided. We are all blessed to live in a country that allows us to experience freedom and the opportunity to succeed. Tom worked hard to represent his clients and help them recover money lost to unscrupulous stockbrokers, fraud and negligence.

Tom was also dedicated to community service and should be commended for all he did. He served on the Board of Directors, most recently as the Vice President, since 2003 of the Indiana Children's Wish Fund, granting wishes to children diagnosed with life-threatening illnesses. He was the President of the Sigma Nu Housing Corporation and in 2010 was awarded the Herman B. Wells Alumni Leadership Award and inducted into the Sigma Nu Beta Eta Chapter's Hall of Honor. Tom also served on the Board of Directors of the White Star Endowment, a wonderful organization that grants scholarships for academic excellence and financial need to Indiana University students.

For all he did for the community, his most favorite activity was spending time with his wife, Denise, and their beautiful children Isaac and Erin. I would like to thank his family for sharing Tom with us. For all the great things he did, he will be truly missed.

IN REMEMBRANCE OF HELEN AGNES POWELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Helen Agnes Powell on the occasion of her passing.

Mrs. Powell was born on September 24, 1926 and was one of four siblings. She graduated from Garfield Heights High School in 1944 and upon graduation assisted in the war effort by working at a factory located at Harvard and Broadway Avenues that produced military equipment.

Her two brothers, John and Lawrence, both served in the military. John was mortally wounded fighting in Burma and passed away

on June 11, 1944, which deeply affected Helen. Her brother Lawrence served in the 8th Army Air Corp and fought in the Battle of the Bulge.

Mrs. Powell met her husband Bob Powell in 1941, but he soon left to join the Navy. They married on September 24, 1947 and had four children: Robert Jr., Deborah, Grace and Marie.

Helen was a full-time mother and after her husband was severely injured in a construction accident, she took care of him. Aside from her family, Helen and her mother were extremely active in the VFW Post 3445 in Garfield Heights. Both Helen and Bob also helped to establish a VFW post in Aurora.

Mr. Speaker and colleagues, please join me in remembrance of Mrs. Helen Agnes Powell, a woman whose biggest joy was bringing her family together and was completely dedicated to her husband, children, grandchildren, and great-grandchildren.

RECOGNIZING MAJOR KEVIN D. BRADLEY

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. PLATTS. Mr. Speaker, today I recognize and pay tribute to Major Kevin D. Bradley, United States Army, on the occasion of his departure from the Army House Liaison Office to join 4th Stryker Brigade, 2nd Infantry Division in Fort Lewis, Washington. I, and many other members of this chamber, have had the pleasure of working with Major Bradley over the past year that he has served as a Liaison Officer and Congressional Delegation Escort Officer in the Army Liaison Office in the U.S. House of Representatives.

Major Bradley has had a remarkably varied and successful career. After growing up in Stratford, New Jersey and graduating from Sterling High School in 1995, Major Bradley attended the United States Military Academy. He graduated in 1999 with a Bachelor of Science degree in Civil Engineering and was commissioned a Second Lieutenant in the Armor Branch. Major Bradley attended the Basic Officer Course at Fort Knox, Kentucky before leaving for Germany.

Major Bradley's initial assignment was in Vilseck, Germany where he served as a Tank Platoon Leader, Tank Company Executive Officer, and later the Support Platoon Leader in the 1st Battalion, 63d Armor Regiment, 3d Brigade, 1st Infantry Division. As a Platoon Leader in Germany, he deployed to Kosovo to conduct peace enforcement operations. Major Bradley's platoon secured the Serbian towns of Partes and Donje Budriga as part of KFOR 1B shortly after the start of the NATO mission. Major Bradley also deployed his M1A1 Abrams tank as part of Operation Lariant Response to Hungary to conduct a live fire exercise with a Hungarian Airborne battalion.

After 3 years stationed in Europe, Major Bradley attended the Infantry Captains Career Course and Ranger School in Fort Benning, Georgia. Upon completion of these courses, Major Bradley joined 3d Brigade, 1st Cavalry

Division in Fort Hood, Texas as they prepared to deploy to Iraq as part of Operation Iraqi Freedom II.

In March 2004, Major Bradley deployed to Baghdad, Iraq where he led a team of forty U.S. soldiers in recruiting, training, mentoring, and conducting combat operations with the 302nd Iraqi Army Battalion. After returning to Fort Hood, Major Bradley assumed command of Charlie Company, 6th Squadron, 9th Cavalry Regiment of the 1st Cavalry Division in April 2006. In October 2006, he deployed with his heavy scout company to the city of Muqadiyah in the Diyala Province of Iraq for 14 months. Major Bradley led his troops during numerous combat operations while executing a clear, hold, build strategy against al-Qaeda in Iraq.

Following his command, Major Bradley was selected for the Joint Staff/Army Staff Intern Program in Washington D.C. As part of this program, he completed a Masters Degree from Georgetown University in Public Policy Management before joining the staff of the Chairman of the Joint Chiefs of Staff for a year. In June 2009, Major Bradley joined the Army House Legislative Division in the Rayburn Building. I have come to know Major Bradley well during his assignment in the House of Representatives through his work with Congressional Delegations and outreach to Members of Congress. Major Bradley has never failed to impress me with his energy and dedication to soldiers, their families, and the U.S. Army. Major Bradley is a superb representative of Army values and the American Soldier.

I am honored to express heartfelt thanks to Major Kevin Bradley for his dedicated service to the U.S. Army and our Nation. I ask my colleagues to join me in recognizing the outstanding accomplishments of this Soldier, citizen, and friend.

IN HONOR OF AGNES KASPER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Agnes Kasper, whose strong dedication and commitment to improving her community led her to create one of Cleveland's most well-known hunger centers.

A native Cleveland, Ms. Kasper attended high school and graduated from St. Joseph Academy. She went on to become a secretary at Berea's Ohio Nut and Bolt, where she met and married John. The Kaspers are survived today by their ten children, twenty six grandchildren and three great-grandchildren.

Aside from running her church's daily meal program, Ms. Kasper also taught religious education for decades. Her work with her church's meal program eventually led her to found the renowned hunger center at St. Augustine Catholic Church in Cleveland, Ohio. In her spare time, she also actively helped run emergency shelters while simultaneously hosting homeless people in her own home.

Mr. Speaker and Colleagues, please join me in remembrance of Ms. Agnes Kasper. Her

hard work for her community has improved the lives of countless individuals. I offer my sympathies to her family.

REMEMBERING AND HONORING
THE LIFE OF ARTHUR HENRI
JERBERT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. COURTNEY. Mr. Speaker, I rise to honor the life and mourn the loss of Arthur Henri Jerbert of North Stonington, Connecticut. As we approach the one year anniversary of his passing, and in such close proximity to Independence Day, it is important for this House to remember Art's remarkable service to our nation and his contributions to his community.

Art was a member of the "Greatest Generation" and entered the U.S. Navy during World War II serving in the submarine force for 20 distinguished years. His career in the Navy included time aboard one of the submarines that adapted the highly-coordinated, "wolf pack" attack strategy in the Sea of Japan. That strategy was instrumental in reasserting allied naval supremacy in the Pacific—an essential ingredient to final victory. During that conflict, he earned the Bronze Star for valor in combat and after the war rose to the rank of Commander, retiring in 1962.

After leaving the Navy, Art applied his talent and energy to solving problems in his community and improving the quality of life in southeastern Connecticut. He coached Little League baseball, served on the North Stonington Board of Education, and became Ledyard's first mayor in 1971. He educated and empowered young people as a popular math teacher at schools across eastern Connecticut including Norwich Free Academy and Griswold High School.

Arthur is deeply missed by his loving wife Marilyn, his children, grandchildren, and great grandchild. His example of human excellence and service is an inspiration for us all today and for generations to come.

HONORING COLONEL RONALD
LIGHT AND THE U.S. ARMY
CORPS OF ENGINEERS MIDDLE
EAST DISTRICT IN WINCHESTER,
VIRGINIA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. WOLF. Mr. Speaker, I rise today to honor Colonel Ronald Light and the men and women of the Army Corps of Engineers Middle East District, MED, located in Winchester, Virginia, for the support they have provided for troops deployed overseas.

Colonel Light, commander of the MED, has had a distinguished military career since his graduation from The Pennsylvania State University in 1981. As an officer, he has com-

pleted the Engineer Officer's Basic and Advanced courses, the Combined Arms Services Staff School, the Command and General Staff Officer Course, and the U.S. Army Airborne School, while earning a Master's Degree in National Security and Strategic Studies at the U.S. Naval War College.

For his service, Colonel Light has been awarded the Legion of Merit, a Bronze Star, five awards for Meritorious Service, two Army Commendation medals, the Army Medal of Achievement, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, among others.

As the senior engineer commander responsible for reconstructions in Al Anbar and Baghdad provinces in Iraq, he managed the award of 194 projects valued at \$1.32 billion and completed contracts worth an additional \$782.4 million.

Since Colonel Light assumed command at the MED in 2009, employment has approximately doubled from 250 to 500 personnel. The MED employs 427 civilians comprising 23 nationalities, 53 advanced degrees and 24 different languages all dedicated toward the goal of preparing combat theaters for members of the military. The MED employs local accountants, architects, attorneys, paralegals, engineers, property managers, security specialists, and many others.

The MED has proved extremely beneficial not only to the U.S. Military, but also to Winchester and the Shenandoah Valley. The MED partners with local civic organizations, churches and school groups to help carry out many critical engineering projects abroad. The integration of the military and the surrounding communities will create a precedent for more companies to locate in Winchester and the Shenandoah Valley, recognizing the presence of a trained workforce and relative proximity to our nation's capital.

Colonel Light and the MED's dedication to the armed forces has advanced the mission of all military units in forward theaters of combat. We express our appreciation to the dedicated individuals staffing the MED for their service and honor them as the best our military officers and civilians have to offer.

CONGRATULATING JAMES HUNTER
AND JOE LAROSE OF THE ROCK
BRIDGE BRUINS MEN'S TENNIS
TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LUETKEMEYER. Mr. Speaker, I ask my colleagues to join me in congratulating James Hunter and Joe LaRose of the Rock Bridge Bruins Men's Tennis Team for winning the Class 2 A Missouri State Doubles Championship on May 28.

These young men should be commended for all their hard work throughout the regular season and bringing home the 2 A Doubles Tennis Championship to their school and community.

I ask that you join me in recognizing James Hunter and Joe LaRose for a job well done!

HONORING JEFFREY GRALNICK

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. DEUTCH. Mr. Speaker, I rise today in remembrance of Jeffrey Gralnick, who passed away this past May at the age of 72. A legendary news executive and producer, Jeff's 52-year career began with the black-and-white news segments of the 1950s and grew into leadership positions at nearly all the major broadcast networks including ABC, CBS, NBC, CNN, and MSNBC.

One of the first producers of "60 Minutes," Jeff worked with Walter Cronkite, Don Hewitt, Dan Rather, Peter Jennings, Barbara Walters, Brian Williams, Katie Couric, and Tom Brokaw. As an executive producer and network executive, Jeff oversaw the broadcasts of space launches, presidential elections, and was in charge of the CBS news desk on the day President Kennedy was assassinated.

Jeff's enduring legacy is memorialized in the people he mentored over the years who are employed throughout the news industry. A tough and demanding teacher, Jeff was always eager to share his knowledge and experiences with younger coworkers. His intense character, professionalism, and integrity have left a lasting impression throughout the news industry.

A fierce competitor with a tireless work ethic, Jeff was always welcome to new challenges. After beating his first bout with cancer in his early sixties, Jeff found inspiration in the saying "as soon as you feel too old to do something do it," and decided to climb to the peak of Mt. Kilimanjaro, nearly making it to the top.

I offer my condolences to Jeff's wife of 41 years, Beth, their son Robert, their daughter Kate and her husband Tim, their grandson Adam, and Jeff's brother Bill. Even though Jeff passed away this past May, his work will live on through the broadcasts he has produced, the networks he helped shape, and the anchors and producers he mentored throughout his career.

IN RECOGNITION OF MR.
VLADIMIR SWIRYNSKY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mr. Vladimir Swirynsky, one of Cleveland's most prominent poets.

Born in Germany on May 20, 1948, Vladimir Swirynsky immigrated to the United States in 1952. After completing his education, Vladimir served with the U.S. Army during the Vietnam War. He was stationed in Long Bien and worked as a morning report clerk. Following his service, Vladimir returned to Cleveland, married, and began a career at Republic Steel.

In 1994, after a divorce, Vladimir left Cleveland in search of healing and found solace in

the arts. He travelled to New Orleans, celebrated Mardi Gras, joined a band and began reading poetry. He was enthralled by poetry and realized his own talents. He spent years travelling around the country and perfecting his newfound creative outlet.

Today, Mr. Swirynsky has published thirteen books of poetry and is celebrated as one of Cleveland's finest poets.

Mr. Speaker and colleagues, please join me in recognition of Mr. Vladimir Swirynsky. His story and poetry will continue to inspire all of those who hear his prose.

HONORING THE 90TH ANNIVERSARY OF THE MINNESOTA AIR NATIONAL GUARD—AMERICA'S FIRST IN THE NATION AIR GUARD UNIT

HON. BETTY McCOLLUM

OF MINNEAPOLIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Ms. McCOLLUM. Mr. Speaker, today I rise to honor the capable and courageous men and women of the Minnesota Air National Guard on the 90th anniversary of its founding. The Minnesota Air National Guard holds the distinction of being the first in our nation Air Unit of the National Guard recognized by the United States government.

The Minnesota Air National Guard took flight with humble, but honorable beginnings. On September 26, 1920 Captain Ray S. Miller and two other Minnesotans rented a Curtiss Oriole biplane to launch an 8-day flight to Washington, DC. Their mission was to be the first federally recognized National Guard flying squadron. Subsequently the 109th Observation Squadron, the predecessor to today's Minnesota Air National Guard, passed muster inspection on January 17th, 1921.

The creation of the 109th Minnesota Observation Squadron created the flight path for Minnesotans to continue making history while serving our state and our nation. The 133rd Airlift Wing (133rd AW) of the Minnesota Air National Guard Wing is headquartered at the Minneapolis-Saint Paul International Airport, and provides the U.S. Air Force with tactical airlift of troops, cargo, and medical patients anywhere in the world utilizing the C-130 Hercules. The 148th Fighter Wing (148th FW), headquartered in Duluth, provides the United States Air Force with combat Air Sovereignty and Air Defense. Additionally, both Wings are continually prepared to support the State of Minnesota with assistance in the event of disaster declaration.

During WWII the 109th Observation Squadron was deployed to Europe, initially flying the Supermarine Spitfire Mk V and later reconnaissance missions with the North American F-6 Mustang. During the Korean War, Minnesota's Air Guard was again activated, contributing pilots to active wings throughout the Korean theater.

Throughout the Cold War of the 1950s and early 1960s, both units of the 179th Fighter Interceptor Squadron in Duluth and 109th Fighter Interceptor Squadron in St. Paul provided active air defense commitments with 24-hour

alert status. Threats by the Soviet Union to oust Western troops from West Berlin in 1961 prompted the Berlin Crisis and a call-up of selected National Guard forces throughout the United States. Included in this mobilization were members of the 133rd Air Transport Wing, who served in federal active service for eleven months while operating out of their home station at the Minneapolis-Saint Paul Airport. While the Minnesota Air Guard was never officially mobilized during the Vietnam War, the organization flew hundreds of supply and transport missions to Southeast Asia.

Today, the Minnesota Air National Guard continues to serve with valor and with honor. We all recall the critical moments following the attack on our nation on September 11th, 2001. Immediately, F-16s from the 148th Fighter Wing were called into action for combat air patrols over critical areas. Since then, the Air Guard has provided support for our nation's efforts in Operation Iraqi Freedom, Operation Enduring Freedom and Operation New Dawn as well as other operations worldwide. Brave men and women today from 133rd Airlift Wing and the 148th Fighter Wing continue to serve our nation with distinction in overseas operations today.

Mr. Speaker, please join me in rising to honor the commitment and dedication of the 2,000 airmen and women serving in the Minnesota Air National Guard as we commemorate the 90th Anniversary of this pioneering unit.

IN HONOR OF GUERINO AND CAROLYN RIPEPI'S 60TH ANNIVERSARY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Guerino and Carolyn Ripepi to acknowledge their 60th anniversary.

Guerino and Carolyn were married on May 5, 1951 at St. Paul's Croatian Church in Cleveland, Ohio. Over the course of their lives together Guerino and Carolyn raised four children in Parma and later North Royalton, Ohio. The couple takes great pride in the accomplishments of their seven grandchildren.

The Ripepi's were active members of the Northeast Ohio community. Guerino was a member of the Brooklyn-Parma Knights of Columbus and Parma Elks Lodge. Carolyn was involved with her children's lives as a Cub Scout Pack leader and was awarded a Marian Award by the Girl Scouts. Carolyn also belonged to the Ridgewood Lanes women's league.

After a career with Erie Lackawanna Railroad and Parma City Schools, respectively, Guerino and Carolyn retired to the Timber Pines Retirement Community in Spring Hill, Florida. They continue to be active, participating in such activities as golf, bocce and billiards.

Mr. Speaker, I urge my colleagues to join me in honoring the long and happy life that Guerino and Carolyn continue to enjoy together.

THE LIFE OF ELIZABETH WATKINS SAUL

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Third Congressional District of Florida, I rise to offer heartfelt condolences and pay tribute to the life of Elizabeth Watkins Saul, a humanitarian, social service advocate and life activist.

I am moved and encouraged when recalling the life achievements of the gentle and loving spirit of an accomplished woman who lived such a brief and beautiful life of service. She strived for excellence in every endeavor and she exuded boundless energy and love that was shared in the field of community and social activism. As a wife, community leader and social service advocate, we embrace her husband, family and the community that embraced her service and humanitarian efforts. A woman for whom education was important, Elizabeth Watkins Saul received her B.S. Degree from the historic Texas Tech University with a degree in political science and public policy.

On this special occasion and celebration of the life of a phenomenal woman, I join with the immediate family, and loved ones in saying farewell and praising God for the life of a woman of God who was selfless and lived a productive life of purpose. Elizabeth enjoyed fishing, painting, traveling, decorating, BINGO, reading and spending quality time with her friends and family. Elizabeth was dearly cherished by her loved ones, colleagues and her community in Fort Worth, Texas; Las Cruces, New Mexico; Alexandria, Virginia; Orlando, Florida; and Tucson, Arizona. Elizabeth's employment spans from Clinique Cosmetics, Capitol Hill, The Metropolitan Orlando Urban League, Raytheon and Tuskegee University Resolution Team. She most recently worked as a successful and well respected Senior Manager of Human Resources at Raytheon Missile Systems, where she played an integral role in the recruitment of Tuskegee graduates for careers in engineering and management. Elizabeth was a Tuskegee University presidential transition team member. In addition to being an essential part of President Gilbert Rochon's Transition Team; Ms. Saul was a member of two Transition Team committees: Improve the Management and Performance of the Kellogg Center and Improve Staff Quality and Productivity. Tuskegee will establish the Elizabeth Watkins Saul Scholarship at the University beginning in the fall of 2011. As a woman of integrity and character, Elizabeth was both gifted and inspiring, always leaning on the everlasting tasks of making a difference in her community. Where she saw pain, she sought to relieve it with personal interaction; where she saw potential in others, she gave them impetus and encouragement; where she saw despair, she brought direction and promise; and where she saw the need for love and caring, she unselfishly gave of herself.

The life of Elizabeth Watkins Saul was one of accomplishment and service. In her passing, we pay tribute to an accomplished woman

and her life of service to each of us. She will be remembered for the love of her family, friends, Sorority Sisters of Alpha Kappa Alpha Sorority, Inc., and colleagues. This attribute set her above and beyond all selfless giving. She has a special anointed gift of discernment and those that had an opportunity to be in her presence were blessed to experience her tireless energy for service and were beneficiaries of her boundless generosity. It is my prayer that by her example that each of us become the bearers of her humanitarian legacy. We come now to join in prayer for her parents, and a host of loving relatives, friends, whose lives have been forever changed by this exemplary woman of excellence and peace. I thank our Heavenly Father for allowing us to be blessed with the time spent with Elizabeth, our friend. Elizabeth was a devoted wife and leaves memories and love to her husband H. Rock Saul of 17 years; father and mother George, Sr., and Carolyn Watkins; Siblings Gerald Cook, George Watkins, Jr., Darnetta Kay Watkins-Owens (Michael); Mother-in-law Arleen Haydel; Sister-in-law Nicole Saul, six nieces and nephews, one godchild (Evans); Grandmother Dear Watson and a host of family members and special friends.

HONORING CONGRESSWOMAN
WOOLSEY'S SERVICE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. STARK. Mr. Speaker, as Dean of the California Congressional delegation, I rise to highlight the career of Congresswoman LYNN WOOLSEY, who has announced that she will retire after the 112th Congress. Congresswoman WOOLSEY broke barriers when she began her career as the first former welfare recipient to serve in Congress. As a young single mother with three children, she needed public assistance to make ends meet—even though she was employed. This sensitivity to working families has shone through her Congressional career.

Rep. WOOLSEY serves as a senior member of the Committee on Education and the Workforce, as the ranking member on the Subcommittee on Workforce Protections, and as a member of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

On this committee, she helped to pass the Family and Medical Leave Act, which protects Americans who need temporary employment leave due to a serious illness or to care for a sick family member. Recently, Congresswoman WOOLSEY proposed "the Balancing Act," which will help families by promoting public universal pre-school, investments in child care, universal school breakfast, benefits for part-time workers, and telecommuting incentives.

She has served as co-chair of the Progressive Caucus where she led our efforts to present the progressive voice in Congress and use our strength as a large voting block to influence legislation. She continues to be an active progressive leader.

Congresswoman WOOLSEY vocally opposed the Iraq war from day one. The San Jose Mer-

cury News hailed her as "the unofficial matriarch of the [anti-war] movement in Congress." She has led the way for peace by introducing the first resolution to demand that we bring our troops home.

Congresswoman WOOLSEY fought to pass landmark health care reform last Congress by supporting the Patient Protection and Affordable Care Act. She led our efforts to include a public health insurance option in the law in order to inject real competition against the private health insurance industry. Though we lost that battle as part of the health reform law, she has taken the lead in authoring legislation to amend the law to institute a public option. That legislation would save the Federal Government \$68 billion and deserves to be part of the solution as Congress focuses on efforts to reduce the deficit.

Congresswoman WOOLSEY has always worked to protect the environment and reduce our dependence on foreign oil during her tenure as a senior member of the Committee on Science, Space and Technology and as a member of the Subcommittee on Energy and the Environment. She is working to safeguard her district's shores from oil spills by introducing a bill that would designate the Sonoma coastline as a National Marine Sanctuary.

Congresswoman WOOLSEY simply personifies public service. She has been one of the most sought out and responsive representatives. Each week her Washington office receives and responds to over 3,000 constituent letters, phone calls, and emails.

It has been an honor to serve with LYNN over the past 20 years. Thanks to Congresswoman WOOLSEY's service, America is a better place for working families. I know we haven't heard the last from LYNN WOOLSEY. I look forward to continuing to work together in the 112th Congress and in her next venture, which I am sure will continue to advance the progressive causes she believes in so strongly.

CONGRATULATING THE EAU CLAIRE
SOUTH MIDDLE SCHOOL ODYSSEY OF THE MIND TEAM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KIND. Mr. Speaker, I rise today to honor the Eau Claire South Middle School Odyssey of the Mind Team that took fifth place at the 2011 World Finals held at the University of Maryland. Odyssey of the Mind is an educational program that challenges students to creative problem-solving challenges. The competition takes place first at the local level and moves onto a state and world competition for groups that succeed. The Eau Claire team was the only group from Wisconsin to make it to the worldwide competition where they placed fifth overall. They were one of only two teams to place in the entire Midwest division.

The team competed in a challenge entitled "Full Circle," which required the team to create a humorous skit while completing numerous challenges. The first challenge was having something change form three times during the

presentation before returning to its original form. The skit also had to include a funny character, a serious character, a song and dance, and a surprising ending. All of this had to be worked together into one presentation.

Not only did the team have to prepare a challenge in advance, but they had to compete in a spontaneous challenge that they were presented with immediately before their performance. After competing in both the main challenge entitled "Full Circle," and the spontaneous challenge, they came in fifth place among schools from all over the world. I am proud of the Eau Claire South Middle School team and their accomplishment. Hopefully, it will be the first of many successes in these young students' lives.

IN RECOGNITION OF THE 30TH ANNIVERSARY OF THE MUSTARD SEED MARKET

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. KUCINICH. Mr. Speaker, I stand today in honor of the 30th anniversary of the Mustard Seed Market, the largest locally-owned retailer of natural and organic products in Ohio.

In 1978, husband and wife team, Margaret and Philip Nabors, started a small, home-based, natural foods catering business in Northeast Ohio and discovered a large market for their healthy cooking. The couple supplied nutritious and delicious food to a multitude of weddings and events. In 1981, they expanded their enterprise with the opening of a small health foods store in Akron's Merriman Valley. Mustard Seed Market continues to offer a wide variety of natural foods, supplements, teas, books and health and beauty items.

In 1989, Mustard Seed Market relocated to a much larger space, which included a 60 seat restaurant and an even larger selection of natural foods. Responding to customers' requests, the Nabors added a new fresh seafood case, an antibiotic-and-cage-free poultry case, and a small meat department. In 1992, they began offering a Monday night educational program, which consisted of cooking classes and lectures related to natural health.

As a result of Mustard Seed Market's great and continued success, the Nabors decided to expand the business further in 1996. They moved to what is now their current location, a 31,500 square foot shopping and dining area, which includes a 14,000 square foot retail space, 120-seat restaurant, 20-seat bar and a banquet facility. In 1999, a second store was opened in Solon, Ohio.

Mr. Speaker and colleagues, please join me in recognizing Margaret and Philip Nabors, whose inspiring thirty year mission has helped many people enjoy healthier lives through healthier eating habits.

BRUCE WARD TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Bruce Ward for his promotion of outdoor recreation, and his devotion to the Colorado public lands. Throughout Mr. Ward's life, he has contributed greatly to the outdoors, establishing various programs to help people live active lifestyles and learn about the environment.

Mr. Ward started his career as a tour guide for TrekInternational, acquainting hundreds of young adults to America's National Parks and public lands. His time with TrekInternational cemented his passion for the outdoors, and it opened the opportunity for him to serve as an outreach coordinator for REI, where he organized volunteers and spearheaded programs to build outdoor outreach programs throughout the U.S.

In 1994, Mr. Ward and his wife, Paula, worked in conjunction with the Fausel Foundation to create the Continental Divide Trail Alliance, establishing the Continental Divide Trail as the "King of Trails." Currently, Mr. Ward is developing national initiatives designed to get youth outdoors. On July 6, 2011, Mr. Ward was recognized by President Obama as a "White House Champion of Change for Rural America."

Mr. Speaker, it is an honor to recognize Bruce Ward today. He has spent his life working for people and the outdoors, and his efforts have richly served the great state of Colorado.

IN RECOGNITION FOR THE OUTSTANDING CONTRIBUTION OF STEVE MARTYN

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LAMBORN. Mr. Speaker, I rise to recognize Mr. Steve Martyn, Field Representative and Case Worker for the 5th district of Colorado, and would like to express my gratitude for his service and congratulate him on his well-earned admission to the University of Colorado School of Law.

Mr. Martyn's career has demonstrated a remarkable commitment to public service as he has been involved in numerous service activities at the state and federal level. He has been a tremendous researcher, team leader, event planner, writer, and more specifically, an invaluable member of my staff. He has represented me and my office with excellence and has given his best efforts to serve the wonderful citizens of Colorado Springs.

For the past two years, Mr. Martyn has proven himself to be an exceptional case worker, field representative, and respected team member among his colleagues. Thousands of constituents have been directly aided and positively influenced by the expertise, customer service, and distinguished work ethic of Mr. Martyn.

As he transitions into life as a full-time law student, I am greatly honored to acknowledge and thank him publicly for his service. The benefits that my wife and I, our staff, and the many citizens of the 5th district of Colorado have received due to his hard work are beyond measure. Mr. Martyn has set an impressive precedent for service, proof of his path to a highly successful career. I would like to join in celebration with his colleagues, family, and friends as we congratulate him on his achievements as he continues to further his commitment to public service through the practice of law.

A TRIBUTE TO THE 2011 ELLIS ISLAND MEDAL OF HONOR RECIPIENTS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. BURTON of Indiana. Mr. Speaker, I rise today to congratulate the 2011 recipients of the coveted Ellis Island Medal of Honor. Presented annually by the National Ethnic Coalition, NECO, the Ellis Island Medal of Honor pays tribute to our Nation's immigrant heritage, as well as individual achievement. This year, the Ellis Island Medal of Honor takes on a special significance as 2011 marks the 25th anniversary of these distinguished awards, a milestone which was celebrated this past May with a patriotic ceremony on Ellis Island. The medals are awarded to U.S. citizens from various ethnic backgrounds who exemplify outstanding qualities in both their personal and professional lives, while continuing to preserve the richness of their particular heritage. Since the medal's founding in 1986, more than 2,000 American citizens have received Ellis Island Medals of Honor, including six American Presidents, several United States Senators, Congressmen, Nobel Laureates, outstanding athletes, artists, clergy, and military leaders.

As we all know, citizens of the United States can trace their ancestry to many nations. The richness and diversity of American life makes us unique among the nations of the world and is in many ways the key to why America is the most innovative country in the world. The Ellis Island Medals of Honor not only celebrate select individuals but also the pluralism and democracy that enabled our ancestors to celebrate their cultural identities while still embracing the American way of life. This medal is not about money, but about people who seized the opportunities this great country has to offer and who used those opportunities to not only better their own lives but make a difference in the lives of those around them. By honoring these outstanding individuals, we honor all who share their origins and we acknowledge the contributions they and other groups have made to America. I commend NECO and its Board of Directors headed by my good friend, Nasser J. Kazeminy, for honoring these truly outstanding individuals for their tireless efforts to foster dialogue and build bridges between different ethnic groups, as well as promotes unity and a sense of common purpose in our Nation.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the good works of NECO over these last 25 years and in congratulating all of the 2011 recipients of the Ellis Island Medals of Honor.

2011 ELLIS ISLAND MEDALS OF HONOR

RECIPIENTS

Gina Addeo, Setrak O. Agonian, Margaret Ajemian Ahnert, Carlos E. Alvarez, Hamid Ansari, Michael Aram, Tom Arnold, Kevork B. Bardakjian, PhD, Stanley M. Bergman, Tejinder Singh Bindra, Col. Matthew Bogdanos, Esq., USMC (Ret.), John A. Brennan, MD, Paul A. Brinkley, Jerry Cahill, Hon. Salvatore J. Cassano, Anthony D. Chimino, Steve S. Chon, Jim Clifton, Darryle D. Clott, James F. Comley, Giancarlo Crupi, MD, James Jian Cui, MD, PhD, Supt. Joseph A. D'Amico, Marty D. Davidson, Joseph F. Dean, ADM Bruce DeMars, USN (Ret.), Nitin V. Doshi, DDS, Pierre Dulaine, CAPT Linda L. Fagan, USCG, David Fitzpatrick, PhD, Bill V. Gallo, Cyril E. Geacintov, PhD, John Giuffre, SSgt. Salvatore A. Giunta, USA, Joseph R. Haiek, Dorothy J. Harber, Lacy J. Harber, Stuart C. Harvey, Jr., Salah M. Hassanein, Robert S. Hekemian, Hon. Patrick Henry, Scott H. Herman, Fernando J. Hernandez, John M. Iacono, O. Wayne Isom, MD, Joel P. Jahraus, MD, MG Nathaniel James, AUS, Hon. James A. Kaddo, Chief Charles S. Kammerdener, Dr. Munir Kazmir, Ken Kendrick, Kamran Khavarani, PhD, Hon. Peter J. Koutoujian, Sr., Cecilia M. La Pietra, OP, Wai Lap Leung, MD, Jeffrey E. Levine, Jerry Lewis, Weining Liang, MD, Joanie M. Madden, Babu Rao Mandava, Joseph A. Martorana, Anthony J. Melita, Joseph S. Micallef, JD, Radmila Milentijevic, PhD, LTG John F. Mulholland, Jr., USA, Francis Najafi, Vali R. Nasr, PhD, Younes Nazarian, Denis O'Brien, James G. O'Connor, John O'Hurley, Gail Talanian O'Reilly, Harvey E. Oyer, III, Esq., Mustafa Oz, MD, FACS, BG Frederick M. Padilla, USMC, Fa Y. Park, Patrick M. Park, William L. Perocchi, Vladimir Prodanovich, Philip Pumerantz, PhD, Fahim Rahim, MD, Naeem Rahim, MD, Ali C. Razi, Frank L. Regnante, Doris Roberts, Michele M. Rollins, Esq., Thomas Roma, Bruno L. Sammartino, Samin K. Sharma, MD, Kevin Chang Yao Shih, Donald F. Shula, CMSgt Darren A. Silsbee, USAF, Susan Sommer-Luarca, Joel Szabat, George Veras, Manu K. Vora, PhD, MBA, Joseph M. Walsh, Shirley Wang, Richard P. Wei, Roger L. Williams, MD, Walter W. Wise, Jr., Chris Jia Shu Xu, Madlena Zepter, Philip Zepter, Kenny Weiqun Zhang.

HONORING THE HEROIC SERVICE OF CORPORAL NORMAN N. CHAPMAN, JR., UNITED STATES ARMY, 1964-1968

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the heroic service of Army Corporal Norman N. Chapman, Jr.

Born in Pascagoula, Mississippi, Corporal Chapman enlisted in the Army in June of 1964 and attended basic training at Fort Devens. Trained in security, he volunteered for service in Vietnam with the 3rd Radio Research Unit, stationed at Davis Station at Tan Son Nhut Air Base, near the city of Saigon. On April 13,

1966, Corporal Chapman was wounded in a mortar attack. After his recovery, he was transferred to Homestead Air Force Base. In February 1967, Corporal Chapman moved to the National Security Agency at Fort Meade, where he served until his discharge from the Army in 1968.

Corporal Chapman's service to our country did not end there. He served as a police officer with the Pensacola Police Department for nearly 25 years in a number of capacities within the Department, from uniform patrol to tactile patrol. He also served in the Detective Bureau, Investigations, and Personnel and Training. In one of the most notable chapters in American criminal history, Mr. Chapman was instrumental in the apprehension and prosecution of serial killer Ted Bundy in 1978. From 1994 to 1998, he served admirably and honorably as Chief of the Pensacola Police Department.

The Purple Heart presented to Corporal Chapman is a testament to his life of selfless service to his country, his community, and his family. The medal is given to those who have been wounded or killed while serving in the U.S. Armed Forces, and is one of the oldest decorations bestowed upon service members by the United States. In reviewing his military medical records, the Army has seen fit to award the Purple Heart Medal to Corporal Chapman for wounds sustained as a result of enemy actions in Vietnam.

Norm Chapman spent his life protecting our lives and our freedoms as both an Army soldier and Pensacola police officer. His service stands as an example for the young men and women on the battlefields abroad and the young officers on the streets at home. Protecting American citizens has been a way of life for Mr. Chapman, and I am privileged to recognize him for this life of heroism.

He and his wife Helen of 45 years have six children—John, Scott, Lydia, Kevin, Keith, and Sarah—and sixteen grandchildren.

Mr. Speaker, on behalf of the United States Congress, I am honored to venerate the leadership and selfless service of Corporal Norman Chapman. My wife Vicki and I wish him and his family all the best for continued success.

HONORING PATRICIA MATTIMORE UPON THE OCCASION OF HER RETIREMENT

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise to highlight the career of Patricia Mattimore, who is retiring after more than twenty-seven years of service with the U.S. House of Representatives.

Ms. Mattimore began her House career in July of 1984. Throughout the years, Patricia has brought a wealth of professional expertise to all of the positions she has held at the House. She has worked for the Appropriations Committee, Clerk of the House, and Chief Administrative Officer. Over the past eight years, she has ensured accurate reporting to the

U.S. Treasury for the House's monthly cash activity. This critical process is necessary for the House to demonstrate financial accountability to the public and was performed with great accuracy due to her attention to detail. Her passionate customer service, organizational skills, resourcefulness and dedication to her work has benefited the House as a whole over her career.

On behalf of the entire House community, I congratulate Ms. Patricia Mattimore for her many years of dedication and outstanding contributions to the U.S. House of Representatives and wish her all the best in her future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,343,033,186,678.55.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,607,440,384.75 since then.

This debt and its interest payments we are passing to our children and all future Americans.

CONGRATULATING LA PLATA HIGH SCHOOL BULLDOGS MEN'S BASEBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LUETKEMEYER. Mr. Speaker, I ask my colleagues to join me in congratulating the La Plata High School Bulldogs Men's Baseball Team for winning the Class 1 A Missouri State Championship on June 2.

These young men and their coaches should be commended for all their hard work throughout the regular season and bringing home the 1 A Baseball Championship to their school and community.

I ask that you join me in recognizing the La Plata Bulldogs for a job well done.

HONORING PROCON.ORG FOR BEING NAMED A TOP FREE REFERENCE WEBSITE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor the staff of the ProCon.org website. This site has recently been honored by the American Library Association as one of the Top 25 Free Reference Websites of 2011.

This achievement is indicative of ProCon's value as a resource empowering citizens with information on some of the most controversial topics of the day.

ProCon.org, like many websites, is the product of a simple idea: to make unbiased information on controversial subjects more accessible without opinion or editorializing interfering. This idea came to the founder and CEO of ProCon.org, Steven C. Markoff, in 1984. While debating with a friend, Mr. Markoff realized that the popular discourse about the big issues of the day is always clouded by rhetoric, opinions and political leanings.

Since its inception, ProCon.org has influenced policy debates with its mission of "presenting research on controversial issues in a straightforward, nonpartisan, and primarily pro-con format." More than 10 million people use this website every month for research and fact finding. ProCon has also been named a "Best Non Profit to Work For" by OpportunityKnocks.org and a "Valued Partner" by GuideStar. ProCon was further honored in 2008, when the Library of Congress asked to archive three of ProCon's websites as "materials of historical importance to the Congress and to the American People."

It is my distinct pleasure to honor the staff of ProCon.org and wish them continued success in their service to the American public. Their unbiased and truthful presentation makes a tremendous contribution to the political system.

INTRODUCTION OF A RESOLUTION WELCOMING THE DALAI LAMA TO THE DISTRICT OF COLUMBIA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Ms. NORTON. Mr. Speaker, today I introduce a resolution welcoming the Fourteenth Dalai Lama to Washington, DC, July 6–16, 2011, and recognizing his extraordinary example and commitment to world peace, non-violence, human rights, religious freedom and democracy.

The Dalai Lama welcomed me and other members of a congressional delegation, led by then-Speaker NANCY PELOSI, into his home in 2008. It is, therefore, a special pleasure to welcome him to my congressional district and the Nation's Capital. Tibetan children, monks, and exiles lined the streets to greet our delegation in 2008, and I know that my colleagues would want to join me in returning that welcome officially.

Although the Dalai Lama has visited the Nation's Capital many times, this year, he will preside over the fifth Kalachakra teaching in the United States, the first in the Nation's Capital, which will be held at the Verizon Center. The Kalachakra seeks to enhance the Dalai Lama's non-violent teachings, as well as to reduce conflict and promote peace, both individually and globally.

I urge my colleagues to join me in welcoming this recipient of both the Nobel Peace Prize and the Congressional Gold Medal, and in wishing him a happy 76th birthday today.

HONORING THE LIFE OF JAMES
"JIM" MARTIN GLENN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is with great respect that I rise today to honor the life and service of Northwest Florida's beloved James "Jim" Martin Glenn.

Born November 15, 1928 in Perry, Iowa, Jim Glenn dedicated thirty-five years of his life to serving our country in the United States Air Force. A fighter pilot by trade, he flew 26 different aircraft. During his two combat tours in Southeast Asia, he flew over 200 combat missions and commanded the 13th Tactical Fighter Squadron. His service also included Chief of Flying Safety, Deputy Director of Safety, and Flight Testing Operations Director at Eglin Air Force Base and F-16 Conversion Manager and Director of Operations at Nellis Air Force Base. Upon retirement, he founded and operated his own defense consulting firm and returned to the Emerald Coast.

The impact Jim Glenn had Northwest Florida extended far beyond his firm. A pivotal leader in the local community, Jim Glenn dedicated his time to numerous organizations, including the Emerald Coast Military Affairs Council, the Okaloosa County Economic Development Council, and the Fort Walton Beach Chamber of Commerce, where he was a former President, Ambassador, and Life Director. He also served as a member of the Daedalians, a representative to the ACC/CC Civilian Group through his association with the 53rd Wing at Eglin, and was a former President of the Air Force Association.

Over the course of his distinguished career, Jim Glenn served our nation and with great pride and integrity. Throughout his life, he continued to uphold the Air Force values of Integrity First, Service Before Self, and Excellence in All We Do. To those in Northwest Florida, Jim Glenn will be remembered as a well-respected community leader. To his family, he will be remembered as a loving husband, father, and grandfather. Jim Glenn is survived by his wife of 30 years, Millie; his children Timothy, Theresa, Diane, Lisa, Patricia, Jan, Thomas, and Michael; and his great-grandchildren, Matthew, Seth, Shane and Amy.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the life of Jim Glenn. He truly exemplified a life of honor and service that we will all remember for many years to come. My wife Vicki and I offer our continued prayers for his entire family. He will truly be missed.

IN RECOGNITION OF BRENDA
GORMLEY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. BURGESS. Mr. Speaker, I rise today in recognition of a remarkable public servant,

Brenda Gormley. Mrs. Gormley is from Lewisville, and was awarded the first annual Jack Colley Award for Volunteerism, the highest state-wide honor given to a volunteer by Texas's Citizen Corps Council. The award is given to a volunteer who shows unwavering dedication, self-sacrifice, and service to the State of Texas, qualities exhibited by the late Chief Jack Colley, head of the Texas Division of Emergency Management from 1998–2010, for whom the award is named.

As the Denton County Emergency Services Community Emergency Response Team (CERT) Volunteer Coordinator, Mrs. Gormley volunteers an average of 50 hours a week, and has trained over 1,000 community volunteers. She also serves as the Secretary for the Denton County Citizen Corps Council, teaches two Teen CERT courses per semester, and was recently the chair of the North Texas Regional Citizen Corps Council. In 2009, the Denton County Citizen Corps Council received the National Award for Outstanding Citizen Corps Council under her leadership as chair.

Furthermore, Mrs. Gormley is a cancer survivor, has undergone quadruple bypass surgery and two complete hip replacements, and lives with a progressive bone fusing condition, all of which make her volunteer efforts even more extraordinary.

The Jack Colley Award for Volunteerism recognizes the efforts of outstanding community volunteers. Mrs. Gormley has given her time above and beyond expectations, and it is my honor to recognize her and represent her in Congress.

HONORING RAYMOND L. BAGAGLIA

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. RYAN of Ohio. Mr. Speaker, today I rise to remember the life of Mr. Raymond Bagaglia, who passed away on December 8, 2010.

Born in Warren, Ohio on February 7, 1930 to parents Frank and Mary DeMarco Bagaglia, Raymond led a life centered around serving his community. As a police officer for the Warren City Police Department, Mr. Bagaglia spent his days working to remove crime from the streets of his beloved hometown. When Raymond was able to spend time away from the force, he enjoyed being an active member of St. Mary's Catholic Church.

Raymond is survived by his wife, Rosemarie, and the couple's five children; Daniel, Lynn Marie, Sue Ann, Nancy Ann and Debra Ann. His son, four daughters, and nine grandchildren helped to fill his life with happiness and joy.

Please join me in extending our most sincere and heartfelt sympathies to the Bagaglia family.

COMMEMORATING THE 150TH ANNIVERSARY OF THE CIVIL WAR BATTLE OF CARTHAGE, MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LONG. Mr. Speaker, I rise today to commemorate the 150th anniversary of the Civil War Battle of Carthage, Missouri.

The western plains of Missouri would not likely have been the scene of an important battle in the early months of the Civil War. Yet as the Missouri State Guard, under Major General Sterling Price, moved south toward Confederate reinforcements in Arkansas, with the Union Army under Brigadier General Nathaniel Lyon in hot pursuit, the engagement at Carthage, on July 5, 1861, would become the largest battle of the Civil War thus far.

The Federal pursuit of the secessionist militia was not a single column chase. Lyon's forces split with the intention of cutting off the Missouri State Guardsmen and preventing their reinforcements from arriving from Arkansas. They intended, too, to blunt the wave of pro-militia public sentiment stemming from the humiliation of the Camp Jackson Affair. With a three pronged attack, Lyon hoped to nip their recruitment and burgeoning morale in the bud.

Union Colonel Franz Sigel arrived in Sarcoux on June 29, and discovered that not only were Price and his men camped south of Neosho, but deposed Missouri Governor Claiborne Fox Jackson, with his thousands of Missouri State Guardsmen, was waiting in Lamar for Brigadier General John S. Rains, commanding a state force out of Lexington. Sigel decided to move southwest to take out Price, then head north to take on Jackson and Rains. When Sigel reached Neosho on July 3, he was surprised to learn that Price had already reached Arkansas, and was camped near Maysville. That same day Rains reached Jackson's camp, while Lyon moved south out of Boonville, in hopes of buttressing his forces with reinforcements out of Kansas. His goal was Springfield.

Sigel modified his plan, leaving a garrison of 94 men under Captain Joseph Conrad at Neosho. He continued on toward Carthage on July 4, and while camping for the night east of town, his outposts on the northern edge of town discovered that Jackson, and his 4000 men, were camped within 15 miles of Carthage.

Colonel Sigel had 1100 men and eight six-pounder guns. None of the men were cavalry. He couldn't have known that half of Jackson's men were unarmed, and most were untrained, unorganized, and similarly afoot. Though Sigel's men were three month volunteers, they were well trained for the military maneuvers the former German soldier would order. They were well rested, well fed, and well organized under their disciplined leader.

The same could not be said of the Missouri State Guard. They seemed to run on pure adrenaline and excitement—never mind that those that had shoes might not have guns, or those that had guns might not have ammunition. They wore the clothes they enlisted in,

thus there were no uniforms to distinguish them from one another, let alone from the opposing side or civilians. Jackson was a civilian, and as a commander in the Missouri State Guard, issued orders in his capacity as commander in chief, albeit a deposed one. Their organization, their discipline, and their capacity to serve as a cohesive military unit operating toward a common goal, was vastly limited before they even met their enemy.

Rains had joined up with Jackson north of Carthage, and the excitement in the camp at the oncoming hostilities created such a stir that most of the men heading out before dawn to battle the Federals had not eaten or adequately rested for the battle. Sigel's men, on the other hand, were fully prepared to endure the long day ahead of them, despite the enormous numbers and seeming advantages of the enemy.

At 8:30 a.m., Sigel's advance guard skirmished briefly with Captain Joseph "Jo" Shelby's cavalry company. Sigel then sent in two companies of infantry in support, and the bulk of his own troops to take on Jackson's main force gathering on a nearby hill. One company and one piece of artillery remained with the wagon train to protect the rear.

The Missouri State Guard forces gathering on the high ground between North Fork and Dry Fork, north of Carthage, were representative of Jackson's forces in whole. There was no reserve, unless the unarmed mass of men at the rear could be considered as such. Jackson seemed to operate on the notion that sheer numbers would intimidate, and thus force the retreat, of Sigel.

The Union forces began firing, their German sharpshooters and competent artillery an excellent asset. The shots reverberated through the Ozark hills, and word of the battle reached the small Union garrison at Neosho. Captain Conrad received orders from Sigel to retreat to Sarcoxie, if necessary. Knowing his commander was hotly engaged and greatly outnumbered, Conrad commenced to a southward retreat. It was too late. Confederate forces out of Arkansas, alongside Missourians under Sterling Price, were already on a northward march to assist Jackson and Rains. Conrad and his men became prisoners of war.

The Union battery continued to pummel the scattered Missourians, eventually ceasing fire for lack of ammunition. Sigel assumed the Guardsmen guns were running low, as well. He had ordered the advance of his troops when he noticed the mass of Rebel cavalry on his perimeter. He likely believed that the enemy reserve would be armed, but little did he know that there what he saw was not a reserve to speak of, nor were any of them armed. His advance quickly became a retreat, a maneuver for which the German leader would be notorious.

It was a slippery spot from which to escape, and he barely achieved it. He concealed one of his batteries in an advantageous hilly spot, and briefly held the ford. Upon the advance of a State Guard cavalry to the east, which wrapped around the rear of his forces and secured Buck Branch to the south, Sigel realized his strength was in jeopardy. His men blasted their way south through Buck Branch in a furious move, fortuitously through inadequately armed State Guardsmen.

His military skill checked the advancing Rebels at Spring River, and again south of Carthage in a desperate move to save the Union supply line. Reaching the previous night's camp south of James Spring, Sigel ordered his rear guard to keep Confederates out of Carthage proper. The pursuing Guardsmen were met with Union gunfire, and the sun set on a continued barrage of bullets. Sigel moved his forces east, along the Sarcoxie road, and continued to give as good as he got from the Rebels. He marched through the night, rested at Sarcoxie, and moved on to the relative safety of Mount Vernon thereafter.

Both sides claimed Carthage as a victory. At the time, the prevention of further Union encroachment into southwestern Missouri gave the Confederates their sense of victory. Sigel's vastly outnumbered army may have failed to achieve the Union mission of checking the Southern troops, but his precarious escape with relatively low casualties gave his day at Carthage a higher regard in historical interpretation. The Union reported 44 casualties, not counting the 94 men captured at Neosho. The Confederate tally is estimated at between 74–200.

The State Guard united with their Confederate brethren out of Texas and Arkansas, and was reinvigorated by the success at Carthage. The scattered but passionate men received a heavy dose of training, consideration from the leaders in Richmond for their persistence, and a much needed boost to their enthusiasm after their defeat at Boonville. Hoping to parlay the passion into a campaign to recapture the state, Jackson, Price and their men would continue their struggle against the Union at Wilson's Creek, and beyond.

**CONGRATULATING THE NEW
BLOOMFIELD WILDCATS MEN'S
BASEBALL TEAM**

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. LUETKEMEYER. Mr. Speaker, I ask my colleagues to join me in congratulating the New Bloomfield Wildcats Men's Baseball Team for winning the Class 2A Missouri State Championship on June 2.

These young men and their coaches should be commended for all their hard work throughout the regular season and bringing home the 2A Baseball Championship to their school and community.

I ask that you join me in recognizing the New Bloomfield Wildcats for a job well done.

**HONORING REV. DR. NORMAN S.
GREER**

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following:

Whereas, our lives have been touched by the life of this one man who has given of himself in order for others to stand; and

Whereas, Rev. Dr. Norman S. Greer's work is present throughout the nation for all to see, being a man of God, a professor of education, a member of Alpha Phi Alpha Fraternity, Inc.; and

Whereas, this giant of a man has preached the gospel of Jesus Christ, taught academics to scholars from across the nation, inspired elected officials, motivated the young and the old, as he accomplished so much during his time on this earth; and

Whereas, this remarkable man gave of himself, his time, his talent and his life; he never asked for fame or fortune; he just wanted to uplift those in need, he just wanted to make a difference by spreading the gospel, educating others, building up a community, while protecting his family; Rev. Dr. Greer inspired others to do the same by witnessing him walk the walk and talk the talk; and

Whereas, Rev. Dr. Greer led by doing behind the scenes and on the front lines for many; Rev. Dr. Greer was a husband, a father, a pastor, a professor and a friend; he was our warrior, our patriarch, a man of great integrity who remained true to the uplifting of the community until his end; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow an honorable distinction and recognition on Rev. Dr. Norman S. Greer for his leadership, friendship and service to all of the citizens of Georgia and throughout the Nation; as a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby attest to the 112th Congress that Rev. Dr. Norman S. Greer of Georgia is deemed worthy and deserving of this "Congressional Honorable Distinction"

Rev. Dr. Norman S. Greer

U.S. Citizen of Distinction

in the 4th Congressional District of Georgia
Proclaimed, this 25th day of June, 2011.

**IN OPPOSITION TO THE
AFGHANISTAN WAR**

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. FARR. Mr. Speaker, I have never supported the Afghanistan War. It has cost us 1,650 American lives. And the cost of those lost lives can't be measured. But this war has also cost us \$444 billion. And that can be measured.

Where we spend our money reflects our national values. And we spend \$228,000 a minute on this war. So every minute of every day, we are telling the world that we value war above all else.

But what about peace? What if we spent \$228,000 a minute on peace? If we did that for just one day, we could send 6,566 Peace Corps Volunteers to serve America in the name of peace. Or we could feed 6.6 million school children for a year.

Those are things worth valuing. Those are things worth fighting for. So, I urge my colleagues to vote to bring our brave women and men back home. To bring our money back in line with our values.

To bring peace back now.

HONORING CLARE ROSE, INC. ON
ITS 75TH ANNIVERSARY

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. BISHOP of New York. Mr. Speaker, family-run businesses are the cornerstone of Long Island's economy. I rise today to honor one such business, Clare Rose, Inc., as it celebrates its 75th anniversary this year.

The success of Clare Rose, Inc. is a testament to the perseverance of the American entrepreneurial spirit. Clare F. Rose founded Clare Rose, Inc. on November 30, 1936 in the quiet hamlet of Patchogue, New York, as a soft drink distribution business and then shifted to beer distribution in 1948.

The company distributed just one brand, Piel's, and eventually added Anheuser-Busch and Heineken brands to its menu of brewed selections. Today, Clare Rose proudly distributes AB InBev, Heineken, Blue Point Craft Beers, and Great South Bay, along with other quality non-alcoholic products. It has grown to be the largest beverage wholesaler on Long Island and the second largest in New York State.

Its initial market territory encompassed only Eastern Suffolk County, later expanding business operations to all of Suffolk in the 1960s and Nassau County in the 1990s. Today, Clare Rose sells more than 11 million cases of beer annually to all of Long Island.

Rose started with just two employees, growing over time to a family of over 300 employees. The Rose family has led the company through seven decades of serving Long Island. Clare's sons Mark and Ric assumed management responsibilities in the 1960s and today, Sean, a third-generation Rose, serves as CEO and Chairman. It is a family business in the truest sense—welcoming fathers, sons, daughters, brothers, and many other family combinations.

Mr. Speaker, businesses are not just measured in profits or clientele, but by the role they play in their community. Clare Rose continues to support local educational and medical institutions, as well as local land and wildlife conservation initiatives across Long Island. The company has also participated in efforts to educate the public regarding responsible alcohol consumption, with a special focus on high school students and the dangers of underage drinking and drunk driving.

Mr. Speaker, local businesses with long histories are treasures for any community. On behalf of New York's first congressional district, I congratulate Clare Rose, Inc. and its employees on its 75th anniversary and wish them decades of success to come.

ARTIFICIAL PANCREAS RESEARCH

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. GALLEGLY. Mr. Speaker, I rise to express my strong support for additional research and testing of a new technology that would enable persons with diabetes to better control their blood glucose levels. Type 1 diabetes is a dangerous and debilitating disease. Nearly 26 million Americans are living with diabetes. People with diabetes often suffer heart attacks, seizures, comas, and blindness.

An artificial pancreas is a device that may help people with type 1 diabetes better and automatically control blood glucose level. It combines a continuous glucose monitor and an insulin pump with sophisticated software to provide the right amount of insulin at the right time. A recent study estimates that this technology will result in nearly \$2 billion in savings to Medicare over 25 years.

Several inpatient studies have demonstrated that the use of an artificial pancreas may reduce dangerous fluctuations of blood sugars. The Food and Drug Administration (FDA) is currently reviewing a proposed guidance developed by the Juvenile Diabetes Research Foundation that would allow outpatient testing of the artificial pancreas.

It is my hope that the FDA will make the review of this proposed guidance one of its highest priorities, and that outpatient testing of the artificial pancreas will be allowed to begin as soon as possible.

HONORING DR. RON ANDERSON
FOR RECEIVING THE LIFE-TIME
ACHIEVEMENT AWARD FROM
THE NATIONAL ASSOCIATION OF
PUBLIC HOSPITALS AND HEALTH
SYSTEMS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to salute Dr. Ron Anderson who was honored in June, 2011 with the Life-time Achievement Award at the 2011 National Association of Public Hospitals and Health Systems annual conference in Chicago.

Dr. Ron Anderson, is President and Chief Executive Officer of Parkland Health & Hospital System in Dallas, Texas. Parkland is considered the premier public hospital in the United States. It has served the Dallas County community since 1894. Dr. Anderson's leadership, dedication to the underserved, commitment to improving the health care system for not just his hospital but for the state and nation, is ultimately a byproduct of his passion to do what's right for those in need.

Dr. Anderson shaped Parkland with the support of the Dallas community to be considered one of the premier public hospitals in the U.S. and is one of the largest. The system has made groundbreaking strides in delivery of

care and hospital operations but also is known for putting theories of public health into application by implementing many educational and preventive programs and concepts such as community-based health care delivery through a county-wide clinic network and a mobile medical program for the homeless.

His 35-year career as a practicing physician and 26-year career as CEO have seen many changes in health care, such as nursing shortages, new technology, HIPAA (patient privacy laws), health maintenance organizations, natural and man-made disasters (plane crashes, hurricanes, etc.) resulting in the loss of countless human lives, and decreases in revenue streams which often resulted in the cutting or rationing of services.

Yet Dr. Anderson has always sought out much more work outside the scope of his job description for the chance to better help those in need. Dr. Anderson has long championed causes that improve health care for the medically underserved and, as a result, he has become one of the nation's leading advocates of health care for the poor.

Throughout his career he has provided sound advice and experience to legislators of both parties regarding health care issues. He has served on the National Health Policy Initiative to advise the White House on health care issues as well. Since 1992, he has served on the Kaiser Commission on Medicaid and the Uninsured.

His vision of health care for all, regardless of ability to pay, and his desire to see that happen have led to groundbreaking changes to the U.S. health care system. In 1985, he played a major role in the passage of landmark legislation concerning indigent health care in Texas that banned "patient dumping."

On behalf of a deeply grateful community, I want to join with my colleagues in the House of Representatives in thanking Dr. Ron Anderson on a job well done.

RECOGNIZING LIEUTENANT
COLONEL WILLIAM JOHNSON

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. SMITH of Washington. Mr. Speaker, today I recognize and pay tribute to Lieutenant Colonel William "Will" Johnson, United States Army, on the occasion of his departure from the Army House Liaison Office to take Command of 5th Battalion, 82nd Field Artillery Regiment, 4th Brigade Combat Team, 1st Cavalry Division at Fort Hood, Texas. I, and many other Members of the House of Representatives, have had the pleasure of working with him over the past two years that he has served as a part of the U.S. Army Office of Legislative Liaison and as a Liaison Officer in the Army Liaison Office in the U.S. House of Representatives.

Lieutenant Colonel Johnson was commissioned a Second Lieutenant in the Field Artillery from the University of Richmond's Reserve Officer Training Corps in May of 1993. In January of 1994, he entered active military service when he attended the Field Artillery

Basic Course at Fort Sill, Oklahoma. Lieutenant Colonel Johnson's first unit of assignment was the 1st Cavalry Division at Fort Hood, Texas, where he served as a Fire Support Officer, Platoon Leader, and General's Aide-de-Camp.

Upon completion of the Infantry Officer Advance Course, Lieutenant Colonel Johnson was assigned to the 3rd Infantry Division at Fort Stewart, Georgia. During his first time at Fort Stewart, he served as a Battalion Fire Support Officer and a Battery Commander. While a commander, he led his men in combat during the ground invasion of Iraq in 2003, stopping first in Baghdad and finishing in Fallujah.

Upon his return from Iraq, Lieutenant Colonel Johnson married the former Jessica M. Parrish.

After graduation from the Command and General Staff College at Fort Leavenworth, Kansas, Lieutenant Colonel Johnson was reposted at Fort Stewart, Georgia. While living in Georgia, Will and his wife were blessed with the birth of their son, Davis. Lieutenant Colonel Johnson deployed once again to Iraq in 2007 as part of the "Surge" serving for 14 months as a Brigade Fire Support Officer and later as Battalion Operations Officer. Upon returning, Lieutenant Colonel Johnson and his family moved to the National Capitol Region for their current assignment in Army Legislative Liaison. Lieutenant Colonel Johnson was selected by Representative John M. Spratt, Jr. as his Department of Defense Military Fellow in the Second Session of the 111th Congress.

Upon completion of his Fellowship, Lieutenant Colonel Johnson was assigned to the Army House Liaison Office informing and assisting all the members of this legislative body. Lieutenant Colonel Johnson has never failed to impress my colleagues and me with his energy and dedication to Soldiers, their families, and the United States Army. He is a superb representative of Army values.

It is my great honor to congratulate Lieutenant Colonel William "Will" Johnson on his service to the Army and our Nation and I ask my colleagues to join me in recognizing the outstanding accomplishments of this Soldier, citizen, and friend.

CONGRATULATING THE COLUMBUS DISPATCH FOR 140 YEARS

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. STIVERS. Mr. Speaker, I rise today to congratulate The Columbus Dispatch for 140 years in business as a leading news source in Ohio. When I am home, I start each morning at the table with my daughter Sarah, eating breakfast and reading the Dispatch.

From the inaugural publication on July 1, 1871, to this morning's edition dropped on my doorstep in Columbus, the Dispatch has become a staple in Central Ohio as the region's daily printed and on-line source for local, state, national, and international news. With a proven track record of trustworthy and in-depth analysis, unbiased relaying of the facts,

and heartfelt community editorials the Dispatch exemplifies excellence in reporting.

The important events of the past 140 years have been delivered into the homes of our community by the Dispatch. The paper relayed the sinking of the Titanic and the outbreak of WWI. It told of the tragedies of Pearl Harbor and gave us hope after September 11, 2001. And the paper has celebrated our local victories with us, like the Buckeyes National Football Championship in 2002.

Since 1905, the Wolfe family has owned and operated the newspaper, allowing it to become one of the most widely read newspapers in the nation. To the Wolfe family and all Dispatch employees, I offer my congratulations and may your next 140 years be as informative, innovative, and inspiring as your first.

CELEBRATING THE 100TH BIRTHDAY OF THE BOYES HOT SPRINGS POST OFFICE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today with my colleague, Representative MIKE THOMPSON, to honor the 100th birthday of an important community institution, the Boyes Hot Springs Post Office. On July 8, 1911, the Sonoma Index Tribune reported that "A.D. Graham of Graham's Cash Store received the appointment as post master of Boyes Springs. Located at his store."

The store, lost in a 1923 fire along with most of the town, was near the train depot at Boyes Boulevard and the Sonoma Highway (Hwy 12). After rapid rebuilding, the post office was located in the Woodleaf Store (now a diner that is part of the Sonoma Mission Inn) until 1951 when its current site was built at the Plaza Center at Boyes Boulevard and Sonoma Highway.

This site, previously known as the Boyes Springs Plaza, had been the scene of street parties and fiestas. Now, redevelopment plans include a public plaza in the surrounding space, reviving it as a place for celebration.

Boyes Hot Springs has a lively history, integral to the fabric of the Sonoma Valley. Formerly the center of a great resort area, it hosted thousands of visitors during its heyday. There were dozens of resorts, from small motor courts to the grand Sonoma Mission Inn. The Boyes Bath House boasted the second largest indoor swimming pool in the country. And, for many years, the area was a training ground for professional football and baseball teams such as the Cleveland Browns and the San Francisco Seals.

After the demise of the passenger railroad, the area still thrived with the construction of the Golden Gate Bridge and the rise of the automobile. Boyes Springs real estate man L.E. "Bud" Castner was one of the first directors of the Golden Gate Bridge District.

In the 1960s, as the resorts faded, Boyes Hot Springs faded a bit as well. Community pride, however, never waned. The area became attractive in the 1980s and 1990s to home buyers who were priced out of the Bay

Area market. Attracted by its rural charm, they purchased its large stock of charming cottages to rehabilitate. At the same time, the population of Mexican immigrants grew, attracted principally by the grape growing and wine businesses.

To old timers and new residents alike, the post office is the center of the community. Since most of the surrounding streets receive no mail delivery, residents make a daily trip to the post office where they catch up on the latest local news with their friends and neighbors. The immigrant population relies on it for communication with their families back home. The postal workers are personally known to all, a part of the broader community family.

Mr. Speaker, the community is hosting a celebration to honor this anniversary. In the words of one of the organizers, Michael Acker of the Springs Community Alliance, it will "salute the past, show appreciation for service, and look to the future with hope." Please join us in honoring the centennial of the Boyes Hot Springs Post Office.

IN HONOR OF DR. LARRY EUGENE RIVERS, PRESIDENT OF FORT VALLEY STATE UNIVERSITY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a great leader in higher education in Georgia—someone who has been committed to improving the lives of young men and women throughout his career. Dr. Larry Rivers recently marked his fifth anniversary as the President of Fort Valley State University (FVSU), and what a remarkable 5 years it has been.

Dr. Rivers was born in the suburbs of Philadelphia and graduated from what was then Fort Valley State College. After earning a master's degree in history from Villanova University, and a Doctor of Arts degree in history from Carnegie-Mellon University, he went on to teach at Florida A&M University for more than 20 years and earned the rank of "distinguished university professor," one of only two on the campus.

He returned to his alma mater in 2006, and in 5 short years, FVSU has experienced a remarkable turnaround under Dr. Rivers' leadership. Student enrollment is at the highest point in the 115-year history of the university. Since 2006, the university invested \$160 million in new construction projects that are transforming the campus with additional buildings to accommodate more students and new research facilities. And FVSU now offers new undergraduate courses and master's degrees in fields such as biotechnology, teaching, and early childhood development that will provide the education and training our future leaders need to compete in a 21st century economy.

Because of FVSU's progress, the Southern Association of Colleges and Schools recently reaffirmed the university's accreditation, and the school was ranked 25th on U.S. News and World Report's list of "America's Best Black Colleges."

To meet the demands of FVSU's growth, the City of Fort Valley has modernized its infrastructure through several rural development grants and wastewater reclamation projects. These fundamental improvements will attract new businesses to Southwest Georgia that are looking to take advantage of the talented individuals FVSU is producing each and every year.

Dr. Rivers has earned well-deserved praise for his efforts at FVSU. Georgia Trend magazine recognized him as one of the "100 Most Influential Georgians" and one of Georgia's "Top 25 Leaders" in its 25th Anniversary issue. While the transformation at FVSU is remarkable, I know Dr. Rivers will not rest until FVSU is ranked 1st.

As Thomas Jefferson once said, "Universities are based on the illimitable freedom of the human mind." I am confident that under the leadership of Dr. Larry Rivers, we will continue to expand the minds of our young men and women and educate the leaders of tomorrow.

AMENDMENT TO H.R. 2219, OFFERED BY CONGRESSMAN POSEY (FL-15)

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mrs. ADAMS. Mr. Speaker, I rise in support of this amendment and commend my friend Congressman POSEY for his work on this jobs initiative.

Florida is home to Kennedy Space Center, the heart of NASA's space shuttle program. With tens of thousands of highly-skilled men and women currently working on the Space Coast in support of NASA's human space flight program, their jobs are threatened by the Administration's decision to end the shuttle program and cancel Constellation without a viable plan for the future of space exploration. These jobs will be lost, possibly forever, and in the midst of a housing and economic recession not seen in Florida in decades. Mr. Speaker, the truth is that the Space Coast cannot afford to lose these jobs.

That is why I am proud to stand with Mr. POSEY in support of this much needed amendment. Make no mistake, this is a jobs amendment—one that will help support families and small businesses throughout Central Florida. Specifically this amendment commits the Department of Defense to use the National Shuttle Logistics Depot to the greatest extent practicable and to assist in the preservation of our highly skilled aerospace and engineering workforce. By utilizing already existing infrastructure and a trained workforce, the government can leverage this unique skill set to advance our nation's space and defense missions at minimal cost to the American taxpayer.

The aerospace workers across the country have already been hit by an economy struggling under the tax and spend policies of the President and now, without a solid plan from NASA on what is next for the space program, the industry base will simply disappear. This is

an easy way for the federal government to utilize the resources we already have to help create aerospace jobs throughout the country, without throwing away decades of technology and laying off tens of thousands of highly skilled workers.

Mr. Speaker, when governments like China are gearing up for the next big explosion in space industry and technologies, preserving this workforce is not just about ensuring people have jobs—it is about the national security interests of our nation.

If we lose this national asset, I fear we will forever be remembered as the country that gave up the last frontier. One that looked to the stars and told the world we weren't interested.

I encourage all of my colleagues to vote in favor of this jobs amendment to help save a workforce we desperately need.

INTRODUCING AMENDMENT TO THE DEFENSE APPROPRIATIONS BILL

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 6, 2011

Mr. POSEY. Mr. Speaker, I rise today to introduce an amendment to the Defense Appropriations bill that directs the Secretary of Defense to utilize to the fullest extent practicable the incredible resource that exists at the NASA Shuttle Logistics Depot, NSLD, in Central Florida.

The Department of Defense would be well served to make greater use of the facility's unique manufacturing capabilities and highly-skilled workforce for Department of Defense supply chain and repair needs. The loss of this facility and its workforce would not only be a blow to our nation's space program but represent a missed opportunity to serve U.S. national security interests.

The unique combination of technologically-advanced equipment used in the 300,000 sq. ft. NSLD facility for aerospace manufacturing, repair, and overhaul combined with the critical workforce is extremely capable of providing warfighter support for our military. Although the NSLD's operator, the United Space Alliance, USA, has procured a recent DLA contract, the work is not enough to maintain the NSLD.

This irreplaceable workforce will go elsewhere once the Shuttle Program comes to an end. The skills the NSLD facility and personnel offer are a direct match to those the DoD needs to reduce the risk of vanishing vendors and diminishing manufacturing sources in its supply chain. USA's performance-based logistics operations have maintained on-time delivery greater than 98 percent, and a customer acceptance rate of 99.99 percent.

USA has managed NASA assets of 250,000 unique part numbers valued at \$1.5 billion per year. During the Shuttle Program, over 80 OEM hardware repair or manufacturing tasks—260 Orbiter Line Replaceable Units comprised of over 7,000 line items—were transitioned to and certified by USA at the

NSLD. By Shuttle Program end, more than 80 percent of all completed Orbiter Line Replaceable Unit repairs were done at NSLD by USA resources.

This Amendment is directly tied to jobs. The final flight of the Space Shuttle Orbiter, scheduled for Friday, sets the stage for a mass exodus of highly skilled labor and specialized resources from Florida's Space Coast. This void will further strain our economy and dilute the workforce and capabilities needed to sustain the technologies required to achieve the diversification of Florida's economy.

Aside from being a great asset to the Department of Defense, greater utilization of this important asset will keep the facility functioning as we look to NASA's next mission. This workforce would have been sustained as NASA transitioned to the Constellation Program, that is before it was vitiated. The retirement of the Shuttle Program presents an excellent opportunity for the Department of Defense, the Defense Logistics Agency specifically, to take advantage of the highly skilled workforce as they process and refurbish equipment returning from theater in Iraq and Afghanistan. This is an opportunity which can preserve a national asset, preserve jobs, and assist the Department of Defense in cycling through the equipment returning from combat.

And so, Mr. Speaker, I am submitting this amendment to encourage DoD to make better use of this rich resource so that it does not winnow away.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 7, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 12

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine enhanced investor protection after the financial crisis.

SD-538

Energy and Natural Resources

To hold hearings to examine S. 1160, to improve the administration of the Department of Energy, S. 1108, to provide

local communities with tools to make solar permitting more efficient, and S. 1142, to promote the mapping and development of the United States geothermal resources by establishing a direct loan program for high risk geothermal exploration wells, to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications.

SD-366

Environment and Public Works

To hold an oversight hearing to examine the Environmental Protection Agency's implementation of the Safe Drinking Water Act's Unregulated Drinking Water Contaminants Program.

SD-406

10:15 a.m.

Joint Economic Committee

To hold hearings to examine manufacturing in the United States of America, focusing on training America's workforce.

SH-216

2:30 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine if new technology and private sector business practices can cut waste and fraud in Medicare and Medicaid.

SD-342

Health, Education, Labor, and Pensions

To hold hearings to examine pensions, focusing on building a strong middle class and strong economy.

SD-430

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JULY 13

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine unauthorized charges on telephone bills, focusing on why cramers win and consumers lose.

SR-253

Health, Education, Labor, and Pensions

Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law

109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

Room to be announced

Homeland Security and Governmental Affairs

To hold hearings to examine ten years after 9/11, focusing on preventing terrorist travel.

SD-342

Judiciary

To hold hearings to examine the "Violence Against Women Act", focusing on building on seventeen years of accomplishments.

SD-226

2:30 p.m.

Judiciary

To hold hearings to examine the nominations of Morgan Christen, of Alaska, to be United States Circuit Judge for the Ninth Circuit, Scott Wesley Skavdahl, to be United States District Judge for the District of Wyoming, Sharon L. Gleason, to be United States District Judge for the District of Alaska, Yvonne Gonzalez Rogers, to be United States District Judge for the Northern District of California, and Richard G. Andrews, to be United States District Judge for the District of Delaware.

SD-226

Armed Services

SeaPower Subcommittee

To hold hearings to examine the required force level of strategic airlift aircraft mandated by title 10, United States Code, and the administration's request to eliminate that requirement in review of the Defense Authorization Request and the Future Years Defense Program.

SR-232A

3 p.m.

Foreign Relations

To hold hearings to examine the nominations of Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia, William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova, John A. Heffern, of Missouri, to be Ambassador to the Republic of Armenia, Thomas M. Countryman, of Washington, to be Assistant Secretary for International Security and Non-Proliferation, Jeffrey DeLaurentis, of New York, to be Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative for

Special Political Affairs in the United Nations, all of the Department of State.

SD-419

JULY 14

10 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

Health, Education, Labor, and Pensions

To hold hearings to examine learning from what works for employment for persons with disabilities.

SD-430

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine the National Nanotechnology Investment, focusing on manufacturing, commercialization, and job creation.

SR-253

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine native women.

SD-628

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JULY 21

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities.

SD-628

JULY 27

2 p.m.

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine financial management and business transformation at the Department of Defense.

SR-232A

JULY 28

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine enforcing the "Indian Gaming Regulatory Act", focusing on the role of the National Indian Gaming Commission and tribes as regulators.

SD-628